



# Proceedings of Green County Board of Supervisors

**DECEMBER 9, 2003**

Thomas L. Daly, Chair, called the meeting to order.  
The Clerk read the roll with 28 present, 2 excused being Wellnitz and Gomer, and 1 absent being Scheppele.

The Board recited the Pledge of Allegiance.  
Motion by Dalton, seconded by Condon to approve the minutes of the November 12, 2003 meeting. Motion carried by a unanimous voice vote.

Motion by Francois to nominate Dallas Cecil for Highway Commissioner for another 2 year term. Motion by Wickline, seconded by Timm to close nominations and cast a unanimous ballot for Dallas Cecil. Motion passed by a unanimous voice vote.

**RESOLUTION 12-1-03**

*Resolution Transferring Delinquent Tax Certificates*

**WHEREAS**, the following described 2000 tax delinquent real estate property parcels, tax certificates, property owners and municipalities are hereby presented to the Green County Board of Supervisors.

CERTIFICATE NUMBER	NAME & ADDRESS	AMOUNT DUE
<b>TOWN OF ADAMS</b>		
25571	Donald D Dammen N6683 Dougherty Creek Rd Argyle WI 53504	\$1,070.53
<b>TOWN OF CADIZ</b>		
25677	Gary Ballmoos W7902 Hudson Rd Browntown WI 53522	\$2,135.04
<b>TOWN OF CLARNO</b>		
25690	Mark L Krebs & Donna K Krebs W6634 Franklin Rd Monroe WI 53566	\$153.29
25691	Mark L Krebs & Donna K Krebs W6634 Franklin Rd Monroe WI 53566	\$56.12
25694	Randal Stark N992 Woodman Rd Monroe WI 53566	\$526.77
25696	Randal Stark N992 Woodman Rd Monroe WI 53566	\$1,996.99
<b>TOWN OF EXETER</b>		
25767	Robert L Weber & Barbara A Weber W3111 Hwy 92 Belleville WI 53508	\$1,425.51
25782	Wisconsin-World Investment, Inc N8889 Cty D Belleville WI 53508	\$1,880.80
<b>TOWN OF JEFFERSON</b>		
25785	Mark A Bredeson PO Box 102 Juda WI 53550	\$2,034.72
<b>TOWN OF MONROE</b>		
25828	Daniel R Roberts & Shelli L N4433 Cty N Monroe WI 53566	\$2,495.53
25829	Daniel R Roberts & Shelli L N4433 Cty N Monroe WI 53566	\$105.57
<b>TOWN OF MOUNT PLEASANT</b>		
25845	Roger A Zimmerman LC N6458 River Rd Monticello WI 53570	\$126.33
25847	Roger A Zimmerman N6458 River Rd Monticello WI 53570	\$618.50
<b>TOWN OF SPRING GROVE</b>		
25901	Mrs Frank Haas c/o Victor Tollakson Jr 2692 N River Bend Rd Argyle WI 53504	\$81.05
<b>TOWN OF YORK</b>		
25992	John E Hirth W9120 Sawmill Rd Blanchardville WI 53516	\$1,067.73
<b>VILLAGE OF ALBANY</b>		
26014	ALBERT A SEVERSON 100 S JACKSON ST APT 101 ALBANY WI 53502	\$64.28
26017	Penelope D Rosa 400 Sugar River Parkway Albany WI 53502	\$2,212.71
26024	Jeanette Sergent 410 Third St Albany WI 53502	\$1,412.41
26025	Kenneth D Pflager 103 N Cincinnati Albany WI 53502	\$50.55
26032	Troy D & Renee L Dickey 1006 21st Street Lot 85 Brodhead WI 53520	\$77.12
<b>VILLAGE OF BELLEVILLE</b>		
26045	Gary A Butenhoff & Jolene J Butenhoff 318 S Harrison St Belleville WI 53508	\$1,981.60
26046	Jolene J Butenhoff 318 S Harrison St Belleville WI 53508	\$4,045.25
<b>VILLAGE OF MONTICELLO</b>		
26073	Mary P Zurbuchen Box 224 210 E Highland Monticello WI 53570-014	\$931.85
26079	New-Bel-Mo Enterprises % Monticello-Karlotta Kt 1020 Lincoln Ave Fennimore WI 53809	\$211.87
26080	New-Bel-Mo Enterprises % Monticello Karlotta Kt 1020 Lincoln Ave Fennimore WI 53809	\$1,508.23
<b>VILLAGE OF NEW GLARUS</b>		
26097	JoAnn K Wainwright PO Box 707 513 5th St New Glarus WI 53574	\$2,053.32
26121	Kevin J & Tena K Koch 912 Railroad St Box 84 New Glarus WI 53574	\$2,823.33
<b>CITY OF BRODHEAD</b>		
26133	Bank One NA Litton Loan Services LP 4828 Loop Central Dr Houston TX 77081-2226	\$791.83
26142	Craig P Hargrave & Karin M Hargrave 806 E 2nd Ave Brodhead WI 53520	\$1,859.19
26154	Brodhead Youth Center 1009 W 3rd Ave Brodhead WI 53520	\$199.82
26156	Dale T Steadman 1001 W 2nd Ave Brodhead WI 53520	\$387.80
26163	William G Mitchell & Mary C Mitchell 904-12th St Brodhead WI 53520	\$292.32
26175	Dale T Steadman 1101 W 3rd Ave Brodhead WI 53520	\$986.38
26181	Susan K Clark 1208 15th Street Brodhead WI 53520	\$2,385.31
26186	Kenneth A Steele LC 907 17th St Brodhead WI 53520	\$425.92
26196	Charles A Wiesner 2001 W 6th Ave Brodhead WI 53520	\$2,565.96
26197	Charles A Wiesner 2001 W 6th Ave Brodhead WI 53520	\$375.39
26206	Dale T Steadman 1001 W 2nd Ave Brodhead WI 53520	\$780.67
<b>CITY OF MONROE</b>		
26218	Marla L Gibbons 828 18th Ave Monroe WI 53566	\$1,920.83
26219	Edith A Milestone & Hans Kossmann P.O. Box 114 Monroe WI 53566	\$779.10
26224	Dan L Schneider	\$2,094.01

