



AGENDA
NATURAL RESOURCES COMMITTEE
REGULAR MEETING
THURSDAY, AUGUST 4, 2022 – 9:00 AM
ADMINISTRATION CENTER - AUDITORIUM
121 W MAIN STREET, PORT WASHINGTON, WI 53074

The public can access the meeting by viewing the live stream at the link which will be opened five minutes before the call to order:

[Natural Resources Committee Live Stream](#)

*The public can submit comments here: [Public Comment Form](#)
[Public Comment Policy](#) & [Instructions For Submitting Public Comments Online](#)*

1. CALL TO ORDER

Roll Call

2. PROPER NOTICE

3. PUBLIC COMMENTS, CORRESPONDENCE, COMMUNICATIONS

4. DISCUSSION ITEM:

- a. Review of Open Meetings Law and Committee Responsibilities per Ozaukee County Policy and Procedure Manual- *Rhonda Gorden, Corporation Counsel*

5. APPROVAL OF MINUTES

- a. July 7, 2022

6. UNIVERSITY EXTENSION OFFICE

a. Management/Financial/Informational Reports

- 1. UW-Madison Division of Extension Reports

7. REGISTER OF DEEDS/LAND INFORMATION

a. Management/Financial/Informational Reports

- 1. Register of Deeds Reports

8. LAND AND WATER MANAGEMENT DEPARTMENT

a. Discussion Items:

- 1. Proposed Revisions to Ozaukee County Shoreland & Floodplain Zoning Ordinance
- 2. Ozaukee County Soil Health Initiative*
- 3. Retirement - Andy Holschbach, Land & Water Management Department Director*

b. Management/Financial/Informational Reports

- 1. Glacierland Resource Conservation & Development (RC&D) Update, *Kari Divine, Executive Director**
- 2. American Farmland Trust Report, *Angie Doucette, Midwest Farmland Protection Manager**
- 3. Land and Water Management Reports*

9. PLANNING AND PARKS DEPARTMENT

a. Action Items:

- 1. Submittal and Acceptance of a Natural Resource Foundation C.D. Besadny Conservation Fund Grant for Prairie Restoration Activities in Mee-Kwon County Park and Golf Course
- 2. Resolution: Application and Acceptance of a Wisconsin Department of Natural Resources County Conservation Aids Grant for Prairie Restoration Activities in Hawthorne Hills County Park

3. Resolution: Application and Acceptance of a Wisconsin Department of Natural Resources Regular Urban Forestry Grant for Forest Management Planning, Native Tree Planting and Inventory, Emerald Ash Borer Management and Education/Outreach Activities in Clay Bluffs Cedar Gorge Nature Preserve
4. Resolution: Authorize County Funded Short Term Bridge Loan Financing of \$1,050,000 for Closing on the Acquisition of 132 +/- Acres Known as Clay Bluffs Cedar Gorge Nature Preserve as Part of the Ozaukee County Park System
5. Bid and Contract for Security Gates in the Ozaukee County Park System

b. Discussion Items:

1. Update on Lion's Den Gorge Nature Preserve Pavilion, Covered Bridge County Park Pavilion, and HH Peters Youth Camp Building ADA Remodel Construction
2. Update on Planning and Parks Capital Projects and Ecological Division Grant Projects
3. Update on the Historic Covered Bridge at Covered Bridge County Park
4. Discussion on Revisions to Park Ordinance
5. Discussion on Virmond County Park Public Access Stairway

c. Management/Financial/Informational Reports

1. Planning & Parks Reports

10. NEXT MEETING DATE

September 8, 2022

11. ADJOURNMENT

* FSA Committee Member Items

A quorum of members of committees or the full County Board of Ozaukee County may be in attendance at this meeting for purposes related to committee or board duties, however, no formal action will be taken by these committees or the board at this meeting.

Persons with disabilities requiring accommodations for attendance at this meeting should contact the County Clerk's Office at 262-284-8110, twenty-four (24) hours in advance of the meeting.

Natural Resources Committee**AGENDA INFORMATION SHEET**

AGENDA DATE:	August 4, 2022
DEPARTMENT:	County Clerk
DIRECTOR:	Julie Winkelhorst
PREPARER:	Julie Winkelhorst

Agenda Summary Review of Open Meetings Law and Committee Responsibilities per Ozaukee County Policy and Procedure Manual

ATTACHMENTS:

- Natural Resources Committee (PDF)
- Fact-Sheet-1_-Open-Meetings-Law (PDF)
- ethFAQ3-08 (PDF)

2.03 STANDING COMMITTEES OF THE COUNTY BOARD

(1) General Powers and Duties:

- (a) Oversight of County Departments: Oversight shall include but is not limited to the following:
 - 1. Interview up to three candidates suggested by the County Administrator for appointment to the position of Director, Department Head, Administrator, and/or Commissioner of the County Departments within their oversight. The Standing Committee shall recommend an appointee to the full County Board for confirmation within the salary guidelines set by the Finance Committee
 - 2. Monthly review of a department-wide budget summary for each of the County Departments within the Committee's oversight highlighting variances from the adopted budget
 - 3. Direct and guide policy and enforce accountability of the Departments within their oversight
 - 4. Approve all action items including but not limited to:
 - a. Departmental budgets
 - b. Departmental policies and procedures
 - c. Staffing levels and hours
 - d. New positions
 - e. Capital purchases greater than \$5,000
 - f. Fund transfers of \$10,000 or more and any transfer involving funds budgeted for conferences and meetings
 - g. Grant applications and acceptances
 - h. Review departmental fee schedules
 - i. Departmental name changes
 - 5. Authorize, review, and approve intergovernmental agreements and contracts as necessary or as otherwise authorized by law:
- (b) Establish Ad Hoc and/or Study Groups: in keeping with the purposes and objectives of the Committee, to analyze committee policies or issues, and to encourage community involvement
- (c) Setting Agendas:
 - 1. The Committee Chairperson and County Administrator shall set the agendas of the Standing Committees in consultation with Constitutional Officers of the County and Department Heads within their oversight
 - 2. The Office of the County Clerk shall administer the agendas and minutes for all standing Committees
- (d) Standing Committees shall oversee all public work within their departmental oversight, including any contract for the construction, repair, remodeling or improvement of any public work or building
 - 1. Public notices or bids for all public work shall be released and published per Sec. 59.52(29)(a), Wis. Stats.
 - 2. Approve all contracts and change orders:

- a. Change orders up to \$5,000 require the approval of the Public Works Director.
- b. Emergency change orders up to \$25,000 may be approved by the Public Works Director after consultation with Committee Chairperson and County Administrator and the appropriate Department Head.
- c. Change orders over \$25,000 require approval of the Standing Committee.
- d. All change orders must be reported to the Standing Committee at the meeting following their approval.

(5) Natural Resources Committee:

(a) Serve as the oversight Committee for:

- 1. Office of the Register of Deeds
- 2. Land Information Office
- 3. Land and Water Management Department
- 4. Planning and Parks Department
- 5. University Extension Departments

(b) Agricultural and Extension:

- 1. Designated as the Agricultural and Extension Committee per Sec. 59.56(3), Wis. Stats.
- 2. Keep informed as to requirements for recycling and possible County involvement
- 3. Serve as liaison between the County Board and the County Agricultural Society

(c) Land Conservation and Zoning:

- 1. The Committee shall carry out the duties per Chapter 92 Wis. Stats.:
 - a. Establish Soil & Water Conservation Standards and guidelines for the administration of the guidelines
 - b. Oversee conservation standards for the Farmland Preservation Program
 - c. Oversee implementation and compliance with Targeted Runoff (DNR Rule NR 151), and Solid and Water Resource Management Program (ATCP 50.)
 - d. Develop comprehensive long-range and annual plans for the development, use, conservation and management of soil, water and related resources, to be submitted to the County Board and the State Department of Agriculture, Trade and Consumer Protection
 - e. Administer Manure Storage Facility Ordinance
- 2. The Committee shall carry out the duties assigned under Sec. 59.69, of Wis. Stats., including but not limited to:
- 3. Maintain a Shoreland Protection and Floodplain Zoning Ordinance
- 4. The Committee shall carry out the duties assigned under Sec. 295.13, of Wis. Stats. to administer the Non-Metallic Mining Reclamation Ordinance for Ozaukee County
- 5. The Committee shall carry out the duties assigned under Sec. 59.70, of Wis. Stats. to administer the Sanitation Ordinance for Ozaukee County

6. The Committee shall examine and review for approval land divisions and plats of subdivision on behalf of the County per Wis. Stats. 236.10 and NR115
- (d) Parks, Planning, Layout, Construction, Improvements, Maintenance, Governance, Management, Operations: Oversight of parks layout, improvement, maintenance, governance, management operations, acquisition and disposition, and construction of all County Parks, open spaces, preserves, natural areas, trails, County golf courses, and other County parkland per Sec. 27.04(1), 27.04(2), 27.05(1), 59.69(9), Wis. Stats.
 1. Parks and Natural Areas Acquisition and Disposition:
 - a. Review, evaluate and recommend to the County Board the acquisition and/or disposition of lands for the County parks, natural areas, open space or other recreational public use per Sec. 27.05(2), 27.05(3), 27.05(4), 27.06 and 27.065, Wis. Stats.
 - b. This section shall not apply to any property or lands acquired or disposed of by the Public Works Committee through actions taken as the County Highway Committee per Sec. 83.015, Wis Stats.
 2. Serve as liaison to County Board for the Board of Adjustment, required per Sec. 59.694, Wis. Stats.
- (7) **Term Limits**
 - (a) Supervisor Term Limits on Standing Committees
 1. No County Board Supervisor shall serve more than four (4) consecutive terms on a Standing Committee.
 2. Only full two-year terms shall be counted for the purposes of calculating term limits.
 3. The calculation of Standing Committee term limits shall be calculated retroactively to the creation of the current committees per the County Board Reorganization implemented on April 6, 2005.
 - (b) Term Limits on Standing Committee Chairpersons
 1. No County Board Supervisor shall serve more than three (3) consecutive terms as the Chairperson of a Standing Committee.
 2. Only full two-year terms shall be counted for the purposes of calculating term limits.
- (8) Virtual Attendance at Standing Committee Meetings.
 - (a) The Committee Chairperson may allow County Board Supervisors to attend standing committee meetings by teleconference when necessary to obtain quorum.
 - (b) Access to Standing Committee Meetings.
 1. When permission to attend a standing committee meeting by teleconference is granted, a phone number and unique access code will be provided to the County Board Supervisors attending telephonically.
 2. The information will be provided via email to County Board Supervisors through their County Board email address.
 3. County Board Supervisors shall connect to teleconferences five minutes prior to the start time of the standing committee meetings to ensure access.

4. County Board Supervisors shall enter standing committee meetings on mute and unmute when addressing the committee to lessen disruptions.

2.04 COMMITTEE GENERAL PROCEDURES

(1) Parliamentary Procedure:

- (a) Except as modified by the following rules, the rules of the parliamentary practice in Robert's Rules of Order Newly Revised shall govern in all cases where they are applicable.
- (b) The Statutory Boards and Commissions shall select their own Chairperson and Vice-Chair-person by election.
- (c) No county employee, either full-time or part-time, may serve as a Committee, Board, or Commission, Chairperson or Vice-Chairperson that has any type of oversight responsibility involving that employee.
- (d) Section 2.01(4)(j)2.b. of this manual shall apply to attendance of County Board and citizen members at meetings of Standing Committees except when permission is granted to County Board Supervisors to attend by teleconference pursuant to the provision in Section 2.03(8)(a) of this manual.

(2) Quorum:

- (a) A quorum is defined as a majority of the authorized number of Committee members. All standing Committees shall consist of five Board members. The Natural Resources Committee shall also contain a Farm Service Agency representative for agricultural soil and water conservation related issues only.
- (b) If any of the members of the Committee are not in attendance then any member of the Executive Committee or the Chairperson's designee may act as members of the Committee.
- (c) When a majority is not in attendance, all present shall be entitled to their per diem, if applicable, and mileage.

(3) Closed Sessions:

- (a) A meeting of a Committee, upon a motion duly made and carried, may be convened in closed session under one or more of the exemptions provided in Sec. 19.85, Wis. Stats.
 1. The motion shall be carried by majority vote in such manner that the vote of each member is ascertained and recorded in the minutes.
 2. No motion to convene in closed session may be adopted unless the Committee Chairperson announces to those present at the meeting at which such motion is made:
 - a. The nature of the business to be considered in such closed session
 - b. The specific exemption or exemptions by which such closed session is claimed to be authorized
 - c. No business may be considered at any closed session except that which relates to matters contained in the Committee Chairperson's announcement of the closed session.
 3. A Committee may not commence a meeting, subsequently convene in closed session, and thereafter reconvene again in open session within 12 (twelve) hours after completion of the closed session unless the agenda for the meeting indicates that the Committee will return to open session at an approximate time to be indicated on the agenda.

a. If the agenda indicates that the Committee will return to open session, the motion to re-convene into open session shall be carried by majority vote in such a manner that the vote of each member is ascertained and recorded in the minutes

(4) Public Comment:

- (a) [Section 2.01\(4\)\(g\)1., 2., 4., 5.a., d., e., and 6.](#) of this manual shall apply to public comment at committee meetings.
 - (b) County Board Supervisors that are non-members of the committee may participate as non-voting members of the committee on any item noticed on the agenda for discussion or action.
- (5) Motions and Voting:
- (a) Any member of a Committee may make a motion.
 - (b) A motion that does not receive a second will be considered lost.
 - (c) All members of the Committee present shall vote on each motion unless excused for a valid reason.
 - (d) The Chairperson must always vote last in order to break a tie vote or to create a tie vote.
 - (e) A tie vote will cause the motion to be lost.
 - (f) A roll call vote will be taken if a Committee member requests such a vote. Such a vote must be taken on a motion to go into closed session.
- (6) Committee Agendas:
- (a) Committee agendas are normally prepared by staff personnel in cooperation with the Committee Chairperson and County Administrator.
 - (b) Any member of a Committee shall have the right to have any particular item placed on the agenda for a specific meeting.
 - (c) Agendas are normally prepared and forwarded to the County Clerk's office one week before a meeting.
 - (d) That office will then post copies and forward copies to the news media to comply with Sec.19.84, Wis. Stats.
 - (e) If it becomes necessary to amend an agenda that has previously been distributed, a copy of such revised agenda must be received in the County Clerk's office at least 24 hours before the anticipated start of the meeting.
 - (f) A prescribed Committee attendance form must be completed for each meeting and is to be filed in the County Clerk's Office as soon as possible after each meeting.

REFERENCED ABOVE

2.01 RULES OF THE COUNTY BOARD OF SUPERVISORS

(4) Meetings

(g) Public Attendance and Comment at County Board Meetings:

1. A period for public comment will be provided at every meeting. The purpose of public comment is to provide non-County Board members that reside in the County an opportunity to comment on matters over which the County Board has authority.

2. The rules of decorum followed by County Board members apply to non-members in attendance at County Board Meetings. The use of signs is prohibited. Applause or heckling in response to a speaker's remarks and other conduct that disrupts the meeting or is disrespectful of others is prohibited.
 4. Public comment is not permitted on personnel matters, matters that have previously been the subject of a public hearing or are the subject of quasi-judicial hearings. Candidates for office may not use public comment for campaign purposes but may introduce themselves and state what office they are seeking.
 5. Public Commenters:
 - a. Must be present in person.
 - d. May not speak until they have been recognized by the Chairperson.
 - e. Must verbally state their name and address.
 6. The Chairperson may limit comment that is redundant.
- (j) Voting Procedures:
2. Voting:
 - b. County Board Supervisors must be physically present to attend, participate and vote.



Wisconsin Open Meetings Law

Fact Sheet No. 1

Local Government Education Program

*Revised by Philip J. Freeburg, J.D., Local Government Educator, University of Wisconsin-Extension
Local Government Center
April 2020*

Policy (Wis. Stat. § 19.81)

The Open Meetings Law begins by recognizing that a representative government depends on an informed electorate. An informed electorate needs access to information. The Wisconsin State Legislature declares that the policy of the Open Meetings Law is to:

- Enable the public to have “the fullest and most complete information regarding the affairs of government as is compatible with the conduct of government business;”
- Ensure that meetings of governmental bodies are held in places reasonably accessible to the public; and
- Ensure that such meetings are open to the public unless otherwise expressly provided by law.

The Open Meetings Law is to be “liberally construed” (i.e. broadly interpreted) to achieve the purpose of open government.¹ The law ensures that there is public access and open decision making. Open decision making includes the information gathering stages, discussions, and voting.²

The policy provisions of the Open Meetings Law are not idle rhetoric. Almost all court decisions enforcing the law begin by invoking the explicit policies stated in Wis. Stat. § 19.81.³ To implement these policies, the law requires advance notice of meetings and that those meetings be open and accessible to the public. Closed sessions are limited to exceptions specifically provided by statute.⁴

Coverage

“Governmental Bodies” subject to the Open Meetings Law

The definitions in the Open Meetings Law not only explain terms used in the statute, but they also determine which bodies are covered and what gatherings constitute a “meeting” under the law. A “governmental body” under the Open Meetings Law includes any state or local agency, board, commission, committee and council created by law, ordinance, rule or order.⁵ “Rule or order” includes motions, resolutions, formal and informal directives by a governmental body or officer that sets up a body and assigns it duties.⁶ At the local level, bodies covered include county, village, and town boards, city councils,

school boards, as well as all their committees, commissions, and boards. It is how the body is created, not its members or authority that is the determining factor. Thus, a citizen study or advisory committee created by a county board is considered a governmental body.⁷

A committee, including one set up by administrative staff, could be a governmental body under the Open Meetings Law even if it is not a typical sub-unit of the city council, town or county board. If the committee takes the form of a body with defined membership, is created by "rule," and has the power to take collective action, then it is considered a governmental body under the Open Meetings Law.⁸ The key element is whether it is created by "rule." A rule can be a statute, ordinance, resolution, or policy, including handbooks or by-laws, that creates or authorizes the committee. The Wisconsin Counties Association and the League of Wisconsin Municipalities recommend reviewing ordinances, by-laws, policies, and handbooks that are approved by the county or village board or city council to determine which committees are created by rule.⁹

In addition, the term "governmental body" under the law includes governmental and quasigovernmental corporations, as well as other specified entities.¹⁰ A governmental or quasigovernmental corporation includes corporations created by the legislature or by other governmental bodies under statutory authorization. Quasi-governmental corporations are not just those created by a governmental body, but also may be corporations that resemble governmental corporations.¹¹ Determining if an entity resembles a governmental corporation depends on the total facts and circumstance about the entity and is determined on a case-by-case basis.¹² Thus no single factor is determinative, but courts consider several factors: (1) whether the entity performs or serves a public function, as opposed to a purely private function, even if the public function is merely recommending action to a governmental body;¹³ (2) the degree of public funding;¹⁴ (3) government access to the entity's records;¹⁵ (4) express or implied representations that the entity is affiliated with government;¹⁶ and (5) the extent government controls the entity's operation, such as appointing directors, officers or employees, or officials serving in those positions.¹⁷

If a citizen body creates itself by its own authority (independent of any governmental unit or statute, ordinance, rule or order) and sets its own charter, bylaws, membership requirements, or rules, most likely it is not a quasi-governmental corporation. To constitute a governmental corporation or quasi-governmental corporation, the organization must in fact be incorporated, and not another type of entity such as a nonprofit association.¹⁸

The Open Meetings Law still provides that a local governmental body conducting collective bargaining is not subject to the law. However, this is not as significant a provision of the law as it was before the Act 10 public union reforms. Nonetheless, notice of reopening a collective bargaining agreement must be given under the Open Meetings Law and final ratification of the agreement must be done in open session under such law.¹⁹

"Meetings" under the Open Meetings Law

A meeting is defined as a gathering of members of a governmental body for the purpose of exercising responsibilities and authority vested in the body.²⁰ The courts apply a purpose test and a numbers test to determine if a meeting occurred. The law applies to a meeting when both the numbers and purpose tests are met.²¹

Purpose and Numbers Tests

The purpose test is met when there is information gathering, discussion, or decision-making on matters over which the governmental body has authority. Social or chance gatherings where there is no discussion

on the topics over which the body has jurisdiction are excluded. The numbers test asks if there are enough members to determine the outcome of an action. The statute presumes that a gathering of one-half of the membership is a meeting, because one-half could determine the outcome of a vote by preventing a majority in favor of a proposal. Thus, less than a majority could determine the outcome of an issue. This is called a "negative quorum," and can meet the numbers test. Use caution when gathering with other members, because less than half can also be a negative quorum. There could be less than half a city council, or county board gathered together, but a quorum or a negative quorum of a committee may exist. Votes requiring a two-thirds majority, like a budget amendment, can meet the numbers test if one-third plus one of the members are together discussing the amendment.²²

There are other special cases where a meeting exists for the purposes of the law. A series of conversations, phone calls, or emails to "line up votes" or conduct other business is known as a "walking quorum," and violates the law.²³ Such conduct addresses the business of the governmental body without public notice, information, or participation. Telephone conference calls among members are also considered a meeting when the two tests are met and therefore, must be conducted in such a manner as to be accessible to the public.²⁴

Emails, instant messages, blogs, social media sites, and other electronic message forms could also create a meeting. While no court decision has clarified the Open Meetings Law on this issue, the state attorney general's office advises that if the communications are like an in-person discussion with a prompt exchange of viewpoints by members, then it raises the possibility of an Open Meetings Law violation. If the communication is more like written a communication on paper, which is not an Open Meetings Law violation, then the communication is less likely a violation. To avoid the risk of excluding the public and violating the law, the attorney general's office discourages the use of electronic messages between members to discuss issues within the authority of the body. Certainly, avoid the "reply" or "reply all" email functions.²⁵

If enough members of one government body to satisfy the numbers test and attend the meeting of another government body in an effort to gather information on a subject over which the body has authority, a meeting under the law may occur. Unless the gathering is by chance, it should be treated as a meeting of both bodies and notice must be given.²⁶ The attorney general's office recommends giving notice of when a body is attending the meeting of another body and to be as specific in the notice as possible. It is further recommended to avoid stock or boilerplate language such as that "a possible quorum may attend." Instead, be specific as to which bodies will attend the other's meeting and include when it is scheduled to occur.²⁷

Not all gatherings of members become a meeting under the law. As previously mentioned, the Open Meetings Law does not require notice for social gatherings, gatherings by chance, or at a conference if there is no business conducted (that is, the purpose test is not met).

The place of meeting must be reasonably accessible to the public, including persons with disabilities.²⁸ Accordingly, the facility chosen for a meeting must be sufficient for the number of people reasonably expected to attend.²⁹

Public Notice Requirements

If the public did not know the subjects of a governmental meeting or were not made aware of its location, date, and the time of the meeting, a meeting open to the public would be almost meaningless. Thus, public notice is required before every governmental meeting.³⁰ Further, separate notices must be given for each meeting.³¹

Effective March 2020, the Legislature changed the Open Meetings Law to require that Open Meetings Law notice to the public shall use one of three specific methods.

1. Posting a notice in at least 3 public places,
2. Posting in a least one public place and placing a notice electronically on the governmental body's Internet site, or
3. By paid publication in a news medium.³²

It is further required that each posting place or publication be "likely to give notice to person's affected."³³ The Open Meetings Law provides that paid published news medium notice is one method notice methods, but other statutes may require a published notice. If a paid newspaper publication is used to give notice, confirmation that it was in fact published in a timely fashion should be secured before the meeting convenes.³⁴

The Open Meetings Law also requires providing notice to the news media.³⁵ Notice may be in writing, by telephone, voice mail, fax or email. Written methods are best for accuracy and because doing so creates a record of the notice that can later be used as proof of compliance with the notice to news media requirement. Notice must be given to any news media that has made a written request, as well as to the official newspaper for the governmental unit. If there is no official newspaper, then notice must be sent to the news medium that is likely to give notice in the area. The newspaper does not have to print the notice and you do not have to pay to publish the notice, but you must send the notice to the newspaper whether they publish it or not.³⁶

The notice must state the time, date, and place of the meeting. If a closed session is anticipated, the notice must include the item to be considered and a citation to the particular statute justifying the closed session (see "Permitted Exemptions for Holding Closed Sessions," below).³⁷

The notice must also state the subject matter of the meeting. Discussion on any action or matter is limited to the topics specified in the notice (there is a limited exception for a public comment period, which is discussed below). The content of the notice must be "reasonably likely to apprise the public" of what will be addressed at the meeting.³⁸ In other words, the subject matter must be specific enough to let people interested in a subject matter know that it will be addressed at the meeting.

Courts reviewing and enforcing compliance with the Open Meetings Law will determine if the notice is specific enough on a case-by-case basis. That means what may be adequate subject matter notice in one instance may not be adequate in a different instance. For example, a notice stating, "employee contracts" could be adequate, but if it includes the contract of a controversial employee, then "employee contracts" would not be specific enough to satisfy the Open Meetings Law.³⁹

The Wisconsin Supreme Court gave three factors to consider when determining if notice of subject of a meeting is reasonably specific:

1. The burden of providing more detailed notice. This factor balances specificity with the efficient conduct of public business.
2. Whether the subject matter is of particular interest to the public. This factor considers the number of people interested and the intensity of interest.

3. Whether the subject involves a non-routine action that the public would be unlikely to anticipate. This factor recognizes there may be less need for specificity with routine matters and more need for specificity where novel issues are involved.⁴⁰

The attorney general's office advises that any generic notice that contains expected reports or comments by a member, official, or presiding officer should state the topics that will be addressed in the report. The attorney general's office further advises that generic subjects, such as "old business," "new business," "agenda revisions," or "such other matters as authorized by law," and fail to include further subject matter identification are inherently insufficient notice.⁴¹

A separate notice is required before each meeting of the governmental body. A general notice that is meant to cover a period of time (i.e., a week, a month) is not allowed. Notice must be given at least 24 hours prior to the meeting. The Open Meetings Law says that for "good cause" a shorter time for notice may be given; however, it must be at least two hours in advance of the meeting. Forgetting the notice or negligence is not good cause. Remember that the purpose of the law is a well-informed public, so any doubts about good cause should be resolved in favor of the public.

The presiding officer of the governmental body is responsible to give notices under the Open Meetings Law, or someone he or she designates.⁴² Because including the meeting agenda into the notice is the most common means of providing notice of the subject matter of the meeting, this part of law can be misunderstood to state that the presiding officer "controls" the agenda. That is neither the language nor the intent of the statute. The statute only assigns responsibility and accountability for meeting notices to the presiding officer, but agenda setting process more properly the subject to the body's local procedural rules.

The Open Meetings Law does not require public participation in a meeting. A governmental body may, but is not obligated to, provide for a period of "public comment" during a meeting. During that period, the governmental body may receive information from members of the public, but only limited responses or discussion is permitted if comments are on a subject matter not included in the notice.⁴³

Meetings must be open to all persons, except when closed for a specific permitted purpose (see below). An open meeting means that it is reasonably accessible to members of the public.⁴⁴ Accessible also means "reasonable effort" to accommodate persons who want to record, video, or photograph the meeting, provided that those activities do not interfere with the meeting or rights of other participants.⁴⁵

Permitted Exemptions for Holding Closed Sessions

Some subjects if discussed in an open meeting could actually be adverse to the public interest. Consider if the meeting subject is purchasing a parcel of real estate the municipality needs, and the board wants to consider acceptable terms to authorize for negotiation. Typically, an administrator or staff person is given an acceptable range of prices to use in negotiation, but if the possible terms and prices are discussed in open session, bargaining power will be compromised as the seller will know the highest price the municipality has authorized. To avoid possible harm to the public interest, the Open Meetings Law sets forth specific exceptions that permit conducting business on limited subject matter in a closed session.

Remember that the purpose of the Open Meetings Law is providing the public with "the fullest and most complete information regarding the affairs of government as is compatible with conduct of government business," and the Open Meetings Law is to be construed liberally in favor of achieving that purpose.⁴⁶ Another general requirement of the Open Meetings Law is that all governmental business shall be conducted in open session.⁴⁷ Considering these requirements of the statutes, the exemptions in Wis. Stat. §

19.85 must be construed strictly and narrowly.⁴⁸ If there is any doubt of whether a closed session exemption applies to the meeting subject matter in question, whether to close the meeting should be resolved in favor of openness.⁴⁹

A closed session may be held for one or more of 11 specified exemptions in the statutes. The following exemptions are of interest to local government bodies.

- **"Case" deliberations - Wis. Stat. § 19.85(1)(a).** This narrow exemption considers a "case" to be the subject of a quasi-judicial hearing that has many aspects of a court case: adversaries, witnesses, direct, and cross examination of witnesses.⁵⁰
- **Employee discipline, licensing, tenure, and employee evaluation- Wis. Stat. § 19.85 (1)(b) & (c).** Two open meeting exemptions involve one or more public employees. Closed sessions are permitted under Wis. Stat. § 19.85 (1)(b), when the subject is the dismissal, demotion, licensing, tenure, or discipline of a public employee. Wis. Stat. § 19.85 (1)(c), permits closed session when considering employment, promotion, compensation, or performance evaluation. These two exemptions do not include all employee related subjects, but facts and information about a specific employee(s). It does not grant an exemption when discussing policies involving a department or all employees in general.⁵¹ Neither can consideration of action to fill a vacancy on the governmental body or appointments to committees be in closed session.⁵²

If a closed session is to consider employee dismissal, demotion, or discipline and there is an evidentiary hearing or final action is contemplated, then the employee may demand that the hearing or meeting be in open session. Employees must be given notice of such closed hearings or sessions and be advised of their right to have it take place in open session. However, the employee does not have the right to demand the meeting be in closed session.⁵³

- **Criminal matters - Wis. Stat. §19.85(1)(d).** This exemption allows closed sessions to consider strategies for crime prevention or detection. It also allows closed session to consider probation or parole, but this is not a local government function.
- **Purchases and competitive bargaining - Wis. Stat. §19.85(1)(e).** This is the exemption mentioned in the introduction to this segment of this chapter. Closed sessions are allowed when deliberating or negotiating the purchase of public property, investment of public funds, or other specified public business, when competitive or bargaining reasons require a closed session. The competitive or bargaining reasons must relate to reasons benefiting the governmental body, not a private party's desire for confidentiality.⁵⁴
- **Burial sites - Wis. Stat. § 19.85(1)(em).** Deliberating on a burial site if discussing it in public would likely result in disturbance of the site.
- **Damaging personal information - Wis. Stat. § 19.85(1)(f).** Closed session is permitted when considering financial, medical, social or personal histories, or disciplinary data of specific persons. It also includes preliminary consideration of specific personnel problems or investigation of charges against a specific person, except when that person's right to an open meeting applies (see "Employee discipline, licensing, tenure" above). This exception can only be used if discussion in an open meeting would have a substantial adverse effect on the reputation of the person involved. This exemption applies to "specific persons" as compared to a small classification of public employees (see "Employee discipline, licensing, tenure" above.)

- **Legal consultation - Wis. Stat. § 19.85(g).** Conferring with legal counsel who is giving written or oral advice about strategy to be adopted in litigation in which the governmental body is or is likely to be involved.
- **Confidential ethics opinion - Wis. Stat. § 19.85(1)(h).** Used to consider a request for confidential written advice from a local ethics board.

Conducting Permitted Closed Session

The Open Meetings Law spells out a specific process to meet in closed session. Notice must be given of a contemplated closed session. The notice must describe the subject matter and specify the specific statutory exemption(s) allowing the closed session.⁵⁵ The notice of the subject matter of a closed session must be specific enough to allow the members voting on a motion for closed session and the public to discern whether the subject is authorized for closed session under Wis. Stat. §19.85(1).

