CHIPPEWA COUNTY

COUNTY BOARD

REGULAR MEETING

OCTOBER 11, 2022

CHIPPEWA COUNTY COURTHOUSE, RM 302

6:00 PM

NOTE: THE COUNTY BOARD MEETING WILL BE LIVE STREAMED ON YOUTUBE.

During the meeting you can access the video by using the link provided below.

https://youtu.be/HcM7q9uHaNE

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

3. ROLL CALL

Attendee Name	Organization	Title	Status	Arrived	Departed
Dean Gullickson	Chippewa County	District 5 (Chair)	Present		
Ken Schmitt	Chippewa County	District 3 (Vice-Chair)	Present		
James Flater	Chippewa County	District 1	Present		
Harold Steele	Chippewa County	District 2	Present		
David Bischel	Chippewa County	District 4	Present		
Glen Sikorski	Chippewa County	District 6	Present		
Jason Bergeron	Chippewa County	District 7	Present		
James Ericksen	Chippewa County	District 8	Present		
Joel Seidlitz	Chippewa County	District 9	Present		7:19 PM
Matthew Peterson	Chippewa County	District 10	Present		
Roger Calkins	Chippewa County	District 11	Present		
Charles Bomar	Chippewa County	District 12	Present		
Caden Berg	Chippewa County	District 13	Present		
Robert Teuteberg	Chippewa County	District 14	Present		
David Eisenhuth	Chippewa County	District 15	Present		
Ronald McGill	Chippewa County	District 16	Present		
George Rohmeyer	Chippewa County	District 17	Present		
Annette Hunt	Chippewa County	District 18	Present		
Chuck Hull	Chippewa County	District 19	Absent		
Dean Mueller	Chippewa County	District 20	Present		
Kari Ives	Chippewa County	District 21	Present		

others present in room 302 Doug Clary, Randy Scholz, Lori Zwiefelhofer, Andy Bauer, Larry Ritzinger, Toni Hohlfelder, Chris Kowalczyk, Charlie Walker, Brian Kelley, Todd Pauls, Jaclyn Sadler and Traci Bremness

4. APPROVAL OF AGENDA

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Harold Steele, District 2
SECONDER:	Ronald McGill, District 16
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSENT:	Hull

5. MEMBERS OF THE PUBLIC WISHING TO BE HEARD

Chris Kowalczyk spoke to the County Board asking for support for his run for Chippewa County Sheriff

6. CONSENT AGENDA

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	James Flater, District 1
SECONDER:	James Ericksen, District 8
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSENT:	Hull

1. Approval of Minutes

   County Board - Regular Meeting - Sep 13, 2022 6:00 PM

2. AZO 06 - 22 : 2022-0009 Schumacher Rezone - Woodmohr

7. REPORTS

A. County Administrator Review and Update

B. Department Reports

C. General Reports

8. BUSINESS ITEMS

1. Res. 48 - 22 : Resolution to Sell Highway Property No Longer Needed for Highway Purposes - Brian Kelley
   Highway Commissioner, Brian Kelley, explained the piece of property and the resolution to the board.

   All Supervisors present voted yes, except Supervisor Hunt abstained
   19 Yes, 1 Abstain, 1 Absent

RESULT:	**APPROVED [19 TO 0]**
MOVER:	Glen Sikorski, District 6
SECONDER:	George Rohmeyer, District 17
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Mueller, Ives
ABSTAIN:	Hunt
ABSENT:	Hull

2. Res. 49 - 22 : Resolution to Authorize Use of ARPA Funding for CVIC Improvements - Randy Scholz
County Administrator Scholz spoke on the resolution to use ARPA funding for CVIC improvements

All Supervisors present voted yes

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Harold Steele, District 2
SECONDER:	James Ericksen, District 8
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSENT:	Hull

3. Res. 50 - 22 : Resolution to Authorize ARPA Funds for Longevity Rewards - Randy Scholz
County Administrator, Randy Scholz, spoke on the resolution and explained the longevity rewards

All Supervisors present voted yes, except Supervisor Teuteberg abstained. Supervisor Teuteberg stated spouse works for the County.
19 Yes, 1 abstain, 1 absent

RESULT:	**APPROVED [19 TO 0]**
MOVER:	Annette Hunt, District 18
SECONDER:	Charles Bomar, District 12
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSTAIN:	Teuteberg
ABSENT:	Hull

4. 2021-2026 American Rescue Plan Act (ARPA) Plan Amendment - Randy Scholz
County Administrator, Randy Scholz, explained that the passage of the two previous resolutions changes the ARPA plan and would like the board to approve the updated plan

All Supervisors present voted yes

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Ronald McGill, District 16
SECONDER:	James Ericksen, District 8
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSENT:	Hull

5. Res. 51 - 22 : Resolution to Amend Resolution 52-21 - Excess Funds from the 2024 Farm Tech Days - Randy Scholz

   County Administrator, Randy Scholz and Chippewa County Economic Development Corporation President, Charlie Walker explained the resolution and miscommunication/misunderstanding from the resolution 52-21 on the excess funds from the 2024 Farm Tech Days

   All Supervisors present voted yes

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Charles Bomar, District 12
SECONDER:	Robert Teuteberg, District 14
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSENT:	Hull

6. Res. 52 - 22 : Resolution to Authorize $50,000 from Land Dev. Fund to Stanley Industrial Park - Randy Scholz and Charlie Walker

   County Administrator, Randy Scholz and Chippewa County Economic Development Corporation President, Charlie Walker explained the resolution

   All Supervisors present voted yes

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	David Bischel, District 4
SECONDER:	James Ericksen, District 8
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSENT:	Hull

7. Res. 53 - 22 : Resolution to Rescind the Firearms Range Use Policy - Randy Scholz

   County Administrator Scholz spoke on the resolution and explained that since the Firearms Range is closed permanently the policy is no longer needed.

   All Supervisors present voted yes

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Harold Steele, District 2
SECONDER:	James Flater, District 1
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSENT:	Hull

8. Ord. 07 - 22 : Ordinance to Amend Ch 70, Art IV, Div 3 Signs, Secs 70-147 to 150 - Second Reading - Doug Clary

   Planning and Zoning Director, Doug Clary was available for any questions. Mr. Clary had explained the ordinance change at the last County Board meeting.

   All Supervisors present voted yes

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jason Bergeron, District 7
SECONDER:	Ronald McGill, District 16
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSENT:	Hull

9. Ord. 08 - 22 : Ordinance to Amend Ch 70, Art IV, Div 1, Sec 70-115 Home Occupations - Second Reading - Doug Clary

   Planning and Zoning Director, Doug Clary was available for any questions. Mr. Clary had explained the ordinance change at the last County Board meeting.

   All Supervisors present voted yes

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jason Bergeron, District 7
SECONDER:	James Ericksen, District 8
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSENT:	Hull

10. Facility Use Policy Revisions - First Reading - Larry Ritzinger

    Facilities and Parks Director Larry Ritzinger explained the policy changes

RESULT:	**FIRST READING**	**Next: 11/8/2022 6:00 PM**

11. HR Policy Manual Revisions - First Reading - Toni Hohlfelder
    Human Resources Director, Toni Hohlfelder explained the HR Policy Manual changes

RESULT:	**FIRST READING**	**Next: 11/8/2022 6:00 PM**

12. New HIPAA Policies - First Reading - Toni Hohlfelder
    Human Resources Director, Toni Hohlfelder explained the attached memo that explains the new HIPAA policies

RESULT:	**FIRST READING**	**Next: 11/8/2022 6:00 PM**

9. CLOSED SESSION

1. Closed Session - The County Board will convene in Closed Session pursuant to Wisconsin State Statutes Sec. 19.85(1)(e) "Deliberating or negotiating the purchase of public properties . . . or conducting other specified business, whenever competitive or bargaining reasons require a closed session" (Report on potential site location(s) for future business park).
   The County Board convened to closed session at 6:43 pm

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jason Bergeron, District 7
SECONDER:	Annette Hunt, District 18
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSENT:	Hull

2. The County Board will reconvene to open session to continue with the agenda
   The County Board returned to open session at 8:08 pm.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jason Bergeron, District 7
SECONDER:	James Ericksen, District 8
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSENT:	Hull
EXCUSED:	Seidlitz

10. COUNTY BOARD CHAIR APPOINTMENTS

11. COUNTY ADMINISTRATOR APPOINTMENTS

1. County Administrator Appointment - Crime Prevention Funding Board

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jason Bergeron, District 7
SECONDER:	Charles Bomar, District 12
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSENT:	Hull
EXCUSED:	Seidlitz

12. AGENDA ITEMS FOR FUTURE CONSIDERATION

13. ADJOURN

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Annette Hunt, District 18
SECONDER:	Ken Schmitt, District 3 (Vice-Chair)
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSENT:	Hull
EXCUSED:	Seidlitz

DRAFT

CHIPPEWA COUNTY

COUNTY BOARD

REGULAR MEETING

SEPTEMBER 13, 2022

CHIPPEWA COUNTY COURTHOUSE, RM 302

6:00 PM

NOTE: THE COUNTY BOARD MEETING WILL BE LIVE STREAMED ON YOUTUBE.

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1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

3. ROLL CALL

Attendee Name	Organization	Title	Status	Arrived
Dean Gullickson	Chippewa County	District 5 (Chair)	Present	
Ken Schmitt	Chippewa County	District 3 (Vice-Chair)	Present	
James Flater	Chippewa County	District 1	Present	
Harold Steele	Chippewa County	District 2	Present	
David Bischel	Chippewa County	District 4	Present	
Glen Sikorski	Chippewa County	District 6	Present	
Jason Bergeron	Chippewa County	District 7	Present	
James Ericksen	Chippewa County	District 8	Present	
Joel Seidlitz	Chippewa County	District 9	Present	
Matthew Peterson	Chippewa County	District 10	Present	
Roger Calkins	Chippewa County	District 11	Absent	
Charles Bomar	Chippewa County	District 12	Present	
Caden Berg	Chippewa County	District 13	Present	
Robert Teuteberg	Chippewa County	District 14	Present	
David Eisenhuth	Chippewa County	District 15	Present	
Ronald McGill	Chippewa County	District 16	Present	
George Rohmeyer	Chippewa County	District 17	Present	
Annette Hunt	Chippewa County	District 18	Absent	
Chuck Hull	Chippewa County	District 19	Present	
Dean Mueller	Chippewa County	District 20	Present	
Kari Ives	Chippewa County	District 21	Present	

others present in room 302 - Randy Scholz, Lori Zwiefelhofer, Toni Hohlfelder, Andy Bauer, Chris Kowalczyk, Lynda Schweikert, Matt Hanson, Larry Ritzinger Todd Pauls, Traci Bremness, Doug Clary, Brian Kelley and Jaclyn Sadler

4. APPROVAL OF AGENDA

Minutes Acceptance: Minutes of Sep 13, 2022 6:00 PM (Consent Agenda)

Motion to Amend the agenda to move the business items ahead of the reports. Motion made by Supervisor Steele and second made by Supervisor Sikorski. All Supervisors present voted yes, except Supervisor Schmitt. 18 Yes, 1 No

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Charles Bomar, District 12
SECONDER:	Chuck Hull, District 19
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hull, Mueller, Ives
ABSENT:	Calkins, Hunt

5. MEMBERS OF THE PUBLIC WISHING TO BE HEARD

There were no members of the public wishing to be heard

6. CONSENT AGENDA

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Ronald McGill, District 16
SECONDER:	James Flater, District 1
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hull, Mueller, Ives
ABSENT:	Calkins, Hunt

1. Approval of Minutes

   County Board - Regular Meeting - Aug 9, 2022 6:00 PM

2. County Board Chair Appointment - Ethics Inquiry Board

3. County Administrator Appointment - Local Emergency Planning Committee

7. BUSINESS ITEMS

1. Res. 45-22: Resolution Awarding $3,000,000 of Promissory Notes - Randy Scholz
   Brad Viegut from Baird spoke on the resolution.

   All supervisors present voted yes, 19 Yes, 0 No, 2 absent

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	David Bischel, Ronald McGill
SECONDER:	Jason Bergeron, Robert Teuteberg
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hull, Mueller, Ives
ABSENT:	Calkins, Hunt

Minutes Acceptance: Minutes of Sep 13, 2022 6:00 PM (Consent Agenda)

2. Res. 46-22: Resolution to Proclaim September 2022 as "Recovery Month in Chippewa County" - Tim Easker
   Human Services Director, Tim Easker, spoke on the resolution.

   All supervisors present voted yes, 19 Yes, 0 No, 2 absent

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Kari Ives, District 21
SECONDER:	Harold Steele, District 2
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hull, Mueller, Ives
ABSENT:	Calkins, Hunt

3. Res. 47-22: Resolution to Authorize Sale of Type B Land in the Town of Lake Holcombe - Doug Clary
   Planning and Zoning Director, Doug Clary, spoke on the resolution to sell land in the Town of Lake Holcombe.

   All Supervisors present voted yes, 19 Yes, 0 No, 2 Absent.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	David Bischel, District 4
SECONDER:	Robert Teuteberg, District 14
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hull, Mueller, Ives
ABSENT:	Calkins, Hunt

4. Ord. 04 - 22 : Ordinance to Amend Sec. 2-82(e) to Increase Highway Permit Fees - Second Reading - Brian Kelley
   Highway Commissioner, Brian Kelley, spoke on the ordinance change.

   Ordinance approved 11 Yes, 8 No, 2 absent. All supervisors present voted yes, except Supervisors Steele, Schmitt, Bergeron, Seidlitz, Peterson, Berg, Teuteberg and Ives.

RESULT:	**APPROVED [11 TO 8]**
MOVER:	Glen Sikorski, District 6
SECONDER:	Charles Bomar, District 12
AYES:	Gullickson, Flater, Bischel, Sikorski, Ericksen, Bomar, Eisenhuth, McGill, Rohmeyer, Hull, Mueller
NAYS:	Schmitt, Steele, Bergeron, Seidlitz, Peterson, Berg, Teuteberg, Ives
ABSENT:	Calkins, Hunt

5. Ord. 05 - 22 : Ordinance to Amend Sec. 2-2 of the Chippewa County Code of Ordinances Regarding Hours of Operation - Second Reading - Randy Scholz
   County Administrator Randy Scholz spoke on the ordinance and stated had not received any negative feedback on the proposed change of courthouse hours.

Minutes Acceptance: Minutes of Sep 13, 2022 6:00 PM (Consent Agenda)

All supervisors present voted yes, except Supervisors, Peterson and Ives. 17 yes, 2 no, 2 absent

RESULT:	**APPROVED [17 TO 1]**
MOVER:	Joel Seidlitz, District 9
SECONDER:	David Bischel, District 4
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hull, Mueller
NAYS:	Peterson
ABSENT:	Calkins, Hunt
EXCUSED:	Ives

6. Ord. 06 - 22 : Ordinance to Amend Section 2-60 of the Chippewa County Code of Ordinances Regarding Annual Meeting and Appointments- First Reading - Randy Scholz
Motion to waive the 2nd reading made by Supervisor Erickson and second made by Supervisor McGill. 18 yes, 1 No (Supervisor Rohmeyer voted no)

Ord. 06-22 approved with 18 yes, 1 No. All supervisors present voted yes, except Supervisor Rohmeyer.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Charles Bomar, District 12
SECONDER:	Caden Berg, District 13
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hull, Mueller, Ives
ABSENT:	Calkins, Hunt

7. Ord. 07 - 22 : Ordinance to Amend Ch 70, Art IV, Div 3 Signs, Secs 70-147 to 150 - First Reading - Doug Clary
Planning and Zoning Director, Doug Clary explained the amendment to Chapter 70.

RESULT:	**FIRST READING**	**Next: 10/11/2022 6:00 PM**

8. Ord. 08 - 22 : Ordinance to Amend Ch 70, Art IV, Div 1, Sec 70-115 Home Occupations - First Reading - Doug Clary
Planning and Zoning Director, Doug Clary explained the amendment to Chapter 70.

RESULT:	**FIRST READING**	**Next: 10/11/2022 6:00 PM**

9. New Longevity Bonus Policy for Human Resources Policy Manual - Second Reading - Toni Hohlfelder
Human Resources Director, Toni Hohlfelder was available for any questions. All supervisors present voted yes except Supervisor Teuteberg who abstained from voting. Supervisor Teuteberg's spouse works for the County and abstained from voting on all the Human Resource Policies. 18 Yes, 1 Abstain, 2 Absent

Minutes Acceptance: Minutes of Sep 13, 2022 6:00 PM (Consent Agenda)

RESULT:	**APPROVED [18 TO 0]**
MOVER:	James Flater, District 1
SECONDER:	Chuck Hull, District 19
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Bomar, Berg, Eisenhuth, McGill, Rohmeyer, Hull, Mueller, Ives
ABSTAIN:	Teuteberg
ABSENT:	Calkins, Hunt

10. New Employee Referral Reward Policy for Human Resources Policy Manual - Second Reading - Toni Hohlfelder

    Human Resources Director, Toni Hohlfelder was available for any questions. All supervisors present voted yes except Supervisor Steel, who voted no and Supervisor Teuteberg who abstained from voting. Supervisor Teuteberg's spouse works for the County and abstained from voting on all the Human Resource Policies. 17 Yes, 1 No, 1 Abstain, 2 Absent

RESULT:	**APPROVED [17 TO 1]**
MOVER:	David Bischel, District 4
SECONDER:	Joel Seidlitz, District 9
AYES:	Gullickson, Schmitt, Flater, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Bomar, Berg, Eisenhuth, McGill, Rohmeyer, Hull, Mueller, Ives
NAYS:	Steele
ABSTAIN:	Teuteberg
ABSENT:	Calkins, Hunt

11. New Funeral Leave Policy for Human Resource Policy Manual - Second Reading - Toni Hohlfelder

    Human Resources Director, Toni Hohlfelder was available for any questions. All supervisors present voted yes except Supervisor Teuteberg who abstained from voting. Supervisor Teuteberg's spouse works for the County and abstained from voting on all the Human Resource Policies. 18 Yes, 1 Abstain, 2 Absent

RESULT:	**APPROVED [18 TO 0]**
MOVER:	David Bischel, District 4
SECONDER:	Ronald McGill, District 16
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Bomar, Berg, Eisenhuth, McGill, Rohmeyer, Hull, Mueller, Ives
ABSTAIN:	Teuteberg
ABSENT:	Calkins, Hunt

12. Review Revisions to the Human Resources Policy Manual Chapters 1-8 - Second Reading - Toni Hohlfelder

    Human Resources Director, Toni Hohlfelder was available for any questions. All supervisors present voted yes except Supervisor Teuteberg who abstained from voting. Supervisor Teuteberg's spouse works for the County and abstained from voting on all the Human Resource Policies. 18 Yes, 1 Abstain, 2 Absent

Minutes Acceptance: Minutes of Sep 13, 2022 6:00 PM (Consent Agenda)

RESULT:	**APPROVED [18 TO 0]**
MOVER:	Jason Bergeron, District 7
SECONDER:	James Ericksen, District 8
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Bomar, Berg, Eisenhuth, McGill, Rohmeyer, Hull, Mueller, Ives
ABSTAIN:	Teuteberg
ABSENT:	Calkins, Hunt

8. REPORTS

A. County Administrator Review and Update

1. Preliminary Review of County Administrator 2023 Proposed Budget - Randy Scholz
   County Administrator, Randy Scholz, presented the preliminary 2023 County Budget

2. Update on Public Firearms Range Closure and Clean Up - Randy Scholz
   County Administrator, Randy Scholz, updated the board on the status of the DNR funding and clean up of the firearms range.

3. Chippewa County Forest Carbon Credit Opportunity – Randy Scholz/Matt Hanson/Josh Strauss
   Chippewa County Forester, Matt Hanson, explained the Carbon Credit Opportunity

B. Department Reports

1. Finance Update - Lori Zwiefelhofer
   Finance Director, Lori Zwiefelhofer, provided a finance update from January 2022 through June 2022

2. Recognition of Henry Shakal - Dean Gullickson
   County Board Chair Gullickson acknowledged former County Board Supervisor, Henry Shakal, who passed away recently. Chair Gullickson said that Mr. Shakal didn't miss a single County Board meeting in the 12 years he served and only missed one committee meeting as he was driving a van of veterans to appointments and they had vehicle trouble.

C. General Reports

9. AGENDA ITEMS FOR FUTURE CONSIDERATION

There were no items for future consideration.

10. ADJOURN

Minutes Acceptance: Minutes of Sep 13, 2022 6:00 PM (Consent Agenda)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	James Ericksen, District 8
SECONDER:	Ronald McGill, District 16
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hull, Mueller, Ives
ABSENT:	Calkins, Hunt

Minutes Acceptance: Minutes of Sep 13, 2022 6:00 PM (Consent Agenda)

STATEMENT OF EXPLANATION
Amendatory Zoning Ordinance No. 06 - 22

AZO 06-22: 2022-0009 SCHUMACHER REZONE - WOODMOHR

Comprehensive zoning consists of written text (commonly referred to as the zoning ordinance) and an official zoning map. The zoning ordinance is a guideline for permitted and conditional uses, which are separated into zoning classifications or districts. The zoning map shows how a town board has designated the particular zoning classifications or districts to parcels of land within their particular jurisdiction. A rezone is where a property owner or other authorized entity seeks to amend the official zoning map, which would allow a use that is currently not permitted on the parcels of land based on the existing zoning classification or district. This is referred to as a zoning map amendment or "rezoning". The requested rezoning change may not be granted if it does not fit with the comprehensive plan and community goals for the respective town and county.

LEGAL DESCRIPTION

Lot 2 of Certified Survey Map 3651, parcel number 23009-1134-73651002, which is located in the SE 1/4 of the SW 1/4, Section 11, Township 30 North, Range 09 West. Town of Woodmohr. Physical address: 11368 County Hwy SS.

From: Industrial **To:** Local Commercial

Amendatory Zoning Ordinance No. 06 - 22

AZO 06-22: 2022-0009 SCHUMACHER REZONE - WOODMOHR

Zoning Petition No:	2022-0009
Town Board Action:	September 14, 2022, Approve
Planning & Zoning Committee Public Hearing:	September 22, 2022
Recommendation from Planning & Zoning Committee:	Approve, W/Conditions

Comments/Conditions:

(1) The owner or buyer shall submit the necessary information per the Uniform Dwelling Code for approval and permitting for the residential portion of the structure.

(2) The applicable UDC inspections shall occur prior to utilizing the structure for living quarters and the issuance of an Occupancy Permit.

(3) If applicable, the owner shall submit the necessary information to the State of Wisconsin for the inclusion of the living quarters within the commercial structure. Any approvals from the State of Wisconsin shall be forwarded to the Department of Planning & Zoning.

(4) The owner or buyer shall submit the necessary information for the evaluation of the septic system to show that it is sized for the residential use and the proposed commercial use of the structure.

The Chippewa County Board of Supervisors does ordain as follows:

That the Zoning maps, dated 1974 and land description listing the boundaries of the eleven zoning districts, and referred to in Chapter 70-61 of the Chippewa County Zoning Ordinance, adopted on February 14, 2006, to be amended as follows:

LEGAL DESCRIPTION

Lot 2 of Certified Survey Map 3651, parcel number 23009-1134-73651002, which is located in the SE 1/4 of the SW 1/4, Section 11, Township 30 North, Range 09 West. Town of Woodmohr. Physical address: 11368 County Hwy SS.

From: Industrial **To:** Local Commercial

The new map, now dated October, 2022 and land description are made a part of the Zoning Ordinance. All notations, references and other information shown upon said "zoning map" dated October, 2022, and land description shall be as much a part of this Ordinance as if the matter and things set forth by said map and land description were fully described herein.

This Ordinance shall become effective upon passage.

Dated this **11th** day of **October, 2022**.

RESULT:	**APPROVED BY CONSENT VOTE [UNANIMOUS]**
MOVER:	James Flater, District 1
SECONDER:	James Ericksen, District 8
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSENT:	Chuck Hull

(Publish – Chippewa Herald – September 8 and September 15, 2022)

CHIPPEWA COUNTY PLANNING & ZONING COMMITTEE
NOTICE OF PUBLIC HEARING
STATE OF WISCONSIN

PUBLIC NOTICE is hereby given to all persons in the County of Chippewa, Wisconsin, that a public hearing will be held on **September 22, 2022** beginning at **4:30 PM** at the Chippewa County Courthouse, Room 302, 711 N Bridge Street, Chippewa Falls, Wisconsin relative to the following request:

Rezone Petition: 2022-0009
Petitioner: Steven J. Schumacher, LLC
Lot 2 of Certified Survey Map 3651, Parcel Number 23009-1134-73651002, which is located in the SE ¼ of the SW ¼, Section 11, Township 30 North, Range 09 West, Town of Woodmohr. Physical Address: 11368 County Hwy SS.

From: Industrial **To:** Local Commercial

Conditional Use Permit: 2022-0009
Petitioner: Haas Sons Inc **Property Owner:** Leonard & Laura Jean Halfman Trust
To allow a new non-metallic mine (Halfman Pit) in the Agricultural District in accordance with sections 70-71(b)(2), 70-108 and 70-180 through 70-187 of the Chippewa County Zoning Ordinance on parcels which are located in the SE ¼ of the NW ¼, the NE ¼ of the SW ¼ and the NW ¼ of the SE ¼, Section 06, Township 30 North, Range 08 West. Town of Woodmohr.

Specific information regarding these public hearings can be obtained at the Chippewa County Department of Planning & Zoning. All persons interested are invited to attend these hearings.

Dated this **24th** day of **August**, 2022

Douglas Clary, Director
Department of Planning & Zoning
Chippewa County

Attachment: 2022-0009 - Schumacher Rezone - Public Hearing Notices & Maps (06 - 22 : AZO 06-22: 2022-0009 Schumacher Rezone -

CHIPPEWA COUNTY
DEPARTMENT OF PLANNING & ZONING

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone:715.726.7940 • Fax:715.726.4596 • www.co.chippewa.wi.us •

Land Management | Land Planning | Land Records & G.I.S. | POWTS & Wells

Date: August 24, 2022

To: Property Owner(s)

From: Douglas Clary, Director

Re: Public Meetings & Hearing

Dear Property Owner(s):

The Chippewa County Department of Planning & Zoning has received a rezone petition on a parcel of land that is located either adjacent to or in the vicinity of property owned by you. You are receiving this notice because your property has been determined to be within the legal public hearing notification distance per county and state requirements. I have enclosed a map identifying the location of the parcel associated with this petition. Please contact me at (715) 726-7941 if you have any questions regarding this petition.

REZONE PETITION #2022-0009
Petitioner: Steven J. Schumacher, LLC
Lot 2 of Certified Survey Map 3651, Parcel Number 23009-1134-73651002, which is located in the SE ¼ of the SW ¼, Section 11, Township 30 North, Range 09 West, Town of Woodmohr. Physical Address: 11368 County Hwy SS.

From: Industrial **To:** Local Commercial

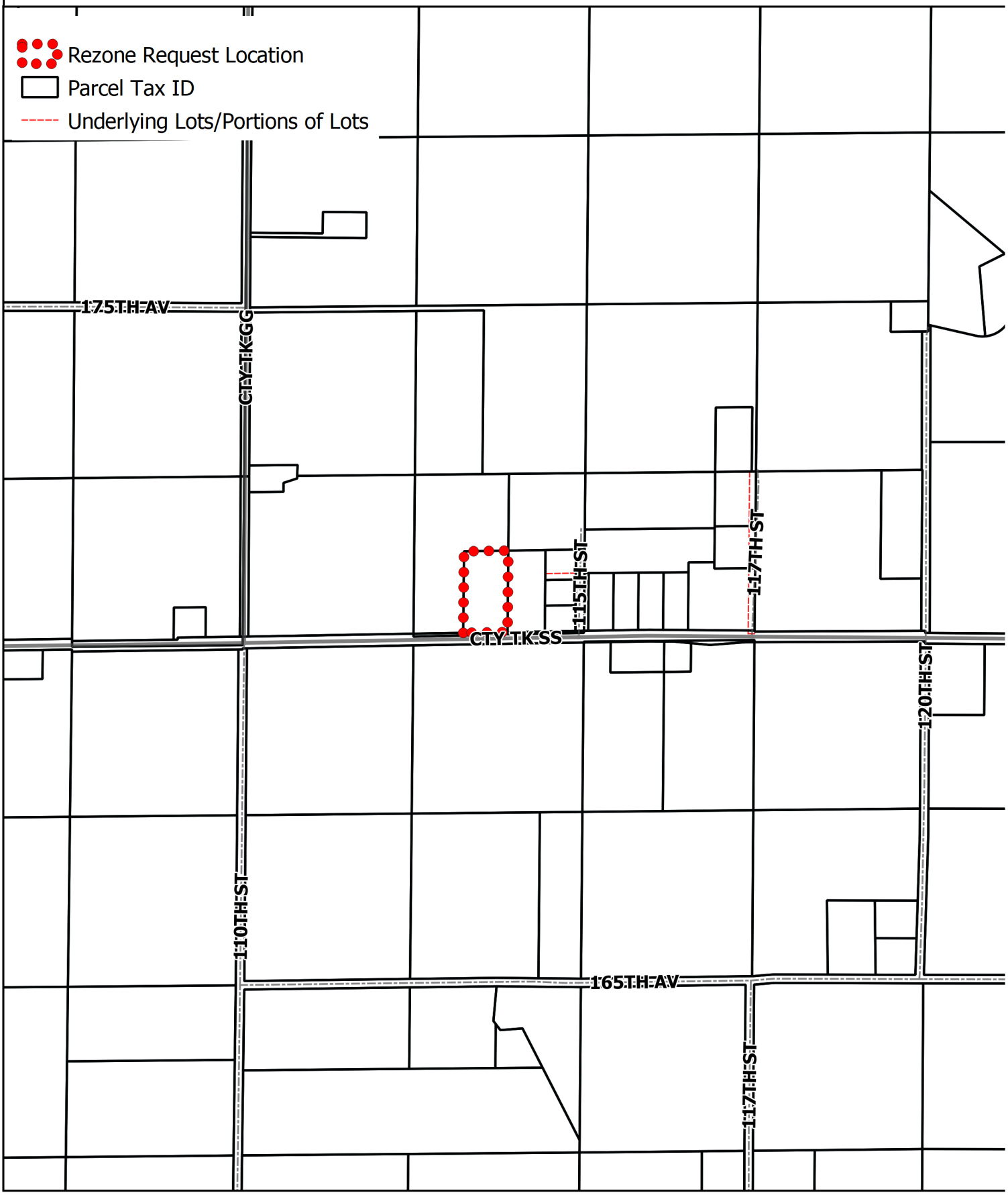
Woodmohr Town Plan Commission:
The Woodmohr Plan Commission will **REVIEW** this petition on **September 8, 2022** at **7:00 pm**, at the Woodmohr Town Hall, 16738 125th Street, Bloomer, Wisconsin 54724. The Plan Commission will forward an **ADVISORY** recommendation to the Woodmohr Town Board to approve, disapprove or approve with modification(s) and/or condition(s).

Woodmohr Town Board:
The Woodmohr Town Board will **REVIEW** this petition on **September 14, 2022** at **7:00 PM,** at the Woodmohr Town Hall, 16738 125th Street, Bloomer, Wisconsin 54724. The Town Board will forward an **ADVISORY** recommendation to the Chippewa County Planning & Zoning Committee to approve or disapprove or approve with modification(s) and/or condition(s).

Chippewa County Planning & Zoning Committee:
The Chippewa County Planning & Zoning Committee will hold a **PUBLIC HEARING** for this petition on **September 22, 2022** at **4:30 PM**, in room 302, of the Chippewa County Courthouse located at 711 N. Bridge Street, Chippewa Falls, Wisconsin. The Committee will make a determination on the petition to approve, disapprove or approve with modifications(s) and/or conditions. If the Planning & Zoning Committee approves or approves with modification modifications(s) and/or conditions, the petition will be forwarded to the County Board of Supervisors meeting on October 11, 2022 for their consideration. If the Planning & Zoning Committee disapproves, the petition will fail.

Attachment: 2022-0009 - Schumacher Rezone - Public Hearing Notices & Maps (06 - 22 : AZO 06-22: 2022-0009 Schumacher Rezone -

2022-0009 Steve J. Schumacher, LLC - Rezone Request - Location Map



Attachment: 2022-0009 - Schumacher Rezone - Public Hearing Notices & Maps (06 - 22 : AZO 06-22: 2022-0009 Schumacher Rezone -

Produced on August 24, 2022 by the Chippewa County Department of Planning & Zoning and is for reference purposes only.

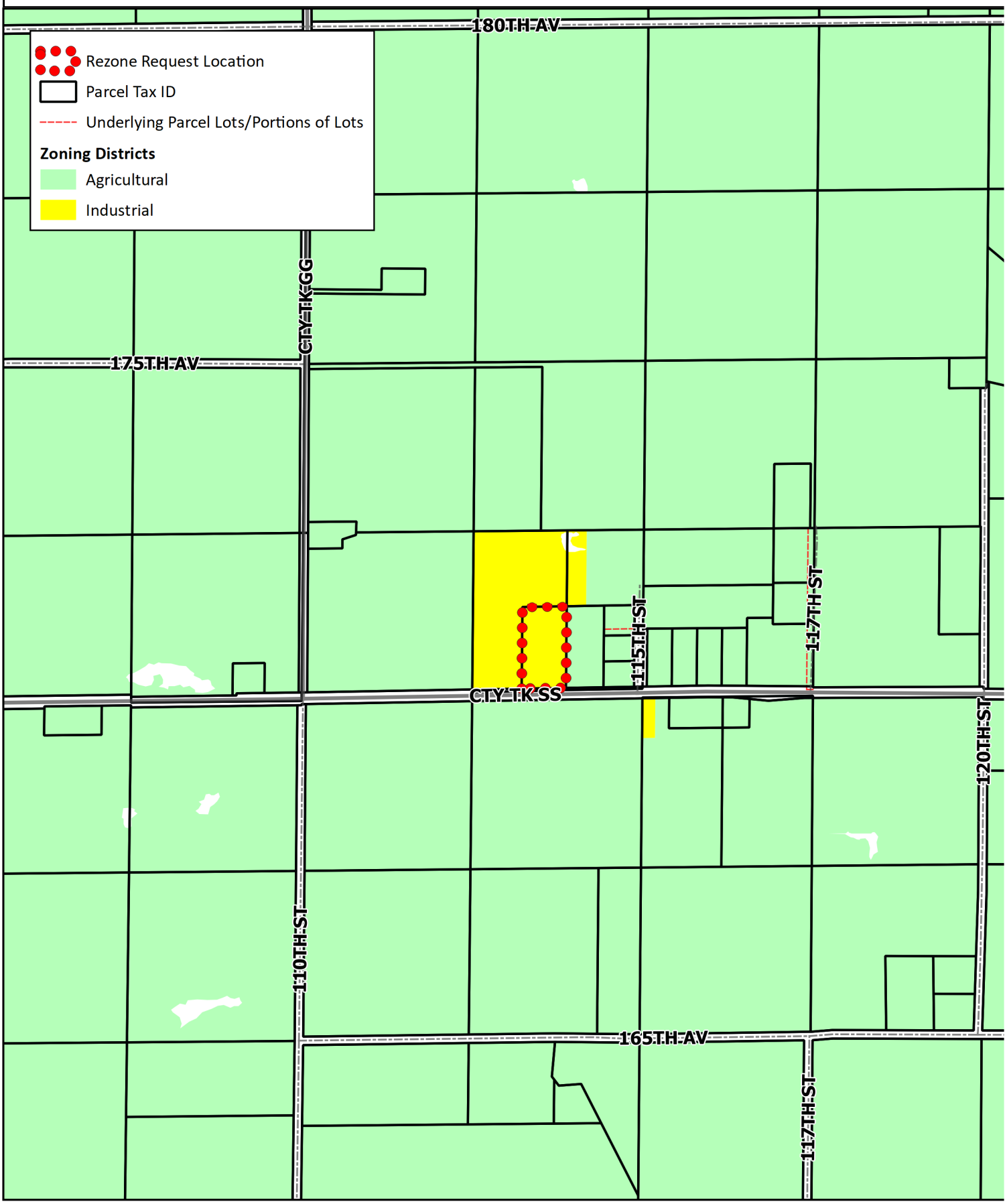
2022-0009 Steve J. Schumacher, LLC - Rezone Request - Aerial (2020)



Attachment: 2022-0009 - Schumacher Rezone - Public Hearing Notices & Maps (06 - 22 : AZO 06-22: 2022-0009 Schumacher Rezone -

Produced on August 24, 2022 by the Chippewa County Department of Planning & Zoning and is for reference purposes only.

2022-0009 Steve J. Schumacher, LLC - Rezone - Zoning Districts



Attachment: 2022-0009 - Schumacher Rezone - Public Hearing Notices & Maps (06 - 22 : AZO 06-22: 2022-0009 Schumacher Rezone -

Produced on August 24, 2022 by the Chippewa County Department of Planning & Zoning and is for reference purposes only

CHIPPEWA COUNTY
DEPARTMENT OF PLANNING & ZONING

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone:715.726.7940 • Fax:715.726.4596 • www.co.chippewa.wi.us •

Land Management | Land Planning | Land Records & G.I.S. | POWTS & Wells

Date: September 21, 2022

To: David Eisenhuth, Planning & Zoning Committee Chair

From: Douglas Clary, Director

Re: Steven J. Schumacher, LLC - Rezone Request

Rezone Information – 2022-0009

1. **Property Owner:** Steven J. Schumacher, LLC
2. **Petitioner/Agent Name:** Shanna McMullin
3. **General Property Location:** Please see the location map that has been provided.
4. **Type of Appeal:** Rezone from Industrial (IND) to Local Commercial (LC). Lot is 5.00 Acres.
5. **Staff Comments - Rezone:** The minimum lot size in the Industrial District is 1.00 acres. However, the Town of Woodmohr has a 2.00 acre minimum lot size requirement.

   The current owner created living quarters within this structure without the proper permitting. The proper permitting would have included the submittal of plans to our department for review and approval of the proposed living quarters as well as the necessary inspections.

   The rezone petition can still move forward. However, the septic and the living quarters will need to be addressed but not necessarily prior to the rezone approvals. The issue with the septic is that it was sized for a warehouse with 6 employees. So, the 2,000 gallon holding tank might not be sized appropriately for the proposed use and the living quarters. We will need to have the change of use reviewed, submitted and approved by the owner.

   The issue with the building is that the previous owner added living quarters to the structure. This would have required a permit from our office and UDC inspections. It would have most likely also included approval of the plans from the State of Wisconsin because this structure is a Commercial Structure.
6. **Staff Recommendation:** I would recommend **APPROVAL** of the rezone with the following conditions:

   a. The owner or buyer shall submit the necessary information per the Uniform Dwelling Code for approval and permitting for the residential portion of the structure.
   b. The applicable UDC inspections shall occur prior to utilizing the structure for living quarters and the issuance of an Occupancy Permit.
   c. If applicable, the owner shall submit the necessary information to the State of Wisconsin for the inclusion of the living quarters within the commercial structure. Any approvals from the State of Wisconsin shall be forwarded to the Department of Planning & Zoning.
   d. The owner or buyer shall submit the necessary information for the evaluation of the septic system to show that it is sized for the residential use and the proposed commercial use of the structure.
   e. Any other conditions as seen justifiable to the Planning & Zoning Committee.

CC: File

Attachment: 2022-0009 - Schumacher Rezone - Staff Report (06 - 22 : AZO 06-22: 2022-0009 Schumacher Rezone - Woodmohr)

STATEMENT OF EXPLANATION

Resolution No. 48 - 22

RES. 48-22: RESOLUTION AUTHORIZING THE HIGHWAY DEPARTMENT TO SELL PROPERTY THAT IS NO LONGER NEEDED FOR HIGHWAY PURPOSES - BRIAN KELLEY

This resolution is brought, pursuant to § 83.08(4) of the Wisconsin Statutes, to approve the sale of Highway Department property located in the Town of Wheaton. An adjacent landowner has offered to purchase the property and the sale to this landowner will allow their business to expand. The Highway Department has done a review and audit of this property and has determined that the property is no longer needed for highway purposes and may be sold. An appraisal was completed by Radichel & Associates to determine the fair market value. The Highway Commissioner and the Highway Committee recommend that this property be sold to the adjacent landowner for the fair market value plus appraisal fees.

Resolution No. 48 - 22

RES. 48-22: RESOLUTION AUTHORIZING THE HIGHWAY DEPARTMENT TO SELL PROPERTY THAT IS NO LONGER NEEDED FOR HIGHWAY PURPOSES - BRIAN KELLEY

WHEREAS, the Highway Department has completed a review and investigation of properties owned by the Department for highway purposes; and

WHEREAS, the following property has been identified as no longer having any value to the Highway Department for highway purposes:

A parcel of land located in part of Government Lot 1 (Southeast 1/4 of the Northeast 1/4), Section 10, and part of Government Lot 4 (Southwest 1/4 of the Northwest 1/4), Section 11, all in Township 28 North, Range 9 West, Town of Wheaton, Chippewa County, Wisconsin. The parcel is more particularly described as follows:

COMMENCING at the Northwest Corner of said Section 11; thence, S.00°04'48"W. along the West Line of the Northwest 1/4 of said Section 11, 1707.78 feet; thence, N.85°05'21"W., 0.13 feet to a found Mag Nail on the Northerly right-of-way line of County Trunk Highway "X" and the POINT OF BEGINNING; thence, S.85°05'21"E. along said right-of-way line, 436.79 feet to a found 1" Outside Diameter Iron Pipe; thence, N.04°52'12"E. along said right-of-way line, 20.05 feet to a found 1" Outside Diameter Iron Pipe; thence, S.85°02'48"E. along said right-of-way line, 250.00 feet to a found 1" Outside Diameter Iron Pipe; thence, S.00°09'12"E., 40.11 feet to a set 3/4" x 24" Iron Rebar; thence, N.85°05'21"W., 688.59 feet to a found 1" Outside Diameter Iron Pipe; thence, N.00°00'04"W., 20.16 feet to the POINT OF BEGINNING. Being subject to any easements of record; and

WHEREAS, the Property has no value for highway purposes, and would provide further room for the expansion of a local business; and

WHEREAS, the Property is held in Highway Department inventory, but generates no property tax value and serves no purpose for the public; and

WHEREAS, a sale of the Property to the current owner of the adjacent parcel, Northern Crossarm Company, Inc., would allow for expansion of their operations; and

WHEREAS, § 83.08(4), Wis. Stats., authorizes the sale of property owned by the County in fee for highway purposes at private sale for fair market value to an owner of adjacent property when the County Board has determined that the property is no longer necessary for the County's use for highway purposes;

NOW, THEREFORE BE IT RESOLVED, that the Property listed above no longer has value

for highway purposes and therefore the County Highway Commissioner is authorized to sell the Property for fair market value to the current owner of the adjacent parcel, Northern Crossarm Company, Inc., pursuant to § 83.08(4), Wis. Stats.; and

BE IT FURTHER RESOLVED, that the Corporation Counsel is authorized to draft the deeds, contracts and other documents as needed to sell the Property and the County Clerk and County Administrator are authorized to sign the deeds and all other sale documents to effectuate the sale; and

BE IT FURTHER RESOLVED, that the funds from the sale of the Property be deposited into the Highway Fund as required by § 83.08(4), Wis. Stats, and the expenses incurred in connection with the sale be paid from the same fund.

Forwarded to the County Board by the Highway Committee.

FINANCIAL IMPACT:

Sale of this property will have a positive impact on the Highway Department budget as the fair market value is $1,720.00. The cost of the appraisal by Radichel & Associates is $500.00.

10/11/2022	**County Board**
RESULT:	**APPROVED [19 TO 0]**
MOVER:	Glen Sikorski, District 6
SECONDER:	George Rohmeyer, District 17
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Mueller, Ives
ABSTAIN:	Annette Hunt
ABSENT:	Chuck Hull

History:

09/28/22 Highway Committee FORWARD TO COUNTY BOARD

Approved as to Form:

Todd A. Pauls, Corporation Counsel 8/9/2022

Lori Zwiefelhofer, Finance Director 8/9/2022

Randy B. Scholz, County Administrator 8/9/2022

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MAP OF SURVEY

Located in part of Government Lot 1 (Southeast 1/4 of the Northeast 1/4), Section 10, and part of Government Lot 4
(Southwest 1/4 of the Northwest 1/4), Section 11, all in Township 28 North, Range 9 West, Town of Wheaton, Chippewa County, Wisconsin.

BEARINGS ARE REFERENCED TO THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 11, WHICH IS ASSUMED TO BEAR S.00°04'48"W.

THIS PARCEL

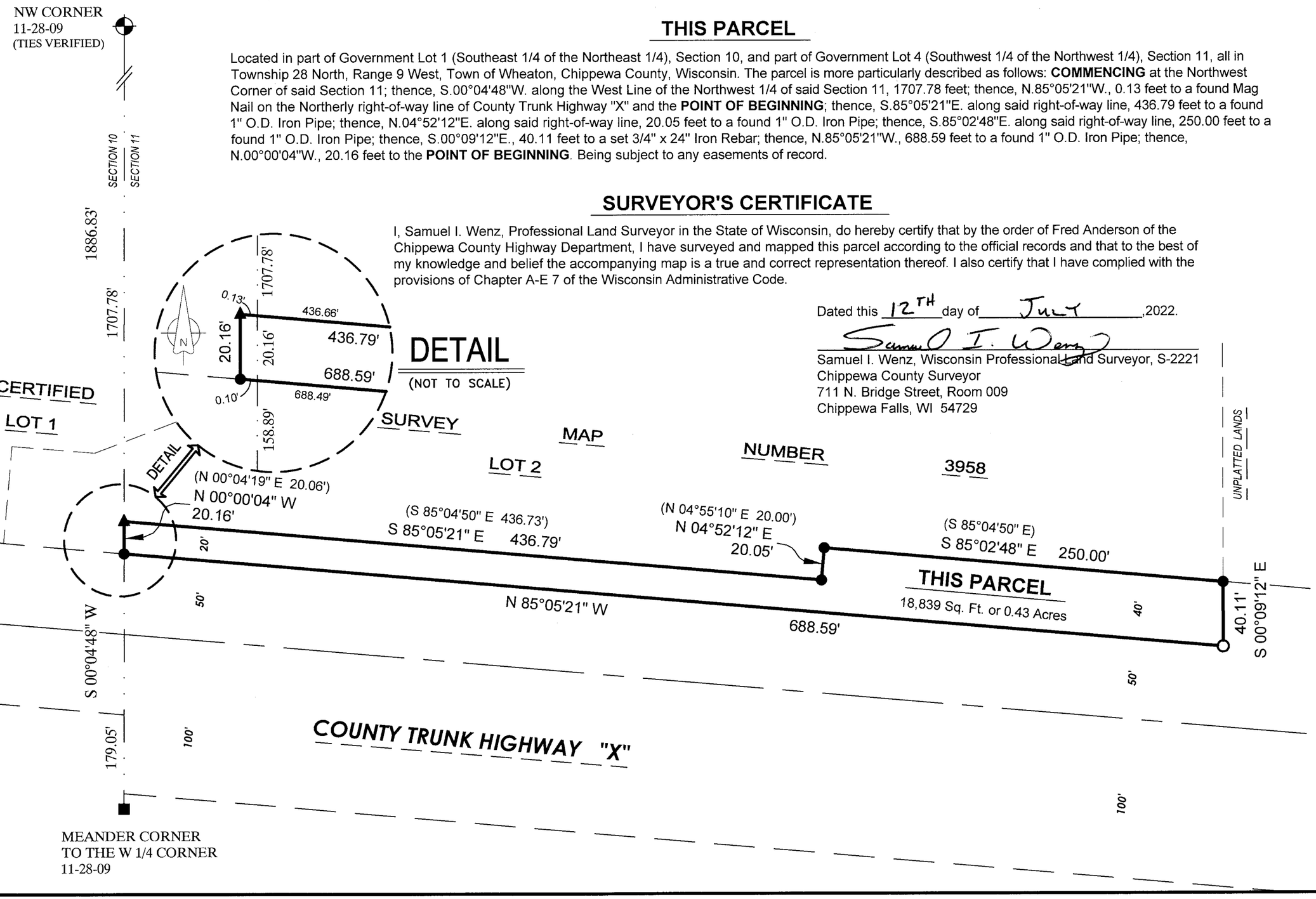
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SURVEYOR'S CERTIFICATE

I, Samuel I. Wenz, Professional Land Surveyor in the State of Wisconsin, do hereby certify that by the order of Fred Anderson of the Chippewa County Highway Department, I have surveyed and mapped this parcel according to the official records and that to the best of my knowledge and belief the accompanying map is a true and correct representation thereof. I also certify that I have complied with the provisions of Chapter A-E 7 of the Wisconsin Administrative Code.

Dated this 12TH day of July ,2022.

Samuel I. Wenz, Wisconsin Professional Land Surveyor, S-2221
Chippewa County Surveyor
711 N. Bridge Street, Room 009
Chippewa Falls, WI 54729



N
W E
S

0' 30' 60'

SCALE 1" = 60'

LEGEND

- = Found 4" Cast Iron Monument
- = Found 2" O.D. Iron Pipe
- = Found 1" O.D. Iron Pipe
- = Found Mag Nail in Asphalt
- O = Set 3/4" x 24" Iron Rebar
- (XX.xx) = Previously Recorded As
- O.D. = Outside Diameter
- N = North S = South
- E = East W = West
- Sq. Ft. = Square Feet

Fieldwork Completed: 6/20/2022

7967B

WISCONSIN
SAMUEL I WENZ
S-2221
CHIPPEWA FALLS, WI
LAND SURVEYOR

PROJECT NUMBER: 22009
SHEET 1 OF

Attachment: CSM of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

APPRAISAL REPORT

of property owned by
Chippewa County Highway Department
801 East Grand Avenue
Chippewa Falls, WI 54729

PREPARED FOR:

Chippewa County Highway Department
Attn: Fred Anderson
801 East Grand Avenue
Chippewa Falls, WI 54729

PREPARED BY:

Radichel & Associates, LLC
1810 Susan Dr.
Eau Claire, WI 54701

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Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

June 30, 2022

Fred Anderson
Chippewa County Highway Department
801 East Grand Avenue
Chippewa Falls, WI 54729

Re: Excess Property, CTH X

Dear Mr. Anderson:

As requested by you, we have prepared an appraisal of excess Right of Way on CTH H, in the Town of Wheaton. The purpose of this appraisal is to estimate the market value of a 0.43 acre parcel of excess right of way along CTH X.

The definition of market value is found in the body of the report. Our analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.

A summary of salient facts and conclusions is included in the report. Please note the Assumption and Limiting Conditions upon which the value conclusions are estimated.

An inspection of the subject property and collection and analysis of the pertinent data was made.

It is our opinion that as of June 29, 2022, the market value of the property is $1,720.

Enclosed is our narrative report along with the necessary exhibits in the addenda outlining the data and conclusions on which it is based.

Thank you for the opportunity to provide this service.

Sincerely,

Frederick G. Radichel, June 30, 2022
Certified General Appraiser #636

John F. Radichel, June 30,2022
Certified General Appraiser #1162

Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

PARCEL DESCRIPTION

PROPERTY OWNER: Chippewa County Highway Department

PROPERTY ADDRESS: CTH X, Chippewa Falls WI

OWNER ADDRESS: 801 East Grand Avenue, Chippewa Falls, WI 54729

PHONE: (715) 426-0100

SIZE AND TYPE OF PROPERTY: A 0.43 acre tract of Excess Road Right of Way.

