



**ROCK COUNTY BOARD OF SUPERVISORS' MEETING  
THURSDAY, OCTOBER 13, 2016 – 6:00 P.M.**

**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

**EXECUTIVE SESSION:** Per Section 19.85(1)(g), Wis. Stats. – Confer with Legal Counsel Regarding Pending Litigation

Reconvene at Approximately 6:15 P.M.

5. APPROVAL OF MINUTES – September 22, 2016
6. PUBLIC HEARING
  - A. Repealing and Recreating Rock County Ordinance 4.2 Zoning of Shorelands and County-Owned Lands (First Reading)
7. CITIZEN PARTICIPATION, COMMUNICATIONS AND ANNOUNCEMENTS
8. NOMINATIONS, APPOINTMENTS AND CONFIRMATION
  - A. Appointments to the 911 Communications Commission
  - B. Appointment to the Coordinated Services Team (CST) Advisory Committee
  - C. Appointment to Emergency Medical Services Advisory Council
  - D. Appointment to the City of Janesville Joint Review Board for Tax Incremental Financing District #22, Amendment #3
  - E. Appointment to the City of Janesville Joint Review Board for Tax Incremental Financing District #37
  - F. Appointment to Health Services Committee
9. RECOGNITION OF COUNTY EMPLOYEES OR OTHERS
10. INTRODUCTION OF NEW RESOLUTIONS OR ORDINANCES BY SUPERVISORS FOR REFERRAL TO APPROPRIATE COMMITTEE
11. REPORTS

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12. NEW BUSINESS

A. Supplementary Appropriations and Budget Changes - Roll Call

- 1) Awarding the Contract for Repairing Courthouse Masonry and Amending 2016 Facilities Management Capital Budget

B. Contracts – Roll Call

- 1) Awarding Contract for Correctional Healthcare Services at the Rock County Jail for 2017 - 2021
- 2) Authorizing Purchase of Netsmart Document Capture Scanning Software for 2016
- 3) Awarding Contract for Financial Audit of County Books for Fiscal Years 2016-2017
- 4) Approving Intergovernmental Agreement with Dane County for Medical Examiner Services

NOTE: Item 12.B.4. will be considered by the County Board Staff Committee on October 11, 2016

- 5) Authorizing Sale of the Milton Salt Shed (Chicago St.)

NOTE: Item 12.B.5. will be considered by the County Board Staff Committee on October 11, 2016 and Public Works Committee on October 13, 2016

- 6) Awarding of Contract for Carver-Roehl Park Toilet Project

NOTE: Item 12.B.6. will be considered by the Public Works Committee on October 11, 2016

- 7) Authorizing Purchase of Motor Pool Vehicle for the Rock County Department of Public Works

NOTE: Item 12.B.7. will be considered by the Public Works Committee on October 13, 2016

C. In Support of Increased Funding in the Children and Family Allocation (CFA)

D. Approving the 2017 Base Wage Rates for all Employees Except Represented Law Enforcement Employees, and Amending the Personnel Policy Wage Appendixes

E. Setting the 2017 Salary of the County Administrator

NOTE: Items 12.D. and 12.E. will be considered by the County Board Staff Committee on October 11, 2016

F. Claims

G. Presentation of the 2017 Recommended Budget – County Administrator

13. ADJOURNMENT

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

PLANNING & DEVELOPMENT  
COMMITTEE  
INITIATED BY



JEFFREY S. KUGLITSCH  
DRAFTED BY

PLANNING & DEVELOPMENT  
COMMITTEE  
SUBMITTED BY

SEPTEMBER 21, 2016  
DATE DRAFTED

**REPEALING AND RECREATING ROCK COUNTY ORDINANCE 4.2 ZONING OF  
SHORELANDS AND COUNTY-OWNED LANDS**

1 The Rock County Board of Supervisors at its regular meeting this \_\_\_\_ day of \_\_\_\_\_,  
2 2016, does ordain as follows:

3  
4 I. Ordinance 4.2, Zoning of Shorelands and County-Owned Lands is hereby repealed and  
5 recreated to read as follows:

6  
7 **Part 2 – Zoning of Shorelands and County-Owned Lands**

8  
9 **Subpart 1: Zoning of Shorelands**

10  
11 **4.201 Statutory Authorization, Finding of Fact, Statement of Purpose And Title**

12  
13 (1) Statutory Authorization. This ordinance is adopted pursuant to the authorization in ss.  
14 59.692 Wis. Stats to implement 59.69, 59.692, 59.694, 87.30, 236.45, and 281.31 and to  
15 parallel as closely as possible the regulatory provisions of ch. NR 115 Wis. Adm. Code and the  
16 statutory language reflected in Act 55, 167 and 391 (2015).

17  
18 (2) Finding of Fact. Uncontrolled use of the shorelands and pollution of the navigable waters  
19 of Rock County will adversely affect the public health, safety, convenience, and general welfare  
20 and impair the tax base. The legislature of Wisconsin has delegated responsibility to the  
21 counties to further the maintenance of safe and healthful conditions; prevent and control water  
22 pollution; protect spawning grounds, fish and aquatic life; control building sites, placement of  
23 structures and land uses; and to preserve shore cover and natural beauty. This responsibility is  
24 hereby recognized by the County of Rock, Wisconsin.

25  
26 (3) Purpose and Intent. For the purpose of promoting the public health, safety, convenience  
27 and welfare, and promote and protect the public trust in navigable waters this ordinance has  
28 been established to:

29  
30 (A) Further the Maintenance of Safe and Healthful Conditions and Prevent and Control  
31 Water Pollution Through:

- 32 1. Limiting structures to those areas where soil and geological conditions will  
33 provide a safe foundation.  
34 2. Establishing minimum lot sizes to provide adequate area for private on-site  
35 waste treatment systems.  
36 3. Controlling filling and grading to prevent soil erosion problems.  
37 4. Limiting impervious surfaces to control runoff which carries pollutants.

38  
39 (B) Protect Spawning Grounds, Fish and Aquatic Life Through:

- 40 1. Preserving wetlands and other fish and aquatic habitat.  
41 2. Regulating pollution sources.  
42 3. Controlling shoreline alterations, dredging and lagooning.

43  
44 (C) Control Building Sites, Placement of Structures and Land Uses Through:

16-10A-126

- 45 1. Prohibiting certain uses detrimental to the shoreland-wetlands.  
 46 2. Setting minimum lot sizes and widths.  
 47 3. Setting minimum building setbacks from waterways.  
 48 4. Setting the maximum height of near shore structures.  
 49  
 50 (D) Preserve and Restore Shoreland Vegetation and Natural Scenic Beauty Through:  
 51 1. Restricting the removal of natural shoreland cover.  
 52 2. Preventing shoreline encroachment by structures.  
 53 3. Controlling shoreland excavation and other earth moving activities.  
 54 4. Regulating the use and placement of boathouses and other structures.  
 55

56 (4) Title. The Rock County Shoreland Zoning Ordinance.  
 57

#### 58 4.202 General Provisions

- 59  
 60 (1) Areas to be Regulated. Areas regulated by this ordinance shall include all the lands  
 61 (referred to herein as shorelands) in the unincorporated areas of Rock County which are:  
 62  
 63 (A) Within one thousand (1,000) feet of the ordinary high-water mark of navigable  
 64 lakes, ponds or flowages. The Rock River is considered a flowage within Rock  
 65 County.  
 66  
 67 (B) Within three hundred (300) feet of the ordinary high-water mark of navigable rivers  
 68 or streams, or to the landward side of the floodplain, whichever distance is greater.  
 69  
 70 (C) The provisions of this chapter apply to regulation of the use and development of  
 71 unincorporated shoreland areas. Unless specifically exempted by law, all cities,  
 72 villages, towns, counties and, when s. 13.48 (13), Stats., applies, state agencies are  
 73 required to comply with, and obtain all necessary permits under, local shoreland  
 74 ordinances. The construction, reconstruction, maintenance or repair of state  
 75 highways and bridges carried out under the direction and supervision of the  
 76 Wisconsin Department of Transportation is not subject to local shoreland zoning  
 77 ordinances if s. 30.2022, Stats., applies. Shoreland zoning requirements in annexed  
 78 or incorporated areas are provided in s. 61.353 and s. 62.233, Stats.  
 79  
 80 (D) Determinations of navigability and ordinary high-water mark location shall initially  
 81 be made by the Zoning Administrator. When questions arise, the Zoning  
 82 Administrator shall contact the appropriate office of the Department for a final  
 83 determination of navigability or ordinary high-water mark. The County may work  
 84 with surveyors in regard to s. 59.692(1h).  
 85  
 86 (E) Under s. 281.31(2m) Wis. Stats., notwithstanding any other provision of law or  
 87 administrative rule promulgated thereunder, this shoreland zoning ordinance does  
 88 not apply to:  
 89 1. Lands adjacent to farm drainage ditches if:  
 90 (a) Such lands are not adjacent to a natural navigable stream or river;  
 91 (b) Those parts of such drainage ditches adjacent to such lands were not  
 92 navigable streams before ditching; and  
 93 2. Lands adjacent to artificially constructed drainage ditches, ponds or stormwater  
 94 retention basins that are not hydrologically connected to a natural navigable  
 95 water body.  
 96  
 97 (2) Shoreland-Wetland Maps. The most recent version of the Wisconsin Wetland Inventory  
 98 maps (available at <http://dnrm.wisconsin.gov/SL/Viewer.html?Viewer=SWDV&runWorkflow=Wetland>) are made part of this ordinance along with other maps and images that can be readily  
 99 used to help the Zoning Administrator and landowners evaluate the presence or absence and  
 100 likely extent of wetlands on the property, as further defined in section 4.203(1)(A) of this  
 101 ordinance.  
 102  
 103  
 104 (3) Compliance. The use of any land, the size, shape and placement of lots, the use, size, type  
 105 and location of structures on lots, the installation and maintenance of water supply and waste  
 106 disposal facilities, the filling, grading, lagooning, dredging of any lands, the cutting of  
 107 shoreland vegetation, the subdivision of lots, shall be in full compliance with the terms of this

108 ordinance and other applicable local, state or federal regulations. Buildings and other structures  
 109 shall require a permit unless otherwise expressly excluded by a provision of this ordinance.  
 110 Property owners, builders and contractors are responsible for compliance with the terms of this  
 111 ordinance.  
 112

113 (4) Municipalities and State Agencies Regulated. Unless specifically exempted by law, all  
 114 cities, villages, towns, and counties are required to comply with this ordinance and obtain all  
 115 necessary permits. State agencies are required to comply when s. 13.48(13), Wis. Stats.,  
 116 applies. The construction, reconstruction, maintenance and repair of state highways and bridges  
 117 carried out under the direction and supervision of the Wisconsin Department of Transportation  
 118 are exempt when s. 30.2022 Wis. Stats., applies.  
 119

120 (5) Abrogation and Greater Restrictions. The provisions of this ordinance supersede all the  
 121 provisions of any county zoning ordinance adopted under s. 59.692, Wis. Stats., which relate to  
 122 shorelands. In other words if a zoning standard only applies to lands that lie within the  
 123 shoreland and applies because the lands are in shoreland, then this ordinance supersedes those  
 124 provisions. However, where an ordinance adopted under a statute other than s. 59.692, Wis.  
 125 Stats., is more restrictive than this ordinance, for example the Floodplain Zoning Ordinance,  
 126 that ordinance shall continue in full force and effect to the extent of the greater restrictions, but  
 127 not otherwise.  
 128

129 (A) Pursuant to s. 59.692(2)(a), Wis. Stats., this ordinance shall not require approval or  
 130 be subject to disapproval by any town or town board.  
 131

132 (B) Pursuant to s. 59.692(2)(b), Wis. Stats., if an existing town ordinance relating to  
 133 shorelands is more restrictive than this ordinance or any amendments thereto, the  
 134 town ordinance continues in all respects to the extent of the greater restrictions but  
 135 not otherwise.  
 136

137 (C) This ordinance is not intended to repeal, abrogate or impair any existing deed  
 138 restrictions, covenants or easements. However, where this ordinance imposes  
 139 greater restrictions, the provisions of this ordinance shall prevail.  
 140

141 (D) This ordinance may establish standards to regulate matters that are not regulated in  
 142 NR 115, but that further the purposes of shoreland zoning as described in section  
 143 4.201(3) of this ordinance.  
 144

145 (E) Counties may not establish shoreland zoning standards in a shoreland zoning  
 146 ordinance that requires any of the following:

147 1. Approval to install or maintain outdoor lighting in shorelands, impose any fee or  
 148 mitigation requirement to install or maintain outdoor lighting in shorelands, or  
 149 otherwise prohibits or regulates outdoor lighting in shorelands if the lighting is  
 150 designed or intended for residential use.

151 2. Requires any inspection or upgrade of a structure before the sale or other transfer  
 152 of the structure may be made.  
 153

154 (F) (s.59.692(7), Stats) The construction and maintenance of a facility is considered to  
 155 satisfy the requirements of a shoreland zoning ordinance if:

156 1. The department has issued all required permits or approvals authorizing the  
 157 construction or maintenance under ch. 30, 31, 281, or 283.  
 158

159 A "facility" means any property or equipment of a public utility, as defined in s.  
 160 196.01 (5), or a cooperative association organized under ch. 185 for the purpose  
 161 of producing or furnishing heat, light, or power to its members only, that is used  
 162 for the transmission, delivery, or furnishing of natural gas, heat, light, or power.  
 163

164 (6) Interpretation. In their interpretation and application, the provisions of this ordinance shall  
 165 be held to be minimum requirements and shall be liberally construed in favor of the County of  
 166 Rock and shall not be deemed a limitation or repeal of any other powers granted by Wisconsin  
 167 Statutes. Where a provision of this ordinance is required by statute and a standard in ch. NR  
 168 115, Wis. Adm. Code, and where the ordinance provision is unclear, the provision shall be  
 169 interpreted in light of the statute and ch. NR 115 standards in effect on the date of the adoption  
 170 of this ordinance or in effect on the date of the most recent text amendment to this ordinance.

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(7) Severability. If any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

#### 4.203 Shoreland-Wetland District

(1) Designation. This district shall include all shorelands within the jurisdiction of this ordinance which are designated as wetlands on the most recent version of the Wisconsin Wetland Inventory as depicted on the Department of Natural Resources Surface Water Data Viewer.

(2) Locating Shoreland-Wetland Boundaries. Where an apparent discrepancy exists between the shoreland-wetland district boundary shown on the Wisconsin Wetland Inventory maps and actual field conditions, the County shall contact the Department to determine if the map is in error. If the Department determines that a particular area was incorrectly mapped as wetland or meets the wetland definition but was not shown as wetland on the map, the county shall have the authority to immediately grant or deny a shoreland zoning permit in accordance with the applicable regulations based on the Department determination as to whether the area is wetland. Depending on the scope of the proposed activity, a third-party wetland delineation may be required by the Department or the County and all costs shall be assumed by the applicant. Maps do not represent the definitive presence and boundaries of wetlands and cannot serve as a substitute for a delineation of wetland boundaries. In order to correct wetland mapping errors on the official zoning map, an official zoning map amendment must be initiated within a reasonable period of time.

(3) Purpose. This district is created to maintain safe and healthful conditions, to prevent water pollution, to protect fish spawning grounds and wildlife habitat, to preserve shore cover and natural beauty and to control building and development in wetlands whenever possible. When development is permitted in a wetland, the development should occur in a manner that minimizes adverse impacts upon the wetland.

(4) Permitted Uses. The following uses shall be allowed, subject to general shoreland zoning regulations contained in this ordinance, the provisions of chs. 30, 31 and 281.36, Wis. Stats. and the provisions of other applicable local, state and federal laws:

- (A) Activities and uses which do not require the issuance of a zoning permit, but which must be carried out without any filling, flooding, draining, dredging, ditching, tiling or excavating.
  1. Hiking, fishing, trapping, hunting, swimming, and boating;
  2. The harvesting of wild crops, such as marsh hay, ferns, moss, wild rice, berries, tree fruits, and tree seeds, in a manner that is not injurious to the natural reproduction of such crops;
  3. The pasturing of livestock;
  4. The cultivation of agricultural crops;
  5. The practice of silviculture, including the planting, thinning, and harvesting of timber; and
  6. The construction or maintenance of duck blinds.
- (B) Uses which do not require the issuance of a zoning permit and which may include limited filling, flooding, draining, dredging, ditching, tiling, or excavating but only to the extent specifically provided below:
  1. Temporary water level stabilization measures necessary to alleviate abnormally wet or dry conditions that would have an adverse impact on silvicultural activities if not corrected;
  2. The cultivation of cranberries including flooding, dike and dam construction or ditching necessary for the growing and harvesting of cranberries,
  3. The maintenance and repair of existing agricultural drainage systems including ditching, tiling, dredging, excavating and filling necessary to maintain the level of drainage required to continue the existing agricultural use. This includes the minimum filling necessary for disposal of dredged spoil adjacent to the drainage system provided that dredged spoil is placed on existing spoil banks where possible;

