



**ROCK COUNTY BOARD OF SUPERVISORS' MEETING
THURSDAY, JUNE 26, 2014 – 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
5. APPROVAL OF MINUTES June 12, 2014
6. PUBLIC HEARING
7. CITIZEN PARTICIPATION, COMMUNICATIONS AND ANNOUNCEMENTS
8. NOMINATIONS, APPOINTMENTS AND CONFIRMATION
 - A. Appointment to the Aging & Disability Resources Center (ADRC) Advisory Committee
 - B. Appointments to the Behavioral Health Redesign Steering Committee
 - C. Appointment to the Emergency Medical Services Advisory Council
9. INTRODUCTION OF NEW RESOLUTIONS OR ORDINANCES BY SUPERVISORS FOR REFERRAL TO APPROPRIATE COMMITTEE
10. REPORTS
 - A. Presentation on I-39/I-90 Project - WisDOT
11. UNFINISHED BUSINESS
12. NEW BUSINESS
 - A. Supplementary Appropriations and Budget Changes - Roll Call
 1. Amending the Council on Aging State Health Insurance Program Budget
 2. Amending the 2014 Council on Aging Budget to Adjust Title III Allocations
 3. Carryover of Funds for 1834-1934 Scanning & Imaging Real Estate Records Project
 4. Amending the 2014 Human Services Department Budget to Accept Wisconsin Arts Board Grant Funding
 - B. Bills Over \$10,000 – No Roll Call
 - C. Encumbrances Over \$10,000 – Roll Call

ROCK COUNTY BOARD OF SUPERVISORS

June 26, 2014

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12. NEW BUSINESS

D. Contracts – Roll Call

1. Awarding Bids for Edgerton Microwave Link and 180' Communications Tower
2. Authorizing Housing Services Contract with Wisconsin Partnership for Housing Development

NOTE: Item 12.D.2. will be considered by the Planning & Development Committee on June 26, 2014

E. Amending Various Sections of the Rock County Animal Waste Management Ordinance (Chapter 4, Part 9) (Second Reading and Adoption)

13. ADJOURNMENT

**APPOINTMENT TO AGING & DISABILITY RESOURCES CENTER (ADRC)
ADVISORY COMMITTEE**

POSITION: Member of the ADRC Advisory Committee

AUTHORITY: County Board Resolution #13-8A-388

TERM: Term ending April 30, 2017

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

PRESENT MEMBERS: Vacant

CONFIRMATION: Yes, by County Board of Supervisors

NEW APPOINTMENT: Teena Gerber
1820 S. Old Hwy 11
Janesville, WI 53548

DATE: June 26, 2014

**APPOINTMENTS TO THE BEHAVIORAL HEALTH REDESIGN STEERING
COMMITTEE**

POSITION: Members of the Behavioral Health Redesign Steering Committee

AUTHORITY: County Board Resolution 12-3A-608

TERM: Unexpired Term Ending April 30, 2017
Term Ending April 30, 2016 (DeForest)

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

PRESENT MEMBERS: Justin Marko
Vacant (Alternate for Cindy Zaharias)

CONFIRMATION: Yes, by County Board of Supervisors

APPOINTMENTS: **Term Ending 4/30/17**
Valerie Bucane
Harper's Place
Rock Valley Comm. Programs
203 W. Sunny Lane Rd.
Janesville, WI 53546

Alternate – Term Ending 4/30/16
Sheila DeForest (Alternate for Cindy Zaharias)
748 Harrison Ave.
Beloit, WI 53511

EFFECTIVE DATE: June 26, 2014

APPOINTMENT TO EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL

POSITION: Member of the Emergency Medical Services Advisory Council

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

TERM: Unexpired Terms Expiring September 30, 2015

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

PRESENT MEMBER: Michael J. Kellum, M.D.

CONFIRMATION: Yes, by County Board of Supervisors

NEW APPOINTMENTS: Dr. James McNeil
Medical Director of Mercy Health System
Mercy Hospital
1000 Mineral Point
Janesville, WI 53548

EFFECTIVE DATE: June 26, 2014

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

Education, Veterans & Aging
Services Committee
INITIATED BY



Joyce Lubben
DRAFTED BY

Education, Veterans & Aging
Services Committee
SUBMITTED BY

May 28, 2014
DATE DRAFTED

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**AMENDING THE COUNCIL ON AGING
STATE HEALTH INSURANCE PROGRAM BUDGET**

WHEREAS, the Council on Aging receives State Health Insurance Program (SHIP) funds to support the Elder Benefit Specialist Program; and,

WHEREAS, funding levels are estimated in the budget preparation process; and,

WHEREAS, the adjusted 2014 SHIP allocations have been received from the Greater Wisconsin Agency on Aging Resources.

NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors duly assembled this _____ day of _____, 2014 does amend the Council on Aging budget as follows.

<u>Account/Description</u>	<u>Budget at 1/1/2014</u>	<u>Increase (Decrease)</u>	<u>Amended Budget</u>
State Health Insurance Program			
Source of Funds			
30-3974-0000-42100 Federal Aid	5,000	1,000	6,000
Use of Funds			
30-3974-0000-62626 Benefit Specialist	5,000	1,000	6,000

14-6B-059

Respectfully submitted,

Education, Veterans & Aging Services Committee

Finance Committee Endorsement

Rick Richard
Rick Richard, Chair

Reviewed and approved on a vote of
3-0

Jeremy Zajac
Jeremy Zajac, Vice Chair

Mary Mawhinney
Mary Mawhinney, Chair

Edwin Nash
Edwin Nash

Norvain Pleasant
Norvain Pleasant

Kathy Schilz
Kathy Schilz

Amending the Council on Aging State Health Insurance Program Budget

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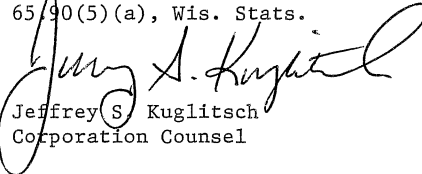
FISCAL NOTE:

This resolution authorizes the acceptance and expenditure of \$1,000 in Federal Aid for the State Health Insurance Program. No County matching funds are required.


Sherry Oja
Finance Director


LEGAL NOTE:

As an amendment to the adopted 2014 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.


Craig Knutson
County Administrator

Executive Summary

The Rock County Council on Aging receives funding through the State Health Insurance Program to support the cost of the Elder Benefit Specialist program. The purpose of the Elder Benefit Specialist program is to offer information, advice and assistance to older individuals related to individual eligibility for, and problems with, public benefits and services and to health care financing, insurance, housing and other financial and consumer concerns.

No county tax levy is required.

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

Education, Veterans & Aging
Services
INITIATED BY



Joyce Lubben
DRAFTED BY

Education, Veterans & Aging
Services
SUBMITTED BY

June 13, 2014
DATE DRAFTED

**AMENDING THE 2014 COUNCIL ON AGING BUDGET TO ADJUST TITLE III
ALLOCATIONS**

- 1 **WHEREAS**, The Council on Aging receives Older Americans Act Title III funds that are estimated in
2 the budget preparation process; and,
3
4 **WHEREAS**, the most recent 2014 Title III allocations have been received from the Greater Wisconsin
5 Agency on Aging Resources.
6
7 **NOW, THEREFORE, BE IT RESOLVED** by the Rock County Board of Supervisors duly assembled
8 this day of _____ day of _____, 2014 does hereby amend the Adopted 2014 Rock County
9 Council on Aging budget as follows:

<u>Account/Description</u>	<u>Budget at 06/01/2014</u>	<u>Increase (Decrease)</u>	<u>Amended Budget</u>
<u>Title III-B (Supportive Services)</u>			
<u>Source of Funds</u>			
30-3901-0000-42100 Federal Aid	120,258	5,418	125,676
<u>Use of Funds</u>			
30-3901-0000-64203 Educational Materials	5,066	5,418	10,484
<u>Title III-C-1 (Congregate Meals)</u>			
<u>Source of Funds</u>			
30-3903-0000-42100 Federal Aid	263,253	1,882	265,135
30-3903-0000-42102 NSIP	36,131	(224)	35,907
<u>Use of Funds</u>			
30-3903-0000-64124 Consumable Supplies	6,000	1,658	7,658
<u>Title III-C-2 (Home Delivered Meals)</u>			
<u>Source of Funds</u>			
30-3904-0000-42100 Federal Aid	89,314	8,922	98,236
30-3904-0000-46900 Refund of Prior Year Expense	0	7,412	7,412
<u>Use of Funds</u>			
30-3904-0000-62105 Contracted Food Services	84,280	16,334	100,614

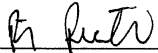
14-6B-060

40	<u>Title III-D (Preventive Health)</u>			
41	<u>Source of Funds</u>			
42	30-3908-0000-42100	7,845	832	8,677
43	Federal Aid			
44	<u>Use of Funds</u>			
45	30-3908-0000-62625	8,045	832	8,877
46	Outreach			
47				
48	<u>Title III-E (National Family Caregiver Support Program)</u>			
49	<u>Source of Funds</u>			
50	30-3915-0000-42100	56,483	9,260	65,743
51	Federal Aid			
52	<u>Use of Funds</u>			
53	30-3915-0000-64615	14,950	9,260	24,210
54	Client Related Costs			

Respectfully submitted,

Education, Veterans & Aging Services Committee

Finance Committee Endorsement

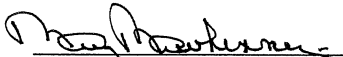


Rick Richard, Chair

Reviewed and approved on a vote of 3-0



Jeremy Zajac, Vice Chair




Mary Mawhinney, Chair



Edwin Nash



Norvain Pleasant



Kathy Schulz

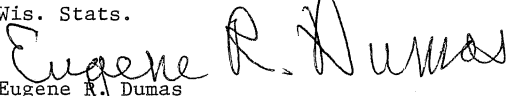
FISCAL NOTE:

This resolution amends the Council on Aging's 2014 budget to match actual awards. No County matching funds are required.


