ROCK COUNTY BOARD OF SUPERVISORS’ MEETING
THURSDAY, FEBRUARY 23, 2017 – 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 - February 9, 2017
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. Appointment to Rock County Housing Authority

9. RECOGNITION OF COUNTY EMPLOYEES OR OTHERS
   A. Recognizing the Efforts of the Rock Trail Coalition on 25 Years of Service
   B. To Recognize Gretchen Dypold
   C. Recognizing Sarah Richards

10. INTRODUCTION OF NEW RESOLUTIONS OR ORDINANCES BY SUPERVISORS FOR REFERRAL TO APPROPRIATE COMMITTEE

11. REPORTS
   A. Evidence Based Decision Making Ad Hoc Committee Update
   B. Rock County Community Health Assessment Update – Kelly Klingensmith

12. NEW BUSINESS
   A. Supplementary Appropriations and Budget Changes - Roll Call
      1) Amending the UW-Extension 2016 Budget and Purchase Supplies
      2) Carryover of 2016 Budget Appropriations to 2017
12. NEW BUSINESS

B. Contracts – Roll Call

1) Awarding the Contract for Installation of Exit Door at the Health Care Center Building

2) Authorizing Payment to the City of Janesville for Fiber Optic Cable Construction

C. Repealing and Recreating Rock County Ordinance 4.4 Floodplain Zoning
   (Second Reading and Adoption)

D. Initial Resolution Authorizing General Obligation Bonds and/or Notes in an Amount Not to Exceed $3,050,000

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: Unexpired Term ending April 30, 2019

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

PRESENT MEMBER: Bob Yeomans

CONFIRMATION: Yes, by County Board of Supervisors

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

DATE: February 23, 2017
APPOINTMENT TO ROCK COUNTY HOUSING AUTHORITY

POSITION: Member of the Rock County Housing Authority

AUTHORITY: County Board Resolution #04-6B-038

TERM: Unexpired Term Expiring October 14, 2019

PER DIEM: $25 Per Meeting

PRESENT MEMBER: Jason Heidenreich

CONFIRMATION: Yes, for County Board of Supervisors Only

NEW APPOINTMENT: Jason Heidenreich
4437 Rockingham Drive
Janesville, WI 53546

EFFECTIVE DATE: February 23, 2017
RESOLUTION

ROCK COUNTY BOARD OF SUPERVISORS

Lori Williams, Parks Director
INITIATED BY
Public Works Committee &
Parks Advisory Committee
SUBMITTED BY

RESOLUTION NO. 17-2R-215

AGENDA NO. 9.A.(1)

Lori Williams, Parks Director
DRAFTED BY
February 6, 2017
DATE DRAFTED

Recognizing the Efforts of the Rock Trail Coalition on 25 Years of Service

WHEREAS, Rock Trail Coalition will celebrate 25 years of service advocating, supporting, and
building hiking, biking and water trails in Rock County; and,

WHEREAS, Rock Trail Coalition is the lead non-profit advocating, planning and helping fund
the Peace Trail connecting Beloit and Janesville; and,

WHEREAS, Rock Trail Coalition has conducted many runs, walks and bike tour fundraisers
over the last 25 years with all funds devoted to development and preservation of the trail systems;
and,

WHEREAS, Rock Trail Coalition partners with several other organizations such as the Ice Age
Trail Alliance, the Janesville Velo Club, the Stateline Spinners, the Green-Rock Audubon
Society, Friends of Turtle Creek and various friends groups to support and encourage outdoor
recreational activity for the citizens of Rock County; and,

WHEREAS, Rock Trail Coalition expects the Beloit/Janesville Peace Trail project to be
completed in 2017 with Rock Trail Coalition supporting Rock County Parks, both with volunteer
labor, recruitment of donors and financial support, and;

WHEREAS, the Peace Trail is a vital link connecting the northern Illinois trail system through
Beloit and Janesville to the central Wisconsin trail system. Our trail towns will benefit by the
tourism dollars that a well-developed trail system can bring.

NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors duly
assembled this ____ day of __________, 2017, hereby recognizes the Rock Trail Coalition
on their 25 years of service in Rock County and extends their congratulations and gratitude on the
outstanding volunteer work and efforts and looks forward to a continued partnership in the future.

Respectfully submitted,

PUBLIC WORKS COMMITTEE

Betty Jo Bassie, Chair

Brent Fox, Vice-Chair

Eva Arnold

Brenton Driscoll

Rick Richard
- Executive Summary –

Commending Efforts of the Rock Trail Coalition on 25 Years of Service

Rock Trail Coalition started its service in Rock County in 1992.

The Rock Trail Coalition has partnered with Rock County Parks and several other organizations such as the Ice Age Trail Alliance, the Janesville Velo Club, the Stateline Spinners, the Green-Rock Audubon Society, Friends of Turtle Creek and various friends groups to support and encourage outdoor recreational activity for the citizens of Rock County.

Rock Trail Coalition works with several municipalities to connect communities with off-road trails including Janesville, Beloit, Milton, and Rock County. They have also been involved in many county planning processes and documents pertaining to trails and improvements.

We look forward to a continued successful partnership with a truly exemplary and outstanding group of volunteers.
WHEREAS, Ms. Dybold has served the citizens of Rock County for over sixteen (16) years as a dedicated and valued employee of Rock County; and,

WHEREAS, Ms. Dybold began her career on February 19, 2001 as a Master’s Social Worker for the Rock County Human Services Department, she has served the County in the primary role of Prevention Specialist. Throughout the course of her employment, Ms. Dybold carried out this role in a number of ways. As the Brighter Futures Coordinator for the County, she worked with the Child Protective Services and Juvenile Justice divisions as well as a variety of community agencies to create prevention programs and projects that enhanced positive youth development through the use of the Developmental Assets approach; and,

WHEREAS, Ms. Dybold was a leader in coordinating the development of the Rock County Home Visiting Network. Along with other community leaders, a system for increasing collaboration around home visiting services was initiated. A primary benefit of Ms. Dybold’s work in this area was decreasing the duplication of services, thus eliminating agencies working at cross purposes; and,

WHEREAS, in addition to her Prevention work, Ms. Dybold was instrumental in researching and writing grants that allowed the County to develop innovative programming for our internal clients as well as those who receive services through community partners. Most recently, Ms. Dybold partnered with Children’s Hospital of Wisconsin and Rock-Walworth Head Start/Early Head Start to implement the Comprehensive Home Visiting grant. During the five (5) years that Rock County held this grant, Ms. Dybold and her partners developed programming that resulted in pregnant African-American mothers and families with newborns get off to a healthy start in life by completing 4965 home visits focusing on providing education, support, parent/child developmental activities and community connections; and,

WHEREAS, with each job responsibility transition, Ms. Dybold showed a high degree of adaptability and willingness to assist her colleagues as much as she possibly could. She has an unmatched commitment to her colleagues and a passion for prevention and she will be remembered for her tireless work in advocating for the needs of those less fortunate members of the Rock County community; and,

WHEREAS, Ms. Dybold has demonstrated through her actions her belief in the mission of the Social Work profession; rooted in core values to include: service delivery, social justice, dignity & self-worth, importance of human relationships, integrity and competence; and,

WHEREAS, Ms. Dybold has proven herself to be a dedicated and outstanding employee, serving on behalf of Rock County residents, and will be retiring from the Rock County Human Services Department on February 1, 2017; and,

WHEREAS, the Rock County Board of Supervisors, representing the citizens of Rock County, wishes to recognize Ms. Dybold for her achievements and significant contributions to the citizens of Rock County and her lifelong and faithful service.

NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors, duly assembled this _______ day of ________, 2017, does hereby recognize Ms. Dybold for her 16 years of service and extend best wishes to her in her future endeavors.
To Recognize Gretchen Dypold
Page 2

Respectfully Submitted,

HUMAN SERVICES BOARD

Brian Knudson, Chair

Sally Jean Weaver-Landers, Vice Chair

Karl Dommershausen

Terry Fell

Linda Garrett

Ashley Kleven

Kathy Schulz

Terry Thomas

Shirley Williams

COUNTY BOARD STAFF COMMITTEE

Russell Podzilni, Chair

Sandra Kraft, Vice Chair

Eva Arnold

Henry Brill

Betty Jo Bussie

Mary Mawhinney

Louis Peer

Alan Sweeney

Terry Thomas
RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS

Katherine Flanagan
INITIATED BY

Human Service Board
SUBMITTED BY

April Heim
DRAFTED BY

January 18, 2017
DATE DRAFTED

RECOGNIZING SARAH RICHARDS

WHEREAS, Sarah Richards has served the citizens of Rock County for over thirty (30) years as a dedicated and valued employee of Rock County; and,

WHEREAS, Sarah Richards began her career with Rock County on January 13, 1987 as a Transportation Clerk under the Human Services Department. On August 3, 1988 Ms. Richards transferred to a Duplicating Equipment Operator within the Human Services Department. Ms. Richards then transferred into a Clerk III position within the Human Services Department on January 1, 1990. After ten years serving the Human Services Department as a Clerk III, Ms. Richards took on the challenge of Job Center Support Specialist on July 19, 2010 where she demonstrated excellent customer services to Job Center customers. Ms. Richards has benefited many Rock County citizens throughout her thirty (30) year career. Ms. Richards will be retiring from Rock County Department of Human Services on February 11, 2017; and,

WHEREAS, Sarah Richards has proven herself to be a compassionate, caring, and committed employee, always advocating for the Economic Support program participants; and,

WHEREAS, the Rock County Board of Supervisors, representing the citizens of Rock County, wishes to recognize Sarah Richards for her significant contributions to Rock County and the Human Services Department and her long and faithful service.

NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors, duly assembled this ________day of ___________, 2017, does hereby recognize Sarah Richards for her thirty (30) years of service and extend best wishes to her in her future endeavors.

