

**OFFICIAL NOTICE AND AGENDA
of a meeting of the County Board,
Committee, Agency, Corporation or a
sub-unit thereof.**



MARATHON COUNTY, WISCONSIN

Marathon County Mission Statement: *Marathon County Government serves people by leading, coordinating, and providing county, regional, and statewide initiatives. It directly or in cooperation with other public and private partners provides services and creates opportunities that make Marathon County and the surrounding area a preferred place to live, work, visit, and do business.*

An educational meeting of the **MARATHON COUNTY BOARD OF SUPERVISORS** will be held at the Marathon County Courthouse, Assembly Room, 500 Forest Street, in the City of Wausau, at **7:00 p.m., on Thursday, September 12, 2019.**

AGENDA

1. Meeting called to order at 7:00 p.m. by Chairperson Gibbs, the agenda being duly signed and posted
2. Pledge of Allegiance to the Flag; Followed by a Moment of Silence/Reflection
3. Reading of Notice
4. Request to Silence Cell Phones and Other Electronic Devices
5. Roll Call
6. Acknowledgement of Visitors
7. 15 Minute Public Comment
8. Education Presentations / Reports:
 - a) Standing Committee Chairpersons or Designees
 - b) Developing a Shared Vocabulary and Understanding of Key Concepts of Diversity and Inclusion – Dr. Kelly Wilz, Communications Division Chair, UWSP
9. Appointment – Action will be taken on these appointments on September 12, 2019
 - a) County Clerk
- Oath of Office
 - b) Administrator Recruitment Task Force
10. Review and discussion of Tuesday meeting agenda items:
 - a) Ordinances:
 1. Environmental Resources Committee:
 - A. Town of Plover Rezone – Tim Vreeland for Jeff Fraaza #O-16-19
 - B. Town of Holton Rezone – Jason & Stacy Brusky #O-17-19

FAXED TO DAILY HERALD

Date _____ Time _____ AM/PM
BY _____

Signed: _____ /s/ Kurt Gibbs
Presiding Officer or Designee

THIS NOTICE POSTED AT THE COURTHOUSE
Date _____ Time _____ AM/PM

- C. Town of Wien Rezone – Justin & Brittni Krzanowski #O-18-19
- D. Ordinance Amending General Code of Ordinances for Marathon County Chapter 13 Livestock Facilities Licensing Ordinance Code #O-19-19
- 2. Executive Committee:
 - A. Motion to Reconsider - Amending Sec. 2.05(XX) of the General Code of Ordinances: Administrator Recruitment Task Force Charter to Correct Error in Membership #O-20-19
- b) Resolutions:
 - 1. Health and Human Services Committee:
 - A. To Amend the Administrator’s Work Plan To Include Investigation Regarding Whether It Would Be Appropriate to Develop a Workplace Naloxone Use Program #R-49-19
 - 2. Human Resources, Finance, and Property Committee:
 - A. A Resolution Approving The 2020 Capital Improvement Program Projects #R-50-19
 - 3. Infrastructure Committee:
 - A. County Bridge / Culvert Aid #R-51-19
- 11. Announcements and / or Requests
- 12. Adjourn

Any person planning to attend this meeting who needs some type of special accommodation in order to participate should call the County Clerk's Office at 261-1500 or e-mail infomarathon@co.marathon.wi.us one business day before the meeting.

Division of Communication

College of Fine Arts and Communication

University of Wisconsin-Stevens Point > Division of Communication > Kelly Wilz

Faculty & Staff



Kelly Wilz

Division Head
Director of Communication 101
Associate Professor - Communication

CAC 225
715-346-3409
Kelly.Wilz@uwsp.edu

Focus

- B.A. Degree: Communication Studies, Gustavus Adolphus College
- M.A. Degree: Communication Studies, Northern Illinois University
- Ph.D. Degree: Communication and Culture, Indiana University
- Ph.D. Dissertation: From Caricatures to Characters: Processes of Rehumanization in Iraq War Films

Courses Taught

- **COMM-101:** Fundamentals of Oral Communication
- **WGS-105:** Introduction to Women's and Gender Studies
- **COMM-396:** Communication and Gender
- **COMM-390/590:** Hashtag Activism
- **COMM-390/590:** Sex, Communication, and #MeToo

About

Kelly Wilz received her Ph.D. from Indiana University's department of Communication and Culture. Her research and teaching explore the intersections of education, media literacy, gender, politics, democracy, and popular culture. The focus of her primary research is on rhetorical constructions of gender, violence, and dissent within the context of U.S. war culture and American politics. Related topics of interest include how dehumanizing and demonizing rhetoric extend beyond war to broader patterns of social violence based on intersectional discourses of race, gender, sexual orientation, ethnicity, and other identity markers. Wilz's work has appeared on The Huffington Post, Thought Catalog, Feministing, and other media outlets. You can view her TEDx talk on #MeToo and constructed masculinity here:

<https://www.youtube.com/watch?v=fJuwsbnnDio>

Selected Publications

Sex After #MeToo: Models of Consent, Pleasure, and Healthy Intimacy. Lexington Books, forthcoming.

Book Review: "Review: Why I am Not A Feminist: A Feminist Manifesto by Jessica Crispin." *Resources for Gender and Women's Studies: A Feminist Review* 39.2, (2018).

"Subverting the White Gaze: ReCentering Blackness in Jordan Peele's Get Out." *The Journal of Popular Culture* 2017 (under review).

"Bernie Bros and Woman Cards: Rhetorics Of Sexism, Misogyny, And Constructed Masculinity In The 2016 Election." *Women's Studies in Communication* 39.4 (2016): 357-360.

"Through a Soldier's Eyes: Stereoscopic Gazing in Operation Homecoming: Writing the Wartime Experience." *The Wiley-Blackwell Companion to The War Film*. Ed. Doug Cunningham. Wiley-Blackwell, 2016. Print.

"Misogyny and Torture Porn in American Horror Story: Coven." *Contemporary Studies of Sexuality & Communication*. Ed. James Manning and Carey Noland. Dubuque: Kendall- Hunt, 2016. Print.

"Models of Democratic Deliberation: Pharmacodynamic Agonism in The Daily Show." *The Daily Show and Rhetoric: Arguments, Issues and Strategies*. Ed. Trischa Goodnow. Lanham: Lexington Books, 2011. 77-93. Print.

"Rehumanization Through Reflective Oscillation In Jarhead." *Rhetoric & Public Affairs* 13.4 (2010): 581-609.

"Richard's Story: The Present Referent in *In the Valley of Elah*." *Global Media Journal* 8:15 (2009): Special issue on the intersections between performance studies, media, gender, leadership, and peace studies.

Faculty Page for Dr. Kelly Wilz, Communications Divisions Chair, UWSP

<https://www.uwsp.edu/comm/Pages/Faculty/Kelly-Wilz.aspx>



Anti-Oppression Presentation

Marathon County Board

Who We Are

Kelly Wilz, Ph. D. (she, her, hers)

Greg Wright, (he, him, his)

Goals

Use common definitions

Understand the role of policy

Learn how to use defensiveness

See unintended consequences

Not Our Goals

Shame individual people

Decide who is good and bad

Check the annual diversity box

Approach to Activity

Call out “Pinch” Moments

Dealing with Discomfort

Open Minds

Critical Consciousness



Definitions/Key Terms

Key Term: Social Construct

Category, perception, or idea
created and developed by society,
and applied to individuals or groups

Mutually agreed upon Rules, Norms

Examples of Social Constructs


Race: made up categories based on skin tone and regions

Gender: social norms, attitudes & activities that **society deems more “appropriate” for men or for women**

Virginity: “straight male/female penetrative sex”

Money/Currency: piece of paper that has meaning because of societal agreement

Marriage, fashion, “good,” “evil,”



Social Construct: “Differences in race are based on biology”

False: There is no gene or “cluster of genes” common to “all black people” or “all white people.”

Key Term: Dominant Ideology

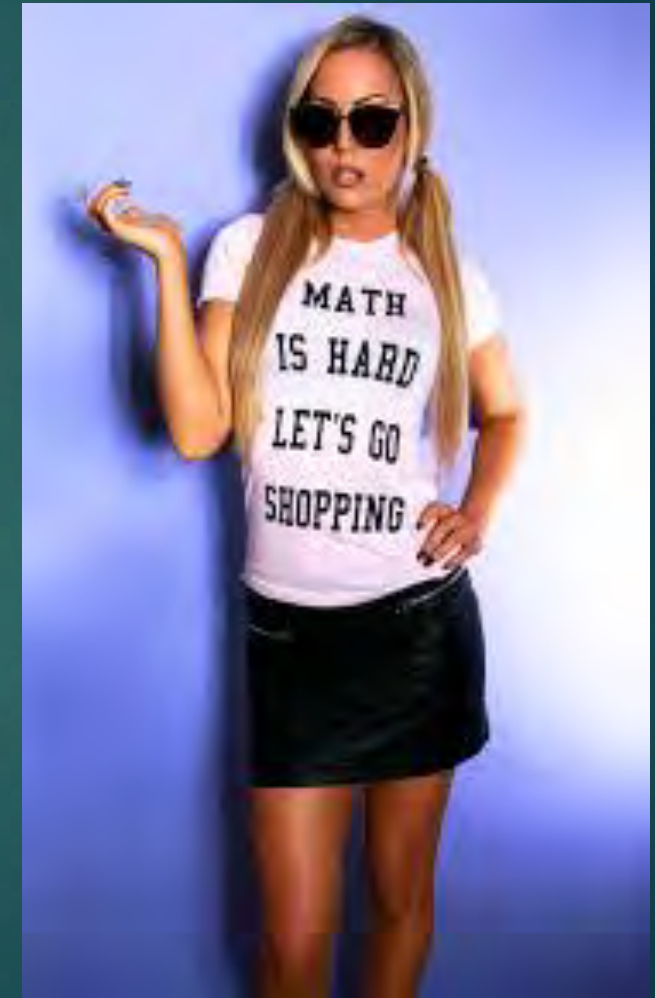
Ideologies always represent the attitudes, interests, and values of a particular group and frame how we think of social constructs.

Dominant Ideologies about Gender:

“Girls aren’t good at math and science”

“Real Men’ don’t cry”

“Girls aren’t good at math and science”



Act Like a Man Box

- Weakness
- Unathletic
- Sensitive
- Mama's boy

- Strong
- In Control
- Money
- Car
- Girls
- Aggressive
- Tough
- Athletic
- Confident
- Funny

- Try hard
- Gay
- Effeminate
- Geeky
- Cries

Social Construct: “Differences in race are based on biology”

Dominant Ideology: “Black men are ‘thugs,’ and are ‘naturally’ violent”

Key Term: Oppression

Prejudice and discrimination directed toward a group and perpetuated by the ideologies and practices of multiple social institutions.

Systemic vs. “Good” or “Bad”

Learned/Taught

Social Construct: “Differences in race are based on biology”

Dominant Ideology: **“Black men are “thugs,” and are “naturally” violent”**

Belief: “We should fear black men”

Oppression: People *perceive* black men as larger, stronger, **more muscular and more threatening in real life. “Unarmed** black men are disproportionately more likely to be shot and killed by police, and often these killings are accompanied by explanations that cite the physical size of the person **shot”**

Wilson, John Paul, et al. “Racial Bias in Judgments of Physical Size and Formidability: From Size to Threat.” *Journal Of Personality And Social Psychology*, vol. 113, no. 1, July 2017, pp. 59–80. EBSCOhost, doi:10.1037/pspi0000092.

Key Term: Privilege

Benefits, advantages, and power that members of a dominant group hold as a result of the oppression of a marginalized group(s)

Individuals and groups can be privileged without realizing, recognizing, or even wanting it.

Invisible

Unearned Benefits

White Privilege

I can go into a hairdresser's shop and find someone who can cut my hair.

I can easily see people of my race in media and books.

I can buy “flesh” colored band aids that match my skin tone

Male Privilege

I am more likely to be published, have my books reviewed, and get other publishing industry attention that gets their books widely read.

Doctors are more likely to take me seriously when I tell them my symptoms, and not write it off as **“hysteria” or “being dramatic.”**

I’m not expected to change my name if I get married or questioned if I don’t.

Heterosexual Privilege



I have never had to “come out” to my parents

I have never had to hide my sexual orientation from family or friends

Social Construct: “Differences in race are based on biology”

Ideology: “Black men are “thugs,” and are “naturally” violent”

Belief: “We should fear black men”

Oppression: People *perceive* black men as larger, stronger, **more muscular and more threatening in real life. “Unarmed black men are disproportionately more likely to be shot and killed by police, and often these killings are accompanied by explanations that cite the physical size of the person shot”**

Privilege: As a white person, my behavior is less likely to be seen as criminal and/or threatening

Bigotry, Prejudice, and Racism

Bigotry is a personal belief system that may manifest in acts of meanness or hostility on an individual level.

Prejudice is a preconception about an individual on the basis of a racial identity.

Racism differs from either of these because it involves a 'system of advantage based on race' and means prejudice plus bigotry plus power, or the ability to grant privileges to groups and withhold them from others.



Bigotry + Prejudice + Power =
Reverse Racism Isn't Real

There has never been a national set of laws or system put in place to systematically oppress **white people or push them to a status that is “less than”**

No institution, No Power, No reverse racism

Reverse Racism Isn't Real

Racial prejudice: “white people are lazy and unreliable”

If a person of color stereotypes a white person because of their race there is no existing institution reinforcing those stereotypes that then disproportionately affect all white people

Racism: “black people are lazy and unreliable”

Real life consequence: people with traditionally latino or **“black” sounding names have a harder time getting interviews** or home loans due to these stereotypes

Inferential vs Overt Racism

Overt Racism: easily identifiable as openly racist
(cross burning, KKK hoods)

Inferential/ “Dog Whistle” Racism: coded racism

Terms like “gangbanger” “thug” and “sharia law”
superficially reference race and religion.

“Dog whistle” codes often hide racism even from
those in whom it triggers strong reactions

Social Construct: “Differences in race are based on biology”

Ideology: “Black men are “thugs,” and are “naturally” violent”

Belief: “We should fear black men”

Oppression: People *perceive* black men as larger, stronger, more muscular and more threatening in real life. “Unarmed black men are disproportionately more likely to be shot and killed by police, and often these killings are accompanied by explanations that cite the physical size of the person shot”

Privilege: As a white person, my behavior is less likely to be seen as criminal and/or threatening

Racism: “If ‘those people’ just had stronger families, there wouldn’t be so many black people in jail.”



