



PLANNING & DEVELOPMENT COMMITTEE
THURSDAY, MARCH 25, 2010 – 8:30 A.M.
COURTHOUSE CONFERENCE CENTER
SECOND FLOOR – EAST WING
ROCK COUNTY COURT HOUSE
JANESVILLE, WI

AGENDA

1. Call to Order
2. Adoption of Agenda
3. Minutes of meetings held Thursday, March 11, 2010
4. Citizen Participation, Communications and Announcement
5. Code Administration & Enforcement
 - A. **Action Item:** Public Hearing – Shoreland Conditional Use Permit 2010 003 (Fulton Township) – Rock Co.
 - B. **Action Item:** Approval of Shoreland Conditional Use Permit 2010 003 – Rock Co.
 - C. **Action Item:** Public Hearing – Shoreland Conditional Use Permit 2010 004 (Fulton Township) – Rock Co.
 - D. **Action Item:** Approval of Shoreland Conditional Use Permit 2010 004 – Rock Co.
 - E. **Action Item:** Public Hearing – Shoreland Conditional Use Permit 2010 005 (Rock Township) – Rock Co.
 - F. **Action Item:** Approval of Shoreland Conditional Use Permit 2010 005 – Rock Co.
 - G. **Action Item:** Public Hearing – Shoreland Conditional Use Permit 2010 006 (Janesville Township) – Rock Co.
 - H. **Action Item:** Approval of Shoreland Conditional Use Permit 2010 006 – Rock Co.
 - I. **Action Item:** LD2010 005 (La Prairie Township) – Heilman & Heilman
 - J. **Action Item:** LD2010 008 (Porter Township) – Sweeney Farms Inc.

K. Information Item: Shoreland Violation – 4523 N. River Rd., Janesville Township

6. Finance

A. **Action Item:** Department Bills/Encumbrances/Pre-Approved Encumbrance/Amendments/Transfers

7. Housing & Community Development

A. Informational Item: History of Subordination Policy in “Housing Procedure Manual”:

B. **Action Item:** Reconsideration of Subordination Request

C. Information Item: Hazard Mitigation Grant Program – Expenditures for Non-Acquisition Expenses

D. Potential Conflict of Interest – Yes,

8. Adjournment

Future Meetings/Work Sessions

April 8, 2010 (8:30 AM)

April 22, 2010 (8:30 AM)

May 13, 2010 (8:30 AM)

May 27, 2010 (8:30 AM)

Non-Committee Future Meetings

March 31, 2010 – Working Lands Update (Spring Valley Township)

March 31, 2010 – (6:00 PM) Rock County Board of Adjustment – 2nd Floor, Rock County Courthouse Conference Center

April 5, 2010 – (3:30 PM) PACE (Purchase of Agricultural Easements) Ad Hoc Committee – 2nd Floor, Rock County Courthouse Conference Center

April 6, 2010 – (9am –12noon) Working Lands Program Workshop – 2nd Floor, Rock County Courthouse Conference Center



ROCK COUNTY GOVERNMENT
Planning & Development Agency
MEMORANDUM

TO: Rock County Planning and Development Committee

THROUGH: Steve Schraufnagel Interim Director, Planning & Development Agency

FROM: Planning & Development Agency Staff

SUBJECT: Shoreland Conditional Use Permits:

2010 003 NE1/4 NE1/4 Sec. 11 Fulton Township, 429 E. Ellendale Rd.

2010 004 NE1/4 NE1/4 Sec. 11 Fulton Township, 431 E. Ellendale Rd.

2010 005 SE1/4 NE1/4 Sec. 21 Rock Township, 3636 W. Cemetery Rd.

2010 006 NE1/4 NW1/4 Sec. 9 Janesville Township, 4917 N. River Rd.

DATE: March 17, 2010

Summary:

The above properties were deemed substantially damaged as a result of the Flood of June/July 2008 (FEMA Disaster 1768A). They were subsequently purchased by Rock County with grant money and slated for removal. The Shoreland Conditional Use Permit is required due to the land disturbance and this process allows public notice and input on these individual projects. Project specifications were provided for perspective bidders and the selected bids were based on cost (see enclosed bid documentation). Agency Staff will perform lead and asbestos testing prior to demolition.

Recommendation or Action:

Staff has reviewed the application and recommends approval of the Shoreland Conditional Use Permits 2010 003, 004, 005 and 006 subject to the following conditions:

1. Any project modifications or additions shall be submitted to Staff for review and approval.
2. Install and maintain temporary erosion control measures until seeded permanent vegetative cover is established. Ground disturbance shall be kept to a minimum.
3. Obtain all permits or approvals for your project from the US Army Corps of Engineers, Department of Natural Resources, or other local government agencies before starting the project.
4. This permit expires one year from the date of Committee approval, however, all earthwork and grading must be completed and the disturbed areas must be seeded or otherwise stabilized prior to September 15, 2010.



Rock County Planning & Development Agency
51 S. Main Street
Janesville, WI 53545
(608) 757-5587
www.co.rock.wi.us

DATE: February 4, 2010
TO: Interested Bidders (via e-mail and fax)
FROM: Richard Cannon, Rock County Engineer
SUBJECT: Invitation to Bid – Demolition Project

INTRODUCTION

The County of Rock is soliciting bids for the demolition and site cleanup of three residential structures located on rural shore land property within the county. For your reference, a map depicting the location of each property along with site photos are provided.

