



OFFICE OF THE COUNTY CLERK
MARATHON COUNTY



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.

ADJOURNED ANNUAL MEETING

THE ADJOURNED ORGANIZATIONAL MEETING of the Marathon County Board of Supervisors, composed of thirty-eight (38) members, will convene at the Marathon County Courthouse, Assembly Room, 500 Forest Street, Wausau, on Thursday, November 14, 2019 at 7:00 p.m. to consider the following matters:

A. OPENING OF SESSION:

1. Meeting called to order by Chairperson Gibbs at 7:00 p.m., 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 for silencing of cellphones and other electronic devices
5. Roll Call
6. Acknowledgment of visitors

B. CONSENT AGENDA:

7. Approval of minutes from the October 17 and 22, 2019 meetings
8. Referral of bills and communications to respective committees
9. Authorizing the Clerk to issue orders, bills and claims from the last session through this session
10. Appointments:
 - a) Environmental Resources Committee
11. Enactment of Ordinances:
 - a) Environmental Resources Committee:
 1. Town of McMillan Rezone – Tim Vreeland for Kenneth & Karen Seehafer #O-27-19
12. Adoption of Resolutions:
 - a) Public Safety Committee:
 1. Extend the Charter of the Regional Morgue Task Force #R-61-19
 - b) Environmental Resources Committee:
 1. Approving Northcentral Wisconsin Stormwater Management Coalition Memorandum of Agreement Among Marathon County, the City of Wausau, the Villages of Weston, Kronenwetter, and Rothschild, and the Town of Rib Mountain #R-62-19
 - c) Central Wisconsin Joint Airport Board:
 1. Central Wisconsin Airport Permanent Utility Easement #R-63-19
 - d) Human Resources, Finance, and Property Committee:
 1. Resolution in Support of Wisconsin Assembly Bill 301 / Senate Bill 268 #R-65-19

C. ORDINANCES:

13. Repealing and Recreating Sec. 7.125 Gen. Code of Ord., Addressing the Designation of ATV / UTV Routes and Trails and Regulation of ATV / UTV Operation Within Marathon County #O-28-19
14. Ordinance Amending General Code of Ordinances for Marathon County Chapter 21 Nonmetallic Mining Reclamation Code #O-29-19

RESOLUTIONS

- D. RESOLUTION SPONSORED BY COUNTY BOARD MEMBERS PURSUANT TO RULE 17:
15. Adopting a Redistricting Plan that Reduces the Number of Marathon County Supervisory Districts from 38 to 19, Effective as of Spring Election April 2020 #R-60-19
- E. HUMAN RESOURCES, FINANCE, AND PROPERTY COMMITTEE:
16. Approving Interdepartmental Budget Transfers #R-64-19
 17. Resolution Awarding the Sale of \$9,590,000 General Obligation Promissory Notes, Series 2019A #R-66-19
 18. Budget and Property Tax Levy Resolution #R-67-19
Anticipated Budget Amendments:
 - Amendment #1 of the Proposed 2020 Budget
 - Amendment #2 of the Proposed 2020 Budget
 - Amendment #3 of the Proposed 2020 Budget
- F. MISCELLANEOUS BUSINESS
19. Announcements or Requests
 20. Motion to Adjourn

WITNESS: My signature this 14th day of November, 2019

Kim Trueblood
Marathon County Clerk

NOTE: The next meeting of the County Board will be:
Tuesday, December 17, 2019 at 7:00 p.m. in the Assembly Room of the Courthouse.

NOTICE PROVIDED TO: County Board Members
Marathon County Departments
News Media
Posted on County Website: www.co.marathon.wi.us

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 715-261-1500 or e-mail infomarathon@mail.co.marathon.wi.us one business day before the meeting.

APPOINTMENT
Environmental Resources Committee

I, Kurt Gibbs, Chairperson of the Marathon County Board of Supervisors, do hereby, upon confirmation of the Board, appoint County Supervisor Arnold Schlei, to serve on the Environmental Resources Committee, replacing Allen Opall, for a term to expire at the Organizational County Board meeting in April, 2020, or until he is no longer on the County Board of Supervisors, whichever occurs first.

Dated this 14th day of November, 2019.

Kurt Gibbs, Chairperson
County Board of Supervisors

STATE OF WISCONSIN)
)SS.
COUNTY OF MARATHON)

I, Kim Trueblood, County Clerk in and for Marathon County, Wisconsin, hereby certify that the above appointments were confirmed by the Marathon County Board of Supervisors at their Adjourned Annual meeting which was held November 14, 2019.

S E A L

Kim Trueblood
Marathon County Clerk

ORDINANCE # O - 27 -19

Town of McMillan 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 to amend the Marathon County Zoning Ordinance by Kenneth & Karen Seehafer to rezone from F-P Farmland Preservation to R-R Rural Residential described as part of the NE ¼ NE ¼ Section 27, Township 26 North, Range 03 East, Town of McMillan. Proposed area to be rezoned (approximately 0.703 acres) of Preliminary Certified Survey Map submitted by Tim Vreeland. Part of parent parcel PIN# 056-2603-271-0997.

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 November 7, 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 McMillan, 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 7th day of November, 2019

ENVIRONMENTAL RESOURCES COMMITTEE

_____ Chair

Dated this ____ day of _____, 2019

Kurt Gibbs – Marathon County Board Chair

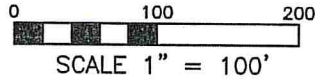
CERTIFIED SURVEY MAP

MARATHON COUNTY NO. _____

VOLUME _____ PAGE _____

ALL OF LOT 1 OF CSM 3773-14-68 AND THAT PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 27, TOWNSHIP 26 NORTH, RANGE 3 EAST, TOWN OF MCMILLAN, MARATHON COUNTY, WISCONSIN.

VREELAND ASSOCIATES, INC.	
6103 DAWN STREET WESTON, WI. 54476	
PH (715) 241-0947 OR TOLL FREE (866) 693-3979	
FAX (715) 241-9826 tim@vreelandassociates.us	
OWNERS:	
JIM ZYGARLICHE & KEN SEEHAFFER	
FILE #: Z-127-18 ZYGARLICHE	
DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND	

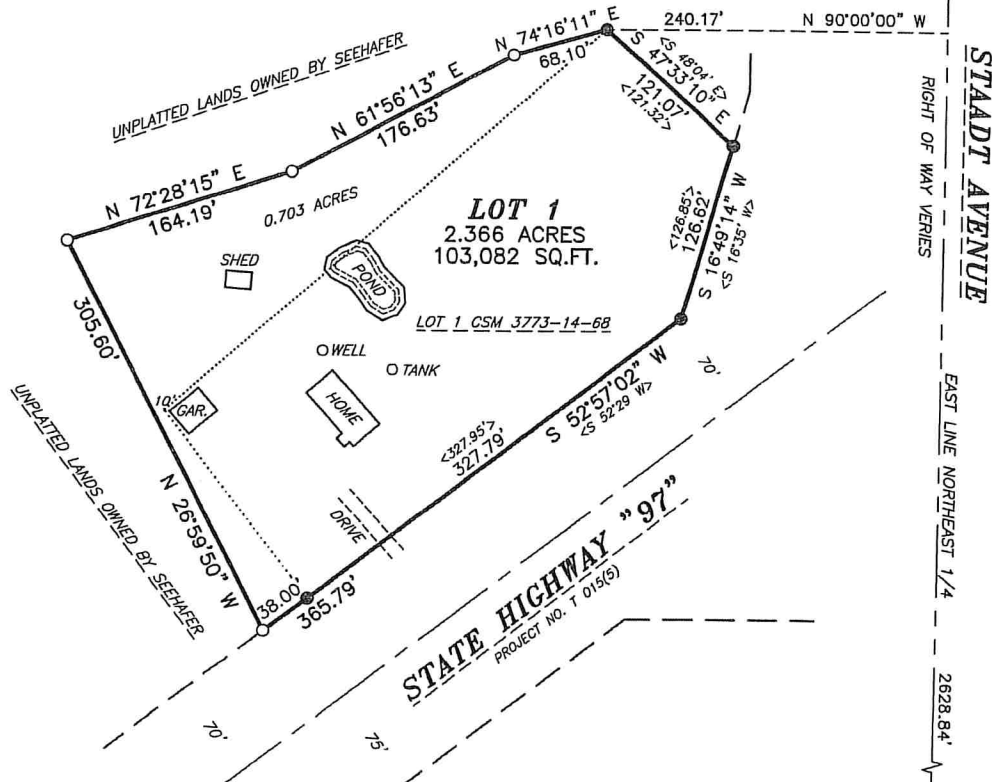


LEGEND

- ⊙ = 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



BEARINGS REFERENCED TO THE EAST LINE OF THE NORTHEAST 1/4 BEARING S 0°59'36" W PER WISCONSIN COUNTY COORDINATE SYSTEM (MARATHON) MAD83 (2011)



EAST 1/4 CORNER SECTION 27-26-3 EAST SMP SPIKE FOUND

STATE OF WISCONSIN)
MARATHON COUNTY)
TOWN OF MCMILLAN)

RESOLUTION ON ZONING ORDINANCE AMENDMENT

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Tanya Holcomb, Clerk of the Town of McMillan, 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 McMillan Town Board at a meeting held on the 14 day of October, 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 McMillan Town Board considered on the 14 day of October, 2019, petition by Tim Vreeland, on behalf of Kenneth & Karen Seehafer to amend the Marathon County Zoning Ordinance from F-P Farmland Preservation to R-R Rural Residential described as part of the NE ¼ of the NE ¼ of Section 27, Township 26 North, Range 03 East, Town of McMillan. Proposed area to be rezoned (approximately 0.703 acres) of the Preliminary Certified Map submitted by Tim Vreeland. Part of parent parcel PIN# 056-2603-271-0997

The Town of McMillan 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)

RESOLUTION R- 61 -19

EXTEND THE CHARTER OF THE REGIONAL MORGUE TASK FORCE

WHEREAS, in 2017 the Marathon County adopted Ordinance O-19-17 which chartered the Regional Morgue Task Force; and

WHEREAS, the Regional Morgue Task Force met infrequently starting in fall of 2017 and continuing through the summer of 2018; and

WHEREAS, the group’s mission expired in August 2018, before there was enough financial information available for the Task Force to form a recommendation; and

WHEREAS, the Medical Examiner, Chief Deputy Medical Examiner and County Administrator (hereinafter “staff”) continued to work with financial consultants from Wipfli, LLP, after the Task Force Charter expired; and

WHEREAS, preliminary findings are that a regional facility can support itself financially from the fees charged to other counties for autopsies, plus a number of other revenues that the facility can generate including tissue donation, but it cannot support the capital costs of a new facility; and

WHEREAS, the staff engaged the expertise of the County’s architects and have learned that the area at NCHC currently used for aquatic therapy could support the facility needs of a Regional Forensic Science Center (a/k/a Morgue) with a renovation at a cost roughly estimated of \$2.6 million; and

WHEREAS, the staff is currently researching and evaluating the availability of grants from foundations and other government sources to cover the renovation costs with mixed results; and

WHEREAS, it is important that this work be brought to a conclusion so that the Public Safety Committee has accurate and complete information in order to determine: a) whether to move forward with this project, b) whether any critical partnerships need to be formed, and c) what contracts would need to be in place to ensure the financial and operational success of a new Regional Forensic Science Center.

NOW, THEREFORE, BE IT RESOLVED THAT the Marathon County Board of Supervisors authorizes an extension of the charter of the Regional Morgue Task Force to December 31, 2020, with the expectation that the Task Force will deliver to the Public Safety Committee a Report and Final Recommendation no later than their December 2020 Meeting.

Dated this 14th day of November, 2019.

PUBLIC SAFETY COMMITTEE

Fiscal Impact: None

**APPROVING
NORTHCENTRAL WISCONSIN STORMWATER MANAGEMENT COALITION
MEMORANDUM OF AGREEMENT
AMONG MARATHON COUNTY, THE CITY OF WAUSAU, THE VILLAGES OF WESTON,
KRONENWETTER, AND ROTHSCHILD, AND THE TOWN OF RIB MOUNTAIN**

WHEREAS, the Wisconsin Department of Natural Resources regulates municipal storm sewer systems discharging water to surface or ground waters through the Wisconsin Pollutant Discharge Elimination System (WPDES) permit program, and

WHEREAS, the goal of the WPDES Stormwater Program is to prevent the transportation of pollutants to Wisconsin's water resources via stormwater runoff, and

WHEREAS, Marathon County owns stormwater facilities that are required to be permitted under the Wisconsin Pollutant Discharge Elimination System (WPDES), and

WHEREAS, the Memorandum of Agreement is between Marathon County; the City of Wausau; the Villages of Kronenwetter, Rothschild, and Weston; and the Town of Rib Mountain, and

WHEREAS, the purpose of the Memorandum of Agreement, which is authorized pursuant to ss.66.0301, Wis. Stats., is to develop and implement a single information and outreach program meeting the requirements of the Wisconsin Administrative Code and to increase awareness of stormwater impacts on waters of the state while avoiding duplication of efforts and saving costs, and

WHEREAS, the coalition will cooperate to adapt and revise operating procedures and municipal ordinances to comply with the requirements of the WPDES General Permits held by each party to the agreement and any changes made to the Wisconsin Administrative Code;

NOW THEREFORE BE IT RESOLVED, the Board of Supervisors of the County of Marathon hereby authorizes and executes a Memorandum of Agreement from January 1, 2020 to December 31, 2026 among Marathon County; the City of Wausau; the Villages of Kronenwetter, Rothschild, and Weston; and the Town of Rib Mountain.

Respectfully submitted this _____ day of _____ 2019.

ENVIRONMENTAL RESOURCES COMMITTEE

Fiscal Impact to Marathon County: Pay actual sampling and field screening costs of outfalls serving county owned facilities

MEMORANDUM OF AGREEMENT

BETWEEN MARATHON COUNTY, THE CITY OF WAUSAU, THE VILLAGES OF WESTON, KRONENWETTER, AND ROTHSCHILD, AND THE TOWN OF RIB MOUNTAIN

I. PURPOSE

THIS MEMORANDUM OF AGREEMENT is entered into for the purpose of minimizing discharge of pollutants carried by stormwater runoff and to develop and implement a single information and outreach program for all participating municipalities. The Agreement allows the parties to work together on a program that meets permit requirements of Wis. Admin. Code NR 216.

II. TERM OF AGREEMENT

This Agreement shall run January 1, 2020 to December 31, 2026. The terms of the Agreement may be reviewed and amended if necessary. This Agreement may be terminated by any party on thirty (30) days written notice to the group, subject only to the payment of any obligations due to the group under this Agreement up to the point of said termination.

III. APPLICABILITY

The process defined by this MOA addresses the requirements of Section 402 of the Federal Clean Water Act and the Storm Water Discharge Permit Program under Wis. Admin. Code NR 216. Through the Wisconsin Pollutant Discharge Elimination System (WPDES) permit program, the DNR regulates municipal, industrial, and animal waste operations discharging water to surface or groundwaters.

IV. SUMMARY OF THE PERMIT PARTNERSHIP PROCESS

Each of the participating municipalities and Marathon County will hold a municipal separate storm sewer system (MS4) permit. Marathon County will be responsible for achieving and maintaining compliance of its MS4 eligible facilities within each community.

V. PROGRAM SUMMARY

The program is designed to fulfill the permit requirements 1-9 as defined in of Wis. Admin. Code NR 216.07 as efficiently and effectively as possible through intergovernmental cooperation.

VI. ALLOCATION OF RESPONSIBILITY

For and in consideration of the terms and conditions in this Memorandum of Agreement, Marathon County and the participating municipalities have the following responsibilities:

1. PUBLIC EDUCATION AND OUTREACH

Marathon County will:

- Coordinate the development and updates of the Wausau Urban Area Stormwater Education and Outreach Plan and future plan updates at no cost to the municipalities;
- Coordinate the implementation of the Wausau Urban Area Stormwater Education and Outreach Plan.

The municipalities will:

- Appoint one representative to the Northcentral Wisconsin Stormwater Coalition;

5. POST-CONSTRUCTION SITE STORM WATER MANAGEMENT

Marathon County will:

- Work with the participating municipalities to develop and update as necessary, post construction storm water management ordinances in accordance with NR 216;
- Comply with municipal post construction storm water management ordinance as they apply to MS4 eligible County facilities as defined in NR 216.

The municipalities will:

- Adopt and update as necessary, a municipal post construction storm water management ordinance.

6. POLLUTION PREVENTION

Marathon County will perform the following tasks on MS-4 eligible county owned facilities to the specifications of the individual municipalities in which the facilities exist:

- Install and maintain source area controls and regional best management practices;
- Roadway maintenance including street sweeping and de-icer management;
- Collection and management of leaf and grass clippings;
- Management of county garages, storage areas and other potential sources of pollution;
- Management of the application of lawn and garden fertilizers on county controlled properties in accordance with s. NR 151.13 (1) (b) 3;
- Implement inspection, surveillance and monitoring procedures necessary to determine compliance and noncompliance with municipal permit conditions;
- Conduct an assessment of the actions taken using a pollutant loading analysis model (SLAMM).

The municipalities will perform the following tasks on municipal facilities:

- Install and maintain source area controls and regional best management practices;
- Roadway maintenance including street sweeping and de-icer management;
- Collection and management of leaf and grass clippings;
- Management of municipal garages, storage areas and other municipal sources of pollution;
- Management of the application of lawn and garden fertilizers on municipal controlled properties in accordance with s. NR 151.13 (1) (b) 3;
- Implement inspection, surveillance and monitoring procedures necessary to determine compliance and noncompliance with permit conditions;
- Conduct assessments of the actions taken using a pollutant loading analysis model (SLAMM) on municipal MS4 facilities within their respective MS4 boundaries.

7. STORM SEWER SYSTEM MAP

Marathon County will:

- Identify and map MS-4 eligible county owned facilities and outfalls as defined in NR 216;
- Provide the municipalities with geographical data of county owned MS-4 eligible facilities and outfalls.

The municipalities will:

- Identify and map municipal facilities and outfalls;

MEMORANDUM OF AGREEMENT

BETWEEN MARATHON COUNTY, THE CITY OF WAUSAU, THE VILLAGES OF WESTON, KRONENWETTER, AND ROTHSCHILD, AND THE TOWN OF RIB MOUNTAIN

I. PURPOSE

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For and in consideration of the terms and conditions in this Memorandum of Agreement, Marathon County and the participating municipalities have the following responsibilities:

1. PUBLIC EDUCATION AND OUTREACH

Marathon County will:

- Coordinate the development and updates of the Wausau Urban Area Stormwater Education and Outreach Plan and future plan updates at no cost to the municipalities;
- Coordinate the implementation of the Wausau Urban Area Stormwater Education and Outreach Plan.

The municipalities will:

- Appoint one representative to the Northcentral Wisconsin Stormwater Coalition;
- Contribute towards costs of development, reproduction and distribution of educational materials (each community will contribute an equal share of the cost);
- Make available rooms for public informational meetings as necessary.

2. PUBLIC INVOLVEMENT AND PARTICIPATION

Marathon County will:

- Develop and maintain a stormwater management website at no cost to the municipalities;
- Public notice all meetings of the Northcentral Wisconsin Stormwater Coalition and any public informational meetings hosted by Marathon County.

The municipalities will:

- Public notice all meetings hosted by the municipality;
- Contribute towards costs of public notices, meetings, and other public involvement and participation activities (each community will contribute an equal share of the cost).

3. ILLICIT DISCHARGE DETECTION AND ELIMINATION

Marathon County will:

- Assist the participating municipalities to develop and update as necessary, municipal illicit discharge ordinances in accordance with NR 216;
- Comply with municipal illicit discharge ordinances as they apply to MS4 eligible County facilities;
- Pay actual sampling and field screening costs of outfalls serving county owned facilities;
- Follow appropriate procedures to eliminate illicit discharges as defined by Wisconsin Department of Natural Resources regulations or other sources of non-storm water on MS4 eligible County facilities.

The municipalities will:

- Adopt and update as necessary, a municipal illicit discharge ordinance;
- Conduct field screening analysis for illicit connections and discharges at all municipal and county outfalls within their respective MS4 boundaries;
- Follow the procedures to eliminate illicit discharges as defined by Wisconsin Department of Natural Resources regulations or other sources of non-storm water on municipal facilities.

4. CONSTRUCTION SITE POLLUTION CONTROL

Marathon County will:

- Assist the participating municipalities to develop and update as necessary, municipal construction site erosion control ordinances in accordance with NR 216;
- Comply with municipal construction site erosion control ordinance as they apply to MS4 eligible County facilities as defined in NR 216.

The municipalities will:

- Adopt and update as necessary, a municipal construction site erosion control ordinance.

5. POST-CONSTRUCTION SITE STORM WATER MANAGEMENT

Marathon County will:

- Work with the participating municipalities to develop and update as necessary, post construction storm water management ordinances in accordance with NR 216;
- Comply with municipal post construction storm water management ordinance as they apply to MS4 eligible County facilities as defined in NR 216.

The municipalities will:

- Adopt and update as necessary, a municipal post construction storm water management ordinance.

6. POLLUTION PREVENTION

Marathon County will perform the following tasks on MS-4 eligible county owned facilities to the specifications of the individual municipalities in which the facilities exist:

- Install and maintain source area controls and regional best management practices;
- Roadway maintenance including street sweeping and de-icer management;
- Collection and management of leaf and grass clippings;
- Management of county garages, storage areas and other potential sources of pollution;
- Management of the application of lawn and garden fertilizers on county controlled properties in accordance with s. NR 151.13 (1) (b) 3;
- Implement inspection, surveillance and monitoring procedures necessary to determine compliance and noncompliance with municipal permit conditions;
- Conduct an assessment of the actions taken using a pollutant loading analysis model (SLAMM).

The municipalities will perform the following tasks on municipal facilities:

- Install and maintain source area controls and regional best management practices;
- Roadway maintenance including street sweeping and de-icer management;
- Collection and management of leaf and grass clippings;
- Management of municipal garages, storage areas and other municipal sources of pollution;
- Management of the application of lawn and garden fertilizers on municipal controlled properties in accordance with s. NR 151.13 (1) (b) 3;
- Implement inspection, surveillance and monitoring procedures necessary to determine compliance and noncompliance with permit conditions;
- Conduct assessments of the actions taken using a pollutant loading analysis model (SLAMM) on municipal MS4 facilities within their respective MS4 boundaries.

7. STORM SEWER SYSTEM MAP

Marathon County will:

- Identify and map MS-4 eligible county owned facilities and outfalls as defined in NR 216;
- Provide the municipalities with geographical data of county owned MS-4 eligible facilities and outfalls.

The municipalities will:

- Identify and map municipal facilities and outfalls;
- Include and identify (label) county owned facilities and outfalls in required storm sewer system map.

8. ANNUAL REPORT

Marathon County will:

- Coordinate the development of standardized yearly reporting by the municipalities.

The municipalities will:

- Include and identify (label) county owned facilities and outfalls in required yearly reporting.

**R-03-19
RESOLUTION**

Central Wisconsin Airport Permanent Utility Easement

WHEREAS, Marathon County and Portage County, Wisconsin hereinafter referred to as the Joint Airport Board, each being a municipal body corporate of the State of Wisconsin, is authorized by Wis. Stat. §114.11 (1973), to acquire, establish, construct, own, control, lease, equip, improve, maintain, and operate an airport, and

WHEREAS, the Joint Airport Board desires to develop or improve the Central Wisconsin Airport (CWA), Marathon County, Wisconsin, and

WHEREAS, Wisconsin Public Service (WPS) provides electrical utility service to facilities located at CWA, and

WHEREAS, WPS is replacing existing utility lines on CWA property that have reached end of useful life in new locations on or off CWA property, and

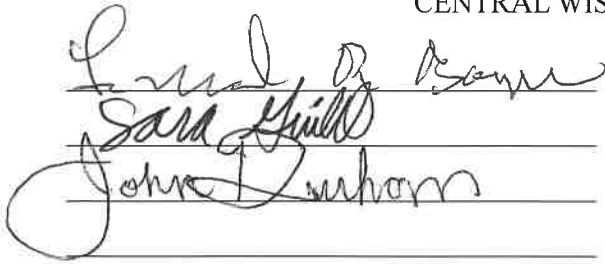
WHEREAS, the new utility locations are more compatible with the use of CWA property than the existing locations, and

NOW, THEREFORE, BE IT RESOLVED that the Central Wisconsin Joint Airport Board resolves and ordains as follows:

Electric Underground Easement by and between the Joint Airport Board and Wisconsin Public Service affecting Parcel Identification Number (PIN) 251-2607-044-9987, 251-2607-041-9996, and 251-2607-044-9999 is hereby approved.

Dated this 20th day of September, 2019.

CENTRAL WISCONSIN JOINT AIRPORT BOARD


Sarah Hill
John Durham

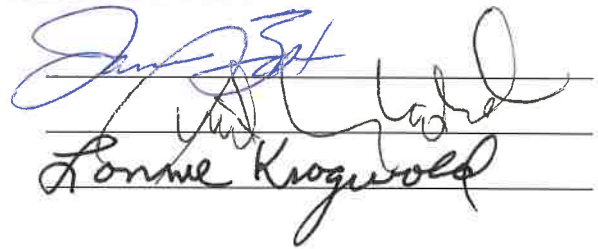
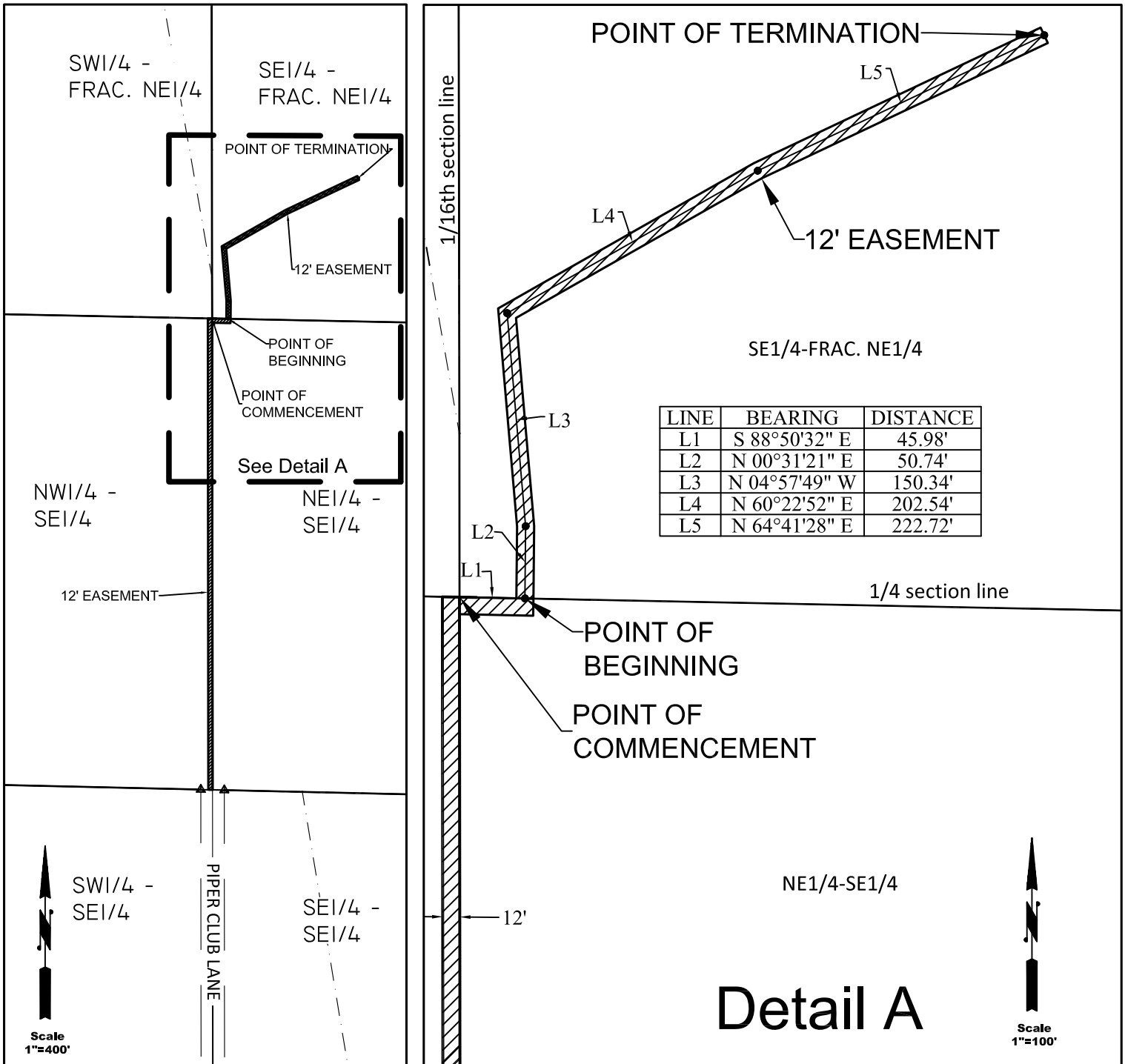

Lonnie Krogh

EXHIBIT A

Part of the Southeast Quarter of the Northeast Quarter (SE1/4-NE1/4);
 Also, Part of the Northwest Quarter of the Southeast Quarter (NW1/4-SE1/4);
 Also, Part of the Northeast Quarter of the Southeast Quarter (NE1/4-SE1/4);
 All being in Section 4, Township 26 North, Range 7 East, City of Mosinee, County of
Marathon, State of Wisconsin



Detail A

Distances shown are for the CENTERLINE of the easement and are approximate - Bearings based upon Grid North of Marathon County Wisconsin Coordinate Reference System (WISCRS) NAD 83 (1991)

- CENTERLINE
- P.L. — PROPERTY LINE
- ▨ EASEMENT AREA
- R/W — RIGHT OF WAY

Date	County	Municipality	Site Address	Parcel Identification Number
19-Mar-19	Marathon	City of Mosinee	Central Wisconsin Airport	251-2607-044-9987, 251-2607-041-9996, 251-2607-044-9999
Real Estate No.	WPSC District	WR#	WR Type	I/O
1031704	Wausau	2768166	EACR	22500466EC



Wisconsin Public Service

700 North Adams Street
 P.O. Box 19001
 Green Bay, WI 54307-9001
 Phone: 800-450-7260

ELECTRIC UNDERGROUND EASEMENT

THIS INDENTURE is made this 20th day of September, 2019, by and between Marathon County, Wisconsin and Portage County, Wisconsin, municipal corporations, ("Grantor") and WISCONSIN PUBLIC SERVICE CORPORATION, a Wisconsin Corporation, along with its successors and assigns (collectively, "Grantee") for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor, owner of land, hereby grants and warrants to, Grantee, a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area" more particularly described as follows:

Part of the Southeast Quarter of the Northeast Quarter (SE1/4-NE1/4);

Also, Part of the Northwest Quarter of the Southeast Quarter (NW1/4-SE1/4);

Also, Part of the Northeast Quarter of the Southeast Quarter (NE1/4-SE1/4);

All being in Section 4, Township 26 North, Range 7 East, City of Mosinee, County of Marathon, State of Wisconsin, more particularly described as follows:

A 12 foot wide easement strip described as being the east 12 feet of the said Northwest Quarter of the Southeast Quarter (NW1/4-SE1/4);

Also, A 12 foot wide easement strip described as being the north 12 feet of the west 52 feet of the said Northeast Quarter of the Southeast Quarter (NE1/4-SE1/4);

Also, A 12 foot wide easement strip, the center line of which is described as follows:

Commencing at the southwest corner of the said Southeast Quarter of the Northeast Quarter (SE1/4-NE1/4);

Thence S88°50'32"E, 45.98 feet coincident with the south line of said Southeast Quarter of the Northeast Quarter (SE1/4-NE1/4) to the **Point of Beginning**;

Thence N00°31'21"E, 50.74 feet;

Thence N04°57'49"W, 150.34 feet;

Thence N60°22'52"E, 202.54 feet;

Thence N64°41'28"E, 222.72 feet to the **Point of Termination**.

See the **attached Exhibit "A"**.

- 1. **Purpose: ELECTRIC UNDERGROUND** - The purpose of this easement is to construct, install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted switch-fuse units, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground as deemed necessary by Grantee, all to

Return to:
Wisconsin Public Service Corp.
Real Estate Dept.
P.O. Box 19001
Green Bay, WI 54307-9001

Parcel Identification Number (PIN)
251-2607-044-9987
251-2607-041-9996
251-2607-044-9999

transmit electric energy, signals, television and telecommunication services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.

2. **Access:** Grantee shall have the right to enter on and across any of the Grantor's property outside of the easement area as may be reasonably necessary to gain access to the easement area and as may be reasonably necessary for the construction, installation, operation, maintenance, inspection, removal or replacement of the Grantee's facilities.
3. **Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric and gas codes or any amendments thereto.
4. **Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.
5. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.
6. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until sometime in the future, and that none of the rights herein granted shall be lost by non-use.
7. **Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.
8. **Easement Review:** Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document *or* voluntarily waives the five day review period.
9. **Limitations:** This easement is subject to the following limitations because the "easement area," described above, is located upon, within, beneath, over and across part of an actively operating regional airport established and managed jointly by political subdivisions of the State of Wisconsin, pursuant to authority granted by the state under Wis. Stats., Chap. 114, and subject to regulation by several other state and federal authorities:
 - a. **Compliance with Federal Aviation Regulations and Security Requirements.** Grantee's access is subject to Federal Aviation Regulations and Federal Airport Security Regulations, including but not limited to 49 CFR Parts 1540 and 1542, and 14 CFR Part 139., and Grantor's policies as outlined in Grantor's Federal Aviation Administration (FAA) approved Airport Certification Manual and the Transportation Security Administration (TSA) approved Airport Security Plan. Grantee further agrees that any fines levied upon Grantor or Grantee through enforcement of these regulations because of violations thereof by Grantee's employees, agents, suppliers, guests, or patrons shall be borne by Grantee to the extent said violations contributed to said fines.
 - b. **Interference with Radio and Navigation Aids Prohibited.** Grantor operates a varied spectrum of licensed and unlicensed wireless radio, microwave and IP traffic to provide Navigation Aids and other critical safety services to aircraft and personnel as well as other land-based vehicles and equipment. The stable,

reliable and economical delivery of these services has absolute priority over any other uses or operations of Grantee. Therefore, any interference experienced by Grantor that coincides with Grantee's activities will be presumed to be caused by Grantee. Grantor reserves the right to demand Grantee turn off its equipment until all interference problems caused by Grantee are resolved. Once a "shut-off" order is delivered to Grantee, Grantee's equipment must be turned off as soon as possible. Grantor also reserves the right to require Grantee to take any action necessary, in the sole but reasonable discretion of Grantor, to proactively shield or otherwise prevent Grantee's activities from causing interference.

- c. Rules and Regulations of Joint Airport Board. Grantor shall have the right to adopt from time to time, and to enforce, rules and regulations which Grantee agrees to observe and obey with respect to the use of the airport premises and appurtenances, provided that such rules and regulations shall be promptly communicated to Grantee and shall not be inconsistent with safety, current rules and regulations of the FAA and any future changes prescribed from time to time by the FAA.
- d. Protection of Aerial Approaches to Airport. Grantor reserves the right to take any action it considers necessary to protect the aerial approaches of the airport against obstruction, together with the right to prevent Grantee from erecting, or permitting to be erected, any building, any other structure, or operating any vehicles or equipment on the easement area, which, in the opinion of Grantor, would limit the usefulness of the airport or constitute a hazard to aircraft, now or in the future.
- e. Airport Development. Grantor reserves the right to increase the size or capacity of any public aircraft facilities, including but not limited to, runways, hangars, taxi-ways, terminals, navigational facilities or common use portions of the airport, or make alterations thereto or reconstruct or relocate them or modify the design and type of construction thereof or close them or any portions of them, either temporarily or permanently; provided that none of the foregoing shall unreasonably interfere with Grantee's exercise of the easement rights granted hereunder.
- f. Force Majeure. Grantor shall not be responsible to Grantee if the fulfillment of any of the terms of this Easement is delayed or prevented by revolutions or other civil disorders, wars, acts of enemies, strikes, fires, floods, acts of God, adverse weather conditions, legally required environmental remedial actions, or by any other cause not within the control of Grantor.

[REMAINDER OF PAGE LEFT BLANK]

WITNESS the hand and seal of the Grantor the day and year first above written.

Marathon County, Wisconsin

Corporate Name _____

Sign Name _____

Print name & title _____

Sign Name _____

Print name & title _____

STATE OF _____)
)SS
COUNTY OF _____)

This instrument was acknowledged before me this _____ day of _____, _____, by the above-named _____
Marathon County, Wisconsin, to me known to be the Grantor(s) who executed the foregoing instrument on behalf of said Grantor(s) and acknowledged the same

Sign Name _____
Print Name _____

Notary Public, State of _____
My Commission expires: _____

WITNESS the hand and seal of the Grantor the day and year first above written.

Portage County, Wisconsin

Corporate Name _____

Sign Name _____

Print name & title _____

Sign Name _____

Print name & title _____

STATE OF _____)
)SS
COUNTY OF _____)

This instrument was acknowledged before me this _____ day of _____, _____, by the above-named _____

Portage County, Wisconsin, to me known to be the Grantor(s) who executed the foregoing instrument on behalf of said Grantor(s) and acknowledged the same

Sign Name _____
Print Name _____

Notary Public, State of _____
My Commission expires: _____

This instrument drafted by: Dawn Van Oudenhoven
Wisconsin Public Service Corporation

Date	County	Municipality	Site Address	Parcel Identification Number
April 8, 2019	Marathon	City of Mosinee	Central Wisconsin Airport	251-2607-044-9987, 251-2607-041-9996, 251-2607-044-9999
Real Estate No.	WPSC District	WR#	WR Type	I/O
QB107170812.2	Wausau	2768166	EACR	22500466EC

RESOLUTION #R-65-19

Support for Wisconsin Assembly Bill 301/Senate Bill 268

WHEREAS, Marathon County supports the economic vitality of the County as a whole and its municipalities; and

WHEREAS, the Village of Kronenwetter has developed Tax Incremental Districts within its boundaries to support economic development and job growth; and

WHEREAS, the Village of Kronenwetter has requested that legislation be passed to expenditure period and life of the district by five additional years; and

WHEREAS, which will allow the Village of Kronenwetter to continue its investment and promote industrial development of the TID. Marathon County will directly benefit from the additional growth in equalized value created during the extension; and

NOW, THEREFORE BE IT RESOLVED, Marathon County strongly urges the Legislature to support Assembly Bill 301/Senate Bill 268 when it comes before you for a vote

BE IT FURTHER RESOLVED, that the legislature accept the letter of support attached to this resolution as documentation of Marathon County's support for Assembly Bill 301/Senate Bill 268

Respectfully submitted this 14th day of September 2019.

HUMAN RESOURCES, FINANCE AND PROPERTY COMMITTEE

_____	_____
_____	_____
_____	_____
_____	_____

Fiscal Note: This resolution has no direct fiscal impact on the County



Marathon County
500 Forest Street
Wausau, WI 54403

November 14, 2019

RE: Support for Assembly Bill 301/Senate Bill 268

Dear Wisconsin State Legislators,

On behalf of Marathon County, I am writing to you to express our support for Assembly Bill 301/Senate Bill 268, which extends the expenditure period for Tax Increment District #2 (TID #2) in the Village of Kronenwetter.

As an overlying taxing jurisdiction, we are familiar with TID #2 and have worked in partnership with the Village of Kronenwetter since 2004 to oversee the success of TID #2. Since its inception, TID #2 has created over 39 million dollars in new equalized value.

We understand that this legislation will extend the expenditure period and life of the district by five additional years, which will allow the Village of Kronenwetter to continue its investment and promote industrial development of the TID. Marathon County will directly benefit from the additional growth in equalized value created during the extension.

Therefore, Marathon County strongly urges you to support Assembly Bill 301/Senate Bill 268 when it comes before you for a vote.

Sincerely,

Marathon County Chairman Kurt Gibbs
Marathon County
500 Forest Street
Wausau, WI 54403
715 261 1401
Kurt.Gibbs@co.marathon.wi.us

ORDINANCE #O- 28 -19

**REPEALING AND RECREATING SEC. 7.125, GEN. CODE OF ORD., ADDRESSING THE DESIGNATION OF
ATV/UTV ROUTES AND TRAILS AND REGULATION OF ATV/UTV OPERATION WITHIN MARATHON
COUNTY**

WHEREAS, § 7.125 of the General Code of Ordinances for Marathon County addresses regulation of ATVs in Marathon County; and

WHEREAS, Wis. Stat. §§ 23.33(8)(b), 23.33(11)(a), and 59.02 provide Marathon County authority to designate highways as ATV/UTV routes and regulate the use and operation of ATVs and UTVs on designated routes and trails; and

WHEREAS, Wis. Stat. § 971.23(10) provides a method for payment of copying costs in cases involving indigent defendants that allows for billing of the State Public Defender’s Office to occur; and

WHEREAS, some local townships and municipalities within Marathon County have adopted individual regulations of ATVs within their jurisdictions; and

WHEREAS, having a uniform set of regulations for the use of ATVs and UTVs within Marathon County would support public safety; and

WHEREAS, on November 7, 2019, the Marathon County Infrastructure Committee voted to repeal and recreate § 7.125, Gen. Code, pursuant the terms and conditions of the attached addendum.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Marathon does hereby ordain as follows:

- 1. To repeal and replace section 7.125 of the General Code of Ordinances, pursuant to the attached.

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

Dated the 14th day of November, 2019.

INFRASTRUCTURE COMMITTEE

Fiscal Impact: None. The proposed changes provide new regulations on the use of ATVs and UTVs within the county and clarify the process for designating ATV and UTV trails and routes.

MARATHON COUNTY ORDINANCE Sec. 7.125
ALL-TERRAIN VEHICLES AND UTILITY TERRAIN VEHICLES

- (1) *Intent.* To create uniform procedures and requirements for the use and operation of All-Terrain Vehicles and Utility Terrain Vehicles on Marathon County routes and trails.
- (2) *Definitions.* In this section, words and phrases used herein shall have the meaning as defined by Wis. Stat. § 23.33(1), unless otherwise defined herein. All-terrain vehicles (hereinafter referred to as ATVs) shall have the definition given in Wis. Stat. § 340.01(2g). Utility terrain vehicles (hereinafter referred to as UTVs) shall have the definition given in Wis. Stat. § 23.33(1)(ng). Any reference to a Wisconsin Statute Section or Administrative Code Regulation is a reference to that specific chapter, section, code, or its successor chapter, section, or code. Any future amendments, revisions, or modifications of the statutes or administrative code incorporated herein are intended to be made part of this Code in order to secure uniform statewide regulation of all-terrain vehicles.
- (3) *Statutory Authority.* Marathon County is authorized to designate highways as ATV/UTV routes pursuant to Wis. Stat. §§ 23.33(8)(b) and 59.02, and is authorized to enact ordinances regulating ATVs and UTVs on designated routes and trails pursuant to Wis. Stat. § 23.33(11)(a).
- (4) *Designating ATV/UTV Routes.* The Marathon County Highway Commissioner (Commissioner) may designate ATV/UTV routes following due consideration of the recreational value and after weighing possible dangers, public health, liability concerns, terrain involved, traffic density, and history of automobile traffic on potential and existing routes.
 - (a) *Duties of Highway Commissioner.*
 - (i) The Commissioner shall designate which portions of county highways are ATV/UTV routes. The Commissioner will update the Infrastructure Committee with respect to the status of, and changes to, ATV/UTV routes.
 - (ii) The Commissioner shall ensure that all routes designated pursuant to this Ordinance are properly posted.
 - (iii) The Commissioner shall establish the official ATV/UTV route opening and closing dates for each year. Dates shall be posted on the Marathon County website in a place visible to the public.
 - (iv) All routes established pursuant to this Ordinance shall be reviewed annually by the Commissioner to consider the continued value, efficacy, and need for the ATV/UTV routes.

(b) *Application Process for Route Designation.* The Commissioner shall develop policies and procedures for consideration of, and designation of, ATV/UTV routes in accordance with the requirements of Wis. Stat. § 23.33, Wis. Admin. Code NR § 64, and the provisions of this Ordinance.

(i) *Municipalities.* Any town, village, or city in Marathon County may apply to the Commissioner and request that portions of county highways be designated as ATV/UTV routes. Applications shall be completed on a form prescribed by the Commissioner and must be in compliance with the policies and procedures developed by the Commissioner for the designation of ATV/UTV routes. The town, village, or city must further affirm that the municipality will pay for the costs to make, install, and maintain ATV/UTV route signs.

