AGENDA

Eau Claire County Board of Supervisors
Wednesday, April 8, 2020 at 7 pm
Remote Meeting via Webex Events
721 Oxford Ave. Eau Claire, WI

For those wishing to make public comment, you must fill out your information on the following link and click "done" at least 30 minutes prior to the start of the meeting. You will be called on during the public session to make your comments. Comments are limited to 3 minutes. Link:

https://www.surveymonkey.com/r/39GJGP5

Public Access:

Dial In Number: 1-415-655-0001 Access Code: 929 897 191

- (1) Indicates 1st Reading
- (2) Indicates 2nd Reading
- **1.** Call to Order
- 2. Honoring of the Flag and Moment of Reflection by: Supervisor Judy Gatlin
- **3.** Call of the Roll
- **4.** Approval of the Journal of Proceedings from March 17, 2020 *Pages 1-3*
- 5. PUBLIC COMMENT
- 6. REPORTS TO THE COUNTY BOARD UNDER 2.04.320

Oral Reports

Written Reports

- 7. PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS
- 8. FIRST READING OF ORDINANCES BY COMMITTEES

9. FIRST READING OF ORDINANCES AND RESOLUTIONS BY MEMBERS

Referred by the County Board Chair

File No.

19-20/120 (1) Resolution – Authorizing legislation in matters referred to be carried over to

the next legislative session *Pages 4-5*

10. REPORTS OF STANDING COMMITTEES, COMMISSIONS AND BOARDS UNDER 2.04.160 AND SECOND READING OF ORDINANCES

Committee on Human Resources

File No.

19-20/110 (1) Resolution – Designating employees of Eau Claire County as "Essential" and

"Emergency Responders" in response to the federal families first

coronavirus response act and Governor Ever's Safer at Home order (The Committee on Human Resources will meet prior to the County Board meeting to discuss/act on this

resolution) Pages 6-8

Committee on Judiciary and Law and Highway Committee

File No.

19-20/094 (2) Ordinance – To create section 10.30.040 Damage to County Highways by

horses and horse drawn vehicles; and, to amend section 1.50.020 A.

Pages 9-11

Committee on Finance and Budget

File No.

19-20/103 (2) Ordinance – To create section 4.05.002 of the code: Payment with coins or

tainted currency *Pages 12-13*

19-20/113 (2) Ordinance – Amending section 2.12.140 B of the Eau Claire County Code –

Medical Examiner Fees Pages 14-15

11. APPOINTMENTS

OFFICIAL PROCEEDINGS OF THE COUNTY BOARD OF SUPERVISORS

Tuesday, March 17, 2020

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Tuesday, March 17, 2020, and was called to order by Chair Nick Smiar at 7:00 p.m.

The Board honored the flag with the pledge of allegiance. Moment of reflection was presented by Supervisor Nancy Coffey.

Roll Call: 25 present: Supervisors Gary G. Gibson, Sandra McKinney, Joe Knight, Stella Pagonis, Bert Moritz, Steve Chilson, Donald D. Mowry, Nancy Coffey, Ray L. Henning, Colleen A. Bates, Connie Russell, Judy Gatlin, Nick Smiar, James A. Dunning, Gerald L. Wilkie, Nathan Anderson, Mark Beckfield, Katherine Schneider, Robin J. Leary, Heather DeLuka, Melissa Janssen, Tami Schraufnagel, Zoe Roberts, Kimberly A. Cronk, Patrick L. LaVelle 3 absent: Supervisors Carl Anton, Kevin Stelljes and Martha Nieman.

1 vacancy: District 16

JOURNAL OF PROCEEDINGS (March 3, 2020)

On a motion by Supervisor Bates, seconded by Supervisor Gibson, the Journal of Proceedings was approved via voice vote.

PUBLIC COMMENT

Carol Peuse spoke on the topic of horse manure and horseshoes on roadways. A petition regarding equine manure was presented and referred to the Highway Committee.

REPORTS TO THE COUNTY BOARD UNDER 2.04.320

The following individuals shared information on the County COVID-19 Response and the Continuity of Operation of County Government: County Administrator Kathryn Schauf, City-County Health Director Lieske Giese, Sheriff Ron Cramer and Emergency Management Coordinator Tyler Esh.