PUBLIC POLICY NOT ONLY RESPONDS TO
DOMINANT IDEOLOGIES AND SOCIAL
CONSTRUCTS, IT CAN EXAGGERATE THEM.

A promotional image for the TV show 'The Suburbs'. On the left, Adam Carver, wearing glasses and a suit, is playing cards. On the right, a man in a polo shirt looks distressed with his hands on his face. The title 'ADAM RUINS' is in large blue letters, and 'The SUBURBS' is in a red banner with dice.

**ADAM
RUINS**

The
SUBURBS



SEE DEFENSIVENESS AS A TOOL
FOR COMMUNITY CHANGE



MAGIC EYE & SEEING OPPRESSION



WHAT IS THE BEST
MOVIE YOU EVER SAW
IN THE THEATER???




**THAT MOVIE
SUCKS!!!!**

A large, empty theater with rows of red seats facing a white screen displaying the text "CHILDHOOD SLIDESHOW". The theater is dimly lit, with the focus on the screen and the rows of seats extending into the distance.

CHILDHOOD SLIDESHOW

A large, empty theater with rows of red seats facing a white screen displaying the text "OBSTRUCTED VIEW". The theater is dimly lit, with the focus on the screen and the rows of seats. The seats are arranged in a wide, shallow bowl shape, and the walls are dark wood paneling. The text is centered on the screen in a large, bold, black font.

OBSTRUCTED VIEW

A large, empty movie theater with rows of red seats and a white screen at the front. The text "ONLY TWENTY TICKETS" is displayed on the screen.

**ONLY TWENTY
TICKETS**

A wide-angle photograph of a large, empty theater. The foreground and middle ground are filled with rows of plush, red upholstered seats, arranged in a semi-circular pattern. The seats are facing a large, white rectangular screen at the far end of the theater. The screen displays the text "TORNADO HIT THE THEATER" in a bold, black, sans-serif font. The theater's walls are dark wood-paneled, and the overall lighting is dim, creating a quiet, atmospheric setting.

TORNADO HIT THE THEATER

A red stamp with a distressed, ink-like texture. The word "BIAS" is written in a bold, sans-serif font within a double-lined rectangular border.

EQUITY

ACCESS!

The word "SAFETY" where each letter is filled with a different safety-related icon. 'S' has a yellow and black hazard symbol, 'A' has a red and white fire extinguisher, 'F' has a blue and white fire exit sign, 'E' has a red and white fire exit sign, 'T' has a green and white fire exit sign, and 'Y' has a black and white fire exit sign.

FOUR FILTERS







SHIFT FROM

HAVE YOU EVER THOUGHT OF...?

TO

WHAT AM I MISSING?

A red stamp with a distressed, ink-like texture. The word "BIAS" is written in a bold, sans-serif font within a double-lined rectangular border.

EQUITY

ACCESS!

The word "SAFETY" where each letter is filled with a different safety-related icon. 'S' has a yellow and black hazard symbol, 'A' has a red and white fire extinguisher, 'F' has a blue and white fire exit sign, 'E' has a red and white fire exit sign, 'T' has a green and white fire exit sign, and 'Y' has a black and white fire exit sign.

FOUR FILTERS





The police in Wausau are racist.

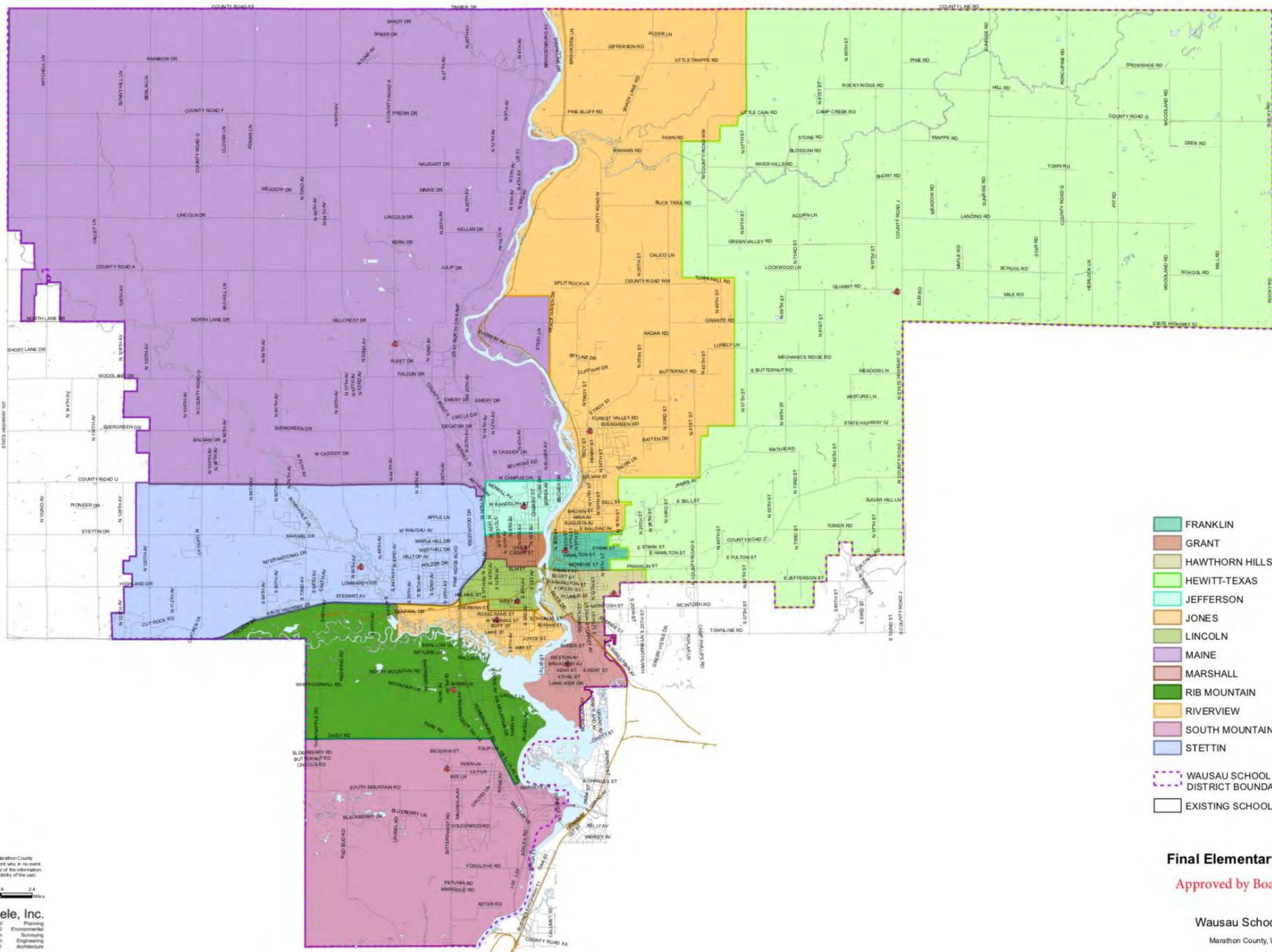


There is nothing to do in Marathon County.



Wausau schools suck.

UNINTENDED CONSEQUENCES



- FRANKLIN
- GRANT
- HAWTHORN HILLS
- HEWITT-TEXAS
- JEFFERSON
- JONES
- LINCOLN
- MAINE
- MARSHALL
- RIB MOUNTAIN
- RIVERVIEW
- SOUTH MOUNTAIN
- STETTIN
- WAUSAU SCHOOL DISTRICT BOUNDARY
- EXISTING SCHOOL BOUNDARY LINES

Final Elementary Boundaries
 Approved by Board, 11-14-16

Wausau School District
 Marathon County, Wisconsin



The base map was created with data from Marathon County
 Corporation, Planning and Zoning Department who is to warrant
 no assurance as to liability regarding fitness of use of the information
 and any application by which is the responsibility of the user.

Martenson & Eisele, Inc.
 1377 Military Road
 Menasha, WI 54952
 Planning
 Environmental
 Surveying
 Engineering
 Architecture
 920.731.0381 1.800.238.0381
 map10178000\gsmsd_Final Boundaries 10/11/2016



You have taken an oath to serve all people in Marathon County.

To do that effectively, you have to be able to remove yourself from your own experience and understand how others experience the county.

MONEY



WAUSAUS

APPOINTMENT
Marathon County Clerk

I, Kurt Gibbs, Marathon County Board Chair, on behalf of the Employee Resources Department Workgroup to assist in the selection of the County Clerk of Marathon County, do hereby submit for approval of the Board of Supervisors, the name of Kim Trueblood, 902 Stewart Ave., Wausau, WI 54401, for appointment by the Board, pursuant to §17.21(3), Wis. Stats., to the position of County Clerk for Marathon County for the residue of the unexpired term, effective September 15, 2019 through the end of the current term of office, January 4, 2021.

Ms.Trueblood will be compensated at \$83,422 annually.

Dated this 12th day of September, 2019.

Kurt Gibbs
Marathon County Board Chair

Fiscal Impact: \$83,422 annually (salary only - 2019 rate).

STATE OF WISCONSIN)
) SS.
COUNTY OF MARATHON)

I, Nan Kottke, County Clerk in and for Marathon County, Wisconsin, hereby certify that the above appointment was confirmed by the Marathon County Board of Supervisors at their meeting which was held September 12, 2019.

S E A L

Nan Kottke
Marathon County Clerk

ORDINANCE # O - _____ -19

Town of Plover Rezone

WHEREAS, the Marathon County Board of Supervisors has been petitioned to amend the General Code of Ordinances for Marathon County Chapter 17 Zoning Code Chapter 17; by Tim Vreeland on behalf of Jeff Fraaza to rezone from: G-A General Agriculture to R-R Rural Residential in the Town of Plover; described as part of the SW ¼ of the SW ¼ of Section 20, Township 29 North, Range 10 East, Town of Plover. Part of parent parcel PIN # 062-2910-203-0997.

WHEREAS, the petition was referred to the Marathon County Environmental Resources Committee (the Committee) for public hearing; and

WHEREAS, the Committee, on due notice, conducted a public hearing thereon, pursuant to Section 59.69, Wisconsin Statutes on September 5, 2019 to consider the petition to amend Chapter 17; and




WHEREAS, the Committee being duly informed of the facts pertinent to the changes proposed, having reviewed the staff report, and duly advised of the recommendations of the Town of Plover, hereby recommends the petition be GRANTED AS APPLIED FOR

NOW, THEREFORE, the County Board of Supervisors of the County of Marathon does ordain as follows: The General Code of Ordinances for Marathon County Chapter 17 Zoning Code (and accompanying Zoning Map) is amended as stated above.

Dated this 5th day of September, 2019

ENVIRONMENTAL RESOURCES COMMITTEE

_____ Chair

_____ 
_____ 
_____ 
_____ 
_____ 
_____ 

Dated this _____ day of _____, 2019

Kurt Gibbs – Marathon County Board Chair

CERTIFIED SURVEY MAP

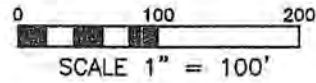
MARATHON COUNTY NO. _____

VOLUME _____ PAGE _____

ALL OF OUTLOT 1 OF CSM 12347-53-55, LOCATED IN THE NW1/4 OF THE NW1/4 OF SECTION 29 AND PART OF THE SW1/4 OF THE SW1/4 OF SECTION 20, ALL IN TOWNSHIP 29 NORTH, RANGE 10 EAST, TOWN OF PLOVER, MARATHON COUNTY, WISCONSIN.

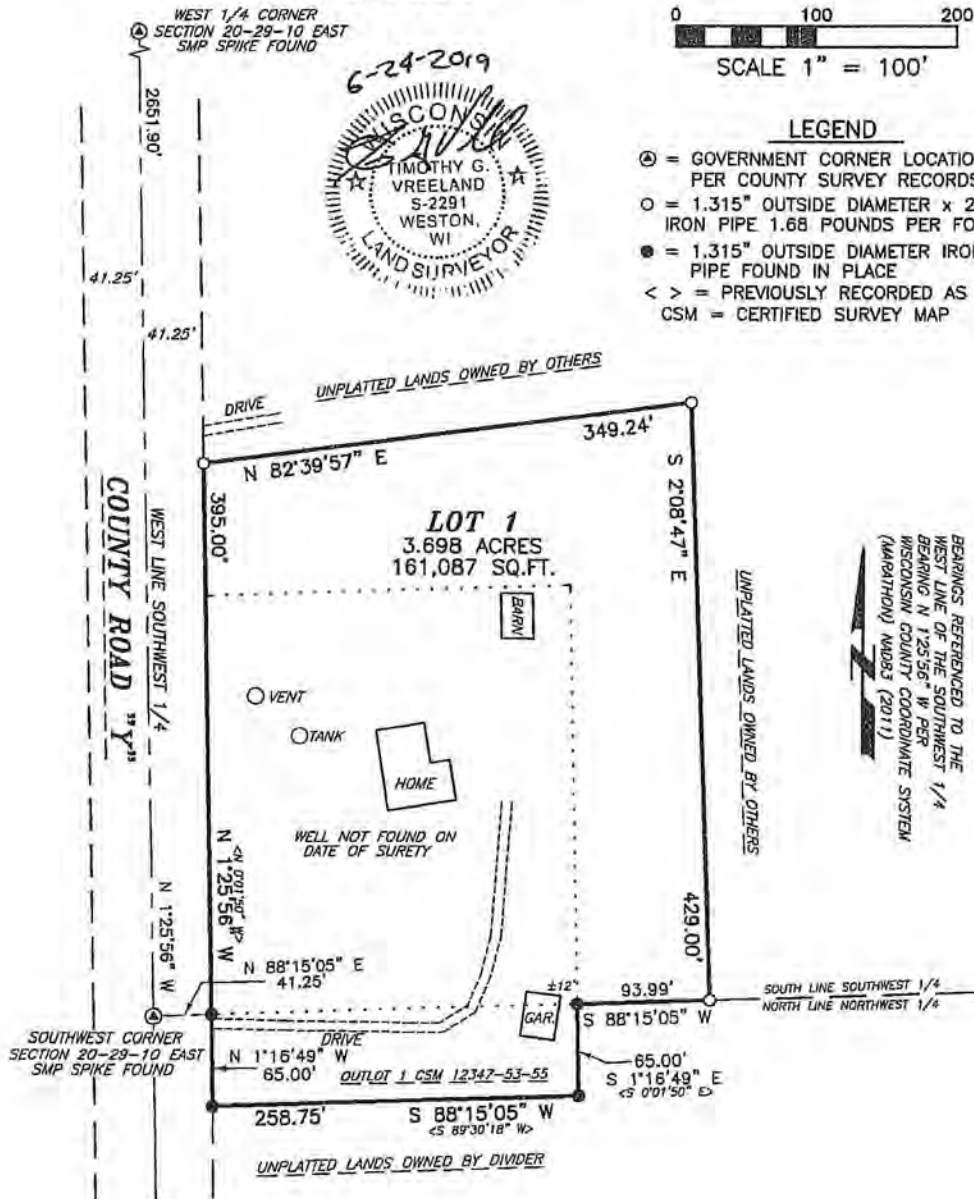
VREELAND ASSOCIATES, INC. 6103 DAWN STREET WESTON, WI. 54476 PH (715) 241-0947 OR FAX 715-241-9826 tim@vreelandassociates.us	
OWNER:	JEFF FRAAZA
FILE #:	F-264-19
DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND	