(ii) *ATV/UTV Clubs.* An organization that has assembled as a recognized ATV/UTV club may apply to the Commissioner and request that the Commissioner designate an ATV/UTV route within Marathon County. Applications shall be completed on a form prescribed by the Commissioner and must be in compliance with the policies and procedures developed by the Commissioner for the designation of ATV/UTV routes. An ATV/UTV club must further affirm that the club will pay for the costs to make, install, and maintain ATV/UTV route signs.

(iii) The County Board of Supervisors may rescind or modify the designation of an ATV/UTV route by enactment of an ordinance rescinding or modifying the designation.

(iv) *Application requirements.* An application for designation of an ATV/UTV route, at a minimum, include the following:

1. A map showing the proposed ATV/UTV route on the county highway system.
2. A map showing any ATV/UTV trails leading to the proposed route.
3. A statement explaining why the proposed route should be designated as an ATV/UTV route.
4. If the applicant is an ATV/UTV club, the names and addresses of its officers, the date when the organization was established or incorporated, and the number of members.
5. A statement that the applicant will be financially responsible for payments for the installation and maintenance of required ATV/UTV route signs.

6. Any municipality in which the segment of a county roadway being proposed as an ATV/UTV route exists must have adopted the regulations in (6) of this provision for the application to be considered.
- (v) *Appeal.* The Commissioner's determination regarding an application for or continuation of a designated ATV/UTV route may be appealed by the person aggrieved as provided in Chapter 24 of the Marathon County Code of Ordinances. In the event of an appeal, the review of the Commissioner's initial determination shall be conducted by the county administrator or his or her designee.
- (5) *Designating ATV/UTV Trails.* The Wausau and Marathon County Parks, Recreation, and Forestry Director (Director) may designate ATV/UTV trails following due consideration of the recreational value and after weighing possible dangers, public health, liability concerns, and terrain involved.
 - (a) *Duties of Director.*
 - (i) The Director shall designate which portions of county land are designated as ATV/UTV trails. The Director will update the Infrastructure Committee with respect to the status of, and changes to, ATV/UTV trails.
 - (ii) The Director shall ensure that all trails designated pursuant to this Ordinance are properly posted.
 - (iii) The Director shall establish the official ATV/UTV trail opening and closing dates for each year. Dates shall be posted on the Marathon County website in a place visible to the public.
 - (iv) All trails established pursuant to this Ordinance shall be reviewed annually by the Director to consider the continued value, efficacy, and need for the ATV/UTV trails.
 - (b) *Application Process for Trail Designation.* The Director shall develop policies and procedures for consideration of, and designation of, ATV/UTV trails in accordance with the requirements of Wis. Stat. § 23.33, Wis. Admin. Code NR § 64, and the provisions of this Ordinance.
 - (i) *Municipalities.* Any town, village, or city in Marathon County may apply to the Director and request that portions of county lands be designated as ATV/UTV trails. Applications shall be completed on a form prescribed by the Director and must be in compliance with the policies and procedures developed by the Director for the designation of ATV/UTV trails. The town, village, or city must further affirm that the municipality will pay for the costs to make, install, and maintain ATV/UTV trail signs.

(ii) *ATV/UTV Clubs.* An organization that has assembled as a recognized ATV/UTV club may apply to the Director and request that the Director designate an ATV/UTV trail within Marathon County. Applications shall be completed on a form prescribed by the Director and must be in compliance with the policies and procedures developed by the Director for the designation of ATV/UTV trails. An ATV/UTV club must further affirm that the club will pay for the costs to make, install, and maintain ATV/UTV trail signs. The Director may require an ATV/UTV club to execute a trail maintenance contract and obtain or maintain insurance as required by Marathon County.

(iii) The County Board of Supervisors may rescind or modify the designation of an ATV/UTV trail by enactment of an ordinance rescinding or modifying the designation.

(iv) *Application requirements.* An application for designation of an ATV/UTV trail must, at a minimum, include the following:

1. A map showing the proposed ATV/UTV trail in relation to the county highway system.
2. A map showing any ATV/UTV routes leading to the proposed trail.
3. A statement explaining why the proposed trail should be designated as an ATV/UTV trail.
4. If the applicant is an ATV/UTV club, the names and addresses of its officers, the date when the organization was established or incorporated, and the number of members.
5. A statement that the applicant will be financially responsible for payments for the installation and maintenance of required ATV/UTV trail signs.
6. If the proposed trail travels on private property, a statement from the owner of said property attesting that the landowner will consent to the creation of a trail on said property.

(b) *Appeal.* The Director's determination regarding an application for or continuation of a designated ATV/UTV trail may be appealed by the person aggrieved as provided in Chapter 24 of the Marathon County Code of Ordinances. In the event of an appeal, the review of the Director's initial determination shall be conducted by the county administrator or his or her designee.

- (6) *Regulation of ATVs and UTVs.* Except as otherwise provided herein, the statutory provisions of Wis. Stat. § 23.33 and Wis. Admin. Code NR § 64, which create, describe, and define regulations with respect to ATVs and UTVs, are adopted and, by reference, made a part of this Code as if fully set forth herein.
- (a) *Operator and Rider Requirements.* Any person who operates or rides as a passenger on an ATV or UTV on a roadway that is an ATV/UTV route in Marathon County designated pursuant to Wis. Stat. § 23.33(8)(b)1, or an ATV/UTV trail in Marathon County designated pursuant to Wis. Stat. § 23.33(8)(c), must meet the following requirements:
- (i) Any operator or passenger shall comply with all federal, state, and local laws, orders, regulations, restrictions, and rules, including those outlined in Wis. Stat. § 23.33 and Wis. Admin. Code NR § 64. All ATV/UTV rules of operation outlined in Wis. Stat. § 23.33 and Wis. Admin. Code NR § 64 are adopted and incorporated in this Ordinance.
 - (ii) No person may operate an ATV or UTV without having attained the age of 16.
 - (iii) No person may operate an ATV or UTV without a valid driver's license.
 - (iv) All operators shall have a liability insurance policy in force on any ATV or UTV operated on an ATV/UTV route or trail. The liability insurance policy must have the following minimum coverages:
 - a. \$10,000 for property damage
 - b. \$25,000 for the injury or death of one person
 - c. \$50,000 for the injury or death of more than one person
- (b) *Rules of Operation.* The operation of an ATV or UTV on a roadway that is an ATV/UTV route in Marathon County designated pursuant to Wis. Stat. § 23.33(8)(b)1, or an ATV/UTV trail in Marathon County designated pursuant to Wis. Stat. § 23.33(8)(c), is subject to the following rules of operation:
- (i) Any operator or passenger shall comply with all federal, state, and local laws, orders, regulations, restrictions, and rules, including those outlined in Wis. Stat. § 23.33 and Wis. Admin. Code NR § 64. All ATV/UTV rules of operation outlined in Wis. Stat. § 23.33(3) are adopted and incorporated in this Ordinance.

(ii) Operators may only operate on a designated ATV/UTV route or trail if said route or trail is signed in accordance with Wis. Stat. § 23.33(8)(e) and Wis. Admin. Code NR § 64.12(7).

(iii) *Speed Limits.*

a. Operators on ATV/UTV routes shall observe a speed limit not to exceed 30 miles per hour or the posted speed limit on the roadway, whichever is less.

b. Operators on ATV/UTV trails shall observe a speed limit not to exceed 35 miles per hour or the posted speed limit on the trail, whichever is less.

(iv) Operators shall ride in single file.

(v) Operators may not operate an ATV or UTV on an ATV/UTV route at any time before or after Operating Hours. Operating Hours are designated as one hour before sunrise and one hour after sunset.

(vi) All ATVs and UTVs must operate with fully functional headlamps, tail lamps, and brake lights.

(vii) Every ATV or UTV shall be equipped, maintained, and operated to prevent excessive or unusual noise. No person shall operate an ATV or UTV on an ATV/UTV Route unless the vehicle is equipped with a muffler or other effective noise-suppressing system in good working order and in constant operation.

(c) *Enforcement.*

(i) Any act that is required or is prohibited by any statute or administrative code provision incorporated herein by reference is required or prohibited by this Code.

(ii) The Marathon County Sheriff's Office, local law enforcement agencies, and the Marathon County Parks, Recreation & Forestry Department shall have authority to enforce this Ordinance pursuant to Wis. Stat. § 23.33 (12).

(d) *Penalties.*

(i) Any forfeiture for a violation of State Statute or Administrative Code adopted by reference in this Ordinance shall conform to the forfeiture permitted to be imposed for violation of said statutes or code provisions as set forth therein.

(ii) Any violation of a section of this Ordinance without a penalty specified by statute or administrative code shall have a cash deposit requirement of fifty dollars (\$50.00) plus court costs. A cash deposit requirement of one-hundred fifty dollars (\$150.00) plus court costs will be required for a second violation of this Ordinance within a 12-month period.

(7) *Severability.* The provisions of this ordinance shall be deemed severable and it is expressly declared that Marathon County would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other person's circumstances shall not be deemed affected.

ORDINANCE# O – 29 - 19
ORDINANCE AMENDING GENERAL CODE OF ORDINANCES FOR
MARATHON COUNTY CHAPTER 21 NONMETALLIC MINING
RECLAMATION CODE

WHEREAS, the Marathon County Board of Supervisors has the authority to enact and ~~amend~~ the Nonmetallic Mining Reclamation Ordinance, pursuant to Wis. Stats., §295.13, §59 and Wis. Admin. Code NR135; 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 21 Nonmetallic Mining Reclamation 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 on January 1, 2020.

Dated this 7th day of November, 2019

ENVIRONMENTAL RESOURCES COMMITTEE

Fiscal Impact: None

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General Code of Ordinances for Marathon County Chapter 21 - Nonmetallic Mining Reclamation Code



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Title 1: TITLE, PURPOSE AND SCOPE

Chapter 21.101

General

Section 21.101.01 TITLE

This Chapter shall be known and cited as the Marathon County Nonmetallic Mining Reclamation Code.

Section 21.101.02 AUTHORITY

AUTHORITY. In accordance with the provisions of Wis. Stats. 295.13 and 59.02, 59.692, and 59.694 and Wisconsin Administrative Code NR135, the County Board enacts this Chapter.

Section 21.101.03 PURPOSE AND SCOPE

The purpose of this Chapter is to require reclamation of nonmetallic mining sites. This Chapter establishes standards for reclaiming nonmetallic mining sites, sets out nonmetallic mining reclamation permit requirements for reclamation standards, defines procedures and requirements applicable to mines subject to this Chapter, and defines procedures for administering nonmetallic mining reclamation.

Section 21.101.04 APPLICABILITY

- A. This Chapter applies to all nonmetallic mining sites within the County, except as exempted in Section [21.101.05](#) of this Code or are located at a site or that portion of a site within those municipalities with a nonmetallic mining reclamation ordinance adopted pursuant to Wisconsin Administrative Code NR 135.32(2).
- B. This Nonmetallic Mining Reclamation Ordinance shall take effect January 1, 2020. All prior nonmetallic mining regulations and amendments thereto are hereby repealed, except to the extent where there is a pre-existing violation.

Section 21.101.05 EXEMPT ACTIVITIES This Chapter does not apply to the following activities however, other County Ordinances or State Statutes may apply:

- A. Nonmetallic mining at a site or that portion of a site that is subject to permit and reclamation requirements of the Department of Natural Resources (DNR) under Wis. Stats., 30.19, 30.195 or 30.20 and complies with Wisconsin Administrative Code NR340.
- B. Excavations subject to the permit and reclamation requirements of Wis. Stats., 30.30 or 30.31,
- C. Excavations or grading by a person solely for domestic or farm use at the person's residence or farm.
- D. Excavation or grading conducted for the construction, re-construction, maintenance or repair of a highway, railroad, airport facility, or any other transportation facility where the excavation or grading is entirely within the property boundaries of the transportation facility.
- E. Grading conducted for preparing a construction site or restoring land following a flood or natural disaster.
- F. Excavations for building construction purposes conducted on the building site
- G. Nonmetallic mining at a nonmetallic mining site where less than one acre of total affected acreage occurs over the life of the mine.
- H. Any mining operation, the reclamation of which is required in a permit obtained under, Wis. Stats., 293 or Wis. Stats., 295.

- I. Any activities required to prepare, operate or close a solid waste or hazardous waste disposal facility under Wis. Stats., 289 or 291., that are conducted on the property where the facility is located, but an applicable nonmetallic mining reclamation ordinance and the standards established in this Code apply to activities related to solid or hazardous waste disposal that are conducted at a nonmetallic mining site that is not on the property where the solid or hazardous waste disposal facility is located, such as activities to obtain nonmetallic minerals to be used for lining, capping, covering, or constructing berms, dikes, or roads.
- J. Nonmetallic mining conducted to obtain stone, soil, sand or gravel for construction, reconstruction, maintenance or repair of a highway, railroad, airport, or any other transportation facility or part thereof, if the nonmetallic mining is subject to the requirements of the Department of Transportation (DOT) concerning the restoration of the nonmetallic mining site.
 - 1. The exemption provided in this paragraph only applies to a nonmetallic mining operation with limited purpose and duration where the DOT actively imposes reclamation requirements and the operator reclaims the nonmetallic mining site in accordance with these requirements. The duration of the exemption shall be specific to the length of the DOT contract for construction of a specific transportation project.
- K. If a nonmetallic mining site covered under this Section is used to concurrently supply materials for projects unrelated to the DOT project, the exemption in this paragraph still applies, provided that the site is fully reclaimed under DOT contract and supervision. Dredging for navigational purposes, to construct or maintain farm drainage ditches and for the remediation of environmental contamination and the disposal of spoils from these activities.

Title 2: STANDARDS

Chapter 21.201

Standards

Section 21.201.01 RECLAMATION STANDARDS

Reclamation Standards. All nonmetallic mining sites subject to this Code shall be reclaimed in conformance with the standards contained below:

- A. **General Standards.**
 - 1. Refuse and Other Solid Wastes. Nonmetallic mining refuse shall be reused in accordance with a reclamation plan. Other solid waste shall be disposed of in accordance with applicable rules of the (WDNR) adopted pursuant to Wis. Stats., 289 and 291.
 - 2. Area Disturbed and Contemporaneous Reclamation. Nonmetallic mining reclamation shall be conducted, to the extent practicable, to minimize the area disturbed by nonmetallic mining and to provide for reclamation of portions of the site while nonmetallic mining continues on other portions of the site.
 - 3. Public Health Safety and Welfare. All nonmetallic mining sites shall be reclaimed in a manner so as to comply with federal, state and local regulations governing public health safety and welfare.
 - 4. Habitat Restoration. When the land use required by the reclamation plan approved pursuant to this Code requires plant, fish or wildlife habitat, it shall be restored, to the extent practicable, to a condition at least as suitable as that which existed before the lands were affected by nonmetallic mining operations.
- B. **Compliance with Environmental Regulations.** Reclamation of nonmetallic mining sites shall comply with any other applicable federal, state and local laws including those related to environmental protection, zoning or land use control.
- C. **Surface Water and Wetlands Protection.** Nonmetallic mining reclamation shall be conducted and completed in a manner that assures compliance with the DNR water quality standards for surface waters and wetlands contained in Wisconsin Administrative Code NR 102 to NR 105. Before disturbing

the surface of a nonmetallic mining site and removal of topsoil, all necessary measures for diversion and drainage of runoff from the site to prevent pollution of waters of the state shall be installed in accordance with the reclamation plans approved pursuant to this Code. Diverted or channelized runoff resulting from reclamation may not adversely affect neighboring properties.

D. Groundwater Protection.

1. Groundwater Quantity. A nonmetallic mining site shall be reclaimed in a manner that does not cause a permanent lowering of the water table that would result in adverse effects on surface waters or a significant reduction in the quantity of groundwater reasonably available for future users of groundwater.
2. Groundwater Quality. Nonmetallic mining reclamation shall be conducted in a manner which does not cause groundwater quality standards in Wisconsin Administrative Code NR 140 to be exceeded at the point of standards application.

E. Topsoil Management.

1. Removal. Topsoil and topsoil substitute shall be provided as specified in the reclamation plan approved pursuant to this Code in order to achieve reclamation to the approved post mining land use. Removal of on-site topsoil and topsoil substitute material, when specified in the reclamation plan, shall be performed prior to any mining activity associated with any specific phase of the mining operation.
2. Volume. The operator shall obtain the volume required to perform final reclamation by removal of on-site topsoil or topsoil substitute material or by obtaining topsoil or substitute material as needed to make up the volume of topsoil as specified in the reclamation plan approved pursuant to this Code.
3. Storage. Once removed, topsoil or topsoil substitute material shall, as required by the reclamation plan approved pursuant to this Code, either be used in contemporaneous reclamation or stored in an environmentally acceptable manner. The location of stockpiled topsoil or topsoil substitute material shall be chosen to protect the material from erosion or further disturbances or contamination. Runoff water shall be diverted around all locations in which topsoil or topsoil substitute material is stockpiled.

F. Final Grading and Slopes.

1. All areas affected by mining shall be addressed in the reclamation plan approved pursuant to this Code to provide that a stable and safe condition consistent with the post mining land use is achieved. The reclamation plan may:
 - a. Designate high walls or other un-mined and undisturbed natural solid bedrock as stable and safe and not in need of reclamation or
 - b. Designate other areas affected by mining including slopes comprised of unconsolidated materials that exceed a 3:1 slope, whether or not graded, as stable and safe.
 - c. For slopes designated under b. the Department may require that either a site specific engineering analysis performed by a registered professional engineer to demonstrate that an acceptable slope stability factor is attainable at a steeper slope; or the operator shall perform a field test plot demonstration to demonstrate that a stable and safe condition will be achieved and that the post mine land use specified in the post mine land use will not be adversely affected.
2. Final reclaimed slopes covered by topsoil or topsoil substitute material may not be steeper than a 3:1 horizontal to vertical incline unless found acceptable through one or more of the following: alternative requirements are approved under Section [21.201.01](#) of this Code, steeper slopes are shown to be stable through a field plot demonstration approved as part of an approved reclamation plan, or stable slopes can be demonstrated based on site-specific engineering analysis performed by a registered professional engineer. All areas in the nonmetallic mine site where topsoil or topsoil substitute is to be reapplied shall be graded or otherwise prepared prior to topsoil or topsoil substitute material redistribution to provide the optimum adherence between the topsoil or topsoil substitute material and the underlying material.

3. When the approved post-mining land use includes a body of water the approved final grade at the edge of a body of water shall extend vertically 6 feet below the lowest seasonal water level. A slope no steeper than 3:1 shall be created at a designated location or locations, depending on the size of the water body to allow for a safe exit.
- G. **Topsoil Redistribution for Reclamation.** Topsoil or topsoil substitute material shall be redistributed in accordance with the reclamation plan approved pursuant to this Code in a manner which minimizes compaction and prevents erosion. Topsoil or topsoil substitute material shall be uniformly redistributed except where uniform redistribution is undesirable. Topsoil or topsoil substitute material redistribution may not be performed during or immediately after a precipitation event until the soils have sufficiently dried.
- H. **Revegetation and Site Stabilization.** Except for permanent roads or similar surfaces identified in the reclamation plan approved pursuant to this Code, all surfaces affected by nonmetallic mining shall be reclaimed and stabilized by revegetation or other means. Revegetation and site stabilization shall be in accordance with the approved reclamation plan and shall be performed as soon as practicable after mining activity has permanently ceased in any part of the mine site.
- I. **Assessing Completion of Successful Reclamation.**
1. The criteria for assessing when reclamation is complete and, therefore, when the financial assurance may be released shall be specified in the reclamation plan approved pursuant to this Code. Criteria to evaluate reclamation success shall be quantifiable.
 2. Compliance with the revegetation success standards in the approved reclamation plan shall be determined by:
 - a. On-site inspections by Department staff.
 - b. Reports presenting results obtained during reclamation evaluations including summarized data on revegetation, photo documentation or other evidence that the criteria approved in the reclamation plan to ascertain success have been met; or
 - c. A combination of inspections or reports.
 3. In those cases where the post mining land use specified in the reclamation plan requires a return of the mining site to a pre-mining condition, the operator shall obtain baseline data on the existing plant community for use in the evaluation of reclamation success as further described in this Section.
 4. Revegetation success may be determined by:
 - a. Comparison to an appropriate reference area.
 - b. Comparison to baseline data acquired at the mining site prior to its being affected by mining.
 - c. Comparison to an approved alternate technical standard.
 5. Revegetation using a variety of plants indigenous to the area is favored.
- J. **Intermittent Mining.** Intermittent mining may be conducted provided that the possibility of intermittent cessation of operations is addressed in an operator's reclamation permit, no environmental pollution or erosion of sediments is occurring, and financial assurance for reclamation pursuant to Section [21.501](#) of this Code, is maintained covering all remaining portions of the site that have been affected by nonmetallic mining and that have not been reclaimed.
- K. **Maintenance.** During the period of site reclamation, after the operator has stated that reclamation is complete, but prior to release of financial assurance, the operator shall perform any maintenance necessary to prevent erosion, sedimentation or environmental pollution, comply with the standards of this subchapter, or to meet the goals specified in the reclamation plan approved pursuant to this Code.

Title 3: PERMITTING

Chapter 21.301

Permitting

Section 21.301.01 PERMITS REQUIRED

No person may engage in nonmetallic mining or in nonmetallic mining reclamation without possessing a nonmetallic mining reclamation permit issued pursuant to this Code, unless the activity is specifically exempted in Section [21.101.05](#) of this Code.

Section 21.301.02 LOCAL TRANSPORTATION RELATED MINES

- A. **Borrow Sites for Local Transportation Projects.** A permit shall be issued under this Section for any nonmetallic mine that meets the following conditions:
1. The mine will be opened and reclaimed under contract with a municipality within a period not exceeding 36 months.
 2. The mine is intended to provide stone, soil, sand or gravel for the construction, reconstruction, maintenance or repair of a highway, railroad, airport facility or other transportation facility under contract with the municipality.
 3. The mine is regulated and will be reclaimed under contract with the municipality in accordance with the requirements of the DOT concerning the restoration of nonmetallic mining sites.
 4. The mine is not a commercial source of nonmetallic minerals.
 5. Will be constructed, operated and reclaimed in accordance with applicable zoning requirements, if any, and;
 6. Is not otherwise exempt from the requirements of Section [21.101.05](#) of this Code.
- B. **Application Requirements** The applicant shall provide the following:
1. A copy of the contract which outlines the terms and conditions of the reclamation of the proposed borrow site. The contractual provisions incorporating requirements of DOT will be in lieu of a reclamation plan and in lieu of financial assurance requirements.
 2. Evidence to show that the borrow site and its reclamation will comply with applicable zoning requirements if any.
 3. The annual fees under Section [21.401.01](#) of this Code, shall apply. No fees will be charged for plan review or expedited plan review.
- C. **Public Notice and Hearing.** The public notice and hearing provisions of Section [21.301.05](#) of this Code, do not apply to permits issued under this Section.
- D. **Permit Issuance.** A permit pursuant to this Section shall be issued within 7 working days of receipt of a complete application.
- E. **Multiple Use of Borrow Site.** If the borrow site is used to concurrently supply materials for other than the local transportation project, the permitting in this Section still applies provided the site will be reclaimed under a contractual obligation with the municipality in accordance with the DOT requirements.
- F. **Annual Report.** Notwithstanding Wisconsin Administrative Code NR 135.36, the operator of a borrow site under this Section is required to submit only the information in an annual report necessary to identify the borrow site and to determine the applicable annual fee.

Section 21.301.03 RECLAMATION PERMIT APPLICATION REQUIREMENTS

- A. **Application Required.** No person may engage in nonmetallic mining or in nonmetallic mining reclamation without possessing a nonmetallic mining reclamation permit issued pursuant to this Code unless the activity is specifically exempted in Section [21.101.05](#) of this Code
- B. **Required Submittal.** Prior to beginning mining operations, all operators of nonmetallic mining sites shall apply for and obtain a Marathon County Nonmetallic Mining Reclamation permit. All applications submitted under this Section shall be submitted to the Department and be accompanied by, but not limited to, the following:
1. Marathon County Reclamation Permit Application
 2. The Department's plan review fee
 3. The first year's annual fee, as required by Section [21.401.01](#) of this Code and Wisconsin Administrative Code NR 135.39

4. A reclamation plan conforming to Wisconsin Administrative Code NR 135.19 and Section [21.301.04](#) of this Code.
 5. A certification that the operator will provide, as a condition of the reclamation permit, financial assurance as required by Section [21.501.01](#) of this Code and Wisconsin Administrative Code NR 135.40 upon granting of the reclamation permit and before mining begins.
 6. To avoid duplication, the permit application and submittals required by this Section may, by reference, incorporate existing plans or materials that meet the requirements of this Code
- C. **Application Contents.** All applications submitted under this Code shall include, but not limited to, the following:
1. A brief description of the general location and nature of the nonmetallic mine.
 2. A legal description of the property on which the nonmetallic mine is located or proposed, including the parcel identification number.
 3. The names, addresses and telephone numbers of all persons or organizations who are owners or lessors of the property on which the nonmetallic mining site is located.
 4. The name, address and telephone number of the person or organization who is the operator.
 5. A certification by the operator of his or her intent to comply with the nonmetallic mining reclamation standards as outlined in this Code.

Section 21.301.04 RECLAMATION PLAN

- A. **Plan Required.** An operator who conducts or plans to conduct nonmetallic mining shall submit to the Department a reclamation plan that meets the requirements of this Section and complies with the Standards of this Code. The reclamation plan shall information sufficient to describe the existing natural and physical conditions of the site including:
1. Site Information. The name and address of the operator.
 2. Nature of Deposit. A description of the nature of the deposit and the mining methods that will be used to extract and process the material including the thickness and type of topsoil.
 3. Groundwater. The elevation of observed or estimated groundwater as determined by existing hydrogeological information, in relation to the site elevation reference point. In specific instances where the existing hydrogeological information is insufficient for purposes of the reclamation plan, the applicant may be required to supplement such information with the opinion of a professional geologist or hydrologist.
 4. Biological Resources. Information available to the mine operator on the biological resources, plant communities and wildlife use at and adjacent to the proposed or operating mine site.
 5. Map. A general location map which shall be drawn at a scale of no less than 1 inch equals 200 feet and shall include the following:
 - a. Property Boundary (Parcel Lines). All property boundaries of the land(s) where the mine site is to be located shall be shown.
 - b. Mine Site Boundary. The boundaries of the mine site that will be permitted shall be shown. If the site is to be mined in phases, the boundaries of each phase shall also be shown.
 - c. Nonmetallic Mineral Deposit. The areal extent of the mineral deposit shall be shown.
 - d. Existing topography of affected lands at contour intervals no wider than ten (10) feet.
 - e. Location and names of all streams, lakes, other water features and roads on or within 300 feet of the project site.
 - f. Location of all man made features on or adjacent to the site and the purpose for which each man made feature and the adjoining land is used.
Areas of previous excavations, stockpiles, sediment basins, wash plants or other land previously affected by nonmetallic mining on the site.

6. Reclamation Measures. All horizontal and vertical measurements shall be referenced to a permanent reference point. The reclamation plan, including maps, information about the site, a description of the proposed reclamation and post mine land use including methods and procedures to be used and a proposed timetable for completion of various stages of reclamation of the nonmetallic mining site, including provisions for interim reclamation, shall be provided as follows:
 - a. Two printed or one electronic copy of a plan of the proposed reclamation, including erosion control practices necessary during reclamation, final slope angles, high wall reduction, benching, terracing and other structural slope stabilization measures including a description of anticipated topography, water impoundments, artificial lakes and anticipated post mining land use. Site specific engineering analysis performed by a registered professional engineer as provided in Section [21.201.01 \(E\)](#) of this Code may be required for slopes steeper than 3 foot horizontal: 1 foot vertical.
 - b. Description of the volume of topsoil or topsoil substitute and other earth materials that will be necessary to complete the proposed reclamation, and the methods for stripping, storage, stabilization, reapplication and conservation methods that will be used during replacement. If off-site material will be used in reclamation of the site, include a description of the source, nature and volume of material
 - c. Description of plans for disposition of manmade features and related facilities after cessation of mining unless they serve to support the post mine land use.
 - d. The estimated cost of reclamation for each stage of the project or the entire site if staging is not planned.
 - e. A seeding plan which shall include methods of seed bed preparation, seeding rates, mulching, netting and/or other techniques needed to accomplish soil and slope stabilization.
 - f. A timetable of the commencement, duration, and cessation of reclamation activities.
 - g. Quantifiable standards for revegetation adequate to show that a suitable stand of vegetation has been established which will support the post mine land use. Standards for revegetation may be based on the percent of vegetative cover, productivity, plant density, diversity or other applicable measures.
 - h. A description of how the reclamation plan addresses the long-term safety of the reclaimed mining site. The description shall include a discussion of site-specific safety measures to be implemented at the site and include measures that address public safety with regard to adjacent land uses.
7. Post-Mining Land Use.
 - a. The reclamation plan shall specify a proposed post-mining land use for the nonmetallic mine site. The proposed post-mining land use shall be consistent with local land use plans and local zoning at the time the plan is submitted, unless a change to the land use plan or zoning is proposed. The proposed post-mining land use shall also be consistent with any applicable state, local or federal laws in effect at the time the plan is submitted.
 - b. A statement from the applicable planning or zoning authority that the proposed post mine land use is consistent with zoning and land use plans in effect at the time the application is submitted, unless a change in the zoning or land use plan is proposed.
 - c. Land used for nonmetallic mineral extraction in areas zoned under a farmland preservation zoning ordinance pursuant to subchapter III Wis.Stats.91, shall be restored to agricultural use.
8. Criteria for Successful Reclamation. The reclamation plan shall contain criteria for assuring successful reclamation in accordance with Section [21.201.01 \(H\)](#) of this Code.
9. Alternate Requirements.
 - a. Criteria. The Department may approve an alternate requirement to the reclamation standards established in this Code if the operator demonstrates and the Department finds that all of the following criteria are met:
 - 1) The nonmetallic mining site, the surrounding property or the mining plan or reclamation plan has a unique characteristic which requires an alternate requirement.
 - 2) Unnecessary hardship which is peculiar to the nonmetallic mining site or plan will result unless the alternate requirement is approved.

- 3) Reclamation in accordance with the proposed alternate requirement will achieve the planned post-mining land use and long term site stability in a manner that will not cause environmental pollution or threaten public health, safety or welfare.

b. Procedures.

- 1) An operator who requests an alternate requirement shall submit the request in writing as required in this Section.
- 2) The alternate requirement shall be approved or disapproved as provided in this Code. Approval or disapproval shall be in writing and shall contain documentation of the reasons why the alternate requirement was or was not approved.
- 3) A request for an alternate requirement may be incorporated as part of an application to issue or modify a nonmetallic mining reclamation permit.
- 4) An opportunity for a public informational hearing pursuant to this Code prior to the Department's action on a request for an alternate requirement may be provided.

10. Certification of Reclamation Plan

The operator shall provide a signed certification that reclamation will be carried out in accordance with the reclamation plan. The landowner or lessor, if different from the operator, shall also provide signed certification that they concur with the reclamation plan and will allow its implementation. The certification shall be binding on the land owner's or operator's heirs and assignees or the certification shall be recorded with the register of deeds to inform subsequent owners of the existence of the reclamation plan.

11. Other Information. The Department may require the submittal of such other information as may be necessary to determine the feasibility of the proposed reclamation.

12. Approval. The Department shall approve, approve conditionally, or deny the reclamation plan in writing.

Section 21.301.05 PERMIT CONDITIONS

A. Conditions Applied to All Permits.

1. Right of Access. The filing of an application shall grant the Department the right of access onto the site and contiguous lands owned or leased by the applicant for any purposes relative to this Code.
2. Lease. A signed copy of the lease or a letter signed by the owner(s) of record which authorizes the operator to enter upon the lessor's land for the purpose of mining as defined in this Code. The expiration date of the lease or agreement shall clearly be indicated therein.
3. Boundary Staking. Prior to commencing nonmetallic mining operations on a site, the sites permitted boundary (s) shall be staked or otherwise marked. The operator shall notify the Department, a minimum of 2 working days prior to commencing operations, that the site is staked in accordance with this Section. Stakes shall be made of steel, fiberglass or other material acceptable to the Department. Stakes may be removed after reclamation is completed and accepted. Painted wood lath may be used for operations of one year or less. Staking may be waived with Department approval if an operation boundary is the same as an existing fence line or other easily identifiable feature.
4. Conflicts with Other Regulations. The operator shall obtain all applicable local, state and federal permits and/or approvals and copies of these permits and/or approvals must be provided to the Department.
5. Compliance with Reclamation. The operator shall comply with contemporaneous and final reclamation plans for the site.
6. Notification of Completion of Reclamation. The operator shall notify the Department in writing that interim or final reclamation has been completed. The notice may include documentation that the quantifiable standard for revegetation contained in the reclamation plan has been met. All stages within a site shall also comply with the notification requirements above. When a stage is complete, the operator shall notify the Department for approval of the reclamation before entering the next stage.
7. Solid and Hazardous Waste. Unless permitted under State and/or Federal authority, no solid or hazardous waste shall be stored, buried, or deposited in or on any nonmetallic mining site.

8. Other Conditions. The Department may apply such other requirements as are reasonably necessary to ensure progressive and final reclamation in a manner consistent with this Code and to limit environmental pollution including but not limited to the financial assurance provisions of this Code.

Section 21.301.06 PUBLIC NOTICE AND RIGHT OF HEARING

A. Public Notice.

1. The Department shall publish a public notice of application within 30 calendar days of the receipt of a complete application for a nonmetallic mine reclamation permit.
2. The notice shall be published as a Class 1 notice pursuant to Wis. Stats., 985.07 (1). The notice shall contain the following:
 - a. A description of the mining and reclamation planned at the proposed site.
 - b. The opportunity for a public hearing pursuant to this Section.
 - c. The location at which the public may review the application and all supporting materials including the reclamation plan.
3. Copies of the notice shall be forwarded by the Department to the county or applicable municipal zoning board, county and applicable local planning organization, the clerk of the municipality in which the proposed site is located, the land conservation officer and owners of land within 300 feet of the boundaries of the parcel or parcels of land on which the proposed site is located.

B. Public Hearing.

1. County Zoning. (Sites Located in Towns under County Zoning Jurisdiction) If a public hearing is required for a Conditional Use Permit under Chapter 17 of the General Code of Ordinances, an opportunity shall be provided to give testimony on reclamation related matters. The Department shall consider the reclamation related testimony in deciding on a permit application pursuant to this Code.
2. Reclamation Public Hearing. (Sites located in Towns or municipalities where there was not an opportunity for the Department to receive testimony on reclamation matters) If there was not an opportunity for the Department to take testimony under Section [21.301.05 \(B\) \(1\) \(a\)](#) above an opportunity for a public informational hearing maybe provided as follows: Any person residing within, owning property within, or whose principal place of business is within 300 feet of the boundary of a parcel or parcels of land in which the nonmetallic mining site is located or proposed may request a public informational hearing. The request must be made within 30 calendar days of the date of the public notice specified in Section [21.301.05 \(A\) \(1\)](#) of this Code. The hearing shall be held no sooner than 30 calendar days or later than 60 calendar 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 reclamation. The subject matter and testimony at this informational hearing, if it is held separately from any zoning related hearing, shall be limited to the reclamation of the proposed nonmetallic mine site.

Section 21.301.07 PERMIT DECISIONS AND APPEAL PROCESS

A. Notice to Clerk: Upon receipt of a complete permit application or appeal, the Department shall notify by mail the clerk of the town in which the operation is located.

B. Granting or Denial.

1. Permits shall be granted or denied no sooner than 30 calendar days nor later than 90 calendar days following receipt of a complete reclamation permit application and reclamation plan, unless a public hearing is held per Section [21.301.05 \(B\) \(1\)](#) If a public hearing is held, the Department shall issue the reclamation permit or deny the permit no later than 60 calendar days after completing the public hearing. Permits will be granted where the Department finds that the provisions of this Code and the relevant standards have been met, one copy of all plans will be stamped "Approved" and returned to the applicant at the time of permit issuance. Permits shall be denied where the provisions of this Code have not been met or if the applicant has failed or continues to fail to comply with the requirements as outlined in Wisconsin Administrative Code NR135.22.

2. Permits shall include general or site specific conditions if necessary, to comply with this Code. Any condition to a permit shall be limited to those items regulated by this Code. A condition of all permits issued for new mines will be that financial assurance will be obtained prior to beginning mining.

C. Expedited Permitting.

- a. Any person may request an expedited permit with the Department. The request shall state the need for the expedited review, the date by which the expedited review is requested and a payment of the fee under Section [21.401.01](#) of this Code.
- b. Any person may request an expedited review if the reclamation permit is to perform services under contract with a municipality. The request shall state the need for expedited review, include a copy of the applicable Sections of the contract, the date by which the expedited review is requested and a payment of the fee under Section [21.401.01](#) of this Code.
- c. Following receipt of a request under this Section, the Department shall inform the applicant of the estimated date for a decision on issuance of the permit. If the applicant then elects not to proceed with the expedited review, the fee paid shall be returned. This review process may not waive the requirements of this Code for a public notice and hearing.
- d. The Department is not obligated to act upon a request for Expedited Permitting under this Section by a specific date.

D. Cooperative Issuance by Multiple Authorities.

If more than one regulatory authority has jurisdiction over a single nonmetallic mining site, the regulatory authorities shall cooperatively issue a single reclamation permit for the nonmetallic mining site.

E. Appeals of Permit Decisions or Administrative Decisions.

1. Any person who meets the requirements of Wis. Stats., 227.42 (1), may obtain a contested case hearing under Wis. Stats., 68.11, on a Department decision to issue, deny, or modify a nonmetallic mine reclamation permit with a request in writing within 30 calendar days of notice to such person of the Department's decision.
 - a. The Board of Adjustment as established under Section 17.801.03 of the General Code of Ordinances for Marathon County shall serve as the impartial decision maker and shall conduct the hearing pursuant to Wis. Stats., 68.11 (2).
 - b. The Board of Adjustment or a person delegated by the Board of Adjustment shall provide a record of the hearing pursuant to Wis. Stats., 68.11 (3).
 - c. Within 20 calendar days of completion of a hearing conducted under a. and the filing of briefs, if any, the Board shall mail or deliver to the appellant its written determination stating the reasons therefore. Such determination shall be a final determination.
 - d. Any party to a proceeding resulting in a final determination may seek review thereof by certiorari within 30 calendar days of receipt of the final determination. The court may affirm or reverse the final determination, or remand to the decision maker for further proceedings consistent with the court's decision.
 - e. If review is sought of a final determination, the record of the proceedings shall be transcribed at the expense of the person seeking review. A transcript shall be supplied to anyone requesting the same at the requester's expense. If the person seeking review establishes impecuniousness to the satisfaction of the reviewing court, the court may order the proceedings transcribed at the expense of the county and the person seeking review shall be provided a free copy of the transcript. By stipulation, the court may order a synopsis of the proceedings in lieu of a transcript. The court may otherwise limit the requirement for a transcript.

F. Permit Duration.

1. A nonmetallic mine reclamation permit issued under this Code shall last through the operation and reclamation as described in the approved reclamation plan of the mining site, unless suspended or revoked pursuant to Section [21.301.06 \(E\)](#).

2. If the mine operator is not the landowner, the reclamation permit duration shall not exceed the duration of the mine lease unless the lease is renewed or the permit is transferred to a subsequent lessee pursuant to Section [21.301.06 \(G\)](#).
- G. Permit Termination.** When all final reclamation required by a reclamation plan conforming to Section [21.301.04](#) and required by this Code is certified as complete pursuant to Section [21.301.04 \(9\)](#), the Department shall issue a written statement to the operator of the nonmetallic mining site, thereby terminating the reclamation permit.
- H. Permit Suspension and Revocation.**
1. The Department may suspend or revoke a nonmetallic mining permit issued under this Code if the operator has failed to:
 - a. Submit satisfactory reclamation plan within the required timeframes.
 - b. Submit or maintain financial assurance as required.
 - c. Follow the approved reclamation plan on a repetitive or significant basis.
 2. **Suspension.** If the Department makes any of the findings in Section [21.301.06 \(E\) \(1\)](#) of this Code, it may suspend a nonmetallic mining reclamation permit for up to 30 calendar days. During the time of suspension, the operator may not conduct nonmetallic mining at the site except for reclamation or measures to protect human health and the environment as ordered by the Department.
 3. **Revocation.** If the Department makes any findings in Section [21.301.06 \(E\) \(1\)](#) of this Code, it may revoke a nonmetallic mining reclamation permit. Upon permit revocation, the operator shall forfeit the financial assurance it has provided as required by this Code.
- I. Permit Modification.**
1. If nonmetallic mining reclamation permit is found by the Department that, due to changing conditions, the nonmetallic mining site no longer is in compliance with this Code it shall issue an order modifying the permit in accordance with Section [21.601.02](#) of this Code. This modifying order may require the operator to amend or submit new application information, financial assurance or other information to ensure compliance with this Code.
 2. If operator of any nonmetallic mine that holds a reclamation permit issued under this Code desires to modify such permit or reclamation plan approved under this Code, it may request such modification by submitting a written application for such modification to the Department. The application for permit or plan modification shall be acted on using the standards and procedures of this Code.
- J. Permit Transfer.** A nonmetallic mining permit may be transferred to a new operator upon submittal to the Department all of the following:
1. The new operator posts financial assurance pursuant to Section [21.501](#) of this Code. The previous operator shall maintain financial assurance until the new operator has received approval.
 2. A written, witnessed certification by the new permit holder that all conditions of the permit will be complied with.

Title 4: FEES

Chapter 21.401

Fees

Section 21.401.01 ANNUAL FEE

- A. **Annual Fees.** Fees shall be assessed for all un-reclaimed acres of a nonmetallic mine site as follows:
1. An application for a permit shall be accompanied by a fee based on each acre that will be impacted by mining. On an annual basis, permitted mines, shall be assessed a fee for each un-reclaimed acre not released pursuant to [Section 21.201.01](#) of this Code. Acres shall be rounded to the nearest whole number for calculating fees.
 2. Department of Natural Resources Fee. In addition to the fee listed in Section [21.401.01 \(A\) \(1\)](#) of this Code, the operator shall submit to the Department an annual fee which shall be paid to the DNR pursuant to Wisconsin Administrative Codes NR 135.39 (3) (b) Table 1. and NR 135.39 (6) (b).
 3. Fees shall be assessed pursuant to the Department fee schedule approved by the Environmental Resource Committee and in compliance with Wisconsin Administrative NR 135.39 (4).
 4. Fees for Local Transportation Projects Permitted Under Wisconsin Administrative Code NR135.23 shall be compliant with Wisconsin Administrative Code NR135.23(1) (g)
 5. Permit fees are not refundable after a permit has been issued.
 6. If the Department determines that areas within a mining site have been successfully reclaimed on an interim basis in accordance with the reclamation plan, the Department shall waive annual acreage fees for those areas.

Section 21.401.02 PUBLIC NOTICE AND HEARING FEES

All requests for a contested case hearing before the County Zoning Board of Adjustment shall be accompanied by a fee as set forth in Chapter 17 of the Marathon County General Code of Ordinances – Zoning Code. This fee is in addition to any other fee required by this Code

Title 5: FINANCIAL ASSURANCE

Chapter 21.501

Financial Assurance

Section 21.501.01 NOTIFICATION

Notification. Following approval of the permit, and as a condition of the permit, except for governmental units and local transportation projects permitted under Section [21.301.02](#) of this Code, the Department shall require proof of financial assurance to be filed with the Department equal to the estimated cost of fulfilling reclamation. The Department shall determine the required financial assurance amount of the project site and shall notify the applicant. Upon notification of the required financial assurance amount by the Department, but prior to commencing nonmetallic mining, the operator shall file with the Department said financial assurance conditioned on faithful performance of all requirements of this Code, and the permit. Upon notification by the Department of financial assurance receipt or deposit approval and conformance with permit conditions, the operator may commence nonmetallic mining and reclamation operations.

Section 21.501.02 METHODS OF FINANCIAL ASSURANCE

- A. **Form.** Financial assurance shall be provided by the operator and shall be by bond or an alternate financial assurance. Financial assurance shall be payable to Marathon County, Wisconsin. Nonmetallic mining shall be limited to the phases which have financial assurance approved for them.
- B. **Cancellation.** All financial assurance shall provide that the financial assurance shall not be canceled by the surety, except after not less than 90 day notice to the Department, in writing, by registered or certified mail. Not less than 30 days prior to the expiration of the 90 day notice of cancellation, the

operator must deliver to the Department a replacement form of financial assurance which in absence of all nonmetallic mining shall cease.

