

- Agenda -



**Sauk County Board Of Supervisors**

WEDNESDAY, February 18, 2009

6:00 p.m.

West Square Building, 505 Broadway, Rm. #326, Baraboo, Wisconsin 53913

- **Special Meetings:**

**Finance Committee: 5:50 p.m., @ Gallery of County Board Room #326A, to consider:**

- 1.) Approval of County vouchers; and 2.) Consider approval of travel in excess of 300 miles for Sheriff's Department staff to attend National Institute of Corrections training in Aurora, Colorado in March 2009

- **Call to order, and certify compliance with Open Meeting Law.**

- **Roll call.**

- **Invocation and pledge of allegiance.**

- **Adoption of agenda.**

- **Approval of minutes of previous meeting.**

- **Scheduled appearances:**

1. Jennifer Alexander, President of THRIVE: Update; and Sue Gleason, Director of Regional Assets and Metrics for THRIVE: Presentation on assets & opportunities for Sauk County.

- **Public comment.**

- **Communications:**

**Page**

5 & 6 Letter from US Senator Herb Kohl regarding stimulus legislation.

7 Letter from US Senator Russell D. Feingold regarding 2009 Sauk County listening session @ 9:00 am on Tuesday, February 17, 2009 @ the Spring Green Fire Station, 327 S Winsted St, in the Village of Spring Green.

- **Bills & referrals.**

- **Claims.**

- **Appointments:**
  1. Reappointment of Shell Lea Hainz to the **Long Term Support Planning Committee**. Three (3) year term expires April 01, 2012.
  2. State of Wisconsin 2009 **Emergency Fire Wardens** for Sauk County Townships. **(pages 8 - 10)**
  3. Appointment of Supervisor Scott Alexander to the **Mississippi Valley Health Services Commission, (formerly known as Mississippi Valley Health Services Board of Directors, approved by the Sauk County Board of Supervisors on 1/15/08)**. Three year term expires 01/18/11.
  
- **Unfinished Business:** None.
  
- **Reports** (informational - no action required):
  1. Beverly J. Mielke, Sauk County Clerk, rezoning petitions received per Wisconsin State Statutes 59.69(5)(e): None.
  2. Peter Murray, Comprehensive Planning Steering Committee member: Comprehensive Planning Project.
  3. Supervisor Endres, Chair, Sauk County Health Care Center Building Committee.
  4. Supervisor Endres, Vice-Chair, Executive & Legislative Committee.
  5. Marty Krueger, County Board Chair
  6. Kathryn Schauf, Administrative Coordinator: Review of Virchow Krause analysis and implementation.

- **Consent Agenda:**

<u>Page</u>	<b><u>COMMITTEE:</u></b> <b>HIGHWAY &amp; PARKS:</b>
11	Resolution 8-09 Commending Kenneth Radke For More Than 42 Years Of Faithful Service to the People Of Sauk County.

- **Resolutions & Ordinances:**

<u>Page</u>	<b><u>COMMITTEE:</u></b> <b>EXECUTIVE &amp; LEGISLATIVE and FINANCE:</b>
12 - 17	Resolution 9-09 Authorizing the Upgrade of Desktop Application Software to the Microsoft Office Product.
18 & 19	<b>HEALTH CARE CENTER BUILDING COMMITTEE:</b> Resolution 10-09 Accepting Donation of Structural Design Engineering Services From Hartje Lumber Inc.

**HIGHWAY & PARKS:**

- 20 - 22 Resolution 11-09 Authorization to Contract With Ayres Associates For Engineering Services For Rehabilitation Of the Lake Redstone and Delton Dams.
- 23 Resolution 12-09 Request To Purchase One (1) Used Motor Grader From Aring Equipment Company, Madison, Wisconsin.

**HUMAN SERVICES BOARD:**

- 24 - 26 Resolution 13-09 To Authorize Creation of Mississippi Valley Health Services Commission and Participation of Sauk County.