Respectfully Submitted,

ROCK COUNTY HUMAN SERVICES BOARD

Brian Knudson, Chair

Sally Jo Weaver-Landers, Vice Chair

Terry Thomas

Shirley Williams

Karl Dommershausen

Terry Fell

Linda Garrett

Ashley Kleven

Kathy Schultz
COUNTY BOARD STAFF COMMITTEE

Russell Podzilni, Chair
Sandra Kraft, Vice Chair
Eva Arnold
Henry Brill
Betty Jo Bussie
Absent
Mary Mawhinney
Louis Peer
Alan Sweeney
Terry Thomas
RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS

UW-Extension Rock County
INITIATED BY
Agriculture & Education
SUBMITTED BY

Donna Duerst
DRAFTED BY
January 26, 2017
DATE DRAFTED

Amending the UW-Extension 2016 Budget and Purchase Supplies

WHEREAS, UW-Extension brings in funds from training events; and,

WHEREAS, UW-Extension brought in more money than was anticipated in the 2016 budget; and,

WHEREAS, UW-Extension also spends funds in support of the training events; and,

WHEREAS, transfer of funds is required to balance the 2016 budget.

NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors duly assembled this ________ day of ________, 2017 does hereby approve amending the UW-Extension’s 2016 budget for the purchase of supplies required for programming as follows:

<table>
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<tr>
<th>ACCOUNT/DESCRIPTION</th>
<th>BUDGET</th>
<th>INCREASE/DECREASE</th>
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<td>$9,616</td>
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<td>Use of Funds: Transfer In</td>
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<td>$170,871</td>
<td>$9,616</td>
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Respectfully submitted,

AGRICULTURE & EDUCATION COMMITTEE
Richard Bostwick, Chair
Wes Davis, Vice Chair
Brenton Driscoll
Kara Hawes
Alan Sweeney

FINANCE COMMITTEE ENDORSEMENT
Reviewed and approved on a vote of 4-0
Mary Mawhinney, Chair
Date 2/10/17
FISCAL NOTE:

This resolution amends the 2016 budget to recognize additional unanticipated revenues and apply them to programs where expenses exceeded budgeted appropriations.

Sherry Opi
Finance Director

LEGAL NOTE:

As an amendment to the adopted 2016 County Budget, this resolution requires a 2/3 vote of the entire membership of the County Board pursuant to sec. 65.90(5)(a), Wis. Stats.

Jeffrey S. Kuglitsch
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.

Josh Smith
County Administrator
EXECUTIVE SUMMARY

AMENDING THE UW-EXTENSION 2016 BUDGET

In 2016, it was estimated that the UW-Extension Education Fees and Program Expenses would both be $25,000. Therefore the two funds would equal out each other.

However, the income exceeded the proposed amount by over $19,000. UW-Extension Education staff used funds to purchase programming materials and materials for the office. These purchases were greater than the $25,000. Therefore, transfer of funds is required to cover the expenses.

In 2016 the projection of Educator's Support would be $170,871. However, due to an error in computations, the amount was a deficit of $9,616. Therefore, transfer of funds is required to cover the expense.
RESOLUTION NO. 17-2B-219

RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS

Finance Committee
INITIATED BY

Sherry Oja, Finance Director
DRAFTED BY

Finance Committee
SUBMITTED BY

February 15, 2017
DATE DRAFTED

CARRYOVER OF 2016 BUDGET APPROPRIATIONS TO 2017

WHEREAS, obligations were made in 2016 for the purchase of specific goods or services which were not received or will not be completed until 2017; and,

WHEREAS, under generally accepted accounting principles, it is necessary to carry over funds from 2016 budget appropriations to 2017 to provide funding for these obligations.

NOW, THEREFORE, BE IT RESOLVED, by the Rock County Board of Supervisors duly assembled this ___________ day of ____________, 2017 that the 2017 Budget be amended as follows:

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## Carryover of 2016 Budget Appropriations to 2017

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Respectfully submitted,

FINANCE COMMITTEE

Absent
Mary Mawhinney, Chair

Sandra Kraft, Vice Chair

Mary Beaver

Brent Fox

J. Russell Podzilni

FISCAL NOTE:
In accordance with generally accepted accounting principles, carryovers are increases to budget appropriations and, therefore, a County Board resolution is required. Fiscal impact is shown in the body of the resolution.

Sherry Oja
Finance Director

LEGAL NOTE:
As an amendment to the 2017 Adopted County Budget, this resolution requires a two-thirds vote of the entire membership of the County Board, pursuant to Sec. 65.90(5)(a), Wis. Stats.

Jeffrey S. Kuglitsch
Corporation Counsel

ADMINISTRATIVE NOTE:
Recommended.

Josh Smith
County Administrator
EXECUTIVE SUMMARY - CARRYOVER OF 2016 BUDGET APPROPRIATIONS TO 2017

County Administrator: Carryover of unspent training Funds – 4,769

Finance: Carryover of unspent training funds - $5,937

Corporation Counsel: Carryover of unspent training funds-$5,001

Information Technology: Back system configuration-$3,309; Oracle charges-$4,262; Removable disk drives-$6,000; Mobile device management-$15,000; Monitors-$1,500; Network switch replacements-$40,000; GPS squad car software-$300;

Human Resources: Projector-$1,200; Supervisory Training Program - $6,000

County Clerk: Election equipment security, office furniture-$11,000

Facilities Management: Glen Oaks Fascia-$34,111; YSC misc-$5,000; Comm Center misc-$10,221; ASC misc-$5,170; Job Center air handling units, public bathroom renovation, electrical service entrance-$255,558; Jail vential pipe, sanitary treble hooks, air handling unit controller-$289,485; Courthouse roof and boiler-$140,987; UW-Rock mass notification, air handling unit engineer, exhaust fan-$959,868; HCC Complex roof, elevator, facility study, tunnel exit, secure exit doors-$304,553; YSC roof-$68,067.

Employee Recognition Committee: Carryover of unspent funds-$2,650

Employee Wellness Committee: Carryover of unspent funds-$3,166

Sheriff’s Office: SWAT vests-$7,286; CPR pads-$580; change over squad-$2,233; shotguns-$1,251

Clerk of Circuit Court: eFiling conversion, revise counter set-up-$29,298

Communications Center: AT&T Ethernet service-$1,500; Fire Dept PSA-$1,000; training-$4,400; backup analog frequencies-$182,300

Health Department: Replacement PCs-$12,131

Human Services: Lobby and office furniture for Franklin St and Eclipse Center-$29,647; Cross-charges from Facilities Management for Job Center air handling units, public bathroom renovation, electrical service entrance-$255,558;

Public Works-Highway Division: County Aid-$6,000; Time entry system hardware-$5,842; Time entry system equip-$200; Bridge aid-$8,975; Road striping-$61,648; Road salt-$200,000; Crack sealing-$40,000; County Highway bridge maintenance-$55,700; County highway seal coating-$51,000; Grader patching-$100,000; Shouldering-$109,417; CTH F road construction-$536,665; Federal Aid Construction for CTHs G and F-$30,000; Various facilities projects-$414,613; Various equipment purchases-$431,544.

Public Works-Parks: Time entry system hardware-$925; Magnolia Bluff trail signage, canoe launch, Carver Roehl bathroom, Smith Road iron bridge study $167,800

Public Works-Airport: Airport marketing - $2,805, De-icing fluid $21,139; Fence damage-$2,000; Taxiway light project-$60,000
RESOLUTION

ROCK COUNTY BOARD OF SUPERVISORS

General Services Committee
INITIATED BY

General Services Committee
SUBMITTED BY

Brent Sutherland –
Director of Facilities Management
DRAFTED BY

January 16, 2017
DATE DRAFTED

Awarding the Contract for Installation of Exit Door at the Health Care Center Building

1. WHEREAS, funds were budgeted in 2016 and carried forward to 2017 for the installation of a new door at the Health Care Center Building; and,

2. WHEREAS, specifications were drafted and bids solicited and five were received from qualified contractors; and,

3. NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors duly assembled this ___ day of _______, 2017 does hereby approve and authorize awarding a contract in the amount of $42,900 to Gilbank Construction Inc. out of Clinton, WI, for the installation of an exit door at the Health Care Center Building.

Respectfully submitted,

GENERAL SERVICES COMMITTEE

Henry Brill, Chair

Jason Heidenreich, Vice Chair

Robert Yeomans

David Homan

Jeremy Zajac

FISCAL NOTE:

Funds were included in the 2016 budget for this project. The funds will need to be approved to carryover from 2016 to 2017. This project is being funded by sales tax revenues.

Sherry Oja
Finance Director

LEGAL NOTE:

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

Jeffrey Kuglitsch
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.

Josh Smith
County Administrator
Executive Summary

Awarding the Contract for Installation of Exit Door at the Health Care Center Building and Amending 2017 Facilities Management Capital Budget

The Health Care Center building has a records storage room that currently has only one exit. Fire Code requires two exits due to the length of the room. This will require an underground stairwell to be installed and an exit door to be cut into an 8 inch thick wall. Bids were solicited from qualified contractors with five bidders responding.

The resolution before you approves contracting with Gilbank Construction Inc. of Clinton, WI, in the amount of $42,900.00.
BID SUMMARY FORM

BID NUMBER 2016-55
BID NAME HEALTH CARE CENTER EXIT STAIRWELL
BID DUE DATE DECEMBER 8, 2016 – 1:30 P.M.
DEPARTMENT FACILITIES MANAGEMENT

<table>
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<tr>
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<th>KLOBUCAR CLINTON WI</th>
<th>ADVANCED VERONA WI</th>
<th>MAGILL ELKHORN WI</th>
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<td>4/21/17</td>
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<td>5/9/17</td>
<td>45 DAYS</td>
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</table>

Invitation to Bid was advertised in the Janesville Gazette and on the Internet. One additional vendor was solicited that did not respond.

PREPARED BY: JODI MILLIS, PURCHASING MANAGER

DEPARTMENT HEAD RECOMMENDATION: Gilbank Construction Inc.

SIGNATURE

DATE: 1-17-17

GOVERNING COMMITTEE APPROVAL:

CHAIR

VOTE

DATE

Page 12 of 13
RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS

Mickey Crittenden, Director of IT
INITIATED BY

Finance Committee
SUBMITTED BY

Mickey Crittenden, Director of IT
DRAFTED BY

February 7, 2017
DATE DRAFTED

Authorizing Payment to the City of Janesville for Fiber Optic Cable Construction

WHEREAS, the installation of a fiber optic cable connection to the City of Janesville’s network is an Information Technology strategic initiative for 2017 and is included as part of the City’s planned metropolitan area network project; and,

WHEREAS, the connection of the County and City networks will improve current shared services, enable additional future shared services, and provide for a better County to the Internet; and,

WHEREAS, the 2017 Information Technology budget (07-1444-0000-67131) did include funding for the installation of this fiber optic connecting segment between the County and the City; and,

WHEREAS, the City of Janesville’s bid process identified Underground Systems, Inc. of Eau Claire, WI as the lowest cost and qualified contractor for the project; and,

WHEREAS, the City of Janesville is acting as the fiscal agent of the project for vendor payments.

