February 7, 2014

Agenda
Courthouse Committee meeting
February 13, 2014, 6:30 p.m.
Assembly Room, Sawyer County Courthouse

01. Meeting agenda
02. Minutes of the meeting of the January 9, 2014
03. Appointments and classification of Clerk of Court’s Office employees
04. 2014 Wisconsin Land Information Program Grant agreement
05. Expenditure(s) from retained fees
06. Duplicate road name project
07. Procedure to review, prioritize, and reduce the County’s expenditures for 2014
08. Department reports, including employee travel out of Sawyer County and monthly expense vouchers
09. Other matters for discussion only

KM
Kris Mayberry
Sawyer County Clerk
minutes of the meeting of the Courthouse Committee
Sawyer County Board of Supervisors
January 9, 2014, 6:30 p.m., Assembly Room, Sawyer County Courthouse

members present: Dale Schleeter (Chair), Walt Jaeger, Ron Kinsley, Bill Voight, Tom Duffy

also present: Chief Deputy Clerk of Court Claudia Burgan (Clerk of Court effective January 11, 2014), Child Support Department Director Sandy Okamoto, County Surveyor/Land Records Department Director Dan Pleoger, Information Technology Department Director Mike Coleson, County Treasurer Dianne Ince, County Clerk Kris Mayberry

Motion by Kinsley, 2nd by Duffy, to approve the meeting agenda as presented. Motion carried.

Motion by Duffy, 2nd by Voight, to approve the December 12, 2013 meeting minutes. Motion carried.

The Committee discussed that there will be an additional vacant Deputy Clerk of Court position in the Clerk of Court's Office due to the transfer of Alishia Webster into the Health and Human Services Department. Motion by Duffy, 2nd by Jaeger, to recommend Personnel and Administrative Committee and County Board approval to fill the Deputy Circuit Court Clerk position that will be vacant due to transfer of Alishia Webster into the Health and Human Services Department. Motion carried.

Circuit Court Judge Gerald Wright again objected to the removal of funds for an additional Deputy Clerk of Court position from the proposed 2014 Sawyer County Budget and advised that services provided by the Clerk of Courts Office will need to be reduced or discontinued as a result.

The Committee reviewed County Surveyor/Land Records Department Director Dan Pleoger's request for approval to continue to utilize a retired Real Property Lister from another county as a limited-term employee to assist with real property listing and to train the new Real Property Lister. The limited-term employee would continue to work up to 4 days a week at $25 per hour, and be provided with lodging 3 nights a week. Motion by Duffy, 2nd by Jaeger, to recommend Personnel and Administrative Committee and County Board approval of the request. Motion carried.

Information Technology Department Director Mike Coleson presented a proposal from Solbrek Business Technology Solutions for upgrading the County's email system. The upgrade would include adding the ability for users to respond to incoming emails automatically in their absence with messages, including a message to indicate that they are out of the office. Mr. Coleson noted that the County will be saving money as the result of the recently reduced telephone and internet charges from CenturyTel which would offset the expenses involved with the email system upgrade. Motion by Jaeger, 2nd by Voight, to recommend County Board approval of the proposal. Motion carried.

Information Technology Department Director Mike Coleson proposed that the Committee recommend County Board approval to carry over $10,000 of an anticipated $30,000 surplus from the 2013 Information Technology Department budget to 2014 to provide for expenditures to upgrade computer hardware in the Health and Human Services Department, the Sheriff's Department, and the Courthouse. County Clerk Kris Mayberry noted that expenditures from department budget surpluses for 2013 should be especially closely scrutinized in light of the current projection that there may not be a surplus from the 2013 Sawyer County Budget and that there may even be a deficit. The Committee determined to table the proposal.
County Surveyor/Land Records Department Director Dan Pleoger advised the Committee that nothing has been done to move forward with the project which would require all municipalities to change duplicate road names. The County Board, at their meeting held July 18, 2013, approved the project, including that Sawyer County will pay for one half of the purchase price for new road signs, that installation of the new signs will be performed by and at the expense of each municipality, and that the project is to be completed by December 31, 2016. Mr. Pleoger indicated that the Land Records Department does not have sufficient staff to perform the tasks required by the project. The Committee requested that Mr. Pleoger report this information to the County Board at their meeting scheduled for January 16, 2014.

County Surveyor/Land Records Department Director Dan Pleoger presented the Committee with a proposed contract with Point North Mapping for the digital parcel mapping of Township 42 North, Range 6 West and Township 42 North, Range 7 West (Town of Spider Lake). The project cost is estimated at $26,425 ($12.50 per parcel x 2,114 estimated parcels). The cost is to be paid from a Wisconsin land records modernization grant and from County retained fees of the Land Records Special Revenue Fund #210-51267. Motion by Kinsley, 2nd by Duffy, to recommend County Board approval of the contract. Motion carried.

Deputy Circuit Court Clerk Claudia Burgan (Clerk of Court effective January 11, 2014) presented a written department report prepared by Circuit Court Clerk Anne Marie Swanson that included a report on passport applications processed and on collections of interest, tax intercept funds, attorney fees, guardian ad litem fees, and bail forfeitures.

County Surveyor/Land Records Department Director Dan Pleoger provided a department report and requested approval for Geographic Information Specialist Brian DeVries to attend the 2014 Wisconsin Land Information Association conference being held in Middleton February 11-14, 2014. Motion by Duffy, 2nd by Kinsely, to approve the request. Motion carried.

Information Technology Department Director Mike Coleson provided a department report, including discussing the proposal from E.O. Johnson for a contract for a print management system and that he is considering withholding any further payments to Manatron because they were not performing the tasks that are needed in support of the real property data system used by the County.

Child Support Department Director Sandy Okamoto provided a department report, including that 78 child support collection cases have been transferred to the LCO Child Support Department, but that no cases have been transferred since August of 2013.

The Committee reviewed the monthly department expense vouchers. Motion by Kinsley, 2nd by Duffy, to approve the department reports, department travel requests, and the monthly department expense vouchers. Motion carried.

Motion by Duffy, 2nd by Jaeger, to adjourn the meeting. Motion carried.

minutes prepared by County Clerk Kris Mayberry
2014 WISCONSIN LAND INFORMATION PROGRAM GRANT
GRANT AGREEMENT
BETWEEN
THE STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
And
Sawyer COUNTY

THIS AGREEMENT is made and entered into by and between the State of Wisconsin ("State"), Department of Administration ("Department") and Sawyer County ("Grantee"). This Agreement is complete and effective upon the signature of all parties.

WHEREAS, the Department administers the Wisconsin Land Information Program Grant ("Grant") through the Division of Intergovernmental Relations ("Division") to provide funds for eligible activities; and

WHEREAS, it is the intention of the parties to this Agreement that all activities described herein shall be for their mutual benefit; and

WHEREAS, the Grantee has submitted an Application for the Grant to the Department and the Department, on reliance upon the representations set forth in the Application, approved an award to the Grantee in the amount of $26,831 and

WHEREAS, the terms and conditions herein shall survive the performance period and shall continue in full force and effect until the Grantee has completed and is in compliance with all the requirements of this Agreement; and

WHEREAS, this Agreement is a mutually exclusive with, and is distinguished from, all previous agreements between the Grantee and the Department, and contains the entire understanding between the parties;

NOW, THEREFORE, in consideration of the mutual promises and dependent documents, the parties hereto agree as set forth in Articles 1 through 17 which are annexed and made a part hereof.

State of Wisconsin
Department of Administration
Division of Intergovernmental Relations

BY: __________________________________________
 Administrator
 Division of Intergovernmental Relations

DATE: ______________________________

Sawyer County

BY: __________________________________________
 Name and Title

DATE: ______________________________
GENERAL TERMS AND CONDITIONS

ARTICLE 1. APPLICABLE LAW
This Agreement shall be governed under the laws of the State of Wisconsin. The monies shall not to be used to supplant existing funding otherwise budgeted or planned for projects outside of this program whether under local, state or federal law, without the consent of the Department.

ARTICLE 2. LEGAL RELATIONS AND INDEMNIFICATION
The Grantee shall at all times comply with and observe all federal and state laws and published circulars, local laws, ordinances, and regulations which are in effect during the performance period of this Agreement and that in any manner affect the work or its conduct.

The Grantee shall indemnify and hold harmless the Department and the State and all of its officers, agents and employees from all suits, actions or claims of any character brought for or on account of any injuries or damages received by any persons or property resulting from the operations of the Grantee, or of any of its contractor(s), in performing work under this Agreement; brought for or on account of any obligations arising out of contracts between Grantee and its contractor(s) to perform services or otherwise supply products or services; or as a result of this grant.

The Grantee shall also hold the Department and the State harmless for any audit disallowance related to the allocation of administrative costs under this Agreement, irrespective of whether the audit is ordered by federal or state agencies or by the courts. If federal law requires an audit and if the Grantee is also the recipient of state funds under the same or a separate grant program, then the state funded programs shall also be included in the scope of the federally required audit. The Grantee shall comply with any requirements related to funding sources.

ARTICLE 3. STANDARDS FOR PERFORMANCE
These 2014 grant projects must be completed by December 31, 2015. The Grantee shall perform the projects and activities as set forth in the Grant Application and stipulated by the Department, and described herein in accordance with the standards set forth in Uniform Instructions for Preparing County and [State] Agency Land Information Modernization and Integration Plans (available from the Wisconsin Land Information Program), incorporated herein by reference; and the standards from statute and administrative rule or adopted by the Department, State Geographic Information Officer, and any other applicable professional standards.

ARTICLE 4. PUBLICATIONS
All materials produced under this Agreement shall become the property of the Grantee, but shall be subject to the Wisconsin Public Records Law, Wis. Stat. 19.21 et seq. The Department reserves a royalty-free, nonexclusive and irrevocable license to reproduce, publish, otherwise use, and to authorize others to use the work for government purposes. A notation indicating the participation of end partial funding by the Department shall be carried on all reports, materials, data and/or other information produced as a result of this Agreement.

ARTICLE 5. EXAMINATION OF RECORDS
Upon notice the Department shall have access to, and the right to examine, audit, excerpt, transcribe and copy on the Grantee’s premises, any directly pertinent records and computer files of the Grantee involving transactions relating to this Agreement. Similarly, the Department shall have access at any time to examine, audit, test and analyze any and all physical projects subject to this Agreement. If the material is held in an automated format, the Grantee shall provide copies of these materials in the automated format or such computer file as may be requested by the Department. Such material shall be retained for a minimum of three years by the Grantee following final payment under this Agreement. This provision shall also apply in the event of termination of this Agreement. The Grantee shall notify the Department in writing of any planned conversion or destruction of these materials at least 90 days prior to such action. Any charges for copies provided by the Grantee of books, documents, papers, records, computer files or computer printouts shall not exceed the actual cost thereof to the Grantee and may be reimbursed to the Grantee by the Department.
The minimum acceptable financial records for the project consist of: 1) Documentation of employee time; 2) Documentation of all equipment, materials, supplies and travel expenses; 3) Inventory records and supporting documentation for allowable equipment purchased to carry out the project scope; 4) Documentation and justification of methodology used in any in-kind contributions; 5) Rationale supporting allocation of space charges; 6) Rationale and documentation of any indirect costs; 7) Documentation of acquisition of contract services and materials; and 8) Any other records which support charges to project funds. The Grantee shall maintain sufficient segregation of project accounting records from other projects and/or programs.

**ARTICLE 6. PERFORMANCE REPORTS**
The Grantee shall submit an annual performance report via the County Retained Fee/Grant Report as already required by s. 59.72(2)(b), Wis. Stats. The annual report for the previous calendar year is due June 30th of each year. The Grantee is to use the County Retained Fee/Grant Report form provided by the Department.