To go into a closed session, the meeting must begin in open session. The body's presiding officer must announce the authority and subject of the proposed closed session. The announcement must be included in the meeting minutes or record. A motion to go into closed session must be made and seconded, followed by a vote so that each member's vote can be determined. The motion, the second, and the vote must be part of the meeting record.⁵⁶ Once a body goes into closed session it cannot reconvene in open session for 12 hours, unless public notice was given in the original notice of its intent to return to open session.⁵⁷

If the need arises, the body can go into closed session on an item specified in the public notice.⁵⁸ In such a case, the closed session item should be placed at the end of the agenda because the body cannot reconvene in open session when there was not a notice of the closed session. This is a very narrow provision, and whenever time allows, 24-hour notice must be given, or if there is good cause, at least two-hour notice could be used to give an amended notice that includes an indication that a closed session was not originally contemplated.

As with open sessions, motions and votes in closed session must be recorded. Whenever feasible, votes should be taken in open session, unless voting is an integral part of the closed session and the reason for going into closed session would be defeated or compromised by votes in open session.⁵⁹

Only matters for which the session was closed may be considered in closed session.⁶⁰ All governmental body members may participate in closed session, including those that voted against closed session. This includes a committee meeting in closed session, even if members are not on that committee, unless the governing body has a formal rule or ordinance allowing for the exclusion of members who are not serving on the committee.⁶¹ The body has discretion to admit anyone to a closed session that they deem necessary to conduct the business of the closed session.⁶²

Voting & Records

Generally, motions, seconds, and any roll call votes must be recorded, preserved, and made available to the extent prescribed by the Public Records Law.⁶³ (See the "Wisconsin Public Records" chapter of this handbook.). Certain statutes require each member's vote to be recorded; for example, Wis. Stat. § 19.85, discussed above, requires each member's vote to be recorded to convene in closed session. Wis. Stat. § 59.23(2)(a), requires county clerks to keep a record of the board proceeding, including the vote of each

supervisor. The Open Meetings Law provides that any member of a governmental body may require a roll call vote.⁶⁴

Penalties & Enforcement (Wis. Stats. §§ 19.96 & 19.97)

Violations of the Open Meetings Law are punishable by a court imposing a civil forfeiture penalty or a fine of \$25 to \$300 against members who attended a meeting in violation of the law, or a presiding officer who violated the notice requirement. These amounts are the base penalty, and, with mandatory court costs and assessments, a \$300 forfeiture can reach over \$500. Any forfeiture imposed must be paid by the members themselves and cannot be reimbursed by the governmental unit.⁶⁵ If the enforcement involves an improper closed session, members who voted against convening in closed session have a defense to the charge.⁶⁶

In addition, a court enforcing the Open Meetings Law has the power to void any action taken at a meeting in violation of the Open Meetings Law. There may be other remedies, such as an injunction, that the court may order.⁶⁷ A court also can order that the reasonable costs of prosecuting the violation can be recovered.

To start an enforcement action, any person may file a complaint under oath, known as a "verified complaint," with the county district attorney (DA). If the DA does not bring an enforcement action within 20 days, the person may bring his or her own enforcement action in the name of the state. If successful, violators can be required to pay the actual costs and reasonable attorney fees of bringing the court action. In some cases, the attorney general's office may bring an enforcement action.

These penalties are serious, but even allegations of Open Meetings Law violations often have a devastating effect on public trust in the governmental body and its members. There is also the personal embarrassment to the members and political consequences. On the other hand, being mindful of the purpose and requirements of the Open Meeting Law is a means to build public trust.

Reference & Advice

Refer to Wis. Stat. §§ 19.81-19.98 for the specific wording of the law. The Wisconsin Department of Justice has created the Office of Open Government, which has a website where you will find Open Meetings Law statutes, Wisconsin Open Meetings Law, A Compliance Guide (2018), and other resources: <https://www.doj.state.wi.us/office-open-government/office-open-governmentresources>. Advice on the Open Meetings Law is available from the county corporation counsel, a municipal attorney, or the Wisconsin Department of Justice. The UW-Extension Local Government Center (LGC) has resources available including a video on the law, which is available through the LGC's website, <http://lgc.uwex.edu>.

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Endnotes

- ¹ Wis. Stat. § 19.81 (3).
- ² State ex rel. Newspapers, Inc. v. Showers, 135 Wis.2d 77, 79 (1987); State ex rel. Badke v. Village Board of the Village of Greendale, 173 Wis.2d 553, 571 (1993).
- ³ For example: Badke, 173 Wis.2d 553 at 570 (1993); Journal Times v. City of Racine Bd. of Police and Fire Comm'rs, 2015 WI 56 ¶ 46.
- ⁴ Citizens for Responsible Development v. City of Milton, 2007 WI App 114, ¶16.
- ⁵ Wis. Stat. § 19.82(1).
- ⁶ 78 Op. Att'y Gen. 67
- ⁷ Open Meeting Law Compliance Guide, p. 4 - 5 (2018).
- ⁸ Krueger v. Appleton Area Scholl District, 2017 WI 70, ¶¶24-26.
- ⁹ Wisconsin Counties, September 2017, p.12; The Municipality, October 2017, p.23 (Governing Bodies 398 & 399).
- ¹⁰ Wis. Stat. §19.82(1).
- ¹¹ State v. Beaver Dam Area Development Corp., 2008 WI 90, ¶44.
- ¹² Beaver Dam, ¶45.
- ¹³ Beaver Dam, ¶72.
- ¹⁴ Beaver Dam, ¶66.
- ¹⁵ Beaver Dam, ¶78.
- ¹⁶ Beaver Dam, ¶¶73,74.
- ¹⁷ Beaver Dam, ¶75.
- ¹⁸ Wis. Prof'l Police Ass'n, Inc. v. Wis. Counties Ass'n, 2014 WI App 106.
- ¹⁹ Wis. Stat. §§19.82(1) & 19.86.
- ²⁰ Wis. Stat. §19.82(2).
- ²¹ See note 2, above.
- ²² This was the situation in the Showers case, above.
- ²³ Showers, 135 Wis.2d at 92, 100 (quoting State ex. rel. Lynch v. Conta, 71 Wis.2d 662, 687 (1976)).
- ²⁴ 69 Op. Att'y Gen. 143 (1980).
- ²⁵ Open Meeting Law Compliance Guide, p. 11 (2018).
- ²⁶ Badke, 173 Wis.2d 553, 571.
- ²⁷ July 26, 2016, correspondence from Assistant Attorney General Paul Ferguson to John Bodnar, Winnebago County Corporation Counsel, and Scott Ceman, Winnebago County District Attorney.
- ²⁸ Wis. Stat. § 19.82(3).
- ²⁹ Badke, 173 Wis.2d 553, 580-81.
- ³⁰ Wis. Stat. §§ 19.83 & 19.85.
- ³¹ Wis. Stat. § 19.84(4).
- ³² Wis. Stat. §19.84(1)(b)1,2 &3(2020)
- ³³ Note: Wis. Stat. §19.84(1)(b)2), does not say that the Internet site notice has to be in a manner “likely to give notice to the public,” but given policies of the Open Meetings Law, the notice should be placed in a manner to facilitate access by the public.
- ³⁴ Open Meeting Law Compliance Guide, p. 14 (2018).
- ³⁵ Wis. Stat. § 19.84(1)(b).
- ³⁶ Wis. Stat. § 19.84(1)(b).
- ³⁷ Wis. Stat. § 19.85(2).
- ³⁸ Wis. Stat. §19.84(2).
- ³⁹ State ex rel Buswell v. Tomah, 2007 WI 71.
- ⁴⁰ State ex rel Buswell v. Tomah, 2007 WI 71, ¶¶29-31.
- ⁴¹ Compliance Guide, p. 17 (2018); AG-Thompson Informal Correspondence, September 3, 2004.; AG-Ericson Informal Correspondence, April 22, 2009.
- ⁴² Wis. Stat. §19.84(1)(b).
- ⁴³ Wis. Stat. § 19.84(2).
- ⁴⁴ Wis. Stat. § 19.82(3).
- ⁴⁵ Wis. Stat. § 19.90.
- ⁴⁶ Wis. Stat. § 19.81(1) & (4).
- ⁴⁷ Wis. Stat. §19.83(1).

⁴⁸ State ex rel. Hodge v. Town of Turtle Lake, 180 Wis.2d 62, 70 (1993).

⁴⁹ See 74 Op. Att'y Gen. 70, 73 (1985).

⁵⁰ See Hodge, above.

⁵¹ Oshkosh NW. Co. v. Oshkosh Library Bd., 125 Wis. 2d 480, 486 (Ct. App. 1985).

⁵² 76 Op. Att'y Gen 276 (1987) and 74 Op. Att'y Gen 70, 72 (1985).

⁵³ State ex rel. Schaeve v. Van Lare, 125 Wis. 2d 40, Ct. App. 1985).

⁵⁴ State ex rel. Citizens v. City of Milton, 2007 WI App 114, ¶¶15-14 ¶

⁵⁵ Wis. Stat. §§ 19.84(2) & 19.85(1).

⁵⁶ Wis. Stat. § 19.85(1).

⁵⁷ Wis. Stat. § 19.85(2).

⁵⁸ 66 Op. Att'y Gen. 106 (1973).

⁵⁹ Open Meeting Law Compliance Guide, p. 29-30 (2018).

⁶⁰ Wis. Stat. § 19.85(1).

⁶¹ Wis. Stat. § 19.89).

⁶² Informal correspondence to Shuh, December 15, 1988.

⁶³ Wis. Stat. §§ 19.88 & 985.01(6).

⁶⁴ Wis. Stat. §19.88(2).

⁶⁵ 66 Op Att'y Gen. 226 (1977).

⁶⁶ Wis. Stat. § 19.96.

⁶⁷ Wis. Stat. § 19.97(3).



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Ethics & Conflicts of Interest—FAQs (frequently asked questions)

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April 2008*

This paper is directed particularly at local governing body members because they are the primary decision-makers in a local governmental unit and therefore the ones most subject to conflicts. (A “local governmental unit” includes a county, city, village or town, special purpose district or subunit of any of the foregoing. Sec. 19.42(7u), *Wis. Stats.*) Nevertheless, other local officials and employees may face such questions when they make decisions on matters in which they have a personal interest or a close connection with a person or organization with an interest in the matter. The paper is divided into the following headings:

- ◆ Background & General Matters (##1-5)
- ◆ Making Fair Decisions: Developing Policy; Applying the Law (##6-8)
- ◆ Code of Ethics for Local Officials (##9-11)
- ◆ Gifts, Food & Drink, Conferences, Political Contributions, etc. (##12-17)
- ◆ Contracts (##18-20)
- ◆ Compatibility Issues: Conflicts in Holding More than One Local Office or Position & in Job Creation & Selection (##21-24)
- ◆ Other provisions (#25)

Background & General Matters

1. *What is the purpose of ethics and conflicts of interest laws?* The purpose of these laws is to prevent self-dealing, undue influence and bias, and to preserve public confidence in local government by avoiding the appearance of impropriety. In general, these laws, with the open meetings and public records laws, while occasionally cumbersome, provide an important part of the foundation for our democratic government.

2. *Where can I find the laws that apply to ethics and conflicts of interest?* These laws are found in various locations. First, check your local unit’s ordinances and rules to see what provisions may apply to you. Perhaps the most basic source of ethics is the local official’s oath of office in which he or she swears to “faithfully discharge the duties” of the office; these official duties include the “performance to the best of his or her ability” and the nonperformance of

forbidden acts. Sec. 19.01(1) and (3). The Code of Ethics for Local Government Officials (also referred to as the “Code of Ethics” in this paper) is found in ch. 19, *Wis. Stats.* See statutory sections 19.42 (definitions), 19.58 (criminal penalties) and 19.59 (prohibitions, procedures and civil penalties). Another important statute is sec. 946.13, which prohibits certain private interests of public officers and employees in public contracts. At a more general level, concepts of fairness and due process are covered by court decisions interpreting the Wisconsin and Federal constitutions (see #6). Finally, the “common law” developed by the courts is another source of law (see #7).

3. *The existence of so many laws is confusing. How can I find answers to my questions?* As a local official, you should familiarize yourself with any local ordinances or rules you may have and with the statutory Code of Ethics for Local Government Officials. A good place to find information is on the Wisconsin Government Accountability Board (GAB) Ethics Division website <http://ethics.state.wi.us/>. (Note: The GAB now includes the former Elections Board and Ethics Board as divisions; the provisions of the laws affecting local officials remain the same.) Two Ethics Division publications, available on the website, are particularly useful: Eth 219 (Local officials’ receipt of food, drink, favors, services, etc.) and 240 (Mitigating Conflicting Interests: Private Interest vs. Public Responsibility); see also Eth 235 (Disposition and reporting of gifts). The website has a link to the statutory Code of Ethics for Local Government Officials. In addition, the publications of the Wisconsin local government associations include explanatory materials on these topics. Also, the Local Government Center offers a yearly WisLine program on this topic. At the LGC website, <http://lgc.uwex.edu/>, click on the WisLine link for the “Open Government” series. To find any statute on-line, from the LGC website, click on “Web Links,” next on “Internet Resources” and finally on the “Wisconsin Statutes” link to access any statute.

In addition to checking existing information, a local official may wish to obtain advice from an attorney or ethics board. Under the Code of Ethics for Local Officials, an individual may request a confidential advisory ethics opinion from the unit’s ethics board, or if there is none, from the unit’s attorney. Sec. 19.59(5). Following this advice provides the local official with a legal defense if later prosecuted for a violation. The unit’s attorney or local government association may request an advisory opinion from the state GAB’s Ethics Division. Sec. 19.59(6).

4. *How should ethics and conflicts of interest questions be approached?* Carefully and ahead of time. It’s a good idea to learn to spot potential conflict situations. You can ask yourself these questions:

--*What is the nature of the decision?* If the decision involves applying the law to specific fact situations affecting individuals, such as an application for or revocation of a permit before a body, or disciplinary actions before a body, more stringent laws apply. See #7, below.

--*Does the matter involve a public contract in which I have a direct or indirect financial interest?* These questions demand careful consideration. See ##18-20.

--*Does the action affect myself, a member of my family, or an organization with which my family member or I are associated?*

--*How would I like to read about my actions on this matter in the newspaper?*

--*Would taking part in an official capacity seem fishy?*

If the answer to any of the last 4 questions is “yes,” you should look into the matter further.

5. What should I do if I decide to abstain? It should be understood that abstention goes beyond merely not voting on the matter. You must remove yourself from the decision-making body's table and refrain from involving yourself in any way in discussions or other information exchanges in your *official* capacity. Your abstention or absence should be noted in the record. Also, abstentions should be used only when warranted, rather than to avoid taking part in difficult or controversial matters. However, it should be noted that a member of a local legislative body has a First amendment right to abstain, *Wrzeski v. City of Madison, Wisconsin*, 558 F. Supp. 664 (1983).

Making Fair Decisions: Developing Policy; Applying Policy

6. The statutes have gaps in their coverage. Are there other limits on my ability to vote on policy or administrative matters? Yes. The *common law* (i.e., the law developed by the courts) may prohibit a vote by a member of a body, such as a local governing body or board or commission member, even if statutory law does not, on matters such as adopting or amending ordinances, entering into contracts, hiring employees and deciding whether to litigate. The Wisconsin Ethics Board (now GAB Ethics Division) has noted in recent opinions that common law principles may disqualify a member of a body from voting on a matter where the member has a direct pecuniary interest not shared by others similarly situated. See, e.g., *Wis Eth Bd* opinions 2003-09 and 2003-17 (citing *Board of Supervisors of Oconto County v. Hall*, 47 Wis. 208 (1879) and 36 *Op. Att'y Gen.* 45, 46 (1947)). The Ethics Division interprets the Code of Ethics for Local Officials in a similar fashion when local officials who make policy decisions that affect themselves, "immediate family" members or "organizations" with which they are "associated" (as these terms are statutorily defined). In such cases, the official may vote or take action if the interest affects a class of similarly-situated interests, and the impact of the action on the official, family member or organization is not significantly different from the impact on the others affected. See the Ethics Division guidelines in "Eth 240."

In addition, the common law restriction is similarly stated in *Robert's Rules of Order Newly Revised (10th Edition)*, sec. 45, which states that, "No member should vote on a question in which he has a direct personal or pecuniary interest not common to other members of the organization." Many communities have adopted *Robert's* to apply in situations not covered by their ordinances or the statutes. See, e.g., *Ballenger v. Door County*, 131 Wis.2d 422, 431 (fn. 6) (Ct. App. 1986).

7. What limitations apply to my actions when applying the law? You act in a "quasi-judicial" capacity when you apply the general law (i.e., statutes and ordinances) to specific fact situations. Examples include granting a zoning variance or conditional use permit or revoking an alcohol beverage license. In such cases constitutional law and the common law apply in addition to the statutory ethics and conflicts laws. In quasi-judicial proceedings, you must provide due process (a constitutional concept) and be fair and unbiased. This means that you will have to abstain in more situations than you would have to when making policy, such as voting on an ordinance, or when acting in an administrative capacity, such as in hiring or awarding a contract.

In quasi-judicial proceedings you should consider whether you could be seen as biased regarding either the person or the issue involved, although having opinions on local matters is not improper. For example, while it would be permissible to publicly hold the view that an

ordinance should be amended, it would be improper to disparage the ordinance at a proceeding on an application. Similarly, it is improper to show bias regarding the applicant. In one case, the chair of a zoning board of appeals (BOA) called the applicable standard for a permit a loophole in need of closing and made critical personal comments about the applicant. Not surprisingly, an appeal to court resulted in the matter being returned to the BOA for a new hearing without the participation of the BOA chair. *Marris v. City of Cedarburg*, 176 Wis. 2d 14 (1993). Similarly, in a recent case, the court ruled that a conditional use permit application had to be reheard because of the improper participation on the decision-making body of a member whose letter in support of the applicant was a part of the record. *Keen v. Dane County*, 269 Wis. 2d 488 (Ct. App. 2003). Officials in these proceedings must be careful to base their decisions on the arguments and evidence presented in the record, including the hearing, and should avoid outside sources and contacts, such as discussions with the parties or neighbors outside of the meeting or hearing room.

Violations of these principles of due process and fairness, if challenged in court, may result in having the matter sent back to the body to do over again properly. Enforcement typically does not involve damages or other penalties, although it could in certain egregious situations, involving, for example, deliberate wrongdoing and civil rights violations.

8. *How does the above reasoning apply when I, as a governing body member, am faced with a vote on a rezoning of property?* Rezoning is in a grey area of the law. In some states they are treated as quasi-judicial, but in Wisconsin they are viewed as legislative. How you proceed depends upon the nature of the rezoning. Applying the concept (#6 above) of whether you are a member of a class of similarly-affected persons is helpful. So if it's your next-door neighbor who's asking for the rezoning, you should abstain from any official involvement. But if the rezoning is for a major project that affects, for example, the entire area where you live, and you are not affected more than others, it seems legitimate for you to take part in the vote. Close situations like this should be investigated prior to becoming involved in an official capacity.

Code of Ethics for Local Officials

9. *Briefly, what is prohibited by the Code of Ethics for Local Officials?* The Code generally prohibits a "local public official" from using his/her office or position to obtain gain for the private benefit of himself/herself, an "immediate family" member or for an "organization" with which the official is "associated" (as these terms are defined in the law; item #10, following). Secs. 19.42 & 19.59, *Wis. Stats.* In addition, a recent provision prohibits a local public official from engaging in "pay to play" political agreements. See #17 below.

The language of sec. 19.59(1) contains the specific, lengthy wording of the prohibitions, which may be categorized as prohibitions on private gain, illegal influence or rewards, and involvement when the local official, a member of the official's immediate family, or an organization with which the official is associated has a substantial interest in the matter (see the following definitions).

10. *Who is covered by the Code of Ethics for Local Officials?* The local ethics code applies to local public officials who hold "local public office." Sec. 19.42(7w) and (7x), *Wis. Stats.*

"**Local public office**" includes: elected officers of a local governmental unit; a county administrator or coordinator, or city or village manager; appointed local officers and employees

who serve for a specified term; and officers and employees appointed by the local governing body or executive or administrative head, who serve at the pleasure of the appointing authority.

“Local public office” *does not* include: independent contractors; persons who perform only ministerial (i.e., non-discretionary) tasks, such as clerical workers; or persons appointed for indefinite terms, who are removable for cause. Finally, the term “local public office” does not include a municipal judge; this office is considered a state office. Sec. 19.42(13)(h).

Note: Persons who are appointed for indefinite terms and are removable for cause, such as police officers and firefighters, as well as their chiefs, are omitted from coverage because the definition of “local public office” covers only those appointed officials who serve for a specified term or who serve at the pleasure of the local governing body or executive or administrative head (above). The reason for this omission is not clear. A town, village, city or county, may, however, use a local ethics ordinance to fill gaps in the statute's coverage.

Other key terms in the Code of Ethics for Local Officials are: “immediate family,” “organization” and “associated.” Sec. 19.42(2), (7) and (11). The “**immediate family**” of a local public official means the official’s spouse, and a “relative by marriage, lineal descent or adoption” who receives from the official or provides to the official more than one-half of his or her support. Note that, with the exception of a spouse, the coverage of the term is based on a support test. An official’s parent or child, for example, is not covered unless the support test is met.

“Organization” is broadly defined to cover “any corporation, partnership, proprietorship, firm, enterprise, franchise, association, trust or other legal entity other than an individual or body politic.” Note that nonprofits are included and governmental units are excluded. Finally, **“associated,”** in reference to an organization, refers to the situation in which the public official or a member of his or her immediate family is a director, officer, trustee, authorized representative or agent of the organization; or owns or controls, directly or indirectly, and severally or in the aggregate, at least 10% of the outstanding equity of the organization. Note that employees as such are not covered.

11. *Must a local governmental unit adopt an ethics ordinance and establish its own ethics board? How are ethics laws enforced?* Having a local ethics ordinance and establishing a local ethics board are optional. A local unit might wish to have its own ordinance to fill in some gaps in the law and have local enforcement. Sec. 19.59(1m)-(3). (If an ordinance is established, the ordinance is enforced by the unit’s attorney rather than by the district attorney.) Similarly, a unit might wish to establish an ethics board to provide guidance on ethics matters. Sec. 19.59(3)(d). Neither is required. However, the Code of Ethics for Local Government Officials, in subch. III of ch. 19, *Wis. Stats.*, applies to all “local public officials” (as defined). Enforcement of this state law is by the district attorney, as is enforcement of the law concerning private interests in public contracts (##18-20, below). Civil remedies, including forfeitures and injunctions, and criminal penalties may apply. Secs. 19.58 and 19.59(7)-(8).

Gifts, Food & Drink, Conferences, Political Contributions, etc.

12. *May I accept gifts? What limits exist regarding the acceptance of gifts?* You may not accept a gift given to you because you are a public official, unless it is of insubstantial value. This means that you may, of course, receive gifts from friends and relatives who make the gifts for personal reasons, unrelated to seeking your favor as a public official. As a public official, it is best to politely refuse gifts and explain the policy in not accepting them. If the item cannot be returned to the donor the Wisconsin Ethics Division suggests turning the item over to the governmental unit, another public institution, or a charitable organization (other than one with which you or an immediate family member are associated). See Eth 235 (Disposition and reporting of gifts.) Gifts with an insubstantial value may be accepted, although it is always safest not to. So a small desk calendar or inexpensive pen with a logo, for example, may be accepted. The statutes do not define the terms “insubstantial value” or “substantial value.” Your local unit may do so by ordinance.

13. *What about accepting a meal from a contractor who does business with our local unit?* You should not accept such free meals. If the meal is for public business, you should pay for it yourself and seek reimbursement from your local governmental unit, preferably subject to pre-established guidelines on expense reimbursement.

14. *How about accepting refreshments and entertainment at a conference?* If you are attending the conference in your capacity as a local government official, you may accept such items if they are part of the conference and approved by the conference sponsor. So if you attend, say, the annual conference given by your statewide local government association you may certainly accept free refreshments supplied by vendors at the conference and attend entertainment provided at the conference. However, it is not proper to accept refreshments or entertainment or gifts at hospitality suites that are offered to you as a local official but are not an approved part of the conference.

15. *Are there limits on accepting transportation and services?* Yes, the Code of Ethics prohibits receiving services, of more than nominal value, that are offered to you because of your public office. Also, you may not, under a felony statute, accept free or discounted transportation, traveling accommodation or communication services for which the supplier would normally charge. Sec. 946.11, *Wis. Stats.*

16. *Do considerations of public benefit outweigh those of private benefit in some cases?* Perhaps, but be careful. When you get reimbursement for a meal during which you were on public business, you obviously received a private benefit, but your local governmental unit has decided that it is a legitimate expense—that the public benefit predominates. However, if the expense were paid by a third party, such as a potential contractor, for something which provided a private benefit, then the question would arise of whether the benefit was intended to influence your judgment. For this reason, it’s better for local officials to pay their own way and seek reimbursement from their local unit.

There may be some cases, though, where the cost is high and is incurred primarily for a public benefit. For example, if an official travels to see an expensive piece of equipment or a facility and incurs airplane, lodging, meal and entertainment costs, it seems that the local unit

might legitimately accept payment from the prospective vendor for the travel and lodging expenses. While this may be justified in some cases, it nevertheless seems better for the local unit to cover its officials' reasonable costs and seek savings from the vendor instead in the cost of the equipment being sold. Regarding the meal and entertainment expenses incurred in such a trip, the safest course is for these expenses to be paid by the official, subject to reimbursement under the local unit's guidelines.

17. What is the recent “pay-to-play” prohibition in the Code of Ethics for Local Officials?

No “local public official” or “candidate for local public office” may, directly or by an agent, use his/her office or influence regarding a proposed or pending matter in exchange for another person providing or refraining from providing a political contribution or providing or refraining from providing any service or other thing of value for the benefit of a “candidate,” a political party, any other person who must register under the campaign finance law, or to any person who makes a “communication” that refers to a “clearly identified” local public official holding an elective office or to a candidate for such office. Sec. 19.59(1)(br, *Wis. Stats.* (The terms in quotes are defined in sec. 19.42.) The pay-to-play prohibitions are enforced by a district attorney (or the attorney general) and violators are subject to forfeitures, court orders and criminal penalties. Secs. 19.58 and 19.59(7)-(8). However, a complaint alleging a violation of the law may not be brought within a specified period prior to the election for the local office.

Note that it is not a violation of the provision prohibiting a local official from using his/her office to obtain private gain, sec. 19.59(1)(a), when the official uses “the title or prestige of his or her office to obtain campaign contributions that are permitted and reported” under the campaign finance law. Sec. 19.59(1)(a).

Contracts

18. May I contract with my local unit to sell goods or equipment or land? Yes, subject to limits. Of course, you may not, under the Code of Ethics, vote to award yourself the contract or act in any official capacity regarding the contract, such as performing inspections or authorizing payments. This same prohibition on *official* action in regard to a contract is also found in a felony statute, sec. 946.13(1)(b), *Wis. Stats.* In general, as long as you abstain from all official involvement, you do not violate the law, except as follows.

You must keep in mind that the felony statute, sec. 946.13(1)(a), prohibits a public officer or employee from acting in a *private* capacity to negotiate, bid or enter into a contract where the officer is *authorized* or required by law to participate in an official capacity in making the contract or exercising discretion under the contract, unless an exception applies. This means that it is possible to abstain and still violate the law—you may have to choose between doing business with your unit and keeping your public office or job. The most commonly used exception is the one that allows a public officer or employee to avoid violating the law by abstaining completely from official action when he or she has a direct or indirect financial interest in contracts with the local unit as long as the total receipts or disbursements under the contracts in which the individual has an interest do not exceed \$15,000 in a calendar year. (*Note:* Your salary as a public official is not counted in figuring the \$15,000 limit.) If the contracts in which you have an interest exceed (or would exceed) that amount in a year, you may have committed a felony, even if you abstained, by, in your private capacity, negotiating, bidding or entering into the contract. Furthermore, you can violate the felony statute merely by bidding on

the contract, even if you do not receive it. Finally, note that it is the annual total of the payments under the contracts that is subject to the \$15,000 ceiling and triggers a violation, rather than your personal financial interest (e.g., a commission), which may be less than \$15,000.

Note: Violation of sec. 946.13 is a serious matter, a Class I felony, which means that it is punishable by a fine not to exceed \$10,000, 3 ½ years in prison, or both. Violations are prosecuted by the district attorney, and the law provides that a contract entered into in violation of the statute is void.

19. *May I provide services on contract with my local unit?* Yes, the above considerations apply when you are an independent contractor. An independent contractor is one who provides his/her own tools and equipment in performing the job and exercises responsibility over how the work is done. This is in contrast to a part-time employee (see ##22 & 23 below). If you are an independent contractor, you must abstain from any involvement in your official capacity in approving or administering the contract. By abstaining, you are protected unless the contracts in which you have an interest exceed the \$15,000 amount for the receipts and disbursements in a year (see #18, above).

20. *What about contracts involving my immediate family, an organization that I am associated with or my employer?* As with the above examples concerning contracts in which you have a personal interest (##18 and 19), the Code of Ethics prohibits you from voting or acting in an official capacity in a contract involving your immediate family or an organization with which you are associated, subject to the definitions in that Code. However, because the definitions do not cover many situations, the Code may not apply. For example, you could vote to award a contract to your brother, because he would not be an “immediate family” member as that term is defined. (See item #10). This illustrates that even though a matter may not be prohibited by the Code of Ethics, other statutes or your ordinance, *you may nevertheless decide to abstain based on appearances*. Exercise great caution, however, regarding the \$15,000 ceiling on total annual contract payments if you may be deemed to have a direct or indirect personal financial interest in the contracts (see ##18, above).

In addition, under the definitions in the Code of Ethics, although you are not “associated” with your employer merely by being an employee, because of your personal interest in employment, you must abstain from voting on contracts involving your employer.

Compatibility Issues: Conflicts in Holding More Than One Local Office or Position & in Job Creation & Selection

21. *As a local official, may I serve in other local offices?* The general rule is that the same person cannot hold two public offices, or an office and a position (see ##22 & 23, below), where one post is superior to another, or where, from a public policy perspective, it is improper for the same person to hold both. *Otradovec v. City of Green Bay*, 118 Wis.2d 293 (Ct. App. 1984). Therefore, a local governing body member cannot hold two local offices within the same unit of government, unless there is specific authorization. (A county officer is specifically prohibited from being on the county board by sec. 59.10(4), as mentioned in the following item.) For example, town, village, city and county governing body members may generally serve on local boards and commissions. Secs. 59.10(4)(counties) & 66.0501(2)(cities, villages & towns), *Wis. Stats.* Also, specific statutes allow governing body members to serve on various boards and

commissions, as is the case with town, village and city governing body members serving on the board of review and the plan commission. Secs. 70.46(1) & 62.23(1).

With regard to serving in offices for two different units, it is necessary to look at the particular offices involved to see if there is a conflict. Specific statutes may apply. For example, a county board supervisor may also serve as a town, village or city governing body member. Sec. 59.10(4). Also, the office of county board supervisor may be consolidated under a village or city charter ordinance with the office of village president or alderperson, if the boundaries of the county supervisory district are the same as those of the village or the aldermanic district. Sec. 66.0503.

What about officers other than governing body members? Again, it's necessary to look at specific situations. Generally, there are fewer conflicts when non-governing body officers are involved. Also, the statutes may cover various situations. For example, town officers are generally prohibited from receiving payment for acting in more than one town office at the same time. Sec. 60.323. However, certain local offices may be combined: e.g., the offices of town clerk-treasurer and town clerk-assessor are allowed. Sec. 60.305. Similarly, city and village offices, other than governing body offices, may generally be combined by charter ordinance. Secs. 61.195 & 62.09(3)(c).