SHEET 1 OF 2 SHEETS



LEGEND

- ⊙ = GOVERNMENT CORNER LOCATION PER COUNTY SURVEY RECORDS
- = 1.315" OUTSIDE DIAMETER x 24" IRON PIPE 1.68 POUNDS PER FOOT SET
- = 1.315" OUTSIDE DIAMETER IRON PIPE FOUND IN PLACE
- < > = PREVIOUSLY RECORDED AS CSM = CERTIFIED SURVEY MAP



STATE OF WISCONSIN)
MARATHON COUNTY)
TOWN OF PLOVER)

RESOLUTION ON ZONING ORDINANCE AMENDMENT

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Doreen Erbrecht, Clerk of the Town of Plover, Marathon County, State of Wisconsin, do hereby certify that the following is a true and correct copy of a resolution adopted by the Town of Plover Town Board at a meeting held on the 27th day of August, 2019.

RESOLUTION

WHEREAS, Section 59.69(5)(e)3m., Wisconsin Statutes, provides that if a town affected by a proposed amendment disapproves of the proposed amendment, the town board may file a certified copy of a resolution adopted by such board disapproving of the petition with the Environmental Resources Committee prior to, at or within ten (10) days after the public hearing, and

WHEREAS, if the town board of the town affected in the case of an ordinance relating to the location of boundaries of districts files such a resolution, the Environmental Resources Committee may not recommend to the County Board approval of the petition without change, but may only recommend approval with change or recommend disapproval.

NOW, THEREFORE BE IT RESOLVED that the Town of Plover Town Board considered on the 27th day of August, 2019, petition by Tim Vreeland on behalf of Jeff Fraaza to amend the Marathon County Zoning Ordinance from G-A General Agriculture to R-R Rural Residential described SW ¼ of the SW ¼ of Section 20, (approximately 1.61 acres) Township 29 North, Range 10 East, Town of Plover parent of parent parcel PIN # 062-2910-203-0997.

The Town of Plover hereby has considered the following standards for rezoning above property (use additional sheets if necessary):

- 1) Has the applicant provided what public facilities and/or services currently serve the proposed development, what additional services may be required, and how the additional services will be provided?
 No Yes Explain: _____
- 2) Has the applicant demonstrated how the provision of the public facilities will not be an unreasonable burden to local government?
 No Yes Explain: _____
- 3) Has the applicant determined that the land is suitable for the development proposed? Explain.
 No Yes Explain: _____
- 4) Has the applicant demonstrated what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas? Explain.
 No Yes Explain: _____
- 5) Is there any potential for conflict with existing land uses in the area?
 No Yes Explain: _____

(OVER)

- 6) Has the applicant demonstrated the need for the proposed development at this location? Explain.
 No Yes Explain: _____
- 7) Has the applicant demonstrated the availability of alternative locations? Be specific
 No Yes Explain: _____
- 8) Is cropland is being consumed by this zone change? What is the productivity of the agricultural lands involved?
 No Yes Explain: _____
- 9) Has the applicant explained how the proposed development will be located to minimize the amount of agricultural land converted?
 No Yes Explain: _____
- 10) Is proposed rezone request consistent with the town's adopted Comprehensive Plan? Explain.
 No Yes Explain: _____
- 11) Is there anything else the Town wishes to present or comment on regarding this application to the Marathon County Environmental Resources (ERC) Committee?
 No Yes Explain: _____

The Town of Plover recommends: **Approval** **Disapproval** of the amendment and/or zone change.

OR **Requests an Extension*** for the following reasons: _____

*Wis. Stats §59.69(5)(e), (3), and (3m) authorizes Towns to extend the time to disapprove a zone change for a total of thirty (30) days beyond the date of the public hearing. The extension must be by Town Board Resolution and remains in effect until the Town Board adopts a resolution rescinding the extension.

Clerk *Debra Ebrecht*
Town Board *Tony Kautza - text ok*
Peter Maden - email ok
Scott McRae - email ok

NOTE: If you recommend disapproval of this request, please make every effort to send a representative to the Environmental Resources Committee Public Hearing. Town input at the hearing is always appreciated. Please return this form before August 16, 2019 to:

Marathon County Conservation, Planning and Zoning Department
210 River Drive
Wausau, WI 54403

ORDINANCE # O - _____ -19

Town of Holton Rezone

WHEREAS, the Marathon County Board of Supervisors has been petitioned to amend the General Code of Ordinances for Marathon County Chapter 17 Zoning Code Chapter 17; by Jason & Stacy Brusky to rezone from R-R Rural Residential to G-A General Agriculture described as part of the NE ¼ of the NE ¼ of Section 12, Township 29 North, Range 2 East, Town of Holton, proposed area to be rezoned (approximately 3.01 acres) of the Preliminary Certified Survey Map submitted by Krueger Surveying LLC. Part of parent parcel 042-2902-121-0990.

WHEREAS, the petition was referred to the Marathon County Environmental Resources Committee (the Committee) for public hearing; and





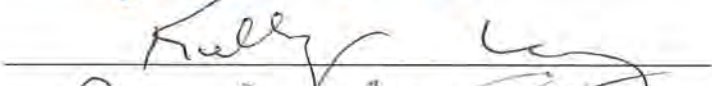


WHEREAS, the Committee, on due notice, conducted a public hearing thereon, pursuant to Section 59.69, Wisconsin Statutes on September 5, 2019 to consider the petition to amend Chapter 17; and

WHEREAS, the Committee being duly informed of the facts pertinent to the changes proposed, having reviewed the staff report, and duly advised of the recommendations of the Town of Holton, hereby recommends the petition be GRANTED AS APPLIED FOR

NOW, THEREFORE, the County Board of Supervisors of the County of Marathon does ordain as follows: The General Code of Ordinances for Marathon County Chapter 17 Zoning Code (and accompanying Zoning Map) is amended as stated above.

Dated this 5th day of September, 2019

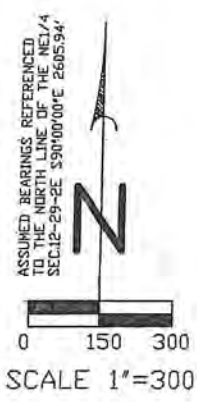
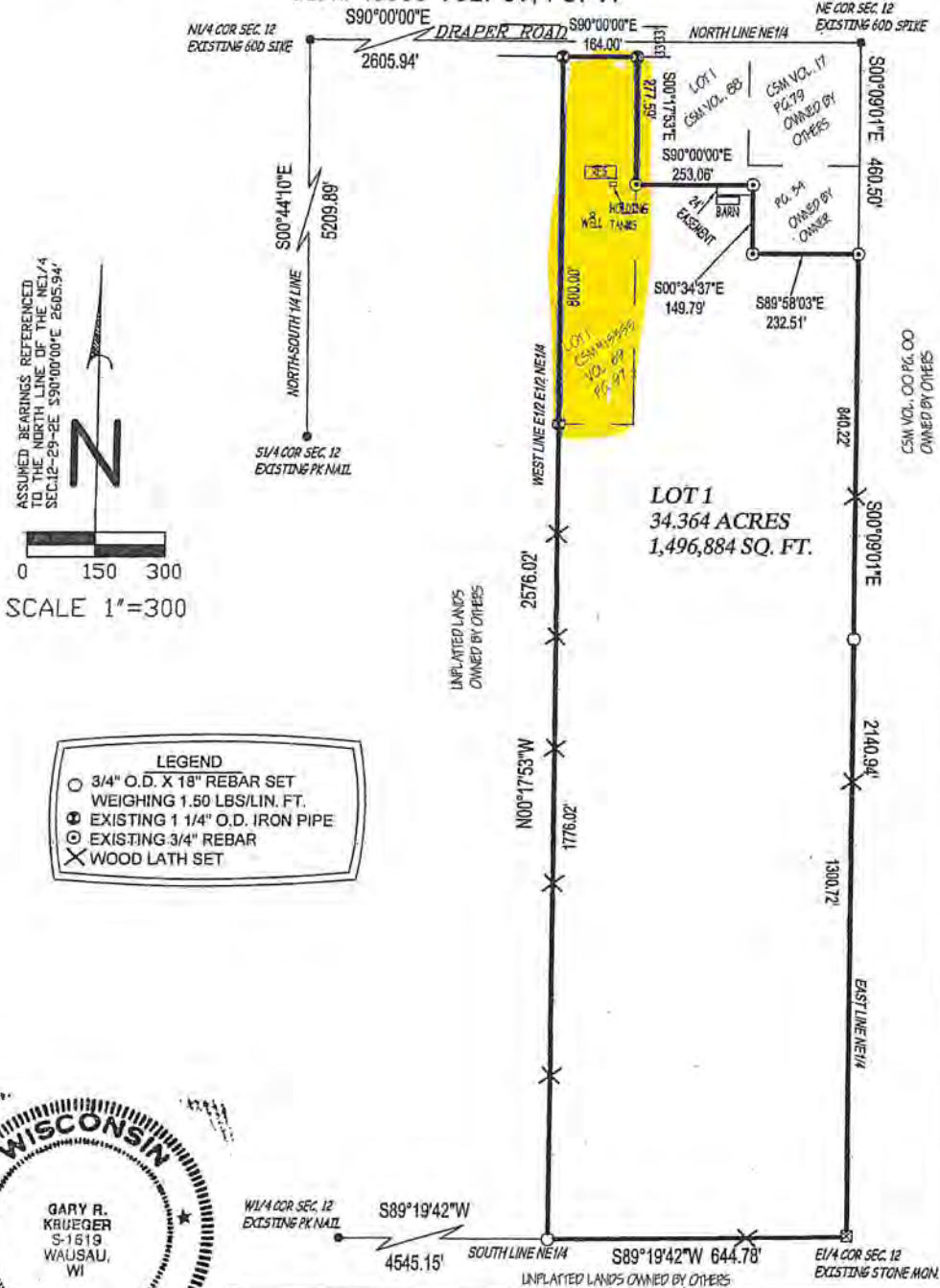
ENVIRONMENTAL RESOURCES COMMITTEE

_____ Chair

_____ Chair

_____ Chair

_____ Chair

_____ Chair

_____ Chair

_____ Chair


Dated this ____ day of _____, 2019

Kurt Gibbs – Marathon County Board Chair

PART OF THE E1/2 OF THE E1/2 OF THE NE1/4 OF SECTION 12, TOWNSHIP 29 NORTH, RANGE 2 EAST, TOWN OF HOLTON, MARATHON COUNTY, WISCONSIN INCLUDING LOT 1 CSM# 15355 VOL. 69, PG. 97



LEGEND	
○	3/4" O.D. X 18" REBAR SET WEIGHING 1.50 LBS/LIN. FT.
⊙	EXISTING 1 1/4" O.D. IRON PIPE
⊙	EXISTING 3/4" REBAR
X	WOOD LATH SET



GARY R. KRUEGER PLS. NO. 1619
SURVEY COMPLETED 5/29/2018

PREPARED FOR:
OWNERS
JANICE & ALOY'S BRUSKY
2513 DRAPER ROAD
DORCHESTER, WI 54425
JASON BRUSKY
2521 DRAPER ROAD
DORCHESTER, WI 54425

PROJECT #BRUSKYJASON

KRUEGER SURVEYING LLC
220 SHERMAN ST.
WAUSAU, WI 54401
PHONE: 715-945-6666 CELL: 715-218-5150
EMAIL: KREEGS1619@AOL.COM

THIS DRAWING AND ALL INFORMATION CONTAINED THEREIN IS THE PROPERTY OF KRUEGER SURVEYING LLC AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED.

DATE: 5/9/2018
DRAWN BY: DRO.
SHEET 2 OF 2

STATE OF WISCONSIN)
MARATHON COUNTY)
TOWN OF HOLTON)

RESOLUTION ON ZONING ORDINANCE AMENDMENT

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Jennifer Schreiber, Clerk of the Town of Holton, Marathon County, State of Wisconsin, do hereby certify that the following is a true and correct copy of a resolution adopted by the Town of Holton Town Board at a meeting held on the 14th day of AUGUST, 2019.

RESOLUTION

WHEREAS, Section 59.69(5)(e)3m., Wisconsin Statutes, provides that if a town affected by a proposed amendment disapproves of the proposed amendment, the town board may file a certified copy of a resolution adopted by such board disapproving of the petition with the Environmental Resources Committee prior to, at or within ten (10) days after the public hearing, and

WHEREAS, if the town board of the town affected in the case of an ordinance relating to the location of boundaries of districts files such a resolution, the Environmental Resources Committee may not recommend to the County Board approval of the petition without change, but may only recommend approval with change or recommend disapproval.