**ARTICLE 7. PROJECT COMPLETION**
As a special term and condition of the Grant award, Grantee shall complete the entire project as proposed in its grant application or modified by joint agreement, including submission of annual performance reports required in Article 6 above.

**ARTICLE 8. EXTENSIONS**
The Grantee may request in writing an extension(s) of the Department if project will not be completed within the specified performance period. If the Grantee and the Department agree to the terms of the extension, the extension will be granted.

**ARTICLE 9. FAILURE TO PERFORM**
The Department reserves the right to request refund of the grant award if required reports are not provided to the Department in a timely basis or if performance of contracted activities is not evidenced.

**ARTICLE 10. TERMINATION OF AGREEMENT**
The Department may terminate this Agreement at any time without cause upon thirty (30) days written notice to the Grantee. Upon termination, the Department’s liability shall be limited to the actual costs incurred in carrying out the project as of the date of termination plus any termination expenses having prior written approval of the Department. The Grantee may terminate this Agreement, by delivering written notice to that effect to the Department not less than thirty (30) days prior to termination.

In the event this Agreement is terminated, for any reason whatsoever, the Grantee shall refund to the Department any payment made by the Department to the Grantee which exceeds actual costs incurred in carrying out the project as of the date of termination. This Agreement is subject to termination upon failure of the legislature to appropriate monies for it.

**ARTICLE 11. CANCELLATION FOR CAUSE**
The Department reserves the right to cancel any Agreement in whole or in part without penalty effective upon mailing of notice of cancellation for failure of the Grantee to comply with the any terms and conditions of this Agreement.

**ARTICLE 12. NON-APPROPRIATION OF FUNDS**
The appropriation from which payments are to be made is authorized under Sections 16.967 (7) and 20.505 (1) (ie) of the Wisconsin Statutes. This Agreement shall terminate without penalty if the Legislature fails to appropriate the funds necessary to carry out its terms.

**FISCAL TERMS AND CONDITIONS**

**ARTICLE 13. ELIGIBLE COSTS**

Eligible Costs are costs that are directly attributable to Grant activities and identified and approved in the Grant Application.

71. No Eligible Costs subject to this Grant may be incurred prior to the execution of this Agreement unless previously approved in writing by the Department.
72. Costs only as identified in the Budget and described in the Project Description are allowed.

**ARTICLE 14. METHOD OF PAYMENT**
Payments for the Land Information Program's Land Information System Base Budget Grant (if eligible) shall be made in full after grant agreement execution and before September 30, 2014.

**ARTICLE 15. AUDIT REQUIREMENT**
Grantee shall have a certified annual audit performed utilizing Generally Accepted Auditing Principles and Generally Accepted Auditing Standards. The following requirements apply:

Governmental entities that expend more than $500,000 in Federal or $100,000 in State awards in a single year shall comply with the Single Audit Act of 1984, OMB Circular A-133 and the State Single Audit Guidelines issued by the Department of Administration. Single audit reports are due to the Department within thirty (30) days from issuance of the report, but no later that 180 days after the end of the audit period.

If less than $500,000 in Federal or $100,000 in State awards are expended in a year, the organization shall confirm in writing that the above audit requirements are not applicable. This confirmation shall be submitted to the address listed below.

One copy (1) of the audit, along with the Management letter, if one was issued by the auditor, should be submitted to the address listed below. Responses and corrective action to be taken by management should be included for any findings or comments issued by the auditor. Send these copies to:

Single Audit Coordinator
Wisconsin Department of Administration
Division of Administrative Services
101 East Wilson Street, P.O. Box 7869
Madison, Wisconsin 53707-7869.

The county, their agents and contractors shall participate in reasonable, random, unannounced, on-site audits of all program-related activities and expenditures on request.

*See OMB Circ. A-128 (Audits of State and Local Governments) and A-133 (Audits of Institutions of Higher Education and Other Non-profit Institutions) for special rules regarding entities that receive between $25,000 and $100,000 in Federal awards.

**ASSURANCES**

**ARTICLE 16. NONDISCRIMINATION IN EMPLOYMENT**
Grantee shall not discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01 (5), sexual orientation or national origin.

This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Except with respect to sexual orientation, the Grantee shall take affirmative action to ensure equal employment opportunities. The Grantee shall post in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.

**ARTICLE 17. DISCLOSURE**
The Grantee shall not engage the service of any person or persons now employed by the State, including any department, commission or board thereof, to provide services relating to this Agreement without the written consent of the employer of such person or persons and of the Department.
PORTION OF:
minutes of the meeting of the Sawyer County Board of Supervisors
Thursday, July 18, 2013, 6:30 p.m., Large Courtroom, Sawyer County Courthouse

district - supervisor - T = Town, V = Village, C = City, W = Ward
x 01 - Dale Schleeter – T Lenroot W 1, T Hayward W 7, C Hayward W 5 and 6
x 02 - Kathy McCoy – T Lenroot W 2, T Round Lake W 1
x 03 - Tweed Shuman – T Hayward W 1 and 2
x 04 - Walter Jaeger – T Hayward W 3 and 4
x 05 - Fred Zietlow – T Hayward W 5 and 6
x 06 - Dean Pearson – C Hayward W 1 and 2
x 07 - Thomas W. Duffy – C Hayward W 3 and 4
x 08 - Bruce Paulsen – T Bass Lake W 1 and 2
x 09 - Charles Gundersen – T Bass Lake W 3 and 4
x 10 - Hal Helwig – T Sand Lake, T Edgewater W 1
x 11 - Jim Bassett – T Edgewater W 2, T Bass Lake W 5, T Hayward W 8, T Meteor, T Couderay, V Couderay
x 12 - William Voight – T Spider Lake, T Round Lake W 2, T Winter W 1
x 13 - Ron Kinsley – T Hunter, T Radisson W 1, T Ojibwa W 1, V Radisson
x 14 - Dale Thompson – T Radisson W 2, T Ojibwa W 2, T Weigor, V Exeland, T Meadowbrook
x 15 - Warren Johnson – T Winter W 2, T Draper, V Winter

Property Address System Committee Chair Dale Schleeter presented the following options to address the public safety hazard of failing to dispatch emergency services (ambulance, fire, sheriff and police, etc.) in Sawyer County to the correct location due to there being more than one road with the same name in Sawyer County (duplicate road names). Sawyer County’s dispatch personnel have experienced confusion with proper identification of road locations in responding to calls during emergencies and assert that there is the potential for errors that may have life-threatening consequences.

options to address hazard: The Sawyer County Property Address System Committee reviewed and discussed options to address this hazard and developed the following options for the County Board to consider:
1. Require all municipalities, at their expense, to change duplicate road names pursuant to criteria established by Sawyer County in Duplicate Road Name Management Report revised June 19, 2013 (page 2). To be completed by

2. Require all municipalities to change duplicate road names pursuant to criteria established by Sawyer County in Duplicate Road Name Management Report revised June 19, 2013 (page 2) but County will pay for purchase of new signs (estimated cost for 468 signs at $34.10 per sign = $15,958.80). To be completed by

3. Recommend to all municipalities that they change duplicate road names pursuant to criteria established by Sawyer County in Duplicate Road Name Management Report revised June 19, 2013 (page 2).

4. Recommend to all municipalities that they change duplicate road names pursuant to criteria established by Sawyer County in Duplicate Road Name Management Report revised June 19, 2013 (page 2) but the County will pay for purchase of new signs if the replacement is completed by

5. Do nothing.

Motion by Pearson, 2nd by McCoy, to require all municipalities to change duplicate road names pursuant to the criteria established by Sawyer County in the Duplicate Road Name Management Report revised June 19, 2013 (page 2). Sawyer County will pay for one half of the purchase price for the new signs. Installation of the new signs will be performed by and at the expense of each municipality, and is to be completed by December 31, 2016. The roll call vote on the motion was as follows: Jaeger – yes; Zietlow – yes; Pearson – yes; Duffy – yes; Paulsen – yes; Gundersen – no; Helwig – yes; Bassett – no; Voight – yes; Kinsley – yes; Thompson – yes; Johnson – no; Schleeter – yes; McCoy – no; Shuman – yes. The motion carried with 11 voting yes and 4 voting no.
Road Sign Cost Estimate

Decker Supply

30 Inch Long 9 inches Tall Blade*

$34.10 per sign

Estimated 468 Signs to be replaced based on Report 3: Low Score Roads Needing Name Change.

Estimated cost: $15,958.80

*Sign size is an average as different length signs have different costs.
Background

Roads with duplicate names within the County are an issue for Public Safety. Emergency Services crews may be dispatched to the wrong location. Eliminating duplicate names within the County’s jurisdiction will reduce the chances of Emergency Services going to the wrong location.

Approach

1. Define what constitutes a duplicate name. Using the full name, for example, ALLENDALE LN in Sand Lake would not be considered a duplicate of ALLENDALE RD in the same township. Using the short name or name prefix, BIRCH LN in the Town of Hayward would be considered a duplicate of BIRCH ST in Bass Lake.

2. Once duplicates have been defined, determine a way to choose candidates for name changing. Choices may include using counts of addresses, number of residents, number of businesses, property valuation, acreage, and so forth.

Assumptions

The lists in this report come for the Novus system maintained by Sawyer County Land Records. CenturyLink, the phone provider, has an MSAG (Master Street Address Guide) list that is imported into the Sheriff’s Department 911 Dispatch system. The MSAG is not referenced by this report.

Roads that cross municipal boundaries are not considered duplicate, because they are viewed as a single road. COUNTY HWY B, for example, spans these municipalities: CITY OF HAYWARD, T.HAYWARD, T.HUNTER, T.ROUND LAKE, and T.WINTER. CHIPPANAZEE RD spans T.HAYWARD and T.LENROOT.

Words that sound alike but spelled differently are homonyms. Examples include:

- Larson – Larsen
- TOWN LINE RD - TOWNLINE RD (the space between “Town” and “Line” makes them unique in a computer search.)

Homonyms will not be considered duplicates unless the County decides which pairings would be considered duplicates. In such cases, we can add them to a translation table which will help the computer match them.

For this report, we have already added a few names to the translation list for duplicate matching, as follows:
<table>
<thead>
<tr>
<th>STREET Translated</th>
<th>Translated</th>
</tr>
</thead>
<tbody>
<tr>
<td>1ST</td>
<td>FIRST</td>
</tr>
<tr>
<td>2ND</td>
<td>SECOND</td>
</tr>
<tr>
<td>3RD</td>
<td>THIRD</td>
</tr>
<tr>
<td>4TH</td>
<td>FOURTH</td>
</tr>
<tr>
<td>5TH</td>
<td>FIFTH</td>
</tr>
<tr>
<td>6TH</td>
<td>SIXTH</td>
</tr>
<tr>
<td>7TH</td>
<td>SEVENTH</td>
</tr>
<tr>
<td>8TH</td>
<td>EIGHTH</td>
</tr>
<tr>
<td>9TH</td>
<td>NINTH</td>
</tr>
</tbody>
</table>

With these translations in place, "1st ST" will be considered the same as "FIRST ST" for computer matching.

Lists

We have created two sets of lists in order to help the County assess the scope of this project.

- Use the full, official road name to determine matching duplicates. Exact match must occur for roads to be considered duplicates.
- Use the short name (without suffixes like ST or AVE) to determine matches. This list casts a wider net, and will necessarily be larger than the former.

