

COUNTY/MUNICIPAL INTERGOVERNMENTAL MEETING
Thursday, May 10, 2018
9:30 A.M.

Please share these notes with the staff in your municipality

Present:

Chuck Schneider, Chair – Town of Brothertown;
Wilmer Geiser, Chair – Town of Charlestown;
Gary Winkler, Chair – Town of New Holstein;
Eugene Mertz, Chair – Town of Rantoul;
Jim Salm, President – Village of Harrison;
Travis Parish, Administrator – Village of Harrison;
Gary Lemke, President – Village of Potter;
Roger Kaas, Vice President – Village of Sherwood;
Greg Zickuhr, Trustee – Village of Stockbridge;
Gary Dieter, Mayor – City of Brillion;
Rick Jaeckels, Mayor – City of Chilton;
Josh Radomski, Public Works Director – City of Menasha;
Joe Stephenson, Associate Planner – City of Menasha;
Rachel Skenandore – NE Region Director, WI Dept of Admin, Div of Intergovernmental Relations;
Alice Connors, Chair – Calumet County Board of Supervisors;
Todd Romenesko, Calumet County Administrator;
Kimberly Tenerelli, Corporation Counsel;
Bonnie Kolbe, Health Division Manager;
Matt Payette, Calumet County Director of Planning, Zoning & Land Information;
Patricia Winkler, Assistant to the County Administrator.

Introduction and welcome by Alice Connors.

Highway Cost Sharing Policy Discussion:

County Administrator Todd Romenesko distributed a copy of the Cost Sharing Policy, as updated by the Highway Committee on Feb. 14, 2018. The policy is an urban cost sharing policy for County Trunk Highway Improvement Projects and is not related to maintenance of those roads. A copy of the policy was distributed at the meeting (see attachment).

Abatement of Human Health Hazards:

Corporation Counsel Kimberly Tenerelli and Health Division Manager Bonnie Kolbe presented information regarding abatement of human health hazards in Calumet County. A human health hazard, as defined in WI State Statute 254.01(1) means a substance, activity or condition that is known to have the potential to cause acute or chronic illness, to endanger life, to generate or spread infectious diseases, or otherwise injuriously to affect the health of the public. One example given at the meeting was a residence with no potable water and no functioning restroom.

A letter to the municipalities, an agreement for the abatement of human health hazards, and a copy of WI State Statute 254.59 were distributed at the meeting (see attachment). The letter explains the process for abatement of human health hazards. It also notes there have been occasions where the landowner has not abated the human health hazard in a timely manner and the hazard continued to exist for a substantial period of time due to no one wanting to take on the financial responsibility for the cost of abatement. The letter goes on to explain that in exchange for Calumet County agreeing to front the cost of abatement of human health hazards, the municipality agrees to place the abatement cost on the tax roll for the property upon verification from the county on the amount of the cost.

Municipalities wishing to enter into the agreement with Calumet County are asked to submit the signed agreement to Kimberly Tenerelli, Corporation Counsel, by June 30, 2018.

Round Robin

Town of Brothertown

- Heavy rainfall; replaced culvert on S. Tower Rd
- 6 new homes
- Creating an ordinance regarding manure
- Need money for roads

Town of Charlestown

- Lots of water due to recent heavy rains; culvert work done in the '80's has held up well
- 4 new houses

Town of New Holstein

- Reviewing bids to reconstruct part of Irish Rd
- Rebuild/resurface of road damaged by heavy equipment

Town of Rantoul

- Lost a lot of road shoulder due to heavy rains; lost culverts
- Creating policy regarding cleanup of roads when mud/waste are left on roadway
- 2 new houses
- Summer roadwork has begun

Village of Harrison

- Additional subdivisions coming in
- Working on street project for a street to run parallel to LP to alleviate traffic during construction on LP
- New 18 acre park to include 2 championship-size soccer fields; possible 12 acres to be added eventually; start delayed due to heavy rainfall

Village of Potter

- Land locked
- 1 new house; first one in 10-15 years
- 10-15 empty lots in village; hoping to market and sell lots
- Lots of water in park from heavy rainfall; collapse of storm water sewer due to rains; inquired if Calumet County could be considered a disaster area due to heavy rainfall
- Levy limits create budget issues

Village of Sherwood

- Acquired Shenanigan's building; auction held last week; raze building this summer
- Village Square planned behind post office
- Plans to create a small loop around downtown
- Preliminary Plat approved for new 42-lot subdivision along Stommel Rd

Village of Stockbridge

- Redo HWY 55 from HWY 151 to HWY 114
- New 4,000 sq. ft. new home
- Barn to be renovated to wedding venue