FIVE YEAR SALES HISTORY				
DOCUMENT NO.	**GRANTOR**	**GRANTEE**	**DATE**	**SALE PRICE**
None				

PRESENT USE: CTH X Right of Way

ZONING: None

HIGHEST AND BEST USE

BEFORE: Road Right of Way

AFTER: Addition to abutting property

Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

SCOPE OF WORK

INTENDED USE: This report is being prepared for The Chippewa County Highway Department who are the intended users. This report will be used to establish the value of the excess right of way along CTH X, in the Town of Wheaton, Chippewa County.

Information used in the completion of this report was obtained by an investigation of the real estate market in Chippewa county in particular the Town of Wheaton, as follows:

1. Gathering of sales data from the Chippewa County Register of Deeds. This search extended from January 1, 2020 to the date of the appraisal. Sales have also been gathered from the Western Wisconsin MLS from January 1, 2020 to the date of the appraisal.
2. Discussing sales data and sales trends with local realtors.
3. Physically viewing sales
4. Reviewing zoning data from the Chippewa County website. This provides information on the legal uses of the subject and sales.
5. Physically viewing the subject on June 29, 2022.

We have concluded that sufficient data is available to support our opinion of value.

APPROACHES TO VALUE: There are three basic approaches to value, which are briefly summarized below:

SALES COMPARISION APPROACH: In this method the appraiser obtains from the market place a number of sales of property comparable to the subject. The appraiser then verifies the terms and conditions of sale and the sales price of properties with a party to the transaction. After analysis and adjustment, these sales are utilized to arrive at a range of value for the subject. It is from within this range that the appraiser arrives at a value for the subject property. When comparable sales are available; the market approach is considered to be the best indicator of value because it represents the actions of buyers and sellers in the marketplace. Sufficient sale data is available and provides the best support for the estimate of the value of the subject property.

COST APPROACH: In some instances, an appraiser may use this approach to arrive at a value for the improvements on the subject property. In this approach the appraiser utilizes current costs of reproduction or replacement for the improvements. Depreciation is applied to this price to arrive at an in-place value for the subject improvements. The value of the land is then added from the market approach. The subject is an unimproved parcel and therefore this approach is not applicable.

INCOME APPROACH: This approach uses the assumption that there is a relationship between the amount of income a property will earn and the future value of that property. The appraiser uses the anticipated net income of the subject and processes it into a value for the subject. This process uses a capitalization rate including such factors as risk, time and interest on the capital investment and recapture of the depreciating asset. Based on the size and shape of this parcel it is concluded that this approach may provide a misleading indication of value and therefore will not be used.

MARKET VALUE DEFINITION: Market value is defined as the most probable price, which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeable and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;

2. Both parties are well informed or well advised, and acting in what they consider their best interests;

3. A reasonable time is allowed for exposure in the open market;

4. Payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto;

5. The price represents the normal consideration for the Property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

LARGER PARCEL

The Larger Parcel is typically based on three items: contiguity, unity of use and unity of ownership. The subject is a 0.43 acre strip of land along CTH X in the Town of Wheaton. The subject has frontage along CTH H. Access to this property would be via the abutting privately owned parcel.

PROPERTY RIGHTS BEING APPRAISED: This appraisal will consider the fee simple fair market value of the subject property. As can be seen based on the above map the subject is a narrow parcel of land that has limited appeal in the open market.

Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

EXTRAORDINARY ASSUMPTIONS

An extraordinary assumption is one that if proven false could alter the appraiser's opinion of value. No extraordinary assumptions are used in this report.

HYPOTHETICAL CONDITION

This is defined as a condition which does not exist at the current time but is used for analysis and to provide a conclusion of value. In this report there are no hypothetical conditions.

REPORT TYPE

Based on USPAP 2022-2023 there are two report types Restrictive Appraisal Report and Appraisal Report. This appraisal is classified as an Appraisal Report.

JURISDICTIONAL EXCEPTION

There are no Jurisdictional exceptions in this report.

Only those valuation approaches that are applicable are included in this report. The elimination of approaches that are not applicable does not result in a departure from the Uniform Standards of Professional Appraisal Practice. The Jurisdictional Exception Rule allows law or public policy to supersede USPAP rules.

EXPOSURE TIME

The subject is a vacant strip of excess right of way. We have estimated an exposure time of 6 to 12 months.

Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

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CERTIFICATE OF APPRAISER

To the best of our knowledge and belief, the statements contained in this appraisal report are true and the information upon which the opinions expressed herein are based is correct, subject to the limiting conditions herein set forth:

The statements contained in this report are true and correct. The reported analysis, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and is our personal, impartial and unbiased professional analyses, opinions and conclusions. We have no present or prospective interest in the property that is the subject of this report, and we have no personal interest or bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

Neither our compensation nor our employment is contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stimulated result, or the occurrence of a subsequent event directly related to the intended use of the appraisal.

Our analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.

No one provided significant real property appraisal assistance to us in making this report. We have not revealed the findings and results of this appraisal to anyone other than the proper officials, and we will not do so until authorized by said officials, or until we are required to do so by due process of law, or until we are released from this obligation by having publicly testified as to such findings.

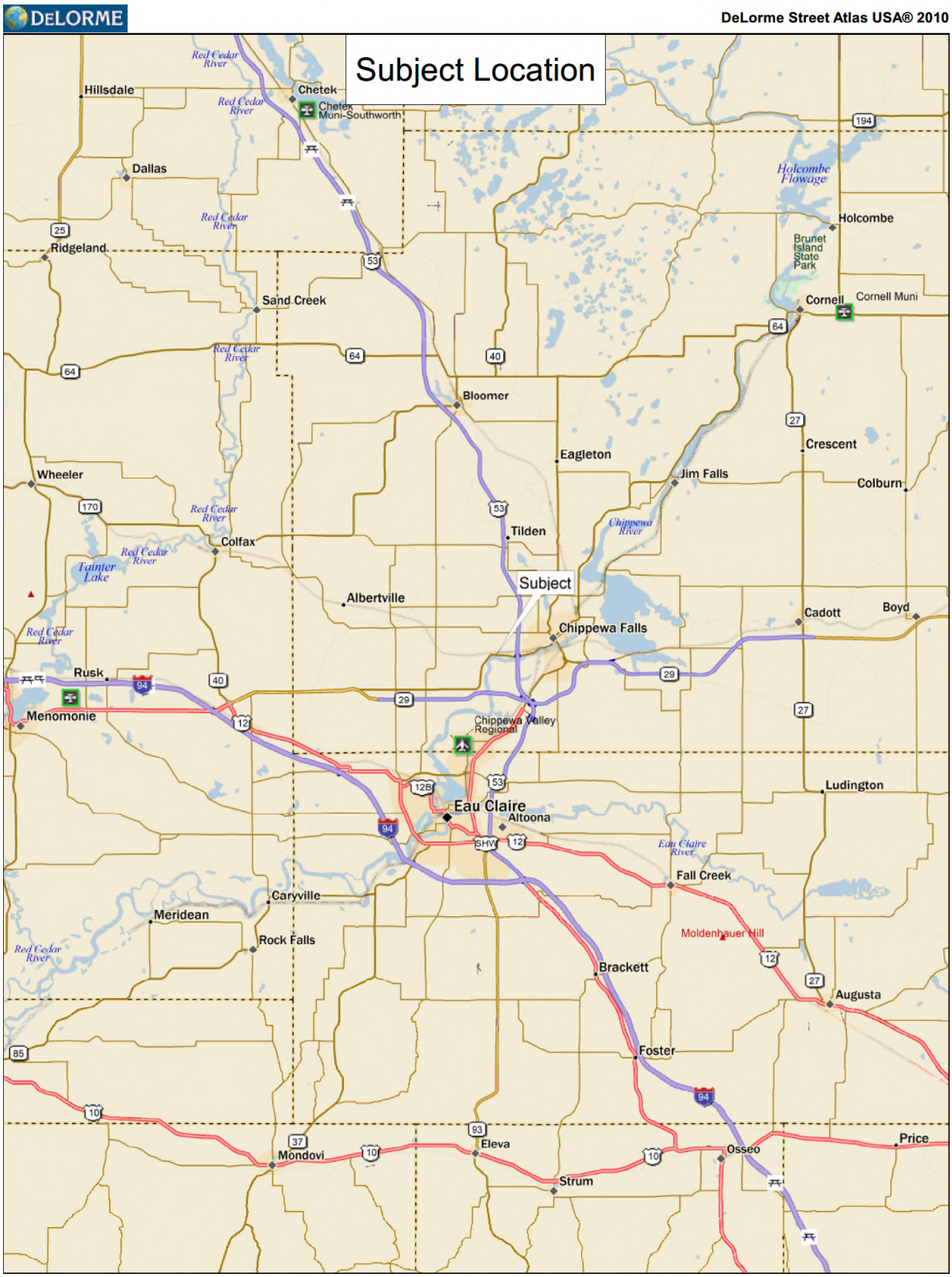
We have never provided appraisal services on this property.

On June 29, 2022 Frederick Radichel and John F. Radichel viewed the property. We have made a field inspection of the sales relied upon in making this appraisal. The subject and sales relied upon in making this appraisal are as represented in this appraisal.

It is our opinion that as of June 29, 2022, the total loss in fair market value to the property herein described is: $1,720.

Frederick G. Radichel, CGA #636
June 30, 2022

John F. Radichel, CGA #1162
June 30, 2022



Property Location

Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)



Zoning Map

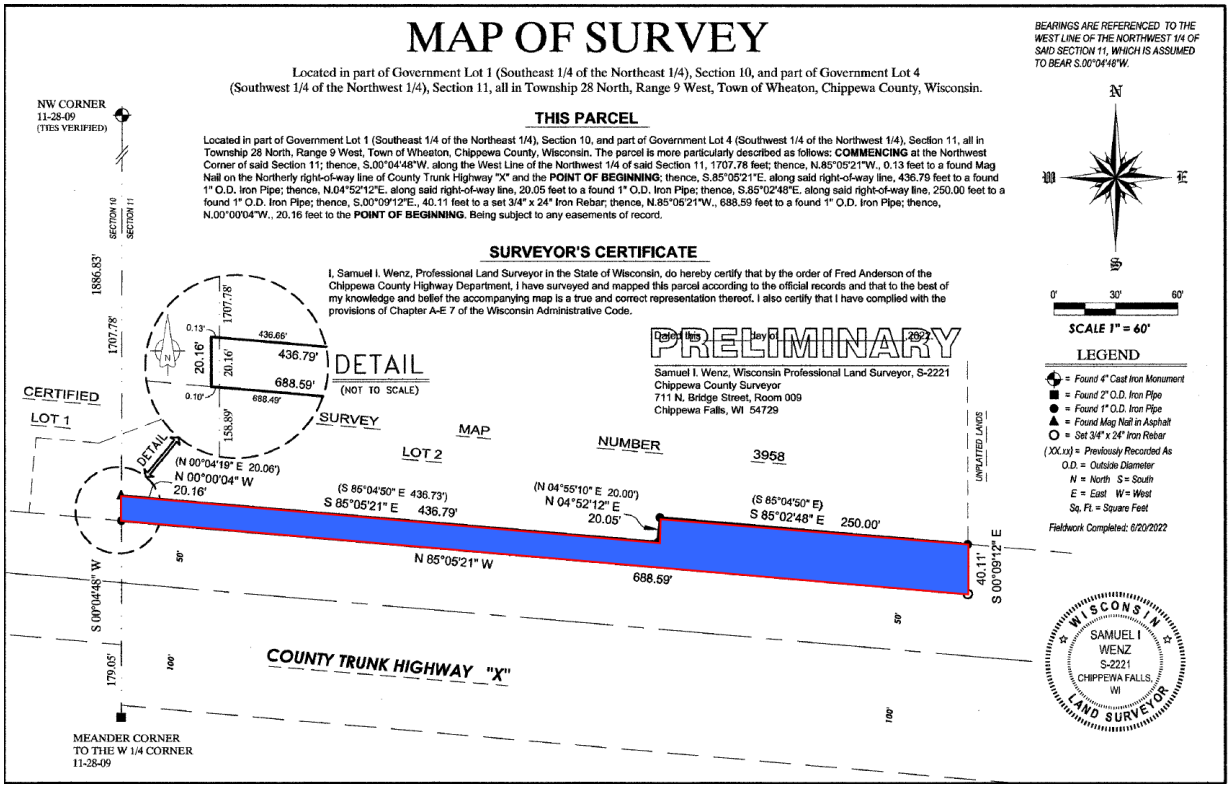
Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

AREA AND NEIGHBORHOOD ANALYSIS

The Subject is located along CTH X west of Chippewa Falls, Wisconsin in the Town of Wheaton. This area is in the south central portion of Chippewa County.

SUBJECT PROPERTY

LEGAL DESCRIPTION: Part of the of Sections, 10 and 11, T28N, R9W. Subject's area is shaded in blue.

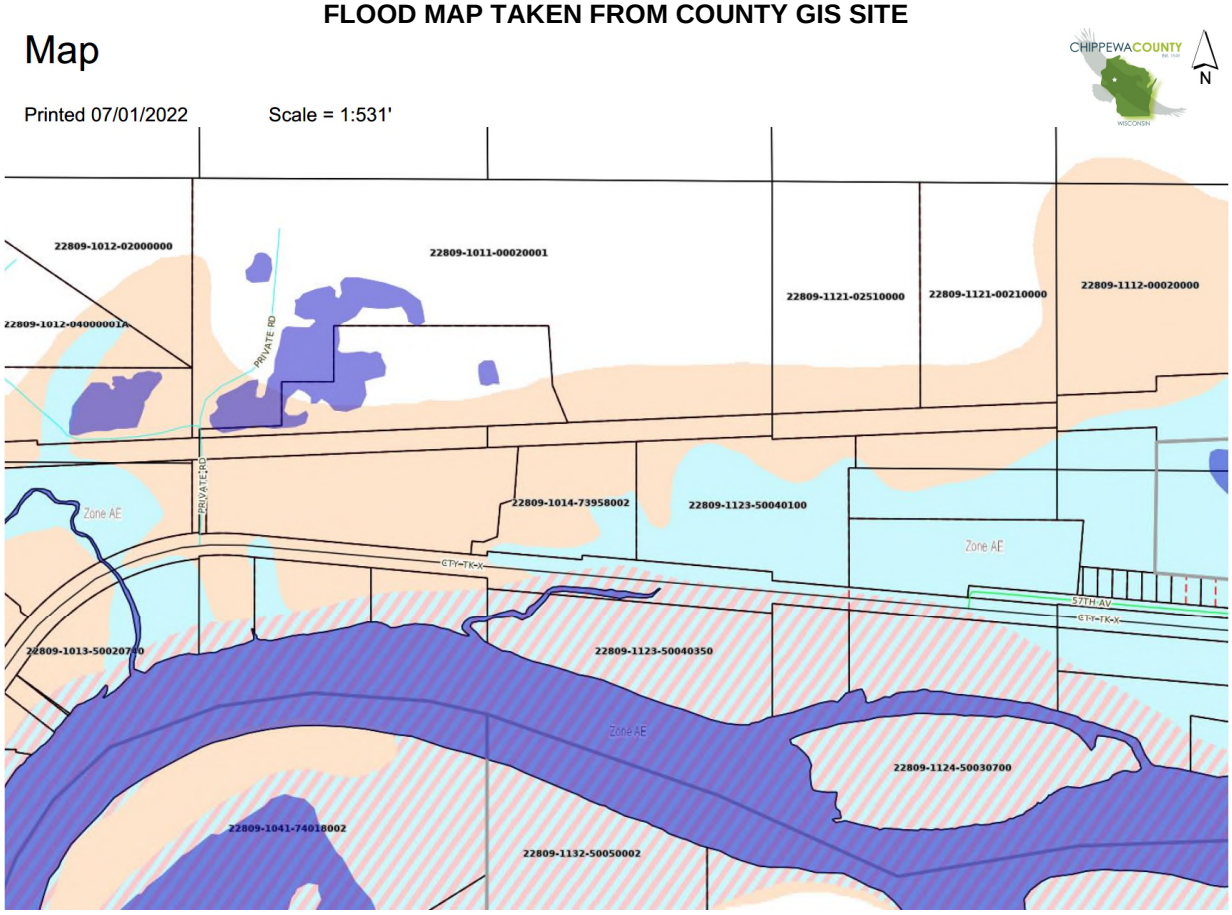


ASSESSMENT AND TAXES
Road right of way - not assessed

LAND: The subject property is a 0.43 acre strip of land being part of the existing CTH X right of way. Because of its size and shape the property only has value as road right of way or to the abutting ownership.

Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

FLOOD MAP TAKEN FROM COUNTY GIS SITE



The subject is located in Zone AE flood area.

IMPROVEMENTS: The subject property is unimproved.

Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

ZONING: The property is not zoned. The abutting property is zoned industrial which is assumed the zoning that the property will be included in after its sale. There is a minimum lot size of one acre in Chippewa County.

HIGHEST AND BEST USE: Prior to the evaluation of real property, it must be analyzed to determine its HIGHEST AND BEST USE. Highest and Best Use is that use which will provide the greatest monetary return. To correctly analyze a property, it must be considered based on four criteria. These items are legally possible, physically possible, financially feasible and economically productive. These items will be considered as follows:

1. Legally Possible: This property is a 0.43 acre narrow strip of land which is presently being used as road right of way. While the property is not zoned the abutting property to the north is zoned industrial. However in Chippewa County the minimum lot size for independent use is one acre. The property does not meet this minimum size.

2. Physically Possible: The subject contains 0.43 acres. It has good road frontage. The subject's size and shape are not sufficient to allow for any independent use.

3. Financially Feasible: The subject's area is jJust west of Chippewa Falls which is a combination of agricultural, residential, commercial and industrial. The demand for commercial lots in this area is stable.

4. Economically Productive: This was a combination area just west of Chippewa Falls.

The subject is not zoned because it is part of the existing right of way of CTH X. However, in abutting property to the north is zoned industrial and it is assumed that once the property is sold it will assume the zoning district of the purchaser's land. The size and shape of the subject is not sufficient for independent residential use. It has been concluded that the highest and best use of the subject property is for either road right of way or as an addition to the abutting property.

Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

AREA BEING EVALUATED: The Subject being evaluated is a 0.43 acre strip of land which is presently right of way of CTH X. This area is a long narrow strip that is part of the right of way of CTH X.

VACANT LAND VALUE
Summary of comparable sales prior to adjustment

SALE NUMBER	SALE DATE	SALE SIZE	SALE PRICE
1	10/27/2021	6 acres	$60,000
2	4/8/2021	6.9 acres	$63,500
3	7/29/2020	9.27 acres	$90,000

In order to arrive at an estimated range of value for the subject property the following comparison between the subject and sale is used. In this columnar grid the sales are compared to the subject. When the subject is better than the sale in a given area a plus (+) adjustment is used in the grid. Conversely, when the subject is worse than the sale in a given area, a minus (-) adjustment is used.

ADJUSTMENT GRID

PROPERTY	SUBJECT	SALE #1		SALE #2		Sale #3	
SALE PRICE PER ACRE	XXXXX		$60,000		$63,500		$90,000
SALE DATE	6/29/22	10/27/2021	0	4/8/21	+$2,223	7/29/2020	+$5,175
TERMS & CONDITIONS	N/A		$		$		$
OTHER (Describe)			$		$		$
ADJUSTED SALE PRICE	XXXXX	XXXXX	$60,000	XXXXX	$65,723	XXXXX	$95,175
DESCRIPTION	DESCRIBE SUBJECT	DESCRIBE SALE	+/-	DESCRIBE SALE	+/-	DESCRIBE SALE	+/-
ADJUSTED SALE PRICE/ACRE	XXXXX	XXXXX	$10,000	XXXXX	$9,525	XXXXX	$10,267
LOCATION	Town of Wheaton	Similar	0	Similar	0	Similar	0
TOPOGRAPHY	Gently rolling	Better	-20%	Better	-20%	Better	-20%
UTILITIES	Private	Similar	0	Similar	0	Similar	0
ACCESS	Good	Good	0	Good	0	Good	0
SIZE	.43 acre	6 acres	-40%	6.9 acres	-40%	9.27 acres	-40%
OTHER “Describe”			$				$
TOTAL/ADJUSTMENTS	XXXXX	XXXXX	-60%	XXXXX	-60%	XXXXX	-60%
INDICATED VALUE OF THE SUBJECT/ACRE	XXXXX	XXXXX	$4,000	XXXXX	$3,810	XXXXX	$4,107

EXPLANATION OF ADJUSTMENTS

TIME

One of the most important items in the valuation of any real estate is the use of comparable sales that reflect values as of the date of the report. Since this report is being completed as of 2022 it is necessary to consider the dates of the comparable sales and the relationship of their sale prices to values as of 6-2022. Sale 1 is recent and no adjustment is required. The remaining sales are older and plus adjustments will be made to each sale.

Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

LOCATION

The subject is located along CTH X in the Town of Wheaton. The sales are all within 10 miles of the subject and their locations are considered similar and no adjustments will be made.

TOPOGRAPHY

The subject is near is within the AE zone based on the County GIS site, while the sales all are out of this flood plain classification and a minus 20% will be made .

UTILITIES

The subject and sales are the same and no adjustment is made.

ACCESS

Considering the subject, it does not appear that there is any restriction of access from CTH X to the subject property. Therefore, the subject and sales have similar access and no adjustments will be made.

SIZE

The subject is a narrow strip of land being 0.43 acres with the highest and use is as an addition. The sales vary in size from 6 acres to 9.27 acres and are usable on their own. The sales are large enough for independent use. This factor makes the sales much better than the subject and a large minus adjustment will be made to each sale. The amount of a minus adjustment is difficult to determine.

We have worked with both landlocked and conservation easement properties and have found that they typically sell for 40% to 60% of similar properties that are not landlocked or encumbered with a conservation easement. We have chosen to make a minus adjustment of 40%.

VALUE OF EXCESS LAND

After the necessary adjustments the range of value is $3,810/acre to $4,107/acre. Sales 1 and 2 are considered the most reliable and we have concluded a value for the subject of $4,000/acre.

.43 acres @ $4,000/ac	$1,720

Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

ADDENDA

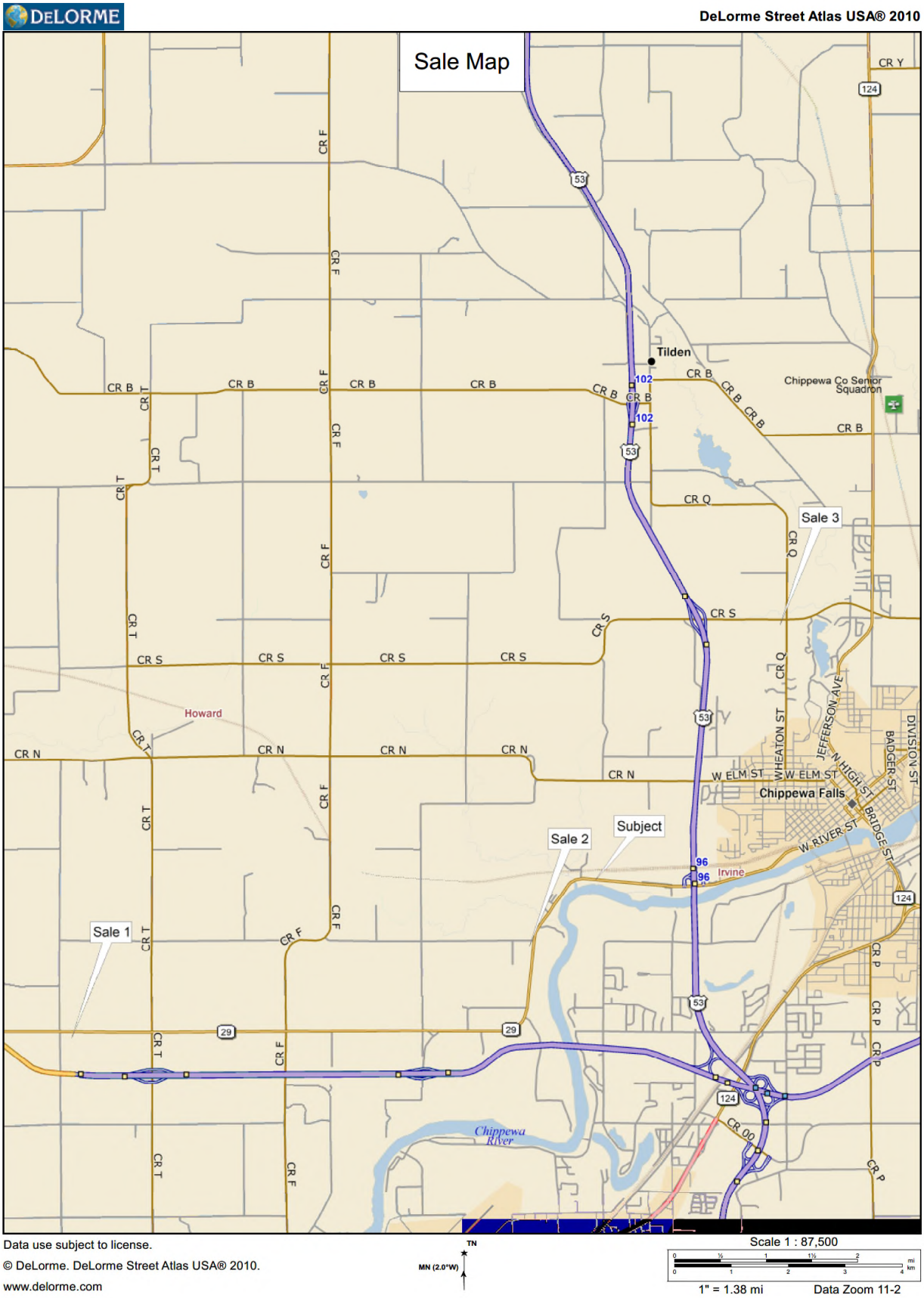


Subject



Subject

Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)



Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

COMPARABLE SALE 1



LOCATION: CTH X

SALE PRICE: $60,000

DATE: 10/27/2021

NET SIZE: +/- 6 acres

UNIT PRICE: $4,051/acre

GRANTOR: James F. & Alaine E. Kragness

GRANTEE: Nicholas R. Michels

USE: Residential

ZONING: Agriculture

TYPE OF DOCUMENT: Warranty Deed

REC.DATA: Document No. 920324

LEGAL DESCRIPTION: Lot 1 of Certified Survey Map #5471, recorded in Volume 26 of the Certified Survey Maps Page 262-263, as Document Number 923580; being part of the NE ¼ of the NE ¼ of Section 22, Township 28 North, Range 10 West, Town of Wheaton, Chippewa County Wisconsin.

CONDITIONS OF SALE: Arms length

FINANCING: Cash to the Seller

VERIFIED BY: Nicholas Michels TO: John Radichel 6/30/22

REMARKS: Lot on south side of the CTH X/Old STH 29 west of the subject. Parcel is mostly open land and rises from the abutting road. No building has been built on property yet.

Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

COMPARABLE SALE 2



LOCATION: CTH X/50th Ave.

SALE PRICE: $63,500

DATE: 4/8/2021

NET SIZE: +/- 6.9 acres

UNIT PRICE: $9,203/acre

GRANTOR: Mary P. Berger, Vernon Niblett, Michael Tessmer

GRANTEE: Many Xiong, Xay Moua

USE: Agriculture

ZONING: Agriculture

TYPE OF DOCUMENT: Warranty Deed

REC.DATA: Document No. 916140

LEGAL DESCRIPTION: Lot 2 of Certified Survey Map No. 2654, recorded in Volume 12 of Certified Survey Maps, Page 89, as Document No. 681692; being part of the NW 1/4 of the NW 1/4 and the SW 1/4 of the NW 1/4 of Section 15, Township 28 North, Range 9 West, Town of Wheaton, Chippewa County, Wisconsin.

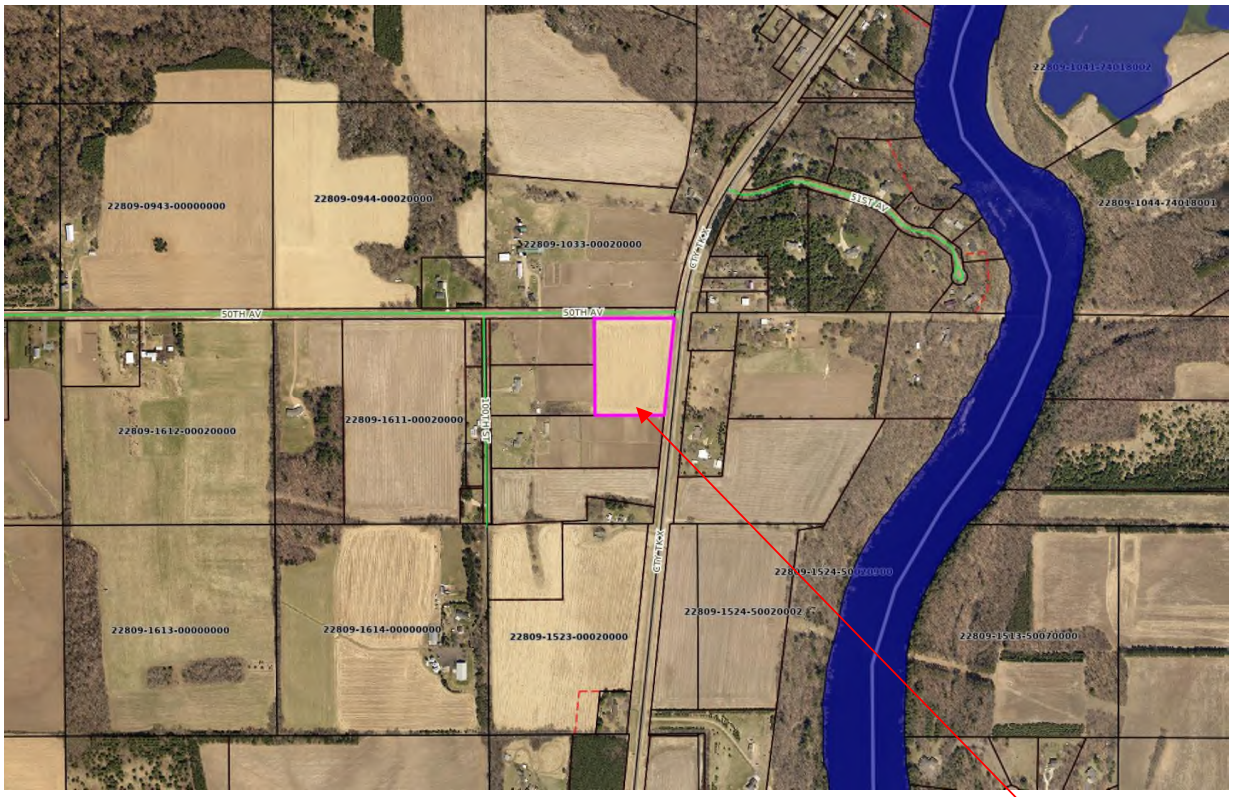
CONDITIONS OF SALE: Arm's length

FINANCING: Cash to the Seller

VERIFIED BY: Craig Marshall TO: John Radichel 6/30/22

REMARKS: Mostly open agricultural tract that is southwest of the subject along CTH X. Sale was listed with realtor for $65,000.

Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)



Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

COMPARABLE SALE 3



LOCATION: CTH S and CTH Q

SALE PRICE: $90,000

DATE: 7/29/2020

NET SIZE: +/- 9.27 acres

UNIT PRICE: $9,709/acre

GRANTOR: Andrew and Emily Skelton

GRANTEE: Scott and Patricia Tambornino

USE: Residential

ZONING: None

TYPE OF DOCUMENT: Warranty Deed

REC.DATA: Document No. 904576

LEGAL DESCRIPTION: Lot 2, Chippewa County Certified Survey Map No. 5237 recorded on July 27, 2020, in Volume 25 of Certified Survey Maps on pages 70-71 as Document No. 904359, Town of Tilden, Chippewa County, Wisconsin.

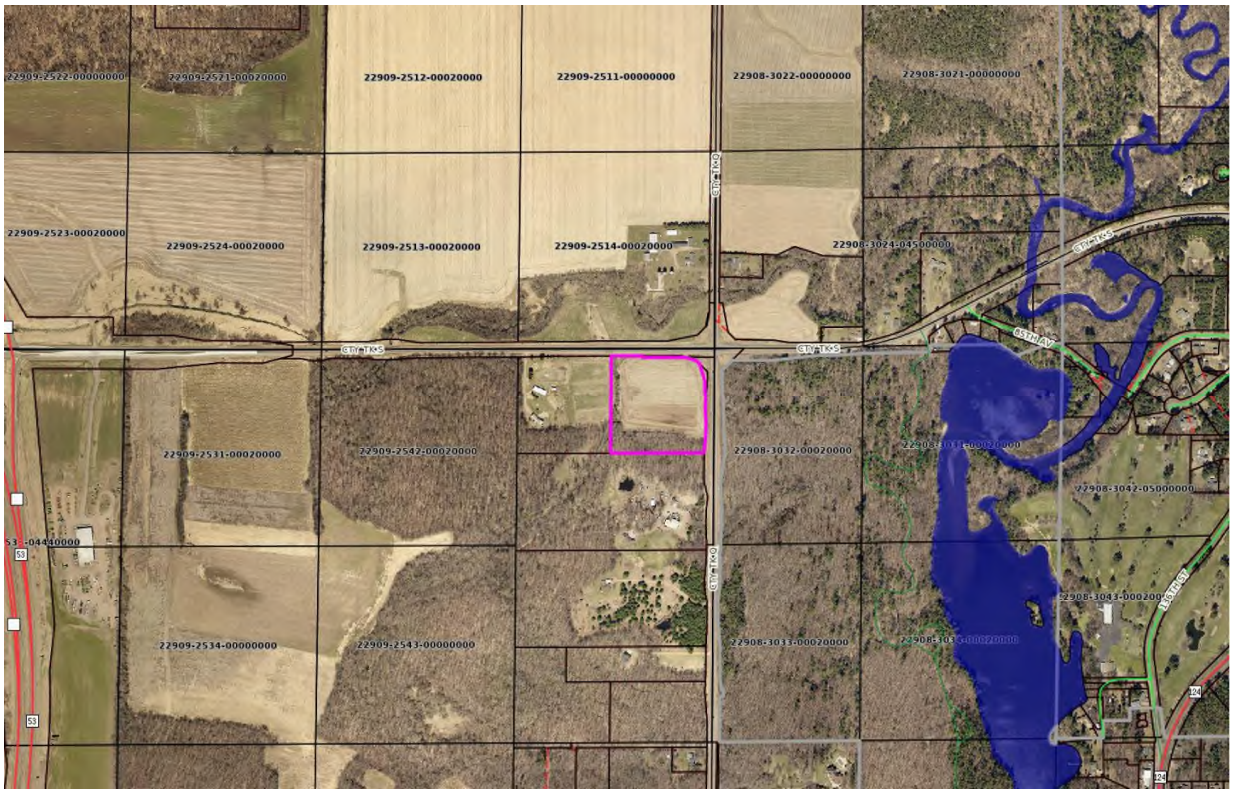
CONDITIONS OF SALE: Arm's length

FINANCING: Cash to the Seller

VERIFIED BY: Jessica Sedlacek TO: John Radichel 6/30/22

REMARKS: Partly wooded tract that is northeast of the subject.

Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)



Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

ASSUMPTIONS AND LIMITING CONDITIONS

The certification of the Appraisers appearing in this appraisal report is subject to the following conditions and to such other specific and limiting conditions as are set forth by the Appraisers of the report:

1. The appraisers assume no responsibility for matters of a legal nature affecting the appraised property or the title thereto, nor do the appraisers render any opinion as to the title, which is assumed to be good and marketable. The property is appraised as though under responsible ownership.

2. Any sketch in this report may show approximate dimensions and is included to assist the reader in visualizing the property. The appraisers have made no survey of the property.

3. The appraisers are available to give testimony and/or appear in court regarding this appraisal with reference to the property in question with proper notification and arrangements.

4. The distribution of the total valuation in this report between land and improvements applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.

5. The appraisers assume there are no hidden or unapparent conditions of the property, subsoil, or structures which would render it more or less valuable. The appraisers assume no responsibility for such conditions or for engineering which might be required to discover such factors.

6. Information, estimates, and opinions furnished to the appraisers, and contained in this report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for the accuracy of such items furnished the appraiser can be assumed by the appraisers.

7. Neither all nor any part of the contents of this report, or copy thereof (including conclusions as to property value, the identity of the appraisers, professional designations, reference to any professional appraisal organizations) shall be used for any purpose by anyone but the mortgagee or its successors and assigns, mortgage insurers, consultants, professional appraisal organizations, any state or federally approved financial institution, any department agency, or instrumentality of the United States or of any State or of the District of Columbia, without the previous written consent of the appraisers; nor shall it be conveyed by anyone to the public through advertising, public relations, news, sales or other media, without written consent and approval of the appraisers.

8. No responsibility is assumed for the validity of the zoning classification of a property as reported to the Appraisers by a zoning official or his employee.

9. It is assumed that no insulation or other product banned by the Consumer Product Safety Commission has been introduced into the appraised premises.

10. No one provided significant professional assistance to the persons signing this report.

11. Our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.

Frederick G. Radichel
1810 Susan Drive
Eau Claire, WI 54701
Phone: 715-835-0885

EXPERIENCE

Present	Lead appraiser for Radichel & Associates, providing appraisal Services for all property types. Clients include: Wisconsin DOT, Wisconsin DNR, City of Eau Claire, City of Menomonie, City of Baraboo, City of New Richmond, Chippewa County, Eau Claire County, Pierce County, Jackson County, USDA-FSA, Farm Credit Services, Bremer Bank, Royal Bank, Wisconsin Farmland Conservancy, Kinnickinnic River Land Trust, Archeological Conservancy, WI-Bureau of Aeronautics, Chippewa Land Conservancy, Dairyland Power Company, Immanuel Lutheran College, Jackson County Bank, Qwest Network Construction, Timbers-Selissen Land Specialists, Ayres Associates, United States Marshals, Koch Industries, Miscellaneous private individuals
1967 To 1998	Wisconsin Department of Transportation, offices in Eau Claire and Madison, WI. **Review Appraiser** Reviewed and approved appraisals for property acquisition in the western half of Wisconsin. Provided instruction to staff and fee appraisers. Advised management on administrative settlements. **Statewide Appraiser** Appraised all types of property throughout Wisconsin. Koch Industries - appraised properties for right-of-way easements across the western and central portions of the state.
EDUCATION	Immanuel Lutheran College, Eau Claire, WI Associate of Arts, 6/66 Basic Appraisal course at UW-Eau Claire in Spring of 1968. Farm Managers and Rural Appraisers school in July of 1972. Appraisal of Partial Acquisitions in September 1977. Review of Appraisals Under Eminent Domain course in May 1980. SREA Course 101 in November of 1981. Appraisal of Real Property Under Eminent Domain course in May of 1982. Institute of Real Estate Appraisers Capitalization A and B course in October of 1992.
INSTRUCTOR	1990 through 1998 Instructor for the Wisconsin Department of Transportation in several appraisal seminars.
PROFESSIONAL	Wisconsin Certified General Appraiser Number 636. Member of the Realtors Association of the Chippewa Valley

Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

QUALIFICATIONS OF JOHN F. RADICHEL
CERTIFIED GENERAL APPRAISER #1162

PROFESSIONAL EXPERIENCE

Farm and vacant land appraisals for Farm Services Agency - 1995-present
Appraisals for Wisconsin DOT - 1998 - present
Appraisals for Wisconsin DNR - 1999 - present
County Highway Right-of-way Acquisition Projects - 1995-present
Negotiated nominals on Project I.D. 7132-02-21, STH 93 Centerville to Tamarack
Appraisals for sewer project, City of Marshfield - 1997
Appraisals for Bremer Bank, Menomonie, WI
Appraisals for Royal Bank, Elroy, WI
Appraisals for Qwest Network Construction Services
Appraisals for Pierce County
Appraisals for Jackson County
Appraisals for Chippewa County
Appraisals for Eau Claire County
Appraisals for City of Menomonie
Appraisals for City of New Richmond
Appraisals for City of Eau Claire
Appraisals for Bureau of Aeronautics
Appraisals for Wisconsin Farmland Conservancy

EDUCATION

Graduate of University of Wisconsin- Eau Claire, Accounting - 1992

Real Estate Appraisal courses completed:

Nominal Seminar	- 1992
Appraisal I	- 1995
Appraisal II	- 1995
Standards of Professional Appraisal Practice	- 1996
Financial Analysis of Income Properties	- 2000
Introduction to Income Property Appraising	- 2000

Continuous attendance at various courses and seminars

LOCATION

1810 Susan Dr.
Eau Claire, WI 54701
715-826-0885

Attachment: Appraisal of Subject Property (48 - 22 : Res. 48-22: Resolution to Sell Highway Property No Longer Needed for Highway Purposes)

STATEMENT OF EXPLANATION

Resolution No. 49 - 22

RES. 49-22: RESOLUTION TO AUTHORIZE UTILIZATION OF AMERICAN RESCUE ACT (ARPA) FUNDING FOR CAPITAL IMPROVEMENTS TO THE CHIPPEWA VALLEY INNOVATION CENTER - RANDY SCHOLZ

The American Rescue Plan Act (ARPA) of 2021 is a $1.9 trillion Economic Stimulus Package that was signed into law by President Biden on March 11, 2021. This Act appropriates direct payments to state, local, territorial and tribal governments. The payments allocated for counties are based on populations of all counties across the nation.

The American Rescue Plan Act has four allowable areas of usage of the payments:

A. To respond to the public health emergency with respect to the Corona virus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households, small businesses and nonprofits or aid to impacted industries such as tourism, travel and hospitality;

B. To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;

C. For the provision of government services to the extent of the reduction in revenue of such metropolitan city, non-entitlement unit of local government or county due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, non-entitlement unit of government or county prior to the emergency; and

D. Make necessary investments in water, sewer or broadband infrastructure.

Chippewa County's total ARPA allocation is estimated at $12,559,059 and is to be used for any of the four allowable areas of usage as set out above.

On July 21, 2022, the County Administrator received a formal written request from Thomas Waldusky, the Board President of the Chippewa Valley Innovation Center (CVIC). In that letter, Chair Waldusky requested $20,000 of funding from Chippewa County's ARPA allocation to be used to equip a new main floor conference room with audio visual capabilities and that would be wheelchair accessible and ADA compliant. The current conference room at the CVIC is on the second floor and not wheelchair accessible. The CVIC letter is attached for reference.

Passage of this resolution will authorize the use of $20,000 of the ARPA funding for remodeling an office on the lower level of the CVIC building into a conference room.

Resolution No. 49 - 22

RES. 49-22: RESOLUTION TO AUTHORIZE UTILIZATION OF AMERICAN RESCUE ACT (ARPA) FUNDING FOR CAPITAL IMPROVEMENTS TO THE CHIPPEWA VALLEY INNOVATION CENTER - RANDY SCHOLZ

WHERAS, the American Rescue Plan Act (ARPA) of 2021 is a $1.9 trillion Economic Stimulus Package that was signed into law by President Biden on March 11, 2021; and

WHEREAS, ARPA appropriates direct payments to state, local, territorial and tribal governments, and said payments may be used for the following four purposes:

A. To respond to the public health emergency with respect to the Corona virus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households, small businesses and nonprofits or aid to impacted industries such as tourism, travel and hospitality;
B. To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;
C. For the provision of government services to the extent of the reduction in revenue of such metropolitan city, non-entitlement unit of local government or county due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, non-entitlement unit of government or county prior to the emergency; and
D. Make necessary investments in water, sewer or broadband infrastructure; and

WHEREAS, Chippewa County's total ARPA allocation is estimated at $12,559,059 and that funding may be used for any of the four allowable areas of usage as set out above; and

WHEREAS, on July 21, 2022, the County Administrator received a formal written request from Thomas Waldusky, the Board President of the Chippewa Valley Innovation Center (CVIC) for $20,000 of funding from Chippewa County's ARPA allocation; and

WHEREAS, Chair Waldusky made the request for the $20,000 of ARPA funding to be used to equip a new main floor conference room with audio visual capabilities and that would be wheelchair accessible and ADA compliant; and

WHEREAS, the CVIC is a non-profit 501(c)(3) organization that supports the manufacturing base in the Chippewa Valley as well as small business startups, including the provision of business incubations; and

WHEREAS, Chippewa County provides funding to the CVIC each year for operations and for a revolving loan fund to promote business development and support businesses in the Chippewa Valley; and

WHEREAS, in 2022, Chippewa County provided $10,000 for operations and $5,000 for the revolving loan fund to the CVIC;

NOW, THEREFORE BE IT RESOLVED, that the Chippewa County Board of Supervisors does hereby authorize the provision of $20,000 of ARPA funding to the Chippewa Valley Innovation Center to equip a new main floor conference room with audio visual capabilities, that will be wheelchair accessible and ADA compliant; and

BE IT FURTHER RESOLVED, that this ARPA funding shall be used by the CVIC by September 30, 2024.

Forwarded to the County Board by the Executive Committee.

FINANCIAL IMPACT:

The American Rescue Plan Act (Fund 235) will be reduced by $20,000 in 2022 through 2024.

10/11/2022	**County Board**
RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Harold Steele, District 2
SECONDER:	James Ericksen, District 8
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSENT:	Chuck Hull

History:

10/04/22 Executive Committee FORWARD TO COUNTY BOARD

Approved as to Form:

Lori Zwiefelhofer
Lori Zwiefelhofer, Finance Director 7/22/2022

Todd A. Pauls
Todd A. Pauls, Corporation Counsel 7/25/2022

Randy B. Scholz
Randy B. Scholz, County Administrator 7/25/2022

Chippewa Valley Innovation Center
3132 Louis Avenue Eau Claire, WI 54703 715-836-2842

Mr. Randy Scholz
County Adminiatrator
Chippewa County
711 N. Bridge Street
Chippewa Falls, WI 54729

Dear Randy,

The Chippewa Valley Innovation Center (CVIC) is a 501c3 whose mission it is to support the manufacturing base in the Chippewa Valley and the next generation of small business startups. In our more than thirty-five years of supporting local entrepreneurs, the CVIC has incubated businesses such as Parco Window Manufacturing, Advanced Laser Machining, Merry Maids of the Chippewa Valley, Rod-N-Bobs, Sawdust City LLC, Wolfe Ridge Manufacturing LLC, and Precision Dies Systems Inc. We are proud of our role in supporting the development of these successful businesses who have remained in the Chippewa Valley.

The CVIC is focused on increasing our support of local business start up in two ways: A) increase our business mentoring and track its effectiveness, and B) deepen our connection with local and statewide incubator models.

Business Mentoring: The Board represents a successful cross-section of businesses and services. We are engaged in tailoring our business evaluation and resources to fit the specific needs and goals of our tenants. We expect this on-target support to shorten their time to graduation and successful entry into the community of independent business. This model would engage small group conversations and training on the CVIC site.

Network of incubators: The CVIC board is actively engaging with other incubators in the Chippewa Valley to network in new techniques of incubation, building sources for start-up funding and sharing best practices.

These advances in training and support for our tenants via in-person or by virtual networking require a sigificant capital improvement to the existing facility by providing learning and meeting space that is sound and accessible for all to use. To achieve our plan, the CVIC respectfully requests $20,000 from the Chippewa County ARPA funding to equip a new, main floor conference room that is modernized and ADA accessible. This conference and meeting space would be a great addition and support for our tenants. It would also be available for the Board of Directors' meetings.

With all our past success, our present tenants and our future goals, we thank you for your financial support for the CVIC in the past and for consideration of this request. We look forward to our continued partnership in building a better, local economy.

Sincerely,

Thomas Waldusky
Chippewa Valley Innovation Center, Board President

Attachment: CVIC ARPA Funding Request - July 21, 2022 (49 - 22 : Res. 49-22: Resolution to Authorize Use of ARPA Funding for CVIC

STATEMENT OF EXPLANATION

Resolution No. 50 - 22

RES. 50-22: RESOLUTION TO AUTHORIZE FUNDING FROM THE USE OF AMERICAN RESCUE FUND ACT (ARPA) TO PAY EMPLOYEE LONGEVITY REWARDS - RANDY SCHOLZ

On September 13, 2022, the County Board approved a revision to the Human Resources Manual and created Policy Number 20, the Longevity Bonus policy. The purpose of this policy is to recognize and express appreciation for long serving employees. Essentially, the policy approves longevity bonuses to be paid to employees after they have reached anniversaries in 5-year increments. As the Longevity Bonus policy was being developed, the County Administrator felt there was a gap in the policy for all the employees whose anniversaries were missed due to the date the policy was adopted. In addition, some County employees notified the Department of Administration that they too felt that they were being left out due to the timing of the adoption of the policy.

Passage of this resolution will authorize a one-time longevity reward payment to employees to address the discrepancy that was created due to the timing of the passage of the Longevity Bonus policy on September 13, 2022. The American Rescue Plan Act (ARPA) does allow the ARPA funds provided to local units of government to be used for “Revenue Loss” and using ARPA funds for the payments being authorized by this resolution would be an appropriate use under "Revenue Loss". The ARPA funds would be utilized to pay $200 for each 5-year anniversary missed for all the employees covered under the Longevity Bonus Policy. Below are two examples to demonstrate how the payments would be determined:

1) If an employee has worked for Chippewa County for 21 years, that employee would receive $800 ($200 X 4 missed milestone bonuses).
2) If an employee has worked for Chippewa County for 11 years, that employee would receive $400 ($200 X 2 missed milestone bonuses).

Consistent with the Longevity Bonus policy, limited term employees (LTEs), elected officials, Wisconsin Professional Police Association (WPPA) union employees, and the County Administrator would not be eligible for the above longevity rewards payments. The elected official salaries are set before they take office via resolution and cannot be changed. The patrol officers and investigators represented by the WPPA would also not qualify as the benefit is not part of their contact at this time. The County Administrator, like the members of the WPPA, has

a contract and the Administrator's compensation is set out in the contract.

The estimated cost to provide these longevity rewards is approximately $110,000. The Finance Director and the County Administrator both believe that the interest earnings being generated from the ARPA funds that the County has received will pay for most, if not all, of this initiative. The longevity rewards payments as set out above would be paid to eligible employees on their December 2, 2022 paycheck.