A policy decision will need be made to decide which duplicated road name will be a candidate for changing. We have created Candidate Name Change Lists with a "least-cost" assumption: roads with less impact to citizens will be selected. As a starting point, the following values will be used to determine a least cost score:

- Number of addresses on the road
- Number of residents (determined by Lottery Credit applications on the parcel record)
- Number of businesses (determined by Assessment Code of "Commercial" on the parcel
- Total Assessed Value
- Total Acreage

A road's score is determined as follows:

1. Number of addresses + Number of permanent residents + number of businesses.
2. In case of tie, Add the Total Assessed Value + Total Acreage
3. Finally, if a tie still exists, assign a random number to the score (a coin toss)

Roads with the lowest score in a duplicate set will be considered Candidates for Name Change.
Impact Summary: Use short name to determine duplicates.

Counts reflect the number of roads, addresses, permanent residents, and businesses affected.

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Road Count</th>
<th>Addr Count</th>
<th>Resident Count</th>
<th>Commercial Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>CITY OF HAYWARD</td>
<td>12</td>
<td>65</td>
<td>37</td>
<td>2</td>
</tr>
<tr>
<td>CITY OF HAYWARD, T.HAYWARD</td>
<td>2</td>
<td>12</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>T.BASS LAKE</td>
<td>34</td>
<td>228</td>
<td>49</td>
<td>0</td>
</tr>
<tr>
<td>T.BASS LAKE, T.HAYWARD</td>
<td>2</td>
<td>7</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>T.BASS LAKE, T.SAND LAKE</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>T.COUDERAY</td>
<td>6</td>
<td>12</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>T.COUDERAY, T.HAYWARD</td>
<td>1</td>
<td>4</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>T.COUDERAY, T.SAND LAKE</td>
<td>1</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>T.DRAPER</td>
<td>21</td>
<td>89</td>
<td>29</td>
<td>0</td>
</tr>
<tr>
<td>T.EDGEWATER</td>
<td>20</td>
<td>111</td>
<td>26</td>
<td>8</td>
</tr>
<tr>
<td>T.HAYWARD</td>
<td>26</td>
<td>97</td>
<td>53</td>
<td>3</td>
</tr>
<tr>
<td>T.HUNTER</td>
<td>9</td>
<td>67</td>
<td>7</td>
<td>2</td>
</tr>
<tr>
<td>T.LENROOT</td>
<td>19</td>
<td>105</td>
<td>42</td>
<td>1</td>
</tr>
<tr>
<td>T.MEADOWBROOK</td>
<td>4</td>
<td>19</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>T.OJIBWA</td>
<td>6</td>
<td>44</td>
<td>14</td>
<td>1</td>
</tr>
<tr>
<td>T.OJIBWA, T.RADISSON</td>
<td>1</td>
<td>4</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>T.RADISSON</td>
<td>6</td>
<td>34</td>
<td>17</td>
<td>1</td>
</tr>
<tr>
<td>T.RADISSON, VILLAGE OF RADISSON</td>
<td>2</td>
<td>5</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>T.ROUND LAKE</td>
<td>7</td>
<td>58</td>
<td>24</td>
<td>2</td>
</tr>
<tr>
<td>T.SAND LAKE</td>
<td>26</td>
<td>107</td>
<td>33</td>
<td>4</td>
</tr>
<tr>
<td>T.SPIDER LAKE</td>
<td>9</td>
<td>41</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>T.WEIRGOR</td>
<td>7</td>
<td>25</td>
<td>10</td>
<td>1</td>
</tr>
<tr>
<td>T.WINTER</td>
<td>13</td>
<td>70</td>
<td>16</td>
<td>1</td>
</tr>
<tr>
<td>VILLAGE OF COUDERAY</td>
<td>2</td>
<td>5</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>VILLAGE OF EXELAND</td>
<td>5</td>
<td>25</td>
<td>12</td>
<td>0</td>
</tr>
<tr>
<td>VILLAGE OF RADISSON</td>
<td>4</td>
<td>27</td>
<td>13</td>
<td>1</td>
</tr>
<tr>
<td>VILLAGE OF WINTER</td>
<td>3</td>
<td>12</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>249</strong></td>
<td><strong>1278</strong></td>
<td><strong>417</strong></td>
<td><strong>33</strong></td>
</tr>
</tbody>
</table>

Details provided in lists to follow.
Impact Summary: Use full name to determine duplicates.

Counts reflect the number of roads, addresses, permanent residents, and businesses affected.

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Road Count</th>
<th>Addr Count</th>
<th>Resident Count</th>
<th>Commercial Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>CITY OF HAYWARD</td>
<td>3</td>
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<tr>
<td>CITY OF HAYWARD, T.HAYWARD</td>
<td>1</td>
<td>7</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>T.BASS LAKE</td>
<td>9</td>
<td>73</td>
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<td>T.BASS-LAKE, T.HAYWARD</td>
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<td>0</td>
</tr>
<tr>
<td>T.BASS LAKE, T.SAND LAKE</td>
<td>1</td>
<td>2</td>
<td>1</td>
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</tr>
<tr>
<td>T.COUDERAY</td>
<td>3</td>
<td>9</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
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<td>3</td>
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<td>0</td>
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<tr>
<td>T.DRAPER</td>
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<td>T.EDGEWATER</td>
<td>13</td>
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<td>18</td>
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<td>18</td>
<td>2</td>
<td>1</td>
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<td>T.LENROOT</td>
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<td>20</td>
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<td>16</td>
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<tr>
<td>T.ROUND LAKE</td>
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<td>3</td>
<td>0</td>
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<td>T.WEIRGOR</td>
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<td>10</td>
<td>1</td>
</tr>
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<td>T.WINTER</td>
<td>8</td>
<td>48</td>
<td>9</td>
<td>1</td>
</tr>
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<td>VILLAGE OF COUDERAY</td>
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<td>4</td>
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<td>0</td>
</tr>
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<td>VILLAGE OF EXELAND</td>
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<td>12</td>
<td>0</td>
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<tr>
<td>VILLAGE OF RADISSON</td>
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<td>16</td>
<td>9</td>
<td>0</td>
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<tr>
<td><strong>TOTALS</strong></td>
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<td><strong>624</strong></td>
<td><strong>213</strong></td>
<td><strong>23</strong></td>
</tr>
</tbody>
</table>

Details provided in lists to follow.
SAWYER COUNTY BOARD RESOLUTION
ON DUPLICATE ROAD/STREET NAMES

State of Wisconsin: At a regular meeting of the Sawyer County Board of Supervisors held in the large courtroom of the Sawyer County Courthouse on the _____ day of ________________, 2012 at __:__ _.m.

Present were: ____________________________________________________________

____________________________________________________________________

WHEREAS, Sawyer County Emergency Government has determined that concern over the time for emergency service exists due to duplicate road/street names in Sawyer County.

WHEREAS, Sawyer County Land Records Department has developed a list of road/street names in Sawyer County that has one or more duplicate or similar names in the County.

WHEREAS, the Sawyer County Board of Supervisors resolves, in the name of public safety, to require that no two road/street names in the County shall be so similar in nature as to cause confusion when emergency vehicles are dispatched.

WHEREAS, the Sawyer County Board of Supervisors has directed the Sawyer County Land Records Department to compare roads/streets with the same or similar names to determine which road/street contains most addressed parcels.

WHEREAS, the Sawyer County Board of Supervisors has directed that unless otherwise agreed upon by the affected municipalities, the road/street with the most onsite property addresses shall retain the existing road/street name and the Municipality of the other roads/streets shall develop a new name for said road/street that does not conflict with any other road in Sawyer County.

On motion of __________________________, second by __________________________, the members of the Sawyer County Board of Supervisors voted to approve this resolution as follows:

Vote: __________________________

Dated: __________________________

Clerk: __________________________

Board of Supervisors
owner, and (2) that he or she is specially damaged. Although the trial court determined that some of the plaintiffs were neighboring property owners within the meaning of the statute, it also found that none of the property owners established that they have been or will be specially damaged by the decision to grant the conditional use permit. The Court of Appeals agreed.

The Wisconsin Supreme Court has defined "specially damaged" as irreparable injury done to property if the injury threatened is special and different from that of the general public. In previous cases that have defined "specially damaged" so that the proximity to the proposed use was an important factor.

However, in this case the court found that the property owners did not prove that they were facing irrevocable injury as a result of the City's actions that was different from any injury faced by the general public. At the most, they established that all of the homes on the northern shore of Middle Genesee Lake and the properties to the east and west of the proposed distribution center may be injured by the alleged increase in noise and traffic. Because this is a potential injury faced by the general public and is not specific to these neighbors, the court concluded that the neighbors lacked standing to challenge the Common Council's decision to grant a conditional use permit.

Because the Court of Appeals found that the neighbors had no standing, it did not have to address the merits of this development. Sometimes a court is able to avoid a sticky development issue by relying upon a narrowly drawn procedural problem. This is what may have occurred in this case.

Who Has The Authority To Name A Town Road?

In a decision recommended for publication, the Court of Appeals decided the case of Liberty Grove Town Board v. Door County Board of Supervisors on June 7, 2005. Although the question posed by this case, namely what governmental authority can name a town road may seem to be relatively minor in the scope of other land use issues before our courts, this case demonstrates that road-naming authority is often a hot local issue.

Door County passed an ordinance which established a naming and numbering system for roads in unincorporated portions of the county. The goal was to eliminate duplicate road names within the county in order to simplify providing emergency services, particularly as to the 911 emergency dispatch system. To implement the ordinance, Door County identified duplicate road names, determined how many addresses in each town would be affected by changing the name of the road, and requested towns with the fewest affected addresses to change the road name.

Based on this methodology, Door County requested Liberty Grove to change 20 road names, but Liberty Grove refused to change 7 of them. The Town brought this action seeking a declaratory judgment that towns, not counties, had the exclusive right to name town roads. The trial court entered summary judgment in favor of Door County and the Court of Appeals affirmed that decision.

What this case turned on were two

Continued on Page 6...
apparently conflicting statutes. When this type of statutory conflict occurs, a court will go out of its way to attempt to harmonize the statutes through a process of reasonable construction. The parties agreed that the statutes involved could be harmonized to avoid conflict, but disagreed on the manner of doing so. The Town argued that it had exclusive authority to name roads within its jurisdiction, relying on Wis. Stat., § 81.01(11) and Wis. Stat. § 60.23(17). The court concluded that these statutes give a town initial authority to name town roads within their jurisdiction. At the same time, the County contended that it had road-naming authority by virtue of Wis. Stat. § 59.54(4) which gives counties the authority to implement a naming system, a numbering system, or a combination of both.

Liberty Grove argued that the way to harmonize these apparently conflicting statutes is simple. If a county chooses a numbering system, there is no conflict with a town naming-authority. If a county chooses a naming system or a combination system, conflict is avoided when the county seeks town approval of any name change. If a town does not approve, the county can resolve any name duplication problems through numbering.

Door County contended that Liberty Grove’s proposed reading of the statutes is unreasonable because it distorts the statute’s plain language. The Court of Appeals agreed with the County, concluding that the plain language of Wis. Stat. § 59.54(4) and (4)(m) does not condition a county’s road-naming authority on town consent. Rather, the naming systems “may” be carried out in cooperation with a town.

The other argument made by Door County which was embraced by the court was that if the interpretation as suggested by Liberty Grove was agreed to, a county’s statutory authority to implement a naming system is eviscerated. An elementary rule of statutory construction is that statutes should be interpreted in such a way so that no provision is rendered meaningless. A county’s authority to implement a naming system is meaningless if that authority can be usurped by a town’s refusal to consent to road name changes.

Therefore, the court concluded that although a town has initial authority to name town roads, the town’s authority is subject to the county’s discretionary authority to establish a road-naming and numbering system for the specific purpose of aiding in fire protection, emergency services, and civil defense. Ultimately, a county has the authority to implement name changes even if a town does not consent when the name changes are made under the system pursuant to Wis. Stat. § 59.54(4) which is exactly the process followed by Door County in this case.

