



MINUTES
ROCK COUNTY PLANNING & DEVELOPMENT COMMITTEE
THURSDAY, JULY 22, 2010 - 6:00 P.M.
COURTHOUSE CONFERENCE CENTER
SECOND FLOOR - EAST WING
ROCK COUNTY COURTHOUSE
JANESVILLE, WI

1. **CALL TO ORDER**

The meeting of the Rock County Planning & Development Committee was called to order at 6:00 p.m. on Thursday, July 22, 2010 at the Rock County Courthouse. Chair Al Sweeney presided. Supervisors present: Wayne Gustina, Marilynn Jensen, Phil Owens, and Mary Mawhinney. Supervisors absent: None

Planning & Development staff present: Paul Benjamin (Director), Colin Byrnes, (Code Administrator), David Somppi (Community Development Mgr.), Jennifer Borlick (GIS Manager) and Cheryl Martin, (Accountant). Randy Terronez (Assistant to County Administrator) was also in attendance.

Others present: Ron Combs (Combs & Associates, Inc.) and Connie Zimmerman (Clerk - Town of Fulton).

2. **ADOPTION OF AGENDA**

Supervisor Owens moved to adopt the agenda as presented; seconded by Supervisor Mawhinney. **ADOPTED as presented.**

3. **MEETING MINUTES – JULY 8, 2010**

Supervisor Jensen moved the approval of the July 8, 2010 Committee minutes; seconded by Supervisor Gustina. **APPROVED as presented.**

4. **CITIZEN PARTICIPATION, COMMUNICATIONS AND ANNOUNCEMENTS**

Director Benjamin announced that the Planning Dept. will host a meeting on Monday, July 26, 2010 with members of municipal sewer service agencies in Rock County, other interested parties and also staff from Dept. of Natural Resource to discuss implications of the new phosphorus rules. The meeting will also discuss the possibility of "phosphorus trading" in Rock County.

5. **PUBLIC HEARING: COMMUNITY DEVELOPMENT BLOCK GRANT – SMALL CITIES PROGRAM**

Supervisor Owens moved and Supervisor Mawhinney seconded to go into Public Hearing at 6:06 p.m. and the roll call was read: Present: Supervisors Gustina, Jensen, Mawhinney, Owens, and Sweeney. Absent: None.

Mr. Somppi discussed the following items in regards to the final submission of the Community Development Block Grant – Small Cities Grant application:

IDENTIFICATION OF TOTAL POTENTIAL FUNDS:

The State of Wisconsin, through the Community Development Block Grant (CDBG) - Small Cities Program, is making available about \$8.8 million in CDBG funds to non-entitlement cities in Wisconsin through a grant competition.

These funds may be used by local and County governments for housing and economic development projects and public facilities to benefit of low- to moderate-income households.

Non-entitlement areas may apply for up to \$650,000, a total of \$567,500 for programs and \$82,500 in administrative expenses, to fund a housing rehabilitation program for 24 months. The program can make available \$500,000 for housing rehabilitation and \$67,500 for home purchase assistance.

Rock County currently has a CDBG Revolving Funds that currently receives approx. \$180,000 per year in repaid loan funds. These funds would make approximately 18 loans. There is a need for additional Community Development Block Grant funds in Rock County – outside of the Cities of Beloit, Janesville, and Edgerton – to address rehabilitation assistance for approximately 2,000 lower income housing units.

ELIGIBLE CDBG ACTIVITIES: Economic Development, Public Facilities, and Housing:

Eligible CDBG activities include:

- Economic development projects and loans to assist businesses that will benefit or employ low- to moderate-income families.
- Public facilities improvements, such as water and sewer laterals or road improvements, which benefit low- to moderate-income families, are also CDBG-eligible activities.
- Housing rehabilitation activities, to provide low- to moderate-income families, low-income families, families with elderly or handicapped members, and property owners who rent to low-income families, are eligible projects. These funds may be made available in the form of 0% or low-interest loans to conduct needed housing repair.

