

**ROCK COUNTY, WISCONSIN**



**Board of Supervisors  
51 S. Main Street  
Janesville, WI 53545  
Phone: 608/757-5510  
FAX: 608/757-5511  
www.co.rock.wi.us**

**ROCK COUNTY BOARD OF SUPERVISORS' MEETING  
THURSDAY, DECEMBER 15, 2011 – 6:00 P. M.**

**Amended  
12/9/11**

**COUNTY BOARD ROOM/COURTROOM H  
FOURTH FLOOR/COURTHOUSE EAST**

**Agenda**

1. CALL TO ORDER
2. INVOCATION & PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPTION OF AGENDA
5. APPROVAL OF MINUTES November 9, 2011, November 15, 2011, and November 17, 2011
6. PUBLIC HEARING
  - A. Repeal and Recreate Chapter 25, Rock County Ordinances, Regarding Slow-No-Wake Restrictions on Rivers and Streams in Rock County  
(First Reading)
7. CITIZEN PARTICIPATION, COMMUNICATIONS AND ANNOUNCEMENTS
8. NOMINATIONS, APPOINTMENTS AND CONFIRMATION
  - A. Appointment to the Agriculture and Extension Committee
  - B. Appointment to Human Services Board
  - C. Appointment to Long Term Support Committee
  - D. Appointment to Long Term Support Committee
  - E. Appointments to Disabled Parking Enforcement Assistance Council
  - F. Appointment to Veterans Service Commission
  - G. Appointments to the Arrowhead Library System Board
  - H. Appointments to Council on Aging Advisory Board/Council on Aging Nutrition Advisory Council
  - I. Appointment to Emergency Medical Services Advisory Council
  - J. Appointment to Supervisory District 13
  - K. Appointment to Health Services Committee
9. INTRODUCTION OF NEW RESOLUTIONS OR ORDINANCES BY SUPERVISORS FOR REFERRAL TO APPROPRIATE COMMITTEE
10. REPORTS
11. UNFINISHED BUSINESS

**ROCK COUNTY BOARD OF SUPERVISORS**

**December 15, 2011**

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12. NEW BUSINESS

A. Supplementary Appropriations and Budget Changes - Roll Call

1. Authorizing Acceptance of the Family Foundations Comprehensive Home Visitation Grant and Amending the 2011 Human Services Department Budget

NOTE: Items 12.A.1. will be considered by the Human Services Committee on December 14, 2011 and Finance Committee on December 15, 2011

B. Bills Over \$10,000 – No Roll Call

C. Encumbrances Over \$10,000 – Roll Call

D. Contracts – Roll Call

1. Authorizing Renewal of Agreement with the City of Janesville for HAZMAT Response Services
2. Authorizing Contract with ATTIC Correctional Services, Inc. for the Operation of Community RECAP
3. Cooperative Agreement between City of Janesville, City of Beloit, and County of Rock
4. Authorizing Purchase of Vehicles per State of Wisconsin Contract for the Rock County Sheriff's Office
5. Awarding Contract for Installation of Welding Exhaust Equipment at the Public Works Department

NOTE: Items 12.D.2., 12.D.3., 12.D.4., and 12.D.5. will be considered by the Finance Committee on December 15, 2011

6. Authorizing 2012 Cooperative Agreement with Columbia County Health and Human Services to Provide Income Maintenance Fraud Prevention Investigative Services for Rock County Human Services
7. Authorizing 2012 Income Maintenance Contract between the Department of Health Services (DHS) and the Southern Consortium

NOTE: Items 12.D.6. and 12.D.7. will be considered by the Human Services Board on December 14, 2011

E. Ordinance Revision – Repeal and Re-Creation of the Rock County Land Division Regulations (Chapter 15, Code of Ordinance, Rock County) as the Rock County Land Division and Development Ordinance (Chapter 38 – Code of Ordinances, Rock County) (Second Reading and Adoption)

**ROCK COUNTY BOARD OF SUPERVISORS**

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12. NEW BUSINESS

- F. Increasing Fees for Services of Coroner Relative to Cremations
- G. Designating Fund Balance Classifications
- H. Resolution Authorizing Submission of the 2012 Rock County Application for Lead Hazard Control Grant Funds

NOTE: Item 12.H. will be considered by the Planning & Development Committee on December 15, 2011

- I. Authorizing Application for the Natural Resources Foundation's C.D. Besadny Conservation Grant for Magnolia Bluff Park State Natural Area Kittentail Restoration

NOTE: Item 12.I. will be considered by the Public Works Committee and Parks Advisory Committee on December 13, 2011

- J. Initial Resolution Authorizing General Obligation Bonds and/or Notes in an Amount Not to Exceed \$2,410,000

NOTE: Item 12.J. will be considered by the Finance Committee on December 15, 2011

- K. Recognizing Correctional Officer Joanne Bosben
- L. To Recognize Mary Thill

NOTE: Items 12.K. and 12.L. will be considered by the County Board Staff Committee on December 13, 2011

- M. Recognizing Mark Richardson
- N. To Recognize Jeanne Larsen

NOTE: Items 12.M. and 12.N. will be considered by the County Board Staff Committee on December 13, 2011 and Human Services Board on December 14, 2011

- O. **EXECUTIVE SESSION:** Per Section 19.85(1)(e), Wis. Stats. – Update on Collective Bargaining

13. ADJOURNMENT

**ORDINANCE  
ROCK COUNTY BOARD OF SUPERVISORS**

JEFFREY S. KUGLITSCH  
INITIATED BY



JEFFREY S. KUGLITSCH  
DRAFTED BY

PUBLIC SAFETY & JUSTICE  
COMMITTEE  
SUBMITTED BY

JULY 5, 2011  
DATE DRAFTED

**REPEAL AND RECREATE CHAPTER 25, ROCK COUNTY ORDINANCES, REGARDING SLOW-  
NO-WAKE RESTRICTIONS ON RIVERS AND STREAMS IN ROCK COUNTY**

1 WHEREAS, the Rock River and the other rivers and streams in Rock County provide important  
2 recreational opportunities for residents; and

3  
4 WHEREAS, pursuant to Section 30.77 of the Wisconsin Statutes, the County is authorized to  
5 enact and enforce ordinances regulating the use, equipment and operation of boats on rivers and streams  
6 within the County in the interest of public health, safety and welfare; and

7  
8 WHEREAS, the Board of Supervisors finds that restrictions on the speed of watercraft on the  
9 Rock River and other rivers and streams in the County, is necessary in the interest of public health, safety  
10 and welfare, including the public's interest in preserving the state's natural resources; and

11  
12 WHEREAS, in enacting this Ordinance, the Board has considered the type, size, shape, depth and  
13 any features of special environmental significance of the Rock River, the other rivers and streams in the  
14 County; the amount, type and speed of boating traffic on these water bodies, boating congestion and  
15 safety; the degree to which the boating traffic on these water bodies affects other recreational uses and the  
16 public's health, safety and welfare, including the public's interest in preserving the state's natural  
17 resources; and

18  
19 WHEREAS, the County previously adopted Chapter 25, Boating and Safety Laws and Slow-No-  
20 Wake Restrictions on April 14, 1994.

21  
22 NOW, THEREFORE, be it ordained by the Rock County Board of Supervisors in session this  
23 \_\_\_\_\_ day of \_\_\_\_\_, 2011 that they repeal Chapter 25 of the Rock County Ordinances and recreate  
24 an ordinance to regulate the speed of watercraft operating on the Rock River and other rivers and streams  
25 in Rock County as follows:

26  
27 **SLOW NO WAKE ON RIVERS AND STREAMS IN ROCK COUNTY**

- 28
- 29 Section 1 Applicability
- 30 Section 2 Purpose
- 31 Section 3 Authority
- 32 Section 4 Definitions
- 33 Section 5 Speed Restrictions
- 34 Section 6 Duties and Powers of the Rock County Sheriff
- 35 Section 7 Notice and Posting
- 36 Section 8 Enforcement and Penalties
- 37 Section 9 Severability
- 38

39 Section 1. APPLICABILITY. The provisions of this Ordinance shall apply to the reaches of the  
40 Rock River and each named and unnamed river and stream located within Rock County, Wisconsin.

41  
42 Section 2. PURPOSE. The purpose of this Ordinance is to promote safe boating conditions and  
43 to prevent damage to aquatic ecosystems by: (A) limiting boats on the Rock County rivers and streams to  
44 slow-no-wake speed when the water level of the river exceeds the recommended levels, (B) establishing  
45 slow-no-wake areas in certain locations where that is warranted by boating congestion, (C) authorizing

11-12A-528

REPEAL AND RECREATE CHAPTER 25, ROCK COUNTY ORDINANCES,  
REGARDING SLOW-NO-WAKE RESTRICTIONS ON RIVERS AND STREAMS  
IN ROCK COUNTY

6 .A. (2)

Page 2

46 the Rock County Sheriff to impose slow-no-wake speed limits on other rivers and streams in the county  
47 during permitted special events or when that is warranted by exceptional circumstances.

48

49 Section 3. AUTHORITY. This Ordinance is adopted by the Rock County Board of Supervisors  
50 pursuant to the powers granted by Section 30.77 of the Wisconsin Statutes.

51

52 Section 4. DEFINITIONS. The definitions as set forth in Section 30.01 of the Wisconsin Statutes  
53 are incorporated herein by reference as though fully set forth herein, except as follows:

54

55 (A) BOAT, WATERCRAFT. "Boat" or "Watercraft" means any device used for navigation on  
56 water, including personal watercraft.

57

58 (B) SLOW-NO-WAKE SPEED. "Slow-No-Wake Speed" means that speed at which a boat  
59 moves as slowly as possible while still maintaining steerage control.

60

61 Section 5. SPEED RESTRICTIONS.

62

63 (A) No person shall operate a boat or watercraft at greater than Slow-No-Wake Speed on any  
64 portion of the Rock River downstream from the northern Rock County line to the Indianford Dam, when  
65 the gauge water level at the US Geological Survey Gauge 05427235 (Lake Koshkonong near Newville,  
66 Wisconsin) is above 7.5 feet. This information can be obtained from the NOAA website. [[http://water.  
67 weather.gov/ahps2/hydrograph.php?wfo=mkx&gage=nvlw3&view=1,1,1,1,1,1,1](http://water.weather.gov/ahps2/hydrograph.php?wfo=mkx&gage=nvlw3&view=1,1,1,1,1,1,1) (Graph NVLW3)]

68

69 (B) No person shall operate a boat or watercraft at greater than Slow-No-Wake Speed on any  
70 portion of the Rock River downstream from the Indianford Dam to southern Rock County line when the  
71 gauge water level at the US Geological Survey gauge 05430500 (Rock River at Afton, Wisconsin) is  
72 above 6.5 feet. This information can be obtained from the NOAA website. [[http://water.weather.  
73 gov/ahps2/hydrograph.php?wfo=mkx&gage=aftw3&view=1,1,1,1,1,1,1](http://water.weather.gov/ahps2/hydrograph.php?wfo=mkx&gage=aftw3&view=1,1,1,1,1,1,1) (Graph AFTW3)]

74

75 (C) No person shall operate a boat or watercraft at greater than Slow-No-Wake Speed in the  
76 following areas, which are more specifically described as follows:

77

- 78 (1) From a point 100 feet west of Interstate 90 to point 1,500 feet east of the Newville  
79 Bridge (Highway 59).
- 80 (2) An area 250 feet on either side of the railroad bridge over the Rock River in the Town  
81 of Fulton.
- 82 (3) From the Indianford Bridge to approximately 1,000 feet north of the Indianford  
83 Bridge on the Rock River in the Town of Fulton.

84

85 (D) No person shall operate a boat or watercraft at greater than Slow-No-Wake Speed within  
86 any area subject to a Special Event Permit issued by the Rock County Sheriff pursuant to Section 6(A).

87

88 (E) No person shall operate a boat or watercraft at greater than Slow-No-Wake Speed within  
89 any area declared to be a Boating Hazard Zone by the Rock County Sheriff pursuant to Section 6(B).

90

91 Section 6. DUTIES AND POWERS OF THE ROCK COUNTY SHERIFF.

92

93 (A) SPECIAL EVENTS. On the application of a person proposing to conduct a special event on  
94 any river or stream in the County and with the approval of the governing body of each city, village or  
95 town within which such event is proposed, the Rock County Sheriff may issue a Special Aquatic Event  
96 Permit and may impose a slow-no-wake speed on the operation of boats or water craft not participating in  
97 the special event. Any permit issued under this Section shall specify the time, date and location of the  
98 event and the boundaries of the slow-no-wake area so designated and shall be posted in accordance with  
99 Section 7.

100

101 (B) BOATING HAZARD ZONE. The Rock County Sheriff may designate all or any part of any  
102 river or stream within Rock County as a Boating Hazard Zone if the Sheriff determines that high water  
103 levels or emergency conditions resulting from storms or other conditions warrant the imposition of a  
104 slow-no-wake speed restriction. Each such designation shall specify the boundaries of the Boating

REPEAL AND RECREATE CHAPTER 25, ROCK COUNTY ORDINANCES,  
REGARDING SLOW-NO-WAKE RESTRICTIONS ON RIVERS AND STREAMS  
IN ROCK COUNTY

6.A. (3)

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1.05 Hazard Zone so designated and notice of the imposition of the slow-no-wake speed restriction shall be  
1.06 posted in accordance with Section 7.

1.07

1.08 Section 7. NOTICE AND POSTING. The Rock County Sheriff shall notify media sources  
1.09 serving the area affected by any slow-no-wake speed restriction imposed pursuant to this Ordinance and  
1.10 shall place and maintain regulatory notice of such restrictions at all public access points within such areas.  
1.11 Such notices shall be sent and posted as soon as practicable after the issuance of the permit or designation  
1.12 and when the Rock River water level reaches or is anticipated to reach the level specified in Section 5(A)  
1.13 and or 5(B) within 24 hours. The Sheriff shall notify the media and remove such notices as soon as  
1.14 possible when the conditions resulting in the slow-no-wake speed restriction have passed.

1.15

1.16 Section 8. ENFORCEMENT AND PENALTIES.

1.17

1.18 (A) ENFORCEMENT. This Ordinance may be enforced by law enforcement officers of the  
1.19 Rock County Sheriff's Office and the Wisconsin Department of Natural Resources.

1.20

1.21 (B) OBSTRUCTION. No person shall resist or obstruct any law enforcement officer in the  
1.22 performance of his or her duties under this Ordinance.

1.23

1.24 (C) ENFORCEMENT PROCEDURE. The provisions of Sections 66.0109, 66.0113, 66.0114  
1.25 and 30.50 to 30.71 of the Wisconsin Statutes are adopted and by reference made a part of this Ordinance  
1.26 as if fully set forth herein. Any future additions, amendments, revisions or modifications of the statutes  
1.27 incorporated herein are intended to be made part of this Ordinance in order to secure uniform state-wide  
1.28 regulation and enforcement of boating ordinance violations. The County elects to use the citation method  
1.29 of enforcement.

1.30

1.31 (D) OTHER REMEDIES. The issuance of a citation hereunder shall not preclude the County or  
1.32 any authorized person from proceeding under any other ordinance of law or by any other enforcement  
1.33 method to enforce any ordinance, regulation or order.

1.34

1.35 (E) PENALTIES AND DEPOSITS. Any person violating the provisions of this Ordinance shall  
1.36 be subject to penalties as provided for in Section 30.80 of the Wisconsin Statutes and deposits as  
1.37 established in the Uniform Deposit and Bail Schedule established by the Wisconsin Judicial Conference,  
1.38 which are hereby adopted by reference with all references therein to "fines" amended to "forfeitures" and  
1.39 all references to "imprisonment" deleted.

1.40


1.41 Section 9. SEVERABILITY. The provisions of this Ordinance shall be deemed severable and it  
1.42 is expressly declared that the County would have passed the other provisions of this Ordinance  
1.43 irrespective of whether or not one or more provisions may be declared invalid. If any provision of this  
1.44 Ordinance or the application to any person or circumstances is held invalid, the remainder of the  
1.45 ordinance and the application of such provisions to other persons or circumstances shall be in effect.


1.46

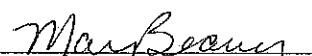
1.47 This Ordinance shall take effect immediately upon passage and publication as provided by law.

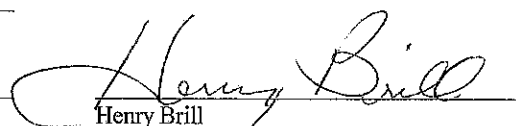
Respectfully submitted:

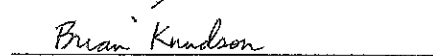
PUBLIC SAFETY AND JUSTICE COMMITTEE

  
Ivan Collins, Chair

  
Larry Wiedenfeld, Vice Chair

  
Mary Beaver

  
Henry Brill

  
Brian Knudson

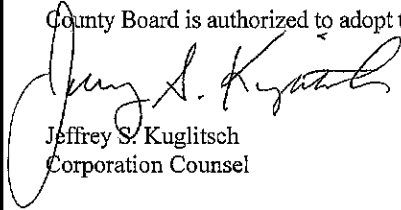
REPEAL AND RECREATE CHAPTER 25, ROCK COUNTY ORDINANCES,  
REGARDING SLOW-NO-WAKE RESTRICTIONS ON RIVERS AND STREAMS  
IN ROCK COUNTY

6.A.(4)

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LEGAL NOTE:

County Board is authorized to adopt this ordinance pursuant to sec. 30.77, Wis. Stats.



Jeffrey S. Kuglitsch  
Corporation Counsel

ADMINISTRATIVE NOTE:

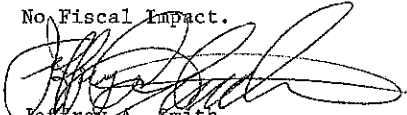
Matter of Policy.



Craig Knutson  
County Administrator

FISCAL NOTE:

No Fiscal Impact.



Jeffrey A. Smith  
Finance Director

**APPOINTMENT TO THE AGRICULTURE AND  
EXTENSION COMMITTEE**

**POSITION:** Member of the Agriculture and Extension  
Committee

**AUTHORITY:** County Board Rule IV.G. and IV.H.

**TERM:** Indefinite Term for the 4-H Fair Association President

**PER DIEM:** Yes, Per Board Rule IV.J.

**PRESENT MEMBER:** Vacant

**CONFIRMATION:** Yes, by County Board of Supervisors

**NEW APPOINTMENT:** Rob McConnell  
12826 E. County X  
Clinton, WI 53525

**EFFECTIVE DATE:** Immediately (December 15, 2011)



**APPOINTMENT TO HUMAN SERVICES BOARD**

**POSITION:** Member of the Human Services Board

**AUTHORITY:** County Board Rule IV.G.

**TERM:** To Complete Unexpired Term of Tammie King  
Ending April 2012

**PER DIEM:** Yes, Per Board Rule IV.J.

**PRESENT MEMBER:** Tammie King

**CONFIRMATION:** Yes, by County Board of Supervisors

**NEW APPOINTMENT:** Shirley Williams  
2170 Hayfield Lane  
Beloit, WI 53511

**EFFECTIVE DATE:** December 15, 2011

**APPOINTMENT TO LONG TERM SUPPORT COMMITTEE**

**POSITION:** Chair of the Long Term Support Committee

**AUTHORITY:** Wis. Stats. 46.27 and  
County Board Resolution #82-4C-015

**TERM:** To Fill Unexpired Term of Anna Marie Johnson  
Ending April 2012

**PER DIEM:** For County Board Supervisors Only  
Yes, Per Board Rule IV.J.

**CURRENT MEMBERS:** Supervisor Anna Marie Johnson

**CONFIRMATION:** For Information Only

**NEW APPOINTMENTS:** Supervisor Terry Fell  
2438 Heather Terrace  
Beloit, WI 53511

**EFFECTIVE DATE:** December 15, 2011

**APPOINTMENTS TO LONG TERM SUPPORT COMMITTEE**

**POSITION:** Members of the Long Term Support Committee

**AUTHORITY:** Wis. Stats. 46.27 and  
County Board Resolution #82-4C-015

**TERM:** To Fill Vacant Position  
Ending June 30, 2012

**PER DIEM:** For County Board Supervisors Only  
Yes, Per Board Rule IV.J.

**CURRENT MEMBERS:** Vacant

**CONFIRMATION:** For Information Only

**NEW APPOINTMENTS:** Mike Santucci  
2497 Austin Place  
Beloit, WI 53511

**EFFECTIVE DATE:** December 15, 2011

**APPOINTMENTS TO DISABLED PARKING  
ENFORCEMENT ASSISTANCE COUNCIL**

**POSITION:** Members of the Disabled Parking Enforcement  
Assistance Council

**AUTHORITY:** Wis. Stats. 349.145 and County Board Resolution  
#95-9B-068

**TERM:** Three Years Ending December 31, 2014

**PER DIEM:** No

**PRESENT MEMBERS:** Susan Neumann      Madelyn Glaeden  
Edward Schultz      Anthony Guernsey  
Peggy Krueger      Richard Kruger  
James Westrick

**CONFIRMATION:** Yes, by County Board of Supervisors

**NEW APPOINTMENTS:** Arthur G. Arnold      Madelyn L. Glaeden  
2501 Sherwood Dr.      148 Hillside Court  
Janesville, WI 53545      Janesville, WI 53545

Susan J. Neumann      Edward G. Schultz III  
1310 E. Mound Road      4218 Bordeaux Drive  
Edgerton, WI 53534      Janesville, WI 53548

James W. Westrick  
3104 Ruger Avenue  
Janesville, WI 53546

**EFFECTIVE DATE:** January 1, 2012

**APPOINTMENT TO VETERANS SERVICE COMMISSION**

**POSITION:** Member of the Veterans Service Commission

**AUTHORITY:** Chapter 449, Wisconsin Statutes 45.81

**TERM:** Three Years – 1/1/12-12/31/14

**PER DIEM:** Yes, Per Chapter 449, Wis. Stats. 45.15

**PRESENT MEMBER:** Patrick Brown

**CONFIRMATION:** No, For Information Only

**NEW APPOINTMENT:** Patrick Brown  
1420 N. Pontiac Drive  
Janesville, WI 53545

**EFFECTIVE DATE:** January 1, 2012

**APPOINTMENT TO ARROWHEAD LIBRARY SYSTEM BOARD**

**POSITION:** Member of the Arrowhead Library System Board

**AUTHORITY:** Wis. Stats. 43.19 and County Board Resolution 73-7-64

**TERM:** Three Years Ending December 31, 2014

**PER DIEM:** Yes, Per Board Rule IV.J.

**PRESENT MEMBER:** Bill Wilson  
Jane Thompson

**CONFIRMATION:** Yes, by County Board of Supervisors

**NEW APPOINTMENT:** Bill Wilson  
417 E. High Street  
Milton, WI 53563

Jane Thompson  
4223 Huntinghorne Drive  
Janesville, WI 53546

**EFFECTIVE DATE:** January 1, 2012

**APPOINTMENTS TO COUNCIL ON AGING ADVISORY BOARD/COUNCIL ON  
AGING NUTRITION ADVISORY COUNCIL**

**POSITION:** Members of the Council on Aging Advisory Board/  
Council on Aging Nutrition Advisory Council

**AUTHORITY:** County Board Resolution #79-6B-280

**TERM:** Three Years – 1/01/12 – 12/31/14

**PER DIEM:** For County Board Supervisors Only  
Yes, Per Board Rule IV.J.

**CONFIRMATION:** Yes, by County Board of Supervisors

**PRESENT MEMBERS:** Phyllis Byrne  
Robert Jensen  
Polly Jones  
Michael Santucci  
Shirley Sweet

<b>NEW APPOINTMENTS:</b>	Michael Santucci 2497 Austin Place Beloit, WI 53511	Diane Tester 1058 North Martin Janesville, WI 53545
	Daryl Porter 2877 S. Riverside Drive Beloit, WI 53511	Mary Roehl 4337 Crossing Lane Milton, WI 53563
	Nancy Toubl 1811 Shore Drive Beloit, WI 53511	

**DATE:** December 15, 2011

**APPOINTMENT TO EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL**

**POSITION:** Member of the Emergency Medical Services Advisory Council

**AUTHORITY:** County Board Resolution #96-9A-071

**TERM:** Remainder of Term Expiring September 30, 2012

**PER DIEM:** For County Board Supervisors Only  
Yes, Per Board Rule IV.J.

**PRESENT MEMBERS:** Bryan Northrop

**CONFIRMATION:** Yes, by County Board of Supervisors

**NEW APPOINTMENTS:** Joe Murray  
City of Beloit Fire Dept.  
1111 Church Street  
Beloit, WI 53511

**EFFECTIVE DATE:** December 15, 2011



**APPOINTMENT TO SUPERVISORY DISTRICT #13**

**POSITION:** Representative to Supervisory District #13

**AUTHORITY:** County Board Rule I.F.

**TERM:** To Complete the Unexpired Term of Supervisor  
Anna Marie Johnson, Ending April, 2012

**PER DIEM:** Yes, Per Board Rule IV.J.

**PRESENT MEMBER:** Vacant

**CONFIRMATION:** Yes, by County Board of Supervisors

**NEW APPOINTMENT:** Deloyde Sanders  
1400 Harvey Avenue  
Beloit, WI 53511

**EFFECTIVE DATE:** Immediately (December 15, 2011)

**APPOINTMENT TO HEALTH SERVICES COMMITTEE**

**POSITION:** Member of the Health Services Committee

**AUTHORITY:** County Board Rule IV.G.

**TERM:** To Complete the Unexpired Term of Supervisor  
Anna Marie Johnson, ending April, 2012

**PER DIEM:** Yes, Per Board Rule IV.J.

**PRESENT MEMBER:** Vacant

**CONFIRMATION:** Yes, by County Board of Supervisors

**NEW APPOINTMENT:** Supervisor Deloyde Sanders  
1400 Harvey Avenue  
Beloit, WI 53511

**EFFECTIVE DATE:** December 15, 2011

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

Human Services Board  
INITIATED BY



Sara Mooren  
DRAFTED BY

Human Services Board  
SUBMITTED BY

December 7, 2011  
DATE DRAFTED

**Authorizing Acceptance of the Family Foundations Comprehensive Home Visitation Grant and Amending the 2011 Human Services Department Budget**

1 **WHEREAS**, the Wisconsin Department of Children and Families awarded the Human Services  
2 Department a grant through the Family Foundations Comprehensive Home Visitation Program; and,  
3

4 **WHEREAS**, the Human Services Department will partner with the Rock County Home Visit Network to  
5 enhance and expand home visiting services for underserved at-risk children and families; and,  
6

7 **WHEREAS**, home visiting services will be provided in the homes of pregnant women, children from  
8 birth to five, and their families; and,  
9

10 **WHEREAS**, home visiting programs promote positive parent-child interactions and healthy child  
11 development as well as connect families to local services that help children learn and thrive; and,  
12

13 **WHEREAS**, this funding will target and serve an additional fifty African-American families in Beloit;  
14 and,  
15

16 **WHEREAS**, research has shown that home visiting programs can improve outcomes for children and  
17 families, including improving maternal and child health, reducing child maltreatment, increasing  
18 parental employment, and improving the rate at which children reach developmental milestones.  
19

20 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly assembled  
21 this \_\_\_\_\_ day of \_\_\_\_\_, 2011, does hereby authorize the acceptance of the Family  
22 Foundations Comprehensive Home Visitation Program grant; and,  
23

24 **BE IT FURTHER RESOLVED**, the Rock County Human Services Director is authorized to sign all  
25 Family Foundations Comprehensive Home Visitation Program grant documents on behalf of Rock  
26 County; and,  
27

28 **BE IT FURTHER RESOLVED**, that the Human Services Department budget for 2011 be amended  
29 as follows:  
30

Account/Description	Budget <u>12/1/11</u>	Increase (Decrease)	Amended Budget
<u>Source of Funds</u>			
36-3637-0000-42100 Federal Aid	\$0	\$321,565	\$321,565
<u>Use of Funds</u>			
36-3637-0000-62119 Other Contracted Services	\$0	\$236,610	\$236,610
36-3637-0000-64200 Training	\$0	\$4,650	\$4,650
36-3637-0000-64604 Program Expense	\$0	\$1,000	\$1,000
36-3637-0000-68204 Allocated Child Protective Services	\$0	\$79,305	\$79,305

11-12A-529

**Authorizing Acceptance of the Family Foundations Comprehensive Home Visitation Grant and Amending the 2011 Human Services Department Budget**  
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Respectfully submitted,

**Human Services Board**

\_\_\_\_\_  
Brian Knudson, Chair

\_\_\_\_\_  
Sally Jean Weaver-Landers, Vice Chair

\_\_\_\_\_  
Terry Fell

\_\_\_\_\_  
Robert Fizzell

\_\_\_\_\_  
Kathy Kelm

\_\_\_\_\_  
Vacant

\_\_\_\_\_  
Phillip Owens

\_\_\_\_\_  
Terry Thomas

\_\_\_\_\_  
Marvin Wopat

**FINANCE COMMITTEE ENDORSEMENT**

Reviewed and approved on a vote of

\_\_\_\_\_

\_\_\_\_\_  
Mary Mawhinney, Chair

ADMINISTRATIVE NOTE:

Recommended.