Sherry Oja
Finance Director


LEGAL NOTE:

As an amendment to the adopted 2014 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.


Eugene R. Dumas
Deputy Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.


Craig Knutson
County Administrator

Executive Summary

The Council on Aging budget is funded primarily with federal Older Americans Act and state revenues. During the budget preparation process, the amount of funding is estimated. Actual amounts are not available until the contract is received from the Greater Wisconsin Agency on Aging Resources, the area agency on aging.

This budget amendment provides increases for Titles III-B (Supportive Services), III-C-1 (Congregate Meals), III-C-2 (Home Delivered Meals), III-D (Preventive Health) and III-E (Family Caregiver Support Program). These increases are due to funding formula adjustments.

No county funds are required.

RESOLUTION

ROCK COUNTY BOARD OF SUPERVISORS

Land Information Officer
INITIATED BY



Michelle Schultz, Land Information Officer
DRAFTED BY

Finance Committee
SUBMITTED BY

June 10, 2014
DATE DRAFTED

Carryover of funds for 1834-1934 Scanning & Imaging Real Estate Records Project

1 WHEREAS, the Rock County Board authorized the project contract be awarded to Fidlar
2 Technologies in resolution 13-9B-409; and,
3

4 WHEREAS, the 1834-1934 Scanning & Imaging Real Estate Records Project began in 2013 and
5 will not be completed until December 2014; and,
6

7 WHEREAS, the unused funds budgeted in 2013 will need to be carried over to 2014 to complete
8 the project.
9

10 NOW, THEREFORE, BE IT RESOLVED, by the Rock County Board of Supervisors duly
11 assembled this _____ day of _____, 2014 that the 2014 Land Records Budget be amended
12 as follows:
13

14 Account No.	Budget at	Increase	Amended
15 Description	6/10/14	(Decrease)	Budget
16 Source of Funds:			
17 10-1721-0000-46400			
18 Funds Forwarded From Prior Year	0	64,000	64,000
19			
20 Use of Funds:			
21 10-1721-0000-62119			
22 Other Contracted Services	113,928	64,000	177,928

Respectfully submitted,

FINANCE COMMITTEE

Mary Mawhinney
Mary Mawhinney, Chair

Sandra Kraft
Sandra Kraft, Vice-Chair

Absent
Mary Beaver

Absent
Brent Fox

J. Russell Podzilni
J. Russell Podzilni

14-6B-061

Carryover of funds for 1834-1934 Scanning & Imaging Real Estate Records Project
Page 2

FISCAL NOTE:

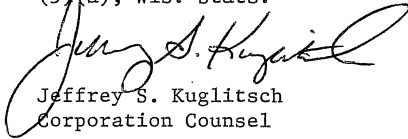
Funds for this project were included in the 2013 budget. This project began in 2013 and will be completed in 2014. This resolution carries over \$64,000 of unused budget authority from 2013 to 2014.



Sherry Oja
Finance Director

LEGAL NOTE:

As an amendment to the adopted 2014 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.



Craig Knutson
County Administrator

Executive Summary

Carryover of funds for 1834-1934 Scanning & Imaging Real Estate Records Project

The filing or recording of various legal documents with the register of deeds is a way of putting the world on notice that something important has happened or will happen. The time of the transaction is often an important element in rights and relationships. The register of deeds records the time when, in effect, the public record is established. Providing constructive notice regarding real estate allows the act of searching the records and the determination of clear title. This is necessary for the issuance of most home mortgages, business loans, and the sale of real estate. We are responsible for the safe keeping of these records.

Many of the pre-1935 real estate records are slowly deteriorating. By state statute we must keep copies of these records forever. There are no other available copies of these documents. In order to preserve these records, 302 books with approximately 190,000 images will need to be scanned, indexed, and imported into our land records system.

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

Human Services Board
INITIATED BY



Sara Mooren
DRAFTED BY

Human Services Board
SUBMITTED BY

June 4, 2014
DATE DRAFTED

**Amending the 2014 Human Services Department Budget
To Accept Wisconsin Arts Board Grant Funding**

1 **WHEREAS**, the Wisconsin Arts Board has awarded the Department \$3,990 in funding through their
2 Creative Communities grant program which encourages arts education and community arts development
3 in Wisconsin; and,
4

5 **WHEREAS**, these awarded funds will be used to support development and expansion of the art program
6 at the Youth Services Center focusing on youth photography; and,
7

8 **WHEREAS**, funds will be used to purchase cameras, computers, software, a printer and supplies as
9 youth will learn how to take photos, edit them on the computer, print and learn how to mat and frame the
10 artwork; and,
11

12 **WHEREAS**, the end result of this work will be a youth art exhibition held at the Beloit Fine Arts
13 Incubator; and,
14

15 **WHEREAS**, there is a 50% match requirement for this grant that will be met with current YSC budgeted
16 funds.
17

18 **NOW, THEREFORE, BE IT RESOLVED** by the Rock County Board of Supervisors duly assembled
19 this _____ day of _____, 2014, does hereby authorize the acceptance Wisconsin Arts
20 Board funding.
21

22 **BE IT FURTHER RESOLVED**, that the Human Services Department budget for 2014 be amended
23 as follows:
24

25	Budget	Increase	Amended
26	<u>6/1/14</u>	<u>(Decrease)</u>	<u>Budget</u>
27 <u>Source of Funds</u>			
28 36-3664-0000-46002	\$0	\$3,990	\$3,990
29 Other Grants and Contracts			
30			
31 <u>Use of Funds</u>			
32 36-3664-0000-63400	\$40,820	\$1,260	\$42,080
33 Operating Supplies			
34			
35 36-3664-0000-67130	\$0	\$2,730	\$2,730
36 Terminals and PCs			

14-6B-062

Amending the 2014 Human Services Department Budget To Accept Wisconsin Art Board Funding

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Respectfully submitted,

Human Services Board

Brian Knudson
Brian Knudson, Chair

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

Terry Fell
Terry Fell

Linda A. Garrett
Linda Garrett

Billy Bob Grahn
Billy Bob Grahn

Ashley Kleven
Ashley Kleven

Kathy Schatz
Kathy Schatz

Terry Thomas
Terry Thomas

Shirley Williams
Shirley Williams

FINANCE COMMITTEE ENDORSEMENT

Reviewed and approved on a vote of
3-0.

Mary Mawhinney
Mary Mawhinney, Chair

FISCAL NOTE:

This resolution authorizes the acceptance and expenditure of \$3,990 from the Wisconsin Arts Board. The required match is available from currently budgeted Youth Services Center funds.

Sherry Oja
Sherry Oja
Finance Director

LEGAL NOTE:

The County Board is authorized to accept grant funds pursuant to sec. 59.52(19), Wis. Stats. As an amendment to the adopted 2014 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
Jeffrey S. Kuglitsch
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.

Randolph D. Terronez
Randolph D. Terronez
Acting County Administrator

Executive Summary

Amending the 2014 Human Services Department Budget To Accept Wisconsin Arts Board Grant Funding

The Wisconsin Arts Board has awarded the Department \$3,990 in funding through their Creative Communities grant program which encourages arts education and community arts development in Wisconsin. These awarded funds will be used to support development and expansion of the art program at the Youth Services Center focusing on youth photography.

Funds will be used to purchase cameras, computers, software, a printer and supplies as youth will learn how to take photos, edit them on the computer, print and learn how to mat and frame the artwork. The end result of this work will be a youth art exhibition held at the Beloit Fine Arts Incubator. The exhibition will be promoted and advertised throughout the community and to friends and families of the youth.