NOW, THEREFORE, BE IT RESOLVED by the Rock County Board of Supervisors duly assembled this day of , 2017 that a payment be issued to the City of Janesville in the amount of $27,323.57.

Respectfully submitted,

FINANCE COMMITTEE

Absent
Mary Mawhinney, Chair
Sandra Kraft, Vice Chair
Mary Beaver
Brent Fox
J. Russell Podzilni

FISCAL NOTE:
Sufficient funds were included in the 2017 budget for this payment. The County’s share of this project is being funded with sales tax revenue.

Sherry Oja
Finance Director

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

Jeffrey S. Kuglitsch
Corporation Counsel

ADMINISTRATIVE NOTE:
Recommended.

Josh Smith
County Administrator
Executive Summary for Installation of a Fiber Optic Cable Connection to the City of Janesville

The installation of a fiber optic cable connection between the County and the City of Janesville is a budgeted Information Technology Strategic Initiative for 2017. This fiber optic cable connection of the County’s network and the City’s network will improve current shared systems services and enable additional future shared services. Additionally, this installation will result in an improved connection to the Internet.

The connecting points of this fiber optic cabling segment are the Courthouse and the City’s Senior Center. The segment is included as part of the City’s project for installing a fiber optic-based metropolitan area network, and as such, the City is that project’s fiscal agent for vendor payments. The two cost components for the connecting segment between the Courthouse and the City’s Senior Center are:

- Construction Management $3,862.07, and
- Construction of the Fiber Optic segment $23,461.50.

The City of Janesville, through their bid process identified Underground Systems, Inc. of Eau Claire, WI as the lowest cost qualified vendor for the metropolitan area network fiber optic installation project, including the network segment herein described. The total cost to the County for this segment is $27,323.57, for which the City of Janesville is requesting payment.

Fig. 1

![Diagram of Courthouse area]

Fig. 2

![Diagram of Senior Center area]
REPEALING AND RECREATING ROCK COUNTY ORDINANCE 4.4 FLOODPLAIN ZONING

The Rock County Board of Supervisors at its regular meeting this ____ day of ________, 2017, does ordain as follows:

I. Ordinance 4.4, Floodplain Zoning is hereby repealed and recreated to read as follows:

Part 4 – Floodplain Zoning


(1) Statutory Authorization

This ordinance is adopted pursuant to the authorization in 59.69, 59.692, and 59.694 for counties; and the requirements in s. 87.30, Stats.

(2) Finding of Fact

Uncontrolled development and use of the floodplains and rivers of this municipality would impair the public health, safety, convenience, general welfare and tax base.

(3) Statement of Purpose

This ordinance is intended to regulate floodplain development to:

(A) Protect life, health and property;

(B) Minimize expenditures of public funds for flood control projects;

(C) Minimize rescue and relief efforts undertaken at the expense of the taxpayers;

(D) Minimize business interruptions and other economic disruptions;

(E) Minimize damage to public facilities in the floodplain;

(F) Minimize the occurrence of future flood blight areas in the floodplain;

(G) Discourage the victimization of unwary land and homebuyers;

(H) Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and

(I) Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.
Title

This ordinance shall be known as the Floodplain Zoning Ordinance for Rock County, Wisconsin.

(5) General Provisions

(A) Areas To Be Regulated

This ordinance regulates all areas that would be covered by the regional flood or base flood as shown on the Flood Insurance Rate Map (FIRM) or other maps approved by DNR. Base flood elevations are derived from the flood profiles in the Flood Insurance Study (FIS) and are shown as AE, A1-30, and AH Zones on the FIRM. Other regulatory zones are displayed as A and AO zones. Regional Flood Elevations (RFE) may be derived from other studies. If more than one map or revision is referenced, the most restrictive information shall apply.

(B) Official Maps & Revisions

The boundaries of all floodplain districts are designated as A, AE, AH, AO or A1-30 on the maps based on the Flood Insurance Study (FIS) listed below. Any change to the base flood elevations (BFE) or any changes to the boundaries of the floodplain or floodway FIS or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA through the Letter of Map Change process (see sec. 4.408 Amendments) before it is effective. No changes to regional flood elevations (RFE's) on non-FEMA maps shall be effective until approved by the DNR. These maps and revisions are on file in the office of the Planning, Economic and Community Development Agency, County of Rock. If more than one map or revision is referenced, the most current approved information shall apply.


Approved by: the DNR and FEMA

(C) Establishment of Districts
The regional floodplain areas are divided into four districts as follows:

1. The Flowway District (FW) is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters and are contained within the AE Zones as shown on the FIRM.

2. The Floodfringe District (FF) is that portion of the floodplain between the regional flood limits and the flowway and displayed as the AE Zones on the FIRM.

3. The General Floodplain District (GFP) is those areas that have been or may be covered by floodwater during the regional flood and does not have a BFE or floodway determined, including A, AH and AO zones on the FIRM.

4. The Flood Storage District (FSD) is that area of the floodplain where storage of floodwaters is calculated to reduce the regional flood discharge.

(D) Locating Floodplain Boundaries

Discrepancies between boundaries on the official floodplain zoning map and actual field conditions shall be resolved using the criteria in paragraphs 1. or 2. below. If a significant difference exists, the map shall be amended according to sec. 4.408 Amendments. The zoning administrator can rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The zoning administrator shall be responsible for documenting actual pre-development field conditions and the basis upon which the district boundary was determined and for initiating any map amendments required under this section. Disputes between the zoning administrator and an applicant over the district boundary line shall be settled according to sec. 4.407(3)(C) and the criteria in 1. and 2. below. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must approve any map amendment or revision pursuant to sec 4.408.

1. If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.

2. Where flood profiles do not exist, the location of the boundary shall be determined by the map scale.

(E) Removal of Lands From Floodplain

Compliance with the provisions of this ordinance shall not be grounds for removing land from the floodplain unless it is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to sec. 4.408.

Note: This procedure does not remove the requirements for the mandatory purchase of flood insurance. The property owner must contact FEMA to request a Letter of Map Change (LOMC).

(F) Compliance

Any development or use within the areas regulated by this ordinance shall be in compliance with the terms of this ordinance, and other applicable local, state, and federal regulations.

(G) Municipalities and State Agencies Regulated

Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply if s. 13.48(13), Stats., applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation is exempt when s. 30.2022, Stats., applies.
(H) Abrogation and Greater Restrictions

1. This ordinance supersedes all the provisions of any municipal zoning ordinance
   enacted under ss. 59.69, 59.692 or 59.694 for counties or s. 87.30, Stats., which relate
   to floodplains. A more restrictive ordinance shall continue in full force and effect to
   the extent of the greater restrictions, but not otherwise.

2. This ordinance is not intended to repeal, abrogate or impair any existing deed
   restrictions, covenants or easements. If this ordinance imposes greater restrictions, the
   provisions of this ordinance shall prevail.

(I) Interpretation

In their interpretation and application, the provisions of this ordinance are the minimum
requirements liberally construed in favor of the governing body and are not a limitation on
or repeal of any other powers granted by the Wisconsin Statutes. If a provision of this
ordinance, required by ch. NR 116, Wis. Adm. Code, is unclear, the provision shall be
interpreted in light of the standards in effect on the date of the adoption of this ordinance
or in effect on the date of the most recent text amendment to this ordinance.

(J) Warning and Disclaimer of Liability

The flood protection standards in this ordinance are based on engineering experience and
research. Larger floods may occur or the flood height may be increased by man-made or
natural causes. This ordinance does not imply or guarantee that non-floodplain areas or
permitted floodplain uses will be free from flooding and flood damages. This ordinance
does not create liability on the part of, or a cause of action against, the municipality or any
officer or employee thereof for any flood damage that may result from reliance on this
ordinance.

(K) Severability

Should any portion of this ordinance be declared unconstitutional or invalid by a court of
competent jurisdiction, the remainder of this ordinance shall not be affected.

(L) Annexed Areas for Cities and Villages

The Rock County floodplain zoning provisions in effect on the date of annexation shall
remain in effect and shall be enforced by the municipality for all annexed areas until the
municipality adopts and enforces an ordinance which meets the requirements of ch. NR
These annexed lands are described on the municipality's official zoning map. County
floodplain zoning provisions are incorporated by reference for the purpose of
administering this section and are on file in the office of the municipal zoning
administrator. All plats or maps of annexation shall show the regional flood elevation and
the floodway location.

### 4.402 General Standards

The community shall review all permit applications to determine whether proposed building sites will
be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new
construction and substantial improvements shall be designed and anchored to prevent flotation,
collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads; be
constructed with flood-resistant materials; be constructed to minimize flood damages and to ensure that
utility and mechanical equipment is designed and/or located so as to prevent water from entering or
accumulating within the equipment during conditions of flooding.

Subdivisions shall be reviewed for compliance with the above standards. All subdivision proposals
(including manufactured home parks) shall include regional flood elevation and floodway data for any
development that meets the subdivision definition of this ordinance and all other requirements in sec.
4.407(1)(B). Adequate drainage shall be provided to reduce exposure to flood hazards and all public
utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to
minimize or eliminate flood damages.

(1) Hydraulic and Hydrologic Analyses

(A) No floodplain development shall:

1. Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, causing any increase in the regional flood height; or

2. Cause any increase regional flood height due to floodplain storage area lost.

(B) The zoning administrator shall deny permits if it is determined the proposed development will obstruct flow or cause any increase regional flood height, based on the officially adopted FIRM or other adopted map, unless the provisions of sec. 4.408 are met.

Note: Additional information for the Hydraulic and Hydrologic Analysis procedure may be found in sec. 4.407(1)(B)3.

(2) Watercourse Alterations

No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the local official has notified in writing all adjacent municipalities, the Department and FEMA regional offices and required the applicant to secure all necessary state and federal permits. Standards of sec. 4.402(1) must be met and the flood carrying capacity of any altered or relocated watercourse shall be maintained.