Craig Knutson  
County Administrator

FISCAL NOTE:

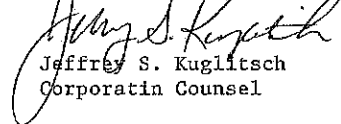
This resolution authorizes the acceptance and expenditure of \$321,565 in Federal Aid for Human Services Home Visitation programs. No County matching funds are required to accept this grant.



Jeffrey A. Smith  
Finance Director

LEGAL NOTE:

The County Board is authorized to accept grant funds pursuant to sec. 59.52(19), Wis. Stats. As an amendment to the adopted 2011 County Budget, this Resolution requires a 2/3 vote of the entire membership of the County Board pursuant to sec. 65.90(5)(a), Wis. Stats.

  
Jeffrey S. Kuglitsch  
Corporatin Counsel

## Executive Summary

### **Authorizing Acceptance of the Family Foundations Comprehensive Home Visitation Grant and Amending the 2011 Human Services Department Budget**

This resolution authorizes acceptance of \$321,565 through the Family Foundations Comprehensive Home Visitation Program grant administered by the Wisconsin Department of Children and Families. The resolution also amends the 2011 HSD Budget and authorizes the Human Services Director to sign any related Home Visitation grant documents on behalf of Rock County.

Home visiting programs promote positive parent-child interactions and healthy child development as well as connect families to local services that help children learn and thrive. Research has shown that home visiting programs can improve outcomes for children and families, including improving maternal and child health, reducing child maltreatment, increasing parental employment, and improving the rate at which children reach developmental milestones.

The Human Services Department will partner with the Rock County Home Visit Network to enhance and expand home visiting services for underserved at-risk children and families. Through this partnership home visiting services will be provided in the homes of pregnant women, children from birth to five, and their families by family assessment workers and health educators. Funding will be used to target and to serve an additional fifty African-American families in Beloit.

The Human Services Department will be the fiscal agent for the project and responsible for overall coordination. Sub-contracts will be developed with the local agencies outlined in the grant proposal which include:

- Exchange Family Resource Center
- UW-Extension Time for Parents
- Rock – Walworth Comprehensive Family Services
- Home Visit Network
- King Consulting
- Dr. Sally McCoy (a mental health consultant)

The initial grant period is from October 1, 2011 through September 30, 2012 with the possibility of up to four one-year renewals.

There is a twenty-five percent match requirement to accept these funds. Match can either be from cash or in-kind sources and will be provided and tracked by both the Human Services Department and the sub-contracted partners. **No additional county funds are required.**

RESOLUTION

ROCK COUNTY BOARD OF SUPERVISORS

Shirley Connors  
INITIATED BY

Public Safety & Justice Committee  
SUBMITTED BY



Shirley Ann Klipstein  
Administrative Assistant  
DRAFTED BY

November 28, 2011  
DATE DRAFTED

**AUTHORIZING RENEWAL OF AGREEMENT WITH THE CITY OF JANESVILLE FOR HAZMAT RESPONSE SERVICES**

1 **WHEREAS**, the City of Janesville has firefighters equipped and trained in the proficiency standards  
2 necessary to safely and effectively respond to Level "B" hazardous materials releases; and,  
3

4 **WHEREAS**, the City of Janesville is willing to deploy the team to respond to Level "B" incidents on  
5 a countywide basis should other local jurisdictions request such assistance under the provision that  
6 the response is cost neutral to the City of Janesville; and,  
7

8 **WHEREAS**, the City of Janesville and Rock County have had an agreement in place for HAZMAT  
9 response services capable up to Level "B" incidents since the fall of 2004; and,  
10

11 **WHEREAS**, the terms of the HAZMAT Response Services Agreement are structured such that it  
12 is cost neutral to the City of Janesville; and,  
13

14 **WHEREAS**, Sec. 323.71 of the State Statutes and Chapter 5 of the Rock County Ordinances allow  
15 Rock County to bill the responsible party for the cost to respond to hazardous materials releases; and,  
16

17 **WHEREAS**, the billing is structured such that Rock County is able to recoup some, if not all, of  
18 its costs depending on the number and duration of HAZMAT responses; and,  
19

20 **WHEREAS**, given Rock County's population density, transportation corridors, industrial base and  
21 focus on homeland security, the Rock County Board of Supervisors believes it is prudent to continue  
22 to maintain a countywide response capability.  
23

24 **NOW, THEREFORE, BE IT RESOLVED**, that the Rock County Board of Supervisors duly  
25 assembled this \_\_\_\_\_ day of \_\_\_\_\_, 2011, does hereby authorize and direct the Rock  
26 County Board Chair and the County Clerk to execute the renewal of the HAZMAT Response  
27 Services Agreement with the City of Janesville.

**PUBLIC SAFETY & JUSTICE COMMITTEE**

Ivan Collins  
Ivan Collins, Chair

Larry Wiedenfeld  
Larry Wiedenfeld, Vice Chair

Mary Beaver  
Mary Beaver

Henry Brill  
Henry Brill

Brian Knudson  
Brian Knudson

11-12A-530

AUTHORIZING RENEWAL OF AGREEMENT WITH THE CITY OF JANESVILLE FOR HAZMAT  
RESPONSE SERVICES

Page 2

FISCAL NOTE:

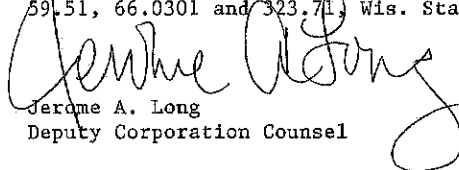
\$46,347 is included in the 2012 adopted budget for the Level B HAZMAT Program, A/C 26-2540-0000-62119.



Jeffrey A. Smith  
Finance Director

LEGAL NOTE:


The County Board is authorized to take this action pursuant to secs. 59.01, 59.51, 66.0301 and 323.71, Wis. Stats.



Jerome A. Long  
Deputy Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.



Craig Khutson  
County Administrator

## Executive Summary

This resolution authorizes the Board Chair and County Clerk to renew a three-year Agreement with the City of Janesville for the provision of Hazmat response services. Under this agreement, the HAZMAT Response Team, composed of members of the Janesville Fire Department, will respond to Level "B" hazardous materials incidents that occur anywhere within Rock County with the goal of arriving on scene in less than one hour. The Team will include approximately 38 personnel trained to the Hazardous Materials Technician level. This compliment of technicians would mean that a minimum of six to eight technicians are on duty at any given time. Should more technicians be needed to respond to a major event, additional team members would be called in.

The City is willing to provide services to Rock County with the caveat that it is cost neutral. Under this agreement, the County commits to pay for the fixed cost of keeping the team trained and response ready. Each August, the City sends the County the anticipated costs for budget purposes. In January, the City sends the County an invoice for the actual costs for the previous fiscal year. Those costs cover items such as training expense, medical monitoring and maintenance cost. The City anticipates the 2012 fixed expense to be \$46,347.00. The County budgeted this amount and anticipates an invoice for actual expenses in January 2012.

The County also commits to pay the City for any variable cost the Team incurs should it make a HAZMAT response. Those costs include items such as employee time and consumable materials associated with the HAZMAT response. The County would pay the City's costs and bill the party responsible for the incident.

This Agreement may or may not be cost neutral to Rock County. Under State Statutes and Chapter 5 of the County Ordinances, Rock County can bill and collect from the responsible party for the cost of responding to hazardous materials incidents. The amount collected each year would depend on how many times the Team is called out and how long it takes to control the incident.



RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS

Public Safety and Justice Ctte.  
INITIATED BY



Elizabeth Pohlman McQuillen  
DRAFTED BY

Public Safety and Justice Ctte.  
SUBMITTED BY

December 1, 2011  
DATE DRAFTED

**AUTHORIZING CONTRACT WITH ATTIC CORRECTIONAL SERVICES, INC. FOR THE  
OPERATION OF COMMUNITY RECAP**

- 1 WHEREAS, the Criminal Justice Coordinating Council has identified the need to develop alternatives to
- 2 incarceration and reduce recidivism in Rock County; and,
- 3
- 4 WHEREAS, Rock County is receiving a Treatment Alternative and Diversion (TAD) grant of \$110,931
- 5 from the State of Wisconsin in 2012 to provide case management and alcohol and other drug abuse
- 6 (AODA) treatment services to offenders as an alternative to incarceration; and,
- 7
- 8 WHEREAS, in 2007, Rock County initiated its first collaborative treatment court to address the needs
- 9 of offenders in the criminal justice system with AODA issues, which follows the national drug court
- 10 model, named Community RECAP; and,
- 11
- 12 WHEREAS, from inception through November 17, 2011, there have been 151 successful graduates
- 13 and 36,227 jail bed days averted as a result of this program; and,
- 14
- 15 WHEREAS, the 2012 County budget includes sufficient funds for the operation of this program; and,
- 16
- 17 WHEREAS, qualifications were solicited from firms having experience in providing case management
- 18 and treatment services for offenders, with ATTIC Correctional Services, Inc. submitting the most
- 19 responsive and responsible proposal at a cost of \$304,000.
- 20
- 21 NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors duly assembled
- 22 this \_\_\_\_\_ day of \_\_\_\_\_, 2011 does hereby authorize a contract with ATTIC Correctional
- 23 Services under terms and conditions per the Request for Qualifications and any subsequent contract in an
- 24 amount not to exceed \$304,000 to provide case management, counseling, and treatment services for
- 25 offenders participating in Community RECAP.

11-12A-531

Respectfully submitted,

**PUBLIC SAFETY AND JUSTICE COMMITTEE**

Ivan Collins  
Ivan Collins, Chair

Larry Wiedenfeld  
Larry Wiedenfeld, Vice Chair

Mary Beaver  
Mary Beaver

Henry Brill  
Henry Brill

Brian Knudson  
Brian Knudson

AUTHORIZING CONTRACT WITH ATTIC CORRECTIONAL SERVICES, INC. FOR THE  
OPERATION OF COMMUNITY RECAP

Page 2

PURCHASING PROCEDURAL ENDORSEMENT

\_\_\_\_\_  
Mary Mawhinney, Chair

\_\_\_\_\_  
Vote

\_\_\_\_\_  
Date

FISCAL NOTE:

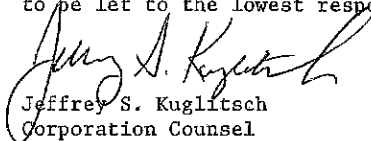
\$304,487 is included in the Community RECAP/TAD Program 2012 budget, A/C 21-2171-0000-62100, for Contracted Services.



Jeffrey A. Smith  
Finance Director

LEGAL NOTE:

The County Board is authorized to take this action pursuant to secs. 59.01 and 59.51, Wis. Stats. In addition, sec. 59.52(29), Wis. Stats. requires the project to be let to the lowest responsible bidder.



Jeffrey S. Kuglitsch  
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.



Craig Knutson  
County Administrator

## Executive Summary

### **AUTHORIZING CONTRACT WITH ATTIC CORRECTIONAL SERVICES, INC. FOR THE OPERATION OF COMMUNITY RECAP**

In 2006, Rock County applied for and received a Treatment Alternatives and Diversion (TAD) grant through the State of Wisconsin's Office of Justice Assistance to provide case management and alcohol and other drug abuse (AODA) treatment to offenders in lieu of incarceration in Rock County. Rock County started its collaborative, multi-agency Drug Court/Community RECAP program in 2007. From 2007-2011, Rock County has received funding through the TAD program to partially operate this successful program.

In September 2011, the TAD program became a competitive grant opportunity through the state and Rock County applied for continuing funding. Rock County was notified it would be a continuing grantee in the amount of \$110,931. The 2012 County budget includes a total of \$305,987 for this program, funded through TAD, fees, and tax levy.

This resolution authorizes a contract with ATTIC Correctional Services, Inc., in an amount not to exceed \$304,000, to operate Community RECAP. ATTIC will provide 4.0 FTE staff to conduct individual, family, and group counseling sessions in areas such as cognitive intervention, AODA treatment, and anger management. ATTIC staff will also provide case management and drug testing services.

ATTIC, a 501 (c) (3) non-profit organization, has 34 years of experience providing services to those involved in the criminal justice system and operates a wide variety of programs throughout Wisconsin and Minnesota, including: Dane County, La Crosse County, Marathon County, Milwaukee County, and many other communities. ATTIC also provides treatment services in 15 Wisconsin correctional facilities.

ATTIC is the County's current provider for these services and will continue operation of the program beginning January 1, 2012.

ROCK COUNTY, WISCONSIN  
FINANCE DIRECTOR

PURCHASING DIVISION



PROJECT NUMBER      2012-08  
 PROJECT NAME        AODA TREATMENT & CASE MANAGEMENT FOR OFFENDERS  
 DUE DATE;            OCTOBER 24, 2011 – 12:00 NOON  
 DEPARTMENT:        SHERIFF'S OFFICE

	ATTIC MADISON WI	ROCK VALLEY JANESVILLE WI
RATER 1	90	94
RATER 2	77	53
RATER 3	80	80
RATER 4	90	80
RATER 5	85	95
RATER 6	87	91
RATER 7	91	94
RATER 8	90	93
RATER 9	88	83
<b>TOTAL SCORE</b>	<b>778</b>	<b>763</b>
<b>AVERAGE SCORE</b>	<b>86.44</b>	<b>84.78</b>

**Qualifications were evaluated based on the following criteria:**

- Analysis of the letter of qualifications, including clear understanding of consulting services to be provided. **15 points max**
- Evaluation of assigned personnel, training and corporate support to provide the required services. **20 points max**
- Firm's history, financial status, knowledge, experience, and qualifications in providing AODA treatment and case management as demonstrated by current or past contracts of a similar size and scope. **40 points max**
- Cost proposal **25 points max**

**Request for Qualifications and Cost Proposal was advertised in the Beloit Daily News and on the Internet. Two additional agencies were solicited that did not respond.**

PREPARED BY: JODI MILLIS  
PURCHASING MANAGER

DEPARTMENT HEAD RECOMMENDATION: ATTIC CORRECTIONAL SERVICES

Garrett Paul McQuel  
SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

GOVERNING COMMITTEE APPROVAL:

Ava Gillin 5-0 12-5-2011  
CHAIR VOTE DATE

PURCHASING PROCEDURAL ENDORSEMENT:

\_\_\_\_\_  
CHAIR VOTE DATE

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

Public Safety and Justice  
INITIATED BY



David Sleeter  
DRAFTED BY

Public Safety and Justice  
SUBMITTED BY

November 10, 2011  
DATE DRAFTED

**COOPERATIVE AGREEMENT BETWEEN CITY OF JANESVILLE, CITY OF BELOIT, AND  
COUNTY OF ROCK**

- 1 **WHEREAS**, the Rock County 911 Communications Center is responsible for the operation and
- 2 maintenance of the public safety voice radio communications infrastructure within Rock
- 3 County; and,
- 4
- 5 **WHEREAS**, continuous interoperable radio communications between the public safety
- 6 agencies of Rock County and the 911 Communications Center are essential to providing the
- 7 most efficient public safety services to the citizens of Rock County; and,
- 8
- 9 **WHEREAS**, Rock County has operated and maintained all public safety voice radio
- 10 communications infrastructure within the County since 1993, except for the Janesville and
- 11 Beloit Police Departments; and,
- 12
- 13 **WHEREAS**, Rock County is currently converting the public safety voice radio communications
- 14 infrastructure from analog to digital operations; and,
- 15
- 16 **WHEREAS**, the highest possible delivery of public safety voice radio communications services
- 17 would result with one entity being responsible for the entire county-wide public safety voice
- 18 radio infrastructure; and,
- 19
- 20 **WHEREAS**, the cities of Janesville and Beloit have cooperatively agreed to have Rock County
- 21 assume ownership for their existing police department voice radio infrastructure systems; and,
- 22
- 23 **WHEREAS**, the Rock County 911 Center would assume responsibility for all public safety voice
- 24 radio communications operations within the County upon completion of the analog to digital
- 25 radio infrastructure upgrade; and,
- 26
- 27 **WHEREAS**, funding to operate the county-wide public safety voice radio communications
- 28 infrastructure for 2012 has been budgeted in the 911 Communications Center departmental
- 29 budget; and,
- 30
- 31 **WHEREAS**, a Cooperative Agreement was developed by the City of Beloit, City of Janesville,
- 32 and Rock County for Rock County to assume control of the Janesville and Beloit law
- 33 enforcement voice radio infrastructure operations; and,
- 34
- 35 **WHEREAS**, the Cooperative Agreement specifies that the cities of Janesville and Beloit will
- 36 upgrade their respective police voice radio communications tower and radio equipment
- 37 facilities for digital operations, which has been completed; and
- 38
- 39 **WHEREAS**, the Rock County Corporation Counsel has reviewed the cooperative agreement.
- 40
- 41 **NOW, THEREFORE, BE IT RESOLVED** by the Rock County Board of Supervisors duly
- 42 assembled this \_\_\_\_\_ day of \_\_\_\_\_, 2011 that the Rock County Board Chair be
- 43 authorized and directed to execute the Cooperative Agreement Between City of Janesville, City
- 44 of Beloit and County of Rock.

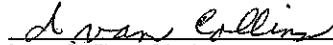
11-12A-532

COOPERATIVE AGREEMENT BETWEEN CITY OF JANESVILLE, CITY OF BELOIT, AND COUNTY OF ROCK  
Page 2

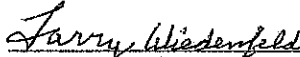
Respectfully submitted,

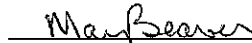
**Public Safety and Justice Committee**

**Purchasing Procedural Endorsement**

  
Ivan Collins, Chair

Reviewed and approved on a vote of \_\_\_\_\_.

  
Larry Wiedenfeld, Vice Chair

  
Mary Beaver


\_\_\_\_\_  
Mary Mawhinney, Chair

  
Henry Brill

  
Brian Knudson

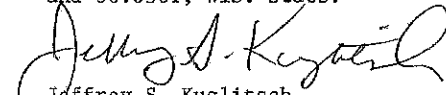
FISCAL NOTE:

Sufficient funding is included in the Communication Center's 2012 budget for the expanded voice radio infrastructure for the Cities of Beloit and Janesville.

  
Jeffrey A. Smith  
Finance Director

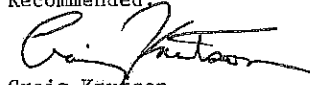
LEGAL NOTE:

The County Board is authorized to take this action pursuant to §§ 59.01, 59.51 and 66.0301, Wis. Stats.

  
Jeffrey S. Kuglitsch  
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.

  
Craig Knutson  
County Administrator

## EXECUTIVE SUMMARY

Continuous interoperable voice radio communications between public safety agencies of Rock County and the 911 Communications Center are essential to providing the most efficient public safety services to the citizens of Rock County.

The Rock County 911 Communications Center is directly responsible for the operation/maintenance of a major portion of the public safety voice radio communications equipment throughout Rock County.

The County has operated and supported most of the public safety voice radio equipment in the county since the 911 Communications Center operations were initiated in 1993. The only exception was the City of Janesville and City of Beloit Police Departments, who have operated/maintained their own voice radio equipment.

Rock County's public safety voice radio equipment is currently being upgraded from analog to digital operations, with the funding for this project approved by a previous County Board resolution.

Past experience has shown that designating a single entity for all of the Rock County public safety voice radio equipment will improve the delivery of services to the citizens of Rock County.

To this end, the Cities of Janesville and Beloit, and Rock County have developed a Cooperative Agreement that:

1. Transfers ownership of the Janesville and Beloit public safety voice radio equipment to Rock County,
2. Specifies that each municipality is responsible for their own mobile and portable radios, and
3. Specifies that the Cities of Janesville and Beloit will upgrade their respective public safety voice radio communications tower/s and radio equipment facilities before the Cooperative Agreement would take effect. (Note – the required upgrades have been completed.)

Lastly, funding in the amount of \$56,400 to operate the expanded countywide public safety voice radio infrastructure is included in the 911 Communications Center's 2012 departmental budget.



RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS

Sheriff Robert Spoden  
INITIATED BY

Diane Michaelis  
DRAFTED BY



Public Safety and Justice  
Committee  
SUBMITTED BY

November 21, 2011  
DATE DRAFTED

AUTHORIZING PURCHASE OF VEHICLES PER STATE OF WISCONSIN  
CONTRACT FOR THE ROCK COUNTY SHERIFF'S OFFICE

- 1 WHEREAS, funds are included in the 2012 budget for the purchase of vehicles to be used by the Rock
- 2 County Sheriff's Office; and,
- 3
- 4 WHEREAS, Section 19.08(4) of the Purchasing Ordinance does allow Rock County to purchase these
- 5 vehicles through a cooperative purchasing agreement with the State of Wisconsin under Contract #15-
- 6 07006-901; and,
- 7
- 8 WHEREAS, Ewald Automotive of Oconomowoc, Wisconsin was awarded the State contract for
- 9 Chevrolet Impalas, Chevrolet Expresses, Chevrolet Tahoes, Dodge Chargers, and Ford Taurus; and,
- 10
- 11 WHEREAS, The Sheriff's Office and Purchasing staff have reviewed the State of Wisconsin bid
- 12 specifications and recommend purchasing one Chevrolet Impala, one Chevrolet Express Van, two
- 13 Chevrolet Tahoes, four Dodge Chargers, and two Ford Taurus' from Ewald Automotive.
- 14
- 15 NOW, THEREFORE, BE IT RESOLVED by the Rock County Board duly assembled this \_\_\_\_\_
- 16 day of \_\_\_\_\_, 2011, that a Purchase Order be issued as follows:
- 17
- 18 \$20,018.50 to Ewald Automotive for 1 Chevrolet Impala
- 19 \$23,739.50 to Ewald Automotive for 1 Chevrolet Express Van
- 20 \$58,413.00 to Ewald Automotive for 2 Chevrolet Tahoes
- 21 \$98,210.00 to Ewald Automotive for 4 Dodge Chargers
- 22 \$52,588.00 to Ewald Automotive for 2 Ford Taurus'
- 23
- 24 BE IT FURTHER RESOLVED that payment be made to the vendor upon receipt and acceptance by the
- 25 Rock County Sheriff.

11-12A-533

RESPECTFULLY SUBMITTED

PUBLIC SAFETY & JUSTICE COMMITTEE

PURCHASING PROCEDURAL ENDORSEMENT

Ivan Collins  
Ivan Collins, Chair

\_\_\_\_\_  
Mary Mawhinney, Chair

Larry Wiedenfeld  
Larry Wiedenfeld, Vice Chair

\_\_\_\_\_  
Vote Date

Mary Beaver  
Mary Beaver

Henry Brill  
Henry Brill

Brian Knudson  
Brian Knudson

AUTHORIZING PURCHASE OF VEHICLES PER STATE OF WISCONSIN CONTRACT FOR  
THE ROCK COUNTY SHERIFF'S OFFICE

Page 2

FISCAL NOTE:

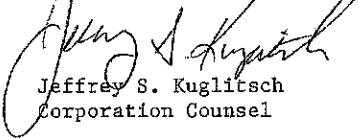
\$322,000 is included in the Sheriff's Vehicles 2012 budget, A/C 21-2190-0000-67105, for the purchase of replacement vehicles.



Jeffrey A. Smith  
Finance Director

LEGAL NOTE:

The County Board is authorized to take this action pursuant to secs. 59.01 and 59.51, Wis. Stats. In addition, sec. 59.52(29), Wis. Stats. requires the project to be let to the lowest responsible bidder.



Jeffrey S. Kuglitsch  
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.



Craig Knutson  
County Administrator

**EXECUTIVE SUMMARY**

Funds are included in the 2012 budget for the purchase of vehicles to be used by the Rock County Sheriff's Office. Under Section 19.08(4) of the Purchasing Ordinance, Rock County can utilize State of Wisconsin bids to purchase vehicles through cooperative purchasing agreement #15-07006-901.

The Sheriff's Office and the Purchasing Staff reviewed the State of Wisconsin bid specifications to verify that they meet the Sheriff's Office's needs. The total cost breakdown for the vehicles is as follows:

\$20,018.50	1 Chevrolet Impala
\$23,739.50	1 Chevrolet Express Van
\$58,413.00	2 Chevrolet Tahoes
\$98,210.00	4 Dodge Chargers
<u>\$52,588.00</u>	2 Ford Taurus'
\$252,969.00	

We are expecting trade in allowances in the range of \$40,000 - \$45,000.

# RESOLUTION

## ROCK COUNTY BOARD OF SUPERVISORS

Public Works Committee  
INITIATED BY



Ben Coopman, Director of Public Works  
DRAFTED BY

Public Works Committee  
SUBMITTED BY

November 30, 2011  
DATE DRAFTED

### AWARDING A CONTRACT FOR INSTALLATION OF WELDING EXHAUST EQUIPMENT AT THE PUBLIC WORKS DEPARTMENT

- 1 **WHEREAS**, the Rock County Department of Public Works (DPW) garage building was built in 1981
- 2 and included a welding shop area; and,
- 3
- 4 **WHEREAS**, the DPW welding shop ventilation equipment is inefficient and does not properly vent
- 5 welding smoke and other fumes; and,
- 6
- 7 **WHEREAS**, the Department and the Rock County Purchasing Division solicited bids for furnishing
- 8 and installing new ventilation equipment that was included in the DPW 2011 budget.
- 9
- 10 **NOW, THEREFORE, BE IT RESOLVED**, that the Public Works Department is hereby authorized
- 11 by the Rock County Board of Supervisors convened this \_\_\_\_\_ day of \_\_\_\_\_, 2011, to award
- 12 the base bid and optional bid for the purchase and installation of the ventilating and related heating
- 13 equipment to the lowest responsible bidder, Bradley Sheet Metal of Janesville, Wisconsin in the
- 14 amount of \$62,749.