There is a 50% match requirement for this grant that will be met with current budgeted YSC funds.

APPROVAL OF BILLS OVER \$10,000.00

Rock County

06/16/2014

RESOLUTION NO. 14-6B-063 AGENDA NO. 12.B.

INITIATED: FINANCE DIRECTOR

WHEREAS, THE FINANCE COMMITTEE HAS EXAMINED THE FOLLOWING BILLS OVER \$10,000 AS REQUIRED BY COUNTY BD. RULE H. (3). AND FOUND THEM TO BE PROPER AND WITHIN BUDGET.


NOW THEREFORE BE IT RESOLVED, THE ROCK COUNTY BOARD OF SUPERVISORS AT ITS REGULAR MEETING ON JUN 26 2014, APPROVES PAYMENT AND AUTHORIZES AND DIRECTS THE COUNTY CLERK AND COUNTY TREASURER TO PAY THE SAME.

<u>PO Number</u>	<u>Department Name</u>	<u>Program Name</u>	<u>Vendor Name</u>	<u>Claim Amount</u>
P1400898	DPW	COST POOLS BLDG	VAN BROCKLIN ELECTRIC LLC	18,300.00

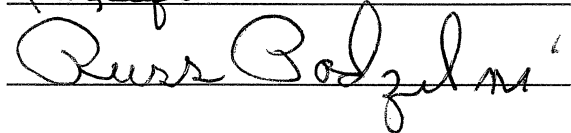
CLAIMS IN THE AMOUNT OF **\$18,300.00** HAVE BEEN APPROVED AND CHECKED BY THE GOVERNING COMMITTEES.

RESPECTFULLY SUBMITTED,

FINANCE COMMITTEE

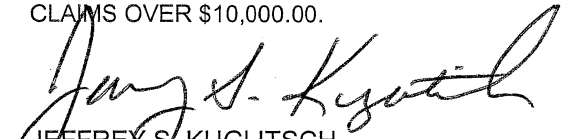






LEGAL NOTE:

THE COUNTY BOARD RULE CITED REQUIRES THE COUNTY BOARD TO EXAMINE AND SETTLE ALL CLAIMS OVER \$10,000.00.


JEFFREY S. KUGLITSCH,
CORPORATION COUNSEL

FISCAL NOTE:

ABOVE LISTED CLAIMS ARE FULLY FUNDED.


SHERRY OJA,
FINANCE DIRECTOR

ADMINISTRATIVE NOTE:

RECOMMENDED


CRAIG KNUTSON,
COUNTY ADMINISTRATOR

14-6B-063

APPROVAL OF ENCUMBRANCES OVER \$10,000.00

Rock County

06/17/2014

RESOLUTION NO. 14-6B-064 AGENDA NO. 12.C.(1)

INITIATED: FINANCE DIRECTOR

WHEREAS, THE FINANCE COMMITTEE HAS EXAMINED THE FOLLOWING ENCUMBRANCES OVER \$10,000 AS REQUIRED BY COUNTY BD. RULE H.(3). AND FOUND THEM TO BE PROPER AND WITHIN BUDGET.


NOW THEREFORE BE IT RESOLVED, THE ROCK COUNTY BOARD OF SUPERVISORS AT ITS REGULAR MEETING ON JUN 26 2014, APPROVES PAYMENT AND AUTHORIZES AND DIRECTS THE COUNTY CLERK AND COUNTY TREASURER TO PAY THE SAME, UPON ACCEPTANCE BY THE DEPARTMENT HEAD.

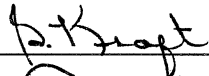
PR number	Department Name	Program Name	Vendor Name	Claim Amount
R1402453	911 COMM.	911 OPERATIONS	DANIELS CONSTRUCTION CO INC	189,999.00

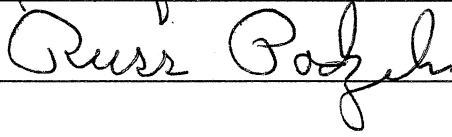
CLAIMS IN THE AMOUNT OF \$189,999.00 HAVE BEEN APPROVED AND CHECKED BY THE GOVERNING COMMITTEES.

RESPECTFULLY SUBMITTED,

FINANCE COMMITTEE



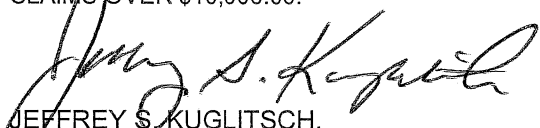




14-6B-064

LEGAL NOTE:

THE COUNTY BOARD RULE CITED REQUIRES THE COUNTY BOARD TO EXAMINE AND SETTLE ALL CLAIMS OVER \$10,000.00.


 JEFFREY S. KUGLITSCH,
 CORPORATION COUNSEL


FISCAL NOTE:

ABOVE LISTED CLAIMS ARE FULLY FUNDED.


 SHERRY OJA,
 FINANCE DIRECTOR

ADMINISTRATIVE NOTE:

RECOMMENDED


 CRAIG KNUTSON,
 COUNTY ADMINISTRATOR

PURCHASE ORDER NUMBER P1400885PEID 052966**PRE-APPROVED ENCUMBRANCE AMENDMENT FORM**

This form must be used when adding funds to or changing an account number of a previously approved encumbrance. Please complete this form and e-mail to Susan Balog in Accounting (balog@co.rock.wi.us), Cheryl Mikrut in Accounting (mikrut@co.rock.wi.us) **and** Jodi Millis in Purchasing (jodi@co.rock.wi.us). Susan or Cheryl will forward on to your governing committee for approval. The Encumbrance and Purchase Order will be updated upon approval of all necessary committees and County Board (if amendment is over \$10,000).

DATE May 29, 2014DEPARTMENT Human ServicesCOMMITTEE Human ServicesVENDOR NAME Dr. David Winslow PierceACCOUNT NUMBER 36-3690-0000-62170FUNDS DESCRIPTION Physician ServicesAMOUNT OF INCREASE \$ 33,000INCREASE FROM \$ 40,000 TO \$ 73,000ACCOUNT BALANCE AVAILABLE \$ 65,987.99 SB 05/29/14REASON FOR AMENDMENT Extended contract for psychiatric evaluation, treatment and consultation.**APPROVALS**GOVERNING COMMITTEE Brian Knudson 6-11-14
Chair DateFINANCE COMMITTEE Ray Neustrom 6-19-14
(If over \$10,000) Chair DateCOUNTY BOARD _____
(If over \$10,000) Resolution # Adoption Date

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

Public Safety and Justice
INITIATED BY



Kathren Sukus, Director
DRAFTED BY

Public Safety and Justice
SUBMITTED BY

June 4, 2014
DATE DRAFTED

**AWARDING BIDS FOR
EDGERTON MICROWAVE LINK AND 180' COMMUNICATIONS TOWER**

- 1 **WHEREAS**, the Rock County Communications Center is responsible for the operation of the public
- 2 safety radio infrastructure within Rock County; and,
- 3
- 4 **WHEREAS**, the Communications Center, through its public safety work groups, has identified radio
- 5 coverage limitations within Edgerton and north-central Rock County; and,
- 6
- 7 **WHEREAS**, the FCC mandated narrow-banding of public safety frequencies, as well as the conversion
- 8 to a conventional digital radio system in 2012, exacerbated these coverage limitations; and,
- 9
- 10 **WHEREAS**, coverage path studies have confirmed that a 180' tower in Edgerton, along with a future
- 11 digital simulcast radio systems, would significantly improve these coverage limitations within Edgerton
- 12 and the north-central area of Rock County; and,
- 13
- 14 **WHEREAS**, the County purchased one acre of land at Artisan Dr/Tower Dr in Edgerton for the new
- 15 tower site; and,
- 16
- 17 **WHEREAS**, the new tower will require a microwave system linked to the (4601 W) County A tower site
- 18 as part of the project; and,
- 19
- 20 **WHEREAS**, the Rock County Purchasing Division did advertise and solicit two separate bids for the
- 21 microwave link and the communications tower; and,
- 22
- 23 **WHEREAS**, General Communications of Madison, Wisconsin is the lowest bidder for the microwave
- 24 link; and,
- 25
- 26 **WHEREAS**, Daniels Construction Co., Inc. of Madison, Wisconsin is the lowest bidder for the
- 27 communications tower; and,
- 28
- 29 **WHEREAS**, the funding necessary for the microwave link and communications tower has been budgeted
- 30 and is available.
- 31
- 32 **NOW, THEREFORE, BE IT RESOLVED** by the Rock County Board of Supervisors duly assembled
- 33 this _____ day of _____, 2014 that the bid for the microwave link be awarded to General
- 34 Communications of Madison, Wisconsin in the amount of \$24,734.83 and the bid for the
- 35 communications tower be awarded to Daniels Construction Co., Inc. of Madison, Wisconsin in the
- 36 amount of \$189,999.00 with the County Board Chair herein authorized to execute the purchase
- 37 agreement.