DOING BUSINESS with THE COUNTY of ROCK

The County of Rock asks that all Contractors interested in responding to this request know and understand the following general terms and conditions when doing business in the county. They include:

1. The observance and compliance with all Federal and State laws, local ordinances, and regulations, which affect its conduct.
2. Be solely responsible for all claims and liabilities arising from or based upon the violation of any laws, ordinances or regulations whether by your firm or persons under the firm's employment.
3. Avoid creating hazardous conditions to all persons, and property and will not interference with the use of adjacent buildings or interrupt free passage to and from such buildings.
4. Bidders agree to furnish all labor, equipment, and materials in accordance with the specifications for building demolition.
5. A contract to provide demolition services for The County of Rock will be awarded based on the bid amount submitted by the lowest responsible bidder.

GENERAL TERMS of DEMOLITION

The County of Rock asks that all Contractors interested in responding to this request know and understand the following general terms and conditions as they relate to the actual demolition and site cleanup. They include:

1. Any and all disposed material shall be taken to an EPA-approved disposal area. The County of Rock will require receipt of the disposal transaction(s).

2. Lumber, lath, siding, shingling, guttering, ceramic, and other inorganic and/or manmade material will not be permitted for use as fill material.
3. The premises shall be left orderly and clean, free of debris and/or building materials. All demolished material not suitable for use, as on-site fill shall be completely removed from the property and disposed of at the Contracting firm's expense.
4. All salvageable material becomes the property of The Contractor. There is no guarantee that salvageable material will be generated at any demolition site involved in this contract.
5. The burning of any material will not be authorized or permitted.

BID CONSIDERATIONS

All Contractors preparing bids and responding to this request should consider and include the following in their bid:

1. Obtain all required permits.
2. Demolish and remove all buildings, outbuildings, fences, and other above ground structures located on the property.
3. Demolish and remove all building foundations, footings, basement walls, and floors.
4. Remove and dispose of all remaining interior fixtures and other debris from all structures.
5. Remove and dispose of all man-made structures such as mailboxes, close lines, poles, etc.
6. Abandon site well according to State of Wisconsin Code (cap, back fill, restore earth, etc.)
Please Note: This does not include capping and abandoning the artesian well at 431 Ellendale Road, Town of Fulton
7. Abandon and disable site septic system according to State of Wisconsin Code (pump, back-fill, drain field, restore earth, etc.)
8. Have located, terminate and remove all utility services (Cable TV, Electric, Phone, Gas, etc.)
9. Site dust and debris containment
10. Adjacent street traffic control
11. Maintain (as much as practicable) all project site and surrounding area topographic ground contours as not to hinder existing surface drainage and storm water runoff.
12. Take adequate care to prevent future undue settlement and the occurrence voids in back-filled areas at each site using clean fill material suitable for supporting vegetation to within twelve inches (12") of the existing surrounding grade.

OTHER REQUIREMENTS and INFORMATION

All Contractors responding to this request must provide the following material with their submittal:

1. A completed Demolition Bid Form for each property as included in this Invitation to Bid.
2. A Federal ID#.
3. If you are planning to use the services of a subcontractor or subcontractors, please provide a list of those firms and the job(s) they will provide while on the job.
4. Describe any additional or alternate work your firm sees as necessary in order to perform this work. Use additional sheets if needed. If none, it is not necessary to address this item.

TIME SCHEDULE

Sealed bids must be received at the Rock County Planning and Development office located at 51 South Main Street, Janesville, Wisconsin 53545, by February 19, 2010, no later than 3:00 P.M. Please make your bid package to the attention of Richard Cannon.

All bids will be reviewed within the following one-week period. The selected contractor will be notified at that time and will be asked to enter into a formal contract with The County of Rock in order to perform the demolition services discussed herein.

The County of Rock reserves the right to reject any and all bids.



Rock County Planning & Development Agency
51 S. Main Street
Janesville, WI 53545
(608) 757-5587
www.co.rock.wi.us

Project Address Contractor	431 Ellendale Road Edgerton, WI	429 Ellendale Road Edgerton, WI	3636 Cemetery Road Janesville, WI
Yoss Construction, Inc.	\$6,723 *	\$11,568	\$5,782 *
Frank Silha & Sons, Inc.	\$11,100	\$21,200	\$13,150
Fanning Excavating, Inc.	\$15,375	\$25,183	\$13,029
Dennis Selvog Excavating	\$6,880	\$9,850	\$7,755
BiJoin Limestone	\$8,064	\$9,302 *	\$6,736

* Denotes lowest bid per project



Rock County Planning & Development Agency
51 S. Main Street
Janesville, WI 53545
(608) 757-5587
www.co.rock.wi.us

DEMOLITION BID FORM

Firm Name _____

Address _____

City State Zip _____

Phone _____

Contact Person _____

Signature _____

Title _____

Date _____

Labor Dollar Bid Amount _____

Materials Dollar Bid Amount _____

Total Bid Amount _____



Rock County Planning & Development Agency
51 S. Main Street
Janesville, WI 53545
(608) 757-5587
www.co.rock.wi.us

March 3, 2010

Dear Rock County Contractor:

Thank you for your interest and correspondence to Rock County's recent invitation to provide bids for demolition services at three residential dwellings located along the Rock River. Attached please find the results of those bids.

Based on those results Rock County will be entering into the contract phase with the low bidder at each location.

If for any reason Rock County and the successful bidders are unable to arrive at a contract at the specified bid amount, we will contact the next lowest bidder until a satisfactory agreement is reached in order to move forward with the project.

In addition, this agency anticipates administering the demolition of several other structures located in the Rock River flood plane in the upcoming months. Your office will be contacted with a similar invitation to bid on those projects once each receives approval to proceed.

If you have any questions please feel free to contact Richard Cannon at the Rock County Planning and Development Agency (608-757-5591).