City of Brillion

- \$1M addition to Brillion Plating scheduled to open May 16
- Ariens purchased Brillion Iron Works
- Working on downtown hub
- New City Hall planned
- Apartment complex with 40 units planned

- Looking to develop 80 acres
- Noted the community investments made by Ariens and Endries
- Water issues with recent heavy rainfall

City of Chilton

- TID 6 & 7 opening; include warehouses and apartment duplexes
- Development of residential areas

City of Menasha

- Purchased former Banta plant for redevelopment
- Working on Loop the Little Lake Trail
- Finishing Main Street construction
- Developer looking at land

Rachel Skenandore

- Rachel is the Northeast Region Director with the Wisconsin Department of Administration, Division of Intergovernmental Relations, serving Northeast WI by connecting municipalities with resources of state government; Contact information: Phone: 608-235-8631 email: rachel2.skenandore@wisconsin.gov

Calumet County

- Reviewing capacity/age of jail; budgeted for program and schematic design for renovation and expansion; toured Green Lake County Jail and Oconto County Jail; Samuels Group has been contracted for construction management and Potter Lawson has been contracted for architect service for schematic design; plan to get through schematic design by the end of June to determine proposed dollar amount of project
- Reviewing courthouse security; working on design to secure the courts section of the courthouse
- Purchased \$1.5M parcel last year to expand Calumet County Park with the anticipation of a DNR stewardship grant; working with DNR on large discrepancy between the two appraisals received as the stewardship grant will only cover ½ the value of the lowest appraisal

NEXT MEETING DATE

The next meeting will be held at 9:30 a.m. on Nov. 8, 2018 at a location to be determined.

COST SHARING OF JOINT PROJECTS WITH MUNICIPALITIES

Subject: Cost Sharing Of Joint Projects with Municipalities
Effective Date: February 14, 2018
Replaces: Urban County Trunk Highway Improvement Projects Local Cost Sharing Policy

The following is Calumet County's general policy for joint improvement (i.e. construction) projects on County Trunk Highways. It should be noted there will be no joint projects without prior County approval and funds budgeted by both units. Approval must be obtained for design and again for construction since separate budgets are involved. As part of the project review process, the County requests a copy of the municipality's up-to-date land use and transportation plans (if available). This policy does not relate to maintenance of roadways.

Engineering

The County will share one-half (1/2) the engineering costs, design and construction, in which the County participates; except with the maximum percentage for design and construction engineering costs as a percentage of actual total construction costs shall be 25% for road projects, 30% for bridge projects, and 35% for intersection/signal projects. Plans shall be approved by the County prior to letting and to any agreement for construction being signed.

Right-of-Way

The County shall obtain, gain ownership, and assume all costs associated with roadway right-of-way only for projects where multi-jurisdictional control of adjoining property exists. Any further right-of-way required for municipal amenities such as turn lanes into commercial areas or side roads, sidewalks, bicycle paths, additional lanes, or frontage roads shall be acquired by the municipality. The municipality shall acquire the needed right-of-way for the project if the municipality intends, through agreement with the County, to assume maintenance control of the County trunk after the improvement is completed.

Sidewalk/Trail

The County will not share in the costs of sidewalks/trails.

Curb & Gutter

The County will not share in the cost of curb and gutter construction. County may share in one-half (1/2) cost of curb and gutter construction when there is a jurisdictional transfer or federal funds have been awarded.

Driveway Aprons & Bicycle Paths

The County will not share in the costs of driveway aprons and bicycle paths.

Storm Sewers

The County will share in one-half (1/2) the costs of installation and repair of all storm water facilities necessary to drain the roadway. The municipality may choose to relocate or enlarge the sewer system at the time the project is undertaken. The County's share would be limited to one-half (1/2) share of the existing facilities.

Sanitary Sewers and Water Mains

The County will not share in the costs of adjusting, relocating, repairing, placing or replacing any sanitary sewer or water main, or appurtenances within or adjacent to the improvement project.

Bridges

The County will pay one-half (1/2) of the local share of a bridge aid project.

Traffic Signals and Signing

The County will assume the costs of all enforceable signing, with the exception of parking, restrictive parking, and school signs, for which the County will not share costs. The County will assume one-half (1/2) of all costs involved in traffic signal installations, and will enter into contracts for their maintenance as long as signals are warranted per accepted engineering standards.

Roadway Pavement, Grading and Base

In the event of a total street reconstruction using concrete, the county will share in one-half of all costs associate with the full width of the roadway, i.e. curb to curb. This includes the removal of the pavement and the replacement of a new subgrade material. A total reconstruction using concrete requires a jurisdictional transfer upon completion of the project.