22. As a governing body member, may I work as an employee for the local unit? No, not unless there is specific statutory authorization, such as the one recently created for town officers (see #23, below). In general, as mentioned above, under the case law on compatibility of offices and positions, a governing body member cannot also be an employee of his/her local unit. The case establishing this prohibition, *Otradovec* (above at #21), ruled that an appraiser in the city assessor's office could not also serve on the city common council.

A specific compatibility provision for counties provides that no county officer or employee may be a county board supervisor. Sec. 59.10(4), *Wis. Stats.* However, an elected or appointed county official may serve as the administrative coordinator in a county without a county executive or county administrator. Sec. 59.19.

For cities, villages and towns, the statutory law creates an exception to the general compatibility doctrine. It allows a city, village or town elected official to serve as a **volunteer fire fighter, emergency medical technician or first responder** for his or her local unit, as long as the annual compensation, including fringe benefits, does not exceed \$15,000 for the public safety position. (The limit was raised by the 2001 budget act, 2001 Wisconsin Act 16, from \$2,500 to \$15,000.) Sec. 66.0501.

A recent enactment addresses the question of the eligibility of county, city, village and town employees to run for elective office. Sec. 66.0501(5), created by 2003 Wisconsin Act 79. These employees may generally run for elective public office, and they may not be required to take a leave of absence during their candidacy, although the new provision does not affect the authority of a public employer to regulate the conduct of a public employee while acting in an official capacity. Public employees who wish to run for elective office should determine whether an incompatibility would exist if they were elected. It should be noted, however, as explained in the Wisconsin Legislative Council Act Memo on Act 79, that the new law does not apply to an individual if the federal Hatch Act applies. That federal act generally prohibits federally funded state and local officers from running for elective office unless they take a leave of absence.

23. As an elected town officer, may I do part-time work such as keeping roadways clear and plowing snow? Yes, subject to limits. The 2001 budget act created an exception to the compatibility doctrine for elected town officers, in addition to the above exception (#22) for the specified public safety positions. Sec. 66.0501(4), *Wis. Stats.*

This recent language provides that it is compatible for an elected town officer to receive wages for work he or she performs for the town as a part-time employee. Sec. 66.0501(4). An elected town officer who also serves as a part-time town employee may receive an hourly wage not exceeding a total of \$5,000 per year. Sec. 60.37(4). (For elected town officers who are a clerk, treasurer or clerk-treasurer this \$5,000 figure was raised to \$15,000 by 2007 Wisconsin Act 20). These wages are *in addition* to the amounts that may be received in the above public safety positions (#22) and for the person's elected office. However, the \$5,000 maximum *includes* amounts paid to a town board supervisor acting as superintendent of highways under sec. 82.03(1).

The town meeting of electors sets the hourly wage for an elected town officer serving as a town employee. Sec. 60.10(1)(g). The town meeting may delegate to the town board the authority to set this wage, except that the town meeting cannot delegate the authority to set the wage for a town board supervisor serving as a town employee. Sec. 60.10(2)(L).

Note: Even though a town officer may receive wages as a town employee, the town officer, under the Code of Ethics for Local Officials (#9, above), may not use his/her official capacity for his/her own financial gain, and would therefore have to abstain from official involvement as a town officer in this hiring decision and should likewise abstain from approving payment to himself or herself for such work. Also, remember that being a part-time employee is different from being an independent contractor; for the latter abstention and the \$15,000 limit on contracts apply, as discussed in ##18-20, above.

24. As a governing body member, may I take another office or a job with my local unit? What if I resign from the governing body? The answer depends upon the circumstances. First, as discussed in items ##21-23, the law of compatibility prohibits a governing body member from holding another office or position with the unit, unless a statutory exception applies. A specific statute addresses the eligibility of governing body members for election or appointment to offices and positions. Sec. 66.0501(2), *Wis. Stats.* This statute provides generally that no member of a city council or of a town, village or county board may, during the term for which the member is elected, be eligible for an office or position created during the term by the governing body or for an existing office or position where the selection is vested in the governing body.

This general prohibition, however, is subject to exceptions. It does not apply to being eligible for an elected office, or if a statute provides an exception. Also, the statute provides that the prohibition on a governing body member taking an *existing* office or job, where selection is vested in the governing body, does not apply if the member *resigns* prior to appointment. If the job or office was created during your term on the governing body, you may not resign and take the office or position during your current term of office, unless there is specific statutory authorization to do so. Sec. 66.0501(2). Of course, you could be elected to office. For example, you may as a governing body member run for and be elected to the newly created or existing office of municipal judge. However, taking the office of municipal judge would, under the compatibility of offices doctrine, #21 above, create a vacancy in your office on the governing body.

If the job or office is new and appointed, you would have to wait until after your current term has expired, and you are no longer on the governing body, to take the job or office (unless a statutory exception applies). The position of administrator serves as a good example. If you serve on a city, village or town governing body and that body creates the position of administrator, you could not resign and be appointed to fill that new post during your current term. However, if the position of administrator was in existence prior to your term of office, you could resign from the governing body and then be appointed to the position.

In contrast to the prohibition on appointment as administrator of a sitting city, village or town governing body member, it appears that a sitting county board member may be eligible for appointment as county administrator. The law provides that, "If any member of the (county) board is appointed as county administrator, his or her status as a board member is thereby terminated," except in the case of filling a vacancy in the position of administrator for up to 15 days. Sec. 59.18(1). If this situation arises, it is advisable to seek the opinion of corporate counsel on the interplay of the prohibitions in sec. 66.0501(2) and the applicability of the apparent exception in sec. 59.18(1).

The question may also arise as to whether the general prohibition in sec. 66.0501(2) prevents a governing body member from serving in one of the designated part-time public safety positions (#22, above) or prevents a town board supervisor from working on a part-time town job (#23, above) if the position was created during the governing body member's current term of office, or the selection is vested with the governing body. It appears that these provisions allowing elected officials to hold certain part-time positions (##22 & 23) are intended as exceptions to the general prohibition on governing body members taking jobs created during their current term of office or where selection is vested in the governing body.

Finally, it should be emphasized that you, as a governing body member, must not use the power of your office to obtain a new position, or to obtain financial gain for yourself. This could violate the Code of Ethics for Local Officials (sec. 19.59, #9 above) and could constitute misconduct in office (sec. 946.12)(#25j below). In addition, the felony statute prohibiting private interests in public contracts (##18-20) could also be involved if you, as a governing body member, submitted a job application for a job with a yearly payment over \$15,000 (unless a statutory exception applies).

Other Provisions

25. *What other ethics provisions are in the Wisconsin Statutes?* This FAQs paper has primarily covered the Code of Ethics for Local Officials, found in subch. III of ch. 19, *Wis. Stats.*, and the related criminal provision on public interests in private contracts, sec. 946.13. These are the most commonly-referenced Wisconsin statutory provisions. However, there are a number of other provisions relating to ethics and conflicts of interest in the law. Some of them, such as the prohibition on certain sales to local employees, are very narrow. Following is a listing of Wisconsin ethics and conflicts-of-interest provisions, including the statutes covered in this paper (which are indicated by an asterisk). (For information on how to access the statutes, see #3 above.)

a. Bribery. Secs. 12.11 and 946.10. The scope of prohibitions covered by sec. 12.11 includes promising an official appointment or anything of value to secure votes. Section 946.10 prohibits public officials from taking bribes.

b. Discounts at certain stadiums. Sec. 19.451. Local officials may not accept discounts on prices charged to the general public for parking and seating at the stadiums of professional teams that are exempt from the property tax under sec. 70.11(36).

*c. *Code of Ethics for Local Officials (## 9-11).* Secs. 19.42, 19.58 and 19.59. These statutes provide ethical standards for local officials, and authorize a local ethics ordinance and establishment of a local ethics board.

*d. *Eligibility for office (##21-24).* Sec. 66.0501. This provision addresses limits on a local officer holding or taking another local office or position.

e. Compensation of governing body members. Sec. 66.0505 (formerly sec. 66.196). County, city, village and town governing body members may not give themselves mid-term salary increases. A new sub. (3), created by 2007 Wisconsin Act 49, creates a procedure for an elected official to refuse his or her salary. Salary and benefit changes are also covered by various specific provisions in the county, city, village, town and municipal law chapters of the statutes.

f. Fraud by board of review member. Sec. 70.502. Such member may not intentionally violate the law or fail to perform duties.

g. Sales to liquor (and wine) licensees or applicants. Sec. 125.51(1)(b). A member of a municipal governing body may not sell or offer to sell a bond, material or product to be used in the licensee's business.

h. Sales to local employees. Sec. 175.10. Local units of government, governing body members and purchasing agents in general may not sell things to their own employees. The prohibition does not cover meals, public services and items required for the safety or health of employees. The prohibition also does not apply to recreational, health, welfare, relief, safety or educational activities furnished by the governmental unit.

*i. *Special privilege (travel, transportation, utilities)(#15).* Sec. 946.11; Art. 13, sec. 11, *Wis. Const.* Public officers may not be given, or receive, free or discounted traveling accommodation, transportation for persons or property, or transmission of messages or communications not available to the general public.

j. Misconduct in office. Sec. 946.12. A public official or employee may not intentionally: fail to do a mandatory, nondiscretionary, ministerial duty; act in excess of his or her authority; abuse his or her discretion with the intent to obtain a dishonest advantage for the officer, employee or another; falsify records; or under- or over-value any duty or service whose cost is fixed by law.

*k. *Private interests in public contracts (##18-20).* Sec. 946.13. This statute places limits or prohibits local officials and employees with authority over contracts from bidding or entering into such contracts (subject to exceptions).

l. Purchasing claims at less than full value. Sec. 946.14. Public officers and employees may not, in their private capacity, intentionally purchase for less than full value any claim against the state or a political subdivision of the state.

m. Public construction contracts at less than full value. Sec. 946.15. Compensation due to persons employed under these contracts may not be given up, waived, returned or reduced.

Natural Resources Committee**AGENDA INFORMATION SHEET**

AGENDA DATE:	August 4, 2022
DEPARTMENT:	County Clerk
DIRECTOR:	Julie Winkelhorst
PREPARER:	Julie Winkelhorst

Agenda Summary July 7, 2022

[<https://www.co.ozaukee.wi.us/AgendaCenter/ViewFile/Minutes/ 07072022-3106>](https://www.co.ozaukee.wi.us/AgendaCenter/ViewFile/Minutes/07072022-3106)

Natural Resources Committee**AGENDA INFORMATION SHEET**

AGENDA DATE: August 4, 2022
DEPARTMENT: UW Extension
DIRECTOR: Cindy Sarkady
PREPARER: Claudia Breitengross

Agenda Summary UW-Madison Division of Extension Reports

ATTACHMENTS:

- July 2022 Report (PDF)
- UW Ext. Financials 7.2022 (PDF)



July 2022 Report

4-H Youth Development

Jayna Hintz, 4-H Program Educator



Positive Youth Development prepares the youth of today to become the effective, empathetic adults of tomorrow. Our research-based youth enrichment programs like teens in governance build youth and adult capacity and partnerships that help both sides grow. 4-H clubs, camps and after-school programs give young people the hands-on experiences they need to develop an understanding of themselves and the world.

4-H Program Highlights

- A five-session book reading group for youth and adults, where participants read and discussed the book "Sparks: How Parents Can Help Ignite the Hidden Strengths of Teenagers" with a focus on what sparks are and how we can ignite them to help youth find direction and purpose. This effort is designed to help older youth and volunteers understand the term sparks and that they are an essential ingredient in the 4-H Thriving model.
- Development of an interactive educational booth for the Ozaukee County Fair. The goal of the interactive educational fair booth is to raise awareness of the 4-H Thriving Model and how 4-H plays an important role in youth discovering their sparks, which are an essential ingredient of thriving.
- Facilitation support between officers of chartered 4-H Clubs and Groups and an insurance consultant to build their capacity related to insurance coverage for 4-H events and programs they plan and oversee.

Community Development

Karina Ward, Community Development Educator



Community Development provides educational programming to assist leaders, communities, and organizations realize their fullest potential. We work with communities to build the vitality that enhances their quality of life and enriches the lives of their residents. IN short, the Community Development Institute plants and cultivates the seeds for thriving communities and organizations.

- Educator resigned position as of July 22, 2022



July 2022 Report

Agriculture

Regional Agriculture Educators



If it happens on a farm or in a field, the Extension Institute of Agriculture works with you to achieve better results. Our innovative dairy management programs range from genetics to farm and business management. Extension researchers work hand-in-hand with row crop, forage and fresh produce growers to provide best practices for every aspect of the growing phase. We also advise communities on using sustainable practices to create inviting spaces free from invasive species

Agriculture Highlights

- **Crops and Soils:** Mike Ballweg, Area Crops and Soils Agent
 - An on-farm project to monitor the quality of alfalfa growth and development, in planning for the first crop harvest, which makes up 30 - 40% of the total production for the year. Because there are yearly weather variations impacting plant growth, results from this study help farmers in deciding the optional time to harvest alfalfa for high quality dairy forage. Harvesting at the optimal time helps farmers avoid higher costs of purchased livestock feed, increases their milk yields and improves the profitability of dairy farms.
 - The alfalfa quality project included: Washington, Ozaukee, Fond du Lac and Sheboygan Counties within the region. Based on the most recent ag census information there are approximately 135,000 acres of alfalfa grown in the region which support the region's nearly 400 dairy herds. If only half of the region's alfalfa acres were harvested one week earlier because of this Extension alfalfa quality educational program, an additional \$7.3 million of annual milk sales would be generated for dairy farmers within the region. An economic impact breakdown by county shows: (Sheboygan 2.19 million), (Ozaukee .73 million), Washington 1.38 million) and Fond Du Lac 2.99 million). Biweekly (twice a week) emails were sent to 1000 farmers and ag-industry professionals across the region (Regional Ag Email list) throughout the month of May.
- **Dairy:** Tina Kohlman, Dairy Agent
 - A dairy production and management newsletter for farmers, managers, employees, and agribusiness professionals, where subscribers learned about managing heat in pre-weaned calves and overstocking effects on cow performance. This effort was designed to provide a timely and reliable source of dairy management news and updates.
 - A twilight meeting for farmers, managers, employees, and agribusiness professionals, where they learned about employee management and developing a work culture. This effort is designed to help farmers improve the workplace environment to retain employees and improve economic viability.
 - Planning and developing a regional agriculture e-newsletter for owner/operators, farmers, herds managers and persons, employees, industry representatives, and agency personnel. The goal of this effort is to provide timely, relevant extension resources so they can increase their farm viability, environmental sustainability while maintaining animal welfare and food safety.



July 2022 Report

What's Next/Upcoming Events

- **August 3-7, 2022**
 - 4-H at [Ozaukee County Fair](#)
- **August 4-14, 2022**
 - Wisconsin State Fair
- **August 9 & 23, 2022**
 - [4-H Harbinger Newsletter](#) published
- **August 10, 2022**
 - [Badger Crop Connect](#), Virtual session, 12:30 pm., Topic: Making Great Corn Silage and Building Soil Health
- **August 17, 2022**
 - 4-H County Board Exchange, Ozaukee County Admin Building, Port Washington, 8:00 am
 - [4-H Conversation Corner](#), Ozaukee County Admin Building, Port Washington, 6:00 pm., Topic: 4-H Annual Financial Review
- **August 18, 2022**
 - Ozaukee County 4-H Leaders Association Board Meeting, Ozaukee County Fairgrounds, Pavilion, 6:00 pm.
- **August 19, 2022**
 - 4-H Pool Party, Grafton Family Aquatic Center, 7:30 pm.
- **August 24, 2022**
 - [Badger Crop Connect](#), Virtual session, 12:30 pm., Topic: Cover Crops as Spring Forage and Winter Wheat Management



Extension

UNIVERSITY OF WISCONSIN-MADISON
OZAUKEE COUNTY

6.a.1.a

July 2022 Report

In Other News

- **Extension's New Farm Management Outreach Specialist named to focus on strategic decisions for successful farm businesses.** University of Wisconsin–Madison Division of Extension is pleased to announce Stephanie Plaster as the new Extension Farm Management Outreach Specialist. The Farm Management Outreach Specialist position is a new, exciting position in the UW–Madison Division of Extension. This position will identify needs and provide outreach education to find solutions to the most critical issues facing Wisconsin agricultural producers in the areas of farm financial and strategic business management. Stephanie was previously the Regional Agriculture Extension Educator for Ozaukee, Washington, Fond du Lac and Sheboygan Counties. As the new Farm Management Outreach Specialist, she will leverage her 10+ years of experience in the field to enhance the competitiveness of farms and the agricultural industry across Wisconsin. (<https://farms.extension.wisc.edu/author/plaster/>)

We teach, learn, lead and serve, connecting people with the University of Wisconsin, and engaging with them in transforming lives and communities.

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Cindy Sarkady
Area Extension Director



Jayna Hintz
4-H Program Educator



Mike Ballweg
*Crops & Soils
Agent*



Tina Kohlman
Dairy Agent



Extension

UNIVERSITY OF WISCONSIN-MADISON
OZAUKEE COUNTY

Attachment: July 2022 Report (UW-Madison Division of Extension Ozaukee County Written & Financial Reports)

Ozaukee County Committee Report

General Fund University of Wisconsin Extension

For the Six Months Ending Thursday, June 30, 2022

Profit and Loss Statement ACTUAL TO AMENDED BUDGET

	Current Month Actual	2022 YTD Actual	2022 Amended Budget	Budget Balance	% Budget YTD
Revenues					
Intergovernmental Revenues	-	-	\$3,890	\$3,890	0.00%
Public Charges for Services	(\$15)	\$6,720	\$7,980	\$1,260	84.21%
Total Revenues	(\$15)	\$6,720	\$11,870	\$5,150	56.61%
Expenditures					
Salaries	\$4,806	\$27,468	\$67,293	\$39,825	40.82%
Fringe Benefits	\$572	\$3,329	\$9,522	\$6,193	34.96%
Travel/Training	\$20	\$3,176	\$14,788	\$11,612	21.48%
Supplies	\$70	\$2,391	\$17,940	\$15,549	13.33%
Purchased Services	\$51,621	\$52,102	\$117,499	\$65,397	44.34%
Interdepartment Charges	\$1,527	\$10,083	\$22,260	\$12,177	45.30%
Other Expenses	\$129	\$240	\$743	\$503	32.30%
Total Operating Expenditures	\$58,745	\$98,789	\$250,045	\$151,256	39.51%
Capital Outlay					
Total Expenditures	\$58,745	\$98,789	\$250,045	\$151,256	39.51%
Net Increase (Decrease)	(\$58,760)	(\$92,069)	(\$238,175)	(\$146,106)	38.66%

Equity:

Natural Resources Committee**AGENDA INFORMATION SHEET**

AGENDA DATE:	August 4, 2022
DEPARTMENT:	Register of Deeds
DIRECTOR:	Ron Voigt
PREPARER:	Ron Voigt

Agenda Summary Register of Deeds Reports

ATTACHMENTS:

- 2022 August Department Report (PDF)
- GIS Update July 2022 (PDF)
- ROD General (PDF)
- Land Info (PDF)



Register of Deeds Land Information

August 2022 Department Report

Register of Deeds Office: We recorded 1292 documents in June, a increase of 150, compared to 1935 the year before. We have recorded 7,686 documents so far this year compared to 11,580 for the time period last year. 80.19% of the documents this month were recorded as a digital record. We made a profit of \$51,224 compared \$51,224 and for the first six months and a profit of \$392,083 or 72.24% of the budget. Documents are down a third compared to last Year.

Land Information Office: See attached report.

GIS Update

Ozaukee County Land Information Office – July 2022

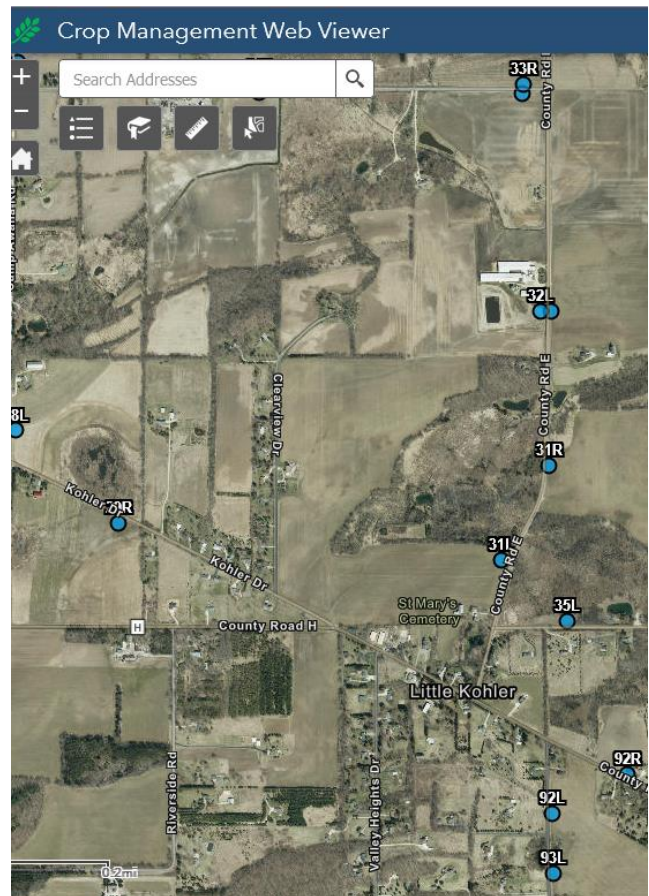
The Land Information Office continues to provide accurate and up-to-date geospatial data and land records for Ozaukee County.

Transect Points Application

The Land and Water Department requested assistance for adding a number of Transect Points to the Farm Fields app currently being used for monitoring soil health while tracking cover crops, no-till fields and use of the inter-seeder.

They can now open the Farm Fields app on their mobile devices and use it when driving throughout Ozaukee county to locate specific observation points (farm fields), marking down information such as crop rotation and tillage systems used along the way. This gives them a good idea on soil loss throughout the county, as well as a good indicator of progress on farmers implementing no-till/cover crops on their farms. The app allowed the department to get rid of outdated paper maps and have everything in a digital format at their fingertips. This significantly sped up the process of locating and getting to the next observation point. They generally do the transect survey once a year in the spring/early summer, but due to speeding up the process of getting through it, they may be adding another survey in the fall, which would provide better accuracy.

A portion of the WLIP Grant funds were used for this project.



2022 ESRI User Conference

The annual ESRI User Conference was held in person once again in San Diego July 11-15 after being held virtually for two years due to Covid.

Our staff did not attend this year, but has been streaming live portions, along with watching a number of recorded training sessions.

The cost for attending the conference (live or virtual) is included in our software license.

This conference allows us to see the latest mapping software updates and utilize many education courses, along with collaborating with other users.

The Land Information office is always available to assist municipalities, other county departments and the public with maps, special applications and datasets as requested.

If you have any questions, please feel free to contact our office at 262-284-8167.

Ozaukee County Committee Report
General Fund Register of Deeds
 For the Six Months Ending Thursday, June 30, 2022
 Profit and Loss Statement ACTUAL TO AMENDED BUDGET

	Current Month Actual	2022 YTD Actual	2022 Amended Budget	Budget Balance	% Budget YTD
Revenues					
Public Charges for Services	\$99,168	\$582,899	\$970,000	\$387,101	60.09%
Total Revenues	\$99,168	\$582,899	\$970,000	\$387,101	60.09%
Expenditures					
Salaries	\$16,909	\$99,905	\$205,004	\$105,099	48.73%
Fringe Benefits	\$7,617	\$46,091	\$77,430	\$31,339	59.53%
Travel/Training	\$219	\$831	\$2,400	\$1,569	34.63%
Supplies	\$57	\$480	\$1,125	\$645	42.67%
Purchased Services	\$8,537	\$26,533	\$103,200	\$76,667	25.71%
Interdepartment Charges	\$2,606	\$16,976	\$38,092	\$21,116	44.57%
Total Operating Expenditures	\$35,945	\$190,816	\$427,251	\$236,435	44.66%
Capital Outlay					
Total Expenditures	\$35,945	\$190,816	\$427,251	\$236,435	44.66%
Net Increase (Decrease)	\$63,223	\$392,083	\$542,749	\$150,666	72.24%

E q u i t y:

Attachment: ROD General (Register of Deeds/Land Info Monthly Department Report)

Special Revenue Fund Land Information

Profit and Loss Statement ACTUAL TO AMENDED BUDGET

Attachment: Land Info (Register of Deeds/Land Info Monthly Department Report)

Natural Resources Committee**AGENDA INFORMATION SHEET**

AGENDA DATE: August 4, 2022
DEPARTMENT: Land and Water Management
DIRECTOR: Andy Holschbach
PREPARER: Andy Holschbach

Agenda Summary Proposed Revisions to Ozaukee County Shoreland & Floodplain Zoning Ordinance

ATTACHMENTS:

- Correspondence - Revisions - Shoreland & Floodplain Zoning Ordinance 7-29-22 (PDF)
- Shoreland & Floodplain Zoning Revisions (PDF)



LAND & WATER MANAGEMENT DEPARTMENT

8.a.1.a

Andy Holschbach, Director
Edward J. Pfister, Sanitation & Zoning Coordinator
Geoff Schramm, Land & Water Coordinator
www.co.ozaukee.wi.us

July 29, 2022

TO: Natural Resources Committee

From: Andy Holschbach

RE: Proposed Revisions - Shoreland & Floodplain Zoning Ordinance

Dire

Summary of Proposed Changes

Page 6, 7.0206, last sentence remove parenthesis 4, no longer is part of statute.

Page 24, 25, 26, 34 adding the one foot freeboard per the National Flood Insurance Program's Community Rating System (CRS) Class 8 Freeboard Prerequisite requirement.

Page 40, Formatting change

Page 42, 7.1110 A. Changing \$50 for each offense to \$500, a correction, previous ordinance stated \$500

Attachment: Correspondence - Revisions - Shoreland & Floodplain Zoning Ordinance 7-29-22 (Ordinance Revisions - LWM)

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

Tony Evers, Governor
Preston D. Cole, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



November 8, 2021

Dear CRS Participant,

As you know, as a Community Rating System (CRS) community, flood insurance policy holders save on their premiums annually. The DNR is interested in assisting to maintain or improve your current CRS classification by notifying you of changes related to the NFIP and the Community Rating System program.

In January 2021, the CRS implemented a new Class 5 through 8 prerequisite for freeboard for all participating and new CRS communities. If your community wants to avoid moving to a Class 9, you **will need to make some minor updates/amendments to your ordinances** to meet this new prerequisite of 1 foot of freeboard for all residential buildings. This new language must be adopted, and provisions must be enforced, no later than your next cycle visit. There are eight communities in Wisconsin due for a cycle visit in 2022 that need to take action quickly. If you are not due for a cycle visit in 2022, your ordinance may still need to be updated before 2023. There are only a couple of minor changes needed and these are highlighted in our state model (approved by FEMA) (see attachment). I have also included three FEMA documents that go over this new CRS requirement.

Another notable change to the CRS program, that benefits more policy holders is that the CRS discount will now be uniformly applied to all policies throughout a participating community, regardless of whether the structure is in the Special Flood Hazard Area (SFHA). As a reminder, Risk Rating 2.0 <https://www.fema.gov/flood-insurance/work-with-nfip/risk-rating> went into effect on October 1, 2021. Details of the new program are still coming out but the idea is to deliver rates that are actuarially sound, equitable, easier to understand and better reflect a property's flood risk. CRS Communities will continue to earn National Flood Insurance Program rate discounts of 5% - 45% based on the Community Rating System classification.

If you are interested in any assistance with updating your ordinance or understanding the CRS program, please contact me. We look forward to working with you.

Sincerely,

Brian Cunningham
State National Flood Insurance Program Coordinator
brian.cunningham@Wisconsin.gov
608-220-5633

cc: Frank Shockey, FEMA Region V, Floodplain Management Specialist
Lou Ann Patellaro, ISO, Community Rating System (CRS) Specialist
File

Attachment: Shoreland & Floodplain Zoning Revisions (Ordinance Revisions - LWM)



NFIP's Community Rating System (CRS)

Class 8 Freeboard Prerequisite

Frequently Asked Questions

November 2020

The Community Rating System (CRS) is a voluntary program that provides flood insurance premium discounts to communities that implement programs and measures that exceed the minimum floodplain management requirements of the National Flood Insurance Program (NFIP). The CRS determines discounts based on credit points provided for floodplain management activities. To achieve certain CRS Class ratings, communities must meet certain program prerequisites in addition to obtaining the credit points. In January 2021, the CRS will implement a new Class 8 prerequisite for freeboard for all participating and new CRS communities. Below are some frequently asked questions about the CRS Class 8 freeboard prerequisite. Answers to questions 1–12 were released in July 2020. Questions 13–17 were added in October 2020. Questions 16 and 17 were clarified in November 2020.

A community with additional questions about the prerequisite or the CRS should contact its ISO/CRS Specialist. For a list of ISO/CRS Specialists, see the [CRS Resources website](#). State NFIP Coordinators or FEMA Regional CRS Coordinators can assist with model ordinance or sample regulatory language for freeboard, and other higher regulatory standards. A list of [State NFIP Coordinators](#) can be found here. Contact information for FEMA is available at the [FEMA website](#).

1. What is the new CRS Class 8 freeboard prerequisite?

Section 211 of the 2017 *CRS Coordinator's Manual* will be changed to read:

“In order to be a Class 8 or better . . .

- (1) The community must meet all the Class 9 prerequisites.
- (2) The community must adopt and enforce at least a 1-foot freeboard requirement (including machinery and equipment) for all residential buildings constructed, substantially improved, and/or reconstructed due to substantial damage, throughout its Special Flood Hazard Area (SFHA) where base flood elevations have been determined on the Flood Insurance Rate Map (FIRM) or in the Flood Insurance Study (FIS), except those areas that receive open space credit under Activity 420 (Open Space Preservation).”

2. Why is FEMA making freeboard a Class 8 prerequisite in the CRS?

The goal is to further the flood resiliency of our Nation. FEMA is working to ensure that homes are built to better withstand natural disasters, including floods. The CRS credits community efforts that exceed the minimum floodplain management requirements of the NFIP.

Freeboard—a margin of safety added to the level of the base flood—definitively exceeds those minimum standards. Research shows that higher regulatory standards reduce future flood

damage, and the importance is recognized by over 80% of CRS communities who already require freeboard. With freeboard in place, homes are not only better protected from flood damage, but also flood insurance costs less. The expense of elevating a new home an additional foot often can be recaptured in lower flood insurance premiums over 5 years or less.

3. How will the change in the 2017 CRS Coordinator's Manual be made?

FEMA will issue an addendum to the 2017 *CRS Coordinator's Manual* that will be effective on January 1, 2021. CRS communities and the Insurance Services Office, Inc. (ISO) will continue to use the 2017 *Coordinator's Manual* along with the 2021 Addendum, until such time that FEMA issues a new *Coordinator's Manual*, likely not before 2023.

4. Which CRS communities does the Class 8 freeboard prerequisite affect?

The Class 8 freeboard prerequisite affects Class 5 through Class 8 communities. The prerequisite will not affect Class 9 communities. Communities in Classes 1 through 4 already meet the new freeboard prerequisite.

5. When will the Class 8 freeboard prerequisite be applied to participating CRS communities?

The Class 8 freeboard prerequisite will be required of CRS communities at their first CRS cycle verification visit after January 1, 2021. Ordinance, regulatory, or building code language that meets the Class 8 prerequisite must be adopted, and provisions must be enforced, no later than the first cycle visit after January 1, 2021. However, an earlier date for community enforcement of the Class 8 freeboard prerequisite may be required in a new (2023 or later) *CRS Coordinator's Manual*. This means that communities that are not due for a cycle visit until 2023 or later should not wait to adopt the freeboard requirement.