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4. The construction or maintenance of fences for the pasturing of livestock, including limited excavating and filling necessary for such construction or maintenance; and
  5. The maintenance, repair, replacement or reconstruction of existing town and county highways and bridges, including limited excavating and filling necessary for such maintenance, repair, replacement or reconstruction.
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- (C) Uses which require the issuance of a zoning permit and which may include limited filling, flooding, draining, dredging, ditching, tiling or excavating, but only to the extent specifically provided below. These uses may also require a Shoreland Conditional Use Permit under this ordinance.
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1. The construction and maintenance of roads which are necessary to conduct silvicultural activities or agricultural cultivation, provided that:
    - (a) The road cannot as a practical matter be located outside the wetland;
    - (b) The road is designed and constructed to minimize adverse impact upon the natural functions of the wetland enumerated in section 4.203(6)(B);
    - (c) The road is designed and constructed with the minimum cross-sectional area practical to serve the intended use;
    - (d) Road construction activities are carried out in the immediate area of the roadbed only.
  2. The construction or maintenance of nonresidential buildings, provided that:
    - (a) The building is essential for and used solely in conjunction with the raising of waterfowl, minnows or other wetland or aquatic animals; or some other use permitted in the shoreland-wetland district;
    - (b) The building cannot, as a practical matter, be located outside the wetland;
    - (c) Such building is not designed for human habitation and does not exceed 500 sq. ft. in floor area; and
    - (d) Only limited filling or excavating necessary to provide structural support for the building is authorized.
  3. The establishment of public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, fish hatcheries, and public boat launching ramps and attendant access roads, provided that:
    - (a) Any private development is used exclusively for the permitted use and the applicant has received a permit or license under ch. 29, Wis. Stats., where applicable;
    - (b) Filling or excavating necessary for the construction or maintenance of public boat launching ramps or attendant access roads is allowed only where such construction or maintenance meets the criteria in section 4.203(3)(C)1. (a)-(d) and;
    - (c) Ditching, excavating, dredging, or dike and dam construction in public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, and fish hatcheries is allowed only for the purpose of improving wildlife habitat and to otherwise enhance wetland values.
  4. The construction or maintenance of electric, gas, telephone, water and sewer transmission and distribution facilities, by public utilities and cooperative associations organized for the purpose of producing or furnishing heat, light, power or water to their members and the construction or maintenance of railroad lines provided that:
    - (a) The transmission and distribution facilities and railroad lines cannot, as a practical matter, be located outside the wetland;
    - (b) Such construction or maintenance is done in a manner designed to minimize adverse impact upon the natural functions of the wetland enumerated in section 4.203(6)(B).
  5. The construction or maintenance of piers, docks or walkways built on pilings, including limited excavating and filling necessary for such construction and maintenance.
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- (5) Prohibited Uses. Any use not listed in sections 4.203(3)(A),(B) or (C) is prohibited, unless the wetland or portion of the wetland has been rezoned by amendment of this ordinance in accordance with section 4.203(6) of this ordinance and s. 59.69(5)(e), Wis. Stats.
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- 296 (6) Rezoning of Lands in the Shoreland-Wetland District.  
 297  
 298 (A) For all proposed text and map amendments to the shoreland-wetland provisions of  
 299 this ordinance, the appropriate office with the Department shall be provided with the  
 300 following:  
 301 1. A copy of every petition for a text or map amendment to the shoreland-wetland  
 302 provisions of this ordinance, within 5 days of the filing of such petition with the  
 303 county clerk. Such petition shall include a copy of the Wisconsin Wetland  
 304 Inventory map adopted as part of this ordinance describing any proposed  
 305 rezoning of a shoreland-wetland;  
 306 2. Written notice of the public hearing to be held on a proposed amendment at least  
 307 10 days prior to such hearing;  
 308 3. A copy of the Rock County Planning and Development Agency's findings and  
 309 recommendations on each proposed amendment within 10 days after the  
 310 submission of those findings and recommendations to the Rock County Board of  
 311 Supervisors (County Board); and  
 312 4. Written notice of the County Board's decision on the proposed amendment  
 313 within 10 days after it is issued.  
 314  
 315 (B) A wetland, or a portion thereof, in the shoreland-wetland district shall not be  
 316 rezoned if the proposed rezoning may result in a significant adverse impact upon any  
 317 of the following:  
 318 1. Storm and flood water storage capacity;  
 319 2. Maintenance of dry season stream flow, the discharge of groundwater to a  
 320 wetland, the recharge of groundwater from a wetland to another area, or the flow  
 321 of groundwater through a wetland;  
 322 3. Filtering or storage of sediments, nutrients, heavy metals or organic compounds  
 323 that would otherwise drain into navigable waters;  
 324 4. Shoreline protection against soil erosion;  
 325 5. Fish spawning, breeding, nursery or feeding grounds;  
 326 6. Wildlife habitat; or  
 327 7. Wetlands both within the boundary of designated areas of special natural  
 328 resource interest and those wetlands which are in proximity to or have a direct  
 329 hydrologic connection to such designated areas as defined in NR 103.04 which  
 330 can be accessed at the following web site: [http://www.legis.state.wi.us/  
 331 rsb/code/nr/nr103.pdf](http://www.legis.state.wi.us/rsb/code/nr/nr103.pdf).  
 332  
 333 (C) If the Department notifies the Rock County Planning And Development Agency that  
 334 a proposed text or map amendment to the shoreland-wetland provisions of this  
 335 ordinance may have a significant adverse impact upon any of the criteria listed in  
 336 section 4.203(6)(B) of this ordinance, that amendment, if approved by the County  
 337 Board, shall contain the following provision:  
 338  
 339 "This amendment shall not take effect until more than 30 days have elapsed after  
 340 written notice of the County Board's approval of this amendment is mailed to the  
 341 Department of Natural Resources. During that 30-day period the Department of  
 342 Natural Resources may notify the County Board that it will adopt a superseding  
 343 shoreland ordinance for the county under s. 59.692(6), Wis. Stats. If the  
 344 Department does so notify the County Board, the effect of this amendment shall  
 345 be stayed until the s. 59.692(6) adoption procedure is completed or otherwise  
 346 terminated."  
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#### 348 4.204 Land Division Review and Sanitary Regulations

- 349  
 350 (1) Land Division Review.  
 351  
 352 (A) The county shall review, pursuant to s. 236.45, Wis. Stats., all land divisions in  
 353 shoreland areas which create 3 or more parcels or building sites of 5 acres each or  
 354 less within a 5-year period. In such review all of the following factors shall be  
 355 considered:  
 356 1. Hazards to the health, safety or welfare of future residents.  
 357 2. Proper relationship to adjoining areas.  
 358 3. Public access to navigable waters, as required by law.



- 359 4. Adequate stormwater drainage facilities.  
 360 5. Conformity to state law and administrative code provisions.  
 361  
 362 (B) Land Division review under this section is separate from land divisions review  
 363 authorized by the Rock County Land Division and Development Ordinance.  
 364  
 365 (2) Planned Residential Unit Development (PUD).  
 366  
 367 (A) Purpose. The Planned Residential Unit Development is intended to permit smaller  
 368 non-riparian lots where the physical layout of the lots is so arranged as to better  
 369 assure the control of pollution and preservation of ground cover than would be  
 370 expected if the lots were developed with the normal lot sizes and setbacks and  
 371 without special conditions placed upon the Planned Residential Unit Development  
 372 at the time of its approval. A condition of all Planned Residential Unit  
 373 Development is the preservation of certain open space, preferably on the shoreland,  
 374 in perpetuity.  
 375  
 376 (B) Requirements for Planned Residential Unit Development. The Committee may at  
 377 its discretion, upon its own motion or upon petition, approve a Planned Residential  
 378 Unit Development Overlay District upon finding, after a public hearing, that all of  
 379 the following facts exist:  
 380 1. Area. The area proposed for the Planned Residential Unit Development shall be  
 381 at least 2 acres in size or have a minimum of 200 feet of frontage on a navigable  
 382 water.  
 383 2. Lots. Any proposed lot in the Planned Residential Unit Development that does  
 384 not meet the minimum size standards of Section 4.205 shall be a non-riparian  
 385 lot.  
 386 3. Vegetative buffer zone and preservation of ground cover. The location of lots  
 387 and the dedication of part of the land for use by the public or residents of the  
 388 Planned Residential Unit Development shall preserve the vegetative buffer zone  
 389 and ground cover of the shoreland to enhance scenic beauty of the navigable  
 390 water, prevent erosion, and provide wildlife habitat. All lands not used for lots  
 391 and streets shall be dedicated in perpetuity to remain in open space. This may be  
 392 accomplished by conveyance in common to each of the owners of lots in the  
 393 development or to a corporation formed by them, or by dedication to the county,  
 394 town or municipality. Lands dedicated to the public must be accepted by action  
 395 of the governing body of the accepting unit of government. If the land is to be  
 396 conveyed to owners of lots in the development, a homeowner's association or  
 397 similar legally constituted body shall be created to maintain the open space land.  
 398 Any restriction placed on platted land by covenant, grant of easement or any  
 399 other manner which was required by a public body or which names a public  
 400 body as grantee, promisee or beneficiary, shall vest in the public body the right  
 401 to enforce the restriction at law or in equity against anyone who has or acquires  
 402 an interest in the land subject to the restriction.  
 403 4. Density. The number of platted lots shall not exceed those which would have  
 404 been possible if the same land were platted in accordance with the minimum lot  
 405 sizes and widths provided by the applicable provisions of the zoning ordinance.  
 406 This figure shall be determined by dividing the total developable area of the  
 407 subdivision by the minimum lot size required by Section 4.205 of this ordinance.  
 408 5. Lot sizes, widths, setbacks, and vegetation removal. When considering approval  
 409 of a Planned Residential Unit Development the Committee shall consider  
 410 whether proposed lot sizes, widths, and setbacks are of adequate size and  
 411 distance to prevent pollution or erosion along streets or other public ways and  
 412 waterways. Increased shoreland setbacks shall be a condition of approval as a  
 413 way of minimizing adverse impacts of development. Shore cover provisions in  
 414 Section 4.207 (2) shall apply except that maximum width of a lake frontage  
 415 opening shall be 100 feet and minimum vegetative buffer depth shall be  
 416 increased to offset the impact of the proposed development.  
 417 6. Consistency with other development ordinances. Planned Residential Unit  
 418 Development shall be consistent with standards in other development ordinances  
 419 administered by the County of Rock.  
 420

421 (3) Sanitary Regulations. Each county shall adopt sanitary regulations for the protection of  
 422 health and the preservation and enhancement of water quality.

423

424 (A) Where public water supply systems are not available, private well construction shall  
 425 be required to conform to ch. NR 812, Wis. Adm. Code.

426

427 (B) Where a public sewage collection and treatment system is not available, design and  
 428 construction of private on-site waste treatment system shall, prior to July 1, 1980, be  
 429 required to comply with ch. SPS 383, and after June 30, 1980 be governed by a  
 430 private sewage system ordinance adopted by the county under s. 59.70(5), Wis.  
 431 Stats.

432

#### 433 4.205 Minimum Lot Size and Setbacks

434

435 (1) Purpose. Minimum lot sizes and setbacks in the shoreland area shall be established to  
 436 afford protection against danger to health, safety and welfare, preserve natural beauty, reduce  
 437 flood hazards and protect against pollution of the adjacent body of water. Shoreland setback  
 438 standards are addressed in Section 4.206 of this Ordinance.

439

440 In calculating the minimum area or width of a lot, the beds of navigable waters shall not  
 441 be included.

442

#### 443 (2) Sewered Lots

444

445 (A) Minimum Area and Width for Each New Lot. The minimum lot area shall be  
 446 10,000 sq. ft. and the minimum average lot width shall be 65 feet.

447

448 1. The width shall be calculated by averaging measurements at the following 4  
 449 locations:

450

(a) The ordinary high water mark.

451

(b) The building setback line.

452

(c) One other location on the lot within 300 feet of the ordinary highwater mark.

453

(d) The rear lot line

454

#### 455 (B) Setbacks (Applicable to New and Existing Lots)

456

457 1. There shall be a side yard for each principal structure or building. The minimum  
 458 width of one side yard shall be 8 feet. The minimum combined width of both  
 459 principal side yards shall be 20 feet. There shall be a side yard of 5 feet for  
 460 accessory structures excluding fences.

461

462 2. The rear yard setback for all structures shall be 25 feet.

463

464 3. The front yard setback for all structures shall be 25 feet.

465

#### 466 (3) Unsewered Lots

467

468 (A) Minimum Area and Width for Each New Lot. The minimum lot area shall be  
 469 20,000 sq. ft. and the minimum average lot width shall be 100 feet with at least 100  
 470 feet of frontage at the ordinary high-water mark.

471

472 1. The width shall be calculated by averaging measurements at the following 4  
 473 locations:

474

(a) The ordinary high water mark.

475

(b) The building setback line.

476

(c) One other location on the lot within 300 feet of the ordinary highwater mark.

477

(d) The rear lot line.

478

#### 479 (B) Setbacks (Applicable to New and Existing Lots)

480

481 1. There shall be a side yard for each principal structure or building. The minimum  
 482 width of one side yard shall be 15 feet. The minimum combined width of both

483 principal side yards shall be 40 feet. There shall be a side yard of 5 feet for  
 484 accessory structures excluding fences  
 485 2. The rear yard setback for all structures shall be 25 feet.  
 486 3. The front yard setback for all structures shall be 50 feet.

487

## 488 (4) Substandard Lots

489

490 (A) A legally created lot or parcel that met minimum area and minimum average width  
 491 requirements when created, but does not meet current lot size requirements, may be  
 492 used as a building site if all of the following apply:

493

494 1. The substandard lot or parcel was never reconfigured or combined with another  
 495 lot or parcel by plat, survey, or consolidation by the owner into one property tax  
 496 parcel.

497

498 2. The substandard lot or parcel has never been developed with one or more of its  
 499 structures placed partly upon an adjacent lot or parcel.

500

501 3. The substandard lot or parcel is developed to comply with all other ordinance  
 502 requirements, including setbacks.

503

504 (B) Other Substandard Lots. Except for lots which meet the requirements of sections  
 505 4.205(4)(A) a building permit for the improvement of a lot having lesser dimensions  
 506 than those stated in sections 4.205(2)(A) and 4.205(3)(A) shall be issued only if a  
 507 variance is granted by the Rock County Board of Adjustment.

508 **4.206 Setbacks.** Permitted setbacks shall be established to conform to health, safety and welfare  
 509 requirements, preserve natural beauty, reduce flood hazards and avoid water pollution. Additional  
 510 setback standards are established in Section 4.205 of this ordinance.

511

512 (1) Shoreland Setback. Unless exempt under section 4.206(1)(A), or reduced under section  
 513 4.206(2), a setback of 75 feet from the ordinary high-water mark of any navigable waters to the  
 514 nearest part of a building or structure shall be required for all buildings and structures.

515

516 (A) Exempt Structures. All of the following structures are exempt from the shoreland  
 517 setback standards in section 4.206(1):

518

519 1. Boathouses located entirely above the ordinary high-water mark and entirely  
 520 within the access and viewing corridor that do not contain plumbing and are not  
 521 used for human habitation.

522

523 (a) The use of boathouses for human habitation and the construction or placing  
 524 of boathouses beyond the ordinary highwater mark of any navigable waters  
 525 shall be prohibited.

526

527 (b) Boathouses shall be designed and constructed solely for the storage of boats  
 528 and related equipment and shall not be used for human habitation. The main  
 529 door shall face the water.

530

531 (c) One boathouse is permitted on a lot as an accessory structure.  
 532 (d) Boathouses shall be set back a minimum 10 feet from the ordinary highwater  
 533 mark and shall be constructed in conformity with local floodplain zoning  
 534 standards.

535

536 (e) Boathouses shall not exceed one story and 500 square feet in floor area.  
 537 (f) Boathouses permitted after October 1, 2016 shall have a pitched roof of no  
 538 flatter than 4/12 pitch.

539

540 (g) The roof of an existing boathouse may be used as a deck provided that:  
 541 1. The boathouse has a flat roof and was built prior to October 1, 2016  
 542 2. The roof has no side walls or screens.  
 543 3. The roof may have a railing that meets the Department of Safety and  
 544 Professional Services standards.

545

546 (h) All other ordinance requirements shall be met, including impervious surface  
 547 standards.

548

549 2. Open sided and screened structures such as gazebos, decks, patios and screen  
 550 houses in the shoreland setback area that satisfy the requirements in s.  
 551 59.692(1v), Stats.

552

- 545 (a) The part of the structure that is nearest to the water is located at least 35 feet  
546 landward from the ordinary-high water mark.
- 547 (b) The floor area of all the structures in the shoreland setback area (excluding  
548 boathouses) will not exceed 200 square feet.
- 549 (c) The structure that is the subject of the request for special zoning permission  
550 has no sides or has open or screened sides.
- 551 (d) The county must approve a plan that will be implemented by the owner of  
552 the property to preserve or establish a vegetative buffer zone that covers at  
553 least 70% of the half of the shoreland setback area that is nearest to the  
554 water.
- 555 (e) An enforceable affidavit must be filed with the register of deeds prior to  
556 construction acknowledging the limitations on vegetation.
- 557
- 558 3. Broadcast signal receivers, including satellite dishes or antennas that are one  
559 meter or less in diameter and satellite earth station antennas that are 2 meters or  
560 less in diameter.
- 561
- 562 4. Utility transmission and distribution lines, poles, towers, water towers, pumping  
563 stations, well pumphouse covers, private on-site wastewater treatment systems  
564 that comply with ch. SPS 383, and other utility structures that have no feasible  
565 alternative location outside of the minimum setback and that employ best  
566 management practices to infiltrate or otherwise control storm water runoff from  
567 the structure.
- 568
- 569 5. Walkways, stairways or rail systems that are necessary to provide pedestrian  
570 access to the shoreline and are a maximum of 60-inches in width.
- 571
- 572 6. Devices or systems used to treat runoff from impervious surfaces.
- 573
- 574 (B) Existing Exempt Structures. Existing exempt structures may be maintained,  
575 repaired, replaced, restored, rebuilt and remodeled provided the activity does not  
576 expand the footprint and does not go beyond the three-dimensional building  
577 envelope of the existing structure. Counties may allow expansion of a structure  
578 beyond the existing footprint if the expansion is necessary to comply with applicable  
579 state or federal requirements.
- 580
- 581 (2) Reduced Principal Structure Setback. A setback less than the 75' required setback from  
582 the ordinary high water mark shall be permitted for a proposed principal structure and  
583 shall be determined as follows:
- 584
- 585 (A) Where there are existing principal structures in both directions, the setback shall  
586 equal the average of the distances the two existing principal structures are set back  
587 from the ordinary high water mark provided all of the following are met:
- 588 1. Both of the existing principal structures are located on adjacent lot to the  
589 proposed principal structure.
- 590 2. Both of the existing principal structures are located within 250' of the proposed  
591 principal structure and are the closest structure.
- 592 3. Both of the existing principal structures are located less than 75' from the  
593 ordinary high water mark.
- 594 4. The average setback shall not be reduced to less than 35' from the ordinary high  
595 water mark of any navigable water.
- 596
- 597 (3) Floodplain Structures. Buildings and structures to be constructed or placed in a  
598 floodplain shall be required to comply with any applicable floodplain zoning ordinance.
- 599

#### 600 4.207 Vegetation

- 601
- 602 (1) Purpose. To protect natural scenic beauty, fish and wildlife habitat, and water quality, the  
603 county shall regulate removal of vegetation in shoreland areas, consistent with sound forestry  
604 and soil conservation practices and considering the effect of vegetation removal on water  
605 quality, including soil erosion, and the flow of effluents, sediments and nutrients.
- 606

607 (2) Activities allowed within Vegetative Buffer. To protect water quality, fish and wildlife  
 608 habitat and natural scenic beauty, and to promote preservation and restoration of native  
 609 vegetation, this ordinance shall designate land that extends from the ordinary high water mark  
 610 to a minimum of 35 feet inland as a vegetative buffer zone and prohibit removal of vegetation  
 611 in the vegetative buffer zone except as follows.

- 612
- 613 (A) The county may allow routine maintenance of vegetation.
- 614
- 615 (B) The county may allow removal of trees and shrubs in the vegetative buffer zone to  
 616 create access and viewing corridors.
- 617
- 618 Per s. 59.692(1f)(b), Stats. the viewing corridor may be at least 35 feet wide for  
 619 every 100 feet of shoreline frontage. The viewing corridor may run contiguously for  
 620 the entire maximum width of shoreline frontage owned.
- 621
- 622 (C) The county may allow removal of trees and shrubs in the vegetative buffer zone on a  
 623 parcel with 10 or more acres of forested land consistent with “generally accepted  
 624 forestry management practices” as defined in s. NR 1.25 (2) (b), and described in  
 625 Department publication “Wisconsin Forest Management Guidelines” (publication  
 626 FR-226), provided that vegetation removal be consistent with these practices.
- 627
- 628 (D) The county may allow removal of vegetation within the vegetative buffer zone to  
 629 manage exotic or invasive species, damaged vegetation, vegetation that must be  
 630 removed to control disease, or vegetation creating an imminent safety hazard,  
 631 provided that any vegetation removed under the permit be replaced by replanting in  
 632 the same area as soon as practicable.
- 633
- 634 (E) The county may authorize by permit additional vegetation management activities in  
 635 the vegetative buffer zone. The permit issued under this subparagraph shall require  
 636 that all management activities comply with detailed plans approved by the county  
 637 and designed to control erosion by limiting sedimentation into the waterbody, to  
 638 improve the plant community by replanting in the same area, and to maintain and  
 639 monitor the newly restored area. The permit also shall require an enforceable  
 640 restriction to preserve the newly restored area.