The following written reports were presented:

- -2020 Contingency Fund
- -February 2020 Payments over \$10,000
- -Community Agency Reports: Eau Claire Area Economic Development Corporation Annual Report, Eau Claire County Housing Authority Annual Liaison Report, LEPC 2019 Report, West Central Wisconsin Regional Planning Commission Liaison Report, Western Dairyland EOC 2020 Annual Report, West Central Wisconsin Workforce Development Board Reports, Lake Altoona District 2019 Report, Chippewa Valley Innovation Center Report

PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS

A report regarding a rezoning request in the town of Washington was received from Roger and Joanne A. Henning, owners; and Max Henning, applicant. The request was referred to future meeting.

A report regarding a rezoning request in the town of Washington ware received from John Kelly, owner; and Jeremy Skaw, applicant. The request was referred to future meeting.

Clerk Loomis read a proclamation proclaiming April 13-17, 2020 as "Severe Weather Awareness Week" in Eau Claire County. On a motion by Supervisor Leary, seconded by Supervisor Henning the proclamation was approved unanimously.

FIRST READING OF ORDINANCES BY COMMITTEES

Committee on Judiciary and Law Enforcement and Highway Committee

Ordinance 19-20/094 TO CREATE SECTION 10.30.040 DAMAGE TO COUNTY HIGHWAYS BY HORSES AND HORSE DRAWN VEHICLES; AND, TO AMEND SECTION 1.50.020 A.

Action on said ordinance was referred to a future meeting of the county board.

Committee on Finance and Budget

Ordinance 19-20/103 TO CREATE SECTION 4.05.002 OF THE CODE: PAYMENT WITH COINS OR TAINTED CURRENCY

Action on said ordinance was referred to a future meeting of the county board.

Ordinance 19-20/113 AMENDING SECTION 2.12.140 B. OF THE EAU CLAIRE COUNTY CODE – MEDICAL EXAMINER FEES

Action on said ordinance was referred to a future meeting of the county board.

REPORTS OF STANDING COMMITTEES, COMMITTEES, COMMISSIONS AND BOARDS UNDER 2.04.160 AND SECOND READING OF ORDINANCES

Committee on Administration

Resolution 19-20/119 RATIFYING THE DECLARATION OF EMERGENCY IN RESPONSE TO THE COVID-19 CORONAVIRUS

Motion by Supervisor Leary, seconded by Supervisor Wilkie, the resolution was unanimously adopted via roll call vote.

Committee on Administration and Extension Committee

Resolution 19-20/107 REQUESTING SUPPORT FOR AT LEAST A 20% INCREASE IN FEDERAL SMITHLEVER AND 1890 EXTENSION CAPACITY FUNDING IN THE USDA'S NATIONAL INSTITUTE FOR FOOD AND AGRICULTURE

Motion by Supervisor DeLuka, seconded by Supervisor Bates, the resolution was unanimously adopted via roll call vote.

Committee on Administration and Human Recourses Committee

Resolution 19-20/093 AUTHORIZING RECLASSIFICATION OF ONE (1.0 FTE) FACILITIES SUPERVISOR IN THE MAINTENANCE DEPARTMENT

Motion by Supervisor Gatlin, seconded by Supervisor Henning, the resolution was unanimously adopted via roll call vote.

Resolution 19-20/118 AFFIRMING THE COUNTY BOARD'S COMMITMENT TO BUILD AND COMPLETE THE CONSTRUCTION OF THE 6^{TH} COURTROOM BY MAY 31, 2022.

Motion by Supervisor Bates, seconded by Supervisor Wilkie, the resolution was unanimously adopted via roll call vote.

Resolution 19-20/112 SUPPORTING THE COMMITMENT TO VETERANS SUPPORT AND OUTREACH (CVSO) ACT.

Motion by Supervisor Gibson, seconded by Supervisor Anderson, the resolution was unanimously adopted via roll call vote.

Committees on Administration, Human Resources, and Judiciary and Law

Resolution 19-20/099 AUTHORIZING TO ABOLISH ONE (1.0 FTE) CRIMINAL JUSTICE COORDINATING COUNCIL MANAGER AND TO CREATE ONE (1.0 FTE) CRIMINAL JUSTICE COORDINATING COUNCIL DIRECTOR

Motion by Supervisor Gatlin, seconded by Supervisor Schneider, the resolution was unanimously adopted via roll call vote.