- C. **Acreage Covered.** Financial assurance may be provided to the Department but in no instance shall the financial assurance be for an area less than ½ acre. Nonmetallic mining shall be limited to the areas which have financial assurance approved for them.
- D. **Bonds.** Bonds shall be issued by a surety company licensed to do business in this state. At the option of the operator, a performance bond or a forfeiture bond may be filed. Surety companies may have the opportunity to complete the reclamation in lieu of cash payment to the Department. The bond shall be payable to "Marathon County, Wisconsin".
- E. **Alternate Financial Assurance.** An operator may deposit cash, irrevocable letters of credit, irrevocable trusts, established escrow accounts, negotiable certificates of deposit, and negotiable government securities with the Department in lieu of a bond or may demonstrate financial responsibility by meeting net worth requirements as outlined in Wisconsin Administrative Code NR 135.40(13). Certificates of Deposit shall be automatically renewed or replaced with an alternate security before the maturity date. Any interest earned by the financial assurance will be paid to the operator.
- F. **Re-evaluation.** The Department shall review periodically the amount of the mine site's financial assurance to assure it meets outstanding reclamation costs. Reclaimed acres may be released from the financial assurance and the amount of the financial assurance may be adjusted proportionately based upon the remaining un-reclaimed acres of the mine site.
- G. **Changing Methods of Financial Assurance.** The operator of a nonmetallic mining site may change from one method of financial assurance to another. This may not be done more than once a year unless required by an adjustment imposed pursuant to this Code. The operator shall give the Department at least 60 calendar day notice prior to changing methods of financial assurance and may not actually change methods without the written approval of the Department.
- H. **Cancellation/Forfeiture.** Financial assurance shall provide that it may not be canceled by the surety or other holder or issuer except after not less than a 90 calendar day notice to the Department in writing by registered or certified mail. Not less than 30 calendar days prior to the expiration of the 90 calendar day notice of cancellation, the operator shall deliver to the Department a replacement financial assurance. In the absence of this replacement financial assurance, all mining shall cease until the time it is delivered and in effect. Financial assurance shall be forfeited if the permit is revoked per this Section and the appeals process has been completed or an operator ceases mining operations and fails to reclaim the site in accordance with the reclamation plan.
- I. **Bankruptcy Notification.** The operator of a nonmetallic mining site shall notify the Department by certified mail of the commencement of voluntary or involuntary proceedings under bankruptcy Code, 11 USC, et seq., naming the operator as a debtor, within 10 working days of commencement of the proceeding.
- J. **Financial Assurance Release.** The Department shall release the operator's financial assurance if it finds, after inspection of the project site and review of documentation provided by the operator, that the operator has fully carried out and completed reclamation of the project site in accordance with the reclamation plan, and has otherwise complied with this Code. Completion of reclamation shall be determined pursuant to the procedures listed in Section [21.301.04](#) of this Code. The Department shall notify the operator in writing within 60 calendar days after site inspection whether or not the reclamation is complete for all or part of the mine or if weather conditions or snow cover make a determination impractical.
- K. **Financial Assurance on Multiple Projects.** Any operator who obtains a permit from the Department for two or more project sites may elect, at the time the second or subsequent site is approved, to post a single financial assurance in lieu of separate financial assurance on each site. Any financial assurance so posted shall be in an amount equal to the estimated cost to the County for reclaiming all sites the operator has under project permits. When an operator elects to post a single financial assurance in lieu of separate financial assurance previously posted on individual sites the separate financial assurance shall not be released until the new financial assurance has been accepted by the Department.
- L. **Multiple Jurisdictions.** In cases where more than one regulatory authority has jurisdiction, a cooperative financial security arrangement may be developed and implemented by the regulatory authorities.
- M. **Net Worth Test.** An operator that meets the definition of "company" in Wis. Stats., 289.41 (1) (b) may use the net worth method of providing financial assurance. The operator shall submit information to the Department in satisfaction of the net worth requirements of Wis. Stats., 289.41 (4). The criteria in

Wis. Stats., 289.41 (6) (b) (d) (e) (f) (g) (h) and (i) shall apply.

1. An operator using the net worth test to provide financial assurance for more than one mine shall use the total cost of compliance for all mines in determining the net worth to reclamation cost ration in accordance with Wis. Stats., 289.41 (6)
 2. The Departments determination of the net worth test shall be in accordance with Wis. Stats., 289.41 (5).
 3. The operator shall submit a legally binding commitment to faithfully perform all compliance and reclamation work at the mine site that is required under this ordinance.
- N. **Interim Reclamation Waiver.** If the Department determines that areas within a mining site have been successfully reclaimed on an interim basis in accordance with the reclamation plan, the Department may reduce/waive financial assurance requirements for those areas.

Title 6: ADMINISTRATION AND ENFORCEMENT

Chapter 21.601

Administration

Section 21.601.01 INSPECTIONS

- A. The Department administrator or designee may enter the premises of a nonmetallic mining site in the performance of their official duties or pursuant to a special inspection warrant issued under Wis. Stats., 66.0119, in order to inspect those premises and to ascertain compliance with this Code and permit or to investigate an alleged violation.
- B. Each active project site shall be inspected by Department personnel at least once annually to ensure that the site is in conformance with the operator's permit and shall make a report of the inspection. The report of the inspection may contain a map or diagram which illustrates the area that has been affected by nonmetallic mining, the area that has been reclaimed and the un-reclaimed area and shall document any activity that is inconsistent with the terms of the permit for the site. The operator shall be provided a copy of the information obtained during the inspection. The Department may, at its discretion, substitute the information obtained in this inspection for the annual operator reporting requirement contained in Section [21.602.01](#) of this Code provided the operator submits the certification specified in Section [21.602.01 \(A\)](#) of this Code to the Department within 30 days of receipt of the inspection report.
- C. The Department shall retain the inspection reports for a period of ten years after a permitted nonmetallic mining site has been determined to be closed and shall make the information available to the Department of Natural Resources upon request.
- D. The Department shall inspect a nonmetallic mining site for which an operator has submitted a report under Section [21.201.02 \(A\) \(6\)](#) of this Code, of the completion of reclamation or interim reclamation within 60 calendar days of receipt of the report and make a determination in writing. If it is determined that interim or final reclamation is complete, including revegetation meeting the quantifiable standard as specified in the reclamation plan approved under Section [21.301.04](#) of this Code, the Department shall issue the mine operator a written certification of completion.

Section 21.601.02 ENFORCEMENT

- A. **Enforcement Orders.** The Department may issue orders as set forth in Wis. Stats., 295.19 (1) (a), to enforce Subchapter I of Wis. Stats., 295, Wisconsin Administrative Code NR135, this Code, a permit issued pursuant to this Code or a reclamation plan required by Section [21.301](#) of this Code. A violation of this Code, an order or permit issued pursuant to this Code or a reclamation plan required by Section [21.301](#) of this Code, shall be considered a violation of Subchapter I of Wis. Stats., 295 and Wisconsin Administrative Code NR135.
- B. **Special Orders.** The Department may issue a special order as set forth in Wis. Stats., 295.19(1)(b) and (c), suspending or revoking a nonmetallic mining reclamation permit issued pursuant to Section [21.301](#) of this Code, or directing an operator to immediately cease an activity regulated under Subchapter I of

Wis. Stats., 295, Wisconsin Administrative Code NR 135 or this Code until the necessary plan approval is obtained.

- C. **Review of Orders.** A person holding a reclamation permit who is subject to an order pursuant to this Section shall have the right to review the order in a contested case hearing under Wis. Stats., 68.11, notwithstanding the provisions of Wis. Stats., 68.01, 68.03 (8) and (9), 68.06 and 68.10 (1) (b).
- D. **Citations.** Marathon County may issue a citation under Wis. Stats., 66.119 and Section [21.601](#) of this Code to collect forfeitures to enforce Subchapter I of Wis. Stats., 295, Wisconsin Administrative Code NR 135. A permit issued pursuant to this Code or a reclamation plan required by Section [21.301](#) and a permit issued under this Code. The issuance of a citation under this Section shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this Section.

Section 21.601.03 PENALTIES

Any person, firm or corporation who fails to comply with Subchapter I of Wis. Stats., 295, Wisconsin Administrative Code NR 135, and/or this Chapter shall be subject to the penalty provisions contained in Section 25.04 of the Marathon County General Code of Ordinances. Each day a violation exists or continues shall constitute a separate offense.

Section 21.601.04 GOVERNMENTAL IMMUNITY

In carrying out any of the provisions of this Code or in exercising any power or authority granted to them thereby, there shall be no personal liability upon the Department, its agents and employees.

Chapter 21.602

Reporting

Section 21.602.01 ANNUAL OPERATOR REPORTING

Operators shall submit an annual report for every nonmetallic mine site with a reclamation permit to the Department annually.

- A. The annual report shall cover the activities on unreclaimed acreage for the previous calendar year, and shall include the following:
 - 1. The name and mailing address of the operator.
 - 2. The parcel identification number of the nonmetallic mining site.
 - 3. The Nonmetallic Mine Reclamation Permit number assigned by Marathon County.
 - 4. The acreage currently affected by nonmetallic mining and not yet reclaimed.
 - 5. The amount of acreage that has been reclaimed to date, on a permanent basis and the amount reclaimed on an interim basis.
 - 6. A plan, map or diagram, drawn to scale, accurately showing the acreage described in this Section.
 - 7. The following certification signed by the operator:

“I certify that this information is true and accurate, and that the nonmetallic mining site described herein complies with all conditions of the applicable nonmetallic mine reclamation permit and Wisconsin Administrative Code NR 135”.

- B. Annual operator reports shall be submitted to the Department by the operator for all active and intermittent mining sites until nonmetallic mining reclamation at the site is certified complete pursuant to Section [21.301](#) of this Code.

Title 7: DEFINITIONS

Chapter 21.701

General

Section 21.701.01 DEFINITIONS

Alternate Requirement. Means an alternative to the reclamation standards of this Chapter.

Applicable Reclamation Ordinance. Means a nonmetallic mining reclamation ordinance, including this Code that applies to a particular nonmetallic mining site and complies with the requirements of this Code, Wisconsin Administrative Code NR 135 and subchapter I of Wis. Stats., 295, unless the Wisconsin Department of Natural Resources is the regulatory authority as defined in sub. (20) (c) If the Wisconsin Department of Natural Resources is the regulatory authority, "applicable reclamation ordinance" means the relevant and applicable provisions of Wisconsin Administrative Code NR 135.

Board of Adjustment. The Body established under Wis. Stats., 59.694.

Borrow Site. Means an area outside of a transportation project site from which stone, soil, sand or gravel is excavated for use at the project site, except the term does not include commercial sources.

Contemporaneous Reclamation. Means the sequential or progressive reclamation of portions of the nonmetallic mining site affected by mining operations that is performed in advance of final site reclamation, but which may or may not be final reclamation, performed to minimize the area exposed to erosion, at any one time, by nonmetallic mining activities.

Department. Marathon County Conservation, Planning, and Zoning Department.

Enlargement. Any vertical or horizontal increase beyond dimensions of the original application for the project site.

Environmental Pollution. The meaning in Wis. Stats., 295.11 (2).

Financial Assurance. A commitment of funds or resources by an operator to a regulatory authority that satisfies the requirements in Section [21.501](#) of this Code and is sufficient to pay for reclamation activities required by this Code.

Highwall. A vertical or nearly vertical face in solid rock or a slope of consolidated or unconsolidated material that is steeper than 3:1.

Landowner. Means the person who has title to land in fee simple or who holds a land contract for the land. A landowner is not a person who owns nonmetallic mineral rights to land, if a different person possesses title to that land in fee simple or holds a land contract for that land.

Licensed Professional Geologist. A person who is licensed as a professional geologist pursuant to Wis. Stats., 470.

Licensed Professional Hydrologist. A person who is licensed as a professional hydrologist pursuant to Wis. Stats. 470.

Modification. Any vertical or horizontal decrease within the dimensions of the original application for the project site.

Municipality. Has the meaning as defined in Wis. Stats., 299.01 (8).

Nonmetallic Mineral. A product, commodity or material consisting principally of naturally occurring, organic or inorganic, nonmetallic, nonrenewable material. Nonmetallic minerals include, but are not limited to, stone, sand, gravel, asbestos, beryl, diamond, clay, coal, feldspar, peat, talc and topsoil.

Nonmetallic Mining (NMM). Operations or activities for the extraction from the earth of mineral aggregates and nonmetallic minerals for sale or use by the operator; including the use of mining equipment or techniques to remove materials from the in-place nonmetallic mineral deposit, including drilling and blasting, as well as associated activities such as excavation, grading, and dredging. Also includes processes carried out at a nonmetallic mining site that are related to the preparation or processing of the mineral aggregates or nonmetallic minerals including but not limited to stockpiling materials, blending mineral aggregates, blasting, grading, crushing, screening, scalping and dewatering.

Does not include removal from the earth of products or commodities that contain only minor or incidental amounts of nonmetallic minerals such as commercial sod, agricultural crops, ornamental or garden plants, forest products, Christmas trees or plant nursery stock.

Nonmetallic Mining Reclamation or Reclamation. The rehabilitation of a nonmetallic mining site to achieve a land use specified in an approved nonmetallic mining reclamation plan, including removal or reuse of nonmetallic mine refuse, grading of the nonmetallic mine site, removal, storage and replacement of topsoil, stabilization of soil conditions, reestablishment of vegetative cover, control of surface water and groundwater, prevention of environmental pollution and if practicable the restoration of plant, fish and wildlife habitat.

Nonmetallic Mining Refuse. Waste soil, rock, mineral, and other natural site waste material resulting from a nonmetallic mine operation. Does not include marketable by-products resulting directly from or displaced by the nonmetallic mine operation.

Nonmetallic Mining Site, Project Site, or Site. All contiguous areas where a nonmetallic mining operation is proposed, present or conducted including all areas from which minerals are stored or processed that are in or contiguous to areas excavated for nonmetallic mining, areas where nonmetallic mining refuse is deposited, and areas affected by activities such as construction or improvement of private roads or haulage ways, areas where grading or regrading is necessary, areas where nonmetallic mining reclamation activities are carried out or structures needed for nonmetallic mining reclamation, such as topsoil stockpile areas, re-vegetation test plots, or channels for surface water diversion, are located. Does not include previously mined areas that were not used for nonmetallic mineral extraction after April 1, 1989 and are not contiguous to mine sites, including separate areas that are connected to active mine sites by public or private roads and areas previously mined but used after April 1, 1989 for non-mining activities such as stockpiles of materials used for an industrial process unrelated to nonmetallic mining. .

Operator. Any person or business entity engaged in or who has applied for a permit to engage in nonmetallic mining whether individually, jointly, or through subsidiaries, agents, employees, contractors, or subcontractors.

Person. An individual owner, operator, corporation, limited liability company, partnership, association, county, municipality, interstate agency, state agency or federal agency.

Registered Professional Engineer. A person who is registered as a professional engineer pursuant to Wis. Stats. 443.04.

Regulatory Authority. Means of the following:

(a) The county in which the nonmetallic mining site is located, that has an applicable reclamation ordinance under Wis. Stats., 295.13, except where a municipality has adopted an applicable reclamation ordinance pursuant to par. (b).

(b) The municipality in which the nonmetallic mining site is located and which has adopted an applicable reclamation ordinance under Wis. Stats., 295.14.

(c) The Department of Natural Resources, in cases where a county mining reclamation program is no longer in effect under Wis. Stats., 295.14, but only if there is no applicable reclamation ordinance enacted by the municipality in which the nonmetallic mining site is located.

Replacement of Topsoil. The replacement or redistribution of topsoil or topsoil substitute material to all areas where topsoil was actually removed or affected by nonmetallic mining for the purposes of providing adequate vegetative cover and stabilization of soil conditions needed to achieve the approved post mining land use and as required by the reclamation plan.

Solid Waste. Any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded or salvageable materials, including solid, liquid, semisolid or

contained gaseous materials resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include solids or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under Wis. Stats., or source material, special nuclear material or by-product material, as defined in Wis. Stats., 254.31 (1).

Topsoil. The surface layer of soil which is generally more fertile than the underlying soil layers, which is the natural medium for plant growth and which can provide the plant growth, soil stability and other attributes necessary to meet the success standards approved in the reclamation plan.

Topsoil Substitute. Soil or other unconsolidated material either used alone or mixed with other beneficial materials and which can provide the plant growth, site stability and other attributes necessary to meet the success standards approved in the reclamation plan.

Unreclaimed Acre or Unreclaimed Acres. Those unreclaimed areas in which nonmetallic mining has occurred after April 1, 1989 and areas where nonmetallic mining reclamation has been completed but is not yet certified as reclaimed under Section [21.201](#) Section [21.201.01\(H\)](#) of this Code and Wisconsin Administrative Code NR135.40 (7). Does not include: areas where reclamation has been completed and certified as reclaimed under Wisconsin Administrative Code NR 135.40 (7); areas previously affected by nonmetallic mining but which are not used for nonmetallic mining after April 1, 1989; areas included in the approved nonmetallic mining reclamation plan but are not yet affected by nonmetallic mining, and areas previously mined but used after April 1, 1989 for non-mining activity, such as stockpiling of materials used for industrial activity such as an asphalt plant, concrete batch plant, block and tile operation or other industry that uses products produced from nonmetallic mining. .

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General Code of Ordinances for Marathon County Chapter 21 – Nonmetallic Mining Reclamation Code



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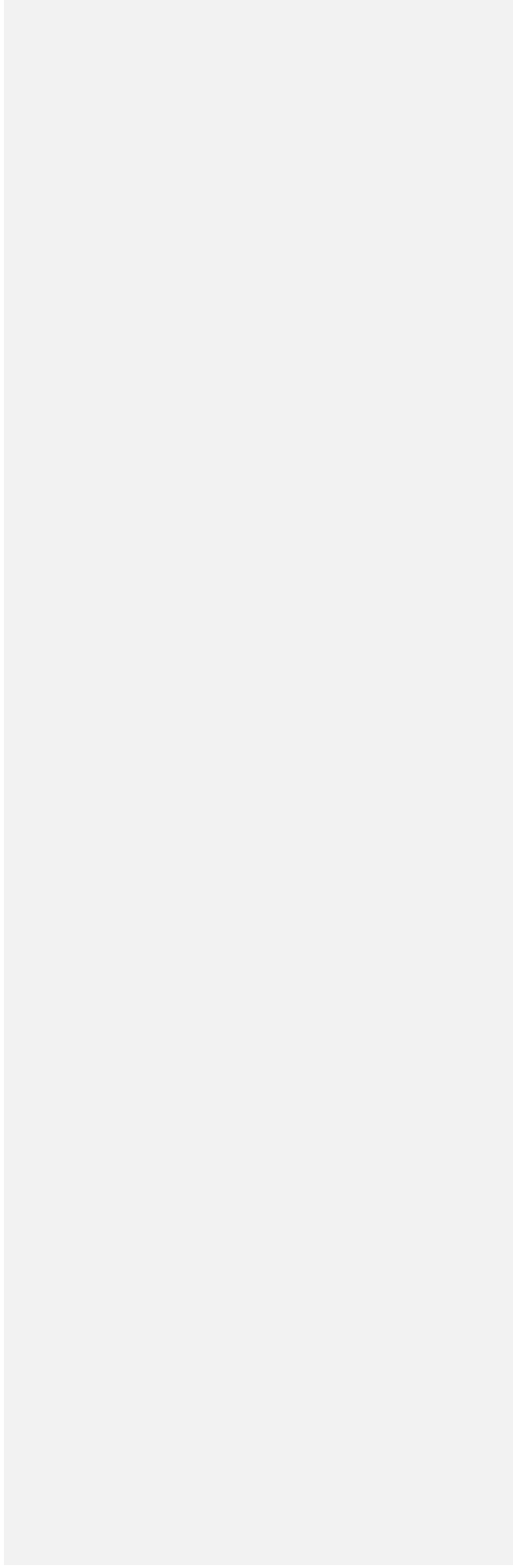


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Title 1: TITLE, PURPOSE AND SCOPE

Chapter 21.101

General

Section 21.101.01 TITLE

This Chapter shall be known and cited as the Marathon County Nonmetallic Mining Reclamation Code.

Section 21.101.02 INTRODUCTION AUTHORITY

AUTHORITY. In accordance with the provisions of Wis. Stats. 295.13 and 59.02, 59.692, and 59.694 and Wisconsin Administrative Code NR135.13 the County Board enacts this Chapter.

Section 21.101.03 PURPOSE AND SCOPE

The purpose of this Chapter is to require reclamation of nonmetallic mining sites. This Chapter establishes standards for reclaiming nonmetallic mining sites, sets out nonmetallic mining reclamation permit requirements for reclamation standards, defines procedures and requirements applicable to mines subject to this Chapter, and defines procedures for administering nonmetallic mining reclamation. Nonmetallic mining is recognized as an important industry which contributes to the County's economic and social well-being. However, the long-term damage to the physical environment and tax base that can be caused by nonmetallic mining must be reduced. It is the purpose of this chapter to establish regulations for nonmetallic mining site reclamation that will restore the site to a purposeful and acceptable landscape appearance and use.

Section 21.101.04 APPLICABILITY

A. This Chapter applies to all nonmetallic mining sites within the County, except as exempted in Section 21.101.05 of this Code or are located at a site or that portion of a site within those municipalities with a nonmetallic mining reclamation ordinance which is adopted pursuant to Wisconsin Administrative Code NR 135.32(2). This chapter supersedes all less restrictive town nonmetallic mine reclamation ordinances and any less restrictive nonmetallic mine reclamation ordinance becomes invalid upon the effective date of this chapter.

A.B. This Nonmetallic Mining Reclamation Ordinance shall take effect January 1, 2020. supersedes Chapter 21 (Dated: December 6, 2018) and the amendments thereto. All prior nonmetallic mining regulations and amendments thereto are hereby repealed, except to the extent where there is a pre-existing violation.

B. This chapter became effective on June 1, 2001 and supersedes Chapter 21 (Cr.#0 13-88) and the amendments thereto.

(2) It is the responsibility of the operator to obtain all applicable local, state, and federal permits or approvals. Section 21.101.054 EXEMPT ACTIVITIES This Chapter does not apply to the following activities however, other County Ordinances or State Statutes may apply:

A. Nonmetallic mining at a site or that portion of a site that is subject to permit and reclamation requirements of the Department of Natural Resources (DNR) under Wis. Stats., 30.19, 30.195 or 30.20 and complies with Wisconsin Administrative Code NR340.

B. Excavations subject to the permit and reclamation requirements of Wis. Stats., 30.30 or 30.31 is

A.C. Excavations or grading by a person solely for domestic or farm use at the person's residence or farm.

D. Excavation or grading conducted for the construction, re-construction, maintenance or repair of a highway, construction purposes within the highway or railroad, airport facility, right-of-way, excavation or grading done within the boundary of an airport or any other transportation facility where the excavation or grading is entirely within the property boundaries of the transportation facility or for highway safety in or adjacent to the clear vision area as defined in §17.902 of the General Code of Ordinances for Marathon County, Zoning Ordinance.

E. Grading conducted for preparing a construction site or restoring land following a flood or natural disaster.

[F. Excavations for building construction purposes conducted on the building site.](#)

[G. Nonmetallic mining at a nonmetallic mining site where less than one acre of total affected acreage occurs over the life of the mine.](#)

[B.H.](#) Any mining operation, the reclamation of which is required in a permit obtained under, Wis. Stats., 293 or under [S subchapter III](#) of Wis. Stats., 295.

- ~~C.~~
- ~~D. Grading conducted for preparing a construction site for a project which has been issued a building or zoning permit and/or is consistent with applicable zoning ordinances or restoring land following a flood or natural disaster.~~
- ~~E. Excavations for building construction purposes conducted on the building construction site for a project which has been issued a building and/or zoning permit.~~
- ~~F. Nonmetallic mining at a nonmetallic mining site where that affects less than one acre of total affected acreage occurs disturbance on a parcel over the life of the mine.~~
- ~~G. Any mining operation, the reclamation of which is required in a permit obtained under, Chapter 293 or under subch. III of Chapter 295, Wis. State Stats.~~
- ~~H.1. Any activities conducted at a solid or hazardous waste disposal site required to prepare, operate or close a solid waste or hazardous waste disposal facility under Wis. Stats., 289 or 291, that are conducted on the property where the facility is located, but an applicable nonmetallic mining reclamation ordinance and the standards established in this Code chapter applies to activities related to solid or hazardous waste disposal that which are conducted at a nonmetallic mining site that is not on the property where separate from the solid or hazardous waste disposal facility is located, such as activities to obtain nonmetallic minerals to be used for lining, capping, covering, or constructing berms, dikes, or roads.~~
- ~~I. Nonmetallic mining at a site or that portion of a site that is subject to permit and reclamation requirements of the Department of Natural Resources under Chapter 30 State Statutes and complies with NR 340.~~
- J. Nonmetallic mining conducted to obtain stone, soil, sand or gravel for construction, reconstruction, maintenance or repair of a highway, railroad, airport, or any other transportation facility or part thereof, if the nonmetallic mining is subject to the requirements of the operations with limited purpose and duration where the Department of Transportation (DOT) concerning the restoration of the nonmetallic mining site.
- ~~K.1. The exemption provided in this paragraph only applies to a -actively imposes reclamation requirements and the operator reclaims the nonmetallic mining operation with limited purpose and duration where the site in accordance with these requirements. The duration of the exemption shall be specific to the length of the DOT actively imposes reclamation requirements and the operator reclaims the nonmetallic mining site in accordance with these requirements. -contract for construction of a specific transportation project. Such sites may also provide material for non-transportation projects during the duration of the exemption shall be specific to the length of the DOT contract for construction of a specific transportation project.~~
- ~~— If a nonmetallic mining site covered under this Section is used to concurrently supply materials for projects unrelated to the department of transportation DOT project, the exemption in this paragraph still applies, provided that the site is fully reclaimed under department of transportation DOT contract and supervision. , provided the site is fully reclaimed under the DOT contract and supervision.~~
- ~~1-2. If a nonmetallic mining site covered under this Section is used to concurrently supply materials for projects unrelated to the department of transportation project, the exemption in this paragraph still applies, provided that the site is fully reclaimed under department of transportation contract and supervision.~~
- ~~A-K. Dredging for navigational purposes, to construct or maintain farm drainage ditches and for the remediation of environmental contamination and the disposal of spoils from these activities.~~

Title 2: STANDARDS

Chapter 21.201

Standards

Section 21.201.014 RECLAMATION STANDARDS

Reclamation Standards. All nonmetallic mining sites subject to this [Codechapter](#) shall be reclaimed in conformance with the standards contained below:

A. General Standards.

1. Refuse and Other Solid Wastes. Nonmetallic mining refuse shall be reused in accordance with a reclamation plan. Other solid waste shall be disposed of in accordance with applicable rules of the [Wisconsin Department of Natural ResourcesWDNR](#) adopted pursuant to Wis. Stats., 289 and 291.
2. Area Disturbed and Contemporaneous Reclamation. Nonmetallic mining reclamation shall be conducted, to the extent practicable, to minimize the area disturbed by nonmetallic mining and to provide for reclamation of portions of the site while nonmetallic mining continues on other portions of the site.
3. Public Health Safety and Welfare. All nonmetallic mining sites shall be reclaimed in a manner so as to comply with federal, state and local regulations governing public health safety and welfare.
4. Habitat Restoration. When the land use required by the reclamation plan approved pursuant to this [Codechapter](#) requires plant, fish or wildlife habitat, it shall be restored, to the extent practicable, to a condition at least as suitable as that which existed before the lands were affected by nonmetallic mining operations.

Compliance with Environmental Regulations. Reclamation of nonmetallic mining sites shall comply with any other applicable federal, state and local laws including those related to environmental protection, zoning or land use control.

~~2. Area Disturbed and Contemporaneous Reclamation. Nonmetallic mining reclamation shall be conducted, to the extent practicable, to minimize the area disturbed by nonmetallic mining and to provide for reclamation of portions of the site while nonmetallic mining continues on other portions of the site.~~

~~3.~~

~~4.~~

~~5. Compliance with Environmental Regulations. Reclamation of nonmetallic mining sites shall comply with any other applicable federal, state and local laws including those related to environmental protection, zoning or land use control.~~

B. Surface Water and Wetlands Protection. Nonmetallic mining reclamation shall be conducted and completed in a manner that assures compliance with the [DNRWisconsin Department of Natural Resources'](#) water quality standards for surface waters and wetlands contained in [Wisconsin Administrative Code](#) Chapters NR 102 to NR 105, ~~Wisconsin Administrative Code~~. Before disturbing the surface of a nonmetallic mining site and removal of topsoil, all necessary measures for diversion and drainage of runoff from the site to prevent pollution of waters of the state shall be installed in accordance with the reclamation plans approved pursuant to this [Codechapter](#). Diverted or channelized runoff resulting from reclamation may not adversely affect neighboring properties.

C. Groundwater Protection.

1. Groundwater Quantity. A nonmetallic mining site shall be reclaimed in a manner that does not cause a permanent lowering of the water table that would result in adverse effects on surface waters or a significant reduction in the quantity of groundwater reasonably available for future users of groundwater.
2. Groundwater Quality. Nonmetallic mining reclamation shall be conducted in a manner which does not cause groundwater quality standards in [Wisconsin Administrative Code](#) Chapter-NR 140; ~~Wisconsin Administrative Code~~ to be exceeded at the point of standards application.

D. Topsoil Management.

1. Removal. Topsoil and topsoil substitute shall be provided as specified in the reclamation plan approved pursuant to this [Codechapter](#) in order to achieve reclamation to the approved post mining land use. Removal of on-site topsoil and topsoil substitute material, when specified in the reclamation plan, shall be performed prior to any mining activity associated with any specific phase of the mining operation.
2. Volume. The operator shall obtain the volume required to perform final reclamation by removal of on-site topsoil or topsoil substitute material or by obtaining topsoil or substitute material as needed to make up the volume of topsoil as specified in the reclamation plan approved pursuant to this

Codechapter.

3. **Storage.** Once removed, topsoil or topsoil substitute material shall, as required by the reclamation plan approved pursuant to this **Codechapter**, either be used in contemporaneous reclamation or stored in an environmentally acceptable manner. The location of stockpiled topsoil or topsoil substitute material shall be chosen to protect the material from erosion or further disturbances or contamination. Runoff water shall be diverted around all locations in which topsoil or topsoil substitute material is stockpiled.

E. Final Grading and Slopes.

1. All areas affected by mining shall be addressed in the reclamation plan approved pursuant to this **Codechapter** to provide that a stable and safe condition consistent with the post mining land use is achieved. The reclamation plan may:
 - a. Designate high walls or other un-mined and undisturbed natural solid bedrock as stable and safe and not in need of reclamation or
 - b. Designate other areas affected by mining including slopes comprised of unconsolidated materials that exceed a 3:1 slope, whether or not graded, as stable and safe.
 - c. For slopes designated under b. the Department may require that either a site specific engineering analysis performed by a registered professional engineer to demonstrate that an acceptable slope stability factor is attainable at a steeper slope; or the operator shall perform a field test plot demonstration to demonstrate that a stable and safe condition will be achieved and that the post mine land use specified in the post mine land use will not be adversely affected.
2. Final reclaimed slopes covered by topsoil or topsoil substitute material may not be steeper than a 3:1 horizontal to vertical incline unless found acceptable through one or more of the following: alternative requirements are approved under Section ~~21.201.014~~ of this Code, steeper slopes are shown to be stable through a field plot demonstration approved as part of an approved reclamation plan, or stable slopes can be demonstrated based on site-specific engineering analysis performed by a registered professional engineer. All areas in the nonmetallic mine site where topsoil or topsoil substitute is to be reapplied shall be graded or otherwise prepared prior to topsoil or topsoil substitute material redistribution to provide the optimum adherence between the topsoil or topsoil substitute material and the underlying material.
3. When the approved post-mining land use includes a body of water the approved final grade at the edge of a body of water shall extend vertically 6 feet below the lowest seasonal water level. A slope no steeper than 3:1 shall be created at a designated location or locations, depending on the size of the water body to allow for a safe exit.

A.F. Topsoil Redistribution fFor Reclamation. Topsoil or topsoil substitute material shall be redistributed in accordance with the reclamation plan approved pursuant to this **Codechapter** in a manner which minimizes compaction and prevents erosion. Topsoil or topsoil substitute material shall be uniformly redistributed except where uniform redistribution is undesirable. Topsoil or topsoil substitute material redistribution may not be performed during or immediately after a precipitation event until the soils have sufficiently dried.

B.G. Revegetation and Site Stabilization. Except for permanent roads or similar surfaces identified in the reclamation plan approved pursuant to this **Codechapter**, all surfaces affected by nonmetallic mining shall be reclaimed and stabilized by revegetation or other means. Revegetation and site stabilization shall be in accordance with the approved reclamation plan and shall be performed as soon as practicable after mining activity has permanently ceased in any part of the mine site.

C.H. Assessing Completion of Successful Reclamation.

1. The criteria for assessing when reclamation is complete and, therefore, when the financial assurance may be released shall be specified in the reclamation plan approved pursuant to this **Codechapter**. Criteria to evaluate reclamation success shall be quantifiable.
2. Compliance with the revegetation success standards in the approved reclamation plan shall be determined by:

- a. On-site inspections by Department staff.
 - b. Reports presenting results obtained during reclamation evaluations including summarized data on revegetation, photo documentation or other evidence that the criteria approved in the reclamation plan to ascertain success have been met; ~~or~~.
 - c. A combination of inspections or reports.
3. In those cases where the post mining land use specified in the reclamation plan requires a return of the mining site to a pre-mining condition, the operator shall obtain baseline data on the existing plant community for use in the evaluation of reclamation success as further described in this Section.
 4. Revegetation success may be determined by:
 - a. Comparison to an appropriate reference area.
 - b. Comparison to baseline data acquired at the mining site prior to its being affected by mining.
 - c. Comparison to an approved alternate technical standard.

5. Revegetation using a variety of plants indigenous to the area is favored.

D.1. **Intermittent Mining.** Intermittent mining may be conducted provided that the possibility of intermittent cessation of operations is addressed in an operator's reclamation permit, no environmental pollution or erosion of sediments is occurring, and financial assurance for reclamation pursuant to Section 21.501 of this Code, is maintained covering all remaining portions of the site that have been affected by nonmetallic mining and that have not been reclaimed.

E.1. **Maintenance.** During the period of site reclamation, after the operator has stated that reclamation is complete, but prior to release of financial assurance, the operator shall perform any maintenance necessary to prevent erosion, sedimentation or environmental pollution, comply with the standards of this subchapter, or to meet the goals specified in the reclamation plan approved pursuant to this ~~Code~~chapter.

F. **Alternate Requirements.**

1. **Criteria.** The Department may approve an alternate requirement to the reclamation standards established in this ~~Code~~chapter if the operator demonstrates and the Department finds that all of the following criteria are met:

- a. ~~The nonmetallic mining site, the surrounding property or the mining plan or reclamation plan has a unique characteristic which requires an alternate requirement.~~
- b. ~~Unnecessary hardship which is peculiar to the nonmetallic mining site or plan will result unless the alternate requirement is approved.~~

c. ~~Reclamation in accordance with the proposed alternate requirement will achieve the planned post-mining land use and long term site stability in a manner that will not cause environmental pollution or threaten public health, safety or welfare.~~

d. 2. **Procedures.**

a. ~~An operator who requests an alternate requirement shall submit the request in writing as required in this Section.~~

b. The alternate requirement shall be approved or disapproved as provided in this Code chapter. Approval or disapproval shall be in writing and shall contain documentation of the reasons why the alternate requirement was or was not approved.

c. A request for an alternate requirement may be incorporated as part of an application to issue or modify a nonmetallic mining reclamation permit.

d. An opportunity for a public informational hearing pursuant to this Code chapter prior to the Department's action on a request for an alternate requirement may be provided.

Section 21.201.02 STANDARDS APPLIED TO ALL PERMIT CONDITIONS

Conditions Standards Applied to All Permits.

Right of Access. The filing of an application shall grant the Department the right of access onto the site and contiguous lands owned or leased by the applicant for any purposes relative to this Code chapter.

Boundary Staking. Prior to commencing nonmetallic mining operations on a site, the sites permitted boundary (s) shall be staked or otherwise marked. The operator shall notify the Department, a minimum of 2 working days prior to commencing operations, that the site is staked in accordance with this Section. Stakes shall be made of steel, fiberglass or other material acceptable to the Department. Stakes may be removed after reclamation is completed and accepted. Painted wood lath may be used for operations of one year or less. Staking may be waived with Department approval if an operation boundary is the same as an existing fence line or other easily identifiable feature.

Conflicts with Other Regulations. The operator shall obtain all applicable local, state and federal permits and/or approvals and copies of these permits and/or approvals must be provided to the Department. A fee will be issued

1. Compliance with Reclamation. The operator shall comply with contemporaneous and final reclamation plans for the site.

Notification of Completion of Reclamation. The operator shall notify the Department in writing that interim or final reclamation has been completed. The notice may include documentation that the quantifiable standard for revegetation contained in the reclamation plan has been met. All stages within a site shall also comply with the notification requirements above. When a stage is complete, the operator shall notify the Department for approval of the reclamation before entering the next stage.

Solid and Hazardous Waste. Unless permitted under State and/or Federal authority, no solid or hazardous waste shall be stored, buried, or deposited in or on any nonmetallic mining site.

Other Conditions Standards. The Department may apply such other requirements as are reasonably necessary to ensure progressive and final reclamation in a manner consistent with this Code chapter and to limit environmental pollution including but not limited to the financial assurance provisions of this Code chapter

Title 3: PERMITTING

Chapter 21.301

Permitting

Section 21.301.01 PERMITS REQUIRED

No person may engage in nonmetallic mining or in nonmetallic mining reclamation without possessing a nonmetallic mining reclamation permit issued pursuant to this Code, unless the activity is specifically exempted in Section 21.101.0521.101.05 of this Code, of this Code.

Section 21.301.02 LOCAL TRANSPORTATION RELATED MINES LOCAL TRANSPORTATION RELATED MINES

A. **Borrow Sites for Local Transportation Projects** ~~Related Mines~~. A permit shall be issued under this Section for any nonmetallic mine that meets the following conditions:

1. The mine will be opened and reclaimed under contract with a municipality within a period not exceeding 36 months.
2. The mine is intended to provide stone, soil, sand or gravel for the construction, reconstruction, maintenance or repair of a highway, railroad, airport facility or other transportation facility under contract with the municipality. ~~Municipality has the meaning defined in §299.01(8), Stats. s)~~
3. The mine is regulated and will be reclaimed under contract with the municipality in accordance with the requirements of the DOT concerning the restoration of nonmetallic mining sites.
4. The mine is not a commercial source of nonmetallic minerals.
5. ~~Will be constructed, operated and reclaimed in accordance with applicable zoning requirements, if any, and;~~
6. ~~Is not otherwise exempt from the requirements of Section 21.101.05 of this Code.~~

5.B. **Application Requirements** The applicant shall provide the following:

~~(e) A statement from the local zoning authority that all applicable zoning requirements have been met.~~

The applicant shall provide the following information:

1. ~~A copy of the contract which outlines the terms and conditions of the reclamation of the proposed borrow site. The contractual provisions incorporating requirements of DOT will be in lieu of a reclamation plan and in lieu of financial assurance requirements.~~
2. ~~Evidence to show that the borrow site and its reclamation will comply with applicable zoning requirements if any.~~

~~A scaled drawing that identifies the area that will be impacted by the contract.~~

~~1-3. The annual fees under Section 21.401.01 of this Code, shall apply. No fees will be charged for plan review or expedited plan review. The permit fee as specified in 21.12(1) (c).~~

C. **Public Notice and Hearing.** ~~(g) A permit pursuant to this sub shall be issued within 7 days of receiving the information required by this sub. The public notice and right of hearing provisions of Section 21.301.05 of this Code, do not apply to permits issued under this Section.~~

D. **Permit Issuance.** ~~A permit pursuant to this Section shall be issued within 7 working days of receipt of a complete application.~~

E. **Multiple Use of Borrow Site.** ~~If the borrow site is used to concurrently supply materials for other than the local transportation project, the permitting in this Section still applies provided the site will be reclaimed under a contractual obligation with the municipality in accordance with the DOT requirements.~~

F. **Annual Report.** ~~Notwithstanding Wisconsin Administrative Code NR 135.36, the operator of a borrow site under this Section is required to submit only the information in an annual report necessary to identify the borrow site and to determine the applicable annual fee.~~

~~(i) The operator will notify the Department within 30 days of completion of the reclamation outlined in sub(c). Other reporting requirements of this chapter do not apply.~~

Section 21.301.03 RECLAMATION PERMIT APPLICATION REQUIREMENTS

- A. **Application Required.** No person may engage in nonmetallic mining or in nonmetallic mining reclamation without possessing a nonmetallic mining reclamation permit issued pursuant to this Code unless the activity is specifically exempted in Section 21.101.05 of this Code
- B. **Required Submittal.** Prior to beginning mining operations, all operators of nonmetallic mining sites shall apply for and obtain a Marathon County Nonmetallic Mining Reclamation permit. All applications submitted under this Section shall be submitted to the Department and be accompanied by, but not limited to, the following:

The application for a permit shall be submitted to the Department on forms provided by the Department. The application for a mining reclamation permit shall be signed and dated by the applicant and shall be accompanied by information which shall include, but not be limited to, the following:

1. Marathon County Reclamation Permit Application
 2. The Department's plan review fee
 3. The first year's annual fee, as required by Section 21.401.01 of this Code and Wisconsin Administrative Code s. NR 135.39
 4. A reclamation plan conforming to Wisconsin Administrative Code s. NR 135.19 and Section 21.301.04 of this Code.
 5. A certification that the operator will provide, as a condition of the reclamation permit, financial assurance as required by Section 21.501.01 of this Code and Wisconsin Administrative Code s. NR 135.40 upon granting of the reclamation permit and before mining begins.
 6. To avoid duplication, the permit application and submittals required by this Section may, by reference, incorporate existing plans or materials that meet the requirements of this Code chapter
- C. **Application Contents.** All applications submitted under this Code chapter shall include, but not limited to, the following:
1. A brief description of the general location and nature of the nonmetallic mine.
 2. A legal description of the property on which the nonmetallic mine is located or proposed, including the parcel identification number.
 3. The names, addresses and telephone numbers of all persons or organizations who are owners or lessors of the property on which the nonmetallic mining site is located.
 4. The name, address and telephone number of the person or organization who is the operator.
 5. A certification by the operator of his or her intent to comply with the statewide nonmetallic mining reclamation standards as outlined in this Code.

Section 21.301.04 RECLAMATION PLAN

- A. **Plan Required.** An operator who conducts or plans to conduct nonmetallic mining shall submit to the Department a reclamation plan that meets the requirements of this Section and complies with the Standards of this Code. The reclamation plan shall information sufficient to describe the existing natural and physical conditions of the site including:

1. **Site General Information.** The name and address of the operator.
~~Lease.~~ A signed copy of the lease or a letter signed by the owner(s) of record which authorizes the operator to enter upon the lessor's land for the purpose of mining as defined in this Code. The expiration date of the lease or agreement shall clearly be indicated thereon.
~~Legal Description.~~ A legal description and general location map of the tracts of land to be involved and affected by the proposed operation and the approximate total number of acres involved.
2. **Nature of Deposit.** A description of the nature of the deposit and the mining methods that will be used to extract and process the material including the thickness and type of topsoil.
3. **Groundwater.** The elevation of observed or estimated groundwater as determined by existing hydrogeological information, in relation to the site elevation reference point. In specific instances where the existing hydrogeological information is insufficient for purposes of the reclamation plan, the applicant may be required to supplement such information with the opinion of a professional geologist or hydrologist.