As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation and pursuant to sec. 4.408, the community shall apply for a Letter of Map Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the DNR through the LOMC process.

(3) Chapter 30, 31, Wis. Stats., Development

Development which requires a permit from the Department, under chs. 30 and 31, Wis. Stats., such as docks, piers, wharves, bridges, culverts, dams and navigational aids, may be allowed if the necessary permits are obtained and amendments to the floodplain zoning ordinance are made according to sec. 4.408.

(4) Public or Private Campgrounds

Public or private campgrounds shall have a low flood damage potential and shall meet the following provisions:

(A) The campground is approved by the Department of Health and Family Services.

(B) A land use permit for the campground is issued by the zoning administrator.

(C) The character of the river system and campground elevation are such that a 72-hour warning of an impending flood can be given to all campground occupants.

(D) There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the municipal emergency government coordinator and the chief law enforcement official which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation.

(E) This agreement shall be for no more than one calendar year, at which time the agreement shall be reviewed and updated - by the officials identified in sub. (D) - to remain in compliance with all applicable regulations, including those of the State Department of Health and Services and all other applicable regulations.

(F) Only camping units that are fully licensed, if required, and ready for highway use are allowed.
(G) The camping units shall not occupy any site in the campground for more than 180 consecutive days, at which time the camping unit must be removed from the floodplain for a minimum of 24 hours.

(H) All camping units that remain on site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which is kept on file at the campground. Such authorization shall allow placement of a camping unit for a period not to exceed 180 days and shall ensure compliance with all the provisions of this section.

(I) The municipality shall monitor the limited authorizations issued by the campground operator to assure compliance with the terms of this section.

(J) All camping units that remain in place for more than 180 consecutive days must meet the applicable requirements in either sec. 4.403, 4.404 or 4.405 for the floodplain district in which the structure is located.

(K) The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued.

(L) All service facilities, including but not limited to refuse collection, electrical service, gas lines, propane tanks, sewage systems and wells shall be properly anchored and placed at or floodproofed to the flood protection elevation.

4.403 Floodway District (FW)

(1) Applicability

This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to sec. 4.405(1)(D)

(2) Permitted Uses

The following open space uses are allowed in the floodway district and the floodway areas of the general floodplain district, if

- they are not prohibited by any other ordinance;
- they meet the standards in sec. 4.403(3) and 4.403(4); and
- all permits or certificates have been issued according to sec. 4.407(1):

(A) Agricultural uses, such as: farming, outdoor plant nurseries, horticulture, viticulture and wild crop harvesting.

(B) Nonstructural industrial and commercial uses, such as loading areas, parking areas and airport landing strips.

(C) Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap and skeet activities, hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of sec. 4.403(3)(D).

(D) Uses or structures accessory to open space uses, or classified as historic structures that comply with sec. 4.403(3) and 4.403(4).

(E) Extraction of sand, gravel or other materials that comply with sec. 4.403(3)(D).

(F) Functionally water-dependent uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with chs. 30, 31, Stats.

(G) Public utilities, streets and bridges that comply with sec. 4.403(3)(C).

(3) Standards for Developments in the Floodway

(A) General

1. Any development in the floodway shall comply with sec. 4.402 and have low flood damage potential.
2. Applicants shall provide the following data to determine the effects of the proposal according to sec. 4.402(1) and 4.407(1)(B)3:
   a. A cross-section elevation view of the proposal, perpendicular to the watercourse, showing if the proposed development will obstruct flow; or
   b. An analysis calculating the effects of this proposal on regional flood height.
3. The zoning administrator shall deny the permit application if the project will cause any increase flood elevations upstream or downstream, based on the data submitted for subd. 2. above.

(B) Structures

Structures accessory to permanent open space uses or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:

1. Not designed for human habitation, does not have a high flood damage potential and is constructed to minimize flood damage;
2. Shall have a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the bottom of all such openings being no higher than one foot above grade. The openings shall be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
3. Must be anchored to resist flotation, collapse, and lateral movement;
4. Mechanical and utility equipment must be elevated or flood proofed to or above the flood protection elevation; and
5. It must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.

(C) Public Utilities, Streets and Bridges

Public utilities, streets and bridges may be allowed by permit, if:

1. Adequate floodproofing measures are provided to the flood protection elevation; and
2. Construction meets the development standards of sec. 4.402(1).

(D) Fills or Deposition of Materials

Fills or deposition of materials may be allowed by permit, if:

1. The requirements of sec. 4.402(1) are met;
2. No material is deposited in the navigable waters unless a permit is issued by the Department pursuant to ch. 30, Stats., and a permit pursuant to s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344 has been issued, if applicable, and all other requirements have been met;
3. The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulkheading; and
4. The fill is not classified as a solid or hazardous material.

(4) Prohibited Uses

All uses not listed as permitted uses in sec. 4.403(2) are prohibited, including the following uses:
(A) Habitable structures, structures with high flood damage potential, or those not associated with permanent open-space uses;

(B) Storing materials that are buoyant, flammable, explosive, injurious to property, water quality, or human, animal, plant, fish or other aquatic life;

(C) Uses not in harmony with or detrimental to uses permitted in the adjoining districts;

(D) Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and ch. SPS 383, Wis. Adm. Code.

(E) Any public or private wells which are used to obtain potable water, except those for recreational areas that meet the requirements of local ordinances and chs. NR 811 and NR 812, Wis. Adm. Code;

(F) Any solid or hazardous waste disposal sites;

(G) Any wastewater treatment ponds or facilities, except those permitted under s. NR 110.15(3)(b), Wis. Adm. Code; and

(H) Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied.

4.404 Floodfringe District (FF)

(1) Applicability

This section applies to all floodfringe areas shown on the floodplain zoning maps and those identified pursuant to sec. 4.405(1)(D)

(2) Permitted Uses

Any structure, land use, or development is allowed in the Floodfringe District if the standards in sec. 4.404(3) are met, the use is not prohibited by this or any other ordinance or regulation and all permits or certificates specified in sec. 4.407 (1) have been issued.

(3) Standards for Development in Floodfringe

Sec. 4.402(1) shall apply in addition to the following requirements according to the use requested. Any existing structure in the floodfringe must meet the requirements of sec. 4.406 Nonconforming Uses.

(A) Residential Uses

Any structure, including a manufactured home, which is to be newly erected, constructed, or moved into the floodfringe, shall meet or exceed the following standards. Any existing structure in the floodfringe must meet the requirements of sec. 4.406 Nonconforming Uses;

1. The elevation of the lowest floor shall be at or above the flood protection elevation on fill unless the requirements of par. 2. can be met. The fill shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure.

2. The basement or crawlway floor may be placed at the regional flood elevation if it is dry floodproofed to the flood protection elevation. No basement or crawlspace floor is allowed below the regional flood elevation;

3. Contiguous dry land access shall be provided from a structure to land outside of the floodplain, except as provided in subd 4.
4. In developments where existing street or sewer line elevations make compliance with subd. 3. impractical, the municipality may permit new development and substantial improvements where roads are below the regional flood elevation, if:

   a. The municipality has written assurance from police, fire and emergency services that rescue and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or

   b. The municipality has a DNR-approved emergency evacuation plan.

(B) Accessory Structures of Uses

Accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.

(C) Commercial Uses

Any commercial structure which is erected, altered or moved into the flood fringe area shall meet the requirements of sec. 4.404(3)(A). Subject to the requirements of subd. (E), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

(D) Manufacturing and Industrial Uses

Any manufacturing or industrial structure which is erected, altered or moved into the flood fringe area shall have the lowest floor elevated to or above the flood protection elevation or meet the flood proofing measures in sec. 4.407(5). Subject to the requirements of sub. (E) storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

(E) Storage of Materials

Materials that are buoyant, flammable, explosive, or injurious to property, water quality or human, animal, plant, fish or aquatic life shall be stored at or above the flood protection elevation or floodproofed in compliance with sec. 4.407(5). Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.

(F) Public Utilities, Streets and Bridges

All utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans; and

1. When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or repair of such facilities shall only be permitted if they are designed to comply with sec. 4.407(5); and

2. Minor roads or nonessential utilities may be constructed at lower elevations if they are designed to withstand flood forces to the regional flood elevation.

(G) Sewage Systems

All sewage disposal systems shall be designed to minimize or eliminate infiltration of flood water into the system, pursuant to sec. 4.407(5) to the flood protection elevation and meet the provisions of all local ordinances and ch. SPS 383, Wis. Adm. Code.

(H) Wells

All wells shall be designed to minimize or eliminate infiltration of floodwaters into the system, pursuant to sec. 4.407(5), to the flood protection elevation and shall meet the provisions of chs. NR 811 and NR 812, Wis. Adm. Code.

(I) Solid Waste Disposal Sites
Disposal of solid or hazardous waste is prohibited in floodplain areas.

(J) Deposition of Materials

Any deposited material must meet all the provisions of this ordinance.

(K) Manufactured Homes

Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage, and prepare, secure approval and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.

1. In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:
   a. have the lowest floor elevated to the flood protection elevation; and
   b. be anchored so they do not float, collapse or move laterally during a flood.

2. Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the floodplain in sec. 4.404(3)(A)

(L) Mobile Recreational Vehicles

All mobile recreational vehicles that are on site for 180 consecutive days or more or are not fully licensed and ready for highway use shall meet the elevation and anchoring requirements in sec. 4.404(3)(K) 1. and 2. A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.

4.405 Other Floodplain Districts

Other floodplain districts may be established under the ordinance and reflected on the floodplain zoning map. These districts may include general floodplain districts and flood storage districts.

(1) General Floodplain District (GFP)

(A) Applicability

The provisions for this district shall apply to all floodplains mapped as A, AO or AH zones.

(B) Permitted Uses

Pursuant to sec. 4.405(1)(D) it shall be determined whether the proposed use is located within the floodway or floodfringe.

Those uses permitted in floodway (sec.4.403(2)) and floodfringe areas (sec. 4.404(2)) are allowed within the general floodplain district, according to the standards of sec. 4.405(1)(C) provided that all permits or certificates required under sec. 4.407(1) have been issued.

(C) Standards For Development in the General Floodplain District

Sec. 4.403 applies to floodway areas, sec. 4.404 applies to floodfringe areas. The rest of this ordinance applies to either district.