641

642 (3) Cutting More Than 35 Feet Inland. From the inland edge of the 35 foot area to the outer  
 643 limits of the shoreland, the cutting of vegetation shall be allowed when accomplished using  
 644 accepted forest management and soil conservation practices which protect water quality.

645

646 **4.208 Filling, Grading, Lagooning, Dredging, Ditching and Excavating.** Filling, grading,  
 647 lagooning, dredging, ditching and excavating may be permitted only in accordance with the provisions  
 648 of s. NR 115.04, the requirements of ch. 30, Stats., and other local, state and federal laws where  
 649 applicable, and only if done in a manner designed to minimize erosion, sedimentation and impairment  
 650 of fish and wildlife habitat and natural scenic beauty in compliance with the standards below:

- 651
- 652 (1) General Standards. Filling, grading, lagooning, dredging, ditching or excavating which  
 653 does not require a permit under section 4.208 may be permitted in the shoreland area provided  
 654 that:
- 655
- 656 (A) It is done in a manner designed to minimize erosion, sedimentation and impairment  
 657 of fish and wildlife habitat.
- 658
- 659 (B) Filling, grading, lagooning, dredging, ditching or excavating in a shoreland-wetland  
 660 district meets the requirements of sections 4.203(4)(B) and 4.203(4)(c) of this  
 661 ordinance.
- 662
- 663 (C) All applicable federal, state and local authority is obtained in addition to a permit  
 664 under this ordinance.
- 665
- 666 (D) Any fill placed in the shoreland area is protected against erosion by the use of riprap,  
 667 vegetative cover or a bulkhead.
- 668

- 669 (E) No filling or grading shall be done from the ordinary high water mark to 35 feet  
670 landward unless necessary to establish or re-establish the vegetative buffer or for the  
671 construction of a boathouse.  
672
- 673 (2) Conditional Use Permit Required. Except as provided in section 4.208(3) conditional use  
674 permit is required:  
675
- 676 (A) For any filling or grading of any area which is within the Shoreland Zoning District  
677 which consists of:  
678 1. A single area of more than 1,000 sq. ft. exposed or the cumulative exposed area  
679 exceeds 1,000 sq. ft. or  
680 2. More than 40 cubic yards of fill is deposited  
681
- 682 (B) For any construction or dredging commenced on any existing artificial waterway,  
683 canal, ditch, lagoon, pond, lake or similar waterway which is within the jurisdiction  
684 of this ordinance or where the purpose is the ultimate connection with a navigable  
685 body of water.  
686
- 687 (3) Soil Conservation Practices and Agricultural Drainage Maintenance.  
688
- 689 (A) Soil conservation practices such as tiled terraces, runoff diversions and grassed  
690 waterways used for erosion control shall not require a permit under section 4.208(2)  
691 when designed and constructed to Natural Resources Conservation Service technical  
692 standards.  
693
- 694 (B) The maintenance of existing agricultural drainage systems shall be allowed in  
695 conformity with the following construction standards:  
696 1. The maintenance dredging of farm drainage ditches is limited to reestablishing  
697 the original ditch cross section unless a conditional use permit under section  
698 8.22 is obtained.  
699 2. Ditch banks shall be constructed at a slope of 2 horizontal to 1 vertical (50%  
700 grade) or flatter.  
701 3. Ditch banks shall be maintained in a sod cover and free of woody vegetation.  
702 4. A 35 foot wide buffer strip of untilled, ungrazed sod cover shall be maintained  
703 adjacent to the ditch bank.  
704
- 705 (4) Permit Conditions. In granting a permit under section 4.208(2), the County shall attach  
706 the following conditions, where appropriate, in addition to other appropriate conditions and  
707 provisions resulting in permit review specified in sections 4.214(2) or 4.214(3).  
708
- 709 (A) The smallest amount of bare ground shall be exposed for as short a time as feasible.  
710
- 711 (B) Temporary ground cover (such as mulch or jute netting) shall be used and  
712 permanent vegetative cover shall be established.  
713
- 714 (C) Diversion berms or bales, silting basins, terraces, filter fabric fencing, and other  
715 methods shall be used to prevent erosion.  
716
- 717 (D) Lagoons shall be constructed to avoid fish trap conditions.  
718
- 719 (E) Fill shall be stabilized according to accepted engineering standards.  
720
- 721 (F) Filling shall comply with any local floodplain zoning ordinance and shall not restrict  
722 a floodway or destroy the flood storage capacity of a floodplain.  
723
- 724 (G) Consideration and care shall be taken to inhibit transfer of invasive species when fill  
725 material is relocated to or from a site as part of construction project.  
726
- 727 (H) Channels or artificial watercourses shall be constructed with side slopes of two (2)  
728 units horizontal distance to one (1) unit vertical or flatter (50% slope or less) which  
729 shall be promptly vegetated, unless bulkheads or riprap are provided.  
730

731 **4.209 Impervious Surface Standards**

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(1) Purpose. Establish impervious surface standards to protect water quality and fish and wildlife habitat and to protect against pollution of navigable waters. County impervious surface standards shall apply to the construction, reconstruction, expansion, replacement or relocation of any impervious surface on a riparian lot or parcel and any nonriparian lot or parcel that is located entirely within 300 feet of the ordinary high-water mark of any navigable waterway.

(2) Calculation of Impervious Surface. Percentage of impervious surface shall be calculated by dividing the surface area of existing and proposed impervious surfaces on the portion of a lot or parcel that is within 300 feet of the ordinary high water mark by the total surface area of that lot or parcel and multiplied by 100. Impervious surfaces described in 4.209(6) shall be excluded from the calculation of impervious surface on the lot or parcel. If an outlot lies between the ordinary high water mark and the developable lot or parcel and both are in common ownership, the lot or parcel and the outlot shall be considered one lot or parcel for the purposes of calculating the percentage of impervious surface.

(3) Impervious Surface Standard. Except as otherwise allowed in sections (4)-(6) below, the County shall allow up to 15% impervious surface on the portion of a lot or parcel that is within 300 of the ordinary high-water mark

(4) Maximum Impervious Surface. More than 15% impervious surface but not more than 30% impervious surface on the portion of a lot or parcel that is within 300 feet of the ordinary high water mark shall be permitted with a mitigation plan that meets the standards found in section 4.213.

(5) Existing Impervious Surfaces. For existing impervious surfaces that were lawfully placed when constructed but that do not comply with the impervious surface standard in section 4.209(3) or the maximum impervious surface standard in section 4.209(4), the property owner may do any of the following:

(A) maintain and repair the existing impervious surfaces;

(B) replace existing impervious surfaces with similar surfaces within the existing building envelope;

(C) relocate or modify an existing impervious surface with similar or different impervious surface, provided that the relocation or modification does not result in an increase in the percentage of impervious surface that existed on the effective date of the county shoreland ordinance, and the impervious surface meets the applicable setback requirements of this ordinance.

(6) Treated Impervious Surfaces. Impervious surfaces that can be documented to show they meet either of the following standards shall be excluded from the impervious surface calculations under section 4.209(2) :

(A) The impervious surface is treated by devices such as stormwater ponds, constructed wetlands, infiltration basins, rain gardens, bio-swales or other engineered systems.

(B) The runoff from the impervious surface discharges to an internally drained pervious area that retains the runoff on or off the parcel and allows infiltration into the soil.

(C) To qualify for the statutory exemption, property owners shall submit a complete permit application that is reviewed and approved by the county. The application shall include 1) calculations showing how much runoff is coming from the impervious surface area; 2) documentation that the runoff from the impervious surface is being treated by a proposed treatment system, treatment device, or internally drained area; and 3) an implementation schedule and enforceable obligation on the property owner to establish and maintain the treatment system, treatment devices, or internally drained area. The enforceable obligations shall be evidenced by an instrument recorded in the office of the Register of Deeds prior to the issuance of the permit.

(7) This section of the ordinance shall not be construed to supersede other provisions in this ordinance. Maintenance, reconstruction, relocation and expansion of existing structures must

795 comply with other provisions including the shoreland setback standards in sections 4.206(1) or  
 796 4.206(2) and the nonconforming structure provisions of sections 4.11(1) through 4.211(8).

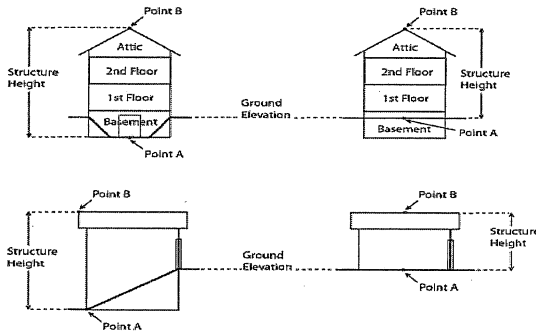
797

798 **4.210 Heights.** To protect and preserve wildlife habitat and natural scenic beauty, on or after  
 799 February 1, 2010, no construction that results in a structure taller than 35 feet shall be permitted within  
 800 the Shoreland Zoning District.

801

802 Structure height is the measurement of the vertical line segment starting at the lowest point of any  
 803 exposed wall and it's intersect with the ground (Point A Below) to a line horizontal to the highest point  
 804 of a structure (Point B Below) unless specified under other sections of this code. This includes  
 805 partially exposed basements.

806



807

808

809

#### 810 **4.211 Nonconforming Uses and Structures.**

811

812 (1) Purpose. To protect water quality, fish and wildlife habitat, and natural scenic beauty,  
 813 some control is needed over the modification and reconstruction of these structures.

814

815 (2) Discontinued Nonconforming Use. If a nonconforming use is discontinued for a period of  
 816 12 months, any future use of the building, structure or property shall conform to this ordinance.

817

818 (3) Maintenance, Repair, Replacement or Vertical Expansion of Nonconforming Structures.  
 819 An existing structure that was lawfully placed when constructed but that does not comply with  
 820 the required shoreland setback may be maintained, repaired, replaced, restored, rebuilt or  
 821 remodeled if the activity does not expand the footprint of the nonconforming structure. Further,  
 822 an existing structure that was lawfully placed when constructed but that does not comply with  
 823 the required shoreland setback may be vertically expanded unless the vertical expansion would  
 824 extend more than 35 feet above grade level. Counties may allow expansion of a structure  
 825 beyond the existing footprint if the expansion is necessary to comply with applicable state or  
 826 federal requirements.

827

828 Pursuant to s. 59.692(1k)(a)1.b. and d. Stats., the County may not require any approval or  
 829 impose any fee or mitigation requirement for the activities specified in section 4.211(3) if the  
 830 activity does not expand the footprint of the nonconforming structure or extend the height more  
 831 than 35 feet above grade level.

832

833 (4) Lateral Expansion of Nonconforming Principal Structure Within the Setback. An existing  
 834 principal structure that was lawfully placed when constructed but that does not comply with the  
 835 required building setback per sections 4.205 and 4.206(1) may be expanded laterally, provided  
 836 that all of the following requirements are met:

837

838 (A) The use of the structure has not been discontinued for a period of 12 months or  
 839 more if a nonconforming use.

840

841 (B) The existing principal structure is at least 35 feet from the ordinary high-water  
 842 mark.

843

844 (C) Lateral expansions are limited to a maximum of 200 square feet over the life of the  
 845 structure. No portion of the expansion may be any closer to the ordinary high-water  
 846 mark than the closest point of the existing principal structure.



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(D) The county shall issue a permit that requires a mitigation plan that shall be approved by the county and implemented by the property owner by the date specified in the permit. The mitigation plan shall meet the standards found in section 4.213.

(E) All other provisions of the shoreland ordinance shall be met.

(5) Expansion of a Nonconforming Principal Structure Beyond Setback. An existing principal structure that was lawfully placed when constructed but that does not comply with the required building setbacks may be expanded horizontally, landward or vertically provided that the expanded area meets the building setback requirements per sections 4.205 and 4.206(1) and that all other provisions of the shoreland ordinance are met. A mitigation plan is not required solely for expansion under this paragraph, but may be required under the impervious surface standards of this ordinance.

(6) Relocation of Nonconforming Principal Structure. An existing principal structure that was lawfully placed when constructed but that does not comply with the required building setbacks may be relocated on the property provided all of the following requirements are met:

(A) The use of the structure has not been discontinued for a period of 12 months or more.

(B) The existing principal structure is at least 35 feet from the ordinary high-water mark.

(C) No portion of the relocated structure is located any closer to the ordinary high-water mark than the closest point of the existing principal structure.

(D) The county determines that no other location is available on the property to build a principal structure of a comparable size to the structure proposed for relocation that will result in compliance with the shoreland setback requirements.

(E) The county shall issue a permit that requires a mitigation plan that shall be approved by the county and implemented by the property owner by the date specified in the permit. The mitigation plan shall meet the standards found in section 4.213 including enforceable obligations of the property owner to establish or maintain measures that the county determines are adequate to offset the impacts of the permitted expansion on water quality, near-shore aquatic habitat, upland wildlife habitat and natural scenic beauty. The mitigation measures shall be proportional to the amount and impacts of the replaced or relocated structure being permitted. The obligations of the property owner under the mitigation plan shall be evidenced by an instrument recorded in the office of the County Register of Deeds.

(F) All other provisions of the shoreland ordinance shall be met.

(7) Wet Boathouses. The maintenance and repair of nonconforming boathouses which extend beyond the ordinary high-water mark of any navigable waters shall be required to comply with s. 30.121, Stats.

**4.212 Maintenance, repair, replacement or vertical expansion of a structures that were authorized by a variance.**

A structure of which any part has been authorized to be located within the shoreland setback area by a variance granted before July 13, 2015 may be maintained, repaired, replaced, restored, rebuilt or remodeled if the activity does not expand the footprint of the authorized structure. Additionally, the structure may be vertically expanded unless the vertical expansion would extend more than 35 feet above grade level. Counties may allow expansion of a structure beyond the existing footprint if the expansion is necessary to comply with applicable state or federal requirements.

**4.213 Mitigation.**

909 (1) Application for Mitigation Permit Requirements. When the county issues a permit  
 910 requiring mitigation under sections 4.206(1)(A)2, 4.209(2), 4.211(5) and 4.211(7), the property  
 911 owner must submit a complete permit application that is reviewed and approved by the county.  
 912 The application shall include the following:

913  
 914 (A) A mitigation plan shall be submitted on forms provided by the Zoning Administrator  
 915 for review and approval. The mitigation measures shall be proportional in scope to  
 916 the impacts on water quality, near-shore aquatic habitat, upland wildlife habitat and  
 917 natural scenic beauty. The site plan shall be designed and implemented to restore  
 918 natural functions lost through development and human activities. Plan review will  
 919 be based on current guidance from sources such as the Wisconsin Department of  
 920 Natural Resources, the USDA-Natural Resources Conservation Service, University  
 921 of Wisconsin-Extension or other appropriate sources. The plan shall be signed by  
 922 the property owner and filed with the Zoning Administrator prior to issuance of the  
 923 zoning permit. The plan shall include, at a minimum:

- 924  
 925 1. Name and Address of property owner  
 926 2. Property address and legal description  
 927 3. Extent of the shoreland buffer  
 928 4. Scale (e.g. 1 inch = 10 feet)  
 929 5. Existing and planned topography  
 930 6. Ordinary high water mark (OHWM) location  
 931 7. Location of all structures on the property including those planned as part of  
 932 mitigation  
 933 8. Viewing and access corridor  
 934 9. Boundary of the shoreland buffer zone  
 935 10. Existing trees, shrubs, and native ground cover  
 936 11. Areas to be planted with trees, shrubs, and groundcovers  
 937 12. Implementation schedule (see detail below)  
 938 13. A plant species list and potential substitutions if availability is an issue (see  
 939 restoration standards and specifications below)  
 940 14. Erosion control practices (to be installed prior to and during buffer  
 941 establishment)  
 942 15. Water diversions and channelized flow areas  
 943 16. Buffer Maintenance (watering, weeding, replanting, etc)

944  
 945 (B) Implementation schedule. The approved mitigation plan must be started within one  
 946 year from the issue date of applicable permit. All plantings and any other required  
 947 activities in the mitigation plan must be completed within two years of the permit  
 948 issue date.

949  
 950 (C) The mitigation measures shall be maintained in perpetuity, unless the property  
 951 owner receives approval of a new, approved mitigation plan meeting the same point  
 952 requirements. The maintenance obligations shall be evidenced by an instrument,  
 953 provided by the Agency, recorded in the office of the Register of Deeds prior to  
 954 issuance of the permit.

955  
 956 (D) Certification of Completion. Within two years of issuance of the related zoning  
 957 permit, the property owner shall complete the mitigation practices and shall certify  
 958 in writing to the Zoning Administrator that the required mitigation has been  
 959 completed. As part of the certification, the property owner shall submit photos  
 960 documenting the mitigation measures.

961  
 962 (E) Subsequent Development. Subsequent zoning permit applications in compliance  
 963 with all new development standards of this ordinance shall not require additional  
 964 mitigation provided the mitigation measures are maintained.