How Far Will Courts Go When It Applies The New Standard For An Area Variance?
On March 19, 2004, the Wisconsin Supreme Court decided in Ziervogel v. Washington County Board of Adjustment, that a zoning board of appeals must apply an “unnecessary hardship” standard when considering whether to grant an area variance, essentially overruling the test for an area variance set forth in State v. Kenosha County Board of Adjustment. Keeping in mind the timing and substantive holding of Ziervogel, the Court of Appeals deci-
CHAPTER 59
COUNTIES

SUBCHAPTER I
DEFINITIONS

59.001 Definitions. In this chapter, unless the context clearly indicates to the contrary:

(1) "Board" means the county board of supervisors.
(2) "Clerk" means the county clerk.
(2m) "Members-elect" means those members of the governing body of a county, city, village or town, at a particular time, who have been duly elected or appointed for a current regular or unexpired term and whose service has not terminated by death, resignation or removal from office.
(2n) "Municipal clerk" means the clerk of a municipality.

59.01 Body corporate; status. Each county in this state is a body corporate, authorized to sue and be sued, to acquire and hold, lease or rent real and personal estate for public uses or purposes, including lands acquired under ch. 75, to sell, lease and...
and its members shall receive such compensation and expenses and shall serve for the terms that the county board determines.

(b) The immigration board shall aid in promoting settlement of vacant agricultural lands in the county, and shall protect prospective settlers from unfair practices.

(c) The county board may in any year appropriate for the carrying out of the work of the immigration board a sum not to exceed $5,000.

(19) Joint operation of health-related service. The board may authorize the trustees of county hospitals, together with a private or public organization or affiliation, to organize, establish and participate in the governance and operation of an entity to operate, wholly or in part, any health-related service; to participate in the financing of the entity; and to provide administrative and financial services or resources for its operation on terms prescribed by the board.

(20) Work centers. The board may operate a work center licensed under s. 104.07 to provide employment for severely handicapped individuals.

(21) Operation of relief programs. The board may operate a program of relief for a specific class or classes of persons residing in that county. The county may set such eligibility criteria to obtain relief, and may provide such services, commodities or money as relief, as the county determines to be reasonable and necessary under the circumstances. The program may include work components. The county may enact any ordinances necessary or useful to the operation of a relief program under this subsection. Counties may use vehicle registration information from the department of transportation in determining eligibility for relief programs under this subsection.

(22) County housing authorities. (a) Sections 66.1201 to 66.1211 shall apply to counties, except as otherwise provided in this subsection, or as clearly indicated otherwise by the context.

(b) The powers and duties conferred and imposed by ss. 66.1201 to 66.1211 upon mayors and councils are conferred upon boards, and the powers and duties of specified city officials under ss. 66.1201 to 66.1211 are conferred upon county officials performing duties similar to the duties of such specified city officials.

(c) The area of operation of a housing authority created in and for a county is all of the county for which it is created, but a county housing authority may not undertake any housing project within the boundaries of any municipality unless a resolution has been adopted by the governing body of the municipality, and by any housing authority which has been created in that municipality, declaring that there is need for the county housing authority to exercise its powers within that municipality.

(d) County housing authorities created under this subsection are urged to utilize those provisions of the federal housing laws whereby private developers may acquire land, build housing projects according to federal standards and turn them over to such housing authorities for due consideration.

(23) Housing authorities, counties having only one town. (a) The provisions of ss. 66.1201 to 66.1211 shall apply to any county having only one town, except as otherwise provided in this subsection or clearly indicated otherwise by the context, and any housing authority established under this subsection may participate in any state grants-in-aid for housing in the same manner as city housing authorities created under ss. 66.1201 to 66.1211.

(b) The powers and duties conferred and imposed by ss. 66.1201 to 66.1211 upon mayors and councils are conferred upon boards, and the powers and duties of specified city officials under those sections are conferred upon county officials performing duties similar to the duties of the specified city officials.

(c) Eligible low-income residents of the county who are 62 years of age or older may be given first preference in the selection of tenants for housing provided under the authority of this subsection. The housing may, insofar as possible, be designed specifically for the foregoing class of residents.

(d) The area of operation of a housing authority created in and for a county under this subsection is all of the county for which it is created.


A county cannot use its funds and employee time to improve, reconstruct, or repair homes of private citizens who do not qualify for aid under ch. 49 without utilizing a county housing authority. 64 Atty. Gen. 146.

A county may not, in a manner consistent with federal and state statutes and regulations prohibiting supplementation, contractually obligate itself to pay visiting nurse association funds in addition to those received by such a home health care provider through the Medicaid program. 77 Atty. Gen. 287.

59.535 Veterans affairs. (1) CERTIFICATIONS AND FILINGS FOR VETERANS; NO CHARGE. (a) In this subsection, "veteran" has the meaning given in s. 45.01 (12), and includes a person under s. 45.51 (2) (a) 2. (b) No fee shall be charged by any register of deeds, clerk of circuit court or any other public officer, either state, county or local, having custody of statistical records, for the making and certifying of copies, or examining proofs of any public record or instrument, required for or in connection with, the filing of any claim or application with the U.S. department of veterans affairs or any other federal agency, or to any state agency, or to the regularly established agency of any state, for benefits under federal or state laws, by a veteran or by any dependent of a veteran, when certified proof is required in connection with any claim or application for benefits, under federal or state laws, to any veteran or veteran's dependent. The fees of clerks of circuit court shall be billed to the state veterans service commission for any such veterans or veterans' dependent.


59.54 Public protection and safety. (1) Ambulances. The board may purchase, equip, operate and maintain ambulances and contract for ambulance service with one or more providers for conveyance of the sick or injured and make reasonable charges for the use thereof.

(2) Rescue equipment. The board may appropriate money for the purchase of boats and other equipment necessary for the rescue of human beings and the recovery of human bodies from waters of which the county has jurisdiction under s. 2.04 and charge a reasonable fee for the use of such boats and other equipment.

(3) Radio service for fire protection. The board may appropriate money for the purpose of providing radio service for fire protection in the county, in the manner prescribed by the board.

(4) Rural naming or numbering system. The board may establish a rural naming or numbering system in towns for the purpose of aiding in fire protection, emergency services, and civil defense, and appropriate and expend money therefor, under which:

Text from the 2007-08 Wis. Stats. database updated by the Legislative Reference Bureau. Only printed statutes are certified under s. 35.18 (2), stats. Statutory changes effective prior to 1-2-10 are printed as if currently in effect. Statutory changes effective on or after 1-2-10 are designated by NOTES. Report errors at (608) 266-3561, FAX 264-6948, http://www.legis.state.wi.us/rsb/stats/html
(a) Each rural road, home, business, farm or other establishment, may be assigned a name or number.
(b) The names or numbers may be displayed on uniform signs posted on rural roads and intersections, and at each home, business, farm or other establishment.

(4m) RURAL NAMING OR NUMBERING SYSTEM: TOWN COOPERATION. The rural naming or numbering system under sub. (4) may be carried out in cooperation with any town or towns in the county.

(5) EMERGENCY SERVICES FOR HEARING AND SPEECH IMPAIRED PERSONS. In any county having a population of 200,000 or more the board shall install in the sheriff’s department a teletypewriter which shall be available to receive calls from hearing and speech impaired persons seeking emergency services. In cities having a population of 30,000 or more which are not contained in a county having a population of 200,000 or more, the city shall install a telecommunication device for the purposes of this subsection in either the police or fire department. If 2 or more cities having a population of 30,000 or more are contained in one county, the board shall install the telecommunication device in the sheriff’s department and no telecommunication device shall be required in the cities.

(6) PEACE AND ORDER. The board may enact and enforce ordinances to preserve the public peace and good order within the county including, but not limited by, enactments prohibiting conduct that is the same as or similar to conduct that is prohibited by ss. 947.01 and 947.02, and provide a forfeiture for a violation of the ordinances.

(7) POLICE POWERS OVER CERTAIN U.S. LANDS AND STRUCTURES. In counties in which the United States has built a structure extending into a lake or river, the board may by ordinance regulate the use of such a structure by the public consistent with reasonable safety requirements, but nothing contained in the ordinance shall permit any interference with the operations of the United States, its agents, employees or representatives in connection with the structure. The ordinance may also provide that any person who violates the ordinance shall forfeit to the county an amount not to exceed $100 for each offense, plus costs, and in default of payment shall be imprisoned for not more than 30 days. Arrests for violation of the ordinance may be made by the sheriff or by any peace officer of the municipality wherein the structure is located.

(8) LOCAL EMERGENCY PLANNING COMMITTEES. (a) The board shall do all of the following:
1. Create a local emergency planning committee, with members as specified in 42 USC 11001 (c), which shall have the powers and the duties established for such committees under 42 USC 11000 to 11050 and under ss. 323.60 and 323.61.
2. Control all expenditures by the committee that is created under this paragraph.
3. Within the availability of state funds, take all actions that are necessary to ensure that the committee created under this paragraph properly executes the duties of a local emergency planning committee under 42 USC 11000 to 11050 and under ss. 323.60 and 323.61.
4. At least annually, submit to the division of emergency management in the department of military affairs a list of the members of the local emergency planning committee appointed by the county board under this paragraph, including the agency, organization or profession that each member represents.

(b) The board may do any of the following:
1. Appropriate funds for the operation of the committee that is created under par. (a).
2. Implement programs and undertake activities which are designed to prepare the county to cope with emergencies involving the accidental release of hazardous substances and which are consistent with, but in addition to, the minimum requirements of s. 323.60 and 42 USC 11000 to 11050.

(9) COUNTY TELECOMMUNICATION TERMINAL. Every county in the state shall have a telecommunication terminal installed in a county law enforcement agency which is interconnected with the department of transportation and other county, municipal and government law enforcement agencies in the TIME (Transaction Information for Management of Enforcement) system. This subsection shall not preclude the connection and participation in the system of any governmental law enforcement agency and the requirements of this subsection shall be effective even though there are additions, deletions or modifications in the system.

(10) NEIGHBORHOOD WATCH SIGN APPROVAL. The board may approve the placement, by a town board, of a neighborhood watch sign under s. 60.23 (17m) within the right-of-way of a county trunk highway.

(11) SAFETY AT SPORTING EVENTS. The board may enact and enforce an ordinance to prohibit conduct which is the same as conduct prohibited by s. 167.32 and provide a forfeiture for a violation of the ordinance.

(12) COUNTY-TRIBAL LAW ENFORCEMENT PROGRAMS. Pursuant to adoption of a resolution, a board may enter into an agreement and seek funding under s. 165.90.

(13) ARMING SHERIFFS. The board of any county may furnish the sheriff, undersheriff and deputy sheriffs with the necessary arms, ammunition, gas bombs and gas sticks for the carrying out of their respective duties, such arms, ammunition, gas bombs and gas sticks to remain the property of the county.

(14) COURTHOUSE AND JAIL RESTRICTIONS. (a) A county shall provide a courthouse, fireproof offices and other necessary buildings at the county seat and keep them in good repair. A county shall provide a jail or enter into a cooperative agreement under s. 302.44 for the cooperative establishment and use of a jail. The jail and rehabilitation facilities as extensions of the jail need not be at the county seat and may be located outside of the county under a cooperative agreement under s. 302.44.

(b) No jail may be constructed until the construction plans and specifications are approved by the department of corrections.

(c) When the courthouse from any cause becomes unsafe, inconvenient or unfit for holding court, the board shall provide some other convenient building at the county seat for that purpose temporarily, and this building shall then be considered the courthouse for the time being.