6. Can a community still join or participate in the CRS without a freeboard requirement?

Yes. Any community that meets the CRS Class 9 prerequisites can apply to join the CRS and become a Class 9 community. Any already-participating CRS community that cannot meet the Class 8 freeboard prerequisite at its first cycle visit after 2021 will change to a Class 9 community (see previous question).

7. Where must a community require at least 1 foot of freeboard?

Communities must enforce the freeboard requirement for all residential buildings that are new, substantially improved, and/or reconstructed due to substantial damage throughout the SFHA where base flood elevations have been determined on the FIRM or in the FIS. This means all "numbered zones" in the SFHA. The CRS will not require freeboard in unnumbered zones within the SFHA.

8. The prerequisite includes all residential buildings. Does this include manufactured homes?

Yes. At least 1 foot of freeboard is required for manufactured homes, including machinery and equipment.

9. If a community adopts the International Code Council codes, will it meet the requirements for the Class 8 freeboard prerequisite?

Yes, provided that the adopted building code includes freeboard for residential buildings and the community is enforcing the freeboard provisions. This includes adopted state building codes that are enforced in the community. The CRS credits other higher standards included in building codes. For example, coastal CRS communities that have adopted and enforce recent building codes and have newer FIRMs often can qualify for Coastal A Zones credit under Activity 430 (Higher Regulatory Standards).

10. Should a community require more than 1 foot of freeboard?

All communities are encouraged to consider adopting additional freeboard. This may mean freeboard in all flood zones. It may mean more than 1 foot of freeboard. It may mean applying the freeboard standard to all building types. Remember, CRS credit is available for the enforcement of freeboard under CRS Activity 430 (Higher Regulatory Standards).

11. Will communities receive CRS credit for the enforcement of freeboard for residential buildings?

Yes. Communities will continue to receive freeboard credit (FRB) under Activity 430 (Higher Regulatory Standards) for enforcing freeboard for residential buildings. Communities that already receive FRB credit will continue to receive FRB credit. The basic FRB credit in the CRS is 100 points. FRB credit is higher when more freeboard is required or when elevation on fill is not allowed. An impact adjustment is applied to FRB credit.

12. What should CRS communities do in light of the Class 8 prerequisite?

Communities that currently enforce freeboard should check their floodplain ordinances and/or building codes to be sure that machinery and equipment are included, that substantially improved buildings are included, and that the provisions are being enforced.

Communities that do not now enforce at least 1 foot of freeboard for all new or substantially improved residential buildings, including machinery and equipment, within numbered zones of the SFHA will need to make changes to their floodplain ordinance and/or building code. Adoption and enforcement of the freeboard must occur before the community's first CRS cycle visit after January 1, 2021.

Answers to questions 13 through 17, below, were provided in October 2020. In November 2020, more information was provided for question 13 and clarifications were made to questions 16 and 17.

13. What residential buildings are included in the Class 8 freeboard requirement?

The Class 8 freeboard prerequisite applies to all residential buildings, whether single-family, multi-family, or manufactured. Note that one goal of the freeboard prerequisite is that all residential buildings benefit from a flood insurance rate based on a building elevation of at least 1 foot above the base flood elevation (BFE+1). For a full definition of "residential," see Appendix L of the NFIP's *Flood Insurance Manual*.

14. Does the Class 8 prerequisite include the replacement of manufactured homes in pre-FIRM manufactured home parks? And can the replaced manufactured home be 48 inches above grade to meet the Class 8 prerequisite?

The Class 8 freeboard prerequisite applies to all manufactured homes. All manufactured homes in numbered zones of the SFHA must have at least 1 foot of freeboard above the base flood elevation. This is consistent with the 2015 and 2018 International Residential Codes. A requirement that the manufactured home be 48 inches above grade is not by itself sufficient to meet the 1-foot freeboard requirement.

15. Are historic buildings subject to the Class 8 freeboard prerequisite?

No, historic structures (as defined in 44 *C.F.R.* §59.1) that are allowed an exemption (or variance) as anticipated by 44 *C.F.R.* §60.3 for substantial improvements may be exempt (or varied) from the Class 8 prerequisite. For CRS purposes, documentation of the exemption may be requested. A community interested in providing for the treatment of historic structures within its floodplain ordinance should contact its state historic preservation office or the FEMA Regional Office about recommended language.

16. May machinery and equipment be floodproofed instead of elevated to at least 1 foot above base flood elevation to meet the Class 8 freeboard prerequisite?

No. To meet the Class 8 prerequisite the building code or ordinance must require machinery or equipment to be elevated to at least 1 foot above the base flood elevation for buildings newly constructed, substantially improved, and/or reconstructed due to substantial damage. This requirement includes machinery and equipment placed within attached garages and/or within enclosures below elevated buildings, with the exception of utility meters and equipment specifically designed to withstand inundation according to the standards of the International Residential Codes and the NFIP. A community that allows floodproofing around machinery and equipment in lieu of elevation to the freeboard level does not meet the prerequisite.

17. Does the freeboard requirement for Class 8 apply to attached garages?

The Class 8 freeboard prerequisite will be met provided that attached garages and enclosures below elevated buildings meet the minimum requirements of the NFIP (elevated to the base flood elevation or having proper openings). As noted in question 16, all machinery and equipment in attached garages or in enclosures must be elevated to the freeboard level.

Natural Resources Committee**AGENDA INFORMATION SHEET**

AGENDA DATE: August 4, 2022
DEPARTMENT: Land and Water Management
DIRECTOR: Andy Holschbach
PREPARER: Andy Holschbach

Agenda Summary Glacierland Resource Conservation & Development (RC&D) Update, Kari Divine, Executive Director*

[<https://www.glacierlandrccd.org/>](https://www.glacierlandrccd.org/)

Natural Resources Committee

AGENDA INFORMATION SHEET

AGENDA DATE: August 4, 2022
DEPARTMENT: Land and Water Management
DIRECTOR: Andy Holschbach
PREPARER: Andy Holschbach

Agenda Summary American Farmland Trust Report, Angie Doucette, Midwest Farmland Protection Manager*

[<https://farmland.org/>](https://farmland.org/)

Natural Resources Committee**AGENDA INFORMATION SHEET**

AGENDA DATE: August 4, 2022
DEPARTMENT: Land and Water Management
DIRECTOR: Andy Holschbach
PREPARER: Andy Holschbach

Agenda Summary Land and Water Management Reports*

ATTACHMENTS:

- July 2022 news (PDF)
- July 2022 (PDF)



LAND AND WATER MANAGEMENT DEPARTMENT

CURRENT PROJECTS AND REPORT UPDATES

-JULY 2022 -



MISSION STATEMENT

To protect, preserve, and enhance natural resources,
local ecology, and the quality of life

Land and Water Management Department

Andy Holschbach, Director
Geoff Schramm, Land & Water Coordinator
Ed Pfister, Sanitation & Zoning Coordinator
Chase Brouillette, Soil & Water Conservationist
Barry Sullivan, Sanitation & Zoning Specialist
Katie Werner, Conservation Planner
Tony Austin, Technical Support Specialist

Ozaukee County Administration Center
Room 223
121 W. Main Street, P. O. Box 994
Port Washington, WI 53074-0994
Phone: 262-284-8313

Attachment: July 2022 news (LWM Reports)



Land & Water Resource Management

♦ Conservation Planning/Farmland Preservation (FPP)

- 94 farms currently participating in Farmland Preservation Program; status reviews to be completed on about 25% of the farms in 2022 to ensure compliance with the FPP soil and water performance standards.

♦ Best Management Practices Design and Certification

- In 2022 Gasser Farms Waste Storage (313) and Waste Transfer (634) project, this is a TRM Project working on design and layout. Met with Luke Gasser, DATCP & NRCS at farm to coordinate planning, design and construction.
- Bid showing for Community Terrace Rip Rap Project completed, Risch Farm Leachate runoff project, Bid showing for Rob and Lori Wagner Rip Rap project, William Stadler waterway design completed, Matt Winker Critical Area Seeding design completed
- Have approximately 15 small projects lined up for in 2022 for SWRM Grant funds.

♦ Administration of Cost-Share Agreements (grants)

- 2022 SWRM bonded grant – \$49,500; SWRM SEG grant – \$25,000. CIG grant \$25,000.
- Ozaukee County awarded 2022 TRM grant funds for Gasser, Hamm, and Eskra
- Contact flyer sent to RCPP landowners in Milwaukee River area

♦ Nutrient Management

- Awarded \$2,500 DATCP Nutrient Management Farmer Education Grant, plan to provide subscriptions to No-Till Farmer and possibly provide manure analysis at a Fall popup field event. 1 NMP review scheduled

Environmental Education

- Participated in Sundae on the which was held at Roden Echo Farm, had a soil health display, approximately 2,000 people attended this public event.

♦ NR151 Compliance Tracking

- No activity

♦ Manure Storage Ordinance

- No activity

♦ Stormwater Management & Construction Site Erosion Control-WPDES Permit

- Stantec is finalizing the SLAMM modeling to evaluate nonpoint source pollutant loadings on county property in the MS4 area for compliance with the DNR stormwater permit.

♦ Buffer Initiative—Conservation Reserve Enhancement Program (CREP)

- Assisting FSA with CREP re enrollments, 9 expiring contracts so far 3 are not Interested in re enrolling 1 landowner officially is re-enrolling paper work completed and need landowner signatures

♦ Wildlife Damage and Abatement

- Scouted several fields for goose and deer issues. Gearing up for deer donation program

♦ Tree, Shrub, Prairie Grass & Wildflower Seed Program/Pollinator Plant & Grass Sale

- Ordered trees and shrubs from the nurseries for the 2022/23 program

♦ Invasive Species

- No activity

♦ Miscellaneous

- Working on further development of the Ozaukee County Grazing Network.
- Began work on the 2023 Department Budget.
- Updating signage at the Clean Farm Families Soil Health Demonstration site

- Katie Vogeler - The Interseeder is done with corn and awaiting wheat h 8.b.3.a plant those fall cover crops. I am working ahead on CFF incentive payouts to see where I sit in the budget, and began grant writing for 2023. UW Trial early crop info is submitted, waiting on harvest. Aug 15 I will give a dept update on acres i county under cover crop and no-till based on NMP Data submitted. Grazing Network is having some growing pains getting established but our meeting on Aug 16 should go well on farm!
- Working with researcher, Dennis Busch on edge of field monitoring, rainfall runoff simulation and soil erosion calibration sensor, part of CIG Grant
- Participated in mtgs: Ozaukee Demonstration Farm Project Management Team, RCPP, American Farmland Trust, Pasture Walk conducted by Glacierland RC&I
- Ray Archuleta was in Wisconsin and stopped by, did an in-filed visit by Matt & Sarah Winker & Mike Paulus and Hwy 57 Plots. Ray is glad to support us.



Sanitation Program

♦ Sanitation Ordinance

- Six sanitation ordinance violations
- Maintenance: 304 notices were sent in July; the Office of Corporation Counsel continues action with non-compliant owners; 6,866 reports filed to date in 2022

♦ POWTS Plan Reviews, Permits, and Final Inspections

- Four plan reviews; seven sanitary permits; eight final inspection reports, zero abandonment permits filed and finalized

♦ Wisconsin Fund

- One qualified applicant for fiscal year 2022. Grant amount of \$7,000 requested for said applicant

♦ Miscellaneous

- Working on electronic sanitation permitting system along with LIO.
- Comparing permit fees from surrounding counties



Shoreland and Floodplain Zoning

♦ Shoreland and Floodplain Zoning Ordinance

- Four zoning ordinance violations

♦ Permits

- One shoreland zoning permit for July

♦ National Flood Insurance/Community Rating System (CRS)

- Provided floodplain information to numerous landowners, completed NFIP information to lenders and realtors
- Preparing for 5 year CRS audit in October

♦ Technical Advisory—SEWRPC Regional Plans

- SEWRPC developing "Regional Food System Plan"

♦ Non-metallic Mining Reclamation

- No reports for July

♦ Miscellaneous

- 1930 & 1936 Edgewater: Wells abandoned, electric & gas soon

Ozaukee County Committee Report

General Fund Land & Water Management

For the Seven Months Ending Sunday, July 31, 2022

Profit and Loss Statement ACTUAL TO AMENDED BUDGET

	Current Month Actual	2022 YTD Actual	2022 Amended Budget	Budget Balance	% Budget YTD
Revenues					
Taxes	-	-	\$1	\$1	0.00%
Intergovernmental Revenues	\$13,161	(\$141,366)	\$1,322,464	\$1,463,830	-10.69%
Public Charges for Services	\$3,396	\$83,060	\$127,360	\$44,300	65.22%
Licenses & Permits	\$4,450	\$49,355	\$101,000	\$51,645	48.87%
Other Revenue	\$95	\$35,913	\$50,200	\$14,287	71.54%
Total Revenues	\$21,102	\$26,962	\$1,601,025	\$1,574,063	1.68%
Expenditures					
Salaries	\$43,956	\$307,014	\$550,004	\$242,990	55.82%
Fringe Benefits	\$14,794	\$104,752	\$186,361	\$81,609	56.21%
Travel/Training	\$177	\$3,676	\$14,425	\$10,749	25.48%
Supplies	\$146	\$10,951	\$24,778	\$13,827	44.20%
Purchased Services	\$18,751	\$281,039	\$462,871	\$181,832	60.72%
Interdepartment Charges	-	\$24,949	\$42,603	\$17,654	58.56%
Grants	\$7,518	\$22,191	\$584,563	\$562,372	3.80%
Other Expenses	\$2,674	\$67,700	\$83,103	\$15,403	81.47%
Total Operating Expenditures	\$88,016	\$822,272	\$1,948,708	\$1,126,436	42.20%
Capital Outlay					
Buildings & Land	-	\$241,000	\$219,000	(\$22,000)	110.05%
Total Capital Outlay	-	\$241,000	\$219,000	(\$22,000)	110.05%
Total Expenditures	\$88,016	\$1,063,272	\$2,167,708	\$1,104,436	49.05%
Net Increase (Decrease)	(\$66,914)	(\$1,036,310)	(\$566,683)	\$469,627	182.87%

Equity:

Attachment: July 2022 (LWM Reports)

Natural Resources Committee

AGENDA INFORMATION SHEET

AGENDA DATE: August 4, 2022
DEPARTMENT: Planning and Parks
DIRECTOR: Andrew Struck
PREPARER: Matt Aho

Agenda Summary Submittal and Acceptance of a Natural Resource Foundation C.D. Besadny Conservation Fund Grant for Prairie Restoration Activities in Mee-Kwon County Park and Golf Course

BACKGROUND INFORMATION: The Ozaukee County Planning and Parks Department (Department) proposes to submit a grant application to the Natural Resources Foundation (NRF) C.D. Besadny Conservation Fund grant program, which support “grassroots conservation and education projects that benefit Wisconsin’s land, waters and wildlife that connect people to Wisconsin’s natural resources”. Specifically, this grant will support Department activities to restore approximately 1 acre of turf grass into a native warm-season prairie around the Mee-Kwon County Park and Golf Course maintenance building. The Department will purchase a diverse native seed mix that will provide critical habitat for a wide variety of pollinator species, including bees, butterflies and other insects. The diversity of plant species will also provide an attractive display of flowers and grasses year-round.

This project is supported by the [County Park and Open Space Plan](https://www.co.ozaukee.wi.us/645/Park-Open-Space) <<https://www.co.ozaukee.wi.us/645/Park-Open-Space>> <https://www.co.ozaukee.wi.us/645/Park-Open-Space> within the standards set for the preservation and management of open spaces including natural areas, critical species habitats, primary and secondary environmental corridors and isolated natural resource areas to maintain their natural value (pages 77 - 92, 111) and the [Comprehensive Plan for Ozaukee County: 2035](http://www.sewrpc.org/SEWRPCFiles/Publications/CAPR/capr-285-comp-plan-for-ozaukee-co.pdf) <<http://www.sewrpc.org/SEWRPCFiles/Publications/CAPR/capr-285-comp-plan-for-ozaukee-co.pdf>> <<http://www.sewrpc.org/SEWRPCFiles/Publications/CAPR/capr-285-comp-plan-for-ozaukee-co.pdf>> “Agricultural, Natural, and Cultural Resources Issue” with the objective of preserving and enhancing the park and open space system within Ozaukee County (pages 318 - 326) and the [County Strategic Plan 2020-2024](https://www.co.ozaukee.wi.us/DocumentCenter/View/14493/Ozaukee-County-Strategic-Plan-2020-24) <<https://www.co.ozaukee.wi.us/DocumentCenter/View/14493/Ozaukee-County-Strategic-Plan-2020-24>> (page 10) related to the enhance quality of life assets strategic goal.

ANALYSIS: Proposals to the NRF C.D. Besadny Conservation Fund are due September 1, 2022, with grant awards between \$500 to \$2,000. Grant funding will support the purchase of prairie seed and other supplies. The RFP requires a 1:1 match, which will be provided by secured in-kind golf course staff time (Enterprise fund), equipment, supplies and travel/mileage and be used to support overall project activities for a total project cost of \$4,373.

FISCAL IMPACT:

Balance Current Year: NONE (Additional Program Revenue - \$2,000)

Next Year's Estimated Cost: NONE

FUNDING SOURCE:

Non-County Levy: X

Indicate source: NRF C.D. Besadny Conservation Fund grant, and in-kind Golf Course staff time (Enterprise Fund), equipment, supplies and travel/mileage.

RECOMMENDED MOTION: Approve and recommend the submittal and acceptance of a grant by the Planning and Parks Department to the Natural Resources Foundation C.D. Besadny Conservation Fund grant program to support prairie restoration activities in Mee-Kwon County Park and Golf Course.

ATTACHMENTS:

- P&P_Dept_Grant Application
Summary_NRFCDBesadny_MeeKwon_PrairieRestoration (PDF)
- P&P_Dept_MeeKwonMaintBldg_PrairieRestoration_Map (PDF)
- P&P_Dept_NRFCDBesadnyConservationGrant_RFP (PDF)

GRANT APPLICATION SUMMARY

Project Name: Prairie Restoration around the Mee-Kwon County Park and Golf Course Maintenance Building

Grant Name/Agency: NRF - C.D. Besadny Conservation Fund

CFDA/State ID:

Department: Planning and Parks

Total Project Amount: \$4,373

Grant Match Required:

50%

Exp Acct.

Rev Acct.

Preparer: Tina Kroening

Approver: Andrew Struck

Strategy:	(Linkages to other planning efforts)
------------------	---

- Comprehensive Plan for Ozaukee County: 2035 (P. 318 - 326)
- POSP for Ozaukee County (P 77 - 92, 111)
- Ozaukee County Strategic Plan 2020-2024 (P. 10)

Project Scope and Expectations

- Prairie restoration around Mee-Kwon Golf Course Maintenance Building
- Enhanced pollinator habitat and park/golf course aesthetics

Other Grants Supporting Project

Status

Amount

\$0

\$0

\$0

\$0

Project Partners:

Project Landowner Upon Completion:

- Ozaukee County

Project Risks:

- Weather/site conditions
- Timelines
- Supply cost fluctuations and availability

Comments

- Continuation of ongoing native vegetation restoration

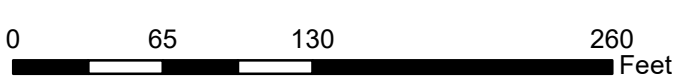
GRANT EXPENSE		GRANT/PROJECT MATCH	
Operational Expense	\$	Operational Match	\$
Supplies	\$2,000	Staff time (P&P In-kind)	\$2,000
		Mileage (P&P In-kind)	\$82
		Equipment (P&P In-kind)	\$291
Capital Expense	\$	Other Grants	\$
TOTAL	\$2,000	TOTAL	\$2,373
% PROJECT	46%	% MATCH	54%

GRANT SUPPORTED STAFF		DEPARTMENT REVENUES	
Positon	\$	Department	\$
		Supplies	\$2,000
TOTAL	\$0	TOTAL	\$2,000

Major Milestones			Date
Grant Award			Oct-22
Prairie Restoration			Jun-23
Final Reporting			Aug-23
Duration:	10 Months	Extension:	NA



Attachment: P&P_Dept_MeeKwonMaintBldg_PrairieRestoration_Map (Submittal and Acceptance of a



Map Produced By: Ozaukee County
Planning and Parks
5/2/2022



C.D. Besadny Conservation Grants

Investing in grassroots conservation and education

The C.D. Besadny Conservation Fund was established to invest in grassroots conservation and education projects that benefit Wisconsin's lands, waters, and wildlife, and that connect people to Wisconsin's natural resources. Grants range from \$500 to \$2,000.

Grantmaking Priorities:

- Innovative projects that leverage resources and partnerships.
- Projects that have measurable outcomes.
- Projects that engage and impact underserved communities in Wisconsin.

Eligibility:

- Applicant must be one of the following: a public charity with approved 501(c)(3) exempt status (under section 509(a)(1), 509(a)(2), or 509(a)(3) Type I and Type II); a federal, state, or local governmental unit, an American Indian nation or tribal community; or an accredited school, college, or university. The following types of organizations are not eligible for funding: individuals; businesses; section 509(a)(3) Type III supporting organizations; private foundations; and private operating foundations.
- Projects must benefit Wisconsin's natural resources or people.
- The total project budget may not exceed \$10,000, and overhead costs shall not exceed 15% of the grant.
- Project expenses may not have been incurred prior to submitting the application.
- A one-to-one match is required. Match may include in-kind support such as volunteer hours or donated materials.
- Only one application will be accepted per organization per grant cycle.

How to Apply:

1. Determine if your project addresses our grantmaking priorities and meets our eligibility requirements.
2. Complete the application.
3. Include proof of IRS tax-exempt status (IRS form 501c3 tax determination letter).
4. Submit all materials by email to Lindsey at NRFgrants@WisConservation.org (mailto:NRFgrants@WisConservation.org) by **September 1st**.
5. Applicants will be notified within six weeks following the submission deadline.

RESOLUTION NO. (ID # 8817)

APPLICATION AND ACCEPTANCE OF A WISCONSIN DEPARTMENT OF NATURAL RESOURCES COUNTY CONSERVATION AIDS GRANT FOR PRAIRIE RESTORATION ACTIVITIES IN HAWTHORNE HILLS COUNTY PARK

WHEREAS, the Ozaukee County Planning and Parks Department was invited to apply for Wisconsin Department of Natural Resources County Conservation Aids grant funding under a competitive request for proposals; and

WHEREAS, the Wisconsin Department of Natural Resources has grant funding available through the County Conservation Aids program specifically for the installation of fish and game projects under s. 23.09(12), Wis. Stats; and

WHEREAS, Ozaukee County desires to participate in county fish and game projects pursuant to provisions of s. 23.09(12) of the Wisconsin Statutes; and

WHEREAS, the primary project goal is to restore 2.5 acres of old-field into a native warm-season prairie in Hawthorne Hills County Park, an Ozaukee County Park, in the Town of Saukville; and

WHEREAS, this project is consistent with the adopted *Multi-Jurisdictional Comprehensive Plan for Ozaukee County: 2035*, the adopted *Park and Open Space Plan for Ozaukee County: 2035*, and the *Ozaukee County Land and Water Resource Management Plan*; and

WHEREAS, this project will assist with invasive species management and improve habitat for native and imperiled species of insects (pollinators), birds and other wildlife in the park, by restoring a 2.5-acre native warm-season prairie; and

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

WHEREAS, Ozaukee County has budgeted an amount equal to the local share of project costs and the required match funds would be provided by in-kind staff time, travel/mileage, and equipment and contractual and supplies items as funded under other grants; and

NOW, THEREFORE, BE IT RESOLVED, by the Ozaukee County Board of Supervisors that the Director of the Ozaukee County Planning and Parks Department is authorized on behalf of Ozaukee County to sign and submit a Wisconsin Department of Natural Resources County Conservation Aids grant application, accept the grant funding award, take necessary actions to initiate, direct, and complete the approved project within the provided funding timeline, submit to WDNR reimbursement claims along with necessary supporting documentation within one (1) year of project end date, and will obtain approval in writing from the WDNR before any change is made in the use of the project site; and

BE IT FURTHER RESOLVED that Ozaukee County will comply with all the federal and state laws related to the County Conservation Aids program, may perform force account work, and will maintain complete and accurate project accounting according to the WDNR project agreement for these funds.

Dated at Port Washington, Wisconsin, this 7th day of September, 2022.

SUMMARY: Acceptance by the Planning and Parks Department of a Wisconsin Department of Natural Resources County Conservation Aids grant for prairie restoration activities in Hawthorne Hills County Park.

VOTE REQUIRED: Majority

NATURAL RESOURCES COMMITTEE

Natural Resources Committee

AGENDA INFORMATION SHEET

AGENDA DATE:	August 4, 2022
DEPARTMENT:	Planning and Parks
DIRECTOR:	Andrew Struck
PREPARER:	Matt Aho

Agenda Summary Application and Acceptance of a Wisconsin Department of Natural Resources County Conservation Aids Grant for Prairie Restoration Activities in Hawthorne Hills County Park

BACKGROUND INFORMATION: The Ozaukee County - Planning and Parks Department (Department) proposes to submit a grant application to the Wisconsin Department of Natural Resources (WDNR) County Conservation Aids (CCA) grant program to support County-sponsored fish and wildlife habitat restoration projects. Specifically, this grant will support County activities to restore 2.5 acres of old-field into a native warm-season prairie in Hawthorne Hills County Park, an Ozaukee County Park, in the town of Saukville. The Department has been intensely managing the Hawthorne Hills County Park and Golf Course for invasive species, restoring woodlands and wetlands with native vegetation and providing bird habitat through bird box installation. The WDNR CCA grant will support additional Department activities to purchase seed and restore old field to native prairie in order to provide habitat for grassland bird species and pollinators (e.g. bees and butterflies) within Hawthorne Hills County Park. The diversity of plant species will also provide an attractive display of flowers and grasses along the park road, further beautifying the park space. Project activities will be completed by Department staff.

This project is supported by the [County Park and Open Space Plan](https://www.co.ozaukee.wi.us/645/Park-Open-Space) <<https://www.co.ozaukee.wi.us/645/Park-Open-Space>> <https://www.co.ozaukee.wi.us/645/Park-Open-Space> within the standards set for the preservation and management of open spaces including natural areas, critical species habitats, primary and secondary environmental corridors and isolated natural resource areas to maintain their natural value (pages 77 - 92, 111) and the [Comprehensive Plan for Ozaukee County: 2035](http://www.sewrpc.org/SEWRPCFiles/Publications/CAPR/capr-285-comp-plan-for-ozaukee-co.pdf) <<http://www.sewrpc.org/SEWRPCFiles/Publications/CAPR/capr-285-comp-plan-for-ozaukee-co.pdf>> <<http://www.sewrpc.org/SEWRPCFiles/Publications/CAPR/capr-285-comp-plan-for-ozaukee-co.pdf>> “Agricultural, Natural, and Cultural Resources Issue” with the objective of preserving and enhancing the park and open space system within Ozaukee County (pages 318 - 326) and the [County Strategic Plan 2020-2024](https://www.co.ozaukee.wi.us/DocumentCenter/View/14493/Ozaukee-County-Strategic-Plan-2020-24) <<https://www.co.ozaukee.wi.us/DocumentCenter/View/14493/Ozaukee-County-Strategic-Plan-2020-24>> <<https://www.co.ozaukee.wi.us/DocumentCenter/View/14493/Ozaukee-County-Strategic-Plan-2020-24>> (page 10) related to the enhance quality of life assets strategic goal.

ANALYSIS: Proposals to the WDNR CCA grant program are due October 1, 2022. The CCA grant program revenue comes from sale of hunting and fishing licenses and state sales tax on hunting and fishing equipment. Funding allocations for Wisconsin's southeast region typically totals approximately \$8,457, and the total grant award is dependent on the number of awarded grants. Total funding requested under this grant is \$2,000. The RFP requires a 50% match, which will be provided by a pending USFWS Partners in Wildlife Grant and the County through in-kind staff time, equipment and supplies and mileage for a total project cost of \$5,080.

FISCAL IMPACT:

Balance Current Year: NONE (Additional Program Revenue - \$2,000)

Next Year's Estimated Cost: NONE

FUNDING SOURCE:

Non-County Levy: X

Indicate source: WDNR CCA grant, USFWS Partners in Wildlife Grant (pending) and in-kind staff time, travel/mileage, equipment and supplies

RECOMMENDED MOTION: Approve and recommend to the Ozaukee County Board of Supervisors the resolution for submittal and acceptance of a grant by the Planning and Parks Department to the Wisconsin Department of Natural Resources - County Conservation Aids Program to support prairie restoration activities in Hawthorne Hills County Park in the Town of Saukville.

ATTACHMENTS:

- P&P_Dept_Grant Application
Summary_WDNRCCA_HawthorneHills_PrairieRestoration (PDF)
- P&P_Dept_HawthorneHills_PrairieRestoration_Map (PDF)
- P&P_Dept_CCAProgramGuidance_2022 (PDF)

GRANT APPLICATION SUMMARY**Project Name:** Prairie Restoration in Hawthorne Hills County Park**Grant Name/Agency:** WDNR County Conservation Aids**CFDA/State ID:****Department:** Planning and Parks**Total Project Amount:** \$5,080**Grant Match Required:****50%****Exp Acct.****Rev Acct.****Preparer:** Tina Kroening**Approver:** Andrew Struck**Strategy: (Linkages to other planning efforts)**

- Comprehensive Plan for Ozaukee County: 2035 (P. 318-326)
- POSP for Ozaukee County (P. 77-92, 111)
- Ozaukee County Strategic Plan 2020-2024 (P. 10)

Project Scope and Expectations

- Native Prairie Restoration
- Enhanced pollinator habitat and park aesthetics

Other Grants Supporting Project

- USFWS

Status	Amount
Pending	\$2,000
	\$0
	\$0
	\$0

Project Partners:

- USFWS

Project Landowner Upon Completion:

- Ozaukee County

GRANT EXPENSE		GRANT/PROJECT MATCH	
Operational Expense	\$	Operational Match	\$
Supplies	\$2,000	Salaries/Fringe Benefits	\$665
		Travel/Mileage	\$64
		Equipment Use	\$351
Capital Expense	\$	Other Grants	\$
		USFWS	\$2,000
TOTAL	\$2,000	TOTAL	\$3,080
% PROJECT	39%	% MATCH	61%

GRANT SUPPORTED STAFF		DEPARTMENT REVENUES	
Positon	\$	Department	\$
		Supplies	\$2,000
TOTAL	\$0	TOTAL	\$2,000

Project Risks:

- Weather/site conditions
- Timelines
- Pending grant funding
- Supply cost fluctuations and availability

Comments

- Serve as match to other grants
- Continuation of native vegetation restoration efforts

Major Milestones

Major Milestones	Date
Grant Award	Oct-22
Prairie Restoration	Jun-24
Final Reporting	Jun-24

Duration:	21 months	Extension:	NA
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Hawthorne Hills County Park and Golf Course - Prairie Restoration



Attachment: P&P_Dept_HawthorneHills_PrairieRestoration_Map (WDNR County Conservation Aids Grant Application)



Program Guidance: County Conservation Aids Program

Overview

County Conservation Aids program is authorized under s. 23.09(12), Wis. Stats., and provides financial assistance to counties and tribal governing bodies to enhance county fish and wildlife programs. The Department of Natural Resources (DNR) administers this grant program with the assistance of s. NR 50.14, Wis. Adm. Code.

The program was established by the Wisconsin Legislature in 1965 as an alternative to bounty payments on coyote, foxes, and bobcats. Every year since the bounty program ended, the Legislature has appropriated funding for the program equal to the average annual bounty payment.