965  
 966 (2) Determination of Level or Required Mitigation. A plan to mitigate for the adverse effects  
 967 of construction on a waterfront property is required under other sections of this Ordinance and  
 968 will be based on a point system. The number of mitigation points necessary for a zoning permit  
 969 depends on the type, size and location of the construction activity. Similarly, the various  
 970 mitigation practices have been assigned point values to be accumulated to an amount equal or  
 971 greater than the point value of the adverse construction activity. The Zoning Administrator

shall determine the number of points necessary and the landowner shall choose mitigation options in consideration the impact of the project based on the following:

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- (A) Points are required for developing property under the following conditions and shall be cumulative when more than one condition applies:
1. Installation of impervious surfaces on greater than 15% (but less than 30%) of the portion of the lot within 300' of the ordinary high water mark (section 4.209(4)) – 2 points.
  2. Lateral expansion of a non conforming principal structure (section 4.211(4)) --- 2 points.
  3. Relocation of a non conforming principal structure (section 4.211(6)) – 6 points.
  4. Building or excavating on slopes greater than or equal to 20 % - 1 additional point
- (B) Approved Mitigation Practices. Property owners may choose among the following mitigation practices to achieve the number mitigation points chosen. Practices shall be chosen in consideration of the project impact on the purposes and intent of this ordinance.
1. The associated privately owned wastewater treatment system must be evaluated and upgraded as appropriate in compliance with SPS 383, Wis. Administrative Code. Replacement of failing septic system due to setbacks or sizing - 2 points. Replacement of failing septic system due to surface water or groundwater impacts - 3 points
  2. Native vegetation and water quality protection functions of the shore buffer area must be restored to the extent practicable following the standards in Section 4.213(3). Points may be obtained for maintaining existing buffer zones or for creating and maintaining new buffer zones as set forth below.  
When a shoreland buffer restoration is required as part of the mitigation plan, the buffer type shall be either woodland, prairie, wetland or a combination if the site characteristics permit. The woodland and prairie buffers shall comply with the standards set forth in Sec. 4.213(3). Wetland buffers will also be permitted where deemed appropriate by the Zoning Administrator.
    - a. Primary Active Buffer Zone: Shore buffer zone within thirty-five feet (35') of the OHWM, including trees, shrubbery, underbrush and other natural vegetation, and subject to the standards in Sec. 4.213(3) - 3 points.
    - b. Secondary Active Buffer Zone: An additional fifteen feet (15') of buffer zone depth inland from the OHWM beyond the thirty-five feet (35') of buffer zone already established, providing a total of fifty feet (50') of buffer zone depth, subject to Sec. 4.213(3) - 2 points.
    - c. Increasing buffer depths - ½ point for each rounded 5 ft increment beyond the secondary active buffer zone.
    - d. Passive Buffer Zone: Shoreland vegetation buffer area within thirty-five feet (35') of the OHWM, including un-mowed, grass or other under story vegetation, but without the tree and shrub layers required to meet the three-point mitigation standard - 1 point.
    - e. Side lot Buffer Zone: A ten foot (10') wide side lot buffer zone including trees, shrubbery, underbrush and other natural vegetation extending along a side lot line for a depth of at least one hundred feet (100') from the OHWM. One point. The side lot buffer area is subject to the same standards and conditions as the active buffer zone. Points for side lot line buffers may be additive, for a maximum of two (2) points, if buffer areas exist and are maintained along both side lot lines.
  3. Nonconforming structures removed from the shore setback area. Points may be obtained for the removal of structures as set forth below.
    - a. Removal of a principal structure located within seventy-five feet (75') of the OHWM to a site that meets the OHWM set back requirements for new development on that water body - 3 points.
    - b. Removal of all non-principal, accessory structures located within thirty-five feet (35') of the OHWM, with the result that all such structures, including boathouses, are set back at least thirty-five feet (35') from the ordinary high water mark - 2 points.
    - c. Removal of all non-principal, accessory structures located between thirty-five feet (35') and seventy-five feet (75') from the ordinary high water mark,

- 1035 with the result that all such structures, including boathouses, are set back at  
 1036 least seventy-five feet (75') from the ordinary high water mark - 1 point.
- 1037 d. No non-principal, accessory structures are located less than seventy-five feet  
 1038 (75') from the ordinary high water mark. This point is not added to points  
 1039 awarded for removal of structures from para. ii and iii above - 1 point.
- 1040 e. Removal of non-structural impervious surfaces - ½ point for each rounded  
 1041 500 sq.ft. of pavement or hardpacked gravel.
- 1042 4. Exterior building materials shall blend with the natural ground cover in the  
 1043 vicinity of the construction - 1 point
- 1044 5. Having percentages of the parcel in a natural state. 25-49% - 1 point. 50-74% - 2  
 1045 points. >74% - 3 points
- 1046 6. Other Practices. At the discretion of the Zoning Administrator, up to three (3)  
 1047 additional mitigation points may be approved for restoration or protection  
 1048 activities that are likely to provide significant benefits to meet the objectives of  
 1049 this ordinance. Examples may include construction of a storm water detention  
 1050 basin or implementation of other storm water management plan activities,  
 1051 replacement of seawalls with bio-engineered structures, installation of rain  
 1052 barrels, compaction mitigation or removal of artificial sand beaches.
- 1053
- 1054 Factors to be considered in making the determination of number of points and  
 1055 approval of alternative mitigation practices include, but are not limited to:
- 1056 a. Cost of implementation;
- 1057 b. Runoff diversion and/or retention;
- 1058 c. Lot configuration;
- 1059 d. Parcel size;
- 1060 e. Location of impervious areas;
- 1061 f. Sensitivity and level of development of the water body; and
- 1062 g. Significance toward meeting ordinance objectives.
- 1063
- 1064 (3) Restoration Standards and Specifications. All shoreland restoration projects shall be  
 1065 designed based on the following standards and specifications:
- 1066
- 1067 (A) Natural Recovery. Shoreland buffer areas that are suited for natural recovery will be  
 1068 allowed only after Zoning Administrator approval.
- 1069
- 1070 (B) Accelerated recovery. Areas not suited to natural recovery will require plantings to  
 1071 establish native vegetation. Areas such as lawns or eroded sites with no seed source  
 1072 will require plantings following site preparation including turf removal. Planted  
 1073 buffers must meet the required plant densities based on square footage of buffer area  
 1074 and the type of buffer (Table 1).
- 1075
- 1076 (C) Planting credits will be allowed for the viewing corridor, areas of existing native  
 1077 vegetation, and areas suited for natural recovery.
- 1078
- 1079 (D) Viewing Corridor. Sod, mulch, or other approved non-erodeable natural material is  
 1080 allowed in the view corridor to the minimum extent necessary for access and  
 1081 recreation as stipulated below:
- 1082 1. Wherever feasible, grass species used shall be no-mow/low-grow grasses which  
 1083 do not require cutting.
- 1084 2. One path with a maximum width of 4 feet as allowed by this ordinance.
- 1085 (E) Vegetation used in any restoration shall be native to the state of Wisconsin and shall  
 1086 be installed at densities that are adequate to reestablish the water quality, habitat and  
 1087 natural beauty protection functions of a shoreline buffer area.
- 1088
- 1089 (F) Planting densities are based on the total area of the required buffer. Area credits  
 1090 calculated are subtracted from the total required density on an equal square footage  
 1091 of coverage basis. Trees must be at least 2 years old and greater than 1 foot tall to  
 1092 qualify as a credit or planting.
- 1093
- 1094 (G) Pre-existing structures. For lots with legal pre-existing structures, restoration is not  
 1095 required within 15 feet of the principal structure.
- 1096

1097 (H) Once the shoreline buffer has been reestablished, vegetation removal and land  
 1098 disturbing activities are generally prohibited as outlined in the recorded maintenance  
 1099 agreement.  
 1100  
 1101

<i>Woodland Buffer</i>			<i>Prairie Buffer</i>		
Layer	Minimum number of species	Density per 100 square feet	Minimum number of species	Density per 100 square feet	Area Credits
Tree Canopy	3	1	2	0.2	Existing tree canopy
Shrub Understory	4	1.5	2	0.5	Existing shrub understory
Groundcover Plant Plugs	3	70	5	70	Existing well vegetated native ground cover
Groundcover seeding	3	Varies	5	Varies	Existing well vegetated native ground cover

1102 **Table 1**

1103  
 1104

1105 **4.214 Administrative Provisions.**

1106

1107 (1) Zoning Administrator. The Zoning Administrator shall have the following duties and  
 1108 powers:

1109

1110 (A) System of permits for new construction, development, reconstruction, structural  
 1111 alteration or moving of buildings and structures. A copy of applications shall be  
 1112 required to be filed in the office of the County Zoning Administrator, unless  
 1113 prohibited by s. 59.692(1k), Stats.

1114

1115 (B) Regular inspection of permitted work in progress to insure conformity of the  
 1116 finished structures with the terms of the ordinance.

1117

1118 (C) A variance procedure which authorizes the board of adjustment to grant such  
 1119 variance from the terms of the ordinance as will not be contrary to the public interest  
 1120 where, owing to special conditions and the adoption of the shoreland zoning  
 1121 ordinance, a literal enforcement of the provisions of the ordinance will result in  
 1122 unnecessary hardship.

1123

1124 (D) A conditional use procedure.

1125

1126 (E) The county shall keep a complete record of all proceedings before the Board of  
 1127 Adjustment, and Planning and Development Agency.

1128

1129 (F) Written notice to the appropriate office of the Department at least 10 days prior to  
 1130 any hearing on a proposed variance, special exception or conditional use permit,  
 1131 appeal for a map or text interpretation, map or text amendment, and copies of all  
 1132 proposed land divisions submitted to the county for review under section 4.204.  
 1133 Upon request of the Department a county shall provide to the appropriate office a  
 1134 copy of any permit issued under section 4.214.

1135

1136 (G) Submission to the appropriate office of the Department, within 10 days after grant or  
 1137 denial, copies of any permit related to a nonconforming structure, any decision on a  
 1138 variance, special exception or conditional use permit, or appeal for a map or text  
 1139 interpretation, and any decision to amend a map or text of an ordinance.

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- (H) Mapped zoning districts and the recording, on an official copy of such map, of all district boundary amendments.
  - (I) The establishment of appropriate penalties for violations of various provisions of the ordinance, including forfeitures. Compliance with the ordinance shall be enforceable by the use of injunctions to prevent or abate a violation, as provided in s. 59.69 (11), Stats.
  - (J) The prosecution of violations of the shoreland ordinance.
- (2) Permits
- (A) When Required. Except where another section of this ordinance specifically exempts certain types of development from this requirement, a permit shall be obtained from the Zoning Administrator before any new development.
  - (B) Application. An application for a permit shall be made to the Zoning Administrator upon forms furnished by the county and shall include for the purpose of proper enforcement of these regulations, the following information:
    1. Name and address of applicant and property owner.
    2. Legal description of the property and type of proposed use.
    3. A scaled drawing of the dimensions of the lot and location of all existing and proposed structures and impervious surfaces relative to the lot lines, center line of abutting highways, the ordinary high water mark and floodplain of any abutting waterways.
    4. Location and description of any existing private water supply or sewage system or notification of plans for any such installation.
    5. Plans for appropriate mitigation when required.
    6. Payment of the appropriate fee established by the Rock County Board of Supervisors.
    7. Additional information required by the Zoning Administrator.
  - (C) Expiration of Permit. Zoning permits shall expire 12 months from date issued.
  - (D) Certificates of Compliance of Mitigation. For permitted projects that require mitigation under this ordinance, no land or building shall be occupied or used until a certificate of compliance is issued by the Zoning Administrator.
    1. The certificate of compliance shall certify that the building or premises or part thereof, and the proposed use thereof, and associated mitigation practices conform to the provisions of this ordinance and the approved permit.
    2. The certificate of compliance shall be issued within 10 days after notification of the completion of the work specified in the zoning permit and mitigation plan, if the building or premises or proposed use thereof conforms with all the provisions of this ordinance.
    3. The Zoning Administrator may issue a temporary certificate of compliance for part of a building, pursuant to rules and regulations established by the County Board.
- (3) Conditional Use Permits.
- (A) Application for a Conditional Use Permit. Any use listed as a conditional use in this ordinance shall be permitted only after an application has been submitted to the Zoning Administrator and a conditional use permit has been granted by the Committee. To secure information upon which to base its determination, the Committee may require the applicant to furnish, in addition to the information required for a zoning permit, the following information:
    1. Name and address of applicant and property owner.
    2. Legal description of the property and type of proposed use.
    3. A plan of the area showing surface contours, soil types, ordinary high-water marks, ground water conditions, subsurface geology and vegetative cover.
    4. A scaled drawing of the dimensions of the lot and location of all existing and proposed structures and impervious surfaces relative to the lot lines, center line

- 1203 of abutting highways, the ordinary high-water mark and floodplain of any  
 1204 abutting waterways.
- 1205 5. Location and description of any existing private water supply or sewage system  
 1206 or notification of plans for any such installation.
- 1207 6. Plans for appropriate mitigation when required.
- 1208 7. Specifications for areas of proposed filling, grading, lagooning or dredging.
- 1209 8. Rationale for why the proposed conditional use meets all of the conditional use  
 1210 permit criteria listed in the ordinance
- 1211 9. Other pertinent information necessary to determine if the proposed use meets the  
 1212 requirements of this ordinance as required by the Zoning Administrator.
- 1213
- 1214 (B) Notice, Public Hearing and Decision. Before deciding whether to grant or deny an  
 1215 application for a conditional use permit, the Committee shall hold a public hearing.  
 1216 Notice of such public hearing, specifying the time, place and matters to come before  
 1217 the Committee, shall be given as a Class 2 notice under ch. 985, Wis. Stats and via  
 1218 mail to surrounding landowners (those within 1000 feet in areas not served by  
 1219 sanitary sewer and those landowners within 500 feet in areas served by sanitary  
 1220 sewer). Such notice shall be provided to the appropriate office of the Department at  
 1221 least 10 days prior to the hearing. The Committee shall state in writing the grounds  
 1222 for granting or denying a conditional use permit.
- 1223
- 1224 (C) Standards Applicable to All Conditional Uses. In deciding a conditional use permit  
 1225 application, the Committee shall evaluate the effect of the proposed use upon:
- 1226 1. The maintenance of safe and healthful conditions.
- 1227 2. The prevention and control of water pollution including sedimentation.
- 1228 3. Compliance with local floodplain zoning ordinances and opportunity for damage  
 1229 to adjacent properties due to altered surface water drainage.
- 1230 4. The erosion potential of the site based upon degree and direction of slope, soil  
 1231 type and vegetative cover.
- 1232 5. The location of the site with respect to existing or future access roads.
- 1233 6. The need of the proposed use in a shoreland location.
- 1234 7. Its compatibility with uses on adjacent land.
- 1235 8. The amount of liquid and solid wastes to be generated and the adequacy of the  
 1236 proposed disposal systems.
- 1237 9. Location factors under which:
- 1238 a. Domestic uses shall be generally preferred;
- 1239 b. Uses not inherently a source of pollution within an area shall be preferred  
 1240 over uses that are or may be a pollution source;
- 1241 c. Use locations within an area tending to minimize the possibility of pollution  
 1242 shall be preferred over use locations tending to increase that possibility.
- 1243
- 1244 (D) Conditions Attached to Conditional Use Permits.
- 1245
- 1246 1. Such conditions may include specifications for, without limitation because of  
 1247 specific enumeration: type of shore cover; specific sewage disposal and water  
 1248 supply facilities; landscaping and planting screens; period of operation;  
 1249 operational control; sureties; deed restrictions; location of piers, docks, parking  
 1250 and signs; and type of construction. Upon consideration of the factors listed  
 1251 above, the Committee shall attach such conditions, in addition to those required  
 1252 elsewhere in this ordinance, as are necessary to further the purposes of this  
 1253 ordinance. Violations of any of these conditions shall be deemed a violation of  
 1254 this ordinance.
- 1255
- 1256 2. In granting a conditional use permit, the Committee may not impose conditions  
 1257 which are more restrictive than any of the specific standards in the ordinance.  
 1258 Where the ordinance is silent as to the extent of restriction, the Committee may  
 1259 impose any reasonable permit conditions to affect the purpose of this ordinance.  
 1260 Minimum conditions of approval are found in section 4.208.
- 1261
- 1262 (E) Recording. When a conditional use permit is approved, an appropriate record shall  
 1263 be made of the land use and structures permitted. Such permit shall be applicable  
 1264 solely to the structures, use and property so described. A copy of any decision on a

- 1265 conditional use permit shall be provided to the appropriate office of the Department  
 1266 within 10 days after it is granted or denied.  
 1267
- 1268 (F) Revocation. Where the conditions of a conditional use permit are violated, the  
 1269 permit may be revoked.  
 1270
- 1271 (4) Variances. The Board of Adjustment may grant upon appeal a variance from the  
 1272 standards of this ordinance where an applicant convincingly demonstrates that:  
 1273
- 1274 (A) Power to Grant.  
 1275
- 1276 1. literal enforcement of the provisions of the ordinance will result in unnecessary  
 1277 hardship on the applicant;
  - 1278 2. the hardship is due to special conditions unique to the property; and
  - 1279 3. is not contrary to the public interest.
- 1280
- 1281 (B) Notice, Hearing and Decision. Before deciding on an application for a variance, the  
 1282 Board of Adjustment shall hold a public hearing. Notice of such hearing specifying  
 1283 the time, place and matters of concern, shall be given a Class 2 notice under ch. 985,  
 1284 Wis. Stats and via mail to surrounding landowners (those within 1000 feet in areas  
 1285 not served by sanitary sewer and those landowners within 500 feet in areas served by  
 1286 sanitary sewer). Such notice shall be provided to the appropriate office of the  
 1287 Department at least 10 days prior to the hearing. The Board shall state in writing the  
 1288 reasons for granting or refusing a variance and shall provide a copy of such decision  
 1289 to the appropriate Department office within 10 days of the decision.  
 1290
- 1291 (5) Board of Adjustment.  
 1292
- 1293 (A) The Rock County Board of Adjustment created by the Rock County Board of  
 1294 Supervisors in accordance with s. 59.694, Wis. Stats., as provided in Chapter 4 Part  
 1295 12 of the Rock County Code, shall serve as the board of adjustment provided for in  
 1296 this ordinance and all provisions of Part 12 consistent with the terms of this  
 1297 ordinance shall apply to the Board of Adjustment and its proceedings under this  
 1298 ordinance.  
 1299
- 1300 (B) Powers and Duties  
 1301
- 1302 1. The board of adjustment shall adopt such additional rules as it deems necessary  
 1303 and may exercise all of the powers conferred on such boards by s. 59.694, Wis.  
 1304 Stats. The County Board has adopted such rules for the conduct of the business  
 1305 of the board of adjustment as required by s. 59.694(3), Wis. Stats known as the  
 1306 "Rock County Board of Adjustment Rules and Procedures."
  - 1307 2. It shall hear and decide appeals where it is alleged there is error in any order,  
 1308 requirements, decision or determination made by an administrative official in the  
 1309 enforcement or administration of this ordinance.
  - 1310 3. It may grant a variance from the standards of this ordinance pursuant to section  
 1311 4.214(4).
  - 1312 4. In granting a variance, the board may impose any reasonable permit conditions  
 1313 to effect the purpose of this ordinance.  
 1314
- 1315 (C) Appeals to the Board. Appeals to the board of adjustment may be made by any  
 1316 person aggrieved or by an officer, department, board or bureau of the county  
 1317 affected by any decision of the Zoning Administrator or other administrative officer.  
 1318 Such appeal shall be made within 30 days, as provided by the rules of the board, by  
 1319 filing with the officer whose decision is in question, and with the board of  
 1320 adjustment, a notice of appeal specifying the reasons for the appeal. The Zoning  
 1321 Administrator or other officer whose decision is in question shall promptly transmit  
 1322 to the board all the papers constituting the record concerning the matter appealed.  
 1323
- 1324 (D) Hearing Appeals and Applications for Variances.  
 1325
- 1326 1. The board of adjustment shall fix a reasonable time for a hearing on the appeal  
 1327 or application. The board shall give public notice thereof by publishing a Class



- 1328 2 notice under ch. 985, Wis. Stats, specifying the date, time and place of the  
 1329 hearing and the matters to come before the board. Notice shall be mailed to the  
 1330 parties in interest. Written notice shall be given to the appropriate office of the  
 1331 Department at least 10 days prior to hearings on proposed shoreland variances  
 1332 and appeals for map or text interpretations.
- 1333 2. A decision regarding the appeal or application shall be made as soon as  
 1334 practical. Copies of all decisions on shoreland variances and appeals for map or  
 1335 text interpretations shall be submitted to the appropriate office of the  
 1336 Department within 10 days after they are granted or denied.
- 1337 3. The final disposition of an appeal or application to the board of adjustment shall  
 1338 be in the form of a written resolution or order signed by the chairman and  
 1339 secretary of the board. Such resolution shall state the specific facts which are  
 1340 the basis of the board's determination and shall either affirm, reverse, vary or  
 1341 modify the order, requirement, decision or determination appealed, in whole or  
 1342 in part, dismiss the appeal for lack of jurisdiction or prosecution or grant the  
 1343 application.
- 1344 4. At the public hearing, any party may appear in person or by agent or by attorney.  
 1345

1346 (6) Fees. The County Board may, by resolution, adopt fees for the following:  
 1347

- 1348 (A) Zoning permits.  
 1349 (B) Certificates of compliance.  
 1350 (C) Planned Unit Development reviews.  
 1351 (D) Public hearings.  
 1352 (E) Legal notice publications.  
 1353 (F) Conditional use permits.  
 1354 (G) Variances.  
 1355 (H) Administrative appeals.  
 1356 (I) Other duties as determined by the County Board.  
 1357

1358 **4.215 Changes and Amendments.** The County Board may from time to time, alter, supplement or  
 1359 change the regulations contained in this ordinance in accordance with the requirements of  
 1360 s. 59.69(5)(e), Wis. Stats, ch. NR 115, Wis. Adm. Code and this ordinance where applicable.  
 1361

- 1362 (1) Amendments to this ordinance may be made on petition of any interested party as  
 1363 provided in s. 59.69(5), Wis. Stats.  
 1364

1365 (2) Shoreland Wetland Map Amendments  
 1366

1367 (A) Every petition for a shoreland-wetland map amendment shall be referred to the Rock  
 1368 County Planning and Development Agency. A copy of each petition shall be  
 1369 provided to the appropriate office of the Department within 5 days of the filing of  
 1370 the petition with the Planning and Development Agency. Written notice of the  
 1371 public hearing to be held on a proposed amendment shall be provided to the  
 1372 appropriate office of the Department at least 10 days prior to the hearing.  
 1373

1374 (B) A copy of the County Board's decision on each proposed amendment shall be  
 1375 forwarded to the appropriate office of the Department within 10 days after the  
 1376 decision is issued.  
 1377

1378 **4.216 Enforcement and Penalties**  
 1379

1380 (1) Forfeitures. Any person, firm or corporation who fails to comply with, or violates, the  
 1381 provisions of this Ordinance shall, upon conviction thereof, forfeit those amounts as established  
 1382 by reference in Resolution 08-8A-054 and any subsequent amendments thereto. Each day a  
 1383 violation exists or continues shall constitute a separate offense and is considered a public  
 1384 nuisance.  
 1385

1386 (2) Enforcement. It shall be unlawful to construct or use any structure, land, or water in  
 1387 violation of any of the provisions of this Ordinance. In case of any violation, the Zoning  
 1388 Administrator, the County Planning and Development Committee, or any neighboring property  
 1389 owner may institute appropriate action or proceeding to enjoin a violation of this Ordinance or  
 1390 cause a structure or use to be vacated or removed.