14-6B-065

AWARDING BIDS FOR EDGERTON MICROWAVE LINK AND 180' COMMUNICATIONS TOWER

Page 2

Respectfully submitted,

Public Safety and Justice Committee

Absent
Mary Beaver, Chair

Hank Brill
Hank Brill, Vice Chair

Terry Fell
Terry Fell

Brian Knudson
Brian Knudson

Larry Wiedenfeld
Larry Wiedenfeld

FISCAL NOTE:

Funding is available in the Communications Center's Capital Asset account, A/C 23-2400-0000-67161, for the cost of this project. This project is funded by sales tax revenue.

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.

Jeffrey S. Kuglitsch
Jeffrey S. Kuglitsch
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.

Craig Knutson
Craig Knutson
County Administrator

EXECUTIVE SUMMARY

In mid-2012 the Communications Center narrow-banded all public safety voice radio frequencies in order to meet the FCC requirement for January 1, 2013. At the same time the conventional analog radio system was upgraded to a P25 digital system with the intention of gaining back some of the radio coverage lost by the narrow-banding. After months of testing the new digital radio system, user agencies confirmed that there were definite coverage issues in the City of Edgerton and north-central part of Rock County.

The current 80' tower for that area is located at the Edgerton Fire Department, but it not tall enough to resolve the coverage issues. The site also does not allow enough ground area to expand to a 180' tower. After researching several locations and contacting several cellular tower sites, the County purchased land within the City of Edgerton (Artisan Dr/Tower Dr) to erect a new tower.

This location will improve both in-city and rural areas surrounding Edgerton. This tower will have enough height and space to improve coverage for both Rock Fire Repeater and County Law Main frequencies. There is also space available for additional public safety frequencies to be added in the future. In addition, two locations on the tower are being reserved for private cellular providers to rent from the County.

Two separate Invitations to Bid were initiated for the microwave link and the communications tower:

- The microwave link received (4) bids, with General Communications of Madison, Wisconsin being the lowest bidder at \$24,734.83.
- The communications tower project received (3) bids, with Daniels Construction, Co. of Madison, Wisconsin being the lowest bidder at \$189,999.00.

This project was budgeted and approved in the Communications Center's 2014 budget for \$330,000. The total cost (with land, building, soil tests/consulting) is approximately \$354,000. The reason for the overage is the increased durability of the tower (for cellular equipment), soil tests/consulting, and paved driveway, that were not part of the original quote. The Communications Center does have funds to cover the overage from another project that was under budget.



BID SUMMARY FORM

PROJECT NUMBER: 2014-40
 PROJECT NAME: MICROWAVE LINK
 BID DUE DATE: MAY 27, 2014 - 1:30 P.M.
 DEPARTMENT: 911 COMMUNICATIONS CENTER

	GENERAL COMMUNICATIONS MADISON WI	COMM CONNECT CEDARBURG WI	XTIVITY SOLUTIONS ELMHURST IL	YANKEE MICROWAVE HARRISON ME
FIRM BID	\$ 24,734.83	\$ 30,466.00	\$ 34,382.00	\$ 34,481.00
ADDENDA RECEIVED	YES	YES	YES	NO
START DATE	8/1/14	OCTOBER 2014	10/1/14	7/15/14
FINISH DATE	10/31/14	NOVEMBER 2014	10/14/14	8/30/14

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: General Communications

SIGNATURE: Kathleen Shuker 5/27/14 DATE

GOVERNING COMMITTEE APPROVAL: Henry Bill 4-0 VOTE
 CHAIR DATE 6/16/14

ROCK COUNTY, WISCONSIN
FINANCE DIRECTOR

PURCHASING DIVISION



BID SUMMARY FORM

PROJECT NUMBER: 2014-37
 PROJECT NAME: EDGERTON COMMUNICATIONS TOWER
 BID DUE DATE: MAY 28, 2014 - 1:30 P.M.
 DEPARTMENT: 911 COMMUNICATIONS CENTER

	JOE DANIELS CONSTRUCTION MADISON WI	GENERAL COMMUNICATIONS MADISON WI	SABRE COMMUNICATIONS SOIUX CITY IA
FIRM BID	\$ 189,999.00	\$ 203,362.97	\$ 242,933.00
ADDENDA RECEIVED	YES	YES	YES
BID BOND RECEIVED	YES	YES	YES
START DATE	7/1/14	7/1/14	6/9/14
FINISH DATE	9/15/14	10/1/14	9/19/14

Invitation to Bid was advertised in the Janesville Gazette and on the Internet. Twenty additional vendors were solicited that did not respond. One vendor responded with a "No Bid".

PREPARED BY: JODI MILLIS, PURCHASING MANAGER

DEPARTMENT HEAD RECOMMENDATION: Joe Daniels Construction

SIGNATURE: Kathleen Jankowicz DATE: 6/4/14

GOVERNING COMMITTEE APPROVAL: Henry Brill VOTE: 4-0 DATE: 6/16/14
 CHAIR

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

Planning & Development Committee
INITIATED BY

Colin Byrnes; Acting Planning &
Development Director
DRAFTED BY

Planning & Development Committee
SUBMITTED BY



June 18, 2014
DATE DRAFTED

**AUTHORIZING HOUSING SERVICES CONTRACT WITH WISCONSIN PARTNERSHIP
FOR HOUSING DEVELOPMENT**

- 1 **WHEREAS**, the Housing Division of the Planning and Development Department has undergone significant
- 2 attention in recent years including grant management findings and increased tax levy; and
- 3
- 4 **WHEREAS**, Rock County requested proposals from outside service providers for the provision of housing
- 5 services currently performed by in-house staff and the request was distributed to 16 prospective vendors with
- 6 one proposal received; and,
- 7
- 8 **WHEREAS**, the Wisconsin Partnership for Housing Development is qualified to perform the service
- 9 requested in the County's request for proposal.
- 10
- 11 **NOW, THEREFORE, BE IT RESOLVED**, that the Rock County Board of Supervisors duly assembled this
- 12 _____ day of _____, 2014, hereby authorizes the Housing Services contract to the Wisconsin
- 13 Partnership for Housing Development of Madison in the annual amount of \$105,169 for administrative
- 14 services and \$15,000 for staff mileage reimbursement covering a one-year term with the option to renew for
- 15 two additional one-year periods, not to exceed a total of three years.

Respectfully Submitted,

PLANNING & DEVELOPMENT COMMITTEE

FISCAL NOTE:

Alan Sweeney, Chair

Sufficient funds are available in the Planning and Development Department's budget for the 2014 portion of this contract. Transfers between line items may be necessary.

Mary Mawhinney, Vice Chair

Wayne Gustina

Sherry Oja
Finance Director

Jason Heidenreich

Wes Davis

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

ADMINISTRATIVE NOTE:

Recommended.

Craig Knutson
County Administrator

Jeffrey S. Kuglitsch
Corporation Counsel

14-6B-066

**AUTHORIZING HOUSING SERVICES CONTRACT WITH WISCONSIN PARTNERSHIP
FOR HOUSING DEVELOPMENT**

EXECUTIVE SUMMARY

This proposal would contract out the Housing Division of the Planning & Development Department based upon the following major issues:

- A. Rock County's Housing Division has been under increasing scrutiny for non-compliance with a variety federal and/or state agency regulations.

A summer 2013 report issued by the Wisconsin Department of Administration Division of Housing identified several areas of non-compliance. The State's report resulted in a suspension of funds until the County adequately addressed these findings.

Additional findings have been cited in several other housing grant programs (Community Development Block Grant (CDBG)-Small Cities – City of Edgerton, HOME, etc.)

The County's inability to assume grant administration responsibilities resulted in the County contracting with the City of Janesville to administer the recently awarded \$2.5 million three-year U.S. Department of Housing & Urban Development (HUD) Lead Hazard Control grant in 2013.

- B. The County's dependency on tax levy has been an on-going concern. In the last several years, the housing program has gone from minimal tax levy to more significant tax levy (e.g., \$103,080 in 2013 and budgeted \$84,609 for 2014.

Recent State efforts at regionalizing housing funds will have an additional burden on the tax levy and highlight the need to review the delivery of housing services.