These funds are provided as a cost share grant program to counties and tribal governing bodies for fish and wildlife habitat projects. Funds appropriated in the current Biennial Budget, are offered on an annual basis in proportion to the ratio of the area of each county (less reservation lands) or area of reservation lands, to the total area of the state.

Eligible Applicants

Counties and tribal governing bodies ("county") are eligible to apply for County Conservation Aids for eligible projects.

Application Deadline

Applications must be received by the DNR grant program manager by 11:59 p.m. on October 1.*

*NOTE: Per s. 990.001(4)(c), Wis. Stats., if any application deadline falls on a Saturday, Sunday, or state holiday, the deadline is moved to the next state working day.

Funding Process

Counties have the option to: 1) accept their award; 2) accept their award and request additional funds; or 3) decline their award. To accept the award amount or accept and request additional funds, the county's authorized representative must sign, date, and return the application form 8700-045A (which is also considered the **grant agreement**), to the DNR grant program manager via email no later than October 1 (see Application and Request for Additional Funding Section on page 3). Failure to formally accept the award amount by the October 1 deadline is equivalent to the county declining their grant award.

By affixing a signature on the grant agreement, the county's authorized representative has entered into a binding legal agreement with the DNR. The DNR grant program manager will send a final award notification letter to the grantee.

Any grant amount not claimed by a county will become available for the DNR to award to other counties that have requested additional funding above what is their prescribed share under Wis. Stats.

Counties have two years from the date they receive their final award notification letter from the DNR grant program manager to complete their project and request reimbursement from the DNR. ***Project costs incurred by a county prior to this date are not eligible for reimbursement by the DNR.***

RESOLUTION NO. (ID # 8816)

APPLICATION AND ACCEPTANCE OF A WISCONSIN DEPARTMENT OF NATURAL
RESOURCES REGULAR URBAN FORESTRY GRANT FOR FOREST MANAGEMENT
PLANNING, NATIVE TREE PLANTING AND INVENTORY, EMERALD ASH BORER
MANAGEMENT AND EDUCATION/OUTREACH ACTIVITIES IN CLAY BLUFFS
CEDAR GORGE NATURE PRESERVE

WHEREAS, the Ozaukee County Planning and Parks Department is interested in obtaining a cost-share grant from the Wisconsin Department of Natural Resources for the purpose of funding urban and community forestry projects specified in s. 23.097(1g) and (1r), Wis. Stats.; and

WHEREAS, this project will improve the local ecology, aesthetics and native vegetation in Clay Bluffs Cedar Gorge Nature Preserve, in the City of Port Washington, by developing a forest management plan, removing ash trees impacted by Emerald Ash Borer, planting and inventorying native trees, and conducting education and outreach efforts to Ozaukee County residents to encourage native tree planting and on private property; and

WHEREAS, this funding will support employment of conservation corps (e.g., AmeriCorps NCCC, Milwaukee Community Service Corps, Great Lakes Community Conservation Corps, Wisconsin Youth Conservation Corps) for assistance and will support education, training and outreach to adjacent neighbors, neighboring communities and conservation corps members; and

WHEREAS, this project will continue the Department's goal to maintain the high-quality County Parks System reflective of the local ecology by preserving, protecting and restoring the natural resources inclusive of the native plant communities, particularly through tree planting activities; and

WHEREAS, this effort will assist in taking the steps to manage Clay Bluffs Cedar Gorge Nature Preserve for Emerald Ash Borer and provide related ecological education to adjacent landowners through volunteer workdays; and

WHEREAS, continuation of the Department's management of forestry resources will benefit Ozaukee County residents, visitors and local ecosystems, as well as restore habitat for fish and wildlife, provide for stormwater management, and enhance natural resources and recreational opportunities for County residents and visitors; and

WHEREAS, the required matching funds (50% local match) would be provided by in-kind County staff time and equipment, volunteer time and supplies and contractual items as funded under other grant funds; and

WHEREAS, this grant is for the 2022 calendar year and is consistent with the adopted *Multi-jurisdictional Comprehensive Plan for Ozaukee County: 2035* and *Park and Open Space Plan for Ozaukee County*.

NOW, THEREFORE, BE IT RESOLVED, by the Ozaukee County Board of Supervisors that the Ozaukee County Planning and Parks Department attests to the validity and veracity of the statements and representations contained in the grant application, requests a grant agreement to carry out the project, has budgeted a sum sufficient to fully and satisfactory complete the

project, and authorizes the Director of the Planning and Parks Department to act on its behalf to sign and submit a Wisconsin Department of Natural Resources Regular Urban Forestry Grant application, sign a grant agreement between Ozaukee County and the Wisconsin Department of Natural Resources, submit interim and/or final reports to the Wisconsin Department of Natural Resources to satisfy the grant agreement, submit grant reimbursement requests to the Wisconsin Department of Natural Resources, and sign and submit other required documentation and take necessary actions to initiate, direct, and complete the approved project within the provided funding timeline.

BE IT FURTHER RESOLVED that Ozaukee County will comply with all local, state, and federal rules, regulations and ordinances relating to this project and the cost-share agreement, may perform force account work, and will maintain complete and accurate project accounting according to the Wisconsin Department of Natural Resources project agreement for these funds.

Dated at Port Washington, Wisconsin, this 7th day of September 2022.

SUMMARY: Acceptance of a Wisconsin Department of Natural Resources Regular Urban Forestry Grant for Forestry Planning, Tree Planting and Inventory, Emerald Ash Borer Management and Education/Outreach Activities in the Clay Bluffs Cedar Gorge Nature Preserve.

VOTE REQUIRED: Majority

NATURAL RESOURCES COMMITTEE

Natural Resources Committee

AGENDA INFORMATION SHEET

AGENDA DATE:	August 4, 2022
DEPARTMENT:	Planning and Parks
DIRECTOR:	Andrew Struck
PREPARER:	Matt Aho

Agenda Summary Application and Acceptance of a Wisconsin Department of Natural Resources Regular Urban Forestry Grant for Forest Management Planning, Native Tree Planting and Inventory, Emerald Ash Borer Management and Education/Outreach Activities in Clay Bluffs Cedar Gorge Nature Preserve

BACKGROUND INFORMATION: The Planning and Parks Department (Department) proposes to submit a grant application to the Wisconsin Department of Natural Resources (WDNR) Regular Urban Forestry (UF) Grant program to support forestry and ecological projects in the Clay Bluffs Cedar Gorge Nature Preserve (CBCGNP) in the City of Port Washington. This grant will fund improvements to the local ecology, aesthetics and native vegetation in the CBCGNP by developing a forest management plan, removing ash trees impacted by emerald ash borer (EAB), planting and inventorying native trees, and conducting education and outreach efforts to Ozaukee County residents to encourage native tree planting and on private property. Specifically, this grant will provide funding for Department staff operations, contracting with conservation corps (e.g., AmeriCorps NCCC, Milwaukee Community Service Corps, Great Lakes Community Conservation Corps, Wisconsin Youth Conservation Corps) for assistance, purchase of native tree stock and education/outreach events and materials. Improving the native tree diversity and canopy at the CBCGNP will assist the Department in developing the County Park to be reflective of the local ecology by preserving, protecting and restoring the natural resources inclusive of the native plant communities. Furthermore, this effort will assist in taking steps to manage CBCGNP for EAB and hazard trees, provide education to the public, support volunteer activities, and improve Ozaukee County's tree species diversity and canopy coverage.

This project is supported by the [County Park and Open Space Plan](https://www.co.ozaukee.wi.us/645/Park-Open-Space) <<https://www.co.ozaukee.wi.us/645/Park-Open-Space>> <https://www.co.ozaukee.wi.us/645/Park-Open-Space> within the standards set for the preservation and management of open spaces including natural areas, critical species habitats, primary and secondary environmental corridors and isolated natural resource areas to maintain their natural value (pages 77 - 92, 111) and the [Comprehensive Plan for Ozaukee County: 2035](http://www.sewrpc.org/SEWRPCFiles/Publications/CAPR/capr-285-comp-plan-for-ozaukee-co.pdf) <<http://www.sewrpc.org/SEWRPCFiles/Publications/CAPR/capr-285-comp-plan-for-ozaukee-co.pdf>> <<http://www.sewrpc.org/SEWRPCFiles/Publications/CAPR/capr-285-comp-plan-for-ozaukee-co.pdf>> “Agricultural, Natural, and Cultural Resources Issue” with the objective of preserving and enhancing the park and open space system within Ozaukee County (pages 318 - 326) and the [County Strategic Plan 2020-2024](https://www.co.ozaukee.wi.us/DocumentCenter/View/14493/Ozaukee-County-Strategic-Plan-2020-2024) <[https://www.co.ozaukee.wi.us/DocumentCenter/View/14493/Ozaukee-County-Strategic-Plan-](https://www.co.ozaukee.wi.us/DocumentCenter/View/14493/Ozaukee-County-Strategic-Plan-2020-2024)

[2020-24](https://www.co.ozaukee.wi.us/DocumentCenter/View/14493/Ozaukee-County-Strategic-Plan-2020-24) <<https://www.co.ozaukee.wi.us/DocumentCenter/View/14493/Ozaukee-County-Strategic-Plan-2020-24>> (page 10) related to the enhance quality of life assets strategic goal.

ANALYSIS: Proposals for the WDNR Regular Urban Forestry grant program are due October 3, 2022. The total grant request is \$25,000. The grant requires a 50% local match, which would be provided by other private foundation support (pending), in-kind County staff time, mileage, supplies, equipment and contractual and volunteer time for a total project cost of \$50,000. The grant is for the 2023 calendar year, starting on January 1, 2023.

FISCAL IMPACT:

Balance Current Year: NONE

Next Year's Estimated Cost: NONE (\$25,000 Additional Revenue)

FUNDING SOURCE:

County Levy: X

Non-County Levy: X

Indicate source: WDNR UF grant, other private foundation support (pending), and in-kind County staff time, supplies, equipment and contractual and volunteer time.

RECOMMENDED MOTION: Approve and recommend to the Ozaukee County Board of Supervisors the resolution for submittal and acceptance of a grant by the Planning & Parks Department to the Wisconsin Department of Natural Resources Regular Urban Forestry Grant program for forest management planning, tree planting and inventory activities, emerald ash borer management and education/outreach activities in the Clay Bluffs Cedar Gorge Nature Preserve.

ATTACHMENTS:

- P&P_Dept_Grant Application Summary_WDNRUF_CBCGNPForestry (PDF)
- P&P_Dept_CBCGNP_Map (PDF)
- P&P_Dept_WDNRUF_RFP (PDF)

GRANT APPLICATION SUMMARY

Project Name: Forest Planning and Management in the Clay Bluffs Cedar Gorge Nature Preserve
Grant Name/Agency: WDNR Urban Forestry **CFDA/State ID:**
Department: Planning and Parks
Total Project Amount: \$50,000 **Grant Match Required:** 50%

Exp Acct.
Rev Acct.

Preparer: Tina Kroening
Approver: Andrew Struck

Strategy: (Linkages to other planning efforts) - Comprehensive Plan for Ozaukee County: 2035 (P. 318-326) - POSP for Ozaukee County (P. 77-92, 111) - Ozaukee County Strategic Plan 2020-2024 (P. 10)		
Project Scope and Expectations EAB Mgmt, Native Tree Planting/Inventory and Education/Outreach		
Other Grants Supporting Project - Other Private Foundations - Volunteer Time	Status Pending Pending	Amount \$6,000 \$850 \$0 \$0
Project Partners: Americorps NCCC, GLCCC, MCSC, WisCorps		
Project Landowner Upon Completion: Ozaukee County		

GRANT EXPENSE	
Operational Expense	\$
Salaries/Fringe Benefits	\$14,383
Travel/Mileage	\$141
Supplies	\$4,476
Capital Expense	\$
Contractual (Cons. Corps)	\$6,000
TOTAL	\$25,000
% PROJECT	50%

GRANT/PROJECT MATCH	
Operational Match	\$
Salaries/Fringe Benefits	\$10,565
Travel/Mileage	\$77
Supplies	\$1,508
Contractual	\$6,000
Other Grants	\$
Other Private Foundations	\$6,000
Volunteer Time	\$850
TOTAL	\$25,000
% MATCH	50%

GRANT SUPPORTED STAFF	
Position	\$
Conservation Biologist	
Senior Planner	
Program Asst II - Eco	
Department Interns	
TOTAL	\$0

DEPARTMENT REVENUES	
Department	\$
Salaries/Fringe Benefits	\$14,383
Travel/Mileage	\$141
Supplies (Trees, Protection)	\$4,476
Contractual (Corps, Etc)	\$6,000
TOTAL	\$25,000

Project Risks:	Comments
- Weather/site conditions - Contractor availability - Timelines - Volunteer Availability - Tree stock/supply availability	Serve as match to other grants

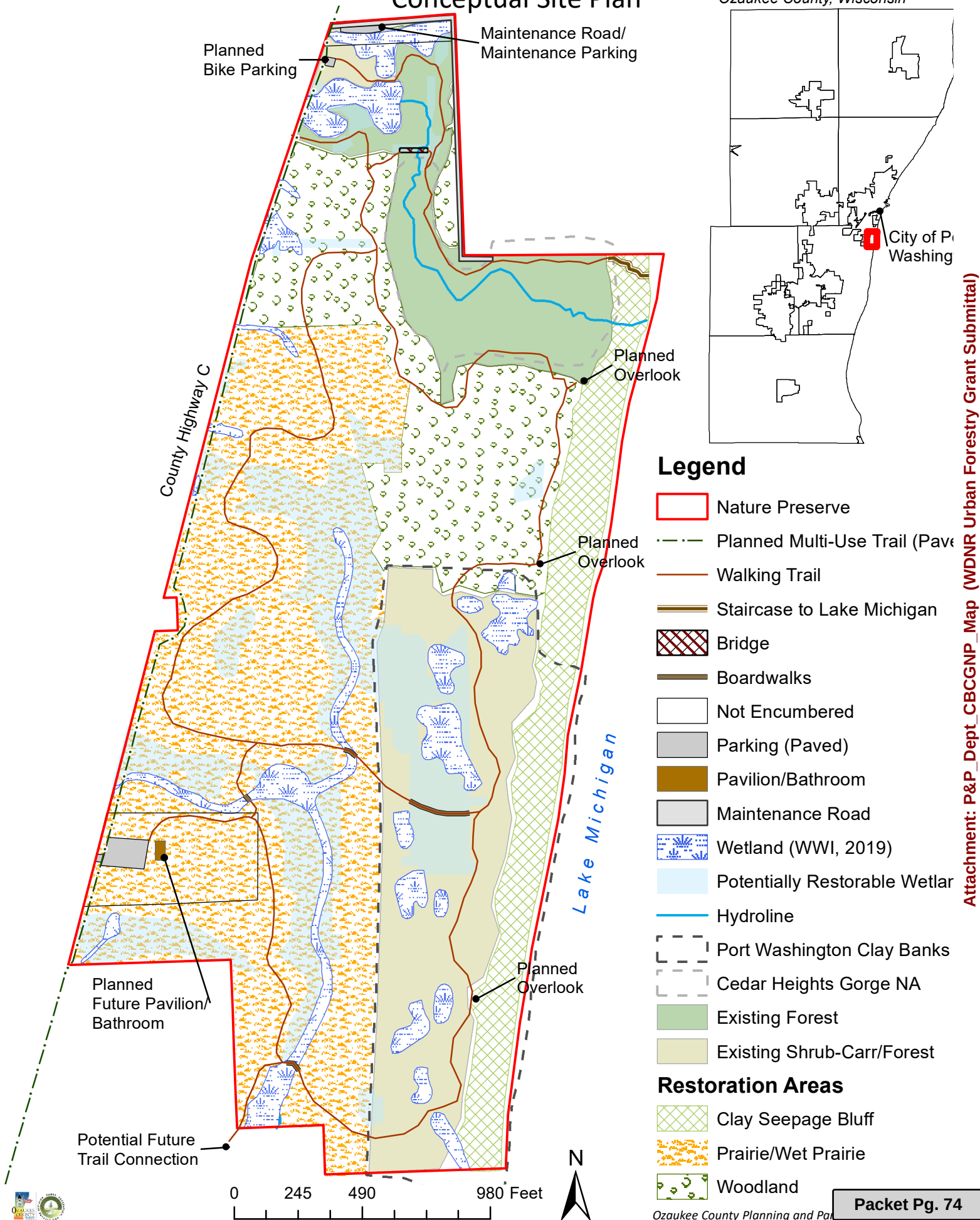
Major Milestones		Date
Tree Planting / Inventory		Nov-23
Education/Outreach/Staff Training		Nov-23
EAB Management		Dec-23
Final Reporting		Mar-24
Duration:	1 Year	Extension: NA

Clay Bluffs Cedar Gorge Nature Preserve (132 +/- Acres)

9.a.3.b

Conceptual Site Plan

Ozaukee County, Wisconsin





REGULAR URBAN FORESTRY GRANTS

Regular urban forestry grants support projects that improve a community's capacity to manage its trees. Cities, villages, towns, counties, tribes and 501(c)(3) nonprofit organizations in or conducting their project in Wisconsin may apply for a regular urban forestry grant.

Application deadline is Oct. 3 for projects to be completed between Jan. 1 and Dec. 31 of the coming year. Resolution required with application.

ABOUT

Grants range from \$1,000 to \$25,000 and require a 50–50 match (total project cost range is \$2,000 to \$50,000).

The project sponsor must initially fund 100% of project costs with cash, in-kind contributions and/or donations. Upon completion, the project sponsor requests reimbursement for 50% of eligible costs (501(c)(3) nonprofit organizations may request an advance when a grant is awarded).

Projects begin Jan. 1 and must be completed within one calendar year.

ELIGIBLE PROJECTS AND COSTS

Projects must relate to community tree management, maintenance or education within Wisconsin cities, villages or other areas of concentrated development.

Eligible project components include, but are not limited to:

- tree inventory or canopy assessment;
- urban forestry strategic or management plan;
- urban forest pest response, storm response or risk reduction plan;
- tree ordinance development/revision;
- public outreach;
- staff or volunteer training;
- tree board or volunteer group development; and
- tree planting, maintenance and removal.

RESOLUTION NO. (ID # 8823)

**AUTHORIZE COUNTY FUNDED SHORT TERM BRIDGE LOAN FINANCING OF
\$1,050,000 FOR CLOSING ON THE ACQUISITION OF 132 +/- ACRES KNOW AS CLAY
BLUFFS CEDAR GORGE NATURE PRESERVE AS PART OF THE OZAUKEE COUNTY
PARK SYSTEM**

WHEREAS, Ozaukee County is acquiring an environmentally significant parcel, known as the Clay Bluffs Cedar Gorge Nature Preserve consisting of 132 +/- acres, part of the NW ¼ and SW ¼, Section 3 and part of the NW ¼, Section 10, T. 10 N., R 22 E., City of Port Washington, Ozaukee County, Wisconsin, as part of the Ozaukee County Park System; and

WHEREAS, on March 4, 2015, the Ozaukee County Board of Supervisors adopted Resolution 14-71 outlining the conditions of the acquisition and designation of part of the NW ¼ and SW ¼, Section 3 and part of the NW ¼, Section 10, T. 10 N., R. 22 E., City of Port Washington, Ozaukee County, Wisconsin, as an official Ozaukee County Park in the Ozaukee County Park System for passive-use, non-motorized, outdoor recreational public use, access and development; and

WHEREAS, on September 2, 2015, the Ozaukee County Board of Supervisors adopted Resolution 15-20, an authorizing resolution to assist in funding the proposed land acquisition, whereby the County's net contribution would be \$200,000 and pursuant to adopted Resolution 14-71 the Ozaukee County Board will schedule and consider an authorizing resolution to fund the proposed land acquisition, transferring sufficient funds in the amount of \$1 Million from the County's undesignated general fund and/or capital reserve or other sources as recommended by the Finance Committee to fund the proposed land acquisition; and

WHEREAS, on April 12, 2016, Ozaukee County signed a formal Memorandum of Understanding and Intergovernmental Cooperation Agreement between Ozaukee County, the City of Port Washington, and the Ozaukee Washington Land Trust for the acquisition of the Clay Bluffs Cedar Gorge Nature Preserve property; and

WHEREAS, on July 1, 2020, Ozaukee County Board of Supervisors adopted Resolution 20-15 authorizing the acquisition of the Clay Bluffs Cedar Gorge Nature Preserve (132 +/- acres) for inclusion in the Ozaukee County Park System and reaffirming the \$200,000 County match contribution and directing the Planning and Parks Department to seek out grant applications to cover the balance of the initial acquisition cost; and

WHEREAS, the \$200,000 County contribution, secured \$300,000 Phase I and \$261,000 Phase II US Fish and Wildlife Service Joint Venture Program grants, a secured \$538,290 US Fish and Wildlife Service National Coastal Wetlands Conservation Program grant, a secured \$600,000 US Forest Service Community Forest Program grant, an awarded \$250,000 WCMP/NOAA grant, an awarded \$450,000 Wisconsin Department of Natural Resources Office of Great Waters / USEPA Great Lakes Restoration Initiative grant, a \$10,000 Town of Grafton contribution and additional pending funding from the Ozaukee Washington Land Trust (private donations) will support overall acquisition costs for the 132 +/- acre Nature Preserve; and

WHEREAS, the Ozaukee Washington Land Trust will assist with the purchase of the property and convey the property after closing to Ozaukee County, and;

NOW, THEREFORE, BE IT RESOLVED, that the Ozaukee County Board approves up

to \$1,250,000 for the closing and acquisition of the Clay Bluffs Cedar Gorge Nature Preserve property, which represents the \$200,000 Ozaukee County contribution, the awarded \$600,000 US Forest Service Community Forest Program grant and the awarded \$450,000 Wisconsin Department of Natural Resources Office of Great Waters / USEPA Great Lakes Restoration Initiative grant; and

FURTHER RESOLVED, that following reimbursements from the US Forest Service and Wisconsin Department of Natural Resources, the County's net contribution to the acquisition will not exceed \$200,000; and

FURTHER RESOLVED, the Ozaukee County Board of Supervisors authorizes the County Administrator and Planning and Parks Department Director, in consultation with Corporation Counsel and Finance Director, to execute all documents and obtain appropriate reimbursement guarantees prior to authorizing the County Treasurer to release the County advance to effectuate the sale of the Clay Bluffs Cedar Gorge Nature Preserve property.

Dated at Port Washington, Wisconsin, this 7th day of September, 2022.

SUMMARY: Authorize Ozaukee County funding for closing on the acquisition of 132 +/- acres known as Clay Bluffs Cedar Gorge Nature Preserve property as part of the Ozaukee County Park System.

VOTE REQUIRED: Majority

NATURAL RESOURCES COMMITTEE

Natural Resources Committee

AGENDA INFORMATION SHEET

AGENDA DATE:	August 4, 2022
DEPARTMENT:	Planning and Parks
DIRECTOR:	Andrew Struck
PREPARER:	Matt Aho

Agenda Summary Authorize County Funded Short Term Bridge Loan Financing of \$1,050,000 for Closing on the Acquisition of 132 +/- Acres Known as Clay Bluffs Cedar Gorge Nature Preserve as Part of the Ozaukee County Park System

BACKGROUND INFORMATION: Ozaukee County is acquiring an environmentally significant parcel, known as the Clay Bluffs Cedar Gorge Nature Preserve consisting of 132 +/- acres, part of the NW ¼ and SW ¼, Section 3 and part of the NW ¼, Section 10, T. 10 N., R 22 E., City of Port Washington, Ozaukee County, Wisconsin, as part of the Ozaukee County Park System.

ANALYSIS: On September 2, 2015, the Ozaukee County Board of Supervisors adopted Resolution 15-20, an authorizing resolution to assist in funding the proposed land acquisition, whereby the County's net contribution would be \$200,000. On July 1, 2020, the Ozaukee County Board of Supervisors passed Resolution 20-15 (ayes 20, nays 3) authorizing the acquisition of the 132 +/- acre Clay Bluffs Cedar Gorge Nature Preserve area for inclusion in the Ozaukee County Park System, reaffirming the \$200,000 County match contribution, and directed the Planning and Parks Department to seek out grant applications to cover the balance of the initial acquisition cost. A \$200,000 Ozaukee County contribution, secured \$300,000 Phase I and \$261,000 Phase II US Fish and Wildlife Service (USFWS) Joint Venture Program grants, a secured \$538,290 USFWS National Coastal Wetlands Conservation Program grant, a secured \$600,000 US Forest Service (USFS) Community Forest Program grant, an awarded \$250,000 WCMP/NOAA grant, an awarded \$450,000 Wisconsin Department of Natural Resources (WDNR) Office of Great Waters (OGW) / US Environmental Protection Agency (USEPA) Great Lakes Restoration Initiative (GLRI) grant, a \$10,000 Town of Grafton contribution and additional pending funding from the Ozaukee Washington Land Trust (private donations) will support overall acquisition costs for the 132 +/- acre Nature Preserve. Up to \$1,250,000 in Ozaukee County funding is requested for the closing and acquisition of the Clay Bluffs Cedar Gorge Nature Preserve property, which represents the \$200,000 Ozaukee County contribution, the awarded \$600,000 USFS grant and the awarded \$450,000 WDNR OGW / USEPA GLRI grant. Following reimbursements from the USFS and WDNR, the County's net contribution to the acquisition will not exceed \$200,000.

FISCAL IMPACT:

Balance Current Year: NONE (up to \$1,250,000, of which \$1,050,000 will be reimbursed)

Next Year's Estimated Cost: NONE

FUNDING SOURCE:

County Levy: X

Non-County Levy: X

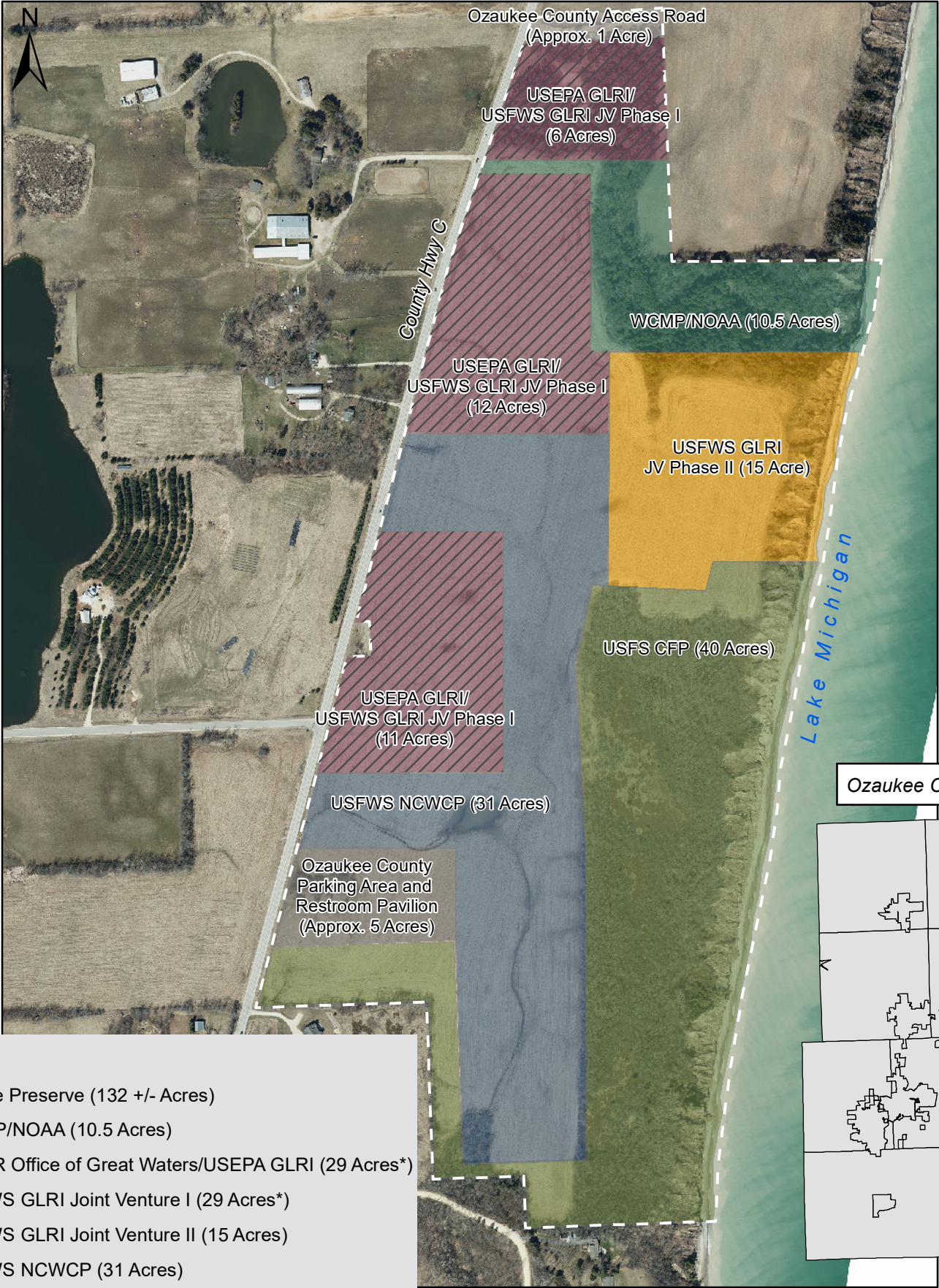
Indicate source: Ozaukee County, USFS, WDNR

RECOMMENDED MOTION: Approve and recommend to the Ozaukee County Board of Supervisors the resolution for Ozaukee County funding for closing on the acquisition of 132 +/- acres known as Clay Bluffs Cedar Gorge Nature Preserve property as part of the Ozaukee County Park System.

ATTACHMENTS:

- P&PDept_CBCGNP_GrantProjectAreasMap_7.27.22 (PDF)

Clay Bluffs Cedar Gorge Nature Preserve
Ozaukee County Park System
Grant Project Areas - July 2022 Update



Legend

- Nature Preserve (132 +/- Acres)
- WCMP/NOAA (10.5 Acres)
- WDNR Office of Great Waters/USEPA GLRI (29 Acres*)
- USFWS GLRI Joint Venture I (29 Acres*)
- USFWS GLRI Joint Venture II (15 Acres)
- USFWS NCWCP (31 Acres)
- USFS Community Forest Program (40 Acres)
- Oz Cty Proposed Access Road (1 Acre)
- Oz Cty Parking Area and Restroom Pavilion (5 Acres)

*this is the same 29 acres between two granting agencies

Natural Resources Committee

AGENDA INFORMATION SHEET

AGENDA DATE: August 4, 2022
DEPARTMENT: Planning and Parks
DIRECTOR: Andrew Struck
PREPARER: Matt Aho

Agenda Summary Bid and Contract for Security Gates in the Ozaukee County Park System

BACKGROUND INFORMATION: The Planning and Parks Department (Department) published a Class II public notice and advertisement for bids on May 5, 2022 and May 12, 2022 for providing and installing security gates in the Ozaukee County Park System, including at Lion's Den Gorge Nature Preserve, Virmond County Park and Tendick Nature Park (base bid) and at multiple additional locations (alternates). Bids were due on May 23, 2022, and no bids were received. The Department published an additional Class II public notice and advertisement for bids, which included provision of electric service to the security gate and security camera locations, on June 2, 2022 and June 9, 2022. This American Recovery Act Plan (ARPA) project was approved by the Ozaukee County Board of Supervisors on April 6, 2022 by Resolution 21-70 (Ayes - 24, Nays - 0, Absent - 1).