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- (A) The Planning & Development Agency Director or Zoning Administrator or their designee, are authorized to issue an ordinance citation, pursuant to Chapter 21 of the County Code of Ordinances to any person, firm, association or corporation for engaging in activities that are in violation of this ordinance. Each day of violation, and each 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 applicant from full compliance with this ordinance nor from prosecution for violation of this ordinance.
- (B) The Planning & Development Agency shall notify the landowner/permit holder by certified mail of any non-complying activity or structure. The notice shall describe the nature of the violation, remedial actions needed, a schedule for remedial action, and additional enforcement action that may be taken.
- (C) Upon receipt of written notification from the Planning & Development Agency under paragraph (2) the landowner/permit holder shall comply with the remedial actions described in the notice.
- (D) If a landowner/permit holder does not comply with the provisions of a notice of non-compliance, the Planning & Development Agency may issue a citation(s) and/or revoke the permit.
- (E) If non-compliance with this ordinance is determined by the Planning & Development Agency as likely to result in damage to adjacent property, public facilities, or waters of the state, the Planning & Development Agency may post a stop-work order at the time of notification.
- (F) If the landowner/permit holder does not comply with the provisions of a notice of non-compliance, or violates a stop-work order, the Planning & Development Agency may request the Corporation Counsel to obtain a cease and desist order in any court with jurisdiction.
- (G) Any permit revocation, stop-work order, or cease and desist order shall remain in effect unless retracted by the Planning and Development Agency, Board of Adjustment, or by a court with jurisdiction.

(3) Civil Enforcement

Appropriate actions and proceeding may be taken by Law or in equity to prevent any violation of these regulations, to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation, and to prevent illegal occupancy of a building, structure, premises or use. These remedies shall be in addition to the Penalties described above.

**4.217 Definitions**

(1) For the purpose of administering and enforcing this ordinance, the terms or words used herein shall be interpreted as follows: Words used in the present tense include the future; words in the singular number include the plural number; and words in the plural number include the singular number. The word "shall" is mandatory, not permissive. All distances unless otherwise specified shall be measured horizontally.

(2) The following terms used in this ordinance mean:

**ACCESS AND VIEWING CORRIDOR** means a strip of vegetated land that allows safe pedestrian access to the shore through the vegetative buffer zone.

**ACCESSORY STRUCTURE** means a subordinate structure which is clearly incidental to, and customarily found in connection with, the principal structure or use to which it is related, and which is located on the same lot as the principal structure or use.

1453 BOATHOUSE means a permanent structure used for the storage of watercraft and  
1454 associated materials and includes all structures which are totally enclosed, have roofs or  
1455 walls or any combination of these structural parts.  
1456

1457 BUILDING ENVELOPE means the three dimensional space within which a structure is  
1458 built.  
1459

1460 COUNTY ZONING AGENCY means that committee or commission created or  
1461 designated by the County Board under s. 59.69(2)(a), Wis. Stats, to act in all matters  
1462 pertaining to county planning and zoning. In Rock County, it is referred to as the Rock  
1463 County P&D Agency.  
1464

1465 CONDITIONAL USE means a use which is permitted by this ordinance provided that  
1466 certain conditions specified in the ordinance are met and that a permit is granted by the  
1467 Planning and Development Committee.  
1468

1469 DEPARTMENT means the Department of Natural Resources.  
1470

1471 DEVELOPMENT means any artificial change to improved or unimproved real estate,  
1472 including but not limited to, the construction of buildings, structures or accessory  
1473 structures; the construction of additions or substantial improvements to buildings,  
1474 structures or accessory structures; the placement of buildings or structures; mining,  
1475 dredging, filling, grading, paving, excavation, or drilling operations; and the storage,  
1476 deposition or extraction of materials.  
1477

1478 EXISTING DEVELOPMENT PATTERN means that principal structures exist within 250  
1479 feet of a proposed principal structure in both directions along the shoreline.  
1480

1481 FLOODPLAIN means the land which has been or may be hereafter covered by flood  
1482 water during the regional flood. The floodplain includes the floodway and the flood  
1483 fringe as those terms are defined in ch. NR 116, Wis. Adm. Code.  
1484

1485 FOOTPRINT means the land area covered by a structure at ground level measured on a  
1486 horizontal plane. The footprint of a residence or building includes the horizontal plane  
1487 bounded by the furthest exterior wall and eave if present, projected to natural grade. For  
1488 structures without walls (decks, stairways, patios, carports) – a single horizontal plane  
1489 bounded by the furthest portion of the structure projected to natural grade. Note: For the  
1490 purposes of replacing or reconstructing a nonconforming building with walls, the footprint  
1491 shall not be expanded by enclosing the area that is located within the horizontal plane  
1492 from the exterior wall to the eaves projected to natural grade. This constitutes a lateral  
1493 expansion under NR 115 and would need to follow NR 115.05 (1)(g)5 and provision of  
1494 this Ordinance.  
1495

1496 GENERALLY ACCEPTED FORESTRY MANAGEMENT PRACTICES means forestry  
1497 management practices that promote sound management of a forest. Generally accepted  
1498 forestry management practices include those practices contained in the most recent  
1499 version of the department publication known as Wisconsin Forest Management  
1500 Guidelines and identified as PUB FR-226.  
1501

1502 IMPERVIOUS SURFACE means an area that releases as runoff all or a majority of the  
1503 precipitation that falls on it. "Impervious surface" excludes frozen soil but includes and is  
1504 not limited by enumeration to rooftops, sidewalks, driveways, parking lots, and streets  
1505 unless specifically designed, constructed, and maintained to be pervious. Roadways as  
1506 defined in s. 340.01(54), Wis. Adm. Code, or sidewalks as defined in s. 340.01(58), Wis.  
1507 Adm. Code, are not considered impervious surfaces.  
1508

1509 MAINTENANCE AND REPAIR includes such activities as interior remodeling, painting,  
1510 decorating, paneling, plumbing, insulation, and replacement of windows, doors, wiring,  
1511 siding, roof and other nonstructural components; and the repair of cracks in foundations,  
1512 sidewalks, walkways and the application of waterproof coatings to foundations.  
1513

1514 MITIGATION means balancing measures that are designed, implemented and function to  
 1515 restore natural functions and values that are otherwise lost through development and  
 1516 human activities.  
 1517

1518 NAVIGABLE WATERS means Lake Superior, Lake Michigan, all natural inland lakes  
 1519 within Wisconsin and all streams, ponds, sloughs, flowages and other waters within the  
 1520 territorial limits of this state, including the Wisconsin portion of boundary waters, which  
 1521 are navigable under the laws of this state. Under s. 281.31(2)(m), Wis. Stats,  
 1522 notwithstanding any other provision of law or administrative rule promulgated thereunder,  
 1523 shoreland ordinances required under s. 59.692, Wis. Stats, and ch. NR 115, Wis. Adm.  
 1524 Code, do not apply to lands adjacent to:  
 1525  
 1526 (1) Farm drainage ditches where such lands are not adjacent to a natural navigable  
 1527 stream or river and such lands were not navigable streams before ditching; and,  
 1528 (2) Artificially constructed drainage ditches, ponds or storm water retention basin that  
 1529 are not hydrologically connected to a natural navigable water body.  
 1530

1531 ORDINARY HIGH-WATER MARK means the point on the bank or shore up to which  
 1532 the presence and action of surface water is so continuous as to leave a distinctive mark  
 1533 such as by erosion, destruction or prevention of terrestrial vegetation, predominance of  
 1534 aquatic vegetation, or other easily recognized characteristics.  
 1535

1536 REGIONAL FLOOD means a flood determined to be representative of large floods  
 1537 known to have generally occurred in Wisconsin and which may be expected to occur on a  
 1538 particular stream because of like physical characteristics, once in every 100 years.  
 1539

1540 REPLACEMENT CONSTRUCTION in which the principal building or portion thereof is  
 1541 torn down and replaced by a new structure or building or portion thereof.  
 1542

1543 ROUTINE MAINTENANCE OF VEGETATION means normally accepted horticultural  
 1544 practices that do not result in the loss of any layer of existing vegetation and do not  
 1545 require earth disturbance.  
 1546

1547 SHORELAND means lands within the following distances from the ordinary highwater  
 1548 mark of navigable waters: 1,000 feet from a lake, pond or flowage; and 300 feet from a  
 1549 river or stream or to the landward side of the floodplain, whichever distance is greater.  
 1550

1551 SHORELAND SETBACK also known as the "Shoreland setback area" in s.  
 1552 59.692(1)(bn) means an area in a shoreland that is within a certain distance of the ordinary  
 1553 high-water mark in which the construction or placement of buildings or structures has  
 1554 been limited or prohibited under an ordinance enacted under section 59.692, Wis. Stats.  
 1555 In this ordinance, the shoreland setback is seventy-five feet.  
 1556

1557 SHORELAND-WETLAND DISTRICT means the zoning district, created as a part of this  
 1558 shoreland zoning ordinance, comprised of shorelands that are designated as wetlands on  
 1559 the wetland maps which have been adopted and made a part of this ordinance.  
 1560

1561 STRUCTURAL ALTERATIONS means any changes in the supporting members of a  
 1562 structure such as foundations, bearing walls, columns, beams or girders, footing and piles  
 1563 or any substantial change in the roof structure, or in the exterior walls.  
 1564

1565 STRUCTURE means a principal structure or any accessory structure including a garage,  
 1566 shed, boathouse, sidewalk, walkway, patio, deck, retaining wall, porch or firepit.  
 1567

1568 STRUCTURE, PRINCIPAL means the main structure on a lot, intended for primary use  
 1569 as permitted by the regulations of the district in which it is located. A lot on which more  
 1570 than one principal use is located may have more than one principal structure.  
 1571

1572 STRUCTURE, TEMPORARY A structure which is built of such materials and in such a  
 1573 way that it would commonly be expected to have a relatively short useful life, or is built  
 1574 for a purpose that would commonly be expected to be relatively short-term.  
 1575

1576 UNNECESSARY HARDSHIP means that circumstance where special conditions, which  
 1577 were not self-created, affect a particular property and make strict conformity with  
 1578 restrictions governing area, setbacks, frontage, height or density unnecessarily  
 1579 burdensome or unreasonable in light of the purposes of this ordinance.

1580

1581 VARIANCE means an authorization granted by the board of adjustment to construct, alter  
 1582 or use a building or structure in a manner that deviates from the dimensional standards of  
 1583 this ordinance.

1584

1585 WETLANDS means those areas where water is at, near or above the land surface long  
 1586 enough to be capable of supporting aquatic or hydrophytic vegetation and which have  
 1587 soils indicative of wet conditions.

1588

#### 1589 **Subpart 2: Zoning of County-Owned Lands**

1590

#### 1591 **4.217 Statutory Provisions and Statement of County Policy**

1592

1593 (1) Subsection 59.69(9) of the Wisconsin Statutes provides as follows: with regard to the  
 1594 Zoning of County-Owned Lands.:

1595

1596 (A) The County Board may by ordinance zone and rezone lands owned by the County  
 1597 without necessity of securing the approval of the town boards of the towns wherein  
 1598 such lands are situated and without following the procedure outlined in sec. 59.69(5),  
 1599 Wis. Stats., provided that the County Board shall give written notice to the town board  
 1600 of the town wherein such lands are situated of its intent to so rezone and shall hold a  
 1601 public hearing on the proposed rezoning ordinance and give notice of such hearing by  
 1602 posting in 5 public places in the town.

1603

1604 (B) This subsection shall not apply to land that is subject to a town zoning ordinance  
 1605 which is purchased by the county for use as a solid or hazardous waste disposal  
 1606 facility or hazardous waste storage or treatment facility, as these terms are defined  
 1607 under sec. 289.01, Wis. Stats.

1608

1609 (2) If current land uses and Town designated zoning do not correspond on County-owned  
 1610 lands the Planning and Development Committee will seek to zone the property within the  
 1611 context of Town Zoning Authority.

1612

#### 1613 **4.218 Town Zoning in Shoreland Zoning**

1614

1615 (1) The County Board adopts and incorporates by reference, as if set forth in full, the town  
 1616 zoning ordinances for each of the 20 respective towns in Rock County, by text and by map as  
 1617 may be amended from time to time.

1618

1619 (2) The County Board authorizes the creation of an Intergovernmental Agreement with each  
 1620 town in Rock County, pursuant to Wis. Stat. §§ 59.692(4) and 66.0301 for the purpose of  
 1621 delegating the administration and enforcement of town zoning, as it relates to shoreland areas,  
 1622 back to each respective town in Rock County.

1623

1624 (3) This subsection shall be repealed effective December 31, 2016, along with each  
 1625 Intergovernmental Agreement, unless earlier repealed or extended upon the agreement of the  
 1626 parties.

Respectfully submitted:

PLANNING & DEVELOPMENT COMMITTEE

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

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

\_\_\_\_\_  
Wes Davis

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

\_\_\_\_\_  
Jason Heidenreich

LEGAL NOTE:

The County Board is authorized to take this action by Wisconsin Statutes section 59.02(2).

  
Jeffrey S. Kuglitsch  
Corporation Counsel

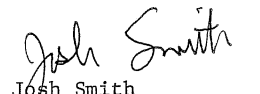
FISCAL NOTE:

No fiscal impact.

  
Sherry Oja  
Finance Director

ADMINISTRATIVE NOTE:

Recommended.

  
Josh Smith  
County Administrator

## **Executive Summary**

### **REPEALING AND RECREATING ROCK COUNTY ORDINANCE 4.2 ZONING OF SHORELANDS AND COUNTY-OWNED LANDS**

The Wisconsin Legislature has recently made changes to the laws implementing Shoreland Zoning in Wisconsin through Wisconsin Acts 55, 167 and 391 (2015). These revisions to State Law require counties to adopt and implement the amendments in the respective local ordinance. Notable revisions pertain to (but are not limited too) the inability of counties to regulate matters more restrictively than the matter is regulated under the state minimum standards, the regulation of nonconforming structures and structures authorized by a variance, shoreland setback averaging, impervious surface limit standards and definitions.

Wisconsin counties are required to adopt and enforce Shoreland Zoning regulations to “further the maintenance of safe and healthful conditions; prevent and control water pollution; protect spawning grounds, fish and aquatic life; control building sites, placement of structures and land uses and reserve shore cover and natural beauty.” Rock County has enforced a shoreland zoning ordinance in the unincorporated areas of the county, with amendments, since the 1970s.

Planning and Development Agency staff have drafted the necessary revisions based on State Law and the model ordinance created by the DNR. Due to the number of changes proposed, repealing and recreating the ordinance is the most efficient way to complete this process. An underline/strike out version of the draft ordinance (showing all of the revisions) is available for review at the Planning office and on the department’s website. The draft ordinance has been reviewed and approved by the DNR, assuring the ordinance meets the current standards.

A Public Hearing was held Thursday, October 13, 2016 at the regular meeting of the Rock County Planning and Development Committee. Legal Notices were posted and interested parties were invited to attend and/or submit comments prior to the meeting.