11-12A-534

Respectfully Submitted,

PUBLIC WORKS COMMITTEE

FINANCE COMMITTEE

Kurtis Yankee  
Kurtis Yankee, Chair

Purchasing Procedural Endorsement

Betty Jo Bussie  
Betty Jo Bussie, Vice Chair

Mary Mawhinney, Chair

Absent  
Eva M. Arnold

Vote \_\_\_\_\_ Date \_\_\_\_\_

David Diestler  
David Diestler

Brent Fox  
Brent Fox

AWARDING A CONTRACT FOR INSTALLATION OF WELDING EXHAUST EQUIPMENT AT THE  
PUBLIC WORKS DEPARTMENT

Page 2

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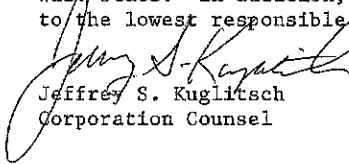
Sufficient funds are available in Department of Public Works – Highway's Building and Grounds Cost Pool for this contract.



Sherry Oja  
Senior Accountant / Assistant to the Finance Director

LEGAL NOTE:

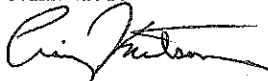
The County Board is authorized to take this action pursuant to secs. 59.01 and 59.51, Wis. Stats. In addition, sec. 59.52(29), Wis. Stats. requires the project to be let to the lowest responsible bidder.



Jeffrey S. Kuglitsch  
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.



Craig Knutson  
County Administrator

EXECUTIVE SUMMARY  
FOR  
AWARDING A CONTRACT FOR INSTALLATION OF WELDING EXHAUST  
EQUIPMENT AT THE PUBLIC WORKS DEPARTMENT

The Department of Public Works garage facility on Newville Road in Janesville was constructed in 1981. It included a welding shop within the repair garage area of that facility. The effectiveness of the ventilation equipment in that weld shop area is at times poor and the work area is filled with smoke and other fumes. The ventilation equipment and related heating units are 31 years old and are inefficient and often not functioning properly together.

The Department solicited bids to replace the entire exhaust collection system and put in a more energy efficient make-up air unit in the weld shop. Besides improving the effectiveness of removing smoky air, energy savings are expected from the more efficient make-up air unit. An optional bid for a second air unit in the department was also solicited and is recommended for inclusion in the award of this bid. This project will improve the safety and comfort of the workers in that area.

The bids for this welding exhaust project, including optional bid, came in at \$62,749. This amount is over the approved budget amount for this project. The Department intends to reallocate funds from other DPW Buildings and Grounds projects that have come in under budget. No additional appropriation is needed.

It is recommended to award the project to the lowest, responsible bidder, Bradley Sheet Metal of Janesville, Wisconsin in the amount shown above.

ROCK COUNTY, WISCONSIN  
FINANCE DIRECTOR

**ORIGINAL**

PURCHASING DIVISION  
FAX (608) 757-5539  
PHONE (608) 757-5517



PROJECT NUMBER #2011-89  
PROJECT NAME (2) FLEXIBLE WELDING EXHAUST SYSTEMS & INSTALLATION  
BID DUE DATE NOVEMBER 28, 2011 – 1:30 P.M.  
DEPARTMENT PUBLIC WORKS

	BRADLEY SHEET METAL JANESVILLE WI	RA HEATING & AIR EVANSVILLE WI
FIRM BID PRICE	\$58,038.00	\$73,754.00
OPTIONAL PRICE NEW EXHAUST FANS & INSTALLATION	\$ 4,711.00	\$ 6,344.00
BRAND/MODEL	DSP MONOXIVENT ABSOLUTE AIR	ROBO-VENT ABSOLUTE AIR
WARRANTY	1 YEAR	1 YEAR
DELIVERY	6-8 WEEKS	4-6 WEEKS

Invitation to Bid was advertised in the Beloit Daily News and on the Internet. Twelve additional vendors were solicited that did not respond.

PREPARED BY: Jodi S. Miller  
PURCHASING MANAGER

DEPARTMENT HEAD RECOMMENDATION: Bradley Sheet Metal with optional bid - \$62,749.  
SIGNATURE Benjamin J. Coopers, Jr. DATE 11-29-11

GOVERNING COMMITTEE APPROVAL:  
CHAIR [Signature] VOTE 4-0 DATE 12-7-2011

PURCHASING PROCEDURAL ENDORSEMENT:  
CHAIR \_\_\_\_\_ VOTE \_\_\_\_\_ DATE \_\_\_\_\_

**RECEIVED**

NOV 29 2011  
ROCK COUNTY  
PUBLIC WORKS

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

Human Services Board  
INITIATED BY



Phil Boutwell, HSD Deputy Director  
DRAFTED BY

Human Services Board  
SUBMITTED BY

December 5, 2011  
DATE DRAFTED

**Authorizing 2012 Cooperative Agreement with Columbia County Health and Human Services to Provide Income Maintenance Fraud Prevention Investigative Services for Rock County Human Services**

- 1 **WHEREAS**, the purpose of this agreement is to meet the requirements of Wis. Stats. Chapter 49 for
- 2 maintaining, establishing and funding effective Income Maintenance fraud prevention investigation
- 3 (FPI) activities in each member count; and,
- 4
- 5 **WHEREAS**, the agreement serves as the basis for establishing the organizational and operational
- 6 structures for providing FPI services to Rock County through the Central Wisconsin Fraud Prevention
- 7 Investigation Consortium that is administered by the Columbia County Health and Human Services
- 8 Agency; and,
- 9
- 10 **WHEREAS**, Rock County is a FPI participant and member of the Central Wisconsin Fraud
- 11 Investigation Consortium under this agreement and commits to cooperate with the FPI administrative
- 12 agency; and,
- 13
- 14 **WHEREAS**, Columbia County is the FPI administrative agency for the Central Wisconsin Fraud
- 15 Investigation Consortium under this agreement and commits to provide FPI services either directly or
- 16 indirectly through contracted services to member agencies; and,
- 17
- 18 **WHEREAS**, in consideration for FPI investigative services and Rock County redirects its 2012 FPI
- 19 state allocation of \$22,500 to Columbia County as well as a 25% additional match of \$5,625 of non-
- 20 federal funding for FPI services and benefit recovery.
- 21
- 22 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly
- 23 assembled this \_\_\_\_\_ day of \_\_\_\_\_ 2011, does hereby authorize the Human
- 24 Services Director to sign all necessary documents with Columbia County that allow Rock County to
- 25 join the Central Wisconsin Fraud Consortium in 2012 for the provision of FPI services and benefit
- 26 recovery.
- 27

11-12A-535



**Authorizing 2012 Cooperative Agreement with Columbia County Health and Human Services to Provide Income Maintenance Fraud Prevention Investigative Services for Rock County Human Services**

Page 2

Respectfully submitted,

**Human Services Board**

\_\_\_\_\_  
Brian Knudson, Chair

\_\_\_\_\_  
Sally Jean Weaver-Landers, Vice Chair

\_\_\_\_\_  
Terry Fell

\_\_\_\_\_  
Robert Fizzell

\_\_\_\_\_  
Kathy Kelm

\_\_\_\_\_  
Vacant


\_\_\_\_\_  
Phillip Owens

\_\_\_\_\_  
Terry Thomas

\_\_\_\_\_  
Marvin Wopat

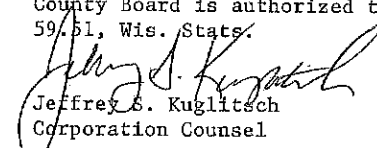
FISCAL NOTE:

Sufficient funding is included in Human Services' 2012 budget for the cost of these services.

  
Jeffrey A. Smith  
Finance Director

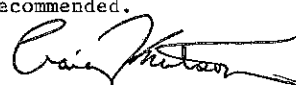
LEGAL NOTE:

County Board is authorized to take this action pursuant to § 59.01 & 59.51, Wis. Stats.

  
Jeffrey S. Kuglitsch  
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.

  
Craig Knutson  
County Administrator

## Executive Summary

The State of Wisconsin requires that locally administered Income Maintenance programs include Fraud Prevention Investigation (FPI) activities. Rock County Human Services believes that at this time it is more economical and efficient to contract for FPI services rather than perform those services "in-house". That belief stems from the limited amount of state funding to pay for FPI activities, the specialized nature of the work, and the need to focus on the Income Maintenance operations.

Rock County's Income Maintenance workers are well trained in determining their client's eligibility for economic support benefits. They manage a large caseload and refer cases for investigation that are error prone and possibly fraudulent. Fraud Prevention Investigation (FPI) requires a different skill set. Investigators are fact finders and resolve discrepancies within the cases referred to them. They are knowledgeable in investigative procedures and basic eligibility rules.

In essence, the Cooperative Agreement allows the Rock County Economic Support Unit to do what it does very well, which is determining client eligibility for benefits, establishing those benefits and managing a caseload. Columbia County operates a very cost effective FPI Program. At present, approximately 50 Wisconsin Counties entered a cooperative agreement with Columbia County and receive FPI services under the auspices of the Central Wisconsin Fraud Consortium. A private contractor that specializes in fraud prevention provides the actual investigative services for Consortium members. The member counties turn over their state allocations of fraud prevention monies to Columbia County to pay for those services. Rock County's 2012 allocation is \$22,500. Member counties are not limited to the number of cases they may refer for investigation.

The contractor also performs benefit recovery services in the cases where overpayments have been identified as a result of an investigation. This activity includes calculating the overpayment, pursuing collections, and coordinating adjudication of FPI cases referred to the criminal justice system. The cost of the benefit recovery services to member counties is equal to 25% of their fraud allocation. The cost to Rock County in 2012 is \$5,625.

It is recommended that Rock County contracts for benefit recovery services rather than perform them "in-house". The State receives 85% of the benefit recovery and the county receives 15% of benefit recovery for client errors or fraud. It is anticipated that the benefit recovery dollars received by Rock County will exceed the \$5,625 cost of the service.

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

Human Services Board  
INITIATED BY



Phil Boutwell, HSD Deputy Director  
DRAFTED BY

Human Services Board  
SUBMITTED BY

December 7, 2011  
DATE DRAFTED

**Authorizing 2012 Income Maintenance Contract Between the Department of Health Services (DHS) and the Southern Consortium**

1 **WHEREAS**, 2011 Wisconsin Act 32 modifies current law relating to the authorization for DHS to enter  
2 into contracts with individual counties for Income Maintenance (IM) program administration services and  
3 instead authorizes the formation of county-based regional consortia and further authorizes the consortia to  
4 enter into a contract with DHS related to the provision of services; and,  
5  
6 **WHEREAS**, Wisconsin Act 32 directs that each county with a population of less than 750,000  
7 participate in a multi-county consortium that is approved by DHS; and,  
8  
9 **WHEREAS**, on September 14, 2011 the Rock County Human Services Board approved submission of a  
10 Letter of Intent to make application to DHS as the seven-county Southern Consortium composed of  
11 human and/or social services agencies representing Crawford, Grant, Green, Iowa, Jefferson, Lafayette,  
12 and Rock Counties, and that the Rock County Human Services Department would act as the lead agency  
13 of the said Consortium; and,  
14  
15 **WHEREAS**, on October 28, 2011 DHS certified the Southern Consortium's application to administer IM  
16 programs for the participating counties and explained that the organizational and operational details  
17 would be defined in the upcoming IM contract; and,  
18  
19 **WHEREAS**, on behalf of the ten IM consortia, the Wisconsin Counties Association and the Wisconsin  
20 Counties Human Services Association successfully negotiated contract language with DHS that is  
21 acceptable to the Associations and the State; and,  
22  
23 **WHEREAS**, DHS and the Southern Consortium are directed by Wisconsin Statutes, s. 49.78 to enter into  
24 a contract for Income Maintenance Services provided by the Consortium for the period January 1, 2012  
25 through December 31, 2012.  
26  
27 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly assembled  
28 this \_\_\_\_\_ Day of \_\_\_\_\_ 2011, does hereby authorize the Rock County Human  
29 Services Department to serve as the Lead Agency on behalf of the Southern Consortium; and,  
30  
31 **BE IT FURTHER RESOLVED** that Rock County is authorized to sign the Income Maintenance  
32 Contract between the Department of Health Services and Rock County, as the Southern Consortium lead  
33 agency.

11-12A-536

**Authorizing 2012 Income Maintenance Contract Between the Department of Health Services (DHS) and the Southern Consortium**

Page 2

Respectfully submitted,

**Human Services Board**

\_\_\_\_\_  
Brian Knudson, Chair

\_\_\_\_\_  
Sally Jean Weaver-Landers, Vice Chair

\_\_\_\_\_  
Terry Fell

\_\_\_\_\_  
Robert Fizzell

\_\_\_\_\_  
Kathy Kelm

\_\_\_\_\_  
Vacant

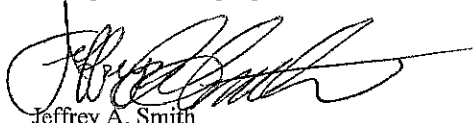
\_\_\_\_\_  
Phillip Owens

\_\_\_\_\_  
Terry Thomas

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Marvin Wopat

FISCAL NOTE:

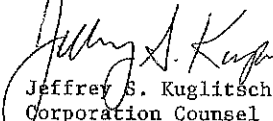
Sufficient funding is included in Human Services' 2012 budget for this program. Please refer to the County Administrator's comments in the 2012 Recommended Budget document for a detailed description of this program.



Jeffrey A. Smith  
Finance Director

LEGAL NOTE:


The County Board is authorized to take this action pursuant to secs. 59.01, 59.51, 49.78 and 66.0301, Wis. Stats.



Jeffrey S. Kuglitsch  
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.



Craig Knutson  
County Administrator

## Executive Summary

Under current law, DHS has delegated certain duties and responsibilities related to the administration of the Income Maintenance Program to counties. As part of the Governor's budget proposal, responsibility for administration of the IM program would have transferred to DHS effective January 1, 2012. Counties offered the Legislature an alternative to state takeover of the Income Maintenance duties. That alternative, which was passed in the adopted State Budget calls for counties to work cooperatively in creating regional consortia to operate the Income Maintenance Program.

There are 10-consortia statewide, one of which is the Southern Consortium composed of Crawford, Grant, Green, Iowa, Lafayette, Jefferson and Rock Counties. The Resolution authorizes Rock County to participate as the lead agency in a seven-member Southern Consortium. Furthermore, it authorizes Rock County to sign the **Income Maintenance Contract between DHS and the Southern Consortium**. That is the first of three agreements that the County Board is asked to consider.

There are some key provisions of the agreement that are noteworthy. The one-year contract is a 45-page document that gives more equal footing between the Consortium and DHS with respect to service delivery and service changes than the current State/County contract. It lays out the provision of services and responsibilities in a clear and understandable fashion. The Consortium has protections that require written notification of changes that have material fiscal or workload impacts. The agreement requires both parties to work cooperatively on automated systems. This provision is important given that a key component of customer service goes through the call center, which relies on state owned software and vendor contracts. It describes the terms for reimbursements for Consortium partner counties that flow through the lead agency. Performance standards for the call/change center are established that are reasonable, meaningful and achievable.

It is recommended that the County Board authorize the Human Services Department to serve as the lead agency in the Southern Consortium and authorize the signing of the agreement.

There will be another Resolution coming to the County Board in the near future that requests authorization of two additional agreements that pertain to the Southern Consortium. That Resolution will authorize an **Income Maintenance Consortium Contract**. In essence, it is a 7-party agreement that spells-out the relationship between the lead agency and the other counties. Included are a governance structure and conflict resolution procedures. That resolution will also authorize an **Addendum to Consortium Contract**. There will be 6-Addendums that contain specific terms between Rock County and Crawford, Grant, Green, Iowa, Lafayette, and Jefferson Counties. The Addendums are different because each county's resource commitment is different based on the size of its caseload and specialized services it offers to the Consortium. The details of the agreements should be finalized in time for a resolution for Board consideration in late December or early January.

**ORDINANCE  
ROCK COUNTY BOARD OF SUPERVISORS**

PLANNING & DEVELOPMENT  
COMMITTEE  
INITIATED BY



WADE THOMPSON  
DRAFTED BY

PLANNING & DEVELOPMENT  
COMMITTEE  
SUBMITTED BY

OCTOBER 19, 2011  
DATE DRAFTED

**ORDINANCE REVISION – REPEAL AND RE-CREATION OF THE ROCK COUNTY LAND  
DIVISION REGULATIONS (CHAPTER 15, CODE OF ORDINANCES, ROCK COUNTY)  
AS THE ROCK COUNTY LAND DIVISION AND DEVELOPMENT ORDINANCE  
(CHAPTER 38 – CODE OF ORDINANCES, ROCK COUNTY)**

1 **WHEREAS**, pursuant to Sections 59.69 (4), 59.692, 87.30, 236.45, 281.31, and 703.115, Wisconsin Statutes, the  
2 Rock County Board of Supervisors adopted the *Rock County Land Division Regulations (Chapter 15, Code of*  
3 *Ordinances, Rock County)* on August 1, 1969, and;  
4

5 **WHEREAS**, the Rock County Planning, Economic & Community Development Agency (“Agency”) utilizes said  
6 Rock County Land Division Regulations (“Ordinance”) to guide the land division and development process in  
7 unincorporated areas of the County, ensuring land division and development occur in an orderly, economical, and  
8 environmentally responsible manner, and;  
9

10 **WHEREAS**, the Ordinance was last revised on April 8, 1982, and to ensure consistency with the *Rock County*  
11 *Comprehensive Plan 2035*, promotion of inter-governmental cooperation, and land division and development  
12 continuing to occur in the aforementioned manner, the Agency initiated and coordinated the process to revise the  
13 Ordinance and in said process have proposed the Ordinance be re-titled and re-codified as the *Rock County Land*  
14 *Division and Development Ordinance (Chapter 38, Code of Ordinances, Rock County)*; and,  
15

16 **WHEREAS**, the Agency notified parties interested in and affected by the Ordinance revision, via written  
17 correspondence in April of 2010, of the rationale for Ordinance revision, major issues to be addressed in the  
18 revision, and a general timeline for completion of the revision; and,  
19

20 **WHEREAS**, the Agency held three Public Listening Sessions in April of 2010 and February and July of 2011,  
21 and a Town Clerks Workshop in May of 2011, in which the Agency informed all interested and affected parties  
22 of the rationale for Ordinance revision, major issues to be addressed in the revision, and a general timeline for  
23 completion of the revision, and also presented a draft of the Ordinance revision for review and comment; and,  
24

25 **WHEREAS**, the Agency held a Public Open House in August of 2011 in which the Agency provided other  
26 additional information on the Ordinance revision to all interested and affected parties, and offered said parties  
27 an opportunity to review and comment on the Ordinance revision and revision process; and,  
28

29 **WHEREAS**, the Rock County Planning & Development Committee (“Committee”) held a Public Hearing on  
30 August 25, 2011, which included an Agency presentation on the Ordinance revision and offered an opportunity  
31 for interested and affected parties to review and comment on the Ordinance revision and revision process, with  
32 the Committee subsequently taking action at the Hearing to recommend the draft of the Ordinance revision to  
33 the Rock County Board of Supervisors for adoption; and,  
34

35 **WHEREAS**, the aforementioned Public Listening Sessions, Town Clerks Workshop, Public Open House, and  
36 Public Hearing were noticed appropriately and in accordance with legal requirements in media outlets throughout  
37 Rock County, including newspapers and the Rock County Government website, with all interested and affected  
38 parties also notified by the Agency of these events via written correspondence; and,  
39

40 **WHEREAS**, comments and input received from Town governments and other interested and affected parties,  
41 including business/non-profit interests and residents of Rock County, as gathered through the aforementioned  
42 Public Listening Sessions, Town Clerks Workshop, Public Open House, and Public Hearing, have been considered  
43 and, when appropriate, incorporated into the Ordinance revision; and,  
44

11-11D-499

45 WHEREAS, the Rock County Board of Supervisors held a Public Hearing on November 17, 2011, which  
46 included an Agency presentation on the Ordinance revision and offered an opportunity for interested and  
47 affected parties to review and comment on the Ordinance revision and revision process,  
48

49 NOW, THEREFORE, the Rock County Board of Supervisors duly assembled this \_\_\_\_\_ day of  
50 \_\_\_\_\_, 2011, do ordain as follows:  
51

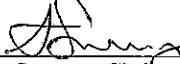
52 I. The Rock County Land Division Regulations (Chapter 15, Code of Ordinances, Rock County) are  
53 hereby repealed and re-created as the Rock County Land Division and Development Ordinance (Chapter 38, Code  
54 of Ordinances, Rock County) and all Articles, Sections, and Sub-sections contained therein, as previously placed  
55 on file with the Rock County Clerk.  
56

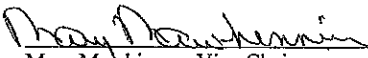
57 II. If a court of competent jurisdiction adjudges any section, clause, provision or portion of this  
58 Ordinance unconstitutional or invalid, the remainder of this Ordinance shall not be affected thereby.  
59

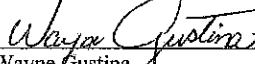
60 III. This Ordinance shall be effective upon publication.

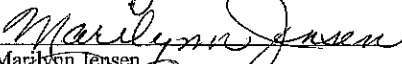
Respectfully submitted:

PLANNING & DEVELOPMENT COMMITTEE

  
\_\_\_\_\_  
Alan Sweeney, Chair

  
\_\_\_\_\_  
Mary Mawhinney, Vice-Chair

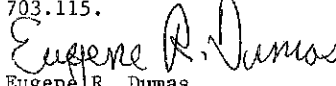
  
\_\_\_\_\_  
Wayne Gustina

  
\_\_\_\_\_  
Marilyn Jensen

  
\_\_\_\_\_  
Phillip Owens


LEGAL NOTE:

The County Board is authorized to take this action by Wisconsin Statutes Sections 59.02, 59.69(4), 59.692, 87.30, 236.45, 281.31 and 703.115.

  
\_\_\_\_\_  
Eugene R. Dumas  
Deputy Corporation Counsel


FISCAL NOTE:

No Fiscal Impact.

  
\_\_\_\_\_  
Sherry Oja  
Senior Accountant/Assistant to Finance Director

ADMINISTRATIVE NOTE:

Recommended.

  
\_\_\_\_\_  
Craig Knutson  
County Administrator

**Chapter 38 – Land Division and Development – Code of Ordinances, Rock County**

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**Article I. INTRODUCTION**Sec. 38-1. AUTHORITY

This Ordinance is adopted by the Rock County Board of Supervisors pursuant to Sections 59.69 (4), 236.45, 281.31, and 703.115, Wisconsin Statutes.

Sec. 38-2. TITLE AND EFFECTIVE DATE

This Ordinance shall hereafter be known, cited, and referred to as the *Rock County Land Division and Development Ordinance* and shall be effective August 1, 1969 and as revised April 8, 1982 and [DATE OF THIS REVISION], after adoption by the Rock County Board of Supervisors.

[Note: This Ordinance has been amended on April 14, 1994, December 14, 2000, April 28, 2005, and August 28, 2008 with said amendments incorporated herein.]

Sec. 38-3. INTENT AND PURPOSE

The intent and purpose of this Ordinance is to identify the process and requirements for regulation of all land division and other development activity in unincorporated areas of Rock County so as to maintain and advance the public health, safety, and general welfare of the County, its communities, and its residents, including the administration of certain Town land division, other development, and related activity standards and regulations in accordance with Memorandums of Agreement (“MOAs”) between Rock County and said Town(s), all as defined in Sec. 38-7. of this Ordinance, by ensuring the following:

- (1) Orderly, economical, efficient, equitable, and environmentally-sound layout and use of land, including siting and construction of buildings, accessory buildings, and improvements, and other earth-disturbing activities, protection and preservation of Environmentally Sensitive Areas (“ESA”), cultural resources, productive agricultural soils, woodlands, and open space, promotion of a regional land use and community planning and development vision, and enhancement of community character;
- (2) Prevention and minimization of hazards to life or property, including but not limited to those related to overcrowding of land, congestion, pollution, fire, flood, disease, noise, soil, bedrock formation, topography, drainage, steep slope, erosion, sewage treatment and disposal, water supply, and all other utilities;
- (3) Adequate public improvements and associated services, including but not limited to those related to transportation, sewage treatment and disposal, water supply, all other utilities, drainage, and outdoor recreation;
- (4) Adequate and safe lot ingress and egress;
- (5) Uniform, consistent, and accurate monumenting, mapping, and legal description of lots;
- (6) Consistency with the most current versions of the *Rock County Comprehensive Plan*, *Rock County Farmland Preservation Plan*, or any similar successive and other relevant County plan or document, Town, City, and Village comprehensive plans, Town, City, Village, and County zoning ordinances, and Sections 236 and 703, Wisconsin Statutes;

Sec. 38-4. COMPLIANCE WITH OTHER ORDINANCES, STATUTES, REGULATIONS, AND PLANS

Any land division or other development activity, including any activity stipulated in a Memorandum of Agreement (“MOA”) and subject to this Ordinance, in accordance with Sec. 38-8. herein, shall also be subject to and consistent with the following:

- (1) Chapters 236 and 703, Wisconsin Statutes and Chapters COMM. 83 and 85, TRANS. 233, and N.R. 115, 116, and 121, Wisconsin Administrative Code;
- (2) All other applicable Rock County ordinances and regulations, and the most current versions of the *Rock County Comprehensive Plan*, *Rock County Farmland Preservation Plan*, or any similar successive and other relevant County plan or document;
- (3) All applicable Town, City, or Village ordinances, regulations, and plans;
- (4) All other applicable ordinances, rules, regulations, standards, statutes, or other provisions of law;

Sec. 38-5.     INTERPRETATION, ABROGATION AND GREATER RESTRICTIONS, SEVERABILITY, AND REPEAL

- (1) Interpretation. The provisions of this Ordinance shall be interpreted to be minimum requirements and shall be liberally construed in favor of Rock County and shall not be deemed a limitation or repeal of any other power granted by Wisconsin Statutes.
- (2) Abrogation and greater restrictions. This Ordinance is not intended to interfere with, abrogate, or annul any other ordinance, rule, regulation, standard, statute, or other provision of law. Where any provision of this Ordinance imposes a restriction similar to those imposed by any other provision of this Ordinance or any other ordinance, rule, regulation, standard, statute, or other provision of law, whichever is more restrictive or imposes higher standards shall control.
- (3) Severability. Each Article, Section, Sub-section, paragraph, sentence, clause, word, and provision of this Ordinance is severable. If any of the aforementioned components of this Ordinance are held unconstitutional or invalid for any reason, such decision shall not affect the remainder of said Ordinance.
- (4) Repeal. All other ordinances or parts of ordinances of Rock County inconsistent or conflicting with this Ordinance, to the extent of the inconsistency only, are hereby repealed.

Sec. 38-6.     REVISION AND AMENDMENT

This Ordinance may be revised and amended by the Rock County Board of Supervisors. The Rock County Planning & Development Committee (“Committee”) shall hold a public hearing on all proposed revisions and amendments to this Ordinance, in accordance with Sections 59.02 and 236.45, Wisconsin Statutes, to review and provide recommendation on said revisions and amendments to the Rock County Board of Supervisors. After this public hearing, the Rock County Board of Supervisors shall also hold a public hearing to adopt any Ordinance revisions or amendments recommended by the Committee.