Resolution No. 50 - 22

RES. 50-22: RESOLUTION TO AUTHORIZE FUNDING FROM THE USE OF AMERICAN RESCUE FUND ACT (ARPA) TO PAY EMPLOYEE LONGEVITY REWARDS - RANDY SCHOLZ

WHEREAS, on September 13, 2022, the County Board approved a revision to the Human Resources Manual and created Policy Number 20, the Longevity Bonus policy; and

WHEREAS, the purpose of the Longevity Bonus policy is to recognize and express appreciation for long serving employees by providing longevity bonuses to employees after they have reached anniversaries in 5-year increments; and

WHEREAS, during the development of the Longevity Bonus policy, the County Administrator felt that there was a gap in the policy for all the employees whose anniversaries were missed due to the date the policy was adopted and became effective; and

WHEREAS, the Department of Administration was also contacted by County employees who also felt that they were being left out due to the timing of the adoption of the Longevity Bonus policy; and

WHEREAS, to address the discrepancies created for certain County employees due to the timing of the effective date of the Longevity Bonus policy, the County Administrator has proposed paying employees $200 for each 5-year anniversary of service as of May 1, 2022; and

WHEREAS, the following are two examples to demonstrate how the County Administrator is recommending that these one-time “longevity reward” payments would be determined:

1) If an employee has worked for Chippewa County for 21 years, that employee would receive $800 ($200 X 4 missed milestone bonuses).
2) If an employee has worked for Chippewa County for 11 years, that employee would receive $400 ($200 X 2 missed milestone bonuses); and

WHEREAS, the American Rescue Plan Act (ARPA) does allow the ARPA funds provided to local units of government to be used for “Revenue Loss” and using ARPA funds for the above longevity rewards payments would be an appropriate use of the County’s ARPA funds as revenue loss; and

WHEREAS, consistent with the Longevity Bonus policy, limited term employees (LTEs), elected officials, Wisconsin Professional Police Association (WPPA) union employees, and the County Administrator would not be eligible for the above longevity rewards payments; and

WHEREAS, the estimated cost to provide these longevity rewards is a little more than $110,000 and the Finance Director and the County Administrator both believe that the interest

being generated from the ARPA funds that the County has received will pay for most, if not all, of this initiative; and

WHEREAS, the longevity rewards payments as set out above would be paid to eligible employees on their December 2, 2022 paycheck;

NOW, THEREFORE BE IT RESOLVED, that the County Administrator is hereby authorized to use the County's ARPA funds to pay longevity rewards in the amount of $200 for each 5-year anniversary to all eligible employees who have worked for Chippewa County for at least 5 years as of May 1, 2022.

Forwarded to the County Board by the Executive Committee.

FINANCIAL IMPACT:

Estimated fiscal impact is approximately $110,000. It is anticipated that the interest being earned on the ARPA funds will pay most if not all of the $110,000.

10/11/2022	**County Board**
RESULT:	**APPROVED [19 TO 0]**
MOVER:	Annette Hunt, District 18
SECONDER:	Charles Bomar, District 12
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSTAIN:	Robert Teuteberg
ABSENT:	Chuck Hull

History:

10/04/22 Executive Committee FORWARD TO COUNTY BOARD

Approved as to Form:

Todd A. Pauls
Todd A. Pauls, Corporation Counsel 9/27/2022

Lori Zwiefelhofer
Lori Zwiefelhofer, Finance Director 9/27/2022

Randy B. Scholz
Randy B. Scholz, County Administrator 9/27/2022

Department of Administration

Randy B. Scholz, County Administrator

July 26, 2022

TO: County Board Supervisors

FR: Randy Scholz

RE: Longevity Bonus Policy

We have been working hard over the last three years on employee engagement. The goal is to make Chippewa County the best place to work in the Chippewa Valley. Some organizations try to do this by throwing money at it. We are not able to do that, first, because it does not work without other changes in an organization and second, we do not have the resources to even try that approach.

Our approach is comprehensive over the career of an employee. It starts with an onboarding survey within the first 3-6 months of employment. This is to make sure the onboarding experience was good and to work on areas that we can improve. Alternating every other year, we also provide an Employee Engagement Survey and an Employee Stay Survey. Lastly, when someone leaves Chippewa County, we do an exit survey. We follow up in various ways with departments throughout all the surveys. A volunteer group of employees has also started a Staff Satisfaction Squad. Our entire employee engagement program has been a County wide effort by managers and employees.

Toni Hohlfelder will be presenting an update to you at the August 9, 2022, County Board meeting on the Human Resources Policy Manual along with three new policies. The new policies are: Longevity Bonus, Employee Referral Reward, and Funeral Leave. They are all a result of our goal as stated above and due to feedback from our employees.

The new policy I want to focus on is the Longevity Bonus. This came from our employees' feedback, primarily from employees who felt we were focusing our efforts mostly on recruitment and not as much on retention. Toni will go over the details during her presentation.

I am in support of all the changes. The Longevity Bonus policy we are bringing forward provides a bonus at increments of five-years for the bonus rewards. I felt like there was a gap in the policy for the employees who missed their previous anniversary reward dates. When we rolled out the policy, some of our employees notified us that they felt the same way. I knew we could not make all our employees whole for every anniversary milestone that they missed, we simply do not have the resources. Then I had a thought. ARPA funds would qualify for a one-time payment to give at least some reward for the missed anniversaries. I worked with Lori Zwiefelhofer to come up with a number that we could afford to use with ARPA funds and we are able to give every full-time and part-time employee $200 for every anniversary missed. Here are two examples:

1) If an employee was here for 21 years, they would receive $800. ($200 X 4 missed milestone bonuses)
2) If an employee was here for 11 years, they would receive $400. ($200 X 2 missed milestone bonuses)

Like the Longevity Bonus Policy, the exceptions to this reward are LTEs, elected officials, WPPA union employees and the County Administrator. The elected official salaries are set before they take office via resolution and cannot be changed. The Patrol Officers and Investigators, represented by the WPPA Union, would not qualify, as the benefit is not part of their contact at this time. The County

711 N. Bridge Street, Room 106
Chippewa Falls, WI 54729
rscholz@co.chippewa.wi.us
Ph: (715)
Fx: (715)

Attachment: CA Ltr to CB Re Longevity Bonus Policy, 07-26-2022 (50 - 22 : Res. 50-22: Resolution to Authorize ARPA Funds for Longevity

Administrator, like the WPPA Union, has a contract and their compensation is covered in the contract. The Union and the County Administrator can talk about including this and the Longevity Bonus Policy when their contracts are up for renewal. We are just starting to talk with WPPA, because their contract ends at the end of 2022. The County Administrator's contract ends on December 31, 2023.

The costing came out to a little over $100,000. Lori and I both feel that the interest from the ARPA fund will pay for most, if not all, of this initiative. I will bring this initiative forward through the ARPA approval process, if the County Board approves the Longevity Bonus Policy. The plan would be to pay this part out on the December 2, 2022 paycheck.

Sincerely,

Randy Scholz
County Administrator

Attachment: CA Ltr to CB Re Longevity Bonus Policy, 07-26-2022 (50 - 22 : Res. 50-22: Resolution to Authorize ARPA Funds for Longevity

711 N. Bridge Street, Room 106
Chippewa Falls, WI 54729
rscholz@co.chippewa.wi.us
Ph: (715)
Fx: (715)

2021 - 2026 ARPA Project Justification Form

Budget Year	Project Requester / Department	Project Name	Total Project Cost	Source of Funding				
				Chippewa County ARPA Funding	Project Requester / Department Funding	Other Municipality Funding	Grants / Other	Levy
2022	DOA – County Administrator	Employee Longevity Bonuses	$110,000	$110,000	$0	$0	$0	$0

Category for Eligible Use Based on US Treasury Guidelines

Revenue Loss

Project Description and Justification

With the increases in wages that the private sector employees are currently receiving, this is a way to make our long-term employees feel appreciated. It is part of our overall strategy to recruit and retain outstanding employees. It is also an effort to reach our goal of making Chippewa County the best place to work in the Chippewa Valley.

The County Board recently adopted a new Longevity Bonus Policy for our employees in an effort to express appreciation for and reward long standing employees for their dedicated service to the County. The first bonuses under that new policy will be paid in May 2023.

Several employees are not able to be recognized for their milestone anniversaries due to timing of when the new Longevity Bonus Policy is implemented. Utilization of ARPA funds would allow us to give every full-time and part-time employee $200 for every 5-year milestone anniversary missed as laid out in our Longevity Bonus Policy.

Here are two examples:

1) If an employee was here for 21 years, they would receive $800. ($200 X 4 missed milestone bonuses)
2) If an employee was here for 11 years, they would receive $400. ($200 X 2 missed milestone bonuses)

We are anticipating to utilize interest from ARPA funds for most, if not all, of this one-time initiative.

How Does This Project Benefit the Citizens of Chippewa County?

The citizens demand and deserve high quality customer service and without retaining great employees this is not possible.

Department Head Recommended Ranking	Committee Approved Ranking
1	

Additional Action and/or Comments from Committee

Reviewed by the Executive Committee on October 4, 2022

Submitted by: Randy Scholz Date: 10/04/2022

Attachment: Longevity Rewards ARPA Project Description (50 - 22 : Res. 50-22: Resolution to Authorize

STATEMENT OF EXPLANATION
2021-2026 AMERICAN RESCUE PLAN ACT (ARPA) PLAN AMENDMENT - RANDY SCHOLZ

The County Board approved the 2021-2026 ARPA Plan on July 12, 2022. The attached ARPA plan includes proposed amendments to add two additional projects as indicated:

1. $20,00 to remodel a conference room at the Chippewa Valley Innovation Center (CVIC) for ADA compliance

2. $110,000 for Employee Longevity Bonuses

History:
10/04/22 Executive Committee FORWARD TO COUNTY BOARD

Attachment: ARPA Project Plan 2021-2026 Proposed Amendments FINAL 08-03-2022 (7312 : 2021-2026



The American Rescue Plan Act of 2021 is a $1.9 trillion economic stimulus package signed into law by President Biden on March 11, 2021. Chippewa County received $12,559,059 million. The funds must be obligated by December 31, 2024 and spent by December 31, 2026

ARPA Project Plan

2021 - 2026

Presented by Randy Scholz, County Administrator

Final plan presented to Executive Committee 07/05/2022

Final plan presented to County Board 07/12/2022

Approved by County Board 07-12-2022

Proposed Amendments 08-03-2022

This chart identifies the categories of eligible uses as determined by the US Treasury

Non-Exclusive List of Eligible Uses
ARPA – Local Fiscal Recovery Funds

Responding to the Public Health Emergency	Addressing Negative Economic Impacts	Serving the Hardest Hit	Improving Access to Infrastructure
COVID-19 mitigation • Vaccinations • Personal protective equipment (PPE) • Testing • Alternative care facilities	**Workers and families** • Unemployment and training • Food, housing, financial security assistance • Survivor's benefit	**Health disparities** • Community health works • Public benefits navigators • Community violence intervention	**Water and sewer** • Drinking/wastewater infrastructure • Cybersecurity • Remediation of lead pipes • Stormwater/green Infrastructure
Behavioral health care • Mental health treatment • Substance abuse treatment • Crisis intervention	**Small businesses** • Loans • Grants • Counseling programs	**Housing and neighborhoods** • Homelessness • Affordable housing • Housing vouchers • Residential counseling	**Broadband** • Currently unserved or underserved • Modern technologies
Public health resources • Payroll for public health and similar employees	**Impacted industries** • Tourism • Travel • Hospitality • Non-profits	**Educational disparities** • Early learning services • School district resources • Educational services	***Note:*** *These are examples pending final guidance from the U.S. Dept of Treasury (Treasury).* ***Review Treasury documents for details:*** • *FAQs* • *Interim final rule*
Essential workers • Premium pay • Retroactive premium pay	**Public sector** • Rehire public sector employees to pre-pandemic levels • Replace lost revenue	**Healthy environments** • Childcare • Enhanced child welfare services	

Attachment: ARPA Project Plan 2021-2026 Proposed Amendments FINAL 08-03-2022 (7312 : 2021-2026

2021 - 2026 ARPA Project Plan

Approved by County Board 07-12-2022

Proposed Amendments 08-03-2022

Note: **$12,559,059.00** **Chippewa County Total ARPA Allocation**

$6,279,529.50 1st half of ARPA funds deposited into our account 05-19-2021

$6,279,529.50 2nd half of ARPA funds to be deposited into our account 05-22-2022

Revised: 08/03/2022

Year	Project Requester / Department	Project Title	Total Project Cost	Date Committee Reviewed	Source of Funding					Category for Eligible Use
					Chippewa County ARPA Funding	Project Requester / Department Funding	Other Municipality Funding	Grants / Other	Levy	* PH Emergency * Serving Hardest Hit * Negative Economic Impacts * Improve Infrastructure * Revenue Loss
2021 Res 20-21	24/7 Telecom Inc	Broadband Expansion - Towns Wheaton & Howard	$3,902,530	07/20/21	$339,549	$1,272,167	$339,549	$1,951,265	$0	Improve infrastructure
2021 Res 21-21	Ntera LLC	Broadband Expansion - Towns of Goetz, Delmar, Edson & Sigel	$3,607,500	07/20/21	$531,657	$1,227,093	$45,000	$1,803,750	$0	Improve infrastructure
2021 Res 22-21	Bloomer Telephone Company	Broadband Expansion - Town of Eagle Point & Tilden	$3,753,849	07/20/21	$838,750	$457,500	$425,000	$2,032,599	$0	Improve infrastructure
2022 Res 06-22	Bloomer Telephone Company	Broadband Expansion - Town of Tilden & Eagle Point Phase 2 - Towns of Hallie/Seymour and Lafayette 7/7/22 - Grant request not accepted by PSC - may need to rescind Res	$9,786,634	2/24/22 CB	$328,818	$1,597,500	$94,000	$7,116,316	$0	Improve infrastructure
2022 Res 07-22	Ntera LLC	Broadband Expansion - Town of Anson, Arthur, Cleveland, Eagle Point, Estella, Goetz, Ruby 7/7/22 - Grant request not accepted by PSC - may need to rescind Res	$2,196,803	2/24/22 CB	$171,182	$442,861	$45,000	$1,537,760	$0	Improve infrastructure
2021 TOTAL			**$23,247,316**		**$2,209,956**	**$4,997,121**	**$948,549**	**$14,441,690**	**$0**	
2022 - 2024 Res 31-22	Facilities & Parks	Public Firearms Range - Lead & EPA Remediation, etc.	$1,000,000	2/24/22 CB	$1,000,000	$0	$0	$0	$0	Revenue Loss
2022 - 2024 Res 32-22	Facilities & Parks	New Bathroom / Showers (1) - Otter Lake Park	$325,000	1/26/2022	$325,000	$0	$0	$0	$0	Revenue Loss
2022 - 2024 Res 32-22	Facilities & Parks	New Bathroom / New Well (1) - Pine Point Park	$150,000	1/26/2022	$150,000	$0	$0	$0	$0	Revenue Loss
2022 - 2024 Res 32-22	F&P - 2022-2024	Replace Picnic Tables (30) - Pine Point, Otter Lake, Round Lake, Morris Erickson	$50,000	1/26/2022	$50,000	$0	$0	$0	$0	Revenue Loss
2022 - 2024 Res 32-22	F&P - 2022-2024	Add Automatic Firewood Dispensers (3) - Pine Point, Otter Lake, Morris Erickson	$30,000	1/26/2022	$30,000	$0	$0	$0	$0	Revenue Loss
2022 - 2024 Res 33-22	Highway	Road Improvements - 3 year plan 2022 = $1.9 million; 2023 = 3.35 million; 2024 = 2.75 million	$8,000,000	1/26/2022	$8,000,000	$0	$0	$0	$0	Revenue Loss
2022 - 2024 Res 34-22	LCFM	Contaminate mitigation in residential wells 2022 = $250,000; 2023 = $250,000	$500,000	2/16/2022 6/15/2022	$500,000	$0	$0	$0	$0	Revenue Loss
2023	CVIC - Chippewa Valley Innovation Center	Remodel Conference Room for ADA Compliance *NEW	$20,000	8/3/2022	$20,000	$0	$0	$0	$0	Revenue Loss
2022	DOA - County Administrator	Employee Longevity Bonuses *NEW	$110,000	10/4/2022	$110,000	$0	$0	$0	$0	Revenue Loss
2022 - 2024	ARPA Funds Remaining - Contingency / Sikich Contracted Services		$164,103		$164,103	$0	$0	$0	$0	
2022-2026 TOTAL			**$10,349,103**		**$10,349,103**	**$0**	**$0**	**$0**	**$0**	
2021-2026 Grand Total for All Projects			**$33,596,419**		**$12,559,059**	**$4,997,121**	**$948,549**	**$14,441,690**	**$0**	

Note: Per Res. 04-22 Guidelines & Procedure for Allocating Chippewa County ARPA Funds – by March 2024, any ARPA funds allocated to a project with an expectation the project may not be completed within the allotted timeframe, those funds may be redirected to other projects. The County Administrator will prepare a resolution to be forwarded to the Executive Committee and County Board for approval before re-allocating any funds.

Attachment: ARPA Project Plan 2021-2026 Proposed Amendments FINAL 08-03-2022 (7312 : 2021-2026

2021 - 2026 ARPA Plan Justification Forms

Projects

Description	Page
Broadband Expansion - 24/7 Telecom Inc - Towns of Wheaton & Howard	5
Broadband Expansion - Ntera LLC - Towns of Goetz, Delmar, Edson & Sigel	6
Broadband Expansion - Bloomer Telephone Company - Town of Eagle Point & Tilden	7
Broadband Expansion - Bloomer Telephone Company - Town of Tilden & Eagle Point Phase 2 - Towns of Hallie/Seymour and Lafayette	8
Broadband Expansion - Ntera LLC - Town of Anson, Arthur, Cleveland, Eagle Point, Estella, Goetz, Ruby	9
Facilities & Parks - Public Firearms Range - Lead and EPA Remediation, etc.	10
Facilities & Parks - New Bathroom / Showers (1) - Otter Lake Park	11
Facilities & Parks - New Bathroom / New Well (1) Pine Point Park	12
Facilities & Parks - Replace Picnic Tables (30) - Pine Point, Otter Lake, Round Lake, Morris Erickson	13
Facilities & Parks - Add Automatic Firewood Dispenser (3) - Pine Point Park, Otter Lake, Morris Erickson	14
Highway - Road Improvements - 3 Year Plan	15
LCFM - Contaminate Mitigation in Residential Wells	17
CVIC - Remodel Conference Room for ADA Compliance *NEW	18
DOA - County Administrator - Employee Longevity Bonuses *NEW	19

Attachment: ARPA Project Plan 2021-2026 Proposed Amendments FINAL 08-03-2022 (7312 : 2021-2026

Chippewa County
2021 - 2026 ARPA Project Justification Form

Budget Year	Project Requester / Department	Project Name	Total Project Cost	Source of Funding				
				Chippewa County ARPA Funding	Project Requester / Department Funding	Other Municipality Funding	Grants / Other	Levy
2021	24/7 Telecom Inc	Broadband Expansion - Town of Wheaton & Howard	$3,902,530	$339,549	$1,272,167	$339,549	$1,951,265	$0

Category for Eligible Use Based on US Treasury Guidelines

Improve infrastructure

Project Description and Justification

24/7 Telcom, Inc. is going to provide service to 478 locations in the Town of Wheaton and 131 locations in the Town of Howard.

How Does This Project Benefit the Citizens of Chippewa County?

This project will improve citizens ability to work from home, accesses education from home, and allow business to open/operate in rural areas.

Department Head Recommended Ranking	Committee Approved Ranking
1	1

Additional Action and/or Comments from Committee

Approved by the County Board via Resolution 20-21 on July 20, 2021

Submitted by: Randy Scholz Date: 7/20/2021

Attachment: ARPA Project Plan 2021-2026 Proposed Amendments FINAL 08-03-2022 (7312 : 2021-2026

Chippewa County
2021 - 2026 ARPA Project Justification Form

Budget Year	Project Requester / Department	Project Name	Total Project Cost	Source of Funding				
				Chippewa County ARPA Funding	Project Requester / Department Funding	Other Municipality Funding	Grants / Other	Levy
2021	Ntera LLC	Broadband Expansion - Towns of Goetz, Delmar, Edson & Sigel	$3,607,500	$531,657	$1,227,093	$45,000	$1,803,750	$0

Category for Eligible Use Based on US Treasury Guidelines

Improve infrastructure

Project Description and Justification

Ntera LLC, is going to provide service to 74 locations in the Town of Goetz, 35 locations in the Town of Delmar, 35 locations in the Town of Edson, and 140 locations in the Town of Sigel.

How Does This Project Benefit the Citizens of Chippewa County?

This project will improve citizens ability to work from home, accesses education from home, and allow business to open/operate in rural areas.

Department Head Recommended Ranking	Committee Approved Ranking
1	1

Additional Action and/or Comments from Committee

Approved by the County Board via Resolution 21-21 on July 20, 2021

Submitted by: Randy Scholz Date: 7/20/2021

Attachment: ARPA Project Plan 2021-2026 Proposed Amendments FINAL 08-03-2022 (7312 : 2021-2026

Chippewa County
2021 - 2026 ARPA Project Justification Form

Budget Year	Project Requester / Department	Project Name	Total Project Cost	Source of Funding				
				Chippewa County ARPA Funding	Project Requester / Department Funding	Other Municipality Funding	Grants / Other	Levy
2021	Bloomer Telephone Company	Broadband Expansion - Town of Eagle Point & Tilden	$3,753,849	$838,750	$457,500	$425,000	$2,032,599	$0

Category for Eligible Use Based on US Treasury Guidelines

Improve infrastructure

Project Description and Justification

Bloomer Telephone Company, is going to provide service to 205 locations in the Town of Eagle Point and 100 locations in the Town of Tilden.

How Does This Project Benefit the Citizens of Chippewa County?

This project will improve citizens ability to work from home, accesses education from home, and allow business to open/operate in rural areas.

Department Head Recommended Ranking	Committee Approved Ranking
1	1

Additional Action and/or Comments from Committee

Approved by the County Board via Resolution 22-21 on July 20, 2021

Submitted by: Randy Scholz Date: 7/20/2021

Attachment: ARPA Project Plan 2021-2026 Proposed Amendments FINAL 08-03-2022 (7312 : 2021-2026

Chippewa County
2021 - 2026 ARPA Project Justification Form

Budget Year	Project Requester / Department	Project Name	Total Project Cost	Source of Funding				
				Chippewa County ARPA Funding	Project Requester / Department Funding	Other Municipality Funding	Grants / Other	Levy
2022	Bloomer Telephone Company	Broadband Expansion - Town of Tilden & Eagle Point Phase 2 - Towns of Hallie/Seymour and Lafayette 7/7/22 - Grant request not accepted by PSC - may need to rescind Res	$9,786,634	$328,818	$1,597,500	$94,000	$7,116,316	$0

Category for Eligible Use Based on US Treasury Guidelines

Improve infrastructure

Project Description and Justification

At the February 24, 2022 County Board brainstorming session, the County Board agreed to allocate additional ARPA funds for broadband expansion.

These additional funds will allow Bloomer Telephone Company to provide service to the following locations:

Town of Tilden – Phase 2 of Project – 56 locations
Town of Eagle Point – Phase 2 of Project – 66 locations
Town of Hallie – 62 locations
Town of Seymour – Eau Claire County – 458 locations
Town of Lafayette – 423 locations

The Town of Seymour is not located in Chippewa County. $650,000 is included in the Total Project Cost but not included in the Source of Funding columns.

How Does This Project Benefit the Citizens of Chippewa County?

This project will improve citizens ability to work from home, accesses education from home, and allow business to open/operate in rural areas.

Department Head Recommended Ranking	Committee Approved Ranking
1	1

Additional Action and/or Comments from Committee

Approved by the County Board via Resolution 06-22 on March 8, 2022

Submitted by: Randy Scholz Date: 3/1/2022

Attachment: ARPA Project Plan 2021-2026 Proposed Amendments FINAL 08-03-2022 (7312 : 2021-2026

Chippewa County
2021 - 2026 ARPA Project Justification Form

Budget Year	Project Requester / Department	Project Name	Total Project Cost	Source of Funding				
				Chippewa County ARPA Funding	Project Requester / Department Funding	Other Municipality Funding	Grants / Other	Levy
2022	Ntera LLC	Broadband Expansion - Town of Anson, Arthur, Cleveland, Eagle Point, Estella, Goetz, Ruby 7/7/22 - Grant request not accepted by PSC - may need to rescind Res	$2,196,803	$171,182	$442,861	$45,000	$1,537,760	$0

Category for Eligible Use Based on US Treasury Guidelines

Improve infrastructure

Project Description and Justification

At the February 24, 2022 County Board brainstorming session, the County Board agreed to allocate additional ARPA funds for broadband expansion.

These additional funds will allow Ntera, LLC to provide service to the following locations:

Town of Anson – 27 locations
Town of Arthur – 32 locations
Town of Cleveland – 20 locations
Town of Eagle Point – 143 locations
Town of Estella – 18 locations
Town of Goetz – 21 locations
Town of Ruby – 55 locations

How Does This Project Benefit the Citizens of Chippewa County?

This project will improve citizens ability to work from home, accesses education from home, and allow business to open/operate in rural areas.

Department Head Recommended Ranking	Committee Approved Ranking
1	1

Additional Action and/or Comments from Committee

Approved by the County Board via Resolution 07-22 on March 8, 2022

Submitted by: Randy Scholz Date: 3/1/2022

Attachment: ARPA Project Plan 2021-2026 Proposed Amendments FINAL 08-03-2022 (7312 : 2021-2026

Chippewa County
2021 - 2026 ARPA Project Justification Form

Budget Year	Project Requester / Department	Project Name	Total Project Cost	Source of Funding				
				Chippewa County ARPA Funding	Project Requester / Department Funding	Other Municipality Funding	Grants / Other	Levy
2022 - 2024	Facilities & Parks	Public Firearms Range Lead & EPA Remediation, etc.	$1,000,000	$1,000,000	$0	$0	$0	$0

Category for Eligible Use Based on US Treasury Guidelines

Revenue Loss

Project Description and Justification

The funds would be used for costs related to lead mitigation, soil contamination mitigation, any environmental assessments that may be needed, and any other funding needed if the Chippewa County Board decides to close the range and sell the property. This is a good use of ARPA funds because this was an unexpected cost.

How Does This Project Benefit the Citizens of Chippewa County?

Making sure the firearms range is clear of any lead contaminates is good for the environment and good for the citizens of the Chippewa County. It also eliminates any future concerns if Chippewa County decides to close the range and sell the property.

Department Head Recommended Ranking	Committee Approved Ranking

Additional Action and/or Comments from Committee

Discussed with the County Board on 02/24/2022.
Approved by the County Board via Resolution 31-22 on July 12, 2022.

Submitted by: Larry Ritzinger Date: 5/25/2022

Attachment: ARPA Project Plan 2021-2026 Proposed Amendments FINAL 08-03-2022 (7312 : 2021-2026

Chippewa County
2021 - 2026 ARPA Project Justification Form

Budget Year	Project Requester / Department	Project Name	Total Project Cost	Source of Funding				
				Chippewa County ARPA Funding	Project Requester / Department Funding	Other Municipality Funding	Grants / Other	Levy
2022 - 2024	Facilities & Parks	New Bathroom /Shower (1) Otter Lake Park	$325,000	$325,000	$0	$0	$0	$0

Category for Eligible Use Based on US Treasury Guidelines

Revenue Loss

Project Description and Justification

This project will replace an "end-of-life" pit toilet with a fully flushable bathroom and shower facilities at Otter Lake Campground. This project will be an incredible improvement to the park.

How Does This Project Benefit the Citizens of Chippewa County?

This project will improve quality of life as it will greatly enhance the park patrons stay at the campgrounds.

Department Head Recommended Ranking	Committee Approved Ranking

Additional Action and/or Comments from Committee

Reviewed by the Facilities & Parks Committee on 01/26/2022.
Approved by the County Board via Resolution 32-22 on 07/12/2022.

Submitted by: Larry Ritzinger Date: 1/14/2022

Attachment: ARPA Project Plan 2021-2026 Proposed Amendments FINAL 08-03-2022 (7312 : 2021-2026

Chippewa County
2021 - 2026 ARPA Project Justification Form

Budget Year	Project Requester / Department	Project Name	Total Project Cost	Source of Funding				
				Chippewa County ARPA Funding	Project Requester / Department Funding	Other Municipality Funding	Grants / Other	Levy
2022 - 2024	Facilities & Parks	New Bathroom / New Well (1) - Pine Point Park	$150,000	$150,000	$0	$0	$0	$0

Category for Eligible Use Based on US Treasury Guidelines

Revenue Loss

Project Description and Justification

This project will replace an "end-of-life" pit toilet at Pine Point Park with a new "Green Flush" type toilet facility.

How Does This Project Benefit the Citizens of Chippewa County?

This project will improve quality of life. It will provide safe, sanitary, and odor free facility for campers for generations to come. This project will be a huge improvement to the park.

Department Head Recommended Ranking	Committee Approved Ranking

Additional Action and/or Comments from Committee

Reviewed by the Facilities & Parks Committee on 01/26/2022.
Approved by the County Board via Resolution 32-22 on 07/12/2022.

Submitted by: Larry Ritzinger Date: 1/14/2022

Attachment: ARPA Project Plan 2021-2026 Proposed Amendments FINAL 08-03-2022 (7312 : 2021-2026

Chippewa County
2021 - 2026 ARPA Project Justification Form

Budget Year	Project Requester / Department	Project Name	Total Project Cost	Source of Funding				
				Chippewa County ARPA Funding	Project Requester / Department Funding	Other Municipality Funding	Grants / Other	Levy
2022 - 2024	Facilities & Parks	Replace Picnic Tables (30) - Pine Point, Otter Lake, Round Lake, Morris Erickson	$50,000	$50,000	$0	$0	$0	$0

Category for Eligible Use Based on US Treasury Guidelines

Revenue Loss

Project Description and Justification

This project will replace thirty (30) end of life picnic tables located in the parks.

How Does This Project Benefit the Citizens of Chippewa County?

This project will improve the quality of life as it will enhance safety in the parks.

Department Head Recommended Ranking	Committee Approved Ranking

Additional Action and/or Comments from Committee

Reviewed by the Facilities & Parks Committee on 01/26/2022.
Approved by the County Board via Resolution 32-22 on 07/12/2022.

Submitted by: Larry Ritzinger Date: 1/14/2022

Attachment: ARPA Project Plan 2021-2026 Proposed Amendments FINAL 08-03-2022 (7312 : 2021-2026

Chippewa County
2021 - 2026 ARPA Project Justification Form

Budget Year	Project Requester / Department	Project Name	Total Project Cost	Source of Funding				
				Chippewa County ARPA Funding	Project Requester / Department Funding	Other Municipality Funding	Grants / Other	Levy
2022 - 2024	Facilities & Parks	Add Automatic Firewood Dispensers (3) Point Point Park, Otter Lake Park, Morris Erickson Park	$50,000	$50,000	$0	$0	$0	$0

Category for Eligible Use Based on US Treasury Guidelines

Revenue Loss

Project Description and Justification

This project will add automatic firewood dispensers to the three (3) parks identified above. This equipment will make firewood available to park patrons on a 24x7 time frame.

How Does This Project Benefit the Citizens of Chippewa County?

This project will improve quality of life. Everyone likes a good fire at camp! This equipment will make sure that firewood is always available to campers.

Department Head Recommended Ranking	Committee Approved Ranking

Additional Action and/or Comments from Committee

Reviewed by the Facilities & Parks Committee on 01/26/2022.
Approved by the County Board via Resolution 32-22 on 07/12/2022.

Submitted by: Larry Ritzinger Date: 1/14/2022

Attachment: ARPA Project Plan 2021-2026 Proposed Amendments FINAL 08-03-2022 (7312 : 2021-2026

Chippewa County
2021 - 2026 ARPA Project Justification Form

Budget Year	Project Requester / Department	Project Name	Total Project Cost	Source of Funding				
				Chippewa County ARPA Funding	Project Requester / Department Funding	Other Municipality Funding	Grants / Other	Levy
2022 - 2024	Highway	Road Improvements - 3 Year Plan	$8,000,000	$8,000,000	$0	$0	$0	$0

Category for Eligible Use Based on US Treasury Guidelines

Revenue Loss

Project Description and Justification

This project addresses a serious need for road improvements to some of our worst conditioned low volume county highways. These road projects will recondition severely deteriorated roads so that they are in new condition when complete. This option is a plan to use $1.9 million in 2022 and $3.35 million in 2023 and $2.75 million in 2024. Any remaining balance of funds will be used to repair or replace culverts as needed and also add additional mileage to our chip seal maintenance program.

The next page contains a detailed list of the anticipated projects.

How Does This Project Benefit the Citizens of Chippewa County?

Improved county highways provide a safer transportation system and maintenance costs savings to citizens of Chippewa County.

Department Head Recommended Ranking	Committee Approved Ranking
1	1

Additional Action and/or Comments from Committee

Reviewed by the Highway Committee on January 26, 2022.
Approved by the County Board via Resolution 33-22 on 07/12/2022.

Submitted by: Brian Kelley Date: 1/27/2022

Attachment: ARPA Project Plan 2021-2026 Proposed Amendments FINAL 08-03-2022 (7312 : 2021-2026

Chippewa County
Highway Department
ARPA Projects Summary

County Highway	Project Limits	Project Type	Estimated Cost	Project Length	Miscellaneous Funding			County Funding				Project Available
					WisDOT / Federal	Description	Other	Levy	Sales Tax	Bonding	Machinery & Buildings	
2022												
CTH D	County Line - CTH V South	Recondition	$1,049,000	4.5 Miles		ARPA	$1,049,000					$1,049,000
	Various Locations (D, S, W, AA)	Culverts for ARPA Projects	$367,000			ARPA	$367,000					$367,000
CTH C	STH 40 - CTH F	Culverts for '22 BIL Project	$60,000			ARPA	$60,000					$60,000
	Various Locations	Chip Seal	$79,000			ARPA	$79,000					$79,000
	2022 Material Cost Adjustment	Various	$345,000			ARPA	$345,000					$345,000
2022 Sub Total				4.5 Miles								$1,900,000
2023												
CTH S	STH 27 - CTH EE	Recondition	$580,000	2.5 Miles		ARPA	$580,000					$580,000
CTH W	STH 27 - CTH G	Recondition	$1,410,000	7.0 Miles		ARPA	$1,410,000					$1,410,000
CTH AA	CTH F - STH 40	Recondition	$430,000	2.0 Miles		ARPA	$430,000					$430,000
	Various Locations (A, EE, DD, Q)	ARPA Culverts	$368,000			ARPA	$368,000					$368,000
	Various Locations	Chip-Seal	$62,000			ARPA	$62,000					$62,000
	2023 Material Cost Adjustment	Various	$500,000			ARPA	$500,000					$500,000
2023 Sub Total				11.5 Miles								$3,350,000
2024												
CTH A	Dunn Co. Line - 170th Ave	Recondition	$910,000	3.7 Miles		ARPA	$910,000					$910,000
CTH EE	CTH S - 170th Avenue	Recondition	$740,000	3.0 Miles		ARPA	$740,000					$740,000
CTH DD	CTH A - 186th Avenue	Recondition	$410,000	1.9 Miles		ARPA	$410,000					$410,000
CTH Q/AA	CTH SS - 83rd St.	Recondition	$640,000	2.7 Miles		ARPA	$640,000					$640,000
	Various Locations	Chip-Seal	$50,000			ARPA	$50,000					$50,000
2024 Sub Total				11.3 Miles								$2,750,000
ARPA Grand Total			**$8,000,000**	**27.3 Miles**			**$8,000,000**					**$8,000,000**

Attachment: ARPA Project Plan 2021-2026 Proposed Amendments FINAL 08-03-2022 (7312 : 2021-2026

Chippewa County
2021 - 2026 ARPA Project Justification Form

Budget Year	Project Requester / Department	Project Name	Total Project Cost	Source of Funding				
				Chippewa County ARPA Funding	Project Requester / Department Funding	Other Municipality Funding	Grants / Other	Levy
2022 - 2026	Land Conservation & Forest Management	Contaminate Mitigation in Residential Wells	$500,000	$500,000	$0	$0	$0	$0

Category for Eligible Use Based on US Treasury Guidelines

Revenue Loss

Project Description and Justification

The project would consist of drilling 5 wells in the nitrate sensitive areas to provide clean drinking water for the residents in rural Chippewa County and continue monitoring the groundwater to study the effects of remediation practices in the area. We will then utilize our groundwater flow models to identify source areas of the groundwater contamination. We will use this information to focus our information and education programs on the importance of nitrate reduction conservation practices. This will be combined with a cover crop program to incentivize them in utilizing cover crops to take up excess nitrogen after the harvest, increase the use of notill planting into the green cover crop, decreasing the need for nitrogen and establishing a farmer led watershed group to facilitate new ideas on how implement decreased nitrogen practices.

The final phase is to come up with an information/education program to inform well owners of the need for annual testing and protection. $25,000

The estimate costs:

$125,000 Water refill stations
$50,000 Testing nitrate remediation strategies
$280,000 Cover Crop Cost Share Program
$20,000 Notill planting incentives
$25,000 Information/Education program

NOTE: $250,000 will be allocated starting with the passage of a resolution for 2022. The additional $250,000 may be allocated in 2023, by a separate resolution, after a report is given to the County Board on the progress of the program and how the first $250,000 was used.

How Does This Project Benefit the Citizens of Chippewa County?

These nitrate remediation projects will provide a clean water supply for the residents who currently have nitrate impaired wells above the state water drinking standard and will work to provide remediation in the agricultural industry to incentivize ways to reduce the inputs of nitrogen in the sensitive groundwater areas. This in turn will reduce the amount of nitrogen available for leaching.

Department Head Recommended Ranking	Committee Approved Ranking
1	1

Additional Action and/or Comments from Committee

Reviewed by the Land Conservation & Forest Management Committee on February 24, 2022 and June 15, 2022.
The funding allocation was amended by the Executive Committee July 5, 2022.
Approved by the County Board via Resolution 34-22 on 07/12/2022.

Submitted by Lynda Schweikert Date: 1/14/2022

Attachment: ARPA Project Plan 2021-2026 Proposed Amendments FINAL 08-03-2022 (7312 : 2021-2026

Chippewa County
2021 - 2026 ARPA Project Justification Form

Budget Year	Project Requester / Department	Project Name	Total Project Cost	Source of Funding				
				Chippewa County ARPA Funding	Project Requester / Department Funding	Other Municipality Funding	Grants / Other	Levy
2023	CVIC - Chippewa Valley Innovation Center	Remodel Conference Room for ADA Compliance *NEW	$20,000	$20,000	$0	$0	$0	$0

Category for Eligible Use Based on US Treasury Guidelines

Revenue Loss

Project Description and Justification

To remodel an office on the lower level into a conference room. The conference room would have audio visual capabilities and would be ADA compliant. The current conference room does not have audio visual equipment and is not easily accessible.

How Does This Project Benefit the Citizens of Chippewa County?

This project will allow remote meetings and will allow everyone easy access to the conference room.

Department Head Recommended Ranking	Committee Approved Ranking
n/a	

Additional Action and/or Comments from Committee

Reviewed by the Economic Development Committee on 08/03/2022.

Submitted by: Thomas Waldusky, CVIC Board President Date: 7/21/2022

Attachment: ARPA Project Plan 2021-2026 Proposed Amendments FINAL 08-03-2022 (7312 : 2021-2026

Chippewa County
2021 - 2026 ARPA Project Justification Form

Budget Year	Project Requester / Department	Project Name	Total Project Cost	Source of Funding				
				Chippewa County ARPA Funding	Project Requester / Department Funding	Other Municipality Funding	Grants / Other	Levy
2022	DOA - County Administrator	Employee Longevity Bonuses *NEW	$110,000	$110,000	$0	$0	$0	$0

Category for Eligible Use Based on US Treasury Guidelines

Project Description and Justification

With the increases in wages that the private sector employees are currently receiving, this is a way to make our long-term employees feel appreciated. It is part of our overall strategy to recruit and retain outstanding employees. It is also an effort to reach our goal of making Chippewa County the best place to work in the Chippewa Valley.

The County Board recently adopted a new Longevity Bonus Policy for our employees in an effort to express appreciation for and reward long standing employees for their dedicated service to the County. The first bonuses under that new policy will be paid in May 2023.

Several employees are not able to be recognized for their milestone anniversaries due to timing of when the new Longevity Bonus Policy is implemented. Utilization of ARPA funds would allow us to give every full-time and part-time employee $200 for every 5-year milestone anniversary missed as laid out in our Longevity Bonus Policy.

Here are two examples:

1) If an employee was here for 21 years, they would receive $800. ($200 X 4 missed milestone bonuses)
2) If an employee was here for 11 years, they would receive $400. ($200 X 2 missed milestone bonuses)

We are anticipating to utilize interest from ARPA funds for most, if not all, of this one-time initiative.

How Does This Project Benefit the Citizens of Chippewa County?

The citizens demand and deserve high quality customer service and without retaining great employees this is not possible.

Department Head Recommended Ranking	Committee Approved Ranking
n/a	

Additional Action and/or Comments from Committee

Reviewed by the Executive Committee on October 4, 2022

Submitted by: Randy Scholz Date: 10/4/2022

Attachment: ARPA Project Plan 2021-2026 Proposed Amendments FINAL 08-03-2022 (7312 : 2021-2026

STATEMENT OF EXPLANATION

Resolution No. 51 - 22

RES. 51-22: RESOLUTION TO AMEND RESOLUTION 52-21 TO ADDRESS USE OF EXCESS FUNDS FROM THE 2024 FARM TECHNOLOGY DAYS - RANDY SCHOLZ

Passage of this resolution will amend Resolution 52-21 to state that any excess funds remaining after all expenses from the 2024 Farm Technology Days event have been reimbursed shall be used for agricultural purposes. In addition, the Farm Technology Days Committee is the entity to determine how those excess funds are to be allocated, for agricultural purposes.

Resolution No. 51 - 22

RES. 51-22: RESOLUTION TO AMEND RESOLUTION 52-21 TO ADDRESS USE OF EXCESS FUNDS FROM THE 2024 FARM TECHNOLOGY DAYS - RANDY SCHOLZ

WHEREAS, the County Board approved the attached Resolution 52-21 on December 14, 2021, which authorized Chippewa County's participation in hosting Farm Technology Days in August 2024 and further authorized the County Administrator to provide $20,000 in startup funding for the event; and

WHEREAS, Farm Technology Days of Wisconsin, Inc., doing business as Wisconsin Farm Technology Days, formerly called Wisconsin Farm Progress Days, is the entity that jointly supports and plans the Farm Technology Days event; and

WHEREAS, Resolution 52-21 authorized that any excess funds left over after all expenses are paid for the event, including Chippewa County's initial $20,000 of startup funding, would go to the Chippewa County Land Development Fund; and

WHEREAS, after further discussion and review of the issue of excess funds, it has been determined by the parties involved with planning the Farm Technology Days event that any excess funds should be used for agricultural purposes;

NOW, THEREFORE BE IT RESOLVED, that the Chippewa County Board of Supervisors does hereby amend Resolution 52-21 so that any funds remaining from the 2024 Farm Technology Days event, after all expenses have been reimbursed, shall be used for agricultural purposes to be determined by the Farm Technology Days Committee.

Forwarded to the County Board by the Economic Development Committee.

FINANCIAL IMPACT:

There is no fiscal impact to Chippewa County by passage of this resolution.

10/11/2022	**County Board**
RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Charles Bomar, District 12
SECONDER:	Robert Teuteberg, District 14
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSENT:	Chuck Hull

History:

10/03/22 Economic Development Committee FORWARD TO COUNTY BOARD

Approved as to Form:

Todd A. Pauls, Corporation Counsel 9/21/2022

Lori Zwiefelhofer, Finance Director 9/21/2022

Randy B. Scholz, County Administrator 9/21/2022

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STATEMENT OF EXPLANATION

Resolution No. 52 - 21

RES. 52-21: RESOLUTION TO AUTHORIZE CHIPPEWA COUNTY TO HOST FARM TECHNOLOGY DAYS IN 2024

Passage of this resolution will authorize Chippewa County to host the 2024 Farm Technology Days. This event was originally called “Farm Progress Days” and was hosted by Chippewa County in 2004. Passage of this resolution will authorize Chippewa County to provide $20,000 of startup funding to get the event going. Those funds will be reimbursed to Chippewa County after the event concludes. In addition, the Sheriff’s Department, Highway Department, and other County Departments may be required to incur expenses as part of hosting the event. Those expenses too will be reimbursed by Wisconsin Farm Technology Days, Inc.

Wisconsin Farm Technology Days, Inc., will facilitate the creation of the event in conjunction with the Farm Technology Committee. The Chippewa County Economic Development Corporation has agreed to work with Wisconsin Farm Technology Days, Inc., to create the Farm Technology Committee, which will be comprised of 14-16 interested citizen volunteers. In addition, the Chippewa County Economic Development Corporation has agreed to provide any administrative assistance that is required by that Committee or any of its subcommittees.

The Chippewa County Economic Development Committee believes that hosting Wisconsin Farm Technology Days is an excellent way to showcase and promote Chippewa County and its agriculture, while providing a major economic benefit to the Chippewa County economy.

Attachment: Resolution 52-21 (51 - 22 : Res. 51-22: Resolution to Amend Resolution 52-21 - Excess Funds from the 2024 Farm Tech Days)

Resolution No. 52 - 21

RES. 52-21: RESOLUTION TO AUTHORIZE CHIPPEWA COUNTY TO HOST FARM TECHNOLOGY DAYS IN 2024

WHEREAS, Wisconsin Farm Technology Days, formerly called Wisconsin Farm Progress Days, is a jointly supported and planned effort by Wisconsin Farm Technology Days, Inc., and a host county; and

WHEREAS, one of the selection criteria used to select a host county is the support of that county's Board of Supervisors; and

WHEREAS, this event was hosted in Chippewa County in 2004, was hosted by Eau Claire County in 2021, and will be hosted by Clark County in 2022 and Sauk County in 2023; and

WHEREAS, Wisconsin Farm Technology Days is annually the largest agricultural show that showcases the latest improvements and innovations in production agriculture; and

WHEREAS, the Chippewa County Economic Development Committee believes that Wisconsin Farm Technology Days is an excellent way to showcase the County, develop volunteerism and leadership roles, and promote Chippewa County agriculture through local community support; and

WHEREAS, hosting Wisconsin Farm Technology Days would provide a major economic benefit to the Chippewa County economy; and

WHEREAS, in order to serve as the host county, Farm Technology Days, Inc., requires a commitment of twenty thousand dollars ($20,000) in startup funding from the host county to be available by January 1, 2022 to be used to support ongoing activities and functions and that funding will be reimbursed to Chippewa County if the event meets its revenue targets; and

WHEREAS, a committee, to be known as the *Farm Technology Days Committee,* will need to be created with the sole purpose being to plan, organize and help conduct the Farm Technology Days event; and

WHEREAS, the Farm Technology Days Committee would be made up of interested Chippewa County citizens (14-16 volunteer members) to be determined with the assistance of the Chippewa County Economic Development Corporation (CCEDC); and

WHEREAS, the CCEDC will provide clerical assistance to the Farm Technology Days Committee and any subcommittees as needed; and

WHEREAS, the Sheriff's Department and Highway Department will need to coordinate

Attachment: Resolution 52-21 (51 - 22 : Res. 51-22: Resolution to Amend Resolution 52-21 - Excess Funds from the 2024 Farm Tech Days)

with the Farm Technology Days Committee to provide traffic control and any infrastructure needs; and

WHEREAS, any expenditures for Farm Technology Days incurred by the Sheriff's Office, Highway Department, and any other Department of Chippewa County, are to be reimbursed by Wisconsin Farm Technology Days, Inc.; and

WHEREAS, there may be additional funds available to Chippewa County from Farm Technology Days after all expenses of the event are paid in full; and

WHEREAS, Farm Progress Days is usually held in July, but in Chippewa County there are several other annual events in July that require County services and therefore Farm Progress Days would be held in August 2024, if Chippewa County is the host county;

NOW, THEREFORE BE IT RESOLVED, that the Chippewa County Board of Supervisors hereby supports and authorizes Chippewa County's participation in hosting Farm Technology Days in August 2024; and

BE IT FURTHER RESOLVED, that the County Administrator is authorized to use $20,000 from the Chippewa County Land Development Fund to support and advance ongoing activities and functions involved with the event; and

BE IT FURTHER RESOLVED, that any expenditure incurred by Chippewa County shall be reimbursed by Farm Technology Days, Inc.; and

BE IT FURTHER RESOLVED, that the $20,000 in start-up funds shall be reimbursed to Chippewa County by Farm Technology Days, Inc.; and

BE IT FURTHER RESOLVED, that any funds remaining from Farm Technology Days after all expenses have been covered and that are provided to Chippewa County shall be placed in the Chippewa County Land Development Fund; and

BE IT FURTHER RESOLVED, that the Chippewa County Economic Development Corporation shall have the authority to appoint the Farm Technology Days Committee; and

BE IT FURTHER RESOLVED, that the Chippewa County Administrator is hereby authorized to enter into any contract for services as may be necessary to support Farm Technology Days in 2024.

Forwarded to the County Board by the Economic Development Committee.

FINANCIAL IMPACT:

The County will be required to provide an initial $20,000 in startup expenses for the event. Other Departments, such as the Highway Department and the Sheriff's Department will incur

Attachment: Resolution 52-21 (51 - 22 : Res. 51-22: Resolution to Amend Resolution 52-21 - Excess Funds from the 2024 Farm Tech Days)

expenses, but those expenses and the $20,000 of startup expenses are to be reimbursed by Farm Technology Days, Inc., after the event concudes.

12/14/2021	**County Board**
RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Kari Ives, District 12
SECONDER:	Ken Schmitt, District 3
AYES:	Gullickson, Sikorski, Steele, Schmitt, Hauser, Mickelson, Shipman, Kervina, Eisenhuth, Ives, Hull, McGill
ABSENT:	Lee McMenamin, Annette Hunt

History:

11/03/21 Economic Development Committee FORWARD TO COUNTY BOARD

Approved as to Form:

Todd A. Pauls, Corporation Counsel 10/26/2021

Lori Zwiefelhofer, Finance Director 10/26/2021

Randy B. Scholz, County Administrator 10/27/2021

Attachment: Resolution 52-21 (51 - 22 : Res. 51-22: Resolution to Amend Resolution 52-21 - Excess Funds from the 2024 Farm Tech Days)

STATEMENT OF EXPLANATION

Resolution No. 52 - 22

RES. 52-22: RESOLUTION TO AUTHORIZE $50,000 FROM LAND DEVELOPMENT FUND TO STANLEY INDUSTRIAL PARK - RANDY SCHOLZ AND CHARLIE WALKER

Passage of this resolution will authorize the County Administrator to provide $50,000 of funding from the Land Development Fund to the Stanley Industrial Park to help fund the Park's goal of becoming Certified Shovel Ready.

The Stanley Industrial Park is 110 acres and is located within the City of Stanley and Chippewa County. The Chippewa Economic Development Corporation (CEDC) has been working with the City of Stanley to get the Industrial Park designated as Certified Shovel Ready. To be Certified Shovel Ready means that all of the due diligence has been done on the site such as planning, zoning, surveys, title work, environmental studies, soil analysis and public infrastructure engineering and has been approved by the State of Wisconsin. Certified Shovel Ready therefore lets businesses know what they would be getting when considering whether to locate their business within the Stanley Industrial Park.

The Wisconsin Economic Development Corporation (WEDC) has a certification program and they are currently accepting bids to apply for it. If accepted into the program, the WEDC will pay the cost of the consultant to do the certification. The City of Stanley has already submitted an application. The application cost is $7,500 and two private donors have paid the fee.

Prior to the certification process, funding is needed to do soil and boring samples, an archaeology study, and ALTA survey of the Industrial Park. It is estimated that the cost to do this preliminary work is $130,000. The City of Stanley has allocated $50,000 and is asking Chippewa County to provide $50,000. The City of Stanley would raise the other additional $30,000 from the private sector.