1. In AO/AH Zones the structure's lowest floor must meet one of the conditions listed below whichever is higher:

   a. at or above the flood protection elevation; or
b. two (2) feet above the highest adjacent grade around the structure; or

c. the depth as shown on the FIRM.

2. In AO/AH zones, provide plans showing adequate drainage paths to guide floodwaters around structures

(D) Determining Floodway and Floodfringe Limits

Until such time that the following determination is made regarding the floodway and floodfringe limits, all areas mapped as Zone A shall be regulated as floodway.

Upon receiving an application for development within the general floodplain district, the zoning administrator shall:

1. Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and flood proofing measures and the flood zone as shown on the FIRM.

2. Require the applicant to furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries:

   a. A Hydrologic and Hydraulic Study as specified in sec. 4.407(1)(B)3.

   b. Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information;

   c. Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.

(2) Flood Storage District

The flood storage district delineates that portion of the floodplain where storage of floodwaters has been taken into account and is relied upon to reduce the regional flood discharge. The district protects the flood storage areas and assures that any development in the storage areas will not decrease the effective flood storage capacity which would cause higher flood elevations.

(A) Applicability

The provisions of this section apply to all areas within the Flood Storage District (FSD), as shown on the official floodplain zoning maps.

(B) Permitted Uses

Any use or development which occurs in a flood storage district must meet the applicable requirements in sec. 4.404(3).

(C) Standards for Development in Flood Storage Districts

1. Development in a flood storage district shall not cause an increase equal or greater than 0.00 of a foot in the height of the regional flood.

2. No development shall be allowed which removes flood storage volume unless an equal volume of storage as defined by the pre-development ground surface and the regional flood elevation shall be provided in the immediate area of the proposed development to compensate for the volume of storage which is lost, (compensatory
3. If compensatory storage cannot be provided, the area may not be developed unless the entire area zoned as flood storage district – on this waterway – is rezoned to the flood fringe district. This must include a revision to the floodplain study and map done for the waterway to revert to the higher regional flood discharge calculated without flood plain storage, as per sec. 4.408(1) of this ordinance.

4. No area may be removed from the flood storage district unless it can be shown that the area has been filled to the flood protection elevation and is contiguous to other lands lying outside of the floodplain.

4.406 Nonconforming Uses

1. General

   (A) Applicability

   If these standards conform with Wis. Stat. §§ 59.69(10), 87.30 and NR116.15 State Administrative Code, they shall apply to all modifications or additions to any nonconforming use or structure and to the use of any structure or premises which was lawful before the passage of this ordinance or any amendment thereto.

   (B) The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this ordinance may continue subject to the following conditions:

   1. No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this ordinance. The words "modification" and "addition" include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use. Maintenance is not considered a modification; this includes painting, decorating, paneling and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities. Any costs associated with the repair of a damaged structure are not considered maintenance.

   The construction of a deck that does not exceed 200 square feet and that is adjacent to the exterior wall of a principal structure is not an extension, modification or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.

   2. If a nonconforming use or the use of a nonconforming structure is discontinued for 12 consecutive months, it is no longer permitted and any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this ordinance;

   3. The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure's total current value those modifications represent;

   4. No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with sec. 4.404(3)(A). The costs of elevating the lowest floor of a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50% provisions of this paragraph;
5. No maintenance to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with sec. 4.404(3)(A).

6. If on a per event basis the total value of the work being done under 4. and 5. equals or exceeds 50% of the present equalized assessed value the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with sec. 4.404(3)(A).

7. Except as provided in 8. below, if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed or rebuilt unless the use and the structure meet the current ordinance requirements. A structure is considered substantially damaged if the total cost to restore the structure to its pre-damaged condition equals or exceeds 50% of the structure’s present equalized assessed value.

8. For nonconforming buildings that are substantially damaged or destroyed by a nonflood disaster, the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the minimum federal code requirements below are met and all required permits have been granted prior to the start of construction.

   a. Residential Structures

   1. Shall have the lowest floor, including basement, elevated to or above the base flood elevation using fill, pilings, columns, posts or perimeter walls. Perimeter walls must meet the requirements of sec. 4.407(5)(B).

   2. Shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy and shall be constructed with methods and materials resistant to flood damage.

   3. Shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.

   4. In A Zones, obtain, review and utilize any flood data available from a federal, state or other source.

   5. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in sec. 4.405(1)(C).

   6. In AO Zones, shall have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.

   b. Nonresidential Structures

   1. Shall meet the requirements of sec. 4.406(1)(B)8.a.1-6.

   2. Shall either have the lowest floor, including basement, elevated to or above the regional flood elevation; or, together with attendant utility and sanitary facilities, shall meet the standards in sec. 4.407(5)(A) or (B).

   3. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in sec. 4.405(1)(C).
A nonconforming historic structure may be altered if the alteration will not preclude the structure's continued designation as a historic structure, the alteration will comply with sec. 4.403(3)(A), flood resistant materials are used, and construction practices and floodproofing methods that comply with sec. 4.407(5) are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of sec. 4.406(1)(B) if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.

(2) Floodway District

(A) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in a Floodway District, unless such modification or addition:

1. Has been granted a permit or variance which meets all ordinance requirements;

2. Meets the requirements of sec. 4.406(1);

3. Shall not increase the obstruction to flood flows or regional flood height; and

4. Any addition to the existing structure shall be floodproofed, pursuant to sec. 4.407(5), by means other than the use of fill, to the flood protection elevation; and

5. If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:

   a. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;

   b. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;

   c. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and

   d. The use must be limited to parking, building access or limited storage.

(B) No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in a floodway area. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all municipal ordinances, sec. 4.407(5) and ch. SPS 383, Wis. Adm. Code.

(C) No new well or modification to an existing well used to obtain potable water shall be allowed in a floodway area. Any replacement, repair or maintenance of an existing well in a floodway area shall meet the applicable requirements of all municipal ordinances, sec. 4.407(5) and chs. NR 811 and NR 812, Wis. Adm. Code.

(3) Floodfringe District

(A) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the municipality, and meets the requirements of sec. 4.404(3), except where sec. 4.406(3)(B) is applicable.

(B) Where compliance with the provisions of subd. (A) would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a
high flood damage potential, the Board of Adjustment, using the procedures established in sec. 4.407(5), may grant a variance from those provisions of subd (A) for modifications or additions, using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if:

1. No floor is allowed below the regional flood elevation for residential or commercial structures;

2. Human lives are not endangered;

3. Public facilities, such as water or sewer, shall not be installed;

4. Flood depths shall not exceed two feet;

5. Flood velocities shall not exceed two feet per second; and

6. The structure shall not be used for storage of materials as described in sec. 4.404(3)(E).

(C) All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system shall meet all the applicable provisions of all local ordinances, sec. 4.407(5) and ch. SPS 383, Wis. Adm. Code.

(D) All new wells, or addition to, replacement, repair or maintenance of a well shall meet the applicable provisions of this ordinance, sec. 4.407(5) and ch. NR 811 and NR 812, Wis. Adm. Code.

(4) Flood Storage District

No modifications or additions shall be allowed to any nonconforming structure in a flood storage area unless the standards outlined in sec. 4.405(2)(C) are met.

4.407 Administration

The zoning administrator, planning agency and board of adjustment appointed to administer the Rock County zoning ordinance adopted under Wis. Stats. §§ 59.69, 59.692 shall also administer this ordinance.

(1) Zoning Administrator

(A) DUTIES AND POWERS: The zoning administrator is authorized to administer this ordinance and shall have the following duties and powers:

1. Advise applicants of the ordinance provisions, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications.

2. Issue permits and inspect properties for compliance with provisions of this ordinance and issue certificates of compliance where appropriate.

3. Inspect and assess all damaged floodplain structures to determine if substantial damage to the structures has occurred.

4. Keep records of all official actions such as:

a. All permits, inspections, made, and work approved;

b. Documentation of certified lowest floor and regional flood elevations;

c. Water surface profiles, floodplain zoning maps and ordinances, nonconforming uses and structures including changes, appeals, variances and amendments.
d. All substantial damage assessment reports for floodplain structures.

e. Floodproofing certificates.

f. List of nonconforming structures and uses.

5. Submit copies of the following items to the Department Regional office:

a. Within 10 days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments;

b. Copies of any case-by-case analyses, and any other information required by the Department including an annual summary of the number and types of floodplain zoning actions taken.

c. Copies of substantial damage assessments performed and all related correspondence concerning the assessments.

6. Investigate, prepare reports, and report violations of this ordinance to the municipal zoning agency and attorney for prosecution. Copies of the reports shall also be sent to the Department Regional office.

7. Submit copies of amendments to the FEMA Regional office.

(B) Land Use Permit

A land use permit shall be obtained before any new development: repair, modification or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated. Application to the zoning administrator shall include:

1. General Information

a. Name and address of the applicant, property owner and contractor;

b. Legal description, proposed use, and whether it is new construction or a modification;

2. Site Development Plan

A site plan drawn to scale shall be submitted with the permit application form and shall contain:

a. Location, dimensions, area and elevation of the lot;

b. Location of the ordinary highwater mark of any abutting navigable waterways;

c. Location of any structures with distances measured from the lot lines and street center lines;

d. Location of any existing or proposed on-site sewage systems or private water supply systems;

e. Location and elevation of existing or future access roads;

f. Location of floodplain and floodway limits as determined from the official floodplain zoning maps;

g. The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study – either National Geodetic and Vertical Datum (NGVD) or North American Vertical Datum (NAVD);
h. Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of secs. 4.403 or 4.404 are met; and

i. Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to sec. 4.402(1). This may include any of the information noted in sec. 4.403(3)(A).

3. Hydraulic and Hydrologic Studies to Analyze Development

All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the State. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the Department.

a. Zone A floodplains:


2. Hydraulic modeling - The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:

   (a) determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting WSEL for the study.

   (b) channel sections must be surveyed.

   (c) minimum four foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.

   (d) a maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.

   (e) the most current version of HEC_RAS shall be used.

   (f) a survey of bridge and culvert openings and the top of road is required at each structure.

   (g) additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.

   (h) standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning’s N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high water marks to determine the reasonableness of the model results. If no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.