As it relates to asphalt, any costs associated with an overlay or mill and pave project within the standard travel lanes will be the sole responsibility of the county. The parking lanes are the sole responsibility of the local municipality.

Landscaping

The County will share in one-half (1/2) the costs of general landscaping (seeding and sodding) within the right-of-way. Sodding costs assumed by the County will be limited to areas where it is intended to control erosion, or it is the only viable alternative for right-of-way restoration (areas where seed mulch won't suffice). Major plantings as requested by the municipality shall be at their expense.

Pavement Marking

The County will share in one-half (1/2) the costs of all center line or lane markings. The municipality shall be responsible for the costs of maintenance and repair of the pedestrian markings.

Jurisdictional Transfers

The County shall consider a jurisdictional transfer where a roadway segment is improved to urban standards entirely within one municipality or where multi-jurisdictions can agree to maintain the segment. The County may determine not to participate in the project if a jurisdictional transfer cannot be achieved.

Prior to actual commencement or construction and after the project funds have been appropriated, formal contracts (Intergovernmental Agreements) will be entered into by the County and municipalities, which will note all cost sharing items and the financial commitments of all parties for the joint improvement projects.



CALUMET COUNTY
DEPARTMENT OF ADMINISTRATION
Courthouse, 206 Court Street, Chilton, WI 53014

Todd M. Romenesko, County Administrator

Administrator

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Email: deptofadministration@calumetcounty.org Website: www.calumetcounty.org

May 10, 2018

RE: Abatement of Human Health Hazards

Dear :

As you are aware, Calumet County currently employs the only health officer that addresses human health hazards in the county. Most times, the individual who would address these concerns is Bonnie Kolbe, Health Officer.

Pursuant to Section 254.59(2), Wisconsin Statutes, a copy of which is enclosed, the health officer is to immediately abate any human health hazard that has not been abated by the landowner or occupant within 30 days of receiving an order to abate. The cost of this abatement can be collected from the landowner or occupant of the property. In addition, this section allows the municipality to collect the cost of the abatement by placing the amount of the abatement on the tax roll as a special tax on that landowner's property taxes.

There have been occasions where the landowner has not abated the human health hazard in a timely manner and the hazard continued to exist for a substantial period of time due to no one wanting to take on the financial responsibility for the cost of abatement. Calumet County has decided to take on this responsibility. However, Calumet County does not have any authority to place a special tax on the property tax roll in an effort to collect the cost of the abatement from the property owner. Therefore, in exchange for Calumet County agreeing to front the cost of abatement of human health hazards in Calumet County, we would request that you agree to place these abatement cost on the tax roll as a special tax upon verification from us of the amount of these cost.

The process for abating these hazards is as follows:

1. The Health and Human Services Department receives a complaint regarding a human health hazard.

2. An investigation is done to determine whether or not a human health hazard exists, as defined by statute.
3. The Health Officer sends written abatement orders to the landowner and/or occupant of the property.
4. If the property owner and/or occupant do not remove the human health hazard within 30 days of the receipt of the notice to abate, the Health Officer shall bring the matter to the Corporation Counsel attention.
5. If there has been no response or cooperation from the property owner and/or occupant, we will get at least one estimate for the cost of abating that hazard.
6. Once the abatement is completed and the final bill(s) has(have) been submitted and paid by Calumet County, we will send copies of the bill(s) relating to the abatement to the Clerk of the municipality in which the property is located.
7. The Clerk shall place the cost of abatement on the property taxes for that property as a special tax, labeled "For Abatement of a Nuisance or Human Health Hazard." This tax shall be collected the same as other taxes.

Enclosed you will find an agreement that I would request that you review with your Boards and Councils. If you are agreeable to this arrangement, please sign the agreement and return it to me.

If you have any suggestions on how this process could be improved, or if you have any questions or concerns about this issue, please feel free to call me. I would be happy to meet with you or attend your meeting where this will be discussed to answer any questions that you may have.

Thank you for your attention to this matter.

Very truly yours,

Todd M. Romenesko
County Administrator

Enclosures

cc: Merlin Gentz, Calumet County Administrative Services Committee Chair
Kimberly Tenerelli, Calumet County Corporation Counsel
Town Chairs
Village Presidents and Administrators
City Mayors and Administrators

AGREEMENT BETWEEN CALUMET COUNTY

AND **Municipality******

**FOR THE ABATEMENT OF HUMAN HEALTH HAZARDS PURSUANT TO §254.59,
WISCONSIN STATUTES**

WHEREAS, § 254.59(2), Wis. Stats. states that if the owner or occupant does not abate a human health hazard within 30 days after notice to abate from the Health Officer, the Health Officer shall immediately enter upon the premises and abate the hazard or contract for the abatement of the hazard; and

WHEREAS, §254.59(2), Wis. Stats. further states that the cost of such abatement may be collected from the property owner by placing the cost of said abatement on the tax roll as a special tax; and

WHEREAS, Calumet County currently employs the Health Officer for all towns, villages and cities in Calumet County; and

WHEREAS, the towns, villages and cities are the entities which have the authority to place special taxes on the property tax roll.