26247	& Darlyne Schneider 2134 16th Ave Monroe WI 53566	\$175.38
26281	Terry L Troxell 1019 15th St Monroe WI 53566	\$1,575.57
26297	Dean A Leuzinger & Sylvana V Leuzinger 903 23rd St Monroe WI 53566	\$1,742.70
26320	David J Pinnow & Ember Y 1923 7th St Monroe WI 53566	\$994.41
26328	Larry L Leck etux 802 11th Ave Monroe WI 53566	\$1,652.51
26334	Bruce D Helmeid & Ginger M Helmeid 719 28th Ave Monroe WI 53566	\$1,212.12
26338	Rudy A Bennett & Kathryn A Bennett 3023 15th St Monroe WI 53566	\$2,156.35
26339	Edward A & Denise F Fiez Monroe WI 53566	\$514.39
26351	Cyril L Waelti & Judith A Waelti 1502 Parkview Dr Monroe WI 53566	\$4,983.40
26354	Harmony Manor, LLC Urquhart%HMU Mngmt Glen 5100 Eden Ave Suite 201 Edina MN 55436	\$8,247.11

**NOW, THEREFORE, BE IT RESOLVED** by the Green County Board of Supervisors in legal session assembled, that the Board approve the sale or transfer of the tax certificates included in Resolution 12-1-03 from the Green County Treasurer to the Green County Clerk; and  
**BE IT FURTHER RESOLVED** that the Clerk be authorized and instructed to proceed with tax deed processing, delinquent tax collection efforts, and issuance of tax deeds, pursuant to Chapter 75, Wis. Stats.

**SIGNED: PROPERTY, PURCHASING AND INSURANCE COMMITTEE:**

Lee Kirsch, Chair	Jeff Thomm
Don Timm	William Wellnitz
Steve Scheppele	

Motion by Kirsch, seconded by Keegan to adopt Resolution 12-1-03. Motion carried by a unanimous voice vote.

**RESOLUTION 12-2-03**

*Resolution Authorizing SMG Contract (Over \$75,000)*

**WHEREAS**, County Code Section 1-11-2, entitled COUNTY PURCHASES AND CONTRACTS, provides for review, approval and execution of all County contracts and purchases necessary to carry out approved budget operations; and

**WHEREAS**, Section 1-11-2(A) (4) STATES: Cost or price in excess of seventy-five thousand dollars (\$75,000.00), recommendation by the appropriate department head and the supervisory committee to the full County Board with approval by the full Board before the purchase is made. Execution of the contract documents shall be by the Green County Board Chair and the appropriate Committee Chairperson, after the document has been reviewed by the Green County Corporation Counsel.