As part of the County's response to the State's findings, the County indicated it would consider contracting out the housing program in lieu of in-house staff. The County developed a request for proposal for housing services and distributed it to 16 potential providers. The County received one proposal from the Wisconsin Partnership for Housing Development (WPHD). An interview panel consisting of County, City of Janesville and State Housing individuals reviewed the prospective provider's proposal and conducted a face-to-face interview. The Madison-based, non-profit agency provides similar housing services to a four-county consortium based out of Waukesha County and supplies housing services to Waukesha County as well. The services provided to the Waukesha County consortium are such that tax levy has been used only once since 2007. Additionally, the City of Janesville utilizes the firm for various housing activities. WPHD will provide on-site staff at least one day per week and the necessary staff to undertake Rock County's housing needs.

The 2014 County budget included the following staffing complement:

1. Senior Planner (Community Development Housing Program Manager (1.0 FTE)
2. Housing Specialist (0.625 FTE)
3. Planning Clerical Worker (0.40 FTE)

The two part-time positions have not been filled pending outcome of the request for proposal process. The Senior Planner would be phased out over a several week overlap period.

The proposal's annual costs in year 1 are \$105,169 in staff/administrative expenses plus mileage estimated at \$15,000. The total annual costs of \$120,169 would be offset by increased revenue generation/grant reimbursement such that the County's tax levy will stay within budget and is anticipated to be significantly lower in future years. The contract term is a one-year contract with the option to renew for two additional one-year periods, not to exceed a total of three years. WPHD would officially start after the County receives formal approval from the Office of Healthy Homes Lead Hazard Control (OHHLHC) grant officer.

Funds within the Department's budget in the amount of \$6,259 would need to be transferred in order to accommodate the proposal.

ROCK COUNTY, WISCONSIN
FINANCE DIRECTOR

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



PROPOSAL SUMMARY

PROPOSAL NUMBER 2014-24
 PROPOSAL NAME HOUSING PROGRAM ADMINISTRATION
 PROPOSAL DUE DATE JANUARY 8, 2014 – 12 NOON
 DEPARTMENT PLANNING & DEVELOPMENT

	WISCONSIN PARTNERSHIP FOR HOUSING DEVELOPMENT MADISON WI
YEAR 1 COST	\$105,169.00

Request for Proposals was advertised in the Janesville Gazette and in the Internet. Fifteen additional agencies were solicited that did not respond.

PREPARED BY: JODI MILLIS, PURCHASING MANAGER

DEPARTMENT HEAD RECOMMENDATION:
WISCONSIN PARTNERSHIP FOR HOUSIN DEVELOPMENT, MADISON WI

SIGNATURE DATE

GOVERNING COMMITTEE APPROVAL:

CHAIR VOTE DATE

**ORDINANCE
ROCK COUNTY BOARD OF SUPERVISORS**

Land Conservation Comm.
INITIATED BY



Thomas Sweeney
DRAFTED BY

Land Conservation Comm.
SUBMITTED BY

May 9, 2014
DATE DRAFTED

**AMENDING VARIOUS SECTIONS OF THE ROCK COUNTY ANIMAL WASTE
MANAGEMENT ORDINANCE (CHAPTER 4, PART 9)**

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The County Board of Supervisors of the County of Rock does ordain as follows:

I. Chapter 4, Part 9, of the Rock County Ordinances shall be amended to read as follows (new language underscored, ~~deleted language crossed out~~):

Part 9 – Animal Waste Management

Subpart 1: Introduction

4.901 Authority

This Ordinance ordinance is adopted under the authority granted by ~~Sections~~ §59.02, §59.70(1), §92.07, §92.15, and §92.16, Wisconsin Statutes Wis. Stats.

4.902 Title

This Ordinance ordinance may be cited as the Rock County Animal Waste Management Ordinance and is hereinafter referred to as “the Ordinance ordinance.”

4.903 Findings and Declaration of Policy

The ~~Rock~~ County Board of Supervisors finds that unregulated storage of animal waste, and animal waste storage facilities, and animal waste transfer pipeline systems not meeting technical design and construction standards may cause pollution of the surface water and/or groundwater in Rock County; will result in actual or potential harm to the health of County residents, transients, livestock, aquatic life and other animals and plants; and may decrease the property tax base of Rock County. The County Board also finds that improper management of animal waste storage facilities, failing and leaking animal waste storage facilities and utilization of animal wastes, including but not limited to land application of animal waste, may cause pollution of the groundwater and/or surface waters of Rock County. The County Board further finds that the technical standards developed by the United States Department of Agriculture - Natural Resources Conservation Service and adopted by the ~~Rock County~~ Land Conservation Committee provide effective, practical, and environmentally safe methods of storage, transfer, and utilization of animal waste.

4.904 Purpose

The purpose of this Ordinance ordinance is to regulate the location, design, construction, installation, operation, alteration of animal waste storage facilities; the transfer systems that convey waste into and out of an animal waste storage facility; any conveyance from an animal waste storage facility to a point of application/utilization; the abandonment of an idle animal waste storage facility; the utilization of waste from an animal waste storage facility; prevent the spread of disease; to protect the waters of the state; and to promote the prosperity and general welfare of the citizens of Rock County. It is also intended to provide for the administration and enforcement of the Ordinance ordinance and to provide penalties for its violation.

14-6A-042

45 **4.905 Applicability**

46 This Ordinance ordinance applies to all unincorporated areas of the County county and to water
47 quality management areas as defined in §Section281.16(1)(g), Wisconsin Statutes Wis-Stats.,
48 and Section 4.933 of this Ordinance ordinance.
49

50 **4.906 Interpretation**

51 In their interpretation and application, the provisions of this Ordinance ordinance shall be held
52 to be minimum requirements and shall be liberally construed in favor of Rock County, and shall
53 not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes Wis-
54 Stats.
55

56 **4.907 Severability Clause**

57 If any section, provision, or portion of this Ordinance ordinance is ruled invalid by a court, with
58 competent jurisdiction, the remainder of the Ordinance ordinance shall not for that reason be
59 rendered ineffective.
60

61 **4.908 Effective Date**

62 This Ordinance ordinance shall become effective upon its adoption and publication.
63

64 **Subpart 2: Definitions**

65
66 For purposes of interpretation of this Ordinance ordinance, the following terms shall have the
67 meanings set forth, except where the context and clear intent of the Ordinance ordinance
68 require otherwise.
69

70 **4.909 Animal Waste.** Livestock/pet excreta and other materials such as bedding, rain, or other water,
71 soil, hair, feathers, milkhouse waste products, contaminated runoff, waste processing
72 derivatives, and other debris normally included in animal waste handling operations.
73

74 **4.910 Animal Waste Storage Facility.** A concrete, steel, or otherwise fabricated structure, or an
75 excavated pond or earthen impoundment used for storage of animal or other organic waste
76 which is designed to temporarily store manure, waste water, and contaminated runoff in a
77 manner which safeguards the environment.
78

79 **4.911 Applicant.** Any person who applies for a permit under this Ordinance ordinance.
80

81 **4.9101 Animal Waste Transfer Pipeline Systems.** A system that includes pipe conduits, pipe
82 appurtenances, and/or pumps that is used to convey/transfer animal waste to and/or from an
83 animal waste storage facility.
84

85 **4.912 Assignee.** Any person to whom is transferred a permit or who succeeds to the ownership or
86 control of the property/operation identified on the original application for a permit under the
87 Ordinance ordinance prior to the expiration date of the original permit. A person succeeds to
88 the control of a property/operation when he/she becomes the primary decision maker for the
89 property/operation. Changes in control or ownership may be evidenced by lease, rental or
90 sharecropping agreement, or any other form of arrangement providing for a change in
91 management or title, where the original applicant is no longer responsible for or the primary
92 decision maker for the operation.
93

94 **4.913 Extension.** The term of a permit may be extended for an additional six (6) months if more than
95 fifty percent (50%) of the total construction to be done has been completed prior to the original
96 expiration date of the permit.
97

98 **4.9131 Failing and Leaking Animal Waste Storage Facilities.** Any animal waste storage facility that
99 fails to contain any component of animal waste that it was designed or intended to contain.
100

101 **4.914 High Groundwater.** The higher of either the elevation to which the soil is saturated as
102 observed as a free water surface in a unlined hole, or the elevation to which the soil has been
103 seasonally or periodically saturated as indicated by soil color patterns throughout the soil
104 profile.
105

106 **4.915 Idle Animal Waste Storage Facility.** An animal waste storage facility that is idle for a period
 107 of two (2) consecutive years, has had no animal waste added for one calendar year, will by all
 108 evidence available not be used to store animal waste in the future, or is no longer being used for
 109 its intended purpose.
 110

111 **4.916 Land Conservation Committee.** A committee made up of members of the Rock County
 112 Board of Supervisors and others who are authorized in Chapter 92, Wisconsin Statutes Wis-
 113 Stats., to determine policy and give direction for soil and water conservation activities in Rock
 114 County. The committee shall be referred to hereinafter as "LCC".
 115