   (i) the model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.
3. Mapping - A work map of the reach studied shall be provided, showing all cross section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.

(a) If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.

(b) If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.

b. Zone AE Floodplains

1. Hydrology - If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on ch. NR 116.07(3), Wis. Admin. Code, *Hydrologic Analysis: Determination of Regional Flood Discharge*.

2. Hydraulic model - The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:

(a) Duplicate Effective Model.
The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.

(b) Corrected Effective Model.
The Corrected Effective Model shall not include any man-made physical changes since the effective model date, but shall import the model into the most current version of HEC-RAS for Department review.

(c) Existing (Pre-Project Conditions) Model.
The Existing Model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post-Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model.

(d) Revised (Post-Project Conditions) Model.
The Revised (Post-Project Conditions) Model shall incorporate the Existing Model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.

(e) All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.

(f) Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and topwidths computed by the revised models matching those in the effective models upstream and downstream of the revised reach as required. The Effective Model shall not be truncated.
3. Mapping - Maps and associated engineering data shall be submitted to the Department for review which meet the following conditions:

(a) Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated FIRMs and/or Flood Boundary Floodway Maps (FBFMs), construction plans, bridge plans.

(b) Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable items. If a digital version of the map is available, it may be submitted in order that the FIRM may be more easily revised.

(c) Annotated FIRM panel showing the revised 1% and 0.2% annual chance floodplains and floodway boundaries.

(d) If an annotated FIRM and/or FBFM and digital mapping data (GIS or CADD) are used then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) projection and State Plane Coordinate System in accordance with FEMA mapping specifications.

(e) The revised floodplain boundaries shall tie into the effective floodplain boundaries.

(f) All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.

(g) Both the current and proposed floodways shall be shown on the map.

(h) The stream centerline, or profile baseline used to measure stream distances in the model shall be visible on the map.

4. Expiration

All permits issued under the authority of this ordinance shall expire 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause.

(C) Certificate of Compliance

No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt or replaced shall be occupied until a certificate of compliance is issued by the zoning administrator, except where no permit is required, subject to the following provisions:

1. The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this ordinance;

2. Application for such certificate shall be concurrent with the application for a permit;

3. If all ordinance provisions are met, the certificate of compliance shall be issued within 10 days after written notification that the permitted work is completed;

4. The applicant shall submit a certification signed by a registered professional engineer or registered land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a registered professional engineer or registered architect that the requirements of sec. 4.407(5) are met.

(D) Other Permits
Prior to obtaining a floodplain development permit the applicant must secure all necessary permits from federal, state, and local agencies, including but not limited to those required by the U.S. Army Corps of Engineers under s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344.

(2) Zoning Agency

(A) The Rock County Planning and Development Committee shall:

1. oversee the functions of the office of the zoning administrator; and

2. review and advise the governing body on all proposed amendments to this ordinance, maps and text.

(B) This Rock County Planning and Development Committee shall not

1. grant variances to the terms of the ordinance in place of action by the Board of Adjustment; or

2. amend the text or zoning maps in place of official action by the governing body.

(3) Board of Adjustment

The Board of Adjustment, created under s. 59.694, Stats., for counties, is hereby authorized or shall be appointed to act for the purposes of this ordinance. The Board shall exercise the powers conferred by Wisconsin Statutes and adopt rules for the conduct of business. The zoning administrator shall not be the secretary of the Board.

Refer to the Latest Version of the Rock County Board of Adjustment Rule and Procedures Handbook for the Current Procedural Standards

(A) Powers and Duties

The Board of Adjustment/Appeals shall:

1. Appeals - Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this ordinance.

2. Boundary Disputes - Hear and decide disputes concerning the district boundaries shown on the official floodplain zoning map.

3. Variances - Hear and decide, upon appeal, variances from the ordinance standards.

(B) Appeals to the Board

1. Appeals to the board may be taken by any person aggrieved, or by any officer or department of the municipality affected by any decision of the zoning administrator or other administrative officer. Such appeal shall be taken within 30 days unless otherwise provided by the rules of the board, by filing with the official whose decision is in question, and with the board, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the board all records regarding the matter appealed.

2. Notice and Hearing for Appeals Including Variances

a. Notice - The board shall:

1. Fix a reasonable time for the hearing; and

2. Publish adequate notice pursuant to Wisconsin Statutes, specifying the date, time, place and subject of the hearing;
3. Assure that notice shall be mailed to the parties in interest and the Department Regional office at least 10 days in advance of the hearing.

b. Hearing - Any party may appear in person or by agent. The board shall:

1. Resolve boundary disputes according to sec. 4.407(3)(C);

2. Decide variance applications according to sec. 4.407(3)(D); and

3. Decide appeals of permit denials according to sec. 4.407(4).

3. Decision: The final decision regarding the appeal or variance application shall:

a. Be made within a reasonable time;

b. Be sent to the Department Regional office within 10 days of the decision;

c. Be a written determination signed by the chairman or secretary of the Board;

d. State the specific facts which are the basis for the Board's decision;

e. Either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application; and

f. Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the Board proceedings.

(C) Boundary Disputes

The following procedure shall be used by the Board in hearing disputes concerning floodplain district boundaries:

1. If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary. If none exist, other evidence may be examined;

2. The person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the Board; and

3. If the boundary is incorrectly mapped, the Board should inform the zoning committee or the person contesting the boundary location to petition the governing body for a map amendment according to sec.4.408 Amendments.

(D) Variance

1. The Board may, upon appeal, grant a variance from the standards of this ordinance if an applicant convincingly demonstrates that:

a. Literal enforcement of the ordinance will cause unnecessary hardship;

b. The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises. In such case the ordinance or map must be amended;

c. The variance is not contrary to the public interest; and

d. The variance is consistent with the purpose of this ordinance in sec. 4.401(3)

2. In addition to the criteria in subd 1., to qualify for a variance under FEMA regulations, the following criteria must be met:
a. The variance shall not cause any increase in the regional flood elevation;

b. Variances can only be granted for lots that are less than one-half acre and are contiguous to existing structures constructed below the RFE; and

c. Variances shall only be granted upon a showing of good and sufficient cause, shall be the minimum relief necessary, shall not cause increased risks to public safety or nuisances, shall not increase costs for rescue and relief efforts and shall not be contrary to the purpose of the ordinance.

3. A variance shall not:

a. Grant, extend or increase any use prohibited in the zoning district.

b. Be granted for a hardship based solely on an economic gain or loss.

c. Be granted for a hardship which is self-created.

d. Damage the rights or property values of other persons in the area.

e. Allow actions without the amendments to this ordinance or map(s) required in sec. 4.408(1) Amendments; and

f. Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.

4. When a floodplain variance is granted the Board shall notify the applicant in writing that it may increase risks to life and property and flood insurance premiums could increase up to $25.00 per $100.00 of coverage. A copy shall be maintained with the variance record.

(4) To Review Appeals of Permit Denials

(A) The Zoning Agency (sec. 4.407(2)) or Board shall review all data related to the appeal. This may include:

1. Permit application data listed in sec. 4.407(1)(B);

2. Floodway/floodfringe determination data in sec. 4.405(1)(D);

3. Data listed in sec.4.403(3)(A)2.b. where the applicant has not submitted this information to the zoning administrator; and

4. Other data submitted with the application, or submitted to the Board with the appeal.

(B) For appeals of all denied permits the Board shall:

1. Follow the procedures of sec.4.407(3);

2. Consider zoning agency recommendations; and

3. Either uphold the denial or grant the appeal.

(C) For appeals concerning increases in regional flood elevation the Board shall:

1. Uphold the denial where the Board agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements of sec. 4.408 Amendments; and

2. Grant the appeal where the Board agrees that the data properly demonstrates that the project does not cause an increase provided no other reasons for denial exist.
Floodproofing Standards for Nonconforming Structures or Uses

(A) No permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to the flood protection elevation and submits a FEMA Floodproofing Certificate.

(B) For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:

1. certified by a registered professional engineer or architect; or

2. meets or exceeds the following standards:

   a. a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

   b. the bottom of all openings shall be no higher than one foot above grade; and

   c. openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(C) Floodproofing measures shall be designed, as appropriate, to:

1. Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;

2. Protect structures to the flood protection elevation;

3. Anchor structures to foundations to resist flotation and lateral movement;

4. Minimize or eliminate infiltration of flood waters; and

5. Minimize or eliminate discharges into flood waters.

Public Information

(A) Place marks on structures to show the depth of inundation during the regional flood.

(B) All maps, engineering data and regulations shall be available and widely distributed.

(C) All real estate transfers should show what floodplain zoning district any real property is in.

Amendments

Obstructions or increases may only be permitted if amendments are made to this ordinance, the official floodplain maps, floodway lines and water surface profiles, in accordance with sec. 4.408(1).

In AE Zones with a mapped floodway, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain maps, floodway lines and water surface profiles, in accordance with sec. 4.408(1). Any such alterations must be reviewed and approved by FEMA and the DNR.

In A Zones increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain maps, floodway lines, and water surface profiles, in accordance with sec. 4.408(1).
(1) General

The governing body shall change or supplement the floodplain zoning district boundaries and
this ordinance in the manner outlined in sec. 4.408(2) below. Actions which require an
amendment to the ordinance and/or submittal of a Letter of Map Change (LOMC) include, but
are not limited to, the following:

(A) Any fill or floodway encroachment that obstructs flow, increasing regional flood height:

(B) Any change to the floodplain boundaries and/watercourse alterations on the FIRM:

(C) Any change to any other officially adopted floodplain maps listed in 4.401(5).

(D) Any fill in the floodplain which raises the elevation of the filled area to a height at or
above the flood protection elevation and is contiguous to land lying outside the floodplain.

(E) Correction of discrepancies between the water surface profiles and floodplain zoning
maps.

(F) Any upgrade to a floodplain zoning ordinance text required by s. NR 116.05, Wis. Adm.
Code, or otherwise required by law, or for changes by the municipality.

(G) All channel relocations and changes to the maps to alter floodway lines or to remove an
area from the floodway or the floodfringe that is based on a base flood elevation from a
FIRM requires prior approval by FEMA.

(2) Procedures

Ordinance amendments may be made upon petition of any party according to the provisions of s.
59.69, Stats., for counties. Such petitions shall include all data required by secs. 4.405(1)(D)
and 4.407(1)(B). The Land Use Permit shall not be issued until a Letter of Map Revision is
issued by FEMA for the proposed changes.