4. ~~Biological Resources.~~ Information available to the mine operator on the biological resources, plant communities and wildlife use at and adjacent to the proposed or operating mine site.
5. ~~General Map.~~ ~~Four copies of a~~ A general location map which shall be drawn at a scale of no less than 1 inch equals 200 feet and shall include the following:
 - a. ~~Property Boundary (Parcel Lines).~~ All property boundaries of the land(s) where the mine site is to be located shall be shown.
 - b. ~~Mine Site Boundary.~~ The boundaries of the mine site that will be permitted shall be shown. If the site is to be mined in phases, the boundaries of each phase shall also be shown.
 - c. ~~Nonmetallic Mineral Deposit.~~ The areal extent of the mineral deposit shall be shown. ~~The extent of the deposit and the property boundaries of the operator's owned or leased land and the location of other owners' property boundaries at the point where they about the boundary of the project site.~~
 - d. ~~Existing t~~Topography of affected lands at contour intervals no wider than ten (10) feet.
 - e. ~~Location and names of all streams, lakes, other water features and roads on or within 300 feet of the project site.~~
 - f. ~~Location of all man made features on or adjacent to the site and the purpose for which each man made feature and the adjoining land is used.~~
- ~~Areas~~Boundaries of previous excavations, stockpiles, sediment basins, wash plants or other land previously affected by nonmetallic mining on the site.

~~6. 8.~~ Reclamation Measures Plan. All horizontal and vertical measurements shall be referenced to a permanent reference point. The reclamation plan, including maps, information about the site, a description of the proposed reclamation and post mine land use including methods and procedures to be used and a proposed timetable for completion of various stages of reclamation of the nonmetallic mining site, including provisions for interim reclamation, shall be provided as follows:

- ~~a. Two~~ Two printed or one electronic copy of a plan of the proposed reclamation, including erosion control practices necessary during reclamation, final slope angles, high wall reduction, benching, terracing and other structural slope stabilization measures including a description of anticipated topography, water impoundments, artificial lakes and anticipated post mining land use. Site specific engineering analysis performed by a registered professional engineer as provided in Section ~~21.201.01 (E)~~ 21.201.01 (E) of this Code may be required for slopes steeper than 3 foot horizontal: 1 foot vertical.
- ~~b.~~ Description of the volume of topsoil or topsoil substitute and other earth materials that will be necessary to complete the proposed reclamation, and the methods for stripping, storage, stabilization, reapplication and conservation methods that will be used during replacement. If off-site material will be used in reclamation of the site, include a description of the source, nature and volume of material
- ~~— A statement from the applicable planning or zoning authority that the proposed post mine land use is consistent with zoning and land use plans in effect at the time the application is submitted, unless a change in the zoning or land use plan is proposed.~~
- ~~c.~~ Description of plans for disposition of manmade features and related facilities after cessation of mining unless they serve to support the post mine land use.
- ~~d.~~ The estimated cost of reclamation for each stage of the project or the entire site if staging is not planned.
- ~~e.~~ A seeding plan which shall include methods of seed bed preparation, seeding rates, mulching, netting and/or other techniques needed to accomplish soil and slope stabilization.
- ~~f.~~ A timetable of the commencement, duration, and cessation of reclamation activities.
- ~~g.~~ Quantifiable standards for revegetation adequate to show that a suitable stand of vegetation has been established which will support the post mine land use. Standards for revegetation may be based on the percent of vegetative cover, productivity, plant density, diversity or other applicable measures. A timetable of the commencement, duration, and cessation of reclamation activities.
- ~~h.~~ A description of how the reclamation plan addresses the long-term safety of the reclaimed mining site. The description shall include a discussion of site-specific safety measures to be implemented at the site and include measures that address public safety with regard to adjacent land uses.

7. Post-Mining Land Use.

- ~~a. The reclamation plan shall specify a proposed post-mining land use for the nonmetallic mine site. The proposed post-mining land use shall be consistent with local land use plans and local zoning at the time the plan is submitted, unless a change to the land use plan or zoning is proposed. The proposed post-mining land use shall also be consistent with any applicable state, local or federal laws in effect at the time the plan is submitted.~~
- ~~b. A statement from the applicable planning or zoning authority that the proposed post mine land use is consistent with zoning and land use plans in effect at the time the application is submitted, unless a change in the zoning or land use plan is proposed.~~
- ~~c. Land used for nonmetallic mineral extraction in areas zoned under a farmland preservation zoning ordinance pursuant to subch. III of ch. 91, Stats., shall be restored to agricultural use~~
- ~~Quantifiable standards for revegetation adequate to show that a suitable stand of vegetation has been established which will support the post mine land use. Standards for revegetation may be based on the percent of vegetative cover, productivity, plant density, diversity or other applicable measures.~~
- ~~i. A description of how the reclamation plan addresses the long-term safety of the reclaimed mining site. The description shall include a discussion of site-specific safety measures to be~~

~~implemented at the site and include measures that address public safety with regard to adjacent land uses.~~

~~8. Criteria for Successful Reclamation. The reclamation plan shall contain criteria for assuring successful reclamation in accordance with Section 21.201.01 (H) of this Code.~~

~~9. Alternate Requirements.~~

~~a. Criteria. The Department may approve an alternate requirement to the reclamation standards established in this Code if the operator demonstrates and the Department finds that all of the following criteria are met:~~

- ~~1) The nonmetallic mining site, the surrounding property or the mining plan or reclamation plan has a unique characteristic which requires an alternate requirement.~~
- ~~2) Unnecessary hardship which is peculiar to the nonmetallic mining site or plan will result unless the alternate requirement is approved.~~
- ~~3) Reclamation in accordance with the proposed alternate requirement will achieve the planned post-mining land use and long term site stability in a manner that will not cause environmental pollution or threaten public health, safety or welfare.~~

~~b. Procedures.~~

- ~~1) An operator who requests an alternate requirement shall submit the request in writing as required in this Section.~~
- ~~2) The alternate requirement shall be approved or disapproved as provided in this Code. Approval or disapproval shall be in writing and shall contain documentation of the reasons why the alternate requirement was or was not approved.~~
- ~~3) A request for an alternate requirement may be incorporated as part of an application to issue or modify a nonmetallic mining reclamation permit.~~
- ~~4) An opportunity for a public informational hearing pursuant to this Code prior to the Department's action on a request for an alternate requirement may be provided.~~

~~10. Certification of Reclamation Plan~~

~~The operator shall provide a signed certification that reclamation will be carried out in accordance with the reclamation plan. The landowner or lessor, if different from the operator, shall also provide signed certification that they concur with the reclamation plan and will allow its implementation. The certification shall be binding on the land owner's or operator's heirs and assignees or the certification shall be recorded with the register of deeds to inform subsequent owners of the existence of the reclamation plan.~~

~~11. Other Information. The Department may require the submittal of such other information as may be necessary to determine the feasibility of the proposed reclamation.~~

~~Approval. The Department shall approve, approve conditionally, or deny the reclamation plan in writing.~~

~~9. Certification of Reclamation Plan~~

~~The operator shall provide a signed certification that reclamation will be carried out in accordance with the reclamation plan. The landowner or lessor, if different from the operator, shall also provide signed certification that they concur with the reclamation plan and will allow its implementation. The certification shall be binding on the land owner's or operator's heirs and assignees or the certification shall be recorded with the register of deeds to inform subsequent owners of the existence of the reclamation plan.~~

~~Other Information. The Department may require the submittal of such other information as may be necessary to determine the feasibility of the proposed reclamation.~~

Section 21.301.05 PERMIT CONDITIONS

~~(j) Approval. The Department shall approve, approve conditionally, or deny the reclamation plan in writing.~~

A. Conditions Applied to All Permits.

1. Right of Access. The filing of an application shall grant the Department the right of access onto the site and contiguous lands owned or leased by the applicant for any purposes relative to this Code.
2. Lease. A signed copy of the lease or a letter signed by the owner(s) of record which authorizes the operator to enter upon the lessor's land for the purpose of mining as defined in this Code. The expiration date of the lease or agreement shall clearly be indicated therein.
3. Boundary Staking. Prior to commencing nonmetallic mining operations on a site, the sites permitted boundary (s) shall be staked or otherwise marked. The operator shall notify the Department, a minimum of 2 working days prior to commencing operations, that the site is staked in accordance with this Section. Stakes shall be made of steel, fiberglass or other material acceptable to the Department. Stakes may be removed after reclamation is completed and accepted. Painted wood lath may be used for operations of one year or less. Staking may be waived with Department approval if an operation boundary is the same as an existing fence line or other easily identifiable feature.
4. Conflicts with Other Regulations. The operator shall obtain all applicable local, state and federal permits and/or approvals and copies of these permits and/or approvals must be provided to the Department.
5. Compliance with Reclamation. The operator shall comply with contemporaneous and final reclamation plans for the site.
6. Notification of Completion of Reclamation. The operator shall notify the Department in writing that interim or final reclamation has been completed. The notice may include documentation that the quantifiable standard for revegetation contained in the reclamation plan has been met. All stages within a site shall also comply with the notification requirements above. When a stage is complete, the operator shall notify the Department for approval of the reclamation before entering the next stage.
7. Solid and Hazardous Waste. Unless permitted under State and/or Federal authority, no solid or hazardous waste shall be stored, buried, or deposited in or on any nonmetallic mining site.
8. Other Conditions. The Department may apply such other requirements as are reasonably necessary to ensure progressive and final reclamation in a manner consistent with this Code and to limit environmental pollution including but not limited to the financial assurance provisions of this Code.

Section 21.301.0656 PUBLIC NOTICE AND RIGHT OF HEARING

1. Public Notice and Right of Hearing.

1. Public Notice.
 - a. The Department shall publish a public notice of application within 30 calendar days of the receipt of a complete application for a nonmetallic mine reclamation permit.
 - b. The notice shall be published as a Class 1 notice pursuant to Wis. Stats., 985.07 (1). The notice shall contain the following:
 - 1) A description of the mining and reclamation planned at the proposed site.
 - 2) The opportunity for a public hearing pursuant to this Section.
 - 3) The location at which the public may review the application and all supporting materials including the reclamation plan.
 - c. Copies of the notice shall be forwarded by the Department to the county or applicable municipal zoning board, county and applicable local planning organization, the clerk of the municipality in which the proposed site is located, the land conservation officer and owners of land within 300 feet of the boundaries of the parcel or parcels of land on which the proposed site is located.

Copies of the notice shall be forwarded by the Department to the county or applicable municipal zoning board, county and applicable local planning organization, director, the clerk of the municipality in which the proposed site is located, the land conservation officer and owners of land within 300 feet of the boundaries of the parcel or parcels of land on which the proposed site is located.

1.2. Public Hearing.

- a. County Zoning. (Sites Located in Towns under County Zoning Jurisdiction) If a public hearing is required for a Conditional Use Permit under Chapter 17 of the General Code of Ordinances, an opportunity shall be provided to give testimony on reclamation related matters. The Department shall consider the reclamation related testimony in deciding on a permit application pursuant to this Code chapter.
- b. Reclamation Public Hearing. (Sites located in Towns or municipalities where there was not an opportunity for the Department to receive testimony on reclamation matters) If there was not an opportunity for the Department to take testimony under Section 21.301.05B.1.a. 21.301.05 (B) (1) (a) above an opportunity for a public informational hearing maybe provided as follows: Any person residing within, owning property within, or whose principal place of business is within 300 feet of the boundary of a parcel or parcels of land in which the nonmetallic mining site is located or proposed may request a public informational hearing. The request must be made within 30 calendar days of the date of the public notice specified in Section 21.301.05 (A) (1) 21.301.05 (A) (1) of this Code. The hearing shall be held no sooner than 30 calendar days or later than 60 calendar 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 reclamation. The subject matter and testimony at this informational hearing, if it is held separately from any zoning related hearing, shall be limited to the reclamation of the proposed nonmetallic mine site.

a.—~~County Zoning.—(Sites Located in Towns under County Zoning Jurisdiction) If a public hearing is required for a Conditional Use Permit under Chapter 17 of the General Code of Ordinances, an opportunity shall be provided to give testimony on reclamation related matters. The Department shall consider the reclamation related testimony in deciding on a permit application pursuant to this Chapter.~~

b.—~~Town Zoning. (Sites Located in Towns that are Town Zoned) If a public hearing is required by the local Town zoning authority and if the local Town zoning authority requests that the Department be represented at the public hearing, an opportunity shall be provided for the Department to take testimony on reclamation related matters. The Department shall consider the reclamation related testimony in deciding on a permit application pursuant to this Chapter.~~

c.—~~Municipality Zoning.—(Sites located in Municipalities that are independently zoned) If a public hearing is required the local municipality zoning authority and if the local municipality zoning authority requests that the Department be represented at the public hearing, an opportunity shall be provided for the Department to take testimony on reclamation related matters. The Department shall consider the reclamation related testimony in deciding on a permit application pursuant to this Chapter.~~

d.—~~No Zoning. (Sites located in Towns with no Zoning) If there was not an opportunity for the Department to take testimony an opportunity for a public informational hearing shall be provided as follows. Any person residing within, owning property within, or whose principal place of business is within 300 feet of the boundary of a parcel or parcels of land in which the nonmetallic mining site is located or proposed may request a public informational hearing. The request must be made within 30 calendar days of the date of the public notice specified in sub (a). The hearing shall be held no sooner than 30 calendar days or later than 60 calendar 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 reclamation.~~

e. ~~Reclamation Public Hearing.—(Sites located in Towns or municipalities where there was not an opportunity for the Department to receive testimony on reclamation matters) If there was not an opportunity for the Department to take testimony under Section 21.301.05(B)(1) of this Code (under this Section?), an opportunity for a public informational hearing shall be provided as follows: Any person residing within, owning property within, or whose principal place of business is within 300 feet of the boundary of a parcel or parcels of land in which the nonmetallic mining site is located or proposed may request a public informational hearing. The request must be made within 30 calendar days of the date of the public notice specified in Section 21.301.05 (A)~~

(1) of this Code. The hearing shall be held no sooner than 30 calendar days or later than 60 calendar 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 reclamation. The subject matter and testimony at this informational hearing, if it is held separately from any zoning related hearing, shall be limited to the reclamation of the proposed nonmetallic mine site.

Section 21.301.076 PERMIT DECISIONS AND APPEAL PROCESS ~~PERMIT DECISIONS AND APPEAL PROCESS~~

A. Permit Decisions and Appeal Process. Notice to Clerk: Upon receipt of a complete permit application or appeal, the Department shall notify by mail the clerk of the town in which the operation is located.

B. Granting or Denial.

1. ~~Permits shall be granted or denied no sooner than 30 calendar days nor later than 90 calendar days following receipt of a complete reclamation permit application and reclamation plan, unless a public hearing is held per Section 21.301.05 (B) (1) If a public hearing is held, the Department shall issue the reclamation permit or deny the permit no later than 60 calendar days after completing the public hearing. Permits will be granted where the Department finds that the provisions of this Code and the relevant standards have been met, one copy of all plans will be stamped "Approved" and returned to the applicant at the time of permit issuance. Permits shall be denied where the provisions of this Code have not been met or if the applicant has failed or continues to fail to comply with the requirements as outlined in Wisconsin Administrative Code NR135.22.~~
2. ~~Permits shall include general or site specific conditions if necessary, to comply with this Code. Any condition to a permit shall be limited to those items regulated by this Code. A condition of all permits issued for new mines will be that financial assurance will be obtained prior to beginning mining.~~

~~Granting or Denial.~~

~~Standard procedure for permit application.~~ Permits shall be granted or denied no sooner than 30 calendar days nor later than 90 calendar days following receipt of a complete reclamation permit application and reclamation plan, where the Department finds that the provisions of this Chapter and the relevant standards have been met unless a public hearing is held per Section 21.301.05(B)(1) of this Code. If a public hearing is held, the Department shall issue the reclamation permit or deny the permit decision shall be made no later than 30 60 calendar days after completing the public hearing. Permits will be granted where the Department finds that the provisions of this Code and the relevant standards have been met. One copy of all plans will be stamped "Approved" and returned to the applicant at the time of permit issuance. Permits shall be denied where the provisions of this Code have not been met or if the applicant has failed or continues to fail to comply with the requirements as outlined in Wisconsin Administrative Code NR135.22.

~~Failure of the applicant to notify the Department within 5 workdays of the receipt of the permit will constitute acceptance of the permit and all conditions and amendments to the application and plans.~~

~~2. Permits shall include general or site specific conditions needed, if necessary, to comply with this Code chapter. Any condition to a permit shall be limited to those items regulated by this Code chapter. A condition of all permits issued for new mines will be that financial assurance will be obtained prior to beginning mining.~~

~~One copy of all plans will be stamped "Approved" and returned to the applicant at the time of permit issuance. Permits shall include conditions needed, if necessary, to comply with this chapter. Failure of the applicant to notify the Department within 5 workdays of the receipt of the permit will constitute acceptance of the permit and all conditions and amendments to the application and plans. Any condition to a permit shall be limited to those items regulated by this chapter. Permits shall be denied where the provisions of this chapter have not been met or if the applicant has failed or continues to fail to comply in a serious manner with this chapter.~~

C. Expedited Permitting.

- a. 2. ~~Walk through procedure for permit application.~~ Any person may request who wishes to

obtain an expedited permit more quickly than outlined in the standard procedure above may request a walk-through appointment with the Department. The request shall state the need for the expedited review, the date by which the expedited review is requested and a payment of the fee under Section ~~21.401~~ 21.401.01 of this Code.

- b. Any person may request an expedited review if the reclamation permit is to perform services under contract with a municipality. The request shall state the need for expedited review, include a copy of the applicable Sections of the contract, the date by which the expedited review is requested and a payment of the fee under Section ~~21.401~~ 21.401.01 of this Code.
- c. Following receipt of a request under this Section, the Department shall inform the applicant of the ~~estimated~~ date for a decision on issuance of the permit. If the applicant then elects not to proceed with the expedited review, the fee paid shall be returned. This review process may not waive the requirements of this Code for Plans and other pertinent documents will be reviewed at the time of the appointment and if the application is complete, the permit will be granted or denied within 30 days of the appointment unless a public notice and hearing.
- d. The Department is not obligated to act upon a request for Expedited Permitting under this Section by a specific date.

D. Cooperative Issuance by Multiple Authorities.

If more than one regulatory authority has jurisdiction over a single nonmetallic mining site, the regulatory authorities shall cooperatively issue a single reclamation permit for the nonmetallic mining site. ~~is required under 21.10(5). If a public hearing is required a decision shall be made no later than 10 workdays following the public hearing. All other conditions outlined in subparagraph (a) shall apply to this subparagraph.~~

E. Appeals of Permit Decisions or Administrative Decisions.

1. Any person who meets the requirements of Wis. Stats., 227.42 (1), may obtain a contested case hearing under Wis. Stats., 68.11, on a Department decision to issue, deny, ~~suspend, terminate~~ or modify a nonmetallic mine reclamation permit with a request in writing within 30 calendar days of notice to such person of the Department's decision.
 - a. The Board of Adjustment as established under Section 17.801.03 of the General Code of Ordinances for Marathon County shall serve as the impartial decision maker and shall conduct the hearing pursuant to Wis. Stats., 68.11 (2).
 - b. The Board of Adjustment or a person delegated by the Board of Adjustment shall provide a record of the hearing pursuant to Wis. Stats., 68.11 (3).
 - c. Within 20 calendar days of completion of a hearing conducted under a. and the filing of briefs, if any, the Board shall mail or deliver to the appellant its written determination stating the reasons therefore. Such determination shall be a final determination.
 - d. Any party to a proceeding resulting in a final determination may seek review thereof by certiorari within 30 calendar days of receipt of the final determination. The court may affirm or reverse the final determination, or remand to the decision maker for further proceedings consistent with the court's decision.
 - e. If review is sought of a final determination, the record of the proceedings shall be transcribed at the expense of the person seeking review. A transcript shall be supplied to anyone requesting the same at the requester's expense. If the person seeking review establishes impecuniousness to the satisfaction of the reviewing court, the court may order the proceedings transcribed at the expense of the county and the person seeking review shall be provided a free copy of the transcript. By stipulation, the court may order a synopsis of the proceedings in lieu of a transcript. The court may otherwise limit the requirement for a transcript.

F. Permit Duration.

1. A nonmetallic mine reclamation permit issued under this Code ~~chapter~~ shall last through the operation and reclamation as described in the approved reclamation plan of the mining site, unless suspended or revoked pursuant to Section ~~21.301.06 (E)~~ 21.301.06 (E).

2. If the mine operator is not the landowner, the reclamation permit duration shall not exceed the duration of the mine lease unless the lease is renewed or the permit is transferred to a subsequent lessee pursuant to Section 21.301.06 (G)-(G).

G. Permit Termination. ~~When all final reclamation required by a reclamation plan conforming to Section 21.301.04 and required by this Code chapter is certified as complete pursuant to Section 21.301.04 21.301.04 (9), the Department shall issue a written statement to the operator of the nonmetallic mining site, thereby terminating the reclamation permit.~~

H. Permit Suspension and Revocation.

1. ~~The Department may suspend or revoke a nonmetallic mining permit issued under this Code if the operator has failed to:~~
 - a. ~~Submit satisfactory reclamation plan within the required timeframes.~~
 - b. ~~Submit or maintain financial assurance as required.~~
 - c. ~~To follow the approved reclamation plan on a repetitive or significant basis.~~
2. ~~Suspension. If the Department makes any of the findings in Section 21.301.06 21.301.06 (E)-(1) of this Code, it may suspend a nonmetallic mining reclamation permit for up to 30 calendar days. During the time of suspension, the operator may not conduct nonmetallic mining at the site except for reclamation or measures to protect human health and the environment as ordered by the Department.~~
3. ~~Revocation. If the Department makes any findings in Section 21.301.06 21.301.06 (E)-(1) of this Code, it may revoke a nonmetallic mining reclamation permit. Upon permit revocation, the operator shall forfeit the financial assurance it has provided as required by this Code.~~

~~L. (d) Permit Termination. When all final reclamation required by a reclamation plan conforming to 21.10(2)(h) and required by this chapter is certified as complete pursuant to 21.13(6) and 21.20(1)(d), the Department shall issue a written statement to the operator of the nonmetallic mining site, thereby terminating the reclamation permit. **Permit Modification.**~~

1. ~~If nonmetallic mining reclamation permit is found by the Department that, due to changing conditions, the nonmetallic mining site no longer is in compliance with this Code it shall issue an order modifying the permit in accordance with Section 21.601.02 21.601.02 of this Code. This modifying order may require the operator to amend or submit new application information, financial assurance or other information to ensure compliance with this Code.~~
2. ~~If operator of any nonmetallic mine that holds a reclamation permit issued under this Code desires to modify such permit or reclamation plan approved under this Code, it may request such modification by submitting a written application for such modification to the Department. The application for permit or plan modification shall be acted on using the standards and procedures of this Code.~~

~~The operator of a nonmetallic mine that holds a reclamation permit issued under this Chapter shall request a modification of such permit if changes occur to the area to be mined, the nature of the planned reclamation, or other aspects of mining required by the reclamation plan approved pursuant to this Chapter. Such application for permit modification shall be acted on using the standards and procedures of this Chapter.~~

J. Permit Transfer. A nonmetallic mining permit may be transferred to a new operator upon submittal to the Department all of the following:

1. ~~The new operator posts financial assurance pursuant to Section 21.501 of this Code. The previous operator shall maintain financial assurance until the new operator has received approval.~~
2. ~~A written, witnessed certification by the new permit holder that all conditions of the permit will be complied with.~~

Title 4: FEES

Chapter 21.401

Fees

~~Title 3: PROJECT SITE PERMIT MODIFICATION~~

~~Chapter 21.301 Permit Modification~~

Section ~~21.301~~ PROJECT SITE MODIFICATION OR ENLARGEMENT AND TRANSFER OF PERMIT

Section ~~21.301.01~~ PERMIT MODIFICATION

- ~~— (a) A nonmetallic mining reclamation permit may be modified by If the Department if it finds that, because due to of changing conditions, the nonmetallic mining site no longer is in compliance with this chapter it shall issue an order modifying the permit in accordance with 21.20. This modifying order may require the operator to amend or submit new application information, financial assurance or other information to ensure compliance with this chapter.~~
- ~~— If operator of any nonmetallic mine that holds a reclamation permit issued under this chapter desires to modify such permit or reclamation plan approved under this chapter, it may request such modification by submitting a written application for such modification to Marathon County. The application for permit or plan modification shall be acted on using the standards and procedures of this chapter.~~
- ~~— The operator of a nonmetallic mine that holds a reclamation permit issued under this chapter shall request a modification of such permit if changes occur to the area to be mined, the nature of the planned reclamation, or other aspects of mining required by the reclamation plan approved pursuant to this chapter. Such application for permit modification shall be acted on using the standards and procedures of this chapter.~~
 - ~~— (b) If an operator wishes to modify a permit or application, the operator shall submit a written request for a permit modification and supporting information which documents that the modification will comply with this chapter.~~

~~If operator of any nonmetallic mine that holds a reclamation permit issued under this chapter desires to modify such permit or reclamation plan approved under this chapter, it may request such modification by submitting a written application for such modification to Marathon County. The application for permit or plan modification shall be acted on using the standards and procedures of this chapter.~~

- ~~(c) The operator of a nonmetallic mine that holds a reclamation permit issued under this chapter shall request a modification of such permit if changes occur to the area to be mined, the nature of the planned reclamation, or other aspects of mining required by the reclamation plan approved pursuant to this chapter. Such application for permit modification shall be acted on using the standards and procedures of this chapter.~~

Section ~~21.301.02~~ TRANSFER OF PERMIT

- ~~(2) Transfer of Permit. When one operator succeeds to the interest of another in an uncompleted site, the Department shall release the first operator of the responsibilities imposed by the permit only if:~~
 - ~~(a) Both operators are in compliance with the requirements and standards of this chapter.~~

— (b) The new operator assumes the responsibility of the former operator to complete the reclamation of the entire project site by a written, witnessed document.

(c) — The new operator posts financial assurance pursuant to 21.13 of this chapter. **Section 21.301.03 SITE ENLARGEMENT**

Any proposed enlargement may be approved by the department, subject to the standards and procedures of 21.10 of this chapter.

DRAFT

Section 21.401.01 ANNUAL FEE

~~A. Annual Fees. Fees shall be assessed for all un-reclaimed acres of thea nonmetallic mineNMM site except as follows:~~

Section ~~21.401.01 APPLICATION AND ANNUAL EXTENSION FEE~~

- ~~1. An application for a permit shall be accompanied by a fee based on each acre that will be impacted by mining. On an annual basis, permitted mines, shall be assessed a fee for each un-reclaimed acre not released pursuant to Section 21.201.0143 (6) of this Code. Acres shall be rounded to the nearest whole number for calculating fees.~~
- ~~2. Department of Natural Resources Fee. In addition to the fee listed in Section 21.401.01 (A) (1) 21.401.01 (A) (1) of this Code, the operator shall submit to the Department an annual fee which shall be paid to the DNRDepartment of Natural Resources pursuant to Wisconsin Administrative Codes NR 135.39 (3) (b) Table 1.and NR 135.39 (6) (b).~~
- ~~3. Fees shall be assessed pursuant to the Department fee schedule approved by the Environmental Resource Committee and in compliance with Wisconsin Administrative NR 135.39 (4).~~
- ~~4. Fees for Local Transportation Projects Permitted Under Wisconsin Administrative Code NR135.23 shall be compliant with Wisconsin Administrative Code NR135.23(1) (g)~~
- ~~5. Permit fees are not refundable after a permit has been issued.~~
- ~~6. If the Department determines that areas within a mining site have been successfully reclaimed on an interim basis in accordance with the reclamation plan, the Department shall waive annual acreage fees for those areas.~~

Section 21.401.02 PUBLIC NOTICE AND HEARING FEES

Public Notice and Appeal Hearing Fees
~~All requests for a contested case hearing before the County Zoning Board of Adjustment shall be accompanied by a fee as set forth in Chapter 17 of the Marathon County this General Code of Ordinances Zoning Code. This fee is in addition to any other fee required by this Codechapter~~

~~Section 21.401.02 PUBLIC NOTICE AND HEARING FEES~~

~~All requests for a contested case hearing before the County Zoning Board of Adjustment shall be accompanied by a fee as set forth in Ch. 17 of this General Code. This fee is in addition to any other fee required by this chapter.~~

Section 21.401.03 AMENDED

Section 21.401.04 REFUNDS

~~Permit fees are not refundable after a permit has been issued.~~Section 21.401.05 CHAPTER 30/NR 340

Fees for sites which carry a Chapter 30 permit shall be \$150.

Section 21.501 FINANCIAL ASSURANCE

Title 5: FINANCIAL ASSURANCE

Chapter 21.501

Financial Assurance

Section 21.501.01 — NOTIFICATION

~~Notification. The Department shall determine the required financial assurance level of the project site and shall notify the applicant.~~ Following approval of the permit, and as a condition of the permit, except for governmental units and local transportation projects permitted under Section ~~21.301.0240(4)~~ of this Code, the Department shall require ~~proof of~~ financial assurance to be filed with the Department equal to the estimated cost of fulfilling reclamation. ~~The Department shall determine the required financial assurance amount of the project site and shall notify the applicant.~~ Upon notification of the required financial assurance ~~amount~~ levels by the Department, but prior to commencing nonmetallic mining, the operator shall file with the Department said financial assurance conditioned on faithful performance of all requirements of this ~~Code~~ chapter, and the permit. Upon notification by the Department of financial assurance ~~receipt~~ or deposit approval and conformance with permit conditions, the operator may commence nonmetallic mining and reclamation operations.

Section 21.501.02 — ~~CHANGING METHODS OF FINANCIAL ASSURANCE BOND REQUIREMENTS~~

- ~~A. **Form.** Financial assurance shall be provided by the operator and shall be by bond or an alternate financial assurance. Financial assurance shall be payable to Marathon County, Wisconsin. Nonmetallic mining shall be limited to the phases which have financial assurance approved for them.~~
- ~~B. **Cancellation.** All financial assurance shall provide that the financial assurance shall not be canceled by the surety, except after not less than 90 day notice to the Department, in writing, by registered or certified mail. Not less than 30 days prior to the expiration of the 90 day notice of cancellation, the operator must deliver to the Department a replacement form of financial assurance which in absence of all nonmetallic mining shall cease.~~
- ~~— **Acres Covered. Bonds.**~~
- ~~— Bonds shall be issued by a surety company licensed to do business in this state. At the option of the operator, a performance bond or a forfeiture bond may be filed. Surety companies may have the opportunity to complete the reclamation in lieu of cash payment to the Department.~~
- ~~— All financial assurance. Each bond shall provide that the financial assurance bond shall not be canceled by the surety, except after not less than 90 day notice to the Department, in writing, by registered or certified mail. Not less than 30 days prior to the expiration of the 90 day notice of cancellation, the operator must deliver to the Department a replacement form of financial assurance bond or approved alternate financial assurance which in absence of which all nonmetallic mining shall cease.~~
- ~~C. The bond shall be payable to "Marathon County, Wisconsin". Financial assurance may be provided to the Department but in no instance shall the financial assurance be for an area less than ½ acre. Nonmetallic mining shall be limited to the areas which have financial assurance approved for them.~~
- ~~D. **Bonds.** Bonds shall be issued by a surety company licensed to do business in this state. At the option of the operator, a performance bond or a forfeiture bond may be filed. Surety companies may have the opportunity to complete the reclamation in lieu of cash payment to the Department. The bond shall be payable to "Marathon County, Wisconsin".~~
- ~~— Financial assurance. Bonds may be provided to the Department for stages of phases of a site, but in no instance shall the financial assurance bond be for an area less than ½ acre. Nonmetallic mining shall be limited to the areas/phases which have financial assurance bonds approved for them.~~
- ~~E. **Alternate Financial Assurance.** An operator may deposit cash, irrevocable letters of credit, irrevocable trusts, established escrow accounts, negotiable certificates of deposit, and negotiable government securities with the Department in lieu of a bond or may demonstrate financial responsibility by meeting net worth requirements as outlined in Wisconsin Administrative Code NR 135.40(13). Certificates of Deposit shall be automatically renewed or replaced with an alternate security before the maturity date. Any interest earned by the financial assurance will be paid to the operator. Interest will be paid on cash bonds annually according to county procedures.~~
- ~~F. Alternate Financial Assurance may be provided to the Department for stages of a site but in no instance shall such assurance be for an area of less than ½ acre. **Re-evaluation.** The Department shall review periodically the amount of the mine site's financial assurance to assure it meets outstanding~~

reclamation costs. Reclaimed acres may be released from the financial assurance and the amount of the financial assurance may be adjusted proportionately based upon the remaining un-reclaimed acres of the mine site.

- G. **Changing Methods of Financial Assurance.** The operator of a nonmetallic mining site may change from one method of financial assurance to another. This may not be done more than once a year unless required by an adjustment imposed pursuant to this Code chapter. The operator shall give the Department at least 60 calendar day notice prior to changing methods of financial assurance and may not actually change methods without the written approval of the Department.
- H. **Cancellation/Forfeiture.** Financial assurance shall provide that it may not be canceled by the surety or other holder or issuer except after not less than a 90 calendar day notice to the Department in writing by registered or certified mail. Not less than 30 calendar days prior to the expiration of the 90 calendar day notice of cancellation, the operator shall deliver to the Department a replacement financial assurance. In the absence of this replacement financial assurance, all mining shall cease until the time it is delivered and in effect. Financial assurance shall be forfeited if the permit is revoked per this Section and the appeals process has been completed or an operator ceases mining operations and fails to reclaim the site in accordance with the reclamation plan.
- I. **Bankruptcy Notification.** The operator of a nonmetallic mining site shall notify the Department by certified mail of the commencement of voluntary or involuntary proceedings under bankruptcy Code, 11 USC, et seq., naming the operator as a debtor, within 10 working days of commencement of the proceeding.
- J. **Financial Assurance Release.** The Department shall release the operator's financial assurance if it finds, after inspection of the project site and review of documentation provided by the operator, that the operator has fully carried out and completed reclamation of the project site in accordance with the reclamation plan, and has otherwise complied with this Code. Completion of reclamation shall be determined pursuant to the procedures listed in Section 21.301.04 of this Code. The Department shall notify the operator in writing within 60 calendar days after site inspection whether or not the reclamation is complete for all or part of the mine or if weather conditions or snow cover make a determination impractical.
- K. **Financial Assurance on Multiple Projects.** Any operator who obtains a permit from the Department for two or more project sites may elect, at the time the second or subsequent site is approved, to post a single financial assurance in lieu of separate financial assurance on each site. Any financial assurance so posted shall be in an amount equal to the estimated cost to the County for reclaiming all sites the operator has under project permits. When an operator elects to post a single financial assurance in lieu of separate financial assurance previously posted on individual sites the separate financial assurance shall not be released until the new financial assurance has been accepted by the Department.
- L. **Multiple Jurisdictions.** In cases where more than one regulatory authority has jurisdiction, a cooperative financial security arrangement may be developed and implemented by the regulatory authorities.
- M. **Net Worth Test.** An operator that meets the definition of "company" in Wis. Stats., 289.41 (1) (b) may use the net worth method of providing financial assurance. The operator shall submit information to the Department in satisfaction of the net worth requirements of Wis. Stats., 289.41 (4). The criteria in Wis. Stats., 289.41 (6) (b) (d) (e) (f) (g) (h) and (i) shall apply.
1. An operator using the net worth test to provide financial assurance for more than one mine shall use the total cost of compliance for all mines in determining the net worth to reclamation cost ration in accordance with Wis. Stats., 289.41 (6)
 2. The Department's determination of the net worth test shall be in accordance with Wis. Stats., 289.41 (5).
 3. The operator shall submit a legally binding commitment to faithfully perform all compliance and reclamation work at the mine site that is required under this ordinance.
- N. **Interim Reclamation Waiver.** If the Department determines that areas within a mining site have been successfully reclaimed on an interim basis in accordance with the reclamation plan, the Department may reduce/waive financial assurance requirements for those areas.

Nonmetallic mining shall be limited to the phases which have financial assurance approved for them.

-Section 21.501.03 ALTERNATE FINANCIAL ASSURANCE

Alternate Financial Assurance. An operator may deposit cash, irrevocable letters of credit, irrevocable trusts, established escrow accounts, negotiable certificates of deposit, and negotiable government securities with

~~the Department in lieu of a bond or may demonstrate financial responsibility by meeting net worth requirements as outlined in NR 135.40(13) of Wisconsin Administrative Code. Certificates of Deposit shall be automatically renewed or replaced with an alternate security before the maturity date. Any interest earned by the financial assurance will be paid to the operator. Interest will be paid on cash bonds annually according to county procedures.~~

~~Alternate Financial Assurance may be provided to the Department for stages of a site but in no instance shall such assurance be for an area of less than 1/2 acre. Nonmetallic mining shall be limited to the phases which have financial assurance approved for them.~~

Section 21.501.04 FINANCIAL ASSURANCE REEVALUATION

- ~~— (a) — The Department shall review periodically the amount of the mine site's financial assurance to assure it meets outstanding reclamation costs. Reclaimed acres may be released from the financial assurance and the amount of the financial assurance may be adjusted proportionately based upon the remaining un-reclaimed acres of the mine site.~~
- ~~— (b) — The operator shall notify the Department in writing at the time he or she determines that reclamation of a portion of the site or the entire site is complete.~~
- ~~— (c) — The Department shall notify the operator in writing within 60 days of receipt of the notification whether or not the reclamation is complete for all or part of the mine or if weather conditions or snow cover make a determination impractical.~~

Section 21.501.05 FINANCIAL ASSURANCE ON MULTIPLE PROJECTS

~~Financial Assurance on Multiple Projects. Any operator who obtains a permit from the Department for two or more project sites may elect, at the time the second or subsequent site is approved, to post a single financial assurance in lieu of separate financial assurance on each site. Any financial assurance so posted shall be in an amount equal to the estimated cost to the County for reclaiming all sites the operator has under project permits. When an operator elects to post a single financial assurance in lieu of separate financial assurance previously posted on individual sites the separate financial assurance shall not be released until the new financial assurance has been accepted by the Department.~~**Section 21.501.06 FINANCIAL ASSURANCE RELEASE**

~~The Department shall release the operator's financial assurance if it finds, after inspection of the project site and review of documentation provided by the operator, that the operator has fully carried out and completed reclamation of the project site in accordance with the reclamation plan, and has otherwise complied with this Chapter. Completion of reclamation shall be determined pursuant to the procedures listed in (4).~~**Section 21.501.07 CANCELLATION**

~~Financial assurance shall provide that it may not be canceled by the surety or other holder or issuer except after not less than a 90 day notice to the Department in writing by registered or certified mail. Not less than 30 days prior to the expiration of the 90 day notice of cancellation, the operator shall deliver to the department a replacement financial assurance. In the absence of this replacement financial assurance, all mining shall cease until the time it is delivered and in effect.~~**Section 21.501.08 CHANGING METHODS OF FINANCIAL ASSURANCE**

~~The operator of a nonmetallic mining site may change from one method of financial assurance to another. This may not be done more than once a year unless required by an adjustment imposed pursuant to this chapter. The operator shall give the regulatory authority at least 60 day notice prior to changing methods of financial assurance and may not actually change methods without the written approval of the Department.~~**Section 21.501.09 BANKRUPTCY NOTIFICATION**

~~The operator of a nonmetallic mining site shall notify the Department by certified mail of the commencement of voluntary or involuntary proceedings under bankruptcy code, 11USC, et seq., naming the operator as a debtor, within 10 days of commencement of the proceeding.~~

Title 6: ADMINISTRATION AND ENFORCEMENT

Chapter 21.601

Administration

Section ~~21.601~~ ADMINISTRATION AND ENFORCEMENT

Section 21.601.01 INSPECTIONS

- A. The Department administrator or designee may enter the premises of a nonmetallic mining site in the performance of their official duties or pursuant to a special inspection warrant issued under Wis. Stats., 66.0119, in order to inspect those premises and to ascertain compliance with this Codechapter and permit or to investigate an alleged violation.
- B. Each active project site shall be inspected by Department personnel at least once annually to ensure that the site is in conformance with the operator's permit and shall make a report of the inspection. The report of the inspection may contain a map or diagram which illustrates the area that has been affected by nonmetallic mining, the area that has been reclaimed and the un-reclaimed area and shall document any activity that is inconsistent with the terms of the permit for the site. The operator shall be provided a copy of the information obtained during the inspection. The Department may, at its discretion, substitute the information obtained in this inspection for the annual operator reporting requirement contained in Section 21.602.01 of this Code provided the operator submits the certification specified in Section ~~21.602.01 (A)~~ 21.602.01 (A) of this Code to the Department within 30 days of receipt of the inspection report.
- C. The Department shall retain the inspection reports for a period of ten years after a permitted nonmetallic mining site has been determined to be closed and shall make the information available to the Department of Natural Resources upon request.
- D. The Department shall inspect a nonmetallic mining site for which an operator has submitted a report under Section 21.201.02 (A) (6) ~~21.201.02 (A) (6)~~ of this Code, of the completion of reclamation or interim reclamation within 60 calendar days of receipt of the report and make a determination in writing. If it is determined that interim or final reclamation is complete, including revegetation meeting the quantifiable standard as specified in the reclamation plan approved under Section 21.301.04 ~~21.10 (2) (h)~~ of this Code, the Department shall issue the mine operator a written certification of completion.

Commented [TF1]: Separate site completion criteria from "inspections"

Section 21.601.02 ENFORCEMENT

- A. **Enforcement Orders.** The Department administrator or designee may issue orders as set forth in Wis. Stats., 295.19 (1) (a), to enforce Subchapter I of Wis. Stats., 295, Wisconsin Administrative Code NR135, this Codechapter, a permit issued pursuant to this Codechapter or a reclamation plan required by Section 21.301 of this Code. A violation of this Codechapter, an order or permit issued pursuant to this Codechapter or a reclamation plan required by Section 21.301 of this Code, shall be considered a violation of Subchapter I of Wis. Stats., 295 and Chapter Wisconsin Administrative Code NR135.
- B. **Special Orders.** The Department administrator or designee may issue a special order as set forth in Wis. Stats., 295.19(1)(b) and (c), Wisconsin suspending or revoking a nonmetallic mining reclamation permit issued pursuant to Section 21.301 of this Code, or directing an operator to immediately cease an activity regulated under Subchapter I of Wis. Stats., 295, Chapter Wisconsin Administrative Code NR 135 or this Codechapter until the necessary plan approval is obtained.
- C. **Review of Orders.** A person holding a reclamation permit who is subject to an order pursuant to this Section shall have the right to review the order in a contested case hearing under Wis. Stats., 68.11, Notwithstanding notwithstanding the provisions of Wis. Stats., 66.01, 68.03 (8) and (9), 68.06 and 68.10 (1) (b), Wis. Stats.
- D. **Citations.** Marathon County may issue a citation under Wis. Stats., 66.119 and Section 21.601.04 (C) of this Code to collect forfeitures to enforce Subchapter I of Wis. Stats., Chapter 295, Wisconsin Administrative Code NR 135. A permit issued pursuant to this Codechapter or a reclamation plan required by Section 21.301 of this Code and a permit issued under this Codechapter. The issuance of a citation under this Section shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this Section.

Section 21.601.03 PENALTIES

Any person, firm or corporation who fails to comply with Subchapter I of Wis. Stats., 295, Wisconsin Administrative Code NR 135, and/or this Chapter shall be subject to the penalty provisions contained in Section 25.04 of the Marathon County General Code of Ordinances. Each day a violation exists or continues shall constitute a separate offense.