NOW, THEREFORE BE IT RESOLVED that the Town of Holton Town Board considered on the _____ day of _____, 2019, petition by Jason & Stacy Brusky to amend the Marathon County Zoning Ordinance from R-R Rural Residential to G-A General Agriculture described as part of the NE ¼ of the NE ¼ of Section 12, Township 29 North, Range 2 East, Town of Holton, proposed area to be rezoned (approximately 3.01 acres) of the Preliminary Certified Survey Map submitted by Krueger Surveying LLC. Part of parent parcel 042-2902-121-0990.

The Town of Holton hereby has considered the following standards for rezoning above property (use additional sheets if necessary):

- 1) Has the applicant provided what public facilities and/or services currently serve the proposed development, what additional services may be required, and how the additional services will be provided?
 No Yes Explain: NO ISSUES WILL EVOLVE
- 2) Has the applicant demonstrated how the provision of the public facilities will not be an unreasonable burden to local government?
 No Yes Explain: NO BURDEN WILL BE INVOLVED
- 3) Has the applicant determined that the land is suitable for the development proposed? Explain.
 No Yes Explain: SURROUNDING LAND IS ALREADY ZONED AG.
- 4) Has the applicant demonstrated what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas? Explain.
 No Yes Explain: _____
- 5) Is there any potential for conflict with existing land uses in the area?
 No Yes Explain: _____

(OVER)

- 6) Has the applicant demonstrated the need for the proposed development at this location? Explain.
 No Yes Explain: Reasonable explanation on why the need for zoning change
- 7) Has the applicant demonstrated the availability of alternative locations? Be specific
 No Yes Explain: There is no alternative location this is their land already
- 8) Is cropland is being consumed by this zone change? What is the productivity of the agricultural lands involved?
 No Yes Explain: It will not change any of the land usage
- 9) Has the applicant explained how the proposed development will be located to minimize the amount of agricultural land converted?
 No Yes Explain: only small portion to be re-zoned
- 10) Is proposed rezone request consistent with the town's adopted Comprehensive Plan? Explain.
 No Yes Explain: _____
- 11) Is there anything else the Town wishes to present or comment on regarding this application to the Marathon County Environmental Resources (ERC) Committee?
 No Yes Explain: WE ARE UNANIMOUSLY IN FAVOR OF THIS ZONING CHANGE.

The Town of Holton recommends: **Approval** **Disapproval** of the amendment and/or zone change.

OR **Requests an Extension*** for the following reasons: _____

*Wis. Stats §59.69(5)(e), (3), and (3m) authorizes Towns to extend the time to disapprove a zone change for a total of thirty (30) days beyond the date of the public hearing. The extension must be by Town Board Resolution and remains in effect until the Town Board adopts a resolution rescinding the extension.

Clerk Jennigh Schmeber
 Town Board TOWN OF HOLTON
Fence Rd
Abbotsford, WI 54405

NOTE: If you recommend disapproval of this request, please make every effort to send a representative to the Environmental Resources Committee Public Hearing. Town input at the hearing is always appreciated. Please return this form before August 16, 2019 to:

Marathon County Conservation, Planning and Zoning Department
 210 River Drive
 Wausau, WI 54403

ORDINANCE # O - _____ -19

Town of Wien Rezone

WHEREAS, the Marathon County Board of Supervisors has been petitioned to amend the General Code of Ordinances for Marathon County Chapter 17 Zoning Code Chapter 17; by Justin and Brittni Krzanowski to rezone from: G-A General Agriculture to R-R Rural Residential in the Town of Wien described as part of the SW ¼ of the SW ¼ of Section 35, Township 28 North, Range 4 East, Town of Wien. Part of parent parcel PIN # 084-2804-353-0996.

WHEREAS, the petition was referred to the Marathon County Environmental Resources Committee (the Committee) for public hearing; and

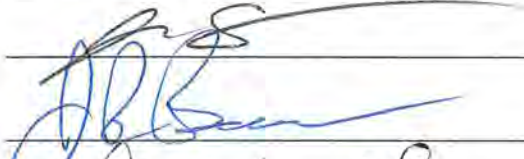





WHEREAS, the Committee, on due notice, conducted a public hearing thereon, pursuant to Section 59.69, Wisconsin Statutes on September 5, 2019 to consider the petition to amend Chapter 17; and

WHEREAS, the Committee being duly informed of the facts pertinent to the changes proposed, having reviewed the staff report, and duly advised of the recommendations of the Town of Wien, hereby recommends the petition be GRANTED AS APPLIED FOR

NOW, THEREFORE, the County Board of Supervisors of the County of Marathon does ordain as follows: The General Code of Ordinances for Marathon County Chapter 17 Zoning Code (and accompanying Zoning Map) is amended as stated above.

Dated this 5th day of September, 2019

ENVIRONMENTAL RESOURCES COMMITTEE

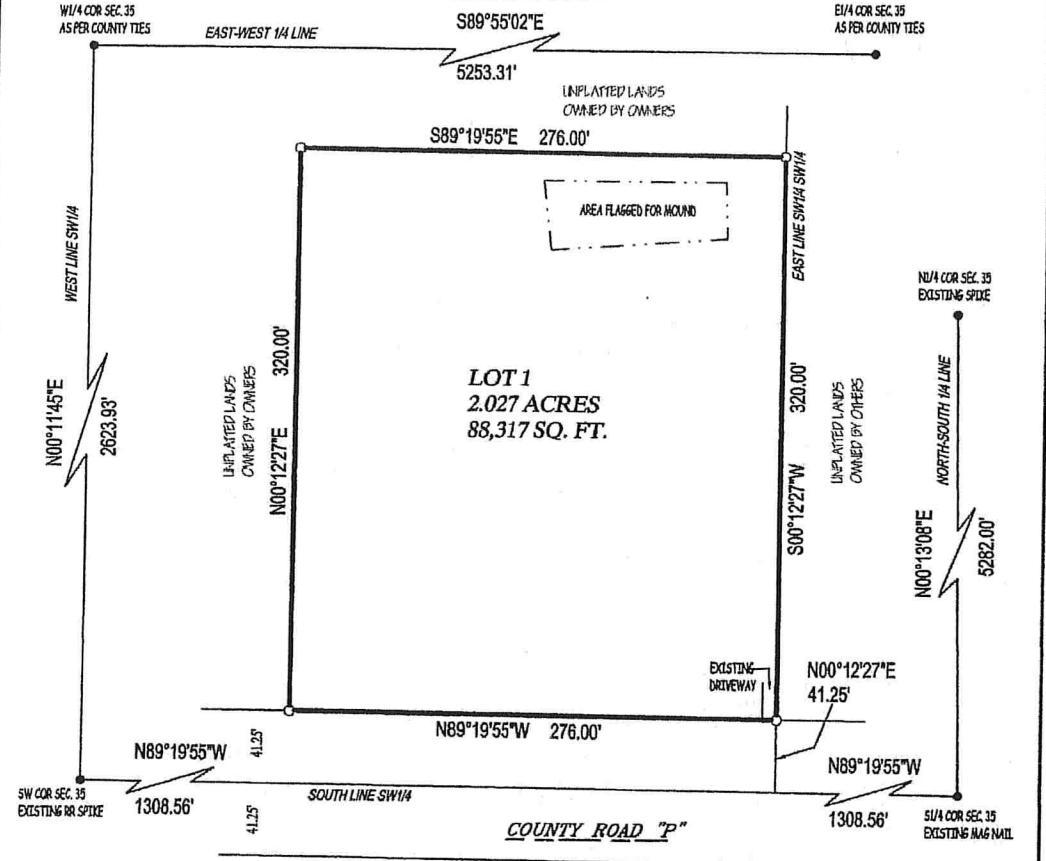
_____ Chair

_____ 
_____ 
_____ 
_____ 
_____ 

Dated this _____ day of _____, 2019

Kurt Gibbs – Marathon County Board Chair

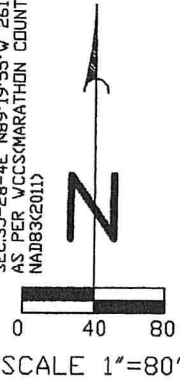
MARATHON COUNTY CERTIFIED SURVEY MAP NO. _____ VOL. _____ PG. _____

PART OF THE SW1/4 OF THE SW1/4 OF SECTION 35, TOWNSHIP 28 NORTH, RANGE 4 EAST, TOWN OF WIEN, MARATHON COUNTY, WISCONSIN




LEGEND
 ○ 3/4" O.D. X 18" IREBAR WEIGHING 1.50 LBS/LIN. FT.

BEARINGS REFERENCED TO THE SOUTH LINE OF THE SW1/4 SEC. 35-28-4E, N89°19'55"W, 2617.12' AS PER V.C.C.S. (MARATHON COUNTY) NA083(2011)



GARY R. KRUEGER PLS. NO. 1619
 SURVEY COMPLETED 6/7/2019

PREPARED FOR:
 OWNERS:
 DALE J. & DARLENE K. KRZANDWSKI
 124750 COUNTY ROAD "P"
 EDGAR, WI 54426
 PROJECT #KRZANDWSKIJUSTIN

 KRUEGER SURVEYING LLC
 220 SHERMAN ST.
 WAUSAU, WI 54401
 PHONE: 715-845-6666 CELL: 715-218-5150
 EMAIL: KREEGS1619@AOL.COM

THIS DRAWING AND ALL INFORMATION CONTAINED THEREIN IS THE PROPERTY OF KRUEGER SURVEYING LLC AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED.
 DATE: 6/6/2019
 DRAWN BY: DRO
 SHEET 2 OF 2

MARATHON COUNTY CERTIFIED SURVEY MAP
NO. _____ VOL. _____ PG. _____

PART OF THE SW1/4 OF THE SW1/4
OF SECTION 35, TOWNSHIP 28
NORTH, RANGE 4 EAST, TOWN OF
WIEN, MARATHON COUNTY,
WISCONSIN

SURVEYOR CERTIFICATE

I, GARY R. KRUEGER, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY:
THAT I HAVE SURVEYED, DIVIDED AND MAPPED AT THE DIRECTION OF JUSTIN KRZANOWSKI, SON OF
OWNERS, A PARCEL OF LAND LOCATED IN PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF
SECTION 35, TOWNSHIP 28 NORTH, RANGE 4 EAST, TOWN OF WIEN, MARATHON COUNTY, WISCONSIN
AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 35; THENCE N89°19'55"W, ALONG THE SOUTH
LINE OF THE SOUTHWEST 1/4, 1308.56 FEET; THENCE N00°12'27"E, ALONG THE EAST LINE OF THE
SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, 41.25 FEET TO THE POINT OF BEGINNING. THENCE
N89°19'55"W, PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST 1/4, 276.00 FEET; THENCE
N00°12'27"E, PARALLEL TO THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, 320.00
FEET; THENCE S89°19'55"E, PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST 1/4, 276.00 FEET;
THENCE S00°12'27"W, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, 320.00
FEET TO THE POINT OF BEGINNING.

THAT THE ABOVE DESCRIBED PARCEL IS SUBJECT TO ALL RIGHT-OF-WAYS, RESERVATIONS,
RESTRICTIONS AND EASEMENTS OF RECORD.
THAT SUCH PLAT IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND
SURVEYED, THE DIVISION AND THE CERTIFIED SURVEY MAP THEREOF MADE.
THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN
STATUTES, CHAPTER A-E7 OF THE WISCONSIN ADMINISTRATIVE CODE AND LAND DIVISION
REGULATIONS OF THE COUNTY OF MARATHON AND THE TOWN OF WIEN IN SURVEYING, DIVIDING AND
MAPPING THE SAME.
THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.


APPROVED FOR RECORDING
UNDER THE TERMS OF THE
MARATHON CO. LAND DIVISION
REGULATIONS.

BY _____

DATE _____

MARATHON CO. CONSERVATION,
PLANNING AND ZONING DEPT.

PREPARED FOR:
OWNERS:
DALE J. & DARLENE K.
KRZANOWSKI
124750 COUNTY ROAD 'P'
EDGAR, WI 54426

 KRUEGER SURVEYING LLC
220 SHERMAN ST.
WAUSAU, WI 54401
PHONE: 715-845-6666 CELL: 715-218-5150
EMAIL: KREEGS1619AOL.COM

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PURPOSE FOR WHICH IT IS EXPRESSLY
FURNISHED.

DATE: 6/6/2019

DRAWN BY: DRO

SHEET 1 OF 2

GARY R. KRUEGER PLS. NO. 1619
SURVEY COMPLETED 6/7/2019

PROJECT #KRZANOWSKIJUSTINDES

RECEIVED

AUG 14 2019

MARATHON CO. CONSERVATION,
PLANNING & ZONING DEPT

STATE OF WISCONSIN)
MARATHON COUNTY)
TOWN OF WIEN)

RESOLUTION ON ZONING ORDINANCE AMENDMENT

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Diane Drinsinger, Clerk of the Town of Wien, Marathon County, State of Wisconsin, do hereby certify that the following is a true and correct copy of a resolution adopted by the Town of Wien Town Board at a meeting held on the 12 day of August, 2019.

RESOLUTION

WHEREAS, Section 59.69(5)(e)3m., Wisconsin Statutes, provides that if a town affected by a proposed amendment disapproves of the proposed amendment, the town board may file a certified copy of a resolution adopted by such board disapproving of the petition with the Environmental Resources Committee prior to, at or within ten (10) days after the public hearing, and

WHEREAS, if the town board of the town affected in the case of an ordinance relating to the location of boundaries of districts files such a resolution, the Environmental Resources Committee may not recommend to the County Board approval of the petition without change, but may only recommend approval with change or recommend disapproval.

NOW, THEREFORE BE IT RESOLVED that the Town of Wien Town Board considered on the 12th day of August, 2019, petition by Justin & Britni Krzanowski to amend the Marathon County Zoning Ordinance from G-A General Agriculture to R-R Rural Residential, described as part of the SW 1/4 of the SW 1/4 of Section 35, Township 28 North, Range 4 East, Town of Wien, proposed area to be rezoned (approximately 2.027 acres) of the Preliminary Certified Survey Map submitted by Krueger Surveying LLC. Part of parent parcel PIN # 084-2804-353-0996.

The Town of Wien hereby has considered the following standards for rezoning above property (use additional sheets if necessary);

1) Has the applicant provided what public facilities and/or services currently serve the proposed development, what additional services may be required, and how the additional services will be provided?