Any land division or other development activity, including any activity stipulated in a Memorandum of Agreement (“MOA”) and subject to this Ordinance, in accordance with Sec. 38-8. herein, shall be reviewed for compliance with this Ordinance in the manner it exists at the time of submission to the Administrator of the application for preliminary land division, other development activity, or an activity stipulated in a MOA.

Sec. 38-7.     DEFINITIONS

The following terms shall, for the purpose of this Ordinance, have the definition stated in this Sec. Any other term contained in this Ordinance not defined in this Sec. but vital to the interpretation of this Ordinance shall be construed to have a legal definition:

**Accessory building** – Any structure affixed to the land and built for support, shelter, or enclosure of persons, animals, chattel, or other movable property, not requiring either a connection to a public sanitary sewer system or installation of a private onsite wastewater treatment system (“POWTS”)

**Adjacent Land Sale or Transfer** – The act or process of conveyance by a landowner of a portion of an existing lot to an adjacent landowner/lot in which no new, additional lots are created and the modified lots are not reduced below the minimum size and dimension required by law

**Administrator** – Staff of the Rock County Planning, Economic & Community Development Agency (“Agency”) designated by the Rock County Planning & Development Committee (“Committee”) to administer and enforce this Ordinance

**Agency** – The Rock County Planning, Economic & Community Development Agency, authorized by the Rock County Board of Supervisors, in accordance with Sec. 59.69 (2) Wisconsin Statutes, to develop and implement policies and procedures related to specific aspects of community planning and development in Rock County, with oversight provided by the Rock County Planning & Development Committee (“Committee”)

**Alley** – A public or private right-of-way primarily serving or designated to serve as a secondary vehicular access to a lot

**Applicant** – A landowner requesting review of and action on an application for land division, other development activity, or land division and development activity stipulated in a Memorandum of Agreement (“MOA”), or agent of said landowner(s) having gained legal consent of the landowner(s) on which the aforementioned activity will take place

**Arterial street** – A public right-of-way, including but not limited to Federal and State highways, primarily serving or designated to serve the rapid movement of concentrated volumes of vehicular traffic over relatively long distances and providing for movement between, rather than within, activity areas

**Block** – A group of lots within well-defined and fixed boundaries, including but not limited to those boundaries provided by streets, public parks, cemeteries, rail lines, shorelines, or general purpose districts, and having a designation through which it may be identified

**Board** – The Rock County Board of Adjustment, authorized by the Rock County Board of Supervisors, in accordance with Sec. 59.694, Wisconsin Statutes, to hear and take action on requests by an applicant for variances to and appeals of administration and enforcement of this Ordinance

**Building** – Any structure affixed to the land and built for support, shelter, or enclosure of persons, animals, chattel, or other movable property, requiring either a connection to a public sanitary sewer system or installation of a private onsite wastewater treatment system (“POWTS”)

**Building envelope** – The area of a lot in which building and accessory building sites are allowed

**Building setback line** – A line located at the front, rear, and on all sides of a lot between which lines and the lot lines, building and accessory building sites are prohibited

**Building Site Permit (“BSP”)** – A document issued by the Administrator specifying the allowance of a building or accessory building site on a lot, so classified in this Ordinance as either a Rock County Building Site Permit or a Town Building Site Permit

**Building site plan** – A document prepared and submitted by an applicant if a building or accessory building site is proposed for construction or location on a lot, so classified in this Ordinance as either a Rock County building site plan or a Town building site plan

**Centerline** – A line parallel to the boundary lines of a street or right-of-way, bisecting said street or right-of-way into equal parts and separating vehicular or other traffic moving in opposite directions

**Certified Survey Map (“CSM”)** – A map of a minor land division, or identifying lands subject to a lot combination or an adjacent land sale or transfer, prepared by a land surveyor in accordance with Sec. 236.34, Wisconsin Statutes and submitted by an applicant in both a preliminary and final form

**Cluster development** – A planned development and minor land division consisting of lots of reduced size and specifying building and accessory building sites so as to provide for protection and preservation of Environmentally Sensitive Areas (“ESA”), cultural resources, productive agricultural soils, woodlands, and/or open space

**Collector street** – A public right-of-way primarily serving or designated to serve moderate amounts of vehicular traffic between local and arterial streets, providing access to lots and for movement within, rather than between, activity areas

**Committee** – The Rock County Planning & Development Committee, authorized by the Rock County Board of Supervisors in accordance with Sec. 59.69 (2), Wisconsin Statutes, to administer and enforce this Ordinance

**Condominium** – A building(s), accessory building(s), and the associated grounds in which units of property, such as apartments, are owned by individuals and common parts of property, such as the building(s) and grounds, are owned jointly by all unit owners

**Condominium instrument** – The declaration, plats, and plans of a condominium together with any attached exhibits or schedules, prepared and submitted by an applicant

**Condominium plat** – A map of condominium units on a lot, prepared by a land surveyor in accordance with Sec. 703.11, Wisconsin Statutes, and submitted by the applicant as a component of a condominium instrument

**Conservation development** – A planned development and major land division (sub-division) consisting of lots of reduced size and specifying building and accessory building sites so as to provide for protection and preservation of Environmentally Sensitive Areas (“ESA”), cultural resources, productive agricultural soils, woodlands, and/or open space

**Conservation easement** – A document, in accordance with Sec. 700.40, Wisconsin Statutes, prohibiting building and accessory building sites, and earth-disturbing activity detrimental to the intent and purpose of the document, in Environmentally Sensitive Areas (“ESA”), cultural resources, productive agricultural soils, woodlands, and/or open space

**Corner lot** – A lot abutting two or more streets at their intersection, provided the corner of such intersection has an angle of one hundred and thirty five (135) degrees or less measured on the lot side

**Cul-de-sac** – A local street with a singular vehicular outlet containing an appropriate terminal for the safe and convenient reversal of traffic movement

**Cultural resources** – Any building or structure, archaeological or cultural site, or historical marker in the State of Wisconsin Historical Society’s Architecture and History Program, Archaeological Sites Inventory Program, or Historical Markers Program, or any building, structure, site, or marker so identified as a cultural resource in any Rock County cultural resources inventory, plan, or program

**Double frontage lot** – A lot whose front yard and rear yard both abut a street

**Drainageway** – A naturally-occurring or constructed channel designated to collect and disperse stormwater runoff so as to minimize potential occurrences of flooding, sedimentation, and erosion

**Driveway** – A public or private right-of-way primarily serving or designated to serve as a vehicular access to a lot from a public street

**Easement** – A non-fee simple interest in land either allowing use of the land by an individual or party other than the landowner and/or restricting use of the land by the landowner

**Environmentally Sensitive Areas (“ESA”)** – Natural resource features listed in accordance with Sec. 38-9. (3) of this Ordinance (Certain said features were previously termed in all relevant Rock County plans, documents, and regulations as Environmentally Significant Open Space Areas (ESOSA).)

**Extra-Territorial Plat Approval Jurisdiction (“ETJ”) area** – Any lands within one and one half (1 ½) miles of the boundary of a village or fourth-class city, or within three (3) miles of the boundary of a first, second, or third-class city, in accordance with Sec. 62.05 (1) and 236.02 (5), Wisconsin Statutes, in which said cities and villages may review and approve or object to land divisions, provided each have enacted an official map or sub-division control ordinance

**Flag lot** – A lot whose width at the building site far exceeds its street frontage, containing both a “pole”, a long, narrow strip of land utilized solely to provide vehicular access to the building site, and a “flag”, containing the building site

**Foundation survey** – A map prepared by a land surveyor and submitted by an applicant as a component of the building site plan, identifying lot lines, building setback lines, a building and/or accessory building foundation or footings, and the distance from the lot lines to the foundation or footings, and floodplain

**Frontage** – The length of the front lot line of a lot abutting a street and/or the length of the rear lot line of a lot abutting a surface water feature

**Front yard** – The area of a lot between the building setback line at the front of the lot and the adjacent boundary of the street upon which the lot abuts, in which building and accessory building sites are prohibited (A corner lot shall have two (2) front yards.)

**Full width** – The distance between the parallel boundaries of a street or right-of-way, measured perpendicular from said boundaries

**General planned development** – A planned development consisting of lots of reduced size and specifying building and accessory building sites so as to provide for protection and preservation of Environmentally Sensitive Areas (“ESA”), cultural resources, productive agricultural soils, woodlands, and/or open space

**General purpose district** – A unit of government, including Counties, Towns, Cities, and Villages, providing a wide array of vital services to residents living within their borders

**Grade** – The slope of a street specified in percent

**Half width** – One-half (1/2) of a street or right-of-way measured perpendicular from the street or right-of-way boundary to its centerline

**Household** – A building capable of serving as a residence, and occupied or otherwise inhabited

**Improvements** – Any building, accessory building, or construction activity or product on a lot intended to increase the value of the lot

**Land division** – The act or process of dividing an existing lot into two (2) or more lots normally for the purpose of ownership transfer or building construction or location, so classified in this Ordinance as either minor or major (sub-division), or the land area thereof

**Landowner** – Any individual or party having legal title to land subject to a land division or other development activity, including any activity stipulated in a Memorandum of Agreement (“MOA”)

**Landscape plan** – A document prepared and submitted by an applicant as a component of a final land division, at the applicant’s option and for a major land division (sub-division) only, detailing preservation, establishment, and maintenance of vegetation on the land division, including trees, shrubs, grasses, and other groundcover

**Land surveyor** – A person registered and licensed in the State of Wisconsin to perform land surveys

**Local street** -- A public right-of-way of limited continuity primarily serving or designated to serve vehicular traffic over relatively short distances, providing access to abutting properties within neighborhoods and to collector streets

**Lot** – A land area created by a land division or otherwise permitted by law to be sold or used as a building site and containing adequate size and dimension to meet all Rock County, Town, State, and any other applicable standards and regulations

**Lot area** -- The total square footage or acreage of a lot, excluding any public or private right-of-way or surface water feature

**Lot combination** – The act or process of consolidating two (2) or more lots into a single lot, with the lots subject to consolidation contiguous at more than a corner and under identical ownership in accordance with Rock County Tax Records

**Lot lines** – The boundary lines of a lot

**Major land division (Sub-division)** – A land division requiring a Sub-division Plat, creating five (5) or more new, additional lots of any size concurrently or by successive land division within five (5) years of the recordation date of the first lot created (A parent lot subject to a major land division and not included in a Sub-division Plat shall require a Plat of Survey (“POS”) or Certified Survey Map (“CSM”), in accordance with the definition of parent lot as stated in this Sec.)

**Memorandum of Agreement (“MOA”)** – A voluntary agreement executed by a Town and Rock County providing for the County to administer and enforce standards and regulations for specified land division, other development, and related activities within the Town, as set forth in the MOA

**Minor land division** – A land division requiring either a Plat of Survey (“POS”) or a Certified Survey Map (“CSM”), creating any of the following:

- (1) One (1) to four (4) new, additional lots with each lot larger than thirty five (35) acres, created concurrently or by successive land division within five (5) years of the recordation date of the first lot created – POS required.
- (2) One (1) to four (4) new, additional lots with each lot thirty five (35) acres or smaller, created concurrently or by successive land division within five (5) years of the recordation date of the first lot created – CSM required.
- (3) A public dedication or reservation

(A parent lot subject to a minor land division shall require a POS or CSM in accordance with the definition of parent lot as stated in this Sec.)

**Municipality** – A general purpose district having incorporated status, including a City or Village

**Neighborhood development** – A planned development and major land division (sub-division) consisting of lots of reduced size, increased building densities, and mixed land uses (residential, commercial/business, governmental/quasi-governmental, and outdoor recreation/open space) in close proximity, so as to provide for protection and preservation of Environmentally Sensitive Areas (“ESA”), cultural resources, productive agricultural soils, woodlands, and/or open space

**Open space** – A land area largely devoid of buildings, accessory buildings, or other visible, intensive construction activities or products, intended to provide outdoor recreation opportunities and/or maintain and enhance ecosystem health

**Ordinance** – This Ordinance, the *Land Division and Development Ordinance (Chapter 38 – Land Division and Development, Code of Ordinances, Rock County)*

**Other development activity** – An act or process that alters the natural landscape through a construction activity or product, or changes the dimensions or ownership interests of a lot

**Outlot** – A land area, other than a lot or block, not to be utilized as a building or accessory building site and so designated on a Plat of Survey (“POS”), Certified Survey Map (“CSM”), or Sub-division Plat

**Parent lot** – An existing lot from which a new, additional lot is created through a land division, not to include the new, additional lot and requiring either a Plat of Survey (“POS”) or Certified Survey Map (“CSM”) in accordance with the following:

- (1) Parent lot larger than thirty five (35) acres – CSM or POS not required;
- (2) Parent lot thirty five (35) acres or smaller – CSM required;
- (3) Parent lot larger than thirty five (35) acres that may require a re-zone, in accordance with a Town zoning ordinance, as a result of the land division – POS required;

**Pedestrian way** – A public or private right-of-way whose primary purpose is conveyance of foot traffic

**Planned development** – A major land division (sub-division) entailing a minimum of five (5) acres in which building and improvement sites and construction are planned and undertaken as a single project, incorporating a variety of land uses and not subject to standard development design requirements

**Plat of Survey (“POS”)** – A map of a minor land division, or identifying lands subject to an adjacent land sale or transfer, prepared by a land surveyor and submitted by an applicant in both a preliminary and final form

**Private onsite wastewater treatment system (“POWTS”)** – A sanitary sewer treatment and disposal system consisting of a septic tank and soil absorption field, or similar improvements or infrastructure, serving a building(s) and located either on the same or a different lot than said building(s), and not owned by a general purpose district

**Productive agricultural soils** – Soils so identified in the *Rock County Farmland Preservation Plan: 2011 Update* or any similar successive Rock County plan or document

**Public dedication or reservation** – The act or process by which a landowner conveys land to a general or special purpose district for uses, including but not limited to streets, parks, and outdoor recreation, or the act or process by which said districts retain land for said uses

**Public improvement** – Any building, accessory building, or construction activity or product on a lot intended to increase the value of the lot and which a general purpose or special purpose district may ultimately assume operation and maintenance responsibility

**Public improvement plan** – A document prepared by an applicant and submitted as a component of a final land division, detailing design, construction, and maintenance of all public improvements on the land division, with all costs of construction to be borne by the applicant, so classified in this Ordinance as either a Rock County public improvement plan or a Town public improvement plan

**Public sanitary sewer system** – Sanitary sewer treatment and disposal infrastructure constructed and maintained by a general or special purpose district to serve the sewage treatment and disposal needs of residents living within their boundaries

**Public water supply system** – Water supply infrastructure constructed and maintained by a general or special purpose district to serve the clean water supply needs of residents living within their boundaries

**Public way** – A right-of-way owned by a general or special purpose district, including but not limited to a street or pedestrian way, primarily serving or designated to serve the conveyance of vehicular, bi-pedal, foot, or other traffic

**Rear yard** – The area of a lot opposite the front yard and between the building setback line at the rear of the lot and its rear lot line, in which building and accessory building sites are prohibited (A corner lot shall have its rear yard opposite the street from which the driveway providing access to the building is located.)

**Right-of-way** – A public or private land area primarily serving or designated to serve as the location of a street, pedestrian way, rail line, or utility line

**Roadway** – The portion of a street under pavement or other surface

**Rock County Comprehensive Plan** – A document developed in accordance with Sec. 66.1001, Wisconsin Statutes and adopted by the Rock County Board of Supervisors to guide specified aspects of community planning and development in the County



**Sewer service area** – A land area in which a general or special purpose district is able to provide public sanitary sewer system service given existing infrastructure and capacity, as delineated in either an Areawide Water Quality Management Plan (per Sec. NR 121, Wisconsin Administrative Code) general purpose district comprehensive plan, or special purpose district plan or document

**Side yard** – The area of a lot between the building setback line on all sides of the lot and the adjacent side lot line(s), in which building and accessory building sites are prohibited

**Special purpose district** – A unit of government providing a single or few focused services to residents living within its borders

**Street (Road)** – A public or private right-of-way, not including driveways, primarily serving or designated to serve vehicular traffic and provide access within and/or between activity areas

**Stormwater management and erosion control plan** – A document prepared by an applicant and submitted as a component of a final land division, detailing measures to be taken by the applicant on the land division to ensure adequate stormwater management and minimization of erosion during and after improvement construction and associated earth-disturbing activity, in accordance with *Article II – Stormwater Management* and *Article III – Construction Site Erosion Control, Chapter 16 – Environment, Code of Ordinances, Rock County* (Administered by the Rock County Land Conservation Department)

**Sub-division Plat** – A map of a major land division (sub-division) prepared by a land surveyor in accordance with Sections 236.11 and 236.20, Wisconsin Statutes and submitted by an applicant in both a preliminary and final form

**Surface water feature** – A river, lake, stream, or any other navigable water body, in accordance with Sec. 30.10, Wisconsin Statutes

**Town** – Any of the twenty (20) Towns located in Rock County, including the Town Board, Town Clerk, or any other designated Town Committee

**Town zoning ordinance** – The current zoning ordinance of any of the twenty (20) Towns located in Rock County, adopted by said Town Board

**Unit** – A part of a condominium, such as an apartment, owned by an individual and not jointly by all other condominium owners

**Utility easement** – A public or private right-of-way reserved for the location of utility lines and other utility infrastructure

**Woodlands** – Lands comprising five (5) acres or more of contiguous deciduous and/or coniferous vegetation, as delineated by the Agency

## Article II. GENERAL PROVISIONS

### Sec. 38-8. APPLICABILITY

- (1) Jurisdiction. This Ordinance shall apply only to land division and other development activity, including any activity stipulated in a Memorandum of Agreement (“MOA”), in unincorporated areas of Rock County. In those Towns where a duly adopted Town land division and development ordinance exists and is more restrictive than this Ordinance, the Town’s greater restrictions shall apply.

The Committee may review, and approve or object to, any Sub-division Plat located in a municipality if said plat conflicts with parks, parkways, expressways, major highways, airports, drainageways, schools or other planned public development, in accordance with Sec. 236.12 (2) (b), Wisconsin Statutes.

- (2) Activities regulated. This Ordinance shall apply to all of the following:
- (a) Land division creating a lot of any size;
  - (b) Rock County Building Site Permit (“Rock County BSP”) issuance;
  - (c) Public dedication or reservation;
  - (d) Adjacent land sale or transfer, lot combination, public improvement design, construction, and maintenance, Environmentally Sensitive Areas (“ESA”), cultural resources, productive agricultural soils, woodlands, and/or open space protection and preservation, Town Building Site Permit (“Town BSP”) issuance, and any other related activity, all only if stipulated in an MOA;
- (3) Activities not regulated. This Ordinance shall not apply to any of the following:
- (a) Transfers of interest in land by will or pursuant to court order;
  - (b) Mortgages, easements, or leases for a term not to exceed ten (10) years;
  - (c) Cemetery plats or assessor's plats created under Sec. 70.27, Wisconsin Statutes;
  - (d) The re-survey of an existing lot which does not result in a land division;

Sec. 38-9. SUITABILITY

- (1) Hazards and conditions. Land division or other development activity, including any activity stipulated in a MOA, shall not occur on lands the Committee deems uninhabitable due to hazards of life or property, including but not limited to those related to fire, flood, disease, noise, soil, bedrock formation, topography, erosion, drainage, steep slope, sewage treatment and disposal, water supply, and all other utilities, or on lands possessing any other conditions rendering them uninhabitable, unless the hazards and conditions have been eliminated or adequate methods to correct said hazards and conditions are developed by the applicant to the satisfaction of the Committee.
- (2) Non-conformance. Land division or other development activity, including any activity stipulated in a MOA, shall not occur in a manner the Committee deems would increase an existing instance of non-conformance of a building, accessory building, construction activity or product, lot, or land use with this Ordinance or any other applicable ordinance, rule, regulation, standard, statute, or other provision of law, nor shall land division or other development activity, including any activity stipulated in a MOA, be allowed in a manner the Committee deems would create a new instance of non-conformance of a building, accessory building, construction activity or product, lot, or land use.
- (3) Environmentally Sensitive Areas. The Committee shall encourage land division or other development activity, including any activity stipulated in a MOA, to occur in a manner which the Committee deems will not significantly degrade or deplete, or compromise the function or integrity, of any Environmentally Sensitive Areas (“ESA”). The location of ESA shall reflect the most current and best data and information available to the Agency at the time of administration and enforcement of this Ordinance. ESA shall include all of the following:

- (a) Floodplain – Lands identified as floodplain by the Federal Emergency Management Agency (FEMA), as delineated in accordance with the most current FEMA floodplain maps adopted by the Rock County Board of Supervisors;
  - (b) Groundwater protection areas – Lands identified as groundwater protection areas, as delineated by the Agency;
  - (c) Hydric soils – Lands with soils identified as hydric, as delineated by the Agency;
  - (d) Kettles and depressional topography – Lands identified as kettles and/or depressional topography, as delineated by the Agency;
  - (e) Natural areas – Lands with scores of five (5) or higher, in accordance with the *Rock County Natural Areas Survey – 2001*;
  - (f) Shallow bedrock – Lands identified with bedrock within twenty (20) inches of the surface, as delineated by the Agency;
  - (g) Shorelands – Lands identified within seventy-five (75) feet of the ordinary high water mark of a surface water feature, as delineated in accordance with *Chapter 44 – Zoning, Code of Ordinances, Rock County*;
  - (h) Steep slopes – Lands identified with slopes sixteen percent (16%) and greater, as delineated by the Agency;
  - (i) Wetland – Lands identified as wetland, as delineated by the Wisconsin Department of Natural Resources or another qualified entity;
  - (j) Wetland buffers – Lands identified within fifty (50) feet of wetlands, as delineated by the Agency;
- (4) Cultural resources, productive agricultural soils, and woodlands. The Committee shall encourage land division or other development activity, including any activity stipulated in a MOA, to occur in a manner which the Committee deems will not significantly degrade or deplete, or compromise the function or integrity, of any cultural resources, productive agricultural soils, or woodlands. The location of cultural resources, productive agricultural soils, and woodlands shall reflect the most current and best data and information available to the Agency at the time of administration and enforcement of this Ordinance.
- (5) Determination of suitability. If the Committee prohibits a land division or other development activity, including any activity stipulated in a MOA, in accordance with (1), (2), (3), or (4) of this Sec., the Committee shall state this determination of land suitability at a public meeting, through an action of denial with findings of an application for preliminary land division, or other development activity, and forward this action in writing to the applicant within five (5) business days of said action.

### **Article III. LAND DIVISION PROCEDURE**

#### **Sec. 38-10. OVERVIEW**

- (1) Classification. Land divisions are classified in this Ordinance as follows:

- (a) Minor land division – A land division requiring either a Plat of Survey (“POS”) or a Certified Survey Map (“CSM”), creating any of the following:
1. One (1) to four (4) new, additional lots with each lot larger than thirty five (35) acres, created concurrently or by successive land division within five (5) years of the recordation date of the first lot created – POS required;
  2. One (1) to four (4) new, additional lots with each lot thirty five (35) acres or smaller, created concurrently or by successive land division within five (5) years of the recordation date of the first lot created – CSM required;
  3. A public dedication or reservation in accordance with Sec. 38-18. of this Ordinance – CSM required.
- (b) Major land division (sub-division) – A land division requiring a Sub-division Plat, creating five (5) or more new, additional lots of any size concurrently or by successive land division within five (5) years of the recordation date of the first lot created;
- (c) A parent lot subject to a major or minor land division (sub-division) and not included in a Sub-division Plat shall require a POS or CSM in accordance with the following:
1. Parent lot larger than thirty five (35) acres – CSM or POS not required;
  2. Parent lot thirty five (35) acres or smaller – CSM required;
  3. Parent lot larger than thirty five (35) acres that may require a re-zone, in accordance with a Town zoning ordinance, as a result of the land division – POS required;
- (2) Process. Land divisions shall be processed by the Administrator at the direction of the Committee. The procedure for a minor land division requires submittal of an application for preliminary land division and a final land division, and recordation and alteration and modification (if applicable). The process for a major land division (sub-division) requires all those components as listed previously for a minor land division, in addition to a consultation in accordance with Sec. 38-11. of this Ordinance.

Sec. 38-11. CONSULTATION

Prior to submission of an application for preliminary land division, the applicant shall schedule and attend a consultation with the Administrator, Town, and City/Village (if land division is within City/Village Extra-Territorial Plat Approval Jurisdiction (“ETJ”) area) for all major land divisions (sub-division) to ensure the applicant has an adequate understanding of all Rock County, Town, City/Village (if applicable), State, and Federal standards and requirements.

At the consultation, the applicant shall provide a map at 24”x36” or larger, at a convenient scale not to exceed one hundred (100) feet to the inch, and containing all of the following:

- (1) Two (2) foot contour intervals on the land division (if required by Administrator), approximate location and dimension of all property owned by the applicant on and adjacent to the land division, approximate location, dimension (if applicable), and name (if applicable) of all existing and/or proposed utilities within three hundred (300) feet, and all existing and/or proposed public or quasi-public buildings, land ownership, government boundaries, streets, alleys, public ways, rail lines, easements, vegetative land cover types, ESA, cultural resources, productive agricultural soils, woodlands, and surface water features within one thousand (1,000) feet, of any lot line of the land division;

- (2) A title containing the proposed major land division name, landowner and/or applicant's last name and the text "DEVELOPMENT MAP – MAJOR LAND DIVISION";
- (3) A scale, north arrow, and date of creation;
- (4) The name, address, and telephone number of the landowner and applicant;

Sec. 38-12. PRELIMINARY LAND DIVISION

- (1) Application submission requirements. The applicant shall submit to the Administrator an application for preliminary land division. Application information and forms are available at the office of the Administrator and on the Rock County website. The application shall include:
  - (a) A POS or CSM clearly marked "PRELIMINARY CSM or POS" for a minor land division or a Sub-division Plat clearly marked "PRELIMINARY PLAT" for a major land division (sub-division), displaying the land division at a convenient scale not to exceed five hundred (500) feet to the inch for a POS or CSM and one hundred (100) feet to the inch for a Sub-division Plat, with the POS, CSM, or Sub-division Plat pages numbered in sequence if more than one (1) page is required, and total number of POS, CSM, or Sub-Division Plat pages identified on each page. A copy of said POS, CSM, or Sub-division Plat shall also be provided in electronic format in a manner compatible with the Agency's Geographic Information System (GIS). The POS, CSM, or Sub-division Plat shall contain all of the following:
    1. The location of the land division by section, township, and range, approximate location and dimension of all property lines on and adjacent to the land division, to include ownership, and existing and proposed County, Town, and City/Village (if applicable) zoning designations on the land division;
    2. The approximate location and dimension of all existing and/or proposed lots, outlots, units, and blocks numbered for reference, and indication of lot, outlot, unit, or block use if other than single-family residential, on the land division;
    3. The approximate location, dimension (if applicable), and name (if applicable) of all existing and/or proposed buildings, accessory buildings, streets, alleys, public ways, rail lines, private water wells or public water supply systems, POWTS or public sanitary sewer systems, any other utilities, easements, vegetative land cover types, ESA, cultural resources, productive agricultural soils, woodlands, surface water features, drainageways, detention or retention areas, cemeteries, bridges/culverts, and rock outcroppings on the land division, and any other information required by the Administrator;
    4. The approximate location, dimension, and name (if applicable) of all proposed dedicated public parks or outdoor recreation lands, or other public or private dedication or reservation, with designation of the purpose thereof and any conditions of the dedication or reservation, as well as the location of proposed utility, drainageway, and pedestrian way easements, on the land division;
    5. A preliminary concept for connection with an existing public sanitary sewer and water supply system or an alternative means of providing treatment and disposal of sewage and water supply, on the land division;
    6. A preliminary concept for collecting and discharging stormwater on the land division;

7. Topography with two (2) foot contour interval on the land division (Sub-division Plats only);
  8. A scale, north arrow, and date of creation;
  9. Any other information as required in accordance with Sec. 236.34 and 236.11, Wisconsin Statutes;
- (b) A proposed timeline for submission of a Rock County public improvement plan (if applicable);
- (c) An application form to include the name, address, and telephone number of the landowner, applicant, and land surveyor/developer, proposed name of the land division (major land division (sub-division) only), and signature of the applicant. The proposed name of a major land division (sub-division) shall not duplicate or too closely approximate phonetically the name of any other major land division (sub-division) in Rock County and if the Committee determines this is the case, the Committee shall have final authority to designate the name of any major land division (sub-division), to be determined when the application for preliminary land division is approved by the Committee, in accordance with (7) of this Sec.;
- (d) An application fee;
- (2) Application submission requirements: Optional landscape plan. The applicant may submit a landscape plan to the Administrator as a component of an application for preliminary land division. The plan shall be submitted at the option of the applicant and for major land divisions (sub-divisions) only, with said plan providing for preservation, establishment, and maintenance of vegetation on the land division, including trees, shrubs, grasses, and other groundcover, to minimize soil erosion, screen and buffer differing land uses, and stabilize and enhance ecosystem health and community character.