**NOW, THEREFORE, BE IT RESOLVED** by the Green County Board of Supervisors, in legal session assembled, that the Board approve the recommendation of the Green County Finance and Accounting Committee for the contracting of services with the following agency for the contract year 2004:

**Systems Management Group (SMG) - Total contract \$138,000.00**

**SIGNED: GREEN COUNTY FINANCE AND ACCOUNTING COMMITTEE:**

Arthur Carter, Chair	Sue Disch, Vice-Chair
Thomas L. Daly	Michael Furgal
Dave Rufenacht	

**REVIEWED AND APPROVED BY:**

Arthur Carter, Chair	Thomas L. Daly
Finance and Accounting Committee	County Board Chair
William Morgan	
Corporation Counsel	

Motion by Carter, seconded by Furgal to adopt Resolution 12-2-03. Motion carried by a unanimous voice vote.

**RESOLUTION 12-3-03**

*Resolution Authorizing Investment of Monies for 2004*

**WHEREAS**, Green County Code §1-11-4 provides that the Finance and Accounting Committee may consider investment of funds not needed for current use in any manner permitted pursuant to §66.0603(1m), Wis. Stats., where such an investment may be made to the reasonable advantage of Green County and its taxpayers; and

**WHEREAS**, pursuant to Green County Code §1-11-3-B., Green County has elected to participate in the State of Wisconsin's Local Government Pooled Investment Fund; and

**WHEREAS**, Green County Code §1-6-10 authorizes the Green County Treasurer to invest County funds, provided that he or she consult with the Finance and Accounting Committee on a regular basis regarding investment policy and procedure.

**NOW, THEREFORE, BE IT RESOLVED** by the Green County Board of Supervisors, in legal session assembled, that the Board approve the recommendation of the Finance and Accounting Committee authorizing the Treasurer to invest County funds for the year 2004 at any financial institution, including credit unions, banks, savings banks, trust companies or savings and loan associations located in the County of Green which is authorized to transact business in the state of Wisconsin so long as the amount of investments at any particular financial institution not exceed \$500,000.00.

**BE IT FURTHER RESOLVED** that the Treasurer shall provide quarterly reports of the yields offered by the various financial institutions of the County.

**SIGNED: FINANCE AND ACCOUNTING COMMITTEE**

Arthur Carter, Chair	Sue Disch, Vice-Chair
Thomas Daly	Mike Furgal
Dave Rufenacht	

Motion by Carter, seconded by Disch to adopt Resolution 12-3-03. Motion carried by a unanimous voice vote.

**RESOLUTION 12-4-03**

*Resolution Increasing County Employee Health Insurance Monthly Premium*

**WHEREAS**, Green County Code section 1-7-4 identifies the Personnel and Labor Relations Committee as the committee of record responsible for contracting, development, funding and determination of provider for county employee health insurance; and

**WHEREAS**, since April 1, 1991, Green County has operated on a self-funded basis with Medical Benefits Administrators (MBA) [formerly Preferred Administrative Services (PAS)] serving as third party administrator; and

**WHEREAS**, monthly payments are submitted to MBA for claims and administrative expenses, with funds provided by premium rates established by the County Board, as recommended by the Personnel and Labor Relations Committee based on claims history and experience.

**NOW, THEREFORE, BE IT RESOLVED**, by the Green County Board of Supervisors, in legal session assembled, that the Board approve the recommendation of the Personnel and Labor Relations Committee for the increase in monthly health insurance rates as follows:

**Full-time Employees and Retirees:**

	<u>Present Rate</u>	<u>New Rate</u>
<b>Family Policy</b>	<b>\$1,050.00</b>	<b>\$1,210.00</b>
<b>Single Policy</b>	<b>\$ 425.00</b>	<b>\$ 490.00</b>

**Cobra:**

	<u>Present Rate</u>	<u>New Rate</u>
<b>Family Policy</b>	<b>\$1,071.00</b>	<b>\$1,234.20</b>
<b>Single Policy</b>	<b>\$ 433.50</b>	<b>\$ 499.80</b>

and

**BE IT FURTHER RESOLVED**, that the effective date for the rate increase will be established as the payment for February 2004 coverage, due in January 2004.