Thanks once again.
Rich Cannon



Rock County Planning & Development Agency
 51 S. Main Street
 Janesville, WI 53545
 (608) 757-5587
 www.co.rock.wi.us

Project Address Contractor	431 Ellendale Road Edgerton, WI	429 Ellendale Road Edgerton, WI	3636 Cemetery Road Janesville, WI
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ROCK COUNTY GOVERNMENT
Planning & Development Agency

INTEROFFICE MEMORANDUM

TO: Rock County Planning and Development Committee

THROUGH: Steve Schraufnagel, Acting Director, Planning & Development Agency

FROM: Planning & Development Agency Staff

SUBJECT: Preliminary Approval of Land Divisions

DATE: March 17, 2009

Summary:

The following Land Divisions are seeking Preliminary Approval from the P&D Committee:

- LD2010 005 (La Prairie Township) – Heilman & Heilman
- LD2010 008 (Porter Township) – Sweeney Farms LLC

Recommendation or Action:

Agency Staff recommends Preliminary Approval of Land Divisions 2010 005 and 2010 008 with conditions as indicated.

PLANNING & DEVELOPMENT COMMITTEE LAND DIVISION
CONDITIONS OF APPROVAL

OWNER:	Steve & Michelle Heilman 2926 Brunswick Lane Janesville, WI 53546 & John & Barbara Heilman 2926 Brunswick Lane Janesville, WI 53546	LAND DIVISION NO:	LD#2010 005
		DATE SUBMITTED:	February 3, 2010
LOCATION:	NE ¼ NE ¼ Sec. 1	E.T. JURISDICTION:	City of Janesville
		SURVEYOR:	Combs & Associates, Inc.
ORIGINAL AREA:	79 Acres +/-	TOWNSHIP:	La Prairie
FINAL AREA:	3.2 Acres	NUMBER OF LOTS:	1
PRESENT ZONING:	A-1	PROPOSED FUTURE ZONING:	A-4

A copy of these recommendations is sent to the surveyor and to the owner.

NOTE: The owner/developer and agent shall read and fully understand these conditions of approval prior to being acted upon by the Planning and Development Committee. Any questions or comments on these conditions shall be addressed to the P&D Committee/Staff prior to or while the Land Division is on the table for discussion.

NOTE: Reason for dividing land: Selling Ag Land.

NOTE: Consistent with the Rock County Agricultural Preservation Plan.

RECOMMEND

APPROVAL

CONDITIONAL APPROVAL

DENIAL

LOCATION: 700 Block S. Tarrant Rd.

CONDITIONS TO BE MET BEFORE ROCK COUNTY FINAL APPROVAL:

1. Existing structures shall meet setback regulations.
2. 33-foot 1/2 ROW to be dedicated along S. Tarrant 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 March 25, 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.

Signed Colin M. Byrnes DATE: 3/17/10
Dept. of Planning, Economic & Community Development

NOTE: THIS PROPOSED LAND DIVISION WILL BE REVIEWED BY THE PLANNING AND DEVELOPMENT COMMITTEE **ON MARCH 25, 2010 AT 8:30 A.M.** AT THE ROCK COUNTY COURTHOUSE.

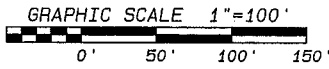
NOTE: FINAL SURVEY SHALL COMPLY WITH ALL STATE, COUNTY, & LOCAL REGULATIONS.

<u>COMMITTEE ACTION</u>			
<input type="checkbox"/> APPROVAL	<input type="checkbox"/> CONDITIONAL APPROVAL	<input type="checkbox"/> DENIAL	<input type="checkbox"/> TABLED
Initials _____		Date _____	

PRELIMINARY CERTIFIED SURVEY MAP

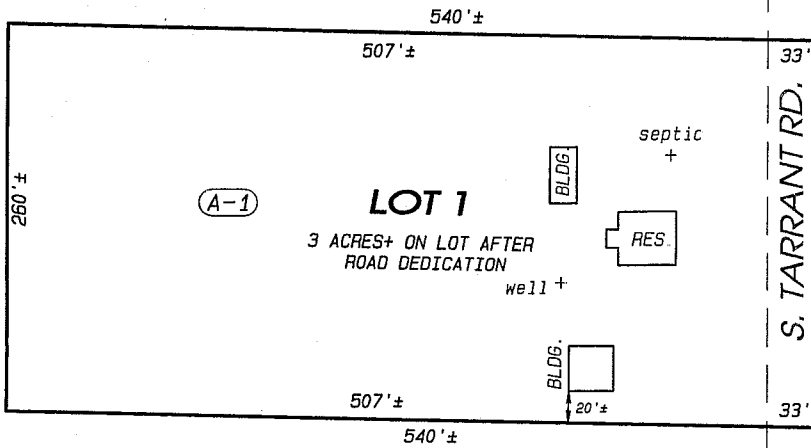
PART OF THE NE. ¼ OF THE NE. ¼ OF SECTION 1, T.2N., R.13E., OF THE 4TH P.M., LAPRAIRIE TOWNSHIP, ROCK COUNTY, WISCONSIN.

NE. CORNER
OF SEC. 1-2-13



550'±

(A-1)



(A-1)



- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 W. Milwaukee St.
Janesville, WI 53548
www.combsurvey.com

tel: 608 752-0575
fax: 608 752-0534

PLANNING & DEVELOPMENT COMMITTEE LAND DIVISION
CONDITIONS OF APPROVAL

OWNER:	Sweeney Farms, Inc. 11327 N. Casey Rd. Edgerton, WI 53534	LAND DIVISION NO:	LD#2010 008
		DATE SUBMITTED:	March 4, 2010
LOCATION:	NW ¼ SW ¼ Sec. 3	E.T. JURISDICTION:	N/A
		SURVEYOR:	Combs & Associates, Inc.
ORIGINAL AREA:	104 Acres +/-	TOWNSHIP:	Porter
FINAL AREA:	1.25 Acres +/-	NUMBER OF LOTS:	1
PRESENT ZONING:	A-1	PROPOSED FUTURE ZONING:	A-1 CUP

A copy of these recommendations is sent to the surveyor and to the owner.