**APPOINTMENTS TO THE 911 COMMUNICATIONS COMMISSION**

**POSITION:** Members of the 911 Communications Commission

**AUTHORITY:** County Board Resolution #91-7A-053

**TERM:** Two Years Ending November 15, 2018

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

**PRESENT MEMBERS:** Chief David Hooker, Clinton Police  
Officer Dan Stearns, Clinton Police (Alternate)  
Chief David Wickstrum, Orfordville Police

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

<b>NEW APPOINTMENTS:</b>	<u>Member</u>	<u>Alternate</u>
	Chief Scott Marquardt Milton Police Department 690 S. Janesville Street Milton, WI 53563	Lieutenant Mike Chesmore Milton Police Department 690 S. Janesville Street Milton, WI 53563
	Chief Steven Kopp Town of Beloit Police 1133 Inman Parkway Beloit, WI 53511	Sergeant Laura Palmer Town of Beloit Police 1133 Inman Parkway Beloit, WI 53511

**EFFECTIVE DATE:** October 13, 2016



**APPOINTMENT TO THE COORDINATED SERVICES TEAM (CST)  
ADVISORY COMMITTEE**

**POSITION:** Member of the Coordinated Services Team (CST)  
Advisory Committee

**AUTHORITY:** County Board Resolution 12-4A-642

**TERM:** Unexpired Term Ending April 30, 2019

**PER DIEM:** For County Board Supervisors Only  
(Per Board Rule IV.J.)

**PRESENT MEMBERS:** Jerome DeForest-Davis

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

**APPOINTMENTS:** Melissa Zanzinger  
9209 N. County Rd. H  
Edgerton, WI 53534

**EFFECTIVE DATE:** October 13, 2016

**APPOINTMENT TO EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL**

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

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

**TERM:** Term Expiring September 30, 2019

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

**PRESENT MEMBER:** Erik Severson

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

**NEW APPOINTMENT:** Robert Balsamo  
Blackhawk Technical College  
6004 S. County Highway G  
Janesville, WI 53546

**EFFECTIVE DATE:** October 13, 2016

**APPOINTMENT TO THE CITY OF JANESVILLE JOINT REVIEW BOARD FOR  
TAX INCREMENTAL FINANCING DISTRICT #22, AMENDMENT #3**

**POSITION:** Member of TIF District No. 22, Amendment #3

**AUTHORITY:** Wis. Stats. 66.1105(4)

**TERM:** Indefinite

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

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

**NEW APPOINTMENT:** J. Russell Podzilni  
1421 Laramie Lane  
Janesville, WI 53546

**EFFECTIVE DATE:** October 13, 2016

**APPOINTMENT TO THE CITY OF JANESVILLE JOINT REVIEW BOARD FOR  
TAX INCREMENTAL FINANCING DISTRICT #37**

**POSITION:** Member of TIF District No. 37

**AUTHORITY:** Wis. Stats. 66.1105(4)

**TERM:** Indefinite

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

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

**NEW APPOINTMENT:** Terry Thomas  
1425 Clover Lane  
Janesville, WI 53545

**EFFECTIVE DATE:** October 13, 2016

**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  
Anders Dowd, ending April, 2018

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

**PRESENT MEMBER:** Anders Dowd

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

**NEW APPOINTMENT:** Supervisor Kara Hawes  
2011 Arbutus Street  
Janesville, WI 53546

**EFFECTIVE DATE:** October 13, 2016

# RESOLUTION

## ROCK COUNTY BOARD OF SUPERVISORS

General Services Committee  
INITIATED BY

General Services Committee  
SUBMITTED BY



Brent Sutherland -  
Director of Facilities Management  
DRAFTED BY

September 22, 2016  
DATE DRAFTED

### Awarding the Contract for Repairing Courthouse Masonry and Amending 2016 Facilities Management Capital Budget

1 WHEREAS, funds were not budgeted in 2016 for the masonry repair of the southwest wall of  
 2 the courthouse; and  
 3  
 4 WHEREAS, the masonry repair needs are immediate to prevent further structural damage of the  
 5 southwest wall of the courthouse; and  
 6  
 7 WHEREAS, specifications were drafted and bids solicited from qualified contractors for this  
 8 work with three bidders responding.  
 9  
 10 NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors duly  
 11 assembled this \_\_\_\_ day of \_\_\_\_\_, 2016 does hereby approve and authorize  
 12 awarding a contract in the amount of \$18,500 to Eugene Mathews Inc. out of Broadview, IL, for  
 13 the repair of the masonry wall at the Courthouse.

14  
15 BE IT FURTHER RESOLVED, that the Facilities Management 2016 budget be amended as  
16 follows:

<u>ACCOUNT/DESCRIPTION</u>	<u>BUDGET</u> <u>8/31/16</u>	<u>INCREASE/</u> <u>(DECREASE)</u>	<u>AMENDED</u> <u>BUDGET</u>
<u>Source of Funds</u>			
18-1842-0000-47200	\$163,022	\$18,500	\$181,522
Prior Years Sales Tax			
<u>Use of Funds:</u>			
18-1842-0000-67200	\$ 988,752	\$18,500	\$1,007,252
Capital Improvements			

Respectfully submitted,

GENERAL SERVICES COMMITTEE

FINANCE COMMITTEE ENDORSEMENT

Henry Brill  
Henry Brill, Chair

Reviewed and approved on a vote of 4-0

Jason Heidenreich  
Jason Heidenreich, Vice Chair

Mary Mawhinney  
Mary Mawhinney, Chair

Robert Yeomans  
Robert Yeomans

David Homan  
David Homan

Jeremy Zajac  
Jeremy Zajac

16-10A-127

Awarding the Contract for Repairing Courthouse Masonry and Amending 2016 Facilities Management  
Capital Budget  
Page 2

FISCAL NOTE:

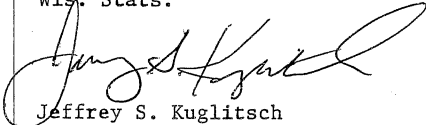
This resolution authorizes the masonry repair of the southwest wall of the courthouse. The cost of the project is being funded by a requested transfer in of sales tax revenues collected in prior years. As of 10/1/16, there is approximately \$1.8 million of prior years' sales tax revenues available for appropriation.



Sherry Oja  
Finance Director

LEGAL NOTE:

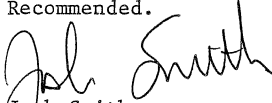
The County Board is authorized to take this action pursuant to secs. 59.01 and 59.51, Wis. Stats. As an amendment to the adopted 2016 County Budget, this Resolution requires a 2/3 vote of the entire membership of the County Board pursuant to sec. 65.90(5)(a), Wis. Stats.



Jeffrey S. Kuglitsch  
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.

  
Josh Smith  
County Administrator

**Executive Summary**

**Awarding the Contract for Repairing Courthouse Masonry and Amending  
2016 Facilities Management Capital Budget**

The Courthouse building southwest exterior masonry wall is in need of tuck pointing, replacing bricks and repairing the steel lintel to prevent further deterioration due to water damage behind the wall.

Bids were solicited with three contractors responding. The lowest bid was \$18,500.00.

Director of Facilities Management and Purchasing Manager are recommending awarding the bid to the lowest, most responsive and responsible bidder, Eugene Mathews Inc. from Broadview, Illinois.



BID SUMMARY FORM

BID NUMBER 2016-54  
 BID NAME COURTHOUSE MASONRY REPAIRS  
 BID DUE DATE SEPTEMBER 21, 2016 - 1:30 P.M.  
 DEPARTMENT FACILITIES MANAGEMENT

	EUGENE MATHIEWS BROADVIEW IL	RD WOODS WEST ALLIS WI	SHOWERS BUILDING RESTORATION MCFARLAND WI
BID PRICE	\$ 18,500.00	\$ 19,500.00	\$ 39,700.00
ADDENDUM RECEIVED	YES	YES	YES
START	10/17/16	10/17/16	11/15/16
COMPLETION	11/10/16	11/14/16	12/15/16

Invitation to Bid was advertised in the Janesville Gazette and on the Internet. Six additional vendors were solicited that did not respond.

PREPARED BY: JODI MILLIS, PURCHASING MANAGER

DEPARTMENT HEAD RECOMMENDATION: I recommend EUGENE MATHIEWS Inc.

*[Signature]*

SIGNATURE

9-23-16

DATE

GOVERNING COMMITTEE APPROVAL: Henry Brill  
CHAIR

5-0

VOTE

10/4/16

DATE

RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS

SHERIFF ROBERT SPODEN  
INITIATED BY

COMMANDER CHELLEVOLD  
DRAFTED BY



PUBLIC SAFETY & JUSTICE  
COMMITTEE  
SUBMITTED BY

SEPTEMBER 21, 2016  
DATE DRAFTED

AWARDING CONTRACT FOR CORRECTIONAL HEALTHCARE SERVICES  
AT THE ROCK COUNTY JAIL FOR 2017 - 2021

1 **WHEREAS**, funds have been incorporated into the 2017 Budget to contract with a private  
2 firm for inmate healthcare services at the Rock County Jail; and,  
3

4 **WHEREAS**, Rock County requested sealed proposals from healthcare providers to  
5 provide correctional healthcare services for inmates incarcerated in the Rock County  
6 Jail, with four firms responding; and,  
7

8 **WHEREAS**, this request covered comprehensive correctional healthcare services  
9 including, at a minimum, physicians, nursing, sick call, medication dispensing,  
10 pharmaceuticals, TB testing, x-ray, mental health services, laboratory, off-site dental  
11 services, ambulance service, off-site hospitalization, blood draws and medical supplies;  
12 and,  
13

14 **WHEREAS**, these comprehensive healthcare services will cover all costs associated  
15 with Rock County Jail inmate healthcare and treatment subject to the terms and  
16 limitations as outlined in the proposal and contract; and,  
17

18 **WHEREAS**, the proposals were reviewed by a panel consisting of Sheriff's Office  
19 personnel and purchasing staff with the recommendation to enter into a contract with  
20 Advanced Correctional Healthcare of Peoria, Illinois.  
21

22 **NOW, THEREFORE, BE IT RESOLVED**, by the Rock County Board of Supervisors duly  
23 assembled this \_\_\_\_\_ day of \_\_\_\_\_, 2016, that a contract for Correctional  
24 Healthcare Services for 2017 through 2021 be awarded to Advanced Correctional  
25 Healthcare of Peoria, Illinois in the annual amount of \$889,419 based on the terms and  
26 conditions set forth in the contract; and,  
27

28 **BE IT FURTHER RESOLVED** that the contract may be extended for an additional three  
29 years.

Respectfully Submitted

PUBLIC SAFETY & JUSTICE COMMITTEE

Mary Beaver  
Mary Beaver, Chair

Henry Brill  
Henry Brill, Vice Chair

Terry Fell  
Terry Fell

Brian Knudson  
Brian Knudson

Phillip Owens  
Phillip Owens

16-10A-128

AWARDING CONTRACT FOR CORRECTIONAL HEALTHCARE SERVICES AT THE  
ROCK COUNTY JAIL FOR 2017 - 2021

Page 2

FISCAL NOTE:

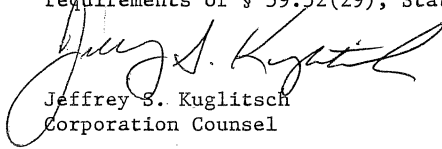
Funds will need to be included in the 2017 budget and future budgets for the cost of these services.



Sherry Oja  
Finance Director

LEGAL NOTE:

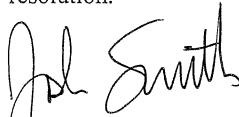
The County Board is authorized to take this action pursuant to secs. 59.01 and 59.51, Wis. Stats. Professional services are not subject to the bidding requirements of § 59.52(29), Stats.



Jeffrey S. Kuglitsch  
Corporation Counsel

ADMINISTRATIVE NOTE:

Providing appropriate medical care to inmates housed in jails is required by state law and ensures illnesses are not spread among the jail population and the general population upon release, results in improved behavior, and respects the dignity of inmates in the care of the County. Regardless of provider, inmate care can be costly and subject the County to liability. Based on the recommendation of the Sheriff and the review team, I am recommending approval of this resolution.



Josh Smith  
County Administrator

## EXECUTIVE SUMMARY

Request for Proposals were sent to ten firms with four firms responding. This Request for Proposal was also advertised in the Janesville Gazette and posted on Rock County's website. Proposals were received from the following:

Correct Care Solutions, Nashville TN  
Advanced Correctional Healthcare, Peoria IL  
Southern Health Partners, Chattanooga TN  
MTC Medical, Centerville UT

Sheriff's Office and Purchasing staff are recommending Advanced Correctional Healthcare as the most-qualified and lowest cost. This firm has extensive experience in providing correctional medical services in many mid-west correctional facilities. At the Rock County Jail they will provide 24-hour nursing and comprehensive medical services, seven days a week, 365 days a year. Services to be provided will include preliminary health screening, infirmary care, daily sick call, physician care, 24-hour nursing care, pharmaceuticals, emergency medical care, x-rays, vision/hearing/dental services, specialty and chronic disease assessment and TB screening. Additional off-site services in this package would include hospital outpatient and emergency room services, in-patient hospitalizations, mental health, and women's health care including OB/GYN and emergency dentistry with a \$64,300.00 annual pool to cover such costs. Advanced Correctional Healthcare, under this contract, will cover all costs associated with Rock County inmate health care and treatment subject to the terms and limitations as outlined in the proposal and contract.

The 2017 Sheriff's Budget will contain funds to contract for these healthcare services.



**PROPOSAL SUMMARY FORM**

PROJECT #: 2017-01  
 PROJECT NAME: CORRECTIONAL HEALTHCARE SERVICES  
 DUE DATE: JULY 20, 2016 – 12:00 NOON  
 DEPARTMENT: SHERIFFS OFFICE

	ADVANCED CORRECTIONAL HEALTHCARE PEORIA IL	CORRECT CARE SOLUTIONS NASHVILLE TN	SOUTHERN HEALTH PARTNERS CHATTANOOGA TN	MTC MEDICAL CENTERVILLE UT
RATER 1	83	76	72	68
RATER 2	79	82	63	80
RATER 3	80	81	79	79
RATER 4	89	85	86	79
RATER 5	89	77	81	63
<b>TOTAL SCORE</b>	<b>420</b>	<b>401</b>	<b>381</b>	<b>369</b>

Proposals were evaluated and rated based on the following criteria:

- General Quality and Adequacy of Response
- Quality of Package Provided
- Organization, Personnel, Experience
- Reasonableness of Cost Estimates

**Request for Proposal was advertised in the Janesville Gazette on the Internet. Six additional agencies were solicited that did not respond.**

PREPARED BY: JODI L. MILLIS, PURCHASING MANAGER

DEPARTMENT HEAD RECOMMENDATION: ACH

Shirley Robert Spook  
SIGNATURE

10-3-16  
DATE

GOVERNING COMMITTEE APPROVAL:

MacBeaver  
CHAIR

5-0  
VOTE

10/3/16  
DATE

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

Diana Arneson  
INITIATED BY



Diana Arneson  
DRAFTED BY

Finance Committee  
SUBMITTED BY

September 20, 2016  
DATE DRAFTED

**Authorizing Purchase of Netsmart Document Capture Scanning Software for 2016**

1 **WHEREAS**, the Rock County Information Technology Department is authorized to purchase computer  
 2 software on behalf of the County; and,  
 3  
 4 **WHEREAS**, the Information Technology and Human Services departments procured a new Electronic  
 5 Health Record system, Avatar by Netsmart Technologies Inc., in June of 2012; and,  
 6  
 7 **WHEREAS**, the installation of the Netsmart Avatar software solution has been accomplished thus far  
 8 with the additions of relevant modules that have built upon the initial core business and clinical Avatar  
 9 modules; and,  
 10  
 11 **WHEREAS**, the purchase of the Document Capture Scanning module would give the Human Services  
 12 department the ability to scan current paper forms into an electronic format within the Avatar system  
 13 which would provide a complete and uniform electronic record; and,  
 14  
 15 **WHEREAS**, the 2016 Budget did designate funds for the purchase of the Netsmart Document Capture  
 16 Software module.  
 17  
 18 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly assembled  
 19 this \_\_\_\_\_ day of \_\_\_\_\_, 2016 that a purchase order be issued to Netsmart Technologies,  
 20 Inc., of Philadelphia, PA for \$41,000.04.

16-10A-129

Respectfully submitted,

**FINANCE COMMITTEE**

Mary Mawhinney  
Mary Mawhinney, Chair

Sandra Kraft  
Sandra Kraft, Vice Chair

J. Russell Podzilni  
J. Russell Podzilni

Mary Beaver  
Mary Beaver

Absent  
Brent Fox

**FISCAL NOTE:**

Funds were included in the 2016 budget for the purchase of this software module.

Sherry Oja  
Sherry Oja  
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. Netsmart is the sole source provider of the software.

Jeffrey S. Kuglitsch  
Jeffrey S. Kuglitsch  
Corporation Counsel

**ADMINISTRATIVE NOTE:**

Recommended.

Josh Smith  
Josh Smith  
County Administrator

## **Executive Summary**

### **Netsmart Document Capture Executive Summary**

The Rock County Human Services Department (HSD) procured a new Electronic Health Record (EHR) solution, Avatar, provided by Netsmart Technologies in June 2012. This solution was selected after an extensive internal review and RFP process to replace the department's obsolete legacy system, MedSys.

Netsmart offers Avatar as a modular solution, with the ability to extend the functionality of the software in a staged approach. For the initial purchase, HSD decided to select the two core modules of Practice Management (PM) and Clinical Workstation (CWS).

PM performs the core business functions that include billing, client demographic and admission information, state reporting. CWS is the clinical documentation functionality that includes progress notes, assessments and treatment plans.

The PM and CWS modules provided for the immediate impact of reducing paper documentation, improved accountability for practitioners, reduced billing cycle latency, and enriched the coordination of care provided to clients.

Avatar is intended to be the comprehensive Electronic Health Record (EHR) solution for HSD. This means that all elements of the record would be included in the EHR.

Presently, HSD is using a hybrid record, which means that there are elements of the consumer record in both Avatar and a physical chart. The Department of Health Services (DHS) surveyor assigned to HSD provided clear feedback within the past year that the hybrid record should only be a transitional concept, and not a long-term practice.

With the purchase of the Document Capture Scanning Module, the ability to achieve a uniform electronic record will be attained. All ancillary materials that are presently in the physical chart of an open consumer would be scanned in to Avatar and available for access by all appropriate users. Examples of these materials would be signed Releases of Information (ROI), insurance card, financial eligibility information and other documents currently provided on paper





Client No: 0004604  
 Quote #: 00062437  
 Quote Date: 09/22/2016  
 Quote Expiration: 10/15/2016

www.ntst.com

Presented to: Patrick Singer  
 Rock County  
 3530 N County Road F  
 Janesville, WI 53545

Netsmart Contact: Scott Miller (smiller@ntst.com)

Remit to: Netsmart Technologies, Inc.  
 PO Box 823519  
 Philadelphia, PA 19182-3519

## Quote Summary - Rock County Document Capture - 2nd quote

Non-Recurring Fees		Recurring Fees (First Year)	
Software	\$17,500.00	Support Services	\$3,500.04
Professional Services	\$20,000.00		
Total Non-Recurring Fees		Total Recurring Fees	\$3,500.04
	\$37,500.00	Total Fees	\$41,000.04

## Solution Summary

### \*Professional Services

Professional Services are based on Netsmart's Scope of Work document, which is contained in a separate document. Professional Services are for a set level of effort that is based on Netsmart's exclusive understanding of the requirements. Any changes to the requirements or Netsmart's understanding thereof, may require additional funds from the client. Netsmart will notify the client in advance of any changes to the required funding and the client shall have the right to either purchase the additional level of effort or stay with the initial scope of work.