(d) The construction of any courthouse shall be in accordance with plans and specifications that are accompanied by the certificate of the circuit judge in whose circuit the building is to be erected, to the effect that after consultation with competent experts the judge is advised and believes that the courtrooms provided for will possess proper acoustical properties. The fee for this advice shall be paid by the county upon the judge’s certificate.

(e) Repairs which amount substantially to a reconstruction of a courthouse shall be governed by the same restrictions that apply to new construction, so far as practicable.

(f) The personnel who are required to comply with ss. 302.41 and 302.42 shall be provided at county expense.

(g) A county may establish extensions of the jail, which need not be at the county seat, to serve as places of temporary confinement. No person may be detained in such an extension for more than 24 consecutive hours, except that a court may order that a person subject to imprisonment under s. 23.33 (13) (b), 2 or 3, or (c) or 350.11 (3) (a), 2 or 3 or (b) be imprisoned for more than 24 consecutive hours in such an extension. Jail extensions shall be subject to plans and specifications approval by the department of corrections and shall conform to other requirements imposed by law on jails, except that cells may be designed and used for multiple occupancy.

(15) ANNUAL INSPECTION. At least once each year the board of each county, or a committee thereof, shall visit and inspect and examine each jail maintained by the county, as to health, cleanliness and discipline, and the keeper of the jail shall lay before the board or the committee a calendar setting forth the name, age and cause of commitment of each prisoner. If it appears to the board or committee that any provisions of law have been violated or

Text from the 2007-08 Wis. Stats. database updated by the Legislative Reference Bureau. Only printed statutes are certified under s. 35.18 (2), stats. Statutory changes effective prior to 1-2-10 are printed as if currently in effect. Statutory changes effective on or after 1-2-10 are designated by NOTES. Report errors at (608) 266-3561, FAX 294-6948, http://www.legis.state.wi.us/assembly/stats.html
Long Awaited Federal Highway Administration (FHWA) Rule Change Affecting Sign Retroreflectivity Compliance Deadlines Will Become Effective in June

By WTA Attorney Carol Nawrocki

In August 2011, U.S. Transportation Secretary Ray LaHood announced that the Obama Administration was proposing eliminating 46 deadlines that had been mandated by the Federal Manual on Uniform Traffic Control Devices (MUTCD). The Wisconsin Towns Association, the National Association of Towns and Townships (NATaT), and others submitted comments in support of the administration's proposal. Of course, other groups submitted comments opposing the changes due to safety concerns, etc. The comment period closed on October 31, 2011, and we have been waiting since that time for a decision on the proposal.

On May 14, 2012, final rules adopting Revisions 1 and 2 of the 2009, MUTCD were published in the Federal Register with an effective date of June 13, 2012. The final rule eliminates the compliance date for 46 items (8 that had already expired and 36 with future compliance dates) and extended or revised the dates for 4 items. The target compliance dates for 8 items that were deemed to be of critical safety importance remain in effect.

Some of the most important changes that your town should be aware of are the following:

1. The requirement for each local government to adopt and implement an assessment or management method that is designed to maintain regulatory and warning sign retroreflectivity at or above the established minimum levels has been extended from January 2012 to June 13, 2014. To ease the economic burden on agencies, signs other than regulatory or warning are not required to be included in the assessment or management method by the new compliance date, but must be added to an agency's management or assessment method as resources allow.

2. The deadline to replace all regulatory (red stop signs, white speed limit signs, etc.), yellow warning signs, and green guide signs with signs that meet certain retroreflectivity standards by January 2015 has been eliminated. Similarly, the deadline to replace all street name signs and overhead guide signs by January 2018 has been eliminated.

However, the elimination of a compliance date for these standards does NOT eliminate the regulatory requirement to comply with the standard. The standard itself remains in the MUTCD and applies to any new installation. But, the compliance date for replacing noncompliant devices that exist in the field has been eliminated. To further clarify, any new installation of an existing non-compliant device (such as moving a non-compliant sign to another location) would also have to comply with the MUTCD standards upon installation. Also, agencies will still need to replace any sign they identify as not meeting the established minimum retroreflectivity levels. However, the schedule for replacing these signs would be based on resources and relative priorities rather than a specific compliance date.
3. The FHWA has decided to retain the January 17, 2013, target compliance date requiring crashworthiness of existing sign supports on roads with speed limits of 50 mph or higher.

4. The requirement that all workers within the right of way wear high-visibility apparel by December 31, 2011, remains in effect.

It is recommended that the highway maintenance personnel in each town review the other compliance deadline changes to see if any of them are applicable to traffic control devices on your town roadways.

To read the final rule and view a table explaining the other compliance deadlines visit: http://www.gpo.gov/fdsys/pkg/FR-2012-05-14/html/2012-11710.htm
This document is also available as a PDF on the home page of the WTA website.
PORTION OF:
minutes of the meeting of the Sawyer County Board of Supervisors
Thursday, July 18, 2013, 6:30 p.m., Large Courtroom, Sawyer County Courthouse

district - supervisor - T = Town, V = Village, C = City, W = Ward
x 01 - Dale Schleeter – T Lenroot W 1, T Hayward W 7, C Hayward W 5 and 6
x 02 - Kathy McCoy – T Lenroot W 2, T Round Lake W 1
x 03 - Tweed Shuman – T Hayward W 1 and 2
x 04 - Walter Jaeger – T Hayward W 3 and 4
x 05 - Fred Zietlow – T Hayward W 5 and 6
x 06 - Dean Pearson – C Hayward W 1 and 2
x 07 - Thomas W. Duffy – C Hayward W 3 and 4
x 08 - Bruce Paulsen – T Bass Lake W 1 and 2
x 09 - Charles Gundersen – T Bass Lake W 3 and 4
x 10 - Hal Helwig – T Sand Lake, T Edgewater W 1
x 11 - Jim Bassett – T Edgewater W 2, T Bass Lake W 5, T Hayward W 8, T Meteor, T Couderay, V Couderay
x 12 - William Voight – T Spider Lake, T Round Lake W 2, T Winter W 1
x 13 - Ron Kinsley – T Hunter, T Radisson W 1, T Ojibwa W 1, V Radisson
x 14 - Dale Thompson – T Radisson W 2, T Ojibwa W 2, T Weirgor, V Exeland, T Meadowbrook
x 15 - Warren Johnson – T Winter W 2, T Draper, V Winter

Property Address System Committee Chair Dale Schleeter presented the following options to address the public safety hazard of failing to dispatch emergency services (ambulance, fire, sheriff and police, etc.) in Sawyer County to the correct location due to there being more than one road with the same name in Sawyer County (duplicate road names). Sawyer County’s dispatch personnel have experienced confusion with proper identification of road locations in responding to calls during emergencies and assert that there is the potential for errors that may have life-threatening consequences.

options to address hazard: The Sawyer County Property Address System Committee reviewed and discussed options to address this hazard and developed the following options for the County Board to consider:

1. Require all municipalities, at their expense, to change duplicate road names pursuant to criteria established by Sawyer County in Duplicate Road Name Management Report revised June 19, 2013 (page 2). To be completed by ______________.

2. Require all municipalities to change duplicate road names pursuant to criteria established by Sawyer County in Duplicate Road Name Management Report revised June 19, 2013 (page 2) but County will pay for purchase of new signs (estimated cost for 468 signs at $34.10 per sign = $15,958.80). To be completed by ______________.

3. Recommend to all municipalities that they change duplicate road names pursuant to criteria established by Sawyer County in Duplicate Road Name Management Report revised June 19, 2013 (page 2).

4. Recommend to all municipalities that they change duplicate road names pursuant to criteria established by Sawyer County in Duplicate Road Name Management Report revised June 19, 2013 (page 2) but the County will pay for purchase of new signs if the replacement is completed by ______________.

5. Do nothing.

Motion by Pearson, 2nd by McCoy, to require all municipalities to change duplicate road names pursuant to the criteria established by Sawyer County in the Duplicate Road Name Management Report revised June 19, 2013 (page 2). Sawyer County will pay for one half of the purchase price for the new signs. Installation of the new signs will be performed by and at the expense of each municipality, and is to be completed by December 31, 2016. The roll call vote on the motion was as follows: Jaeger – yes; Zietlow – yes; Pearson – yes; Duffy – yes; Paulsen – yes; Gundersen – no; Helwig – yes; Bassett – no; Voight – yes; Kinsley – yes; Thompson – yes; Johnson – no; Schleeter – yes; McCoy – no; Shuman – yes. The motion carried with 11 voting yes and 4 voting no.
Road Sign Cost Estimate

Decker Supply

30 Inch Long 9 inches Tall Blade*

$34.10 per sign

Estimated 468 Signs to be replaced based on Report 3: Low Score Roads Needing Name Change.

Estimated cost: $15,958.80

*Sign size is an average as different length signs have different costs.
Sawyer County

Duplicate Road Name Management Report

January 2012, Revised June 19, 2013
Background

Roads with duplicate names within the County are an issue for Public Safety. Emergency Services crews may be dispatched to the wrong location. Eliminating duplicate names within the County’s jurisdiction will reduce the chances of Emergency Services going to the wrong location.

Approach

1. Define what constitutes a duplicate name. Using the full name, for example, A.LENDALE LN in Sand Lake would not be considered a duplicate of ALENDALE RD in the same township. Using the short name or name prefix, BIRCH LN in the Town of Hayward would be considered a duplicate of BIRCH ST in Bass Lake.

2. Once duplicates have been defined, determine a way to choose candidates for name changing. Choices may include using counts of addresses, number of residents, number of businesses, property valuation, acreage, and so forth.

Assumptions

The lists in this report come for the Novus system maintained by Sawyer County Land Records. CenturyLink, the phone provider, has an MSAG (Master Street Address Guide) list that is imported into the Sheriff’s Department 911 Dispatch system. The MSAG is not referenced by this report.

Roads that cross municipal boundaries are not considered duplicate, because they are viewed as a single road. COUNTY HWY B, for example, spans these municipalties: CITY OF HAYWARD, T.HAYWARD, T.HUNTER, T.ROUND LAKE, and T.WINTER. CHIPPANAZEE RD spans T.HAYWARD and T.LENROOT.

Words that sound alike but spelled differently are homonyms. Examples include:

- Larson – Larsen
- TOWN LINE RD - TOWNLINE RD (the space between “Town” and “Line” makes them unique in a computer search.)

Homonyms will not be considered duplicates unless the County decides which pairings would be considered duplicates. In such cases, we can add them to a translation table which will help the computer match them.

For this report, we have already added a few names to the translation list for duplicate matching, as follows:
STREET Translated
1ST      FIRST
2ND      SECOND
3RD      THIRD
4TH      FOURTH
5TH      FIFTH
6TH      SIXTH
7TH      SEVENTH
8TH      EIGHTH
9TH      NINTH

With these translations in place, “1st ST” will be considered the same as “FIRST ST” for computer matching.

Lists

We have created two sets of lists in order to help the County assess the scope of this project.

- Use the full, official road name to determine matching duplicates. Exact match must occur for roads to be considered duplicates.
- Use the short name (without suffixes like ST or AVE) to determine matches. This list casts a wider net, and will necessarily be larger than the former.

A policy decision will need be made to decide which duplicated road name will be a candidate for changing. We have created Candidate Name Change Lists with a “least-cost” assumption: roads with less impact to citizens will be selected. As a starting point, the following values will be used to determine a least cost score:

- Number of addresses on the road
- Number of residents (determined by Lottery Credit applications on the parcel record)
- Number of businesses (determined by Assessment Code of “Commercial” on the parcel
- Total Assessed Value
- Total Acreage

A road’s score is determined as follows:

1. Number of addresses + Number of permanent residents + number of businesses.
2. In case of tie, Add the Total Assessed Value + Total Acreage
3. Finally, if a tie still exists, assign a random number to the score (a coin toss)

Roads with the lowest score in a duplicate set will be considered Candidates for Name Change.
Impact Summary: Use short name to determine duplicates.