At the August 3, 2022, Economic Development Committee meeting, Charlie Walker (CEDC President/CEO) pointed out that this project is following the recommendations from the consultant who conducted the feasibility study for the County's next industrial park. If the County Board supports this initiative, the County Administrator recommends utilizing $50,000 from the Land Development Fund (602-04-54712-530000). As of August 12, 2022, there was a cash balance of $3,346,082.31 in the Land Development Fund.

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Resolution No. 52 - 22

RES. 52-22: RESOLUTION TO AUTHORIZE $50,000 FROM LAND DEVELOPMENT FUND TO STANLEY INDUSTRIAL PARK - RANDY SCHOLZ AND CHARLIE WALKER

WHEREAS, the City of Stanley has an Industrial Park that is 110 acres and is located within Chippewa County; and

WHEREAS, the Chippewa Economic Development Corporation (CEDC) has been working with the City of Stanley to get the Industrial Park designated as Certified Shovel Ready; and

WHEREAS, to be Certified Shovel Ready means that all of the due diligence has been done on the site such as planning, zoning, surveys, title work, environmental studies, soil analysis and public infrastructure engineering and has been approved by the State of Wisconsin Economic Development Corporation (WEDC); and

WHEREAS, being Certified Shovel Ready lets businesses know that there will be faster turnaround times, quick approvals and low risk when considering whether to locate their business within the Stanley Industrial Park; and

WHEREAS, the WEDC has a certification grant program and is currently accepting applications to pay the cost of the consultant to do the certification; and

WHEREAS, prior to the certification process, funding is needed to do soil and boring samples, an archaeology study, and an American Land Title Association (ALTA) survey of the Industrial Park; and

WHEREAS, it is estimated that the cost to do this preliminary work is $130,000 of which the City of Stanley has allocated $50,000 and is asking Chippewa County to provide $50,000 of funding; and

WHEREAS, the City of Stanley would raise the other additional $30,000 from the private sector; and

WHEREAS, achieving the status of Certified Shovel Ready will make the Stanley Industrial Park much more marketable to potential businesses as many of the hurdles that businesses must address to locate in a business park have already been addressed, which in turn will spur economic development in Chippewa County; and

WHEREAS, the County Administrator recommends utilizing $50,000 from the Land Development Fund (Fund No. 602-04-54712-530000) to provide funding to the City of Stanley to help pay the costs of doing soil and boring samples, an archaeology study, and an ALTA survey of the Industrial Park as part of the City's project to obtain Certified Shovel Ready status

for the Industrial Park; and

WHEREAS, on August 12, 2022, there was a cash balance of $3,346,082.31 in the Land Development Fund;

NOW, THEREFORE BE IT RESOLVED, that the County Administrator is hereby authorized to provide $50,000 of funding from the Land Development Fund to the City of Stanley to be used to help pay the costs of doing soil and boring samples, an archaeology study, and an ALTA survey of the Industrial Park to assist the Park to become Certified Shovel Ready; and

BE IT FURTHER RESOLVED, that the County Administrator shall provide a report to the County Board at the regular December, 2023 County Board meeting on the status of the Certified Shovel Ready project in the Stanley Industrial Park and as to how the $50,000 of funding was utilized.

Forwarded to the County Board by the Economic Development Committee.

FINANCIAL IMPACT:

$50,000 of fiscal impact from the Land Development Fund.

10/11/2022	**County Board**
RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	David Bischel, District 4
SECONDER:	James Ericksen, District 8
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSENT:	Chuck Hull

History:

10/03/22 Economic Development Committee FORWARD TO COUNTY BOARD

Approved as to Form:

Todd A. Pauls, Corporation Counsel 9/27/2022

Lori Zwiefelhofer, Finance Director 9/27/2022

Randy B. Scholz, County Administrator 9/27/2022

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STATEMENT OF EXPLANATION

Resolution No. 53 - 22

RES. 53-22: RESOLUTION TO RESCIND THE CHIPPEWA COUNTY FIREARMS RANGE USE POLICY - RANDY SCHOLZ

On May 10, 2020, the County Board approved the Firearms Range Use Policy to set out the guidelines for the use of the Range. In September, 2020 Chippewa County became aware of the potential unsafe use of the Chippewa County Firearms Range by its patrons. As a result, the Range was temporarily closed to the public on September 11, 2020. After safety enhancements were implemented at the Range between September 12, 2020 - October 8, 2020, the Range was reopened to the public on October 9, 2020. In June, 2021 Chippewa County again became aware of the potential unsafe use of the Chippewa County Firearms Range by its patrons. On June 10, 2021, the Range was closed to the public and on June 28, 2022, the Chippewa County Board passed Resolution No. 30-22, which formally closed the Chippewa County Firearms Range and Training Facility to any activity, effective July 1, 2022.

Passage of this resolution will rescind the Firearms Range Use Policy.

Resolution No. 53 - 22

RES. 53-22: RESOLUTION TO RESCIND THE CHIPPEWA COUNTY FIREARMS RANGE USE POLICY - RANDY SCHOLZ

WHEREAS, Chippewa County has a firearms range that was previously open to the public for various uses, including Hunters Education; and

WHEREAS, on March 10, 2020, the County Board approved the attached Policy 504, the *Public Firearms Range - Facility Use Policy*, to set out the guidelines for the use of the Range; and

WHEREAS, in September, 2020 Chippewa County became aware of the potential unsafe use of the Chippewa County Firearms Range by its patrons; and

WHEREAS, due to the noted safety concerns, the Range was temporarily closed to the public on September 11, 2020; and

WHEREAS, between September 12, 2020 and October 8, 2020, the County implemented enhancements to the Range to address the safety concerns and the Range was reopened to the public on October 9, 2020; and

WHEREAS, in June, 2021 Chippewa County again became aware of the potential unsafe use of the Chippewa County Firearms Range by its patrons; and

WHEREAS, on June 10, 2021, the Range was closed to the public and on June 28, 2022, the Chippewa County Board passed Resolution No. 30-22, which formally closed the Chippewa County Firearms Range and Training Facility to any activity, effective July 1, 2022; and

WHEREAS, now that the Firearms Range has been permanently closed for all uses, it is necessary to rescind Policy 504;

NOW, THEREFORE BE IT RESOLVED, that effective upon passage, Policy 504, *Public Firearms Range - Facility Use Policy* is hereby rescinded.

Forwarded to the County Board by the Facilities and Parks Committee.

FINANCIAL IMPACT:

There is no fiscal impact to Chippewa County by passage of this resolution.

10/11/2022	**County Board**
RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Harold Steele, District 2
SECONDER:	James Flater, District 1
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSENT:	Chuck Hull

History:
09/28/22 Facilities & Parks Committee FORWARD TO COUNTY BOARD

Approved as to Form:

Todd A. Pauls
Todd A. Pauls, Corporation Counsel 9/21/2022

Lori Zwiefelhofer
Lori Zwiefelhofer, Finance Director 9/21/2022

Randy B. Scholz
Randy B. Scholz, County Administrator 9/21/2022

PUBLIC FIREARMS RANGE - FACILITY USE POLICY

Purpose

Chippewa County Facilities are primarily used for official county functions by elected officials and staff. This policy identifies the hours of operations and use of the Chippewa County Public Firearms Range.

Primary Use of the Public Firearms Range

The primary use of the Public Firearms Range is to provide a safe environment for the Public to use their firearms and to offer a facility for firearms education and training such as Hunter's Education and Law Enforcement. Consequently, groups that are a part of Chippewa County Government or Hunter's Education, have priority use of the Training Building and Ranges.

Access and Hours of Operation

Access to the Hand Gun and Long Gun ranges are Monday through Saturday, 9:00 a.m. until sunset and Sunday from 10:00 a.m. until sunset. Only the outdoor ranges are available for use by the public per the hours of operation and the Public Firearms Range calendar as posted on the Chippewa County website. The training facility is available for training, educational purposes, or by private rental exclusively for firearms related activities, education, or training.

Priority Use for the Firearms Range

Priority for use shall be given to the following entities as follows, from highest to lowest priority:

1. The Chippewa County Public Firearms Range Advisory Committee;
2. Hunter's Education classes as designated by the Wisconsin Department of Natural Resources and taught by a WI-DNR Certified Officer;
3. Any member or group of law enforcement including Local, State, and Federal offices;
4. Chippewa County staff for purposes of county business;
5. Non-profit entities holding public meetings or conducting official business related to a county service, program, or providing a public service.
6. For-profit entities who have completed a Facility Use Application, received approval, and paid the daily rental fee.

If a scheduling conflict arises between the above groups, the higher priority user will have the reservation priority. Any conflicts will be resolved by the County Administrator. A set fee of $175.00 per day will be required by all for-profit users. The County reserves the right to implement a user fee for non-profit users if a user does not fully comply with this policy.

Definition of Terms

Public Firearms Range Use Areas:

Hand Gun Range
Long Gun Range
Training Building (reservations required)

Attachment: Policy 504 Public Firearms Range - Facility Use Policy (53 - 22 : Res. 53-22: Resolution to Rescind the Firearms Range Use Policy)

Non-profit entity

A non-profit entity is an agency, corporation, partnership or governmental entity, which can provide legal verification of either its non-profit status (including approved IRS non-profit status), or governmental relationship.

For-profit entity

A business or other organization whose primary goal is making money (a profit), as opposed to a nonprofit organization which focuses a goal such as helping the community and is concerned with money only as much as necessary to keep the organization operating.

Terms of Use

The use of any county facility by profit-making groups or for profit-making purposes is generally prohibited. No business, non-profit, or personal organization shall be allowed to solicit business or sell items for profit without the prior permission of the Chippewa County Facilities & Parks Committee. This prohibition does not apply to those vendors approved to conduct business by the Department of Administration.

No alcoholic beverages shall be served, or consumed on the Public Firearms Range. No person(s) impaired by alcohol shall be permitted in any county facility.

Functions occurring in county facilities shall not violate any City of Chippewa Falls, Chippewa County, State of Wisconsin or federal applicable laws, ordinances or regulations.

There shall be no partisan political activities, political news conferences, or other events designed to announce or support any candidate for public office regardless of party or non-party affiliation at the Chippewa County Public Firearms Range.

Permission to use any Chippewa County facility shall not in any way constitute an endorsement of the user group or individual, or their policies and activities.

Equal Access

This policy shall apply to all groups and individuals that have requested use of the Public Firearms Range. No group or individual shall be excluded from equal access to said grounds and facilities because of considerations of gender, race, sexual orientation, religious or political persuasions or views. However, use may be denied or terminated if there is a violation of the rules set forth in this policy and/or if the use poses health or safety risks.

Safety & Security

Standard Operating Procedures and Gun Safety Rules shall be reviewed prior to any range usage. Procedures are posted online and at the Range Safety Officers Hut payment station by the Long Gun Range and at the Hand Gun Range payment station.

Attachment: Policy 504 Public Firearms Range - Facility Use Policy (53 - 22 : Res. 53-22: Resolution to Rescind the Firearms Range Use Policy)

Liability

Any non-Chippewa County Governmental group using the public use areas of county facilities as defined in this policy shall:

1. Be required to release the county from any liability for damages caused to the user or its property during the times of use.

2. Hold the county harmless from any liability to third parties for injury caused by the group or any persons or groups to attend the event.

3. Be liable to the county for any damages to county property or injuries to county employees or agents caused by the group or by a person attending the group's events, whether or not the damage is the result of negligence, intentional acts or accident.

The granting of permission to use the Public Firearms Range does not obligate the county to furnish any applicant with any service or utilities, or to render any support regarding personnel, fixtures, equipment or supplies. The county may furnish such assistance as it, in its sole discretion, determines appropriate.

The county does not warrant that any county facility space, fixtures or equipment is fit for any purpose, and the county shall not be responsible in case of damage or injury to property or person or the loss of individual property which may arise out of, result from, or be in any manner connected with the use thereof.

It is the user entity's responsibility to ensure that adults properly supervise all children.

Indemnification and Liability Insurance

Non-Chippewa County Governmental groups understand and agree that using space, fixtures and equipment may expose user and others to risks. Such users voluntarily agree to assume all such risks, and to release and hold harmless Chippewa County and the county's supervisors, directors, officers, employees, volunteers and agents from and against any and all claims regarding damage to property or injuries to or death of any person(s), and to defend, indemnify and hold harmless Chippewa County and the county's supervisors, directors, officers, employees, volunteers and agents from any and all claims, demands, suits, actions or proceeding of any kind in nature, of or by anyone whatsoever, in any way resulting or arising out of activities, action or inactions of the user group.

Chippewa County reserves the right to require a public user of county facilities to provide adequate liability insurance prior to the use of county facilities.

Space Arrangement, Internet Access, Fixtures and Utilities

All entities using the Chippewa County Public Firearms Range Training building shall only adjust the heating/cooling per the Training Building checklist. Users are responsibly for room setup. Guest wi-fi access is available for training purposes. The ranges and training building is to be left in the condition as described in the Training Building Checklist after completion of the User's time as requested by the Facility Use Application.

Process for the Scheduling of Facilities

Attachment: Policy 504 Public Firearms Range - Facility Use Policy (53 - 22 : Res. 53-22: Resolution to Rescind the Firearms Range Use Policy)

Hunter's Education, and Law Enforcement shall schedule the Chippewa County Public Firearms Range (Hand Gun, Long Gun, or Training Building) by calling or visiting the Facilities & Parks Division office, located in the Chippewa County Courthouse, or emailing the Facilities & Parks Administrative Assistant. It is recommended reservations are requested at least 7 days in advance to allow for time to process the request. Keys for the training building will need to be signed out at the Facilities & Parks Division (Courthouse Lower Level, Room 012).

All other non-profit and for-profit groups shall schedule the Public Firearms Range by filling out the Facility Use Application (DOA103A) and submitting it to the Facilities & Parks Division via mail, in person, or by email. The application will then be reviewed for compliance with the Public Firearms Range Facility Use Policy and availability. A determination will be made and shared with the requesting party. It is recommended reservations are requested at least 7 days in advance to allow for time to process the request and for the Facility Use Application to be reviewed and approved.

Cancellation of Permission and Right to Refuse Permission

The county reserves the right to cancel, move, and preempt scheduled use of a county facility and to access and enter the reserved space at any time. The county further reserves the right to deny reservation requests to use county facilities for any lawful reason.

The County reserves the right to charge a user fee that complies with applicable grant conditions.

Attachment: Policy 504 Public Firearms Range - Facility Use Policy (53 - 22 : Res. 53-22: Resolution to Rescind the Firearms Range Use Policy)

STATEMENT OF EXPLANATION

Ordinance No. 07 - 22

ORD. 07-22: ORDINANCE TO AMEND CHAPTER 70, ARTICLE IV. SUPPLEMENTAL REGULATIONS, DIVISION 3. SIGNS, SECTIONS 70-147, 70-148, 70-149 AND 70-150 OF THE CHIPPEWA COUNTY CODE OF ORDINANCES - SECOND READING

Passage of these ordinance amendments will include allowing for the placement of a "Neighborhood Identification Signs for Residential or Planned Unit Developments" under Chapter 70, Article IV. Supplemental Regulations, Division 3. Signs, Sections 70-149(c) and70-149(d) of the Chippewa County Code of Ordinances. "Neighborhood Identification Signs for Residential or Planned Unit Developments" are typically located at the entrance of an approved subdivision. Previously, these types of signs were allowed and referred to as "Area Identification Signs", but they were inadvertently deleted in ordinance amendments that occurred in 2019-2020 (Ordinance 01-2020).

Passage of these ordinance amendments will also correct minor grammatical errors in Sections 70-147 to 70-150 as follows:

1. The term "premise" is changed to "premises".
2. Under Section 70-149(e)(1): the term "exceed" is inserted, the term "footage" is changed to "feet", and the term "building" is changed to "building's".
3. The term "on premises" is changed to "on-premises".

Ordinance No. 07 - 22

ORD. 07-22: ORDINANCE TO AMEND CHAPTER 70, ARTICLE IV. SUPPLEMENTAL REGULATIONS, DIVISION 3. SIGNS, SECTIONS 70-147, 70-148, 70-149 AND 70-150 OF THE CHIPPEWA COUNTY CODE OF ORDINANCES - SECOND READING

SEE ATTACHMENT

FINANCIAL IMPACT:

There is no financial impact to Chippewa County by passage of these ordinance amendments

10/11/2022	**County Board**
RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jason Bergeron, District 7
SECONDER:	Ronald McGill, District 16
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSENT:	Chuck Hull

History:

08/18/22	Planning & Zoning Committee	FORWARD TO COUNTY BOARD
09/13/22	County Board FIRST READING	

Approved as to Form:

Todd A. Pauls
Todd A. Pauls, Corporation Counsel 8/8/2022

Lori Zwiefelhofer
Lori Zwiefelhofer, Finance Director 8/8/2022

Randy B. Scholz
Randy B. Scholz, County Administrator 8/8/2022

Ordinance to Amend Chapter 70, Article IV. Supplemental Regulations, Division 3. Signs, Sections 70-147, 70-148, 70-149 and 70-150 of the Chippewa County Code of Ordinances

1. That Chapter 70, Article IV. Supplemental Regulations, Division 3. Signs, Sections 70-147, 70-148, 70-149 and 70-150 of the Chippewa County Code of Ordinances are hereby amended as follows:

DIVISION 3. SIGNS

Sec. 70-146 Generally

No sign shall be erected, constructed, altered or modified except as regulated in this division.

(Code 1980, § 17.42(1)) (Ord No. 01-20, 02-11-2020)

Sec. 70-147 General Sign Provisions

(a) *Hazardous signs.* No sign shall, by reason of its shape, location, lighting, size, color or intensity, create a hazard to the safe, efficient movement of vehicular or pedestrian traffic. No private sign shall contain words that might be construed as traffic controls, such as "stop," "caution," or "warning" unless such sign is intended to direct traffic on the premises.

(b) *Sign maintenance.* All signs and sign structures shall be properly maintained in a safe, orderly condition and parts and supports shall be properly painted at all times. Signs or sign structures which are rotted, unsafe or which have otherwise deteriorated or have been defaced shall be repainted, repaired or replaced by the owner of the lot upon which the sign is located, or by his licensee.

(c) *Interference.* No signs, nor any guides, stays or attachments thereto, shall be erected, placed or maintained upon rocks, fences or trees, or in such a manner as to interfere with firefighting equipment or personnel, or any electric light, power, telephone or cable wires or supports thereof.

(d) *Signs within right-of-way.* No signs other than governmental signs shall be erected or temporarily placed within any public right-of-way.

(e) *Signs within a vision clearance triangle.* Signs shall be allowed within the vision clearance triangle if the sign is not considered a hazard for motorists or the general public. The vision clearance triangle is designated under section 70-109(b) of this ordinance.

(f) *Safe ingress and egress to and from structures.* No sign or sign structure shall be erected or maintained so as to prevent or deter free movement to or from any door, window or fire escape, nor shall a sign be attached to a standpipe or fire escape.

(g) *Signs required by law.* All signs required by law shall be permitted in all districts.

Attachment: Ordinance to Amend Ch 70, Art IV, Div 3 Signs, Sects 70-147, 70-148, 70-149 and 70-150 of the Chippewa County Code of

(h) *Sign faces.* If a freestanding sign or sign structure is constructed so that the sign faces are not parallel, the angle between the sign faces shall not exceed 30 degrees. If the angle between the sign faces is greater than 30 degrees, the total area of both sign faces shall be the calculated sign area. If the angle between the sign faces is less than 30 degrees, the sign faces shall be considered one sign face for purposes of calculating sign area and number of signs.

(i) *Obsolete signs.* An obsolete sign or a sign which advertises an activity, product or service which is no longer being produced or conducted shall be removed within 90 days from the last date upon which the activity or service was produced or conducted. Responsibility for the removal of an obsolete sign shall be that of the lot owner upon which the sign is located.

(j) *Illumination.* Signs may be internally or externally illuminated, except as prohibited by this section and subject to the following restrictions:

(1) Light that is used to illuminate a sign face shall be directed away from adjacent lots and shall be directed towards the ground in order to prevent light trespass on adjacent lots and illumination of a sign face from a light that is pointed towards the sky.

(2) Signs which contain, include, or are illuminated by flashing, intermittent, or moving light or lights are prohibited, except those allowed as multiple or variable message signs under subsection (k).

(3) Illumination which is not effectively shielded as to prevent beams or rays of light from being directed at any portion of public road right-of-way and is of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or that otherwise interferes with any driver's operation of a motor vehicle is prohibited.

(4) No sign shall be so illuminated that it obscures or interferes with the effectiveness of an official traffic sign, device or signal.

(k) *Multiple or variable message signs.* Free standing or advertising (off-premises) signs in the Commercial or Industrial Districts may contain multiple or variable messages, including messages on louvers that are rotated and messages formed solely by use of lights or other electronic or digital displays or processes, are subject to all of the following restrictions:

(1) All existing signs on the lot must be in compliance with the specific ordinance regulations that apply to the district in which the lot is located regarding height, sign area, and location.

(2) *Brightness*. Sign faces shall not exceed 7500 nits during daylight hours and 500 nits during nighttime hours. (Note: A "nit" is a measurement of luminance. One "nit" equals one candela per square meter.)

(3) Advertising (off-premises) signs:

a. Each change of message shall be accomplished in one (1) second or less.

Attachment: Ordinance to Amend Ch 70, Art IV, Div 3 Signs, Sects 70-147, 70-148, 70-149 and 70-150 of the Chippewa County Code of

b. Each message shall remain in a fixed position for at least six (6) seconds.

c. The use of traveling messages or segmented messages is prohibited.

d. The owner of the sign must provide at least five (5) hours per month for public messaging announcements at no cost to the town in which the sign is located.

(4) Freestanding signs:

a. Shall be used only to advertise activities conducted on the lot on which the sign is located or to display public emergency messages.

b. No message may be displayed for less than one-half of one second.

c. No message may be repeated at intervals of less than two (2) seconds.

d. No segmented message may last longer than ten (10) seconds.

e. No traveling message may travel at a rate slower than 16 light columns per one (1) second or faster than 32 columns per one (1) second.

f. Shall provide the opportunity to display public emergency messages to notify the traveling public in the event that an emergency is declared by the county or town. Public emergency messages may include the following: amber alerts, traffic accidents, re-routing of traffic or similar events.

(5) Signs shall be equipped with a dimmer control or other device which allows the luminance of the display to be adjusted. The sign shall also be equipped with a photo cell or other means by which the sign can automatically adjust luminance to varying ambient light conditions. Both the dimmer and ambient light device shall be in full operational capacity. Non-operation of these devices is deemed a malfunction and dealt with according to this section.

(6) *Malfunctioning Signs*. Signs shall be designed and equipped to freeze the device in one position in the event a malfunction occurs. The displays shall be equipped with a means to immediately discontinue the display in the event of a malfunction occurs, and the sign owner shall immediately stop the display when notified by the Department that it is not in compliance with the ordinance standards.

(l) *Double frontage lots.* Lots having frontage on two (2) streets or roads shall be permitted to have signs on any side of the principal building as long as the signage does not exceed the maximum number and square feet of signage allowed.

(m) *Signs on parked vehicles.* The parking of any vehicle or trailer on a public right-of-way, or public property, or on private property so as to be visible from a public right-of-way, which has

Attachment: Ordinance to Amend Ch 70, Art IV, Div 3 Signs, Secs 70-147, 70-148, 70-149 and 70-150 of the Chippewa County Code of

attached thereto or located thereon, any sign or advertising device that advertises products or directs people to an on-premises or off-premises business or activity is prohibited. However, vehicular signage permanently attached on construction vehicles or trailers while in use at construction sites is allowed. In addition, vehicular signage located on a vehicle or trailer which is incidental to the principal use of the lot is allowed unless such vehicle or trailer is clearly visible from the public right-of-way and is not moved from its location for a period exceeding five (5) calendar days.

(Code 1980, § 17.42(2)) (Ord. No. 01-20, 02-11-2020)

Sec. 70-148 Permitted Signs

The following signs shall be allowed subject to the following and without a zoning permit, unless the sign is proposed to be located within a vision clearance triangle:

(a) *Governmental signs.* Signs of a public, non-commercial nature, including but not limited to safety signs, traffic control devices, scenic or historical signs and memorial plaques.

(b) *Integral signs or nameplates.* Signs attached to buildings or structures which name only the building, date of construction and commemorative actions. Signs shall be limited to six (6) square feet in size.

(c) *Construction signs.* Construction signs are limited to three (3) signs per lot and shall be non-illuminated. The construction sign may name the architects, engineers, contractors and other individuals or entities involved in the construction, alteration or repair of a structure. Construction signs shall be confined to the construction site and shall be removed when the project is completed or upon the granting of occupancy of the structure, whichever occurs first. A construction sign face shall not exceed 32 square feet in size in any district.

(d) *Future use of site signs.* Future use signage is limited to one (1) sign per site and shall be non-illuminated. The future use sign shall display only information specific about the future use of the lot and applicable contact information. The sign cannot be placed onsite until the applicable zoning and building permits for the construction of the principal building have been issued. Signs shall not measure more than six (6) square feet in size in residential districts nor more than 32 square feet in size in all other districts.

(e) *Real estate signs.* A single on-premises sign announcing the owner, manager, realtor or other person directly involved in the sale or rental of a property. Signs shall not measure more than six (6) square feet in size in residential districts nor more than 32 square feet in size in all other districts. In the event of sale, the sign must be removed within ten days thereafter.

(f) *Trespassing signs.* Signs which indicate the allowed use of private property, such as no trespassing, no hunting, or hunting by permission only per terms of law as to frequency and size.

Attachment: Ordinance to Amend Ch 70, Art IV, Div 3 Signs, Sects 70-147, 70-148, 70-149 and 70-150 of the Chippewa County Code of

(g) *Agriculture test plot signs.* Agricultural test plot signs shall be allowed in the Agricultural District under the following conditions:

(1) One sign facing each direction.

(2) Sign shall not exceed 32 square feet in size and are permitted during the growing season and shall be removed after harvest.

(3) Row markers and variety markers are permitted as necessary.

(h) *Occasional yard sale sign.* One sign is allowed, shall not exceed six (6) square feet in size and shall not be placed more than one day prior to the sale and shall be removed at end of sale.

(i) *Personal expression sign.* A personal expression sign is an on-premises sign that expresses an opinion, interest, position or other non-commercial message or advertising and shall not be illuminated. Signs shall not measure more than six (6) square feet in size in residential districts nor more than 32 square feet in size in all other districts.

(j) *Window signs.* Window signs located on the inside of a building and displaying pertinent business information such as a business' hours of operation or a special sales event or promotion shall be excluded from calculations for building signs.

(Code 1980, § 17.42(3)) (Ord. No. 01-20, 02-11-2020)

Sec. 70-149 District Regulations

(a) *Signs in all districts.* Signs are regulated or prohibited in particular zoning districts according to their size, height, number and location on the lot.

(1) *Lot line setback*. Freestanding signs, regardless of the zoning classification or the requirement for a zoning permit shall be located at least ten (10) feet from a lot line or right-of-way line.

(2) *Height*. Unless specifically referenced within the ordinance, freestanding signs shall not extend higher than eight (8) from the existing grade level.

(b) *Permits required.*

(1) Except as allowed in section 70-148, signs shall not be erected, constructed, enlarged or otherwise modified without first receiving all applicable zoning permits.

(2) An application for a zoning permit, along with the applicable fee shall be submitted to the Department and shall include a rendering of the design of the sign, a site plan showing the location of the sign on the lot or building, a list of all existing signs that will remain on the lot, a list of existing signs that will be removed from the lot, and all

Attachment: Ordinance to Amend Ch 70, Art IV, Div 3 Signs, Sects 70-147, 70-148, 70-149 and 70-150 of the Chippewa County Code of

pertinent information showing compliance with this division. ~~.~~ A zoning permit shall be issued if the proposed sign meets the requirements of this division.

(c) *Residential and Planned Unit Development Districts.*

(1) One (1) sign shall be allowed within the front yard of one (1) lot or on the principal building façade that is adjacent to a public road. The sign shall be ~~of a non-commercial activity~~limited to permitted on-premises activities, shall not exceed six (6) square feet in size and shall be limited to an overall height of six (6) feet from the existing grade at the location of the sign.

(2) *Neighborhood Identification Signs for Residential or Planned Unit Developments*. One (1) freestanding sign shall be allowed at each major entrance of the development. "Major Entrance" means a public or private street that provides access to more than ten (10) residential lots. The sign shall not exceed thirty-two (32) square feet in size and shall be limited to an overall height of six (6) feet from the existing grade at the location of the sign.

(d) *Public Institutional, Public Conservancy, Recreational and Agricultural Districts.*

(1) One (1) sign shall be allowed within the front yard of one (1) lot or on the principal building façade that is adjacent to a public road. Signs shall be limited to on-premises activities only and shall not exceed 32 square feet is size.

(2) *Neighborhood Identification Signs for Residential or Planned Unit Developments*. One (1) freestanding sign shall be allowed at each major entrance of the development. "Major Entrance" means a public or private street that provides access to more than ten (10) residential lots. The sign shall not exceed thirty-two (32) square feet in size and shall be limited to an overall height of six (6) feet from the existing grade at the location of the sign.

(e) *Commercial and Industrial Districts.* Sign regulations for Local Commercial, Highway Commercial and Industrial Districts shall be as follows:

(1) *Building signs.* The gross area of all signs on the principal building shall not exceed the total lineal ~~footage~~ feet of the outside dimensions of the principal building's footprint. Signs may project from the wall and roof, subject to the following restrictions:

a. The sign shall not project over a public road right-of-way.

b. The sign shall not project more than 48 inches from the principal building wall.

c. The sign shall not extend more than five (5) feet above that portion of the roof or parapet wall upon which the sign is located.

d. The sign must be permanently attached to the wall or roof.

Attachment: Ordinance to Amend Ch 70, Art IV, Div 3 Signs, Sects 70-147, 70-148, 70-149 and 70-150 of the Chippewa County Code of

e. The sign shall not have support posts to the ground.

(2) *Freestanding signs.* Freestanding signs may be either a monotype sign or monument sign. The sign shall meet the following district regulations:

a. Local Commercial District.

(1) One (1) sign per lot shall be allowed.

(2) The total sign face shall not exceed 75 square feet.

(3) The sign shall not extend more than 25 feet in height above the centerline of an adjacent highway at the location of the sign. However, if the grade of the adjacent lot is higher than the centerline of the adjacent highway the sign shall not extend more than 25 feet in height above the existing grade of the lot.

b. Highway Commercial and Industrial Districts.

(1) Two (2) signs per lot are allowed.

(2) The total of all sign faces shall not exceed 200 square feet.

(3) The sign shall not extend more than 30 feet in height above the centerline of an adjacent highway at the location of the sign. However, if the grade of the adjacent lot is higher than the centerline of the adjacent highway the sign shall not extend more than 30 feet in height above the existing grade of the lot.

(3) *Directional and parking signage.* Free standing signs intended to facilitate the movement of vehicles and pedestrians upon the lot shall not exceed six (6) square feet in size. There is no limit to the number of directional and parking signs allowed per lot.

(4) *Off-premises development signage*. Freestanding signs that identify and display businesses within an approved area as designated under a developer's agreement in either the commercial or industrial districts shall abide by the following restrictions and/or requirements:

a. Under this subsection, a maximum of two (2) freestanding signs shall be allowed, but they cannot be located on the same lot.

b. Each freestanding sign may not exceed 400 square feet in sign faces.

c. On-premises freestanding signs allowed under section 70-149(e)(2) shall not be allowed on those lots whose name or logo appears on the development sign.

Attachment: Ordinance to Amend Ch 70, Art IV, Div 3 Signs, Sects 70-147, 70-148, 70-149 and 70-150 of the Chippewa County Code of

d. Advertising (Off-Premises) signs under section 70-150 shall not be allowed on those lots within the approved area.

e. The total portion of the sign face on the off-premises development sign for each business shall not exceed 75 square feet.

f. The signs shall not include any type of electronic message center or flashing lights, except for a single temperature and time sign that shall not exceed six (6) square feet.

g. The sign shall not extend more than 30 feet in height above the centerline of an adjacent highway at the location of the sign. However, if the grade of the adjacent lot is higher than the centerline of the adjacent highway the sign shall not extend more than 30 feet in height above the existing grade of the lot.

(5) *Banners.* One (1) sign constructed of nylon, plastic or other pliable material and without a permanent rigid frame, which does not exceed thirty-two (32) square feet in size and is not displayed for a period to exceed thirty (30) calendar days shall be allowed. Each lot shall be allowed one (1) banner sign at a time. However, a location where banner signs are regularly erected shall be treated as a freestanding sign and subject to the requirements of section 70-149(e)(2). For banners, "regularly" shall be defined as more than 60 days within a calendar year.

(6) *Window signs.* Window signs located on the inside of a building and displaying pertinent business information such as a business' hours of operation or a special sales event or promotion shall be excluded from calculations for building signage under section 70-149(d)(1).

(Code 1980, § 17.42(4); Ord. No. 09-02, § 4(17.42), 07-09-2002; Ord. No. 01-20, 02-11-2020)

Sec. 70-150 Advertising (Off-Premises) Signs

Off-premises advertising signs are permitted in the local commercial, highway commercial and industrial districts subject to the following provisions:

(a) *Spacing.* There shall be a minimum of 1,000 feet of separation between advertising signs. No more than three (3) off-premises signs shall be allowed per mile of highway. Signs which are not back to back shall be spaced 300 feet when on opposite sides of a highway.

(b) *Parallel signs.* Advertising signs may be double-faced, with each side considered as facing traffic flowing in the opposite directions. Such signs shall be considered as one when computing sign area.

(c) *Size, height and length.* Advertising signs shall not exceed 400 square feet in total area including all faces, except parallel signs, nor shall the height exceed the permitted height in the district in

Attachment: Ordinance to Amend Ch 70, Art IV, Div 3 Signs, Secs 70-147, 70-148, 70-149 and 70-150 of the Chippewa County Code of

which it is located as per section 70-149(d) and (e). No advertising sign shall exceed 55 feet in length.

(d) *Relation to on-premises business signs.* When advertising (off-premises) signs are located on the same lot as on-premises signs, the on-premises signs shall be included in the computation of the number and square footage of the total off-premises sign size allocation.

(Code 1980, § 17.42(5)) (Ord. No. 01-20, 02-11-2020)

Sec. 70-151 Official Government Sign

Under this section, a town, after a public meeting, may designate any sign as an "Official Government Sign". The official government sign's main purpose is to identify the town and welcome individuals into the town limits. The sign is subject to the following requirements:

(a) *Location.* Only one (1) sign shall be located in each of the four (4) major directions of the compass.

(b) *Size and height.* The official sign shall not exceed 150 square feet in total area, including all faces. The sign shall not extend more than 12 feet above the centerline of an adjacent road.

(c) *Official wording.* The wording on the sign shall be determined by the town board and shall be a minimum of 32 square feet in total size. Non-profit organizations, designating their association, shall be allowed to place a sign face, shall receive town board approval prior to the placement of the sign face.

(d) *Relation to business signs*. A designated "Official Government Sign" by the Town Board shall not be included in the total square feet of sign allowed on a lot; however the sign shall meet the minimum setback requirements of this division.

(Ord. No. 01-20, 02-11-2020)

Sec. 70-152 Nonconforming Signs

(a) Legal nonconforming signs may not be structurally altered or enlarged except in accordance with this chapter or reestablished after being brought into compliance.

(b) Nothing in this division shall be construed as relieving the owner of a legal nonconforming sign from the provisions of this division regarding safety, maintenance and repair of signs. However, no change in the sign structure or copy shall be made which makes it more nonconforming.

(Code 1980, § 17.42(6)) (Ord. No. 01-20, 02-11-2020)

Sec. 70-153 Inspection

Attachment: Ordinance to Amend Ch 70, Art IV, Div 3 Signs, Sects 70-147, 70-148, 70-149 and 70-150 of the Chippewa County Code of

All signs for which a permit is required shall be subject to inspection by the Administrator. The Administrator may enter any property during normal business hours to ascertain whether the provisions of this division are being obeyed. The Department shall order the removal of any sign that is not maintained in accordance with the provisions of this division.

(Code 1980, § 17.42(7)) (Ord. No. 01-20, 02-11-2020)

Sec. 70-154 Enforcement

The Administrator shall administer and enforce this division. Any person violating any regulation or any provision of this division, or any amendment or supplement thereof, is subject to penalties set forth in section 70-31. Each and every day during which illegal location, erection, construction, maintenance, abandonment or use continues may be deemed separate offense.

(Code 1980, § 17.42(8)) (Ord. No. 01-20, 02-11-2020)

2. That these ordinance revisions shall take effect upon passage and publication.

Forwarded to the County Board by the Planning & Zoning Committee.

Attachment: Ordinance to Amend Ch 70, Art IV, Div 3 Signs, Sects 70-147, 70-148, 70-149 and 70-150 of the Chippewa County Code of

STATEMENT OF EXPLANATION

Ordinance No. 08 - 22

ORD. 08-22: ORDINANCE TO AMEND CHAPTER 70, ARTICLE IV. SUPPLEMENTAL REGULATIONS, DIVISION I. GENERALLY., SECTION 70-115 HOME OCCUPATIONS - SECOND READING - DOUG CLARY

Passage of these ordinance amendments to Chapter 70, Article IV. Supplemental Regulations, Division I. Generally., Section 70-115. Home Occupations will include allowing, via an approved Conditional Use Permit, the ability of a property owner to utilize the home and an accessory building for a home occupation under Section 70-115(a)(1).

Passage of these ordinance amendments will also clarify that the size of the signage allowed for a home occupation under Section 70-115(a)(7) is dependent upon whether the parcel is located in the agricultural or residential zoning district.

Finally, passage of these ordinance amendments will remove the requirement under Section 70-115(b)(6) that a wedding venue must be “rustic” in nature to qualify as a home occupation.

Ordinance No. 08 - 22

ORD. 08-22: ORDINANCE TO AMEND CHAPTER 70, ARTICLE IV. SUPPLEMENTAL REGULATIONS, DIVISION I. GENERALLY., SECTION 70-115 HOME OCCUPATIONS - SECOND READING - DOUG CLARY

SEE ATTACHMENT

FINANCIAL IMPACT:

There is no financial impact to Chippewa County by passage of these ordinance amendments

10/11/2022	**County Board**
RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jason Bergeron, District 7
SECONDER:	James Ericksen, District 8
AYES:	Gullickson, Schmitt, Flater, Steele, Bischel, Sikorski, Bergeron, Ericksen, Seidlitz, Peterson, Calkins, Bomar, Berg, Teuteberg, Eisenhuth, McGill, Rohmeyer, Hunt, Mueller, Ives
ABSENT:	Chuck Hull

History:

08/18/22	Planning & Zoning Committee	FORWARD TO COUNTY BOARD
09/13/22	County Board FIRST READING	

Approved as to Form:

Todd A. Pauls
Todd A. Pauls, Corporation Counsel 8/8/2022

Lori Zwiefelhofer
Lori Zwiefelhofer, Finance Director 8/8/2022

Randy B. Scholz
Randy B. Scholz, County Administrator 8/8/2022

Ordinance to Amend Chapter 70, Article IV. Supplemental Regulations, Division I. Generally., Section 70-115 Home Occupations

1. That Chapter 70, Article IV. Supplemental Regulations, Division I. Generally., Section 70-115 Home Occupations of the Chippewa County Code of Ordinances is hereby amended as follows:

Sec. 70-115 Home Occupations

It is the intent of this section to set standards under which home occupations may be conducted so that such home occupations do not undermine the purpose of the ordinance.

(a) Home occupations shall be allowed without permit in all residential and the agricultural districts, provided they conform to the following performance standards:

(1) The home occupation shall be conducted entirely within a dwelling unit or entirely within an accessory building~~, but not both~~. A home occupation may be allowed within a dwelling unit and an accessory structure as a conditional use permit issued under section 70-108.

(2) The home occupation is incidental to the residential use of the property and does not involve any external alterations that would effect a substantial change in the residential character of the dwelling unit or accessory building.

(3) The floor area devoted to the home occupation shall not exceed 25% of the habitable floor area of the dwelling unit, except as a conditional use permit issued under section 70-108.

(4) No person other than a resident of the dwelling unit shall be employed therein; except that additional non-resident employees may be approved as a conditional use under section 70-108.

(5) No inventory of a commodity shall be sold on a regular basis on the premises except as a conditional use permit under section 70-108.

(6) The home occupation shall not be objectionable to neighboring uses due to noise, dust, odors, and hours of operation, traffic generation or electrical interference.

(7) There shall be one (1) sign allowed, which cannot exceed six (6) square feet in the residential district or thirty-two (32) square feet in the agricultural district~~and shall be located on the dwelling unit or the accessory building~~.

(8) There shall be no outside storage or display of products, materials, or equipment except for seasonal products such as Christmas trees, which do not exceed 8 weeks.

(b) The following home occupations may be allowed, but only after a conditional use permit is approved under section 70-108:

(1) Professional Offices, including but not limited to physicians, chiropractors, dentists, lawyers, real estate brokers, insurance agents and contractors;

(2) Beauty and barber shops;

(3) Repair of motor vehicles and small engines including the construction and operation of racing machines such as stock cars, snowmobiles and tractors.

(4) Storage of motor vehicles and recreational vehicles in accessory structures that were existing at the time of adoption of the zoning code (1974).

(5) CNC Machining; allowed only within the Agriculture District.

(6) ~~Rustic~~ Wedding Venues; allowed only within the Agriculture District.

(Ord. 02-18, 06-12-2018)

2. That these ordinance revisions shall take effect upon passage and publication.

Forwarded to the County Board by the Planning & Zoning Committee.

Attachment: Ordinance to Amend Ch 70, Art IV, Div I Generally, Section 70-115 Home Occupations - FINAL (08 - 22 : Ordinance to Amend Ch 70,

STATEMENT OF EXPLANATION
FACILITY USE POLICY REVISIONS - SECOND READING - LARRY RITZINGER

The County Board adopted the Facility Use Policy on March 8, 2022. The amendments to the Facility Use Policy consist of the following:

- The removal of all language that references the Chippewa County Firearms Range Use policy.
- Updates to the Courthouse hours of operation so that they accurately reflect the Human Resource Policy Manual.
- A small change by the Information Technology Division regarding availability of A/V - internet services in Conference Rooms.

History:
09/28/22 Facilities & Parks Committee FORWARD TO COUNTY BOARD

*** Proposed Revisions – Draft 9/16/22 ***

FACILITY USE POLICY

Purpose

Chippewa County facilities are primarily used for official county functions by elected officials and staff. This policy identifies the hours of operations to provide for a fully functioning Courthouse facility and governs the use of public areas within the Government Center Campus.

Definitions

The Government Center Campus includes parking lots A, B, C, D1, D2 and E, along with the courthouse, Sheriff's Department, Jail, 21 E. Spruce Street building, and the maintenance shop at 109 E. Spruce Street, Chippewa Falls.

The Highway Administration Building includes 801 E. Grand Avenue, Chippewa Falls.

Courthouse Hours of Operation

To provide for safety, security and energy efficiency the normal recognized hours of operation for the Chippewa County Courthouse per Ordinance Sec. 2-2 are ~~Monday – Friday, 8:00 a.m. – 4:30 p.m.~~7:30 a.m. to 4:30 p.m. Monday through Thursday and 7:30 a.m. to 11:30 a.m. on Friday; closed weekends and holidays. During the normal hours of operation, the Courthouse is fully functioning with all lights, HVAC, electrical and elevator systems activated. During after-hours and weekends the systems are de-activated and not fully functional. The Courthouse does provide for some limited evening hour activities for County Board and committee meetings, and incidental department business.

Primary Use of County Facilities

The primary use of county facilities is to conduct county government business. Consequently, groups that are a part of Chippewa County Government have sole use of most facility space and priority use of meeting rooms and other public facility space.

Access

Unlimited access to the Courthouse is available Monday – Friday, 7:30 a.m. – 5:00 p.m. After–hour entry is limited to the High Street Entrance #3 and Cedar Street Entrance #4. These doors will remain open Monday through Thursday until 6:00 p.m., unless evening meetings are scheduled, and Friday until 5:00 p.m.

- Meetings should not be scheduled before 7:45 a.m. to allow the attendees enough time to gain access to the facility and arrive to the meeting on time.

Attachment: 6.1 103 - Facility Use Policy - Government Center Campus DRAFT 09-16-2022 (7299 : Facility Use Policy Revisions - Second

Priority Use for Public Areas

Priority for use shall be approved based on the type of use/activity as follows from highest to lowest priority:

1. The Chippewa County Board of Supervisors;
2. Formal and standing committees of the Board of Supervisors;
3. The County Administrator;
4. Boards and commissions appointed by the Board of Supervisors or the County Administrator;
5. County staff for purposes of county business;
6. Non-profit entities holding public meetings, or conducting official business related to a county service or program or public purpose activities.

If a scheduling conflict arises between the above groups, the higher priority user will have the reservation priority. Any conflicts will be resolved by the County Administrator.

Only non-profit citizen groups that are located in or do business in Chippewa County are permitted to use public areas in county facilities and county grounds to the extent permitted by law. Such use must not interfere with county government functions, operations and business.

The County reserves the right to implement a user fee for non-profit users if a user does not fully comply with this policy.

Attorneys, mediators and other court related personnel conducting court related functions have open access to the conference rooms identified as attorney conference rooms on the second floor of the Courthouse.

Security

To provide for the security and safety of visitors and staff, County/State personnel and other designated courthouse occupants are issued identification cards which must be worn at all times while in the courthouse. Please see the Identification and Access Card Policy for specific details.

Definition of Terms

A. Courthouse Public Use Areas

- Courthouse Grounds (West Lawn)
- Courthouse Parking Lot A (North)
- Courthouse Parking Lot D-1 (South)
- Courthouse Parking Lot E (West)
- Courthouse Cul-de-Sac Entrance #1
- Courthouse Room 001 – Small Assembly Room
- Courthouse Room 003 – Large Assembly Room
- Courthouse Room 005 – Lower Level Conference Room
- Courthouse Room 016 – Lower Level Conference Room
- Courthouse Room 119Q – First Floor Conference Room
- Courthouse Room 226 – Second Floor Conference Room
- Courthouse Room 227 – Second Floor Conference Room

Attachment: 6.1 103 - Facility Use Policy - Government Center Campus DRAFT 09-16-2022 (7299 : Facility Use Policy Revisions - Second

***Note**: Other county facilities ~~including the Public Firearms Range~~ may have separate public use policies that govern public use of those facilities. Not all County facilities are open for public use. The Highway Department is not generally available for public use unless written approval is received from the Highway Commissioner.*

B. Non-profit entity

A non-profit entity is an agency, corporation, partnership or governmental entity, which can provide legal verification of either its non-profit status (including approved IRS non-profit status), or governmental relationship.

C. For-profit entity

A business or other organization whose primary goal is making money (a profit), as opposed to a nonprofit organization which focuses a goal such as helping the community and is concerned with money only as much as necessary to keep the organization operating.

D. Public purpose

An activity in which the action or direction concerns, affects, or is of benefit to the County or the greater County community, not just those affiliated with the group.

Terms of Use

The use of any county facility by profit-making groups or for profit-making purposes is generally prohibited. No business, non-profit, or personal organization shall be allowed to solicit business or sell items for profit without the prior permission of the Chippewa County Facilities & Parks Committee. This prohibition does not apply to those vendors approved to conduct business by the Department of Administration.

No alcoholic beverages shall be served, or consumed in county facilities listed in this policy. No person(s) impaired by alcohol shall be permitted in county facilities. For additional guidelines related to the Parks or County Forest Lands ~~and/or the Public Firearms Range~~ please reference County ordinance chapters 50 and 16 ~~and the Public Firearms Range webpage~~.

Smoking of tobacco products is prohibited in any enclosed building as provided by Wisconsin Statutes §101.123. In addition, the smoking of tobacco products and the use of smokeless tobacco products is prohibited in any enclosed building and/or on the grounds by Chippewa County Ordinance §48-92(b). For additional guidelines related to the Parks or County Forest Lands ~~and/or the Public Firearms Range~~ please reference County ordinance chapters 50 and 16 ~~and the Public Firearms Range webpage~~.

Weapons and firearms are prohibited in all county facilities unless possessed by licensed law enforcement professionals on official business. For additional guidelines related to the Parks or County Forest Lands ~~and/or the Public Firearms Range~~ please reference County ordinance chapters 50 and 16 ~~and the Public Firearms Range webpage~~.

Functions occurring in county facilities shall not violate any City of Chippewa Falls, Chippewa County, State of Wisconsin or federal applicable laws, ordinances or regulations.

There shall be no partisan political activities, political news conferences, or other events designed to announce or support any candidate for public office regardless of party or non-party affiliation in county

Attachment: 6.1 103 - Facility Use Policy - Government Center Campus DRAFT 09-16-2022 (7299 : Facility Use Policy Revisions - Second

facilities. The County may allow current state representatives to hold listening sessions at the Courthouse if rooms are available.

Permission to use Chippewa County facilities shall not in any way constitute an endorsement by the County of the user group or individual, or their policies and activities and the County assumes no obligation or responsibility for the activities of the user group or individual.

Signs, emblems, banners, pennants, etc. may not be affixed to any building surfaces, steps, walls or light fixtures. User groups may post events on any of the approved bulletin boards, or cork strips available in the Courthouse hallways or meeting rooms by contacting the County Clerk's Office. In addition, users may affix notices no larger than 8½ x 11 inches to the approved sign stands that are located at each entrance and/or in the Cul-De-Sac Entrance #1 closet to direct meeting participants to proper meeting locations. Advertising items that are self-standing may be put into place before the scheduled start of the meeting or event, and must be removed at the conclusion of the meeting. In addition, display space may be available in the Courthouse Cul-de-Sac Entrance #1 for items that non-profit organizations desire to display to courthouse employees and the general public. Displays must fit on a standard folding table that will be provided for use by the County.

Equal Access

This policy shall apply to all groups and individuals that have requested use of the public areas of county facilities and grounds as defined in this policy. No group or individual shall be excluded from equal access to said grounds and facilities because of considerations of gender, race, sexual orientation, religious or political persuasions or views. However, use may be denied or terminated if there is a violation of the rules set forth in this policy and/or if the use poses health or safety risks.

Liability

Any non-Chippewa County Governmental group using the public use areas of county facilities as defined in this policy shall:

1. Be required to release the county from any liability for damages caused to the user or its property during the times of use.

2. Hold the county harmless from any liability to third parties for injury caused by the group or any persons or groups to attend the event.

3. Be liable to the county for any damages to county property or injuries to county employees or agents caused by the group or by a person attending the group's events, whether or not the damage is the result of negligence, intentional acts or accident.

The granting of permission to use county facility space does not obligate the county to furnish any applicant with any service or utilities, or to render any support regarding personnel, fixtures, equipment or supplies. The county may furnish such assistance as it, in its sole discretion, determines appropriate.

The county does not warrant that any county facility space, fixtures or equipment is fit for any purpose, and the county shall not be responsible in case of damage or injury to property or person or the loss of individual property which may arise out of, result from, or be in any manner connected with the use thereof.

It is the user entity's responsibility to ensure that adults properly supervise all children.