NOTE: The owner/developer and agent shall read and fully understand these conditions of approval prior to being acted upon by the Planning and Development Committee. Any questions or comments on these conditions shall be addressed to the P&D Committee/Staff prior to or while the Land Division is on the table for discussion.

NOTE: Reason for dividing land: Farm Consolidation.

NOTE: Consistent with the Rock County Agricultural Preservation Plan.

RECOMMEND

APPROVAL

CONDITIONAL APPROVAL

DENIAL

LOCATION: 11300 Block of N. Casey Rd.

CONDITIONS TO BE MET BEFORE ROCK COUNTY FINAL APPROVAL:

1. Existing structures shall meet setback regulations.
2. 33-foot 1/2 ROW to be dedicated along N. Casey 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 March 25, 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.

Signed Colin M. Byrnes DATE: 3/15/10
Dept. of Planning, Economic & Community Development

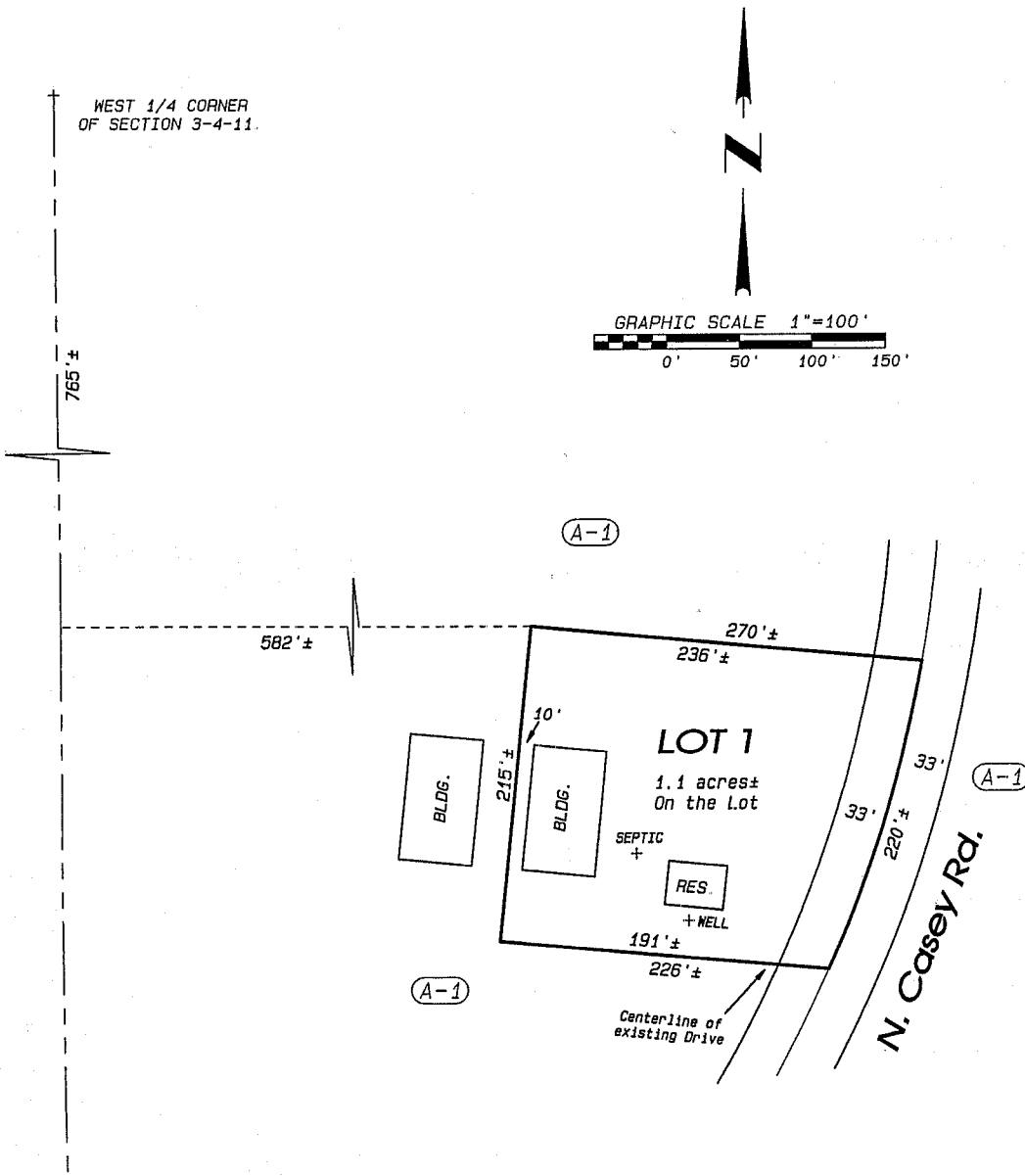
NOTE: THIS PROPOSED LAND DIVISION WILL BE REVIEWED BY THE PLANNING AND DEVELOPMENT COMMITTEE **ON MARCH 25, 2010 AT 8:30 A.M.** AT THE ROCK COUNTY COURTHOUSE.

NOTE: FINAL SURVEY SHALL COMPLY WITH ALL STATE, COUNTY, & LOCAL REGULATIONS.