No Yes Explain: None Needed

2) Has the applicant demonstrated how the provision of the public facilities will not be an unreasonable burden to local government?

No Yes Explain: No Burden

3) Has the applicant determined that the land is suitable for the development proposed? Explain.

No Yes Explain: Suitable Building site

4) Has the applicant demonstrated what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas? Explain.

No Yes Explain: No effects expected

5) Is there any potential for conflict with existing land uses in the area?

No Yes Explain: None

(OVER)

- 6) Has the applicant demonstrated the need for the proposed development at this location? Explain.
 No Yes Explain: Needs a home
-
- 7) Has the applicant demonstrated the availability of alternative locations? Be specific
 No Yes Explain: No available land
-
- 8) Is cropland is being consumed by this zone change? What is the productivity of the agricultural lands involved?
 No Yes Explain: Partly Hay field
-
- 9) Has the applicant explained how the proposed development will be located to minimize the amount of agricultural land converted?
 No Yes Explain: Used the least amount of land
-
- 10) Is proposed rezone request consistent with the town's adopted Comprehensive Plan? Explain.
 No Yes Explain: _____
-
- 11) Is there anything else the Town wishes to present or comment on regarding this application to the Marathon County Environmental Resources (ERC) Committee?
 No Yes Explain: _____

The Town of Wien recommends: **Approval** **Disapproval** of the amendment and/or zone change.

OR **Requests an Extension*** for the following reasons: _____

*Wis. Stats §59.69(5)(e), (3), and (3m) authorizes Towns to extend the time to disapprove a zone change for a total of thirty (30) days beyond the date of the public hearing. The extension must be by Town Board Resolution and remains in effect until the Town Board adopts a resolution rescinding the extension.

Clerk Rigwe Pringinger
 Town Board Wesley M. Mene Chair
Steph Schult Supervisor
David Bannan Supervisor

NOTE: If you recommend disapproval of this request, please make every effort to send a representative to the Environmental Resources Committee Public Hearing. Town input at the hearing is always appreciated. Please return this form before August 15, 2019 to:

Marathon County Conservation, Planning and Zoning Department
 210 River Drive
 Wausau, WI 54403

ORDINANCE# 0 - _____-19

**ORDINANCE AMENDING GENERAL CODE OF ORDINANCES FOR
MARATHON COUNTY CHAPTER 13 LIVESTOCK FACILITIES
LICENSING ORDINANCE CODE**

WHEREAS, the Marathon County Board of Supervisors has the authority to ~~enact~~ and amend Livestock Facilities Licensing Ordinances, pursuant to Wis. Stats., §92.15 and §93.90 and Wis. Admin. Code ATCP Chap. 51; and

WHEREAS, the Marathon County Environmental Resources Committee, on due notice, conducted a public hearing on the proposed amendments, and filed their recommendation with the Board, pursuant to the attached Addendum REDLINE version showing the proposed changes.

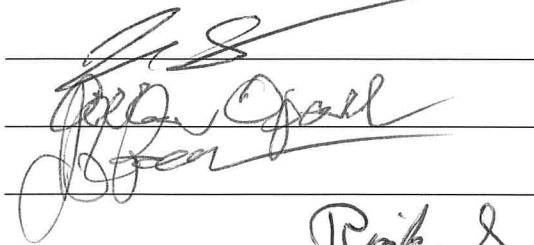
NOW, THEREFORE, the County Board of Supervisors of the County of Marathon does ordain as follows:

The General Code of Ordinances for Marathon County Chapter 13 Livestock Facilities Licensing Code is hereby amended pursuant to the terms and conditions set forth in the attached Addendum.

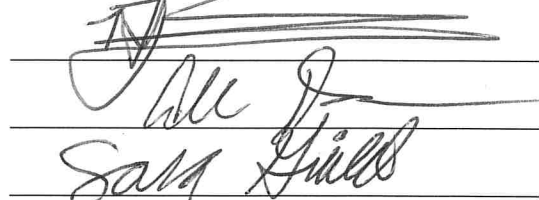
BE IT FURTHER RESOLVED that the ordinance shall take effect upon passage and publication as required by law.

Dated this ___th day of September, 2019

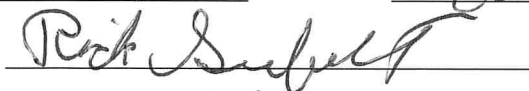
ENVIRONMENTAL RESOURCES COMMITTEE



Brad Opail



Sam Gull



Rick Schubert



Kelly

Fiscal Impact: None



MEMORANDUM

DATE: September 5, 2019

TO: Environmental Resources Committee (ERC)

FROM: Paul Daigle-Land and Water Program Director

SUBJECT: Public hearing- Livestock Facilities Licensing Ordinance-Text Amendments

A public hearing was held on December 6, 2018 to consider changes to the Livestock Facilities Licensing ordinance. Public testimony was provided and the hearing was recessed to provide an opportunity for additional information and discussion. Educational information and opportunities for policy discussion has been provided to ERC over the last several months. Although the committee has not completed their policy discussions in regards to staff recommendations for changes, ordinance revisions are being requested at this time to assure proper administration and to correct deficiencies. The committee has the ability to move forward with some of these revisions while continuing to have policy discussions on the policy items recommended by staff such as high risk manure applications.

Included in the packet is a red-line draft code, with current code language in black and proposed code revisions in red. *NOTE: This draft code does **not** include language addressing high risk manure applications.*

The following is a summary of the revisions:

Definitions: There are a number of definitions that needed updating and clarification in the code.

Administration: When the ordinance was originally passed by the county board, all operations over 500 animal units were required to obtain a license. At that time the WI Department of Natural Resources (DNR) was and still is responsible for permitting livestock operations over 1000 animal units (1 animal unit is the equivalent of 1000 pounds of livestock), Concentrated Animal Feeding Operations (CAFO's). There was a period of time where there was a duplication of regulations as Marathon County also issued licenses for livestock operations over 1000 animal units. To eliminate this duplication of regulations, in 2012, Marathon County revised the ordinance to require certain livestock operators in the unincorporated areas owning **more than 500** animal units but **less than 1000** animal units to have a license. In 2012, the transition from a County permitted facility to a DNR permitted facility through the State was rather seamless and timely. Since that time though, livestock operations exceeding 1000 animal units, while relieved of

their need to have a license through the county, sometimes have not received a DNR permit in a timely manner, in some cases exceeding 3 years. Because of this delay, some operations do not have a county license nor do they have a DNR CAFO permit. To close the gap, staff has worked with DNR, DATCP and Corporation Counsel to develop language to ensure no lapse of license or code requirements occur during the transition period from County jurisdiction to DNR jurisdiction. The change requires all facilities over the 1000 animal unit threshold to continue to maintain the Livestock Siting license through the County until a DNR permit is obtained.

Enforcement: Language was enhanced to provide clear guidance on compliance monitoring and any enforcement action, if needed. An appeal process for enforcement decisions was also added. The only appeal provision in the previous ordinance was to the State Livestock Licensing Board, if the original license application was denied.

If the committee agrees with the above proposed language revisions and the other minor language revisions, it can forward their recommendation to the county board for consideration.

The proposed revisions are consistent with the Marathon County Comprehensive Plan, Strategic Plan (Objective 5.2 and 6.3), as well as the Land and Water Resource Management Plan.

CONCLUSION: These text amendments are being recommended to further clarify, streamline and enhance the purpose of the original ordinance passed in 2006.

BACKGROUND INFORMATION:

Relationship to Strategic Plan:

Objective 5.2 – Promote sound land use decisions that conserve and preserve natural resources in decisions with economic development and growth. Strategy A and Outcome Measure #1

Objective 6.3 – Protect and enhance the quality of potable groundwater and potable surface water supplies. Strategy B

The State of Wisconsin enacted ATCP 51 which allows counties to put safeguards and protections in place to regulate new or expanding livestock operations greater than 500 animal units. In 2006, the Marathon County Board of Supervisors enacted the first ordinance in Marathon County to regulate the siting and management of livestock facilities. The intent and purpose of the regulation is:

The purpose of this ordinance is to comply with requirements of Section 93.90 of Wis. Statutes and Ch. ATCP 51, Wis. Adm. Code (ATCP51), and to establish standards and authority to protect the public health and safety of the people of Marathon County (County). This ordinance sets forth the procedures for obtaining a license for the siting of new and expanded livestock facilities in Marathon County. It is also intended to provide for the administration and enforcement of the ordinance and provide penalties for its violations.

Marathon County government has a business interest in regulating livestock facilities within its borders to ensure the health, safety and prosperity of the people living, working, and visiting the county. It is Marathon County's intention to coordinate the requirements of the livestock facilities regulations with applicable state and federal requirements.

General Code of Ordinances for Marathon County Chapter 13 – Livestock Facilities Licensing Ordinance

**November 2012
September 2019**



TABLE OF CONTENTS

TABLE OF CONTENTS	1
TITLE 1 TITLE, PURPOSE, AND SCOPE	3
Chapter 13.101 General	3
<u>Section 13.101.01</u> Title	3
<u>Section 13.101.02</u> Purpose	3
<u>Section 13.101.03</u> <i>Statutory</i> Authority	3
TITLE 2 LICENSING	3
Chapter 13.201 License	3
<u>Section 13.201.01</u> License Required	3
<u>Section 13.201.02</u> License Administration	4
<u>Section 13.201.03</u> License Standards	4
<u>Section 13.201.04</u> Licensing Application	5
<u>Section 13.201.05</u> Fees	5
<u>Section 13.201.06</u> Application Procedure	5
<u>Section 13.201.07</u> Criteria for Issuance of a License	6
<u>Section 13.201.08</u> Record of Decision	6
<u>Section 13.201.09</u> Transferability of License	6
<u>Section 13.201.10</u> Expiration of License	7
<u>Section 13.201.11</u> License Terms and Modifications	7
<u>Section 13.201.12</u> Compliance Monitoring	7
<u>Section 13.201.13</u> Enforcement/Penalties	8
<u>Section 13.201.14</u> Appeals	8
<u>Section 13.201.15</u> Severability	9
TITLE 3 DEFINITIONS	9
Chapter 13.301 Definitions	9
<u>Section 13.301.01</u> <i>Adjacent</i>	9

Table of Contents
Title 1 Title, Purpose and Scope
Title 2 Licensing
Title 3 Definitions

Title 1: TITLE, PURPOSE AND SCOPE

Chapter 13.101

The County of Marathon does hereby ordain as follows:

Section 13.101.01 TITLE

This section shall be known, referred to and cited as the “Livestock Facilities Licensing Ordinance.”

Section 13.101.02 PURPOSE

The purpose of this ordinance is to comply with requirements of Section 93.90 of Wis. Statutes and ch. ATCP 51, Wis. Adm. Code (ATCP51), and to establish standards and authority to protect the public health and safety of the people of Marathon County (County). This ordinance sets forth the procedures for obtaining a license for the siting of new and expanded livestock facilities in Marathon County. It is also intended to provide for the administration and enforcement of the ordinance and provide penalties for its violations.

Section 13.101.03 STATUTORY AUTHORITY

This ordinance is adopted pursuant to the powers granted under the Wisconsin Constitution, and Wisconsin Statutes including but not limited to Section 92.15 and 93.90, WI Administrative Code ATCP51, or any successor Statutes or Administrative Code.

Title 2: LICENSING

Chapter 13.201

Section 13.201.01 LICENSE REQUIRED

- A. A license issued by the Department is required for new or expanded livestock facilities that has or will have 500 or more animal units. A livestock facility shall remain licensed under this ordinance until such time as the facility is designated as a Concentrated Animal Feeding Operation (CAFO) by the Wisconsin Department of Natural Resources (DNR), issued a Wisconsin Pollutant Discharge Elimination System (WPDES) permit by the DNR, and provides documentation to the county of its WPDES permit. A license issued by the Marathon County Conservation, Planning, and Zoning (CPZ) Department is required for new or expanded livestock facilities that will have 500 to 999 animal units
- B. By applying and/or receiving a license, an applicant consents to allow the Director or their designee to enter upon and inspect the property as needed.
- C. Licenses for existing Livestock Facilities
1. A license is required for the expansion of a pre-existing or previously approved livestock facility if the number of animal units kept at the expanded livestock facility will exceed all of the following:
 - a. The applicable size threshold for a license.
 - b. The maximum number previously approved or, if no maximum number was previously approved, a number that is 20% higher than the number kept on May 1, 2006 or on the effective date of the license requirement, whichever date is later.

2. A license is not required for a livestock facility that existed before May 1, 2006 or before the effective date of the license requirement in this ordinance, except as provided in sub. (1).
3. A license is not required for a livestock facility that was previously issued a conditional use permit, license or other local approval, except as provided in sub. (1). A prior approval for the construction of a livestock facility implies approval for the maximum number of animal units that the approved livestock facility was reasonably designed to house, except as otherwise clearly provided in the approval. Prior approval of a single livestock structure, such as a waste storage structure, does not constitute prior approval of an entire livestock facility.

Section 13.201.02 LICENSE ADMINISTRATION

- A. The Director (Director) of the **Conservation, Planning and Zoning (CPZ) Department** for Marathon County hereby holds the position of Livestock Facility Siting Administrator, who shall have the primary responsibility of administering this ordinance and related matters thereto, and may designate/delegate these duties to other **CPZ** Department staff.
- B. Powers and Duties of the Director or their designee: In the administration and enforcement of this ordinance, the Director or designee shall have the following powers and duties:
 1. Advise applicants as to the provisions of this ordinance and assist them in preparing permit applications.
 2. Require owners and/or operators of livestock facilities that may be subject to the provisions of this ordinance to submit an animal unit worksheet to verify animal numbers.
 3. Receive and review applications and records related to application and license. Investigate permit applications and collect fees. Make on-site inspections to determine application completeness and compliance with the provisions of this ordinance in order to document findings.
 4. Issue licenses and take any and all actions in conformance with the provisions of this ordinance to ensure compliance.
 5. Upon reasonable cause to believe a violation has occurred, order the cessation of construction, suspend and/or revoke the license.
 6. Make administrative decisions and determinations as are specifically assigned to the Director, or their designee, by the terms of this ordinance
 7. Report violations of this ordinance or other land use regulations to the Environmental Resources Committee and/or Corporation Counsel, as necessary
- C. Maintenance of Records: Records shall be maintained in the county office:
 1. Records of applications received, committee, board, and/or department action on such applications, permits issued, inspections made, enforcement actions undertaken, and other similar activities.
 2. An original or master of the ordinance shall be maintained current with amendments.