(A) The proposed amendment shall be referred to the zoning agency for a public hearing and
recommendation to the governing body. The amendment and notice of public hearing
shall be submitted to the Department Regional office for review prior to the hearing. The
amendment procedure shall comply with the provisions of s. 59.69, Stats., for counties.

(B) No amendments shall become effective until reviewed and approved by the Department.

(C) All persons petitioning for a map amendment that obstructs flow causing any increase in
the regional flood height, shall obtain flooding easements or other appropriate legal
arrangements from all adversely affected property owners and notify local units of
government before the amendment can be approved by the governing body.

4.409 Enforcement and Penalties

Any violation of the provisions of this ordinance by any person shall be unlawful and shall be referred
to the municipal attorney who shall expeditiously prosecute all such violators. Any person, firm, or
corporation who fails to comply with or violates the provisions of this Ordinance shall, upon
conviction, thereof, forfeit a penalty of not more than $50.00 (fifty dollars), together with taxable cost
of such action, or as authorized by 87.30 Stats, per offense. Each day of continued violation shall
constitute a separate offense. Every violation of this ordinance is a public nuisance and the creation
may be enjoined and the maintenance may be abated by action suit of the municipality, the state, or
any citizen thereof pursuant to s. 87.30, Stats.

(1) The Planning & Development Agency Director, Zoning Administrator or their designees are
authorized to issue an ordinance citation, pursuant to Chapter 21 of the County Code of
Ordinances to any person, firm, association or corporation for engaging in activities that are in
violation of this ordinance. Each day of violation, and each section violated, shall be considered
a separate offense and subject to additional enforcement action, including, but not limited to the
issuance of additional ordinance citations. Issuing a citation shall not release the applicant from
full compliance with this ordinance nor from prosecution for violation of this ordinance.

(2) The Planning & Development Agency shall notify the landowner/permit holder by certified mail
of any non-complying activity or structure. The notice shall describe the nature of the violation,
remedial actions needed, a schedule for remedial action, and additional enforcement action that
may be taken.

(3) Upon receipt of written notification from the Planning & Development Agency under paragraph
(2) the landowner/permit holder shall comply with the remedial actions described in the notice.

(4) If a landowner/permit holder does not comply with the provisions of a notice of non-compliance,
the Planning & Development Agency may issue a citation(s) and/or revoke the permit.

(5) If non-compliance with this ordinance is determined by the Planning & Development Agency as
likely to result in damage to adjacent property, public facilities, or waters of the state, the
Planning & Development Agency may post a stop-work order at the time of notification.

(6) If the landowner/permit holder does not comply with the provisions of a notice of non-
compliance, or violates a stop-work order, the Planning & Development Agency may request the
Corporation Counsel to obtain a cease and desist order in any court with jurisdiction.

(7) Any permit revocation, stop-work order, or cease and desist order shall remain in effect unless
retracted by the Planning and Development Agency, Board of Adjustment, or by a court with
jurisdiction.

4.410 Definitions

Unless specifically defined, words and phrases in this ordinance shall have their common law meaning
and shall be applied in accordance with their common usage. Words used in the present tense include
the future, the singular number includes the plural and the plural number includes the singular. The
word "may" is permissive, "shall" is mandatory and is not discretionary.

A ZONES - Those areas shown on the Official Floodplain Zoning Map which would be inundated
by the regional flood. These areas may be numbered or unnumbered A Zones. The A Zones may
or may not be reflective of flood profiles, depending on the availability of data for a given area.

AH ZONE – See “AREA OF SHALLOW FLOODING”.

AO ZONE – See “AREA OF SHALLOW FLOODING”.

ACCESSORY STRUCTURE OR USE - A facility, structure, building or use which is accessory or
incidental to the principal use of a property, structure or building.

ALTERATION – An enhancement, upgrading or substantial change or modifications other than an
addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning and
other systems within a structure.

AREA OF SHALLOW FLOODING – A designated AO, AH, AR/AO, AR/AH, or VO zone on a
community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of
flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the
path of flooding is unpredictable, and where velocity flood may be evident. Such flooding is
characterized by ponding or sheet flow.

BASE FLOOD - Means the flood having a one percent chance of being equaled or exceeded in any
given year, as published by FEMA as part of a FIS and depicted on a FIRM.

BASEMENT - Any enclosed area of a building having its floor sub-grade, i.e., below ground level,
on all sides.

BUILDING - See STRUCTURE.
BULKHEAD LINE - A geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the Department pursuant to s. 30.11, Stats., and which allows limited filling between this bulkhead line and the original ordinary highwater mark, except where such filling is prohibited by the floodway provisions of this ordinance.

CAMPGROUND - Any parcel of land which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by 4 or more camping units, or which is advertised or represented as a camping area.

CAMPING UNIT - Any portable device, no more than 400 square feet in area, used as a temporary shelter, including but not limited to a camping trailer, motor home, bus, van, pick-up truck, tent that is fully licensed, if required, and ready for highway use.

CERTIFICATE OF COMPLIANCE - A certification that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this ordinance.

CHANNEL - A natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.

CRAWLWAYS or CRAWL SPACE - An enclosed area below the first usable floor of a building, generally less than five feet in height, used for access to plumbing and electrical utilities.

DECK - An unenclosed exterior structure that has no roof or sides, but has a permeable floor which allows the infiltration of precipitation.

DEPARTMENT - The Wisconsin Department of Natural Resources.

DEVELOPMENT - Any artificial change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

DRYLAND ACCESS - A vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and wide enough for wheeled rescue and relief vehicles.

ENCROACHMENT - Any fill, structure, equipment, building, use or development in the floodway.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) - The federal agency that administers the National Flood Insurance Program.

FLOOD INSURANCE RATE MAP (FIRM) - A map of a community on which the Federal Insurance Administration has delineated both the floodplain and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency.

FLOOD or FLOODING - A general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:

- The overflow or rise of inland waters,
- The rapid accumulation or runoff of surface waters from any source,
- The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior, or
• The sudden increase caused by an unusually high water level in a natural body of water,
  accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by
  some similarly unusual event.

FLOOD FREQUENCY - The probability of a flood occurrence which is determined from statistical
analyses. The frequency of a particular flood event is usually expressed as occurring, on the
average, once in a specified number of years or as a percent (%) chance of occurring in any given
year.

FLOODFRINGE - That portion of the floodplain outside of the floodway which is covered by flood
waters during the regional flood and associated with standing water rather than flowing water.

FLOOD HAZARD BOUNDARY MAP - A map designating approximate flood hazard areas.
Flood hazard areas are designated as unnumbered A-Zones and do not contain floodway lines or
regional flood elevations. This map forms the basis for both the regulatory and insurance aspects
of the National Flood Insurance Program (NFIP) until superseded by a Flood Insurance Study and a
Flood Insurance Rate Map.

FLOOD INSURANCE STUDY - A technical engineering examination, evaluation, and
determination of the local flood hazard areas. It provides maps designating those areas affected by
the regional flood and provides both flood insurance rate zones and base flood elevations and may
provide floodway lines. The flood hazard areas are designated as numbered and unnumbered
A-Zones. Flood Insurance Rate Maps, that accompany the Flood Insurance Study, form the basis
for both the regulatory and the insurance aspects of the National Flood Insurance Program.

FLOODPLAIN - Land which has been or may be covered by flood water during the regional flood.
It includes the floodway and the floodfringe, and may include other designated floodplain areas for
regulatory purposes.

FLOODPLAIN ISLAND - A natural geologic land formation within the floodplain that is
surrounded, but not covered, by floodwater during the regional flood.

FLOODPLAIN MANAGEMENT - Policy and procedures to insure wise use of floodplains,
including mapping and engineering, mitigation, education, and administration and enforcement of
floodplain regulations.

FLOOD PROFILE - A graph or a longitudinal profile line showing the relationship of the water
surface elevation of a flood event to locations of land surface elevations along a stream or river.

FLOODPROOFING - Any combination of structural provisions, changes or adjustments to
properties and structures, water and sanitary facilities and contents of buildings subject to flooding,
for the purpose of reducing or eliminating flood damage.

FLOOD PROTECTION ELEVATION - An elevation of two feet of freeboard above the water
surface profile elevation designated for the regional flood. (Also see: FREEBOARD.)

FLOOD STORAGE - Those floodplain areas where storage of floodwaters has been taken into
account during analysis in reducing the regional flood discharge.

FLOODWAY - The channel of a river or stream and those portions of the floodplain adjoining the
channel required to carry the regional flood discharge.

FREEBOARD - A safety factor expressed in terms of a specified number of feet above a calculated
flood level. Freeboard compensates for any factors that cause flood heights greater than those
calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings
and floodways, the effects of watershed urbanization, loss of flood storage areas due to
development and aggregation of the river or stream bed.
HABITABLE STRUCTURE - Any structure or portion thereof used or designed for human habitation.

HEARING NOTICE - Publication or posting meeting the requirements of Ch. 985, Stats. For appeals, a Class 1 notice, published once at least one week (7 days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least a week (7 days) before the hearing. Local ordinances or bylaws may require additional notice, exceeding these minimums.

HIGH FLOOD DAMAGE POTENTIAL - Damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.

HISTORIC STRUCTURE - Any structure that is either:

- Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register,

- Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district,

- Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior, or

- Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior; or by the Secretary of the Interior in states without approved programs.

INCREASE IN REGIONAL FLOOD HEIGHT - A calculated upward rise in the regional flood elevation, equal to or greater than 0.00 foot, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.

LAND USE - Any nonstructural use made of unimproved or improved real estate. (Also see DEVELOPMENT.)

LOWEST ADJACENT GRADE – Elevation of the lowest ground surface that touches any of the exterior walls of a building.

LOWEST FLOOR – The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR 60.3.

MAINTENANCE – The act or process of restoring to original soundness, including redecorating, refinishing, non structural repairs, or the replacement of existing fixtures, systems or equipment with equivalent fixtures, systems or structures.

MANUFACTURED HOME - A structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a "mobile recreational vehicle."

MOBILE/Manufactured HOME PARK OR SUBDIVISION – A parcel (or contiguous parcels) of land, divided into two or more manufactured home lots for rent or sale.