**SIGNED: THE PERSONNEL AND LABOR RELATIONS COMMITTEE:**

Arthur Carter, Chair	Thomas Daly
Ray Francois, Vice-Chair	Mary Alice Hart
Michael Furgal	Dave Rufenacht
Harvey Mandel	

Motion by Carter, seconded by Furgal to adopt Resolution 12-4-03. Motion passed by a unanimous voice vote.

**RESOLUTION 12-5-03**

*Resolution Approving County Worker's Compensation Insurance Purchase*

**WHEREAS**, County Code Section 1-11-2, entitled COUNTY PURCHASES AND CONTRACTS, provides for review, approval and execution of all County contracts and purchases necessary to carry out approved budget operations; and

**WHEREAS**, Section 1-11-2(A) (4) STATES: Cost or price in excess of seventy-five thousand dollars (\$75,000.00), recommendation by the appropriate department head and the supervisory committee to the full County Board with approval by the full Board before the purchase is made. Execution of the contract documents shall be by the Green County Board Chair and the appropriate Committee Chairperson, after the document has been reviewed by the Green County Corporation Counsel.

**NOW, THEREFORE, BE IT RESOLVED** by the Green County Board of Supervisors, in legal session assembled, that the Board approve the recommendation of the Green County Property, Purchasing and Insurance Committee for the purchase of the county's worker's compensation insurance with the following company for the year 2004:

**Wisconsin County Mutual (Aegis Corporation):**

**Total Premium \$300,044.00**

**SIGNED: PROPERTY, PURCHASING AND INSURANCE COMMITTEE:**

Lee Kirsch, Chair	Steve Scheppele, Vice-Chair
Jeff Thomm	Don Timm
William Wellnitz	

**REVIEWED AND APPROVED BY:**

Lee Kirsch, Chair	Thomas L. Daly
Property, Purchasing and Insurance Committee	County Board Chair
William Morgan	
Corporation Counsel	

Motion by Kirsch, seconded by Timm to adopt Resolution 12-5-03. Motion carried by a unanimous voice vote.

**ORDINANCE 03-1201**

*Addition of Private Water Systems Ordinance*

**WHEREAS**, the Green County Land Conservation Committee is directed by statute to implement measures for the conservation, development, utilization and control of water within the County; and

**WHEREAS**, the County is permitted to adopt an optional well code ordinance pursuant to §59.70(6) and §280.21, Wis. Stats.; and

**WHEREAS**, the Green County Land Conservation Manager has determined that such an ordinance would be an appropriate tool to assist the Land Conservation office to protect and preserve the County's waters.

**NOW, THEREFORE, BE IT ORDAINED** by the Green County Board of Supervisors, in legal session assembled, that the Green County Code is hereby amended to include Title 9, Chapter 3, as follows:

**CHAPTER 3  
PRIVATE WATER SYSTEMS ORDINANCE**

**SECTION:**

- 9-3-1: Authority and Adoption**
- 9-3-2: Jurisdiction**
- 9-3-3: Purpose**
- 9-3-4: Intent**
- 9-3-5: Effective Date**
- 9-3-6: Severability and Non-liability**
- 9-3-7: Repeal**
- 9-3-8: Definitions**
- 9-3-9: County Responsibilities**
- 9-3-9-1: Well and Drill Hole Abandonment**
- 9-3-10: Administrator**
- 9-3-10-1: Qualifications of Administrator**
- 9-3-10-2: Powers**
- 9-3-10-3: Duties of Administrator**
- 9-3-11: Appeals**
- 9-3-12: Violations**
- 9-3-13: Administrator Directives and Orders**
- 9-3-13-1: Field Directive**
- 9-3-13-2: Formal Directive**
- 9-3-13-3: Correction Order**
- 9-3-14: Enforcement Actions**

**9-3-1: AUTHORITY AND ADOPTION**

A. This ordinance is adopted under the authority granted to the County by §§59.70(6) and 280.21, Wis. Stats., and ch. NR 845, Wis. Adm. Code.