116 **4.917 Land Conservation Department.** The department of Rock County government which is
 117 responsible for county-wide soil and water conservation activities, including those within the
 118 scope of this Ordinance ordinance. The department shall be referred to hereinafter as "LCD".
 119

120 **4.918 Livestock Operation.** A feedlot or other facility or practice where animals are fed,
 121 confined, maintained or stabled.
 122

123 **4.919 Natural Resource Conservation Service.** An agency of the United States Department of
 124 Agriculture which for purposes of this Ordinance ordinance provides the LCC and LCD with
 125 technical assistance and information on the design criteria, size, shape, engineering strength and
 126 other necessary technical data for the proper and safe installation of conservation practices. The
 127 service shall be referred to hereinafter as "NRCS".
 128

129 **4.920 Nutrient Management Plan.** A document that is annually updated outlining the requirements
 130 for managing the amount, placement, form, and timing of application of all sources of plant
 131 nutrients to cropland or pastures. ~~A written plan detailing the amount, form, placement, and~~
 132 ~~timing of plant nutrients application(s).~~
 133

134 **4.9201 Pasture:** "Pasture" means land on which livestock graze or otherwise seek feed in a manner
 135 that maintains the vegetative cover over the grazing area. Pasture may include bare soil areas
 136 such as cattle lanes and supplemental feeding areas provided the bare soil areas are not
 137 significant source of pollution to the Waters of the State.
 138

139 **4.921 Permit.** A signed written statement issued by the LCD under this Ordinance ordinance
 140 authorizing the applicant or an assignee to construct, install, reconstruct, enlarge, abandon,
 141 temporarily abandon, or substantially alter an animal waste storage facility, and to use or
 142 dispose of waste from a facility regulated under this Ordinance ordinance.
 143

144 **4.922 Permittee.** Any person to whom a permit under this Ordinance ordinance is issued or
 145 transferred.
 146

147 **4.923 Person.** Any individual, corporation, partnership, joint venture, agency, unincorporated
 148 association, municipal corporation, county, or state agency within Wisconsin, the federal
 149 government insofar as it consents to jurisdiction, or any combination thereof.
 150

151 **4.924 Prohibition Standards.** As identified in ~~§Section~~ 281.16(3), Wisconsin Statutes Wis-Stats.,
 152 and Section ~~4.939~~ 30.404 of this Ordinance ordinance.
 153

154 **4.925 Technical Guide.** The most current documents provided by the Natural Resource
 155 Conservation Service which contain technical information relating to the performance standards
 156 and prohibitions referenced within this Ordinance ordinance. The Technical Guide provides
 157 information to properly locate, construct, install, alter, design, operate and maintain
 158 conservation practices as adopted by the LCC.
 159

160 **4.926 Technical Standard 313.** A section of the Technical Guide that covers the proper location,
 161 construction, installation, ~~abandon~~, alteration, design, operation, and maintenance of an animal
 162 waste storage facility. ~~This section also establishes the minimum criteria for abandonment~~
 163 ~~procedures.~~
 164

165 **4.9261 Technical Standard 360.** A section of the Technical Guide that covers the decommissioning
 166 of an animal waste storage facility or any component thereof, and/or the rehabilitation of

- 167 contaminated soil, in an environmentally safe manner, where agricultural waste has been
 168 handled, treated, and/or stored and is no longer used for the intended purpose.
 169
- 170 **4.9262 Technical Standard 430.** A section of the Technical Guide that covers the installation of pipe
 171 conduits, pipe appurtenances, such as pumps, check valves, vents, air release valves, surge
 172 tanks, air chambers, and other structures for the transfer of animal waste from a storage facility
 173 to its field application point(s).
 174
- 175 **4.9263 Technical Standard 533.** A section of the Technical Guide that covers the installation of
 176 pumping stations designed to deliver a waste product at a designed pressure and flow rate
 177 through a combination of pumps, associated power units, plumbing, and appurtenances. This
 178 may include on-site fuel or energy sources, and protective covers.
 179
- 180 **4.927 Technical Standard 590.** A section of the Technical Guide that covers managing the amount,
 181 form, placement, and timing of plant nutrients and establishes the minimum acceptable
 182 requirements for the application of plants nutrients associated with organic wastes (animal
 183 waste and/or organic byproducts), commercial fertilizer, legume crops, and crop residues.
 184
- 185 **4.928 Technical Standard 634.** A section of the Technical Guide that covers installation of
 186 components such as conduits, pumps, valves, other structures or devices to transfer animal
 187 waste to and from an animal waste storage facility.
 188
- 189 **4.929 Temporary Animal Waste Storage Facility Abandonment.** An animal waste storage facility
 190 that has been idle for a period of one calendar year, has had no animal waste added for one
 191 calendar year, or is no longer being used for its intended purpose. The owner of the system
 192 plans to bring the system back into service within one calendar year from notification.
 193
- 194 **4.930 Unconfined Animal Waste Stack.** A quantity of animal waste that is at least 175 cubic feet in
 195 volume and which covers the ground surface to a depth of at least two inches and that is not
 196 confined within an animal waste storage facility, livestock housing facility, or barnyard runoff
 197 control facility.
 198
- 199 **4.931 Water Pollution.** Contaminating or rendering unclean or impure the ground or surface waters
 200 of the state; or making the same injurious to public health, harmful for commercial or
 201 recreational use, or deleterious to fish, bird, animal or plant life.
 202
- 203 **4.932 Waters of the State.** Notwithstanding ~~§Section~~ 281.01(18), Wisconsin Statutes ~~Wis-Stats,~~
 204 “waters of the state” has the meaning given in ~~§Section~~ 283.01(20), Wisconsin Statutes ~~Wis-~~
 205 ~~Stats.~~
 206
- 207 **4.933 Water Quality Management Area.** As defined in ~~§Section~~ 281.16(1)(g), Wisconsin Statutes
 208 ~~Wis-Stats,~~ a water quality management area is defined as any of the following:
 209 1. The area within one thousand (1,000) feet from the ordinary high water mark of navigable
 210 waters that consist of a lake, pond, flowage, except that, for a navigable water that is a
 211 glacial pot hole lake, “water quality management area” means the area within one thousand
 212 (1,000) feet from the ordinary high water mark of a lake.
 213 2. The area within three hundred (300) feet from the ordinary high water mark of a navigable
 214 water that consist of a river or stream.
 215 3. A site that is susceptible to groundwater contamination or that has the potential to be a direct
 216 conduit for contamination to reach groundwater.
 217
- 218 **Subpart 3: Activities Subject to Regulation**
 219
- 220 **4.934 General Requirement**
 221 Any person who: constructs or installs a new animal waste storage facility, or; reconstructs,
 222 enlarges or alters an existing animal waste storage facility, or; abandons or temporarily
 223 abandons an idle animal waste storage facility, or installs an animal waste transfer pipeline
 224 system for conveyance of waste product stored in an animal waste storage facility, or; employs
 225 another person to do the same, on land subject to this Ordinance ~~ordinance~~, shall be subject to
 226 the provisions of this Ordinance ~~ordinance~~. Also, an animal waste storage facility or animal
 227 waste transfer pipeline system that is found to be failing or leaking shall be repaired within a

228 timeframe identified by the LCD to a condition meeting the appropriate technical standard(s).
 229 The timeframe shall not be greater than two years from the date of official notice by the LCD.
 230

231 **4.935 Compliance with Permit Requirements**

232 A person is in compliance with this Ordinance ordinance if he or she follows the procedures of
 233 this Ordinance ordinance, receives a permit from the LCD before commencing activities subject
 234 to regulation under this section, and complies with the requirements of the permit. If
 235 construction is not completed within twelve (12) months, a permit will be required under this
 236 Ordinance ordinance to continue construction. Repair, enlargement, alteration, abandonment, or
 237 temporary abandonment of preexisting facilities or installation of an animal waste transfer
 238 pipeline system requires a permit that is subject to all terms of this Ordinance ordinance.
 239

240 **Subpart 4: Standards**

241
 242 **4.936 Standards for Animal Waste Storage Facilities**

243 The standards for design and construction of animal waste storage facilities and or
 244 abandonment/closure are those found in technical standards 313, 360, 430, 533, and 634 of the
 245 Technical Guide technical guide as it existed on the date of adoption of this Ordinance
 246 ordinance including any and all future standards amended thereto.
 247

248 **4.937 Standards for Animal Waste Management and Utilization**

249 The standards for management of animal waste facilities and utilization of animal waste are
 250 those in technical standard 590 of the Technical Guide technical guide, including any and all
 251 existing and future standards amended thereto.
 252