<u>COMMITTEE ACTION</u>			
<input type="checkbox"/> APPROVAL	<input type="checkbox"/> CONDITIONAL APPROVAL	<input type="checkbox"/> DENIAL	<input type="checkbox"/> TABLED
Initials _____		Date _____	

PRELIMINARY CERTIFIED SURVEY MAP

LOCATED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 3, T.4N., R.11E. OF THE 4TH P.M., TOWN OF PORTER, ROCK COUNTY, WISCONSIN.



DATE: FEBRUARY 10, 2010

NOTES:

THIS SURVEY IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS, RECORDED AND UNRECORDED.

THE BASIS OF BEARINGS IS ASSUMED

Project No. 110 - 024 For: SWEENEY

Combs & Associates

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 W. Milwaukee St.
Janesville, WI 53548
www.combsurvey.com

tel: 608 752-0575
fax: 608 752-0534

15



Rock County Land Conservation Department

440 N US Hwy 14
Janesville, WI 53546-9708
Phone: (608) 754 - 6617 ext.3
Fax: (608) 752 - 1247

Cell Phone: (608) 289-0877
baker@co.rock.wi.us

March 16, 2010

Mr. Brett Gelbach
3629 N. Cedar Ridge Ct
Janesville, WI 53545
Via email and standard mail

RE: NOTICE OF VIOLATION and REMEDIAL ACTION
Land Disturbance at 4523 N River Rd (Parcel # 6-8-96)
Janesville Township, Rock County, WI

Dear Mr. Gelbach,

The purpose of this letter is to follow up to our phone conversations (today and March 12) regarding the recent work resulting in substantial land disturbance at the above referenced property. It is my understanding that you are the owner of the property and have plans to repair/remodel the house on this parcel. I inspected this site and contacted you last week because it was clear that erosion and sediment control measures were needed and it also appeared that a permit might be required from this Department for erosion control. Based on the amount of land disturbance, it was determined that a permit is required and should have been approved prior to commencing work. Failure to do so is a violation of one or more County Ordinances. We also discussed requirements of the Rock County Floodplain Zoning Ordinance, relating to the structural alterations or repairs to the house (due to the location in the Floodway), which is administered by the Rock County Planning and Development Agency (I work for both departments).

As we discussed today, the Land Conservation Department administers the Rock County Construction Site Erosion Control Ordinance in the County (Chapter 27 of the Rock County Code of Ordinances). Land disturbing activities exceeding 1,000 square feet near navigable bodies of water require an Erosion Control Permit, or an approved exemption or waiver of permit requirements, prior to commencing activities on site. From the information you gave me, the land disturbance was a result of using an excavator to inspect the foundation, moving materials to the edge of the water and subsequently getting stuck in the wet soil. Unfortunately, the consequence (especially this time of year) of leaving nearly the entire lot without vegetation and very rough is that there is a good chance for sediment to flow into the river or be washed away by floodwaters. Whether this was your intention or not, this is a serious problem.

It was determined, based on my site visit and measurements using our GIS, there is currently 6,500 square feet of land disturbed (graded or ultimately left without vegetation). Your efforts to have silt fence installed near the edge of the water will be helpful, but more will need to be done to bring the site into compliance, including applying for and receiving an after-the-fact permit. As we discussed today, I suggest speaking to a contractor about installing an appropriate application of anionic polyacrylimide (a.k.a. polymer or PAM) for immediate sediment control followed by seeding and mulching, including erosion mat in the areas nearest the water, when ground conditions allow. I have included the DNR Tech Standard 1050 rules for polymer application.


I have attached a "simplified" permit application form for the Erosion Control Permit that is required for the activity that has already taken place. Please note, as highlighted on the application, all permit fees are doubled for permits issued after-the-fact. The application includes areas to sketch your plan and outlines the information we are looking for to address ordinance standards. You may also use the attached scaled aerial photo for your application. The Erosion Control Ordinance is available at www.co.rock.wi.us/index.php/land-conservation-ordinances for your reference.

Brett Gelbach
RE: NOTICE OF VIOLATION and REMEDIAL ACTION

March 16, 2010
Page 2 of 2

Failure to respond to this notice by installing additional sediment control measures and completing a permit application in a timely fashion may result in additional penalty for this violation, including citations. If you have any questions of what is expected of you for the erosion control permit please contact me directly. Your efforts towards compliance with County Ordinances after being notified of your obligations late last week, including installing the silt fence, are appreciated. Specific questions regarding the structure and requirements of the Floodplain Zoning Ordinance (www.co.rock.wi.us/index.php/floodplain-zoning) can be directed to Colin Byrnes, Zoning Administrator, at the Planning and Development Agency, 608-757-5587. No work on the house may commence until the P&D Agency approves cost estimates and a zoning site permit is issued.