ELIGIBLE ACTIVITIES INCLUDE:

- Deferred payment housing rehabilitation loans to LMI owner-occupants
- 0% rehabilitation loans to owners of LMI renter-occupied units
- Handicapped accessibility improvements such as wheelchair ramps and wider doorways for LMI households with handicapped household members
- Sewer and water laterals from the lot line to the LMI-occupied dwelling unit
- Wells and septic systems for LMI-occupied dwelling units
- Direct assistance to LMI households to facilitate and expand homeownership (e.g., reasonable closing costs and up to 50% of the required down payment). Applicants for homebuyer assistance funds should be aware that homebuyer education will be a required component of this activity (Attachment 3)
- Conversion of structures into dwelling units affordable to LMI households
- Neighborhood code enforcement activities that would result in improvements to LMI occupied units

- Hazard mitigation activities such as floodproofing, landscaping to improve drainage, or sewer back flow prevention
- “Safe rooms” (for tornadoes and other severe storms) where grantees are able to identify a need for such an activity
- Retro-fitting for wind resistance where other property conditions require the replacement of the roof or siding

Additional funding of up to 20% of the housing project request may be used for small public facility activities. Neighborhood revitalization activities must principally benefit LMI households, must directly and positively impact housing, and may include but are not limited to:

- Sewer/water laterals from the main to the property line
- Neighborhood streets, curbs, gutters, public sidewalks, and curbcuts
- Projects which provide physical improvements to facilities for homeless persons or to domestic abuse shelters
- Acquisition/demolition of dilapidated neighborhood structures (e.g., vacant store, gas station)

INELIGIBLE ACTIVITIES INCLUDE:

Activities NOT eligible for funding under the CDBG Small Cities Housing program include:

- New housing construction (includes: digging basement, drain tiles, foundation, backfill, driveway, parking lot, private sidewalk).
- Additions or the converting/finishing of vacant or under-used space (except as necessary to relieve overcrowding).
- Appliances (except built-in to address accessibility).
- Furnishings (includes blinds and fixtures).
- Mechanicals in new construction (water heaters, furnaces).

PRESENTATION OF HOUSING & COMMUNITY DEVELOPMENT NEEDS –

County staff has worked to determine housing and community development needs.

Since 2000, the County of Rock has had approx. 400 housing unit rehabilitation projects conducted. These projects have a projected average useful life of 10 years.

It is estimated that the County of Rock – outside of the Cities of Beloit and Janesville and Edgerton – has approx. 2,010 lower-income owner or renter housing units in need of repair.

Funds to be provided by this program propose to have conducted approximately 40 housing rehabilitation projects. An additional \$67,500 is proposed to assist lower income households with home purchases.

In short, there is in the County of Rock a need for owner- and renter occupied housing rehabilitation and home purchase assistance.

IDENTIFICATION OF HOUSING AND COMMUNITY DEVELOPMENT NEEDS BY PUBLIC:

Chair Sweeney asked if any audience members wished to comment on housing and community development needs.

PRESENTATION OF ACTIVITIES PROPOSED IN THE CDBG APPLICATION, INCLUDING RESIDENTIAL DISPLACEMENT:

Mr. Somppi stated that, tentatively, the programs proposed for this application would include owner-occupied rehabilitation and home purchase assistance for lower income households.

He stated that these programs would not result in any residential displacements.

CITIZEN INPUT REGARDING PROPOSED AND OTHER CDBG ACTIVITIES:

Connie Zimmerman (Town of Fulton) stated the Town supports the County's receipt of these funds.

No one else spoke to the issue.

Supervisor Owens moved to close the Public Hearing at 6:12 p.m. with a second by Supervisor Gustina and the roll call was read. Present: Supervisors Gustina, Jensen, Mawhinney, Owens, and Sweeney. Absent: None.

6. SEMI-ANNUAL REPORTS – ATTENDANCE AT CONVENTIONS/CONFERENCES

The Planning, Surveyor's, and Real Property Description Departments submitted documentation showing that no department member attended any training, conference, or convention that exceeded the cost of \$1,000 in the last six months.