Committee on Judiciary and Law

Resolution 19-20/116 REQUESTING THE WISCONSIN LEGISLATURE ACT TO PROTECT REFUGEES LIVING IN THE STATE OF WISCONSIN

Motion by Supervisor Anderson, seconded by Supervisor Schraufnagel, the resolution was unanimously adopted via roll call vote.

Committee on Parks and Forest

Resolution 19-20/106 AUTHORIZING THE PARKS AND FOREST DIRECTOR TO SUBMIT AN APPLICATION TO THE STATE OF WISCONSIN DEPT. OF NATURAL RESOURCES FOR ANY FINANCIAL AID THAT MAY BE AVAILABLE FOR MAINTAINING, ACQUIRING, INSURING OR DEVELOPING LANDS FOR PUBLIC OUTDOOR MOTORIZED TRAILS.

Motion by Supervisor Beckfield, seconded by Supervisor Dunning, the resolution was unanimously adopted via roll call vote.

Committee on Finance & Budget and Committee on Administration

Ordinance 19-20/100 TO AMEND SECTION 3.20.060 OF THE CODE: COMPENSATION OF COUNTY GOVERNING BODIES

Motion by Supervisor Leary, seconded by Supervisor Wilkie, the ordinance was unanimously enacted via roll call vote.

Resolution 19-20/105 AUTHORIZING A TRANSFER OF \$18,100.00 FROM THE CONTINGENCY FUND TO THE SHERIFF'S DEPARTMENT TO REPLACE A JAIL OVEN

Motion by Supervisor Janssen, seconded by Supervisor Beckfield, the ordinance was unanimously adopted via roll call vote.

The Board adjourned at 8:11 p.m.

Respectfully submitted,

Janet K. Loomis County Clerk

TO FILE NO. 19-20/120

Section 2.04.160 E. of the county code requires that all matters referred to a committee and not reported to the board by the end of a county board session year are to be placed on file unless the board orders them to be carried over. Resolution File no. 19-20/109 has been presented to the board and referred to committees for action and is not ready for consideration by the board, Resolution file numbers 19-20/114 and 19-20/117 are rezoning requests have been communicated to the board by way of communication, however are not ready for consideration by the board due to the inability to meet during the Covid-19 pandemic.

Resolution files that will be referred or introduced for first reading at the first meeting in April are automatically carried over to the 2020-2021 legislative session.

Respectively submitted,

Timothy J. Sullivan Corporation Counsel

1 2	Enrolled No.	RESOLUTION	File No. 19-20/120
3	-AUTHORIZING LEGIS	SLATION IN MATTERS REFFERED	TO BE CARRIED OVER TO
4 5	THE NEXT LEGISLAT		
6	WHEREAS, Sect	ion 2.04.160 E. of the code provides that	all matters referred to committee
7 8	and not acted on by the en	nd of the session year shall be placed on	file unless ordered by the board.
9	NOW THE DEED	DE DE IT DECOLVED. 1 4 E Cl-	C
10		RE BE IT RESOLVED; by the Eau Clawing matters previously referred or intr	
11	2020-2021 legislative ses		
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13	19-20/109		
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15 16	19-20/117		
17	OFFERED BY:		
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22		Nick Smiar	
23	•	County Board Chair	·. District 15
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26	Dated this day of _	, 2020.	
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37	RESOLUTION/19-20.120		
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	Reviewed by Finance	Dept.	RPORATION COUNSEL AS TO FORM
	for Fiscal Impac	· · · · · · · · · · · · · · · · · · ·	



CORPORATION COUNSEL

Timothy J. Sullivan

OFFICE OF CORPORATION COUNSEL

EAU CLAIRE COUNTY EAU CLAIRE COUNTY COURTHOUSE

721 OXFORD AVE., SUITE 3520 EAU CLAIRE, WI 54703

PH: (715) 839-4836 Fax: (715) 839-6243



ASSISTANT
CORPORATION COUNSEL

Sharon G. McIlquham Richard A. Eaton Charles R. Ellefsen, III

April 3, 2020

RE: Essential Employees

In response to the COVID-19 pandemic the US Government adopted the Families First Coronavirus Response Act (FFCRA) and the Governor Tony Evers issued the Safer at Home order.