Attachment: 6.1 103 - Facility Use Policy - Government Center Campus DRAFT 09-16-2022 (7299 : Facility Use Policy Revisions - Second

Indemnification and Liability Insurance

Non-Chippewa County Governmental groups understand and agree that using space, fixtures and equipment may expose user and others to risks. Such users voluntarily agree to assume all such risks, and to release and hold harmless Chippewa County and the county's supervisors, directors, officers, employees, volunteers and agents from and against any and all claims regarding damage to property or injuries to or death of any person(s), and to defend, indemnify and hold harmless Chippewa County and the county's supervisors, directors, officers, employees, volunteers and agents from any and all claims, demands, suits, actions or proceeding of any kind in nature, of or by anyone whatsoever, in any way resulting or arising out of activities, action or inactions of the user group. A representative of all non-Chippewa County Governmental groups shall sign an indemnification release (DOA-103-A) prior to reserving space.

Chippewa County reserves the right to require a public user of county facilities to provide adequate liability insurance prior to the use of county facilities.

Space Arrangement, Equipment, Food, Beverage, Fixtures and Utilities

Tables, chairs, fixtures and other equipment may not be removed from their assigned room without permission.

The Small Assembly Room (001) and Large Assembly Room (003) can be reconfigured to user specifications (see Process for Scheduling Facilities). At the conclusion of the permissible use, the user entity shall arrange the space back to the original configuration and condition.

User entities shall be responsible for any costs of repair or replacement incurred as a result of action or inaction by the user entity during approved use of the space.

No food and only covered beverages are allowed in the County Board Room (302). Food and beverages are allowed in all other courthouse conference rooms. Users shall discard all waste generated during the approved event.

Non-county organizations are prohibited from using the sound system in the Small Assembly Room (001) and Large Assembly Room (003). ~~The County shall provide Internet access to users of~~ Guest Wi-Fi is available for visitors to use in the conference room~~s. in the Small Assembly Room (001), Large Assembly Room (003), Room 016, and Room 119Q.~~

User entities or their representatives shall not adjust the heating or lighting.

Process for the Scheduling Facilities

A. Interior Space – Courthouse:

Non-county organizations should contact the County Clerk's Office to complete the Facility Use Application.

B. Exterior Space – Government Center Campus:

To schedule an outside parking lot, the courthouse grounds, or the internal Cul de Sac Entrance #1, contact the Facilities and Parks Division to complete the Facility Use Application, which will then be approved or denied.

Attachment: 6.1 103 - Facility Use Policy - Government Center Campus DRAFT 09-16-2022 (7299 : Facility Use Policy Revisions - Second

~~C. Public Firearms Range:~~

~~1. To schedule use of the Public Firearms Range contact the Facilities & Parks Division to complete the Facility Use Application. The completed application should include the requested dates, start/end time, and the area requested to be used (Hand Gun Range, Long Gun Range, or Training Facility)~~

~~2. Tables and chairs are available for use, however the responsibility for setup and restoration rests solely with the user entity.~~

Cancellation of Permission and Right to Refuse Permission

In the event county government is declared closed due to inclement weather or other reasons, any permission to use the facility or grounds is automatically withdrawn during the closure period. In such an event, the county shall not provide notice of cancellation. Notices of Courthouse closure are generally announced through local radio broadcasts. Users shall be solely responsible for notifying event participants if a closure of the Courthouse or public use grounds occurs.

Notwithstanding the above closure notice, the county reserves the right to cancel, move or preempt scheduled use of a county facility and further reserves the right to access and enter the reserved space at any time. The county further reserves the right to refuse permission to use county facilities.

The County reserves the right to charge user for any costs incurred by County due to use or misuse of space, fixtures, and equipment. **User is expected to ensure space, fixtures, and equipment are left as they were found, in a clean, undamaged, presentable and organized manner.** In the event cleaning, repair or other actions are necessary due to the actions or inactions of user. User may be assessed reasonable costs, and barred from future use of any space at County Facility discretion, for violation of the written Facility Policy of any County Facility. User may not reserve or use any space unless user has paid all costs and amounts due regarding prior usage of any space.

Attachment: 6.1 103 - Facility Use Policy - Government Center Campus DRAFT 09-16-2022 (7299 : Facility Use Policy Revisions - Second

Department of Administration
Human Resources Division

Attachment: HR Memo Summary of HR Policy Updates 10-11-22 (7293 : HR Policy Manual Revisions - Second Reading - Toni Hohlfelder)

To: County Board Supervisors

From: Toni Hohlfelder, Human Resources Director

Date: October 11, 2022

Subject: Summary of the HR Policy Manual Recommended Changes

To assist in reviewing three HR Policy Manual changes we are bringing forward for approval, below are a few details about each minor change:

1. Section 1: Hours of Work – Due to the County Board approving the resolution to update the Courthouse Hours, the Hours of Work policy needs to be updated to align with this change.

2. Section 17: Overtime and Compensatory Time – The second policy change is due to an oversight with the addition of section 17(j) for non-exempt employees to have their compensatory time paid out annually.

   The suggested change is to section 17(e) to add another circumstance to pay out compensatory time when a non-exempt employee transfers to another non-exempt position. This will ensure that the pay out is at the correct hourly wage that the compensatory time was earned.

3. Section 62: Drug and Alcohol Testing – A minor error was identified under section 62(d) to the Blood Alcohol Content (BAC) listed in the policy. It should read .03999 vs. .3999.

If you have any questions or suggestions prior to the Executive or County Board meetings, please don't hesitate to email me at thohlfelder@co.chippewa.wi.us or call me at 715-726-7970.

711 N. Bridge Street, Room 100
Chippewa Falls, WI 54729
HumanResources@co.chippewa.wi.us
Ph: (715) 726-7969
Fx: (715) 726-4585

PROPOSED REVISIONS

1. Hours of Work

a. Purpose

To provide employees with hours of operation and a policy to assist Department Heads, managers and employees in creating ~~regular work hours and~~ work schedules that ~~while~~ ensur~~esing staffing coverage necessary~~ proper office coverage for effective operations. ~~Hours of work and~~ W~~w~~ork schedules shall generally be approved ~~determined~~ by the Department Head and in some cases shall be approved by the County Administrator.

b. Hours of Operation~~Business Hours~~

Note: The Hours of Operation are established by County ordinance Sec. 2-2.

~~Chippewa County~~All offices in the c~~C~~ourthouse ~~office hours~~ are generally staffed and open to the public from 7~~8~~:~~03~~0 a.m. to 4:30 p.m. Monday through Thursday and 7:30 a.m. to 11:30 a.m. on Friday except for established holidays as determined by the County Board.

All offices in the Law Enforcement Center are generally staffed and open to the public from 7:30 a.m. to 4:30 p.m. Monday through Thursday and 7:30 a.m. to 11:30 a.m. on Friday.

All offices at the ~~Chippewa County~~ Highway Department ~~hours~~ are generally staffed and open to the public from 6:00 a.m. to 4:00 p.m. Monday through Thursday from May to November or 6:30 a.m. to 4:30p.m. Monday through Thursday from November to May.

c. Schedule

The County reserves the right to schedule and/or change all hours and schedules of work as deemed necessary and nothing contained herein shall be construed as a guaranteed work week. The core hours of operation for County Courthouse offices are generally 7~~8~~:3~~0~~0 a.m. to 4:30 p.m. Monday through Thursday and 7:30 a.m. to 11:30 am on Friday. However, this does not guarantee a work schedule of such, and scheduling may be adjusted according to the operational needs of a department.

The core hours of operation for the Highway Department are generally 6:00 a.m. to 4:00 p.m. or 6:30 a.m. to 4:30 p.m. Monday to Thursday depending on the season, however this does not guarantee a work schedule of such, and scheduling may be adjusted according to the operational needs of a department.

Certain departments may work varied hours based on 24/7 operations, customer needs, including the Sheriff's Department.

Attachment: Section 1 Hours of Work 09-29-2022 [Revision 1] (7293 : HR Policy Manual Revisions - Second Reading - Toni Hohlfelder)

d. Alternate Schedule

Alternate schedules are typically permanent schedules that deviate from the core hours of operation for the County. Examples include 8-hour shift schedules, 9-hour shift schedules, 10-hour shift schedules, 12-hour shift schedules, mixed shift schedules or schedules starting or ending earlier or later in the day than the core hours of operation detailed above under the Schedule section. Alternate schedules require the approval of the County Administrator. The Department Head may discontinue the alternate schedule and should provide advance notice of such change to affected employee(s) whenever possible.

e. Flexible Schedules

Flexible Schedules enhance the ability of the County to fulfill its responsibilities, render services to the public, and enhance employee morale. For purposes of this section, a flexible schedule is not a permanent schedule or shift change. Rather, a flexible schedule is designed to offer the employee and the Department Head flexibility to alter a shift as needed for a short term, temporary or one-time basis. A flexible schedule may be established upon request of the employee, with the prior approval of the Department Head or designee. The Department Head may discontinue or alter the flexible schedule. When discontinuing or altering an established flexible schedule, the Department Head will normally provide advance notice of such change whenever possible.

f. Workweek

The normal work week shall consist of seven consecutive calendar days, starting at 12:00 a.m. on Sunday and ending at 11:59 p.m. on the following Saturday of each calendar week for all departments.

g. Maximum Hours Worked

Employees may be required to work additional hours in a day to meet operational demands for a department. Employees are required to have at least eight (8) hours off after 16 consecutive hours worked.

1. Extended Operations Exceptions

Certain operations may require employees to work longer consecutive hours (such as snow removal or dispatch emergency communications). During extended operations, employees may request rest time to their Department Head/Manager. The Department Head is then required to make arrangements for such rest time on an individual basis, giving consideration to the needs of the employee as well as continued coverage for these services. The Department Head/Manager has the authority to require employees take rest time and remove them from work at any point while providing extended operations. Rest time shall not count as hours worked.

Attachment: Section 1 Hours of Work 09-29-2022 [Revision 1] (7293 : HR Policy Manual Revisions - Second Reading - Toni Hohlfelder)

h. Work Performed Outside the County Workplace

Generally speaking, non-exempt employees shall perform their duties only at a County worksite. (Examples of an obvious exception to this are those positions which require employees to travel to clients' homes and other similarly situated positions.) Non-exempt employees shall receive advanced approval from their Department Head for any work performed outside the County workplace. Non-exempt (hourly) employees approved for work outside the County workplace shall document and submit their hours, including but not limited to any and all time spent accessing work related emails and other programs and files, according to the payroll policies.

i. Daylight Savings Time

Employees who are required to work during the change of Daylight Savings Time shall be paid for the hours actually worked.

j. Annual Hours

1. Full-Time Status

The normal workweek for regular full-time employees is generally 40 hours as designated by the County. The annual hours of full-time employees are normally 2080+ hours.

2. Part-Time Status

The workweek for any regular part-time employee shall be designated by Chippewa County and normally is scheduled between 20-28 hours/week. The annual hours of part-time employees ranges between 1040-1500 hours.

3. Limited-Term (Annual or Seasonal) Status

The workweek for any limited-term employee (LTE) shall be designated by Chippewa County. The annual hours of an LTE shall not exceed 975 hours without County Administrator approval. Approval may be granted for a temporary increase in hours, which is budget neutral and does not result in becoming WRS eligible. The normal schedule of an Annual LTE is variable and between 1-19 hours/week for the entire year. The normal schedule of a Seasonal LTE is up to 40 hours/week and by the very definition, shall be seasonal. If the Seasonal LTE returns the following season, there should be a 6 month break in service. In rare circumstances, with Human Resources Division approval, a minimum of a 13 week break in service may occur.

(Section 1 amended by the County Board 05/14/13; 12/10/13; 12/09/14; 12/08/15; 03/13/18; 11/6/18; 11/10/2020; 09/13/2022)

Attachment: Section 1 Hours of Work 09-29-2022 [Revision 1] (7293 : HR Policy Manual Revisions - Second Reading - Toni Hohlfelder)

PROPOSED REVISIONS

17. Overtime and Compensatory Time

a. Purpose

To provide a consistent system for distributing overtime in compliance with the overtime-pay provisions of the Fair Labor Standards Act (FLSA).

b. Definitions

Each position is designated as either "Non-exempt" or "Exempt" from the federal Fair Labor Standards Act and state wage and hour laws. Employees should contact the Human Resources Division if they are unsure of their position's designation.

1. Non-Exempt positions that are paid on an hourly basis and are entitled to overtime pay for hours worked in excess of 40 hours per week, excluding premium overtime pay (29 C.F.R. §778.201).

2. Exempt positions that are generally paid on a salary basis and are excluded from specific provisions of federal and state wage and hour laws and are not eligible for overtime pay.

c. Overtime

Non-exempt employees may receive pay for overtime hours. This shall be paid at time and one half the hourly rate of pay for any hours worked in excess of 40 hours per workweek.

1. Facilities and Parks Division Exception

Non-exempt Facilities and Parks employees shall receive overtime at a rate of time and one-half their regular hourly rate for all hours worked for winter maintenance between the hours of 6:00 p.m. – 6:00 a.m., unless normally scheduled, and for hours worked for winter maintenance on Saturdays and Sundays.

Non-exempt Facilities and Parks employees shall receive overtime pay at time and one-half their regular hourly rate for time worked outside of their normal work schedule/shift for emergency situations. A minimum of two (2) hours shall be paid except for those hours that are part of the normal work schedule/shift. Management shall have the discretion to determine the workday thereafter. Emergency situation examples include weather-related damage, facility damage, and flooding, but excludes snow/ice removal and construction projects.

Overtime hours worked under this section is considered premium overtime pay and shall not be calculated in the regular rate of pay for the purposes of calculating FLSA overtime (29 C.F.R §778.203 and §778.204 or as amended).

Attachment: Section 17 Overtime and Compensatory Time (7293 : HR Policy Manual Revisions - Second Reading - Toni Hohlfelder)

2. Sheriff's Department Management Exception

Sheriff's Department Management who are exempt may be paid overtime at their straight hourly rate for hours in excess of forty (40) in any one (1) workweek for special events in which all operating costs, salaries, and fringes are billed back to the event organizer for reimbursement. Such events do not include normal duties and responsibilities of the job (i.e. reporting to the scene of an accident after normal work hours). Events covered include large assembly events and music events.

3. Sheriff's Department Exception

Chippewa County has established an alternate work period for Jailers, Jail Sergeants and Patrol Sergeants working 12-hour shifts. If the Jailer, Jail Sergeant or Patrol Sergeant is assigned the alternate work period, the following exception applies. As allowed under Section 7(k) of the Fair Labor Standards Act (FLSA), the alternate work periods for Jailers, Jail Sergeants and Patrol Sergeants rotates on a 14-day work period basis. The work period for Jailers, Jail Sergeants and Patrol Sergeants shall consist of fourteen (14) consecutive calendar days starting at 12:00 a.m. on Sunday and ending at 11:59 p.m. on Saturday 14 days later. The overtime threshold within this work period shall be 84.0 hours for purposes of hours worked. Calculation of overtime and/or compensatory time shall be based on hours of work in excess of 84.0 hours per 14-day work period for the purposes of this Policy. In instances when a Jailer, Jail Sergeant or Patrol Sergeant uses PTO or Compensatory Time during one week of the 14-day work period, the employee shall earn OT after the scheduled hours for that week (36 hours or 48 hours) only in the week in which the PTO or Compensatory Time were not used, as long as there are no unpaid normally schedule hours during the 14-day work period.

4. Highway Department Exception

Non-exempt Highway employees shall receive overtime at a rate of time and one-half their regular hourly rate for hours worked outside of their normal work day/shift. All hours worked in excess of, or outside of, the normal work day/shift shall be approved by the Highway Commissioner or designee. A minimum of two (2) hours shall be paid if an employee is called into work, except for those hours that are part of the normal work day/shift that precede or immediately follow the shift.

Overtime hours worked under this section is considered premium overtime pay and shall not be calculated in the regular rate of pay for the purposes of calculating FLSA overtime (29 C.F.R §778.203 and §778.204 or as amended).

d. Compensatory Time

1. Exempt

It is understood that Department Heads, Managers, and other exempt positions (as classified by your job description) are paid a salary for their overall responsibility and accountability and may work in excess of the normal work week in order to complete necessary job tasks. At the discretion of the

Attachment: Section 17 Overtime and Compensatory Time (7293 : HR Policy Manual Revisions - Second Reading - Toni Hohlfelder)

Department Head, (and County Administrator in cases of Department Heads) exempt employees who work in excess of 40 hours in a workweek (including Holiday pay) may qualify for compensatory time. Compensatory time shall be earned prior to use, is earned at straight time (hour for hour), and shall be tracked accordingly on the timesheet. Compensatory time balances for exempt non-management positions in the Criminal Justice Services, Public Health and Human Services Departments shall not exceed 40.0 hours. All other exempt employees shall not exceed 80.0 hours.

2. Non-Exempt

Non-exempt employees may receive overtime in the form of compensatory time (earned at time and one half) or paid time at one and one-half times their rate of pay for hours worked in excess of 40 in a workweek (excludes hours paid, such as workers' compensation, PTO, jury duty and/or compensatory time taken) at the employer's discretion. "Non-exempt" status is determined by the employer on a job-by-job basis. Compensatory time shall be tracked on the timesheet. Compensatory time balances shall not exceed 40.0 hours for all non-exempt positions (80.0 hours for non-exempt management positions). Once the maximum accrual amount has been met, employees shall be paid for any time worked in excess of 40 in a workweek at a rate of time and one-half.

a). Section 7(O) of the FLSA allows public sector employers to provide certain nonexempt employees with an option of whether to receive cash overtime or compensatory time earned at time and one-half. Department heads shall determine employee eligibility for earning compensatory time.

b). Non-exempt highway employees are not eligible for compensatory time and shall receive overtime in the form of pay only.

3. Increments of Time

Employees shall use Compensatory Time in increments of fifteen (15) minutes.

e. Compensatory Time Payout

All accrued and unused compensatory time shall be paid out for the following reasons:

1. If an employee changes positions that results in an exempt or non-exempt status change; or

2. If an employee transfers to another department; or

3. If an employee becomes an elected official for the County; or

4. If a non-exempt employee transfers to a new non-exempt position and there is also a pay change, the employee's Compensatory Time shall be paid out at the time of the transfer at the rate of pay prior to the transfer; or

45. When an employee separates employment from Chippewa County. A separation is defined as follows:

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a). resignation or retirement from employment with Chippewa County

b). permanent layoff from employment

c). discharge from employment with Chippewa County

Compensatory time payout due to a change in position that results in an exempt or non-exempt status change, transfer to another department, or when an employee becomes an elected official shall be added to the payroll on the last day worked in the former position, paid at the regular rate of pay, to be paid in cash via the employee paycheck. The compensatory time paid shall not be considered time worked.

Compensatory time payout due to separation of employment shall be paid in accordance with Chippewa County's Separation from Employment Policy.

f. Approval

All overtime/compensatory time earned shall be approved in advance by the Department Head. If advanced approval is not obtained, the employee is not authorized to work the overtime. The Department Head has the sole right to approve or deny overtime and compensatory time requests. Failure to obtain prior approval may result in disciplinary action, up to and including discharge.

Requests to trade shifts cannot result in creating overtime/compensatory time for either party.

g. Compensatory Time Off

Use of compensatory time shall be requested by the employee as far in advance as reasonably possible, and shall be approved in advance by the Department Head. Employees shall follow written departmental procedures for requesting to take compensatory time. Requests to use compensatory time may be denied based on the needs and workload of the department or if other employees are already scheduled for time off. The Department Head has full authority to approve or deny said request.

h. Department Scheduling Procedures

Each department shall establish written procedures to ensure that compensatory time off requests are processed in a fair and equitable manner, with first consideration to be given to the efficient operation of the department. All departments shall file a copy of their updated written time off procedures with the Human Resources Division.

i. Accrual

Employees are not able to earn compensatory time or paid overtime (earned at straight time or time and one half) as a result of the use of paid leaves. No paid leave time shall be counted as hours worked for overtime purposes, including PTO, workers' compensation, jury duty, and compensatory time taken.

j. Non-Exempt Employee Annual Payout of Compensatory Time

Non-exempt employees shall be paid-out, at straight time, any unused Compensatory Time earned each calendar year on the last paycheck of the year it was earned. All non-exempt employees shall start every new year with a zero balance in their Compensatory Time accrual bank.

Attachment: Section 17 Overtime and Compensatory Time (7293 : HR Policy Manual Revisions - Second Reading - Toni Hohlfelder)

k. Safe Harbor

It is the policy of Chippewa County to comply with the salary basis requirements of the FLSA. Therefore, improper deductions from the salaries of exempt employees are prohibited. If it is felt that an improper deduction has been made to your salary, you should immediately report this to the Human Resources Director. Reports of improper deductions shall be promptly investigated and reimbursements provided if it is determined improper deductions occurred.

29 C.F.R 541.710 outlines the principles of public accountability in which public agencies and elected officials are held to a higher level of responsibility under the public trust which demands effective and efficient use of public funds in order to serve the public interest including the view that public employees should not be paid for time they do not work excluding the use of paid time as outlined in Chippewa County policy.

(Section 17 amended by the County Board 05/14/13; 12/09/14; 12/08/15, 03/13/18, 11/6/18; 11/10/2020)

Attachment: Section 17 Overtime and Compensatory Time (7293 : HR Policy Manual Revisions - Second Reading - Toni Hohlfelder)

PROPOSED REVISIONS

62. Drug and Alcohol Testing

a. Purpose

The County has a vital interest in maintaining a safe, healthy, and productive working environment for its employees. Chippewa County employees are prohibited from possessing, distributing, selling, or working under the influence of drugs or alcohol, which can be a serious safety risk to themselves, to other employees, or to the general public.

The Department of Transportation (DOT) and the Federal Highway Administration (FHWA) issued Federal Regulations (49 CFR Parts 40 and 382) implementing provisions of the federal Omnibus Transportation Employee Testing Act of 1991 which requires alcohol and controlled substance testing of drivers who are required to have a commercial driver's license (CDL) and details testing procedures for employees in safety-sensitive positions.

In order to further the County's goal of maintaining a drug and alcohol free workplace, the County has implemented a drug and alcohol testing policy. County positions that require a CDL or are classified as a safety-sensitive position require specific forms of drug and alcohol testing. All County employees may be subject to testing based on a reasonable suspicion of use.

b. Testing Requirements Defined

To assist the County in preventing employees from using illegal drugs, alcohol and controlled substances at all County work sites, drug and alcohol testing shall be administered under the following conditions:

1. Pre-Employment

a). The following position applicants are subject to Pre-Employment drug and alcohol testing as outlined in the job description:

1. All positions that are required to hold and maintain a valid Commercial Driver's License (CDL).

2. All Sherriff Department positions that are in "safety-sensitive" positions as defined under DOT Rule 49 CFR Part 40.

b). Applicants for employment subject to Pre-Employment testing shall be notified orally of the County's policy requiring Pre-Employment testing and the offer of employment shall be contingent upon the applicant submitting to a drug and alcohol test. The County shall deny employment to any applicant who tests positive for illegal drugs or a Blood Alcohol Content (BAC) result of .02 BAC or higher.

c). The County shall presume a positive test result if an applicant refuses to be tested.

Attachment: Section 62 Drug and Alcohol Testing (7293 : HR Policy Manual Revisions - Second Reading - Toni Hohlfelder)

2. Reasonable Suspicion

a). All employees shall be required to undergo a drug and/or alcohol test if the County has reason to believe the employee is using drugs or is under the influence of or impaired by alcohol.

b). If an employee suspects that another employee at work is under the influence of drugs and/or alcohol, the employee shall notify their supervisor or the Human Resources Division immediately.

c). When possible, the reasonable suspicion circumstance should be witnessed by two (2) or more supervisors who have received training in the detection of probable drug or alcohol use through observations.

d). The reasonable suspicion determination shall be documented by using the Reasonable Suspicion Check List Form located on the Employee Portal and submitted to the Human Resources Division immediately.

e). Indicators that an employee may be under the influence of drugs and/or alcohol include, but are not limited to:

1. Direct observation of physical symptoms or use.
2. The smell of drugs or alcohol on breath or person.
3. Evident physical impairment such as slurred speech or lack of coordination.
4. Information deemed reliable by the County from a source deemed credible by the County.
5. Conviction for the use, possession, or purchase of illegal drugs.
6. An excessive number of unexplained absences or tardiness.
7. A sudden or uncharacteristic and unexplained decline in productivity or performance.

f). If reasonable suspicion exists and a decision is made to require testing, the Human Resources Division shall notify the collection site that an employee is being escorted to the site for Reasonable Suspicion testing.

g). The employee required to undergo a Reasonable Suspicion test shall be driven, or escorted to the collection site by the employee's direct supervisor and (if possible) another supervisor or manager. The employee shall not be allowed to return to work until the results of the drug and/or alcohol test are received. Upon completion of the drug and/or alcohol test, arrangements shall be made for a spouse, family member, or friend to safely drive or escort the employee home. If none are available, the supervisor shall arrange for a taxicab to transport the employee to his or her home at the employee's expense. If the employee rejects the alternatives, the supervisor shall take measures as deemed appropriate to prohibit the employee from driving his or herself home.

h). An employee shall submit to testing when requested to do so by the County. The County shall presume a positive test result if an employee refuses to be tested upon reasonable suspicion.

Attachment: Section 62 Drug and Alcohol Testing (7293 : HR Policy Manual Revisions - Second Reading - Toni Hohlfelder)

i). Chippewa County managers shall be trained on Reasonable Suspicion indicators/standards every two (2) years and training shall be coordinated by the Human Resources Division.

3. Post-Accident

Post-Accident drug and alcohol testing shall be required only for accidents involving commercial motor vehicles as defined in this section.

a). CDL drivers and Sheriff's Department employees that are in "safety-sensitive" positions as defined under DOT Rule 49 CFR Part 40 shall be required to undergo Post-Accident drug and alcohol testing following an occurrence involving a commercial motor vehicle operating on a public road in commerce if any of the following occur, as defined in the Table below:

Table for §382.303(a) and (b)

Type of accident involved	Citation issued to the CMV driver	Test shall be performed by employer
i. Human fatality	YES NO	YES YES
ii. Bodily injury with immediate medical treatment away from the scene	YES NO	YES NO
iii. Disabling damage to any motor vehicle requiring tow away	YES NO	YES NO

b). Post-Accident drug and alcohol testing after an accident involving a commercial motor vehicle which requires that a urine drug specimen shall be collected (as defined above), shall be done so within thirty-two (32) hours of the accident. If a specimen cannot be collected in thirty-two (32) hours, the reasons and all attempts made shall be documented and submitted to the Human Resources Division.

c). Post-Accident drug and alcohol testing after an accident involving a commercial motor vehicle which requires that a breath alcohol specimen shall be collected (as defined above), shall be done so within eight (8) hours of the accident. If the specimen cannot be collected within the first two (2) hours, the reasons and all attempts made shall be documented and submitted to the Human Resources Division. Attempts shall be made to collect the specimen within the proceeding six (6) hours. If the specimen cannot be collected within the proceeding six (6) hours, the reasons and all attempts made shall be documented and submitted to the Human Resources Division. No further attempts may be made to obtain the specimen.

d). If the employee requires medical attention, necessary medical attention shall not be delayed in order to collect the required specimen(s).

e). Employees required to undergo a Post-Accident test shall be allowed to return to work prior to the County receiving results, if the County is satisfied that the employee does not present an immediate danger to

Attachment: Section 62 Drug and Alcohol Testing (7293 : HR Policy Manual Revisions - Second Reading - Toni Hohlfelder)

themselves or others. If the County is not satisfied that the employee does not pose an immediate danger to themselves or others, the employee shall not be allowed to return to work until test results are received by the County.

f). An employee shall submit to testing when requested to do so by the County. The County shall presume a positive test result if an employee refuses to be tested as required under Post-Accident.

4. Random

a). All employees that are required to hold and maintain a valid Commercial Driver's License (CDL) shall be subject to Random drug and/or alcohol testing. Quarterly, the County conducts unannounced drug and/or alcohol testing on a random selection of its CDL holders in compliance with the Federal Motor Carrier Safety Administration (FMCSA) guidelines.

b). Upon notification of his or her selection for Random drug and/or alcohol testing, the employee shall proceed to the collection site immediately. The employee shall report back to their scheduled work area after completion of the drug and/or alcohol testing.

c). All time spent driving to, during and from the Random test shall be recorded as work time.

c. Collection Procedures

1. A medical center designated by the County shall collect the sample(s) for testing utilizing the chain of custody procedures protecting the sample(s) identity. The County shall designate the laboratory that shall conduct testing. All testing shall be at the County's expense.

2. When an applicant or employee is required to submit to a drug and/or alcohol test, the individual shall be instructed when and where to report for the specimen to be collected. The applicant or employee shall be required to bring and present valid picture identification.

3. Urine samples shall be collected and used for drug testing. Urine samples shall be given in private, unless there is reason to believe that the individual has altered or substituted samples. In such circumstances, the individual may be required to give a second sample under direct supervision by a representative from the drug testing facility.

4. Breath samples may be used for alcohol testing.

5. Employees who are required to undergo a Reasonable Suspicion or Post-Accident test during their normally scheduled work hours shall use accrued Paid Time Off (PTO) for all time associated with the test if the results are positive. If the employee does not have PTO, the time shall be unpaid. If the test results are negative, all time associated with the testing that occurs during the normally scheduled work hours shall be considered work time and paid by the County.

Attachment: Section 62 Drug and Alcohol Testing (7293 : HR Policy Manual Revisions - Second Reading - Toni Hohlfelder)

6. If an employee refuses to submit to any required drug and/or alcohol test, the County shall presume a positive test result and the employee shall be subject to disciplinary action up to and including discharge.

d. Test Results and Employment Status

1. The results of the drug and/or alcohol testing shall be sent directly to the Human Resources Division.

2. The County shall deny employment to any applicant who tests positive for illegal drugs and/or a breathe alcohol test result of .02 BAC or higher.

3. All employees with a confirmed positive illegal drug test shall be discharged from employment.

4. All employees with a confirmed breathe alcohol tests where the Blood Alcohol Content (BAC) result is .02 BAC to .039999 BAC, may not return to work for 24 hours post results. The employee may also be subject to disciplinary action, up to and including discharge.

5. All employees with a confirmed breathe alcohol tests where the Blood Alcohol Content (BAC) result is .04 BAC or higher, shall be discharged from employment.

6. All employees testing positive for drugs or alcohol shall be advised of the available resources for evaluation and treatment including the names, addresses, and telephone numbers of Substance Abuse Programs, counseling and/or treatment programs. An employee who is discharged from employment due to a positive drug or alcohol test, may be reconsidered for employment, if there is a vacancy, upon successful completion of Substance Abuse Program, a mutually agreed upon number of negative drug and alcohol test results and a mutually agreed upon timeframe.

7. In the event any sample taken is found to be invalid or unreliable due to circumstances unrelated to the conduct of the employee or applicant, the employee or applicant may be required to provide a new sample for testing at the expense of the County.

8. In the event any sample taken is found to be invalid or unreliable due to circumstances related to the employee or applicant's conduct, the employee may be disciplined up to and including discharge or the applicant shall be denied employment.

e. Confidentiality

All test-related information, including the results of the drug and/or alcohol test, shall be treated as confidential information.

(Section 62 adopted by the County Board 1/8/19)

Attachment: Section 62 Drug and Alcohol Testing (7293 : HR Policy Manual Revisions - Second Reading - Toni Hohlfelder)

Department of Administration
Human Resources Division

To: County Board Supervisors

From: Toni Hohlfelder, Human Resources Director

Date: September 20, 2022

Subject: New Policies related to HIPAA

The purpose of this memo is to assist the County Board in reviewing several policies coming forward from the Department of Administration. The memo summarizes both the effort and history we have put into bringing these to the County Board for approval and a short summary for each of the policies.

History:

2015 Three Pillars (a consulting firm) performed a Risk Assessment as it relates to HIPAA for Chippewa County. The state of Washington had a lawsuit that involved a HIPAA breach where the company did not perform a risk assessment and the courts stated it was considered "gross negligence" by the organization when they had a serious breach occur.

2016 Upon completing the Risk Assessment, a HIPAA Workgroup was created and led by Holly Schlenvogt (now of HRT-Consulting) and included several members of DOA's IT Division, Jim Sherman, Corporation Counsel and a member of the fiscal teams in Human Services and Public Health who attended monthly meetings together. The goal of the workgroup was to correct the deficiencies identified in the risk assessment, create new procedures, forms, update current policies and add new policies related to HIPAA.

10/18/2017 I was invited to a HIPAA workgroup meeting to answer questions about a policy in our HR Policy manual and shortly after, I was asked to join the workgroup permanently due to my policy development experience.

1/22/2018 I officially joined the HIPAA workgroup and it was determined that Jim Sherman would be the Security Officer and I would be the Privacy Officer for Chippewa County. Since that time, we have had several potential privacy issues that I have followed and used all draft policies, procedures and forms to address and assist the County with.

12/10/2019 The IT Policy Manual was adopted by the County Board and includes three policies developed by this workgroup.

Feb 2020 Six additional polices were finalized and DOA was meeting to determine how to bring the new HIPAA polices forward and where they would be housed. We also needed to clarify which policies applied to all employees and which policies applied to the Workgroup or managers only. Then COVID hit, so this project was no longer prioritized. The HIPAA workgroup only met 4-5 times in 2020.

Attachment: HR Memo to CB RE HIPAA Update 8.20.22 (7292 : New HIPPA Policies - Second Reading - Toni Hohlfelder)

711 N. Bridge Street, Room 100
Chippewa Falls, WI 54729
HumanResources@co.chippewa.wi.us
Ph: (715) 726-7969
Fx: (715) 726-4585

2021 The workgroup started to meet more regularly (met 9 times in 2021) and was able to create several more policies drafts. Due to COVID, ARPA, the Board restructure and several other higher priority items, the HIPAA polices were tabled to bring at a later time.

2022 We now have updates to the currently approved ID and Access Policy and IT Policy Manual. We also have 4 new IT Policies, 5 new HIPAA polices and 2 new Facility & Parks Policies.

2023 - ? We will have additional polices to bring the County Board for approval in 2023: Auditing (HIPAA), Facility Maintenance (F&P), Technical Access Control (IT), System Build/Change Control (IT), Group Health (HR), Continuity of Operations (COOPS) and Continuity of Government (COGs).

In addition, Andy Bauer and I will create HIPAA training videos to ensure that all required employees and managers are properly and consistently trained on HIPAA related topics.

Lastly, the goal in 2023 is to perform another Risk Assessment to evaluate if we still have deficiencies from the original assessment performed in 2015. The workgroup will assist in addressing any issues that result from the assessment. We believe the workgroup can be disbanded at that time, as all policies, procedures and forms will be in practice.

SUMMARY OF THE POLICIES

HR Policy:

1. ID and Access Policy – revisions recommended
    a. A primary term that the consultant recommends the County changes from is Authorized Personnel changed to Authorized Workgroup members. HIPAA applies not only to Chippewa County personnel, but also interns, volunteers, contractors, business associates, etc.
    b. Replacement of County Electronic Access section was added and similar to the Replacement of ID Cards.
    c. All other recommended changes are from the HIPAA consultant to document in policy how we protect HIPAA information related to our IDs and Access.

IT Policies:

1. IT Policy Manual – revisions recommended
    a. Updated the Technology and Information Privacy and Security Policy only.
    b. Added a section regarding pagers and overhead paging.

2. Data backup Media Management – new
    a. The policy documents the County's current practice in backing up data and media in a policy.
    b. The policy documents what we will back up, the length of time it is required and how it is done.

3. Malicious Software Policy – new
    a. The policy defines what malicious software is and how the County has safeguards in place to prevent vulnerabilities from being exploited.

4. Remote Access Policy – new
    a. The County permits authorized Workforce Members to use remote access to access the network from home or another approved location.

711 N. Bridge Street, Room 100
Chippewa Falls, WI 54729
HumanResources@co.chippewa.wi.us
Ph: (715) 726-7969
Fx: (715) 726-4585

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   b. The policy defines the types of remote access permitted and requirements for Workforce Members associated with using remote access

5. System Access Policy – new
   a. The policy documents the County's guidelines for Workforce Members on access to Electronic Protected Health Information (ePHI).
   b. It documents the policy on setting up, modifying and terminating access as well as requirements related to logging off and passwords.

HIPAA Polices (to be saved under DOA):

1. Business Associate Policy – new
   a. The policy documents the County's requirements for having a business agreement with vendors and the specific requirements in the agreements.
   b. The County's Corporation Counsel Division currently has a County Approval Procedure and this process will continue to be used in conjunction with this additional policy.

2. Contingency Plan Policy – new
   a. The policy is the first step in outlining the County's policy to have systems and plans in place to secure PHI, confidential information and other information in the case of an interruption in business caused by disaster or any emergency of any kind.
   b. Other policies, procedures and/or forms will include COOPS and COGS

3. Disposal of Confidential Information Policy – new
   a. The County has PHI, ePHI and other sensitive information that is required to be disposed of properly. This policy outlines the requirements.

4. Incidents Policy – new
   a. If there is a report of a possible HIPAA breach, this policy provides the requirements that the County will follow to investigate and if detected, contain and response appropriately.
   b. This draft policy has been being followed and the associated forms, check lists and tools provide by the Consultant related to this policy have been used since 2018 to assist the County in properly handling these situations.

5. Information Security Risk Management Policy - new
   a. The policy documents that the County will conduct risk assessments regularly to determine potential threats and vulnerabilities.
   b. The policy also documents strategies to mitigate the risks that may be identified in the assessment.
   c. Policy requires we complete a Risk Assessment every 4 years, but recommended every 2 years.

F&P Policies (going the Facilities & Parks Committee):

1. Facility Access and Physical Security Policy – new
   a. A policy that outlines how Chippewa County controls physical access into buildings.
   b. It also documents how we protect HIPAA information and provides details related to restricted vs unrestricted areas, doors, servers and data wiring and other facility safeguards

2. Key Issuance and Request Policy – new
   a. A policy that documents how we issue keys to new Workforce Members
   b. The policy also documents how we handle keys being returned upon separation or exiting.

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** Proposed Revisions **

IDENTIFICATION AND ACCESS POLICY

Purpose

The purpose of this policy is to establish a system that provides constant and immediate identification of Chippewa County Authorized ~~Personnel~~Workforce members to customers, clients, residents, visitors and other employees and maintain security of Chippewa County facilities, and enhance the personal security of Chippewa County Authorized ~~Personnel~~Workforce members, by identifying Authorized ~~Personnel~~Workforce members at Chippewa County work sites and residential or commercial properties served by the county while providing measured protection against unauthorized personnel from entering designated Secure Areas (including Restricted Areas). The system is effective only if there is active cooperation and compliance by all Authorized ~~Personnel~~Workforce members at all times. Any lenience in compliance and enforcement subjects the entire system to failure.

Scope

This Policy shall apply to all Authorized ~~Personnel~~Workforce members.

Definitions

1. Authorized ~~Personnel~~Workforce members include all county employees, elected officials and County Board Supervisors; student interns; non-uniformed state or federal employees with office space located within a county facility; designated individuals providing volunteer or contracted services on an on-going basis and who may have office space located within a County facility.

2. Project or Construction Contractors includes non-county employees who require temporary access to the facility to provide a specific service including, but not limited to service repair, emergency maintenance, construction, etc.

3. ID Card is a hard, plastic card used to identify Authorized ~~Personnel~~Workforce members for Chippewa County. The face of the card reflects the County name, an accurate photograph of the Authorized ~~Personnel~~Workforce member and the Authorized ~~Personnel~~Workforce member's name. ID Cards are color coded based on the Authorized ~~Personnel~~Workforce member's classification; for example, Chippewa County employee, intern, state employee, Housing Authority, contracted service, County Board Supervisor, etc.

4. Secure Area is an area within a County facility which access is controlled and the general public or clients are normally not permitted to enter freely. Also refer to the definition of a Restricted Area in the HIPAA Privacy and Security Definitions form located on the Employee Portal under Policies.

5. Access is the level of permission an Authorized ~~Personnel~~Workforce member is granted to enter specified locations within the Chippewa County courthouse.

6. Electronic Access Device is a small security hardware device with built-in authentication used to control or secure access to the building. The Electronic Access Device will have external and

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internal access programmed into it and is typically stored on a key chain. Some Electronic Access Devices may be programmed to allow Authorized ~~Personnel~~Workforce members access to designated Chippewa County facilities outside of normal business hours or service areas during normal business hours.

7. For capitalized terms, refer to the HIPAA Privacy and Security Definitions form located on the Employee Portal under Policies / Department of Administration.

Policy

For the safety and security of the public, Chippewa County employees and facilities, all Authorized ~~Personnel~~Workforce members shall be assigned, and are required to display their County issued ID Card at all times while on County property, or while on duty and engaging in County business at a location, which is not County property as outlined below. Failure to wear the ID Card may result in disciplinary action up to and including termination.

Responsibility and Authority

The Human Resources Division, County Administrator, and Facilities and Parks Division are responsible for implementing and overseeing this policy.

The Human Resources Division is responsible for issuing ID Cards and Electronic Access Devices with authority granted by the County Administrator. The Facilities and Parks Division, in coordination with the Human Resources Division, will manage access for service contractors in and around the building.

ID Cards

1. Issuing ID Cards

   a. Department Heads shall submit a Request for Access Form for all new Authorized ~~Personnel~~Workforce members as defined above or when any of the above changes in status, departments or positions.

   b. The Facilities and Park Division will manage, authorize and issue ID Cards for all Project and Construction Contractors.

   c. The Human Resources Division shall take photos, or authorize photos to be taken, for ID Cards. The photos shall remain the property of Chippewa County.

   d. Authorized ~~Personnel~~Workforce members shall be issued an ID Card within two (2) business days after new employee orientation and required paperwork has been completed.

   e. Authorized ~~Personnel~~Workforce members shall sign the Identification and Access Policy Acknowledgement form prior to receiving their ID Card.

   f. The Human Resources Division maintains a current list of individuals with ID cards.

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g. Because appearances change over time, all Authorized ~~Personnel~~Workforce members may be issued an updated ID Card and new photo as determined periodically by the Human Resources Division.

2. Displaying ID Cards

a. All Authorized ~~Personnel~~Workforce members shall wear their assigned ID Card while in county facilities during their scope of employment/services for Chippewa County. Authorized ~~Personnel~~Workforce members will prominently display the ID Card in a visible location on the front of their person above waist height and to be worn outside clothing.

b. ID Cards shall not be defaced or altered with stickers, decals, etc. Additionally, ID Cards may be worn at seminars and/or conferences or similar County activities when conducting official County business.

c. Failure to wear the ID Card may result in disciplinary action up to and including termination.

d. Exceptions to requirement of wearing County ID Card:

1. Authorized ~~Personnel~~Workforce members in uniform with their name and County identification visible on their uniform are not required to wear a County ID Card. However, they shall carry a County ID Card and display it upon request. Law enforcement officers on covert assignments are exempt from either requirement.

2. Authorized Workforce members who are engaged in construction type work or engaged in an activity where a displayed ID Card could become snagged or cause a safety concern are excluded from the requirement to wear an ID Card while employed in such activity. Such Authorized ~~Personnel~~Workforce members shall however carry the ID Card on their person, and wear it upon ceasing the activity.

3. Forgotten ID Cards

a. If an Authorized ~~Personnel~~Workforce member reports to their assigned County facility without their ID Card, the Department Head/Manager may send the Authorized ~~Personnel~~Workforce member home to retrieve their ID Card, and shall be required to use their available PTO for the absence.

b. The Human Resources Division may issue the Authorized ~~Personnel~~Workforce member a temporary ID Card for that day only upon the request of the Department Head/Manager. Repeated instances may result in disciplinary action up to and including termination.

c. Temporary ID Cards shall be good for one day and shall be returned to the Human Resources Division before leaving the facility at the end of the day.

4. Replacement of County ID Cards/Charges

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a. A temporary ID Card may be provided for up to one week prior to issuing a permanent ID Card to allow the Authorized ~~Personnel~~Workforce member time to locate a lost ID Card, if applicable.

b. The Human Resources Division will determine if a replacement ID Card shall be issued at no cost to the Authorized ~~Personnel~~Workforce member or a charge of $15.00.

c. The following are examples where a replacement ID Card may be issued at no cost to the Authorized ~~Personnel~~Workforce member:

1. A replacement ID Card is required for a change in name or employee number at no cost to the Authorized ~~Personnel~~Workforce member.

2. A replacement ID Card may be issued at no cost to the Authorized ~~Personnel~~Workforce member if the ID Card becomes damaged or is otherwise unserviceable due to the scope of employment/services and shall be returned to the Human Resources Division for replacement.

d. The following are examples where an ID Card may be issued at a cost to the Authorized ~~Personnel~~Workforce member at a cost of $15.00 to be paid directly to Chippewa County and submitted to the Human Resources Division upon pick up of the replacement ID Card:

1. Replacement of an ID Card for personal reasons will be issued to the Authorized ~~Personnel~~Workforce member at a cost of $15.00 as determined by the Human Resources Division. The Authorized ~~Personnel~~Workforce member may have a new photo taken for the replacement ID Card.

2. A replacement ID Card may be issued to the Authorized ~~Personnel~~Workforce member at a cost of $15.00 as determined by the Human Resource Division if the ID Card has become lost, damaged or otherwise unserviceable due to prohibited use, defined under section 7 (Prohibitions).

5. Reporting Missing/Stolen/Damaged/Malfunctioning ID Cards

a. For the security and protection of Authorized ~~Personnel~~Workforce members, county facilities, and the data maintained and stored within, all missing, damaged or stolen ID Cards shall be reported immediately to the Department Head/Manager and the Human Resources Division.

6. Project and Construction Contractors

a. When Project or Construction Contractors perform services in County facilities, the department that has retained their services shall coordinate with the Facilities and Parks Division to ensure that the contractor is issued an ID Card identifying them as a Project or Construction Contractor.

b. The Project or Construction Contractor ID Cards shall be a temporary ID card that is generic, with an identification number and does not have a photo. Contractor ID cards

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are important for easy identification of who is an approved Project or Construction Contractor vs. an Authorized ~~Personnel~~Workforce member.

c. The department that retained the services of a Project or Construction Contractor is responsible for returning the Contractor ID card as the individual(s) leave the premises.

d. The Facilities and Parks Division shall maintain a list of individuals with Project or Construction Contractor ID cards.

7. Prohibitions

a. Do not give or lend your ID Card to any other individual.

b. Do not leave your ID Card in a location subject to damage, loss or theft.

c. Do not leave ID Cards on the dash of your vehicle or other locations where it may be exposed to extreme temperatures.

d. Do not fold, bend, pry open, alter, mutilate, or fabricate your ID Card.

e. Do not use your ID Card as an ice scraper.

f. Do not wear ID Badges at non-county related events.

Electronic Access

As established in the Chippewa County Code of Ordinances the normal recognized hours of operation for the Chippewa County Courthouse are Monday – Friday, 8:00 a.m. – 4:30 p.m.; closed weekends and holidays. As a result, there is access to the common areas of the Courthouse Monday – Friday, 7:30 a.m. – 5:00 p.m. For those who have business in the courthouse after normal business hours, access is limited to East Entrance #3 and North Entrance #4. Authorized ~~Personnel~~Workforce members may be issued additional specific access to gain entry to the Courthouse and secured area(s).

1. Issuing Electronic Access Devices

a. Access requested and provided is limited so that only the minimum necessary number of individuals are able to access the Courthouse or a Secured or Restricted Area.

b. Authorizing Access – Authorized ~~Personnel~~Workforce members are assigned an Electronic Access Device based on the operational needs to access the Courthouse or a Secured Area. Access is recommended by the Department Head and approved by the Human Resources Director in conjunction with the County Administrator.

c~~b~~. Temporary Access – Department Heads or Managers may request a temporary Electronic Access Device for an employee for short term operational needs, during situations when permanent access to that area is not normally needed or has been denied. Temporary access shall be requested at least three (3) business days in advance to the Human Resources Division. Failure to provide this required notice may result in a delay in receiving the temporary access.

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~~c~~d. Emergency Access – Authorized ~~Personnel~~Workforce members that need emergency access shall contact the Sheriff's Department for access. The Sheriff's Department will require a Chippewa County ID Card to confirm the person is an Authorized ~~Personnel~~Workforce member. The Sheriff's Department shall report all requests for emergency access to the Human Resources Division. The Sheriff's Department may contact the Human Resources Division or the Department Head for verification or require a Sheriff's Department escort.

e~~d~~. Authorized ~~Personnel~~Workforce members shall sign the Identification and Access Policy Acknowledgement form prior to receiving their Electronic Access Device.

f. The Human Resources Division shall maintain a current list of individuals with Electronic Access Devices and the access that is activated on them.

g. The Human Resources Division shall:

1. Review physical access logs (e.g. Electronic Access Device audit logs and hard copy / handwritten logs) on a monthly basis to identify any potential unauthorized physical security access.

2. Report and investigate potential and known physical security access.

2. Employee Expectations

a. Authorized ~~Personnel~~Workforce members are responsible for the reasonable care and maintenance of their assigned Electronic Access Device and should safeguard it from damage, loss or theft.

b. Authorized ~~Personnel~~Workforce members who have access to the facility outside of normal business hours shall only access the facility for operational purposes.

c. Notify the Human Resources Division immediately if an Authorized ~~Personnel~~Workforce member's Electronic Access Device is lost or stolen. If the Electronic Access Device needs to be disabled outside of normal business hours, contact the Sheriff's Department immediately.

d. Notify the Human Resources Division immediately if an Authorized ~~Personnel~~Workforce member's Electronic Access Device is broken or is not functioning properly.

3. Prohibitions

a. Do not give or lend your Electronic Access Device to any other individual.

b. Do not leave your Electronic Access Device in a location subject to damage, loss or theft.

c. Do not leave your Electronic Access Devices on the dash of your vehicle or other locations where it may be exposed to extreme temperatures.

d. Do not pry open, alter, mutilate, or fabricate your Electronic Access Device.

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e. Do not allow any non-Authorized ~~Personnel~~Workforce member access to the facility outside of normal business hours when you enter or leave the facility. If you observe any unauthorized or unknown person entering or attempting to gain entry, report immediately to a manager or the Sheriff's Department.

f. Do not hold or prop the facility doors open.

g. Do not store your Electronic Access Device directly with your ID Card.

4. Role Changes

a. When an individual's role changes, the Department Head or Manager shall immediately complete a Request for Access Form and forward it to the Human Resources Division to ensure that the ID and access continues to be appropriate for his/her role.

b. When an individual terminates, the Department Head or Manager shall immediately notify the Human Resources Division to ensure that ID and access is terminated.

c. ID and Access are changed or terminated immediately after receiving the request, but no later than 24 business hours after notification, whether received verbally, via email or in writing.

5. Replacement of County Electronic Access Device

a. If an employee loses or damages their Electronic Access Device, the Human Resources Division will determine if a replacement Electronic Access Device shall be issued at no cost to the Authorized Workforce member or a charge of $15.00.

c. The following are examples where a replacement Electronic Access Device may be issued at no cost to the Authorized Workforce member:

1. A replacement device is required for normal wear and tear by the Authorized Workforce member and is returned to the Human Resources Division.