7. FINANCE

A. Department Bills/Encumbrances/Pre-Approved Encumbrances/Amendments/Transfers

Supervisor Mawhinney moved the approval of payment of the department bills; second by Supervisor Owens. All in favor - APPROVED (Yes - 5, No - 0, Absent - 0).

8. CODE ADMINISTRATION & ENFORCEMENT

Colin Byrnes, Code Administrator, presented the Staff report.

A. Preliminary Approval of Land Divisions

Staff has reviewed the applications and associated documentation and recommended Preliminary Approval of the following Land Divisions with conditions as indicated: Land Division 2010 023, 2010 022, 2010 024, and 2010 025.

➤ **Land Division 2010 023 (Beloit Township) – Phyllis Merlet Trust**

LOCATION: 1400 Block Ridgeway Street

Supervisor Owens motioned to remove Land Division 2010 023 from the table and also for Conditional Approval; seconded by Supervisor Mawhinney. **All in favor – APPROVED (Yes – 5, No – 0, Absent – 0).**

Conditions To Be Met Before Final Approval:

1. 35-foot 1/2 ROW to be dedicated along Ridgeway St.
2. Show the location of the on-site soil test on the preplanned lot map.
3. Acceptable soil and site evaluation report received on Lots 1 & 2.
4. Utility easements put on lots as requested by utility companies.
5. Require a Rock County Land Division Conservation Easement for bedrock at 20 inches or less from surface.
6. Lot to be pre-planned due to being in an environmentally significant area (bedrock at 20 inches or less from surface). Lot drawing to include utility easements, access location, conservation easement, soil test area and building envelope. No Conservation Easement Area shall be contained within the Building Envelope as depicted on the pre-planned lot. A copy of the lot layout to be placed on file with the committee designee. Submit for approval ten (10) days prior to submitting final map.
7. Final CSM (1 year time frame) submitted to and approved by the Planning and Development Agency on or before July 8, 2011.
8. As per Section 15.23(8) of The Rock County Land Division Regulations “any land division not receiving final approval within the period of time set forth herein shall be null and void, and the developer shall be required to resubmit a new application for preliminary approval. Extensions may be applied for and may be granted at the discretion of the Committee upon findings that delays are beyond control of the applicant and that no material change in standards or in conditions has occurred or is reasonably expected to occur”. Extension requests must be made in writing prior to the expiration date listed above.
9. Certified Survey Maps that are subject to local approval must be recorded within 6 months of their last approval and 24 months of the first approval.

➤ **Land Division 2010 022 (Janesville Township) – Whilden Hughes**
LOCATION: 3300 Block of West Hwy. 14

Supervisor Mawhinney moved the Conditional Approval of Land Division 2010 022; second by Supervisor Jensen. **All in favor – APPROVED (Yes – 5, No – 0, Absent – 0).**

Conditions To Be Met Before Final Approval:

1. Existing structures shall meet setback regulations.

2. Following notation on final map: "Since Lots 1 & 2 contain existing buildings which utilize existing private sewage systems no soil evaluation on the lots was required at the time of this survey. However, soils on the lots may be restrictive to the replacement of the existing systems." Also proposed lot lines must include the system area with the building that utilizes the system.
3. Show septic system and well locations for existing structures on final CSM.
4. Require Rock County Land Division Conservation Easement for steep slopes, hydric soils, floodplain and 75-foot setback from navigable waters areas.
5. 1% Annual Chance Flood line on Final Land Division as per Official Floodplain Zoning Map.
6. Final CSM (1 year time frame) submitted to and approved by the Planning and Development Agency on or before July 22, 2011.
7. As per Section 15.23(8) of The Rock County Land Division Regulations "any land division not receiving final approval within the period of time set forth herein shall be null and void, and the developer shall be required to resubmit a new application for preliminary approval. Extensions may be applied for and may be granted at the discretion of the Committee upon findings that delays are beyond control of the applicant and that no material change in standards or in conditions has occurred or is reasonably expected to occur". Extension requests must be made in writing prior to the expiration date listed above.
8. Certified Survey Maps that are subject to local approval must be recorded within 6 months of their last approval and 24 months of the first approval.