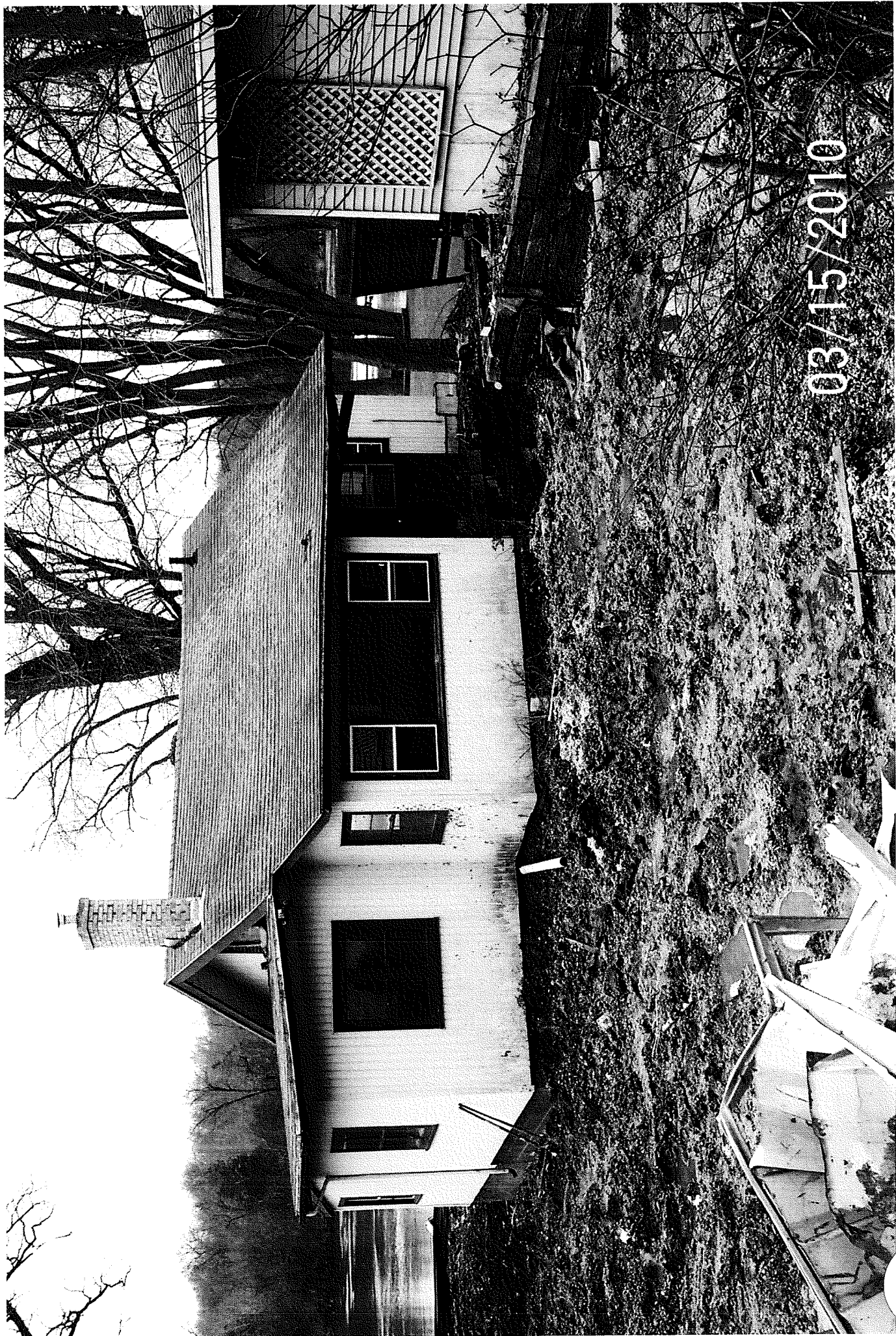
Sincerely,



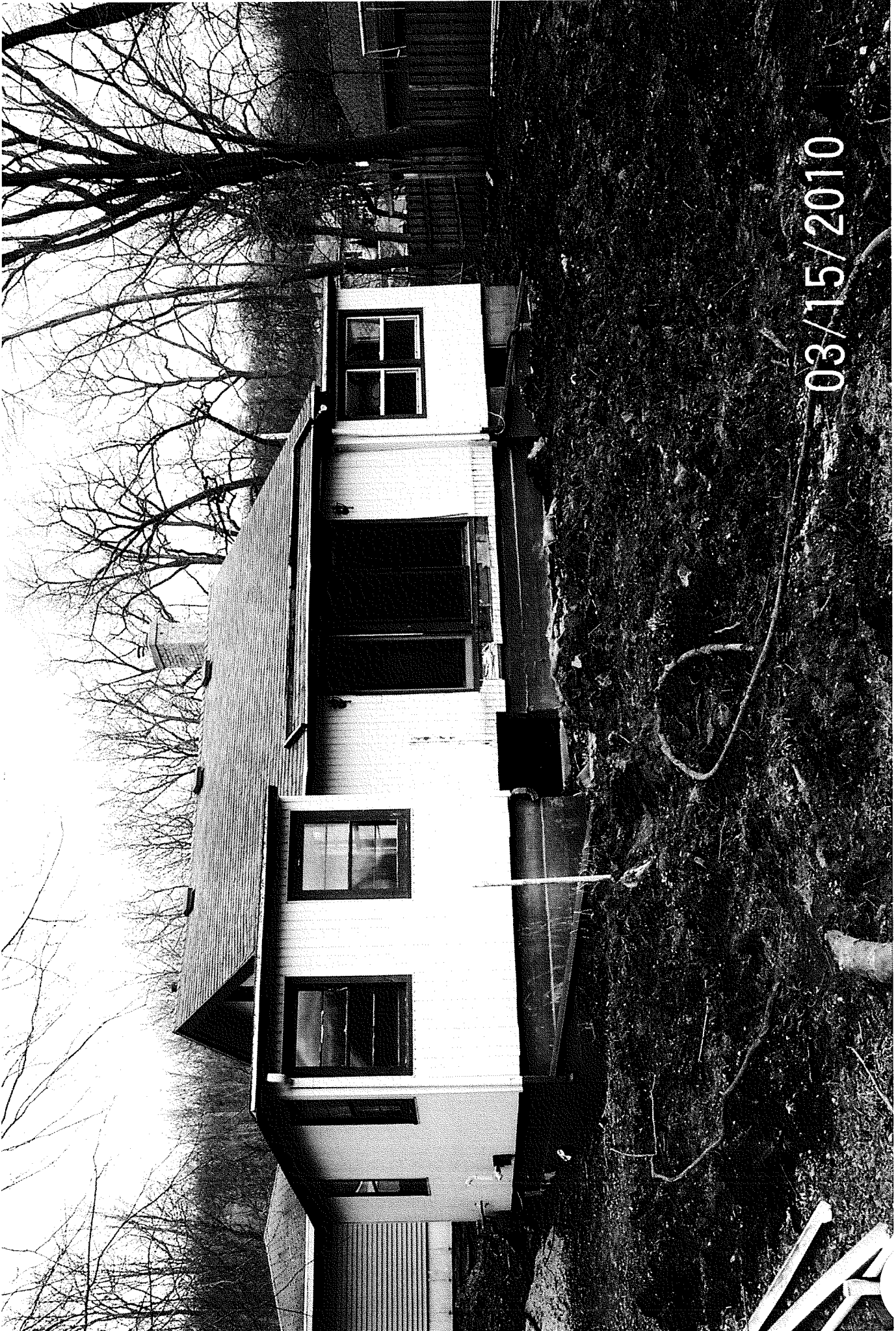
Andrew Baker, CPESC
Conservation Specialist