12.B.2.(4)

Client No: 0004604

Quote #: 00062437

Quote Date: 09/22/2016

Quote Expiration: 10/15/2016

www.ntst.com

### Non-Recurring Fees Detail

	Qty	Unit	Price	Total
Document Capture				\$37,500.00
Software				
Document Capture - Powered by Perceptive	1	EACH	\$17,500.00	\$17,500.00
Professional Services				
Perceptive Software Professional Services				\$20,000.00
Total Fees				\$37,500.00

### Recurring Fees Detail

	Qty	Unit	Price	Term (mo)	Total (First Year)
Document Capture					\$3,500.04
Support Services					
Document Capture Mnt - Powered by Perceptive	1	EACH/MO	\$291.67	12	\$3,500.04
Total Fees					\$3,500.04



## Terms and Conditions

### Netsmart Pricing and Payment Policies

The following price and payment policy will apply to the software, hardware and/or services quoted above unless you have an existing agreement that will apply to the software, hardware and/or services in this Proposal that is identified at the end of this proposal. Delinquent accounts will be subject to Netsmart's Delinquent Account Escalation Policy set forth at <http://www.ntst.com/ARpolicy>

This quote

- Is valid until the expiration date shown above.
- Will terminate on the expiration date unless you and Netsmart Technologies, Inc. execute a binding commitment for the software, hardware and/or services in this quote.
- Is subject to other terms and conditions in Netsmart's standard contracts for the software, hardware and/or services.
- Unless identified separately below, does not include on site services or assistance, or estimated charges for travel and living expense or travel time. Travel and living expenses and travel time are subject to the terms and conditions of the Netsmart Master Agreement.
- License, hardware, hosting set-up fees and 1st year of support/maintenance are 100% due on the date a legally binding commitment is executed by you and Netsmart ("Execution Date").
- The initial support period of maintenance/support is deemed to be the period from the Execution Date to December 31 of the same year ("First Billing Cycle"), and on each following January 1 for each subsequent calendar year during the support service agreement.
- Charges for Hosting, PaaS, SaaS and subscription services are payable on the Execution Date.
- Professional Services
  - Fixed Fee quoted professional services totaling less than or equal to \$2,000 are payable on the Execution Date.
  - Fixed Fee quoted professional service totaling more than \$2,000 are payable 50% on the Execution Date with the balance due upon project completion or 90 days from the Execution Date, whichever occurs first.
  - As incurred fees are billed monthly, in arrears, payable net 30 days from the invoice date.
  - Professional services quotes do not include on site services or assistance.
  - Professional services quotes do not include travel and living expense or travel time. Netsmart's travel policy will be provided on request.
- "FOB Origin" Shipping and taxes will be separately charged and added to the invoice with other charges quoted above.
- If Revenue Cycle Management (RCM) is offered in this Proposal, the initial set-up fees are due on the Execution Date and monthly fees are due in arrears unless otherwise specified in the Agreement.
- Netsmart has no obligation with respect to the software, hardware and/or services described in this proposal until a binding agreement incorporating the terms of this proposal is executed between you and Netsmart.
- If you currently have an agreement with Netsmart that is identified below, and you accept this Proposal the terms of that Agreement except as provided in this Proposal, will also apply to the quoted products and services.

CONTRACT TO BE APPLIED TO THIS QUOTE BY REFERENCE

Rock County Avatar License and Service Agreement 06292012

[Leave blank if this is a Quote subject to a new agreement]

QUOTE ACCEPTED AND INCLUDED UNDER THE REFERENCED AGREEMENT

Signature: \_\_\_\_\_

Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

Finance Committee  
INITIATED BY



Sherry Oja, Finance Director  
DRAFTED BY

Finance Committee  
SUBMITTED BY

September 27, 2016  
DATE DRAFTED

**Awarding Contract for Financial Audit of County Books for  
Fiscal Years 2016-2017**

- 1 **WHEREAS**, entities that receive federal funds are required to obtain financial audits per the Single
- 2 Audit Act of 1984, as amended in 1996; and,
- 3
- 4 **WHEREAS**, entities that receive funds from the State of Wisconsin are required to obtain financial
- 5 audits; and,
- 6
- 7 **WHEREAS**, Baker Tilly Virchow Krause, LLP is qualified to perform the required audits in
- 8 accordance with all applicable standards, which include auditing standards generally accepted in the
- 9 United State of America, *Government Auditing Standards*, the Uniform Guidance, the *State Single*
- 10 *Audit Guidelines* and any other standards specific to the various grant programs; and,
- 11
- 12 **WHEREAS**, Baker Tilly Virchow Krause, LLP has quoted fees of \$97,000 for the 2016 audit and
- 13 \$100,000 for the 2017 audit.
- 14
- 15 **NOW, THEREFORE, BE IT RESOLVED**, by the Rock County Board of Supervisors duly
- 16 assembled this \_\_\_\_\_ day of \_\_\_\_\_, 2016 that Baker Tilly Virchow Krause,
- 17 LLP, Madison, WI be awarded the audit contract for calendar years 2016-2017.

Respectfully submitted,

FINANCE COMMITTEE

Mary Mawhinney  
Mary Mawhinney, Chair

Sandra Kraft  
Sandra Kraft, Vice Chair

Mary Beaver  
Mary Beaver

Absent  
Brent Fox

J. Russell Podzilni  
J. Russell Podzilni

FISCAL NOTE:

Funds will need to be included in the 2017 budget for the 2016 audit and in the 2018 budget for the 2017 audit.

Sherry Oja  
Sherry Oja  
Finance Director

LEGAL NOTE:

The County Board is authorized to take this action pursuant to secs. 59.01 and 59.51, Wis. Stats. Professional services are not subject to bidding requirements of § 59.52 (29), Stats.

Jeffrey S. Kuglitsch  
Jeffrey S. Kuglitsch  
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.

Josh Smith  
Josh Smith  
County Administrator

16-10A-130

## EXECUTIVE SUMMARY

Entities that receive federal and/or state funds are required to obtain financial audits (called Single Audits). The audits are required to conform to several standards including (but not limited to): auditing standards generally accepted in the United State of America, *Government Auditing Standards*, the Uniform Guidance, the *State Single Audit Guidelines* and any other standards specific to the various grant programs.

Baker Tilly Virchow Krause, LLP (Baker Tilly) has been the County's auditor for several years and is well qualified to perform the required audits per all applicable standards. Baker Tilly has expertise and experience in providing Single Audit services, has always provided a quality product to the County, and has in depth knowledge of Rock County's financials. Therefore, the Finance Director recommends awarding Baker Tilly a contract to provide audit services for the County for FYs 2016-2017.

Baker Tilly has quoted the following fees:

FY 2016 audit services - \$97,000

FY 2017 audit services - \$100,000

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

Public Safety & Justice  
INITIATED BY

Randy Terronez  
DRAFTED BY

Public Safety & Justice Committee  
SUBMITTED BY



September 25, 2016  
DATE DRAFTED

**APPROVING INTERGOVERNMENTAL AGREEMENT WITH DANE COUNTY FOR MEDICAL EXAMINER SERVICES**

1 **WHEREAS**, the Rock County Board of Supervisors approved Resolution #14-9A-110 on September  
2 11, 2014 that approved an Intergovernmental Agreement with Dane County to provide Medical  
3 Examiners services as a result of the transition from an elected Coroner system to an appointed Medical  
4 Examiner system; and  
5  
6 **WHEREAS**, the Intergovernmental Agreement expires on December 31, 2016; and,  
7  
8 **WHEREAS**, staff have conducted meetings with stakeholders (Law Enforcement, Fire  
9 Department/EMS, Funeral Homes, etc.) and have received complimentary feedback on the quality of  
10 services provided by the Intergovernmental Agreement with Dane County; and,  
11  
12 **WHEREAS**, Dane County is agreeable to another two-year agreement to provide professional and  
13 administrative services which have been incorporated into the preliminary 2017 budget.  
14  
15 **NOW, THEREFORE, BE IT RESOLVED**, that the Rock County Board of Supervisors duly  
16 assembled this \_\_\_\_ day of \_\_\_\_\_, 2016 approves the Dane County Intergovernmental  
17 Agreement that delineates the roles and responsibilities of each county for the period January 1, 2017  
18 through December 31, 2019.

16-10A-131

Respectfully Submitted,

PUBLIC SAFETY & JUSTICE COMMITTEE

Mary Beaver  
Mary Beaver, Chair

Henry Brill  
Henry Brill, Vice Chair

Terry Fell  
Terry Fell

Brian Knudson  
Brian Knudson

Phil Owens  
Phil Owens

**APPROVING THE INTERGOVERNMENTAL AGREEMENT WITH DANE COUNTY FOR  
MEDICAL EXAMINER SERVICES**

Page 2

COUNTY BOARD STAFF COMMITTEE

\_\_\_\_\_  
J. Russell Podzilni, Chair

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

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

\_\_\_\_\_  
Henry Brill

\_\_\_\_\_  
Betty Jo Bussie

\_\_\_\_\_  
Mary Mawhinney

\_\_\_\_\_  
Louis Peer

\_\_\_\_\_  
Alan Sweeney

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

ADMINISTRATIVE NOTE:

Recommended.

  
Josh Smith  
County Administrator

FISCAL NOTE:

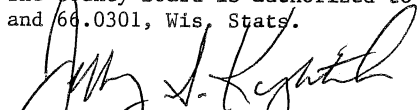
Funding for the contract with Dane County is recommended in the 2017 budget.



Sherry Oja  
Finance Director

LEGAL NOTE:

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

  
Jeffrey S. Kuglitsch  
Corporation Counsel

## Executive Summary

### Approving the Intergovernmental Agreement with Dane County for Medical Examiner Services

The Rock County Board of Supervisors approved the conversion of the Coroner's Office to a Medical Examiner in January 2011 (refer to Resolution #11-1B-270). One of the major reasons for this decision was to operate in a more efficient, professional manner that would ensure the highest quality of services to the residents of Rock County. The effective date of the change was January 5, 2015.

During the planning for the transition, the County investigated various options on establishing a Medical Examiner system and partnered with Dane County to provide professional and administrative services through an Intergovernmental Agreement. The initial two-year agreement expires on December 31, 2016.

A renewal of the Dane County IGA is being recommended and includes:

1. The Chief Medical Examiner, the Deputy Chief Medical Examiner, and the Deputy Medical Examiner of Dane County shall act as the Chief Medical Examiner, Deputy Chief Medical Examiner and the Deputy Medical Examiner for Rock County. The Dane County Director of Operations, under the direction of the Dane County Medical Examiner, shall act as the Director of Operations for Rock County and shall provide oversight and administrative services. The Dane County Director of Operations, Chief Medical Examiner or designee shall be available at all times (24 hours per day, 7 days per week) to provide direction to Rock County investigative staff. The Dane County Director of Operations, Deputy Director of Operations or Chief of Investigations shall be on site an average of 12 hours per week.
2. Case Review and Autopsy Services:
  - a. Dane County's Chief Medical Examiner, Deputy Chief Medical Examiner, and Deputy Medical Examiner shall perform the statutory functions of Medical Examiner in Rock County;
  - b. During death scene response or other death investigations, the Director of Operations for Dane County will work with Rock County staff to establish case review protocols, and to facilitate communication with the Dane County Medical Examiner to allow for case triage. The Chief Medical Examiner, Deputy Chief Medical Examiner, or Deputy Medical Examiner from Dane County will work with medicolegal death investigators to determine whether an autopsy or additional forensic examination should take place. Consideration will be given to the needs of other criminal justice partners, and the statutory authority of the District Attorney to independently order an autopsy will be recognized and followed.
  - c. Dane County shall provide a forensic pathologist response to homicide cases or other cases where a complicated scene examination is appropriate. The need for this response shall be determined by the Medical Examiner in consultation with those at the scene;
  - d. Dane County shall provide autopsy-related services pursuant to this Agreement.
3. A schedule of charges is included in the Intergovernmental Agreement and includes:

	Caseload		Budget	
	2017	2018	2017	2018
A. Office Admin./Ovsight	12 hrs/wk.	12 hrs/wk.	\$43,798	\$44,377
B. Forensic Case Review	750	750	\$30,931	\$31,128
C. Management - Pathologists	2 hrs./wk	2 hrs./wk	\$15,183	\$15,298
	2 hrs./wk.			
D. Autopsy Medicine	145	145	\$162,433	\$164,487
E. Transportation	159	159	\$38,401	\$38,449
F. External Exams	14	14	\$4,900	\$5,221
Total - IGA Payment			\$295,646	\$298,959
G. Mass Fatality Autopsy Fee	0	0	\$1,250	\$1,250
	If > 5 deaths/incident			

Of the above services, Item F - External Exams is a new cost.

Major stakeholders (law enforcement/EMS-fire representatives and the funeral home industry) have been very positive of the change to the new Medical Examiner system and the services provided by Dane County via the IGA.

IGA contract costs have increased over the current IGA contact primarily due to more realistic caseload projections. Costs are projected to increased \$121,648 or 23.8% more and are included in the 2017 budget.



**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

Public Works Committee  
INITIATED BY



Benjamin Coopman, Jr., Director  
of Public Works  
DRAFTED BY

Public Works Committee  
SUBMITTED BY

October 3, 2016  
DATE DRAFTED

**Authorizing the Sale of the Milton Salt Shed (Chicago St.)**

- 1 **WHEREAS**, Rock County had acquired 0.16 acres of land and erected a wooden timber salt storage
- 2 building and a small storage shed on property at 218 Chicago Street (formerly County Road M) in the
- 3 City of Milton; and,
- 4
- 5 **WHEREAS**, the Wisconsin Department of Transportation has recently purchased property and erected a
- 6 similar facility in the Town of Milton on County Road M and East Milton-Harmony Townline Road and
- 7 has offered Rock County shared use of that new facility; and,
- 8
- 9 **WHEREAS**, the former site and buildings are of no use to Rock County for the stated purpose of
- 10 roadway maintenance material storage; and,
- 11
- 12 **WHEREAS**, the City of Milton wishes to buy the former site and buildings to improve its operations and
- 13 services.
- 14
- 15 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly assembled
- 16 this \_\_\_\_\_ day of \_\_\_\_\_, 2016, authorizes the sale of the Chicago Street property and
- 17 buildings to the City of Milton for the purchase price of \$2,000, the amount the County paid for it
- 18 previously; and,
- 19
- 20 **BE IT FURTHER RESOLVED**, that the County Board Chair is authorized to execute any and all legal
- 21 documents concerning the sale of said site and improvements.

16-10A-132

Respectfully submitted,

**PUBLIC WORKS COMMITTEE**

\_\_\_\_\_  
Betty Jo Bussie, Chair

\_\_\_\_\_  
Brent Fox, Vice Chair

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

\_\_\_\_\_  
Rick Richard

\_\_\_\_\_  
Brenton Driscoll

Authorizing the Sale of the Milton Salt Shed (Chicago St.)

Page 2

**COUNTY BOARD STAFF COMMITTEE**

\_\_\_\_\_  
J. Russell Podzilni, Chair

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

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

\_\_\_\_\_  
Henry Brill

\_\_\_\_\_  
Betty Jo Bussie

\_\_\_\_\_  
Mary Mawhinney

\_\_\_\_\_  
Louis Peer

\_\_\_\_\_  
Alan Sweeney

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

FISCAL NOTE:

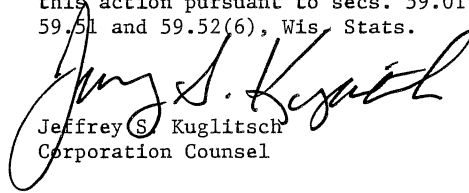
Per Res #14-9A-099, proceeds from the sale of all County owned real estate holdings (except park land and In Rem properties) will be deposited to the PACE account.



Sherry Oja  
Finance Director

LEGAL NOTE:

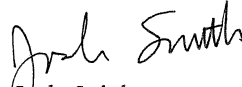
The County Board is authorized to take this action pursuant to secs. 59.01, 59.51 and 59.52(6), Wis. Stats.



Jeffrey S. Kuglitsch  
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.



Josh Smith  
County Administrator

**Executive Summary****Authorizing the Sale of the Milton Salt Shed (Chicago St.)**

Rock County acquired the property of 0.16 acres at 218 Chicago Street from the Milton Lumber Company in 1959 for \$2,000. Subsequently, the Rock County Department of Public Works (DPW) erected a creosote treated timber building in 1971 to store road salt and sand. A second small metal building was built nearby on the property to house a front end loader and other roadway supplies. The improvements are fully depreciated, but still very serviceable.

The Wisconsin Department of Transportation (WisDOT) has purchased some property near Milton in connection with their two roadway projects on STH 26 and STH 59 in the Milton area. Since WisDOT and the County have a goal to increase salt storage capacity in Rock County, it was decided to build a new salt storage building with a lean-to structure to accommodate a loader and other roadway material storage. This structure was built near the intersection of CTH M and East Milton-Harmony Townline Road in the Town of Milton.

DPW will be able to store county salt, sand and other roadway maintenance materials at the new site. The Chicago St. site will no longer be needed.

The City of Milton works collaboratively with DPW to buy its road salt and sand, but must come to Janesville to pick up those materials. They are eager to acquire a site closer to or in Milton that is properly zoned and developed for their salt storage needs.

This action authorizes the sale of the Chicago Street property and buildings, as is, to the City of Milton for the exact cost of what the County acquired the property originally.

**RESOLUTION**

**ROCK COUNTY BOARD OF SUPERVISORS**

Lori Williams, Parks Director  
INITIATED BY



Lori Williams, Parks Director  
DRAFTED BY

Public Works Committee  
SUBMITTED BY

September 28, 2016  
DATE DRAFTED

**AWARDING OF CONTRACT FOR  
CARVER-ROEHL PARK TOILET PROJECT**

1 **WHEREAS**, the Rock County Board of Supervisors approved the purchase of one double  
2 vault toilet building in the 2016 County Budget to be constructed at Carver-Roehl Park; and,  
3  
4 **WHEREAS**, Rock County Purchasing requested bids for this toilet building; and,  
5  
6 **WHEREAS**, Purchasing and Parks staff reviewed all bids received and are recommending  
7 the lowest bid from Huffcut Concrete of Chippewa Falls, Wisconsin.  
8  
9 **NOW, THEREFORE, BE IT RESOLVED**, that the Rock County Board of Supervisors  
10 duly assembled on this \_\_\_\_\_ day of \_\_\_\_\_, 2016, does hereby authorize that  
11 a contract be awarded to Huffcut Concrete of Chippewa Falls, Wisconsin in the amount of  
12 \$34,230 for the construction of this toilet building.

Respectfully submitted,

PUBLIC WORKS COMMITTEE

ENDORSED BY  
PARKS ADVISORY COMMITTEE

\_\_\_\_\_  
Betty Jo Bussie, Chair

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

\_\_\_\_\_  
Brent Fox, Vice-Chair

\_\_\_\_\_  
Dean Paynter

\_\_\_\_\_  
Eva M. Arnold

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

\_\_\_\_\_  
Brenton Driscoll

\_\_\_\_\_  
Rick Richard

16-10A-133

AWARDING OF CONTRACT FOR CARVER-ROEHL PARK TOILET PROJECT  
Page 2

FISCAL NOTE:

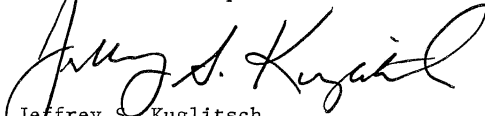
Sufficient funds were included in the 2016 budget for the cost of this project. Since the project will not begin until 2017, Parks will need to request a carryover of funds to the 2017 budget. This project is being funded with sales tax revenues.



Sherry Oja  
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.



Josh Smith  
County Administrator

**EXECUTIVE SUMMARY****AWARDING OF CONTRACT FOR  
CARVER-ROEHL PARK TOILET PROJECT**

This resolution provides final authorization to award the contract for construction of one double vault toilet building at Carver-Roehl County Park in the amount of \$34,230. This resolution awards the contract to low bidder, Huffcut Concrete of Chippewa Falls, Wisconsin.