The landscape plan shall encourage and promote landscaping that maintains and/or establishes large, contiguous areas of native vegetation that preserve, establish, or enhance scenic viewsheds and are located adjacent to stormwater and retention ponds, at the periphery of exterior lots, and in areas where differing land uses interface.

Each lot subject to the landscape plan shall require a minimum of one hundred (100) landscape points for each one thousand (1,000) square feet of impervious surface on the lot, to include any land under buildings, accessory buildings, and paved surfaces. In calculating required landscape points, all areas and distances on which calculations are based shall be rounded up to the nearest whole number. Landscape points are dependent on a vegetation category/type's typical growth rate, mature height, and classification as deciduous or conifer. Vegetation shall be of a minimum dimension at installation in order to be eligible for landscape points. Existing vegetation may be eligible for landscape points if said vegetation is non-invasive, a desirable species as determined by the Administrator, and will be preserved during construction activity. **Figure I** identifies Vegetation Category, Landscape Points, Minimum Installation Dimension, and Vegetation Type specifications for a landscape plan. The Administrator is authorized to award landscape points for any vegetation type identified in a landscape plan and not listed in **Figure I** if said vegetation type provides a landscape function similar to those vegetation types identified in **Figure I**.

**Figure I: Landscape Plan –  
Vegetation Category, Landscape Points, Minimum Installation Dimension, and Vegetation Type**

Vegetation Category	Landscape Points	Minimum Installation Dimension	Vegetation Type
Climax tree	75	2 inch caliper	
			Sugar Maple
			Ginkgo
			Oak: Red, White, and Pin
Tall deciduous tree	30	1 inch caliper	
			Maple: Red, Silver, and Norway
			Honeylocust
			Bigtooth Aspen
			Linden: Basswood and Littleleaf
Medium deciduous tree	15	6 feet tall	
			Birch: River and Paper
			Cherry: Choke and Pin
			Willow
Low deciduous tree	10	4 feet tall	
			Serviceberry
			Hawthorn: Cockspur and Downy
			Crabapple
Tall conifer tree	40	5 feet tall	
			White Fir
			Pine: Red, White, and Scots
			Canada Hemlock
Medium conifer tree	20	4 feet tall	
			American Arborvitae
Short conifer tree	12	3 feet tall	
			Juniper: Mountbatten and Red Cedar
			Arborvitae: Pyramidal and Techny
Tall deciduous shrub	5	3 feet tall	
			Dogwood: Grey and Pagoda
			Lilac: Chinese and Hyacinth
			Viburnum: Arrowwood and Wayfaringtree
Medium deciduous shrub	3	2 feet tall	
			American Filbert and Hazelnut Americana
			Cotoneaster
			Forsythia: Border, Early, and Weeping
			Rose: Virginia and Rugosa

**Figure I: Landscape Plan –  
Vegetation Category, Landscape Points, Minimum Installation Dimension, and Vegetation Type**

Vegetation Category	Landscape Points	Minimum Installation Dimension	Vegetation Type
Short deciduous shrub	1	1 ½ foot tall	
			Shrubby St. Johnswort
			Spirea: Froebel and Snowmound
Medium conifer shrub	5	1 ½ foot tall/wide	
			Pfitzer Juniper:
			Japanese Yew
Short conifer shrub	3	1 foot tall/wide	
			Juniper: Sargent, Creeping, and Andorra

The landscape plan shall contain all of the following:

- (a) A map at 24"x36" or larger, prepared by the applicant or a qualified landscape professional at a convenient scale not to exceed one hundred (100) feet to the inch and containing all of the following:
1. Approximate location and dimension of all lots in the land division;
  2. Approximate location, dimension, and vegetation category/type (if applicable) of existing woodlands and other vegetative land cover types (to include designation of Preservation or Removal), ESA, productive agricultural soils, cultural resources, and surface water features or other water bodies within one thousand (1,000) feet of any lot line of the land division;
  3. Approximate location and quantity of any deciduous trees greater than three (3) inch caliper and conifer trees ten (10) feet high or greater in the land division;
  4. Approximate location, dimension, quantity, and vegetation category/type of all proposed vegetation on the land division, including trees, shrubs, grasses, and other groundcover, and schedule for installation within one (1) year of the date of issuance of an occupancy permit for any building on the lot(s);
  5. A landscape point total, per **Figure I**, of not less than one hundred (100) points for each 1,000 square feet on a lot, for each lot in the land division, identifying the landscape points for each existing/proposed vegetation species/types;
  6. An estimate of landscape plan implementation costs, to include both vegetation installation and replacement for a two (2) year period, with all of said costs to be borne by the applicant;
  7. A statement to the effect that two (2) years after the initial vegetation installation date, maintenance and replacement of all vegetation on the lot(s) as identified in the landscape plan shall be the responsibility of the lot owner and maintenance and replacement requirements shall run with the lot and be binding upon all future lot owners;
  8. A scale, north arrow, date of creation, and major land division (sub-division) name;



9. The name, address, and telephone number of the landowner and applicant;
- (3) Incomplete or inaccurate application. Failure by the applicant to submit a complete application for preliminary land division or submittal of an inaccurate application, both in accordance with (1), and (2) if applicable, of this Sec. shall be cause for the application to be returned by the Administrator to the applicant, with the application not subject to any further review or action until the applicant has submitted a complete and accurate application.
- (4) Other reviewing parties. The Administrator shall provide the application for preliminary land division to other reviewing parties for comment, to include:
- (a) Rock County Public Works, Health, Land Conservation, and Land Records Departments, and the Rock County Surveyor;
  - (b) Town Board and Planning and Zoning Committee/Commission;
  - (c) City and/or Village if land division is within said City and/or Village ETJ area;
  - (d) Any applicable utility entity;
  - (e) Wisconsin Department of Transportation if land division is adjacent to a State road;
- Any comments by other reviewing parties shall be provided to the Administrator within ten (10) business days of receipt of the application by the party from the Administrator. Failure by any other reviewing party to provide comments to the Administrator within the aforementioned timeline shall indicate said party(s) has no comment.
- (5) Administrator review. The Administrator shall review the application for preliminary land division for compliance with this Ordinance, as well as the comments from all other reviewing parties. To facilitate timely review of the application, field inspection and staking along the center-line of all proposed streets in the land division by the Administrator may be required at the discretion of the Committee. After review, the Administrator shall provide an application recommendation, either approval, approval with conditions, or denial with findings, to other reviewing parties as stated in (4) (a), (b), (c), (d) and (e) of this Sec. within ten (10) business days of receipt of the application by the Administrator.
- (6) Town and City/Village review and action. The application for preliminary land division, comments of all other reviewing parties, the Administrator's recommendation, and any other relevant information shall be provided by the Administrator to the Town and the City/Village (only if the land division is to take place within the ETJ of said City/Village) for their respective review at a public meeting. The Town and City/Village (if applicable), at their discretion, shall take action and approve, approve with conditions, or deny the application.
- (7) Committee review and action. The Committee shall review the application for preliminary land division, comments of all other reviewing parties, the Administrator's recommendation, Town review and action, City/Village review and action (if applicable), and any other relevant information at a public meeting. The Committee shall take action only after (1) – (6) of this Sec. have been completed and shall approve, approve with conditions, or deny with findings the application within ninety (90) days of receipt of the application by the Administrator, unless this timeline is extended by mutual agreement between the Committee and the applicant, with the exception that if Town and City/Village (if applicable) action is not expected to occur prior to said ninety (90) day timeline, the Committee shall take action on said application. One (1) copy of the application review form, containing the Committee action, either approval, approval with conditions, or denial with findings, and the action date

shall be provided to the applicant within five (5) business days of said action. If the Committee fails to take action on the application within the aforementioned ninety (90) day timeline, and unless this timeline is extended by mutual agreement between the applicant and all required parties, said application shall be deemed approved by the Committee.

- (a) If the application for a preliminary land division is a minor land division requiring a POS, in accordance with Sec. 38-10. (1) of this Ordinance, said application shall not require Committee review and action as stated in (7) of this Sec. and the Administrator shall review and take action on this application in the manner described in (7) of this Sec.;
- (8) Effectiveness of Administrator or Committee approval or approval with conditions. An application for a preliminary land division approved or approved with conditions by the Committee or Administrator in accordance with (7) of this Sec. shall be effective for twelve (12) months for a POS or CSM, and thirty six (36) months for a Sub-division Plat, from the Committee or Administrator action date, at the end of which approval of a final land division, in accordance with Sec. 38-13. of this Ordinance, must be obtained by the applicant from the Administrator. Any application not receiving Administrator approval as a final land division within the aforementioned timeline shall be null and void and the applicant shall be required to submit a new application if wishing to proceed with the land division. Extension of the aforementioned timeline may be applied for by the applicant prior to expiration of effectiveness and granted by the Committee at their discretion upon findings that delays are beyond the control of the applicant and that no material change in the land division, as stated in the application, has occurred or is reasonably expected to occur.

Sec. 38.13. FINAL LAND DIVISION

- (1) Submission requirements. Following the approval or approval with conditions of the application for preliminary land division by the Committee or Administrator, the applicant shall submit the final land division to the Administrator for approval. The final land division shall conform with the application for preliminary land division, application conditions of approval as required by the Administrator, Committee, Town, and City/Village (if applicable), and State and Federal standards and regulations, and contain all of the following:
- (a) A POS or CSM for a minor land division and a Sub-division Plat for a major land division (sub-division) displaying the land division at a convenient scale not to exceed five hundred (500) feet to the inch for a POS or CSM and one hundred (100) feet to the inch for a Sub-division Plat, with the POS, CSM, or Sub-division Plat pages numbered in sequence if more than one (1) page is required, and total number of POS, CSM, or Sub-division Plat pages identified on each page. A copy of the POS, CSM, or Sub-division Plat shall also be provided in electronic format in a manner compatible with the Agency's GIS. The POS, CSM or Sub-division Plat shall contain all of the following:
1. All information specified in accordance with Sections 236.20, 236.21, and 236.34, Wisconsin Statutes, including but not limited to:
    - a. A notarized certificate by the landowner in substantially the form found in Sec. 236.21 (2) (a), Wisconsin Statutes indicating the landowner has caused the land to be mapped, surveyed, divided, and/or dedicated;
    - b. The location of the land division in accordance with Sec. 236.20 (3), Wisconsin Statutes;
  2. A note identifying restrictions or limitations on specified lots if the lots have physical characteristics that may limit or restrict the opportunity for building, accessory building, or POWTS sites, as required by the Committee or Administrator;

3. Public way access control restrictions as required by the Committee and/or in accordance with *Article V – Trunk Highway Access Control, Chapter 42 – Traffic and Vehicles, Code of Ordinances, Rock County*, and other covenants and restrictions previously reviewed and approved by the Administrator;
  - (b) A Rock County public improvement plan with any and all maps contained in the plan at 24"x36" and at a scale not to exceed fifty (50) feet to the inch, illustrating a functional scheme for public improvement design, construction, and maintenance;
  - (c) Results of a soil and site evaluation for all lots designed to contain a POWTS, in accordance with COMM. 85, Wisconsin Administrative Code;
  - (d) A stormwater management and erosion control plan submitted in accordance with *Article II – Stormwater Management, Chapter 16 – Environment* and *Article III – Construction Site Erosion Control, Chapter 16 – Environment, Code of Ordinances, Rock County*;
  - (e) A landscape plan, if submitted by the applicant as a component of the application for preliminary land division and in accordance with Sec. 38-12. (2) of this Ordinance;
  - (f) Written assurance and documentation from all applicable utility entities that all necessary utilities are installed and paid for, with said entities also guaranteeing restoration of lots to pre-installation condition, as required at the discretion of the Administrator;
  - (g) Applicable covenants and/or restrictions if the applicant intends to create a homeowners association in conjunction with the land division, to be submitted a minimum of fourteen (14) days before the date of action on the final land division by the Administrator, in accordance with (5) of this Sec.;
- (2) Administrator review. The Administrator shall review the final land division to ensure compliance with this Ordinance and the application for preliminary land division, including all conditions of approval. This review shall include the Rock County public improvement, stormwater management and erosion control, and landscape plans (if applicable), and the Administrator shall either approve the plans or provide the applicant with required modifications, with the exception of the Rock County public improvement plan which is reviewed for illustrative purposes only to ensure a functional scheme for public improvement. This review may also include a field inspection by the Administrator to ensure all erosion measures, improvements, dedications, easements, and landscaping are provided for as indicated in said plans. The Committee may direct the Rock County Surveyor to field check the land division according to State standards for survey accuracy, monumenting, legality and completeness of maps, to verify consistency between the POS, CSM or Sub-division Plat with those contained in the application for preliminary land division, or to review the POS, CSM or Sub-division Plat for compliance with this Ordinance and Sec. 236.15, Wisconsin Statutes.
- (3) Objecting agency review. The Administrator or applicant shall provide the final land division, not to include any final land division requiring a POS, to all of the following objecting agencies, in accordance with Sec. 236.12, Wisconsin Statutes, within two (2) days of receipt of the final land division by the Administrator from the applicant:
  - (a) Wisconsin Department of Administration for any major land division (sub-division);
  - (b) Wisconsin Department of Transportation for any land division abutting or adjoining a State road or connecting road;

- (c) Wisconsin Department of Safety and Professional Services for any land division lacking access to a connection to a public sanitary sewer system, or any local official designated by said department to act as their agent in accordance with Sec. 236.12 (2) (a), Wisconsin Statutes;

Objecting agencies shall review the final land division and provide to the Administrator or applicant any objections, stated on the face of the CSM or Sub-division Plat, within twenty (20) business days of receipt of the final land division from the Administrator or applicant. Failure by any objecting agency to provide objections to the Administrator or applicant within the aforementioned timeline shall indicate said agencies have no objections.

- (4) Town and City/Village review and action. The final land division shall be provided by the applicant to the Town and City/Village (only if the land division is located within the ETJ area of said City/Village) for their respective review and action at a public meeting. The Town and City/Village (if applicable), at their discretion, shall take action and approve or deny the final land division.
- (5) Administrator action. The Administrator shall take action and approve or deny with findings the final land division only after Town and City/Village review and action, in accordance with (4) of this Sec., and shall provide written notice of action to the applicant within sixty (60) days of receipt of the final land division, with said timeline to commence only after Town and City/Village have completed said review and the Administrator is in receipt of the final land division. The Administrator shall approve a final land division if all objections by objecting agencies have been cleared and if the final land division complies and conforms substantially to the Committee-approved application for preliminary land division and conditions of approval for said application. If the Administrator fails to provide notice of approval or denial action to the applicant within the aforementioned timeline, and an agreement between the Administrator and applicant has not extended this timeline, and if all objections filed by objecting agencies have been cleared, the final land division shall be deemed approved by the Administrator.
- (6) Statement of payment of property taxes. The applicant shall provide to the Rock County Treasurer the final land division approved by the Administrator along with the following text:

Rock County Treasurer,

I hereby certify that the property taxes on the parent lot are current and have been paid as of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Rock County Treasurer;

Sec. 38-14. RECORDATION

The final land division approved by the Administrator shall be recorded by the applicant with the Rock County Register of Deeds within twenty four (24) months of Committee approval of the application for preliminary land division and within six (6) months of Administrator approval of the final land division for a CSM, or within thirty six (36) months of Committee approval of the application for preliminary land division and within twelve (12) months of Administrator approval of the final land division for a Sub-division plat, all in accordance with Sections 236.34 and 236.25, Wisconsin Statutes. A final land division approved by the Administrator shall be filed by the applicant with the Rock County Surveyor within twenty four (24) months of Administrator approval of the application for preliminary land division and within six (6) months of Administrator approval of the final land division for a POS.

Title may not be transferred for a lot created under this Ordinance without recordation of the land division with the Rock County Register of Deeds or filing of the land division with the Rock County Surveyor, nor without approval by the Committee or Administrator of the application for preliminary land division and approval by the Administrator of the final land division.

Sec. 38-15. ALTERATION OR MODIFICATION

- (1) Procedure. Alteration or modification of a land division recorded with the Rock County Register of Deeds may be undertaken only if such alteration or modification does not affect any area of the land division dedicated or reserved to the public and said alteration or modification shall be subject to applicable provisions of this Ordinance and Sections 236.36 through 236.445, Wisconsin Statutes.
- (2) Recordation. After Administrator approval of the final land division in accordance with this Ordinance, the altered or modified final land division shall be re-recorded in the Rock County Register of Deeds Office in accordance with Sec. 38-14. of this Ordinance, along with a copy of the original unmodified and unaltered land division indicating the area of the original land division so modified or altered.

**Article IV. LAND DIVISION DEVELOPMENT DESIGN AND PUBLIC DEDICATION AND RESERVATION REQUIREMENTS**

Sec. 38-16. STANDARD DEVELOPMENT DESIGN

- (1) Design. All land divisions shall be designed to achieve the intent and purpose of this Ordinance, as stated in Sec. 38-3. herein, and shall be appropriately coordinated with and related to existing land uses, future land uses as delineated in applicable comprehensive plans and official maps, the natural landscape, and County, Town, and City/Village (if applicable) zoning ordinances.
- (2) Lots. Lot size, dimension, configuration, orientation, and building setback lines shall be appropriate for the location of the land division and the land use proposed. Lots shall generally be proportionate in length and width and the use of flag lots shall be discouraged. If flag lots are utilized, they shall be in accordance with (e) of this Sub-sec. Minimum lot size shall be appropriately increased to provide for a building envelope consistent with County, Town, and City/Village (if applicable) zoning ordinances.
  - (a) Residential lots without access to a connection to a public sanitary sewer system shall have a minimum size of forty thousand (40,000) square feet for a single family residential building and fifty five thousand (55,000) square feet for a two (2) family residential building. Each residential building shall utilize a POWTS and water well, and the lot shall contain an adequate POWTS area, to include a primary area and replacement area. Each lot shall contain a building envelope of two thousand (2,000) square feet excluding front, rear, and side yards in accordance with applicable building setback lines, ESA, and cultural resources, with said building envelope not to be located closer than ten (10) feet from any part of the POWTS area. Each lot shall also contain useable open space of not less than seventy percent (70%) of the gross area of the lot, entailing the gross square footage of the lot, less three thousand (3,000) square feet for potential building, driveway, or parking use, less fifty percent (50%) of the POWTS area. The minimum lot width at the front yard building setback line for these lots, in accordance with applicable Town and County building setback lines, or (g) of this Sub-sec., shall be one hundred (100) feet.
  - (b) Residential lots with access to a connection to a public sanitary sewer system shall have a minimum size of six thousand (6,000) square feet except in the Rock County Shoreland Overlay Zoning District, in accordance with *Chapter 44 – Zoning, Code of Ordinances*,

*Rock County*, where the minimum size shall be fifteen thousand (15,000) square feet. The minimum lot width at the front yard building setback line for these lots, in accordance with applicable Town and County building setback lines, or (g) of this Sub-sec., shall be fifty (50) feet.

- (c) Commercial, industrial, and other non-residential lots shall be of adequate size, dimension, configuration, and orientation to provide for off-street parking and loading facilities required for the type of proposed use.
  - (d) Lot configuration shall recognize topography and other natural landscape conditions. Lot lines shall abut at right angles or radial to streets, when feasible. Lot frontage on a public street shall be at least one hundred (100) feet for all lots without access to a connection to a public sanitary sewer system and at least fifty (50) feet for all lots with access to a connection to said system or fronting a cul-de-sac. Double frontage lots shall be avoided except for corner lots where they may be required to separate residential land uses from arterial streets or in order to overcome topography, other landscape conditions, or orientation disadvantages. Dimensions of corner lots shall adhere to front yard building setback lines, in accordance with Town building setback lines or (g) of this Sub-sec., from both streets that bound the lot.
  - (e) Flag lots shall be allowed only in special circumstances when various factors render creation of a more proportionate lot, in length and width, unachievable. The “pole” of a flag lot shall not exceed two hundred fifty (250) feet in length unless additional length is needed to either avoid significant degradation or depletion of ESA, cultural resources, productive agricultural soils, and/or woodlands, or disruption of efficient agricultural operations. The “pole” shall be used exclusively for vehicular access with specified improvements including landscaping, fencing, utilities, mailboxes, and signs also permitted on the “pole”. The “pole” shall maintain a minimum width of one hundred (100) feet for all lots without access to a connection to a public sanitary sewer system, and fifty (50) feet for all lots with access to a connection to said system, for the entire length of the “pole”. No “pole” shall be located within two hundred (200) feet of another on the same side of the street unless said “poles” utilize a joint driveway.
  - (f) Lot orientation shall be in a manner so as to obtain maximum solar access and energy conservation, with the lot length being north to south and block length being east to west when feasible.
  - (g) Front yard building setback lines as stated in this paragraph (g) shall be applicable only on those lots adjacent to a Rock County road and not within the Rock County Shoreland Overlay Zoning District. Front yard building setback lines from arterial and collector streets shall be one hundred and fifteen (115) feet from the street centerline or seventy five (75) feet from the right-of-way, whichever is greater. Front yard building setback lines from local streets shall be fifty (50) feet from the right-of-way for those lots without access to a connection to a public sanitary sewer system and twenty five (25) feet from the right-of-way for those lots with access to a connection to said system. Building setback lines less than those stated in the aforementioned may be permitted by the Administrator in cases of unusual topography or landscape conditions, existing patterns of lesser building setback lines on nearby properties, varying alignment of streets, or in accordance with Town zoning ordinances.
- (3) Driveways. Driveways shall access lots from a public street, and if in close proximity to an intersection, with a minimum distance to the intersection in the manner delineated in **Figure II**:

**Figure II: Driveway Distance to Intersection**

Intersection	Driveway Distance to Intersection
Local Street – Local Street (Both with posted speeds 25 m.p.h. or less)	25 feet
Local Street – Local Street (Any with posted speeds 25 m.p.h. or greater)	75 feet
Local, Collector, or Arterial Street – Collector or Arterial Street	100 feet

Driveways shall access double frontage or corner lots via the street having the lowest functional classification. All driveways shall be spaced from another in accordance with the *County Trunk Highway Access Control, Chapter 42 – Traffic and Vehicles, Rock County, Code of Ordinances* and *Rock County Driveway Access Policy* or any similar successive County ordinance, regulation, policy, plan, or document.

- (4) Utilities. The applicant shall ensure all necessary utilities other than a POWTS are available to all lots in a land division.
- (a) An easement, entailing a minimum of eight (8) feet on each side of all rear lot lines or side lot lines, running across lots or along front lot lines where necessary, shall be required for the installation of utility facilities. If required, such easements shall be noted as "Utility Easement" on the CSM or Sub-division Plat. Prior to the Administrator's approval of the final land division, the Administrator shall provide the land division to the applicable utility entity for review and comment on the location and width of the Utility Easement. The utility entity shall have ten (10) business days from receipt of the application from the Administrator in which to review said land division. Failure by any utility entity to provide comments to the Administrator within the aforementioned timeline shall indicate said agency has no comments.
- (b) Underground installation of utilities, including but not limited to telephone lines, electric lines under 15,000 volts, and cable television lines, shall be required within the Utility Easement. Underground installation of said utilities shall not be required if any of the following conditions apply:
1. Location, topography, soil conditions, trees, or other circumstances would render excessive cost for underground installation;
  2. Temporary overhead utility facilities are necessary to serve a construction site or due to severe weather conditions, with such overhead facilities to be removed within a reasonable time period after installation of permanent underground utility facilities;
  3. Associated above-ground utility facilities are necessary for the proper operation and maintenance of underground utilities, said above-ground facilities including but not limited to substations, pad-mounted transformers, and pedestal mounted terminal boxes;
  4. Utilities are located in non-residential zoning districts;
- (c) Written assurance and documentation from all applicable utility entities that all necessary utilities are installed and paid for, with said entities also guaranteeing restoration of lots to pre-installation condition, shall be required at the discretion of the Administrator.

- (5) Sanitary sewer facilities. All lots shall have either the capacity for a POWTS, or access to a connection to a public sanitary sewer system, to adequately provide for treatment and disposal of sewage generated on said lots.
- (a) If the lot has access to a connection to a public sanitary sewer system, the applicant shall connect the lot with said system and provide sewers accessible to each lot. If the lot does not have access to said system and the lot is within the boundary of a sewer service area, the lot may utilize a POWTS.
- (b) Public sanitary sewer facilities shall connect with the public sanitary sewer system, installed by the applicant to serve each lot, to grades and sizes required by relevant agencies. Individual or group POWTS or treatment plants shall be permitted when found to be in compliance with COMM. 83 and 85, Wisconsin Administrative Codes, and assurances are provided to the Administrator by the applicant that said POWTS or treatment plant will be maintained into perpetuity.
- (6) Stormwater management and erosion control. All lots shall be designed so as to ensure stormwater runoff occurring as a result of the land division, and any construction and earth-disturbing activities on the land division, shall be adequately diverted and accommodated in the downstream area and erosion and sedimentation will not increase in comparison to conditions prior to the land division, in accordance with *Article II – Stormwater Management* and *Article III – Construction Site Erosion Control, Chapter 16 – Environment, Code of Ordinances, Rock County*.
- (7) Landscaping. All major land divisions (sub-divisions) may be subject to a landscape plan, at the option of the applicant and in accordance with Sec. 38-12. (2) of this Ordinance, that promotes and encourages landscaping that maintains and/or establishes large contiguous areas of native trees and vegetation that preserve, establish, or enhance scenic viewsheds, located adjacent to stormwater and retention ponds, at the periphery of exterior lots, and in areas where differing land uses interface.
- (8) Monuments. The applicant shall place survey monuments on the land division as required by the Committee and in accordance with Sec. 236.15, Wisconsin Statutes.