**LAW ENFORCEMENT & JUDICIARY COMMITTEE:**

- 27 & 28 Resolution 14-09 Authorization To Purchase 2009 Four Wheel Drive Vehicle.
- 29 Resolution 15-09 Authorization To Purchase 2009 Ford Crown Victoria Replacement Squad Car Under Emergency Procedures.
- 30 & 31 Resolution 16-09 Authorization To Purchase Seven Police Specification Squad Cars.

**PERSONNEL:**

- 32 - 36 Resolution 17-09 Ratifying the 2009 - 2010 Collective Bargaining Agreement Between Sauk County and Service Employees International Union Local 1199W.

**PLANNING, ZONING AND LAND RECORDS:**

- 37 - 39 Resolution 18-09 Approving An Amendment to the Town of Delton Planning and Zoning Ordinance to Rezone Certain Lands From a Commercial to a Single Family Residential Zoning District as Filed by David and Inger Clemens.
- 40 - 64 Ordinance 19-09 Amending Chapter 22 Sauk County Land Division and Subdivision Regulations Ordinance to Define Access Easement and Redefine Street and Lot Access/Frontage Requirements. (Petition 14-2008).
- 65 - 70 Ordinance 20-09 Approving the Rezoning of Lands in the Town of Prairie Du Sac From an Exclusive Agricultural to an Agricultural Zoning District as Filed by Merton & Genevieve Von Wald, Owner The Kraemer Company LLC, Agent. (Petition 1-2009)

**PROPERTY & RESOURCE:**

71 & 72 Resolution 21-09 Authorization to Contract with Protection Technologies, Inc. To Upgrade the Card Access System and Make Additions to the System.

**REVOLVING LOAN FUND:**

73 7 74 Resolution 22-09 Approving Community Development Block Grants Flood Relief Small Business.

- Adjournment to a date certain.

Respectfully submitted,

Marty Krueger  
County Board Chair

✓ **County Board members, County staff, & public:**

Materials handed out at Sauk County Board of Supervisors meetings are required to be on file with the official records of the Proceedings of the Sauk County Board of Supervisors. **Provide the County Clerk a copy of:**

- 1.) informational handouts distributed to Board members; and
- 2.) original letters/communications presented to the Board.

✓ **County Board members:** Stop in the Office of the County Clerk prior to each Board meeting to sign original resolutions/ordinances.

Any person who has a qualifying disability that requires the meeting or materials at the meeting to be in an accessible location or format should contact Sauk County at 608.355.3269, or TTY at 608.355.3490, between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday, exclusive of legal holidays, at least 48 hours in advance of the meeting so that reasonable arrangements can be made to accommodate each request.

[www.co.sauk.wi.us](http://www.co.sauk.wi.us)

Agenda mail date via United States Postal Service: Wednesday, February 11, 2009

Agenda preparation: Marty Krueger, County Board Chair, with the assistance of Kathryn Schauf, Administrative Coordinator, and Beverly J. Mielke, County Clerk  
s:/admin/CoBdAgendas/2009/FEB182009.lwp

# United States Senate

WASHINGTON, DC 20510-4903

January 14, 2009

Mr. Martin Krueger  
Sauk County Board Chairman  
505 Broadway Street  
Baraboo, Wisconsin 53913-2183

**RECEIVED**

**JAN 23 2009**

**SAUK COUNTY CLERK  
BARABOO, WISCONSIN**

**COPY**

Dear Mr. Krueger:

Thank you so much for your recent letter outlining the specific infrastructure projects of the University of Wisconsin Baraboo/Sauk County. Families and communities across the country have been hit hard by the recession, and it is essential that the federal government do everything in its power to help Americans get through these difficult times. I support a broad economic recovery package that makes sound investments in the American economy and provides support to those who need it most.

President-Elect Barack Obama has proposed the outlines of a broad recovery package to create three million new jobs. This package would work with state and local governments to direct infrastructure investments throughout the country. Improving our aging transportation network of roads and bridges would be a priority, as well as boosting the energy efficiency of schools and other public buildings. Stabilizing the housing market would also be a part of this plan.