B. This ordinance is subject to the provisions of §§59.70(6) and 280.21, Wis. Stats., and all rules promulgated thereunder regulating private water systems.

C. Failure to comply with any of the provisions of such regulations shall constitute a violation of this ordinance, actionable according to the penalties provided herein.

D. This ordinance applies to the entire county and includes cities, towns, villages and sanitary districts in the county.

**9-3-2: JURISDICTION**

The provisions of this ordinance shall apply to all private water systems within Green County pertinent to well abandonment and drill hole abandonment.

**9-3-3: PURPOSE**

The purpose of this ordinance is to protect the drinking water and groundwater resources of the county by governing access to groundwater through regulating well abandonment and drill hole abandonment. This ordinance does not pertain to ground water monitoring wells or any community water system.

**9-3-4: INTENT**

The intent of this ordinance is to regulate well abandonment and drill hole abandonment and to provide for administration and enforcement of this ordinance.

**9-3-5: EFFECTIVE DATE**

This ordinance shall be effective upon its adoption by the Green County Board of Supervisors.

**9-3-6: SEVERABILITY AND NON-LIABILITY**

If any section, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected. The County asserts that there is no liability on the part of the Board of Supervisors, its agencies, or employees for any health hazards or damages that may occur as a result of reliance upon, and compliance with, this ordinance.

**9-3-7: REPEAL**

All other county ordinances or parts of ordinances inconsistent or conflicting with this ordinance, to the extent of the inconsistency only, are repealed.

**9-3-8: DEFINITIONS**

**ADMINISTRATOR:** The county employee designated by the County Board of Supervisors to administer ch. NR 812, Wis. Adm. Code pertinent to well abandonment and drill hole abandonment in the county as authorized by the department.

**CENTRAL OFFICE:** The bureau of water supply, located in Madison, Wisconsin, which functions as the coordinating authority for the statewide water supply program.

**COMMUNITY OFFICE STAFF:** County office personnel trained to answer general well abandonment and drill hole abandonment questions.

**COMMUNITY WATER SYSTEM:** Has the meaning designated in ch. NR 811.02(9), Wis. Adm. Code.

**DELEGATION LEVEL:** The program level, as set forth in ch. NR 845.05, Wis. Adm. Code, at which a county is authorized to administer and enforce ch. NR 812, Wis. Adm. Code.

**DEPARTMENT:** The Department of Natural Resources.

**DISTRICT OFFICE:** The department office located in Madison, Wisconsin.

**EXISTING INSTALLATIONS:** Has the meaning designated in ch. NR 812, Wis. Adm. Code.

**HEALTH HAZARD:** A condition which constitutes:

1. A violation of ch. NR 812, Wis. Adm. Code, regarding the installation, construction, operation or maintenance of a private well; or
2. Confirmed bacteriologically-unsafe well water quality.

**NON-COMMUNITY WATER SYSTEM:** A public water supply system that is not a community water system. It serves at least 25 persons per day at least 60 days each year. A non-community water system commonly serves a transient population rather than permanent year-round residents. This is typically an individual well serving a restaurant, industry, service station, tavern, motel, campground or church.

**NON-COMPLYING WELL OR PUMP INSTALLATION:** A private water system not in compliance with all provisions of ch. NR 812, Wis. Adm. Code, in effect at the time the well was constructed or the pump was installed.

**PERSON:** An individual, corporation, company, association, cooperative, trust, institution, partnership, state, public utility, sanitary district, municipality or federal agency.

**PERSONAL INTEREST:** Having a financial interest in a property or being related by marriage or birth to a person having a financial interest in a property.

**PRIMARY DRINKING WATER STANDARDS:** Those maximum contaminant levels which represent minimum public health standards set forth in ch. NR 809, Wis. Adm. Code.

**PRIVATE WATER SYSTEM ORDINANCE:** A county ordinance, approved by the department, regulating private water systems at the county's authorized delegation level.

**PRIVATE WELL:** For the purpose of this ordinance, any drilled, driven point, dug, bored or jetted well constructed for the purpose of obtaining groundwater for potable use, including wells constructed in special well casing depth areas and non-community wells. It does not include springs, or private or public wells that require written plan approval from the department.