Enclosures (aerial photo, permit application, polymer technical standard)

CC: Town of Janesville, Clerk (no enclosures)



03/15/2010



03/15/2010





03/15/2010

Account Number	Name	Yearly Prort Appropriation Spent	YTD Expenditure	Encumb Amount	Unencumb Balance	Inv/Enc Amount	Total
6464600000-63110	ADMIN.EXPENSE	12,869.00	12.2%	1,580.41	0.01	11,288.58	
		03/17/10	-UN#047296	CANNON, RICH		175.00	
				CLOSING BALANCE		11,113.58	175.00
		HG CLRING A/C		PRG-TOTAL-PO		175.00	

I HAVE EXAMINED THE PRECEDING BILLS AND ENCUMBRANCES IN THE TOTAL AMOUNT OF \$175.00 INCURRED BY HOUSING GRANT CLEARING ACCOUNT. CLAIMS COVERING THE ITEMS ARE PROPER AND HAVE BEEN PREVIOUSLY FUNDED. THESE ITEMS ARE TO BE TREATED AS FOLLOWS

- A. BILLS AND ENCUMBRANCES OVER \$10,000 REFERRED TO THE COUNTY BOARD.
- B. BILLS UNDER \$10,000 TO BE PAID.
- C. ENCUMBRANCES UNDER \$10,000 TO BE PAID UPON ACCEPTANCE BY THE DEPARTMENT HEAD.

PLANNING & DEVELOPMENT COMMITTEE APPROVES THE ABOVE. CON-APPROVAL _____ DEPT-HEAD

MAR 25 2010 DATE _____ CHAIR



ROCK COUNTY GOVERNMENT

Planning & Development Agency

INTEROFFICE MEMORANDUM

TO: Rock County Planning & Development Committee
THROUGH: Steve Schraufnagel, Acting Director, Planning & Development Agency
FROM: David Somppi, Community Development Manager
SUBJECT: Recommendations – Actions for P&D Agenda
DATE: March 18, 2010

INFORMATION ITEMS:

- 1. Information Item: History of Subordination Policy in “Housing Procedure Manual”**
- 2. Action Item: Reconsideration of Subordination Request**
- 3. Information Item: Hazard Mitigation Grant Program – Expenditures for Non-Acquisition Expenses**

Cc:



Rock County Planning & Development Agency
51 S. Main Street
Janesville, WI 53545
(608) 757-5587

DATE: March 15, 2010
TO: Members of the Rock County Planning & Development Committee
FROM: David Somppi, Community Development Manager
Neale Thompson, Housing Specialist
RE: History of Subordination Policy in the "Housing Procedures Manual"

In response to P&D Committee request, the following is a report on the development of the Subordination Policy in the "Housing Procedures Manual."

Creation of "Housing Procedure Manual" The County Board Resolution to adopt the "Housing Procedures Manual of Rock County" was approved in November, 1986. This initial "Housing Procedures Manual" did not have a "Subordination Policy".

Processing of Subordination Requests: The current version of the Subordination Policy is provided to loan recipients at their loan closing. Staff reviews the contents of the Policy with the loan recipient at the closing.

A request for subordination utilizes the policy in effect at the time of the request. Subordination requests are usually initiated by a financial institution at the time of a mortgage refinance. A representative usually contacts Planning Agency staff. Staff forwards a copy of the Policy and request form. In many cases, if the mortgage loan requested for subordination does not meet the Subordination Policy requirements, the request form is not returned. If the representative wants the request reviewed and processed, the request form is completed and returned to staff. If necessary, staff reviews the request for conformance with the Policy. They may request additional information. A recommendation is made to the P&D Director.

Most subordination requests allow the loan recipient to refinance to improve mortgage terms, interest rates, and monthly payments. In most cases, refinancing out of an Adjustable Rate Mortgage (ARM) is a huge positive step.

A brief history of the "Subordination Policy"

2001 The Rock County Subordination Policy appears to have been developed in June-July, 2001. It was developed as required by the Wisconsin Department of Development for CDBG grantees.

The initial version has 9 paragraphs, and was attached to Community Development mortgages beginning in July, 2001. Mortgages from before June, 2001 do not appear to have the policy.

The policy was likely developed to address a specific subordination issue that was discussed by the Planning & Development Committee in June, 2001.

2003 The Subordination Policy was updated in January, 2003. This version has 12 paragraphs, and is 1 1/3 pages long. It appears to have been incorporated into the Housing Procedure Manual. Differences from the 1st policy include:

- An introductory statement is added - "This policy is based on subordination policy requirements for State Housing Program grantees from the State of Wisconsin – Division of Housing & Intergovernmental Relations."
- Item #2 states "The term of the proposed mortgage is an improvement for the existing mortgage."
- A processing fee of \$50 is added.