Among other things, the FFCRA provides benefits to employees impacted by COVID-19 including additional emergency sick time of up to 80 hours for full time employees, and expanded FMLA benefits. In order to receive the benefits, the employee must meet the appropriate qualification(s) in the act.

The FFCRA creates an exclusion from the benefit for a number of positions it designates as "emergency responders:" an emergency responder is an employee who is necessary for the provision of transport, care, health care, comfort, and nutrition of such patients, or whose services are otherwise needed to limit the spread of COVID-19. This includes but is not limited to military or national guard, law enforcement officers, correctional institution personnel, fire fighters, emergency medical services personnel, physicians, nurses, public health personnel, emergency medical technicians, paramedics, emergency management personnel, 911 operators, public works personnel, and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency as well as individuals who work for such facilities employing these individuals and whose work is necessary to maintain the operation of the facility. This also includes any individual that the highest official of a state or territory, including the District of Columbia, determines is an emergency responder necessary for that state's or territory's or the District of Columbia's response to COVID-19.

Governor Ever's Safer at Home order is an order that requires citizens of Wisconsin to stay at home, orders certain businesses to close, and prohibits mass gatherings of more than 10 people. Local governments are exempt from the order. The Safer at Home order creates a

category of "Special Situations" in Sections 8. Healthcare and Public Health Operations; 9. Human Service Operations, and 10. Essential Infrastructure. In Section 12 it defines "Essential Governmental Functions:" Essential Governmental Function means all services provided by the State, tribal, or local governments needed to ensure the continuing operation of the government body and provide and support the health, safety, and welfare of the public.

The FFCRA states that the highest official of a state (governor) determines who is an emergency responder necessary for that state's response to COVID-19. The Safer at Home order signed by Governor Evers states: "Each government body shall determine its Essential Government Function, if any, and identify employees and contractors necessary to the performance of those functions."

This resolution is response to the requirement that the government body identify employees that are necessary to perform the Essential Government function. By designating all employees as essential determine determining who for the purposes of these emergency legislation is designated as "Essential" and/or an "Emergency Provider" and will be exempt from coverage under the FFCRA.

Timothy J. Sullivan Corporation Counsel

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DESIGNATING EMPLOYEES OF EAU CLAIRE COUNTY AS "ESSENTIAL" AND "EMERGENCY RESPONDERS" IN RESPONSE TO THE FEDERAL FAMILIES FIRST CORONAVIRUS RESPONSE ACT AND GOVERNOR EVER'S SAFER AT HOME ORDER

WHEREAS, the governments of the United States, the State of Wisconsin and Eau Claire County have all declared that a state of emergency exists with regards to the worldwide novel coronavirus COVID-19 pandemic; and,

WHEREAS, In response to the pandemic, the United States Congress and the President have adopted the Families First Coronavirus Response Act ("FFCRA"), that among other things creates up to 80 hours of sick time for full time employees, and creates expanded benefits under the Family Medical Leave Act (EFMLA) for employees affected by COVID-19. The FFCRA became effective April 1, 2020 and expires on December 31, 2020; and,

WHEREAS, the FFCRA creates an exemption for the benefits for "emergency responders." The FFCRA provides a list of emergency responders within the act but also defines "emergency responder" as "any individual that the highest official of a state or territory determines is an emergency responder for that state's . . . response to COVID-19." The category of employees who could be included in the category of emergency responder are those who: (1) interact with and aid individuals with physical or mental health issues, including those who are suffering from COVID-19; (2) ensure the welfare and safety of our communities and of our Nation; (3) have specialized training relevant to emergency response; and (4) provide essential services relevant to the American people's health and wellbeing; and,

WHEREAS, Governor Tony Evers issued Emergency Order #12, also known as the "Safer at Home Order". The Safer at Home Order provides a list of functions that are Essential Functions and are exempt from the order to stay at home In the Safer at Home Order Governor Evers defined all governmental functions as essential that are "needed to ensure the continuing operation of the governmental body and provide and support the health, safety and welfare of the public. Each governmental body shall determine its Essential Governmental Function, if any, and identify employees and contractors necessary to the performance of those functions;" and,

WHEREAS, other than those employment categories already defined in the FFCRA and the Safer at Home Order, it is up to the local governmental body to determine what positions are essential to provide and support the health safety and welfare of the public under the Safer at Home Order and as "emergency responders" for purposes of the FFCRA.