ANALYSIS: One bid from J Miller Electric, Inc. was publicly opened and read aloud on July 25, 2022. The combined base bid price for both electric service and provision and installation of the security gates at Lion's Den Gorge Nature Preserve, Virmond County Park and Tendick Nature Park was \$148,855, which exceeds the ARPA award amount. Thus, the Department recommends rejecting the bid in the best interest of the County.

FISCAL IMPACT: N/A **FUNDING SOURCE:** N/A

RECOMMENDED MOTION: Reject the bid for security gates in the Ozaukee County Park System.

ATTACHMENTS:

- P&P_Dept_Security Gates Bid Tab 7.25.22 (PDF)
- P&P_Dept_Security Gates - Ozaukee County Park System - Planholders List 7.25.22 (PDF)

Security Gates - Ozaukee County Park System Bid Tab					
Contractor	Gate Type	Lion's Den Gorge Nature Preserve	Virmond County Park	Tendick Nature Park (Site 1)	Base Bid Subtotal
J Miller Electric, Inc	Swing	\$48,753	\$47,574	\$47,528	\$143,855

Security Gates - Ozaukee County Park System - Planholders List - 7/25/2022			
Company Name (optional)	Contact Name	Phone Number	Email Address
BXWI	Ann Taylor	9206878705	editor@bxwi.com
Dodge Data & Analytics	jayalakshmil	4133767032	jayalakshmil@construction.com
North America Procurement Council Inc., PBC	Eric Johnson	970-237-4411	bids@napc.me
Gamma Team Security	Wolf Iklov	2242354347	info@gammateamcorp.com
CJIS GROUP, LLC	Kelsie L Stephens	8509269800	kelsie@cjisgroup.com
Hayworth fence company inc	Joseph L Hayworth	7152100844	Hayworthfence@yahoo.com
Dodge	Docs	8777849556	Dodge.docs@construction.com
	Justin Miller	262 305 3858	justin.jmillerelectric@gmail.com
Power Gate Opener Systems	Joe Meyers	9205635233	joemeyers@powergateopeners.com
Century Fence Company	Greg Sonnenburg	(262) 993-5502	gsonnenburg@centuryfence.com
Dodge	data	8777849556	elaine.wilson@construction.com
DODGE DATA ANALYTICS	DODGE	877-784-9556	dodge.bidding@construction.com
R.C. Portable Welding & Fabrication Inc.	Bob Swatek	2627234718	rcweld89@yahoo.com
ELECTRONIC ENTRY SYSTEMS, INC.	John C Dini	8475013900	jdini@eesgate.com
Selzer-Ornst Construction Company	Kari Lilly	414-795-8826	klilly@selzer-ornst.com
JMS Metal Fabrication Inc	Tara	2245001634	tara@jmsmfg.com
Munson, Inc.	Kailee Delveaux	414-434-9203	kdelveaux@munsoninc.com
	Tyler Schwarz	2036479153	tyler@haywardts.com
The La Crosse Builders Exchange	Mia	608-781-1819	planroom@laxbx.com
Munson, Inc.	Kelly Meerdink	4143510800	kmeerdink@munsoninc.com
Wausau Builders Exchange	Cindy Baumann	7158434919	planroom@wausaubex.com
Electronic Entry Systems, Inc.	John C Dini	8474561565	jdini@eesgate.com
	Amy Harper	920-687-8782	editor@bxwi.com
The La Crosse Builders Exchange	Mia	608-781-1819	planroom@laxbx.com
	Matt	262-623-2103	maho@co.ozaukee.wi.us
Patriot Fence	J Blehl	(920)264-3252	jae@patriotfencing.com
Dodge Data & Analytics	jaya lakshmil	4133767032	jayalakshmil@construction.com
Entrance Systems	Marc Reuling	262-662-3939	marc@entrancesys.com
Bid Ocean, Inc.	Eric Johnson	970-237-4411	lyra@napc.me
Topper Industries I, LLC	Nick Ballenger	3608418320	nick@topperfloats.com
Dodge Construction Network	April Hamilton	8443263826	april.hamilton@construction.com
Builders Exchange of Wisconsin	Amy Harper	9206878782	editor@bxwi.com
AmeriFence	Bill	608-509-5857	w.glise@americafence.com
Imperial Surveillance	Chad McCollom	8473750300	Chad@imperialcctv.com
electric	S	262-555-9988	selectwiring@yahoo.com
Dodge	Dodge Anderson	2352589465	jayalakshmil@construction.com

Natural Resources Committee

AGENDA INFORMATION SHEET

AGENDA DATE: August 4, 2022
DEPARTMENT: Planning and Parks
DIRECTOR: Andrew Struck
PREPARER: Matt Aho

Agenda Summary Planning & Parks Reports

ATTACHMENTS:

- P&PDept_MgmtReport_NRC08042022_June2022_FINAL_ATS (PDF)
- P&PDept_CommFinancialRptMay2022 (PDF)
- P&P_Dept_Summary of Parks Revenue June 2022(PDF)
- P&P_Dept_Golf Courses Daily Revenue June 2022 (PDF)
- 2022.06.30_OzaukeePress_Pickleball at Waubedonia (PDF)
- 2022.06.30_OzaukeePress_Trail is Ozaukee's Beaten Path_OIT (PDF)
- 2022.07.12_NewsGraphic_CGCB Grant (PDF)
- 2022.07.14_NewsGraphic_Biking in the Name of Conservation (PDF)
- 2022.07.14_NewsGraphic_OzCty Tourism (PDF)
- 2022.07.14_OzaukeePress_Cedar Gorge (PDF)
- 2022.07.21_Ozaukee County Coastal Grants (PDF)



GOLF COURSES



GOLF COURSES — MEE-KWON PARK AND HAWTHORNE HILLS

- June (thru June 23rd) revenue and rounds: \$353,072 and 10,122 rounds (2022) and \$351,535 and 10,755 rounds (2021) for both MKGC & HHGC. 2022 total revenue (to date) \$803,288 and 22,321 rounds (\$35.99/person). 2021 total revenue (to date) \$938,993 and 26,992 rounds (\$34.78/person). Another record revenue month for both facilities in June 2022.
- Completion of the new cart staging area at MKGC will secure the safety of our property at night and provide the staff with a more efficient way to clean and manage the fleet during the day. All carts at both facilities will have secured their assets.
- Course conditions are once again receiving rave reviews from loyal customers and first time players.
- Concessionaire has significantly improved service and the new manager has started off with great enthusiasm although some times are still not covered during the dawn to dusk operations.
- GC Maintenance staff and contractors have continued work on ash tree/invasive species removals and tree planting under the USFS & NFWF SOGL grants, particularly at HHGC. GC Maintenance Seasonal Staff wage range has been increased.



ECOLOGICAL DIVISION



BIRD CONSERVATION / BIRD CITY WISCONSIN

Received 2021 renewal with High Flyer status. Ozaukee County was awarded "High Flyer" status for its Bird City Wisconsin (BCW) renewal in 2021. The "High Flyer" status is the highest level of achievement under BCW and Ozaukee County was the first County in the State to achieve "High Flyer" status and is one of only 24 communities to accomplish this highest level out of 110 BCW communities in WI. Continued maintenance and monitoring of nest boxes (Kestrel, Bluebird, Wood duck) including 11 new bluebird boxes at Tendick and 9 new bluebird boxes at Virmond. Received additional bluebird boxes from WGLBBO. Finalized application for 2022 BCW recognition status. Coordinated with a UW Madison student on Kestrel Box research/monitoring.

FISH PASSAGE PROGRAM

Aquatic Connectivity Projects: Coordination with landowners, local municipalities, County Highway Dept, and contractors (youth conservation corps) for completion of planned construction and site restoration work, including grant-funded materials acquisition. Contract management and site visits for finalizing engineering and design work for culvert replacements or remediation work on Tendick Creek in the Town of Saukville, Sucker Brook Creek in the Town of Port Washington, and Silver Beach Creek in the Town of Belgium. Continued site surveys, design & engineering, permitting and project planning for Mineral Springs Creek in the City of Port Washington. Significant completion of construction activities at the Mequon-Thiensville Dam nature-like fishway w/ HWY and Village of Thiensville w/ final restoration & grand opening celebration planned for Summer 2022. Significant completion of the culvert replacement project on Mole Creek in the Town of Saukville with the Highway Department.

Habitat Improvement Projects: Oversight and coordination of construction and restoration activities at the Little Menomonee River Corridor Ecosystem Restoration project with the County Highway Department. Ongoing project planning and Quality Assurance Project Plan (QAPP) development with WDNR and Milwaukee County for aquatic habitat inventories, assessments, and engineering and design for aquatic habitat restoration activities on the Little Menomonee River in Milwaukee County. Project planning, permitting, QAPP development, and HWY Dept, City of Port Washington, and landowner coordination for restoration work on Mineral Springs Creek in the City of Port Washington. Project planning and landowner coordination for restoration work on Tendick Creek. Project planning for habitat restoration in conjunction with the CTH W rehabilitation project in the Village of Saukville. Ongoing analysis and reporting for the Lake Sturgeon Habitat Assessment in the Milwaukee River.

Environmental Monitoring: Continued analysis and reporting of fish, avian, wildlife, and water quality sampling data per QAPPs. Supplies and materials acquisition and project planning for 2022 monitoring activities. Water quality sampling analysis for the Little Menomonee River / Creek, Ulao and Mole Creeks. Water quality sampling for LMR/LMC (6/16-6/17) and Ulao & Mole Creeks (6/23-6/24). Coordination with SEWRPC for monitoring conductivity and chlorides on Ulao Creek. The underwater "fish cam" at MT Fishway has been re-installed following fishway construction. Continued larval fish trapping data analysis and reporting on project streams. New PIT tag reader coordination with WDNR at the MT Fishway.

Education and Outreach Activities: On-going website and social media development and refinement of multiple education/outreach materials and updates on construction and restoration projects. Temporary signage at construction and restoration projects. Development of temporary and permanent education signage for multiple projects including Mineral Springs Creek with We Energies, Lake Michigan public access, wetland restorations, chimney swift tower at Virmond County Park and the Tendick Nature Park wetland and prairie restoration. Research of applicable bluff safety signage, brochures and ordinances.

Reporting and Other Activities: On-going grant (financial & technical) reporting for USFWS, USFS, WCMP, NFWF SOGL, WDNR (Stewardship, RPP, CCA), SEWISC & FFLM. Submitted multiple grant applications. QAPP & NEPA submittals and approvals for federally-funded projects. Coordinated w/ the AmeriCorps NCCC, WisCorps, MCSC & GLCCC on 2022 work, including managing the AmeriCorps NCCC (6/3-6/21). Coordinated w/ GLE regarding the GIS Fish & Wildlife Habitat Tool contracts. Coordinated w/ partners (MMSD, Riverkeeper, SEWRPC) on water quality monitoring. Coordinated w/ WGLBBO, LNRP, City of Port Washington (6/21), We-Energies, HWY & WDNR regarding stream restoration on Mineral Springs Creek. Coordination w/ WDNR Milwaukee River AOC & WDNR Lamp Coordinators. Coordinated w/ Finance on project accounting system, grant reporting/reimbursements & annual audit. Completed multiple federal & state grant reimbursement requests. Mtgs. for the AOC MAIT (), Fish & Wildlife Tech Team (), Project Managers (). Coordination w/ Hwy & Consultant on CTH W Project. SWWT Finance and Board Mtgs (6/13, 6/21). Coordinate w/ DU/USFWS on EAGL NAWCA grant. Coordinated w/ raSmith & Fish Creek Restoration consultants on various FP projects. Coordinated/Mtg w/ the OCWC on Sucker Brook (). Coordinated w/ WDNR Fisheries on grant funding for current and future projects/grants (). Mtg. w/M2 and WDNR on MK stormwater wetland (6/14). Hosted Fish Passage (6/3) and Ecological/Birding kayak/canoe (6/10) NRF field trips. The Dept. received a 2022 National Association of Counties (NACo) award for the Little Menomonee River Fish & Wildlife Restoration. Present to the City of Port Washington Public Works Committee on MSC (6/21). LMS Champions Selection Cmte. (6/22). Interviews with AmeriCorps NCCC Surveyors (6/14).

INVASIVE SPECIES MANAGEMENT

Continued removal of ash trees, invasive shrubs and herbaceous spp. at County Parks and Restoration Areas including Tendick, Covered Bridge, Lion's Den Gorge, Mee-Kwon, Hawthorne Hills, LMRFWP, River Oaks, Harborview & Virmond County Parks under NFWF SOGL Invasive Grant. Continued work on private foundation grants for invasive species management and native tree planting in the County Park System. Continued planning for ROW Invasive Species Treatment and coordinated w/ HWY on implementation. Coordinated on 2 USFS grants w/ Partners (HH Park & Coastal Parks Project Areas) for tree planting / bidding.

DEPARTMENT ADMINISTRATION

- Attended NRC (6/2-in person), County Board (6/1-in person), and ARPA Strategic Planning Session (6/15). HR Trainings.
- Managing staff teleworking/remote working, parks and golf course operations, and day-to-day operations w/ COVID-19.
- Worked on Dept. position descriptions. The Park Caretaker—Virmond and Parks Maint. Worker—Virmond have resigned.
- Coordinate trade vehicles for new vehicle lease program—two Department lease vehicles have arrived to date.

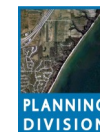
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PLANNING & PARKS DEPARTMENT

CURRENT PROJECTS & REPORT UPDATES

JUNE 2022



MISSION STATEMENT

To provide opportunities for Ozaukee County residents and visitors of Ozaukee County to appreciate and enjoy the natural and cultural resources, local ecology, recreational experiences, well planned sustainable growth and improved quality of life in Ozaukee County through the preservation, restoration and management of natural resources, increased awareness and education, stewardship, promotion of tourism, comprehensive planning, and the acquisition, development, enhancement and operation of large scale, intergovernmental recreational opportunities including exceptionally well-maintained golf courses, multi-use trails and parks.

<https://www.co.ozaukee.wi.us/540/Planning-Parks>

Ozaukee County Administration Center
121 W. Main Street, Box 994
Port Washington, WI 53074-0994
Phone: 262-284-8257

Packet Pg. 85

Attachment: P&PDept_MgmtReport_NRC08042022_June2022_FINAL_ATS



Ozaukee County Planning and Parks



PLANNING DIVISION

Comprehensive Planning

- Reviewed local government amendments to County Comprehensive Plan (e.g. Towns of Grafton, Port Washington, Belgium & Saukville, Villages of Grafton, Belgium & Newburg & Cities of Port Washington & Mequon). Coordinated w/ SEWRPC for assistance on County Comp Plan amendment regarding local governments.
- Coordinated w/ Town of Saukville (consultant) and Town & Village of Belgium on amending their local comprehensive plan, planned land use map and County Comprehensive Plan. Explored options w/ SEWRPC.
- Began to review the GIS mapping for the proposed local government amendments to the County Comprehensive Plan (e.g. planned land use map). Coordinated with SEWRPC staff regarding level of effort for updates.

Land Division / Plat Review / Zoning

- Discussed/reviewed preliminary/final land divisions with landowner(s) in the Towns of Grafton, Fredonia & Cedarburg. Generated GIS maps including shoreland zoning, land use, soils, floodplain, wetlands, etc.
- Provided review for proposed projects under the County-owned lands zoning ordinance including Mee-Kwon Park—communications tower, Pinnacle property—communications tower, Highway properties—nonmetallic mining, LMRFPW—public access and Advocates of Ozaukee—building expansion.

Park and Open Space Plan - Park & Natural Areas Preservation/Conservation Planning

- Reviewed prioritization and implementation recommendations in the adopted *Park and Open Space Plan for Ozaukee County: 2035 (POSP)* as approved by County Board on June 1, 2011. Coordinated with SEWRPC staff regarding the update to the POSP, inventory data, mapping updates and survey data (on-site surveys).
- Discussed recommendations of the POSP with several residents, WDNR, MMSD/Conservation Fund, OWLT, UCP, WWA, ROTB, FOCB and Ozaukee Treasures Network, particularly with regard to identified Natural Areas and proposed County parks and trail systems. Continued discussions with interested citizens regarding developing a mountain bike park and natural area acquisitions (Clay Bluffs Cedar Gorge, OIT, Waubedonia).
- Coordinated with the Conservation Fund/MMSD on the expanded "Greenseams" Program (CTH W project). Coordinated w/ WDNR, Conservation Fund/MMSD regarding fish passage projects.
- Coordinated/attended meetings with partners (e.g. FOCB (6/28), WDNR (), MMSD, OWLT (6/7), OCWC, WAC, BCW, LNRP, UCP) to discuss natural area preservation/restoration and WDNR/WCMP/USFWS/USFS/USEPA grants (Clay Bluffs Cedar Gorge Nature Preserve (CBCGNP) (6/7, 6/13)).
- Completing final drafts of three County Park Master Plans including Virmond, Lion's Den Gorge Nature Preserve (LDGNP) and the proposed Clay Bluffs Cedar Gorge Nature Preserve (CBCGNP) as part of WCMP Coastal Resiliency Grants. Updating Park Master Plan (GIS) maps for all the other current County Parks.
- Presentation at the League of Women Voters on CBCGNP, particularly the history and timeline for acquisition (6/14).

Farmland Preservation Plan and Working Lands Initiative

- County Board formally adopted the *Farmland Preservation Plan for Ozaukee County: 2035 (FPP)* on July 3, 2013 as a stand alone plan. The County Board adopted the Comprehensive Plan Amendment 2013-02 (incorporation of FPP & POSP) on 12/4/13. Coordinated (with SWWT and MMSD) on adoption of the Cedar, Pigeon, Mole and Ulao Watershed 9 Key Element Plan per FPP. Discuss implementing 9 Key Element Plans.
- Coordinated with the Town of Belgium on a revision to the County FPP per a zoning/land use change.

Geographic Information Systems (GIS) / Land Information

- Continued development of the GIS Fish & Wildlife Habitat Model and Ecological Prioritization GIS Tool with partners (Received NACPRO Award 2021). Reviewed Preservation/Restoration output maps with partners and coordinated with staff/partners/consultant on next steps for the GIS Tools. Coordinated follow-up with WDNR AOC Program to demonstrate the GIS Fish & Wildlife Habitat and Ecological Prioritization Tools. Continued work on Fisheries component of the GIS Tools. Worked with consultant on SLCI output reports.
- Prepared several GIS databases and maps for the Planning, Parks and Trails Divisions and Ecological Division / Fish Passage Program regarding: land divisions, zoning, tree plantings, natural areas, Trail/ROTB, streams/Impediments, wetland/riparian restorations & stormwater, water quality data, fish & wildlife monitoring, ROW invasive spp., invasive species, restorations (e.g. prairies), park parking spaces and Master Plans.
- Coordinated w/ LIO on GIS databases (ROW Invasive), JEM Grant (GIS Storybook for OIT) and adding Planning & Parks Dept data to GIS Server. Coordinating on a County Map update with new roads, etc.
- Began coordination w/ SEWRPC on an update to the County Shoreland (& Floodplain) Zoning Maps.

Floodplain, Stormwater Management, Bluff Erosion and Construction Site Erosion Control

- Developed/reviewed erosion control, floodplain and stormwater management plans, permits and implementation for various Fish Passage Program (e.g. Center Rd Mole Creek Culvert, MSC), Parks (e.g. Virmond staircase, MK Park stormwater wetland, HH Park Multipurpose Maintenance Building) & Ozaukee Interurban Trail projects with USACOE, WDNR, LWMD, consultants, & municipalities (e.g. Town of Saukville).
- Coordinated w/ WCMP State Coastal Hazards WG regarding Virmond Park, LDGNP and other research projects. Coordinated with UW Sea Grant/WGNHS on outreach for Lake Michigan water levels and bluff erosion/climate change, Virmond public access and a guide to native vegetation for coastal bluffs. Coordinated on WCMP Coastal Resiliency Project (e.g. predicting bluff erosion and water study—Virmond Park, Master Plans—CBCGNP, Virmond, LDGNP) and followed up on the WCMP/Sea Grant CALM SC Mtg.

Strategic Planning and Economic Development Planning

- Coordinated w/ Chambers of Commerce and State & County Tourism on another State Tourism Joint Effort Marketing (JEM) grant for promoting the Ozaukee Interurban Trail and a WisDOT TAP grant for OIT repaving.
- Continued to report on the Department goals, objectives, metrics for the County Strategic Plan including evaluation of goals and reporting to NRC & CB. Provided NRC board members w/ Dept summary data.

Non-metallic Mining Planning

- Coordinated w/ the Highway Dept on the implementation of the restoration plan (e.g. tree establishment, Hetzel Pit / Bee-Keeper Bog to comply with the WDNR permit. Coordinated with the Highway Dept for restoration / reclamation activities at the Saukville properties (Guenther, Lakeland and Opitz Pits) and coordinated w/ multi-Department staff for future land use at these properties. Coordinated w/ WDNR & SEWRPC.

Regional Technical Review & Planning Assistance (SEWRPC, MMSD, WisDOT, etc.)

- Coordinated w/ SEWRPC Regional Land Use & Transportation and Natural Areas Advisory Cmte mtgs.
- Coordinated w/ SWWT & MMSD on 9-Key Element Plans-Ulao, Mole, Pigeon, Cedar & Fredonia.
- Coordinated w/ WisDOT & Consultants on CTH I, STH 33 and I-43 reconstruction projects ().

PARKS, RECREATION, NATURAL AREAS AND CULTURE DIVISION

Parks, Natural Areas, Recreation and Culture Implementation

- Implementation of 2022 park projects (e.g. Waubedonia campsites) & 2022 approved Capital Improvement Projects (CIP) for the County parks (e.g., Pavilions & Maintenance Building, LDGNP Parking & Boardwalk, etc.) Coordinated w/ Highway Dept on other Park (e.g. culverts, grading), Fish Passage (Mole Cr., MSC, LMRFW and Ozaukee Interurban Trail (e.g., mowing) projects and CTH, STH, and Federal ROW Invasive Project. Working w/ Highway Dept Re: 2022 Projects (Park, FP, etc.) and CTH W reconstruction, restoration and funding
- Coordinated with several Eagle Scouts for current and future service projects at various County Parks and the Interurban Trail (e.g. Wood storage—HH Peters, Wood duck nest boxes—HH Park, HH Peters, & LMRFWP, Donation Box—Tendick Nature Park, Trail Construction/Bike Rack—Mee-Kwon County Park, etc.).
- Coordinated/continued intensive invasive species removal (e.g. herbaceous & woody shrubs), ash tree removal and 2022 tree plantings at Lion's Den Gorge Nature Preserve, Virmond, Mee-Kwon, Hawthorne Hills, LMRFW Waubedonia and Tendick Nature Parks, Coastal & HH Park Project Areas (USFS grants), both Golf Courses: under private foundation, USFS GLRI, NFWF SOGL Invasive and WDNR grants (UF). Continued inventory invasive species, tree plantings and ash trees in the County Parks & restorations.
- Coordinated w/ several recreational organizations regarding the Mee-Kwon County Park master plan and to with Eddee Daniel for Wealth of Nature (6/15). Working on signage/maps for the pedestrian trail network.
- Coordinated with the Parks staff on the remodeling and repair of the Shady Lane, Mee-Kwon, Waubedonia & Virmond Park Houses (doors, roofs, floors, paint, bathroom, etc.), out buildings and yard (e.g., invasives, tree removal, etc.).
- Coordinated w/ Ozaukee Treasures Network (OTN) Steering Cmte., a collaboration of organizations working the implementation of the *Park and Open Space Plan for Ozaukee County*. Coordinated w/ Ozaukee County Watershed Coalition (OCWC) regarding Sauk, Sucker & Ulao Creeks. Coordinated for Treasures of Oz on
- Seeding additional prairie restoration areas at Tendick Nature Park, LMRFWP, Covered Bridge and Virmond County Parks. Coordinated grant reporting: WDNR CCA, We Energies, DU NAWCA and Brookby Foundation
- Worked on the new Covered Bridge County Park and River Oaks County Park additions regarding surveying restoration, tree removal (e.g. ash), invasive species removals, signage, maintenance and tree plantings.
- Coordinated and held several Zoom meetings/calls/emails with Partners regarding the Clay Bluffs Cedar Gorge Nature Preserve project. Working on finalizing contract documents for the WDNR USEPA GLRI grant (\$450,000). Continued discussions w/ the seller and other partners (OWLT, WDNR, WCMP, USFS & USFW)
- Coordinated w/ the WCMP Coastal Hazards Work Group, WDNR Stewardship, engineer, contractor, City and WDOA WCMP staff for the public access to the Lake Michigan shoreline (e.g. staircase) at Virmond County
- Coordinated w/ Parks Division staff on multiple items (e.g. reservations, signage, camping, gates, ash trees, with the departure/resignation of the Park Caretaker-Virmond (5/6) and seasonal employee at Virmond (4/25)
- Coordinated w/ Architect (Kueny) and Contractors for Covered Bridge & LDGNP Park bathroom pavilions, Hawthorne Hills Maintenance Bldg. ADA modifications for HH Peters Youth Camp Bldg. ().
- Coordinated w/ Highway and Grafton & Mequon FDs regarding access/parking at LDGNP and Virmond Park
- Coordinated w/ Highway Re: Historic Covered Bridge Closure and Repairs and Contracts.

Coordination with Cultural, Tourism & Recreation Groups

- Attended Ozaukee County Tourism Council (OCTC) Board Mtg. (6/6). Continued work on Tourism & Trail w/ sites & events (20th Anniversary). Continued to assist w/ OCTC Treasurer duties Re: 2022 budget. Coordination w/ OCHS Re: OCHS Caretaker septic, lease agreement, tree planting, Wifi & 2022 events.

TRAILS DIVISION

Trails Development & Facilitation—Ozaukee Interurban Trail/Snowmobile Trails

- Coordination w/ the Ozaukee Interurban Trail (OIT) Advisory Council including: safety, user counts, Trail we Trail maintenance/drainage/culverts, bike racks, benches, trees, John Ward recognition, maintenance items the Trail (e.g. cutting, paving), RTC grant-Port Washington Trail Improvement Project—design & engineering. Hosted and Presented at the Route of the Badger (ROTB) Regional Quarterly Mtg. (6/29), coordination w/ cities (Mequon, Cedarburg, Port Washington) & professionals (SEWRPC) on OIT crossings. Development of gateway signage. Coordinated w/ SEWRPC on regional grant for Trail planning & projects (RAISE Grant) a WisDOT TAP grant (repaving OIT).
- Coordinated with We Energies on several occasions on development of trails/facilities in several locations: along the Trail (e.g. bike repair stations, signage, bike racks, benches, trees) and safety improvements & cut
- Continued to conduct Trail user counts and analyze correlations with other survey data. Maintained the count
- Coordinated with the Ozaukee Snowmobile Clubs on the existing and new (2023) Trail Maintenance and Trail Bridge Grants under the WDNR Trail Recreational Aids Grants. Coordinated and managed the SNARS data and GIS mapping for snowmobile trail maintenance with the Clubs and sent out payments to Clubs.
- Coordination w/ City of Mequon, City of Port, City of Cedarburg, and Village of Thiensville staff regarding trails/facilities, safety and trail connections for the OIT. Coordinated w/ Milwaukee County Re: OIT connections.
- Coordinated w/ Washington County and ROTB regarding planning for trail connections
- Trail and criteria for regional trail network. Coordinated w/ the Town of Grafton on O
- Follow-up Re: Trail paving of county-managed portion of OIT and WisDOT TAP & Infrastructure grants.