Section 13.201.03 LICENSE STANDARDS

The standards for issuing a license are as follows:

- A. The state livestock facility siting standards adopted under ATCP51, Wis. Adm. Code, inclusive of all appendices and worksheets and any future amendments to this ordinance, except as may be noted in this section of the ordinance, are incorporated by reference in this ordinance, without reproducing them in full.
- B. The following setbacks shall apply to livestock structures:
 1. Property lines
 Except as provided for waste storage structures, livestock structures must be located a minimum of

Table of Contents
Title 1 Title, Purpose and Scope
Title 2 Licensing
Title 3 Definitions

Table of Contents
Title 1 Title, Purpose and Scope
Title 2 Licensing
Title 3 Definitions

100 feet from the property line if the livestock facility will have fewer than 1,000 animal units, and 200 feet from the property line if the livestock facility will have 1,000 or more animal units. The setback requirement does not prevent the use or expansion of a livestock structure that was located within the setback area prior to the effective date of the setback requirement, except that a structure may not be expanded closer to the property line.

2. Public road right-of-way

Except as provided for waste storage structures, livestock structures must be located a minimum of 100 feet from public road rights-of-way if the livestock facility will have fewer than 1,000 animal units, and 150 feet from a public road right of way if the livestock facility will have 1,000 or more animal units. The setback requirement does not prevent the use or expansion of a livestock structure that was located within the setback area prior to the effective date of the setback requirement, except that a structure may not be expanded closer to the public road right-of-way.
3. Waste Storage Structure
 - a. A new waste storage structure may not be located within 350 feet of a property line, or within 350 feet of the nearest point of any public road right-of-way.
 - b. Except, a single new waste storage structure may be constructed closer to the property line or public road if a new structure is:
 - 1) Located on the same tax parcel as a waste storage structure in existence before May 1, 2006.
 - 2) No larger than the existing structure.
 - 3) No further than 50 feet from the existing structure.
 - 4) No closer to the road or property line than the existing structure.
 - 5) This setback requirement *does not apply* to existing waste storage structures except that an existing structure within 350 feet of a property line or road may not expand *toward* that property line or road.
4. Waste storage structures shall comply with the General Code of Ordinances for Marathon County Chapter 11, Animal Waste and Manure Management Code.
5. At all times during the exercise of the license, the applicant shall have ownership of acreage, or shall provide to the Department copies of contracts or agreements for the spreading of manure on acreage, sufficient to comply with the most current Natural Resource Conservation Service (NRCS) Nutrient Management Standard 590 (Standard 590 is updated regularly by NRCS). All contracts or agreements will be provided at the time of application and must remain current, by April 1st of each succeeding cropping year when nutrient management plan updates are due. Agreements will indicate:
 - a. Landowner name, address, and contact information
 - b. Duration for which the agreement is valid
 - c. Acreage of each field
 - d. Field tracking that identifies each field in relation to the nutrient management plan.
6. No license will be issued where the applicant is in violation of this or any code administered by the Department, nor for any parcel(s) of land which have an outstanding violation, until the violation has been corrected, if the violation has bearing upon the license application.

Section 13.201.04 LICENSE APPLICATION

A livestock operator must complete the application form and worksheets prescribed by ATCP51, including any authorized Conservation, Planning and Zoning Department modifications. The application form and worksheets demonstrate compliance with standards in ATCP51 and this ordinance.

The operator must file four (4) duplicate copies of the application form, including worksheets, maps and documents (other than engineering design specifications) included in the application.

Section 13.201.05 ~~LICENSE APPLICATION FEES~~

A non-refundable application fee in accordance with the current department fee schedule approved by the committee payable to Marathon County shall accompany an application for the purpose of offsetting the county costs to review and process the application. In addition, fees may be set by the committee to cover annual costs to monitor the licensee for compliance and modifications to the license.

Section 13.201.06 APPLICATION PROCEDURE

- A. Pursuant to ATCP 51.30(5), within 45 days after ~~Conservation, Planning, and Zoning the Department~~ receives an application, it shall notify the applicant whether **or not** the application is complete. If the application is not complete, the notice shall describe the additional information needed. Within 14 days after the applicant provides all of the required information, the department shall notify the applicant that the application is complete. This notice of completion does not constitute an approval of the proposed livestock facility license.
- B. Pursuant to ATCP 51.30(6), within 14 days after ~~Conservation, Planning, and Zoning the Department~~ notifies an applicant that the application is complete; ~~Conservation, Planning, and Zoning the Department~~ shall notify adjacent landowners of the application. The Department shall use the approved notice form in ATCP51, and mail by first class mail a written notice to each owner of lands adjacent to lands owned, or rented by the applicant or lands that are otherwise controlled by the applicant for the purpose of satisfying the conditions of the license.
- C. Upon determination of completeness the Director or their designee shall provide an opportunity for a public informational hearing as follows: Any person identified in 13.201.06(B) may request a public informational hearing in writing and must state in the written request why such request is being made based upon conditions covered by the proposed license. Requests based upon unrelated issues will not be considered for an informational hearing. The request must be made within 30 days of the date of the public notice specified in 13.201.06(B). The hearing shall be held no sooner than 30 days nor later than 60 days after being requested. The hearing shall be conducted as an informational hearing for the purpose of explaining and receiving comment from affected persons on the nature, feasibility, and effects of the proposed license. The person requesting the public informational hearing and the person applying for the license shall be notified of the time and place of the public informational hearing. All persons identified in 13.201.06(B) and the Town Clerk shall also be notified of the informational hearing.
- D. Pursuant to ATCP 51.32, ~~Conservation, Planning, and Zoning the Department~~ shall grant or deny an application within 90 days after the ~~Conservation, Planning, and Zoning Department~~ gives notice that the application is complete under paragraph (2) above. The ~~Conservation, Planning, and Zoning Department~~ may extend this time limit for good cause, including any of the following:
1. The ~~Conservation, Planning, and Zoning Department~~ needs additional information to act on the application.
 2. The applicant materially modifies the application or agrees to an extension.

The ~~Conservation, Planning, and Zoning Department~~ shall give written notice of any extension. The notice shall specify the reason for the extension, and the extended deadline date by which the ~~Conservation, Planning, and Zoning Department~~ will act on the application.

Section 13.201.07 CRITERIA FOR ISSUANCE OF A LICENSE

- A. A license shall be issued if the application for the proposed livestock facility:
1. Complies with this ordinance, and

Table of Contents

Title 1
Title, Purpose and Scope

Title 2
Licensing

Title 3
Definitions

Table of Contents
Title 1 Title, Purpose and Scope
Title 2 Licensing
Title 3 Definitions

2. Is complete, and
 3. Contains sufficient credible information to show, in the absence of clear and convincing information to the contrary, that the proposed livestock facility meets the standards specified in this ordinance, specifically 13.201.03.
- B. A license shall be denied if any of the following apply:
1. The application, on its face, fails to meet the standard for approval in the previous paragraph.
 2. The Conservation, Planning, and Zoning Department finds, based on other clear and convincing information in the record, which the proposed livestock facility does not comply with applicable standards in this ordinance.
 3. Other grounds authorized by § 93.90 Stats, that warrant disapproving the proposed livestock facility.

Section 13.201.08 RECORD OF DECISION

- A. The Department must issue its decision in writing. The decision must be based on written findings of fact supported by evidence in the record. Findings may be based in part on the presumptions created by ATCP51.
- B. Upon reaching a decision, Conservation, Planning, and Zoning the Department must give the applicant a duplicate copy of the application, marked “approved” or “denied” The duplicate copy must include worksheets, maps, and other documents (other than engineering specifications included in the application).
- C. The Director or their designee, as required by ATCP 51.36 within 30 days of the county decision on the application, shall do all of the following:
 1. Give the Department of Agriculture, Trade, and Consumer Protection (ATCP) written notice of the county decision.
 2. File with the ATCP a copy of the final application granted or denied, if the county has granted or denied an application under this ordinance. (The copy shall include all of the worksheets, maps and other attachments included in the application, except that it is not required to include the engineering design specifications.)
 3. If the county has withdrawn a local approval under this ordinance, file with the ATCP a copy of the county final notice or order withdrawing the local approval.

Section 13.201.09 TRANSFERABILITY OF LICENSE

A license and the privileges granted by this license run with the land approved under the license and remain in effect, despite a change in ownership of the livestock facility, as long as the operator does not violate the terms of the license.

Upon change of ownership of the livestock facility, the new owner of the facility shall file information with the Conservation, Planning, and Zoning Department providing pertinent information, including but not limited to such information as the name, address, contact information, date of transfer of ownership, updates related to any changes in the operation including but not limited to the employee training plan, nutrient management plan, and the emergency incident response plan, of the new owner.

A new licensee may record with the register of deeds, at the licensee’s expense, a duplicate copy of the approved application.

Section 13.201.10 EXPIRATION OF LICENSE

- A. A license remains in effect regardless of the amount of time that elapses before the livestock operator exercises the authority granted under license, and regardless of whether the livestock operator exercises the full authority granted by the license. However, the ~~Conservation, Planning, and Zoning Department~~ shall treat a license as lapsed and withdraw the license if the license holder fails to do all of the following within 2 years after issuance of license:
1. Begin populating the new or expanded livestock facility.
 2. Begin constructing all of the new or expanded livestock housing or waste storage structures proposed in the application for local approval.

Section 13.201.11 LICENSE TERMS AND MODIFICATIONS

A license and the privileges granted by a license issued under this ordinance ~~are~~ conditioned ~~upon~~ the livestock operator's licensee's compliance with the standards in this ordinance, and with commitments made in the application for a license. The operator may make reasonable changes upon prior written notice and ~~approval by the Department Director or their designee~~, which are compliant with the standards in this ordinance, and the ~~Director or their designee~~, shall not unreasonably withhold approval. A violation of the license or a failure to comply with the commitments made in the application may result in suspension and/or termination of the license as provided in ~~13.201.10 or 13.201.13~~ of this ordinance. ~~Any modification which exceeds the current number of animals licensed for the facility shall require a new application for license.~~

Section 13.201.12 COMPLIANCE MONITORING

- A. ~~The Conservation, Planning, and Zoning Department~~ shall monitor compliance with the ordinance as follows:
1. Upon notice of the livestock facility owner, view the licensed premises at a reasonable time and date to ensure that all commitments of the application and ~~Findings of Fact, as approved~~ are ~~in compliance. being-complied-with.~~
 2. If the livestock facility owner refuses the Director ~~or their designee~~ the right to view the licensed premises, ~~the Director~~ may pursue enforcement action under ~~Section 13.201.13. request the assistance of the Corporation Counsel to obtain an inspection warrant from the circuit court to inspect the licensed premises for the purpose of protection of the public health and safety under Sec. 66.0119 of the Wis. Statutes.~~
 3. If a licensed ~~premises livestock facility~~ is found ~~non-~~ compliant with the commitments made in the approved application and ~~Findings of Fact, the Director~~ shall issue a written notice to the livestock facility owner stating the conditions of non-compliance and directing that ~~compliance with~~ the commitments of the approved application and ~~Findings of Fact occur license be-complied~~ within a reasonable amount of time stated in ~~the~~ written notice.
 4. ~~If non-compliance of the license conditions are not met by the deadline~~ described in the written notice, ~~given by the Director continue past the stated reasonable time to comply, the Director may take further enforcement~~ action ~~may be taken as set forth below.~~
 5. ~~If the livestock facility owner disputes that the conditions of the license have not been complied with, the livestock facility owner may request a hearing in writing within five days of receipt of the notice of non-compliance. The Committee shall schedule a hearing within five days to determine if the conditions of the license have been complied with or whether non-compliance of other commitments of the approved application and local approval exists.~~

(NOTE: Moves appeals from the committee to the Board of Adjustment. This is consistent with procedure set forth the zoning code.)

Section 13.201.13 ENFORCEMENT/PENALTIES

Table of Contents
Title 1 Title, Purpose and Scope
Title 2 Licensing
Title 3 Definitions

Table of Contents
Title 1 Title, Purpose and Scope
Title 2 Licensing
Title 3 Definitions

- A. Any person who violates any of the provisions of this ordinance, or who fails, neglects, or refuses to comply with the provisions of this ordinance, or who knowingly makes any material false statement or knowing omission in any document required to be submitted under the provisions hereof, shall be subject to the following penalties.
 - 1. Citation of not less than \$5 nor more than \$500 for each offense , plus the applicable surcharges, assessments and costs for each violation.
 - 2. Pursue a long form summons and complaint through a court of law.
 - 3. Upon conviction by a court of law, pay a forfeiture of not less than \$500 nor more than \$5,000, plus the applicable surcharges, assessments and costs for each violation.
 - 4. Each day a violation exists or continues shall be considered a separate offense under this ordinance.
 - 5. In addition, the Director may seek injunctive relief from a court of record to enjoin further violations.
 - 6. In addition, the Conservation, Planning, and Zoning Department may suspend or revoke the approval of a license under this ordinance after notice to the livestock facility owner.
- B. ~~The committee~~ The Director or their designee shall exercise sound judgment in deciding whether to suspend or revoke a license. ~~Conservation, Planning and Zoning shall consider extenuation circumstances, such as adverse weather conditions, that may affect an operators ability to comply.~~
- C. In addition to any other penalty imposed by this ordinance, the cost of abatement of any public nuisance on the licensed premises by the County may be collected under this ordinance or Sec. 823.06 of Wis. Statutes against the owner of the real estate upon which the public nuisance exists. Such costs of abatement may be recovered against the real estate as a special charge under Sec. 66.027 of Wis. Statutes unless paid earlier.
 - D. ~~No permit or approval pursuant to this chapter shall be issued where the applicant is in violation of this or any code administered by the Department, nor for any parcel(s) of land which have an outstanding violation, until the violation has been corrected. A request for waiver of these provisions may be made to the Corporation Counsel to review and the Committee to grant or deny a permit or approval on the merits of the application.~~

Section 13.201.14 APPEALS

- A. Purpose: The purpose of this section is to provide guidelines for appealable matters.
- B. In addition to other appeal rights provided by law, Sec 93.90(5), Stats, provides that any “aggrieved person” may request review by the Livestock Facility Siting Review Board of any decision by Conservation, Planning and Zoning the Department in connection with a permit license application. An “aggrieved person” may challenge the decision on the grounds that the county incorrectly applied the standards under this ordinance or violated sec. 93.30, Stats.
 - 1. An “aggrieved person” under this section as defined in Sec. 93.90(5) of Wis. Statutes means a person who applied to Conservation, Planning, and Zoning for approval of a livestock siting or expansion license, a person who lives within 2 miles of the livestock facility that is proposed to be sited or expanded, or a person who owns land within 2 miles of a livestock facility that is proposed to be sited or expanded.
 - 2. An “aggrieved person” may request review of any decision of the Director or any decision or action by the Committee.
 - 3. Any appeal brought under this section must be requested within 30 days of the Conservation, Planning, and Zoning Department approval or disapproval or within 30 days after the decision on appeal before the Committee
 - 4. Any appeal to the State Livestock Facility Siting Review Board shall comply with Sec. 93.90 of Wis. Statutes and administrative rules of said board
- C. Decisions by the Director or their designee to issue an enforcement demand (eg. stop work order).

abatement order, suspension, revocation or non-compliance notice) are appealable to the Board of Adjustment as an administrative appeal as set forth in Chapter 17, Marathon County Zoning Code, Section 17.804.