#### Sec. 38-17. PLANNED DEVELOPMENT DESIGN

To provide for greater flexibility and efficiency in meeting the intent and purpose of this Ordinance as stated in Sec. 38-3. herein, the provisions of Sec. 38-16. of this Ordinance may be waived by the Committee for planned developments provided said developments appropriately coordinate with and relate to existing land uses, future land uses as delineated in applicable comprehensive plans and official maps, and the natural landscape, and are not in conflict with this Ordinance's intent and purpose nor any other applicable standard or regulation. All planned developments shall be consistent with and adhere to all other applicable provisions of this Ordinance, County, Town, and City/Village (if applicable) comprehensive plans and zoning ordinances, and any State or Federal standard or regulation. Planned developments are classified in this Ordinance as a general planned development, cluster development, conservation development, and neighborhood development.

- (1) General planned development. A general planned development allows for creation of five (5) or more lots from a lot five (5) acres or greater. A conditional use permit shall be obtained from the Town by an applicant wishing to undertake a general planned development.

The new, additional lots shall be located in accordance with Sec. 38-9. of this Ordinance, with at least one (1) of the lot lines of said lots contiguous with the same of another and with a minimum of two (2) of said lots having two (2) lot lines contiguous with another (Streets for the purposes of Sec. 38-17. only shall not interrupt contiguity.).



- (2) Cluster development. A cluster development allows for creation of one (1) to four (4) lots from a lot forty (40) acres or greater. A conditional use permit shall be obtained from the Town by an applicant wishing to undertake a cluster development.

Cluster developments shall require designation of a Development Area and a Conservation Area. The Development Area shall consist of the new, additional lots designated for residential use. The Conservation Area shall consist of the parent lot, possessing ESA, cultural resources, productive agricultural soils, woodlands, and/or open space, and shall be restricted from further land division, and specified building and accessory building construction or location, by a Natural Resources and Open Space, Cultural Resources, or Agricultural Resources Conservation Easement in accordance with (6) of this Sec.

The new, additional lots shall be located in the Development Area in accordance with Sec. 38-9. of this Ordinance, with at least one (1) of the lot lines of said lots contiguous with the same of another and with a minimum of two (2) of said lots having two (2) lot lines contiguous with another (Streets for the purposes of Sec. 38-17. only shall not interrupt contiguity). Residential unit density in a cluster development, to include both the Development Area and the Conservation Area, shall not exceed one (1) residential unit per twenty (20) acres. Residential acreage ratio in a cluster development, to include both the Development Area and the Conservation Area, shall not exceed one (1) residential acre for every twenty (20) of agricultural or open space acreage. All acreage in the Development Area shall be considered residential acreage whereas no acreage in the Conservation Area shall be considered residential acreage.

- (3) Conservation development. A conservation development allows for creation of five (5) or more lots from a lot with a residential or planned unit development, or similar, zoning designation in accordance with Town zoning ordinances. A conditional use permit shall be obtained from the Town by an applicant wishing to undertake a conservation development.

Conservation developments shall require designation of a Development Area and a Conservation Area. The Development Area shall consist of the new, additional lots, designated for residential use and shall not exceed sixty percent (60%) of the total acreage of the conservation development. The Conservation Area shall consist of the parent lot, possessing ESA, cultural resources, productive agricultural soils, woodlands, and/or open space and shall be restricted from further land division, and specified building and/or accessory building construction or location, by a Natural Resources and Open Space, Cultural Resources, and/or Agricultural Resources Conservation Easement in accordance with (6) of this Sec., or shall be dedicated to the public as outdoor recreation or open space land in accordance with Sec. 38-18. (2) of this Ordinance (Said easement shall also restrict further land division in the Development Area.). The Conservation Area shall not exceed forty percent (40%) of the total acreage of the conservation development.

The new, additional lots shall be located in the Development Area in accordance with Sec. 38-9. of this Ordinance, with at least one (1) of the lot lines of said lots contiguous with the same of another and with a minimum of two (2) of said lots having two (2) lot lines contiguous with another (Streets for the purposes of Sec. 38-17. only shall not interrupt contiguity). Residential unit density in a conservation development, to include only the Development Area, shall not exceed two (2) residential units per one (1) acre in areas in which public sanitary sewer service and facilities are not readily available and shall not exceed eight (8) residential units per one (1) acre in areas in which public sanitary sewer service and facilities are readily available.

- (4) Neighborhood development. A neighborhood development allows for the creation of lots from a lot twenty (20) acres or greater in an area in which public sanitary sewer service and facilities are readily available, with traditional neighborhood development, planned unit

development, or a similar, zoning designation in accordance with Town zoning ordinances. A conditional use permit shall be obtained from the Town by an applicant wishing to undertake a neighborhood development.

Neighborhood developments shall require designation of a Development Area, to include Residential, Commercial and Business, Public, and Mixed Use Sectors, and an Outdoor Recreation and Open Space Area. The Outdoor Recreation and Open Space Area shall consist exclusively of outdoor recreation, open space, and associated land uses. Within the Development Area, the Residential Sector shall consist exclusively of residential and associated land uses, the Commercial and Business Sector shall consist exclusively of commercial, business, and associated land uses, the Public Sector shall consist exclusively of governmental, quasi-governmental, and associated land uses, and the Mixed Use Sector shall consist of a mixture of the aforementioned land uses.

The Development Area shall not exceed ninety percent (90%) of the total acreage of the neighborhood development. Block length within a Development Area shall not exceed six hundred (600) feet nor be less than four hundred (400) feet. Lots within the Residential Sector shall not be less than six thousand (6,000) square feet or more than ten thousand (10,000) square feet each nor collectively exceed fifty percent (50%) of the total acreage of the Development Area. Eighty percent (80%) of lots within the Residential Sector shall be within one-quarter (1/4) mile of a Commercial and Business, Public, or Mixed Use Sector. A Commercial and Business Sector shall be within one-quarter (1/4) mile of a Public or Mixed Use Sector, and all lots within the Commercial and Business Sector shall not exceed ten percent (10%) of the total acreage of the Development Area. A Public Sector shall be within one-quarter (1/4) mile of a Commercial and Business or Mixed Use Sector, and all lots within the Public Sector shall not exceed five percent (5%) of the total acreage of the Development Area. A Mixed Use Sector shall be within one-quarter (1/4) mile of a Commercial and Business or Public Sector, and all lots within the Mixed Use Sector shall not exceed ten percent (10%) of the total acreage of the Development Area. The lots shall be located in the Development Area in accordance with Sec. 38-9. of this Ordinance. Street right-of-ways within a Development Area shall not exceed twenty five percent (25%) of the total acreage of the Development Area.

Neighborhood developments shall also require designation of an Outdoor Recreation and Open Space Area, consisting of lands possessing ESA, cultural resources, woodlands, and/or open space, and contain a minimum of ten percent (10%) of the total acreage of the neighborhood development dedicated to the public as outdoor recreation or open space land, in accordance with Sec. 38-18. (2) of this Ordinance.

- (5) Cluster development CSM and general planned, conservation, and neighborhood development Sub-division Plat. A cluster development shall require a CSM and a general planned, conservation, and neighborhood development shall require a Sub-division Plat, in accordance with Sec. 38-10. (1) of this Ordinance. Said CSM or Sub-division Plat shall require all information in accordance with Sec. 38-12. (1) (a) and 38-13. (1) (a) of this Ordinance in addition to the following:
- (a) Identification and approximate location and dimension of Development Areas (and Residential, Commercial and Business, Public, and Mixed Use Sectors if applicable) and either Conservation Areas or Outdoor Recreation and Open Space Areas;
  - (b) Notice of restriction of further land division and specified building and accessory building construction or location in the Cluster and Conservation Development - Conservation Areas, and further land division in the Conservation Development - Development Area, and reference to a conservation easement on the Conservation Areas;

- (6) Natural Resources and Open Space, Cultural Resources, and Agricultural Resources Conservation Easement. A cluster development and a conservation development shall both require a Natural Resources and Open Space, Cultural Resources, or Agricultural Resources Conservation Easement as prepared by the Administrator in accordance with Sec. 700.40, Wisconsin Statutes, and recorded with the Rock County Register of Deeds as a component of a final land division, in accordance with Sec. 38-14. of this Ordinance. Where applicable, said easement shall:
- (a) Restrict further land division of any lots in the Conservation Development - Development Area;
  - (b) Restrict further land division and specified building and accessory building construction or location in any Conservation Area;
  - (c) Allow for access to the Conservation Development – Conservation Area and use by any member of the conservation development landowners or similar association;
  - (d) Stipulate easement grantor can continue in the current or a similar conforming use of the Conservation Area but any land within said area cannot be divided, nor be subject to residential building and accessory building construction or location, for a twenty (20) year period for all cluster developments and into perpetuity for all conservation developments, unless, for cluster developments only, said land is annexed by a municipality in which case the easement will become null and void;

Sec. 38-18. PUBLIC DEDICATION AND RESERVATION

- (1) Offers. All offers of public dedication and reservation by the applicant shall be irrevocable and offer title free and clear of all liens and encumbrances.
- (2) Outdoor recreation, open space and other public lands. If a land division contains all or part of lands designated in a County, Town, or City/Village comprehensive plan or official map as a future park, outdoor recreation area, school, or other public area other than streets or drainageways, said lands shall be made part of the final land division and either dedicated to the public or reserved for acquisition by an appropriate general purpose or special purpose district at undeveloped land costs for two (2) years from the date of Administrator action of approval of the final land division. If said land is not acquired by such district within the aforementioned timeline, the land shall be released to the applicant.

Any major land division (sub-division) with at least five hundred (500) feet of frontage on a surface water feature that the Committee determines has a serious lack of public access facilities may require dedication of lands for a public access facility at a continuous width of at least seventy (70) feet from the ordinary median high-water mark to the nearest public street. This provision shall not apply to water bodies not designated as a surface water feature, in accordance with this Ordinance, or to water bodies created in conjunction with the land division and located entirely within the land division.

- (3) Easements. The Committee may require public dedication of easements for utilities, drainageways, pedestrian ways, preservation of scenic viewsheds, and other public purposes on property owned by a general purpose or special purpose district, or a landowners association. The applicant shall dedicate a natural drainageway when said drainageway traverses the land division or construct a drainageway, if the stormwater management and erosion control plan indicates a need thereof, to specifications contained in said plan. The Committee at its discretion may determine whether the natural or constructed drainageway is to be dedicated as a drainageway easement or as outdoor recreation or open space land in accordance with (2) of this Sec.

## Article V. OTHER DEVELOPMENT ACTIVITY PROCEDURE

### Sec. 38-19. CONDOMINIUM INSTRUMENT

- (1) Application submission requirements. An applicant shall submit an application for condominium instrument to the Administrator. Application information and forms are available at the office of the Administrator and on the Rock County website. The application shall require an application form and fee, and a condominium plat prepared in accordance with Sec. 703.11 Wisconsin Statutes. All condominium instruments, to include the condominium plat, shall be submitted by the applicant to the Administrator for review in accordance with Sec. 703.11, Wisconsin Statutes.
- (2) Review and action. The application for condominium instrument shall be reviewed in accordance with Sec. 703.115, Wisconsin Statutes and applicable components of 38-12. (3), (4), (5), and (6) of this Ordinance. The Administrator shall then take action and approve or deny the application, in accordance with Sec. 703.115, Wisconsin Statutes, within ten (10) business days of receipt of the application by the Administrator, and the Administrator shall notify the applicant of same within the aforementioned time period. If the applicant is not notified by the Administrator within the aforementioned time period, the application shall be deemed approved by the Administrator.
- (3) Recordation. The condominium instrument shall be recorded by the applicant with the Rock County Register of Deeds within twelve (12) months of the action of approval of the application for condominium instrument by the Administrator and in accordance with Sections 703.07 and 703.095, Wisconsin Statutes.
- (4) Land division. If a land division, as defined in Sec. 38-7. of this Ordinance, is a component of a condominium instrument, the condominium instrument shall be subject to all applicable provisions of the Ordinance.

### Sec. 38-20. ROCK COUNTY BUILDING SITE PERMIT

- (1) Application submission requirements. An applicant shall submit an application for a Rock County Building Site Permit ("Rock County BSP") to the Administrator if a building or accessory building is being proposed for construction or location on a lot adjacent to a County road or within the Rock County Floodplain, Shoreland Overlay, or Airport Overlay Zoning Districts, in accordance with *Chapter 44 – Zoning, Code of Ordinances, Rock County*. Application information and forms are available at the office of the Administrator and on the Rock County website. The application shall require an application form and fee, and a Rock County building site plan. The Rock County building site plan shall identify all of the following (if applicable): construction activities and products, approximate location and dimension of lot lines, building setback lines, building/accessory building, driveway, and bounding streets, building/accessory building use, bounding streets name and type, approximate location of Environmentally Sensitive Areas ("ESA"), cultural resources, productive agricultural soils, and woodlands, and a building envelope not to include any front, rear, or side yards, ESA, cultural resources, and required POWTS area and open space in accordance with Sec. 38-16. (2) (a) of this Ordinance.
- (2) Administrator review. The Administrator shall review the application for a Rock County BSP for compliance with this Ordinance. The review shall be undertaken in accordance with Sec. 38-12. (3) of this Ordinance and completed by the Administrator within ten (10) business days of receipt of the application by the Administrator.
- (3) Administrator action. After review, the Administrator shall take action and approve or deny with findings the application for a Rock County BSP within ten (10) business days of receipt of the application by the Administrator and shall notify the applicant of same within the

aforementioned time period. If the applicant is not notified by the Administrator within the aforementioned time period, the application shall be deemed approved by the Administrator.

- (4) Approval and issuance. If the Administrator approves the application for a Rock County BSP, a Rock County BSP shall be issued to the applicant within ten (10) business days of receipt of an application by the Administrator. Said Rock County BSP shall contain the Rock County building site plan, with all construction activities and products completed to specifications identified therein within twelve (12) months of issuance of the Rock County BSP to the applicant by the Administrator. Approval and issuance of a Rock County BSP shall be subject to the following conditions:
- (a) Building and accessory building sites shall adhere to the front yard building setback line in accordance with 38-16. (2) (g) of this Ordinance and any other applicable building setback line;
  - (b) Building and accessory building sites, if on a lot located within the Rock County Floodplain, Shoreland Overlay, or Airport Overlay Zoning Districts in accordance with *Chapter 44 – Zoning, Code of Ordinances, Rock County*, shall adhere to all requirements of said zoning districts;
  - (c) Erosion control measures are in place on the lot in accordance with a stormwater management and erosion control plan;
  - (d) The Rock County Health Department has issued a sanitary permit for the lot or a connection to a public sanitary sewer system has been approved for the lot;
  - (e) The Rock County Public Works Department or Town has issued a driveway/access control permit for the lot;
  - (f) The lot has been reviewed and approved by the Committee and Administrator in accordance with this Ordinance, or is otherwise permitted by law to be sold or used as a building site, containing adequate size and dimension to meet all Rock County, Town, State, and any other applicable standards and regulations;
  - (g) Building and accessory building sites, as identified on the Rock County building site plan, less than ten (10) feet from the front yard building setback line on lots adjacent to a County road, or less than ten (10) feet from the front, rear, or side yard building setback line on lots within the Rock County Floodplain or Shoreland Zoning Overlay Districts, shall require a foundation survey provided by the applicant to the Administrator. The foundation survey shall identify the lot lines, building setback lines, and building and/or accessory building's foundation or footings, and the distance from the lot lines to said foundation or footings, and floodplain. The foundation survey shall be submitted to the Administrator within thirty (30) days of construction of the foundation or footings. This timeline may be extended in cases of extenuating circumstances at the discretion of the Administrator and upon submittal of a written extension request from the applicant to the Administrator.
- (5) Completion. The applicant's Rock County BSP obligations shall be fulfilled only if all of the following conditions have been met within twelve (12) months of issuance of the Rock County BSP:
- (a) Construction of the building and/or accessory building is substantially completed;
  - (b) All stormwater management and erosion control, landscaping, and final grading activities over which Rock County has review authority, in accordance with this Ordinance and any other applicable ordinances, statutes, regulations, and plans, are completed;

(6) Extension. If (5) (a) and (b) of this Sec. are not completed within twelve (12) months of issuance of the Rock County BSP to the applicant by the Administrator, a Rock County BSP extension shall be required if the applicant wishes to complete (5) (a) and (b). The applicant shall request a Rock County BSP extension from the Administrator and the Administrator shall issue said extension only if all of the following conditions have been met:

- (a) Applicant requests the Rock County BSP extension prior to twelve (12) months from the date the BSP was issued;
- (b) Applicant provides to the Administrator reasonable information regarding the need for the Rock County BSP extension, demonstrating that events leading to the extension request are beyond the control of the applicant and that no material change in the Rock County building site plan has or is reasonably expected to occur during the duration of the extension;
- (c) The Committee reviews the information per (b) of this Sub-sec., finds the information sufficient, and approves the Rock County BSP extension at a public meeting;

A Rock County BSP extension may not exceed twelve (12) months unless the Committee approves an additional extension on a month-to-month basis for no longer than six (6) months, at the request of the applicant.

## **ARTICLE VI. MEMORANDUMS OF AGREEMENT WITH TOWNS – LAND DIVISION AND OTHER DEVELOPMENT ACTIVITY PROCEDURE AND REQUIREMENTS**

### **Sec. 38-21. OVERVIEW**

The Agency, at the direction and with the approval of the Committee, shall enter into Memorandums of Agreement (“MOA”) with Towns to achieve the intent and purpose of this Ordinance as stated in Sec. 38-3. herein. A MOA shall be entered into voluntarily by both the Agency and the Town and shall be executed by the Town and the Committee. The MOA shall stipulate the Agency administer and enforce standards and regulations for any or all of the following land division, other development, or related activities:

- (1) Adjacent land sale or transfer;
- (2) Lot combination;
- (3) Public improvement design, construction, and maintenance;
- (4) Environmentally Sensitive Areas (“ESA”), cultural resources, productive agricultural soils, and woodlands protection and preservation;
- (5) Town Building Site Permit (“Town BSP”) issuance;
- (6) Any other land division, other development, or related activity so desired by the Town and the Agency, not to include stormwater management and erosion control activities which shall remain subject to *Article II – Stormwater Management* and *Article III – Construction Site Erosion Control, Chapter 16 – Environment, Code of Ordinances, Rock County*;

The Agency shall administer and enforce standards and regulations for land division, other development, and related activities identified in (1) – (6) of this Sec. in accordance with Sections 38-22., 38-23., 38-24., 38-25., and 38-26. of this Ordinance or as stipulated in a MOA.

Sec. 38-22. ADJACENT LAND SALE OR TRANSFER

- (1) Application submission requirements. An applicant shall submit an application for preliminary adjacent land sale or transfer to the Administrator. Application information and forms are available at the offices of the Town and Administrator and on the Town and Rock County websites. The application shall require an application form and fee, and a preliminary adjacent land sale or transfer CSM prepared and submitted in accordance with this Ordinance and Sec. 236.34 Wisconsin Statutes. The CSM shall be required for the purpose of verifying that additional lots are not thereby created and the lots resulting therefrom are not reduced below the minimum size and dimension required by law. The Administrator may waive the requirement for a CSM if all of the following conditions are met:
- (a) The new lot line has been staked by a land surveyor;
  - (b) A POS, containing a deed restriction, is filed with the applicable deed in the Rock County Register of Deeds Office with said restriction permanently prohibiting the grantee and all successors in interest from conveying the sold or transferred land separately from the adjacent lot owned by the grantee;
  - (c) The applicant provides to the Rock County Treasurer a POS approved by the Administrator, along with the following text:  
 Rock County Treasurer,  
 I hereby certify that the property taxes on the parent lot are current and have been paid as \_\_\_\_\_, 20\_\_.
- \_\_\_\_\_  
 Rock County Treasurer;
- (2) Review and action. The application for preliminary adjacent land sale or transfer shall be reviewed, with actions taken, in accordance with Sec. 38-12. (3), (4), (5), and (6) of this Ordinance. The Administrator shall then take action and approve, or deny with findings, the application. If the application is denied, the applicant shall be notified in accordance with Sec. 38-12. (7) of this Ordinance. If the application is approved, a final adjacent land sale or transfer POS or CSM shall be prepared and submitted by the applicant to the Administrator in accordance with this Ordinance and Sec. 236.34 Wisconsin Statutes, if applicable. The final adjacent land sale or transfer shall be reviewed, with actions taken, in accordance with applicable components of Sec. 38-13. (2), (4), and (5) of this Ordinance.
- (3) Recordation. The final adjacent land sale or transfer CSM approved by the Administrator shall be recorded by the applicant with the Rock County Register of Deeds within six (6) months of Administrator approval, or a final adjacent land sale or transfer POS approved by the Administrator shall be filed with the Rock County Surveyor within the aforementioned time period.

Sec. 38-23. LOT COMBINATION

- (1) Application submission requirements. An applicant shall submit an application for preliminary lot combination to the Administrator. Application information and forms are available at the offices of the Town and Administrator and on the Town and Rock County websites. The application shall require an application form and fee, and a preliminary lot combination CSM prepared and submitted in accordance with this Ordinance and Sec. 236.34 Wisconsin Statutes. The lots subject to combination shall be contiguous at more than a corner and under identical ownership in accordance with Rock County Tax Records.

- (2) Review and action. The application for preliminary lot combination shall be reviewed, with actions taken, in accordance with Sec. 38-12. (3), (4), (5), and (6) of this Ordinance. The Administrator shall then take action and approve, or deny with findings, the application. If the application is denied, the applicant shall be notified in accordance with Sec. 38-12. (7) of this Ordinance. If the application is approved, a final lot combination CSM shall be prepared and submitted by the applicant to the Administrator in accordance with this Ordinance and Sec. 236.34 Wisconsin Statutes, if applicable. The final lot combination shall be reviewed, with actions taken, in accordance with applicable components of Sec. 38-13. (2), (4), and (5) of this Ordinance.
- (3) Recordation. The lot combination final CSM shall be recorded by the applicant with the Rock County Register of Deeds within six (6) months of the action of Administrator approval and in accordance with Sec. 236.34 (2) Wisconsin Statutes.

Sec. 38-24. PUBLIC IMPROVEMENT DESIGN, CONSTRUCTION, AND MAINTENANCE

- (1) Blocks. Block length shall not exceed one thousand five hundred (1,500) feet nor be less than four hundred (400) feet, except as the Town deems necessary to secure the efficient use of land or desired features of street layout. Block width shall be wide enough to allow two tiers of lots of sufficient depth to provide an adequate building envelope on each lot. The Town may approve block widths consisting of a single tier of lots when said lots front a major street or when topography or size prevents two tiers. If a single tier block is approved by the Town, an adequate area to screen and buffer differing land uses shall be provided and vehicular access from an abutting major street prohibited.

A pedestrian way may be required by the Town near the center of a block, and entirely across those blocks which exceed nine hundred (900) feet in length, to connect dead-end streets or to provide access to parks, schools, shopping areas, or other similar facilities. If a pedestrian way is required, a minimum ten (10) foot right-of-way shall be set aside with an eight (8) foot pavement (or other cover type as approved by the Town) width, at a grade not steeper than fifteen percent (15%), unless steps of adequate design are approved by the Town. A note shall be placed on the Sub-division Plat stating by whom such pedestrian way shall be maintained.

- (2) Streets. All streets shall meet applicable jurisdictional construction standards and regulations. All streets shall be designed to appropriately coordinate with and relate to existing land uses, future land uses as delineated in applicable comprehensive plans and official maps, the natural landscape, street systems, dedicated rights-of-way, population densities, special vehicular traffic generators such as commercial, business, and industrial districts, institutional facilities, and other social gathering areas. In areas to be utilized predominately for non-residential uses, streets shall be planned in coordination with building groupings, rail facilities, alleys, and truck loading and maneuvering areas, and pedestrian ways and parking areas shall be adequately provided and located so as to minimize conflict between various types of traffic. Streets shall normally intersect, as nearly as possible, at right angles and shall avoid a combination of steep grades and curves. Streets shall be arranged to provide access to lots and building and accessory building sites at or above street grade. Street design in a major land division (sub-division) shall provide for the continuation of existing streets in adjacent areas at the same or greater width as said existing streets, unless the Town deems such continuation undesirable for reasons of topography or design.

All streets shall be public unless the Town, prior to approval of the application for preliminary land division, agrees to the use of private streets. Private streets will be considered by the Town only in those instances where an association or other legal entity is established by covenant with capability and responsibility for maintenance of said streets.



- (a) Street width shall be as delineated in **Figure III**:

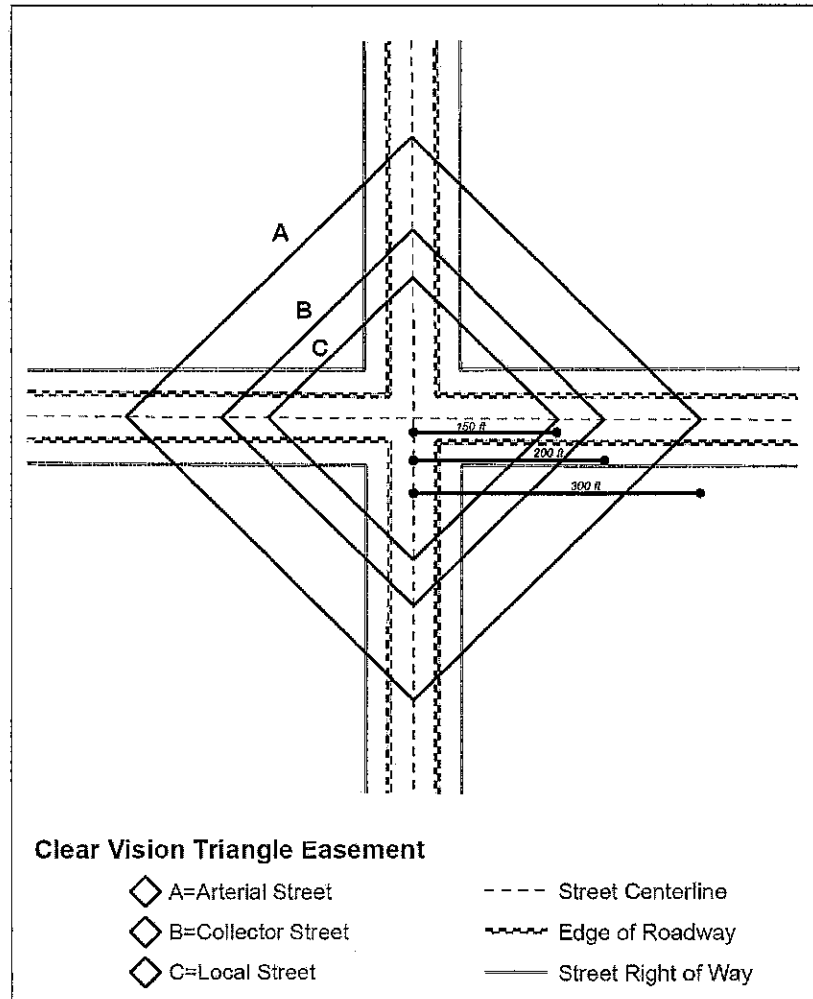
**Figure III: Street Width**

	Arterial Street	Collector Street	Local Street
Full Width	100 feet	80 feet	66 feet
Half Width	50 feet	40 feet	33 feet

- (b) Street gradient shall not exceed nine percent (9%), nor eleven percent (11%), with approval of the Town, in areas of extreme topography. Gradient shall not exceed one point four percent (1.4%) for a minimum distance of fifty (50) feet from the intersection of street centerlines. Streets may be constructed diagonally across contours in areas of extreme topography and shall traverse the slope with minimum street grade, driveway grade, and earth movement.
- (c) Cul-de-sac use shall not be encouraged, and if utilized, cul-de-sacs shall not be longer than six hundred (600) feet unless approved by the Town and shall terminate in a circular open space having a diameter at the outside of the right-of-way of at least one hundred forty (140) feet. Temporary cul-de-sacs may be permitted by the Town, to be constructed to the lot line and provided with a temporary circular or "T" shaped turnaround.
- (d) Frontage or access streets shall be required in those instances where a major land division (sub-division) abuts or contains an existing or proposed arterial street on which traffic volume and vehicular speeds warrant special safety precautions to ensure no lots front arterial streets.
- (e) A street approximately parallel to a rail line, expressway, freeway, or parkway right-of-way shall be required if the land division adjoins such facility for a considerable distance, with consideration given to the distance required for approach grades to future grade separations.
- (f) A clear vision triangle ("triangle"), in each quadrant of every public street or rail line intersection, shall be maintained, bounded by the street centerlines and a line connecting points on said centerlines at a specified distance from their point of intersection, in the manner illustrated in **Figure IV** as contained herein, with the exception that a triangle shall be maintained for twenty five (25) feet from the right-of-way for any intersection in a Sub-division Plat. The triangle shall be cleared of all vegetation less than six (6) inches in diameter. Vegetation greater than six (6) inches in diameter may remain in the triangle at the discretion of the Town. Any vegetation remaining in the triangle shall require trimming up to eight (8) feet above the ground.
- (g) Grading, base course, surface course, marking and signing, landscaping, and stormwater management shall be in accordance with *Article II – Stormwater Management, Chapter 16 – Environment, Code of Ordinances, Rock County* and all other applicable Rock County ordinances, with all costs related to these activities borne by the applicant. The applicant shall come to terms with the Town on a method of financing to assure surface course is applied to the street. Surface course is to be applied approximately twelve (12) months after the base course is constructed. Financing and timing for application of surface course shall be a condition of approval of the application for preliminary land division.
- (h) Bridges of primary benefit to the applicant shall be constructed at the expense of the applicant without reimbursement from the Town. Cost sharing for construction of

bridges not of primary benefit to the applicant can be fixed by special agreement between the State, Rock County or Town and the applicant as a condition of approval of the application for preliminary land division. Said costs shall be charged by Rock County or Town to the applicant pro-rata as the acreage of the land developed so served.