NOW THEREFORE BE IT RESOLVED; The Eau Claire County Board of Supervisors hereby determines that all employees of Eau Claire County are determined to be "Essential" Employees for the governmental functions of Eau Claire County as designated by the Safer at Home Order and as "Emergency Responders" for that portion of the FFCRA related to expanded FMLA benefits.

ADOPTED:

43
44 Dated this day of April 2020

Dated this _____ day of April 2020. TJS/yk

Reviewed by Finance Dept. for Fiscal Impact

Mark Beckfield, Chair

Committee on Human Resources

GUERTUMAN HON TO THE STO FEMA

TO FILE NO. 19-20/094

TO CREATE SECTION 10.30.040 DAMAGE TO COUNTY HIGHWAYS BY HORSES AND HORSE DRAWN VEHICLES; AND, TO AMEND SECTION 1.50.020 A.

SUBJECT

This ordinance addresses two items related to horses and horse drawn vehicles on county roads. The first item addressed is damage caused to county roads by horses and horse drawn vehicles. The second item addressed is horse manure on the roadway, including the shoulder, of county roads.

REQUEST

To help prevent damage to county highways by horses and horse drawn vehicles that use cleated horseshoes, only flat soles horseshoes are permitted on county highways during the months of May through Octobers each year. Also, all horse drawn vehicles operated on county highways shall be equipped with manure catching devices.

PURPOSE / JUSTIFICATION

Eau Claire County invests millions of dollars into our roadway infrastructure annually. These investments are designed to have a service life of 25 years. The damage caused to the roadway by horseshoes reduces the pavements surface performance by removing the fine aggregate surface that protects the asphalt composition from aging. This increases the rate of which the pavement deteriorates by 5 years on average.

Fiscal Impact: . Respectfully Submitted,

Jon Johnson Highway Commissioner

Ordinance/29-10/094. Fact

1	Enrolled No.	ORDINANCE	File No. 19-20/094		
2 3 4	TO CREATE SECTION 10.30.040 DAMAGE TO COUNTY HIGHWAYS BY HORSES AND HORSE DRAWN VEHICLES; AND, TO AMEND SECTION 1.50.020 A.				
5 6 7	The C	ounty Board of Supervisors of the County of Eau Claire does ordain as follows:			
8 9	SECT	TION 1.			
10 11	Create	e: 10.30.040 Damage to County Highways by horse	es and horse drawn vehicles.		
12 13	A.	To prevent damage to county highways by horse use cleated horseshoes, only horseshoes with flat highways daying the months of Manufacture of	at soles are permitted on county		
14 15 16	В.	highways during the months of May through October each year. All horse drawn vehicles operated on county highways shall be equipped with manure catching devices.			
17 18	C. Violation and penalty. Person who violate provision of this chapter sh subject to the forfeiture schedule at 1.50.020.				
19 20 SECTION 2. 21					
22 23	Amend Section 1.50.020 A. by adding the following to the schedule of deposits: 10.30.040 Damage to County Highways by horses \$60.00 Horse drawn vehicles without manure catching devices \$60.00				
24 25 26					
27 28 29 30 31 32	ENAC	CTED: July Ley	thin he say		
33 34 35 36					
37 38 39 40	TJS	HIGHWAY	COMMITTEE		
41 42	Dated	this a day of February, 2019.	APPINITED DY CORPORATION COURS OF		
		Reviewed by Finance Dept. for Fiscal Impact	AS TO FORM		

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10	Committee on Judiciary and Law Enforcement	
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12	Dated this 11th day of Much, 2020.	ORDINANCE 19-20/094

TO	FILE NO.	19-20/103

This ordinance authorizes county employees to reject payments where the payor is attempting to make a payment of more than one dollar by coin, or is making payment with currency or coins that have been soiled with bodily fluids or other substances that are hazardous to employees' health. The county collects money for several different reasons, taxes, fines, child support, fees, etc. There have been times when individuals will pay their taxes, fines or fees with coins, or tried to pay with money that was soiled or contaminated. These payments often are in the hundreds or thousands of dollars. This ordinance gives employees the discretion to accept or reject payment in this form. They are not required to accept the coins or the currency when it will take excessively long period of time to count, or that it presents a potential hazard to their well-being.