It is important to pass this stimulus legislation quickly due to its urgency, and critical to avoid getting bogged down with a lot of side issues. For this reason, the economic recovery bill is not expected to include local, project-specific earmarks. Rather, it will mostly be built around formula-based funding that flows directly to the states. Formula funding allows state and local officials – who best know state and local needs – to direct resources to the highest priority projects. They can also direct resources to projects that are most “ready to go.” I appreciate receiving information from you about specific, local projects that illustrate community needs. That information is helpful to me as I work on the economic recovery bill.

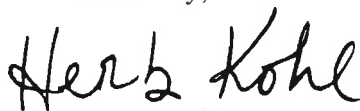
On December 11, 2008, I sent a letter to President-Elect Obama advocating the inclusion of several valuable programs in the recovery package. I requested \$200 million be included for the Manufacturing Extension Partnership, the only nationwide program designed specifically to help small American manufacturers increase their global competitiveness by boosting innovation and productivity. To help unemployed workers get back on their feet and contribute to our economy, I proposed \$500 million for job training and career counseling services. Our health care system is burdened by a severe shortage of qualified workers, and including legislation such

as my *Retooling the Health Care Workforce for an Aging America Act* would improve our health care system while boosting the economy.

Low-income Americans are hit especially hard by this recession, and basic food and shelter needs are under threat. I have worked hard as Chairman of the Agriculture Appropriations Subcommittee to adequately fund nutrition assistance programs, and the recovery package should emphasize funding these programs to meet rising needs. Frozen financial markets are crippling the lending activities of state Housing Finance Agencies, which have played a key role for decades in helping low- and moderate-income Americans achieve stable and secure homeownership. I have encouraged Federal Reserve Chairman Ben Bernanke and President-Elect Obama to use newly-created economic stabilization programs to support the vital lending activities of these state agencies.

I appreciate hearing your input on this issue, and I will keep your thoughts in mind as the Senate considers economic recovery proposals. Again, thank you for contacting me and please feel free to do so again in the future.

Sincerely,

A handwritten signature in black ink that reads "Herb Kohl". The signature is written in a cursive, slightly slanted style.

Herb Kohl  
United States Senator

HK:hs

# United States Senate

WASHINGTON, DC 20510-4904

February 10, 2009

RECEIVED

FEB 11 2009

SAUK COUNTY CLERK  
BARABOO WISCONSIN

Ms. Beverly Mielke  
Sauk County Clerk  
505 Broadway St, Rm 144  
Baraboo, WI 53913-2183

Dear Ms. Mielke,

You are invited to my 2009 Sauk County listening session. This year's listening session will be held at 9:00 am on Tuesday, February 17, 2009 at the Spring Green Fire Station, 327 South Winsted Street, in the Village of Spring Green. The listening session will last up to one hour to accommodate people wishing to speak. At these meetings I am available to listen to your concerns, answer your questions, and provide assistance with problems you may have with a federal agency.

Since I began holding listening sessions 16 years ago, I have traveled more than 150,000 miles to and from my listening sessions alone – a distance of more than six times around the world, all within Wisconsin. I have heard from more than 55,000 individual Wisconsinites at more than 1,100 listening sessions.

It's important to me to make myself available to Wisconsinites in every corner of the state. Each year I use a map of Wisconsin to track the progress I have made in visiting each county. Last year's map highlighted the importance of listening to Wisconsin ideas. The comments I heard from those who attended have helped ensure that my voting record and legislative initiatives in Washington are responsive to Wisconsin's needs. This year's map will highlight the four distinct and beautiful seasons of our state.

Please note that on rare occasions, listening sessions may need to be postponed on short notice if I have to return to Washington for legislative votes. My staff will do their best to reach you quickly to inform you of any changes. You will receive an invitation to the rescheduled session as soon as the new time and date are set.

Again, I hope you will be able to attend my listening session. These meetings are successful because people like you care enough to come and tell me what is on your mind. I look forward to seeing you there.