MOBILE/Manufactured HOME PARK OR SUBDIVISION, EXISTING – A parcel of land,
divided into two or more manufactured home lots for rent or sale, on which the construction of
facilities for servicing the lots is completed before the effective date of this ordinance. At a
minimum, this would include the installation of utilities, the construction of streets and either final
site grading or the pouring of concrete pads.

MOBILE/MANUFACTURED HOME PARK, EXPANSION TO EXISTING – The preparation of
additional sites by the construction of facilities for servicing the lots on which the manufactured
homes are to be affixed. This includes installation of utilities, construction of streets and either
final site grading, or the pouring if concrete pads.

MOBILE RECREATIONAL VEHICLE - A vehicle which is built on a single chassis, 400 square
feet or less when measured at the largest horizontal projection, designed to be self-propelled,
carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if
registration is required and is designed primarily not for use as a permanent dwelling, but as
temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes
that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried,
including park model homes, do not fall within the definition of "mobile recreational vehicles."

MODEL, CORRECTED EFFECTIVE – A hydraulic engineering model that corrects any errors
that occur in the Duplicate Effective Model, adds any additional cross sections to the Duplicate
Effective Model, or incorporates more detailed topographic information than that used in the
current effective model.

MODEL, DUPLICATE EFFECTIVE – A copy of the hydraulic analysis used in the effective FIS
and referred to as the effective model.

MODEL, EFFECTIVE – The hydraulic engineering model that was used to produce the current
effective Flood Insurance Study.

MODEL, EXISTING (PRE-PROJECT) – A modification of the Duplicate Effective Model or
Corrected Effective Model to reflect any man made modifications that have occurred within the
floodplain since the date of the effective model but prior to the construction of the project for which
the revision is being requested. If no modification has occurred since the date of the effective
model, then this model would be identical to the Corrected Effective Model or Duplicate Effective
Model.

MODEL, REVISED (POST-PROJECT) – A modification of the Existing or Pre-Project Conditions
Model, Duplicate Effective Model or Corrected Effective Model to reflect revised or post-project
conditions.

MUNICIPALITY or MUNICIPAL - The county, city or village governmental units enacting,
administering and enforcing this zoning ordinance.

NGVD or NATIONAL GEODETIC VERTICAL DATUM - Elevations referenced to mean sea
level datum, 1988 adjustment.

NGVD or NATIONAL GEODETIC VERTICAL DATUM – Elevations referenced to mean sea
level datum, 1929 adjustment.

NEW CONSTRUCTION - For floodplain management purposes, "new construction" means
structures for which the start of construction commenced on or after the effective date of floodplain
zoning regulations adopted by this community and includes any subsequent improvements to such
structures. For the purpose of determining flood insurance rates, it includes any structures for
which the "start of construction" commenced on or after the effective date of an initial FIRM or
after December 31, 1974, whichever is later, and includes any subsequent improvements to such
structures.

NONCONFORMING STRUCTURE - An existing lawful structure or building which is not in
conformity with the dimensional or structural requirements of this ordinance for the area of the
floodplain which it occupies. (For example, an existing residential structure in the floodfringe
district is a conforming use. However, if the lowest floor is lower than the flood protection
elevation, the structure is nonconforming.)
NONCONFORMING USE - An existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this ordinance for the area of the floodplain which it occupies. (Such as a residence in the floodway.)

OBSTRUCTION TO FLOW - Any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.

OFFICIAL FLOODPLAIN ZONING MAP - That map, adopted and made part of this ordinance, as described in sec. 4.401(5), which has been approved by the Department and FEMA.

OPEN SPACE USE - Those uses having a relatively low flood damage potential and not involving structures.

ORDINARY HIGHWATER MARK - The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

PERSON - An individual, or group of individuals, corporation, partnership, association, municipality or state agency.

PRIVATE SEWAGE SYSTEM - A sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same parcel as the structure. It also means an alternative sewage system approved by the Department of Safety and Professional Services, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure.

PUBLIC UTILITIES - Those utilities using underground or overhead transmission lines such as electric, telephone and telegraph, and distribution and collection systems such as water, sanitary sewer and storm sewer.

REASONABLY SAFE FROM FLOODING - Means base flood waters will not inundate the land or damage structures to be removed from the floodplain and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

REGIONAL FLOOD - A flood determined to be representative of large floods known to have occurred in Wisconsin. A regional flood is a flood with a one percent chance of being equaled or exceeded in any given year, and if depicted on the FIRM, the RFE is equivalent to the BFE.

START OF CONSTRUCTION - The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE - Any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lake bed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.

SUBDIVISION - Has the meaning given in s. 236.02(12), Wis. Stats.

SUBSTANTIAL DAMAGE - Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the equalized assessed value of the structure before the damage occurred.
STUOCTUAL IMPROVEMENT — Any repair, reconstruction, rehabilitation, addition or
improvement of a building or structure, the cost of which equals or exceeds 50 percent of the
equalized assessed value of the structure before the improvement or repair is started. If the
structure has sustained substantial damage, any repairs are considered substantial improvement
regardless of the work performed. The term does not, however, include either any project for the
improvement of a building required to correct existing health, sanitary or safety code violations
identified by the building official and that are the minimum necessary to assure safe living
conditions; or any alteration of a historic structure provided that the alteration will not preclude the
structure’s continued designation as a historic structure.

UNNECESSARY HARDSHIP - Where special conditions affecting a particular property, which
were not self-created, have made strict conformity with restrictions governing areas, setbacks,
frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of the
ordinance.

VARIANCE - An authorization by the board of adjustment or appeals for the construction or
maintenance of a building or structure in a manner which is inconsistent with dimensional
standards (not uses) contained in the floodplain zoning ordinance.

VIOLATION - The failure of a structure or other development to be fully compliant with the
floodplain zoning ordinance. A structure or other development without required permits, lowest
floor elevation documentation, floodproofing certificates or required floodway encroachment
calculations is presumed to be in violation until such time as that documentation is provided.

WATERSHED - The entire region contributing runoff or surface water to a watercourse or body of
water.

WATER SURFACE PROFILE - A graphical representation showing the elevation of the water
surface of a watercourse for each position along a reach of river or stream at a certain flood flow.
A water surface profile of the regional flood is used in regulating floodplain areas.

WELL - means an excavation opening in the ground made by digging, boring, drilling, driving or
other methods, to obtain groundwater regardless of its intended use.

Respectfully submitted:

PLANNING & DEVELOPMENT COMMITTEE

Alan Sweeney, Chair

Mary Mawhinney, Vice Chair

Wes Davis

Wayne Justina

Jason Heidenreich
LEGAL NOTE:

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

Jeffrey S. Kuglitsch
Corporation Counsel

FISCAL NOTE:

No fiscal impact.

Sherry Oja
Finance Director

ADMINISTRATIVE NOTE:

Recommended.

Josh Smith
County Administrator
Executive Summary

Repeal and Recreate Section 4.4 of the Rock County Code of Ordinances - Floodplain Zoning

Revisions to the Rock County Floodplain Zoning Ordinance have been drafted to conform to Wisconsin Administrative Code NR 116, the most recent state model ordinance and the minimum standards of the National Flood Insurance Program (NFIP). All communities participating in the NFIP must comply with both federal and state requirements. The purpose of the floodplain regulations are to: protect life, health and property; minimize public expenditures for costly flood control projects; minimize rescue and relief efforts; minimize business interruptions; minimize damage to public facilities; minimize the occurrence of future flood blight areas; discourage the victimization of unwary land and home buyers; and prevent increases in the regional flood from occurring.

In general, without an approved Floodplain Zoning Ordinance federal flood insurance would not be available in unincorporated Rock County. More specifically, failure to update the Ordinance when deemed necessary and maintain general compliance with the NFIP may prohibit federal officers or agencies from approving any form of loan, grant, guaranty, insurance, payment, rebate, subsidy, and disaster assistance loan or grant, for acquisition or construction purposes with floodplain areas.

Through this action, Section 4.4 of the Rock County Code of Ordinances will be repealed and recreated. The revisions include both what would be considered formatting changes and substantive changes. Examples of substantive changes that are being made relate to the required elevation of new accessory structures in the floodfringe, maintenance and modification to nonconforming structures, standards for hydraulic and hydrologic studies, procedures for map amendments and definitions.

The draft revisions have been reviewed and approved by the Wisconsin DNR. The official Floodplain Zoning Maps were updated in 2015 and are not amended as part of this action.
RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS

Finance Committee
INITIATED BY
Finance Committee
SUBMITTED BY

Sherry Oia, Finance Director
DRAFTED BY
February 6, 2017
DATE DRAFTED

INITIAL RESOLUTION AUTHORIZING GENERAL OBLIGATION
BONDS AND/OR NOTES IN AN AMOUNT NOT TO EXCEED $3,050,000

1 WHEREAS, the 2017 Adopted Budget includes $3,050,000 for Highway Road Construction Capital
2 Projects: and,
3
4 WHEREAS, these projects are included in the Budget with the anticipation that they would be funded
5 with the future issuance of debt; and,
6
7 WHEREAS, these projects will have long-term benefits and are most appropriately funded by debt
8 issuance.
9
10 NOW, THEREFORE, BE IT RESOLVED, by the Rock County Board of Supervisors duly
11 assembled this ____ day of __________, 2017, that there shall be issued, pursuant to Chapter 67,
12 Wisconsin Statutes, General Obligation Bonds and/or Notes in an amount not to exceed $3,050,000
13 for highway construction and improvement projects.

Respectfully submitted,

FINANCE COMMITTEE

Absen
Mary Mawhinney, Chair

Sandra Kraft, Vice Chair

Mary Beaver

Brent Fox

J. Russell Podzilni
FISCAL NOTE:

The purpose of this resolution is to authorize expenditures from the 2017 deferred finance budget appropriations prior to actual debt issuance. The 2017 budgeted capital projects are estimated to cost $3,050,000 (plus issuance costs) for Highway Road Construction Capital Projects. If the County adopts this resolution, the project costs and issuance costs will be included in a subsequent resolution that authorizes the issuance of General Obligation Bonds and/or Notes.

Sherry Oja
Finance Director

LEGAL NOTE:

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

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

Jeffrey S. Kuglitsch
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.

Josh Smith
County Administrator