Counts reflect the number of roads, addresses, permanent residents, and businesses affected.

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Road Count</th>
<th>Addr Count</th>
<th>Resident Count</th>
<th>Commercial Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>CITY OF HAYWARD</td>
<td>12</td>
<td>65</td>
<td>37</td>
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<tr>
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<td>12</td>
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<td>6</td>
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<td>T.BASS LAKE</td>
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<td>228</td>
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<td>T.EDGEWATER</td>
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<td>5</td>
<td>3</td>
<td>0</td>
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<tr>
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<td>10</td>
<td>0</td>
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<td>3</td>
<td>0</td>
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<tr>
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<td>0</td>
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<tr>
<td>VILLAGE OF RADISSON</td>
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<td>27</td>
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<td>12</td>
<td>4</td>
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<td><strong>1278</strong></td>
<td><strong>417</strong></td>
<td><strong>33</strong></td>
</tr>
</tbody>
</table>

Details provided in lists to follow.
Impact Summary: Use full name to determine duplicates.

Counts reflect the number of roads, addresses, permanent residents, and businesses affected.

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Road Count</th>
<th>Addr Count</th>
<th>Resident Count</th>
<th>Commercial Count</th>
</tr>
</thead>
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<td>T.LENROOT</td>
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<td>0</td>
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</tbody>
</table>

**TOTALS** 112 624 213 23

Details provided in lists to follow.
SAWYER COUNTY BOARD RESOLUTION
ON DUPLICATE ROAD/STREET NAMES

State of Wisconsin: At a regular meeting of the Sawyer County Board of Supervisors held in the large courtroom of the Sawyer County Courthouse on the ____ day of _____________, 2012 at __:__ __.m.

Present were:


WHEREAS, Sawyer County Emergency Government has determined that concern over the time for emergency service exists due to duplicate road/street names in Sawyer County.

WHEREAS, Sawyer County Land Records Department has developed a list of road/street names in Sawyer County that has one or more duplicate or similar names in the County.

WHEREAS, the Sawyer County Board of Supervisors resolves, in the name of public safety, to require that no two road/street names in the County shall be so similar in nature as to cause confusion when emergency vehicles are dispatched.

WHEREAS, the Sawyer County Board of Supervisors has directed the Sawyer County Land Records Department to compare roads/streets with the same or similar names to determine which road/street contains most addressed parcels.

WHEREAS, the Sawyer County Board of Supervisors has directed that unless otherwise agreed upon by the affected municipalities, the road/street with the most onsite property addresses shall retain the existing road/street name and the Municipality of the other roads/streets shall develop a new name for said road/street that does not conflict with any other road in Sawyer County.

On motion of ________________________, second by ________________________, the members of the Sawyer County Board of Supervisors voted to approve this resolution as follows:

Vote:

Dated:

Clerk:

Board of Supervisors
owner, and (2) that he or she is specially damaged. Although the trial court determined that some of the plaintiffs were neighboring property owners within the meaning of the statute, it also found that none of the property owners established that they have been or will be specially damaged by the decision to grant the conditional use permit. The Court of Appeals agreed.

The Wisconsin Supreme Court has defined "specially damaged" as irreparable injury done to property if the injury threatened is special and different from that of the general public. In previous cases that have defined "specially damaged" so that the proximity to the proposed use was an important factor.

However, in this case the court found that the property owners did not prove that they were facing irrevocable injury as a result of the City's actions that was different from any injury faced by the general public. At the most, they established that all of the homes on the northern shore of Middle Genesee Lake and the properties to the east and west of the proposed distribution center may be injured by the alleged increase in noise and traffic. Because this is a potential injury faced by the general public and is not specific to these neighbors, the court concluded that the neighbors lacked standing to challenge the Common Council's decision to grant a conditional use permit.

Because the Court of Appeals found that the neighbors had no standing, it did not have to address the merits of this development. Sometimes a court is able to avoid a sticky development issue by relying upon a narrowly drawn procedural problem. This is what may have occurred in this case.

**Who Has The Authority To Name A Town Road?**

In a decision recommended for publication, the Court of Appeals decided the case of Liberty Grove Town Board v. Door County Board of Supervisors on June 7, 2005. Although the question posed by this case, namely what governmental authority can name a town road may seem to be relatively minor in the scope of other land use issues before our courts, this case demonstrates that road-naming authority is often a hot local issue.

Door County passed an ordinance which established a naming and numbering system for roads in unincorporated portions of the county. The goal was to eliminate duplicate road names within the county in order to simplify providing emergency services, particularly as to the 911 emergency dispatch system. To implement the ordinance, Door County identified duplicate road names, determined how many addresses in each town would be affected by changing the name of the road, and requested towns with the fewest affected addresses to change the road name.

Based on this methodology, Door County requested Liberty Grove to change 20 road names, but Liberty Grove refused to change 7 of them. The Town brought this action seeking a declaratory judgment that towns, not counties, had the exclusive right to name town roads. The trial court entered summary judgment in favor of Door County and the Court of Appeals affirmed that decision.

What this case turned on were two
apparently conflicting statutes. When this type of statutory conflict occurs, a court will go out of its way to attempt to harmonize the statutes through a process of reasonable construction. The parties agreed that the statutes involved could be harmonized to avoid conflict, but disagreed on the manner of doing so. The Town argued that it had exclusive authority to name roads within its jurisdiction, relying on Wis. Stat., § 81.01(11) and Wis. Stat. § 60.23(17). The court concluded that these statutes give a town initial authority to name town roads within their jurisdiction. At the same time, the County contended that it had road-naming authority by virtue of Wis. Stat. § 59.54(4) which gives counties the authority to implement a naming system, a numbering system, or a combination of both.

Liberty Grove argued that the way to harmonize these apparently conflicting statutes is simple. If a county chooses a numbering system, there is no conflict with a town naming-authority. If a county chooses a naming system or a combination system, conflict is avoided when the county seeks town approval of any name change. If a town does not approve, the county can resolve any name duplication problems through numbering.

Door County contended that Liberty Grove’s proposed reading of the statutes is unreasonable because it distorts the statute’s plain language. The Court of Appeals agreed with the County, concluding that the plain language of Wis. Stat. § 59.54(4) and (4)(m) does not condition a county’s road-naming authority on town consent. Rather, the naming systems "may be carried out in cooperation with a town."

The other argument made by Door County which was embraced by the court was that if the interpretation as suggested by Liberty Grove was agreed to, a county’s statutory authority to implement a naming system is eviscerated. An elementary rule of statutory construction is that statutes should be interpreted in such a way so that no provision is rendered meaningless. A county’s authority to implement a naming system is meaningless if that authority can be usurped by a town’s refusal to consent to road name changes.

Therefore, the court concluded that although a town has initial authority to name town roads, the town’s authority is subject to the county’s discretionary authority to establish a road-naming and numbering system for the specific purpose of aiding in fire protection, emergency services, and civil defense. Ultimately, a county has the authority to implement name changes even if a town does not consent when the name changes are made under the system pursuant to Wis. Stat. § 59.54(4) which is exactly the process followed by Door County in this case.

How Far Will Courts Go When It Applies The New Standard For An Area Variance?

On March 19, 2004, the Wisconsin Supreme Court decided in Ziervogel v. Washington County Board of Adjustment, that a zoning board of appeals must apply an "unnecessary hardship" standard when considering whether to grant an area variance, essentially overruling the test for an area variance set forth in State v. Kenosha County Board of Adjustment. Keeping in mind the timing and substantive holding of Ziervogel, the Court of Appeals deci-
CHAPTER 59
COUNTIES

SUBCHAPTER I
DEFINITIONS

59.001 Definitions. In this chapter, unless the context clearly indicates to the contrary:

1. "Board" means the county board of supervisors.
2. "Clerk" means the county clerk.
3m. "Members-elect" means those members of the governing body of a county, city, village or town, at a particular time, who have been duly elected or appointed for a current regular or unexpired term and whose service has not terminated by death, resignation, or removal from office.
3r. "Municipal clerk" means the clerk of a municipality.

59.044 County auditors; duties. 
59.045 County tax examiner; duties. 
59.046 County treasurer; duties.

59.48 County assessor. 

SUBCHAPTER V
POWERS AND DUTIES OF COUNTIES

59.01 Body corporate; status. Each county in this state is a body corporate, authorized to sue and be sued, to acquire and hold, lease or rent real and personal estate for public uses or purposes, including lands acquired under ch. 75, to sell, lease and

(1) "Board" means the county board of supervisors.
(2) "Clerk" means the county clerk.
(3) "County" means any county in this state.
(3m) "Municipality" means any city, village or town.
(3gr) "Municipal treasurer" means the treasurer of a municipality.
(4) "Treasurer" means the county treasurer.

SUBCHAPTER II
LEGAL STATUS; ORGANIZATION

59.01 Body corporate; status. Each county in this state is a body corporate, authorized to sue and be sued, to acquire and hold, lease or rent real and personal estate for public uses or purposes, including lands acquired under ch. 75, to sell, lease and
and its members shall receive such compensation and expenses and shall serve for the terms that the county board determines.

(b) The immigration board shall aid in promoting settlement of vacant agricultural lands in the county, and shall protect prospective settlers from unfair practices.

(c) The county board may in any year appropriate for the carrying out of the work of the immigration board a sum not to exceed $5,000.

(19) Joint Operation of Health-Related Service. The board may authorize the trustees of county hospitals, together with a private organization or affiliation, to organize, establish, and participate in the governance and operation of an entity to operate, wholly or in part, any health-related service; to participate in the financing of the entity; and to provide administrative and financial services or resources for its operation on terms prescribed by the board.

(20) Work Centers. The board may operate a work center licensed under s. 104.07 to provide employment for severely handicapped individuals.

(21) Operation of Relief Programs. The board may operate a program of relief for a specific class or classes of persons residing in that county. The county may set such eligibility criteria to obtain relief, and may provide such services, commodities or money as relief, as the county determines to be reasonable and necessary under the circumstances. The program may include work components. The county may enact any ordinances necessary or useful to the operation of a relief program under this subsection. Counties may use vehicle registration information from the department of transportation in determining eligibility for relief programs under this subsection.

(22) County Housing Authorities (a) Sections 66.1201 to 66.1211 shall apply to counties, except as otherwise provided in this subsection, as clearly indicated otherwise by the context.

(b) The powers and duties conferred and imposed by ss. 66.1201 to 66.1211 upon mayors and councils are conferred upon boards, and the powers and duties of specified city officials under ss. 66.1201 to 66.1211 are conferred upon county officials performing duties similar to the duties of specified city officials.

(c) The area of operation of a housing authority created in and for a county is all of the county for which it is created, but a county housing authority may not undertake any housing project within the boundaries of any municipality unless a resolution has been adopted by the governing body of the municipality, and by any housing authority which has been created in that municipality, declaring that there is need for the county housing authority to exercise its powers within that municipality.

(d) County housing authorities created under this subsection are urged to utilize those provisions of the federal housing laws under which private developers may acquire land, build housing projects according to federal standards and turn them over to such housing authorities for due consideration.

(23) Housing Authorities, Counties Having Only One Town. (a) The provisions of ss. 66.1201 to 66.1211 shall apply to any county having only one town, except as otherwise provided in this subsection or clearly indicated otherwise by the context, and any housing authority established under this subsection may participate in any state grants-in-aid for housing in the same manner as city housing authorities created under ss. 66.1201 to 66.1211.

(b) The powers and duties conferred and imposed by ss. 66.1201 to 66.1211 upon mayors and councils are conferred upon boards, and the powers and duties of specified city officials under those sections are conferred upon county officials performing duties similar to the duties of the specified city officials.