Fiscal Impact: None

Respectfully Submitted,

Glenda Lyons County Treasurer

1	Enrolled No.	ORDINA	NCE	File No. 19-20/103
2 3 4	TO CREATE SECT	ON 4.05.002 OF THE CO	DDE: PAYMENT	WITH COINS OR TAINTED
5 6	The County B	oard of Supervisors of the	County of Eau Cla	ire does ordain as follows:
7				
8	SECTION 1.	That Section 4.05.002 be	created to read:	
9	4.05.000 B			
10		2 Payment with coins or tainted currency. County employees or officers shall not be required to accept more than one (1)		
11	A. County	employees or officers sha	Il not be required	to accept more than one (1)
12 13	county.	nent of a fee or other finan	cial obligation ow	ed to or collected by the
14		employees or officer shall	I not be required to	accept as payment of a fee or
15	other obligation owed	to or collected by the cour	i not be required a ity any currency o	r coin which has been soiled,
16	contaminated, tainted	or polluted with any huma	n or animal bodily	secretions or any other
17	substance that may po	se a risk to public safety or	human health.	secretions, or any other
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37	Dated this _9	day of	, 2020.	APPROVED NO
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		for Fiscal Im	pact	
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TO FILE NO. 19-20/113

Eau Claire County currently collects a cremation fee of \$156.37 per case pursuant to code section 2.12.140 for all cremations incurred with the county. The only exception to the fee is for a case involving an indigent individual. The fee is required to be assessed and collected for any newborn infant case where the newborn has taken at least one breath prior to passing, in which case the newborn was considered to not be stillborn and the child is subsequently cremated. Per the Medical Examiner, Eau Claire County experiences between two and four cases of this nature per year.

Most local funeral homes have chosen to not bill or collect any funeral service fees in these circumstances where a newborn infant passes away shortly after taking a few breaths of life and a cremation service is rendered. In these situations, the only fee assessed to the family is the County cremation fee. This resolution would modify section 2.12.140 to provide an exception to assessing the cremation fee in cases where the funeral home has waived their service fees.

Fiscal Impact: The estimated cost of this change would be \$313-\$626 annually.

Respectfully Submitted,

Norb Kirk Finance Director

1	Enrolled No.	ORDINANCE	File No. 19-20/113
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3			
4	AMENDING SE	CCTION 2.12.140 B OF THE EA	UCLAIRE COUNTY CODE
5 6	MEDICAL EXAM	MINER FEES	
7	The County Board	of Supervisors of the County of Eau	Claire does ordain as follows:
8	The county Board	for supervisors of the County of Lau	Claire does ordain as follows.
9	SECTION 1 Sec	ction 2.12.140 B of the Eau Claire Cou	inty Code shall be amended as
10	follows:	Aion 2.12.140 B of the Latt Clane Cot	anty code shan be amended as
11	10110 W.S.		
12	B Fees The medic	cal examiner and any deputies shall coll	ect all such fees which they are
13		as provided in Wis. Stat. § 59.38(1). Ex	•
14		the funeral home or cremation society	
15	cremation, \$156.37 shall b	be collected for the issuance of a cremat	ion permit in accordance with Wis
16		ne fee for signing death certificates and	
17		ursuant to Wis. Stat. § 69.18. In complia	
18	effective April 18, 2019 me	edical examiner fees will be adjusted by	the annual percentage change in
19		Consumers, U. S. City average for 12 mo	
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34		Committee	on Finance and Budget
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38	Dated this	day of, 2020.	CORPORATION COUNSES
39 40	ORDINANCE/19-20.113		AS TO FORM
10	ONDITION 19-20,113		· · · · · · · · · · · · · · · · · · ·
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