253 **4.938 Septage**

254 Human waste and associated wastewater shall not be discharged into animal waste storage
 255 facilities unless permitted by applicable federal, state, or local regulations for the disposal of
 256 human waste and wastewater.
 257

258 **4.939 Standards for Implementing Prohibitions Standards**

259 Prior to issuance of a permit under this Ordinance ordinance compliance with the prohibitions
 260 standards, as identified in ~~§Section~~ 281.16(3) Wisconsin Statutes Wis. Stats. and any
 261 amendments thereto, shall be addressed. The prohibitions standards are:
 262 1. That a livestock operation may have no overflow of an animal waste storage structure.
 263 2. That a livestock operation may have no unconfined animal waste stack in a water quality
 264 management area.
 265 3. That a livestock operation may have no direct runoff from a feedlot or stored animal waste
 266 into the waters of the state.
 267 4. That a livestock operation may not allow unlimited access by livestock to the waters of the
 268 state in a location where high concentrations of animals prevent the maintenance of adequate
 269 sod cover.
 270

271 Pursuant to ~~§Section~~ 281.16(3)(e), Wisconsin Statutes Wis. Stats., an owner of an agricultural
 272 facility or practice that is in existence prior to October 14, 1997 shall not be required to comply
 273 with these prohibitions standards unless cost sharing is made available.
 274

275 **Subpart 5: Application For and Issuance of Permits**

276
 277 **4.940 Permit Required**

278 No person may undertake any activity subject to this Ordinance ordinance without obtaining a
 279 permit from the LCD prior to beginning the proposed activity.
 280

281 **4.941 Permit Application Forms**

282 All permit applications shall be filed on forms provided to the Applicant by the LCD.
 283

284 **4.942 Exception to Permit Requirement**

285 Emergency repairs such as repairing a broken pipe or equipment, leaking dikes, or the removal
 286 of stoppages may be performed without a permit. If repairs will alter the original design and
 287 construction of the facility, a report shall be filed with the LCD defining the work performed to
 288 eliminate the emergency, within five (5) Department working days after the emergency. A
 289 determination by the LCD will be completed on whether a permit is required for the repair or
 290 any additional alterations needed to eliminate potential failures of the facility in the future.

291

292 **4.943 Fees**

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The fee for a permit under this Ordinance ordinance shall be determined annually by the LCC during the annual LCD budget development cycle. The fee shall be no less than One Hundred Dollars (\$100.00) and shall be non-refundable and payable in advance to the LCD. Temporary Abandonment of an Animal Waste Storage Facility is exempt from the fee schedule.

299 **4.944 Fees for Violations of Ordinance**

300

301

302

303

The LCD shall charge twice the fee identified in Section 4.943 of this Ordinance ordinance for a permit if any activity that this Ordinance ordinance covers has commenced prior to issuance of a permit. Section 4.942 of this Ordinance ordinance shall apply only for emergency repairs.

304 **4.945 Animal Waste Storage Facility, Animal Waste Transfer Pipeline System, and Nutrient Management Plan Required**

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306

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308

Each application for a permit under this section shall include an animal waste storage facility plan and a nutrient management plan.

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Technical assistance for the animal waste storage facility construction or abandonment plan development shall be through LCD, NRCS, or a consulting professional engineer registered under Chapter 443, Wisconsin Statutes Wis-Stats. Technical assistance for the development of a nutrient management plan shall be through the LCD; NRCS; a consultant who meets the qualifications outlined in Wisconsin Administrative Code ATCP 50 and any amendments thereto. The landowner, applicant, or assignee may develop a nutrient management plan in accordance with ATCP 50 and any amendments thereto. The conditions and criteria as outlined in Technical Standards 313, 360, 430, 533, 590, and 634 and 590 in the Technical Guide shall be followed.

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1. The Animal Waste Storage Facility Construction Plans shall include the following information as a minimum:
 - a. The number, age group, and type of animals for which storage is provided.
 - b. The total volume of animal waste and/or manure to be stored in the proposed facility.
 - c. A sketch of the facility and its location in relation to homes within five hundred (500) feet and other buildings within two hundred and fifty (250) feet and of the proposed facility. The sketch shall be drawn to scale, with a scale no larger than one (1) inch = fifty (50) feet.
 - d. All structural details, including dimensions, cross-sections, and concrete thickness and reinforcement.
 - e. The location of any wells within five hundred (500) feet of the facility.
 - f. The soil test pit locations and soil description logs of at least three feet below the planned bottom of a facility.
 - g. The elevation for groundwater or bedrock if encountered in the soil profiled and the date of any such determinations.
 - h. Provisions for adequate drainage and control of runoff to prevent pollution of surface water and groundwater. If a navigable body of water lies within one thousand (1000) feet of the facility, the location and distance to the body of water shall be shown.
 - i. The scale of drawing and the north arrow.
 - j. A time schedule for construction of the facility.
 - k. A description of the method for the transfer of animal waste into and from the facility.
 - l. An operation and maintenance plan.
2. The Animal Waste Storage Facility Abandonment Plan shall include the following information:
 - a. A detailed description of the type and size of the facility and an estimate of the volume of wastes being stored.
 - b. A detailed description of the disposal procedures for the facilities liner and/or soils saturated with animal wastes.
 - c. A detailed description of how the waste transfer system will be plugged or removed.
 - d. A detailed plan view of the proposed final grade.
 - e. A detailed seeding plan for all areas void of vegetation due to abandonment activities.
 - f. If applicable, a description of the proposed use of facility if not abandoned.
 - g. Established time frame for all identified activities, maximum allowable one hundred and twenty (120) days.

- 354 3. The Temporary Waste Storage Facility Abandonment Plan shall include the following
 355 information:
 356 a. A detailed description of the type and size of the facility and an estimate volume of the
 357 wastes contained.
 358 b. A detailed description of the disposal of the stored wastes.
 359 c. A detailed operation and maintenance plan for the facility and components while it is
 360 out of service.
 361 d. Established time frame for all identified activities, maximum allowable one hundred
 362 and twenty (120) days
- 363 4. The Nutrient Management Plan shall include the following:
 364 a. The total land base available for utilization of waste, include all rented land.
 365 b. A current land use map that identifies where animal waste will be spread.
 366 c. The application rate of animal waste/manure application. (i.e. gal./ac. or tons/ac.)
 367 d. A soils map identifying associated limitations for waste application; i.e. coarse textured
 368 soils, high nutrient levels, surface and/or groundwater features.
 369 e. Identification of all soils with depths less than or equal to two (2) feet to bedrock and/or
 370 ground water table.
 371 f. All lands with slopes greater than or equal to nine percent (9%).
 372 g. A map identifying all surface water features.
 373 h. Written rental agreements/easements for lands where animal waste is spread/utilized.
- 374 5. The Animal Waste Transfer Pipeline System plan shall include the following:
 375 a. A plan view of the layout of the pipeline.
 376 b. Profile view of the pipeline.
 377 c. Pipe Specifications (material and sizes).
 378 d. Pipe joint requirements.
 379 e. Site specific construction specifications that describe in writing the installation of the
 380 pipeline. Include the specification for pressure testing completed system.
 381 f. Final depth of cover and all backfilling requirements.
 382 g. Disposal requirements for excess soil material.
 383 h. Vegetative establishment requirements.
 384 i. An operation and maintenance plan.

385
 386 **4.946 Review of Application**

387 The LCD shall receive and review all permit applications and shall determine if the proposed
 388 facility or abandonment procedures meet required standards set forth in Subpart 4 of this
 389 Ordinance ordinance. Within thirty (30) days after receiving the completed application, fee,
 390 and plans, as outlined in Section 4.945 of this Ordinance ordinance, the LCD shall inform the
 391 applicant in writing whether the permit application is approved or disapproved. If additional
 392 information is required, the LCD shall so notify the permit applicant. The LCD has thirty (30)
 393 days from the receipt of the additional information in which to approve or disapprove the
 394 application. If the LCD fails to approve or disapprove the permit application in writing within
 395 thirty (30) days of the receipt of the permit application or additional information, as appropriate,
 396 the application shall be deemed approved and the applicant may proceed as if a permit had been
 397 issued.