Section 21.601.034 ~~WAIVER OF LIABILITY GOVERNMENTAL IMMUNITY~~

In carrying out any of the provisions of this ~~Code~~chapter or in exercising any power or authority granted to them there-by, there shall be no personal liability upon the Department, its agents and employees. ~~In such matters, it is understood that they act as agents and representatives of the County.~~

~~In performing their duties, Department staff, in so far as practical, shall conform to safety rules governing mining sites.~~

(b) ~~— In such matters, it is understood that they act as agents and representatives of the County.~~

(c) ~~—~~

~~In performing their duties, Department staff, in so far as practical, shall conform to safety rules governing mining sites.~~

Section 21.601.04 ~~PENALTIES~~

~~Any person who violates subchapter 1 of Ch. 295 Stats, Chapter NR 135, Wisconsin Administrative Code, any reclamation plan approved pursuant to this chapter or an order issued pursuant to (2) shall, upon conviction of such violation, forfeit not less than \$10 or more than \$5,000 for each violation. Each day of violation is a separate offense. While an order issued under (2) is suspended, stayed or enjoined, this penalty does not accrue.~~

~~Any person, firm or corporation who fails to comply with violation of SSubchapter I of Wis. Stats., 295, Wisconsin Administrative Code NR 135, and/or this Chapter, a permit issued pursuant to this Chapter or a reclamation plan required by Section 21.301 of this Code and a permit issued under this Chapter shall be subject to the penalty provisions contained in Section 25.04 of the Marathon County General Code of Ordinances. Each day a violation exists or continues shall constitute a separate offense may result in forfeitures as provided in Wis. Stats., 295.19 (3), as follows:~~

- A. ~~Any person who violates Wisconsin Administrative Code NR 135 or an order issued under Section 21.601.02 of this Code may be required to forfeit not less than \$25 nor more than \$1,000 for each violation. Each day of continued violation is a separate offense. While an order issued under Section 21.601.02 of this Code, is suspended, stayed or enjoined, this penalty does not accrue.~~

~~— Except as provided above and except for violations referred to in Section 21.601.04 (A) of this Code, any person who violates subchapter I of Wis. Stats., 295, Wisconsin Administrative Code NR 135, any reclamation plan approved pursuant to this Chapter or an order issued pursuant to Section 21.601.02 shall forfeit not less than \$10 nor more than \$5,000 for each violation. Each day of violation is a separate offense. While an order issued under Section 21.601.02 of this Code, is suspended, stayed or enjoined, this penalty does not accrue.~~

Chapter 21.602

Reporting

Section 21.602.01 ~~ANNUAL OPERATOR REPORTING~~

~~Operators shall submit an annual report for every nonmetallic mine site with a reclamation permit to the Department annually. Section 21.301 of this Code Annual operating reports that satisfy the requirements of this shall be submitted by the operator of nonmetallic mining sites except when the department obtains the information as outlined in §21.20(1).~~

Section ~~21.701.01~~ — CONTENTS

A. ~~A.~~ The annual report shall cover the activities on unreclaimed acreage for the previous ~~for a~~ calendar year, and shall include the following:

1. The name and mailing address of the operator.
2. The parcel identification number of the nonmetallic mining site.
- ~~3.~~ The Nonmetallic Mine Reclamation Permit number assigned by Marathon County.
4. The acreage currently affected by nonmetallic mining and not yet reclaimed.
5. The amount of acreage that has been reclaimed to date, on a permanent basis and the amount reclaimed on an interim basis.
6. A plan, map or diagram, drawn to scale, accurately showing the acreage described in this Section.

~~2-7.~~ The following certification signed by the operator:

____ "I certify that this information is true and accurate, and that the nonmetallic mining site described herein complies with all conditions of the applicable nonmetallic mine reclamation permit and Wisconsin Administrative Code NR 135".

B. Annual operator reports shall be submitted to the Department by the operator for all active and intermittent mining sites until nonmetallic mining reclamation at the site is certified complete pursuant to Section 21.301 of this Code.

DRAFT

- ~~— A. — The name and address of the operator.~~
- ~~— B. — The parcel identification number.~~
- ~~— C. — The Nonmetallic Mine Reclamation Permit number assigned by Marathon County.~~
- ~~— D. — The acreage currently affected by nonmetallic mining and not yet reclaimed.~~
- ~~— E. — The amount of acreage that has been reclaimed to date, on a permanent basis and the amount reclaimed on an interim basis.~~
- ~~— F. — A plan, map or diagram, drawn to scale, accurately showing the acreage described in pars. (d) and (e).~~

~~— G. — The following certification signed by the operator: ——— “I certify that this information is true and accurate, and that the nonmetallic mining site described herein complies with all conditions of the applicable nonmetallic mine reclamation permit and NR 135, Wisconsin Administrative Code” Section 21.701.0302 DEADLINE~~

~~The annual report shall cover the activities for a calendar year and be submitted within the timeline outlined in NR 135, 60 days following the end of the year.~~

~~Section 21.701.03 WHEN REPORTING MAY END~~

~~B. Annual operator reports shall be submitted to the Department by the operator for all active and intermittent mining sites until nonmetallic mining reclamation at the site is certified complete pursuant to Section 21.304 of this Code.~~

DRAFT

Annual reports shall be submitted by an operator for all active and intermittent mining sites to the department for each calendar year until the nonmetallic mine reclamation is complete and a notice as specified in 21.10(5)(e) is filed with the department.

Title 7: DEFINITIONS

Chapter 21.701

General

Section 21.701.01 — DEFINITIONS

ALTERNATIVE REQUIREMENT~~Alternative Requirement~~. Means an alternative to the reclamation standards of this Chapter, ~~provided through a written authorization granted by the Department pursuant to s. 18.~~

Applicable Reclamation Ordinance. Means a nonmetallic mining reclamation ordinance, including this Code~~chapter~~, that applies to a particular nonmetallic mining site and complies with the requirements of this Code, ~~chapter~~ Wisconsin Administrative Code NR 135 and subchapter I of Wis. Stats., ~~295~~, unless the Wisconsin Department of Natural Resources is the regulatory authority as defined in **sub. (20)(c)**. If the Wisconsin Department of Natural Resources is the regulatory authority, "applicable reclamation ordinance" means the relevant and applicable provisions of ~~Chapter~~ Wisconsin Administrative Code NR 135.

Board of Adjustment. ~~A Board established pursuant to~~ The Body established under Wis. Stats., ~~59.694~~, is.

Borrow Site. Means an area outside of a transportation project site from which stone, soil, sand or gravel is excavated for use at the project site, except the term does not include commercial sources.

Contemporaneous Reclamation. Means the sequential or progressive reclamation of portions of the nonmetallic mining site affected by mining operations that is performed in advance of final site reclamation, but which may or may not be final reclamation, performed to minimize the area exposed to erosion, at any one time, by nonmetallic mining activities.

~~Department~~. The Marathon County Conservation, Planning, and Zoning Department.

Enlargement. Any vertical or horizontal increase beyond dimensions of the original application for the project site.

Environmental Pollution. ~~The meaning in Wis. Stats., 295.11(2).~~ ~~The contaminating or rendering unclean or impure the air, land, or waters of the State or making the same injurious to public health, harmful for commercial or recreational use or deleterious to animal or plant life.~~

Financial Assurance. A commitment of funds or resources by an operator to a regulatory authority that satisfies the requirements in Section 21.501 of this Code and is sufficient to pay for reclamation activities required by this Code~~chapter~~.

Highwall. A vertical or nearly vertical face in solid rock or a slope of consolidated or unconsolidated material ~~that is steeper than~~ exceeds 3:1.

Landowner. Means the person who has title to land in fee simple or who holds a land contract for the land. A landowner is not a person who owns nonmetallic mineral rights to land, if a different person possesses title to that land in fee simple or holds a land contract for that land.

Licensed Professional Geologist. A person who is licensed as a professional geologist pursuant to Wis. Stats., Ch. 470. Stats.

Licensed Professional Hydrologist. A person who is licensed as a professional hydrologist pursuant to Wis.

Stats. Ch.
470.470 Stats.

Licensed Professional Hydrologist. A person who is licensed as a professional hydrologist pursuant to ~~Ch. 470. Stats.~~

Modification. Any vertical or horizontal decrease within the dimensions of the original application for the project site.

Municipality. Has the meaning as defined in Wis. Stats., §299.01 (8), Stats.

Nonmetallic Mineral. A product, commodity or material consisting principally of naturally occurring, organic or inorganic, nonmetallic, nonrenewable material. Nonmetallic minerals include, but are not limited to, stone, sand, gravel, asbestos, beryl, diamond, clay, coal, feldspar, peat, talc and topsoil.

Nonmetallic Mining (NMM). Operations or activities for the extraction from the earth of mineral aggregates and nonmetallic minerals for sale or use by the operator; including the use of mining equipment or techniques to remove materials from the in-place nonmetallic mineral deposit, including drilling and blasting, as well as associated activities such as , and related operations or activities, including but not limited to excavation, grading, and or dredging. Also includes processes carried out at a nonmetallic mining site that are related to the preparation or processing of the mineral aggregates or nonmetallic minerals including but not limited to stockpiling materials, blending mineral aggregates, blasting, grading, crushing, screening, scalping and dewatering.

Does not include removal from the earth of products or commodities that contain only minor or incidental amounts of nonmetallic minerals such as commercial sod, agricultural crops, ornamental or garden plants, forest products, Christmas trees or plant nursery stock. , if the purpose of those operations or activities is the extraction of mineral aggregates and nonmetallic minerals and related processes, including but not limited to stockpiling, crushing, screening, scalping, dewatering, , and blending

Nonmetallic Mining Reclamation ~~o~~Or Reclamation. The rehabilitation of a nonmetallic mining site to achieve a land use specified in an approved nonmetallic mining reclamation plan, including removal or reuse of nonmetallic mine ~~refuse~~, grading of the nonmetallic mine ~~site~~, removal, storage and replacement of topsoil, stabilization of soil conditions, reestablishment of vegetative cover, control of surface water and groundwater, prevention of environmental pollution and if practicable the restoration of plant, fish and wildlife habitat.

Nonmetallic Mining Refuse. Waste soil, rock, mineral, ~~liquid, vegetation~~ and other natural site waste material resulting from a nonmetallic mine operation. ~~This term d~~Does not include marketable merchantable by-products resulting directly from or ~~displaced by the nonmetallic mine operation, that are to be removed from the nonmetallic mine prior to completion of the reclamation of the mine or incorporated into the post mine land use specified in the approved reclamation plan.~~

Nonmetallic Mining Site, Project Site, ~~o~~Or Site. ~~All contiguous areas The location~~ All contiguous areas where a nonmetallic mining operation is ~~proposed, or present or~~ conducted including all surface areas from which minerals are stored or processed that are in or contiguous to areas excavated for nonmetallic mining, removed, related storage and processing areas, areas where nonmetallic mining refuse is deposited, ~~and~~ areas affected disturbed by the nonmetallic mining operation and by activities such as including, but not limited to, the construction or improvement of private roads or haulage ways, areas where grading or regrading is necessary, areas where nonmetallic mining reclamation activities are carried out or structures needed for nonmetallic mining reclamation, such as topsoil stockpile areas, re-vegetation test plots, or channels for surface water diversion, are located. Does not include previously mined areas that were not used for

~~nonmetallic mineral extraction after April 1, 1989 and are not contiguous to mine sites, including separate areas that are connected to active mine sites by public or private roads and areas previously mined but used after April 1, 1989 for non-mining activities such as stockpiles of materials used for an industrial process unrelated to nonmetallic mining.~~

Operator. Any person or business entity engaged in ~~or who has applied for a permit to engage in~~ nonmetallic mining ~~who/which applies for or holds a nonmetallic mine reclamation permit issued under a nonmetallic mine reclamation ordinance~~ whether individually, jointly—, or through subsidiaries, agents, employees, contractors, or subcontractors.

Permit. ~~Any permit which may be required under this chapter of an operator as a condition precedent to commencing or continuing nonmetallic mining at a project site.~~

Person. An individual ~~owner,~~ operator, corporation, limited liability company, partnership, association, ~~county,~~ municipality, ~~—~~interstate agency, state agency or federal agency.

Registered Professional Engineer. A person who is registered as a professional engineer pursuant to Wis. Stats., ~~—~~443.04.

Regulatory Authority. Means of the following:

(a) ~~The county in which the nonmetallic mining site is located, that has an applicable reclamation ordinance under Wis. Stats., 295.13, except where a municipality has adopted an applicable reclamation ordinance pursuant to par. (b).~~

(b) ~~The municipality in which the nonmetallic mining site is located and which has adopted an applicable reclamation ordinance under Wis. Stats., 295.14.~~

(c) ~~The Department of Natural Resources department, in cases where a county mining reclamation program is no longer in effect under Wis. Stats., 295.14, but only if there is no applicable reclamation ordinance enacted by the municipality in which the nonmetallic mining site is located.~~

Replacement of Topsoil. ~~The replacement or redistribution of topsoil or topsoil substitute material to all areas where topsoil was actually removed or affected by nonmetallic mining conducted under this chapter, unless the reclamation plan, approved pursuant to this chapter, provides otherwise,~~ for the purposes of providing adequate vegetative cover and stabilization of soil conditions needed to achieve the approved post mining land use and as required by the reclamation plan.

Solid Waste. ~~means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded or salvageable materials, including solid, liquid, semisolid or contained gaseous materials resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include solids or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under Wis. Stats., or source material, special nuclear material or by-product material, as defined in Wis. Stats., 254.31 (1).~~

Topsoil. ~~The surface layer of soil which is generally more fertile than the underlying soil layers, which is the natural medium for plant growth and which can provide the plant growth, soil stability and other attributes necessary to meet the success standards. That material (normally the A and upper part of the B horizon) which, based upon the official national cooperative soil survey, is acceptable for re-spreading on the surface of regraded areas to provide a medium which sustains a dense plant growth and soil stability needed to achieve the approved post mining land use specified. The surface layer of soil which is generally more fertile than the underlying soil layers, which is the natural medium for plant growth and which can provide the plant growth, soil stability and other attributes necessary to meet the success standards approved in the reclamation plan, approved under this chapter.~~

Topsoil Substitute. Soil or other unconsolidated material either used alone or mixed with other beneficial materials and which can provide the plant growth, site stability and other attributes necessary to meet the success standards approved in the reclamation plan.

Unreclaimed Acre or Unreclaimed Acres. ~~Those unreclaimed areas in which nonmetallic mining has occurred after April 1, 1989 and areas where nonmetallic mining reclamation has been completed but is not yet certified as reclaimed under Section 21.201 (4)(d) Section 21.201.01(H)(4) of this Code and.~~

Wisconsin Administrative Code NR135.40 (7). Does not include: areas where reclamation has been completed and certified as reclaimed under Wisconsin Administrative Code NR 135.40 (7); areas previously affected by nonmetallic mining but which are not used for nonmetallic mining after April 1, 1989; areas included in the approved nonmetallic mining reclamation plan but are not yet affected by nonmetallic mining, and areas previously mined but used after April 1, 1989 for non-mining activity, such as stockpiling of materials used for industrial activity such as an asphalt plant, concrete batch plant, block and tile operation or other industry that uses products produced from nonmetallic mining. .

~~Those un-reclaimed areas in which nonmetallic mining has occurred after April 1, 1989 and areas where nonmetallic mining reclamation has been completed but is not yet certified as reclaimed under 21.20(1)(d).~~

NONMETALLIC MINING SITE, PROJECT SITE, OR SITE. ~~The location where a nonmetallic mining operation is proposed or conducted including all surface areas from which minerals are removed, related storage and processing areas, areas where nonmetallic mining refuse is deposited and areas disturbed by the nonmetallic mining operation and by activities including, but not limited to, the construction or improvement of roads or haulage ways.~~

OPERATOR. ~~Any person or business entity engaged in nonmetallic mining who/which applies for or holds a nonmetallic mine reclamation permit issued under a nonmetallic mine reclamation ordinance whether individually, jointly, or through subsidiaries, agents, employees, contractors, or subcontractors.~~

PERMIT. ~~Any permit which may be required under this chapter of an operator as a condition precedent to commencing or continuing nonmetallic mining at a project site.~~

PERSON. ~~An individual operator, corporation, limited liability company, partnership, association, municipality, interstate agency, state agency or federal agency.~~

REGISTERED PROFESSIONAL ENGINEER. ~~A person who is registered as a professional engineer pursuant to §443.04.~~

REPLACEMENT OF TOPSOIL. ~~The replacement or redistribution of topsoil or topsoil substitute material to all areas where topsoil was actually removed or affected by nonmetallic mining conducted under this chapter, unless the reclamation plan, approved pursuant to this chapter, provides otherwise, for the purposes of providing adequate vegetative cover and stabilization of soil conditions needed to achieve the approved post mining land use and as required by the reclamation plan.~~

TOPSOIL. ~~That material (normally the A and upper part of the B horizon) which, based upon the official national cooperative soil survey, is acceptable for respreading on the surface of regraded areas to provide a medium which sustains a dense plant growth and soil stability needed to achieve the approved post mining land use specified in the reclamation plan approved under this chapter.~~

TOPSOIL SUBSTITUTE. ~~Soil or other unconsolidated material either used alone or mixed with other beneficial materials and which can provide the plant growth, site stability and other attributes necessary to meet the success standards approved in the reclamation plan.~~

UNRECLAIMED ACRE OR UNRECLAIMED ACRES. ~~Those unreclaimed areas in which nonmetallic mining has occurred after April 1, 1989 and areas where nonmetallic mining reclamation has been completed but is not yet certified as reclaimed under 21.20(1)(d)~~

RESOLUTION # R-60-19

ADOPTING A REDISTRICTING PLAN THAT REDUCES THE NUMBER OF MARATHON COUNTY SUPERVISORY DISTRICTS FROM 38 TO 19, EFFECTIVE AS OF SPRING ELECTION APRIL 2020

WHEREAS, on September 13, 2011 the Board of Supervisors for the County of Marathon adopted § 2.03 of the General Code of Ordinances for Marathon County, establishing 38 supervisory districts, pursuant to the procedure to be followed after each decennial census; and

WHEREAS, Wis. Stats., §59.10(3)(cm) 1, permits the Board to reduce the number of supervisory districts following the enactment of a decennial supervisory district plan; and

WHEREAS, Wis. Stats., §59.02(1) authorizes the County Board to exercise its powers by either a resolution adopted or an ordinance enacted; and

WHEREAS, the attached redistricting plan couples current supervisory districts that are contiguous so as to meet legal and technical requirements; and

WHEREAS, the Executive Committee met on November 4, 2019 to discuss the proposed redistricting plan and a motion to forward the plan to the County Board for its consideration was defeated by a 4-3 vote; and

WHEREAS, the members of the County Board listed below wish this matter to be discussed and acted on by the full County Board because they believe that the reduction of the number of supervisory districts from 38 to 19 will result in substantial savings, without negatively impacting representation; and

WHEREAS, Rule 17 (§2.01(17) of Gen. Code) provides, in part: "The Marathon County Governance Structure and Organization Governance Chart have been created for the purpose of providing a clear pathway to facilitate the coordination and prioritization of County services, programs and policy formation. The structure is not intended to preclude any group which is part of the County's formal governance structure from proposing governance policy or other issues for consideration by the Marathon County Board."

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Marathon does hereby:

1. Approve and adopt the attached redistricting plan, which reduces the number of supervisory districts from 38 to 19.
2. Declare this resolution shall be effective November 15, 2019 so as to apply to the Spring Election of County Board Supervisors in April 2020.

BE IT FURTHER RESOLVED that the appropriate County officials are authorized and directed to certify said redistricting plan to the State of Wisconsin as required by law.

Dated this 14th day of November, 2019

Jeff Johnson, Marathon County Board Supervisor District # 6

Ka Lo, Marathon County Board Supervisor District # 5

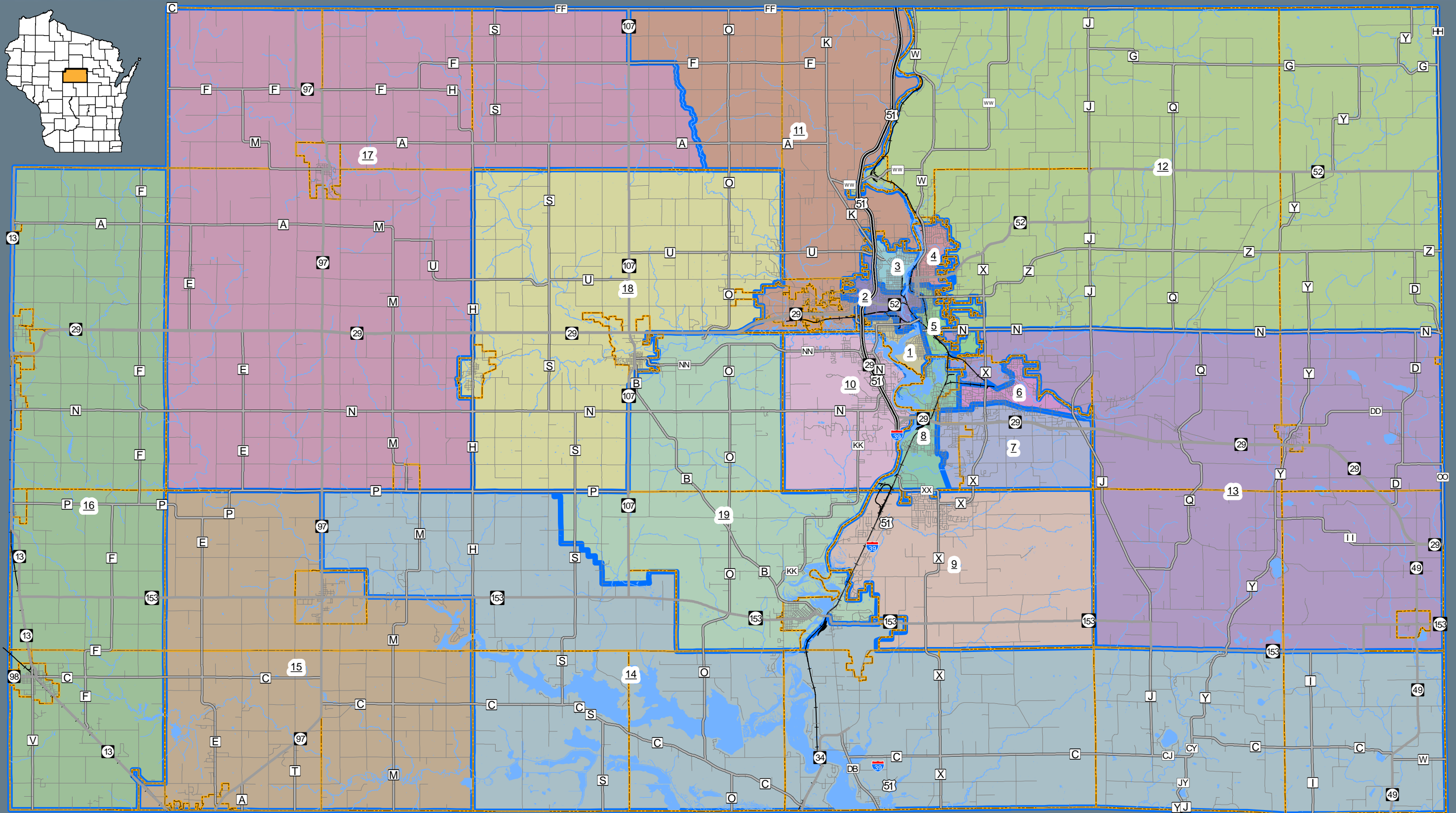
Estimated Fiscal Impact: The intended impact of this resolution is to reduce the cost of County Board Supervisor salaries and mileage reimbursement so as to provide a funding mechanism to replace financial support to non-profit organizations that will realize a 25% reduction in funding under the proposed 2020 Budget.



Legend

- US Highway
- County Highways
- Railroad
- Minor Civil Divisions
- State Highways
- Local Roads
- Water

Marathon County, Wisconsin



SOURCE: NCWRPC, NRCS,
Marathon County Geo Services

This map is neither a legally recorded map nor a survey of the actual boundary of any property depicted. This drawing is a compilation of records, information and data used for reference purposes only. NCWRPC is not responsible for any inaccuracies herein contained.

Prepared By:
North Central Wisconsin Regional Planning Commission
210 McClellan St. Wausau, WI 54403 - www.ncwrpc.org
Date Printed: Friday, November 1, 2019

District 1	District 2	New District
10	1	1
11	3	2
7	8	3
5	6	4
4	2	5
19	20	6
21	18	7
17	16	8
23	15	9
37	36	10
38	9	11
12	13	12
22	14	13
25	24	14
27	29	15
28	30	16
34	31	17
32	33	18
35	26	19

**RESOLUTION # R- 64 - 19
 APPROVE 2019 BUDGET TRANSFERS FOR MARATHON COUNTY
 DEPARTMENT APPROPRIATIONS**

WHEREAS, Section 65.90(5)(a) dictates that appropriations in the Marathon County budget may not be modified unless authorized by a vote of two-thirds of the entire membership of the County Board of Supervisors, and

WHEREAS, the Human Resources, Finance and Property Committee has reviewed and does recommend the 2019 transfers listed below, and

NOW, THEREFORE, BE IT RESOLVED the Marathon County Board of Supervisors authorize and direct the budget transfers as listed below:

Transfer from:	Social Services 176 501 82453 State Grant and Aid
Transfer to:	Social Services 176 50197173 Direct payments-Youth Aids/Purchased Srv
Amount:	\$38,000
Re:	State of Wisconsin allocation for Youth Aids

That a Class 1 Notice of this transaction be published within (10) days of its adoption;

BE IT FURTHER RESOLVED that the County Board of Supervisors hereby authorizes and directs the Marathon County Clerk to issue checks pursuant to this resolution and the Marathon County Treasurer to honor said checks.

BE IT FURTHER RESOLVED that the proper officers of Marathon County are hereby authorized and directed to take all actions necessary to effect this policy.

Respectfully submitted this 14th day of November 2019.

HUMAN RESOURCES, FINANCE AND PROPERTY COMMITTEE

Fiscal Note: This resolution modifies the revenues and expenditures for various County funds. There is no additional County levy appropriated in this resolution.

RESOLUTION NO. R-66-19

RESOLUTION AWARDING THE SALE OF
\$9,500,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2019A

WHEREAS, on September 19, 2017, the County Board of Supervisors of Marathon County, Wisconsin (the "County") adopted an initial resolution, by a vote of at least 3/4 of the members-elect, authorizing the issuance of general obligation bonds in an amount not to exceed \$3,400,000 for the public purpose of financing the construction and equipping of a new warm water therapy pool at the North Central Health Care Facility ("NCHC") located in the County;

WHEREAS, on June 19, 2018, the County Board of Supervisors adopted an initial resolution, by a vote of at least 3/4 of the members-elect, authorizing the issuance of general obligation bonds or promissory notes in an amount not to exceed \$67,000,000 for the public purpose of financing NCHC Master Facility Plan projects, including the design and construction of building additions, renovations and landscaping to the NCHC Center and Mount View Care Center campus;

WHEREAS, on February 19, 2019 the County Board of Supervisors adopted an initial resolution, by a vote of at least 3/4 of the members-elect, authorizing the issuance of general obligation promissory notes in an amount not to exceed \$2,295,000 for the public purpose of financing 2019 Capital Improvement Plan projects, including County highway projects, acquisition of highway equipment and equipment for the Sheriff's department, improvements to County buildings and park and recreation projects;

WHEREAS, on October 22, 2019, the County Board of Supervisors adopted an initial resolution authorizing the issuance of general obligation promissory notes in an amount not to exceed \$2,700,000 for the public purpose of financing emergency repairs at the Marathon County Jail;

WHEREAS, the initial resolutions described above are collectively referred to herein as the "Initial Resolutions", and the projects authorized by the Initial Resolutions are collectively referred to herein as the "Project";

WHEREAS, on October 22, 2019, the County Board of Supervisors of the County also adopted a resolution (the "Set Sale Resolution"), providing that a portion of the general obligation bond and promissory note issues authorized by the Initial Resolutions be combined, issued and sold as a single issue of general obligation promissory notes designated as "General Obligation Promissory Notes, Series 2019A" (the "Notes") for the purpose of paying costs of the Project;

WHEREAS, pursuant to the Set Sale Resolution, the County directed PFM Financial Advisors LLC ("PFM") to take the steps necessary to sell the Notes;

WHEREAS, PFM, in consultation with the officials of the County, prepared an Official Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Notes and indicating that the Notes would be offered for public sale on November 14, 2019;

WHEREAS, the County Clerk (in consultation with PFM) caused notice of the sale of the Notes to be published and/or announced and caused the Official Notice of Sale to be distributed to potential bidders offering the Notes for public sale;

WHEREAS, the County has duly received bids for the Notes as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation");

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the County. PFM has recommended that the County accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference; and

WHEREAS, it has now been determined to issue the Notes authorized by the Initial Resolutions in the principal amount of \$9,590,000 consisting of \$2,140,000 for the warm water therapy pool; \$2,470,000 for NCHC Master Facility Plan projects; \$2,280,000 for 2019 Capital Improvement Plan projects; and \$2,700,000 for emergency repairs at the County Jail.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1. Ratification of the Official Notice of Sale and Offering Materials. The County Board of Supervisors hereby ratifies and approves the details of the Notes set forth in Exhibit A attached hereto as and for the details of the Notes. The Official Notice of Sale and any other offering materials prepared and circulated by PFM are hereby ratified and approved in all respects. All actions taken by officers of the County and PFM in connection with the preparation and distribution of the Official Notice of Sale and any other offering materials are hereby ratified and approved in all respects.

Section 1A. Award of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of NINE MILLION FIVE HUNDRED NINETY THOUSAND DOLLARS (\$9,590,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Notes for the sum set forth on the Proposal (as modified on the Bid Tabulation and reflected in the Pricing Summary referenced below and incorporated herein), plus accrued interest to the date of delivery, is hereby accepted. The Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. The good faith deposit of the Purchaser shall be applied in accordance with the Official Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Notes shall bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes, Series 2019A"; shall be issued in the aggregate principal amount of \$9,590,000; shall be dated their date of issuance; shall be in the denomination of \$5,000 or any

integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on February 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest shall be payable semi-annually on February 1 and August 1 of each year commencing on August 1, 2020. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes are not subject to optional redemption.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2019 through 2028 for the payments due in the years 2020 through 2029 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Promissory Notes, Series 2019A" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the County above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from all other funds of the County and disbursed solely for the purpose or purposes for which borrowed. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Notes are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and

directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 12. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by the County Clerk or the County Treasurer (the "Fiscal Agent").

Section 13. Persons Treated as Owners; Transfer of Notes. The County shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 14. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the County Clerk or other authorized representative of the County is authorized and directed to execute and deliver to DTC on behalf of the County to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the County Clerk's office.

Section 16. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the

Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Chairperson and County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 18. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 19. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded November 14, 2019.

Kurt Gibbs
Chairperson

ATTEST:

Kim Trueblood
County Clerk

(SEAL)



Marathon County, WI

Day of Sale Presentation

\$9,500,000 General Obligation Promissory Notes, Series 2019A

Presented November 14, 2019

- Finance Committee 6:30 PM
- County Board of Supervisors 7:00 PM

PFM Financial
Advisors LLC

115 South 84th Street
Suite 315
Milwaukee, WI 53214

414-771-2700
www.pfm.com



Purpose and Authorization of 2019A GO Promissory Notes

The County Board adopted the following Initial Resolutions for the issuances of bonds/notes for the following projects included in the 2019 GO Promissory Notes:

- September 19, 2017: Warm Water Therapy Pool project not to exceed \$3,400,000
- June 19, 2018: North Central Health Care projects not to exceed \$67,000,000
- February 19, 2019: CIP Projects not to exceed \$2,295,000
- October 22, 2019: Jail Improvement Project not to exceed \$2,700,000

The County Board passed the set sale resolution authorizing the issuance of G.O. Promissory Notes in the amount of \$9,590,000.

Reimbursement Resolutions were passed for all four projects.



Moody's Investors Service Rating

Moody's affirms the County's Aa1 rating

- ◆ The second highest rating offered
- ◆ Represents a strong economy and superb financial management / fiscal positioning

Credit Strengths:

- ◆ Stable operating environment with ample fund balance and liquidity
- ◆ Conservative budgeting practices
- ◆ Low debt burden, including outstanding debt, pension and OPEB liabilities
- ◆ Growing tax base

Credit challenges:

- ◆ State imposed levy limits
- ◆ Authorized future borrowings



Results of Sale

At 10:00 AM this morning, PFM received bids for the County's GO Promissory Notes, Series 2019A. A total of five (5) bids were received. A summary is as follows:

Bidder	Bidder Location	True Interest Cost (TIC)
FHN Financial Capital Markets	Memphis, TN	1.746515%
Piper Jaffray	Minneapolis, MN	1.807167%
Robert W. Baird & Co., Inc.	Milwaukee, WI	1.832240%
BOK Financial Securities	Dallas, TX	1.824270%
Hutchinson, Shockey, Erley & Co.	Chicago, IL	1.841595%

For the County to award the bonds to the winning firm, FHN Financial Capital Markets, the Board will need to pass

***“Resolution Awarding the Sale of
\$9,500,000 General Obligation Promissory Notes,
Series 2019A”***



Plan of Finance Including 2019A Actual Sale Results

<u>Fiscal Year</u>	General Obligation Promissory Notes, Series 2018A	General Obligation Promissory Notes, Series 2019A			Total General Obligation Debt Service Payable from General Fund
	<u>Debt Service</u>	<u>Principal</u>	<u>Interest</u>	<u>Debt Service</u>	<u>Total</u>
2019	\$ 1,585,002	\$ -	\$ -	\$ -	\$ 1,585,002
2020	1,584,875	-	124,556	124,556	1,709,431
2021	1,496,500	-	190,000	190,000	1,686,500
2022	-	1,300,000	177,000	1,477,000	1,477,000
2023	-	1,325,000	150,750	1,475,750	1,475,750
2024	-	1,355,000	123,950	1,478,950	1,478,950
2025	-	1,380,000	96,600	1,476,600	1,476,600
2026	-	1,005,000	72,750	1,077,750	1,077,750
2027	-	1,025,000	52,450	1,077,450	1,077,450
2028	-	1,045,000	31,750	1,076,750	1,076,750
2029	-	1,065,000	10,650	1,075,650	1,075,650
2030	-	-	-	-	-
Total	\$ 3,081,375	\$ 9,500,000	\$ 1,030,456	\$ 10,530,456	\$ 13,611,831

CREDIT OPINION

8 November 2019



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Marathon (County of) WI

Update to credit analysis

Summary

The credit profile of [Marathon County](#) (Aa1) is highlighted by its consistent operating performance that has resulted in the maintenance of a sound fund balance and liquidity. We expect the continuation of management's conservative budgeting practices that routinely achieves structurally positive operations, allowing for the transfer of excess revenue to cash flow a portion of its annual capital improvement plan (CIP). Although this practice has resulted in a low county debt burden, the county board of supervisors has recently adopted a resolution authorizing up to \$67 million in general obligation (GO) debt for capital upgrades at county-owned health and human services facilities. The planned debt, along with the county's enterprise risk, are its key credit challenges. Balancing these issues are the county's growing tax base, average socioeconomic characteristics, and relatively low post-employment benefit burden.

On November 8, 2019 we assigned a Aa1 rating to the county's General Obligation Promissory Notes, Series 2019A which will be used to finance the various capital projects within the county including portions of its 2019 CIP, improvements to the county jail facility, and projects associated with its North Central Health Care (NCHC) campus.

Credit strengths

- » Stable operating environment that has supported ample fund balance and liquidity
- » Low combined leverage of outstanding debt, pension, and OPEB liabilities

Credit challenges

- » State imposed levy limits restrict the county's revenue enhancing authority
- » Authorized future borrowings for upgrades to the county-owned HCSC campus

Rating outlook

Outlooks are typically not assigned to local governments with this amount of debt.

Factors that could lead to an upgrade

- » Significant tax base expansion coupled with materially strengthened wealth and income indices

Factors that could lead to a downgrade

- » Material tax base contraction and/or diminished wealth and income indices

- » Sustained narrowing of operating fund balance and liquidity
- » Weakness in enterprise funds that require governmental support

Key indicators

Exhibit 1

Marathon (County of) WI	2014	2015	2016	2017	2018
Economy/Tax Base					
Total Full Value (\$000)	\$9,670,069	\$9,852,983	\$10,156,245	\$10,590,162	\$11,054,104
Population	134,886	135,177	135,367	135,293	135,293
Full Value Per Capita	\$71,691	\$72,889	\$75,027	\$78,276	\$81,705
Median Family Income (% of US Median)	100.3%	100.2%	99.3%	102.0%	102.0%
Finances					
Operating Revenue (\$000)	\$85,478	\$86,528	\$88,406	\$86,126	\$88,891
Fund Balance (\$000)	\$44,849	\$44,053	\$44,526	\$43,451	\$44,318
Cash Balance (\$000)	\$46,845	\$46,701	\$47,407	\$46,366	\$47,328
Fund Balance as a % of Revenues	52.5%	50.9%	50.4%	50.5%	49.9%
Cash Balance as a % of Revenues	54.8%	54.0%	53.6%	53.8%	53.2%
Debt/Pensions					
Net Direct Debt (\$000)	\$14,989	\$15,109	\$13,042	\$10,926	\$12,603
3-Year Average of Moody's ANPL (\$000)	\$63,691	\$98,684	\$139,976	\$156,264	\$170,340
Net Direct Debt / Full Value (%)	0.2%	0.2%	0.1%	0.1%	0.1%
Net Direct Debt / Operating Revenues (x)	0.2x	0.2x	0.1x	0.1x	0.1x
Moody's - adjusted Net Pension Liability (3-yr average) to Full Value (%)	0.7%	1.0%	1.4%	1.5%	1.5%
Moody's - adjusted Net Pension Liability (3-yr average) to Revenues (x)	0.7x	1.1x	1.6x	1.8x	1.9x

[1] Economy measures are based on data from the most recent year available.

Sources: Moody's Investors Service, US Census Bureau, Marathon County audited financial statements

Profile

Marathon County encompasses nearly 1,600 square miles in north central [Wisconsin](#) (Aa1 stable), approximately 140 miles north of [Madison](#) (Aaa negative), and 90 miles northwest of [Green Bay](#) (Aa3). The county includes all or portions of 6 cities, including [Wausau](#) (Aa3) the county seat, 16 villages, and 40 towns. The county is governed by a 38-member Board of Supervisors and provides municipal services for an estimated 135,293 residents.

Detailed credit considerations

Economy and tax base: broad tax base serves as regional economic center

The county's tax base is likely to remain stable given its role as a regional economic center which has contributed to seven consecutive years of full value growth. Currently valued at a large \$11.6 billion, the county's tax base has grown at an average annual rate of 3.8% since 2014. The base is primarily comprised of residential (64% of 2019 full value) and commercial (22%) property, with a small amount of agricultural (5%) and forest (4%) real estate as well. Historically, the county's economy was centered in the lumber, wood and paper industry. The economy has since diversified and currently has a significant health care and retail presence. The top ten largest taxpayers make up a modest 2.9% of full valuation, signifying low tax base concentration. The county's largest taxpayer and employer is Wausau Hospital, which comprises 0.5% of the tax base and employs 3,120.

The county's socioeconomic profile closely matches national medians, including a median family income that is estimated at 102% of the US. Median home value is estimated at 76.3% of national levels, indicating a relatively low cost of living. Demographically the county is demonstrating negligible growth, which combined with an aging population may limit long-term economic expansion. The

This publication does not announce a credit rating action. For any credit ratings referenced in this publication, please see the ratings tab on the issuer/entity page on www.moody's.com for the most updated credit rating action information and rating history.

annual unemployment rate for the county has been lower than the national rate over the past decade, currently standing at 2.5% in September 2019, as compared to 3.3% for the nation as a whole.

Financial operations and reserves: conservative budgeting sustains robust fund balance and liquidity

The county's strong financial management points to the high likelihood that it will retain healthy reserves for the foreseeable future. Revenue in the county's governmental operating funds (general, social improvement, and debt service funds) consistently exceed operating expenses, allowing management to make annual transfers for capital expenses. As such, the county's year-end available operating fund balance has not fluctuated much in the last five years, ranging from a high of \$44.8 million (52.5% of revenue) to a low of \$44.1 million (50.9%). In fiscal 2018, the county added \$867,000 to its available operating fund balance following a net transfer out of \$4.7 million to support its annual CIP and employee benefit fund. For fiscal 2019 (year-end December 31), management has budgeted for a \$653,000 surplus to the general fund, and a transfer of \$1.8 million out to support the annual CIP. Management is currently in the process of constructing the fiscal 2020 budget and indicates no desire to materially spend down its currently ample fund balance.

The county's primary revenue streams are property taxes (47.4% of fiscal 2018 operating revenue), followed by sales taxes (19.1%), and state aid (14.1%). Wisconsin cities and counties are currently subject to levy limits which limit property tax growth to net new construction only. The county currently levies at its maximum allowable rate. Sales tax collections have grown by 4.2% on average over the last five years and were budgeted to grow to a record \$13 million in fiscal 2019. State shared revenue is unlikely to materially grow.

The county operates two business-type enterprise funds and oversees two discretely presented component enterprise units. Business-type funds are highlighted by the county's highway fund which ended the fiscal 2018 year with an unrestricted net position of \$40.4 million, as compared to an annual operating expense of \$12.2 million. The component units include the Central Wisconsin Airport fund and North Central Health Care (NCHC) fund that are each self-supporting and maintain adequate liquidity. The Central Wisconsin Airport is jointly owned by Marathon and Portage counties. The airport fund held an unrestricted net position of \$2.5 million at the close of fiscal 2018, and another \$1.3 million of accumulated passenger facility charges is available for authorized projects. The NCHC is a partnership between [Langlade](#) (Aa3), Lincoln, and Marathon counties to provide various mental health and nursing home services. It is a privately run facility, though the counties jointly own the enterprise. The healthcare fund closed fiscal 2018 with an unrestricted net position of \$23.3 million, as compared to annual operating expenses of \$70.2 million. The NCHC in particular represents moderate enterprise exposure risk given the scale of its operations relative to the size of the county's governmental operations. However, the NCHC is currently operating smoothly, with revenue exceeding expenditures by \$3.2 million in fiscal 2018.

LIQUIDITY

The county's liquidity is strong. Marathon closed fiscal 2018 with \$73.7 million in unrestricted cash and investments across its governmental funds, including \$47.3 million in operating cash. Business funds held \$45.6 million in combined unrestricted cash and component units held \$27.9 million.

Debt and pensions: debt burden expected to rise, modest exposure to unfunded benefit liabilities

The county's low debt burden, which has been a key credit strength, is likely to materially rise over the near term. Credit pressure associated with anticipated debt is balanced against the county's modest exposure to unfunded pension and other post-employment healthcare benefits (OPEB). The county is currently in the process of marketing \$9.6 million in bonds backed by its general obligation unlimited tax (GOULT) pledge to finance the various capital projects. Following the offering, the county's debt burden will stand at a modest 0.2% of full value and 0.2x operating revenue. In addition to the upcoming bonds, the county anticipates issuing \$3 million in bonds in 2020 for various projects, as well as \$67 million over the next three years to finance comprehensive improvements to its NCHC campus. Debt service on future NCHC debt is likely to be paid by revenue generated by the facility.

DEBT STRUCTURE

Following the upcoming bond sale, the county's debt portfolio will consist of \$18.4 million of long-term, fixed rate GOULT bonds and notes, as well as a small amount of capital loans. GOULT debt includes \$5.9 million in bonds paid from airport revenues. Payout of principal is fast with nearly 100% to be retired over the next ten years.

The county's modest fixed costs are a credit strength. In fiscal 2018, the county's fixed costs, inclusive of debt service and retiree plan contributions, totaled \$6.5 million, or a low 7.4% of operating revenue.

DEBT-RELATED DERIVATIVES

The county has no exposure to any debt related derivative financial products.

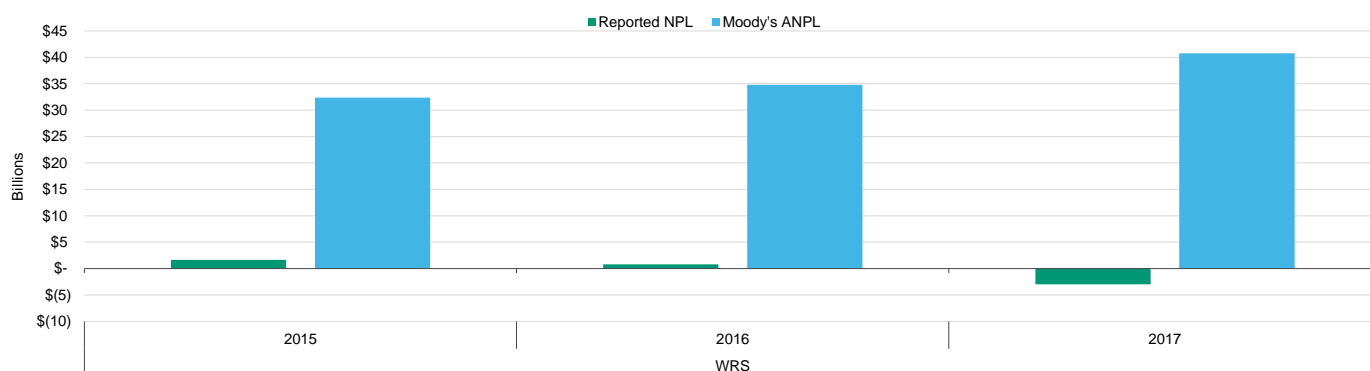
PENSIONS AND OPEB

The county participates in the Wisconsin Retirement System (WRS), a statewide cost-sharing plan. Contributions are determined using a level contribution actuarial method in an effort to keep employer and employee contribution rates at a level percentage of payroll over time, and are set at 100% of the plan's funding requirement. As a result, WRS remains one of the best funded public employee retirement systems in the country, with statewide employer contributions to WRS in 2017 totaling 107.7% of the amount needed to tread water.¹

The county's adjusted net pension liability (ANPL) was \$193.2 million in 2018, up from \$150 million in 2015, bringing the three-year average to \$170.3 million, or 1.5% of full value and 1.9x operating revenue. Growth in the Moody's ANPL has been driven largely by falling market discount rates, however the plan's NPL has benefited from strong investment performance in recent years, with WRS reported a net pension asset as of fiscal 2017 (see exhibit 2). Moody's ANPL reflects the use of a market-based discount rate to value pension liabilities rather than the assumed rate of investment return on plan assets. In comparison, the county reported a net pension asset of \$14.1 million in fiscal 2018, based on the plan's 7.2% discount rate.