This policy does not mention ARM's (Adjustable Rate Mortgages).

2005 The Policy was updated in June, 2005. It was expanded to 1 3/4 pages. Changes have been made to address additional and more complicated situations. They include:

- The processing fee was increased to \$100.
- A request for a second or third subordination may be summarily rejected.
- A requirement that a minimum of 10 business days must be provided for staff processing.
- Partial repayment may be required if the original loan is for more than \$17,500.
- This document would be the subordination policy distributed to the loan recipient when (they) took out (their) loan. This document was also faxed on July 13, 2006, so it would appear to be the "Subordination and Alteration" policy in effect at that time in 2006.

2006 This policy was updated in August, 2006, and is titled "Appendix J - Rock County Subordination – Alteration Policy". The policy is 2 1/2 pages long and is 13 paragraphs. Additions to the Policy likely occur as a result of several requests before the P&D Committee to address issues that are not adequately addressed in the existing Policy. Changes to this policy include:

- The structure of the policy is changed to be uniform with other Rock County policies and documents.
- Due to several requests for "Short Sales" (settling for loan repayment of an amount less than what is owed), several paragraphs are added that begin to address this issue.
- The requirement that the proposed mortgage must have a fixed interest rate and term. Subordination requests for adjustable rate mortgages (ARM's) will not be approved.
- Other minor changes.

This would be the policy in effect after the (loan in question) was made. The applicant is correct in stating that the subordination policy has changed since (their) loan was initially approved.

2007 This policy was updated in August, 2007. The policy is over 2 pages (smaller font) and is 14 paragraphs. Additions again are made due to new issues brought before the P&D Committee that are not adequately addressed in the existing Policy. Changes include:

- Additional guidance concerning “Short Sales.”
- A requirement that a property tax escrow be established.
- A statement that Rock County will not subordinate if its mortgage is in 1st position.
- A statement that subordination requests may not be changed after being submitted.
- A statement that Rock County reserves the right to review subordination documents after they have been recorded with the Register of Deeds.

2009 The “Subordination – Alteration” policy is still 14 paragraphs and is largely unchanged since 2007.

Comparison to the State Sample Policy: The Rock County Subordination Policy is based on the Sample Subordination Policy as provided by the State of Wisconsin.

Nearly all topics included in the State Sample Policy are included in the Rock County Subordination Policy.

The Rock County Subordination Policy includes much language that is not drawn from the State Sample Policy. This language largely discusses procedural topics, I.E. Scope of Policy, Policy Objectives, Processing Fees, etc.

Items that are addressed in the State Sample policy that are not addressed in the Rock County policy include the following:

- o “Refinance an existing mortgage to improve terms, I.E. To obtain a comparable interest rate and extended payment terms.”
- o “Refinance an existing mortgage to halt foreclosure proceedings or to halt tax deed proceedings.”

Copies of the above-mentioned policies and additional information is available upon request.

(Housing Procedures Manual / HistorySubordProced0310)



Rock County Planning & Development Agency
51 S. Main Street
Janesville, WI 53545
(608) 757-5587
www.co.rock.wi.us

DATE: March 18, 2010
TO: Members of the Rock County Planning & Development Committee
FROM: Dave Somppi, Community Development Manager
RE: Hazard Mitigation Grant Program – Expenditures for Non-Acquisition Expenses

The following are expenditures for non-acquisition expenses for the approved projects. The line item amounts are as submitted with the original Grant application in 2008. The line items and amounts are based on bids and recommendations from Wisconsin Emergency Management from 2008.

Not all expenses have been incurred, and not all bills have been submitted. These expense do not involve funds from Rock County.

3636 Cemetery Rd.	AMT.	
ITEM	BUDGETED	SPENT
Title Searches:	\$ 250	
Abstract / Title Insurance:	\$ 5,737	\$ 422
Appraisals:	\$ 500	\$ 600
Legal Fees / Insurance:	\$ 500	
Surveys:		\$ 1,000
Closing Costs:	\$ 750	\$ 238
Relocation Assistance:	Up to \$ 25,000	
<u>Demolition – Site Restoration:</u>	<u>\$ 30,000</u>	<u>\$ 1,200</u>
TOTAL	Up to \$ 63,737	\$ 2,460

429 Ellendale	AMT.	
ITEM	BUDGETED	SPENT
Title Searches:	\$ 250	
Abstract / Title Insurance:	\$ 5,737	\$ 575
Appraisals:	\$ 500	\$ 600
Legal Fees / Insurance:	\$ 500	
Surveys:	\$ 1,000	
Closing Costs:	\$ 750	\$ 263
Relocation Assistance:	Up to \$25,000	
Actual Amount based on documented costs		
<u>Demolition – Site Restoration:</u>	<u>\$ 30,000</u>	<u>\$ 1,125</u>
TOTAL	Up to \$ 63,737	\$ 2,638

431 Ellendale	AMT.	
ITEM	BUDGETED	SPENT
Title Searches:	\$ 250	
Abstract / Title Insurance:	\$ 4,620	\$ 505
Appraisals:	\$ 500	\$ 600
Legal Fees / Insurance:	\$ 500	
Surveys:	\$ 1,000	
Closing Costs:	\$ 750	\$ 263
Relocation Assistance:	Up to \$25,000	
<u>Demolition – Site Restoration:</u>	<u>\$ 18,725</u>	<u>\$ 1,125</u>
TOTAL	Up to \$ 51,345	\$ 2,493