➤ **Land Division 2010 024 (Bradford Township) – Leland Schauer**

LOCATION: 13000 E. Bradford Town Hall Rd. Block

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| Supervisor Jensen moved the Conditional Approval of Land Division 2010 024; second by Supervisor Mawhinney. All in favor – APPROVED (Yes – 5, No – 0, Absent – 0). |
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Conditions To Be Met Before Final Approval:

1. Existing structures shall meet setback regulations.
2. 33-foot 1/2 ROW to be dedicated along E. Bradford Town Hall Rd.
3. Following notation on final map: "Since Lot 1 contains existing buildings which utilize an existing private sewage system no soil evaluation on the lot was required at the time of this survey. However, soils on the lot may be restrictive to the replacement of the existing system." Also proposed lot lines must include the system area with the building that utilizes the system.
4. Show septic system and well locations for existing structures on final CSM.
5. Final CSM (1 year time frame) submitted to and approved by the Planning and Development Agency on or before July 22, 2011.

6. As per Section 15.23(8) of The Rock County Land Division Regulations “any land division not receiving final approval within the period of time set forth herein shall be null and void, and the developer shall be required to resubmit a new application for preliminary approval. Extensions may be applied for and may be granted at the discretion of the Committee upon findings that delays are beyond control of the applicant and that no material change in standards or in conditions has occurred or is reasonably expected to occur”. Extension requests must be made in writing prior to the expiration date listed above.
7. Certified Survey Maps that are subject to local approval must be recorded within 6 months of their last approval and 24 months of the first approval.

➤ **Land Division 2010 025 (Johnstown Township) – Robert Mansur Trust**

LOCATION: 1100 Block Emerald Grove Rd.

Supervisor Mawhinney moved the Conditional Approval of Land Division 2010 025; second by Supervisor Gustina. **All in favor – APPROVED (Yes – 5, No – 0, Absent – 0).**

Conditions To Be Met Before Final Approval:

1. Existing structures shall meet setback regulations.
2. A 1/2 ROW to be dedicated along N. Emerald Grove Rd.
3. Following notation on final map: “Since Lot 1 contains existing buildings which utilize an existing private sewage system no soil evaluation on the lot was required at the time of this survey. However, soils on the lot may be restrictive to the replacement of the existing system.” Also proposed lot lines must include the system area with the building that utilizes the system.
4. Show septic system and well locations for existing structures on final CSM.
5. Final CSM (1 year time frame) submitted to and approved by the Planning and Development Agency on or before July 22, 2011.
6. As per Section 15.23(8) of The Rock County Land Division Regulations “any land division not receiving final approval within the period of time set forth herein shall be null and void, and the developer shall be required to resubmit a new application for preliminary approval. Extensions may be applied for and may be granted at the discretion of the Committee upon findings that delays are beyond control of the applicant and that no material change in standards or in conditions has occurred or is reasonably expected to occur”. Extension requests must be made in writing prior to the expiration date listed above.
7. Certified Survey Maps that are subject to local approval must be recorded within 6 months of their last approval and 24 months of the first approval.

B. Administrative Quarterly Report

Mr. Byrnes reported on the previous quarter Building Permits issued, Land Division applications processed, and Board of Adjustment applications received.

9. **CORPORATE PLANNING**

A. **Code of Ordinance Review**

Director Benjamin reported that staff is in the process of reviewing the Code of Ordinance that the Corporation Counsel provided to the Department. Potential changes will be noted and included in a report to Corporation Counsel.