NOW, THEREFORE, IT IS HEREBY AGREED that:

1. Calumet County shall pay the cost for abating human health hazards that are not timely abated by the property owner or occupant.
2. ****Municipality****, shall place the cost of such abatement on the property taxes, relating to the subject property, as a special tax upon verification from Calumet County that the hazard has been abated and the cost of such abatement.

Official's name
****Municipality****

Todd M. Romenesko
Calumet County Administrator

Date: _____

Date: _____

This Document Drafted by:
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254.59 Human health hazards.

- (1) If a local health officer finds a human health hazard, he or she shall order the abatement or removal of the human health hazard on private premises, within a reasonable time period, and if the owner or occupant fails to comply, the local health officer may enter upon the premises and abate or remove the human health hazard.
- (2) If a human health hazard is found on private property, the local health officer shall notify the owner and the occupant of the property, by registered mail with return receipt requested, of the presence of the human health hazard and order its abatement or removal within 30 days of receipt of the notice. If the human health hazard is not abated or removed by that date, the local health officer shall immediately enter upon the property and abate or remove the human health hazard or may contract to have the work performed. The human health hazard shall be abated in a manner which is approved by the local health officer. The cost of the abatement or removal may be recovered from the person permitting the violation or may be paid by the municipal treasurer and the account, after being paid by the treasurer, shall be filed with the municipal clerk, who shall enter the amount chargeable to the property in the next tax roll in a column headed "For Abatement of a Nuisance" as a special tax on the lands upon which the human health hazard was abated, and the tax shall be collected as are other taxes. In case of railroads or other lands not taxed in the usual way, the amount chargeable shall be certified by the clerk to the secretary of administration who shall add the amount designated in the certificate to the sum due from the company owning, occupying, or controlling the land specified, and the secretary of administration shall collect the amount as prescribed in subch. [I of ch. 76](#) and return the amount collected to the town, city, or village from which the certificate was received. Anyone maintaining such a human health hazard may also be fined not more than \$300 or imprisoned for not more than 90 days or both. The only defenses an owner may have against the collection of a tax under this subsection are that no human health hazard existed on the owner's property, that no human health hazard was corrected on the owner's property, that the procedure outlined in this subsection was not followed or any applicable defense under s. [74.33](#).
- (4) In cities under general charter, the local health officer may enter into and examine any place at any time to ascertain health conditions, and anyone refusing to allow entrance at reasonable hours shall be fined not less than \$10 nor more than \$100. If the local health officer deems it necessary to abate or remove a human health hazard found on private property, the local health officer shall serve notice on the owner or occupant to abate or remove within a reasonable time that is not less than 24 hours; and if he or she fails to comply, or if the human health hazard is on property whose owner is a nonresident, or cannot be found, the local health officer shall cause abatement or removal.
- (5) The cost of abatement or removal of a human health hazard under this section may be at the expense of the municipality and may be collected from the owner or occupant, or person causing, permitting, or maintaining the human health hazard, or may be charged against the premises and, upon certification of the local health officer, assessed as are other special taxes. In cases of railroads or other lands not taxed in the usual way, the amount chargeable shall be certified by the clerk to the secretary of administration who shall add the amount designated in the certificate to the sum due from the company owning, occupying, or controlling the land specified, and the secretary of administration shall collect the amount as prescribed in subch. [I of ch. 76](#) and return the amount collected to the town, city, or village from which the certificate was received. Anyone maintaining such a human health hazard may also be fined not more than \$300 or imprisoned for not more than 90 days or both. The only defenses an owner may have against the collection of a tax under this subsection are that no human health hazard existed on the owner's property, that no human health hazard was corrected on the owner's property, that the procedure outlined in this subsection was not followed, or any applicable defense under s. [74.33](#).
- (6) A 1st class city may, but is not required to, follow the provisions of this section. A 1st class city may follow the provisions of its charter.
- (7)

 - (a) A county, city, village, or town with a local health department may enact an ordinance concerning abatement or removal of a human health hazard that is at least as restrictive as this section.
 - (b) An ordinance enacted under par. (a) may be enforced in the county, city, village, or town that enacted it.
 - (c) This subsection may not be construed to prohibit any agreement under s. [66.0301](#) between a county and a city, town, or village that has a local health department, concerning enforcement under this section.