2. A replacement device is required because the device becomes damaged or is otherwise unserviceable due to the scope of employment/services and is returned to the Human Resources Division.

d. The following are examples where an Electronic Access Device may be issued at a cost to the Authorized Workforce member at a cost of $15.00 to be paid directly to Chippewa County and submitted to the Human Resources Division upon pick up of the replacement Electronic Access Device:

1. A replacement Electronic Access Device may be issued to the Authorized Workforce member at a cost of $15.00 as determined by the Human Resource Division if the Electronic Access Device has become lost, damaged or otherwise unserviceable due to prohibited use, defined under section 3 (Prohibitions).

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6. Separation

a. The Electronic Access Device shall be returned to the Human Resources Division by the last day of:

1) Separation of employment
2) Contract service
3) Volunteer service

b. Failure to return your Electronic Access Device shall result in a $15.00 charge.

Reporting and Compliance

Refer to the Information Privacy and Security policy for requirements to reporting suspected and known non-compliance of this policy and procedure as well as potential outcomes for violations.

Applicable Standards/Regulations

1. HIPAA Final Omnibus Rule, January 25, 2013
2. 45 CFR §164.310(a) HIPAA Security Rule Facility Access Controls
3. 45 CFR §164.310(a)(2)(ii) HIPAA Security Rule Facility Security Plan
4. 45 CFR §164. 310(a)(2)(iii) HIPAA Security Rule Access Control & Validation Procedures

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Chippewa County
Department of Administration
Information Technology Division

Information Technology Policy Manual

County Board History/Action
Adopted by the County Board December 10, 2019

PROPOSED REVISIONS

2. Technology and Information Privacy and Security Policy

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2. Technology and Information Privacy and Security Policy

Purpose

The purpose of this policy is to establish a standard for acceptable and authorized use of County-owned and/or County-provided technology. As Chippewa County becomes increasingly dependent on electronic information processing in the course of day-to-day operations, maintaining the Confidentiality, Integrity, and Availability of County information assets, including Confidential Information, is critical to insure sound investment in Information Technology (IT) resources. The scope of this policy includes all authorized users who use and/or access County-owned IT hardware, software, and / or network resources. Authorized users as referred to in this policy shall include Workforce, elected officials and all users of County hardware and/or software.

Definitions

The HIPAA Privacy and Security terms utilized in this policy are capitalized throughout the document. The definitions of those terms are located in a document titled HIPAA Privacy and Security Definitions found on the Employee Portal and maintained by the Privacy and Security Officers.

Responsible for Implementation

The Security Officer and Information Technology Director are responsible for implementing and overseeing this policy and procedure

Policy

1. User Accounts and Passwords

   The assignment of unique user accounts and passwords to authorized users, including administrator accounts, will be made by the IT Division for the appropriate information system(s) and Workstations being accessed.

   County user accounts and/or passwords shall be safeguarded from unauthorized use and may not, under any circumstance, be written down in a public and/or conspicuous location. Passwords shall only be known by the individual user. Passwords may not be shared with anyone, including friends, family, co-workers, etc. Users may not:

   a. Reveal a password over the phone or in an e-mail to anyone.

      1. A user may share a user ID and password with the IT Division when they have a legitimate need to fix a system issue.

      2. When this is done the IT Division will require the password be changed immediately after this issue has been resolved.

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b. Leave user names (UNs) and passwords (PWs) so someone else may see or find them.

c. Use their UNs & PWs to log other individuals into the system.

d. Use the UNs & PWs of others or any Information System logged in under another user's UN & PW.

e. Store passwords electronically unless they are encrypted and password protected, nor written down unless they are locked and accessible only to the owner.

Users are responsible for all inquiries, entries, and changes made to any of the organization's Information Systems using their UNs & PWs.

Users that do not recall their UN & PW contact the IT Division or IT Help Desk. The IT Division or IT Help Desk shall:

a. Validate the user's identity

b. Verbally provide the user with a temporary, one-time use UN & PW

Additional Password Requirements:

a. At a minimum, smart phones require a six character unique pass code.

b. Servers store private encryption keys and are protected by a VPN with a password.

c. Refer to the Unique User IDs, Passwords, and Configurations Policies and Procedures for requirements for Workstations integrated with Active Directory settings.

d. For Information Systems, refer to the Unique User IDs, Passwords, and Configurations policy for password configuration settings and requirements.

2. Log-off

Users are required to lock or logoff Workstations, portable devices, and/or Information Systems when left unattended (whether on or off the premises) for any amount of time, so that Confidential Information is inaccessible by any other individual. Personal computers and laptops may be locked by simultaneously pressing the Windows and L keys on a keyboard.

If a device is used only by a single individual with a unique log in, it may be locked and information systems on that device may remain logged in.

Users are required to log off systems and shut down workstations at the end of the work day, unless running a job on it.

Workstations automatically lock after a minimum of 15 minutes of inactivity (smart phones after two (2) minutes of inactivity; squad car MDCs after eight (8) hours).

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a. This feature is set by the IT Division or System Administrators and may not be changed by users.

b. The user's password must be used to re-establish the session.

c. Exceptions are authorized and documented by the IT Division.

Information Systems that create, receive, maintain or transmit, or otherwise provide access to Confidential Information, whenever possible:

d. Automatically log users off the applications after a minimum of up to 180 minutes of inactivity.

e. Invalid attempt automated account locks

1. Automatically lock accounts after three invalid login attempts within five (5) minutes.

2. The user account locks for a period of thirty (30) minutes (or locks until a System Administrator unlocks it). After this period, the bad password count is reset to zero (0) and the user can attempt to log on.

3. System Administrators have the ability to unlock accounts at any time.

VPN, Citrix, and other software application sessions automatically terminate after thirty (30) minutes of inactivity.

3. Software

The Chippewa County IT Division is responsible for the purchase and installation of all software. Users may not download any software to a County Workstation. Illegal copying of software is not permitted. Personally-owned and/or unlicensed software may not under any circumstance be loaded or installed onto County-owned systems. Unapproved software may be removed without advance notice to the user.

Software programs and applications must be licensed by the County. The IT Division maintains the licensing information.

4. Hardware

The Chippewa County IT Division is responsible for purchasing all hardware. Personal Workstations and Electronic Media may not be connected to County owned Workstations, devices, Electronic Media or the network, unless authorized in writing by a Department Head or member of the Management Team and IT Division.

5. Requests to Access Confidential Information

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Members of the management team are the only individuals authorized to request access for users to Confidential Information. Role based access requests are submitted to the Human Resources Division. The IT Division sets up, changes, and terminates user accounts based on these requests.

6. Internet and Online Services

Electronic transmissions or communication via the Internet shall not be considered either private or completely secure.

The Internet offers numerous discussion groups or forums and exchange ideas for the purpose of research and information sharing. As with any form of communication, the County shall not be intentionally misrepresented in any material posted to the Internet.

Authorized users are responsible to ensure the content of material they transmit or publish in electronic communications or messages via County-provided Internet access, email, information systems, and Workstations is appropriate. Hate mail, harassment, discriminatory remarks, profanity, antisocial, disrespectful or unprofessional behavior such as targeting another person or organization to cause distress, embarrassment, injury, unwanted attention or other substantial discomfort is prohibited. Personal attacks or other action to threaten or intimidate or embarrass an individual, group or organization or attacks based on a protected class or any other such characteristic or affiliation are prohibited. Illegal communications are also prohibited.

County Internet usage is logged and accessible by designated staff, as appropriate. Internet usage and history may be subject to public inspection.

7. Electronic Mail Communications (Email)

Business communication via email allows the sender and receiver to be flexible, decide on an appropriate time to address something, not disrupt operational work flows, and in some cases multi-task. Senders should consider the audience, the tone, grammar, and punctuation within the message, and must also consider that any email has limitations as a communication tool. For that reason, senders should use sound professional judgment when determining if email is the most appropriate form of communication for the message they are sending.

Standard emails are inherently not a secure method of communication and can, therefore, be intercepted by unauthorized individuals.

Email is subject to applicable privacy, security, open records and records retention laws and guidelines, as are appropriate, for the information that a particular message contains. It is important to remember that you are creating a government document simply by creating and sending an email.

Chippewa County will archive all email and employ the use of an email archival method to retain all messages sent and received to and from the County email system as identified in the record retention ordinance.

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Authorized users are not permitted to print, display, download or send sexually explicit images, messages, or any other material disparaging or harassing to anyone. If such material is received, and if feasible, recipient shall immediately advise sender that receipt of such transmission is not permitted and must stop. If assistance is needed in responding to the receipt of inappropriate material, the matter is to be referred to the Human Resources Division.

Users are responsible to ensure the content of material they transmit or publish in messages via County-provided email access is appropriate. Users may not send, request, reply to, or forward chain letters/emails. Refer to the Internet and Online Services and Prohibited Use of Technologies sections of this policy for prohibited electronic communications / messages and additional protection requirements.

Clients and consumers whom request a copy of their Designated Record Set (as defined in 45 CFR 164.501) be emailed are referred to the appropriate Records Department. The Records Department processes the request as described in Release of Information policies.

Users authorized to email Confidential Information to individuals whom are authorized to receive the Confidential Information:

a. Are required to use the email encryption program provided by the County. When emailing the Confidential Information type "secure" in the subject line for external emails; this encrypts the email

b. Do not include any PHI, such as client, consumer or subscriber identifiers, in the subject line. These include, but are not limited to the following:

    1. Full Name
    2. Date of Birth
    3. Social Security Number
    4. MCI Number
    5. Address
    6. Telephone Number

c. Before sending the email, verify that you are sending it to the correct individual(s) and that the email is/will be encrypted.

Users may not open any suspicious emails or suspicious website links in emails. If uncertain an email and/or email attachment is suspicious, delete the email or personally call the sender at a known telephone number. If uncertain a website link is suspicious, do not click on it. Instead, open the website from a saved favorite list or do a website search.

8. Remote Email Access

Chippewa County permits the use of secure, remote email access via external Internet connection to the County email system. Example: Microsoft Outlook Web Access (OWA).

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Remote email access and use is provided to conduct County-related business. Authorized users are permitted, however, to use Chippewa County's technical resources, including remote Email Access, for occasional, appropriate and minimal non-work is subject to department approval.

All remote email access users are required to honor and observe the rules of confidentiality and protection of privacy when accessing and using any information that resides on the Chippewa County email system. Remote email access may be used only while an authorized user retains authority from the department head or elected official. It is the responsibility of the Department Head/Elected Official to notify the Human Resources Division of any Workforce member changes that require disabling access to IT services. Service may be limited, suspended or terminated in cases of suspected or known wrongdoing, with or without notice to a user.

All remote email access use by non-management Workforce member is required to have prior approval from the Department Head or Elected Official for remote email access outside of the Workforce member's approved scheduled work time. Use of remote email access without prior approval that results in additional hours worked by non-management Workforce is prohibited.

9. Remote Virtual Private Network (VPN) Access

Chippewa County allows remote VPN access on county issued hardware for management Workforce member only. No personal home computers or other devices are allowed to be used to VPN into the county systems (some exceptions may be approved by the HR Director or IT Director). Requests for a VPN connection must be initially approved by the Department Head/Elected Official. All initially approved requests for employee VPN access shall be submitted to the Human Resources Director for final approval. All other initially approved VPN access requests shall be submitted to the IT Director for final approval.

Remote access service is provided to conduct County-related business. Authorized Workforce members are permitted, however, to use Chippewa County's technical resources, including remote access service, for occasional, appropriate and minimal non-work purposes.

All authorized Workforce members of County-provided remote access services are required to honor and observe the rules of confidentiality and protection of privacy when accessing and using any information that resides on Chippewa County systems. Workforce members agree to apply safeguards to protect County information assets from unauthorized access, viewing, disclosure, alteration, loss, damage or destruction. Appropriate safeguards include use of discretion in choosing when and where to use remote access service, prevention of inadvertent or intentional viewing of displayed or printed information by unauthorized individuals. Service may be limited, suspended or terminated in cases of suspected or known wrongdoing, with or without notice to a user.

10. Offsite (Remote) Security Safeguards

a. Remote access is a privilege, and is granted only to remote users who have a defined need for such access and who demonstrate compliance with the County's

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established safeguards which protect the Confidentiality, Integrity, and Availability of Confidential Information.

b. Individuals may not take electronic Confidential Information off of the County's premises, unless allowed by the County's policies. When electronic Confidential Information is authorized to be taken offsite, individuals are required to secure the information as stated in the County's policies to prevent unauthorized access, use, and disclosure of it.

c. Authorized users may access ePHI remotely to perform assigned job responsibilities

d. Individuals may not take hard copy (paper) PHI or other Restricted Information offsite, unless specified below:

1. CCDHS and CCDPH client and consumer files shall be allowed at court proceedings, as appropriate for the court proceedings.

2. CCDHS and CCDPH client files (e.g. aide sheets, assessment forms, etc.) may be taken offsite as needed to provide services in the community.

3. Other Exceptions are approved and documented by the Privacy Officer.
4. When hard copy (e.g. paper) PHI other Restricted Information is authorized to be taken offsite, it shall be secured at all times by being in the possession of and/or in a locked container at all times so that only authorized individuals have access to the information. If must be left in a vehicle, lock it and place them in the trunk (or if there is not a trunk in an area that is out of plain sight).

e. Treatment Records may not be taken offsite, except by Workforce members directly involved in the patient's treatment, or as required by law. Note: this is from WI DHS 92.04(6)(c) and applies to Treatment Facilities (treatment of Alcoholic, Drug Dependent, Mentally Ill or Developmentally Disabled persons).

f. Remote users are responsible for:

1. Adhering to all of the County's privacy and security policies and procedures, not engaging in illegal activities, and not using remote access for interests other than those for the County's 's approved business purposes.

2. Troubleshooting of telephone or broadband circuits installed. It is not the responsibility of the County to work with Internet Service Providers on troubleshooting problems with telephone or broadband circuits not supplied and paid for by the County.

3. Ensuring that unauthorized individuals do not access the network. At no time will any remote access user provide (share) their user name or password to anyone, nor configure their remote access device to remember or automatically enter their username and password.

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4. Using the County's VPN, or other approved transmission method, to transfer Confidential Information.

g. Remote users must:

1. Manage documents and equipment that contains and/or transmits Confidential Information as described in the County's privacy and security policies.

2. Have and use a paper shredder and follow the Disposal of Confidential Information policy, or bring the Confidential Information in to the office to dispose of appropriately.

3. Secure office environments and prevent visitors and family from viewing, accessing, and hearing Confidential Information.

4. Secure Confidential Information in a locked file cabinet when unattended and not in use.

5. Log-off and disconnect from the County's network when access is no longer needed to perform job responsibilities.

6. Lock the workstation and/or system(s) when unattended so that no other individual is able to access the County's network or Confidential Information.

7. Not copy Confidential Information, including ePHI, to personal media (hard drive, USB, cd, smart phone, tablet, laptop, personal computer, etc.), unless the County granted prior written approval.

11. Texting, ~~and~~ Instant Messaging, Paging Via a Pager, and Overhead Paging

Texting, ~~and~~ Instant messaging, paging via a pager, and overhead paging are unsecured methods of communication and can, therefore, be intercepted by unauthorized individuals.

As the County does not have a means to encrypt texts, Confidential Information may not be texted at any time from any device, whether or not the texting device is owned by the organization.

As the County does not have a means to encrypt instant messages, Confidential Information may not be sent through an instant message at any time from any device, whether or not the instant messaging software and/or device is owned by the organization.

As the County does not have a means to encrypt pages via a pager, Confidential Information may not be sent through a pager at any time from any device, whether or not the paging device is owned by the organization.

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As the County does not have a means to encrypt overhead paging, Confidential Information may not be stated through an overhead paging system at any time from any device, whether or not the paging device is owned by the organization.

12. Virtual Meeting Platforms

Only virtual meeting platforms managed by the IT Division may be utilized. Webex, Zoom, and Microsoft Teams, managed by the IT Division, may be used for internal workforce meetings, general internal communications, and scheduling meetings with vendors. Native smartphone video platforms may be utilized on County provided devices (i.e. FaceTime, Duo, etc.). Note: vendors and other organizations may send invitations to Chippewa County workforce utilizing their own platforms which may be utilized to attend virtual meetings.

No virtual meeting platform may be used to transmit Confidential Information at any time via a chat / message, with the exception of telehealth services provided consistent with any County policy.

~~12~~13. Prohibited Use of Technologies

The following items and activities concerning County-owned and/or County-provided technology are expressly prohibited:

a. Engaging in any activity which violates state law, federal law, County Policy, County Administrative Code, the Civil Service Rules or departmental work rules, as applicable.

b. Engaging in activities during working hours for personal gain, solicitation or commercial purposes, including commercial advertising, unless specific to the mission or duties of the applicable Department or County.

c. Accessing or distributing indecent material, obscene material, child pornography or any material that violates County's affirmative action principles or the civil rights (of protected class) of an individual.

d. Harassing other individuals, including sending chain letters or inflammatory material.

e. Loading personally-owned or improperly licensed software on County-owned equipment.

f. Loading software of any kind is not allowed. All installs are to be completed by the IT Division.

g. Moving equipment from one location to another. While laptops are meant to be mobile and used in various locations, they may not be permanently moved to different offices / locations.

h. Obligating the County for user fees, usage charges or membership fees without prior authorization.

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i. Deliberately damaging computing systems or altering the software components of County-owned systems.

j. Engaging in any activity which adversely affects the Availability, Confidentiality or Integrity of any County-provided technology and data.

k. Disseminating or printing copyrighted materials (including articles and software) in violation of copyright laws.

l. Disseminating information that is known to misrepresent the County or be false, inaccurate or misleading.

m. Using another's network, Internet, electronic mail or online service account or password without authorization.

n. Sending of Confidential Information through an external network transmission (e.g. email system, instant messaging application, VPN, etc.) that was not set up and monitored by the IT Division or designee.

o. Deliberately compromising computer and/or network security.

p. Sending disrespectful or unprofessional business communication that causes distress, disruption, embarrassment, injury, or unwanted attention or other substantial discomfort to the recipient.

q. Allowing any other individual to use any of the organization's Workstation's or Information Systems that is not authorized by the organization to utilize them

r. Downloading any Confidential Information off the County's Information Systems, Workstations, servers, etc. to store or use it on any Information System, file sharing site, Workstation, compact disc, digital video disc, zip disc, or other portable devices or removable storage devices such as removable USB or flash drives that is not authorized by the IT Division. Users that receive approval to download data onto approved equipment or Information System are responsible for managing and protecting it from unauthorized access, disclosure, and theft.

s. Activating a white board, camera, microphone, or any other type of collaborative computing device unless it was authorized and/or set up by the IT Division. These must show an indication to users that they are turned on, being used, and/or are activated, such as with a light or pop-up alert.

t. Using or making available file sharing or peer to peer networks (Windows file shares, torrent, kazaa, limewire, etc.) or extending the County's network (example: wireless access points).

u. Using tools or techniques to break/exploit or disable security measures.

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v. Change operating system configurations, upgrade existing operating systems, or install new operating systems.

w. Connect to unauthorized networks through the organization's systems or devices.

x. Connecting a Workstations (including portable devices) to the organization's network and wireless network that was not authorized by the IT Division

y. Overload any computer system or network.

~~13~~14. Ownership of Resources

Email, Internet, information system, Workstations, and telecommunication access are resources made available to County authorized users to communicate with each other, other governmental entities, companies and individuals for the benefit of the County.

All Workstations purchased by the organization are the property of the County. Users do not own any information accessed or created during their relationship with the County on these Workstations or information systems provided by the County. The County owns it. Designated staff from the County reserve the right to examine all email, directories, files and other information stored on all County-owned data disks, computers, tape or other media and to monitor all email, Internet, computer system and telecommunication access and activity as deemed necessary.

Authorized users have no right of privacy in anything they create, store, send or receive using the County's technologies. Anything created using county technologies may be reviewed by others.

~~14~~15. Rights of Chippewa County

a. The County owns all technologies provided at its own expense or under its authority or jurisdiction, including transmissions initiated, received or stored using its technologies.

b. The County reserves the right to determine who is provided access to its Workstations, servers, systems, network and technologies.

c. At any time and without prior notice, the County may remove any user account.

d. The County may monitor and/or log network use, capacity and space utilization.

e. At any time, the County may access or examine electronic mail and/or monitor messages on its equipment, Information Systems, or networks.

f. At any time, the County may access or examine files or any other materials stored on its equipment or networks.

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g. At any time, the County may monitor and audit any user's access to all of the organization's Workstations, portable devices, servers, Information Systems, Internet activities, and applications.

h. The County may archive or delete files or any other materials on its equipment or networks, as deemed necessary.

~~15~~16. Confidentiality

The County uses and stores Confidential Information in various forms throughout the facilities that is used to provide services to the community. All Confidential Information is the property of the County. Certain Workforce members and/or contract workers may be required to sign a confidentiality agreement form for the department they work in. Unauthorized release, distribution or copying of confidential information is prohibited.

Protecting information assets and systems rests on all users and, therefore, all users are accountable for their actions. All users of information assets or systems must take appropriate care to ensure that the information assets/systems they use in the course of their work are protected from unauthorized access, use, disclosure, modification, and destruction.

When approached by an individual that may be able to view Confidential Information to which they are not authorized, users minimize the Information System or otherwise secure it so that the individual is not able to view the Confidential Information.

Workstations are placed in secure areas away from regular client, consumer or subscriber traffic and display screens are positioned to minimize unauthorized viewing and/or access, whenever feasible.

County issued mobile devices may be taken offsite. Other types of Workstations (e.g. desktop computer) may be taken off the premises when approved by a Department Head and IT Director. When Confidential Information is stored on them, all Workstations must be encrypted. The IT Division maintains a list of each Workstation issued to individuals.

When authorized to remove Workstations (including mobile devices and desktop computers) from the premises:

a. Protect them with security controls equivalent to those for on-site Workstations/mobile devices.

b. When transporting these Workstations /mobile devices as applicable:

1. Place them in closed bags.

2. Place them in the trunk of vehicles (if there isn't a trunk, in an area that is out of plain sight) when unattended for short periods of time; do not leave them in a vehicle overnight

3. Do not leave them in a vehicle during extreme hot or cold temperatures.

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4. Take them as carryon luggage when traveling.

Save / store all information on the County's network drives, not on Workstations or flash / USB drives. This ensures information is sufficiently backed up and secured. PHI may not be stored on flash / USB drives except for when the Privacy Officer agrees to a client, consumer, or subscriber access to records request. Note that data stored locally on desktop computers, laptops, other personal Workstations, and flash / USB drives are not backed up. If it is necessary to store information on a Workstation, such as when traveling or a network drive is not currently available, obtain approval from and coordinate with a Department Head and IT Division to ensure the information is sufficiently backed up and encrypted.

All users are responsible for practicing precautions to protect the Confidentiality, Integrity, and Availability of Confidential Information at all times. Users are required to monitor Workstations and take measures to prevent unauthorized access and theft.

Users may only access, use, and disclose the Minimum Necessary Confidential Information:

c. When needed to perform assigned job responsibilities

d. As allowed by County policies and procedures

e. As allowed by law

Users are required to comply with all applicable information security policies, standards and procedures to ensure that the County's Information Systems and assets areas are protected.

Users may not access their own, a family member's, friend's, or relative's PHI on paper or in any Information System without prior authorization from their Department Head and as allowed by the organization's policies.

~~16~~17. Dual Relationships

a. When users have a personal relationship with a client, consumer, subscriber (past or present), efforts shall be made to avoid a dual relationship including eliminating records accessed by that users as well as limiting case assignment (as software capabilities allow) by a user member to that person.

b. Record access and case assignment shall be determined on a case by case basis subject to approval of the program manager.

c. When a client, consumer, subscriber expresses that they view it as a dual relationship or conflict of interest and evidence supports a past or present relationship – it is viewed as such.

d. If one of these individuals needs care, request a co-worker to take care of the client, consumer, subscriber.

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e. If it is an urgent care situation and nobody else is available to help, provide care and inform their Department Head in the organization of the situation.

f. Any users who becomes aware of a potential dual relationship or conflict of interest shall immediately divulge this information to their Department Head.

~~17~~18. Data Backups

a. Data that is stored locally on desktop computers, laptops, and other personal Workstations are not backed up.

b. Data that is stored on systems that are not managed by the Information Technology department are not backed up.

c. Only Workforce and vendors / Business Associates authorized by the Information Technology Director are allowed to perform backups.

~~18~~19. Contingency Plan

a. Workforce members are required to report when systems and networks are down, or suspect a potential business continuity threat.

b. Workforce members are also expected to cooperate with Contingency Plan / Disaster Recovery efforts.

~~19~~20. Integrity

a. The County utilizes various methods to protect Confidential Information from improper and/or unauthorized alteration or destruction and validate that this hasn't happened until properly disposed.

b. To assist with Integrity related controls, users:

1. May only change/amend Confidential Information in Information Systems and on their Workstations as described in amendment of PHI policies and procedures.

2. During the regular course of their job responsibilities, are required to check for and report any errors or potential errors of Confidential Information identified in Information Systems to a member of the management team.

~~20~~21. System Build / Change Control

a. Changes to the information technology infrastructure (e.g. changing, purchasing, or otherwise introducing new applications or technologies into the information technology production environment) may only be done by Workforce and vendors / contractors authorized by the IT Division.

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b. System builds, changes, and work necessary to follow and implement security baseline standards are completed, or at a minimum supervised, by individuals with minimum skill sets needed to complete the work.

c. Refer to the System Build / Change Control policy for additional system build / change management requirements.

Applicable Standards/Regulations

- 45 CFR § 164.308(a)(1)(ii)(D) HIPAA Security Rule Information System Activity Review
- 45 CFR §164.308(a)(3)(i) HIPAA Security Rule Workforce Security
- 45 CFR §164.308(a)(4)(i) HIPAA Security Rule Information Access Management
- 45 CFR §164.308(a)(4)(ii)(B) HIPAA Security Rule Access Authorization
- 45 CFR §164.308(a)(4)(ii)(C) HIPAA Security Rule Access Establishment and Modification
- 45 CFR § 164.308(a)(5)(ii)(C) HIPAA Security Rule Log-in Monitoring
- 45 CFR §164.308(a)(5)(ii)(D) HIPAA Security Rule Password Management
- 45 CFR § 164.308(a)(7)(ii)(A) HIPAA Security Rule Data Backup Plan
- 45 CFR § 164.308(a)(7)(ii)(B) HIPAA Security Rule Disaster Recovery Plan
- 45 CFR §164.310(b) HIPAA Security Rule Workstation Use
- 45 CFR §164.310(c) HIPAA Security Rule Workstation Security
- 45 CFR §164.312(a)(2)(i) HIPAA Security Rule Unique User Identification
- 45 CFR §164.312(a)(2)(iii) HIPAA Security Rule Automatic Logoff
- 45 CFR §164.312(a)(2)(iv) HIPAA Security Rule Encryption and Decryption
- 45 CFR § 164.312(b) HIPAA Security Rule Audit Controls
- 45 CFR. §164.312(c)(1) HIPAA Security Rule Integrity
- 45 CFR §164.312(c)(2) HIPAA Security Rule Mechanism to Authenticate Electronic PHI
- 45 CFR §164.312(d) HIPAA Security Rule Person or Entity Authentication
- 45 CFR §164.312(e)(1) HIPAA Security Rule Transmission Security
- 45 CFR §164.312(e)(2)(ii) HIPAA Security Rule Encryption
- 45 CFR §164.312(e)(2)(i) HIPAA Security Rule Integrity Controls

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** NEW POLICY **

DATA BACKUP AND MEDIA MANAGEMENT POLICY AND PROCEDURES

Purpose

Backing up Electronic Protected Health Information (ePHI) and other Restricted Information, as well as Sensitive Information, collectively "Confidential Information", and the correct storage of it are an important part of the day-to-day operations of the organization's information security program.

The primary purpose for system backups is to avoid any data loss due to hardware failure, computer virus attack, or any disaster situation that could cause data loss on the network servers, and services provided by network servers (e-mail, databases, etc.). In addition, the backup system allows the ability to provide file restoration for user files that are stored on networked servers. Backups are done so that information is available as needed, even during system failures and emergencies (as feasible). Guidelines are established to track the movement of Hardware and Electronic Media containing Confidential Information to help maintain the confidentiality, integrity and availability of it.

Responsible for Implementation

It is the responsibility of the IT Director for implementing and overseeing this policy and procedures.

The IT Division is responsible for overseeing and delegating Confidential Information data Backups and logging and monitoring of movements of Hardware and Electronic Media containing Confidential Information.

Policy

1. It is the policy of Chippewa County (herein County) to establish and implement procedures to create and maintain retrievable exact copies of Confidential Information.

2. To assure that complete, accurate, retrievable, and tested back-ups of Confidential Information are available for all information systems used by the organization, as needed.

3. To create a retrievable exact copy of Confidential Information before movement of equipment.

4. To maintain a record/log of movements of Hardware and Electronic Media containing Confidential Information.

Procedures

1. <u>Data Backups – General Requirements</u>

   a. Refer to the Technology and Information Privacy and Security policy in the IT Policy Manual – Data Backups section for general Backup requirements.

2. <u>Confidential Information Data Backup</u>

   a. Performing Backups:

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1. Individuals responsible for data Backups are trained by individuals experienced on the procedures to complete these Backups, before being allowed to complete a Backup.

2. When Confidential Information Backups are completed and/or stored by a vendor:

   a). The vendors are required to have the below stated controls in place, at a minimum.

   b). A Business Associate Agreement is in place, as required by the Business Associate Policy.

   c). Also refer to the Service Providers policy for additional requirements.

b. Detailed procedures describing how to Backup systems are documented and maintained by the IT Division and include:

1. System name
2. Type of information backed up
3. Live data storage location
4. Backup storage location
5. Backup frequency
6. Class of information backed up
7. Backup retention period, including daily, weekly, monthly, quarterly, and annual backups
8. Type of encryption used for the transmission and storage media
9. Documentation confirming when backups were completed
10. Process to validate proper execution and success of each backup
11. Process to respond to and track each issue found or reported via alerts for all backups and insure prompt response and remediation and successful re-execution of failing backup
12. How to recover data from backups
13. Required backup restoral tests process, intervals and tracking to confirm complete backup and restoral integrity

c. Reasonable efforts are made to utilize the following backup controls, at a minimum:

1. Backup types and frequency.

   a). Virtual servers:

      1). Perform Backups in in a manner that the information system or asset can be fully restored on or offsite to ensure availability

      2). Perform hourly asynchronous replication to the backup data center

      3). Daily backups are retained six (6) months

      4). Quarterly full tape backups are retained for two (2) years

      5). Yearly tape backups are retained for two years

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6). Domain controllers are backed up nightly

b). Video surveillance servers are not currently backed up.

d. Backup storage:

1. Virtual Backups are performed offsite.

2. Tape backups are stored in a separate building than the servers.

3. To protect them from loss or environmental damage Backups are stored:

a). In an environmentally protected (from fires, water damage, wind damage, etc.) location such as a fireproof, locked safe that is not located next to a water source.

b). In a physically secured location that has a very low probability of being affected by the same disaster as where the live data is stored.

c). So that access is limited to only those key individuals responsible for the Backups and/or recovery of data off the Backups.

e. Transporting of Backups:

1. Confidential Information stored on portable backup storage media is encrypted (refer to the Technical Access Control policy).

2. Backup drives, disks, or tapes and other portable media containing Confidential Information must be protected from unauthorized access and may only be handled by authorized individuals.

3. Backups are transported directly to the backup storage facility.

4. Backups may not be left in an unattended vehicle.

f. Backup software automatically sends email alerts to the IT Division on success, warning, and error backup jobs.

g. Test Backups on a quarterly basis. Document when files have been completely and accurately restored from the back up media.

3. <u>Moving Confidential Information – Electronic Media</u>

It is not possible or economically practical to control all Electronic Media that enter, leave, and are moved throughout the organization and remotely. The organization makes all reasonable and prudent efforts to control Electronic Media entering and leaving the organization. All users are responsible for securing devices when on and off the premises, according to the organization's information security policies. Electronic Media is encrypted as stated in the Technical Access Control Policy.

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a. Refer to the Technology and Information Privacy and Security policy in the IT Policy Manual – Confidentiality section for requirements related to removing Workstations from the premises.

b. Prior to moving Hardware or Electronic Media that stores (e.g. such as servers, hard drives, backups, etc.) or transmits Confidential Information, excluding previously approved Workstations, to a new location:

1. Backup a retrievable copy of the Confidential Information, on a separate device when possible. The individual(s) that creates the Backup also manages the Backup Electronic Media as described in the above Confidential Information Data Backup procedures.

2. Record it on a Data Management: Moving Media Log.

3. The IT Division maintains copies of the Moving Media Log.

c. Before disposing of Electronic Media at an offsite location, refer to the Disposal Policy.

4. Documentation

All documentation required by this policy is maintained for six (6) years from the date of creation or the date when it was last in effect, whichever is later.

Reporting and Compliance

Refer to the Information Privacy and Security policy for requirements to reporting suspected and known non-compliance of this policy and procedure as well as potential outcomes for violations.

Key Definitions

For capitalized terms refer to the HIPAA Privacy and Security Definitions document.

Resources

1. NIST Contingency Planning Guide for Federal Information Systems, SP 800-34 Rev 1, November 2010
2. HIPAA COW Data Management and Backup Policy, version #8, 4/19/05

Applicable Standards/Regulations:

1. 45 CFR § 160.103(a) HIPAA definition of Electronic Media (1/25/13)
2. 45 CFR § 164.308(a)(7)(ii)(A) HIPAA Security Rule Data Backup Plan
3. 45 CFR § 164.310(d)(1) HIPAA Security Rule Device and Media Controls
4. 45 CFR § 164.310(d)(2)(iii) HIPAA Security Rule Accountability
5. 45 CFR § 164.310(d)(2)(iv) HIPAA Security Rule Data Backup and Storage

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** NEW POLICY **

MALICIOUS SOFTWARE PROTECTIONS POLICY

Purpose

Malicious software (e.g. viruses, malware, Trojan horses, worms, and ransomware) is hostile and intrusive software that has the ability to breach, alter, delete, destroy, and otherwise make data not available. The purpose of this policy is to put in place general safeguards, technologies, monitoring, procedures and a timely patch management program to effectively prevent vulnerabilities from being exploited as well as reduce risks associated with the introduction of malicious software.

Responsible for Implementation

The Information Technology Director is responsible for developing, approving, and overseeing this policy and procedures. The Information Technology Division responsible for implementing this policy and procedures.

Policy

It is the policy of the County to make reasonable efforts to guard against, detect, report, and remove malicious software through the use of anti-malware software, a timely patch management program, properly configured firewalls, and monitoring.

Procedures

1. General Protections from Malicious Software / Malware

    a. If a virus or other malicious software is detected or suspected, users shall immediately contact the Information Technology Division and cease to use the device and/or system. The Information Technology Division shall research and mitigate it, as well as report it as a Security Incident per the Privacy and Security Incident Response policy (refer to the 416 Information Privacy and Security Policy).

    b. Components and information systems for which anti-malware software and/or patches that are outdated and/or cannot be managed, maintained or updated are on a separate network segment or VLAN.

2. General Technology / Controls

    a. The County utilizes current anti-malware software, a patch management process, and secure firewalls to guard against, detect, report, and remove malicious software.

        1. The Information Technology Division is responsible for maintaining current, effective, and documented anti-malware, patches, and firewalls.

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2. The County scans all software and files accessed or downloaded from external sources including, but not limited to the internet, USB drives, floppy diskettes, other portable devices, and network drives before installing or using it (this may be automated or manually done, depending upon the media).

b. The Information Technology Division is authorized to select and use tools that are designed to detect network vulnerabilities and intrusions. Use of such tools by others are explicitly prohibited without the explicit authorization of the Information Technology Director. These tools may include, but are not limited to:

1. Vulnerability testing software to probe the network to identify what is running (e.g., operating system or product versions in place), assess whether publicly-known vulnerabilities have been corrected, and evaluate whether the system can withstand attacks aimed at circumventing security controls. Refer to the System Build / Change Control policy.

2. Scanning tools and devices.

3. War dialing software.

4. Password cracking utilities (only utilized in extreme / critical cases).

5. Network “sniffers”.

6. Passive and active intrusion detection systems. Refer to the Intrusion Detection standard.

7. External auditors hired are independent of other organizational operations, have technical expertise in the type of audit conducted, and sign a Business Associate Agreement.

3. Anti-malware software

a. Anti-malware software is on all servers, Workstations, portable devices, and email applications.

b. Users may not turn off or disable anti-malware systems.

c. Refer to the Malware Standard for baseline implementations and scanning requirements.

d. To verify anti-malware software is installed and current, auditing is completed for each type of device/electronic media, automated mechanisms and reporting are in place and a status review shall be completed on a weekly basis.

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4. Patch management

a. A patch management process is in place to promptly identify risks posed by software security vulnerabilities and take appropriate actions to mitigate them.

b. Patching procedures adhere to the System Build / Change Control policy and procedures.

c. For systems and components managed by the County, the Information Technology Division and/or System Administrators shall:

1. Subscribe to and monitor industry-accepted third-party vulnerability notifications (e.g. vendor websites, industry news groups, mailing lists, or RSS feeds).

2. Monitor for Information System, Workstation, Electronic Media, hardware device, firmware, and other system component security patches, hot-fixes, service packs, and/or zero-day vulnerabilities on a weekly basis at a minimum.

3. Determine and document when it is acceptable to automate patches (e.g. for non-mission critical applications and operating systems).

4. Document the oldest operating systems that may be used and when it is not possible to utilize current operating systems and/or critical security patches, methods to secure the Workstation/device/equipment (e.g. network segmentation) shall be implemented.

5. Patch new equipment and software to the current patch level prior connecting it to any production network.

6. Develop a process and frequency to report the state of patching across all assets including the current status of all hardware device operating system levels and any missing patches.

d. When updated security patches are identified, the Information Technology Division and System Administrators shall:

1. Evaluate the patches to determine whether they adequately reduce risk or vulnerabilities and assign a patch rating as defined below:

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Security Patch Rating	Definition	Action
Critical	Exploitation could result in compromise of the confidentiality, integrity or availability of restricted information assets or systems. Exposure is high on all platforms.	Patch or workaround should be applied immediately (unless it is documented that it will negatively impact systems / operations).
Important	Exploitation could result in compromise of the confidentiality, integrity or availability of information assets or systems, but to a lesser degree than a critical patch. Exposure to an exploit is mitigated by other factors.	Patch or workaround should be applied as soon as possible, no later than 1 week.
Moderate	Exploitation is mitigated to a significant degree by factors such as auditing, need for user action or difficulty of the exploitation.	Evaluate patch bulletin or workaround and apply as soon as possible, no later than 1 month.
Low	Exploitation is extremely difficult or there is minimal impact to information assets or systems.	Evaluate patch bulletin or workaround and apply in the course of normal maintenance operations if appropriate.

2. Make an analysis of patches to be deployed to determine system dependencies and outline a course of action to include testing and deployment

3. Work with contracted third-party vendors that manage Information Systems.

4. Test the patches:

   a). On test systems so any patch-related issues can be identified and resolved before the patches are installed on production systems (when available).

   b). To verify:

      1). They are effective in addressing the target vulnerability.

      2). They do not inadvertently cause other problems.

      3). Back-out or rollback options including data backup are available.

5. Deployment of patches:

   a). The Information Technology Division and System Administrators shall apply Workstation and software patch updates as they become available. This applies to all Workstations, including remote Workstations owned by the County. Examples include, but are not limited to:

      1). Windows operating systems

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2). Smart phones

3). Java

4). Adobe, including Flash Player

5). Internet Explorer, Microsoft Edge, Google Chrome, etc.

6). Information Systems that create, receive, maintain, and / or transmit Confidential Information

b). The Information Technology Division and System Administrators shall deploy other appropriate patch updates as soon as possible following appropriate testing, and within two (2) weeks of their release, at a minimum, unless it is documented that it will negatively impact operations or systems.

6. Document implemented patches and decisions/reasons to reject security patches.

7. Also refer to the Firewall, Peripheral System Configuration, Router, Windows Server, Linux Server, Database, and Network Perimeter Management Design standards.

e. Auditing is completed on a monthly basis on a minimum of 5-10% of Information Systems, Workstations, Electronic Media, hardware devices, and other system components to verify patches are current and to check for zero critical updates.

5. Firewalls

a. Networks and servers are secured with secure stateful packet inspection Firewall(s).

b. The County firewalls may not be bypassed.

c. Refer to the Firewall Standard for baseline implementations.

Reporting and Compliance

Refer to the Privacy and Security Oversight policy for requirements to reporting suspected and known non-compliance of this policy and procedure as well as potential outcomes for violations.

Key Definitions

For capitalized terms refer to the HIPAA Privacy and Security Definitions document.

Applicable Standards/Regulations

1. 45 CFR § 164.308(a)(5)(ii)(B) HIPAA Security Rule Protection from Malicious Software.

Attachment: 02 IT Malicious Software Policy FINAL 08-09-2022 (7292 : New HIPPA Policies - Second Reading - Toni Hohlfelder)

** NEW POLICY **

REMOTE ACCESS POLICY

Purpose

The purpose of this policy is to define and utilize uniform security requirements for remotely connecting to Chippewa County's (herein County) network and information assets. The requirements are designed to minimize potential exposure from damages that may result from unauthorized access to the County's information assets/systems and electronic protected health information (ePHI) and other Restricted Information as well as Sensitive Information.

Responsible for Implementation

The Security Officer and IT Division are responsible for implementing and overseeing this policy and procedures.

Policy

It is the policy of County to:

1. Safeguard electronic protected health information (ePHI) and other Restricted Information as well as Sensitive Information, collectively "Confidential Information" through established requirements for remote access to County 's networks and information systems.

2. Implement processes and mechanisms to support the confidentiality and safeguarding requirements as outlined in the Technology and Information Privacy and Security policy.

Procedures

1. Remote access is a privilege, and is granted only to remote users (e.g. management Workforce members and authorized contracted vendors) who have a defined need for such access and who demonstrate compliance with the County's established safeguards which protect the confidentiality, integrity, and availability of Confidential Information.

2. Access is approved as described in the System Access policy and Technology and Information Privacy and Security policy, when there is a clearly defined business need.

    a. Business associates, Subcontractors, contractors, and vendors may be granted remote access to the network, provided they have a contract or other required agreement with the County (refer to the Business Associate policies).

    b. The ability to print a document to a remote printer is not supported without approval by the IT Director.

3. Encryption:

    a. Security credentials are encrypted during transmission.

    b. Remote communication to the internal network over public networks is encrypted.

Attachment: 02 IT Remote Access FINAL 08-09-2022 (7292 : New HIPPA Policies - Second Reading - Toni Hohlfelder)

c. Workstations are encrypted, if Confidential Information is stored on them, as described in the Technical Access Control policy.

4. VPN access:

   a. VPN gateway devices and configurations are set up and managed by the County's IT Division, users and their accounts are managed by the County.

   b. Only the IT Division approved VPN connection originating from inside the County's network are allowed.

5. Remote host systems accessing the County's network must meet the County's security standards.

6. Personal equipment and workstations shall not be used to remotely access the County's network and/or information systems.

7. Only vendors authorized by the IT Division may use non-County equipment and workstations to remotely access the County's network and systems.

8. The County maintains logs of all activities performed by remote access users while connected to County's network (refer to the Auditing policy).

9. The IT Division shall facilitate remote access annual auditing of the security controls in place (for example 5-10% of remote access users should be audited of security user configurations annually).

10. The Security Officer and IT Division maintain documentation related to this policy and procedures for a minimum of six (6) years.

Reporting and Compliance

Refer to the Privacy and Security Oversight policy for requirements to reporting suspected and known non-compliance of this policy and procedure as well as potential outcomes for violations.

Key Definitions

For capitalized terms refer to the HIPAA Privacy and Security Definitions document.

Resources

1. HIPAA COW Remote Access policy 2/27/13

Applicable Standards/Regulations

1. 45 CFR §164.312(a)(2)(iii) – HIPAA Security Rule Automatic Logoff
2. 45 CFR §164.308(a)(3)(ii)(B) – HIPAA Security Rule Workforce Clearance Procedures
3. 45 CFR §164.308(a)(3)(ii)(C) – HIPAA Security Rule Termination Procedures
4. 45 CFR §164.308(a)(4)(ii)(B-C) – HIPAA Security Rule Access Authorization

Attachment: 02 IT Remote Access FINAL 08-09-2022 (7292 : New HIPPA Policies - Second Reading - Toni Hohlfelder)

** NEW POLICY **

SYSTEM ACCESS POLICY

Purpose

To establish guidelines to protect Electronic Protected Health Information (ePHI), and other Restricted Information and Sensitive Information from unauthorized access, use, disclosure, and modification, as well as safeguards to prevent theft of Workstations and other equipment that create, receive, maintain, or transmit this information.

Responsible for Implementation

The Privacy Officer, Security Officer, IT Division, Human Resources Division, management team, and Department Heads are responsible for implementing and overseeing this policy and procedures.

Policy

It is the policy of Chippewa County (herein County):

1. To safeguard the confidentiality, integrity, and availability of Protected Health Information (PHI), Electronic Protected Health Information (ePHI), and other Restricted Information and Sensitive Information (collectively "Confidential Information") by controlling access to it.

2. To implement processes and mechanisms to support the confidentiality and safeguarding requirements as outlined in the Technology and Information Privacy and Security Policy.

3. To provide only the Minimum Necessary access to Confidential Information to all users, including but not limited to Workforce members, volunteers, business associates, contracted providers, consultants, and any other entities.

4. To prevent unauthorized access, use, disclosure, modification, and theft through established Workstation and Information System security safeguard controls.

Procedures

1. Roles: Role based access is provided to all Information System users, such as access to software, servers, Internet sites, transactions, Workstations, and portable devices that contain or transmit Confidential Information.

    a. Access levels for Information Systems are based on job classifications (based on business need, skill levels, and abilities to fulfill particular roles) and provide the Minimum Necessary access to Confidential Information needed to perform job responsibilities (treated on a least-access principle).

        1. Blanket access is not provided for any user.

Attachment: 02 IT System Access Policy FINAL 08-15-2022 (7292 : New HIPPA Policies - Second Reading - Toni Hohlfelder)

2. Information Systems are programmed so that only the IT Division and other System Administrators are able to create and assign access to systems.

3. Individuals may not create their own access roles.

b. System Administrators and appropriate member of the management team / Department Head facilitate the following for all Information Systems and Workstations that create, receive, maintain or transmit Confidential Information, or otherwise provide access to Confidential Information:

1. Approve access levels/roles as well as requests for changes.

2. Maintain documentation describing the roles for all Information Systems and Workstations including the following:

a). Type of access such as read-only, modify, and full-access in different system functions

b). List of users assigned to each role (current and previous)

c). Analysis done to determine the access needs of users and the reasons for decisions made.

c. System Administrators, in collaboration with an appropriate member of the management team/Department Head annually when possible, but at a minimum every two years, shall provide the IT Director with a list of users with access to Confidential Information and review it to ensure they are consistent with authorized roles and continue to meet the Minimum Necessary access needed.

1. Changes are made, as appropriate to achieve Minimum Necessary access.

2. When roles are changed it is recommended that the reasons for the change as well as the date, time, and who changed it is documented and the documentation is maintained by System Administrators and appropriate member of the management team / Department Head.

2. Organizations, Consultants, and Vendors That Do Not Work Directly with Confidential Information: Have organizations, consultants and/or vendors that do not directly work with Confidential Information, that may inadvertently see and/or hear Confidential Information while working onsite, and a contract is not in place that otherwise requires protections of Confidential Information sign a Confidentiality Agreement for an Organization, Consultant and/or Vendor that Does Not Directly Work with Confidential Information.

3. Segregation of Duties: Access authorizations, changes, suspensions, and terminations are segregated to avoid conflict of interest, collusion, fraudulent or other malicious activity as it pertains to Confidential Information.

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a. A single individual shall not perform a process from the beginning to the end without the involvement of another individual or group with appropriate authority. In smaller departments, segregation of duties is a challenge and it is recommended to request someone other than the individual who made the change to review the changes being made.

b. Users, regardless of their level of authority, shall not add or change their access without approval from an appropriate authority (e.g. user's Department Head or designee, system owner, Security Officer, Privacy Officer, etc.).

c. System administrators or any other user shall not change system security or audit functions without written approval from the Department Head or designee

4. Authorizing Access:

a. Background checks

1. Before individuals are allowed to access the organization's Information Systems, Workstations, portable devices, transactions, and servers, the Department Head or designee is required to provide the Human Resources Division with documentation of at least two positive work-related background checks prior to job offer and the Human Resources Division maintains documentation of the results.

2. Office of Inspector General (OIG) Exclusion List of Excluded Individuals and Entities (LEIE) are done upon hire and monthly by the Human Resources Division.

3. Caregiver Background checks are done upon hire and every four years by the Human Resources Division.

b. Access Requests

a. All users sign a "Confidentiality and Information Access Agreement" (Agreement), as well as other relevant privacy and security policies, procedures, and agreements. The Human Resources Division shall maintain a copy of the signed agreement.

b. For Third Party users, verify a Third-Party Agreement and/or Business Associate Agreement has been signed (refer to the Service Providers and Business Associate policies).

c. The appropriate Department Head coordinates efforts to request and approve access to department specific, managed, administered systems and maintain the following documentation (note: documentation is optional for Information Systems that do not create, receive, maintain, or transmit Confidential Information):

a). A copy of the request.

b). Name of the individual who requested the access.

c). Name of the person who set up the access.

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d). The date and time access was set up.

e). User's assigned role(s).

d. The Department Head or designee shall complete a Request for Access (RFA) form to request access for users to Confidential Information (those listed on the RFA form):

a). Access levels and roles requested shall adhere to approved role-based access levels, as defined in the above Roles section.

b). For remote access requests, refer to the Remote Access Policy in the Information Technology Policy Manual for access permissions and safeguarding requirements.

c). Forward the completed RFA to the Human Resources Division at least two (2) weeks prior to the start date and the Human Resources Division shall forward the request to the IT Division.

e. The IT Division and other System Administrator(s) shall set up access based on the pre-approved roles. Emergency access may only be provided when normal processes cannot be conducted or are ineffective.

a). To request emergency access, a direct Supervisor or Department Head shall send an email to the IT Division. Include the following in the email:

1). Emergency situation.

2). Valid business purpose for access.

3). Unsuccessful normal access means attempted.

4). Who will be accessing the information.

5). For what period of time access will be granted.

6). The method of access.

b). Upon approval of the IT Division and the Department Head, emergency access may be provided.

c). Emergency access shall be immediately revoked when either the approved time period for access expires or the business purpose has been fulfilled.

f. The IT Division or other System Administrator(s) shall forward user names and temporary, unique, one-time use passwords directly to the user or Department Head in a secure manner (e.g. in a sealed envelope, call the user directly, send an internal email to the user, etc.).

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g. The IT Division and other System Administrator(s) shall maintain the following documentation (note: documentation is optional for Information Systems that do not create, receive, maintain, or transmit Confidential Information):

a). A copy of the request.

b). Name of the individual who requested the access.

c). Name of the person who set up the access.

d). The date and time access was set up.

e). User's assigned role(s).