9.c.1.a



Attachment: P&PDept_MgmtReport_NRC08042022_June2022_FINAL_ATS



Ozaukee County Committee Report
General Fund Park Commission

9.c.1.b

For the Six Months Ending Thursday, June 30, 2022
Profit and Loss Statement ACTUAL TO AMENDED BUDGET

	Current Month Actual	2022 YTD Actual	2022 Amended Budget	Budget Balance	% Budget YTD
Revenues					
Intergovernmental Revenues	-	-	\$33,600	\$33,600	0.00%
Public Charges for Services	\$4,174	\$24,543	\$46,925	\$22,382	52.30%
Licenses & Permits	-	\$55	-	(\$55)	0.00%
Interest Revenue	\$1	\$4	-	(\$4)	0.00%
Other Revenue	\$2,516	\$14,101	\$26,500	\$12,399	53.21%
Total Revenues	\$6,691	\$38,703	\$107,025	\$68,322	36.16%
Expenditures					
Salaries	\$39,063	\$229,741	\$504,191	\$274,450	45.57%
Fringe Benefits	\$10,502	\$66,733	\$133,320	\$66,587	50.05%
Travel/Training	\$507	\$2,281	\$7,450	\$5,169	30.62%
Supplies	\$18,778	\$49,605	\$105,635	\$56,030	46.96%
Purchased Services	\$17,363	\$57,679	\$244,650	\$186,971	23.58%
Interdepartment Charges	\$3,574	\$44,570	\$169,285	\$124,715	26.33%
Other Expenses	\$304	\$487	\$18,642	\$18,155	2.61%
Total Operating Expenditures	\$90,091	\$451,096	\$1,183,173	\$732,077	38.13%
Capital Outlay					
Buildings & Land	-	-	\$229,000	\$229,000	0.00%
Total Capital Outlay	-	-	\$229,000	\$229,000	0.00%
Total Expenditures	\$90,091	\$451,096	\$1,412,173	\$961,077	31.94%
Other Finance (Sources)	-	(\$80,000)	(\$80,000)	-	100.00%
Net Other Financing Sources/Uses	-	(\$80,000)	(\$80,000)	-	100.00%
Net Increase (Decrease)	(\$83,400)	(\$332,393)	(\$1,225,148)	(\$892,755)	27.13%

Equity:

Attachment: P&PDept_CommFinancialRptMay2022 (P&P_Dept_ManagementReports&Financials)

Ozaukee County Committee Report
Special Revenue Fund Parks Projects
For the Six Months Ending Thursday, June 30, 2022
Profit and Loss Statement ACTUAL TO AMENDED BUDGET

9.c.1.b

	Current Month Actual	2022 YTD Actual	2022 Amended Budget	Budget Balance	% Budget YTD
Revenues					
Intergovernmental Revenues	-	\$51	\$101,870	\$101,819	0.05%
Other Revenue	\$2,097	\$23,525	\$11,000	(\$12,525)	213.86%
Total Revenues	\$2,097	\$23,576	\$112,870	\$89,294	20.89%
Expenditures					
Salaries	\$5,810	\$31,972	\$65,116	\$33,144	49.10%
Fringe Benefits	\$1,565	\$9,605	\$16,396	\$6,791	58.58%
Travel/Training	\$103	\$156	\$165	\$9	94.55%
Supplies	\$5,927	\$32,950	\$11,969	(\$20,981)	275.29%
Purchased Services	\$2,358	\$43,693	\$19,300	(\$24,393)	226.39%
Interdepartment Charges	-	\$7,067	-	(\$7,067)	0.00%
Total Operating Expenditures	\$15,763	\$125,443	\$112,946	(\$12,497)	111.06%
Capital Outlay					
Total Expenditures	\$15,763	\$125,443	\$112,946	(\$12,497)	111.06%
Net Increase (Decrease)	(\$13,666)	(\$101,867)	(\$76)	\$101,791	134035.53%
Equity:					
Governmental Fund Balance	-	(\$125,342)	-	\$125,342	0.00%

Attachment: P&PDept_CommFinancialRptMay2022 (P&P_Dept_ManagementReports&Financials)

Ozaukee County Committee Report
Special Revenue Fund Ozaukee Water Projects
For the Six Months Ending Thursday, June 30, 2022
Profit and Loss Statement ACTUAL TO AMENDED BUDGET

9.c.1.b

	Current Month Actual	2022 YTD Actual	2022 Amended Budget	Budget Balance	% Budget YTD
Revenues					
Intergovernmental Revenues	\$13,367	\$13,367	\$10,000	(\$3,367)	133.67%
Other Revenue	-	\$2,500	\$345,307	\$342,807	0.72%
Total Revenues	\$13,367	\$15,867	\$355,307	\$339,440	4.47%
Expenditures					
Salaries	\$10,392	\$58,811	\$259,636	\$200,825	22.65%
Fringe Benefits	\$4,308	\$27,666	\$85,595	\$57,929	32.32%
Travel/Training	\$38	\$109	-	(\$109)	0.00%
Supplies	-	\$18,880	-	(\$18,880)	0.00%
Purchased Services	\$16,923	\$35,508	\$10,000	(\$25,508)	355.08%
Interdepartment Charges	-	\$25,700	-	(\$25,700)	0.00%
Total Operating Expenditures	\$31,661	\$166,674	\$355,231	\$188,557	46.92%
Capital Outlay					
Total Expenditures	\$31,661	\$166,674	\$355,231	\$188,557	46.92%
Net Increase (Decrease)	(\$18,294)	(\$150,807)	\$76	\$150,883	-198430.26%
Equity:					
Governmental Fund Balance	-	(\$183,269)	-	\$183,269	0.00%

Attachment: P&PDept_CommFinancialRptMay2022 (P&P_Dept_ManagementReports&Financials)

For the Six Months Ending Thursday, June 30, 2022

Profit and Loss Statement ACTUAL TO AMENDED BUDGET

	Current Month Actual	2022 YTD Actual	2022 Amended Budget	Budget Balance	% Budget YTD
Revenues					
Intergovernmental Revenues	-	\$1,733	-	(\$1,733)	0.00%
Public Charges for Services	\$355,392	\$424,640	\$1,915,193	\$1,490,553	22.17%
Other Revenue	\$4,511	\$5,928	\$15,000	\$9,072	39.52%
Total Revenues	\$359,903	\$432,301	\$1,930,193	\$1,497,892	22.40%
Expenditures					
Salaries	\$75,013	\$283,640	\$719,936	\$436,296	39.40%
Fringe Benefits	\$16,560	\$106,883	\$244,145	\$137,262	43.78%
Travel/Training	\$908	\$3,691	\$11,650	\$7,959	31.68%
Supplies	\$34,171	\$164,688	\$300,780	\$136,092	54.75%
Purchased Services	\$3,670	\$91,896	\$142,400	\$50,504	64.53%
Interdepartment Charges	\$3,627	\$42,420	\$55,143	\$12,723	76.93%
Depreciation	-	\$99,787	\$305,350	\$205,563	32.68%
Other Expenses	\$484	\$2,017	\$70,789	\$68,772	2.85%
Total Operating Expenditures	\$134,433	\$795,022	\$1,850,193	\$1,055,171	42.97%
Capital Outlay					
Equipment & Furniture	\$128,668	\$128,668	\$197,000	\$68,332	65.31%
Buildings & Land	-	-	\$24,000	\$24,000	0.00%
Contra	-	-	(\$221,000)	(\$221,000)	0.00%
Total Capital Outlay	\$128,668	\$128,668	-	(\$128,668)	0.00%
Total Expenditures	\$263,101	\$923,690	\$1,850,193	\$926,503	49.92%
Other Finance Uses	-	\$80,000	\$80,000	-	100.00%
Net Other Financing Sources/Uses	-	\$80,000	\$80,000	-	100.00%
Net Increase (Decrease)	\$96,802	(\$571,389)	-	\$571,389	0.00%
Equity:					
Retained Earnings	-	(\$1,355,091)	-	\$1,355,091	0.00%



OZAUKEE COUNTY PLANNING & PARKS

Parks Division

Summary of Parks Revenue

June 2022

Fees for Events in June 2022

Location	Cur Mo	YTD
Covered Bridge	687.20	739.33
Ehlers	-	156.40
Hawthorne Hills	-	-
HH Peters Youth Camp	-	1,563.98
Ozaukee I.U. Trail	-	156.40
Lions Den Gorge	104.27	156.40
Mee-Kwon	-	-
Tendick Nature	1,698.09	4,041.21
Virmond	1,188.48	1,757.20
Waubedonia	5,669.78	9,320.96
Totals:	9,347.82	17,891.88

Revenue Collected During June 2022

Cur Mo	YTD
10.14	898.41
(10.99)	144.86
-	-
320.05	1,585.11
(19.32)	195.86
(63.87)	310.55
-	-
2,229.87	5,458.77
347.78	2,643.58
1,359.87	12,755.69
4,173.53	23,992.83

Historic Comparison

Fees for Events in June

Location	2020	2021	2022
Covered Bridge	52.08	161.14	687.20
Ehlers	-	-	-
Hawthorne Hills	-	-	-
HH Peters Youth Camp	-	104.27	-
Ozaukee I.U. Trail	-	-	-
Lions Den Gorge	104.22	-	104.27
Mee-Kwon	-	-	-
Tendick Nature	1,519.43	1,014.22	1,698.09
Virmond	284.14	958.29	1,188.48
Waubedonia	2,280.41	2,721.33	5,669.78
Total:	4,240.28	4,959.25	9,347.82

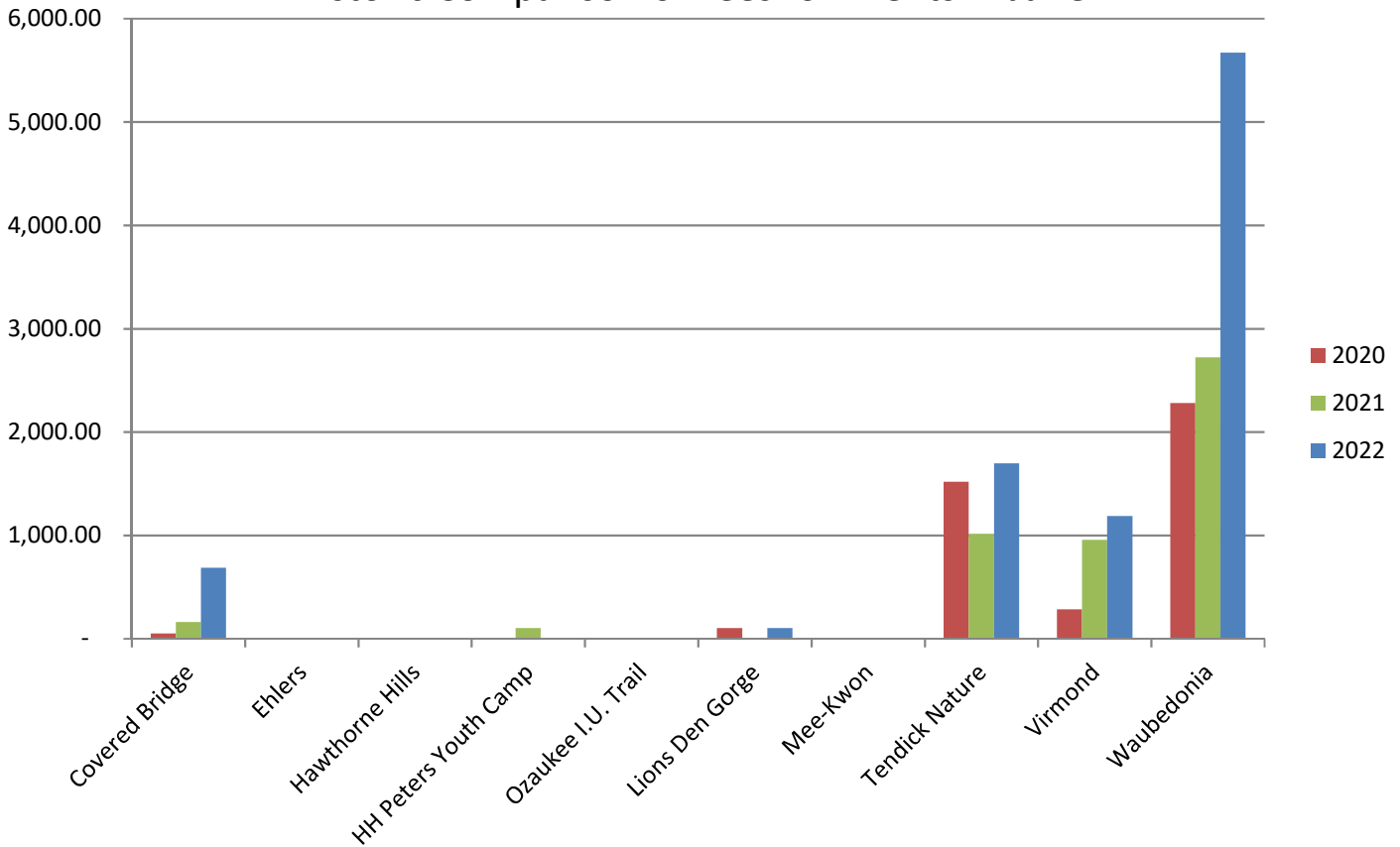
Fees for Events in June YTD

2020	2021	2022
52.08	251.19	739.33
-	-	156.40
-	-	-
1,145.83	1,771.93	1,563.98
-	52.13	156.40
208.68	52.13	156.40
-	-	-
7,765.12	4,960.90	4,041.21
284.14	1,470.14	1,757.20
3,990.48	5,045.02	9,320.96
13,446.33	13,603.44	17,891.88

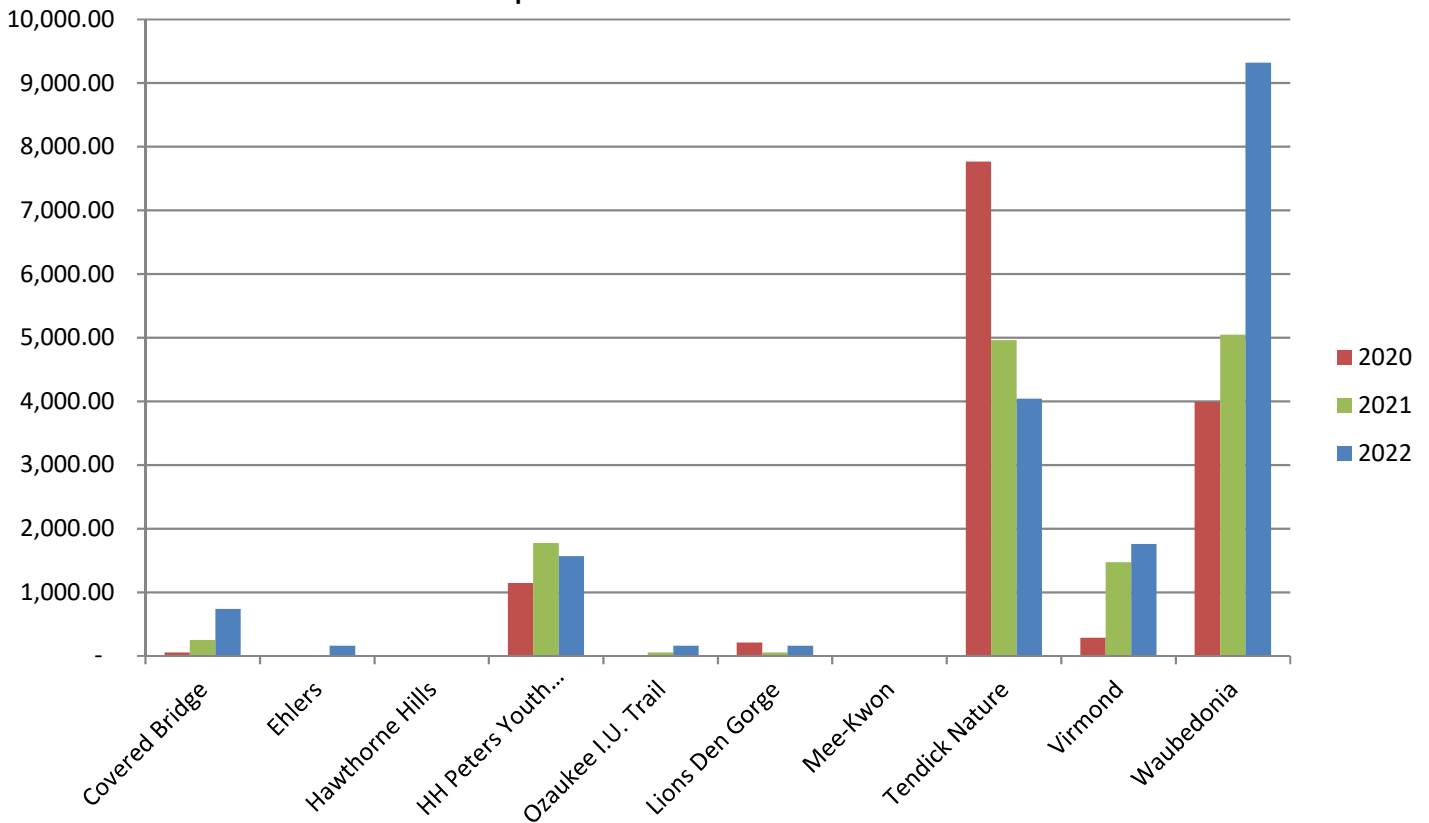
Fee Type	2020	2021	2022
Park Fees	596.74	1,593.36	2,847.12
Disc Golf Fees	1,519.43	819.91	1,345.64
Camping Fees	2,050.18	2,377.25	4,403.40
Firewood	73.97	168.72	751.66
Total:	4,240.32	4,959.24	9,347.82

2020	2021	2022
1,847.03	4,370.02	5,558.01
7,765.12	4,610.20	3,688.76
3,554.96	4,235.07	7,540.85
279.26	388.15	1,104.26
13,446.37	13,603.44	17,891.88

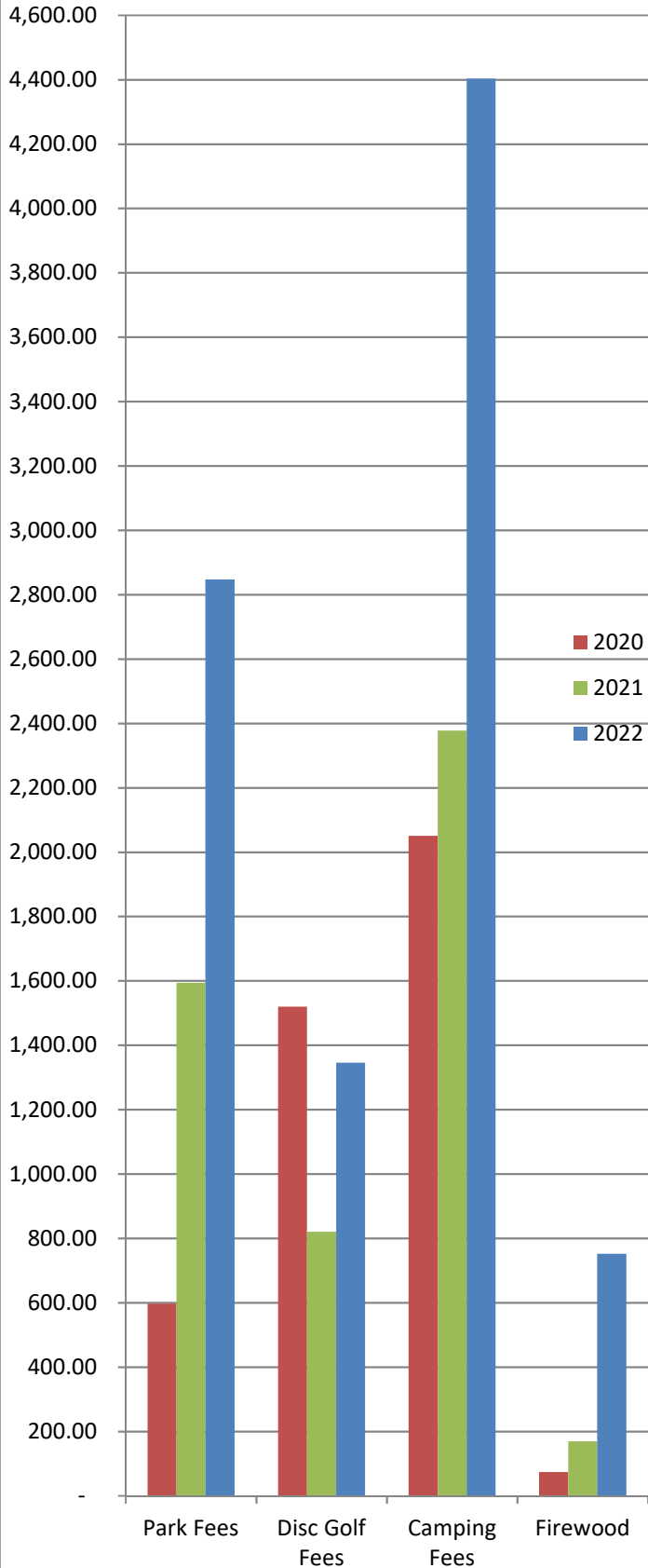
Historic Comparison of Fees for Events in June



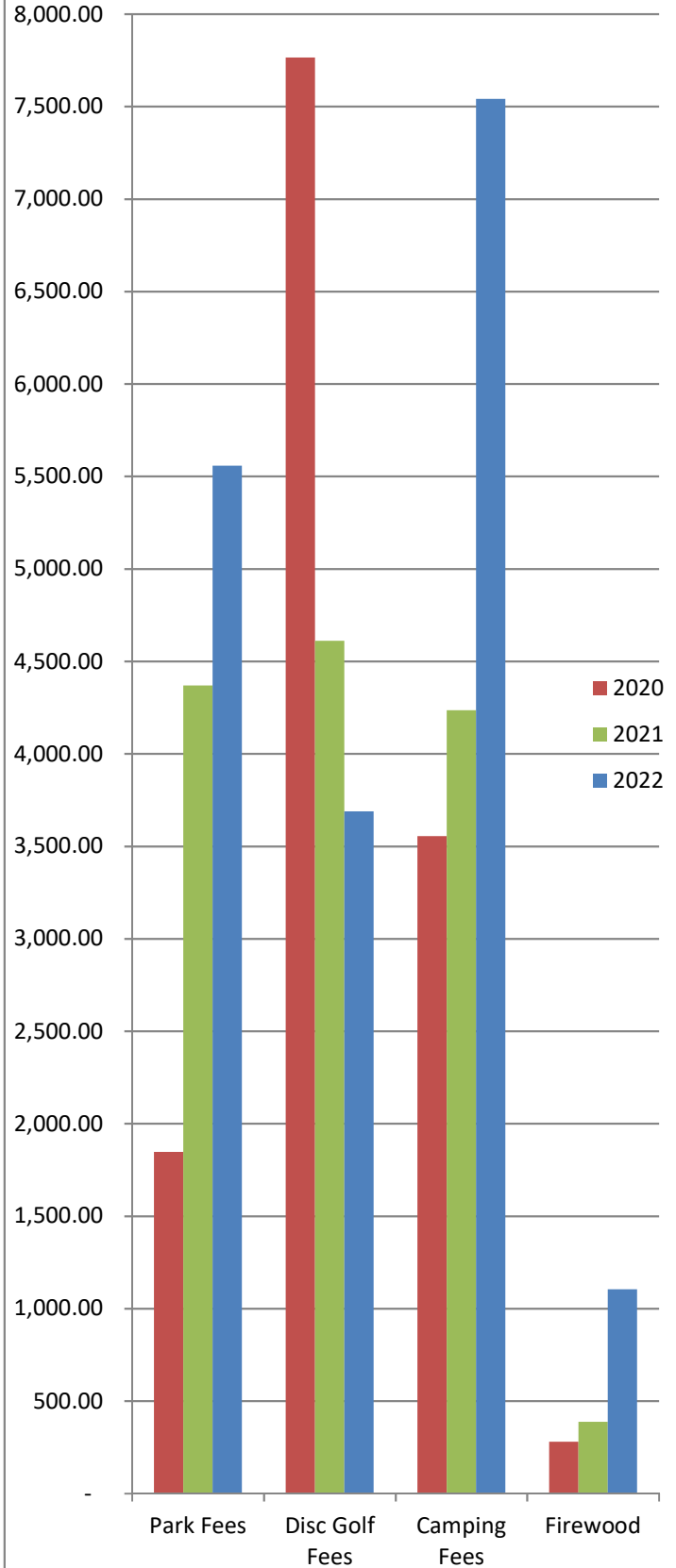
Historic Comparison of Fees for Events YTD June



Historic Comparison for Type of Fees In June



Historic Comparison for Type of Fees YTD June





**OZAUKEE COUNTY PLANNING & PARKS
SUMMARY OF GOLF COURSE RECEIPTS
GOLF COURSE DIVISION
JUNE 2022**

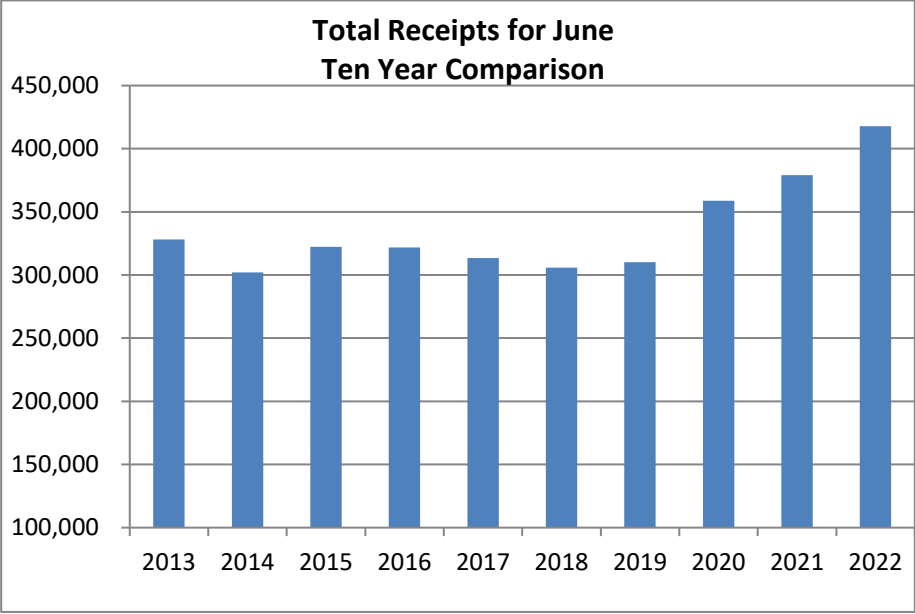
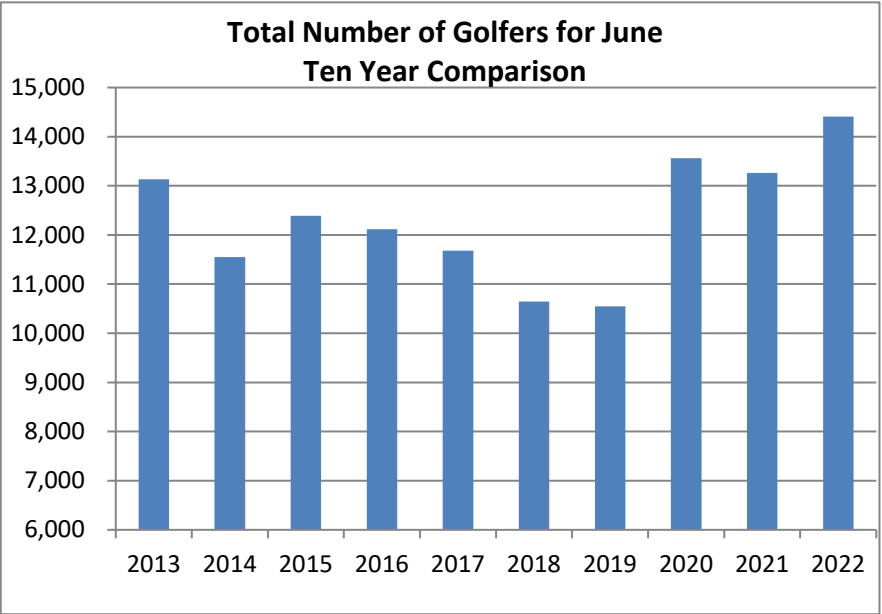
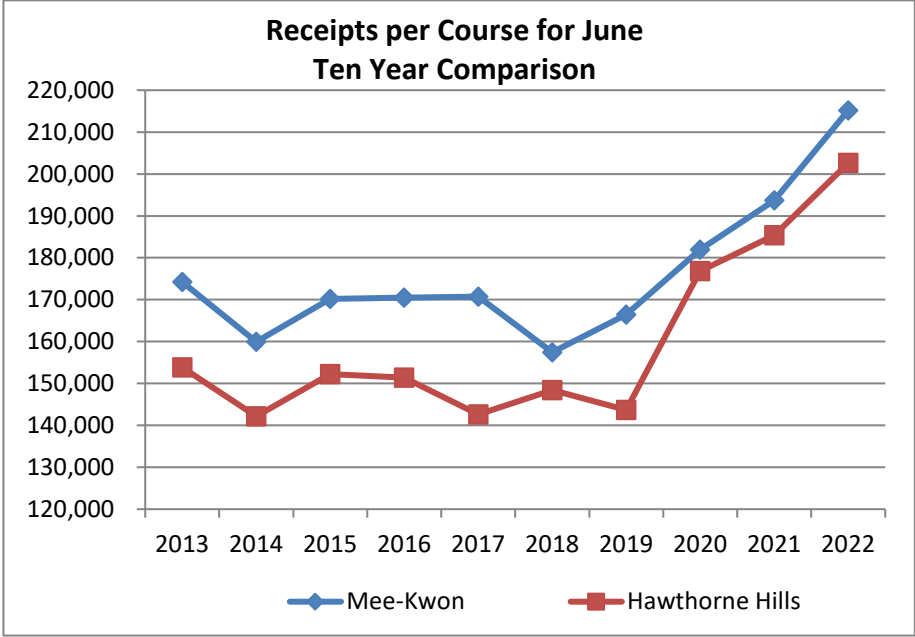
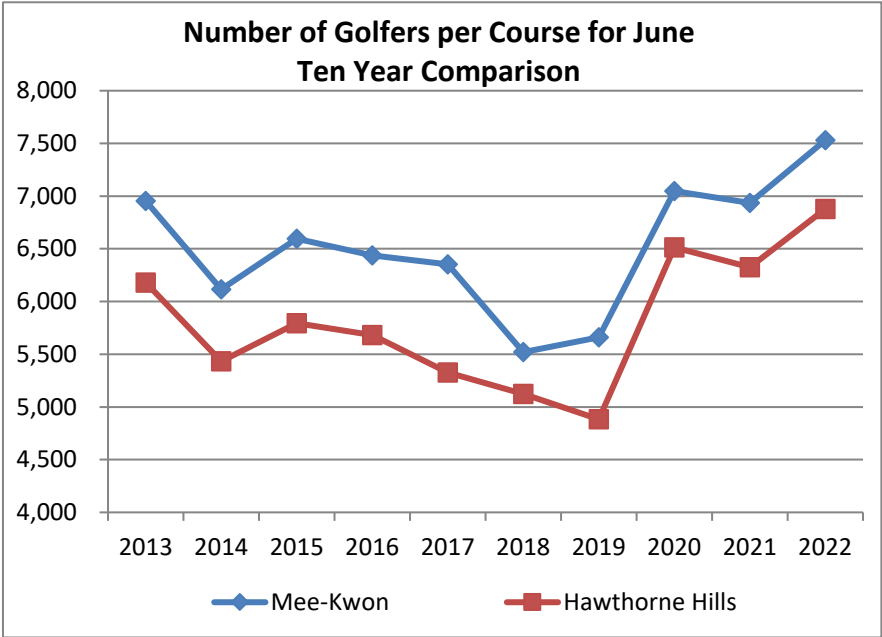
	This year	Last year
Hawthorne Hills opened	3/29/2022	3/30/2021
Mee-Kwon opened	3/16/2022	3/13/2021

* Includes Golf Cart Rental

	Current Month				Year to Date			
	JUNE 2022		JUNE 2021		JUNE 2022		JUNE 2021	
	Golfers	Receipts*	Golfers	Receipts	Golfers	Receipts*	Golfers	Receipts
Hawthorne Hills	6,878	\$ 202,608	6,324	\$ 185,407	12,613	\$ 364,239	13,932	\$ 398,253
Mee-Kwon	7,530	\$ 215,193	6,936	\$ 193,690	14,321	\$ 400,599	16,111	\$ 436,542
	14,408	\$ 417,801	13,260	\$ 379,097	26,934	\$ 764,838	30,043	\$ 834,796

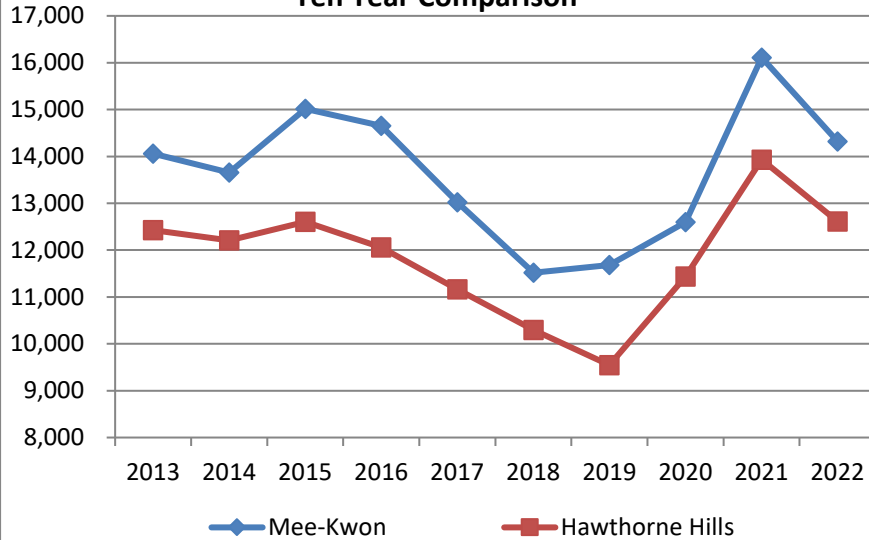
	Current Month			Year to Date	
Hawthorne Hills	554	Increase (Decrease) in Golfers	(1,319)	Increase (Decrease) in Golfers - Year to Date	
	\$ 17,201	Increase (Decrease) in Receipts	\$ (34,015)	Increase (Decrease) in Receipts - Year to Date	
Mee-Kwon	594	Increase (Decrease) in Golfers	(1,790)	Increase (Decrease) in Golfers - Year to Date	
	\$ 21,503	Increase (Decrease) in Receipts	\$ (35,943)	Increase (Decrease) in Receipts - Year to Date	
Total	1,148	Increase (Decrease) in Golfers	(3,109)	Increase (Decrease) in Golfers - Year to Date	
	\$ 38,704	Increase (Decrease) in Receipts	\$ (69,958)	Increase (Decrease) in Receipts - Year to Date	



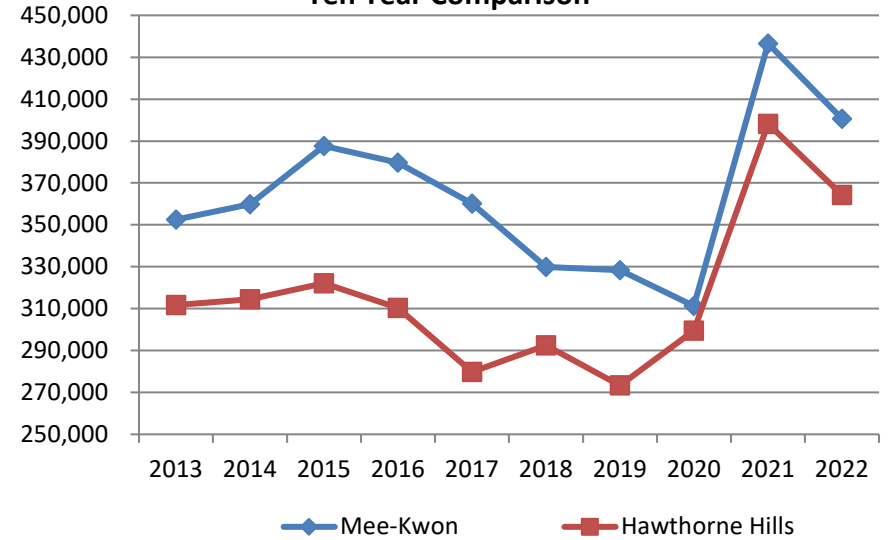


Attachment: P&P_Dept_Golf Courses Daily Revenue June 2022

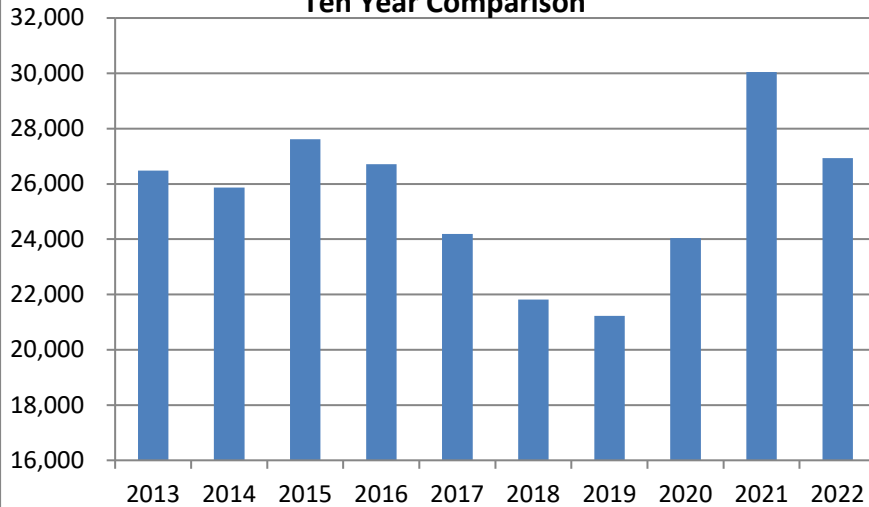
**Number of Golfers per Course March - June
Ten Year Comparison**



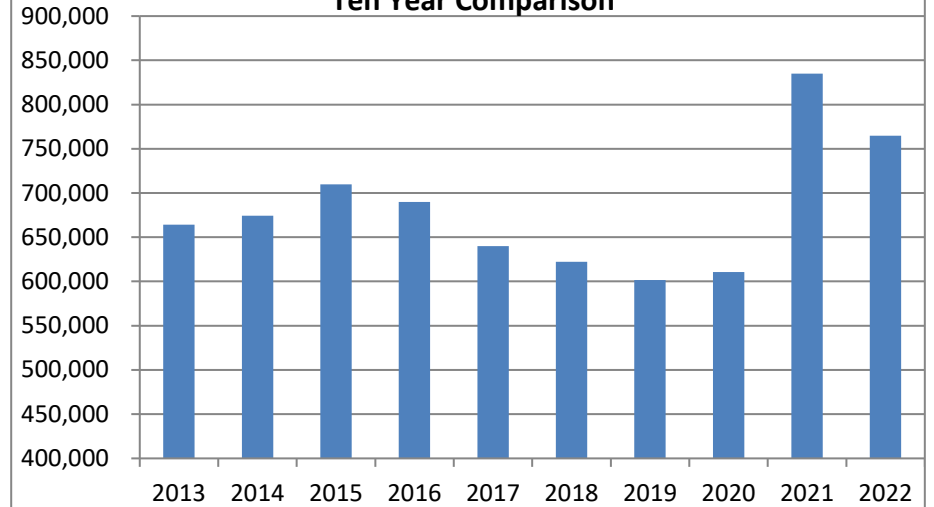
**Receipts per Course March - June
Ten Year Comparison**



**Total Number of Golfers March - June
Ten Year Comparison**



**Total Receipts March - June
Ten Year Comparison**



Pickleball is coming to Fredonia, thanks to county

■ *Waubedonia Park tennis courts to be striped for popular paddle sport*

By **COREY SCHMIDT**

Ozaukee Press staff

A wiffle ball flies across the tennis court as Fredonia resident Kevin Parker plays pickleball with his son, Robert, and wife, Rene.