(c) Eligible low-income residents of the county who are 62 years of age or older may be given first preference in the selection of tenants for housing provided under the authority of this subsection. The housing may, as far as possible, be designed specifically for the foregoing class of residents.

(d) The area of operation of a housing authority created in and for a county under this subsection is all of the county for which it is created.

(24) Veterans Affairs. (1) Certifications and Filings for Veterans No Charge. (a) In this subsection, "veteran" has the meaning given in s. 45.01 (12), and includes a person under s. 45.51 (2) (a) 2.

(b) No fee shall be charged by any register of deeds, clerk of circuit court or any other public officer, either state, county or local, having custody of statistical records, for the making and certifying of copies, or examining proofs of any public record or instrument, required for or in connection with, the filing of any claim or application with the United States department of veterans affairs or any other federal agency, or to any state agency, or to the regularly established agency of any state, for benefits under federal or state laws, by a veteran or by any dependent of a veteran, when certified proof is required in connection with any claim or application for benefits, under federal or state laws, to which such veteran, or a dependent of a veteran, either living or dead, may be required to file, except that in the counties where the register of deeds or clerk of circuit court is under the fee system and not a fixed salary, the usual fee for such service shall be paid by the county to the proper officer. The provisions of this subsection shall supersede any provision of law in conflict therewith.

(2) Graves Markers, Veterans. (a) The board may furnish upon the petition of 5 residents of any municipality in their county an appropriate metal marker for the grave of each soldier, sailor or marine who served with honor in the U.S. armed forces, buried within the municipality.

(b) The petitioners shall state in the petition the names of the soldiers, sailors or marines buried in the municipality.

(3) War Records. The board may appropriate money for the collection, publication or distribution of war records.

(4) Service Officer and Commission. The board may appropriate funds for the execution of the duties of the county veterans service officer and the county veterans service commission.

(5) Public Protection and Safety. (1) Ambulances. The board may purchase, equip, operate and maintain ambulances and contract for ambulance service with one or more providers for conveyance of the sick or injured and make reasonable charges for the use thereof.

(2) Rescue Equipment. The board may appropriate money for the purchase of boats and other equipment necessary for the rescue of human beings and the recovery of human bodies from waters of which the county has jurisdiction under s. 2.04 and charge a reasonable fee for the use of such boats and other equipment.

(3) Radio Service for Fire Protection. The board may appropriate money for the purpose of providing radio service for fire protection in the county, in the manner prescribed by the board.

(4) Rural Naming or Numbering System. The board may establish a rural naming or numbering system in towns for the purpose of aiding in fire protection, emergency services, and civil defense, and appropriate and expend money therefor, under which:
(a) Each rural road, home, business, farm or other establishment, may be assigned a name or number.

(b) The names or numbers may be displayed on uniform signs posted on rural roads and intersections, and at each home, business, farm or other establishment.

(4m) **RURAL NAMING OR NUMBERING SYSTEM, TOWN COOPERATION.** The rural naming or numbering system under sub. (a) may be carried out in cooperation with any town or towns in the county.

(5) **EMERGENCY SERVICES FOR HEARING AND SPEECH IMPAIRED PERSONS.** In any county having a population of 200,000 or more the board shall install in the sheriff's department a teleypewriter which shall be available to receive calls from hearing and speech impaired persons seeking emergency services. In cities having a population of 30,000 or more which are not contained in a county having a population of 200,000 or more, the city shall install a teleypewriter for the purposes of this subsection in either the police or fire department. If 2 or more cities having a population of 30,000 or more are contained in one county, the board shall install the teleypewriter in the sheriff's department and no teleypewriter shall be required in the cities.

(6) **PEACE AND ORDER.** The board may enact and enforce ordinances to preserve the public peace and good order within the county including, but not limited by enumeration, ordinances prohibiting conduct that is the same as or similar to conduct that is prohibited by ss. 947.01 and 947.02, and provide a forfeiture for a violation of the ordinances.

(7) **POLICE POWERS OVER CERTAIN U.S. LANDS AND STRUCTURES.** In counties in which the United States has built a structure extending into a lake or river, the board may by ordinance regulate the use of such a structure by the public consistent with reasonable safety requirements, but nothing contained in the ordinance shall permit any interference with the operations of the United States, its agents, employees or representatives in connection with such structures. The ordinance may also provide that any person who violates the ordinance shall forfeit to the county an amount not to exceed $100 for each offense, plus costs, and in default of payment shall be imprisoned for not more than 30 days. Arrests for violation of the ordinance may be made by the sheriff or any peace officer of the municipality wherein the structure is located.

(8) **LOCAL EMERGENCY PLANNING COMMITTEES.** (a) The board shall do all of the following:

1. Establish a local emergency planning committee, with members as specified in 42 USC 11001 (c), which shall have the powers and the duties established for such committees under 42 USC 11000 to 11050 and under ss. 323.60 and 323.61.

2. Control all expenditures by the committee that is created under this paragraph.

3. Within the availability of state funds, take all actions that are necessary to ensure that the committee created under this paragraph properly executes the duties of a local emergency planning committee under 42 USC 11000 to 11050 and under ss. 323.60 and 323.61.

4. At least annually, submit to the division of emergency management in the department of military affairs a list of the members of the local emergency planning committee appointed by the county board under this paragraph, including the agency, organization or profession that each member represents.

(b) The board may do any of the following:

1. Appropriate funds for the operation of the committee that is created under par. (a).

2. Implement programs and undertake activities which are designed to prepare the county to cope with emergencies involving the accidental release of hazardous substances and which are consistent with, but in addition to, the minimum requirements of s. 323.60 and 42 USC 11000 to 11050.

(9) **COUNTY TELECOMMUNICATION TERMINAL.** Every county in the state shall have a telecommunication terminal installed in a county law enforcement agency which is interconnected with the department of transportation and other county, municipal and governmental law enforcement agencies in the TlME (Transaction Information for Management of Enforcement) system. This subsection shall not preclude the connection and participation in the system of any governmental law enforcement agency and the requirements of this subsection shall be effective even though there are additions, deletions or modifications in the system.

(10) **NEIGHBORHOOD WATCH SIGN APPROVAL.** The board may approve the placement, by a town board, of a neighborhood watch sign under s. 60.23 (17m) within the right-of-way of a county trunk highway.

(11) **SAFETY AT SPORTING EVENTS.** The board may enact and enforce an ordinance to prohibit conduct which is the same as conduct prohibited by s. 167.32 and provide a forfeiture for a violation of the ordinance.

(12) **COUNTY-TRIBAL LAW ENFORCEMENT PROGRAMS.** Pursuant to adoption of a resolution, a board may enter into an agreement and seek funding under s. 165.90.

(13) **ARMING SHERIFFS.** The board of any county may furnish its sheriff, undersheriff and deputy sheriffs with the necessary arms, ammunition, gas bombs and gas sticks for the carrying out of their respective duties, such arms, ammunition, gas bombs and gas sticks to remain the property of the county.

(14) **COURTHOUSE AND JAIL, RESTRICTIONS.** (a) A county shall provide a courthouse, fireproof offices and other necessary buildings at the county seat and keep them in good repair. A county shall provide a jail or enter into a cooperative agreement under s. 302.44 for the cooperative establishment and use of a jail. The jail and rehabilitation facilities as extensions of the jail need not be at the county seat and may be located outside of the county under a cooperative agreement under s. 302.44.

1. No jail may be constructed until the construction plans and specifications are approved by the department of corrections.

2. When the courthouse from any cause becomes unsafe, inconvenient or unfit for holding court, the board shall provide some other convenient building at the county seat for that purpose temporarily, and this building shall then be considered the courthouse for the time being.

(d) The construction of any courthouse shall be in accordance with plans and specifications that are accompanied by the certificate of the circuit judge in whose circuit the building is to be erected, to the effect that after consultation with competent experts the judge is advised and believes that the courtrooms provided for will possess proper acoustical properties. The fee for this advice shall be paid by the county upon the judge's certificate.

(e) Repairs which amount substantially to a reconstruction of a courthouse shall be governed by the same restrictions that apply to new construction, so far as practicable.

(f) The personnel who are required to comply with ss. 302.41 and 302.42 shall be provided at county expense.

(g) A county may establish extensions of the jail, which need not be at the county seat, to serve as places of temporary confinement. No person may be detained in such an extension for more than 24 consecutive hours, except that a court may order that person subject to imprisonment under s. 23.33 (13) (b) 2. or 3. or (c) or 350.11 (3) (a) 2. or 3. or (b) be imprisoned for more than 24 consecutive hours in such an extension. Jail extensions shall be subject to plans and specifications approval by the department of corrections and shall conform to other requirements imposed by law on jails, except that cells may be designed and used for multiple occupancy.

(15) **ANNUAL INSPECTION.** At least once each year the board of each county, or a committee thereof, shall visit, inspect and examine each jail maintained by the county, as to health, cleanliness and discipline, and the keeper of the jail shall lay before the board or the committee a calendar setting forth the name, age and cause of commitment of each prisoner. If it appears to the board or committee that any provisions of law have been violated or
Long Awaited Federal Highway Administration (FHWA) Rule Change Affecting Sign Retroreflectivity Compliance Deadlines Will Become Effective in June

By WTA Attorney Carol Nawrocki

In August 2011, U.S. Transportation Secretary Ray LaHood announced that the Obama Administration was proposing eliminating 46 deadlines that had been mandated by the Federal Manual on Uniform Traffic Control Devices (MUTCD). The Wisconsin Towns Association, the National Association of Towns and Townships (NATaT), and others submitted comments in support of the administration's proposal. Of course, other groups submitted comments opposing the changes due to safety concerns, etc. The comment period closed on October 31, 2011, and we have been waiting since that time for a decision on the proposal.

On May 14, 2012, final rules adopting Revisions 1 and 2 of the 2009, MUTCD were published in the Federal Register with an effective date of June 13, 2012. The final rule eliminates the compliance date for 46 items (8 that had already expired and 36 with future compliance dates) and extended or revised the dates for 4 items. The target compliance dates for 8 items that were deemed to be of critical safety importance remain in effect.

Some of the most important changes that your town should be aware of are the following:

1. The requirement for each local government to adopt and implement an assessment or management method that is designed to maintain regulatory and warning sign retroreflectivity at or above the established minimum levels has been extended from January 2012 to June 13, 2014. To ease the economic burden on agencies, signs other than regulatory or warning are not required to be included in the assessment or management method by the new compliance date, but must be added to an agency's management or assessment method as resources allow.

2. The deadline to replace all regulatory (red stop signs, white speed limit signs, etc.), yellow warning signs, and green guide signs with signs that meet certain retroreflectivity standards by January 2015 has been eliminated. Similarly, the deadline to replace all street name signs and overhead guide signs by January 2018 has been eliminated.

However, the elimination of a compliance date for these standards does NOT eliminate the regulatory requirement to comply with the standard. The standard itself remains in the MUTCD and applies to any new installation. But, the compliance date for replacing noncompliant devices that exist in the field has been eliminated. To further clarify, any new installation of an existing non-compliant device (such as moving a non-compliant sign to another location) would also have to comply with the MUTCD standards upon installation. Also, agencies will still need to replace any sign they identify as not meeting the established minimum retroreflectivity levels. However, the schedule for replacing these signs would be based on resources and relative priorities rather than a specific compliance date.
3. The FHWA has decided to retain the January 17, 2013, target compliance date requiring crashworthiness of existing sign supports on roads with speed limits of 50 mph or higher.

4. The requirement that all workers within the right of way wear high-visibility apparel by December 31, 2011, remains in effect.