Section 13.201.15 SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to that end, the provisions of this ordinance are severable.

Title 3: DEFINITIONS

Chapter 13.301

Section 13.301 DEFINITIONS

ADJACENT - Located on land parcels that touch each other, or on land parcels that are separated only by a river, stream, or transportation or utility right-of-way.

AFFECTED NEIGHBOR - For purposes of the odor score calculation under s. ATCP 51.14, a residence or high-use building located within 2,500 feet of any livestock structure at a proposed livestock facility. "Affected neighbor" does not include a residence or high-use building owned by any of the following:

- a. The livestock facility operator.
- b. A person who affirmatively agrees to have the residence or high-use building excluded from the odor score calculation under s. ATCP 51.14.

Note: The odor score calculation under s. ATCP 51.14 is based, in part, on the proximity and density of "affected neighbors."

ANIMAL LOT - A feedlot, barnyard or other outdoor facility where livestock are concentrated for feeding or other purposes. "Animal lot" does not include a pasture or winter grazing area. Two or more animal lots at the same livestock facility constitute a single animal lot, for the purposes of this chapter, if runoff from the animal lots drain to the same treatment area under s. ATCP 51.20(2) or if runoff from the animal lot treatment areas converges or reaches the same surface water within 200 feet of any of those treatment areas.

ANIMAL UNIT - The meaning that was given in s NR 243.03(3), as of April 27, 2004.

BARNY MODEL means the NRCS "Evaluation System to Rate Feedlot Pollution Potential." ARM-NC-17 (April 1982 version with modifications as of August 2005).

Note: The BARNY model is a commonly used computer model that predicts nutrient runoff from animal lots. Copies of the BARNY model are on file with the department, the secretary of state and the legislative reference bureau. An Excel computer spreadsheet version is available at www.datcp.state.wi.us.

CERTIFIED AGRICULTURAL ENGINEERING PRACTITIONER - An agricultural engineering practitioner who is certified under s. ATCP 50.46 with a rating under s. ATCP 50.46(5) that authorizes the practitioner to certify every matter that the practitioner certifies under this chapter.

CLUSTER - Any group of one or more livestock structures within a livestock facility.

Table of Contents

Title 1
Title, Purpose
and Scope

Title 2
Licensing

Title 3
Definitions

Table of Contents
Title 1 Title, Purpose and Scope
Title 2 Licensing
Title 3 Definitions

COMMITTEE – Land Conservation and Zoning Committee A committee established by the Marathon County Board of Supervisors which, by authority from Chap. 92 Wisconsin Statutes, determine policy and give direction for soil and water conservation activities. The Land Conservation Environmental Resources Committee also provides direction for the Department. The Land Conservation Environmental Resources Committee shall be the decision making board for purposes of this ordinance.

COMPLETE APPLICATION FOR LOCAL APPROVAL - An application that contains everything required under s. ATCP 51.30(1) to (4).

CONCENTRATED ANIMAL FEEDING OPERATION (CAFO) - An animal feeding operation to which any of the following apply:

- The operation has 1,000 animal units or more at any time and stores manure or process wastewater in a below or at grade level storage structure or land applied manure or process wastewater.
- The operation has 300 to 999 animals units and has a category I unacceptable practice under s. NR 243.24(1)(a).
- Under s.NR 243.26(2), the operation is designated by the Wisconsin Department of Natural Resources as having a significant discharge of pollutants to navigable waters or has caused the fecal contamination of water in a well.

DEPARTMENT - Means the Marathon County Conservation, Planning, and Zoning Department.

EXPANDED LIVESTOCK FACILITY. The entire livestock facility that is created by the expansion, after May 1, 2006 of an existing livestock facility. Includes all livestock structures in the expanded facility, regardless of whether those structures are new, existing, or altered.

EXPANSION. An increase in the largest number of animal units kept at a livestock facility on at least 90 days in any 12-month period. The acquisition of an existing livestock facility, by operator of an adjacent livestock facility, does not constitute an “expansion” unless that operator increases the largest number of animal units kept at the combined livestock facilities on at least 90 days in any 12-month period.

Note: See s. ATCP 51.04

FINDINGS OF FACT - The summary of Marathon County Conservation Planning and Zoning Department review and decision to either approve or deny a Livestock Facility License application on the merits based on the department’s evaluation and determination of relevant evidence.

HIGH-USE BUILDING - Any of the following buildings:

- a. A residential building that has at least 6 distinct dwelling units.
- b. A restaurant, hotel, motel or tourist rooming house that holds a permit under s. 254.64 Stats.
- c. A school classroom building.
- d. A hospital or licensed care facility.
- e. A non-farm business or workplace that is normally occupied, during at least 40 hours of each week of the year, by customers or employed workers.

LIVESTOCK - Domestic animals traditionally used in this State in the production of food, fiber or other animal products. “Livestock” includes cattle, swine, poultry, sheep, and goats. “Livestock” does not include equine animals, bison, farm-raised deer, fish, captive game birds, ratites, camelids or mink.

LIVESTOCK FACILITY - A feedlot, dairy farm or other operation where livestock are, or will be, fed, confined, maintained or stabled for a total of 45 days or more in any 12-month period. A “livestock facility” includes all of the tax parcels of land on which the facility is located, but does not include a pasture or winter grazing area. Related livestock facilities are collectively treated as a single “livestock facility” for the purposes of this chapter, except that an operator may elect to treat a separate species facility as a separate

“livestock facility”.

Note: See definition of “related livestock facilities” and “separate species facility”.

LIVESTOCK STRUCTURE - A building or other structure used to house or feed livestock, to confine livestock for milking, to confine livestock for feeding other than grazing, to store livestock feed, or to collect or store waste generated at a livestock facility. “Livestock structure” includes a barn, milking parlor, feed storage facility, feeding facility, animal lot or waste storage facility. “Livestock structure” does not include a pasture or winter grazing area, a fence surrounding a pasture or winter grazing area, a livestock watering or feeding facility in a pasture or winter grazing area, or a machine shed or like facility that is not used for livestock.
Revised 11/2012

LOCAL APPROVAL - An approval, required by local ordinance, or a new or expanded livestock facility. “Local approval” includes a license, permit, special exception, conditional use permit or other form of local authorization. “Local approval” does not include any of the following.

- (a) An approval required by a political subdivision within the scope of its authority under s.59.692, 59.693, 60.627, 61.351, 61.354, 62.231, 62.234 or 87.30 Stats.

Note: See s.93.90(3)(a)3., Stats. The statutes listed in par. (a) pertain to shoreland zoning, floodplain zoning, construction site erosion control and stormwater management.

LOCAL ORDINANCE or **LOCAL CODE** - An ordinance enacted by a political subdivision.

MANURE - Excreta from livestock kept at a livestock facility. “Manure” includes livestock bedding, water, soil, hair, feathers, and other debris that becomes intermingled with livestock excreta in normal manure handling operations.

MINOR ALTERATION of a livestock structure. A repair or improvement in the construction of an existing livestock structure that does not result in a substantially altered livestock structure.

NUTRIENT MANAGEMENT PLAN - A document that is annually updated outlining the requirements for managing the amount (rate), source, placement (method of application), and timing of applications of all source of plant nutrients to cropland and pastures as identified in ATCP 50.04(3).

NEW LIVESTOCK FACILITY - A livestock facility that will be used as a livestock facility for the first time, or for the first time in at least 5 years. “New livestock facility” does not include an expanded livestock facility if any portion of that facility has been used as a livestock facility in the preceding 5 years.

OPERATOR - A person who applies for or holds a local approval for a livestock facility.

PASTURE - Land on which livestock graze or otherwise seek feed in a manner that maintains the vegetative cover over all of the grazing or feeding area. Pastures may include limited areas of bare soil such as cattle lanes and supplemental feeding areas provided the bare soil areas are not significant sources of pollution to waters of the state.

PERSON - An individual, corporation, partnership, cooperative, limited liability company, trust or other legal entity.

POPULATE - To add animal units for which local approval is required.

PROPERTY LINE - A line that separates parcels of land owned by different persons.

RELATED LIVESTOCK FACILITIES - Livestock facilities that are owned or managed by the same person, and related to each other in at least one of the following ways:

- e. They are located on the same tax parcel or adjacent tax parcel of land.

Note: A mere acquisition of a neighboring livestock facility does not constitute an “expansion” unless more animal units are added to the combined facilities. See definition of “Expansion”.

- b. They use one or more of the same livestock structures to collect or store manure.

Table of Contents
Title 1 Title, Purpose and Scope
Title 2 Licensing
Title 3 Definitions

Table of Contents
Title 1 Title, Purpose and Scope
Title 2 Licensing
Title 3 Definitions

- c. At least a portion of their manure is applied to the same landspreading acreage.

SEPARATE SPECIES FACILITY - A livestock facility that meets all of the following criteria:

- a. It has only one of the following types of livestock, and that type of livestock is not kept on any other livestock facility to which the separate species facility is related under the definition of "Related Livestock Facilities".

1. Cattle
2. Swine
3. Poultry
4. Sheep
5. Goats

Note: For purposes of par. (a), cattle and poultry are different "types" of livestock, but dairy and beef cattle are livestock of the same "type" ("cattle"). Milking cows, heifers, calves and steers (all "cattle") are livestock of the same "type". Turkeys, ducks, geese and chickens are livestock of the same "type" ("poultry").

- (b) It has no more than 500 animals.

- (c) Its livestock housing and manure storage structures, if any, are separate from the livestock housing and manure storage structures used by livestock facilities to which it is related.

- (d) It meets one of the following criteria:

1. Its livestock housing and manure storage structures, if any, are located at least 750 feet from the nearest livestock housing or manure storage structure used by a livestock facility to which it is related.
2. It and the other livestock facilities to which it is related have a combined total of fewer than 1,000 animal units.

SITE THAT IS SUSCEPTIBLE TO GROUNDWATER CONTAMINATION - Any of the following:

- a. An area within 250 feet of a private well.
- b. An area within 1,000 feet of a municipal well.
- c. An area within 300 feet upslope or 100 feet downslope of a karst feature.
- d. A channel with a cross-sectional area equal to or greater than 3 square feet that flows to a karst feature.
- e. An area where the soil depth to groundwater or bedrock is less than 2 feet.
- f. An area where none of the following separates the ground surface from groundwater and bedrock:
 1. A soil layer at least 2 feet deep that has at least 40% fine soil particles.
 2. A soil layer at least 3 feet deep that has at least 20% fine soil particles.
 3. A soil layer at least 5 feet deep that has at least 10% fine soil particles.

Note: See s. NR 151.015(18).

SUBSTANTIALLY ALTERED - A livestock structure that undergoes a material change in construction or use, including any of the following material changes:

- a. An increase in the capacity of a waste storage facility.
- b. The addition of a liner to a waste storage facility.
- c. An increase of more than 20% in the area or capacity of a livestock structure used to house, feed or confine livestock, or to store livestock feed.

d. An increase of more than 20% in the number of animal units that will be kept in a livestock structure on at least 90 days in any 12-month period.

UNCONFINED MANURE PILE - A quantity of manure at least 175 cubic feet in volume that covers the ground surface to a depth of at least 2 inches, but does not include any of the following:

- a. Manure that is confined within a manure storage facility, livestock housing structure or barnyard runoff control facility.
- b. Manure that is covered or contained in a manner that prevents storm water access and direct runoff to surface water or leaching of pollutants to groundwater.

WASTE - Manure, milking center waste and other organic waste generated by a livestock facility.

WASTE STORAGE FACILITY - One or more waste storage structures. "Waste storage facility" includes stationary equipment and piping used to load or unload a waste storage structure if the equipment is specifically designed for that purpose and is an integral part of the facility. "Waste storage facility" does not include equipment used to apply waste to land.

WASTE STORAGE STRUCTURE - A waste storage impoundment made by constructing embankments, excavating a pit or dugout, or fabricating a structure. "Waste storage structure" does not include equipment used to apply waste to land. For purposes of ss. ATCP 51.12(2) and 51.14, "waste storage structure" does not include any of the following.

- a. A structure used to collect and store waste under a livestock housing facility.
- b. A manure digester consisting of a sealed structure in which manure is subjected to managed biological decomposition.

WINTER GRAZING AREA - Cropland or pasture where livestock feed on dormant vegetation or crop residue, with or without supplementary feed, during the period October 1 to April 30. "Winter grazing area" does not include any of the following:

- a. An area, other than a pasture, where livestock are kept during the period from May 1 to September 30.
- b. An area which at any time has an average of more than 4 livestock animal units per acre.
- c. An area from which livestock have unrestricted access to navigable waters of the state, such that the livestock access prevents adequate vegetative cover on banks adjoining the water.
- d. An area in which manure deposited by livestock causes nutrient levels to exceed standards in s. ATCP 51.16.