Exhibit 2

Wisconsin Retirement System remains well-funded on a reported basis



Source: State of Wisconsin

The county OPEB liabilities do not pose a material credit risk. The OPEB liability reflects an implicit rate subsidy for a small number of retirees who pay to remain on the county's health plan and is funded on a pay-as-you-go basis. As the most recent actuarial valuation date, the net adjusted OPEB liability totaled \$969,000.

Management and governance: moderate institutional framework, conservative county management

Wisconsin counties have an Institutional Framework score of "A", which is moderate. The sector's major revenue source, property tax revenue, is subject to a cap which limits increases to amounts represented by net new construction growth. However, counties may implement a 0.5% sales tax, which diversifies operating revenue. Revenues and expenditures tend to be predictable. Across the sector, fixed and mandated costs are generally moderate.

County management has indicated that it is committed to maintaining structurally positive operations within its core governmental operating funds, with the goal of annually transferring over excess revenue to support ongoing CIP projects. This practice allows the county to moderate its long-term debt burden while still providing ample reserve buffer against unexpected budgetary pressures.

Rating methodology and scorecard factors

The US Local Government General Obligation Debt methodology includes a scorecard, a tool providing a composite score of a local government's credit profile based on the weighted factors we consider most important, universal and measurable, as well as possible notching factors dependent on individual credit strengths and weaknesses. Its purpose is not to determine the final rating, but rather to provide a standard platform from which to analyze and compare local government credits.

Exhibit 3

Marathon (County of) WI

Rating Factors	Measure	Score
Economy/Tax Base (30%) ^[1]		
Tax Base Size: Full Value (in 000s)	\$11,639,161	Aa
Full Value Per Capita	\$86,029	Aa
Median Family Income (% of US Median)	102.0%	Aa
Finances (30%)		
Fund Balance as a % of Revenues	49.9%	Aaa
5-Year Dollar Change in Fund Balance as % of Revenues	-2.7%	Baa
Cash Balance as a % of Revenues	53.2%	Aaa
5-Year Dollar Change in Cash Balance as % of Revenues	-0.6%	Baa
Notching Factors: ^[2]		
Outsized Enterprise or Contingent Liability Risk		Down
Other Analyst Adjustment to Finances Factor: Overly punitive operating trends.		Up
Management (20%)		
Institutional Framework	A	A
Operating History: 5-Year Average of Operating Revenues / Operating Expenditures (x)	1.0x	A
Debt and Pensions (20%)		
Net Direct Debt / Full Value (%)	0.2%	Aaa
Net Direct Debt / Operating Revenues (x)	0.2x	Aaa
3-Year Average of Moody's Adjusted Net Pension Liability / Full Value (%)	1.5%	Aa
3-Year Average of Moody's Adjusted Net Pension Liability / Operating Revenues (x)	1.9x	A
	Scorecard-Indicated Outcome	Aa2
	Assigned Rating	Aa1

[1] Economy measures are based on data from the most recent year available.

[2] Notching Factors are specifically defined in the US Local Government General Obligation Debt methodology.

[3] Standardized adjustments are outlined in the GO Methodology Scorecard Inputs publication.

Sources: Moody's Investors Service, US Census Bureau, Marathon County audited financial statements

Endnotes

1 Employer contributions that tread water equal the sum of current year service cost and interest on reported net pension liabilities at the start of the year, using reported actuarial assumptions. If plan assumptions are met exactly, contributions equal to the tread water indicator will prevent the reported net pension liabilities from growing. Net liabilities may decrease or increase in a given year because of factors other than the contribution amount, such as investment performance that exceeds or falls short of a plan's assumed rate of return.

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CLIENT SERVICES

Americas	1-212-553-1653
Asia Pacific	852-3551-3077
Japan	81-3-5408-4100
EMEA	44-20-7772-5454

EXHIBIT A

Official Notice of Sale

To be provided by PFM Financial Advisors LLC and incorporated into the Resolution.

(See Attached)

EXHIBIT B

Bid Tabulation

To be provided by PFM Financial Advisors LLC and incorporated into the Resolution.

(See Attached)

EXHIBIT C

Winning Bid

To be provided by PFM Financial Advisors LLC and incorporated into the Resolution.

(See Attached)

EXHIBIT D-1

Pricing Summary

To be provided by PFM Financial Advisors LLC and incorporated into the Resolution.

(See Attached)

EXHIBIT D-2

Debt Service Schedule and Irrepealable Tax Levies

To be provided by PFM Financial Advisors LLC and incorporated into the Resolution.

(See Attached)

EXHIBIT E

(Form of Note)

REGISTERED UNITED STATES OF AMERICA DOLLARS
NO. R- _____ STATE OF WISCONSIN \$ _____
MARATHON COUNTY
GENERAL OBLIGATION PROMISSORY NOTE, SERIES 2019A

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:
February 1, _____, 2019 _____%

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS
(\$ _____)

FOR VALUE RECEIVED, Marathon County, Wisconsin (the "County"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on February 1 and August 1 of each year commencing on August 1, 2020 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by the County Clerk or County Treasurer (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding each interest payment date (the "Record Date"). This Note is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Note together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the County are hereby irrevocably pledged.

This Note is one of an issue of Notes aggregating the principal amount of \$9,590,000, all of which are of like tenor, except as to denomination, interest rate and maturity date, issued by the County pursuant to the provisions of Section 67.12(12), Wisconsin Statutes, for the public purposes of financing the construction and equipping of a new warm water therapy pool at the North Central Health Care Facility ("NCHC") located in the County (\$2,140,000); NCHC Master Facility Plan projects, including the design and construction of building additions, renovations and landscaping to the NCHC Center and Mount View Care Center campus (\$2,470,000); 2019 Capital Improvement Plan projects, including County highway projects, acquisition of highway

equipment and equipment for the Sheriff's department, improvements to County buildings and park and recreation projects (\$2,280,000); and emergency repairs at the Marathon County Jail (\$2,700,000), as authorized by resolutions adopted on September 19, 2017, June 19, 2018, February 19, 2019, October 22, 2019 and November 14, 2019. Said resolutions are recorded in the official minutes of the County Board of Supervisors for said dates.

This Note is not subject to optional redemption.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the County, including this Note and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Note, together with the interest thereon, when and as payable.

This Note has been designated by the County Board of Supervisors as a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Note is transferable only upon the books of the County kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Notes, and the County appoints another depository, upon surrender of the Note to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the County for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Notes after the Record Date. The Fiscal Agent and County may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Notes are issuable solely as negotiable, fully-registered Notes without coupons in the denomination of \$5,000 or any integral multiple thereof.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, Marathon County, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Chairperson and County Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

MARATHON COUNTY, WISCONSIN

By: _____
Kurt Gibbs
Chairperson

(SEAL)

By: _____
Kim Trueblood
County Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)

RESOLUTION #R - 67 - 19
Budget and Property Tax Levy Resolution

WHEREAS, the Wisconsin Department of Revenue has made available the Statistical Report on Equalized Value of Marathon County for 2019 which sets the Equalized Value of Marathon County for taxing purposes at \$10,753,132,800; and,

WHEREAS, for purposes of satisfying the requirements of the state imposed Tax Rate Freeze formula, this budget is in compliance with Wis. Statute 59.605; and,

WHEREAS, the County Board of Supervisors and the Human Resources, Finance and Property Committee have occasional requests to provide funding for the community including allowable expenditures under various Wisconsin Statutes; and,

WHEREAS, the County is interested in a method of having the Human Resources and Finance and Property Committee review these requests on a timely basis; and,

NOW, THEREFORE, BE IT RESOLVED for the budget year 2020 that the sum of \$50,000 be authorized from the Contingent Fund and placed into a separate expenditure line item to be used by the Committee on a discretionary basis using a standard application process; and

BE IT FURTHER RESOLVED that any amendments subsequent to budget publications have resulted in the following changes and/or corrections to be incorporated as amendments into the proposed 2020 budget for the fiscal year beginning January 1, 2020:

<u>Budget Changes to Tax Levy</u>	<u>Original</u>	<u>Will Be</u>	<u>Tax Levy Change</u>	<u>Tax Rate Change</u>
I. Operating Levy	48,585,466			
II. Special Purpose Levy	315,954			
III. Debt Levy	1,809,875			

Budget Changes to Capital Improvement Plan

Budget Changes from Separate Resolutions

Budget Changes to non-tax Levy Department

Special Education (School fiscal period July 1, 2019 through June 30, 2020)

Revenues	\$ 7,585,407
Expenditures	\$ 7,585,407

AND, BE IT FURTHER RESOLVED that the Marathon County Board of Supervisors does hereby adopt the 2020 Marathon County Budget of \$171,013,605 including departmental appropriations, revenues and use of fund equity as proposed by the Human Resources and Finance and Property Committee during a series of budget meetings in October and as set forth in the attached document entitled, (BDGT1) Adopted Budget - Orgn 1 excluding Fund 998, and that the same budget passed and approved by appropriation unit and allocated from its present form and format as established by the Uniform Chart of Accounts for Wisconsin Counties as developed by the Wisconsin Departments of Revenue and Transportation, in programmatic format; and

BE IT FURTHER RESOLVED that the Marathon County Board of Supervisors does hereby authorize a property tax levy in the amount of \$ 50,711,292 in support of the 2020 budget and that the County Clerk is hereby directed to levy the required taxes against all the taxable property in Marathon County for every appropriation named therein except as otherwise provided and to levy special assessments and charges against the respective municipalities as provided by law; and

BE IT FURTHER RESOLVED that for the purpose of clarity the above referenced property tax levy includes:

A tax in the amount of \$315,954 for county bridge tax as set forth in Wis. Statute 81.38 to be levied against the taxable property of Marathon County, excepting the Cities of Abbotsford and Colby, and the Villages of Birnamwood, Dorchester, Elderon, Rothschild, Spencer, Unity and Weston; and

A tax in the amount of \$3,680,938 for County library operations budget and \$150,000 for County library building maintenance tax as set forth in Wis. Statute 43.64(1) to be levied against the taxable property of Marathon County, excepting the Cities of Abbotsford, Colby, Marshfield and the Town of McMillan.

BE IT FURTHER RESOLVED AND UNDERSTOOD that the budget includes an appropriation of \$ 4,382,212 for North Central Health Care Facility (NCHCF); and

BE IT FURTHER RESOLVED that the County Board of Supervisors hereby authorizes and directs the Marathon County Clerk to issue checks pursuant to this resolution and the Marathon County Treasurer to honor said checks in payment of specific items included in this budget as provided by law and at the request of any organization for which appropriations have been made.

DATED: November 14, 2019.

HUMAN RESOURCES, FINANCE AND PROPERTY COMMITTEE

_____	_____
_____	_____
_____	_____
_____	_____

Fiscal Impact: This sets the 2020 Budget.

AMENDMENT #1 OF THE PROPOSED 2020 BUDGET

WHEREAS, prior to adoption of the final budget, the County Board may amend the proposed 2020 budget resolution by a majority vote in order to make operational and capital programming changes ; and

WHEREAS, there has been a request to increase the 2020 budget for District Attorney’s Department by \$156,100 dollars to provide funding for an additional legal secretary position and an additional State of Wisconsin Assistant District Attorney position; and

WHEREAS, the Board can fund said request by reducing the Start Right Program in the Health Department budget by \$156,100.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors for the County of Marathon does hereby amend the proposed budget as follows:

1. Increase the expenditure in the 2020 budget for the District Attorney’s office by adding the sum of \$156,100 dollars to fund operations for an additional Legal Secretary and an additional State of Wisconsin Assistant District Attorney to Account No.

<u>GL code</u>	<u>Agency Name</u>	<u>2020 Proposed Budget</u>	<u>2020 Amendment</u>	<u>Change</u>
101 15591210	WAGES-PERMANENT-REGULAR FT	427,990	477,308	49,318
101 15591510	SOCIAL SECURITY EMPLOYERS SHR	51,844	55,634	3,790
101 15591520	RETIREMENT EMPLOYERS SHARE	40,532	43,876	3,344
101 15591540	HOSPITAL/HEALTH INSURANCE	179,942	198,330	18,388
101 15591541	DENTAL INSURANCE	4,722	5,109	387
101 15591543	INCOME CONTINUATION INSURANCE	2,307	2,497	190
101 15591545	POST EMPLOYEE HEALTH PLAN	7,644	8,190	546
101 15591550	LIFE INSURANCE	192	239	47
101 15591560	WORKERS COMPENSATION PAYMENTS	3,435	3,475	40
101 15591580	UNEMPLOYMENT COMPENSATION	677	727	50
101 15592993	TEMPORARY/CONTRACTUAL LABOR	-	80,000	80,000
				156,100

2. Decrease the 2020 Budget Fund Start Right Program Funding by \$156,100 dollars currently budgeted to fund operations of the Health Department in Account No.

<u>GL code</u>	<u>Agency Name</u>	<u>2020 Proposed Budget</u>	<u>2020 Amendment</u>	<u>Change</u>
101 3151292997	SUB-CONTRACTED SERVICE-START RIGHT	729,000	641,584	(87,416)
101 31591110	SALARIES-PERMANENT-REGULAR FT	1,495,876	1,473,215	(22,661)
101 31591111	SALARIES-PERMANENT-REGULAR PT	239,946	193,923	(46,023)
				(156,100)

Dated: November 14, 2019.

EJ Stark, Marathon County Board Supervisor District # 17

Fiscal Impact: Reallocate expenditures in the 2020 adopted budget. This amendment will increase the 2020 District Attorney's budget in the amount of \$156,100 dollars and reduce the 2020 Start Right budget in the Health Department budget by \$156,100 dollars.

AMENDMENT #2 OF THE PROPOSED 2020 BUDGET

WHEREAS, prior to adoption of the final budget, the County Board may amend the proposed 2020 budget resolution by a majority vote in order to make operational and capital programming changes; and

WHEREAS, while Marathon County contracts with a number of non-profit corporations for services, the 2020 budget is the first budget to begin to implement the board's plan to reduce funding to non-profit corporations that receive direct funding by increments 25% annually, until all funding is removed by 2023; and

WHEREAS, the Board finds that contracting for services is preferable to direct funding because contracts define deliverables and set performance measures that can reviewed on an annual basis; and

WHEREAS, county administration is currently in the best position to draft and monitor such contracts for services; and

WHEREAS, based on Priority Based Budgeting, these program were ranked in the 3rd quartile of County programs; and

WHEREAS, there has been a request to increase the 2020 budget for Central Wisconsin Community Action Program, United Way 211, Women's Community by \$32,189, which will restore funding that had been reduced by 25%, as described above; and

WHEREAS, the Board can fund said request by reducing the County Administrations salaries and benefits accounts

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors for the County of Marathon does hereby amend the proposed budget as follows:

1. Increase the expenditure in the 2020 budget for by adding a sum totaling \$32,189 to fund operations as follows:

<u>GL code</u>	<u>Agency Name</u>	<u>2020 Proposed Budget</u>	<u>2020 Amendment</u>	<u>Change</u>
101 13897203	COMMUNITY ACTION	25,318	33,757	8,439
101 13897222	UNITED WAY 211	30,000	40,000	10,000
101 13897206	WOMENS COMMUNITY	41,250	55,000	13,750
				32,189

2. Decrease the 2020 County Administrators Budget salaries and benefits accounts currently budgeted to fund the support for other agencies

<u>GL code</u>	<u>Agency Name</u>	<u>2020 Proposed Budget</u>	<u>2020 Amendment</u>	<u>Change</u>
101 15591210	SALARIES-PERMANENT-REGULAR FT	396,754	371,614	(25,140)
101 15591510	SOCIAL SECURITY EMPLOYERS SHR	30,355	28,419	(1,936)
101 15591520	RETIREMENT EMPLOYERS SHARE	26,783	25,074	(1,709)
101 15591540	HOSPITAL/HEALTH INSURANCE	69,264	66,200	(3,064)
101 15591541	DENTAL INSURANCE	2,029	1,965	(64)
101 15591543	INCOME CONTINUATION INSURANCE	1,514	1,419	(95)
101 15591545	POST EMPLOYEE HEALTH PLAN	2,184	2,080	(104)
101 15591550	LIFE INSURANCE	269	239	(30)
101 15591560	WORKERS COMPENSATION PAYMENTS	320	299	(21)
101 15591580	UNEMPLOYMENT COMPENSATION	397	371	(26)
				(32,189)

3. Move all of the funds for all five non-profit corporations to county administration account: "Support for Community Programs Contracts"

<u>GL code</u>	<u>Agency Name</u>	<u>2020 Proposed Budget</u>	<u>2020 Amendment</u>	<u>Change</u>
101 13897203	COMMUNITY ACTION	33,757	(33,757)	(33,757)
101 13897222	UNITED WAY 211	40,000	(40,000)	(40,000)
101 13897206	WOMENS COMMUNITY	55,000	(55,000)	(55,000)
				(128,757)
<u>GL code</u>	<u>Agency Name</u>	<u>2020 Proposed Budget</u>	<u>2020 Amendment</u>	<u>Change</u>
118 11497225	SUPPORT COMMUNITY PRG CONTRACT	-	128,757	128,757

Dated: November 14, 2019.

John Robinson
Marathon County Board Supervisor District # 4

Fiscal Impact: Reallocate expenditures in the 2020 adopted budget. This amendment will increase the 2020 budget for Central Wisconsin Community Action Program, United Way 211, Women's Community, in the amount of \$32,189 and reduce the 2020 County Administrator's salary and benefits budget by \$32,189. This is restore the funding of these agencies to the 2019 budget level of \$128,757. The Support for Other Agencies funding will then be transferred to the Organizational Excellence subfund in in the County Administration budget in the amount of \$128,757.

AMENDMENT #3 OF THE PROPOSED 2020 BUDGET

WHEREAS, prior to adoption of the final budget, the County Board may amend the proposed 2020 budget resolution by a majority vote in order to make operational and capital programming changes; and

WHEREAS, while Marathon County contracts with a number of non-profit corporations for services, the 2020 budget is the first budget to begin to implement the board's plan to reduce funding to non-profit corporations that receive direct funding by increments 25% annually, until all funding is removed by 2023; and

WHEREAS, the Board finds that contracting for services is preferable to direct funding because contracts define deliverables and set performance measures that can reviewed on an annual basis; and

WHEREAS, county administration is currently in the best position to award, draft and monitor such contracts for services; and

WHEREAS, based on Priority Based Budgeting, the Marathon County Historical Society and Economic Development Boot Camp were ranked in the 4th quartile of County programs, however these programs can differentiated from other non-profits in that category because:

- The Historical Society brings cultural and educational value to a large number of people and extends its services to all areas of the County, and
- The Economic Development Boot Camp creates new jobs, which directly improves economic opportunity in Marathon County; and

WHEREAS, there has been a request to increase the 2020 budget for Marathon County Historical Society and Education Boot Camp by \$23,594, which will restore funding that had been reduced by 25%, as described above; and

WHEREAS, the Board can fund said request by reducing the County Administration's salaries and benefits accounts

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors for the County of Marathon does hereby amend the proposed budget as follows:

1. Increase the expenditure in the 2020 budget for by adding a sum totaling \$23,594 to fund operations as follows:

<u>GL code</u>	<u>Agency Name</u>	<u>2020 Proposed Budget</u>	<u>2020 Amendment</u>	<u>Change</u>
101 13897227	ECONOMIC DEVELOPMENT - BOOTCAMP	30,000	40,000	10,000
101 13897202	HISTORICAL SOCIETY	40,782	54,376	13,594
				23,594

2. Decrease the 2020 County Administrators Budget salaries and benefits accounts currently budgeted to fund the support for other agencies

<u>GL code</u>	<u>Agency Name</u>	<u>2020 Proposed Budget</u>	<u>2020 Amendment</u>	<u>Change</u>
101 15591210	SALARIES-PERMANENT-REGULAR FT	396,754	377,694	(19,060)
101 15591510	SOCIAL SECURITY EMPLOYERS SHR	30,355	28,888	(1,467)
101 15591520	RETIREMENT EMPLOYERS SHARE	26,783	25,489	(1,294)
101 15591540	HOSPITAL/HEALTH INSURANCE	69,264	67,732	(1,532)
101 15591541	DENTAL INSURANCE	2,029	1,997	(32)
101 15591543	INCOME CONTINUATION INSURANCE	1,514	1,442	(72)
101 15591545	POST EMPLOYEE HEALTH PLAN	2,184	2,105	(79)
101 15591550	LIFE INSURANCE	269	247	(22)
101 15591560	WORKERS COMPENSATION PAYMENTS	320	304	(16)
101 15591580	UNEMPLOYMENT COMPENSATION	397	377	(20)
				(23,594)

3. Move all of the funds for the two non-profit corporations to county administration account: "Support for Community Programs Contracts"

<u>GL code</u>	<u>Agency Name</u>	<u>2020 Proposed Budget</u>	<u>2020 Amendment</u>	<u>Change</u>
101 13897227	ECONOMIC DEVELOPMENT - BOOTCAMP	40,000	(40,000)	(40,000)
101 13897202	HISTORICAL SOCIETY	54,376	(54,376)	(54,376)
				(94,376)
<u>GL code</u>	<u>Agency Name</u>	<u>2020 Proposed Budget</u>	<u>2020 Amendment</u>	<u>Change</u>
118 11497225	SUPPORT COMMUNITY PRG CONTRACT	-	94,376	94,376

Dated: November 14, 2019.

John Robinson
Marathon County Board Supervisor District # 4

Fiscal Impact: Reallocate expenditures in the 2020 adopted budget. This amendment will increase the 2020 budget for Economic Development –Bootcamp and Historical Society in the amount of \$23,594 and reduce the 2020 County Administrator’s salary and benefits budget by \$23,594. This is to restore the funding of these agencies to the 2019 budget level of \$94,376. The Support for Other Agencies funding will then be transferred to the Organizational Excellence subfund in in the County Administration budget in the amount of \$94,376.

AMENDMENT #4 OF THE PROPOSED 2020 BUDGET

WHEREAS, prior to adoption of the final budget, the County Board may amend the proposed 2020 budget resolution by a majority vote in order to make operational and capital programming changes ; and

WHEREAS, Marathon County has issued debt in the form of \$9,500,000 General Obligation Promissory Notes, Series 2019A; and

WHEREAS, actual debt service interest payment on these Notes for 2020 will be lower than originally budgeted by \$100,444; and

WHEREAS, the Board can reduce the 2020 budgeted debt service interest expenditure supported by tax levy by \$100,444.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors for the County of Marathon does hereby amend the proposed budget as follows:

1. Decrease the expenditure in the 2020 budget for Bond Interest by \$100,444 in the Debt Service Fund Account 504 80996210 Bond Interest.
2. Decrease the 2020 Tax levy for Debt Service by \$100,444 in Debt Service Fund Account 504 80981110 General Property Taxes.

Dated: November 14, 2019.

Kurt Gibbs, Marathon County Board Supervisor District # 32

Fiscal Impact: Reduce tax levy debt payment expenditures in the 2020 adopted budget. This amendment will decrease the 2020 debt service interest payment on the 2019 SeriesA GO Note by \$100,444 dollars.

MARATHON COUNTY
WAUSAU WISCONSIN

2020 ANNUAL BUDGET

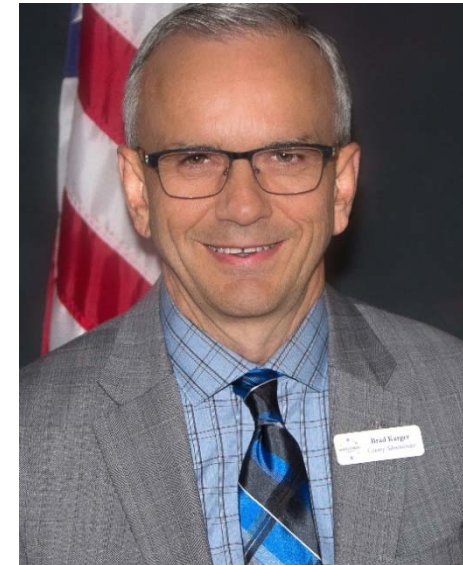


County Administrator's Budget Message

Presented to the Marathon County Human Resources, Finance and Property Committee
October 14, 2019



County Administrator's Budget Message



TO: The Honorable Marathon County Board of Supervisors
FROM: Brad Karger, County Administrator
DATE: October 7, 2019
SUBJECT: 2020 BUDGET MESSAGE

Highlighted areas show the changes made by the HR and Finance Committee at their 10-14-2019 meeting.

I present this Financial Plan and 2020 Annual Budget to the County Board, as required by Wisconsin Statute 59.033(5). The actual budget and tax levy for 2020 will be voted upon at the November meeting of the County Board. This document represents my recommendations for the operating budget for the year 2020, including funding for the 2020 Capital Improvements Program (CIP).

THANK YOU TO THOSE WHO CONTRIBUTED TO BUILDING THIS BUDGET

A budget is a team effort. In building a financial plan for the upcoming year department heads and the administrative people who support them, Lance Leonhard along with Kristi Palmer, Alicia Richmond and employees of the Finance Department who support them, pulled together and the result is a product which continues our array of public services and reduces our tax rate from \$4.80 to \$4.72

We have a great group of people involved in key financial and leadership roles and I thank you all.

Our County Government functions at a high level in part because of the many contributors who are committed to public service as a profession and who understand that the work we do matters.

**THE PROPERTY TAX RATE IS REDUCED BY .08 CENTS
AND HAS NOT BEEN INCREASED SINCE THE 1995 BUDGET**

The tax rate is going down, but our property tax levy is increased by \$1,221,453 or 2.47%. Let me explain:

“Tax Rate” -- Amount of tax collected from the tax base (usually expressed in mills, or \$.001 of equalized value).

“Tax Levy”-- Equalized value times the tax rate.

So for instance -- \$100,000 (equalized value of property) x .002 (2 mills tax rate) = \$200 tax levy

The tax levy for the County is the total tax levy of all the properties within the County.

This year the equalized value of all the properties in Marathon County is \$10,753,132,800, an increase of \$452,823,900 (4.4%) over 2019. That increase minus the portion of the increase in tax increment districts, times the new tax rate (\$4.72) generates a \$1,221,453 increase in property tax dollars which are incorporated into the 2020 budget. Thus, you can argue that this budget proposal increases taxes if your focus is on the tax levy or you can argue that it decreases taxes if your focus is on the tax rate. Both are true.

AVERAGE HOMEOWNER IMPACT

The average homeowner in Marathon County will see some minor increase in the County portion of their property tax bill for 2019. For illustration the following chart compares the “average homeowner’s” tax bill for 2010 thru 2020.

<u>Budget Year</u>	<u>Property Value</u>	<u>Tax Rate</u>	<u>Tax Amount</u>	<u>\$ Changes</u>	<u>% Changes</u>
2020	\$158,756	\$4.72	\$749.33	\$16.59	2.26%
2019	\$152,065	\$4.80	\$732.74	\$ 4.54	0.62%
2018	\$146,965	\$4.95	\$728.20	\$ 7.65	1.06%
2017	\$142,685	\$5.04	\$720.55	\$11.11	1.57%
2016	\$138,422	\$5.125	\$709.44	\$ 6.80	.97%
2015	\$136,134	\$5.16	\$702.45	\$12.44	1.8%
2014	\$133,465	\$5.17	\$690.01	\$ 3.70	.054%
2013	\$132,748	\$5.17	\$686.31	(\$22.10)	(3.2%)
2012	\$137,023	\$5.17	\$708.41	(\$ 9.19)	(1.3%)
2011	\$138,800	\$5.17	\$717.60	(\$13.96)	(1.9%)
2010	\$141,500	\$5.17	\$731.56		

Thus, the average homeowner in Marathon County will see their County tax bill increase by \$16.59 even though the tax rate declined by 8 cents. This happened because of a 4.4% increase in their property value.

REPLENISHMENT OF WORKING CAPITAL ACCOUNTS

The “good news” is that the 2020 budget is balanced without spending down any working capital funds.

The “bad news” is that there is no provision in the budget to repay any of the \$1,625,438 of working capital funds spent in 2018 to fund dramatic increases in correctional costs, justice alternatives program expansions and child welfare caused by the drug crisis.

The expenditures of working capital to fund the structural repairs to the Jail are being repaid through bonding. We can’t however, borrow for costs associated with the repairs that do not meet the definition of capital (\$600,000). We are going to need a plan for restoring those funds.

ADJUSTMENTS MADE TO BALANCE THE BUDGET

We are continuing two adjustments, started in 2019, in order to balance the budget:

1. We are budgeting closer to our real cost of employee compensation. In the past, our budgets assumed that all positions would be filled all year long. This resulted in surpluses in these accounts when there was turnover and there was a gap of time after the position incumbent left and before the new person started. Thus, in order to reduce over-budgeting for employee compensation, I have backed \$100,000 out of both the Sheriff’s Corrections Budget and the Highway Department Budget. Prior year surpluses suggest that this money will not be needed in 2020:

	<u>Highway</u>	<u>Corrections</u>
2018	\$342,102	\$403,226
2017	\$1,541,836	\$562,333
2016	\$497,027	\$562,333
2015	\$214,777	\$295,988

“Budgeting closer” doesn’t save any money, but it does avoid artificially inflating the cost of doing business.

2. We have fully applied the estimate of sales tax revenue provided to us by the State for 2020, \$13,479,000. In the past we budgeted most, but held some back as a cushion for a recession. This adds \$479,000 to our budget.

NEW POSITIONS

Ten (10) new full time equivalent positions were requested by department heads through our regular process which begins in the spring and gets final approval in September. We knew that the District Attorney would have additional requests for support positions but until the State budget was finalized we were not sure of what that might be and as a result, these requests could not work their way through our regular review process.

Most of the requested positions are funded in this budget recommendation:

1. In 2019, we amended the budget mid-year to add a Recreational Deputy in the Sheriff's Department. Also, consistent with the expressed desire of the County Board, we started 2 FTE Telecommunicators in 2019 with funds available by reducing the cost of out-of-county jail and other correctional expenses.
2. In 2020, we will add a 1 FTE position in the Solid Waste Department, a new job classification, "Environmental Health and Safety Specialist". Essentially, we are redirecting money we had paid to consultants to create the new position.
3. In 2020, at mid-year we will add 2 additional FTE Telecommunicators, for a total of 4 of the 6 positions we need to open a new police channel.
4. In 2020, we will add a .63 FTE position to the Treasurer's Office to do property listings in Wausau. In the past, Wausau did their own property listings but that will no longer be possible with the implementation of the new software that handles land records. The Treasurer prefers a full time position but is willing to give the part-time option a try.
5. In 2020, we will eliminate an Administrative Specialist position from the District Attorney's Office and add a Victim Witness Specialist and eliminate a Legal Secretary and add a Paralegal position. The upgrade to Victim Witness Specialist will raise our cost \$4,435 and the upgrade to Paralegal will cost \$14,592. The Paralegal upgrade is funded with offsetting revenues in County Administration Organizational Excellence revenues.

The Conservation, Planning and Zoning Department requested a 1 FTE Administrative Assistant position to support the POWTS Program. Correspondingly, the Environmental Resources Committee raised permit fees to support the new position costs. Well... that worked before we got the news on the cost of employee health care. Now, the new revenues from permit fees are being used to fund higher priorities and the POWTS Program will continue to be supported by a seasonal/temporary position. This is less than an ideal situation as the work is more of a regular, ongoing basis than temporary or seasonal.

All of the new position requests received considerable scrutiny as ours is a rigorous process. They were all determined to be solid requests, meeting documented needs. If we had the resources, we would fund them all.

More will be written about the position needs of the District Attorney's Office in the next section of this budget message. The District Attorney is seeking a 1 FTE **legal secretary** position and continued County funding for an Assistant District Attorney, neither of which are funded in this budget.

New & Expanded Position Requests - 2020

Dept	Request	Class Title (Working Title) Occ Code / DBM	DBM - Occ Code	Funding	CITY ADMIN APPROVAL TO PROCEED	FTE	County Funding - Levy			Non-Levy or Grant Funds			STANDING COMMITTEE APPROVAL	Supported by HR, F&P Committee
							Minimum	Mid-Point	Maximum	Minimum	Mid-Point	Maximum		

Positions Recommended To County Administrator To Include In 2020 Budget

1	Conservation, Planning & Zoning	Create	Administrative Assistant	A12 - 5021	30% Levy - tranfer from casual budget 70% POWTS Permit	Yes	1.00	\$16,355	\$17,798	\$19,240	\$38,163	\$41,528	\$44,894	Yes	8/27/2019	
2	Sheriff's Office	Create	Recreational Safety Deputy	CONTRACT	25% Levy 75% Reimbursements	Yes	1.00	\$23,848	\$23,848	\$23,848	\$71,543	\$71,543	\$71,543	Yes	8/27/2019	
3	Sheriff's Office	Create 6	Communications Specialists (6)	B23 - 5071	100% Levy	Yes	6.00	\$408,666	\$456,594	\$504,522				Yes	8/27/2019	
4	Treasurer's Office	Create	Administrative Coordinator-Property Lister	B23 - 5023	100% Levy	Yes	1.00	\$68,111	\$76,099	\$84,087				Yes	9/9/2019	
5	Solid Waste	Create	Regulatory Compliance & Environmental Health/Safety Specialist	B23 - 5233	100% Tipping Fees	Yes	1.00				\$68,788	\$76,895	\$85,001	Yes	9/9/2019	
6	District Attorney Office	Create	Depended upon state funding	Unknown	No Levy	Yes								Yes	Postpone until 9/30/19	
REQUESTED FTE'S & FUNDING FOR CONSIDERATION IN 2020 BUDGET								10.00	\$516,980	\$574,339	\$631,697	\$178,494	\$189,966	\$201,438		

Positions Included by County Administrator for 2020 Budget

1	Sheriff's Office	Create	Recreational Safety Deputy	CONTRACT	25% Levy 75% Reimbursements	Yes	1.00	\$23,848	\$23,848	\$23,848	\$71,543	\$71,543	\$71,543	Yes	8/27/2019	
2	Sheriff's Office	Create 2.0	Communications Specialists (6)	B23 - 5071	100% Levy	Yes	2.00	\$136,222	\$152,198	\$168,174				Yes	8/27/2019	
3	Treasurer's Office	Create .63 FTE	Administrative Coordinator-Property Lister	B23 - 5023	100% Levy	Yes	0.63	\$29,075	\$34,067	\$39,060				Yes	9/9/2019	
4	Solid Waste	Create	Regulatory Compliance & Environmental Health/Safety Specialist	B23 - 5233	100% Tipping Fees	Yes	1.00				\$68,788	\$76,895	\$85,001	Yes	9/9/2019	
5	District Attorney Office		Abolish Administrative Coordinator and Create Victim Witness Program Assistant				0.00	\$3,566	\$4,190	\$4,817					Postpone until 9/30/19	
3																
Estimated Costs:								4.63	\$192,711	\$214,303	\$235,899	\$140,331	\$148,438	\$156,544		

**COUNTY EMPLOYEES
MARATHON COUNTY: FULL TIME EQUIVALENT EMPLOYEES**

DEPARTMENTS:	2014	2015	2016	2017	2018	2019	2020	Incr. + Decr. -	See Note	NOTES
Clerk of Courts	34.00	34.00	34.00	34.00	34.00	34.00	34.00			(1) Eliminated 1.0 Administrative Specialist and created +1.0 Victim Witness Program Assistant.
Conservation Planning & Zoning	21.00	23.00	24.00	24.00	24.00	25.00	25.00			
Corporation Counsel	6.50	6.50	6.00	7.25	7.78	7.78	7.78			(2) Added 1.0 Recreational Deputy in 2019 (Contractual Position, funding from Parks, Rec & Forestry Dept.); Second 1.0 Recreational Deputy in 2020. Both assigned to PARKS, REC & FORESTRY DEPT.
County Administration	4.00	4.00	4.00	4.00	4.00	5.00	5.00			
County Clerk	4.50	4.00	4.00	4.00	4.00	4.00	4.00			(2) Added 1.0 Recreational Deputy in 2019 (Contractual Position, funding from Parks, Rec & Forestry Dept.); Second 1.0 Recreational Deputy in 2020. Both assigned to PARKS, REC & FORESTRY DEPT.
District Attorney	12.80	13.80	13.80	13.80	15.30	16.30	16.30	0.00	1	
Emergency Management	2.00	2.00	2.00	2.00	2.00	2.00	2.00			Added Communication Specialists for Dispatch. (+2.0 Added in 2019 and +2.0 to be added in July 2020)
Employee Resources	6.80	6.80	6.80	6.80	7.00	7.00	7.00			
Facilities & Capital Management	23.70	23.70	23.70	35.70	35.70	35.70	35.70			(3) Add +1.0 Regulatory Compliance & Environmental Health & Safety Specialist.
Finance	6.00	6.00	6.00	6.00	6.00	6.00	6.00			
Health	42.00	42.20	40.82	43.82	43.82	43.82	43.82			(3) Add +1.0 Regulatory Compliance & Environmental Health & Safety Specialist.
Highway	77.00	78.50	78.50	78.50	78.50	78.50	78.50			
Library	44.90	44.90	46.10	46.10	46.10	46.10	46.10			(4) Add +.63 Administrative Coordinator (Property Lister)
Medical Examiner	1.70	2.00	3.00	3.00	4.00	4.00	4.00			
Parks, Recreation & Forestry	43.00	43.00	43.00	43.00	44.00	43.60	43.60			(4) Add +.63 Administrative Coordinator (Property Lister)
Register of Deeds	7.50	7.50	7.50	7.50	7.50	7.50	7.50			
Sheriff	180.00	186.85	187.85	187.85	193.60	196.60	199.60	3.00	2	
Social Services	111.23	111.73	107.50	111.00	115.63	119.00	119.00			
Solid Waste	7.50	8.00	8.00	9.00	9.00	9.00	10.00	1.00	3	
Treasurer	5.00	5.00	5.00	5.00	5.00	5.00	5.63	0.63	4	
UW Extension	2.00	2.00	2.00	2.00	1.00	1.00	1.00			
Veterans	2.75	2.75	2.75	2.75	2.75	2.75	2.75			
TOTAL	645.88	658.23	656.32	677.07	690.68	699.65	704.28	4.63		
Central WI Airport	22.00	22.00	23.00	23.00	23.00	23.00	23.00			
ADRC-CW	58.73	57.71	57.71	58.11	58.11	58.11	58.11			
Special Education	76.50	81.50	83.50	84.00	84.00	98.50	98.50			

THE DISTRICT ATTORNEY'S OFFICE

We have a great group in the District Attorney's Office. Theresa Wetzsteon has taken on the role of department manager/administrator in a way prior District Attorneys did not. As a result, there has been a lot more thinking about how the department can best serve the public with the resources they have. They do important work and unfortunately are caught in a poor organizational structure with some of the employees being State employees and others being County employees and the State providing much of the office technology which needs to interface with the County's new law enforcement software.

The structural issue makes a lot of things more difficult. But right now I mean to focus on the interaction of the State budget calendar, human resource system and County's budget and human resource systems.

Some of the issues that arise because of the interaction of the two financial and personnel systems are:

- The concept has been that the State funds the attorneys and the county funds the support staff including legal secretaries and victim witness staff. The problem has been that the State was unwilling to fund the number of attorneys needed to protect public safety in Marathon County. Thus, for the past 2 budgets the County has funded 2.5 Assistant District Attorney (ADA) Positions.
- The State determines the salaries of the Assistant District Attorneys (ADAs) and for way too long they have low starting salaries and failed to fund pay progression. As a result, new employees are paid outrageously low. This has resulted in high turnover. Since 2002, we have had 40 prosecutors (ADAs) end their employment in the DA's Office and 22 departures since 2010. (For illustration: A new ADA position in 2020 will be less expensive than the proposed new paralegal position that supports the Attorneys.)
- The State Legislature in this year's budget allocated 4.5 "new" ADA Positions to Marathon County. If received, this would have saved the County \$163,144 from the 2.5 ADA positions previously funded by the County being converted to State funded positions, plus it would have provided Marathon County with two (2) additional prosecutors. However, the Governor intervened after the Legislature passed the budget and we received one of the additional state funded prosecutors but the second new position was allocated elsewhere in the State.

This all sounds great, until you realize that we had 7.5 ADAs funded by the State and 2.5 funded by the County and now we will have 11 ADAs all funded by the State but **the State's own analysis suggests that our County's need is for 18 ADAs.**

- The District Attorney was only notified of the Governor's decision on ADA allocation last week. The County's new position request and evaluation process starts in the spring and involves Administration evaluation, Standing Committee evaluation, and HR and Finance Committee evaluation before any of the budget decisions are made. The State's decision came late in our process and as a result we all have to scramble to figure out what needs to be done to keep our commitment to the State ***to provide the necessary office space and support staff for the prosecutors to be successful.***

When we increase the speed of criminal cases working through the courts so does our need to provide services required under **Chapter 950- Rights of Victims and Witnesses of Crime**. This includes services articulated in the **Bill of Rights for Victims and Witnesses** such as:

- To attend court proceedings and to be kept well informed about the progress of the case and court schedules with regard to case(s) that they are involved in.
- An opportunity to make an impact statement to the court.
- To receive protection from harm and threats of harm arising out of their cooperation with law enforcement and prosecution.
- To be provided waiting areas free of intimidation and emotional support during court proceedings.

To accommodate the additional workload that will develop as a result of one additional ADA prosecuting cases the District Attorney proposes that an Administrative Specialist position be eliminated and that a new Victim Witness Specialist position be created. This will incur an additional cost of \$4,435 which is in the 2020 budget recommendation. The tradeoff is that the department will no longer have a receptionist and we will rely on a bell in the lobby to notify staff of visitors physically present and a phone tree and voicemail for incoming calls.

This budget also upgrades a Legal Secretary position to Paralegal at a cost of \$14,592 which is offset by new revenues from the County Administrator Organizational Excellence Program

https://www.americanbar.org/groups/paralegals/profession-information/information_for_lawyers_how_paralegals_can_improve_your_practice/

The purpose of this position is to make the attorney and the whole office more efficient. Most large law offices have paralegal staff and they do work that would normally be performed by a lawyer, as long as the lawyer supervises the work such as:

- Conduct factual and legal research.
- Prepare documents for legal transactions.
- Draft notices.
- Interview clients and witnesses.
- Assist the prosecutor at trials.

The District Attorney has two new position requests that are not met in the 2020 budget Recommendation.

1. The creation of a Legal Secretary position. The upgrade of a Legal Secretary Position to Paralegal has addressed one issue but left the department short on Legal Secretaries.

The cost of a Legal Secretary position is \$76,099. (Midpoint with Family Health Care)

2. The creation of another ADA position, funded by the County.

The cost of the position is approximately \$80,000. (In the State's pay plan, thus harder to get an exact figure.)

We can easily make the argument that the delineation of responsibilities is clear the State funds the prosecutors and the County provides the support staff. That's great, but the reality is that we need 18 prosecutors and if we don't approve this position we are only going to have 12 prosecutors.

The need for prosecutors may increase in the next decade, but I think we can be safe in saying that ten years from now the state will still only be funding 12 prosecutors in Marathon County. Saying that the State should have done more may put us on a moral high ground but it will not help move criminal cases in Marathon County.