It is recommended that the highway maintenance personnel in each town review the other compliance deadline changes to see if any of them are applicable to traffic control devices on your town roadways.

To read the final rule and view a table explaining the other compliance deadlines visit: http://www.gpo.gov/fdsys/pkg/FR-2012-05-14/html/2012-11710.htm

This document is also available as a PDF on the home page of the WTA website.
PORTION OF:

minutes of the meeting of the Sawyer County Board of Supervisors
Thursday, January 16, 2014, 6:30 p.m.
Assembly Room, Sawyer County Courthouse

County Board Chair Hal Helwig called the January meeting of the Sawyer County Board of Supervisors to order. Roll call was as follows (x indicates present):

- district - supervisor - T = Town, V = Village, C = City, W = Ward
- x 01 - Dale Schleeter – T Lenroot W 1, T Hayward W 7, C Hayward W 5 and 6
- x 02 - Kathy McCoy – T Lenroot W 2, T Round Lake W 1
- x 03 - Tweed Shuman – T Hayward W 1 and 2
- x 04 - Walter Jaeger – T Hayward W 3 and 4
- x 05 - Fred Zietlow – T Hayward W 5 and 6
- x 06 - Dean Pearson – C Hayward W 1 and 2
- x 07 - Thomas W. Duffy – C Hayward W 3 and 4
- x 08 - Bruce Paulsen – T Bass Lake W 1 and 2
- x 09 - Charles Gunderson – T Bass Lake W 3 and 4
- x 10 - Hal Helwig – T Sand Lake, T Edgewater W 1
- x 11 - Jim Bassett – T Edgewater W 2, T Bass Lake W 5, T Hayward W 8, T Meteor, T Couderay, V Couderay
- x 12 - William Voight – T Spider Lake, T Round Lake W 2, T Winter W 1
- x 13 - Ron Kinsley – T Hunter, T Radisson W 1, T Ojibwa W 1, V Radisson
- x 14 - Dale Thompson – T Radisson W 2, T Ojibwa W 2, T Weirgor, V Exeland, T Meadowbrook
- x 15 - Warren Johnson – T Winter W 2, T Draper, V Winter

County Clerk Kris Mayberry requested that the Board consider establishing a procedure to review, prioritize, and reduce the County’s expenditures during 2014. He indicated that the need to do this results from an early projection that the expenditures and revenues from the 2013 Sawyer County Budget will not result in a net surplus of funds from the over-projection of expenditures and/or under-projection of revenues, and that there may even be a deficit for the year 2013. Mr. Mayberry noted that the 2014 Sawyer County Budget includes the use of $330,278 from an audited surplus from the 2012 Sawyer County Budget, and that developing the 2015 Sawyer County budget would be problematic if there is not a surplus available to utilize from the 2013 Sawyer County Budget. The Board discussed “Lean Government” initiatives being utilized by some Wisconsin counties to address their financial challenges, determined that Board members should review Sawyer County’s comprehensive plan, determined to request that committees address this issue at committee meetings, and authorized County Clerk Kris Mayberry to develop suggestions for addressing the issue.
### GENERAL FUND – EXPENDITURES

**General Government**
- County Board: 91,300
- Circuit Court: 482,848
- Law Library: 4,076
- Guardian Ad Litem Fees: 37,000
- Family Court Commissioner: 18,000
- Coroner: 36,290
- Accounting Manager: 55,669
- County Clerk: 196,402
- Elections: 45,100
- Human Resource Department: 78,574
- Information Technology Department: 213,787
- County Treasurer: 217,722
- Tax Deed Expenses: 12,600
- District Attorney: 158,405
- Register of Deeds: 203,236
- Laredo expenses: 5,000
- Land Records: 255,524
- County Surveyor: 233,551
- Surveyor Corner Restoration: 6,000
- Building Maintenance: 356,652
- Labor Relations: 5,823
- Corporation Counsel: 25,000
- Contracted Auditing and Accounting: 42,000
- State Assessment – Interest on UC: 2,000
- Cost Allocation Audit: 3,500
- Financial Software System: 19,120
- Property and Liability Insurance: 182,000
- Workers Compensation Insurance: 53,655
- Courthouse/Sheriff toll-free numbers: 600
- Color Copier: 5,000
- Contingency Fund: 62,942

Subtotal: 3,131,981

**Public Safety**
- 911 System: 19,700
- Sheriff’s Department: 2,263,254
- Diving Team: 2,500
- Sheriff’s Department Vehicle Repairs: 155,750
- Jail Operations: 1,943,767
- Dispatchers: 660,707
- Jail Custodial: 79,089
- Purchase of Squads: 115,000
- Dog Pound: 78,055
- Ambulance Service: 1,218,531
- Emergency Government: 86,006
- EPCRA Emergency Government: 5,250

Subtotal: 6,629,609

**Public Works**
- Zoning: 393,733
- Forestry Department: 339,619
- Fish Hatchery: 3,500
- NW Regional Planning Commission: 34,615
- ITBEC: 3,000
- Indianhead Community Action Agency: 1,200
- Visitor and Convention Bureau: 43,500
- Clean Sweep Program: 10,087
- Airport: 96,175

Subtotal: 916,429

**Education, Recreation, and Aging**
- University Extension Service: 184,802
- Northern Waters Library: 22,264
- Reimburse Out of County Libraries: 45,175
- Weiss Community Library (Hayward): 139,882
- Winter Public Library: 53,358

Subtotal: 916,429

### GENERAL FUND – REVENUES

**Tax and Interest Income**
- Forest Crop Taxes: 2,400
- Managed Forest Land Program: 18,000
- Managed Forest Land/DNR 20%: 20,000
- Interest on Taxes: 350,000
- Penalty on Taxes: 75,000
- Tax Deed Fees: 6,000
- Tax Deed Advertising Fees: 4,000
- State Aid/Tax Exempt Computers: 7,000
- Tower Rentals: 12,000
- Federal Aid in lieu of Taxes: 2,844
- Sales Tax Income: 1,500,000
- Shared Revenues: 174,878
- Resource Aid / S. 23 09(18): 53,000
- State Aid / Admin. Forestry Salary Grant: 2,236
- Interest on Investments: 25,000

Subtotal: 2,252,358

**General Government**
- DNR Aid in Lieu of Taxes: 12,000
- County Forest Stumpage: 1,305,000
- Timber Stumpage Finance Charges: 150
- Profit on Tax Deed Sales: 60,000
- Miscellaneous General Revenue: 400
- Operating Trans In-Plat Book Fund: 40,000
- Operating Trans In-LCO Gaming: 50,000
- State Aid / Guardian Ad Litem: 15,000
- State Grant Award/Court: 52,000
- % Restitution Surcharge: 5,000
- Court Appointed Attorney Revenue: 20,000
- Guardian-Ad-Litem Revenue: 32,000
- Co. Share State Finances and Suit Tax: 92,500
- Parent Education Revenue: 3,000
- Circuit Court Fees and Costs: 144,000
- Register in Probate Fees: 20,500
- Cremation Permits: 7,000
- Death Certificates: 6,000
- County Share - Marriage Licenses: 2,000
- County Clerk’s Fees: 200
- Clerk’s Election Revenues: 4,000
- Computer Material Sales: 500
- County Treasurer’s Fees: 50
- Returned Check Fees: 400
- Real Estate Transfer Fees: 55,000
- Register of Deeds Fees: 125,000
- Laredo Program Revenue: 12,000
- Sale of Maps and Plans: 1,500
- Trans from Land Modernization Fund: 40,000
- Camping Fees: 300
- User Collections/New Dwellings: 10,000
- Sale of Miscellaneous Property: 700
- Repayment of Fair Loan: 1,000
- Repayment of Weiss Library Loan: 25,000
- Environmental Impact Fee: 48,809

Subtotal: 2,191,009

**Public Safety**
- Federal Aid - Campground Patrol: 2,000
- Truancy Officer Aid: 34,200
- State Aid - Police Training: 9,000
- State Aid – Bullet-Proof Vests: 2,000
- State Aid – Mobilization Grant: 5,000
- Squad Car Sales: 20,000
- Inmate Medical: 8,000
- Sheriff’s Fees: 44,000
- Board of Prisoners: 100,000
- Booking Fees: 3,100
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<th>Category</th>
<th>Amount</th>
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<tr>
<td>Sawyer County Fair</td>
<td>26,250</td>
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<td>Senior Resource Center</td>
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<td>Human Services</td>
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<td>Child Support Agency</td>
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<td>Veterans Service</td>
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<td>Care of Veterans’ Graves</td>
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<td>Total General Fund Expenditures</td>
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<td>SPECIAL FUND - EXPENDITURES</td>
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<tr>
<td>Jail Assessment Fees</td>
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<td>Court Mediation</td>
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<td>Land Records</td>
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<td>Land Information Grant</td>
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<td>Veterans Service Grant</td>
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<td>Veterans Relief Fund</td>
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<td>Plat Book Fund</td>
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<td>Maintenance of County Vehicles</td>
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<td>Wildlife Habitat</td>
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<td>ATV-Snowmobile Grant Projects</td>
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<td>LCO/St of WI Gaming</td>
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<td>Sawyer County/LCO Transportation</td>
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<td>Trust Fund Dog Licenses</td>
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<td>Total Special Fund Expenditures</td>
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<td>Total of all Expenditures</td>
<td>28,554,247</td>
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**Summary**

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<tr>
<th>Category</th>
<th>Amount</th>
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<tr>
<td>General Fund Expenditures</td>
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<td>Special Fund Expenditures</td>
<td>16,838,206</td>
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<td>Total</td>
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<td>Revenues/Reserve Funds Applied</td>
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<td>General Fund Revenues</td>
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<td>Special Fund Revenues/Reserve Funds</td>
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<td>NET LEVY</td>
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**Revenues/Reserve Funds Applied**

- General Fund Revenues: $6,572,458
- Special Fund Revenues/Reserve Funds: $11,885,692
- Total: $18,458,150

**Undesignated Reserve Funds Applied:** $330,273

**Total Special Fund Revenues and Reserve Fund Applied:** $11,885,692

**Total of All Revenues:** $18,458,150
February 10, 2014

Passports - $1025.00 - 43 passports

Interest of $2,374.06 was collected

Tax Interception in 2010 $25756.76, 2011 $34,398.08 2012 $38,911.28 2013 $43,977.79 2014 $12,915.81

Payment plan fees collected $480.00

Bail forfeiture collected $ 3,229.31

Attorney fees $ 418.33

GAL Fees $ 1,228.05

Restitution Surcharges $ 163.66

Total for all receipts this month $69,844.09

Due to lack of staff, I asked visiting Judges to bring staff with them to clerk proceedings, fortunately they agreed, although we still process the paperwork, entering into the computer and generated the Judgments of Conviction.
We have temporarily stopped the following office duties:

- processing notice of status change from DOC
- reviewing CCA informational updates on system changes
- issuing warrants for non payment of court ordered obligations
- auditing A/R for non-payments
- basement filing law library filing
- tracking of closed cases that lack arrest tracking numbers and are not being reported to the crime bureau
- staff taking breaks (haven’t for almost 2 years)
- tracking DOT citations that are not interfacing with DMV
- Parent Education non compliance, moving forward with scanning program
- record management and return of exhibits, boxing and moving files to storage
- purging old files which goes hand and hand with scanning.

I would like permission to:
- stop doing passports
- close 1 hour during lunch
- hire an additional person.
We have the Judicial Assistant helping us:

- answer phones
- calendar the Family Court Commissioner
- Calendar Court Reporters
- help with scanning
- doing the visiting Judges scheduling
- taking our outgoing mail
- collecting incoming mail and delivering to our office.

Respectfully submitted,

Claudia R Burgan
Clerk of Circuit Court / Register in Probate