**Figure IV: Clear Vision Triangle**



- (3) Town public improvement plan. All public improvements shall be designed, constructed, and maintained by the applicant in accordance with (1) and (2) of this Sec. and a Town public improvement plan. The Town public improvement plan shall be submitted by the applicant to the Administrator in accordance with 38-13. (1) (b) of this Ordinance. The Administrator shall review the plan and either approve the plan or provide the applicant with required modifications. The plan shall contain all of the following:
- (a) Elevation profiles of the centerline of all existing and proposed streets;
  - (b) Elevation profile of the centerline of all existing streets that intersect with a proposed street, within six hundred (600) feet of said intersection;
  - (c) Approximate radii of all curves, lengths of tangents, and central angles on all existing streets;
  - (d) Cross-sections of all proposed streets at one hundred (100) foot stations superimposed on existing topography (the Town may require cross-sections every fifty (50) feet in

areas in excess of nine percent (9%) slope), and the location and cross-section of street pavements including drainageway easements, right-of-ways, and street signs;

- (e) Location, dimension, and invert elevations of existing and proposed sanitary sewers, stormwater drainageways, drainage control facilities, and fire hydrants, identification of connections to any existing or proposed utility, and the location and size of all water, gas, or other underground utilities or structures;
- (f) Location, dimension, and name (if applicable) of all streets and improvements designated for public dedication, and all necessary utilities;
- (g) Any other special requirements deemed necessary by the Town to ensure the land division is in compliance with the Town comprehensive plan, *Rock County Comprehensive Plan*, or any similar successive and other relevant plan or document, and any applicable construction standard and regulation;
- (h) Notation of approval on the cover page as follows:

Landowner	Date
Administrator	Date

(4) Financial guarantee. A written financial guarantee in a sum sufficient to pay the cost of construction of all public improvements shall be provided by the applicant to the Town, for all improvements as stated in the Town public improvement plan not constructed at the time of Administrator approval of the final land division, complying with all conditions of approval of the application for preliminary land division and assuring the construction and performance of all necessary improvements. Said financial guarantee shall take one of the following forms:

- (a) An insurance contract from a bonding agency;
- (b) An irrevocable letter of credit from a recognized financial institution;
- (c) An escrow account in a recognized financial institution;

The monetary amount of said guarantee shall be limited to the cost of the current phase of improvement construction, in accordance with Sec. 236.13 (2) (a), Wisconsin Statutes.

- (5) Inspection. The Administrator shall provide for inspection of public improvements during construction to ensure completion satisfactory to the Town. If the Administrator finds the improvements have not been constructed in accordance with the Town public improvement plan, the applicant shall be responsible for taking corrective measures to ensure said improvements are constructed to the satisfaction of the Administrator or Town and in accordance with said plan.
- (6) Maintenance. The applicant shall be required to maintain all public improvements and services associated with ensuring the adequate performance of all said improvements until acceptance of improvements by the applicable general or special purpose district, or homeowners association, including but not limited to snow removal on streets. The applicable special or general purpose district may on notice plow streets or affect emergency repairs and charge same to applicant. Utility entities shall be responsible for accurate replacement of all lot corners and monuments destroyed while installing utilities, within a reasonable time period after installation.

- (7) Timeline. Public improvements shall be constructed by the applicant within twelve (12) months of the action of Administrator approval of the final land division, in accordance with Sec. 38-13. (5) of this Ordinance. Extensions to the aforementioned timeline may be applied for by the applicant prior to expiration of said timeline and granted by the Town upon findings that delays are beyond the control of the applicant and that no material change in standards or conditions of the final land division has occurred or is reasonably expected to occur.

Sec. 38-25. ENVIRONMENTALLY SENSITIVE AREAS, CULTURAL RESOURCES, PRODUCTIVE AGRICULTURAL SOILS, AND WOODLANDS PROTECTION AND PRESERVATION

Environmentally Sensitive Areas (“ESA”), cultural resources, productive agricultural soils and woodlands (collectively “Resources”) shall be protected and preserved throughout the land division and development process, and land division and development shall not occur in a manner which significantly degrades or depletes any Resources, nor compromises their function or integrity, in accordance with Sec. 38-9. (3) and (4) of this Ordinance, Town comprehensive plans and zoning ordinances, *Chapter 44 – Zoning, Code of Ordinances, Rock County*, the *Rock County Comprehensive Plan*, or any similar successive ordinances, plans, or documents. Protection and preservation of Resources throughout the land division and development process shall be ensured utilizing any or all of the mechanisms identified in (1), (2), (3), and (4) of this Sec.

- (1) Town building site plan. Any lot subject to a land division, or on which a building or accessory building is proposed for construction or location, shall require a Town building site plan identifying all of the following (if applicable): construction activities and products, approximate location and dimension of lot lines, building setback lines, building/accessory building, driveway, and bounding streets, building/accessory building use, bounding streets name and type, identification and approximate location of Environmentally Sensitive Areas (“ESA”), cultural resources, productive agricultural soils, and woodlands, and a building envelope not to include any front, rear, or side yards, ESA, cultural resources, and required POWTS area and open space in accordance with Sec. 38-16. (2) (a) of this Ordinance. The plan shall be required either as a condition of approval of an application for preliminary land division, or at the time of Town building permit or Town Building Site Permit (“Town BSP”) application, in accordance with Sec. 38-26. of this Ordinance.

Building setback lines as identified on a Town building site plan shall be in accordance with the following:

- (a) Front yard building setback lines from arterial and collector streets shall be one hundred and fifteen (115) feet from the street centerline or seventy five (75) feet from the right-of-way, whichever is greater, for all lots. Front yard building setback lines from local streets shall be fifty (50) feet from the right-of-way for those lots without access to a connection to a public sanitary sewer system and twenty five (25) feet from the right-of-way for those lots with access to a connection to said system.
- (b) Rear yard building setback lines shall be twenty five (25) feet from the rear lot line on all lots not abutting a surface water feature. Rear yard building setback lines on all lots abutting a surface water feature shall be seventy five (75) feet from the ordinary median high-water mark of said feature.
- (c) Side yard building setback lines shall be fifteen (15) feet from the side lot line on lots without access to a connection to a public sanitary sewer system and eight (8) feet from the side lot line, with a minimum of twenty (20) feet between buildings, on lots with access to a connection to said system.

- (d) Building setback lines less than those stated in (a), (b), and (c) of this Sec. may be permitted by the Town in cases of unusual topography or landscape conditions, existing patterns of lesser building setback lines on nearby properties, varying alignment of streets, or in accordance with Town zoning ordinances.
  - (e) Building setback lines, as stated in (b), (c), and (d) of this Sec. shall apply to all flag lots, applied exclusively on the “flag” of the lot. Front yard building setback lines shall apply to flag lots in the following manner. Front yard building setback lines from arterial and collector streets shall be one hundred and fifteen (115) feet from the street centerline or seventy five (75) feet from the right-of-way, whichever is greater, and twenty-five (25) feet from the front lot line of the “flag”, for all flag lots. Front yard building setback lines from local streets shall be fifty (50) feet from the right-of-way and twenty five (25) feet from the front lot line of the “flag” for flag lots without access to a connection to a public sanitary sewer system, and twenty five (25) feet from the right-of-way and twenty five (25) feet from the front lot line of the “flag” for flag lots with access to a connection to said system.
- (2) Note on final land division or deed restriction. Any lot subject to a land division, or on which a building or accessory building is proposed for construction or location, thirty five (35) acres or smaller and containing specified Resources, shall require either a note on the final land division POS, CSM, or Sub-division Plat, or a deed restriction, identifying specified Resources and prohibiting building and accessory building sites, and earth-disturbing activity that would significantly degrade or deplete or compromise the function or integrity of said Resources as identified therein. The note shall be required as a condition of approval of an application for preliminary land division, or the deed restriction shall be filed with the applicable deed in the Rock County Register of Deeds Office with said restriction required at the time of Town building permit or Town BSP issuance, in accordance with Sec. 38-26. of this Ordinance.
  - (3) Conservation easement. Any lot subject to a land division, or on which a building or accessory building is proposed for construction or location, thirty five (35) acres or smaller and containing specified Resources, shall require a conservation easement. The conservation easement shall be required either as a condition of approval of an application for preliminary land division, or at the time of Town building permit or Town BSP issuance, in accordance with Sec. 38-26. of this Ordinance, and shall be recorded with the Rock County Register of Deeds. Said easement shall:
    - (a) Identify the land area subject to the easement and prohibit building and accessory building sites, and earth-disturbing activity detrimental to the intent and purpose of the easement, in/on any specified Resources as identified therein;
    - (b) Designate the owner of the lot subject to the easement as grantor therein and either Rock County, the Town, or some combination thereof, as grantee therein;
    - (c) Contain any additional information deemed appropriate by the Town, Agency, or Rock County Corporation Counsel;
  - (4) Utilization or modification of Sec. 38-25 (1) (2) (3) of this Ordinance in a MOA. Any provision of Sec. 38-25. (1) (2) or (3) of this Ordinance may be utilized in conjunction with any other provision of said Sec. in a MOA, and any of said provisions may be modified in any manner so as to ensure protection and preservation of Resources throughout the land division and development process.

Sec. 38-26. TOWN BUILDING SITE PERMIT

- (1) Application submission requirements. A Town Building Site Permit (“Town BSP”) shall be required if a building or accessory building is proposed for construction or location on a lot. Application information and forms are available at the offices of the Town and Administrator, and on the Town and Rock County websites. The application shall require an application form and fee and a Town Building Site Plan prepared in accordance with Sec. 38-25. (1) of this Ordinance.
- (2) Administrator review. The Administrator shall review an application for a Town BSP for compliance with this Ordinance. The review shall be undertaken in accordance with Sec. 38-12. (3) of this Ordinance and completed by the Administrator within ten (10) business days of receipt of the application by the Administrator.
- (3) Administrator action. After review, the Administrator shall take action and approve or deny with findings the application for a Town BSP within ten (10) business days of receipt of the application by the Administrator and shall notify the applicant of same within the aforementioned time period. If the applicant is not notified by the Administrator within the aforementioned time period, the application shall be deemed approved by the Administrator.
- (4) Approval and issuance. If the Administrator approves the application for a Town BSP, a Town BSP shall be issued to the applicant within ten (10) business days of receipt of an application by the Administrator. Said Town BSP shall contain the Town building site plan in accordance with Sec. 38-25. (1) of this Ordinance, with all construction activities and products to be completed to specifications contained therein within twelve (12) months of issuance of the Town BSP to the applicant by the Administrator. Approval and issuance of a Town BSP shall be subject to the following conditions:
  - (a) Building, accessory building, and earth-disturbing activity sites as identified in the Town building site plan shall not be in/on any specified Resources and either a deed restriction in accordance with 38-25. (2) of this Ordinance, or a conservation easement in accordance with 38-25. (3) of this Ordinance, shall be placed on the lot;
  - (b) Erosion control measures are in place on the lot in accordance with a stormwater management and erosion control plan;
  - (c) The Rock County Health Department has issued a sanitary permit for the lot or a connection to a public sanitary sewer system has been approved for the lot;
  - (d) The Rock County Public Works Department or applicable Town has issued a driveway/access control permit for the lot;
  - (e) The lot has been reviewed and approved by the Town and Administrator in accordance with this Ordinance, or is otherwise permitted by law to be sold or used as a building site and containing adequate size and dimension to meet all Rock County, Town, State, and any other applicable standards and regulations;
  - (f) Building and accessory building sites, as identified in the Town building site plan, less than ten (10) feet from any building setback line, in accordance with Sec. 38-25. (2) (a), (b), (c), (d), and (e) of this Ordinance, shall require a foundation survey, provided by the applicant to the Administrator. The foundation survey shall identify lot lines, building setback lines, and a building and/or accessory building’s existing foundation or footings, and the distance from the lot lines to said foundation or footings, and floodplain. The foundation survey shall be submitted to the Administrator within thirty (30) days of construction of the foundation or footings. This aforementioned timeline may be

extended in cases of extenuating circumstances at the discretion of the Administrator and upon submittal of a written extension request from the applicant to the Administrator;

- (5) Completion. The applicant's Town BSP obligations shall be fulfilled only if all of the following conditions have been met within twelve (12) months of issuance of the Town BSP:
- (a) Construction of the building and/or accessory building is substantially completed;
  - (b) All stormwater management, erosion control, landscaping, and final grading activities over which the Town and Rock County have review authority, in accordance with any applicable ordinances, statutes, regulations, and plans, are completed;
- (6) Extension. If (5) (a) and (b) of this Sec. are not completed within twelve (12) months of issuance of the Town BSP to the applicant by the Administrator, a Town BSP extension shall be required if the applicant wishes to complete (5) (a) and (b). The applicant shall request a Town BSP extension from the Town and the Town shall issue said extension only if all of the following conditions have been met:
- (a) Applicant requests the Town BSP extension prior to twelve (12) months from the date the Town BSP was issued;
  - (b) Applicant provides to the Town reasonable information regarding the need for the Town BSP extension, demonstrating that events leading to the extension request are beyond the control of the applicant and that no material change in the Town building site plan has or is reasonably expected to occur during the duration of the extension;
  - (c) The Town reviews the information per (b) of this Sub-sec., finds the information sufficient, and approves the Town BSP extension at a public meeting;

A Town BSP extension may not exceed twelve (12) months, unless the Town approves an additional extension on a month-to-month basis, at the request of the applicant.

## **Article VII. ADMINISTRATION AND ENFORCEMENT**

### **Sec. 38-27. ROCK COUNTY PLANNING AND DEVELOPMENT COMMITTEE AND ADMINISTRATOR**

The Rock County Board of Supervisors, in accordance with Sec. 59.69 (2), Wisconsin Statutes, delegates the authority to administer and enforce this Ordinance to the Rock County Planning and Development Committee ("Committee"). In administering and enforcing this Ordinance, the Committee shall have the following powers and responsibilities without limitation by reason of enumeration:

- (1) Require submission of a complete and accurate application for preliminary land division and final land division, and any additional information necessary to make a reasonable evaluation of said application and final land division;
- (2) Attach conditions of approval on an application for preliminary land division for improvements, development design, public dedication and reservation, and use restrictions, and inspect land division and improvements;
- (3) Approve, approve with conditions, or deny with findings applications for preliminary land division and final land divisions;

- (4) Require submission of a complete and accurate application for condominium instrument and Rock County BSP, and any additional information necessary to make a reasonable evaluation of said applications;
- (5) Approve or deny with findings applications for condominium instruments and Rock County BSP;
- (6) Maintain records of land division and other development activity approvals, conditions of approval, denials with findings, inspections, and all other official actions;
- (7) Execute MOA's with Towns for Agency administration of standards and regulations for land division, other development, and related activities as stipulated in said MOA's;
- (8) Ensure that all land divisions or other development activity, including any activity stipulated in a MOA, maintain and advance the intent and purpose of this Ordinance as stated in Sec. 38-03. herein;
- (9) Delegate the responsibilities of administration and enforcement of this Ordinance to the Administrator;

Sec. 38-28. ROCK COUNTY BOARD OF ADJUSTMENT AND VARIANCE AND APPEAL

The Rock County Board of Supervisors, in accordance with Sec. 59.694, Wisconsin Statutes, delegates the authority to hear and render action on any variance to or appeal of any provision of this Ordinance by any individual or party aggrieved by administration and enforcement thereof, to the Rock County Board of Adjustment ("Board").

- (1) Application for variance or appeal. Any individual or party aggrieved by administration and enforcement of this Ordinance may submit an application for a variance or appeal to the Board within thirty (30) days of the Committee and/or Administrator action causing the grievance.
- (2) Board action. The Board shall take action on the application for variance or appeal at a public hearing, in accordance with Sec. 59.694, Wisconsin Statutes. The Board may approve an application if all findings have been made by the Board in accordance with Sec. 14.09. (4) of the *Rock County Board of Adjustment Rules and Procedures*.
- (3) Approval conditions. In approving an application for variance or appeal, the Board may require conditions which will, in its judgment, substantially secure the intent and purpose of this Ordinance, as stated in Sec. 38-03. herein.

Sec. 38-29. VIOLATIONS AND PENALTIES

- (1) Liable parties. Landowners or property owners, occupiers of land or premises, and agents of owners or occupiers, including but not limited to, building contractors, surveyors, engineers, architects, planners, plumbers, installers, soil technicians, road builders, grading and excavating contractors and their agents, lending institutions and their agents, and insurers and their agents, are responsible for compliance with this Ordinance which bear upon their area of competency and responsibility.
- (2) Violations. All of the following shall be a violation of this Ordinance and any individual or party who violates this Ordinance or aids or abets in any of the following shall be liable to prosecution or remedial actions:
  - (a) Undertaking a land division or other development activity, including any activity stipulated in a MOA, not in compliance with this Ordinance or any other applicable ordinance, rule, regulation, standard, statute, or other provision of law, or with any



condition placed upon an approval, variance, or appeal granted in due course under this Ordinance;

- (b) Undertaking a land division or an offer or contract to convey a land division or any lot within a land division without first having the land division reviewed by the Committee and Administrator, approved by the Committee and/or Administrator, and recorded with the Rock County Register of Deeds or filed with the Rock County Surveyor, except that an offer or contract to convey may be made or entered into if said offer or contract states on its face that it is contingent upon Committee and Administrator approval of all land divisions necessary to effect the transaction and that the offer or contract shall be void if such approval is not granted;
  - (c) Recordation of a CSM or Sub-division or Condominium Plat with the Rock County Register of Deeds without having said CSM or plats reviewed by the Committee and/or Administrator, and approved by the Committee and/or Administrator, or filing of a POS, subject to this Ordinance, with the Rock County Surveyor without having said POS reviewed and approved by the Administrator;
  - (d) Failure, by the landowner, to place monuments or construct land division improvements as prescribed in the POS, CSM, or Sub-division or Condominium Plat as approved by the Committee and/or Administrator;
- (3) Notification of violation. The Administrator is responsible for inspecting and investigating compliance of land divisions or other development activity, including any activity stipulated in a MOA, with this Ordinance. If, upon such inspection or investigation, the Administrator becomes aware of a condition which he or she concludes is or is likely to become a violation as defined in (2) of this Sec. the Administrator shall immediately provide notification of violation to the individual or party to the situation deemed to be responsible and potentially liable of the detected violation. Such notification shall consist of a written enforcement demand to said individual or party that the condition that is alleged to constitute the present or potential violation be halted, prevented from occurring, or remedied.
- (4) Complaint and demand for prosecution. If a written enforcement demand is issued to the responsible individual or party, in accordance with (3) of this Sec., and is not complied with by said individual or party, and unless an administrative appeal has commenced and a stay order has been issued by the Rock County Circuit Court, the Rock County Corporation Council shall forthwith issue to the individual or party a complaint and demand for prosecution. Such complaint and demand shall consist of a written enforcement statement that a complaint on the condition and demand for prosecution has been or will be transmitted to the Rock County District Attorney's Office, enforcement officials, and State agencies.
- (5) Injunction. If a written enforcement statement is issued to the responsible individual or party in accordance with (4) of this Sec., and is not complied with by said individual or party, an injunction restraining the individual or party from continuance of the violating condition shall be requested by the Rock County Corporation Council or the Rock County District Attorney's Office from the Rock County Circuit Court.
- (6) Citation. The Administrator is authorized to issue an Ordinance citation, in accordance with *Article VII - Citations, Chapter 2 - Administration, Code of Ordinances, Rock County*, to any individual or party engaging in activities that are in violation of this Ordinance, in accordance with (2) of this Sec. Each day of violation, and each Ordinance section violated, shall be considered a separate offense and subject to additional enforcement action, including but not limited to, the issuance of additional Ordinance citations. Issuing a citation shall not release the individual or party from full compliance with this Ordinance nor from prosecution for Ordinance violation.

- (7) Conviction. Any individual or party who violates this Ordinance shall, upon conviction, thereof forfeit those amounts as established by reference in Rock County Resolution 08-8A-054 and any subsequent amendments thereto.

Sec. 38-30. FEES

- (1) Fees for land division and other development activity, including any activity stipulated in a Memorandum of Agreement (“MOA”), are determined by the Rock County Board of Supervisors to ensure adequate resources to administer and enforce this Ordinance and shall be paid in full by the applicant to the Agency. The effective land division and other development activity fee schedule is available at the office of the Administrator and on the Rock County website. The following activities shall be subject to fees:
- (a) Review of application for preliminary land division;
  - (b) Review of final land division;
  - (c) Review of applications for condominium instruments and Rock County BSP;
  - (d) Review of application for variance to and appeal of this Ordinance;
  - (e) Review of application for adjoining land sale or transfer and lot combination, public improvement design, construction, and maintenance, Environmentally Sensitive Areas (“ESA”), cultural resources, productive agricultural soils, and woodlands protection and preservation, and Town BSP issuance and extension, if said activities are identified in an MOA;
  - (f) Any other land division and other development activity, as agreed upon by the Agency and the Town and identified in a MOA;

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

Jenifer Keach  
INITIATED BY



Jenifer Keach  
DRAFTED BY

Public Safety & Justice Committee  
SUBMITTED BY

November 29, 2011  
DATE DRAFTED

**Increasing Fees for Services of Coroner Relative to Cremations**

- 1 **WHEREAS**, the County Board is Authorized to set fees for all services rendered by the Coroner in an
- 2 amount not to exceed the actual and necessary costs reasonably related to provide the service; and,
- 3
- 4 **WHEREAS**, the Coroner is required to issue a permit, view the corpse, make personal inquiry into the
- 5 cause and manner of death, and perform other functions for those bodies that are cremated; and,
- 6
- 7 **WHEREAS**, the cost of performing these functions is, at minimum, \$175; and,
- 8
- 9 **WHEREAS**, the cremation permit fee has not been raised since 2009; and,
- 10
- 11 **WHEREAS**, a number of counties in Wisconsin already charge cremation fees that exceed the
- 12 proposed fee structure for the Rock County Coroner.
- 13
- 14 **NOW, THEREFORE, BE IT RESOLVED**, by the Rock County Board of Supervisors duly
- 15 assembled this \_\_\_ day of \_\_\_\_\_, 2011 that the fees of the services for the Coroner relative to
- 16 cremations be increased from \$145 to \$175; and,
- 17
- 18 **BE IT FURTHER RESOLVED**, that these fee increases are effective January 1, 2012.

Respectfully submitted,

**Public Safety and Justice Committee**

Ivan Collins  
Ivan Collins, Chair

Larry Wiedenfeld  
Larry Wiedenfeld, Vice Chair

Mary Beaver  
Mary Beaver

Henry Brill  
Henry Brill

Brian Knudson  
Brian Knudson

**FISCAL NOTE:**

The Coroner's 2012 budget includes increasing the cremation fees to \$175. The Coroner's 2012 fee revenue budget is \$93,625 in A/C 28-2600-0000-44100.

Jeffrey A. Smith  
Finance Director

**LEGAL NOTE:**

County Board is authorized to take this action pursuant to secs. 59.01 and 979.10, Wis. Stats.

Jeffrey S. Kuglitsch  
Jeffrey S. Kuglitsch  
Corporation Counsel

**ADMINISTRATIVE NOTE:**

Recommended.

Craig Kntuson  
County Administrator

11-12A-537

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

Finance Committee  
INITIATED BY



Jeffrey A. Smith, Finance Dir.  
DRAFTED BY

Finance Committee  
SUBMITTED BY

November 23, 2011  
DATE DRAFTED

**Designating Fund Balance Classifications**

- 1 **WHEREAS**, the Governmental Accounting Standards Board (GASB) has issued Statement No. 54,
- 2 which changes the terminology used for fund balance reporting on the balance sheets of Governmental
- 3 Funds; and ,
- 4
- 5 **WHEREAS**, the changes made by GASB 54 do not affect total reported fund balances; and,
- 6
- 7 **WHEREAS**, GASB No. 54 requires that commitments of fund balances must occur before year end; and,
- 8
- 9 **WHEREAS**, GASB No. 54 requires decisions be made as to who should have authority to assign fund
- 10 balances.
- 11
- 12 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly assembled
- 13 this \_\_\_\_\_ day of \_\_\_\_\_, 2011 does hereby signify that the resources of the Parks Special
- 14 Revenue Fund be committed for wages, equipment, services and supplies for Parks activities; and,
- 15
- 16 **BE IT FURTHER RESOLVED**, that the resources of the Other Grant Special Revenue Fund be
- 17 committed for wages, equipment, services and supplies for the grant activities; and,
- 18
- 19 **BE IT FURTHER RESOLVED**, that the resources of the Veteran's Relief Special Revenue Fund be
- 20 committed for wages, equipment, services and supplies for veterans relief activities; and,
- 21
- 22 **BE IT FURTHER RESOLVED**, that the resources of the Other Activities Special Revenue Fund be
- 23 committed for costs associated with agency and trust account activities; and,
- 24
- 25 **BE IT FURTHER RESOLVED**, that the resources of the Other Special Revenue Funds be committed
- 26 for wages, equipment, services and supplies for other special revenue fund activities; and,
- 27
- 28 **BE IT FURTHER RESOLVED**, that the Finance Director be delegated the authority to assign fund
- 29 balances.