10. **HOUSING AND COMMUNITY DEVELOPMENT**

A. **CDBG Emergency Assistance (CDBG-EAP) Grant (ID 008059) = \$24,999**

Supervisor Jensen moved the approval of CDBG Emergency Assistance (CDBG-EAP) Grant (ID 008059) for an amount up to \$24,999; second by Supervisor Gustina. **All in favor – APPROVED (Yes – 5, No – 0, and Absent – 0).**

B. **HOUSING REHABILITATION LOAN (ID 020623) = \$14,842**

Supervisor Owens moved the approval of Housing Rehabilitation Loan (ID 020623) for an amount up to \$14,842; second by Supervisor Gustina. **All in favor – APPROVED (Yes – 5, No – 0, and Absent – 0).**

C. **Resolution Authorizing Rock County Purchase of Properties Through 2009 Wisconsin Division of Emergency Management – Hazard Mitigation Grant Program Assistance Agreement FEMA-DR-1768-WI**

Mr. Somppi presented the resolution that would authorize the purchase of 2 qualifying properties that were substantially damaged during the flood event of June-July 2008.

NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors on this ____ day of _____, 2010, hereby approves and authorizes the purchase by the County of Rock of the subject property; and,

BE IT FURTHER RESOLVED, that funds for the purchase of the properties be allocated from the Federal Emergency Management Agency – Hazard Mitigation Grant Agreement and Community Development Block Grant – Emergency Assistance Program agreements; and,

BE IT FUTHER RESOLVED, that the Rock County Board of Supervisors authorizes the County Board Chair and County Clerk to sign the respective documents on behalf of the Count of Rock; and,

BE IT FINALLY RESOLVED, that authority is hereby granted to the Rock County Planning & Development Committee and Rock County Board Staff Committee to take the necessary steps to develop proposals and enter into agreements needed to purchase and disposed of the structures on the site and to determine the final disposition of the property.

Supervisor Mawhinney moved the above resolution; second by Supervisor Owens. **All in favor - APPROVED (Yes - 5, No - 0, Absent - 0).**

D. **Resolution Authorizing Grant Agreement For Administration of Office of Healthy Homes – Lead Hazard Control Grant Funds with the State of Wisconsin**

Mr. Somppi presented the resolution that would authorize the funding of a program to provide grants for owner-and-renter-occupied properties to conduct lead hazard control projects in income-qualifying housing units. The Program is intended to reduce the number of children in Rock County with elevated blood lead levels.

NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors on this ____ day of _____, 2010, hereby enters into a grant agreement with the State of Wisconsin to accept Office of Healthy Homes – Lead Hazard Control Grant funds for \$101,250 to administer projects that will address the removal of lead hazards from 9 housing units in Rock County, and authorizes the Chair of the Rock County Board of Supervisors to sign the respective Grant Agreement; and,

BE IT FURTHER RESOLVED, that the 2010 Rock County budget be amended as follows:

| <u>Source of Funds:</u> | <u>Budget at 1/01/2010</u> | <u>Increase (Decrease)</u> | <u>Amended Budget</u> |
|---|----------------------------|----------------------------|-----------------------|
| <u>Revenue</u> | | | |
| 64-6468-0000-42100 Federal Aid Revenue | \$ 0 | \$101,250 | \$ 101,250 |
| <u>Use of Funds:</u> | | | |
| <u>Expense</u> | | | |
| 64-6468-0000-63110 Administration | \$ 0 | \$ 9,000 | \$ 9,000 |
| 64-6468-0000-64913 Project Expense | \$ 0 | \$ 92,250 | \$ 92,250 |

Supervisor Owens moved the above resolution; second by Supervisor Gustina. **All in favor - APPROVED (Yes - 5, No - 0, Absent - 0).**

E. Work Session: Housing Policy & Procedure Manual Update

A review was conducted on the following sections of the Housing Policy and Procedure Manual. Issues requiring further consideration are as listed:

V. CONTRACTING AND BIDDING

- Mr. Somppi will review and update the recommended current insurance limits for contractors (pg. 26)

Further work on the policy manual will continue after the 2011 departmental budget has been submitted.

ADJOURNMENT

Supervisor Owens moved to adjourn the committee at 7:30 P.M.; second by Supervisor Mawhinney. **ADOPTED** by acclamation.

The next meeting of the Planning & Development Committee will be **Thursday, August 12, 2010 at 8:00 AM.**

Prepared by: Cheryl Martin - Acting Secretary