5. Modifying Access:

a. When a user's role changes or their access needs to an Information System, Workstation, portable device, transaction, or server is no longer needed, the Department Head shall:

1. Complete an RFA form and submit to the HR Division for Workforce members and contractors/vendors.

2. Coordinate efforts to change access to department specific, managed or administered systems and maintain the following documentation (note: documentation is optional for Information Systems that do not create, receive, maintain, or transmit Confidential Information):

a). A copy of the request.

b). Name of the individual who made the change request.

c.). The date and time access was changed.

d). Name of the person who changed the access.

e). Previous and new roles assigned.

3. Review the Facility Access policy for any additional requirements.

b. The HR Division shall forward the approved request to the IT Division (refer to the Authorize section above) to change the user's access role.

c. The IT Division / System Administrator(s) shall change the user's access after receiving the request, based on the pre-approved roles.

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d. IT Division and System Administrator(s) shall maintain the following documentation (note: documentation is optional for Information Systems that do not create, receive, maintain, or transmit Confidential Information):

1. A copy of the request.

2. Name of the individual who made the change request.

3. The date and time access was changed.

4. Name of the person who changed the access.

5. Previous and new roles assigned.

6. Terminating Access:

a. When a user's access to the organization's Information Systems, Workstations, portable devices, transactions, and servers, is no longer required due to termination of the relationship with the organization, end of a specific project, or access is otherwise no longer needed, the Department Head shall:

1. Immediately, or as soon as practical, coordinate efforts to terminate access to department specific, managed and administered systems and maintain the following documentation (note: documentation is optional for Information Systems that do not create, receive, maintain, or transmit Confidential Information):

a). The date and time access was terminated.

b). Name of the person who terminated the access.

2. Collect equipment and other items distributed or owned by the County.

3. Email the Human Resources Division immediately, or as soon as practical, to notify them that the access shall be terminated. The Human Resources Division shall:

a). Request send an IT Help Desk ticket via email to deactivate the user's access.

b). Facilitate completion of the applicable Separation Checklist as a guide to make all necessary changes.

3. Review the Facility Access policy for any additional requirements.

b. Access shall be terminated if there is evidence or reason to believe the following (these shall also be reported on a Privacy and Security Incident Response form per the Incidents Policy):

1. The user has been using their access rights inappropriately.

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2. A user's password has been compromised (a new password may be provided to the user if the user is not identified as the individual compromising the original password).

3. An unauthorized individual is utilizing a user's User Login ID and password (a new password may be provided to the user if the user is not identified as providing the unauthorized individual with the User Login ID and password).

c. The HR Division maintains a copy of the Separation Checklist (or documentation of the termination request received) and the reason for the termination.

d. The IT Division and other System Administrator(s) shall:

1. Terminate access immediately after receiving the request, but no later than 24 hours from the notification of the request, whether received verbally or in writing.

2. Maintain the following documentation regarding terminations (note: documentation is optional for Information Systems that do not create, receive, maintain, or transmit Confidential Information):

a). The date and time access was terminated.

b). Name of the person who terminated the access.

7. Logging-off Systems:

a. Information Systems that create, receive, maintain or transmit, or otherwise provide access to Confidential Information; VPN, Citrix, & other software application sessions; and Workstations are configured to automatically lock after a specified amount of inactivity as outlined in the Technology and Information Privacy and Security policy.

1. These timeframes are set by the IT Division and other System Administrator(s) and shall not be changed by users.

2. The user's password shall be used to re-establish the session.

b. Invalid attempt automated account locks for Information Systems that create, receive, maintain or transmit, or otherwise provide access to Confidential Information and Workstations settings are configured by the IT Division and other System Administrator(s), as outlined in the Technology and Information Privacy and Security policy.

8. User Authentication and Passwords:

a. Access to Information Systems and County's Confidential Information is controlled, at a minimum, by requiring a unique UN & PW for each individual user, including Administrator roles, so that access may be tracked.

b. Password safeguards

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1. Vendor supplied default passwords shall be changed before a system is attached to County's network.

2. County leaders and System Administrators shall not maintain a list of user passwords, except for generic Workstation passwords (when authorized as stated above).

c. The IT Division and other System Administrator(s) shall set minimum password configurations as outlined in the Technology and Information Privacy and Security Policy and the Unique User IDs, Passwords, and Configurations Policy to the extent technologically possible, so that users are forced to use them.

9. Exceptions: Exceptions to this policy and procedures shall be authorized and documented by the Security Officer.

10. Documentation: All documentation related to this policy and procedures is maintained for a minimum of six (6) years from the date of creation or date it was last in effect, whichever is later.

11. Health Care Clearinghouse: This organization is not a health care clearinghouse, and therefore, does not have nor need any health care clearinghouse procedures.

Reporting and Compliance

Refer to the Privacy and Security Oversight policy for requirements to reporting suspected and known non-compliance of this policy and procedure as well as potential outcomes for violations.

Key Definitions

For capitalized terms refer to the HIPAA Privacy and Security Definitions document.

Resources

1. HIPAA COW System Access Policy, Version 10, 4/4/05
2. OIG exclusion list:
   - Exclusion search: http://exclusions.oig.hhs.gov/
   - Downloadable database: http://oig.hhs.gov/exclusions/exclusions_list.asp
3. SAM database: https://www.sam.gov/portal/SAM/#1

Applicable Standards/Regulations

1. 45 CFR §164.308(a)(3)(i) HIPAA Security Rule Workforce Security
2. 45 CFR §164.308(a)(3)(ii)(B) HIPAA Security Rule Workforce Clearance Procedures
3. 45 CFR §164.308(a)(3)(ii)(C) HIPAA Security Rule Termination Procedures
4. 45 CFR §164.308(a)(4)(i) HIPAA Security Rule Information Access Management
5. 45 CFR §164.308(a)(4)(ii)(A) HIPAA Security Rule Isolating Healthcare Clearinghouse Function
6. 45 CFR §164.308(a)(4)(ii)(B) HIPAA Security Rule Access Authorization
7. 45 CFR §164.308(a)(4)(ii)(C) HIPAA Security Rule Access Establishment and Modification

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8. 45 CFR §164.308(a)(5)(ii)(D) HIPAA Security Rule Password Management
9. 45 CFR §164.310(b) HIPAA Security Rule Workstation Use
10. 45 CFR §164.310(c) HIPAA Security Rule Workstation Security
11. 45 CFR §164.312(a)(1) HIPAA Security Rule Access Control (Technical)
12. 45 CFR §164.312(a)(2)(i) HIPAA Security Rule Unique User Identification
13. 45 CFR §164.312(a)(2)(iii) HIPAA Security Rule Automatic Logoff
14. 45 CFR §164.312(d) HIPAA Security Rule Person or Entity Authentication

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** NEW POLICY **

BUSINESS ASSOCIATE POLICY

Purpose

To establish guidelines for Chippewa County (herein County) to identify vendor/business relationships which meet the HIPAA definition of a Business Associate and Subcontractor, provide direction in establishing formalized Business Associate Agreements (BAAs), and meet the requirements of the relationship between County and its Business Associates (BAs).

Responsible for Implementation

The Chippewa County Corporation Counsel, Privacy Officer, Security Officer, and Department Heads are responsible for implementing and overseeing this policy and procedures.

Policy

It is the policy of County to implement the required BA contract procedures and ensure documentation to establish satisfactory assurance of compliance with the HIPAA Privacy and Security Rules. It is the policy to have BAAs in place with BAs which establish appropriate safeguards for them to have in place for Protected Health Information (PHI) and Electronic Protected Health Information (ePHI).

Procedures

1. As indicated in the Vendor / Contractor Services section of the Information Privacy and Security policy, contact Corporation Counsel to assess whether a BAA is needed before entering into any agreement, contract, or other business relationship with any vendor or contractor, and before using, disclosing, or allowing them to create, receive, maintain, or transmit PHI or ePHI.

2. Corporation Counsel assesses whether a BAA is required, based on the:

    a. HIPAA definition of a BA

    b. The BA criteria provided in the BA definition in this policy

    c. Examples of Business Associates and Subcontractors Arrangements detailed later in the policy under Examples

    d. Examples of arrangements that are not Business Associates Relationships detailed later in the policy under Examples

3. When it has been determined that a BA arrangement exists with a vendor or contractor, Corporation Counsel or the Department Head or their designee shall facilitate getting a signed BAA document.

Attachment: DOA Business Associate Policy FINAL 9-20-2022 (7292 : New HIPPA Policies - Second Reading - Toni Hohlfelder)

a. A BAA signed by Corporation Counsel or the Department Head or their designee shall be obtained before allowing the BA to acquire, access, use, or disclose protected health information or electronic protected health information (ePHI)

b. Every attempt possible should be made to utilize County's BAA template

c. If a vendor or contractor relationship requiring a BAA is in the process of contract negotiation and development, the provisions of the BAA may be incorporated into the contract, or provided as a separate document

d. The following information shall be entered into County's BAA template, before providing it to the vendor or contractor:

1. Permitted uses and disclosures of PHI as applicable to the arrangement, if different than those stated in the BAA template.

2. Limitations on the use and disclosure of PHI as applicable to the arrangement, if different than those stated in the BAA template.

3. The name and address of the BA, as well as the name of the individual that will sign it.

4. When County hires or contracts with an individual or organization, the BAA with that BA includes the same (or more stringent, as applicable) restrictions and conditions as in the BAA with the originating organization

5. County does not have nor need any procedures to meet any governmental BA requirements.

4. Negotiating and/or signing of a different organization's BAA.

a. Examples of negotiating and/or signing a different organization's BAA:

1. The County may serve as a BA to another organization and may be asked to review and sign that organization's BAA.

2. A vendor or contractor may request changes be made to County's BAA.

3. After several attempts, a vendor or contractor may refuse to sign the County's BAA and require the County to sign their BAA.

b. In these situations, Corporation Counsel reviews the submitted BAA to ensure that the provisions outlined are consistent with those set forth in this policy as well as the County's BAA template, and contains all the required Privacy and Security Rule BA contract provisions. If the BAA is not consistent with this policy, the County's BAA, and/or contains additional provisions or provisions that are inconsistent with the regulations, Corporation Counsel may proceed with the following alternatives:

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1. Agree to the additional or different provisions and sign the BAA, if the inconsistencies are legal and acceptable.

2. Refuse to agree to the provisions and work with the other organization to establish a resolution.

5. When the provisions of the County's BAA change (due to legal or organizational changes), Corporation Counsel, the Department Head or their designee shall facilitate getting either a new BAA or BAA Addendum signed by all of the County's BAs.

6. The County does not have a statutory obligation to continuously monitor the activities of its BAs. The IT Division or Security Officer, however, facilitates the following:

a. Before entering into any agreement, contract, or other business relationship with any vendor or contractor, and before disclosing and allowing them to create, receive, maintain, or transmit Confidential Information refer to the Service Provider policy for additional steps to take.

b. Respond to reported privacy and security violations and breaches of unsecured PHI reported by the BA.

1. Works with the BA to take reasonable steps to cure any potential violation or end the violation.

2. Requests the BA provide information as to how and why the violation happened, all breach notification elements (as required in the Incidents Policy), measures they are taking to cure the violation and prevent it from reoccurring, and verification that appropriate disciplinary actions were provided to the violating party(s).

3. If the County knows of a pattern of activity or practice of a BA that constituted a material breach or violation of the BA's obligation under the BAA and steps taken to cure the cure the breach or end the violation were unsuccessful, terminates the BAA, whenever feasible. If not feasible, documents the reasons it is not feasible to terminate the BAA.

c. If any County workforce member becomes aware of a potential problem with the BAA, notify the Privacy Officer and/or Security Officer.

1. The Privacy Officer and/or Security Officer or designee notifies any other County workforce who may be able to assist with the situation, and takes reasonable steps to correct the problem.

2. The Privacy Officer and/or Security Officer or designee contacts the BA as soon as possible after discovering the potential infraction to address the issue. Depending on the terms of the BAA with the BA, the County will assess the options for termination or allowing a cure period.

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7. The County is not a BA of another organization; therefore, it is does not have nor need any procedures to follow any other organization's BAA.

8. BAAs are effective for the length of the relationship between the BA and the County, unless otherwise terminated under the provisions outlined in the BAA.

9. When a BA contract terminates, Corporation Counsel, the Department Head or their designee shall request the BA to return, destroy, dispose or sanitize all PHI and/or ePHI, according to the Disposal of Confidential Information Policy.

    a. If the BA destroys, disposes or sanitizes the PHI and/or ePHI, obtain written notification from the BA this was done.

    b. If returning, destroying, disposing or sanitizing is not feasible, request the BA to provide written notification that they agree to limit the use and disclosure of the information and documentation of the reason that is preventing the PHI and/or ePHI's return, destruction, disposal or sanitization.

10. Corporation Counsel, the Department Head or their designee shall maintain the following BAA documentation for a period of six years beyond the date of when the BAA relationship is terminated:

    a. Copy of the fully executed (signed) BAA in a place where it can be easily retrieved

    b. Name of the BAA

    c. Term of the contract

    d. Any additional notes, such as negotiations, as appropriate

Reporting and Compliance

Refer to the Privacy and Security Oversight policy for requirements to reporting suspected and known non-compliance of this policy and procedure as well as potential outcomes for violations.

Key Definitions

For capitalized terms refer to the HIPAA Privacy and Security Definitions document.

Attachment: DOA Business Associate Policy FINAL 9-20-2022 (7292 : New HIPPA Policies - Second Reading - Toni Hohlfelder)

Examples

EXAMPLES OF BUSINESS ASSOCIATES AND SUBCONTRACTOR ARRANGEMENTS INVOLVING PHI THAT REQUIRE A BUSINESS ASSOCIATE AGREEMENTS OR CONTRACT PROVISIONS	
Accrediting/Licensing Agencies (JCAHO) Accounting Consultants/Vendors Actuarial Consultants/Vendors Administrative Services Agents/Contractors Accessing PHI (Consultants) Application Service Providers (i.e., prescription mgmt.) Attorneys/Legal Counsel Auditors Backup service provider Benchmarking Organizations Benefit Management Organizations Billing Claims Processing or Administration / Clearinghouse Agency Contracts Cloud hosting vendor Coding Vendor Contracts Collection Agency Contracts Computer Hardware Contracts Computer Software Contracts Consultants/Consulting Firms Data Aggregation Data Analysis, Processing, or Administration Consultants/Vendors Data Storage Company Data Transmission Services that requires routine access to PHI Data Warehouse Contracts E-prescribing Gateway Emergency Physician Services Contracts Financial Services Health Information Organization (HIO) Hospitalist Contracts Insurance Contracts (Coverage for Risk, Malpractice, etc.) Interpreter Services Contracts IT/IS Vendors Legal Services Contracts Management Medical Staff Credentialing Software Contracts Microfilming Vendor Contracts Optical Disc Conversion Contracts	Pathology Services Contracts Paper Recycling Contracts Patient Safety Activities listed at 42 CFR 3.20 Patient Satisfaction Survey Contracts Payer-Provider Contracts (Provider for Health Plan) Personal Health Record Vendor (provided on behalf of the Organization to individuals) Physician Billing Services Physician Contracts Practice Management Consultants/Vendors Professional Services Contracts Quality Assurance Consultants/Vendors Radiology Services Contracts Record Copying Service Vendor Contracts Record Storage Vendors Release of Information Service Vendor Contracts Repair Contractors of Devices Containing PHI (digital copy machines, hardware, etc.) Repricing Researcher (performs a function, activity, or service for a CE that falls within the definition of BA; note that this is a limited scope; as Research is not a business associate service (does not fall under the definition of a business associate) Revenue Enhancement/DRG Optimization Contracts Risk Management Consulting Vendor Contracts Shared Service/Joint Venture Contracts with Other Healthcare Organizations Statement Outsource Vendors Telemedicine Program contracts Third Party Administrators Transcription Vendor Contracts Utilization Review Waste Disposal Contracts (Hauling, Shredding) <u>Health Plan Relationships:</u> Pharmaceutical Benefits Management Contracts Preauthorization Management Contracts Case Management Contracts Third Party Administrator (TPA) Contracts Wellness Promotion Contracts

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EXAMPLES OF ARRANGEMENTS THAT ARE NOT BUSINESS ASSOCIATE RELATIONSHIPS AND DO NOT REQUIRE BUSINESS ASSOCIATE AGREEMENTS OR CONTRACT PROVISIONS	
Banks Processing Credit Card Payments Blood Bank/Red Cross (Provider) Clinics (Provider Relationships) Courier Services Delivering Specimens Device Manufacturers Require PHI to Produce Pacemakers, hearing aids, glasses, etc. (Treatment) Cleaning/Janitorial Services (if do not handle PHI) DME for Equipment for Treatment Purposes Educational/School Programs (Student Privacy Education Required as Workforce Member) Health Plans Contracting With Network Providers (Covered Entity to Covered Entity) Health Plans for Purposes of Payment Hospitals Housekeeping/Environmental Services (Incidental Exp.) Infusion Provider for Treatment Institutional Review Board Internet Service Providers (ISPs) providing mere data transmission services Law Enforcement Agencies Members of an Affiliated Covered Entity Members of the Organization's Organized Health Care Arrangement (OHCA) Pharmacy (Healthcare Provider/Treatment) Providers (Involved in Care & Treatment of Patient)	Members of the Organization's Workforce Organ Procurement Organizations Nursing Homes (for treatment and payment) Quality Improvement Organization –Agent of CMS (MetaStar) Rental Employee Agencies (if no PHI Shared – Employees Need Privacy Training) Repair Contractors (Maintenance) Researcher Conducting Research Activities Plumbing, Electricity, etc. – (if no PHI involved) School Health Nurses Supply Services Support Services Agreements for Supplies/Tx Purposes Tissue Banks Telecommunications company with occasional, random access to PHI U.S. Post Office and Other Couriers Volunteers (Board Members, Ethics Committee Members, IRB Members, etc.) Note: a CE is not required to have a BAA with a BA's Subcontractor (the BA is required to have a BAA with their Subcontractor)

Applicable Standards/Regulations

HIPAA Final Omnibus Rule, January 25, 2013
45 CFR § 164.308(b)(1-3) HIPAA Security Rule Business Associate Contracts and Other Arrangements
45 CFR §164.314(a)(1) HIPAA Security Rule Business Associate Contracts or Other Arrangements
45 CFR § 164.314(a)(2)(i) HIPAA Security Rule Business Associate Contracts
45 CFR § 164.314(a)(2)(ii) HIPAA Security Rule Other Arrangements
45 CFR § 164.314(a)(2)(iii) Business Associate Contracts with Subcontractors
45 CFR § 164.502(e)(1) HIPAA Privacy Rule Disclosures to Business Associates
45 CFR §164.504(e) HIPAA Privacy Rule Business Associate Contracts

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** NEW POLICY **

CONTINGENCY PLAN POLICY

Purpose

The purpose of this policy is to protect people, property, and data during emergencies and to provide procedures to recover operations should an emergency or Disaster render any part of Chippewa County's (herein County) electronic protected health information (ePHI), and other Restricted Information, and Sensitive Information, collectively "Confidential Information" unusable. It works in conjunction with any County Continuity of Operations Plans (COOPs). The policy helps to provide assurances that the County has the capabilities necessary to respond to emergency and Disaster situations and support the continuity of business operations is accomplished by:

- Establishing secure and resilient information technology and operational process environments.
- Documenting information technology contingency and continuity of operations plans and having them readily available when needed.
- Assigning roles and responsibilities within the plans.

The policy will assist and allow for services to continue during an interruption and limit the impact of the negative effects that disruptions could have on the organization's reputation, critical operations, liquidity, credit quality, internal and external communications, and ability to remain in compliance with applicable laws and regulations.

Goals

1. Provide reference plans to protect the safety and security of workforce members, property, and data during emergency situations.
2. Limit the amount of time information systems may be inaccessible by establishing:
    a. Comprehensive plans
    b. Authorities
    c. Responsibilities
    d. Secure and resilience tested IT and operational process environments
3. Anticipate worst-case threat sources, emergency situation, and/or Disaster scenarios and:
    a. Determine what could happen if the organization's Confidential Information (or other significant portions of an organization's infrastructure external or internal to the organization) is partially or totally destroyed or otherwise unavailable.
        1. Understand criticality and dependencies between business and operational processes and IT infrastructure, systems, and service providers.

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2. Formally set and approve data criticality and/or Recovery Time and Recovery Point Objectives (RTO/RPO) as well as any identified gaps.

3. Address approved internal and service provider gaps.

b. Decide and document measures describing how best to react to them and recover information systems.

c. Continue to ensure the confidentiality, integrity, and availability of Confidential Information during the situation and while recovering from it; and

d. Have documented COOPs available when they are needed.

4. Facilitate the prompt resumption of critical services.

5. Establish requirements for periodic testing of the adequacy of the plans.

6. Provide guidelines to update plans with operational and environmental changes.

7. Provide training to stakeholders at and workforce members as appropriate to ensure business continuity and information security during emergency events.

Responsible for Implementation

The IT Director oversees and has the authority and overall responsibility for facilitating the implementation, activation, coordination, and documentation of IT Contingency Plan, IT ISCP, this policy, and IT related Disaster recovery operations.

The IT Director, Privacy Officer, Security Officer, Emergency Management Director, and IT Division are responsible for establishing, implementing, and overseeing emergency and disaster action plans, and COOPs for the IT Division. They are also responsible for working with each department as applicable and needed for the emergency situation.

The IT Director is responsible for ensuring that the policies, procedures, and IT ISCP are compatible and are simultaneously updated when significant changes occur as they pertain to IT and security related practices.

The IT Division, Department Heads, and System Administrators are expected to be familiar with the policies, Contingency Plans, and COOPs, in place. They are also expected to participate as assigned in disaster recovery testing.

Refer to the IT Policy Manual's Technology and Information Privacy and Security policy – Contingency Plan section for general Workforce member requirements.

Policy

It is the policy of Chippewa County:

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1. To have systems, especially those containing Confidential Information, available at all times as well as during an emergency or a Disaster as needed and feasible to provide critical business functions as defined in the COOPs.

2. To provide the organization with a current and approved information system Contingency Plan and IT ISCP that support protection of workforce, timely restoration, and recovery of interrupted critical clinical and business operations during an emergency or Disaster situation.

3. To minimize possible adverse clinical outcomes, as well as financial and business impacts, to the organization as a result of an interruption of normal business operations through established manual and automated methods of accessing needed information during an emergency.

4. To meet the needs of the organization's clients, consumers, subscribers, Workforce members, customers, and other stakeholders reliant on the organization's ability to provide necessary services during and following an emergency or Disaster situation.

5. To continue to protect Confidential Information to the extent possible even during emergencies and Disasters.

6. To protect the public image and credibility of the organization.

7. To have business interruption insurance.

Procedures

1. Disaster Recovery Planning

    a. Appropriate resources are allocated based on IT initiatives, planned exercises, and other COOP needs.

    b. To limit the impact of emergency situations and Disasters, all reasonable efforts are made to have security controls and contingency plans and IT ISCP in place that minimize the amount of time systems may be down to the least possible, but no more than documented recovery time objectives for critical systems as long as it does not unduly hinder operational performance, jeopardize security, or increase costs.

2. Environmental Controls

    a. Critical Confidential Information systems are on a UPS and a generator and:

        1. They are tested semi-annually by contracted service providers.

        2. The Facilities and Parks Division inspects them quarterly at a minimum.

        3. The UPS powers this equipment long enough for the generator to start providing power.

    b. The following are in the server room:

        1. A cooling system

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2. A backup cooling system

3. Fire suppression system

4. Electrical fire rated fire extinguisher

5. Temperature and fire alarms/paging

6. All of the above are:

a). Located away from any water and sewage source.

b). Locked room with access limited to the minimum necessary to maintain or recover systems; access audit trails are maintained.

c). Have emergency lighting in the event of a power outage or disruption meets the "Life Safety Code" and "National Electric Code".

a. The following are in each data wiring room/closet:

1. Electrical fire rated fire extinguisher (in or near the rooms).

2. Locked room with access limited to the minimum necessary to maintain or recover systems.

b. The following are available at each critical facility:

1. Backup internet service.

2. Generators with a large onsite storage of backup fuel.

c. All reasonable efforts are made to ensure Business Associate providers that create, receive, maintain, transmit, and backup Confidential Information have sound environmental security controls that minimize downtimes and allow them to recover systems within identified recovery times, such as the above stated controls.

3. Contingency Plans

The IT ISCP includes, at a minimum, the following:

a. A list of most significant types of Threat sources that are the most likely to damage systems containing or affecting the availability of Confidential Information and/or critical systems. Refer to the Information Security Risk Management policy for additional threat source identification requirements.

1. List environmental, human, natural, technology, and other types of Threat sources to the organization's people, facilities, and IT infrastructure.

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2. Prioritize Threat sources based on their likelihood of occurring and severity levels (e.g. impact on operations).

3. Identify operational vulnerabilities and weak business processes.

4. Determine cost-effective mitigation strategies to reduce the Threat likelihood or impact.

b. Procedures to respond to different types of Threat sources and emergency situations or Disasters for each significant area of the IT Division.

1. The primary consideration in any situation is the safety of all workforce members, customers, clients, consumers, and vendors. Steps outlined in the IT ISCP include:

a). How to protect the safety of all individuals and safely evacuate the facility(s).

b). Who is responsible for evacuating the facility(s) and the server room.

2. How quickly to use technical resources after a Disaster occurs.

3. Incorporate Contingency Plans or disaster recovery plans from vendors and other Business Associates when they are necessary to be included in the County's contingency plans and/or COOPs.

4. Procedures outlining how to backup and recover each Confidential Information system and critical information technology operations (also refer to the Data Backup and Media Management policy and procedures).

a). For each system affected, procedures include a "return to operations" transition plan to execute to move data into the production or emergency operational environment.

5. Procedures to restore lost Confidential Information for each type of system which stores Confidential Information, including what data to restore.

6. To provide client and consumer care and other critical services, procedures include arrangements for a Recovery Facility(s) for the IT Disaster recovery command center, as needed.

a). The command center functions as the centralized location for IT Disaster recovery processes and has the necessary critical resources and equipment required for Disaster recovery.

b). Recovery Facility locations include:

1). Telephone system: Highway Department building.

2). Redundant data center: contract agreement with City of Eau Claire.

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3). 911 failover site: contract agreement with Dunn County.

c). Documentation includes the steps and resources needed to bring the Recovery Facility locations on-line while maintaining the security of Confidential Information.

7. Identification of facility security controls, including the following:

a). Only the following individuals (that are able to assist in restoring access to Confidential Information) may have access to and be in the server and data wiring rooms as well as have access to backups, even during emergencies and Disaster situations:

1). IT Division

2). Facilities and Parks Division

3). Individuals authorized by the IT Division and/or and Facilities and Parks Division

b). In the event of an emergency situation that renders the server and data wiring rooms uninhabitable (e.g. fire, chemical spill, tornado, etc.), appropriate emergency personnel will control access to the site during the entire course of the emergency.

1). Priority will be given to the safety of people and to evacuating as much equipment as possible to a safe indoor location, or a safe and guarded outdoor location, until it can be moved to a better location. If necessary, on site IT Division and/or and Facilities and Parks Division workforce will direct the effort and work with other agencies to secure help to move and transport equipment.

2). Movement, repair, and restoring of service will be prioritized. Equipment will be secured in accordance with the level of security of the information that remains.

c). Authorized individuals also have electronic device access and/or keys to enter Recovery Facility locations to assist in efforts to restore access to Confidential Information.

d). During emergencies:

1). The Emergency Management Department evaluates whether a location needs to be closed or secured with security guards to assist in efforts to secure it.

2). Workforce may not attempt to enter any location that is blocked off by security or emergency crews, unless authorized

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by the IT Director, Privacy Officer, Security Officer, Emergency Management Director, or IT Division.

c. A contact list for each system (refer to the Vendor Emergency Contact Information form).

1. The contact list includes key workforce members and their designated alternates, key vendors, and other individuals that help support and recover systems such as: data center personnel, system administrators; IT network, infrastructure, and systems management; workstation management; storage management; help desk team; Business Associates; service providers (including service provider dependencies)**;** stakeholders; utilities management (e.g. electric, water, gas); telecommunications/phone; internet services provider(s); emergency government and law enforcement/government agencies.

2. The contact information for each includes name(s), company name(s), address, main and backup telephone numbers, email address, and web site address, as applicable.

d. A current Inventory Asset List for each system, application, server, hardware, IS equipment (workstations, portable devices, etc.), network information/specifications, etc. purchased or leased by County that are used to access, create, receive, maintain, or transmit Confidential Information. This list includes, at a minimum and as applicable:

1. Type of asset with model and serial numbers, manufacturer, operating systems, warranty information, etc. so items can easily be replaced, as applicable.

2. Critical functions which help determine how important each system is to business needs.

3. Documentation required for recovery.

4. Indication of the critical systems that are supported at alternate sites.

5. Location (physical or logical) and who uses each Confidential Information system, workstation, and portable device.

6. Interdependencies/interoperability on other systems, applications, servers, etc., with a recovery plan for each.

7. Data owner.

8. Whether Confidential Information is created, received, maintained, or transmitted by the asset.

9. The identification tag number of fixed assets with a value over $5,000.

10. Expected date of retirement.

11. Retired assets.

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12. Assign a Data Criticality Level for each system, application, server, hardware, IS equipment, network information/specifications, etc. This may be done in a variety of ways, such as assigning a data criticality level and determining the recovery point objective (RPO) and recovery time objective (RTO) for each.

    a). Software applications and data points that create, receive, maintain, or transmit Confidential Information are included on the list (refer to the Systems Matrix). Financial and operational considerations, as well as regulatory requirements and legal obligations may also be a part of this consideration.

    b). Applications, systems, and/or networks that need to be available at all times and need to be recovered/restored first are prioritized; they are ranked in order of critical functions and recovery order.

e. A current network diagram.

f. Copies of site maps, building plans, and insurance policies.

g. A list of Disaster recovery supplies needed and ensures that they are readily available (refer to the Disaster Recovery Supply Checklist).

h. Detailed downtime procedures (developed by each Division or Department) outline how to continue providing services during an emergency situation in a secure manner to the extent possible.

i. Approval of the plans as well as any identified gaps by the County Administrator or designee.

4. <u>Emergencies: Activation of the Contingency Plan and Disaster Recovery Plan</u>

a. Contact the IT Division when a system(s) and/or network is down.

b. Refer to the ISCP for next steps and notifications that are made by designated personnel.

c. During emergencies, all users must continue to protect Confidential Information to the extent possible, to prevent a breach of confidentiality.

d. <u>System Recovery</u>:

    1). The IT Division shall recover information systems and bring them back into operations as outlined in the recovery downtime and procedures. In situations that affect only single systems, the IT Division determines the appropriate response, implements it, and restores the system.

    2). Use a Privacy and Security Incident Response form when systems are down and meet the definition of a Security Incident (refer to the Incidents policy).

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5. Contingency Plan Testing and Maintenance

a. Testing

1. Contingency Plan and/or IT ISCP testing shall be done to evaluate the effectiveness of the Contingency Plan as well as feasibility of the recovery strategies, and improve it based on outcomes.

2. Contingency Plan and/or IT ISCP testing is done on an annual basis, when possible, but shall be at a minimum every two (2) years. Notifications are provided to users of potentially affected systems prior to testing being conducted, as appropriate.

a). A scenario-based walk-through or "mock" drill is done to examine the plans and determine the need for changes.

b). Testing includes some or all of the following:

1). The ability to access alternative computers and/or sites in a timely manner.

2). Loading and running any necessary programs.

3). Loading, reviewing, and using Confidential Information.

4). The ability to access Confidential Information in order to contact individuals, as necessary.

c). When full recovery tests are done, they simulate an actual emergency or disaster situation.

d). Backup sites are also reviewed to verify they support Contingency Plan and/or IT ISCP needs (with backed-up Confidential Information), should the main facility be compromised.

3. During the normal use of any system, components fail. Document why the system was down and how the system was recovered. Maintain this documentation as a part of the Contingency Plan and/or IT ISCP testing files.

b. Maintenance and Revision

1. The IT Director is responsible for maintenance and revision of the Contingency Plans and/or IT ISCPs.

a). The Contingency Plans and/or IT ISCPs shall be reviewed and revised a minimum of every two (2) years, and when needed to ensure that the information it contains is current.

b). The Contingency Plans and/or IT ISCPs are reviewed and revised to address issues identified after a planned test and actual Disaster.

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2. All revisions shall be provided to those that need to follow the plans.

6. Education and Training

a. Users of critical systems are trained on how to access necessary Confidential Information during an emergency and continue to protect Confidential Information during emergencies, as applicable to their roles.

b. Workforce members are provided education and training in emergency preparedness and the contingency plans upon hire, annually, and when significant changes to the organization's contingency plans, emergency preparedness, and Disaster recovery plans are made that impact them.

c. Workforce members with specific responsibilities for IT Disaster recovery shall receive specific training so that they can carry out their assigned duties.

d. Other stakeholders are provided training as appropriate to ensure business continuity and information security during emergency events.

7. Documentation

a. Copies of the Contingency Plan and Disaster Recovery Plans are maintained on and offsite and are readily available in the event of an emergency.

1). Copies are maintained within a shared drive to which all key individuals have access. This shared drive is automatically backed up at the City of Eau Claire back up data center; this could be accessed via the Internet and/or physically during an emergency.

2). Copies are easily accessible to those individuals that need to activate the Disaster recovery plan and recover systems.

b. Contingency Plans and IT COOPs information, including the controls in place, testing, and revisions are maintained for six (6) years from the last date in effect.

8. Exceptions

a. Exceptions to this policy and procedures are authorized and documented as outlined in the Privacy and Security Oversight procedures.

Reporting and Compliance

Refer to the Information Privacy and Security policy for requirements to reporting suspected and known non-compliance of this policy and procedure as well as potential outcomes for violations.

Key Definitions

For capitalized terms refer to the HIPAA Privacy and Security Definitions document.

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Resources

1. NIST Contingency Planning Guide for Federal Information Systems, SP 800-34 Rev 1, November 2010
2. HIPAA COW Contingency Planning Whitepaper v8, 4/25/06
3. HIPAA COW Risk Analysis & Risk Management Toolkit 10/12
4. SANS Institute Disaster Recovery Plan Policy, 2014

Applicable Standards/Regulations

1. 45 CFR § 164.308(a)(7)(i) HIPAA Security Rule Contingency Plan
2. 45 CFR § 164.308(a)(7)(ii)(B) HIPAA Security Rule Disaster Recovery Plan
3. 45 CFR § 164.308(a)(7)(ii)(C) HIPAA Security Rule Emergency Mode Operation Plan
4. 45 CFR § 164.308(a)(7)(ii)(D) HIPAA Security Rule Testing and Revision Procedure
5. 45 CFR § 164.308(a)(7)(ii)(E) HIPAA Security Rule Applications and Data Criticality Analysis
6. 45 CFR § 164.310(a)(2)(i) HIPAA Security Rule Facility Access Controls/Contingency Operations
7. 45 CFR § 164.312(a)(2)(ii) HIPAA Security Rule Access Control/Emergency Access Procedure

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** NEW POLICY **

DISPOSAL OF CONFIDENTIAL INFORMATION POLICY

Purpose

To define appropriate mechanisms to utilize before reusing Media and to dispose of all Media that contains Protected Health Information (PHI), Electronic Protected Health Information (ePHI), and other restricted and sensitive information (collectively "Confidential Information") so that this information is not inappropriately Accessed by or disclosed to unauthorized individuals or is erased or destroyed within Chippewa County's (herein County) retention guidelines.

Responsible for Implementation

The Privacy Officer, Security Officer, Facilities and Parks Division, and IT Division are responsible for implementing and overseeing this policy and procedures.

Policy

1. It is the policy of County to ensure the privacy and security of Protected Health Information (PHI), Electronic Protected Health Information (ePHI), and other restricted and sensitive information when it is no longer needed using secure disposal mechanisms.

2. When Media containing Confidential Information is going to be reused, to take appropriate steps to ensure that all stored Confidential Information is removed.

3. To destroy or dispose of Confidential Information when it is no longer being used and in accordance with Federal Regulations, applicable State laws, and as defined in the Retention Policy and Records Retention Chapter 3 of the Chippewa County Code of Ordinances.

4. To suspend the schedule for destruction or disposal for client, consumer, and subscriber records involved in any open investigation, audit, or litigation.

Disposal of Media

1. Refer to the Information Privacy and Security Policy or Disposal of Confidential Information Policy for general Workforce member and Business Associate (BA) responsibilities for collecting, identifying, segregating, and disposal of all types of Confidential Information on behalf of the organization.

2. All destruction, disposal or Sanitization of Confidential Information shall be done according to County client, consumer, and subscriber record retention policy and schedule (and as allowed by law).

3. Preservation or destruction or disposal of patient health records upon closure of a provider office or practice shall be done so by following Wisconsin Statute 146.819 which outlines the detailed procedures for the appropriate preservation or destruction or disposal of patient health records for a health care provider who ceases to practice. The provider, or the personal representative of a deceased health care provider, shall comply with the statutes to ensure appropriate preservation, patient notice, destruction and/or disposal of the patient health care

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records in the possession of the health care provider at the time the practice was ceased or the provider died. This statute does not apply to:

a. Community-based residential facilities or nursing homes

b. Hospitals

c. Hospices

d. Home Health Agencies

4. The IT Division facilitates the following for Electronic Media:

a. Removal of all software licenses prior to disposal.

b. Securing Media containing Confidential Information that is scheduled for destruction, disposal or Sanitization to prevent unauthorized or inappropriate access until the destruction or disposal is complete.

c. After internally wiping or Sanitizing a disk or other electronic Media, placing a sticker or label on it that includes the date and name of the technician who performed the wipe.

5. When destruction, disposal or Sanitization services are contracted:

a. Contract with a National Association for Information Destruction (NAID) certified company.

b. For disposal of PHI and ePHI, a Business Associate Agreement is obtained which includes contract language specific to these services as required by the Business Associate Policy.

1. When a BA contract terminates, follow the Business Associate Policy for the proper return and or destruction of PHI and ePHI.

c. For disposal of all other Confidential Information, a contract including security policy requirements is obtained.

6. Documentation of Disposal:

a. The Facilities and Parks Division, IT Division, or their designee creates or obtains and maintains destruction, disposal or Sanitization documentation of Confidential Information:

1. This shall be done on a Certificate of Destruction form.

2. The form includes the following information:

a). Date of destruction, disposal or Sanitization;

b). Name and contact information of the individual or organization that performed the destruction;

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c). Method of destruction, disposal or Sanitization;

d). Description of the destroyed, disposed or Sanitized record series or medium;

e). Inclusive dates covered;

f). A statement that the client, consumer or subscriber records were destroyed, disposed or Sanitized in the normal course of business; and

g). The signatures of the individuals supervising and witnessing the destruction disposal or Sanitization.

7. The IT Division updates the status of the inventory asset list, including all hardware and licensed software.

8. Confidential Information destroyed, disposed or Sanitized using a method that ensures the Confidential Information cannot be recovered or reconstructed. Methods used may include those detailed in the table the follows.

Media Disposal Methods

Medium	Examples of Method to Use
Audiotapes	• Recycle (tape over), Degauss, or pulverize.
Electronic data / hard disk drives including drives found in servers, Workstations, printers, copiers, fax machines, scanners, and network / communication devices (e.g. routers and firewalls)	When applicable, remove the device from the central management server; then: • Destroy data permanently and irreversibly through: ○ A Department of Defense (DoD) wipe (e.g. disk sanitizing software that cleans the media overwriting each and every disk sector of the machine with zero-filled blocks) ○ Physical destruction (pulverize, shred, disintegrate, incinerate) ○ Degaussing of it, or ○ Hard drive erasure software • Methods of reuse: overwrite data with a series of characters or reformatting the disk (destroying everything on it). Deleting a file on a disk does not destroy the data, but merely deletes the filename from the directory, preventing easy access of the file and making the sector available on the disk so it may be overwritten.
Electronic data / removable media or devices including USB drives, SD cards, CDs, tapes, and cartridges	• Overwrite data with a series of characters or reformat it (destroying everything on it). Total data destruction does not occur until the data has been overwritten. • Magnetic Degaussing that leaves the sectors in random patterns with no preference to orientation, rendering previous data unrecoverable. Magnetic Degaussing will leave the sectors in random patterns with no preference to orientation, rendering previous data unrecoverable. • Shredding or pulverization is done for the final disposition of any removable Media when it is no longer usable.

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Medium	Examples of Method to Use
Portable / handheld devices including cell phones, smart phones, PDAs, tablets, dictation and recording devices, cameras (still and video), barcode / smartcard readers, hand-held printing devices (e.g. labeler), media players, mapping/navigation devices, etc.	First, when applicable, remove the device from the central management server, then: • Activate the software on these devices that remotely wipes ("bit-wipe") data off the device. • Complete the following steps: ○ Manually delete all files/data, configuration/connection information, phone calls/texts sent/received, addresses/contact information, speed dial numbers, pictures, calendar entries, recordings, locations, email, documents, etc. ○ Perform a full manufacturer's reset back to the factory default settings • When a handheld device is no longer reusable it is then totally destroyed by recycling or by trash compacting
Labeled devices, containers, equipment, etc.	• Shred or destroy so that the Confidential Information cannot be read or otherwise cannot be reconstructed; redaction is specifically excluded as a means of data destruction • Reasonable steps should be taken to destroy or de-identify any Confidential Information prior to disposal of this medium. Remove labels or incinerate the medium; or • Ribbons used to print labels may contain Confidential Information and are shredded or incinerated.
Microfilm/ Microfiche and X-rays	• Shred or destroy so that the Confidential Information cannot be read or otherwise cannot be reconstructed; redaction is specifically excluded as a means of data destruction • Recycle through a contracted BA or burn/pulverize it.
Optical media	• Optical disks cannot be altered or reused, making pulverization an appropriate means of destruction/disposal.
Paper records	• Refer to the Information Privacy and Security Policy – Disposal of Confidential Information procedures for disposal requirements.
Videotapes	• Recycle (tape over) or pulverize.

Reuse of Electronic Media Containing Confidential Information

1. Before the reuse of any recordable and erasable Media (e.g. hard disks, workstations, laptops, tapes, cartridges, USB drives, smart phones, SAN disks, SD and similar cards), the IT Division facilitates removal of all Confidential Information and/or makes it inaccessible, cleaned, or scrubbed through one of the following methods:

   a. <u>Reused within the organization:</u>

      1. Overwrite the data (for example, through software utilities);

      2. Degauss the Media; or

      3. Reformat it so that files are not accessible to the new user(s).

   b. <u>Reused external to the organization</u> (e.g. sell or donate the media): destroy, dispose or Sanitize the media according to the Electronic Data or Hard Disk Drives method described above.

2. The IT Division or designee:

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a. Documents and/or obtains documentation when this is done, as well as the method used to remove information and date/time it was completed

b. Updates the inventory asset list with all hardware and licensed software.

3. The Privacy officer, Security Officer, Facilities and Parks Division, and IT Division periodically reviews and updates the methods of destruction, disposal or Sanitization and reuse, based on current technology, accepted practices, and availability of timely and cost-effective destruction, disposal or Sanitization and reuse technologies and services.

4. All documentation is maintained for a period of six years after the destruction, disposal or Sanitization was completed.

Reporting and Compliance

Refer to the Information Privacy and Security policy for requirements to report suspected and known non-compliance of this policy and procedure as well as potential outcomes for violations.

Key Definitions

For capitalized terms, refer to the HIPAA Privacy and Security Definitions form located on the Employee Portal under Policies / Department of Administration.

Resources

- SANS Technology Equipment Disposal Policy, June 2014
- HIPAA COW Device, Media, and Paper Record Sanitization for Disposal or Reuse Policy, Revised 10/8/12

Applicable Standards/Regulations

- 45 CFR § 160.103(a) HIPAA definition of Electronic Media (1/25/13)
- 45 CFR §164.310(d)(1) HIPAA Security Rule Device and Media Controls
- 45 CFR §164.310(d)(2)(i) HIPAA Security Rule Disposal
- 45 CFR §164.310(d)(2)(ii) HIPAA Security Rule Media Re-use
- 45 CFR §164.504 (f)(2)(ii)(I) HIPAA Privacy Rule Requirements for Group Health Plans
- Sec. 895.505 Wis. Stats. Disposal of records containing personal information, including medical records
- Sec. 146.819 Wis. Stats. Disposition of patient health records for a provider who ceases to practice
- Wis. DHS 132.45(4)(f)(2). Retention of records
- Office for Civil Rights “Guidance to Render Unsecured PHI Unusable, Unreadable, or Indecipherable to Unauthorized Individuals”, http://www.hhs.gov/ocr/privacy/hipaa/administrative/breachnotificationrule/brguidance.html
- NIST Guidelines for Media Sanitization, Special Publication 800-88, December 2014, revision 1
- CMS Information Security ARS, Appendix A, CMSR High Impact Level Data, 9/20/13: http://www.cms.gov/Research-Statistics-Data-and-Systems/CMS-Information-Technology/InformationSecurity/downloads/ARS_App_A_CMSR_HIGH.pdf

Attachment: DOA Disposal of Confidential Info Policy FINAL 09-20-2022 (7292 : New HIPPA Policies - Second Reading - Toni Hohlfelder)

** NEW POLICY **

INCIDENTS POLICY

Privacy & Security Incident Response, Breach Notifications, and Corrective or Disciplinary Actions

Purpose

The purpose of this policy is to establish consistent guidelines to effectively identify and handle Privacy Incidents, Security Incidents, corrective or disciplinary actions, and Breach of Unsecured PHI notifications. An incident response process is implemented to:

- Consistently detect, report, respond to and investigate incidents;
- Establish expectations for coordinating incident response across Chippewa County (herein County)
- Minimize loss, destruction, and impact;
- Mitigate the weaknesses that were exploited;
- Restore information system functionality and business continuity as soon as possible;
- Establish incident response communication requirements;
- Identify metrics to measure incident response capability and its effectiveness;
- Provide Breach of Unsecured PHI notifications as required;
- Establish a structured incident documentation process.

Responsible for Implementation

The Privacy Officer and Security Officer are responsible for implementing and overseeing this policy and procedure.

Policy

It is the policy of the County to:

1. Safeguard the confidentiality, integrity, and availability of Protected Health Information (PHI), Electronic Protected Health Information (ePHI), and other restricted as well as sensitive information, collectively "Confidential Information", through an established incident response process.

2. Consistently detect, report, respond to, contain, and correct privacy and security issues.

3. Minimize loss and destruction as well as mitigate other harmful effects, including for a known use or disclosure of PHI in violation of the County's policies and procedures or the HIPAA Privacy and Security Rules; restore information system functionality and business continuity as soon as possible; and make reasonable efforts to try to prevent incidents from reoccurring.

4. Quickly identify a Breach of Unsecured PHI and provide required notifications within the timeframe required by law.

5. Provide consistent corrective or disciplinary action for non-compliance with the Privacy and Security Rules and the County's privacy and security policies and procedures.

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Incident Response Procedure

1. Identification Phase

   a. Detection and Reporting

      1. Clients, consumers, subscribers and other individuals may report complaints concerning the County's relevant privacy, security, and breach notification policies and procedures or its compliance with such policies and procedures to the Privacy Officer and/or Security Officer.

      2. Workforce and other system users are required to report non-compliance with the County's privacy and security policies and procedures in accordance with the Information Privacy and Security Policy.

   b. Upon receipt of a privacy or security incident report, the Privacy Officer and/or Security Officer or designee facilitates the following procedures:

      1. Notifies and/or involves the County Administrator. Also notifies or involves the Department Head when appropriate and as needed for non-routine and significant incident investigations.

      2. If the issue involved a known or suspected Breach of Unsecured PHI, Breach of client, consumer, and/or subscriber confidentiality, also refer to and follow the Breach of Unsecured PHI procedures below.

      3. For privacy related reports:

         a). If a Workforce member or Business Associate believes in good faith that the County engaged in unlawful conduct or otherwise violates professional or clinical standards, or that the care, services, or conditions provided by the organization endangers one or more client, consumer, subscriber, worker, or the public, he or she may disclose relevant PHI to:

            1). A Health Oversight Agency or Public Health Authority authorized by law to investigate or otherwise oversee the relevant conduct or conditions of the County or to an appropriate health care accreditation organization for the purpose of reporting the allegation of failure to meet professional standards or misconduct by the County; or

            2). An attorney retained by or on behalf of the Workforce member or Business Associate for the purpose of determining the legal options of the Workforce member or Business Associate with regard to the conduct described in 1.b.3.a.

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b). If a workforce member is a victim of a criminal act, he or she may disclose relevant PHI to a law enforcement official, provided that:

1). The PHI disclosed is about the suspected perpetrator of the criminal act; and

2). The minimum necessary PHI disclosed is limited to:

a. Name and address;

b. Date and place of birth;

c. Social security number;

d. ABO blood type and Rh factor;

e. Type of injury;

f. Date and time of treatment;

g. Date and time of death, if applicable; and/or

h. A description of distinguishing physical characteristics, including height, weight, gender, race, hair and eye color, presence or absence of facial hair (beard or moustache), scars, and tattoos.

4. For privacy and security related reports:

a). Completion of the Incident Identification and Incident Summary sections of the Privacy and Security Incident Report form (SIR form) in a clear and easy to understand way.

b). Facilitate providing a response to clients, consumers, subscribers, and other individuals (as appropriate) that report complaints without unreasonable delay and in no case later than 30 calendar days after receiving the complaint.

c). If the issue involves missing information, a Workstation, or Electronic Media, request the original be returned or destroyed and obtain verification of such and that it has not been copied, or accessed (as appropriate).

d). Collaborate with the County Administrator to determine whether to inform the County's insurance carrier of the issue (e.g. cyber and / or business insurance).

e). If the issue was a Privacy Incident, Precursor, or Indicator:

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1). Resolve the issue and continue to monitor it as needed.

2). Complete the Follow-Up sections of the SIR form as appropriate.

f). If the issue was or is potentially a Security Incident:

1). Keeps the County Administrator apprised of the issue and progress to resolve. Also keeps the Department Head apprised when appropriate and as needed.

2). For non-technical Security Incidents, complete the investigation, implement preventative measures, resolve the Security Incident, and move to the Follow-up Phase below.

3). For technical Security Incidents, move to the Containment Phase below.

2. Containment Phase (Technical): Contain the Security Incident

a. The Security Officer, IT Director, or designee, in collaboration with appropriate Department Heads and appropriate contracted support vendors, facilitates the following, and/or works with vendors to address these items, as applicable:

1. Verifies that a qualified technical security resource is available to assist with efforts.

2. Evaluates the need to use forensic analysis, in consultation with Corporation Counsel.

3. Secures the physical and network perimeter.

a). If a decision is made to remove the system from the network for eradication, containment, and/or investigative purposes, consult with Department Heads.

b). Before the decision to freeze the system is made:

1). Remove volatile data from the system while it is still in its compromised state whenever possible.

2). Physically secure the physical area where the incident occurred.

3). Care should be taken not to alert the intruder to the actions.

c). Remove the network cable from affected system. *Do not reboot or make any changes to the system itself*.

4. Loads a trusted shell.

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5. Retrieves any volatile data from the affected system.

6. Secures affected user accounts to prevent further unauthorized access.

7. Determines the relative integrity and the appropriateness of backing up the system.

   a). If appropriate, backs up the system.

   b). If appropriate, backs up the system using new media wiped with commercial software.

   c). Before forensics work is done on the backup, make a minimum of two extra binary copies of the backup itself.