Project will be funded through the Parks Capital Improvement Account (Account 41-4592-4800-67200). This project was planned and budgeted at \$50,000, thus resulting in a favorable balance to cover the demolition of current structure and site preparation costs for the new toilet building.

**ORIGINAL**

COUNTY OF ROCK

FINANCE DEPARTMENT  
PURCHASING DIVISION



**BID SUMMARY FORM**

PROJECT NAME: CARVER ROEHL PARK VAULT TOILET BUILDING  
 PROJECT NUMBER: #2016-55  
 BID DUE DATE: SEPTEMBER 26, 2016 – 1:30 PM  
 DEPARTMENT: PUBLIC WORKS – PARKS DEPARTMENT

	HUFFCUTT CONCRETE CHIPPEWA FALLS WI	GILBANK CONSTRUCTION CLINTON WI
VAULT TOILET	24,550.00	28,100.00
INSTALLATION	9,680.00	13,000.00
<b>TOTAL PROJECT COST</b>	<b>\$ 34,230.00</b>	<b>\$ 41,100.00</b>
ADDENDUM RECEIVED	YES	YES
START DATE	SPRING 2017 UNLESS WEATHER PERMITS EARLIER	1/17/17
COMPLETION DATE		3/1/17
MODEL BID	HUFFCUT PT275	CXT-TIOGA
WARRANTY	20 YEARS CONCRETE 1 YEAR ALL OTHER PARTS	1 YEAR

Invitation to bid was advertised in the Janesville Gazette and on the internet. Two additional vendors were solicited that did not respond.

PREPARED BY: JODI MILLIS, PURCHASING MANAGER

DEPARTMENT HEAD RECOMMENDATION: Huffcutt Concrete #34,230.00

Benjamin J. Coopman, Jr.  
SIGNATURE

9-27-16  
DATE

GOVERNING COMMITTEE APPROVAL:

CHAIR

VOTE

DATE

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

Public Works Committee  
INITIATED BY



Ben Coopman, Director of Public Works  
DRAFTED BY

Public Works Committee  
SUBMITTED BY

September 20, 2016  
DATE DRAFTED

**AUTHORIZING PURCHASE OF MOTOR POOL VEHICLE FOR  
THE ROCK COUNTY DEPARTMENT OF PUBLIC WORKS**

- 1 **WHEREAS**, the Department of Public Works procures and maintains a pool of vehicles utilized by
- 2 various Rock County departments; and,
- 3
- 4 **WHEREAS**, Ewald Automotive Group of Oconomowoc, Wisconsin is authorized to sell standard
- 5 sized Ford, Chevrolet and Dodge vehicles under State of Wisconsin Contract #505ENT-M16-
- 6 2016VEHICS-00 for passenger vehicles; and,
- 7
- 8 **WHEREAS**, the Purchasing Division and Public Works Department did review the State of Wisconsin
- 9 bid specifications for compliance with the Rock County Health Department's needs and recommends
- 10 purchasing one (1), 2017 Ford Escape automobile from Ewald Automotive Group.
- 11
- 12 **NOW, THEREFORE, BE IT RESOLVED**, by the Rock County Board of Supervisors duly
- 13 assembled this \_\_\_\_\_ day of \_\_\_\_\_, 2016 to authorize the purchase from the Ewald
- 14 Automotive Group of Oconomowoc, Wisconsin, of one Ford Escape Automobile in the amount of
- 15 \$21,820.00.

Respectfully submitted,

PUBLIC WORKS COMMITTEE

\_\_\_\_\_  
Betty Jo Bussie, Chair

\_\_\_\_\_  
Brent Fox, Vice Chair

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

\_\_\_\_\_  
Brenton Driscoll

\_\_\_\_\_  
Rick Richard

FISCAL NOTE:

This additional vehicle for the Health Department was part of the 2016 budget.

Sherry Oja  
Finance Director

LEGAL NOTE:

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

Jeffrey S. Kuglitsch  
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.

Josh Smith  
County Administrator

16-10A-134



## EXECUTIVE SUMMARY

The Rock County Purchasing Ordinance permits the purchase of vehicles from the State of Wisconsin bids. The vehicle being recommended would be purchased from the Ewald Automotive Group under State of Wisconsin Bid #505ENT-M16-2016VEHICS-00.

This vehicle will be an addition to the motor pool fleet in order to fulfill the needs of the Rock County Health Department. This item was reviewed and approved as part of the 2016 budget process.

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

Katherine Luster  
INITIATED BY



Lance Horozewski  
DRAFTED BY

Human Service Board  
SUBMITTED BY

September 19, 2016  
DATE DRAFTED

**In Support of Increased Funding in the Children and Family Allocation (CFA)**

1 **WHEREAS**, the Department of Children and Families provides funding to Rock County  
2 through the Children and Family Allocation for the provision of child abuse and neglect  
3 services, including prevention, investigation, treatment, and out-of-home placement costs;  
4 and,  
5

6 **WHEREAS**, base funding for child welfare services has not increased since the Department  
7 of Children and Families was created in 2009; and,  
8

9 **WHEREAS**, over the past few years, the child welfare workload has increased in Rock  
10 County and throughout the state; and,  
11

12 **WHEREAS**, the number of Rock County child protective services (CPS) referrals has  
13 increased by 25 percent since 2011 – from 2,829 referrals in 2011 to 3,535 referrals in 2015;  
14 and,  
15

16 **WHEREAS**, the number of children in out-of-home care has increased 19 percent since 2011  
17 from 165 children in care in 2011 to 197 children in care in 2015; and,  
18

19 **WHEREAS**, the number of same day initial assessment responses has increased by 91  
20 percent since 2014 from 94 same days in 2014 to 180 same days in 2016; and,  
21

22 **WHEREAS**, the number of Children in Need of Protection and Services (CHIPS) petitions  
23 filed with the court has increased 15 percent since 2011 from 111 petitions in 2011 to 128  
24 petitions in 2015; and,  
25

26 **WHEREAS**, Rock County is struggling to recruit and retain CPS social workers; and,  
27

28 **WHEREAS**, the stress of increasing caseloads is taking its toll on CPS social workers,  
29 causing many experienced CPS social workers to leave the profession; and,  
30

31 **WHEREAS**, the leading cause of these increases is the use of heroin, opiates, and complex  
32 mental health issues; and,  
33

34 **WHEREAS**, it is critical that counties have the resources necessary to ensure the safety of  
35 children; and,  
36

37 **WHEREAS**, Rock County and counties throughout the state are struggling to identify  
38 resources to increase child welfare staff, especially given the significant overmatch counties  
39 already put in the human services system.  
40

41 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors does  
42 hereby request that the state of Wisconsin, in its 2017-19 state biennial budget, increase  
43 funding to counties in the Children and Family Allocation to assist counties in serving the  
44 increasing number of children and families in the child welfare system; and,  
45

46 **BE IT FURTHER RESOLVED** that a copy of this resolution be sent to Governor Scott  
47 Walker, Department of Children and Families Secretary Eloise Anderson, Department of

16-10A-135

In Support of Increased Funding in the Children and Family Allocation (CFA)  
Page 2


- 49 Administration Secretary Scott Neitzel, Rock County legislative delegation, and the
- 50 Wisconsin Counties Association.

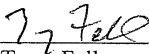
Respectfully Submitted,

HUMAN SERVICES BOARD

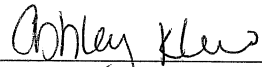
  
 \_\_\_\_\_  
 Brian Knudson, Chair

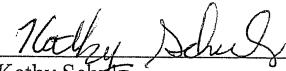
\_\_\_\_\_  
 Sally Jean Weaver-Landers, Vice Chair

  
 \_\_\_\_\_  
 Karl Dommershausen

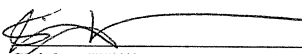
  
 \_\_\_\_\_  
 Terry Fell

  
 \_\_\_\_\_  
 Linda Garrett

  
 \_\_\_\_\_  
 Ashley Kleven

  
 \_\_\_\_\_  
 Kathy Schultz

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

  
 \_\_\_\_\_  
 Shirley Williams

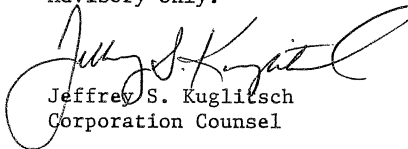
FISCAL NOTE:

This resolution is a request for additional children and family funding to be included in the next state budget.

  
 Sherry Oja  
 Finance Director

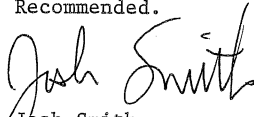
LEGAL NOTE:

Advisory only.

  
 Jeffrey S. Kuglitsch  
 Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.

  
 Josh Smith  
 County Administrator

**CONTACT INFORMATION**

Honorable Scott Walker  
 Governor, State of Wisconsin  
 115 East Capitol  
 Madison, WI 53702

Secretary Eloise Anderson  
 Wisconsin Department of Children and Families  
 201 East Washington Avenue, Second Floor  
 P.O. Box 8916  
 Madison, WI 53708-8916

Secretary Scott Neitzel  
 Wisconsin Department of Administration  
 101 E. Wilson Street, 10<sup>th</sup> Floor  
 P.O. Box 7864  
 Madison, WI 53707  
 DOASecretarysOffice@wisconsin.gov

Wisconsin Counties Association  
 Attn: Sarah Diedrick-Kasdorf  
 22 E. Mifflin Street, Suite 900  
 Madison, WI 53703  
 diedrick@wicounties.org

## Area Legislators:

Honorable Janis Ringhand  
 Wisconsin State Senate  
 P.O. Box 7882  
 Madison, WI 53707-7882

Stephen Nass  
 Wisconsin State Senate  
 P.O. Box 7882  
 Madison, WI 53707-7882

Honorable Andy Jorgensen  
 Wisconsin State Assembly  
 P.O. Box 8952  
 Madison, WI 53708

Mark Spreitzer  
 Wisconsin State Assembly  
 P.O. Box 8952  
 Madison, WI 53708

Honorable Amy Loudenbeck  
 Wisconsin State Assembly  
 P.O. Box 8953  
 Madison, WI 53708

Debra Kolste  
 Wisconsin State Assembly  
 P.O. Box 8953  
 Madison, WI 53708

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

County Board Staff Committee  
INITIATED BY



Annette Mikula, HR Director  
DRAFTED BY

County Board Staff Committee  
SUBMITTED BY

September 23, 2016  
DATE DRAFTED

**APPROVING THE 2017 BASE WAGE RATES FOR ALL EMPLOYEES EXCEPT  
REPRESENTED LAW ENFORCEMENT EMPLOYEES, AND AMENDING THE  
PERSONNEL POLICY WAGE APPENDIXES**

- 1 **WHEREAS**, it is necessary to adjust the Employee Pay Plans periodically to ensure that they continue
- 2 to reflect salary rates which are competitive for those job classes covered by the Plans; and,
- 3
- 4 **WHEREAS**, the Deputy Sheriff's Association, Correctional Officers Association, and Deputy Sheriff
- 5 Supervisor's Association labor units have received 2017 base wage increases of 1.25% effective
- 6 January 1, 2017; and,
- 7
- 8 **WHEREAS**, it is proposed to increase all employee Pay Plans by 1.25% effective January 1, 2017.
- 9
- 10 **NOW, THEREFORE, BE IT RESOLVED**, that the Rock County Board of Supervisors duly
- 11 assembled this \_\_\_\_\_ day of \_\_\_\_\_, 2016 does hereby approve the County's 2017 Pay
- 12 Plans by increasing each step by 1.25% effective January 1, 2017.

Respectfully submitted,

COUNTY BOARD STAFF COMMITTEE

\_\_\_\_\_  
J. Russell Podzilni, Chair

\_\_\_\_\_  
Mary Mawhinney

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

\_\_\_\_\_  
Louis Peer

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

\_\_\_\_\_  
Alan Sweeney

\_\_\_\_\_  
Henry Brill

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

\_\_\_\_\_  
Betty Jo Bussie

16-10A-136

APPROVING THE 2017 WAGE RATES FOR EMPLOYEES, EXCEPT REPRESENTED LAW  
ENFORCEMENT EMPLOYEES, AND AMENDING THE PERSONNEL POLICY WAGE  
APPENDIXES

Page 2

**FISCAL NOTE:**

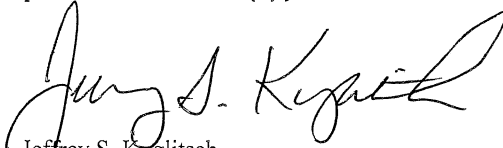
	<u>Projected Base Compensation</u>	<u>Add'l Base Compensation</u>	<u>Wage Increase</u>
2017	\$54,885,013.64	\$686,062.67	1.25%



Sherry Oja  
Finance Director

**LEGAL NOTE:**

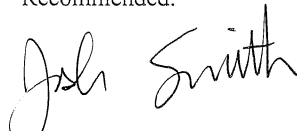
The County Board is authorized to take this action  
pursuant to §59.22(2), Wis. Stats.



Jeffrey S. Kuglitsch  
Corporation Counsel

**ADMINISTRATIVE NOTE:**

Recommended.



Josh Smith  
County Administrator

APPROVING THE 2017 WAGE RATES FOR EMPLOYEES, EXCEPT REPRESENTED LAW  
ENFORCEMENT EMPLOYEES, AND AMENDING THE PERSONNEL POLICY WAGE  
APPENDIXES

Page 3

**Executive Summary**

The purpose of this resolution is to provide wage rate increases for County employees who are not represented by a law enforcement labor unit.

The County has already settled with the Deputy Sheriff's Association, Correctional Officers Association and the Deputy Sheriff Supervisor's Association for a contract with a total wage increase of 1.25% effective January 1, 2017.

To keep employees on pace with cost of living, inflation, and external market factors this resolution provides for a 1.25% increase for wage rates effective January 1, 2017.

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

County Board Staff Committee  
INITIATED BY



Annette Mikula, HR Director  
DRAFTED BY

County Board Staff Committee  
SUBMITTED BY

September 23, 2016  
DATE DRAFTED

**SETTING THE 2017 SALARY OF THE COUNTY ADMINISTRATOR**

- 1 **WHEREAS**, the County Administrator's current salary is \$131,030.16; and,
- 2
- 3 **WHEREAS**, the County Board Staff Committee reviewed the County Administrator's salary, other benefits,
- 4 and the annual adjustments recommended and received by other County employees for 2017; and,
- 5
- 6 **WHEREAS**, the County Board Staff Committee recommends a 1.25% increase to the County Administrator's
- 7 salary and benefits effective 1-1-17, which is consistent with adjustments for other County employees.
- 8
- 9 **NOW, THEREFORE, BE IT RESOLVED**, that the Rock County Board of Supervisors duly assembled on
- 10 this \_\_\_\_\_ day of \_\_\_\_\_, 2017 does hereby authorize that the County Administrator's salary
- 11 be adjusted by 1.25% effective 1-1-17.
- 12
- 13 **BE IT FURTHER RESOLVED**, that the health insurance plan granted other Unilateral employees be
- 14 continued.
- 15
- 16 **BE IT FURTHER RESOLVED**, that the dental plan available to Unilateral employees be continued.
- 17
- 18 **BE IT FURTHER RESOLVED**, that the current car allowance of \$6,000 annually be continued and the
- 19 current expense allowance of \$2,000 annually be continued.
- 20
- 21 **BE IT FURTHER RESOLVED**, that the County continues to contribute annually to a deferred compensation
- 22 program and the contribution in 2017 increase from \$4,500 to \$5,000.

Respectfully Submitted,

COUNTY BOARD STAFF COMMITTEE

\_\_\_\_\_  
J. Russell Podzilni, Chair

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

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

\_\_\_\_\_  
Henry Brill

\_\_\_\_\_  
Betty Jo Bussie

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Mary Mawhinney

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Louis Peer

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Alan Sweeney

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Terry Thomas

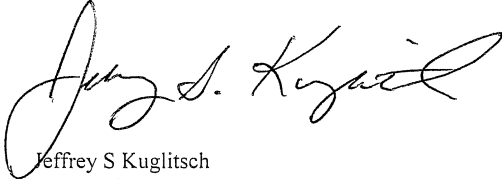
16-10A-137



RESOLUTION SETTING THE 2017 SALARY OF THE COUNTY ADMINISTRATOR  
Page 2

**LEGAL NOTE:**

The County Board is authorized to take this action pursuant to §59.22(2), Wis. Stats.



Jeffrey S Kuglitsch  
Corporation Counsel

**FISCAL NOTE:**

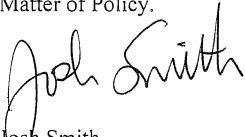
	<u>Base Compensation</u>	<u>Additional Compensation</u>	<u>% Wage Increase</u>
2017	\$162,718.40	\$2,137.88	1.25%



Sherry Oja  
Finance Director

**ADMINISTRATIVE NOTE:**

Matter of Policy.



Josh Smith  
County Administrator

**Executive Summary**

The purpose of this resolution is to provide a wage rate increase for the County Administrator.

The County has already settled with the Deputy Sheriff's Association, Correctional Officers Association and the Deputy Sheriff Supervisor's Association for a contract with a total wage increase of 1.25% effective January 1, 2017.

The proposed wage increase for all other employees is 1.25%.

This resolution provides for a 1.25% wage rate increase for the County Administrator, to keep pace with cost of living, inflation, and external market factors, effective January 1, 2017.

ROCK COUNTY, WISCONSIN



Corporation Counsel Office  
51 South Main Street  
Janesville, WI 53545  
(608) 757-5530  
Fax: (608) 757-5511

**MEMORANDUM**

**TO:** County Board Staff Committee  
**FROM:** Jeffrey S. Kuglitsch, Corporation Counsel  
**DATE:** August 25, 2016  
**RE:** Notice of Claim

---

**CLAIMANT:** Ronald Arthur Vidas II

**DATE OF INCIDENT:** July 27, 2016

**DATE OF NOTICE OF CLAIM:** August 22, 2016

**AMOUNT CLAIMED:** \$7,200.00 - \$12,200.00

**NATURE OF CLAIM:** Vidas' vehicle sustained damage when it traveled on Hwy 14 during the seal coating project. Rock County was acting under contract with the Wisconsin Department of Transportation. Signage was in place 10 days prior to and warning signs were placed the day of the work being done.

**RECOMMENDATION:** Denial.

ROCK COUNTY, WISCONSIN



Corporation Counsel Office  
51 South Main Street  
Janesville, WI 53545  
(608) 757-5530  
Fax: (608) 757-5511

**MEMORANDUM**

**TO:** County Board Staff Committee  
**FROM:** Jeffrey S. Kuglitsch, Corporation Counsel  
**DATE:** September 14, 2016  
**RE:** Notice of Claim

---

**CLAIMANT:** RJ Mohrland Trucking and  
Great West Casualty Company

**DATE OF INCIDENT:** July 27, 2016

**DATE OF NOTICE OF CLAIM:** September 6, 2016

**AMOUNT CLAIMED:** \$15,002.87

**NATURE OF CLAIM:** RJ Mohrland Trucking's vehicle sustained damage when it traveled on Hwy 14 during the seal coating project. Rock County was acting under contract with the Wisconsin Department of Transportation. Signage was in place 10 days prior to and warning signs were placed the day of the work being done.

**RECOMMENDATION:** Denial.