However, living in Fredonia makes this more of a challenge as the village has yet to install a pickleball court. Because of this, he has to pull out his tape measure and lay down tape each time he plays in town.

Eventually, Parker took the initiative to reach out to the town's Parks and Recreation Committee inquiring about the possibility of getting a more permanent pickleball court in town. When the committee met, they were surprised by another community member who took the initiative to figure things out for them.

As the committee approached the agenda

item, a community member spoke up saying they reached out to the county about the possibility of getting pickleball lines set up at Waubedonia Park, and they were told it was going to happen.

Ryan Mueller, Waubedonia Park's caretaker, said the stencils for the court are in and will be installed by the end of summer. However, a clear timeline is not in the picture. Mueller said the project remains a low priority for the county considering they want to create more camping sites in the park and do work to the pavilion at Covered Bridge in Cedarburg first.

Another delay Mueller mentioned was that the tennis courts need to be power washed prior to putting the lines on to help them last longer.

Village of Fredonia President Donald Dohrwardt is optimistic the courts will bring a positive influence to the village.

"I think it's a good idea, pickleball has become more popular over the years," Dohrwardt said. "We approached the county four years ago, they weren't too interested, but I think it's good it's happening now."



THE TENNIS COURTS at Ozaukee County's Waubedonia Park are to be striped for pickleball, perhaps by the end of summer. *Photo by Sam Arendt*

Parker hopes the Parks and Recreation Committee will take it upon themselves to promote this to the community through programming.

"I believe with the permanent pickleball courts, more residents will get involved with the sport," Parker said. "Tennis is a great sport too, but more difficult to play than pickleball. It would be easy to run a league through the park and rec department or set one up otherwise."



THE OZAUKEE INTERURBAN TRAIL, which spans the length of Ozaukee County, has been in existence for 20 years, providing county residents and visitors with a place to bike, walk, skate and enjoy nature. Celebrating the anniversary at Trail Bridge Park adjacent to the bridge over I-43 in the Town of Grafton Tuesday were (front row, from left) Pam King, president of the Ozaukee County Tourism Council; Elizabeth Mueller, administrator of the Tourism Council; (back row) Tina Kroening, a conservation biologist with the Ozaukee County Planning and Parks Department; and Andrew Struck, director of the department and chairman of the Ozaukee Interurban Trail Advisory Committee.

Photo by Sam Arendt

Trail is Ozaukee's beaten path

■ *Blazed 20 years ago, Ozaukee Interurban Trail has become a popular recreational destination not just for residents but for visitors who help fuel local economy*

By **KRISTYN HALBIG ZIEHM**
Ozaukee Press staff

It's hard to imagine Ozaukee County without the Ozaukee Interurban Trail — a premier, 30-mile walking, biking and hiking trail that leads from one end of the county to the other.

The trail, which is 20 years old, has become part of everyday life for Pam King and many other county residents and visitors.

"I walk on a part of the trail every day," King said. "My husband and I and our family will put our bikes on the car and drive up to Port Washington and head north to the Sheboygan County line. Other times we'll drive to Mequon, and from there the trail connects so wonderfully to Milwaukee County's trail we can get to downtown Milwaukee."

King said the trail is unique not only because it's easily accessible, it's a paved path that goes through both rural and urban areas, verdant countryside and shopping districts, and along farm fields and the Lake Michigan shoreline.

"It gives you a unique set of experiences," she said.

"It's an easy family riding trail," King added, with lots of stops with restrooms and water fountains but it also has challenging parts ideal for serious biking enthusiasts.

The trail isn't just for summertime use. During the winter, people can hike and cross country ski and snowshoe on the trail.

"As a resident of Ozaukee County, I love the idea of having that kind of trail," King said. "Knowing it's literally for all of us right in our own backyards is an amazing thing."



A BICYCLIST RODE across the Ozaukee Interurban Trail bridge over the Milwaukee River in the Town of Grafton Tuesday. The Interurban Trail is unique because it is paved and travels along a variety of settings, from farm fields to municipal shopping districts to woods.

Photo by Sam Arendt

She should know. As executive director of the Grafton Area Chamber of Commerce and president of the Ozaukee County Tourism Council, King has been involved in marketing the trail for years and she's seen the impact it has had not only on her community but throughout the county.

"On any given Saturday and Sunday, I can see people enjoying the trail. They're stopping in our communities, visiting our restaurants and shops," she said.

Kathy Tank, executive director of the Port Washington Tourism Council, noted

that bicycling is a "huge recreational activity in Wisconsin. People plan their trips around it. Bike trails are destinations."

And if people are bicyclists, she said, "They know about the Ozaukee Interurban Trail."

While the trail has been well used since it opened, that use has increased significantly during the pandemic, Tank said.

"Lots of new people discovered the Interurban Trail during the pandemic," she said.

See **Trail** on page 4B

Trail: Use of path has skyrocketed since 2018

FROM PAGE 1B

According to a 2021 report by the county Parks and Planning Department, use of the trail increased from 161,000 in 2018 to 354,700 in 2019 and 514,000 in 2020.

And those users spend money in the communities along the trail, Tank said, stopping for refreshments, visiting shops and staying at area hotels.

Port Washington's two hotels are along the Interurban and use it in their marketing, she noted, and one of the city's bed-and-breakfast inns, the Bailey House, was purchased by its owner, Tammy Thompson-Oreskovic for its location on the trail.

Thompson-Oreskovic also located her shop, ZuZu Pedals, in Port because of the Interurban, Tank added.

It's ironic to think the Interurban Trail, which doesn't allow motorized vehicles on it, got its start as a rail line, said Andrew Struck, Ozaukee County's director of planning and development who Tank called "the guru, the godfather of the Interurban Trail."

It was the route of the Interurban Electric Railway, which opened in 1907

and ran from Milwaukee to Sheboygan. When the rail line ceased operations in 1951, its parent company — today known as We Energies — retained the land. By 1975, the utility began converting some parts into bike paths.

In Ozaukee County, those new bike trails included the City of Port Washington's bike path and stretches of bike paths in the City of Mequon and Village of Grafton.

By the late 1990s, Ozaukee County and many of its municipalities began a collaborative effort working with We Energies to create the Interurban Trail, Struck said.

It wasn't always an easy task, Tank said, noting the project had to be sold not only to the municipalities but also to the County Board.

The county and municipalities received \$1 million in grants from the Department of Transportation to construct the trail, connecting the disparate pieces and then paving the path. Work began in 2001 and the trail opened in 2002.

"We made it a seamless experience for



EVEN IN THE City of Port Washington, the Ozaukee Interurban Trail winds through lush wooded areas.

Press file photo

users," Struck said.

Since then, the county has worked to enhance the trail, such as building a bike and pedestrian bridge over I-43 in the Town of Grafton.

In time, Struck said, the county worked with Sheboygan County to extend the Interurban six miles into Sheboygan County and with Milwaukee County to connect with the Brown Deer Recreational Trail and then the Oak Leaf Trail.

And now, he said, the county is working to have the Interurban included in the Route of the Badger, which seeks to link all the bike trails in southeastern Wisconsin.

The county is also working to get a DOT grant to repave the northern portion of the trail, probably in 2024, Struck said.

"The trail has held up pretty well after 20 years of use," he said, "but it's starting to get cracking and some minor pitting."

Through the years, the county and the Interurban Trail Advisory Council have added amenities, such as repair stations, and they've created a birding guide to the trail, noting the many species that can be seen along the way and where they can generally be found.

The Interurban is a premier attraction in Ozaukee County, Struck said, drawing bicyclists and tourists from throughout the region to the area, but it's much more than just that.

"It really has brought all the county together," he said. "It's been good for the

county to rally around."

Struck said he believes the trail has contributed to the county's ranking as one of the healthiest in the state, noting that it's used for everything from people getting to work and the grocery store to nonprofit groups holding fundraising rides, from pleasure rides to exercise.

"I get a lot of emails from people who tell me the main reason we came to your county was to ride the trail," he said. "I get families telling me how nice it was to ride with their whole family."

Last year, a group of cyclists who were biking around Lake Michigan made it a point to take the Interurban Trail and "they reached out to say it was a nice piece of their journey," Struck said.

The Interurban's 20th anniversary celebration began with a selfie contest in April and plans are in the works to hold another photo contest highlighting the trail throughout the seasons and a fall trail ride.

"We're working to have little events throughout the year just to get people out on the trail," Struck said.

That's the key, just getting people out to enjoy the trail, Tank said.

"People have built it into their everyday lives. They walk it everyday, and run it everyday, and of course they bike it every day," she said. "Little kids have grown up never knowing a time without this."

"And now it's considered one of the best county amenities."

County awarded \$450,000 grant for Cedar Gorge Clay Bluffs

County 'very confident' they will get the needed funds

By Christina Luick
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PORT WASHINGTON — The Ozaukee County Natural Resources Committee is recommending a budget amendment to the County Board for a \$450,000 grant to acquire the Cedar Gorge Clay Bluffs property.

The Ozaukee County Planning and Parks Department received a Wisconsin Department of Natural Resources Office of Great Waters Grant, which brings the county and the Ozaukee Washington Land Trust one step closer to raising the funds needed to purchase the 131-acre property and make it a part of the county park system.

This resolution will have to go to the County Board for final approval.

"The county would be bringing \$2.6 million to closing for acquisition and that is through competitive federal grants and a \$200,000 contribution by the county," said Andrew Struck, Ozaukee County director of Planning and Parks.

A total of over \$4.3 million has been raised out of a \$5.2 million goal, according to the Land Trust's website.

"We feel very confident that we will get the funds needed," Struck said.

The OWLT has spent about a decade working to acquire the property, but faced an unexpected barrier when the state Legislature's Joint Committee on Finance rejected a \$2.3 million Knowles-Nelson Stewardship Grant for the project, which had been approved by the Wisconsin Department of Natural Resources.

The Land Trust was waiting to see if the Joint Committee on Finance would discuss a reduced amount of \$1.6 million at a future meeting, but that hasn't happened. A private buyer has also expressed interest in the property.

Struck told the committee that he's been working with federal agencies at closing the funds the county has been awarded. But he did note that there was a concern that this grant and a \$600,000 U.S. Forest Service Community Forest Program grant would not be ready in time to be wired for closing.

The committee directed Struck to form a resolution for them to take action on in August that would have the county front the amount of the two grants in case they aren't ready for closing. Struck said the county would be reimbursed by the federal grants.

Struck said they are still pursuing getting all the grants to close but this is a backup plan just in case.



Submitted text

Andrew Struck is pictured next to the bike that will take him around Lake Michigan.

Biking in the name of conservation

County official biking 1,000-miles for projects like the Cedar Gorge Clay Bluffs

By Christina Luick
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OZAUKEE COUNTY — An Ozaukee County official who works in the preservation of nature embarked on a 1,000-mile bike journey around Lake Michigan Saturday to raise funds for three critical projects, including the acquisition of the Cedar Gorge Clay Bluffs.

Director of Planning and Parks Andrew Struck has already raised a little over \$3,000 out of his \$3,300 goal Monday to support providing public access to Lake Michigan through the purchase and conservation of the 131-

acre Cedar Gorge Clay Bluffs, which is along the lake's shoreline; construction of a ecologically sensitive, low impact staircase to Lake Michigan at Virmond County Park; and improvements to the Ozaukee Interurban Trail, a paved 30-mile multi-use trail that runs along Lake Michigan.

"I've been fortunate to live most of my life on one of our nation's greatest natural resources, Lake Michigan, one of the amazing Great Lakes!" Struck wrote on his GoFundMe page. "Lake Michigan has always been a special place for me, my family and friends. Lake Michigan is awe-inspiring and a

See **BIKING**, PAGE 6A

Biking

From Page 1A

place for recreation, rest, regeneration and renewal!"

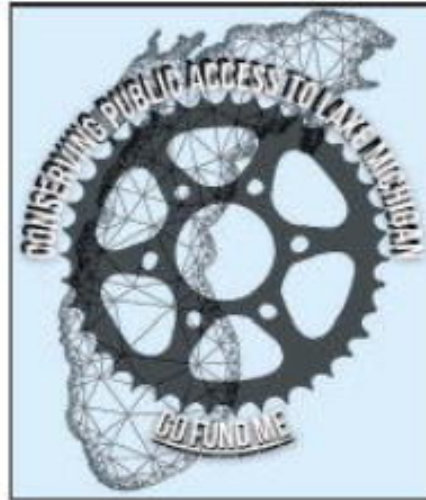
Struck stated that "each project is at a critical juncture, a make-or-break situation," adding that the offer to purchase the Cedar Gorge Clay Bluffs expires in September.

Ozaukee County has been working with the Ozaukee Washington Land Trust to convert the Cedar Gorge Clay Bluffs into a preserve that could be considered a second Lion's Den Gorge Nature Preserve.

"Andrew Struck has been one of the most successful champions in promoting public access for Lake Michigan and bike trails in our region such as the Interurban Trail," said OWLT Executive Director Tom Stolp. "It's perfect that Andrew is taking on the challenge of cycling 1,000 miles to support our community-wide effort to conserve Cedar Gorge Clay Bluffs. I along with the 1,000 families and businesses who have stepped up to donate to Cedar Gorge Clay Bluffs will be cheering him on every mile along the way."

A total of over \$4.3 million has been raised out of a \$5.2 million goal, according to the Land Trust's website.

"Each of these meaningful projects have been a part of my life for over a decade and will ensure the protection of important natural resources, conservation of ecologically sensitive natural areas, and provide public access to these special areas and Lake Michi-



gan!" Struck said. "It is important to me that others get to enjoy and experience the awe of Lake Michigan as I have the majority of my life. These are all special places and projects, and many people, organizations, and agencies have dedicated a decade or more of effort, faced many seemingly insurmountable challenges, and raised significant resources to get them to the point they are now!"

Struck said he likes to bike but he has never gone this many miles at one time. Struck will be back from his journey by August.

To donate to Struck's fundraiser and to keep updated on his journey, visit his GoFundMe page at <https://gofund.me/f4a3df0d>.

Donations may also be made payable to: Ozaukee County Historical Society, Inc (501(c)(3) nonprofit)(payable to) Lake Michigan Ride, c/o Andrew Struck at 121 West Main Street, PO Box 994 Port Washington, WI 53074.

More details about each project can be found at www.co.ozaukee.wi.us/540/Planning-Parks or www.interurbantrail.com.

Hidden historical treasures abound for county 'staycationers'

By Terry Schoessow
Special to the News Graphic

OZAUKEE COUNTY — "An expert is someone from out of town," the old saying goes. The saying may also apply to visiting historical attractions. Vacationers' thoughts often begin with road trips or flight schedules. But with expensive gas and massive flight cancellations, perhaps this is the year for a "staycation" in your home county — the Land of Oz.

Ozaukee County is filled with hidden historical treasures that you perhaps drive past every day. Sure, stop in Cedarburg for milk or gas, but there's a reason it has been featured in national magazines as a prime tourist destination. Some "locals" may not realize that the city has more than 200 preserved buildings in its historic district and eight on the National Register of Historic Places.

Become one of the first Friends of the Cedarburg History Museum! Check out details at cedarburghm.org. "A Treasury of Milwaukee Baseball and Cedarburg Hometown Teams" is the museum's signature display this season.

Don't forget to mark your calendars to attend the annual Ozaukee County Fair on the north end of Cedarburg. Held this year from Aug. 3 to Aug. 7, it is the last fair with free admission in southeast Wisconsin and is celebrating its 163rd year.

Cedarburg boasts a number of museums that celebrate its rich history in art as well. The Cedarburg Art Museum is housed in a grand 1895 home built for the family that ran the Wittenberg Woolen Mill (now home to the Shops of Cedar Creek Settlement and the Cedar Creek Winery) and houses an amazing collection of artwork. The Wisconsin Museum of Quilts & Fiber Arts is located in a 150-year-old historic Midwest farmstead that includes seven original stone and timber structures, the dairy barn with silo, a farmhouse, ice house and summer kitchen/smokehouse.

If you leave Cedarburg and travel south on Cedarburg Road, you will pass the Jonathan Clark House. Built

in 1848, it is one of the oldest houses in Ozaukee County and is open the first Friday and second Saturday of every month from 11 a.m. to 2 p.m. In addition, it offers special events and tours by request. The popular Heritage Days are returning this year as well. Visit jonathanc Clarkhouse.com for details.

Farther south on Cedarburg Road is the Mequon River Postal Museum. Located in the 1839 Isham Day House, directly opposite Mequon's City Hall, it houses a wealth of information about the earliest leaders who served as the community's postmasters. This little 18-foot-by-24-foot home was the community's hub of business and political life in the pre-Civil-War years. It is open on Thursdays from 9 a.m. to 4 p.m. during the summer months. Other times to visit can be arranged by contacting the Mequon-Thiensville Historical Society at 262-242-3107 or by emailing mthistory1839@gmail.com.

Head west on Freistadt Road to its intersection with Granville Road and you'll discover why the road was named. Officially now part of Mequon, the hamlet of Freistadt was settled in 1839 by Pomeranian immigrants in search of religious freedom. That story and much more is told at the Trinity-Freistadt Historical Site, located just southwest of that intersection. The site has 12 buildings, including a log cabin, a blacksmith shop and changing displays. The next event is an Ice Cream Social on Aug. 21, but it is open for rentals and tours at other times. Visit Trinity-Freistadt Historical Site on Facebook.

Did you know that many of the most important recordings in blues history were made at the studio of Paramount Records, located on the grounds of the Wisconsin Chair Company factory in Grafton? Founded in 1917, during an era when 78rpm records were often sold at furniture stores to promote sales of phonographs and phonograph cabinets, Paramount recorded a wide range of music, but today is most famous for the blues recordings it began making in 1922. Between 1929 and 1932, Mis-



Submitted photo

Jonathan Clark House Assistant Director Nina Look, dressed in an era-appropriate dress, greets visitors to the museum.

issippi-born blues pioneers traveled north to record here. Challenge yourself to find the historical marker with more information, and be sure to visit Paramount Plaza as well.

Port Washington's marina and shops rival those of Bayfield or Door County. While you're there, think about stopping at the PW Historical Society Resource Center just "around the turn" on Main Street. It houses the organization's collections, offices and research area with its original tin ceiling, wood floors and plaster walls which were revealed through the restoration of the building. The building, which was awarded a Historic Preservation Excellence Award in 2014 by the Wisconsin Association of

Historic Preservation Commissions, currently has a special WWII exhibit. The exhibit continues across the road at the Port Exploreum. The Exploreum also offers amazing hands-on exhibits that feature the Great Lakes. Just up the street is the 1860 Light Station. For more details and a list of special events, visit PWHistory.org.

Also in Port Washington and located on Grand Avenue, you will find the Judge Eghart House. Built in 1872, this year celebrates 150 years! The house is a Victorian cottage restored through the generous donation of W.J. Niederkorn. Furnished by pioneers and families of the Port Washington area, the Judge Eghart House is a living example of a Victorian Home. Guided tours are on

Saturdays 1 p.m. to 4 p.m. Memorial Day through Labor Day. Adults \$3, children \$1 and groups can call for an appointment.

If you head west on Highway 33, you will be near the Saukville Crossroads Museum operated by the Saukville Area Historical Society. Dedicated to Saukville's local history, the museum is housed in a restored firehouse that was built in 1912, and serves as the historical society's headquarters. The group is hosting a genealogy workshop in July and a River History Day this fall. Check Saukville Historical Society on Facebook for details.

A little northwest of town is the Ozaukee County Pioneer Village, an open-air museum that preserves 24 buildings from the 1840s

through the early 1900s, providing a snapshot of village life in early Ozaukee County. A recent Google reviewer stated the village has "beautiful scenery, well maintained buildings and knowledgeable staff." Run by the Ozaukee County Historical Society, it is open every weekend and also offers a variety of special events.

Belgium hosts a fascinating museum called the Luxembourg American Cultural Society & Center. The center offers interactive displays and research opportunities. You can participate in Luxembourg Fest Week from Aug. 11 to Aug. 14. Celebrate Luxembourg Heritage with a parade, Kids' Zone, live music, food and drinks, a treppen-eating contest and so much more. More details are available at www.lacs.lu.

On June 14, 1885, in the first formal observance of Flag Day, Stony Hill School teacher Bernard J. Cigrand instructed his students to write essays about what the United States meant to them. The purpose was to commemorate the Continental Congress' 1777 adoption of the flag as a national symbol. In 1949, Congress designated the date as National Flag Day. Although the Flag Day celebration is over for this year, you can visit its grounds and see the outside of the beautifully restored schoolhouse on Highway 1 outside of Waubesa.

From south to north, the Land of Oz has much to explore. Don't forget your ruby slippers!



Left, The Cedarburg History Museum's Milwaukee Baseball History exhibit contains baseballs, bats, jerseys, programs and lots of information about the history of America's pastime in Milwaukee. Right, the blacksmith shop is one of 12 buildings available for tour on the Trinity Freistadt Historical Society grounds at 10729 W. Freistadt Road, Mequon.



Submitted photos



PREPARING FOR HIS 1,000-mile bike ride around Lake Michigan, Ozaukee County Director of Planning and Parks Andrew Struck stopped by the Cedar Gorge Clay Bluffs property on the far south side of Port Washington Tuesday. Struck is raising money on his trek for the purchase of the 131 acres of bluff land that would become a county nature preserve, as well as two other projects that would improve lake access.

Photo by Sam Arendt

Going the extra mile for Cedar Gorge

■ *County official Andrew Struck will embark Saturday on a 1,000 mile bike ride around Lake Michigan to raise money for nature preserve, other projects that enhance lake access*

By **KRISTYN HALBIG ZIEHM**
Ozaukee Press staff

Andrew Struck is going above and beyond to help Ozaukee Washington Land Trust purchase the proposed Cedar Gorge Clay Bluffs Nature Preserve — an effort bolstered recently as Ozaukee County received word it received a \$450,000 grant toward the \$5 million purchase.

Struck, Ozaukee County's director of planning and parks, has not only worked behind the scenes to make the project a reality, he is now embarking on a bicycle ride around Lake Michigan to raise money for three projects, among them the Cedar

Gorge purchase.

The other projects are construction of a staircase to Lake Michigan at Virmond Park in Mequon and improvements to the Ozaukee Interurban Trail, which Struck will use to start his 1,000-mile journey.

"Each project is at a critical junction, a make-or-break situation, with deadlines looming," Struck wrote on his GoFundMe page, noting the offer to purchase the 131-acre Cedar Gorge expires in mid-September.

According to the Land Trust website, it has raised \$4.36 million of its \$5.2 million goal.

That includes a \$450,000 grant from the Environmental Protection Agency administered through the Department of Natural Resources' Office of Great Waters.

Struck, who said last month that the county had tentatively been awarded the grant, said he received formal notification of it earlier this month.

"This is good news. We're closing in on it (the fundraising goal)," he said. "This is a big chunk, and the fundraising has been going well. We still have a way to go, but it's looking very good. We're getting close."

See **Cedar Gorge** on page 4B

Cedar Gorge: *Board may be asked to front money*

FROM PAGE 1B

The County Board is expected to formally approve the grant when it meets in early August, he said.

Struck said that depending on when the funds for both this grant and a \$600,000 Forest Service grant are released, the County Board may be asked to front the money.

The funds would then be repaid to the county as soon as the grant money is received, he said, "a maximum of a couple months."

The county had a similar agreement in place in 2015, when the Cedar Gorge property was expected to be purchased as part of the Cedar Vineyard subdivision, he noted.

County Administrator Jason Dzwinel said this sort of agreement would take a two-thirds vote of the board to be approved.

"We're certainly open to bringing that recommendation to the full County Board (if needed)," he said.

Before that would occur, he said, the matter would be considered by the Natural Resources Board and either the Finance or Executive committee.

The county and Land Trust have been working for years to acquire the 131-acre

Cedar Gorge property on Port Washington's far southeast side.

Initially, the two were to buy the land as part of the Cedar Vineyard subdivision project, but when that did not move ahead the Land Trust made a successful bid to buy the land from Waukesha State Bank.

Fundraising was going well when an anonymous legislator blocked the Joint Finance Committee's approval of a \$2.3 million Knowles-Nelson Stewardship grant — later reduced to \$1.3 million — and an anonymous developer stepped forward to buy the land if the Land Trust doesn't.

Since then, the Land Trust has redoubled its efforts to make up for the lost grant.

Struck said Tuesday he had been thinking about doing a ride around the lake for some time, the need to raise funds for Cedar Gorge prompted him to set out now.

"I want to help us get over this last hump," he said. "I do like biking, although I haven't been out as much as I'd like these last few years.

"It's nice to bring awareness to Lake Michigan. That's a passion of mine," he said. "The timing is really good right now."

On his GoFundMe page, he notes that all three projects involve conservation and

public access to Lake Michigan.

"I've been fortunate to live most of my life on one of our nation's greatest natural resources, Lake Michigan," he wrote. "Lake Michigan is awe-inspiring and a place for recreation, rest, regeneration and renewal."

He noted that each of the projects he is raising money for has been part of his life for more than a decade "and will ensure the protection of important natural resources, conservation of ecologically sensitive natural areas and provide public access to these special places and Lake Michigan."

Struck said he will leave his Grafton

home on Saturday to head to Manitowoc on the first leg of his journey.

He plans to go as far as Indiana Dunes, then drive around Chicago, saying that biking through the Windy City would take more time than he has. But, he said, he'll make up that distance as he goes along.

Struck said he will be accompanied by a support team just in case he runs into problems along the way.

"Hopefully I won't run into a streak of bad weather," he said.

"I think this will be a fun adventure, a challenge."

Struck said he plans to be back home by the end of the month.

County projects receive over \$161,000 in state coastal grants

MADISON — Three Ozaukee County projects were among those to get a slice of the more than \$1.4 million in grants Gov. Tony Evers announced that the state is giving to support economic development, protect Wisconsin shorelines and create resiliency in Wisconsin's Great Lakes coastal communities.

Grants will be used by local, state and tribal governments, regional planning commissions, universities and nonprofit organizations to assist with 41 projects totaling over \$3.4 million, according to a press release from the governor's office.

Those given to projects with Ozaukee County ties and the grant amount received are:

■ **Stormwater Wetland Restoration and Groundwater Investigation at Virmond County Park in Mequon**, \$96,000. The project investi-

gates groundwater and works to improve stormwater drainage at Virmond County Park.

■ **Port Washington Historic North Breakwater Lighthouse Preservation Engineering and Design**, \$40,000. The project will create engineered plans and specifications to restore the Port Washington Historic North Breakwater Lighthouse structure to its original condition.

■ **Small Business Assessment: Gauging Spill Prevention Preparedness in Southeastern Wisconsin**, \$25,825. The project calls for developing and conducting an assessment in Milwaukee and Ozaukee counties to gauge knowledge gaps related to best management practices and water quality in the business sector.

"The Great Lakes are critical gateways to our state and provide fresh water, jobs, recreation and an

improved quality of life for folks across our state, especially those who call our coastal communities home," Evers said. "From the Apostle Islands to Zoo Beach in Racine, these investments will help ensure we protect our vast and valuable freshwater resources by enhancing sustainability and resilience, and supporting local economies, jobs and recreational and educational opportunities on our freshwater coasts."

Recipients for 2022-23 grants were recommended by the Wisconsin Coastal Management Council, a governor-appointed citizen and governmental advisory group.

The next request for proposals will be available in August, with an application deadline of early November. An interactive story map with details about some past coastal grants can be seen at <https://bit.ly/3zbKPM3>.