      1). The original copy will be used for evidence, and properly stored and handled.

      2). A second backup will be used in forensic analysis by IT Security Representatives.

      3.) The third backup will be available for law enforcement.

   d). Protect backups and log them (refer to the Data Management policy)

8. Changes the password(s) to the affected system(s).

9. Determines whether it is safe to continue operations with the affected system(s).

   a). If it is safe, allows the system to continue to function.

      1). Complete documentation as described below.

      2). Move to the Follow-up Phase.

   b). If it is not safe to allow the system to continue operations, discontinue system(s) operation and move to Eradication Phase.

10. Analyzes the data and determine whether or not to initiate an Alert to organization users.

11. Issue alerts as deemed necessary.

b. The Security Officer and/or IT Director or designee keeps the County Administrator and Department Heads as appropriate, apprised of progress and documents:

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1. All measures taken and communications made, including who completed activities and the start and end times of all efforts on the SIR form in a clear and easy to understand way.

2. As applicable and appropriate to the issue, create an evidence tag for each piece of evidence as outlined on the Chain of Custody Evidence Tag / Tracking Form. This provides evidence gathered during the Security Incident that can be used during prosecution.

c. Continue to the Eradication Phase.

3. Eradication Phase (Technical): Remove the cause, and the resulting security exposures, that are now on the affected system(s).

a. The Security Officer, IT Director, or designee, in collaboration with appropriate Department Heads and appropriate contracted support vendors, facilitates the following, and/or works with vendors to address these items, as applicable:

1. Determines symptoms and cause related to the affected system(s).

2. Strengthens the defenses surrounding the affected system(s), where possible (a risk assessment may be needed). This may include the following:

a). An increase in network perimeter defenses.

b). An increase in system monitoring defenses.

c). Remediate ("fixing") any security issues within the affected system, such as removing unused services/general host hardening techniques, firewall/router changes, vulnerability patches applied, physical access control changes, etc.

3. Conducts a detailed vulnerability assessment to verify all the holes or gaps that can be exploited have been addressed. If additional issues or symptoms are identified, takes appropriate preventative measures to eliminate or minimize potential future compromises.

4. Contacts law enforcement.

b. The Security Officer and/or IT Director or designee keeps the County Administrator and Department Heads as appropriate, of progress and documents all measures taken and communications made, including who completed activities and the start and end times of all efforts on the SIR form in a clear and easy to understand way.

c. Continue to the Recovery Phase.

4. Recovery Phase (Technical): Restore the affected system(s) back to operation after the resulting security exposures, if any, have been corrected.

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a. The Security Officer, IT Director, or designee, in collaboration with appropriate Department Heads and appropriate contracted support vendors determines if the affected system(s) has been changed in any way, and/or works with vendors to address these items, and as applicable:

1. Restores the system(s) to its proper, intended functioning.

a). Once restored, validates that the system functions the way it is intended or functioned in the past. This may require the involvement of the department and/or vendor that owns the affected system(s).

b). If operation of the system(s) had been interrupted (i.e., the system(s) was taken offline or dropped from the network while triaged), restarts the restored and validated system(s) and monitors for proper behavior.

2. If the system had not been changed in any way, but was taken offline (i.e., operations had been interrupted), restarts the system and monitors for proper behavior.

3. Ensures the system is using latest configuration standards.

4. Performs a vulnerability assessment and penetration test using company-approved software and method as described in the System Build / Change Control Policy.

5. Updates system monitoring if necessary to alert to the specific vulnerability or attack in the future.

b. The Security Officer and/or IT Director or designee keeps the County Administrator and Department Heads as appropriate, apprised of progress and documents all measures taken and communications made, including who completed activities and the start and end times of all efforts on the SIR form in a clear and easy to understand way.

c. Client notifications. The Security Officer or designee:

1. Notifies affected organizations when there is a successful unauthorized access, use, disclosure, modification, or destruction of Confidential Information or interference with Confidential Information system operations in an information system.

2. Notifies other customers and/or clients of incidents that resulted in the misuse or potential or known inappropriate access of Confidential Information (e.g. unauthorized access, cyber intruder broke into an information system, lost or stolen unencrypted devices, inappropriate disposal, etc.).

3. Notifications include a general description of the incident and a County contact name, telephone number, email address and mailing address.

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4. Also refer to the Breach of Unsecured PHI Procedures below for additional notification requirements.

d. Continue to the Follow-up Phase.

5. Follow-up Phase (Technical and Non-Technical): Review the Privacy Incident or Security Incident Form to look for "lessons learned" and determine whether the incident handling procedures could have been done in a better way.

a. It is recommended all incidents be reviewed shortly after resolution to determine where response could be improved for future issues.

b. The Privacy Officer, Security Officer, or designees shall review the incident documentation and complete the following (as applicable and appropriate):

1. Evaluate the cost and impact of the incident to the organization.

2. Determine what could be improved to prevent a similar incident of occurring in the future (e.g. update policies or procedures, provide additional training or reminders, purchase new technologies, etc.).

3. Complete the Follow-up / Lessons Learned section of the SIR form or create a "lessons learned" document and attach it to the SIR form.

4. Communicate findings to the County Administrator and Department Heads as appropriate.

5. Request approval for any implementation recommendations from the County Administrator as appropriate.

6. Carry out recommendations.

c. Close the incident.

Breach of Unsecured PHI Procedures

1. Discovery of Breach: A Breach of Unsecured PHI is treated as "discovered" as of the first day on which an incident that may have resulted in a Breach is known to the County.

a. County shall be deemed to have knowledge of an incident that may have resulted in a Breach if the incident is known or by exercising reasonable diligence would have been known, to any person, other than the person committing the Breach, who is a workforce member or Agent (e.g. a Business Associate acting as an Agent of the County).

b. If a Business Associate (BA) is not an Agent of the County, then the knowledge of the incident is based on the day and time the BA notifies the County of the Breach.

2. Business Associate (BA) Responsibilities

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a. A BA of the County that Accesses, creates, maintains, retains, modifies, records, stores, transmits, destroys, or otherwise holds, uses, or Discloses Unsecured PHI shall notify County of the Breach [1] without unreasonable delay and in no case later than one week after discovery of a Breach.

b. The notice shall include:

1. The identification of each individual whose Unsecured PHI was, or is reasonably believed by the BA to have been acquired, Accessed, used, or Disclosed in an unauthorized manner.

2. Any other available information that the County is required to include in notification to the individual at the time of the notification or promptly thereafter as information becomes available (refer below).

c. The County, not the BA, will make the notifications described below, unless otherwise agreed upon by the BA and County (note: it is the burden of the County to document this notification).

d. Refer to the Business Associate policy for additional measures to resolve the issue.

3. Breach of Unsecured PHI Investigation: Following the discovery of a potential Breach, the Privacy and/or Security Officer shall begin an investigation (also refer to the Incident Response procedures) and facilitate the completion of the following, while documenting all measures taken:

a. Conducts a Breach of Unsecured PHI incident risk assessment to determine if an impermissible use or Disclosure of PHI constitutes a Breach of unsecured PHI and whether it requires notifications be made to individuals, media, or the HHS secretary.[2] If an incident risk assessment is not completed, the County assumes a Breach of Unsecured PHI occurred and makes recommendations that notifications are made, as outlined below.

1. An "acquisition, Access, use, or Disclosure in a manner not permitted is presumed to be a breach unless, as applicable, it is demonstrated that there is a low probability that the PHI has been compromised based on a risk assessment" of at least the following factors:

a). The nature and extent of the protected health information involved, including the types of identifiers and the likelihood of re-identification;

b). The unauthorized person who used the protected health information or to the Disclosure was made;

[1] The organization may choose to make the decision to notify clients, consumers, and subscribers of a Breach even after completion of the risk assessment indicates that there is no requirement to do so.
[2] The organization may choose to make the decision to notify clients, consumers, and subscribers of a Breach even after completion of the risk assessment indicates that there is no requirement to do so.

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c). Whether the protected health information was actually acquired or viewed; and

d). The extent to which the risk to the protected health information has been mitigated.

2. Utilize the "Breach Risk Assessment Tool" to complete this assessment. Also refer to the "Privacy and Security Violations Breach Notification Recommendations" Form which includes types of violations and Breach of Unsecured PHI notification recommendations.

3. The incident risk assessment is documented as part of the investigation in the SIR form noting the outcome of the incident risk assessment process.

4. Notifications:

a. Timeliness.

1. Upon determination that a Breach notification is required, the notice shall be made without unreasonable delay and in no case later than 60 calendar days after the discovery of the incident that resulted in a Breach by the County or BA involved that is acting as the County's Agent.

2. Delay of Notification is Authorized for Law Enforcement Purposes. When a Law Enforcement Official informs the County that a notification, notice, or posting would impede a criminal investigation or cause damage to national security:

a). If this statement is in writing and specifies the time for which a delay is required, delay such notification, notice, or posting of the time period specified by the official; or

b). If this statement is made orally, document the statement, including the identity of the Law Enforcement Official making the statement, and delay the notification, notice, or posting temporarily and no longer than 30 days from the date of the oral statement, unless a written statement as described above is submitted during that time.

b. Content of the Notice:

1. The notice shall be written in plain language and contain the following information:

a). A brief description of what happened, including the date of the Breach and the date of the discovery of the Breach, if known.

b). A description of the types of Unsecured PHI involved in the Breach (such as whether full name, Social Security number, date of birth, home address, account number, diagnosis, disability code or other types of information were involved).

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c). Any steps the individual should take to protect themselves from potential harm resulting from the Breach.

d). A brief description of what action(s) the County is taking to investigate the Breach, to mitigate harm to individuals, and to protect against further Breaches.

e). Any procedures for individuals to ask questions or learn additional information, which includes a toll-free telephone number, an e-mail address, Web site, or postal address.

2. County will assess the facts and circumstances of breaches of unsecured PHI on a case by case basis and determine at that time whether there is any need for translation or an alternative format of this notification[3]

c. Methods of Notification: The method of notification used is based on the individuals or entities notified, as follows:

1. Notifications to Individual(s)

a). Written notification by first-class mail to the individual at his or her last known address or, if the individual agrees to electronic notice and such agreement has not been withdrawn, by secure electronic mail.

1). The notification may be provided in one or more mailings as more information becomes available.

2). If the County knows that the individual is deceased and has the address of the next of kin or personal representative of the individual, written notification by first-class mail to the next of kin or person representative.

3). In the limited circumstance that an individual affirmatively chooses not to receive communications from a health care provider at any written addresses or email addresses *and* has agreed only to receive communications orally or by telephone, the provider may telephone the individual to request and have the individual pick up their written breach notice from the provider directly. In cases in which the individual does not agree or wish to travel to the provider to pick up the written breach notice, the health care provider should provide all of the information in the breach notice over the phone to the individual, document that it has done so, and the Department will exercise enforcement discretion in such cases with respect to the ‘‘written notice’’ requirement.

[3] Organizations that receive Medicaid, CHIP or Medicare Part C payments may have obligations under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 laws to provide breach notifications to individuals in alternative languages, and in alternative formats, such as Braille, large print, or audio)

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b). Substitute Notice: When there is insufficient or out-of-date contact information (including an address, phone number, email address, etc.) that prevents direct written or electronic notification, a substitute form of notice reasonably calculated to reach the individual is provided. A substitute notice does not need to be provided when there is insufficient or out-of-date contact information that prevents written notification to the individual and next of kin or personal representative.

1). When there is insufficient or out-of-date contact information for fewer than 10 individuals, then the substitute notice may be provided by an alternative form of written notice, telephone, or other means.

2). When there is insufficient or out-of-date contact information for 10 or more individuals, then the substitute notice is in the form of either a conspicuous posting for a period of 90 days on the County's website home page, or a conspicuous notice in a major print or broadcast media in the County's geographic areas where the individuals affected by the Breach likely reside. Include a toll-free number in the notice that remains active for at least 90 days where an individual can learn whether his or her PHI may be included in the Breach. This substitute notice must be provided as soon as reasonably possible and in no case later than 60 calendar days from discovery of the breach.

c). If the notification requires urgency because of possible imminent misuse of Unsecured PHI, notification may be provided by telephone or other means, as appropriate in addition to the methods noted above.

2. Notifications to the Media

a). The Notice is provided in the form of a press release to the media by the individual stated in the above Working with the Media procedures, utilizing the Sample Notification Letter to the Media.

1). What constitutes a prominent media outlet differs depending upon the State or jurisdiction where the County's affected clients, consumers, and/or subscribers reside. For a breach affecting more than 500 individuals across a particular state, a prominent media outlet may be a major, general interest newspaper with a daily circulation throughout the entire state. In contrast, a newspaper serving only one town and distributed on a monthly basis, or a daily newspaper of specialized interest (such as sports or politics) would not be viewed as a prominent media outlet. Where a breach affects more than 500 individuals in a limited jurisdiction, such as a city, then a prominent media outlet may be a major, general-interest newspaper with daily

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circulation throughout the city, even though the newspaper does not serve the whole State.

b). Notifications are provided to prominent media outlets serving the state and regional area (of the breached clients, consumers, subscribers) when the Breach of Unsecured PHI affects more than 500 of the County clients, consumers, subscribers.

c). Client, consumer, subscriber identifiers are not included in these notifications as they are publicly available.

3. Notifications to the Secretary of HHS

a). Client, consumer, and subscriber identifiers are not included in these notifications as the information may be made publicly available.

b). For Breaches involving 500 or more individuals, the County notifies the Secretary of HHS as instructed at www.hhs.gov at the same time notice is made to the individuals.

c). For Breaches involving less than 500 individuals:

1). Submit the notification when sending notifications to individual.

2). Notifications are made here: http://www.hhs.gov/ocr/privacy/hipaa/administrative/breachnotificationrule/brinstruction.html

4. Notifications to Other Organizations:

a). The County is not a business associate of any other organization, and therefore, does not have nor need any procedures to provide notifications to other organizations.

5. Notification Inquiries. Refer to the Talking Points to Respond to Breach of Unsecured PHI Inquiries Form for examples of how to respond to inquiries on Breaches. Tailor responses based on the type and severity of the Breach.

Investigation and Sanction Procedures

Refer to the Information Privacy and Security Policy for Investigation and Sanctions procedures.

Training

1. New Workforce members receive privacy and security training within their first month, but no later than three months, of employment.

2. Existing Workforce members and system users shall be trained annually.

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3. Training content shall include:

   a. Privacy and security policies and procedures with respect to PHI and ePHI and other Confidential Information as necessary and appropriate to carry out their job responsibilities and prevent security violations and incidents from happening.

   b. How to identify and promptly report known and suspected Privacy Incidents, security violations and incidents, and Breaches within the County, as well as return or destroy PHI, as appropriate for the incident.

   c. How to assist in investigating, documenting, and resolving incidents and breaches of Unsecured PHI for Workforce who will need to complete these activities

Documentation

1. The Privacy Officer, Security Officer and/or designee maintains all of the following documentation in a secure location for a period of seven (7) years after the conclusion of the investigation:

   a. All documentation of complaints and investigations including all incident response forms, notes, meeting minutes, corrective or disciplinary actions provided, actions taken to prevent future occurrences, and other items relevant to the investigation.

   b. All documentation related to Breach of Unsecured PHI investigations, including the risk assessment and notifications made.

   c. Note: the County has the burden of proof for demonstrating that all notifications were made or that an Access, acquisition, use or Disclosure did not constitute a Breach, as well as evidence demonstrating the necessity of a delay authorized by Law Enforcement (when applicable).

Filing a client, consumer, subscriber privacy or security–related complaint to the Office for Civil Rights (OCR)

1. Clients, consumers, and subscribers may file complaints to the OCR by:

   a. Mailing the complaint to:

      Centralized Case Management Operations
      U.S. Department of Health and Human Services
      200 Independence Avenue, S.W.
      Room 509F HHH Bldg.
      Washington, D.C. 20201

   b. Using the online Complaint Portal available at http://www.hhs.gov/hipaa/filing-a-complaint/complaint-process/index.html

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2. During such investigation, the Security Officer and/or Privacy Officer shall assist the CMS Administrator to resolve the complaint.

Reporting and Compliance

Refer to the Privacy and Security Oversight policy for requirements to reporting suspected and known non-compliance of this policy and procedure as well as potential outcomes for violations.

Key Definitions

For capitalized terms refer to the HIPAA Privacy and Security Definitions document.

Resources

- HIPAA COW Security Incident Response Policy, Version 8, 7/11/05
- HIPAA COW Breach Notification – Protected Health Information for Covered Entities Policy, Version 6, 3/5/13
- HIPAA COW Security Oversight Policy/Procedure, Version 2, 4/19/05
- NIST SP 800-61 Revision 2, Computer Security Incident Handling Guide, August 2012
- SANS Sample Incident Handling Forms
- Incident Contact List
- Incident Identification
- Incident Survey
- Incident Containment
- Incident Eradication
- Incident Communication Log

Applicable Standards/Regulations

- HIPAA Final Omnibus Rule, January 25, 2013
- 45 CFR Parts 160 and 164 – HIPAA Privacy and Security Rules
- 45 CFR § 164.308(a)(1)(i) HIPAA Security Rule Security Management Process
- 45 CFR § 164.308(a)(6)(i) HIPAA Security Rule Security Incident Procedures
- 45 CFR § 164.308(a)(6)(i)(ii) HIPAA Security Rule Response and Reporting
- 45 CFR § 164.308(a)(1)(ii)(C) HIPAA Security Rule – Sanction Policy
- 45 CFR – Subpart D – Notification in the Case of Breach of Unsecured Protected Health Information
- 45 CFR § 164.512(f)(2)(i) HIPAA Privacy Rule Permitted disclosures: Limited information for identification and location purposes
- 45 CFR § 164.502(j) Disclosures by whistleblowers and workforce member crime victims
- 45 CFR § 164.502(j)(1) HIPAA Privacy Rule Disclosures by whistleblowers
- 45 CFR § 164.502(j)(2) HIPAA Privacy Rule Disclosures by workforce members who are victims of a crime
- 45 CFR § 164.530(d)(1) HIPAA Privacy Rule Complaints to the Covered Entity
- 45 CFR § 164.530(d)(2) HIPAA Privacy Rule Documentation of complaints
- 45 CFR § 164.530(e)(1-2) HIPAA Privacy Rule Sanctions and Documentation
- 45 CFR § 164.530(f) HIPAA Privacy Rule Mitigation

Attachment: DOA Incidents Policy FINAL 09-20-2022 (7292 : New HIPPA Policies - Second Reading - Toni Hohlfelder)

** NEW POLICY **
INFORMATION SECURITY RISK MANAGEMENT POLICY

Purpose

The purpose of this policy is to establish the organization's information security risk management program intended to support and protect Chippewa County and its ability to fulfill its mission and effectively and consistently protect its information assets. Risk management is the process of identifying, assessing, and taking steps to reduce risk to an acceptable level. Not understanding the risks introduced with changes or implementation of new controls, assets and procedures could expose Electronic Protected Health Information and other restricted as well as sensitive information, collectively "Confidential Information" to hostile parties.

Completing a risk analysis and ongoing monitoring are mechanisms to help Chippewa County identify potential threats and vulnerabilities to the confidentiality, integrity, and availability of Confidential Information the organization creates, receives, maintains, and transmits. Risk analysis and ongoing monitoring also provides a formalized process to understand current information security controls, leading practices to safeguard Confidential Information, and known threat sources.

This information is then utilized to make risk-based, prioritized recommendations for improvement. Efforts are then applied to eliminate or reduce vulnerabilities and threat capabilities to reasonable and appropriate levels. Ultimately, the information security risk management program is a critical function designed to improve the security posture and maturity of the organization. It establishes a framework to manage risks and creates boundaries to informed make risk-based decisions. The risk management process included in this policy and procedures are based on key steps outlined the National Institute of Standards and Technology Special Publication 800-30, Risk Management Guide for Information Technology Systems (NIST SP 800-30), version 2002.

The steps should be customized to most effectively identify risk for the organization based on its own uniqueness. Even though these items are listed as steps, they are not prescriptive in the order that they should be conducted. Some steps can be conducted simultaneously rather than sequentially.

Goals

To develop a framework throughout the organization to:

1. Continuously assess risk to the confidentiality, integrity, and availability of Confidential Information
2. Identify and document current administrative, physical, and technical controls
3. Identify potential and known information security risks
4. Prioritize identified risks
5. Develop and implement reasonable and appropriate plans to address information security risks
6. Ensure practices are appropriately modified to address changes occurring in the business and in the external threat environment
7. Document efforts to eliminate or reduce information security risks

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8. Enable management to make well-informed information security risk management decisions to justify the expenditures that are part of the information security budget

Responsible for Implementation

The following are responsible for implementing and overseeing this policy: Privacy Officer, Security Officer, IT Division and Risk Management Team members.

The Risk Management Team is responsible for:

1. Authorizing and overseeing the process of completing risk analyses
2. Approving mitigation plans
3. Ensuring risk mitigation controls are applied

Risk Management Team members include:

1. Security Officer
2. Privacy Officer
3. Information Technology Director
4. Human Services Fiscal Manager
5. Public Health Fiscal Manager

Policy

1. It is the policy of Chippewa County to:

    a. Conduct risk assessments of the potential Threats and Vulnerabilities to the confidentiality, integrity, and availability of its electronic protected health information (ePHI) and other restricted as well as sensitive information, collectively "Confidential Information"; and

    b. Develop strategies to efficiently and effectively mitigate the risks identified in the assessment process as an integral part of the organization's information security program.

2. Risk analysis and risk management are recognized as important parts of the organization's security compliance program. At a minimum, they are completed in accordance with the Risk Analysis and Risk Management requirements in the HIPAA Security Rule.

    a. To the extent possible, risk assessments are done throughout system life cycles:

        1. Before the purchase or integration of new technologies and prior to changes made to physical safeguards;

        2. While integrating technology and making physical security changes, and

        3. Into sustainment and monitoring of appropriate security controls.

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b. Information system technologies are not deployed unless the technology is widely-used, as well as generally accepted as stable, reliable, and fit for its intended purpose. Exceptions are made only if purchase commitments are preceded by both a risk assessment and the approval of the Security Officer.

c. The organization performs periodic technical and non-technical assessments of the security rule requirements in response to environmental or operational changes affecting the security of Confidential Information.

3. Risk is managed through the implementation of security controls which are dictated based on the level of sensitivity and/or value the information assets provide to the business as well as the level of risk to which those assets are subject (refer to the Information Classification Table). To the extent possible, Chippewa County implements security measures sufficient to reduce risks and vulnerabilities to a reasonable and appropriate level to:

a. Ensure the confidentiality, integrity, and availability of all Confidential Information the organization creates, receives, maintains, and/or transmits;

b. Protect against any reasonably anticipated Threats or hazards to the security or integrity of this information;

c. Protect against any reasonably anticipated uses or disclosures of Confidential Information that are not permitted or required; and

d. Ensure compliance by workforce.

e. All workforce members are expected to fully cooperate with all persons charged with doing risk management work.

Procedures

1. Risk Assessment

The intent of completing a risk assessment is to determine potential Threats and Vulnerabilities and the likelihood and impact should they occur. The following steps are utilized to conduct a full risk assessment, unless a contractor/consulting organization is hired that utilizes a different and acceptable risk assessment approach. Some of the steps are also utilized by the Risk Management Team or others as delegated when purchasing, upgrading, or moving Confidential Information systems and other applications or technologies and as needed to assist in the organizations risk management efforts; also refer to the System Build / Change Control Policy. The output of this process helps to identify appropriate controls for reducing or eliminating risk.

a. <u>Step 1. System Characterization</u>

1. Identify where Confidential Information is created, received, maintained, processed, or transmitted. Consider policies, laws, remote workforce and

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telecommuters, removable media and portable computing devices (e.g., computers, laptops, removable media, and backup media).

2. When changing, purchasing or otherwise introducing new applications or technologies into the production environment:

   a). Refer to the System Build / Change Control policy and procedures.

   b). Document the classification of the highest data criticality / data sensitivity level (refer to the Information Classification Table and Information Classification Questionnaire)

b. Step 2. Threat Identification

Identify and document potential Threats (the potential for Threat Sources to successfully exercise a particular Vulnerability).

c. Step 3. Vulnerability Identification

1. Develop a list of technical and non-technical system vulnerabilities (flaws or weaknesses) that could be exploited or triggered by the potential Threat Sources.

2. This step may include testing systems, penetration testing, etc. Vulnerability Assessments are completed as described in the System Build / Change Control policy, procedures, and standards.

d. Step 4. Control Analysis

Document technical and non-technical controls (policies, procedures, physical security measures) (e.g. complete a physical walkthrough on Chippewa County's data processing areas, locations containing infrastructure systems, workstations, and other areas that contain Confidential Information), training, technical mechanisms and functionalities, insurance, etc.) that have been or will be implemented by the organization to minimize or eliminate the likelihood (or probability) of a Threat Source exploiting a Vulnerability and reduce the impact of such an adverse event.

e. Step 5. Likelihood Determination

1. Determine the overall likelihood rating that indicates the probability that a Vulnerability could be exploited by a Threat Source given the existing or planned security controls.

2. Utilize a scoring mechanism, such as the one in NIST Special Publication (SP) 800-30; low (.1), medium (.5), or high (1).

f. Step 6. Impact Analysis

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1. Determine the level of adverse impact that would result from a Threat Source successfully exploiting a Vulnerability.

2. Factors to consider should include the importance to the organization's mission; sensitivity and criticality of the Confidential Information (value or importance); costs associated; loss of confidentiality, integrity, and availability of systems and data.

3. Utilize a magnitude of impact rating, such as the one in NIST SP 800-30; low (10), medium (50), or high (100).

g. Step 7. Risk Determination

1. Calculate a risk level.

2. One approach that may be utilized is to multiply the NIST SP 800-30 likelihood rating by the impact rating; Risk level of low (1-10), medium (>10-50) or high (>50-100).

3. This represents the degree or level of risk to which an IT system, facility, or procedure might be exposed if a given Vulnerability were exercised.

h. Step 8. Control Recommendations

1. Identify controls that could reduce or eliminate the identified risks to an acceptable level, as appropriate to the organization's operations. Factors to consider may include level of sensitivity and/or value the information assets, level of risk to which assets are subject, effectiveness of recommended options (i.e., system compatibility), legislation and regulation, organizational policy, operational impact, and safety and reliability.

2. Control recommendations provide input to the risk mitigation process, during which the recommended procedural and technical security controls are evaluated, prioritized, and implemented.

i. Step 9. Results Documentation

1. Document results of the risk assessment, such as in a Risk Summary and/or Risk Mitigation Implementation Plan.

2. Provide a summary of the results to the County Administrator.

2. Risk Mitigation

Risk mitigation involves prioritizing, evaluating, and implementing the appropriate risk-reducing controls recommended from the risk assessment process to ensure the confidentiality, integrity and availability of Confidential Information. Determination of appropriate controls to reduce risk is dependent upon the risk tolerance of the Organization consistent with its goals and

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mission. The following steps may be utilized to make determinations of the appropriate controls to put into place. Some of the steps may also be utilized when purchasing, upgrading, or moving Confidential Information systems and other applications or technologies and as needed to assist in the organizations risk management efforts.

a. Step 1. Prioritize Actions

b. Step 2. Evaluate Recommended Control Options

Using results from Step 7 of the Risk Assessment and after obtaining approvals in Step 9, identify and sort top risks (Vulnerability-Threat pairs), such as from high to low.

Review the recommended control(s) from Step 8 as well as alternative solutions for reasonableness and appropriateness. The feasibility (e.g., compatibility, user acceptance, etc.) and effectiveness (e.g., degree of protection and level of risk mitigation) of the recommended controls should be analyzed. Select a "most appropriate" control option for each Vulnerability-Threat pair, and document reasons for not selecting other controls.

Determine the extent to which a control is cost-effective. Compare the benefit (e.g., risk reduction), of applying a control with its subsequent cost of application.

c. Step 3. Conduct Cost-Benefit Analysis

d. Step 4. Select Control(s)

Taking into account the information and results from previous steps, the organization's mission, and other important criteria, determine the best control(s) for reducing risks to the information systems and to the confidentiality, integrity, and availability of Confidential Information. These controls may consist of a mix of administrative, physical, and/or technical safeguards.

e. Step 5. Assign Responsibility

Identify the individual(s) or team with the skills necessary to implement each of the specific controls outlined in the previous step, and assign their responsibilities. Also identify the equipment, training and other resources (e.g. time, money, etc.) needed for the successful implementation of controls.

f. Step 6. Develop Safeguard Implementation Plan

1. Develop an overall implementation or action plan. Include the following information, as applicable:

a). Each risk or Vulnerability/Threat pair and risk level
b). Prioritized actions
c). The recommended feasible control(s) for each identified risk
d). Required resources for implementation of selected controls
e). Team member responsible for implementation of each control

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f). Start date for implementation
g). Target date for completion of implementation
h). Maintenance requirements

2. Obtain written approval for decisions on policy, procedure, budget, system operational and management changes, as well as acceptance of remaining risk for systems that create, receive, maintain, transmit or otherwise impact from the Department of Administration or the County Board of Supervisors.

g. Step 7. Implement Selected Controls

As controls are implemented, monitor the affected system(s) to verify that the implemented controls continue to meet expectations. Elimination of all risk is not practical. Depending on individual situations, implemented controls may lower a risk level but not completely eliminate the risk.

1. Document the date controls are put into place.

2. Identify when new risks are identified and when controls lower or offset risk rather than eliminate it.

3. If risk reduction expectations are not met, then repeat all or a part of the risk management process so that additional controls needed to lower risk to an acceptable level can be identified.

4. Provide regular status reports to the County Administrator and other key stakeholders, as appropriate.

h. Any remaining (residual) risk after other risk controls have been applied requires sign off by the County Administrator.

3. Risk Management Schedule

The two principle components of the risk management process (Risk Assessment and Risk Mitigation) are carried out according to the following schedule to ensure the continued adequacy and continuous improvement of the organization's information security program.

a. Risk Assessment

1. Scheduled Basis – Conduct an overall risk assessment of the organization's information system infrastructure and policies and procedures in place to safeguard the confidentiality, integrity and availability of Confidential Information at least every two (2) years when possible, but at a minimum every four (4) years.

2. Throughout a System's Development Life Cycle – from the time that a need for a new information system is identified through the time it is disposed, ongoing assessments of the potential security Threats and Vulnerabilities to a system are

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done (e.g. when purchasing, upgrading, changing, or moving Confidential Information systems). Refer to the System Build / Change Control policy.

3. As Needed –a full or partial risk assessment in response to environmental or operational changes affecting the security of Confidential Information may be done (e.g. when experience a security incident, turnover in key workforce members/management, other things that impact how Confidential Information is stored or transmitted, or there is an indication of increased risk to organizational operations and assets, individuals, other organizations, or the Nation based on law enforcement information, intelligence information, or other credible sources of information).

4. Ongoing Monitoring – Ongoing monitoring ensures that the risk reduction process is continuous instead of a one-time or annual event. Risk mitigation activities and trends are monitored on a regular, ongoing basis.

b. Risk Mitigation – to the extent possible, selected security controls are put in place as described in the risk mitigation implementation plan or other plan developed during the risk assessment process.

4. Insurance

Chippewa County has business, privacy breach response management, information security, and cyber security insurance to cover potential claims.

5. Documentation

Maintain documentation of all risk assessment and risk mitigation efforts, including decisions made on what controls to put in place as well as those to not put into place, for a minimum of six years.

6. Reporting and Compliance

Refer to the Privacy and Security Oversight policy for requirements to reporting suspected and known non-compliance of this policy and procedure as well as potential outcomes for violations.

Reporting and Compliance

Refer to the Privacy and Security Oversight policy for requirements to reporting suspected and known non-compliance of this policy and procedure as well as potential outcomes for violations.

Key Definitions

For capitalized terms, refer to the HIPAA Privacy and Security Definitions form located on the Employee Portal under Policies.

Attachment: DOA Info Security Risk Mgmt Policy FINAL 09-20-2022 (7292 : New HIPPA Policies - Second Reading - Toni Hohlfelder)

Resources

- NIST Risk Management Guide for Information Technology Systems, SP 800-30, July 2002.
- NIST Security Self-Assessment Guide for Information Technology Systems, SP 800-26, August 2005
- NIST Managing Information Security Risk SP 800-39, March 2011
- NIST Guide for Mapping Types of Information and Information Systems to Security Categories, SP 800-60, August 2008
- Draft HIPAA COW Risk Management Policy, November 2012

Applicable Standards/Regulations

- 45 CFR § 164.308(a)(1)(i) HIPAA Security Rule Security Management Process
- 45 CFR § 164.308(a)(1)(ii)(A) HIPAA Security Rule Risk Analysis
- 45 CFR § 164.308(a)(1)(ii)(B) HIPAA Security Rule Risk Management
- 45 CFR § 164.308(a)(8) HIPAA Security Rule Evaluation

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Attachment: FP Facility Access and Physical Security Policy FINAL 08-26-2022 (7292 : New HIPPA Policies - Second Reading - Toni Hohlfelder)

** NEW POLICY **

FACILITY ACCESS AND PHYSICAL SECURITY POLICY

Purpose

Controlling physical access into buildings, areas within them, and when transporting information provides mechanisms to safeguard Protected Health Information (PHI), Electronic Protected Health Information (ePHI), and other Restricted Information as well as Sensitive Information from unauthorized access, use, disclosure, and modification. This also protects the safety of Workforce and visitors. The purpose of this policy and related procedures is to establish minimum facility access and physical safeguards to control access to this information within Chippewa County's (herein County) facilities, as well as when it is taken offsite. It is the goal of the organization to effectively protect physical assets and human resources.

Responsible for Implementation

The Privacy Officer, Security Officer, Information Technology Director, Human Resources Division, and Facilities and Parks Division are responsible for implementing and overseeing this policy and procedure.

Policy

It is the policy of the County to:

1. Safeguard the facility and Confidential Information from unauthorized physical access, tampering, and theft.

2. Limit physical access to hardcopy, Workstations, and information systems that create, receive, maintain, and/or transmit, Protected Health Information (PHI), Electronic Protected Health Information (ePHI), and other restricted as well as sensitive information, collectively "Confidential Information", as well as the facilities where they are housed to only those that need access.

3. Control and validate access to facilities.

4. Provide a safe environment for Workforce and visitors.

5. Safeguard Confidential Information when taken off the premises.

Procedures

1. <u>Identification of Individuals in the Organization</u>

    a. Refer to the Identification and Access Card policy for requirements for issuing and wearing ID cards and Electronic Access Devices.

2. Individuals Allowed in Restricted Areas

a. Workforce members as approved by their supervisor and as needed to perform their job duties.

b. Consumers, clients, and subscribers and their family/friends with an escort of a Workforce member into and out of the Restricted Areas.

c. Workforce members' family members and friends visiting (briefly) with the escort of a Workforce member.

d. Vendors with a Workforce member's escort into and out of the areas for brief periods of time as long as:

1. To the extent feasible, Confidential Information is not visible or being discussed;

2. A Business Associate Agreement is in place with the vendor; or

3. The individual signed a confidentiality agreement.

e. Vendors approved by a Department Head or their designee, once acclimated to the areas, without an escort. Applicable agreements must be in place as described in the Business Associate and Service Provider policies.

f. Individuals who do not have access to Restricted Areas may not attempt to circumvent security or forcibly attempt to enter Restricted Areas.

3. Individuals Allowed in Unrestricted Areas

All Workforce members, consumers, clients, subscribers, Vendors, contractors, and other visitors may be in Unrestricted Areas. Note: if they need to go through a Restricted Area to access an Unrestricted Area, they are escorted by an authorized Workforce member to the Unrestricted Area, unless otherwise allowed.

4. Facility Security Controls (Doors)

a. Access to the County's exterior and interior room doors are locked with one or more of the following, depending on the facility location:

1. Keyed locks.

2. Cypher code locks.

3. Software based access control system – electronic access device.

b. Keys (and other lock entry mechanisms).

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1. The least number of keys and other lock entry mechanisms shall be distributed.

   a). Distribution is limited so that only the minimum necessary number of individuals is able to access the facilities and specified locked interior rooms.

   b). Distribution decisions are based on the organization's needs. This includes the ability for key individuals to access Confidential Information systems during emergencies.

2. The Facilities and Parks Division secures all unused keys in locked cabinets inside a locked office (excluding the Sheriff's Department, Jail, Highway Department, and forest management gates)

   a). Refer to the Key Issuance and Request Policy for distribution, collection, and additional safeguarding of keys requirements.

3. Cypher codes

   a). Department Head or designee maintains a list of individuals with cypher codes, their assigned roles, issuance dates, change dates and termination dates.

   b). When an individual's role changes, the Department Head or designee immediately (or as soon as practicable) ensures that cypher codes continue to be appropriate for his or her role.

   c). Cypher code lock combinations are changed:

      1). Every four years; and

      2). When an individual that knows the code no longer needs the code and there is deemed a high risk of an unauthorized attempt to enter the door.

c. Reasonable controls will be implemented in rooms or areas that store Confidential Information (e.g. the area is monitored at all times by an authorized individual) as appropriate to monitor and secure Confidential Information.

5. <u>Servers and Data Wiring Safeguards</u>

a. Physical access to servers, data wiring, data processing areas, and other related equipment shall be limited to those individuals able and authorized to maintain and/or restore access to them.

   1. Servers are in a locked room inside the IT Division with electronic access device access and key access to the door in the hallway. There are two cameras in the server room.

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2. Access rights to the server room shall be provided on a strict "need to have" basis as determined by the IT Director, Security Officer and Facilities & Park Director.

3. Data wiring closets, or network devices, are in locked rooms with key access. There are cameras in the hallways that capture who enters / leaves these rooms.

4. Doors to server rooms:

   a). Shall be mounted with the hinges located on the inside of the room. If this is not possible, hinge pins are spot welded or "pinned" to prevent their removal.

   b). Shall not have vents. If vents are needed for airflow, they are mounted on the inside of the door and reinforced to prevent access.

   c). Shall not be self-closing.

5. Walls surrounding server rooms shall run from floor to ceiling or deck to prevent anyone from climbing over the wall to gain access through a false ceiling.

6. For doors that have an electronic access device, key access is only authorized to be used as a means of over-riding the electronic access device system in the event emergency access is required.

7. The Human Resources Division (electronic access) and Facilities and Parks Division (keys) maintains a list of individuals authorized to access these rooms.

8. Human Resources Division shall:

   a). Review the electronic access device list on an annual basis;

   b). Remove individuals from the list when access is no longer required or needed after discussing with the Department Head and/or County Administrator.

b. To help prevent tampering data or telecommunication cables located outside of areas controlled by the County are placed:

   1. Above drop ceilings;

   2. In a wiring management system; and/or

   3. Inside protective conduit.

c. IT Division, Server Room, and Data Wiring Access

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1. The IT Division (for purposes of this section, the IT Division includes the server room) is a secured and Restricted Area

   a). Access shall be granted to only those individuals who have a mission-essential business need. Vendors and service personnel must have contracts and/or agreements in place as required by the Business Associate and Service Provider policies

   b.) IT Division contains data, which is Restricted and Sensitive, personal in nature, and in some cases, protected by law.

   c). IT Division is not a common workspace; therefore, traffic in the IT Division shall be kept to a minimum.

   d). Access to the server room, by anyone other than an employee that accesses using an electronic access device, requires signing in and out on a log outside the room(s).

      1). Record on Data Center Sign-in Sheet: date, visitor name, visitor's company name, individual or department visiting, reason for entry, in time, and out time.

      2). Sign-in sheets are reviewed and maintained by the IT Director on a monthly basis.

2. IT Division access falls under the following three categories:

   a). Unaccompanied 24 X 7 Access: This level of access shall be granted to the least possible number of Workforce (IT personnel and Facilities and Parks Division).

   b). Accompanied Access: Those with Accompanied Access shall be allowed access to the IT Division, only with those who are appropriately badged for Unaccompanied 24 X 7 Access. When an authorized Workforce member acts as the escort, that Workforce member, or by an IT Division Workforce member (if agreed upon in advance), shall remain in the IT Division during the visit. The escort assumes responsibility for the actions of those they allow into the IT Division and are responsible to ensure they have not removed items of equipment, media, or data.

   c). No Access: Everyone who is not otherwise cleared is in this category. There is no implied consent for access based on one's status as a County Workforce member, or a contractor of Chippewa County.

3. In general, any access, which is not specifically approved, is denied

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4. Only Workforce members that are issued an electronic access device with access to the room have the authority to escort individuals into the room. Approvals for completing work in the room shall be obtained by the IT Director or designee.

5. The IT Director may request reports on a periodic basis to review the access.

6. Electronic access devices and keys are not transferable.

7. Actual or suspected loss of an electronic access device shall be reported immediately to the Human Resources Division. Deactivation shall occur at reporting time. At no time shall an electronic access device be left active while a search is taking place. IT Division electronic access devices generally also have access to exterior building doors, so it is critical to report suspected losses immediately.

8. IT Division and Server Room Emergency Access

   a). In the event of fire, natural disaster, chemical spill, or any other event, which would render the IT Division and/or Server Room uninhabitable, the IT Division will be evacuated immediately. The appropriate emergency personnel shall control access to the site during the entire course of the emergency.

   b). Once access is granted, the IT personnel will enter to make an initial assessment of the condition of the IT Division, server room, and equipment.

   c). If conditions render the site usable, systems shall be allowed to remain running, and IT personnel shall access the IT Division and server room to make an assessment and take appropriate remedial action.

   d). If the site can be accessed, but is not usable or suitable for continued use, IT personnel shall be called into the IT Division to begin a process of an orderly shutdown, and begin removing equipment, racks, etc. that are functional or may be repairable. Priority will be given to the safety of personnel, and to evacuating as much equipment as possible to a safe indoor location, or a safe and guarded outdoor location, until it can be moved to a better location. Precise procedures and instructions will depend on the nature and extent of the emergency. The IT personnel on site shall direct the effort, and work with other agencies to secure help to move and transport equipment.

   e). Movement, repair and restoring of service will be prioritized. Systems, tapes and networking devices shall be secured in accordance with the level of security of the information that remains.

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f). If the building is structurally dangerous, the minimum personnel necessary may be allowed into the IT Division and server room to retrieve as much as can be safely removed.

6. Additional Facility Safeguards

a. Refer to the Information Privacy and Security and Facility Use policies for additional security requirements.

b. There are motion-detecting surveillance cameras throughout the Courthouse building. Two motion detection surveillance cameras are in the server room.

1. They stream continuously and record when motion is detected.

2. Recordings are maintained for 30 days, unless required for a specific investigation that requires an additional retention period.

3. Recordings are not routinely checked. They are usually only reviewed in the event there is a need to review them due to an incident, such as the investigation of theft, vandalism, or violation of policy, state, or federal law.

c. Refer to the Surveillance Camera policy for additional information regarding the surveillance cameras.

7. Documentation

All documentation related to this policy and procedure is maintained by the Security Officer, IT Division, Human Resources Division, and Facilities and Parks Division for six years from the date of creation or last date in effect, whichever is later.

a. Reporting and Compliance

Refer to the Privacy and Security Oversight policy for requirements to reporting suspected and known non-compliance of this policy and procedure as well as potential outcomes for violations.

Reporting and Compliance

Refer to the Information Privacy and Security policy for requirements to reporting suspected and known non-compliance of this policy and procedure as well as potential outcomes for violations.

Key Definitions

For capitalized terms refer to the HIPAA Privacy and Security Definitions document.

Resources

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- SANS Clean Desk Policy, June 2014
- HIPAA COW Facility Access Policy, Version 6, 4/4/05

Applicable Standards/Regulations

- HIPAA Final Omnibus Rule, January 25, 2013
- 45 CFR § 164.308(a)(7)(ii)(C) HIPAA Security Rule Emergency Mode Operation Plan
- 45 CFR §164.310(a) HIPAA Security Rule Facility Access Controls
- 45 CFR §164.310(a)(2)(ii) HIPAA Security Rule Facility Security Plan
- 45 CFR §164. 310(a)(2)(iii) HIPAA Security Rule Access Control and Validation Procedures
- Wis. HFS 92, Nov. 2008
- NIST Security and Privacy Controls for Federal Information Systems and Organizations, SP 800-53, revision 4, April 2013

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** NEW POLICY **

KEY ISSUANCE AND REQUEST POLICY

Purpose

Chippewa County Key Issuance and Request Policy shall be used to distribute and collect keys to ensure the safety and security of Chippewa County property and personnel based on the integrated security plan recommendation.

Responsible for Implementation

The Facilities and Parks Division and the Human Resources Division are responsible for implementing and overseeing this policy and procedure.

Policy

For the safety and security of the public, Chippewa County (herein County) Workforce members and facilities, it is the policy of the County to safeguard the facility and Confidential Information from unauthorized physical access, tampering, and theft through restricted distribution of keys.

This policy will affect the Chippewa County facilities and grounds excluding:

- Sheriff's Department
- Jail
- Highway Department
- Forest Management Gates
- Communication Towers
- All County Vehicles

Issuing New Keys to New Employees

1. Access requested and provided is limited so that only the minimum necessary number of individuals is able to access the facilities and specified locked interior rooms.

2. The Department Head shall complete a Request for Access Form (RFA) and submit it to Human Resources (HR) at least two (2) weeks prior to the new employee's start date. The Human Resources Division may approve an exception to the two (2) week requirement in rare situations.

3. The Human Resources Division shall notify the Facilities and Parks Division when a new employee is hired by emailing a copy of the RFA to the Facilities and Parks Administrative Assistant.

4. The Facilities and Parks Administrative Assistant will initiate the Key Request Form and email it to the applicable Department Head or designee for confirmation of request and signature authorization.

5. Upon confirmation and receipt of the Key Request Form, the Facilities and Parks Division will prepare key(s) for pickup within 7-10 business days.

Attachment: Key Issuance and Request FINAL 09-07-2022 (2) (7292 : New HIPPA Policies - Second Reading - Toni Hohlfelder)

6. The Facilities and Parks Administrative Assistant will send an email notification to the Department Head when the key(s) are ready for pickup in the Facilities and Parks Division office.

7. The Facilities and Parks Division shall maintain a list of individuals with keys and their assigned access roles. The list was initiated in September 2015 and includes individual's names assigned keys from that date forward.

8. **The employee is required to pick up and sign for keys in the Facilities and Parks Division office, no exceptions.**

9. When an employee's role changes, the Department Head immediately, or as soon as practicable, shall collaborates with Human Resources Division and the Facilities and Parks Division to ensure that keys continue to be appropriate for his or her role. This may include completing a new RFA.

10. Refer to the Facility Access Control policy for additional key and facility security requirements.

Returning Keys from Exiting Employees Leaving County Employment

1. Department Head or Supervisor shall notify the Human Resources Division when an employee is leaving County employment.

2. The Human Resources Division shall notify the Facilities and Parks Division when an employee is leaving County employment by sending an email to the Facilities and Parks Administrative Assistant.

3. The employee shall return the key to the Facilities and Parks Division on or before their last day of work. If this isn't possible to do so, the employee shall return it to the Human Resources Division or the Department Head. Then, the Human Resources Division or Department Head shall return the key to the Facilities and Parks Division.

4. The Facilities and Parks Administrative Assistant will log the return of key(s) from the employee on the original Key Request Form.

NOTE: Issuance of new keys may be delayed for new employees due to non-compliance with this policy. If keys are not returned, a service charge of $100 per key may be assessed to the department or to the employee for replacement and/or rekeying costs.

Internal Transfers

1. If a transfer is approved, the Department Head is responsible for completing the RFA form and Office Relocation Form and forwarding it to the Human Resources Division at least two (2) weeks prior to the employee's transfer date. The Human Resources Division may approve an exception to the two (2) week requirement in rare situations.

2. The Human Resources Division shall notify the Facilities and Parks Division when an employee has been approved to transfer or move internally in the County by emailing a copy of the RFA form.

3. The Facilities and Parks Administrative Assistant will initiate the Internal Key Request Form for Moves and email it to the applicable Department Head or designee for confirmation of request and signature authorization.

Attachment: Key Issuance and Request FINAL 09-07-2022 (2) (7292 : New HIPPA Policies - Second Reading - Toni Hohlfelder)

4. Upon confirmation and receipt of the Key Request Form the Facilities and Parks Division will prepare key(s) for pickup within 7-10 business days.

5. The Facilities and Parks Administrative Assistant, if applicable, will send an email notification to the Supervisor and Employee when the key(s) are ready for pickup in the Facilities and Parks Division office.

6. **The employee is required to return past issued key(s), pick up new key(s), and sign for key(s) in the Facilities and Parks Division office, no exceptions.**

NOTE: All unused keys will need to be returned to the Facilities and Parks Division prior to issuance of new key(s). The Human Resources Division will remind both the transferring employee and the Facilities and Parks Administrative Assistant that the keys no longer needed, associated with former position, will need to be returned when they pick up the new key(s) for the new position.

Reporting and Compliance

Refer to the Information Privacy and Security policy for requirements to reporting suspected and known non-compliance of this policy and procedure as well as potential outcomes for violations.

Key Definitions

For capitalized terms refer to the HIPAA Privacy and Security Definitions document.

Applicable Standards/Regulations

- HIPAA Final Omnibus Rule, January 25, 2013
- 45 CFR §164.310(a) HIPAA Security Rule Facility Access Controls
- 45 CFR §164.310(a)(2)(ii) HIPAA Security Rule Facility Security Plan
- 45 CFR §164. 310(a)(2)(iii) HIPAA Security Rule Access Control and Validation Procedures

Attachment: Key Issuance and Request FINAL 09-07-2022 (2) (7292 : New HIPPA Policies - Second Reading - Toni Hohlfelder)

STATEMENT OF EXPLANATION
COUNTY ADMINISTRATOR APPOINTMENT - CRIME PREVENTION FUNDING BOARD

County Administrator Appointment to Statutory Commissions and Boards

I, Randy B. Scholz, appoint, subject to County Board confirmation, the individuals listed below to the Crime Prevention Funding Board. The term of office will be determined by the Crime Prevention Funding Board members at their first meeting.

Steve Gibbs (Presiding judge or designee) ..... Term TBD
Wade Newell (District Attorney or designee) ..... Term TBD
Curt Dutton (Sheriff or designee) ..... Term TBD
Randy Scholz (County Administrator or designee) ..... Term TBD
Matt Kelm (Chief elected official of largest municipality in county or designee) ..... Term TBD
Glenn Rehberg (Person chosen by a majority vote of Sheriff and all chiefs of police) ..... Term TBD
* Glenn Rehberg will also serve on the CJCC Council
Harry Hertel (Person chosen by county's public defender's office) ..... Term TBD

As outlined in Ordinance Sec. 2-84(m)(1) the purpose of the Crime Prevention Funding Board is established pursuant to Wis. Stat. §59.54(28) for the purpose of solicitation and distribution of grants to any of the following entities, in amounts determined by the Crime Prevention Funding Board:

a. One or more nonprofit organizations within the county that has as its primary purpose preventing crime, providing a funding source for crime prevention programs, encouraging the public to report crime, or assisting law enforcement agencies in the apprehension of criminal offenders.

b. A law enforcement agency within the county that has a crime prevention fund, if the contribution is credited to the crime prevention fund and is used for crime prevention purposes.

Dated this 11th day of October, 2022

Randy Scholz
County Administrator