Marathon County has 16 FTE support positions in the District Attorney's Office, all of which are funded for 2020:

District Attorney's Office - Position FTE As Of Payroll Ending 10/5/19

	Position Title	FTE
1	ADMINISTRATIVE COORDINATOR	1.000
2	ADMINISTRATIVE COORDINATOR	1.000
3	ADMINISTRATIVE COORDINATOR	1.000
4	ADMINISTRATIVE COORDINATOR	1.000
5	ADMINISTRATIVE COORDINATOR	1.000
6	ADMINISTRATIVE COORDINATOR	1.000
7	ADMINISTRATIVE SPECIALIST	1.000
8	EXECUTIVE ADMINISTRATIVE COORD	1.000
9	LAW ENFORCEMENT & CORR ANALYST	0.500
10	LAW ENFORCEMENT & CORR ANALYST	0.500
11	SENIOR IT SPECIALIST	1.000
12	SOCIAL SERVICE PROFESSIONAL	1.000
13	SOCIAL SERVICE PROFESSIONAL	1.000
14	SOCIAL SERVICE SPECIALIST	1.000
15	SOCIAL SERVICE SPECIALIST	1.000
16	SOCIAL SERVICES COORDINATOR	1.000

I think that the new position requests are reasonable and will have the benefit of improving efficiency and make it possible for prosecutors to participate in an array of justice alternative program and move cases along faster which may have many benefits, including reducing unnecessary jail holds and potentially reducing our cost for housing prisoners in other counties.

I have not funded the two new position requests because I understand the County Board's priority to be Telecommunication Positions, created in anticipation of opening a new police channel. Unfortunately this year more than most, there is only so much money to go around.

EMPLOYEE HEALTH INSURANCE

Employee Health Care is a major expense. We paid as much as \$951,038 and as low as \$925,257 per month to our health care provider, Group Health Trust. (Payments vary depending on employee selections and the number of vacant positions.) Since 2015, we have not had a premium increase of more than 5%, while medical inflation trending about 6% many of those years. Further, we had 6 years where we received no increase at all, or a reduction in premium!

Well...nothing last forever. In preparing for this budget, we relied upon early claims data and projected a 3% increase in premium rates. With more money coming in for out-of-home placements and highways, things were looking pretty good.

But then it happened! Kim Hurtz, GHT Executive stopped by with our renewal rates and she said:

- We had some high claims months in the summer.
- The actuaries looked at our data and recommended a 12% increase.
- Kim worked with the actuaries and was able to reduce the rate increase to 9%.
- Kim and I talked and I told her that Marathon County cannot afford a 9% rate hike. We agreed to find plan design changes that will reduce the rate increase to 5%. (5% of \$12,000,000 is still \$600,000, which is better than \$1,080,000!)

I have not yet received Kim's recommended plan changes but she is confident that working together we can make it happen. These plan design changes will not be popular but we will still have a high quality benefit to offer our employees. We are going to do this, not because we want to, but because we have to.

The County Board will not have to get involved in the plan design changes, the staff will make those decisions and we will do a careful job in communicating both the changes and the context of why the changes needed to be made to employees. Prior to Act 10, any changes to the health plan would have had to be negotiated with employee unions. But, since Act 10, ten (10) of the County's bargaining units are now gone, which leaves us with only one employee union to bargain with, the Deputy Sheriff's Association. But even there, plan design is not a legal subject of bargaining and is subject to unilateral action by the County.

We had already planned for an increase in the employee contribution from 12.6% to 15% but now more will have to be done to reduce the cost to a level we can afford.

Even at 5% we cannot afford to do a few of the things I thought we might be able to do in this budget, like:

- Open a new police channel. I have found funding for 4 new Telecommunication positions because I know that this is a top priority of the board, but we need 6 new positions to open a new the channel.
- Create a new **legal secretary** position in the District Attorney's Office.
- Repay the working capital fund a quarter of the \$1,625,438 that was spent in 2018 to fund dramatic increases in correctional costs, justice alternatives program expansions including a drug court and an increase in out-of-home placements. When we receive settlement dollars from the opioid lawsuit, they should use to repay the working capital fund as the expenses that caused the money to be withdrawn were related to the opioid crisis.

If we could raise taxes, I would recommend that we do so and fund all three of these things. But we can't, so it comes down to what do you want to do with the money we have to work with?

Just so you are clear on your choices:

1. You can opt not to make any changes in plan design and make cuts elsewhere in the budget to make up for the increased premium costs.
2. You can make greater use of plan design changes and drive down the premium costs enough to fund all or many of the priorities currently unfunded in the budget.

It's all a matter of tradeoffs. I recommend a balanced approach where some of the increase is accounted for by plan design and a little more than half is absorbed as a cost increase.

1983-84 may seem like a lifetime ago to you but it seems like yesterday to me. That year our premium was \$132 per month for the family plan and \$53.13 for a single plan. Now, we are being charged a premium of \$2,000.57 per month for a family and \$737 for a single plan!

Earlier in the year I may have stated that some proposed investment sounded like a good idea and funding was not expected to be a problem... but now it is not included in the 2020 budget. It is because the 5% health care cost increase alone ate up a big chunk of the available new funds we have to work with. That was a game changer, and not in a good way.

Nothing we are experiencing is unique to us. Last year I quoted Kyle Christensen of Wisconsin Counties Association and I will do so again:

At least 60 of the 72 counties will experience a higher increase in the cost of employee health insurance than the State imposed levy caps will allow them to take in in new tax levy. (October 5, 2018 WCUTA Meeting)

Health Insurance – History Of Premiums

Updated – September 25, 2019

Year		Self-Funded VS Fully Insured	SINGLE		Employee +1		FAMILY	
			Full Premium	% Increase	Full Premium	% Increase	Full Premium	% Increase
2020 -15% employee contribution (5% Wellness Incentive)	Aspirus	Fully Insured	\$709.40	5.00%	\$1,702.54	5.00%	\$2,000.57	5.00%
	Broad	Fully Insured	\$769.90	5.00%	\$1,849.40	5.00%	\$2,173.37	5.00%
2019 -12.6% employee contribution (3% Wellness Incentive)	Aspirus	Fully Insured	\$675.62	3.00%	\$1,621.47	3.00%	\$1,905.30	3.00%
	Broad	Fully Insured	\$733.24	3.00%	\$1,761.33	3.00%	\$2,069.88	3.00%
2018 -12.6% employee contribution (3% Wellness Incentive)	Aspirus	Fully Insured	\$655.94	-1.98%	\$1,574.24	-3.09%	\$1,849.81	-3.20%
	Broad	Fully Insured	\$711.89	-1.00%	\$1,710.04	-2.03%	\$2,009.58	-2.14%
2017 -12.6% employee contribution (3% Wellness Incentive)	Aspirus	Fully Insured	\$669.18	-2.50%	\$1,624.39	-2.50%	\$1,911.04	-2.50%
	Broad	Fully Insured	\$719.06	-2.50%	\$1,745.50	-2.50%	\$2,053.53	-2.50%
2016 -12.6% employee contribution	Aspirus	Fully Insured	\$686.34	-6.12%	\$1,666.04	-6.12%	\$1,960.04	-6.12%
	Broad	Fully Insured	\$737.50	0.88%	\$1,790.26	0.88%	\$2,106.18	0.88%
2015 -12.6% employee contribution		Fully Insured	\$731.08	0.00%	\$1,774.65	0.00%	\$2,087.81	0.00%
2014 -12.6% employee contribution		Fully Insured	\$731.08	12.80%	\$1,774.65	12.80%	\$2,087.81	12.80%
2013 -12.6% employee contribution		Fully Insured	\$648.12	5.29%	\$1,573.26	5.29%	\$1,850.89	5.29%
2012 -12.6% employee contribution		Fully Insured	\$615.55	-14.54%	\$1,494.20	N/A	\$1,757.88	-9.31%
2011 - 10% Non-represented; 5% union employee contribution		Fully Insured	\$720.31	5.44%			\$1,938.30	5.41%
2010 - 5% employee contribution		Fully Insured	\$683.14	10.87%			\$1,838.79	11.00%
2009 - 5% employee contribution		Fully Insured Group Health Trust (GHT)	\$616.15	4.00%			\$1,656.57	4.00%
2008 - 5% employee contribution		Self-Funded	\$592.45	16.00%			\$1,592.85	16.00%
2007 - 5% employee contribution		Self-Funded	\$510.73	4.00%			\$1,373.15	4.00%
2006 - 5% employee contribution		Self-Funded	\$491.09	6.00%			\$1,320.34	6.00%
2005 - 5% employee contribution		Self-Funded	\$463.29	12.00%			\$1,245.60	12.00%

Year	Self-Funded VS Fully Insured	SINGLE		Employee +1		FAMILY	
		Full Premium	% Increase	Full Premium	% Increase	Full Premium	% Increase
2004 - 5% employee contribution	Self-Funded	\$413.65	30.00%			\$1,112.15	30.00%
2003 - 5% employee contribution	Self-Funded	\$318.19	10.00%			\$855.50	10.00%
2002 - 5% employee contribution	Self-Funded	\$289.26	2.50%			\$777.73	2.50%
2001 - 5% employee contribution	Self-Funded	\$282.20	5.08%			\$758.76	21.63%
2000 - 5% employee contribution	Self-Funded	\$268.57	6.06%			\$623.83	6.69%
1999	Self-Funded	\$253.23	12.55%			\$584.71	11.41%
1998 (1/5/98 - County won arbitration award RE: Hwy Union and PPO benefit plan)	Self-Funded	\$225.00	27.01%			\$524.85	25.39%
5/1/97 (PPO benefit plan for all employees except for Hwy Union)	Self-Funded	\$177.15	-16.00%			\$418.59	-16.00%
1997	Self-Funded	\$210.89	47.51%			\$498.32	36.16%
1996	Self-Funded	\$142.97	-8.42%			\$365.97	-5.54%
1995	Self-Funded	\$156.11	5.69%			\$387.44	4.68%
1994	Self-Funded	\$147.71	-4.57%			\$370.12	-3.28%
1993 (100/300)	Self-Funded	\$161.61	-22.94%			\$399.61	-12.38%
1993 (200/600)	Self-Funded	\$154.78	-26.19%			\$382.67	-16.10%
1992	Self-Funded	\$209.71	1.00%			\$456.08	1.00%
1991	Self-Funded	\$207.63	53.12%			\$451.56	42.05%
1990	Self-Funded	\$135.60	20.00%			\$317.89	20.00%
1989	Self-Funded	\$113.00	20.00%			\$264.91	20.00%
1988	Self-Funded	\$94.17	12.15%			\$220.76	12.63%
1987	Self-Funded	\$83.97	20.87%			\$196.00	21.85%
1986	Self-Funded	\$69.47	19.71%			\$160.86	10.88%
1985	Self-Funded	\$58.03	9.22%			\$145.07	9.21%
1983-84	Self-Funded	\$53.13				\$132.83	

EMPLOYEE COMPENSATION

The budget funds a 2% increase in employee compensation (\$1,531,401). These funds will be applied to the performance based pay structure in place:

- Total County Payroll for 2020= \$65,761,790.
- Tax Levy Supported Payroll= \$36,168,985.

Our pay-for-performance plan continues to be hindered by a lack of adequate funding.

COUNTY BOARD COMPENSATION

Based upon Rule 21 of the County Board Rules we had budgeted \$6,052 for County Board pay increases in 2020 (3%). We have eliminated the increase, as suggested by the HR and Finance Committee, those funds have shifted to Broadband Start-Up Funding.

Costing Based on 2% Increase Effective 4/19/20 Through 12/31/20

		2% Increase	Full Year Increase	4/19/20 to 12/31/20 7.5 months
Chair	1	\$600	\$600	\$375
Vice Chair	1	\$110	\$110	\$69
County Board Members	30	\$110	\$3,300	\$2,063
Chairs of Standing Committees	6	\$110	\$660	\$413
Estimated Salaries			\$4,670	\$2,920
Estimated Salary Increase Based on 2% Increase Compared to 2019				
FICA Retirement Rate		6.20%		\$181
FICA Medicare Rate		1.45%		\$42
Worker's Comp - Municipal		1.78%		\$52
Estimated Salaries and Benefit Increase Based On 2% Adjustment on 4/19/20 Through 12/31/20				\$3,195

WORKER'S COMPENSATION

The cost of worker's compensation decreased by 46% causing a savings of \$536,983.

HIGHWAY PAVING AND BRIDGE PROGRAMS

We are planning to spend \$6,811,071 on highway paving in 2020.

Our policy had been to pave 30 – 32 miles per year. In 2020, we have a new approach, our paving crew will pave 26 miles of 10 year service roads and 15 miles of 20 year lifecycle roads. In this program, we fund \$3,121,383 with tax levy and we secure \$689,688 of project funds (County Highway Improvement Program and STP Rural) for the same purpose. (As a “rule of thumb” one mile of paving cost is \$225,000 for full depth replacement, 20 year and \$170,000 for 10 year lifecycle.)

We have estimated vehicle registration fees of \$3,000,000. (116,750 vehicles registered in Marathon County @ \$24.83 net to the County = \$2,898,903) Those fund will be used to partially fund the 2020 County road paving program.

Additionally, we plan to replace three (3) bridges in 2020 with funding to come from bonding:

- CTH M, Fenwood Creek \$250,000 (This represents the County’s 20% cost share. There is an additional 80% which will be paid by the federal government.)
- CTH Y, Plover River \$176,980 (Again this is just the County’s 20% cost share and the rest is paid by the federal government.)
- CTH G, Trappe River \$299,305. The County pays the full cost of this project.

PARK DEPARTMENT SMALL CAPITAL PROJECTS

A number of our park facilities were built during the Great Depression Era and just like an old house many of these facilities are in constant need of upgrades. Several year ago we started the practice of setting aside \$100,000 to get the most important small capital projects done. In 2020, we will:

1. Replace South Fence at Marathon Park- \$26,000
2. Reset loose stones, replace missing stones on the steps to overlook at Dells of the Eau Claire Park- \$19,000
3. Repair Main Shelter Fireplace and wall pilings at Dells of the Eau Claire Park- \$18,500
4. Construct walking/cart path connecting concession area to the north end of the complex- \$10,500
5. Utility mapping at Marathon Park- \$8,000
6. Boiler line replacement at Nine Mile recreation area- \$6,500
7. Drinking fountain mounted on building for mountain bikers, hikers at Nine Mile- \$3,600

High Bridge Deck Replacement at Dells of the Eau Claire Park- \$ waiting on a quote

START RIGHT

Start Right is a program unique to Marathon County, which provides education and home visits to at-risk families with newborn children. The program costs \$1.7 million dollars. \$500,000 comes from grants, local foundations funding and Badger Care reimbursements and \$1.2 million dollars is County tax levy.

http://www.co.marathon.wi.us/Portals/0/Departments/HLD/Documents/MCHD_AnnualReport.pdf?ver=2019-06-19-144325-907

In a nut shell, here are the major components of the Start Right Program:

- “First Steps” – A public health nurse provides education and care coordination to women during their pregnancy and to families with a newborn baby.
- “Step-by-Step” involves outreach to families who could benefit from intensive one-on-one parent education. A parent educator, employed by Children’s Services provides education with emphasis on parent-child interaction, child development and early learning.
- “Stepping Stones”- A parent educator provides parenting and child development to parents over the phone, by e-mail, or by visiting a Family Resource Center.
- “Stepping Out” involves Family Resource Centers in the communities of Athens, Edgar, Hatley, Marathon, Mosinee, Spencer, Stratford and Wausau. “Play N’ Learn” is offered at the centers which focuses on parent-child interaction. Additionally, center staff are looking for indications that the family might benefit from other community offerings.

The County’s investment in Start Right is intended to reduce costs elsewhere in the County budget including:

- Child Abuse and Neglect
- Foster Care and out-of-home placements
- Mental health services and interventions
- Arrests and incarcerations

The Health Department 2018 Annual Report has, starting on page 27, a full explanation of the program and a summary of the outcomes achieved. Use the link provided above to access that report.

BROADBAND EXPANSION

The County's Strategic Plan makes broadband expansion a top priority.

OBJECTIVE 8.7: Strive to provide affordable, reliable, high-speed internet access throughout the County

Melinda Osterberg, UWEX Educator, is coordinating the County's efforts to develop a Broadband Plan and Assessment for Marathon County. Design Nine from Blacksburg, VA was selected as the vendor to conduct the study. That report will be completed before the end of the calendar year.

The completed study will help us compete for grants to help build the basic infrastructure for Internet Service Providers.

The report will recommend a long term funding strategy that will involve some County tax levy earmarked for broadband improvements.

Grants are going can be a big part of first-phase build-out initiative. But we are warned that communities that rely too heavily on "the next grant" as a key source of expansion or operational funding usually experience severe financial problems.

I have budgeted \$56,052 for start-up funds for broadband expansion in 2020. The study is not yet far enough along that I can tell you specifically how these funds will be used.

FUNDING OF NON-PROFIT ORGANIZATIONS

County funding of non-profit organizations has been the source of controversy for 25 years.

The objection has always been- ***if you can't afford to fully fund mandated County services, why are you using County funds to support services provided by non-profits that can raise money in the community by other means?***

In 2018, we notified the non-profit organizations that they would be fully funded in 2019 but that consecutive 25% reductions in funding were possible starting in 2020.

I have stayed in close contact with the Executive Committee with regard to this issue. The 1st thing that they asked is that the non-profit programs funded by the County be evaluated using the same Priority Based Budgeting (PBB) Tools that we use on county administered programs.

We ran the programs through the PBB process and we learned that all the programs administered by the non-profits landed in Quadrant 4 except the 2-1-1 Program administered by United Way, Women's Community and the North Central Community Action Program which landed in Quadrant 3.

In a subsequent conversation, the Executive Committee recommended that **the 25% reduction in county funding for programs administered by non-profits be implemented in 2020.**

While all this was going on, three additional non-profit organizations explored the possibility of county funding with a Standing Committee of the County:

- The Public Safety Committee supported the idea of funding providing Wisconsin Judicare with \$15,000 to partially fund Mediation Services Project started in 2017 with a start-up grant. This program was supported by Judge Greg Strasser who told the committee that if the courts could be freed-up from landlord tenant cases, eviction cases, small claims appeals, voluntary restraining orders they could focus more on moving criminal cases along more quickly and as a result reducing our jail population.
- The Health and Human Services Committee was supportive of a homeless shelter for teens supported by a new non-profit organization called **Keeping Area Teens Safe (KATS)**. Later, however, the Corporation Counsel determined that the County could not directly fund this program but that it could contract for specific services from the group on behalf of teens needing the protection of the homeless shelter.
- The Extension, Education and Economic Development Committee was supportive of a proposal by the Marathon County Literacy Council but did not take any action on the matter other than to ask the Library Board to weigh in on the discussion. That request was for \$5,000 with the opportunity for a foundation match if county funding is approved.

The direction received from the Executive Committee with regard to new funding requests is that **funding could be transferred** from a Department recognizing a savings from the new community initiative but that no new funds should be allocated.

- The Sheriff agreed to reduce his out-of-county jail funding allocation by \$15,000 with the expectation that more judicial time focused on processing criminal cases will reduce the jail population. I will ask the Evidence Based Decision-Making Group to monitor in 2020 whether there is a savings of judicial time as a result of mediation.

With all that, here are my budget recommendations for non-profit organizations in 2020:

2-1-1 Information and Referral (United Way)	\$ 30,000
Crime Stoppers	\$ 3,750
Educational Bootcamp	\$ 30,000
Healthy Teens (Boys and Girls Club)	\$ 18,750
Historical Society	\$ 40,782
Marathon County Development Corporation	\$135,000
North Central Community Action Program	\$ 25,318
Partners for Progressive Agriculture	\$ 15,000
The Women's Community	\$ 61,250
Wisconsin Valley Fair	\$ 15,000
Judicare Mediation Services Project	<u>\$ 15,000</u> (New)
Total:	\$389,850

ADULT DETENTION FACILITY (aka "JAIL") CENSUS

Things were going along well with our Jail right up to the late summer, our census was down about 15%. With the implementation of a new "hot sheet" inmate hearings were moving along much better and releases occurring sooner than before.

Then came the structural issues with the facility and the need to move inmates out of sections that were not safe. Well...you know that story.

The good news is that the facility's structural issues will be fully resolved before the end of the calendar year and, because of necessity, we will know the results of having more inmates out on a monitor than we had previously. Clearly home monitor is cheaper than out-of-county jail fees, the question is: **As we add participants with a higher risk level, what is the impact to public safety?**

The monthly average jail census in 2019 is 358.13. This is quite an improvement over last year's 392.67 and 2017's 401.75.

We are making progress but we have a way to go yet. Our Jail maximum capacity is 279 and our target census is 223.

Our cost to house inmates in out-of-county jails in 2020 is \$1,140,000. This is a great improvement from 2018 when our actual cost of out-of-county jail holds was \$1,479,643!

We project a \$120,000 increase in the cost of inmate medical and dental costs. That account will be \$1,030,375 in 2020. The increase can be attributed to the nursing shortage in Wausau and our provider having to pay more to attract staff.

One thing the Sheriff asked me to emphasize was that the jail census is the product of a "public safety system" where multiple players (Judges, District Attorney, Community Corrections, Justice Alternatives, NCHC, Police Agencies) need to work together to achieve a goal like reducing the jail population. Reducing the census in isolation is easy, doing so in a manner that strengthens public safety requires a thoughtful approach which focuses on the best interests of County residents, not just cost reduction. So far that public safety system is doing extremely well!

JAIL CENSUS

YEAR	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL	MONTHLY AVERAGE
2019	381	369	358	347	350	353	362	345					2865	358.13
2018	374	374	400	411	418	412	408	397	394	388	379	357	4712	392.67
2017	400	413	399	441	394	399	422	423	404	379	372	375	4821	401.75
2016	351	359	348	358	361	371	380	371	401	410	398	395	4503	375.25
2015	327	329	345	365	356	337	328	331	338	337	340	339	4072	339.33
2014	343	349	342	352	341	342	347	341	344	347	358	329	4135	344.58
2013	352	362	348	343	346	374	371	362	358	366	367	348	4297	358.09
2012	310	306	305	326	327	322	327	341	334	345	336	339	3918	326.50
2011	287	293	305	303	298	305	298	301	298	293	294	290	3565	297.09
2010	303	298	298	312	302	296	303	312	300	302	292	284	3602	300.16
2009	303	315	326	317	334	335	326	339	338	324	326	315	3898	324.84
2008	336	340	350	346	347	359	346	355	352	359	354	328	4172	347.67
2007	326	326	330	319	322	334	326	323	341	357	349	334	3987	332.25
2006	357	361	381	387	376	375	366	344	350	337	327	317	4278	356.5
2005	304	300	315	337	324	337	353	339	327	353	357	361	4007	333.92

There are no easy answers to the jail census challenge, but we have a number of important initiatives underway including:

- Expanded house arrests
- Operating While Intoxicated (OWI) Court
- Drug Court
- CART team pairing police officers and mental health professionals to better address mental health related problems, so that the Jail doesn't become the default option.

All these initiatives are funded in the 2020 budget.

OUT-OF-HOME PLACEMENT OF CHILDREN

In 2020, we will spend more than 6 million dollars placing children needing protective services and in the youth justice system in the community or in an institution of care.

Placement Type	Actual	10 year	Budgeted	Average Placement Cost	2020 Budgeted Placement Cost	2019 Budgeted Placement Cost	Difference Between 2019 and 2020 Budgeted Placements
Correctional Care	1	2	2	\$198,024	\$ 396,048	\$ 144,900	\$251,148
Residential Care Center	10	15	11	174,162	1,915,782	1,734,196	181,586
Group	5	10	10	83,182	915,000	1,006,424	(91,424)
Treatment Foster Home	17	12	18	48,331	966,627	877,686	88,941
Specialized Foster Home	13	16	14	19,979	279,705	276,760	2,945
Foster Home	92	67	96	10,237	982,734	773,495	209,239
County Kinship	35	31	54	3,048	164,592	207,888	(43,296)
Long-Term Guardianship-Kinship	55	N/A	60	3,048	182,880	161,040	21,840
Voluntary Kinship	22	74	39	3,048	118,872	114,192	4,680
Subsidized Guardianship	9	4	11	14,435	158,787	239,352	(80,565)
Foster Care to 21	0	NA	0	0	-		
TOTAL	259		318		\$6,081,027	\$5,535,933	\$545,094

This represents a \$545,094 increase from the budget for 2019. This is \$179,844 less than the amount recommended by the Social Services Board as it reduced the budget for Group Home Care by 1 and Treatment Foster Care by 2. This is a risk, as placements are driven by the needs of children and families, not by the budget.

FUNDING OF REGIONAL GOVERNMENT ENTITIES

1. The County’s funding of the City-County-NCHC Technology Department is \$1,673,535, a 2.6% increase over 2019. By agreement the County Board cannot reduce the amount contributed for technology support. The new budget includes increased investments in data security.
 - a. County Share of Operating Expense \$1,241,137
 - b. Share of City and County Operating Expense \$ 323,309
 - c. Share of Capital Expense \$ 4,333
 - d. Share of Qualtrics \$ 2,127
 - e. Marathon County Direct Expenses \$ 157,633
 - f. Less Other Revenue Sources (\$ 55,004)

2. Funding for the ADRC-CW is the same as it was when the regional entity was created, \$395,367. New in 2020, are the funds transferred by NCHC for Adult Protective Services (\$398,991)
3. Funding in the form of County tax levy, for North Central Health Care is the same as it was in 2019. In 2022 it is \$4,382,212 minus funds transferred to ADCR-CW for Adult Protective Services (\$398,991) and funds transferred to Special Education for the Birth to Three program (\$513,729).

SHARED SERVICES	
Hospital Psychiatry	\$ 389,630
Crisis	1,364,121
Contract Services	664,096
TOTAL	\$ 2,447,867

MARATHON COUNTY ONLY PROGRAMS

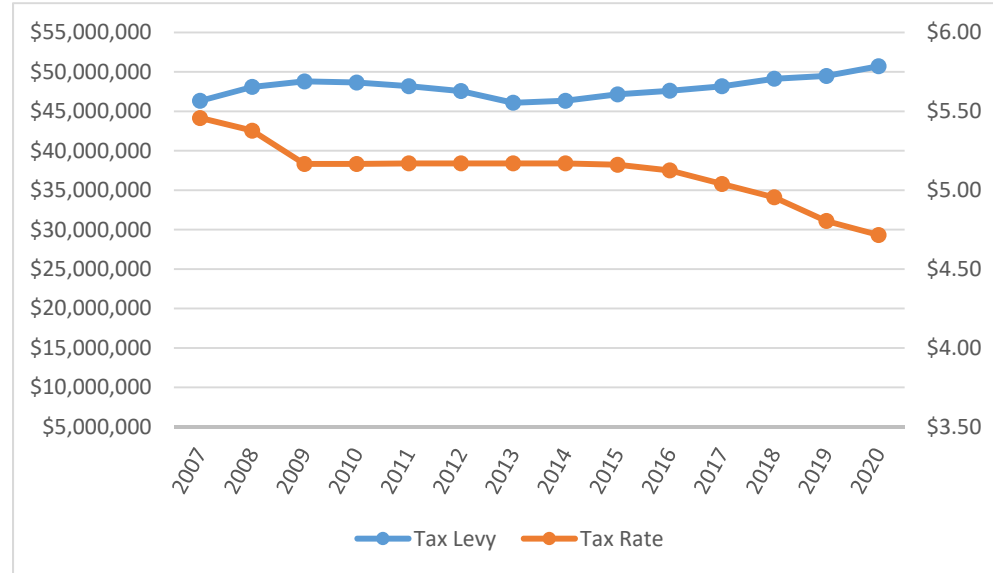
North Central Health Care operates a number of programs directly for Marathon County that require tax levy support to operations. The largest program is Mounty View Care Center (MVCC).

Community Corner Clubhouse	\$ 92,000	
Aquatic Therapy Pool	342,345	
MVCC – Long Term Care	428,000	} \$1,500,000
MVCC – Legacies Dementia Care	1,072,000	
TOTAL	\$1,934,345	

- A. Funding for our membership in the North Central Regional Planning Commission continues to be \$43,000 and is incorporated into the budget.

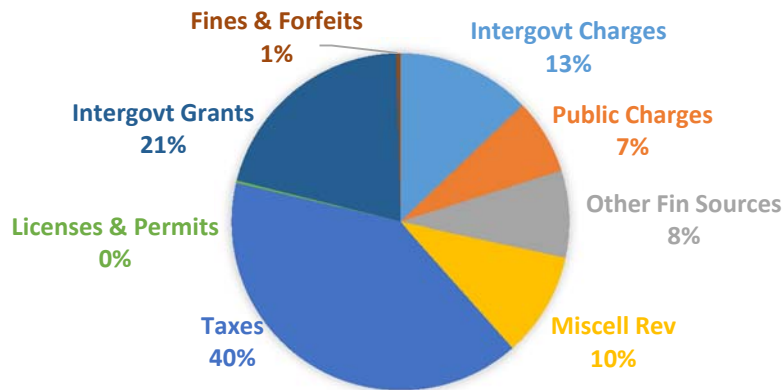
Tax Levy & Tax Rate

Budget Year	Tax Levy	Tax Rate
2007	46,326,948	5.4574
2008	48,093,638	5.3775
2009	48,793,927	5.1665
2010	48,653,812	5.1665
2011	48,191,420	5.1700
2012	47,573,011	5.1700
2013	46,090,851	5.1700
2014	46,340,765	5.1700
2015	47,152,340	5.1613
2016	47,608,889	5.1252
2017	48,180,111	5.0398
2018	49,135,092	4.9549
2019	49,489,841	4.8047
2020	50,711,295	4.7160



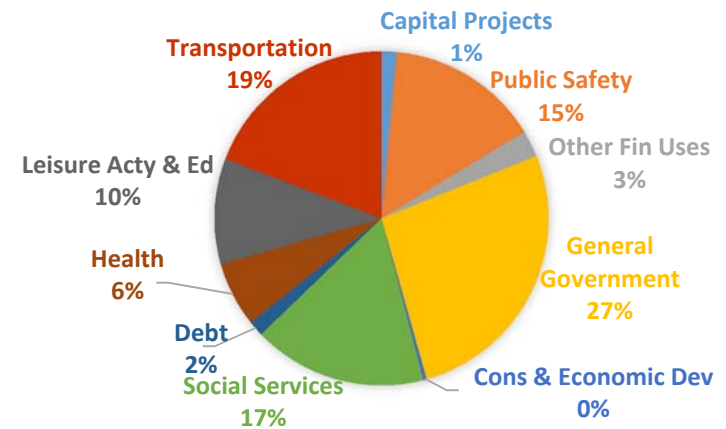
Revenue & Expense Budgets by Category

2020 RECOMMENDED BUDGET REVENUES



\$171,013,605

2020 RECOMMENDED BUDGET EXPENSES



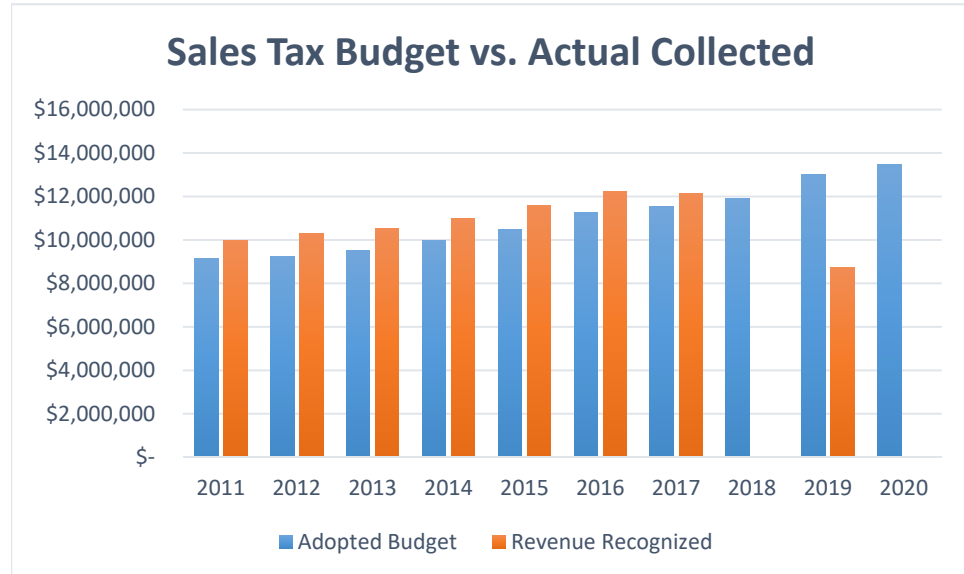
\$171,013,605

Sales Tax

Marathon County has collected sales tax since 1987. The main portion of the annual sales tax collection is used in the regular operating budget for the county. We project a \$479,000 increase in sales tax collections in 2020.

Budget Year	Adopted Sales Tax Budget	Actual Sales Tax Collected
2011	9,150,000	9,998,265
2012	9,150,000	10,311,949
2013	9,500,000	10,555,003
2014	10,000,000	10,977,152
2015	10,500,000	11,592,871
2016	11,293,400	12,223,836
2017	11,550,000	12,157,767
2018	11,900,000	12,622,576
2019	13,000,000	8,727,531 *
2020	13,479,000	-

*Actual collected at 8/31/19



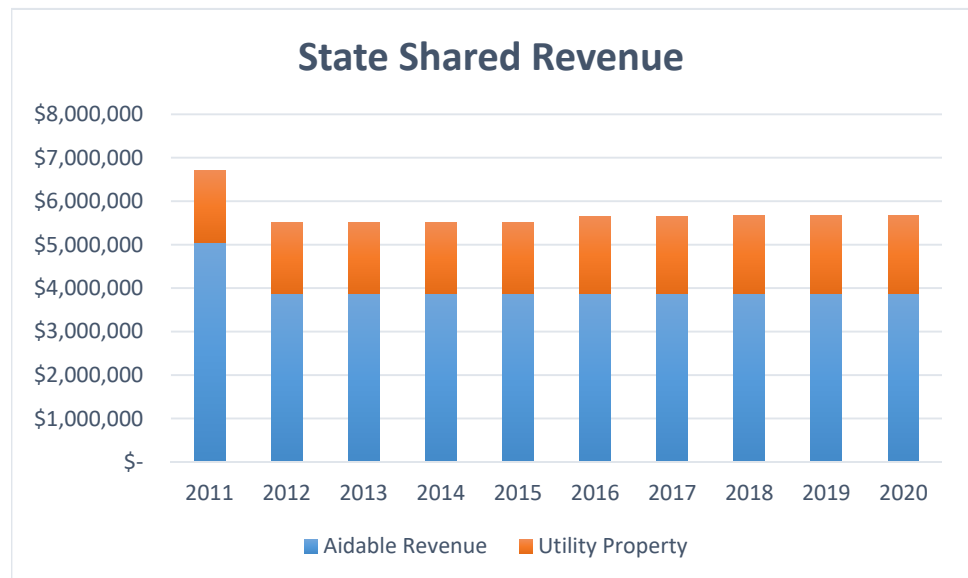
State Shared Revenue

Chapter 79 of the Wisconsin Statutes establishes several broad objectives in the state shared revenue formula:

1. Counties use state shared revenues to finance local expenditures which in turn reduces the amount needed to be raised from property taxes thereby providing property tax relief.
2. Compensate local units of government for taxes on certain public utility property that is not taxed locally.

An annual ad valorem payment for utility property that is located in the county that is taxed by the state is included in the formula. The largest portion of the formula is based on aidable revenues. In 2010 with Weston 4 on-line the utility portion has dramatically increased.

Budget Year	Aidable Revenue	Utility Property	Total Shared
2011	5,056,841	1,646,587	6,703,428
2012	3,877,717	1,639,989	5,517,706
2013	3,877,717	1,643,222	5,520,939
2014	3,877,717	1,637,762	5,515,479
2015	3,877,717	1,644,525	5,522,242
2016	3,877,717	1,776,433	5,654,150
2017	3,877,717	1,776,433	5,654,150
2018	3,877,717	1,793,508	5,671,225
2019	3,877,717	1,790,455	5,668,172
2020	3,877,717	1,790,455	5,668,172



Fund Balance Policy

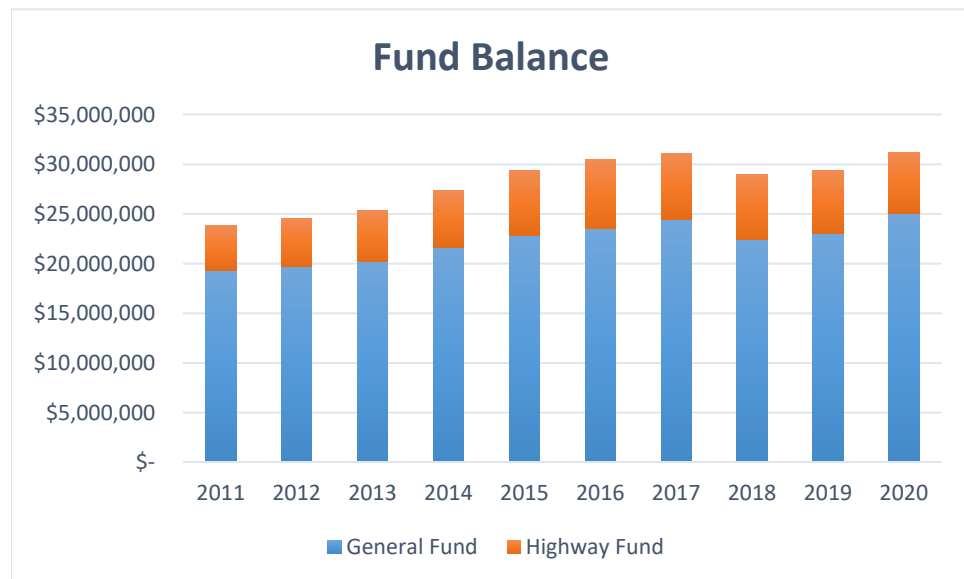
In 1989 the County Board adopted a policy for retaining working capital. This formula sets the minimum requirement for available funds on hand. This dollar value, which approximates 8.5% of the operating budget (10% of the Highway budget) is the basic minimum level of funding set by the county to ensure a sufficient cash flow balance.

The Working Capital Designation looks at two different types of funds that need to be included in the formula. The two types of funds are:

1. The General Fund
2. Any fund requiring tax levy for support

The following chart shows the history:

Budget Year	General Fund	Highway
2011	19,334,963	4,492,611
2012	19,732,613	4,855,177
2013	20,189,885	5,215,070
2014	21,649,074	5,736,931
2015	22,883,813	6,497,983
2016	23,510,697	6,993,356
2017	24,466,583	6,588,118
2018	22,391,145	6,588,118
2019	23,044,282	6,375,143
2020	25,044,014	6,191,987



5-Year Capital Improvement Program (CIP)

The County adopted its first five year C.I.P. in 1991, and continues to do so every year. Capital projects included in the CIP are defined as:

1. An expenditure that is for a County department, operation or in the best interest of the County
2. Generally non-recurring
3. Has a cost of over \$25,000
4. Has a service life of 7 years or more
5. Rolling stock and equipment replacement that is of critical importance to the functioning of the department involved

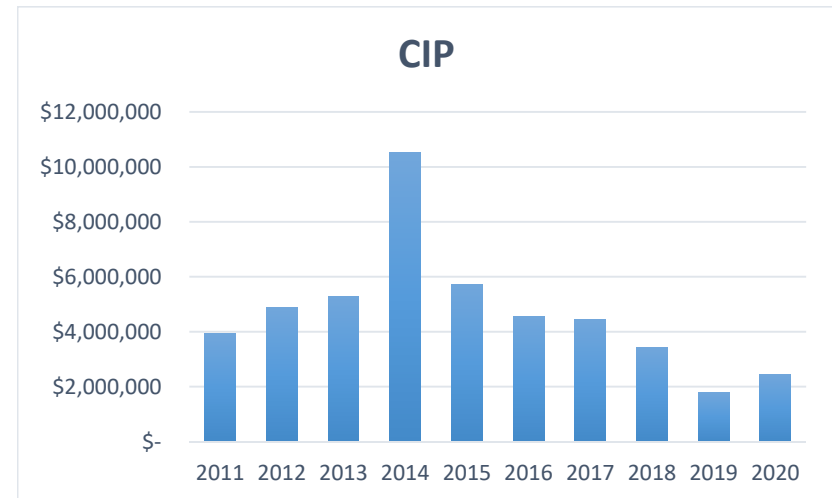
Major sources of funding are:

1. Prior year fund balance
2. Current year tax levy
3. Bonding (borrowing)
4. Revenues from enterprise funds (fees) to cover the cost to acquire replace or expand current capital needs

Using prior year undesignated fund balance allows for flexibility in the capital improvement process, provides stability to the tax rate because the unspent fund balance is not used to offset following years operating needs, and provides much needed funds for capital projects without borrowing. With this policy in place the departments are required to use only current revenues to finance their current operating needs. The following charts show the history of the funding used to finance capital projects. In 2004 the County Board formally adopted the CIP funding policy which states that undesignated funds remaining in the budget after the working capital formula is completed, are transferred, in the year following the audit to the capital improvement program. The County has avoided borrowing for many projects by having this policy in place.

For the 2020 CIP budget, we allocated approximately \$2.4 million in fund balance, much of which came from undesignated fund balance remaining at the end of 2018.

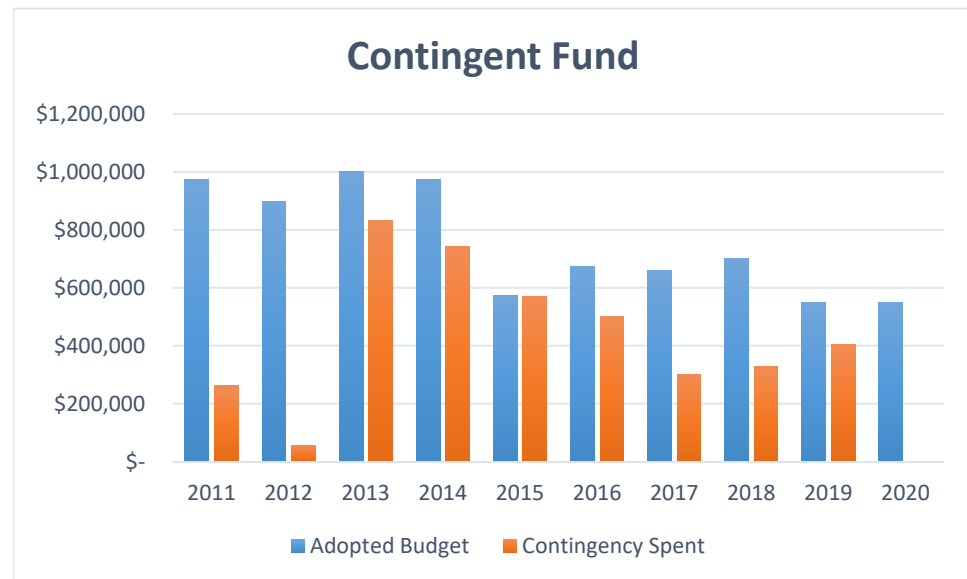
Year	CIP (Fund Bal. Transfers)	Year	CIP (Fund Bal. Transfers)
2011	3,925,026	2016	4,566,529
2012	4,883,932	2017	4,448,447
2013	5,300,089	2018	3,426,108
2014	10,521,395	2019	1,793,920
2015	5,707,032	2020	2,445,259



Contingent Fund

For many years Marathon County had in place a Contingent Fund Policy which set the Fund at approximately .7% of the gross operating budget for the year. In 2003 the policy changed slightly, setting the Contingent Fund at a “base” amount of \$700,000, and adjusting it based on the CPI each year (Consumer Price Index) only if needed. I am recommending that \$50,000 of the Contingent Fund be made available in 2020 to be used by the Finance and Property Committee for special funding requests and that the total fund for 2020 is \$550,000 which is the lowest level in the past 10 years.