**PUBLIC WATER SYSTEMS:** Has the meaning designated in ch. NR 812, Wis. Adm. Code.

**VARIANCE:** An approval issued by the department under ch. NR 812, Wis. Adm. Code, allowing a private water system to vary from ch. NR 812, Wis. Adm. Code requirements if department approved conditions are met.

**WATER SYSTEM:** The water collection, storage, treatment facilities and all structure, piping and appurtenances by which water is provided.

**WELL:** Has the meaning designated in §280, Wis. Stats.

**WELL CONSTRUCTION:** The procedures, methods, materials and equipment used during the construction or reconstruction of a private well.

**9-3-9: COUNTY RESPONSIBILITIES**

**9-3-9-1: WELL AND DRILL HOLE ABANDONMENT**

It is the County's responsibility to require the proper abandonment of wells not in service, or that will be taken out of service, if the well is abandoned, or non-complying. The County may require abandonment of a well with water exceeding a primary drinking water standard listed in ch. NR 809, Wis. Adm. Code, or other chemical compounds for which state health advisory limits have been issued including inorganic and organic compounds, after consultation with and approval by the department.

The County shall cooperate with all other governmental units and agencies in the enforcement of all state and local laws and regulations pertaining to matters in this ordinance.

**9-3-10: ADMINISTRATOR**

The County Land Conservationist shall act as the Green County Administrator and is assigned the duties of administering the private water system program in accordance with department rules.

The administrator or authorized assistant shall have the power and duty to enforce the provisions of this ordinance and all other ordinance, laws and orders of the County and of the State of Wisconsin which relate to the abandonment of all private water systems within the County at the County's authorized delegation level.

**9-3-10-1: QUALIFICATIONS OF ADMINISTRATOR**

The administrator shall be informed on the principles and practices of well abandonment and drill hole abandonment.

**9-3-10-2: POWERS**

The County Administrator or authorized assistant shall have all the powers necessary to enforce the provisions of this ordinance commensurate with the level or levels of the County's delegated authority including the following:

A. In the performance of his or her duties, the administrator or an authorized assistant may enter any building or property upon presentation of the proper credential, during reasonable hours for the purpose of inspecting the private water system for purposes pertinent to well abandonment and drill hole abandonment. No person may interfere with the administrator or an authorized assistant in the performance of his or her duties. Any person interfering shall be in violation of this ordinance and subject to penalty as provided by this ordinance. If consent to enter property for inspection purposes is denied, the administrator may obtain a special inspection warrant under §§66.0119(1)&(2) and 66.0119(3), Wis. Stats.

B. Order any person owning, operating or installing a private water system to abandon, repair or place it in a complying safe or sanitary condition if the system is found to be abandoned, or if not in compliance with ch. NR 812, Wis. Adm. Code, or the county ordinance.

**9-3-10-3: DUTIES OF ADMINISTRATOR**

It shall be the duty of the administrator or authorized assistant to enforce the provisions of this ordinance and perform the following duties commensurate with the level or levels of the County's delegated authority.

A. Provide the department with copies of all abandonment inspection forms and correspondence as required by ch. NR 845, Wis. Adm. Code.

B. Investigate and record all private water system complaints pertinent to well abandonment and drill hole abandonment.

C. Investigate cases of noncompliance with this ordinance, ch. NR 812, Wis. Adm. Code, and §280, Wis. Stats., issue orders to abate the noncompliance and submit violations to the District Attorney or Corporation Counsel for enforcement.

D. Refer complaints and cases of noncompliance believed to be or known to be beyond the scope of the County's delegation level to the department.

E. Cooperate with all other government units and agencies in the enforcement of all state and local laws and regulations of matters related to this ordinance.

F. Assist the department as specified in ch. NR 845, Wis. Adm. Code.

G. Refer variance requests and actions which require department approval to the department.

H. Advise owners not to drink or use water from private water systems under conditions specified in ch. NR 845, Wis. Adm. Code.