398
 399 **4.947 Permit Conditions**

400 All permits issued under this Ordinance ordinance shall be subject to the following conditions
 401 and requirements:
 402 1. Animal waste storage facility abandonment, design, construction, management and/or
 403 animal waste utilization activities shall be carried out in accordance with the plans and
 404 applicable standards specified in Subpart Section 4 of this Ordinance ordinance and be
 405 maintained for a minimum of 10 years.
 406 2. The permittee shall give three (3) working days notice to LCD before starting any
 407 construction activity authorized by the permit if the system's technical design and/or cost
 408 sharing is provided by a governmental unit.
 409 3. Approval in writing must be obtained from the LCD prior to any modifications to the
 410 approved animal waste storage facility abandonment plan, construction plan, or nutrient
 411 management plan.
 412 4. The permittee and, if applicable, the professional engineer shall certify in writing, that the
 413 facility was installed as in accordance to the plans submitted to the LCD and that the facility
 414 meets all applicable standards. Certification shall be completed on forms provided by the
 415 LCD. Such information will be forwarded to the LCD within fifteen (15) Department work

- 416 days of the facilities completion. No animal waste may be stored in a facility until the LCD
 417 has received certification.
- 418 5. Activities authorized by permit must be completed within twelve (12) months from the date
 419 of issuance after which such permit shall be void.
- 420 6. An extension may be applied for by the applicant or assignee prior to the expiration date if,
 421 and only if more than fifty percent of the construction activities have been completed prior
 422 to the expiration date of the original permit.
- 423 7. The permit may be assigned to a different person if the following conditions are met:
 424 a. The assignee has taken control of the property described in the original permit
 425 application.
- 426 b. The assignee agrees to all original permit conditions and agrees to sign a statement
 427 stating such.
- 428 c. The assignee meets the definition of Section 4.912 of this Ordinance ordinance.
- 429 8. Within 90 days following completion of the last component of the facility, a final red lined
 430 as built plan shall be submitted with any deviations from the original plan. In no case shall
 431 a red lined as built plan be submitted later than the expiration date of the permit to construct
 432 a facility.
 433

434 4.948 Permit Revocation

435 Upon consultation with the Corporation Counsel, the LCD may revoke any permit issued under
 436 this Ordinance ordinance if the holder of the permit has misrepresented any material fact in the
 437 permit application, animal waste storage facility plan, nutrient management plan, or if the
 438 permittee or assignee holder of the permit violates any of the conditions of the permit.
 439 Notification shall be sent by certified mail to the applicant or assignee.
 440

441 Subpart 6: Administration

442 4.949 Delegation of Authority

444 The Rock County Board of Supervisors hereby designates the LCD to administer and enforce
 445 this Ordinance ordinance.
 446

447 4.950 Administrative Duties

448 In the administration and enforcement of this Ordinance ordinance, the LCD shall:

449 1. Keep an accurate record of all permit applications, animal waste facility plans, nutrient
 450 management plans, permits issued, inspections made and other official actions.

451 2. Review permit applications and issue permits in accordance with Subpart 5 of this
 452 Ordinance ordinance

453 3. Inspect animal waste facility construction to insure the facility is being constructed
 454 according to plan specifications, unless system was designed and construction over site was
 455 provided by a professional engineer.

456 4. Investigate complaints relating to compliance with the Ordinance ordinance.

457 5. Perform other duties as specified in this Ordinance ordinance.

458 6. ~~Notify landowners immediately adjacent to the applicant's property.~~
 459

460 4.951 Inspection Authority

461 The LCD is authorized to enter upon any lands affected by this Ordinance ordinance to inspect
 462 the land prior to or after permit issuance to determine compliance with this Ordinance
 463 ordinance. If permission cannot be obtained from a person with apparent legal authority to
 464 allow such inspection, entry by the LCD shall be in accordance with ~~§Section~~ 66.122 and
 465 ~~§66.123 and §Section~~ 92.07(14) Wisconsin Statutes Wis-Stats.
 466
 467

468 4.952 Enforcement Authority

469 The LCD is authorized to post an order stopping work upon land that has had a permit revoked
 470 or on land currently undergoing activity in violation of this Ordinance ordinance. Notice shall
 471 be given by both posting upon the land where the violation occurs one or more copies of a
 472 poster stating the violation and by mailing a copy of the order by certified mail to the last
 473 known address of permittee. The order shall specify that the activity must cease or be brought
 474 into compliance within five (5) days.
 475

476 Any permit revocation or order stopping work shall remain in effect until retracted by the LCD,
 477 or by a court of general jurisdiction. The LCD is authorized to refer any violation of this
 478

479 Ordinance ordinance or of an order stopping work issued pursuant to this Ordinance ordinance
480 to the Corporation Council ~~corporation-counsel~~ for commencement of further legal
481 proceedings.
482

483 **Subpart 7: Violations**

484
485 **4.953 Penalties**

486 Any person who violates, neglects or refuses to comply with or resists the enforcement of any
487 of the provisions of this Ordinance ordinance shall be subject to a forfeiture of not less than two
488 hundred and fifty dollars (\$250.00) plus cost of prosecution for each violation. An unlawful
489 violation includes failure to comply with any standard of this Ordinance ordinance or with any
490 condition or qualification attached to the permit. Each day that a violation exists shall be a
491 separate offense. Citations shall be issued by the LCD, upon approval of the Corporation
492 Counsel, pursuant to law, for violations of the Ordinance ordinance.
493

494 **4.954 Enforcement of Injunction**

495 As a substitute for or an addition to forfeiture actions, Rock County may seek judicial
496 enforcement of any part of this Ordinance ordinance by injunction or restraining order.
497

498 **Subpart 8: Appeals**

499
500 **4.955 Authority**

501 The LCC is authorized to act as an appeal authority and to hear and decide appeals where it is
502 alleged that there is error in any order, requirement, decision, or determination by the LCD in
503 administering this Ordinance ordinance. Pursuant to ~~§Section~~ 68.16, Wisconsin Statutes Wis-
504 Stats., it is the declared intent of Rock County that the technical noncompliance with the
505 requirements of Chapter 68 shall not constitute grounds for reversal of Committee action, but
506 that the substantive provisions of Chapter 68 may be utilized as a guide in providing for
507 Committee review of administrative determinations.
508

509 **4.956 Procedure**

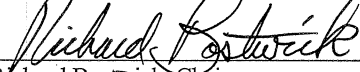
510 Any appeal shall be made in writing to the LCC. The rules, procedures, duties and powers of
511 the LCC, shall apply to proceedings under this Ordinance ordinance, except insofar as the
512 express terms of this Ordinance ordinance require otherwise.
513

514 **4.957 Who May Appeal**

515 Appeals may be taken by any person having a substantial interest, which is adversely affected
516 by the order, requirement, decision, or determination made by the LCD.

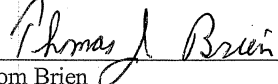
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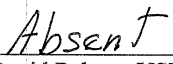
LAND CONSERVATION COMMITTEE

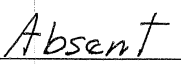

Richard Bortwick, Chair

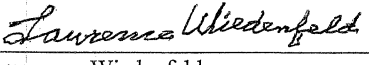

Alan Sweeney, Vice Chair

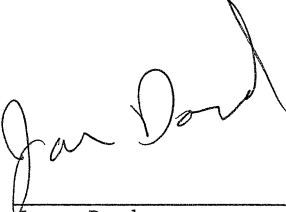

Wes Davis


Tom Brien


David Rebut, USDA-FSA Representative

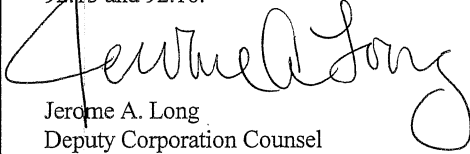

Rick Richard


Lawrence Wiedenfeld


Jason Dowd

LEGAL NOTE:

The County Board is authorized to take this action by Wisconsin Statutes sections 59.02, 59.70(1), 92.07, 92.15 and 92.16.



Jerome A. Long
Deputy Corporation Counsel

FISCAL NOTE:


No fiscal impact.



Sherry Oja
Finance Director

ADMINISTRATIVE NOTE:

Recommended.



Craig Kautson
County Administrator

EXECUTIVE SUMMARY

The Rock County Board of Supervisors adopted the Animal Waste Management Ordinance in 2001. The administration ordinance assures anyone whom constructs, abandons, or operators an animal waste storage facility in Rock County does so according to the most recent construction standards, operation and maintenance guidelines adopted by the USDA-NRCS.

Many changes have occurred in the realm of animal husbandry since the ordinance was adopted. The advent of large confined animal operations now is a reality in Rock County. These operations tend to utilize the newest technologies when it comes to the storage and utilization of animal waste. Significant changes to the ordinance are required to integrate the technologies used by the large confined animal operations. The most prevalent change is the introduction of subsurface animal waste transfer pipelines.

Other changes to the ordinance include the integration of a technical standard for the proper abandonment of an existing animal waste storage system. Also included were numerous additions to the definition section of the ordinance for clarification purposes.

Per Chapter 92, Wisconsin Statutes, the Wisconsin Department of Agriculture, Trade and Consumer Protection is to review the ordinance and make comments to the Land Conservation Committee. The requirement has been met, and the comments provided were integrated into the final draft.