Budget Year	Contingent Fund Budget	Contingent Fund Spent
2011	975,000	262,600
2012	899,500	54,902
2013	1,000,000	832,981
2014	975,000	744,368
2015	572,086	570,000
2016	675,000	500,000
2017	658,693	300,000
2018	700,000	328,000
2019	550,000	405,435 *
2020	550,000	-



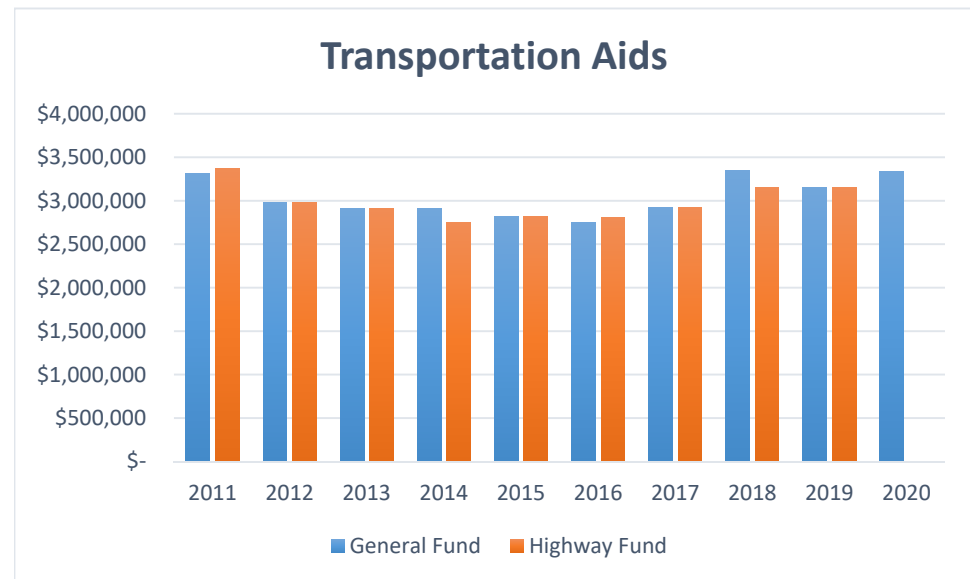
*Estimate at 9/30/19

Transportation Aids

Marathon County is entitled to a share of revenue collected for transportation purposes (gas tax) and distributed by the State of Wisconsin. The County's share of such revenue is based on formulas set forth under Section 86.30(9). The County's share of transportation revenues provides for fundamental transportation needs including maintenance, operation, and construction of safe local roads.

Year	Budget	Actual
2011	3,316,942	3,366,220
2012	2,985,247	2,985,247
2013	2,908,230	2,914,009
2014	2,914,009	2,750,997
2015	2,820,570	2,820,570
2016	2,748,168	2,803,131
2017	2,921,132	2,921,133
2018	3,345,441	3,154,121
2019	3,155,341	3,155,341 *
2020	3,338,202	-

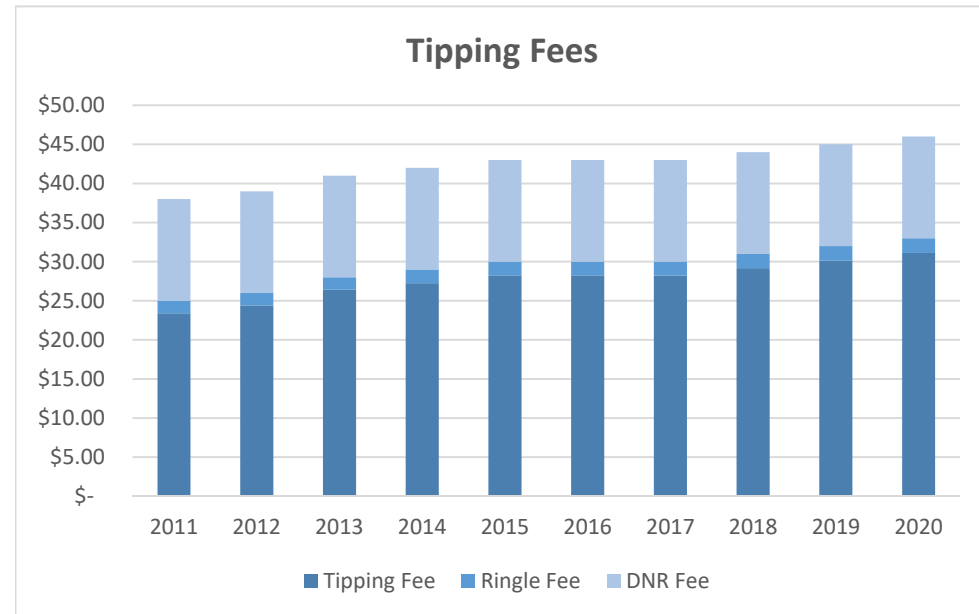
*Estimate



Tipping Fee/Surcharge Usage

Wisconsin Statute 59.70 (2) authorizes the county to create and operate a solid waste management system. For Marathon County the site is located in Ringle. The landfill is solely operated by the revenues derived from the tipping fee (history is listed below) and has never needed tax levy.

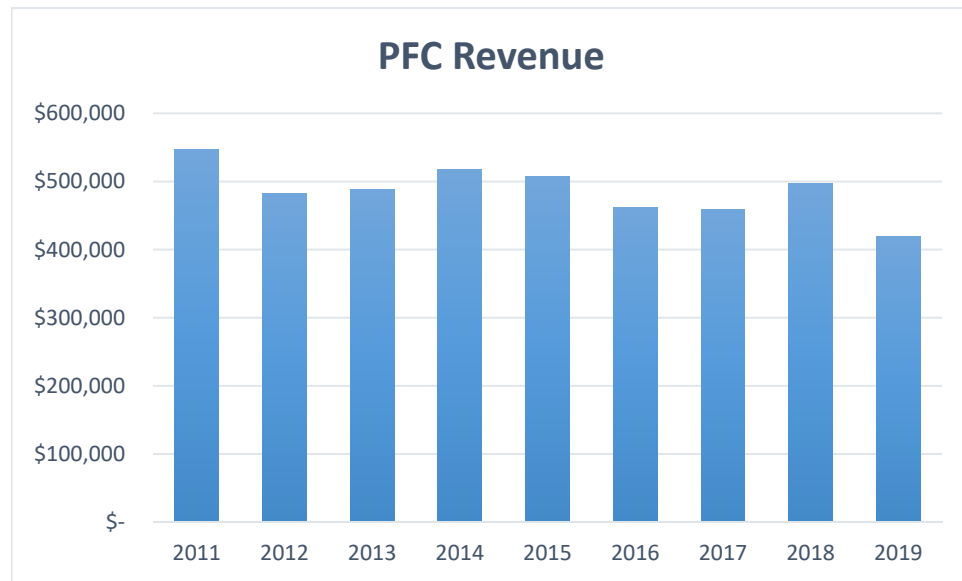
Per Ton Fees				
Year	Tipping Fee	Ringle Fee	DNR Fee	Total
2011	23.40	1.60	13.00	38.00
2012	24.40	1.60	13.00	39.00
2013	26.40	1.60	13.00	41.00
2014	27.24	1.76	13.00	42.00
2015	28.24	1.76	13.00	43.00
2016	28.24	1.76	13.00	43.00
2017	28.21	1.79	13.00	43.00
2018	29.18	1.82	13.00	44.00
2019	30.14	1.86	13.00	44.00
2020	31.11	1.89	13.00	46.00



Central WI Airport Passenger Facility Charge

Congress passed legislation in 1991 allowing airports to collect Passenger Facility Charges (PFCs) and that provision went into effect when the bill was signed into law in 1991. As of September 1, 2007, the PFC charge has been raised to \$4.50, which allows CWA to collect additional revenue for specific airport development projects. We continue to partner with Portage County to support the airport and determine the type of development needed in our regional airport that serves the entire Central Wisconsin area.

Year	PFC Revenue
2011	547,403
2012	481,846
2013	488,954
2014	517,290
2015	507,925
2016	462,342
2017	458,866
2018	497,089
2019	419,322 *



*Through 9/30/19

SUMMARY OF KEY CHANGES IN THE 2020 BUDGET AND A PREVIEW OF THE 2021 BUDGET

Here are some of the highlights: on the 2020 budget and a preview of what we can expect for 2021:

- Most department budgets are increased 3% or less.
- The 2020 budget is balanced without spending down any working capital reserves. But we still have no plan to repay the \$1,625,438 used to balance the 2018 budget or the \$600,000 of non-capital expenses associated with the Jail Structure Repair.
- The 5% increase in employee health insurance made balancing this budget more difficult.
- We received more money for child abuse and neglect services but we also project a \$545,094 increase in out-of-home placements. Out-of-home placements of children, including drug endangered children, continues to represent a major expense related to a drug epidemic in Marathon County.
- We receive more General Transportation Aids from the State but our project specific funds went down from \$2,067,337 to \$659,680. (CHIP and STP Rural Funds)
- There is funding for 4 new dispatcher positions. 2 starting late in 2019 and 2 starting after July 1, 2020. It takes 6 positions to open a new police channel but finding sufficient funding for 6 new positions all at once, with all our other needs, seems to be a bridge too far.
- We will pave 25 miles of 10 year service roads and 15 miles of 20 year lifecycle roads in 2020. That \$6,811,071 cost is augmented by \$3,000,000 in vehicle registration fees.
- Broadband expansion will get a big boost in 2020 as we will be prepared to compete successfully for grants for needed infrastructure. We have \$56,052 of start-up funds allocated to broadband expansion.
- The process of phasing out county funding to non-profit agencies has begun.
- The trend of borrowing more for capital expenses continues; 15 years of levy limits have left us little choice.
- When, and if, we get any funds from the opioid lawsuit against the pharmaceutical manufacturers, it should be used to replenish the working capital account. (Think of what would have happened if we didn't have a working capital account when the Jail structural issues emerged.)

- Our financial future is uncertain but a couple of trends can be anticipated:
 - We are not going to be free of State imposed levy caps anytime soon. We can't increase tax rates. In fact, we have to reduce them.
 - Our capital needs far exceed the fund balance brought forward from a prior year. We are not really saving money by postponing maintenance.
 - We need to have a discussion with our legislators about how the levy caps are having the unintended consequence of pushing us to borrow for things that meet their definition of capital assets but are really regular maintenance projects.
 - Borrowing for capital is the new norm and while it helps escape the levy caps, it also increases our true cost of providing services.
 - Sales tax revenue has gone up recently but you can't rely on a strong economy forever.
 - State aids have gone up in some areas but if the economy goes into recession, that progress will slow.
 - We have to get better about routinely evaluating our user fees. We are going to talk about this in December.
 - None of our major expenses (public safety, child welfare, transportation infrastructure) is reducing in cost and our "cost-to-continue", just doing what we did the prior year, exceeds our increases in intergovernmental funds and property taxes.

MARATHON COUNTY
FIVE YEAR DEPARTMENT BUDGET COMPARISON
2016-2020 HUMAN RESOURCES, FINANCE AND PROPERTY APPROVED

Department	Expenses			Revenues			Tax Levy		
	Expenses	Increase (Decrease)	% over Previous Year	Revenue	Increase (Decrease)	% over Previous Year	Tax Levy	Increase (Decrease)	% over Previous Year
Administration/Justice Systems Alternatives									
2020	2,476,422	99,739	4.20%	481,616	90,866	23.25%	1,994,806	8,873	0.45%
2019	2,376,683	28,055	1.19%	390,750	(98,214)	-20.09%	1,985,933	126,269	6.79%
2018	2,348,628	250,309	11.93%	488,964	275,214	128.76%	1,859,664	(24,905)	-1.32%
2017	2,098,319	(4,451)	-0.21%	213,750	0	0.00%	1,884,569	(4,451)	-0.24%
2016	2,102,770	1,411,456	204.17%	213,750	212,000	12114.29%	1,889,020	1,199,456	173.94%
Capital Improvements									
2020	2,490,411	992,779	66.29%	2,178,657	711,325	48.48%	311,754	281,454	928.89%
2019	1,497,632	(1,109,746)	-42.56%	1,467,332	(899,996)	-38.02%	30,300	(209,750)	-87.38%
2018	2,607,378	266,472	11.38%	2,367,328	404,172	20.59%	240,050	(137,700)	-36.45%
2017	2,340,906	(1,180,775)	-33.53%	1,963,156	(1,398,525)	-41.60%	377,750	217,750	136.09%
2016	3,521,681	(1,518,706)	-30.13%	3,361,681	(1,455,706)	-30.22%	160,000	(63,000)	-28.25%
Clerk of Circuit Courts									
2020	3,508,210	190,838	5.75%	1,780,580	100,000	5.95%	1,727,630	90,838	5.55%
2019	3,317,372	22,697	0.69%	1,680,580	0	0.00%	1,636,792	22,697	1.41%
2018	3,294,675	(68,641)	-2.04%	1,680,580	0	0.00%	1,614,095	(68,641)	-4.08%
2017	3,363,316	74,237	2.26%	1,680,580	(65,000)	-3.72%	1,682,736	139,237	9.02%
2016	3,289,079	61,100	1.89%	1,745,580	28,000	1.63%	1,543,499	33,100	2.19%
Conservation, Planning & Zoning									
2020	3,169,776	(14,544)	-0.46%	1,838,732	4,399	0.24%	1,331,044	(18,943)	-1.40%
2019	3,184,320	(196,068)	-5.80%	1,834,333	(163,582)	-8.19%	1,349,987	(32,486)	-2.35%
2018	3,380,388	86,964	2.64%	1,997,915	85,467	4.47%	1,382,473	1,497	0.11%
2017	3,293,424	(291,180)	-8.12%	1,912,448	(307,480)	-13.85%	1,380,976	16,300	1.19%
2016	3,584,604	(495,292)	-12.14%	2,219,928	(530,674)	-19.29%	1,364,676	35,382	2.66%

MARATHON COUNTY
FIVE YEAR DEPARTMENT BUDGET COMPARISON
2016-2020 HUMAN RESOURCES, FINANCE AND PROPERTY APPROVED

Department	Expenses			Revenues			Tax Levy		
	Expenses	Increase (Decrease)	% over Previous Year	Revenue	Increase (Decrease)	% over Previous Year	Tax Levy	Increase (Decrease)	% over Previous Year
Contingency									
2020	550,000	0	0.00%	0	0	0.00%	550,000	0	0.00%
2019	550,000	(150,000)	-21.43%	0	0	0.00%	550,000	(150,000)	-21.43%
2018	700,000	41,307	6.27%	0	0	0.00%	700,000	41,307	6.27%
2017	658,693	(16,307)	-2.42%	0	0	0.00%	658,693	(16,307)	-2.42%
2016	675,000	102,914	17.99%	0	0	0.00%	675,000	102,914	17.99%
Corporation Counsel									
2020	863,417	21,759	2.59%	391,000	0	0.00%	472,417	21,759	4.83%
2019	841,658	24,152	2.95%	391,000	11,949	3.15%	450,658	12,203	2.78%
2018	817,506	71,523	9.59%	379,051	80,000	26.75%	438,455	(8,477)	-1.90%
2017	745,983	87,338	13.26%	299,051	50,000	20.08%	446,932	37,338	9.12%
2016	658,645	22,277	3.50%	249,051	0	0.00%	409,594	22,277	5.75%
County Board of Supervisors									
2020	448,077	(7,495)	-1.65%	0	0	0.00%	448,077	(7,495)	-1.65%
2019	455,572	22,361	5.16%	0	0	0.00%	455,572	22,361	5.16%
2018	433,211	5,442	1.27%	0	0	0.00%	433,211	5,442	1.27%
2017	427,769	2,464	0.58%	0	0	0.00%	427,769	2,464	0.58%
2016	425,305	6,531	1.56%	0	0	0.00%	425,305	6,531	1.56%
County Clerk									
2020	799,827	32,916	4.29%	270,900	12,040	4.65%	528,927	20,876	4.11%
2019	766,911	15,660	2.08%	258,860	(12,350)	-4.55%	508,051	28,010	5.83%
2018	751,251	39,676	5.58%	271,210	55,000	25.44%	480,041	(15,324)	-3.09%
2017	711,575	(31,100)	-4.19%	216,210	(59,480)	-21.57%	495,365	28,380	6.08%
2016	742,675	13,966	1.92%	275,690	(23,470)	-7.85%	466,985	37,436	8.72%
Debt Service									
2020	1,959,875	23,375	1.21%	150,000	0	0.00%	1,809,875	23,375	1.31%
2019	1,936,500	111,750	6.12%	150,000	0	0.00%	1,786,500	111,750	6.67%
2018	1,824,750	134,262	7.94%	150,000	50,000	50.00%	1,674,750	84,262	5.30%
2017	1,690,488	(104,012)	-5.80%	100,000	0	0.00%	1,590,488	(104,012)	-6.14%
2016	1,794,500	(15,500)	-0.86%	100,000	0	0.00%	1,694,500	(15,500)	-0.91%

MARATHON COUNTY
FIVE YEAR DEPARTMENT BUDGET COMPARISON
2016-2020 HUMAN RESOURCES, FINANCE AND PROPERTY APPROVED

Department	Expenses			Revenues			Tax Levy		
	Expenses	Increase (Decrease)	% over Previous Year	Revenue	Increase (Decrease)	% over Previous Year	Tax Levy	Increase (Decrease)	% over Previous Year
District Attorney									
2020	1,202,043	(197,744)	-14.13%	164,904	(71,505)	-30.25%	1,037,139	(126,239)	-10.85%
2019	1,399,787	18,746	1.36%	236,409	(64,395)	-21.41%	1,163,378	83,141	7.70%
2018	1,381,041	98,106	7.65%	300,804	113,869	60.91%	1,080,237	(15,763)	-1.44%
2017	1,282,935	10,938	0.86%	186,935	(5,403)	-2.81%	1,096,000	16,341	1.51%
2016	1,271,997	(27,550)	-2.12%	192,338	(42,440)	-18.08%	1,079,659	14,890	1.40%
Emergency Management									
2020	732,933	(7,217)	-0.98%	158,197	2,093	1.34%	574,736	(9,310)	-1.59%
2019	740,150	(20,908)	-2.75%	156,104	(2,900)	-1.82%	584,046	(18,008)	-2.99%
2018	761,058	(8,183)	-1.06%	159,004	(14,614)	-8.42%	602,054	6,431	1.08%
2017	769,241	21,343	2.85%	173,618	18,257	11.75%	595,623	3,086	0.52%
2016	747,898	18,858	2.59%	155,361	763	0.49%	592,537	18,095	3.15%
Employee Resources									
2020	588,730	12,472	2.16%	16,000	0	0.00%	572,730	12,472	2.23%
2019	576,258	22,454	4.05%	16,000	(300)	-1.84%	560,258	22,754	4.23%
2018	553,804	9,948	1.83%	16,300	4,500	38.14%	537,504	5,448	1.02%
2017	543,856	(5,628)	-1.02%	11,800	0	0.00%	532,056	(5,628)	-1.05%
2016	549,484	24,521	4.67%	11,800	0	0.00%	537,684	24,521	4.78%
Facilities and Capital Management									
2020	4,935,612	57,544	1.18%	905,025	(11,606)	-1.27%	4,030,587	69,150	1.75%
2019	4,878,068	70,775	1.47%	916,631	(11,099)	-1.20%	3,961,437	81,874	2.11%
2018	4,807,293	27,281	0.57%	927,730	(222,620)	-19.35%	3,879,563	249,901	6.88%
2017	4,780,012	2,036,877	74.25%	1,150,350	296,246	34.69%	3,629,662	1,740,631	92.14%
2016	2,743,135	57,894	2.16%	854,104	41,686	5.13%	1,889,031	16,208	0.87%
Finance									
2020	759,521	11,079	1.48%	105,000	0	0.00%	654,521	11,079	1.72%
2019	748,442	16,183	2.21%	105,000	3,500	3.45%	643,442	12,683	2.01%
2018	732,259	(3,870)	-0.53%	101,500	(17,500)	-14.71%	630,759	13,630	2.21%
2017	736,129	(81,039)	-9.92%	119,000	(79,500)	-40.05%	617,129	(1,539)	-0.25%
2016	817,168	31,359	3.99%	198,500	(33,344)	-14.38%	618,668	64,703	11.68%

MARATHON COUNTY
FIVE YEAR DEPARTMENT BUDGET COMPARISON
2016-2020 HUMAN RESOURCES, FINANCE AND PROPERTY APPROVED

Department	Expenses			Revenues			Tax Levy		
	Expenses	Increase (Decrease)	% over Previous Year	Revenue	Increase (Decrease)	% over Previous Year	Tax Levy	Increase (Decrease)	% over Previous Year
Finance-General County Insurance									
2020	0	0	0.00%	0	0	0.00%	0	0	0.00%
2019	0	0	0.00%	0	0	0.00%	0	0	0.00%
2018	0	(129,503)	-100.00%	0	0	0.00%	0	(129,503)	-100.00%
2017	129,503	0	0.00%	0	0	0.00%	129,503	0	0.00%
2016	129,503	(224,531)	-63.42%	0	0	0.00%	129,503	(224,531)	-63.42%
Health									
2020	4,657,832	(11,277)	-0.24%	1,667,412	(64,170)	-3.71%	2,990,420	52,893	1.80%
2019	4,669,109	(328,593)	-6.57%	1,731,582	(292,379)	-14.45%	2,937,527	(36,214)	-1.22%
2018	4,997,702	(181,380)	-3.50%	2,023,961	(170,604)	-7.77%	2,973,741	(10,776)	-0.36%
2017	5,179,082	14,153	0.27%	2,194,565	16,497	0.76%	2,984,517	(2,344)	-0.08%
2016	5,164,929	272,053	5.56%	2,178,068	259,568	13.53%	2,986,861	12,485	0.42%
Highway									
2020	28,950,543	1,560,298	5.70%	20,705,944	1,378,734	7.13%	8,244,599	181,564	2.25%
2019	27,390,245	(1,532,597)	-5.30%	19,327,210	(1,903,192)	-8.96%	8,063,035	370,595	4.82%
2018	28,922,842	(165,465)	-0.57%	21,230,402	(1,755,960)	-7.64%	7,692,440	1,590,495	26.07%
2017	29,088,307	(954,632)	-3.18%	22,986,362	(966,698)	-4.04%	6,101,945	12,066	0.20%
2016	30,042,939	(1,629,956)	-5.15%	23,953,060	(1,831,026)	-7.10%	6,089,879	201,070	3.41%
Insurance									
2020	17,399,839	1,461,274	9.17%	17,399,839	1,461,274	9.17%	0	0	0.00%
2019	15,938,565	194,872	1.24%	15,938,565	194,872	1.24%	0	0	0.00%
2018	15,743,693	(741,312)	-4.50%	15,743,693	(741,312)	-4.50%	0	0	0.00%
2017	16,485,005	(284,886)	-1.70%	16,485,005	(284,886)	-1.70%	0	0	0.00%
2016	16,769,891	439,100	2.69%	16,769,891	439,100	2.69%	0	0	0.00%
Library									
2020	3,784,771	104,975	2.85%	209,153	8,037	4.00%	3,575,618	96,938	2.79%
2019	3,679,796	(13,642)	-0.37%	201,116	0	0.00%	3,478,680	(13,642)	-0.39%
2018	3,693,438	(18,710)	-0.50%	201,116	(40,000)	-16.59%	3,492,322	21,290	0.61%
2017	3,712,148	(47,785)	-1.27%	241,116	0	0.00%	3,471,032	(47,785)	-1.36%
2016	3,759,933	(13,312)	-0.35%	241,116	(60,000)	-19.93%	3,518,817	46,688	1.34%

**MARATHON COUNTY
FIVE YEAR DEPARTMENT BUDGET COMPARISON
2016-2020 HUMAN RESOURCES, FINANCE AND PROPERTY APPROVED**

Department	Expenses			Revenues			Tax Levy		
	Expenses	Increase (Decrease)	% over Previous Year	Revenue	Increase (Decrease)	% over Previous Year	Tax Levy	Increase (Decrease)	% over Previous Year
Medical Examiner									
2020	638,183	8,451	1.34%	257,100	0	0.00%	381,083	8,451	2.27%
2019	629,732	13,986	2.27%	257,100	7,100	2.84%	372,632	6,886	1.88%
2018	615,746	74,248	13.71%	250,000	40,000	19.05%	365,746	34,248	10.33%
2017	541,498	24,885	4.82%	210,000	(30,000)	-12.50%	331,498	54,885	19.84%
2016	516,613	198,681	62.49%	240,000	50,000	26.32%	276,613	148,681	116.22%
Parks, Recreation & Forestry									
2020	5,774,843	349,460	6.44%	3,630,940	347,009	10.57%	2,143,903	2,451	0.11%
2019	5,425,383	141,496	2.68%	3,283,931	30,507	0.94%	2,141,452	110,989	5.47%
2018	5,283,887	221,590	4.38%	3,253,424	328,647	11.24%	2,030,463	(107,057)	-5.01%
2017	5,062,297	190,056	3.90%	2,924,777	107,404	3.81%	2,137,520	82,652	4.02%
2016	4,872,241	117,702	2.48%	2,817,373	113,067	4.18%	2,054,868	4,635	0.23%
Register of Deeds									
2020	548,789	(54,473)	-9.03%	903,346	58,147	6.88%	(354,557)	(112,620)	-46.55%
2019	603,262	(98,167)	-14.00%	845,199	(105,801)	-11.13%	(241,937)	7,634	3.06%
2018	701,429	(129,086)	-15.54%	951,000	(111,000)	-10.45%	(249,571)	(18,086)	-7.81%
2017	830,515	(40,746)	-4.68%	1,062,000	(5,037)	-0.47%	(231,485)	(35,709)	-18.24%
2016	871,261	10,860	1.26%	1,067,037	16,932	1.61%	(195,776)	(6,072)	-3.20%
Sheriff									
2020	14,149,371	881,980	6.65%	991,234	360,411	57.13%	13,158,137	521,569	4.13%
2019	13,267,391	246,888	1.90%	630,823	(19,136)	-2.94%	12,636,568	266,024	2.15%
2018	13,020,503	285,790	2.24%	649,959	30,620	4.94%	12,370,544	255,170	2.11%
2017	12,734,713	180,636	1.44%	619,339	90,139	17.03%	12,115,374	90,497	0.75%
2016	12,554,077	179,966	1.45%	529,200	(42,219)	-7.39%	12,024,877	222,185	1.88%
Sheriff-Adult Correction/Juvenile Detention									
2020	8,912,932	383,937	4.50%	1,097,850	101,845	10.23%	7,815,082	282,092	3.74%
2019	8,528,995	86,182	1.02%	996,005	(982,972)	-49.67%	7,532,990	1,069,154	16.54%
2018	8,442,813	578,017	7.35%	1,978,977	753,352	61.47%	6,463,836	(175,335)	-2.64%
2017	7,864,796	(77,485)	-0.98%	1,225,625	74,375	6.46%	6,639,171	(151,860)	-2.24%
2016	7,942,281	137,873	1.77%	1,151,250	80,500	7.52%	6,791,031	57,373	0.85%

MARATHON COUNTY
FIVE YEAR DEPARTMENT BUDGET COMPARISON
2016-2020 HUMAN RESOURCES, FINANCE AND PROPERTY APPROVED

Department	Expenses			Revenues			Tax Levy		
	Expenses	Increase (Decrease)	% over Previous Year	Revenue	Increase (Decrease)	% over Previous Year	Tax Levy	Increase (Decrease)	% over Previous Year
Sheriff-Shelter Home									
2020	549,972	27,043	5.17%	87,590	12,500	16.65%	462,382	14,543	3.25%
2019	522,929	10,620	2.07%	75,090	0	0.00%	447,839	10,620	2.43%
2018	512,309	(12,043)	-2.30%	75,090	(11,500)	-13.28%	437,219	(543)	-0.12%
2017	524,352	17,281	3.41%	86,590	0	0.00%	437,762	17,281	4.11%
2016	507,071	41,818	8.99%	86,590	11,500	15.31%	420,481	30,318	7.77%
Social Services\Child Support									
2020	21,831,347	1,709,961	8.50%	13,926,753	1,441,056	11.54%	7,904,594	268,905	3.52%
2019	20,121,386	432,857	2.20%	12,485,697	407,737	3.38%	7,635,689	25,120	0.33%
2018	19,688,529	(3,375,209)	-14.63%	12,077,960	(3,351,264)	-21.72%	7,610,569	(23,945)	-0.31%
2017	23,063,738	3,577,990	18.36%	15,429,224	3,523,064	29.59%	7,634,514	54,926	0.72%
2016	19,485,748	(2,146,646)	-9.92%	11,906,160	(2,262,978)	-15.97%	7,579,588	116,332	1.56%
Solid Waste									
2020	6,263,921	828,795	15.25%	6,263,921	828,795	15.25%	0	0	0.00%
2019	5,435,126	1,443,485	36.16%	5,435,126	1,443,485	36.16%	0	0	0.00%
2018	3,991,641	(74,077)	-1.82%	3,991,641	(74,077)	-1.82%	0	0	0.00%
2017	4,065,718	(1,808,166)	-30.78%	4,065,718	(1,808,166)	-30.78%	0	0	0.00%
2016	5,873,884	2,340,635	66.25%	5,873,884	2,340,635	66.25%	0	0	0.00%
Support Other Agencies									
2020	8,921,971	(60,546)	-0.67%	20,000	0	0.00%	8,901,971	(60,546)	-0.68%
2019	8,982,517	158,430	1.80%	20,000	0	0.00%	8,962,517	158,430	1.80%
2018	8,824,087	(228,425)	-2.52%	20,000	0	0.00%	8,804,087	(228,425)	-2.53%
2017	9,052,512	(1,192,860)	-11.64%	20,000	0	0.00%	9,032,512	(1,192,860)	-11.67%
2016	10,245,372	64,199	0.63%	20,000	0	0.00%	10,225,372	64,199	0.63%
Transfer Between Funds									
2020	3,925,435	243,591	6.62%	3,925,435	243,591	6.62%	0	0	0.00%
2019	3,681,844	(3,347,136)	-47.62%	3,681,844	(3,347,136)	-47.62%	0	0	0.00%
2018	7,028,980	(1,662,946)	-19.13%	7,028,980	(1,662,946)	-19.13%	0	0	0.00%
2017	8,691,926	2,905,834	50.22%	8,691,926	2,905,834	50.22%	0	0	0.00%
2016	5,786,092	(312,514)	-5.12%	5,786,092	(312,514)	-5.12%	0	0	0.00%

MARATHON COUNTY
FIVE YEAR DEPARTMENT BUDGET COMPARISON
2016-2020 HUMAN RESOURCES, FINANCE AND PROPERTY APPROVED

Department	Expenses			Revenues			Tax Levy		
	Expenses	Increase (Decrease)	% over Previous Year	Revenue	Increase (Decrease)	% over Previous Year	Tax Levy	Increase (Decrease)	% over Previous Year
Treasurer									
2020	601,400	55,537	10.17%	21,660,888	479,000	2.26%	(21,059,488)	(423,463)	-2.05%
2019	545,863	9,592	1.79%	21,181,888	1,754,388	9.03%	(20,636,025)	(1,744,796)	-9.24%
2018	536,271	(13,110)	-2.39%	19,427,500	282,887	1.48%	(18,891,229)	(295,997)	-1.59%
2017	549,381	(1,117)	-0.20%	19,144,613	386,215	2.06%	(18,595,232)	(387,332)	-2.13%
2016	550,498	(8,167)	-1.46%	18,758,398	500,308	2.74%	(18,207,900)	(508,475)	-2.87%
UW-Extension									
2020	331,460	(23,658)	-6.66%	50,318	(29,567)	-37.01%	281,142	5,909	2.15%
2019	355,118	17,577	5.21%	79,885	11,468	16.76%	275,233	6,109	2.27%
2018	337,541	(100,137)	-22.88%	68,417	16	0.02%	269,124	(100,153)	-27.12%
2017	437,678	(614)	-0.14%	68,401	(11)	-0.02%	369,277	(603)	-0.16%
2016	438,292	2,733	0.63%	68,412	78	0.11%	369,880	2,655	0.72%
Veterans Administration									
2020	235,166	4,879	2.12%	13,000	0	0.00%	222,166	4,879	2.25%
2019	230,287	4,342	1.92%	13,000	0	0.00%	217,287	4,342	2.04%
2018	225,945	13,272	6.24%	13,000	6,782	109.07%	212,945	6,490	3.14%
2017	212,673	1,036	0.49%	6,218	(6,782)	-52.17%	206,455	7,818	3.94%
2016	211,637	642	0.30%	13,000	0	0.00%	198,637	642	0.32%
Central Wisconsin Airport									
2020	4,166,252	(244,882)	-5.55%	4,166,252	(244,882)	-5.55%	0	0	0.00%
2019	4,411,134	142,147	3.33%	4,411,134	142,147	3.33%	0	0	0.00%
2018	4,268,987	1,127,649	35.90%	4,268,987	1,127,649	35.90%	0	0	0.00%
2017	3,141,338	(362,300)	-10.34%	3,141,338	(362,300)	-10.34%	0	0	0.00%
2016	3,503,638	153,773	4.59%	3,503,638	153,773	4.59%	0	0	0.00%
Central Wisconsin Debt									
2020	607,362	(778,364)	-56.17%	607,362	(778,364)	-56.17%	0	0	0.00%
2019	1,385,726	(21,624)	-1.54%	1,385,726	(21,624)	-1.54%	0	0	0.00%
2018	1,407,350	704,374	100.20%	1,407,350	704,374	100.20%	0	0	0.00%
2017	702,976	(190,300)	-21.30%	702,976	(190,300)	-21.30%	0	0	0.00%
2016	893,276	90,963	11.34%	893,276	90,963	11.34%	0	0	0.00%

**MARATHON COUNTY
FIVE YEAR DEPARTMENT BUDGET COMPARISON
2016-2020 HUMAN RESOURCES, FINANCE AND PROPERTY APPROVED**

Department	Expenses			Revenues			Tax Levy		
	Expenses	Increase (Decrease)	% over Previous Year	Revenue	Increase (Decrease)	% over Previous Year	Tax Levy	Increase (Decrease)	% over Previous Year
Special Education									
2020	7,585,407	938,936	14.13%	7,585,407	938,936	14.13%	0	0	0.00%
2019	6,646,471	927,049	16.21%	6,646,471	927,049	16.21%	0	0	0.00%
2018	5,719,422	197,538	3.58%	5,719,422	197,538	3.58%	0	0	0.00%
2017	5,521,884	20,979	0.38%	5,521,884	20,979	0.38%	0	0	0.00%
2016	5,500,905	382,088	7.46%	5,500,905	382,088	7.46%	0	0	0.00%
ADRC - CW									
2020	6,706,547	(61,516)	-0.91%	6,706,547	(61,516)	-0.91%	0	0	0.00%
2019	6,768,063	58,515	0.87%	6,768,063	58,515	0.87%	0	0	0.00%
2018	6,709,548	48,907	0.73%	6,709,548	48,907	0.73%	0	0	0.00%
2017	6,660,641	111,468	1.70%	6,660,641	111,468	1.70%	0	0	0.00%
2016	6,549,173	177,042	2.78%	6,549,173	177,042	2.78%	0	0	0.00%
Totals									
2020	171,028,197	8,539,902	5.26%	120,316,902	7,318,448	6.48%	50,711,295	1,221,454	2.47%
2019	162,488,295	(2,577,610)	-1.56%	112,998,454	(2,932,359)	-2.53%	49,489,841	354,749	0.72%
2018	165,065,905	(2,629,422)	-1.57%	115,930,813	(3,584,403)	-3.00%	49,135,092	954,981	1.98%
2017	167,695,327	2,602,132	1.58%	119,515,216	2,030,910	1.73%	48,180,111	571,222	1.20%
2016	165,093,195	(31,170)	-0.02%	117,484,306	(1,696,368)	-1.42%	47,608,889	1,665,198	3.53%

**MARATHON COUNTY
FIVE YEAR SUPPORT FOR OTHER AGENCIES COMPARISON
2016-2020 HUMAN RESOURCES, FINANCE AND PROPERTY APPROVED**

Department	Expenses			Revenues			Tax Levy		
	Expenses	Increase (Decrease)	% over Previous Year	Revenue	Increase (Decrease)	% over Previous Year	Tax Levy	Increase (Decrease)	% over Previous Year
ADRC-CW									
2020	794,358	398,991	101%	0	0	0.00%	794,358	398,991	101%
2019	395,367	0	0.00%	0	0	0.00%	395,367	0	0.00%
2018	395,367	0	0.00%	0	0	0.00%	395,367	0	0.00%
2017	395,367	0	0.00%	0	0	0.00%	395,367	0	0.00%
2016	395,367	0	0.00%	0	0	0.00%	395,367	0	0.00%
Community Action									
2020	25,318	(8,439)	-25.00%	0	0	0.00%	25,318	(8,439)	-25.00%
2019	33,757	0	0.00%	0	0	0.00%	33,757	0	0.00%
2018	33,757	0	0.00%	0	0	0.00%	33,757	0	0.00%
2017	33,757	0	0.00%	0	0	0.00%	33,757	0	0.00%
2016	33,757	0	0.00%	0	0	0.00%	33,757	0	0.00%
Economic Development									
2020	0	0	0.00%	0	0	0.00%	0	0	0.00%
2019	0	(24,474)	-100.00%	0	0	0.00%	0	(24,474)	-100.00%
2018	24,474	(20,526)	-45.61%	0	0	0.00%	24,474	(20,526)	-45.61%
2017	45,000	0	0.00%	0	0	0.00%	45,000	0	0.00%
2016	45,000	(5,000)	-10.00%	0	0	0.00%	45,000	(5,000)	-10.00%
Economic Development-Educational Bootcamp									
2020	30,000	(10,000)	-25.00%	0	0	0.00%	30,000	(10,000)	-25.00%
2019	40,000	0	0.00%	0	0	0.00%	40,000	0	0.00%
2018	40,000	0	0.00%	0	0	0.00%	40,000	0	0.00%
2017	40,000	0	0.00%	0	0	0.00%	40,000	0	0.00%
2016	40,000	0	0.00%	0	0	0.00%	40,000	0	0.00%
Historical Society									
2020	40,782	(13,594)	-25.00%	0	0	0.00%	40,782	(13,594)	-25.00%
2019	54,376	0	0.00%	0	0	0.00%	54,376	0	0.00%
2018	54,376	0	0.00%	0	0	0.00%	54,376	0	0.00%
2017	54,376	0	0.00%	0	0	0.00%	54,376	0	0.00%
2016	54,376	0	0.00%	0	0	0.00%	54,376	0	0.00%
Birth to Three									
2020	513,729	513,729	0.00%	0	0	0.00%	513,729	513,729	100.00%
2019	0	0	0.00%	0	0	0.00%	0	0	0.00%
2018	0	0	0.00%	0	0	0.00%	0	0	0.00%
2017	0	0	0.00%	0	0	0.00%	0	0	0.00%
2016	0	0	0.00%	0	0	0.00%	0	0	0.00%
Healthy Teens Initiative									
2020	18,750	(6,250)	-25.00%	0	0	0.00%	18,750	(6,250)	-25.00%
2019	25,000	0	0.00%	0	0	0.00%	25,000	0	0.00%
2018	25,000	0	0.00%	0	0	0.00%	25,000	0	0.00%
2017	25,000	0	0.00%	0	0	0.00%	25,000	0	0.00%
2016	25,000	0	0.00%	0	0	0.00%	25,000	0	0.00%

United Way										
2020	30,000	(10,000)	-25.00%	0	0	0.00%	30,000	(10,000)	-25.00%	
2019	40,000	40,000	0.00%	0	0	0.00%	40,000	40,000	0.00%	
2018	0	0	0.00%	0	0	0.00%	0	0	0.00%	
2017	0	0	0.00%	0	0	0.00%	0	0	0.00%	
2016	0	0	0.00%	0	0	0.00%	0	0	0.00%	
McDevco										
2020	135,000	(45,000)	-25.00%	0	0	0.00%	135,000	(45,000)	-25.00%	
2019	180,000	0	0.00%	0	0	0.00%	180,000	0	0.00%	
2018	180,000	0	0.00%	0	0	0.00%	180,000	0	0.00%	
2017	180,000	0	0.00%	0	0	0.00%	180,000	0	0.00%	
2016	180,000	(10,000)	-5.26%	0	0	0.00%	180,000	(10,000)	-5.26%	
North Central Regional Planning										
2020	43,000	0	0.00%	0	0	0.00%	43,000	0	0.00%	
2019	43,000	0	0.00%	0	0	0.00%	43,000	0	0.00%	
2018	43,000	(6,300)	-12.78%	0	0	0.00%	43,000	(6,300)	-12.78%	
2017	49,300	0	0.00%	0	0	0.00%	49,300	0	0.00%	
2016	49,300	0	0.00%	0	0	0.00%	49,300	0	0.00%	
Partnership Progressive Agriculture										
2020	15,000	(5,000)	-25.00%	0	0	0.00%	15,000	(5,000)	-25.00%	
2019	20,000	0	0.00%	0	0	0.00%	20,000	0	0.00%	
2018	20,000	(15,000)	-42.86%	0	0	0.00%	20,000	(15,000)	-42.86%	
2017	35,000	0	0.00%	0	0	0.00%	35,000	0	0.00%	
2016	35,000	0	0.00%	0	0	0.00%	35,000	0	0.00%	
Family Care Contribution-Transferred from NCHC										
2020	1,125,287	0	0.00%	0	0	0.00%	1,125,287	0	0.00%	
2019	1,125,287	1,125,287	0.00%	0	0	0.00%	1,125,287	1,125,287	100.00%	
2018	0	0	0.00%	0	0	0.00%	0	0	0.00%	
2017	0	0	0.00%	0	0	0.00%	0	0	0.00%	
2016	0	0	0.00%	0	0	0.00%	0	0	0.00%	
Wisconsin Valley Fair										
2020	15,000	(5,000)	-25.00%	0	0	0.00%	15,000	(5,000)	-25.00%	
2019	20,000	0	0.00%	0	0	0.00%	20,000	0	0.00%	
2018	20,000	0	0.00%	0	0	0.00%	20,000	0	0.00%	
2017	20,000	0	0.00%	0	0	0.00%	20,000	0	0.00%	
2016	20,000	0	0.00%	0	0	0.00%	20,000	0	0.00%	
Woman's Community										
2020	61,250	(13,750)	-18.33%	20,000	0	0.00%	41,250	(13,750)	-25.00%	
2019	75,000	0	0.00%	20,000	0	0.00%	55,000	0	0.00%	
2018	75,000	0	0.00%	20,000	0	0.00%	55,000	0	0.00%	
2017	75,000	0	0.00%	20,000	0	0.00%	55,000	0	0.00%	
2016	75,000	23,350	45.21%	20,000	0	0.00%	55,000	23,350	73.78%	
City-County IT Commission										
2020	1,673,535	42,737	2.62%	0	0	0.00%	1,673,535	42,737	2.62%	
2019	1,630,798	142,904	9.60%	0	0	0.00%	1,630,798	142,904	9.60%	
2018	1,487,894	41,401	2.86%	0	0	0.00%	1,487,894	41,401	2.86%	
2017	1,446,493	17,763	1.24%	0	0	0.00%	1,446,493	17,763	1.24%	
2016	1,428,730	55,849	4.07%	0	0	0.00%	1,428,730	55,849	4.07%	
Health Care Center										
2020	4,382,212	(912,720)	-17.24%	0	0	0.00%	4,382,212	(912,720)	-17.24%	
2019	5,294,932	(1,125,287)	-17.53%	0	0	0.00%	5,294,932	(1,125,287)	-17.53%	
2018	6,420,219	(233,000)	-3.50%	0	0	0.00%	6,420,219	(233,000)	-3.50%	
2017	6,653,219	(1,210,623)	-15.39%	0	0	0.00%	6,653,219	(1,210,623)	-15.39%	
2016	7,863,842	0	0.00%	0	0	0.00%	7,863,842	0	0.00%	

Crime Stoppers										
2020	3,750	(1,250)	-25.00%	0	0	0.00%	3,750	(1,250)	-25.00%	
2019	5,000	0	0.00%	0	0	0.00%	5,000	0	0.00%	
2018	5,000	5,000	0.00%	0	0	0.00%	5,000	5,000	100.00%	
2017	0	0	0.00%	0	0	0.00%	0	0	0.00%	
2016	0	0	0.00%	0	0	0.00%	0	0	0.00%	
Court Mediation Service										
2020	5,000	5,000	0.00%	0	0	0.00%	5,000	5,000	100.00%	
2020	15,000	15,000	0.00%	0	0	0.00%	15,000	15,000	100.00%	
2019	0	0	0.00%	0	0	0.00%	0	0	0.00%	
2018	0	0	0.00%	0	0	0.00%	0	0	0.00%	
2017	0	0	0.00%	0	0	0.00%	0	0	0.00%	
2016	0	0	0.00%	0	0	0.00%	0	0	0.00%	
Totals										
2020	8,921,971	(60,546)	-0.67%	20,000	0	0.00%	8,901,971	(60,546)	-0.68%	
2019	8,982,517	158,430	1.80%	20,000	0	0.00%	8,962,517	158,430	1.80%	
2018	8,824,087	(228,425)	-2.52%	20,000	0	0.00%	8,804,087	(228,425)	-2.53%	
2017	9,052,512	(1,192,860)	-11.64%	20,000	0	0.00%	9,032,512	(1,192,860)	-11.67%	
2016	10,245,372	64,199	0.63%	20,000	0	0.00%	10,225,372	64,199	0.63%	