**9-3-11: APPEALS**

Persons seeking to appeal decisions of the administrator under this ordinance shall file written letters of appeal with the administrator. The administrator shall place the appeal on the agenda of the Land Conservation Committee and the appeal shall be given a due process proceedings in accord with §59.69(2)(e), of the Wisconsin Statutes. The Committee shall decide whether to uphold, uphold with modifications or reverse the administrator's decision based upon the terms and intent of this ordinance and the relevant state laws and administrative rules. No appellate decision of the Committee shall have the effect of approving an existing or proposed condition that would violate this ordinance or state law or administrative rule. Appeals that may only be approved by the

granting of a variance to ch. NR 812, Wis. Adm. Code, shall be referred to the department pursuant to ch. NR 845.09(11)(b), Wis. Adm. Code. Board appellate decisions shall be made in writing and shall be filed in the administrator's office. Appeals of decisions made by authorized agents on behalf of the administrator shall be made first to the administrator and then be appealable as provided herein.

**9-3-12: VIOLATIONS**

The administrator shall investigate violations of the Private Water System Ordinance and ch. NR 812, Wis. Adm. Code, relating to the County's authorized delegation level(s), issue orders to abate the violations and submit orders to the District Attorney or Corporation Counsel for enforcement.

**9-3-13: ADMINISTRATOR DIRECTIVES AND ORDERS**

**9-3-13-1: FIELD DIRECTIVE**

The administrator, after investigation and a determination that a violation exists, may issue a written field directive. This field directive may consist of a handwritten note on an inspection report, or similar paper, identifying the violation that has occurred and assigning a date by which the violation must be corrected, and shall include the inspector's telephone number and office address.

**9-3-13-2: FORMAL DIRECTIVE**

A formal letter may be issued, which states the violation, the ordinance (administrative rule or statutory) section violated, the date the violation was noted, the inspector who noted the violation and assigns a date by which the correction must be made.

**9-3-13-3: CORRECTION ORDER**

Upon discovery and after documentation of a violation, the administrator may issue a corrective order. The administrator may use a stepped enforcement procedure by issuing a directive before an order, or may proceed directly to issuing a correction order. An order shall include the following:

- A. The location of the violation (site).
- B. The name of the parties involved, owner, permittee, well constructor, or pump installer.
- C. The section of the ordinance and Wisconsin Administrative Code section violated.
- D. The date of inspection of the site where the violation occurred.
- E. The name of the person who conducted the inspection which revealed the violation.
- F. The date by which the correction must be completed.
- G. The name of the person who must be contacted regarding subsequent inspection of the site.
- H. A statement that, if the order is not complied with, the administrator will refer the violation to the District Attorney or Corporation Counsel with a recommendation to seek injunctive relief and/or forfeitures from the Circuit Court of Green County. Orders must be signed by the administrator of the private water system ordinance.

I. The administrator shall report all orders that have not been complied with to the Green County Corporation Counsel for enforcement.

**9-3-14: ENFORCEMENT ACTIONS**

A. An enforcement action may be brought by the Corporation Counsel against a person or persons for any of the following violations:

1. Failure to comply with any provision of this ordinance.
  2. Failure to comply with any directive or order issued by the county administrator.
  3. Resisting, obstructing or interfering with the county administrator's, or an authorized assistant's, actions undertaken pursuant to this ordinance.
- B. The County Corporation Counsel may, for any violation, seek:
1. Injunctive relief and/or
  2. Forfeitures of not less than \$50.00 but not more than \$200.00.
3. Each day of violation is a separate offense.

**SIGNED: LAND CONSERVATION COMMITTEE**

Tom Daly, Chair

Oscar Olson

Dan Karlen

Motion by Olson, seconded by Torkelson to adopt Ordinance 03-1201. Motion carried by a unanimous voice vote.

Chair Daly called for a five (5) minute recess to allow time for set-up of the tourism exhibit.

Meeting reconvened and called to order by Chair Daly at 8:15 PM.

Presentation for Green County Tourism was made by Noreen Rueckert, Tourism Coordinator.

Motion by Cousin, seconded by Hart to approve the following travel request: Heather Andrews to attend the Childrens Waiver Training on December 11-12 in Stevens Point. Motion carried by a unanimous voice vote.

Motion by Disch, second by Dalton to adjourn. Motion passed.

STATE OF WISCONSIN )

)SS

COUNTY OF GREEN )

I, Michael J. Doyle, County Clerk, in and for said County, do hereby certify that the above and foregoing is a true and correct copy of the proceedings of the County Board of Supervisors of Green County, Wisconsin, on their meeting of December 9, 2003, A.D.

Michael J. Doyle

Green County Clerk