WPDES PERMIT - A Wisconsin Pollutant Discharge Elimination System permit issued by DNR under ch. NR 243.

Table of Contents
Title 1 Title, Purpose and Scope
Title 2 Licensing
Title 3 Definitions

ORDINANCE O- 20 -19

AMENDING SEC. 2.05 (XX) OF THE GENERAL CODE OF ORDINANCES: ADMINISTRATOR RECRUITMENT TASK FORCE CHARTER TO CORRECT ERROR IN MEMBERSHIP

WHEREAS, on August 27, 2019 the County Board approved the creation of a Task Force to assist the Executive Committee and the Board in the development of a process for hiring a new County Administrator in light of the incumbent’s retirement, effective Dec. 30, 2019; and

WHEREAS, the Task Force Charter presented to the Board was erroneous in that the version passed by the Executive Committee included under par. 2. Membership:

E. A representative of the County Executives and Administrators’ Association; and

WHEREAS, the version presented to the County Board by Corporation Counsel was an earlier Draft that included under par. 2. Membership:

E. A representative municipal government (city, village, town); and

WHEREAS, the Board has voted to reconsider the Charter at the request of Corporation Counsel in order to correct his error.

NOW THEREFORE, BE IT HEREBY ORDAINED AND RESOLVED by the Board of Supervisors of the County of Marathon that sec. 2.05(XX), General Code of Ordinances, is hereby amended pursuant to the attached.

~~STRIKE: A representative municipal government (city, village, town)~~

REPLACE: A representative of the County Executives and Administrators’ Association

BE IT FURTHER ORDAINED AND RESOLVED that said ordinance shall be effective upon passage and publication as prescribed by law.

Dated this 17th day of September, 2019.

EXECUTIVE COMMITTEE

Fiscal Impact: None

Resolution #R- 49 -19

AMENDMENT OF THE 2019 ADMINISTRATION WORK PLAN TO INVESTIGATE WHETHER IT WOULD BE APPROPRIATE TO DEVELOP A WORKPLACE NALOXONE USE PROGRAM

WHEREAS, the County Board is responsible for oversight and monitoring of the annual work plan of the County Administrator; and

WHEREAS, the work plan clarifies priorities of work, establishes timelines and sets some performance standards; and

WHEREAS, the 2019 Administration work plan was first presented to the Board of Supervisors on February 19, 2019; and

WHEREAS, based on the significant risk of overdose and death associated with the abuse of opioids and the effectiveness of naloxone in reversing the immediate effects of opioid overdose, the Marathon County Board of Health, at its August 6, 2019 meeting, voted to recommend to the Health & Human Services Committee that the County Administrator direct county departments to assess the need and feasibility of implementing a program to make naloxone available in the workplace in the event of overdose; and

WHEREAS, the Health & Human Services Committee, at its August 26, 2019 meeting, voted to recommend that the Board of Supervisors amend the Administrator's Annual Work Plan to investigate whether it would be appropriate to develop a workplace naloxone use program.

NOW THEREFORE, BE IT RESOLVED, that the Marathon County Board of Supervisors amend the 2019 Administration work plan to call that the Administrator investigate whether it would be appropriate to develop a workplace naloxone use program.

Dated this 17th day of September, 2019.

HEALTH & HUMAN SERVICES

_____	_____
_____	_____
_____	_____
_____	_____

Fiscal Impact: No fiscal impact

RESOLUTION# _____

County Bridge / Culvert Aid

WHEREAS, various towns and villages hereinafter named have filed petitions for County Aid for construction of bridges under Section 81.38 of the Statutes, said petitions are hereby granted and the County's share is appropriated as follows:

Town-Village-City	Bridge or Culvert	Project Cost	County Aid Granted
Berlin	Rainbow Drive, P37-132	\$ 95,635.76	\$ 47,817.88
Berlin	Sunny Hill	\$ 6,656.80	\$ 3,328.40
Bern	Windfall Hill Road	\$ 48,086.00	\$ 24,043.00
Bern	Haymarsh Road	\$ 6,475.96	\$ 3,237.98
Cleveland	Holstein Road	\$ 7,375.18	\$ 3,687.59
Eau Pleine	Staad Road	\$ 13,132.56	\$ 6,566.28
Village of Edgar	Chesak Avenue	\$ 21,369.04	\$ 10,684.52
Emmet	Maple Leaf Road	\$ 29,087.62	\$ 14,543.81
Emmet	Brookfield Road	\$ 6,940.30	\$ 3,470.15
Emmet	Cardinal Lane	\$ 5,432.18	\$ 2,716.09
Halsey	Kufahl Road	\$ 11,213.82	\$ 5,606.91
Holton	Rosedale Avenue	\$ 10,668.82	\$ 5,334.41
Hull	Huckleberry Road	\$ 9,325.74	\$ 4,662.87
Hull	Elm Road Bridge	\$ 70,432.62	\$ 35,216.31
Hull	Dill Creek Bridge	\$ 11,925.36	\$ 5,962.68
Hull	E. Spence Street	\$ 7,264.22	\$ 3,632.11
Johnson	Randall Road	\$ 28,552.40	\$ 14,276.20
Johnson	United Road	\$ 1,959.06	\$ 979.53
V. Kronenwetter	Maple Ridge Bridge P37-324	\$ 24,958.50	\$ 12,479.25
V. Kronenwetter	16th Road	\$ 27,664.46	\$ 13,832.23
City of Marshfield	E. McMillan Street*	\$ 92,447.30	\$ 46,223.65
McMillan	Galvin Avenue	\$ 4,172.52	\$ 2,086.26
McMillan	Drake Avenue	\$ 1,321.44	\$ 660.72
Reid	Litza Road	\$ 5,280.00	\$ 2,640.00
Spencer	Eagle Road	\$ 3,876.82	\$ 1,938.41
Stettin	152nd Avenue	\$ 4,647.44	\$ 2,323.72
Stettin	88th Avenue	\$ 6,884.00	\$ 3,442.00
Wausau	Cloverbelt Road	\$ 9,612.82	\$ 4,806.41
Wausau	Wellborn Road	\$ 2,980.20	\$ 1,490.10
City of Wausau	Scott Street Bridge B37-203	\$ 5,189.74	\$ 2,594.87
Weston	Lester Street	\$ 44,536.66	\$ 22,268.33
Wien	Elderberry Street	\$ 6,801.00	\$ 3,400.50
	Totals	\$ 631,906.34	\$ 315,953.17

* Project is on the County line and only 1/2 of the project costs are allocated to Marathon County; total project cost was \$184894.60

THEREFORE, BE IT RESOLVED, that the County Board does hereby levy a tax on all of the property in the County which is taxable for such purposes as to meet such appropriations; and

BE IT FURTHER RESOLVED, that the provisions for this levy shall be made in the County Budget, but that this levy shall not be duplicated.

Dated the 12th day of September, 2019

SUBMITTED BY MARATHON COUNTY INFRASTRUCTURE COMMITTEE

John Robinson, Chairman

Richard Gumz, Vice-Chairman

Tom Seubert

Alan Christensen

Jeff Johnson

Allen Opall

Sandi Cihlar

Signed this _____ day of _____ 2019, pursuant to SS59.12(1), Stats.

County Board Chair

2020 CIP PROJECT REQUESTS		Project Request Cost	Years Previously Funded	ASSIGNED #	PROJECT DESCRIPTION	Project Rank	TOTAL
PAGE 1 OF 1							
PROJECTS NOT FUNDED BY CIP							
Imp	HWY	\$6,600,000	Continuous	N/A	Bituminous Surfacing.	N/A	\$0
Imp	HWY	\$550,000	Continuous	N/A	Replace and Rehabilitate County Bridges and Culverts.	N/A	\$0
Imp	HWY	\$587,480	Continuous	N/A	Replace and Rehabilitate Federally Funded Bridges and Culverts.	N/A	\$0
Imp	HWY	\$315,954	Continuous	N/A	Replace and Rehabilitate Municipality Funded Bridges and Culverts (Bridge Aid).	N/A	\$0
Imp	CWA	\$1,490,000	N/A	N/A	Airport Improvement Program / Passanger Facility Charge. \$1,490,000.	N/A	\$0
Imp	CWA	\$300,000	N/A	N/A	General Aviation Development. \$300,000.	N/A	
Imp	CWA	\$1,400,000	N/A	N/A	CWA Automated Parking Lot System. \$1,400,000.	N/A	
Imp	Solid Waste	\$1,400,000	N/A	N/A	HHW Facility and Repair Shop. \$1,400,000.	N/A	\$0
Imp	Solid Waste	\$130,000	N/A	N/A	Bluebird Ridge Gas System Expansion. \$130,000.		
Imp	Solid Waste	\$4,750,000	N/A	N/A	Area B Closure. \$4,750,000.		
Imp	Solid Waste	\$60,000	N/A	N/A	Solar Array Installation. \$60,000.	N/A	\$0
	Sub Total	\$17,583,434					\$0
RECURRING PROJECTS							
Imp	FCM	\$50,000	Recurring	8269	County Facility Parking Lot Fund s/b @ \$50,000.	N/A	\$0
Imp	HWY	\$300,000	Recurring	N/A	Right-of-Way Fund s/b @ \$300,000.	N/A	\$0
	Sub Total	\$350,000					\$0
PROPOSE PROJECT TO ADD							
Imp	SHERIFF	\$610,000			Jail Roof Project		\$0
Imp	LIBRARY	\$150,000			Library Stonework Repair		\$0
		\$760,000					\$0
TECHNOLOGY PROJECTS @ 30% \$537,176							
Equip	CCIT	\$166,000	Recurring	8137	PC Upgrade Fund.	N/A	\$0
Equip	CCIT	\$101,000	Recurring	8136	Network / Server Upgrade Fund.	N/A	\$0
Equip	CCIT	\$40,000	Recurring	8108	Video Equipment Upgrade Fund.	N/A	\$0
Equip	CCIT	\$40,000	Recurring	8422	Voice Equipment / Phone System Upgrade Fund.	N/A	\$0
Equip	CCIT	\$1,500,000	2019 / \$350k	20IT-01C	Financial / Human Resource Management Solution. 650,000/500,000 in 2020/2021.	N/A	
Equip	CCIT	\$250,000	2019 / \$141,176	20IT-02C	Technology Small Capital.	N/A	\$0
Equip	CCIT	\$38,000	2013	20IT-03C	Laserfiche Licenceing.	N/A	\$0
	Sub Total	\$2,135,000					\$0
ROLLING STOCK							
Equip	FCM	\$52,876	N/A	20BM-01R	Rolling Stock Replace Enterprise Fleet Management. Central Service Lease.	N/A	\$0
Equip	CPZ	\$0	N/A	20CP-01R	Rolling Stock Replace Enterprise Fleet Management.	N/A	\$0
Equip	CWA	\$11,840	N/A		Rolling Stock Replace Enterprise Fleet Management.	N/A	
Equip	EM	\$280,000	N/A	20EM-01R	Rolling Stock Replace (\$280,500).	N/A	
Equip	FCM	\$40,000	N/A	20BM-02R	Rolling Stock Replace (\$40,000).	N/A	
Equip	NCHC	\$28,000	N/A	20NC-01R	Rolling Stock Replace (\$28,000).	N/A	\$0
Equip	PR&F	\$173,460	Recurring	20PO-01R	Rolling Stock Fund s/b @ \$173,460.	N/A	\$0
Equip	Sheriff	\$333,696	Recurring	20SH-01R	Rolling Stock Fund s/b @ \$333,696.	N/A	\$0
Equip	HWY	\$957,600	Recurring	20HI-01R	Rolling Stock Fund s/b @ \$957,600.	N/A	\$0
	Sub Total	\$1,877,472					\$0

PROJECTS RANKED IN PRIORITY ORDER BY CIP COMMITTEE							
Imp	Highway	\$153,400		20HI-02C	County road M - Fenwood Creek.	616	
Imp	Highway	\$299,305		20HI-01C	County Road G - Branch Trappe River.	583	
Imp	Parks	\$150,000		20PO-01C	Playground Replacement.	568	
Imp	Highway	\$128,620		20HI-03C	County Road Y - Plover River.	554	
Imp	FCM	\$84,000		20BM-01C	Social Services Boiler Replacement.	544	
Imp	FCM	\$84,000		20BM-02C	Sheriff Dept. Boiler Replacement.	544	\$0
Imp	CPZ	\$64,730		20CP-02C	Stormwater Quality Plan Updates.	542	\$0
Imp	UWSP-Wausau	\$114,500		20UM-01C	Roof Replacement - Academic and Heating Plant Buildings.	536	
Imp	Parks	\$45,000		20PO-05C	Ice Arena Refrigeration Controller Replacement.	533	
Imp	CPZ	\$160,000	2015 / \$150k	20CP-01C	2020 Marathon County Digital Orthophoto Acquisition.	516	\$0
Imp	FCM	\$302,000		20BM-03C	Lake View Professional Plaza Boiler Install.	505	\$0
Imp	UWSP-Wausau	\$89,000		20UM-02C	Carpet and Vinyl Flooring Replacement.	502	
Imp	Parks	\$150,000	2018 / \$150k	20PO-06C	Big Eau Pleine Road Repairs.	464	
Imp	FCM	\$298,000		20BM-04C	LVPP Elevator Replacement.	431	\$0
Imp	Parks	\$80,600		20PO-04C	Big Eau Pleine Campground Electrical Upgrade.	427	
Imp	FCM	\$148,000		20BM-05C	Social Services Roof Replacement.	404	\$0
Imp	FCM	\$465,600		20BM-07C	Juvenile Roof Replacement.	382	\$0
Imp	FCM	\$640,000		20BM-08C	LVPP Window Replacement.	365	\$0
Imp	FCM	\$75,000		20BM-06C	West Street fire and Security System Replacement.	361	\$0
Imp	Parks	\$50,000		20PO-07C	Marathon Park Master Plan.	349	
Imp	Parks	\$35,000		20PO-08C	Marathon Park Marquee.	342	
	Sub Total	\$3,616,755					\$0
2020 Total of All Project Requests		\$26,322,661					\$0
Type: Equip = Equipment Imp = Improvement Bldg = Building							Total Amount of all Project Requests (Funded & Un-Funded)

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	Totals	\$ 724,353.43	\$ 362,176.72

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