11-12A-538

Respectfully submitted,

**FINANCE COMMITTEE**

/s/Mary Mawhinney  
Mary Mawhinney, Chair

/s/Sandra Kraft  
Sandra Kraft, Vice Chair

/s/Mary Beaver  
Mary Beaver

/s/David Diestler  
David Diestler

/s/J. Russell Podzilni  
J. Russell Podzilni

Designating Fund Balance Classifications  
Page 2

FISCAL NOTE:

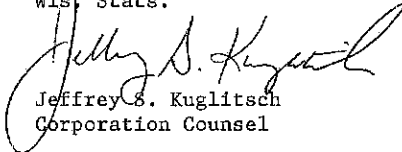
This resolution is required by the Governmental Accounting Standards Board (GASB) in accordance with generally accepted accounting principles (GAAP). It is important for the County to continue to have its financial statements prepared using GAAP. The County would not be eligible for many, if not all, federal and state grant awards if it did not produce annual audited financial statements using GAAP. In addition, the rating agencies would consider downgrading the County if its financial statements were not in compliance with GAAP.



Jeffrey A. Smith  
Finance Director

LEGAL NOTE:

County Board is authorized to take this action pursuant to §§ 59.01 and 59.51,  
Wis. Stats.



Jeffrey S. Kuglitsch  
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.



Craig Knutson  
County Administrator

## EXECUTIVE SUMMARY

The Governmental Accounting Standards Board (GASB) has issued Statement No. 54, which changes the terminology used for fund balance reporting on the balance sheets of Governmental funds and creates five new classifications of governmental fund balances. The five classifications are:

1. Nonspendable – This classification will identify fund balance amounts that are in a nonspendable form. This includes prepaid expenses and inventories.
2. Restricted – The use of these fund balance amounts are limited by external legal restrictions. For example, grant funding can only be used for the specific purpose allowed by the grantor.
3. Committed - The use of these fund balance amounts are constrained by limitations imposed by the County Board. For example, per the County Board, the ATC fee proceeds are to be used for Parks or Land Conservation purposes only and only action by the County Board can change these limitations.
4. Assigned – Amounts in the assigned fund balance are intended to be used for a specific purpose. However, they don't meet the stricter definitions of restricted or committed. For example, carryover of funds to pay for equipment that was budgeted for and ordered in 2011, but did not arrive until 2012 would be classified as assigned in the 2011 financial statements. The County intends to use these funds to pay for the ordered equipment.
5. Unassigned – This is the total residual fund balance in the general fund and is available for any purpose.

The intent of GASB 54 is to provide fund balance classifications that governments will apply more consistently and will be more easily understood by users of the financial statements. The change in fund balance classifications will not change the total dollar amount of fund balance reported. GASB 54 only changes how the various items that make up the fund balance are classified.

## Sample of Funds

2010 Audited Fund Balance		2010 Fund Balance restated using GASB 54 terminology	
<b><u>General Fund</u></b>			
Reserved	\$ 5,046,759	Nonspendable	\$ 5,046,759
Designated	\$ 1,026,721	Restricted	
Undesignated	\$ 16,965,422	Committed	
	\$ 23,038,902	Assigned	\$ 1,026,721
		Unassigned	\$ 16,965,422
			\$ 23,038,902
<b><u>Revolving Loans Special Revenue Fund</u></b>			
Undesignated	\$ 150,403	Restricted	\$ 150,403
<b><u>Arrowhead Library System Special Revenue Fund</u></b>			
Reserved	\$ 4,259	Nonspendable	\$ 4,259
Undesignated	\$ 26,904	Restricted	\$ 24,904
	\$ 31,163	Assigned	\$ 2,000
			\$ 31,163
<b><u>Veterans' Relief Special Revenue Fund</u></b>			
Undesignated	\$ 3,554	Committed	\$ 3,554
<b><u>ATC Fees Special Revenue Fund</u></b>			
Reserved	\$ 1,532,075	Committed	\$ 1,532,075

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

Planning & Development Committee  
INITIATED BY



Paul Benjamin, David Somppi  
DRAFTED BY

Planning & Development Committee  
SUBMITTED BY

December 2, 2011  
DATE DRAFTED

**RESOLUTION AUTHORIZING SUBMISSION OF THE 2012 ROCK COUNTY  
APPLICATION FOR LEAD HAZARD CONTROL GRANT FUNDS**

- 1 WHEREAS, Federal funds are available under the U.S. Department of Housing & Urban Development
- 2 (HUD) Healthy Homes and Lead Hazard Control Programs, to provide local, County, and State Governments
- 3 nationwide with funds to control lead hazards in housing units with children with elevated lead levels and/or
- 4 have children under 6 years of age; and,
- 5
- 6 WHEREAS, the Planning and Development Committee has recommended that an application be submitted
- 7 to HUD to obtain funds to conduct this lead hazard control work, improving housing units with children that
- 8 have elevated lead levels and/or have children under 6 years of age, expanding housing opportunities, conduct
- 9 outreach activities, and obtain administration expenses; and,
- 10
- 11 WHEREAS, it is necessary for the Rock County Board of Supervisors to approve the preparation and filing
- 12 of an application for Rock County to receive funds from this Program; and,
- 13
- 14 WHEREAS, the Planning & Development Committee has reviewed the need for the proposed programs and
- 15 the benefits to be gained for Rock County; and,
- 16
- 17 WHEREAS, Planning & Development Agency personnel are working with the Cities of Beloit and
- 18 Janesville, the Rock County Health Department, and Rock County municipalities to provide assistance with
- 19 administering the program presented in this application.
- 20
- 21 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly assembled this
- 22 \_\_\_\_\_ day of \_\_\_\_\_ 2011, hereby approves and authorizes the preparation and filing of an
- 23 application for the 2012 Healthy Homes and Lead Hazard Control Program through the U.S. Department of
- 24 Housing & Urban Development; and,
- 25
- 26 **BE IT FURTHER RESOLVED**, that the Rock County Board of Supervisors authorizes the County Board
- 27 Chair and County Clerk to sign the respective documents on behalf of the County of Rock; and,
- 28
- 29 **BE IT FURTHER RESOLVED**, that authority is hereby granted to the Rock County Planning and
- 30 Development Agency to take the necessary steps to prepare and file an appropriate application for funds under
- 31 this Program in accordance with this application.

11-12A-539

Respectfully submitted,

**Planning & Development Committee**

\_\_\_\_\_  
Alan Sweeney, Chair

\_\_\_\_\_  
Mary Mawhinney, Vice Chair

\_\_\_\_\_  
Wayne Gustina

\_\_\_\_\_  
Marilynn Jensen

\_\_\_\_\_  
Phillip Owens



**Resolution Authorizing Submission of the 2012 Rock County Application for Lead Hazard Control Grant Funds**

Page 2

FISCAL NOTE:

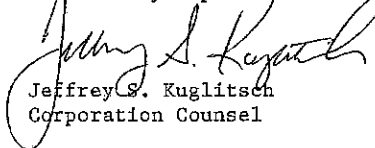
This resolution only authorizes an application for a grant and therefore has no fiscal impact at this time. If a grant is awarded a subsequent resolution would be required to accept the grant and amend the budget.



Jeffrey A. Smith  
Finance Director

LEGAL NOTE:


The authority to accept grant funds pursuant to sec. 59.52(19), Wis. Stats., necessarily implies the authority to make application for such funds.



Jeffrey S. Kuglitsch  
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.



Craig Knutson  
County Administrator

## EXECUTIVE SUMMARY

### RESOLUTION AUTHORIZING SUBMISSION OF THE 2012 ROCK COUNTY APPLICATION FOR LEAD HAZARD CONTROL GRANT FUNDS

The Rock County Planning and Development Agency is currently preparing an application on behalf of Rock County for Healthy Homes and Lead Hazard Control Program funds, administered by the U.S. Department of Housing & Urban Development (HUD). This is part of HUD's annual Notice of Funding Availability for Discretionary Funds to finance competitive grants for discretionary housing programs nationwide. For 2012, a total of \$61 million will be made available for this program for qualifying cities, counties and states to fund about 25 programs nationwide.

Owner-occupied property owners will be required to live in the property upon completion. Rental property owners will be required to rent to low- to moderate income families and keep rents within Rock County's HUD rent guidelines.

Funds would also be made available for qualifying testing activities and community outreach, data collection and record keeping, and administrative expenses.

Rock County will be working closely with the Cities of Beloit and Janesville, the Rock County Health Department, Rock County municipalities, and other community groups on identifying eligible housing units and conducting approved projects. The Cities of Beloit and Janesville and the balance of the County will administer roughly similar numbers of projects. Projects in the Cities of Beloit and Janesville may be administered by their Neighborhood Services Departments. Projects in the balance of the County would be administered by the Planning Agency and the Health Department.

Scoring for this competition will be based on agency capacity, agency experience, documented need, quality of work program approach, economic opportunities, promoting local and national housing objectives, and other resources and community support.

The application will request about \$1,500,000 to conduct lead hazard control work on about 90 housing units over 36 months. These projects will likely be evenly split between the Cities of Beloit, Janesville, and Rock County outside of the Cities of Beloit & Janesville. Grant funds are also proposed to be used for public education and promotional activities.

The deadline for submission of this application is January 18, 2012. Notification of success of the application will likely occur in April, 2012. If successful, the contract period for the application would be from about July 1, 2012 – June 30, 2015.

# RESOLUTION

## ROCK COUNTY BOARD OF SUPERVISORS

Lori Williams  
INITIATED BY

Public Works & Parks  
Advisory Committee  
SUBMITTED BY



Lori Williams, Parks Director  
DRAFTED BY

November 21, 2011  
DATE DRAFTED

**Authorizing Application for the Natural Resources Foundation's C.D. Besadny Conservation Grant for Magnolia Bluff Park State Natural Area Kittentail Restoration**

- 1 **WHEREAS**, the Natural Resources Foundation has a community grant program for public and
- 2 private organizations or government agencies working on natural resource projects and programs at
- 3 a small-scale, local level; and,
- 4
- 5 **WHEREAS**, the County designated portions of Magnolia Bluff County Park and Carver-Roehl
- 6 County Park as Wisconsin Department of Natural Resources State Natural Areas in November
- 7 2010; and,
- 8
- 9 **WHEREAS**, the Parks Division desires to restore an area of Magnolia Bluff Park that contains
- 10 kittentails, a state threatened plant, to a low-grass savanna; and,
- 11
- 12 **WHEREAS**, three years ago this section of the park was turned into a "no mow zone" encouraging
- 13 the kittentail population to expand and allowed identification of other remnant native species; and,
- 14
- 15 **WHEREAS**, the Parks division would like to augment this area with native seeds and plugs to
- 16 create a permanent restoration site.
- 17
- 18 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly
- 19 assembled this \_\_\_ day of \_\_\_\_\_, 2011 hereby authorizes the Parks
- 20 Director to act on behalf of Rock County to submit a grant application to the Natural Resources
- 21 Foundation's C.D. Besadny Conservation Grant for \$1,000 to restore a portion of the State Natural
- 22 Area in Magnolia Bluff Park.

11-12A-540

Respectfully submitted,  
Public Works Committee

Parks Advisory Committee

\_\_\_\_\_  
Kurtis Yankee, Chair

\_\_\_\_\_  
Thomas Presny

\_\_\_\_\_  
Betty Jo Bussie, Vice-Chair

\_\_\_\_\_  
Floyd Finney

\_\_\_\_\_  
Eva Arnold

\_\_\_\_\_  
Mike Guisleman

\_\_\_\_\_  
David Diestler

\_\_\_\_\_  
Brent Fox

FISCAL NOTE:

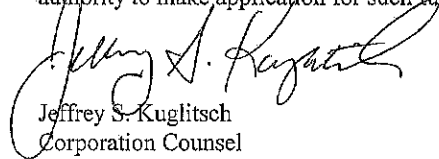
This resolution only authorizes an application for a grant and therefore has no fiscal impact at this time. If a grant is awarded, a subsequent resolution would be required to accept the grant and amend the budget.



Jeffrey A. Smith  
Finance Director

LEGAL NOTE:

The authority to accept grant funds pursuant to sec. 59.52(19), Wis. Stats., necessarily implies the authority to make application for such funds.



Jeffrey S. Kuglitsch  
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.



Craig Knutson  
County Administrator

**- EXECUTIVE SUMMARY -**

**Authorizing Application for the Natural Resources Foundation's C.D. Besadny Conservation Grant for Magnolia Bluff Park State Natural Area Kittentail Restoration**

Sections of Magnolia Bluff and Carver-Roehl County Parks were designated as State Natural Areas (SNA) in November 2010. The parks were selected based on their habitat quality and diversity, extent of past disturbance, context within the greater landscape, and rarity of features on local and global scales.

The Natural Resource Foundation's C.D. Besadny Conservation grant program gives priority to proposals that address rare and endangered species and State Natural Area support – which are both addressed in this project.

The Parks Division received a \$1,000 grant from this program in 2011 to produce two State Natural Area educational signs.

This year, we are requesting funds to purchase seeds and plugs to restore an important portion of the State Natural Area in Magnolia Bluff Park to a low-grass savanna. This portion of the park contains kittentails, a state threatened plant. For the last few years, this section of the park has been turned into a “no mow zone” which allowed the kittentails to produce seeds and their population has increased to over 350 plants. The no mow zone currently includes a few remnant native species, but we would like to augment this area with native seeds and plugs to create a permanent restoration area. Thus, creating a savanna with short-grasses and native flowers that is visually appealing while encouraging the kittentails to produce seeds and increase their population.

The Besadny Conservation Grant is a 50/50 match, a maximum of \$1,000 is awarded. Matching funds will come from staff and volunteer time to prepare the site, spread seeds and plant plugs.

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

Finance Committee  
INITIATED BY

Finance Committee  
SUBMITTED BY



Jeffrey A. Smith, Finance Director  
DRAFTED BY

December 7, 2010  
DATE DRAFTED

**INITIAL RESOLUTION AUTHORIZING GENERAL OBLIGATION  
BONDS AND/OR NOTES IN AN AMOUNT NOT TO EXCEED \$2,410,000**

- 1 **WHEREAS**, the 2012 Adopted Budget includes \$2,406,369 for Highway Road Construction Capital
- 2 Projects: and,
- 3
- 4 **WHEREAS**, this project is included in the Budget with the anticipation that it would be funded with
- 5 the future issuance of debt; and,
- 6
- 7 **WHEREAS**, this project will have long-term benefits and is most appropriately funded by debt
- 8 issuance.
- 9
- 10 **NOW, THEREFORE, BE IT RESOLVED**, by the Rock County Board of Supervisors duly
- 11 assembled this \_\_\_\_\_ day of \_\_\_\_\_, 2011, that there shall be issued, pursuant to Chapter 67,
- 12 Wisconsin Statutes, General Obligation Bonds and/or Notes in an amount not to exceed \$2,410,000
- 13 for constructing, renovating, remodeling, improving and equipping the County's facilities.

11-12A-541

Respectfully submitted,

**FINANCE COMMITTEE**

\_\_\_\_\_  
Mary Mawhinney, Chair

\_\_\_\_\_  
Sandra Kraft, Vice Chair

\_\_\_\_\_  
Mary Beaver

\_\_\_\_\_  
David Diestler

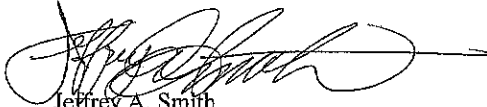
\_\_\_\_\_  
J. Russell Podzilni

**INITIAL RESOLUTION AUTHORIZING GENERAL OBLIGATION  
BONDS AND/OR NOTES IN AN AMOUNT NOT TO EXCEED \$2,410,000**  
PAGE 2

**FISCAL NOTE:**

The purpose of this resolution is to authorize expenditures from the 2012 deferred finance budget appropriations prior to actual debt issuance. The 2012 budgeted capital project is estimated to cost \$2,406,369 (plus issuance costs) for Highway Road Construction Capital Projects. If the County adopts this resolution, the project costs and issuance costs will be included in a subsequent resolution that authorizes the issuance of General Obligation Bonds and/or Notes.

1993 Wisconsin Act 16 (the State Budget Bill) established property tax levy rate limits for Wisconsin Counties, beginning with the 1993 payable 1994 levy. The Wisconsin Department of Revenue's Administrative Rules authorize an increase in the debt levy rate under certain conditions, including resolutions authorizing debt issuance that are adopted by affirmative vote of at least three-fourths of the members of the County Board. The County Board may also approve the issuance of debt by adopting a resolution which provides a reasonable expectancy that the new debt will not cause the County to increase its debt levy rate. It is my opinion that the debt amortization that would be incurred upon issuance of debt for the projects included in this resolution would not exceed Rock County's debt levy rate as limited by Wisconsin Act 16.

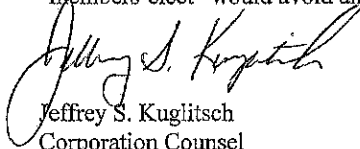


Jeffrey A. Smith  
Finance Director

**LEGAL NOTE:**

This is only an initial resolution. Pursuant to sec. 67.05(10), Stats., the County Board, before issuing any contemplated long-term debt, must adopt a resolution levying a direct, annual tax sufficient in an amount to pay for the express purpose of paying the interest on such bonds as it falls due, and also to pay and discharge the principal thereof at maturity. That will happen at a later date.

A majority vote is necessary to adopt this resolution. However, a three-fourths vote of the "members-elect" would avoid any potential issue relative to the debt levy rate limit.



Jeffrey S. Kuglitsch  
Corporation Counsel

**ADMINISTRATIVE NOTE:**

Recommended.



Craig Knutson  
County Administrator

RESOLUTION

ROCK COUNTY BOARD OF SUPERVISORS

SHERIFF ROBERT D. SPODEN  
INITIATED BY



CHIEF DEPUTY BARBARA J. TILLMAN  
DRAFTED BY

PUBLIC SAFETY & JUSTICE  
SUBMITTED BY

NOVEMBER 21, 2011  
DATE DRAFTED

RECOGNIZING CORRECTIONAL OFFICER JOANNE BOSBEN

1 WHEREAS, Joanne Bosben began her employment with Rock County on March 3, 1971, as a Nursing Assistant  
 2 at the Rock County Health Care Center Complex; and,  
 3  
 4 WHEREAS, Joanne Bosben transferred to the Rock County Sheriff's Office on March 28, 1988, to work as a  
 5 Correctional Officer in the Jail Division; and,  
 6  
 7 WHEREAS, Correctional Officer Bosben has received numerous commendations and letters of appreciation;  
 8 and,  
 9  
 10 WHEREAS, Correctional Officer Bosben has diligently served the citizens of Rock County as a dedicated and  
 11 valued employee of Rock County over the past 40 years, and having worked under four Sheriffs over the course  
 12 of her career: Sheriffs Joseph Black, Howard Erickson, Eric Runaas, Robert Spoden; and,  
 13  
 14 WHEREAS, Correctional Officer Bosben will retire from public service on December 30, 2011.  
 15  
 16 NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors duly assembled this  
 17 \_\_\_\_\_ day of \_\_\_\_\_, 2011, does hereby recognize Correctional Officer Joanne Bosben for her over  
 18 40 years of faithful service and recommends that a sincere expression of appreciation be given to Correctional  
 19 Officer Joanne Bosben along with best wishes for the future.  
 20  
 21 BE IT FURTHER RESOLVED, that the County Clerk be authorized and directed to furnish a copy of this  
 22 resolution to Correctional Officer Joanne Bosben.

Respectfully submitted,

PUBLIC SAFETY & JUSTICE COMMITTEE

COUNTY BOARD STAFF COMMITTEE

Ivan Collins  
Ivan Collins, Chair

J. Russell Podzilni, Chair

Larry Wiedenfeld  
Larry Wiedenfeld, Vice Chair

Sandra Kraft, Vice Chair

Mary Beaver  
Mary Beaver

Eva Arnold

Henry Brill  
Henry Brill

Henry Brill

Brian Knudson  
Brian Knudson

Betty Jo Bussie

Ivan Collins

Marilynn Jensen

Louis Peer

Kurtis L. Yankee

11-12A-542



RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS

Hon. James P. Daley  
Presiding Judge  
INITIATED BY



Juelane J. Teubert  
Circuit Court Office Manager  
DRAFTED BY

Public Safety & Justice  
SUBMITTED BY

November 18, 2011  
DATE DRAFTED

TO RECOGNIZE MARY THILL

1 WHEREAS, Mary Thill has given the citizens of Rock County 23 years of public service; and,

2

3 WHEREAS, Mary Thill began her career March 7, 1988; and,

4

5 WHEREAS, on March 7, 1988 Mary Thill began her career with Rock County in Register In  
6 Probate; and,

7

8 WHEREAS, Mary Thill has held that position in Register In Probate for her entire 23 years of  
9 public service; and,

10

11 WHEREAS, the Rock County Board of Supervisors, representing the citizens of Rock County,  
12 wishes to recognize Mary Thill for her achievements and significant contributions to the Rock  
13 County Circuit Court and to the citizens of Rock County, and to thank her for her many years of  
14 faithful service.

15

16 NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors duly  
17 assembled this \_\_\_\_\_ day of \_\_\_\_\_, 2011 does hereby recognize Mary Thill for 23 years of  
18 service and extends best wishes to her in her future endeavors.

19

20 BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to  
21 furnish a copy of this resolution to Mary Thill.

Respectfully submitted,

PUBLIC SAFETY AND JUSTICE COMMITTEE

/s/ Ivan Collins  
Ivan Collins, Chair

Brian Knudson  
Brian Knudson

Mary Beaver  
Mary Beaver

/s/ Henry Brill  
Henry Brill

/s/ Larry Wiedenfeld  
Larry Wiedenfeld

11-12A-543

**TO RECOGNIZE MARY THILL**

Page 2

**COUNTY BOARD STAFF COMMITTEE**

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J. Russell Podzilni, Chair

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Sandra Kraft, Vice Chair

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Eva Arnold

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Henry Brill

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Betty Jo Bussie

---

Ivan Collins

---

Marilynn Jensen

---

Louis Peer

---

Kurtis Yankee

RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS

Charmian Klyve  
INITIATED BY



Mary Donahue  
DRAFTED BY

Human Service Board  
SUBMITTED BY

November 29, 2011  
DATE DRAFTED

**RECOGNIZING MARK RICHARDSON**

1 **WHEREAS**, Mark Richardson has served the citizens of Rock County for over twenty-four  
2 (24) years as a dedicated and valued employee of Rock County; and,  
3

4 **WHEREAS**, Mark Richardson began his career on August 3, 1987 under the Rock County  
5 Department of Social Services, as a General Relief caseworker. He then worked in the intake  
6 unit processing new applications for public assistance. After an internal reorganization, Mr.  
7 Richardson became a caseworker handling new and ongoing AFDC, Medicaid, and Food  
8 Stamp cases. Mr. Richardson then became the agency's Front-End Verification Specialist for  
9 the fraud prevention program. He did that for six years, returning to ongoing casework as an  
10 Economic Support Specialist for a few years until another agency reorganization combined his  
11 ongoing casework responsibilities with the Front-End responsibilities. He has been the  
12 agency's Front-End Verification Specialist for the last ten years. Mr. Richardson's strong  
13 sense of what a true Economic Support Specialist is and his diligent ways have benefited  
14 many Rock County citizens throughout his twenty-four (24) year career. Mr. Richardson will  
15 be retiring from Rock County Department of Human Services on January 1, 2012; and,  
16

17 **WHEREAS**, Mark Richardson has proven himself to be a compassionate, caring, and  
18 committed employee, always advocating for the Economic Support program participants; and,  
19

20 **WHEREAS**, the Rock County Board of Supervisors, representing the citizens of Rock  
21 County, wishes to recognize Mark Richardson for his significant contributions to the Human  
22 Services Department and his long and faithful service.  
23

24 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly  
25 assembled this \_\_\_\_\_ day of \_\_\_\_\_, 2011, does hereby recognize Mark  
26 Richardson for his twenty-four (24) years of service and extend best wishes to him in his  
27 future endeavors; and,  
28

29 **BE IT FURTHER RESOLVED** that the County Clerk be authorized and directed to furnish  
30 a copy of this resolution to Mark Richardson.

Respectfully Submitted,

11-12A-544

**RECOGNIZING MARK RICHARDSON**

Page 2

Rock County Human Services Board

---

Brian Knudson, Chair

---

Sally Jean Weaver-Landers, Vice Chair

---

Terry Fell

---

Robert Fizzell

---

Kathy Kelm

---

Phillip Owens

---

Terry Thomas

---

Marvin Wopat

---

Vacant

**COUNTY BOARD STAFF COMMITTEE**

---

J. Russell Podzilni, Chair

---

Sandra Kraft, Vice Chair

---

Eva Arnold

---

Henry Brill

---

Betty Jo Bussie

---

Ivan Collins

---

Marilynn Jensen

---

Louis Peer

---

Kurtis L. Yankee

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

Charmian Klyve  
INITIATED BY

Sherry Quirk  
DRAFTED BY



Human Service Board  
SUBMITTED BY

November 21, 2011  
DATE DRAFTED

**TO RECOGNIZE JEANNE LARSEN**

1 **WHEREAS**, Jeanne Larsen has served the citizens of Rock County over the past 21 years as a  
2 dedicated and valued employee of Rock County; and,  
3  
4 **WHEREAS**, Jeanne Larsen began her career with the county on September 25, 1990 for the  
5 Human Services Department, and has diligently worked in the capacity of Economic Support  
6 Specialist/Supportive Services Planner until her retirement on December 2, 2011 from the  
7 Human Services Department; and,  
8  
9 **WHEREAS**, Jeanne Larsen has proven herself to be a compassionate, caring, and committed  
10 Economic Support Specialist, always advocating for Economic Support program participants,  
11 specializing in the area of the elderly, blind, and disabled population for the past 6½ years;  
12 and,  
13  
14 **WHEREAS**, the Rock County Board of Supervisors, representing the citizens of Rock  
15 County, wishes to commend Jeanne Larsen for her achievements and long and faithful service  
16 to the Human Services Department and citizens of Rock County.  
17  
18 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors,  
19 duly assembled this \_\_\_\_ day of \_\_\_\_\_, 2011, does hereby recognize Jeanne Larsen for  
20 her 21 years of service and extend best wishes to her in her future endeavors; and  
21  
22 **BE IT FURTHER RESOLVED** that the County Clerk be authorized and directed to furnish  
23 a copy of this resolution to Jeanne Larsen.

11-12A-545

Respectfully Submitted,

Rock County Human Services Board

\_\_\_\_\_  
Brian Knudson, Chair

\_\_\_\_\_  
Phillip Owens

\_\_\_\_\_  
Sally Jean Weaver-Landers, Vice Chair

\_\_\_\_\_  
Terry Thomas

\_\_\_\_\_  
Terry Fell

\_\_\_\_\_  
Vacant

\_\_\_\_\_  
Robert Fizzell

\_\_\_\_\_  
Marvin Wopat

\_\_\_\_\_  
Kathy Kelm

TO RECOGNIZE JEANNE LARSEN  
Page 2

**COUNTY BOARD STAFF COMMITTEE**

---

J. Russell Podzilni, Chair

---

Sandra Kraft, Vice Chair

---

Eva Arnold

---

Henry Brill

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Betty Jo Bussie

---

Ivan Collins

---

Marilynn Jensen

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Louis Peer

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Kurtis L. Yankee