Sincerely,



Russell D. Feingold  
United States Senator

COPY



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew J. Frank, Secretary  
Lloyd L. Eagan, Regional Director

Dodgeville Service Center  
1500 N. Johns Street  
Dodgeville, Wisconsin 53533  
Telephone 608-935-1929  
FAX 608-935-3658  
TTY Access via relay - 711

February 6, 2009

Sauk County Clerk  
West Square Building  
505 Broadway  
Room 144  
Baraboo, WI 53913

RECEIVED

FEB - 9 2009

SAUK COUNTY CLERK  
BARABOO, WISCONSIN

Subject: Emergency Fire Warden List

Dear County Clerk:

Enclosed is a list of people whom we have selected to serve as Emergency Fire Wardens for Sauk County for the year of 2009.

Please take this list up with the County Board at their next meeting and ask for their approval so that we can get credentials issued for these people.

Please inform me by letter as soon as the list has been approved by the County Board.

Sincerely,

John Nielsen  
Regional Forestry Leader  
Acting Area Forestry Leader

JN:vh  
Enc.

COPY



To the Honorable:

The County Board of **Sauk** County, Wisconsin:

Gentlemen:

In accord with section 26.12(3) and section 26.14(3) of the Wisconsin Statutes we recommend the following persons to act as authorized emergency fire wardens for the prevention and suppression of forest fires in this county for the year 2009 and ask your approval of this organization list.

EMERGENCY FIRE WARDENS

**Galen Accola, E10056A Hwy. C, North Freedom, WI 53951** for town of ~~Sumpster~~<sup>Sumpster</sup>, Prairie du Sac.

**Francis Bonham, S5307A Hwy. 113, Baraboo, WI 53913** for town of Baraboo, Sumpster, Greenfield.

**Thomas Clark, 135 4th Street, Baraboo, WI 53913** for town of Baraboo, Fairfield, Greenfield, Pt. Sumpster.

**Dean Coenen, E9708 Hwy. 60, Sauk City, WI 53583** for town of Troy, Prairie du Sac, Honey Creek.

**Al Doering, 106 Freedom Street, Box 312, North Freedom, WI 53951** for town of Freedom, Baraboo, Excelsior.

**John/David Ederer, E7410A Mill Road, Spring Green, WI 53588** for town of Troy, Honey Creek, Franklin.

**Marvin Giebel, S2567 Hastings Rd., Reedsburg, WI 53959** for town of Delton.

**Pam Glaser, River Valley Oil, Box 67, Hwy. 14, Spring Green, WI 53588** for town of Spring Green, Troy, & Arena.

**Val Hoefs, Viking Express, 1375 East Main Street, Reedsburg, WI 53959** for town of Reedsburg, Excelsior, Ironton, LaValle, Winfield, Dellona.

**Dale Hudzinski, E8537 County Hwy P., Wisconsin Dells, WI 53965** for town of Delton and Dellona.

**Joyce Huebsch, S6683 Hillpoint Rd., Hillpoint, WI 53937** for town of Washington.

**Harry Jantz, E12450 Co. Hwy. T, Baraboo, WI 53913** for town of Fairfield.

**Cheryl Jasper, United Cooperative, 103 West Broadway, Rock Springs, WI 53961** for town of Excelsior, Reedsburg, Freedom, Westfield, Baraboo.

**Trudy Judd, S588 Eli Valley Road, Loganville, WI 53943** for town of Westfield, Washington, Reedsburg, Franklin.

**Janet Kemna, P.O. Box 101, 110 School Street, Merrimac, WI 53561** for town of Merrimac, Caledonia, Greenfield.

**Charles Kissack, 300 Oak St., Rock Springs, WI 53961** for town of Freedom.

**Carla Kruse, S6555 Hwy. 23, Loganville, WI 53943** for town of Westfield.

**Dan/Judy Licht, S6566 Co. Hwy. PF, North Freedom, WI 53951** for town of Freedom & Excelsior.

**Donald Lichte, 131 S Park St., Reedsburg, WI 53959** for town of Reedsburg, Winfield, Excelsior.

**Jim Liegel, True Value, P.O. Box 221, Plain, WI 53577** for town of Franklin, Honey Creek.

**Barbara McCormick, S5373 Durwards Glen Road, Baraboo, WI 53913** for town of Greenfield, Fairfield, Caledonia.

**Tammy J. McCullick, 111 2nd Street, LaValle, WI 53941** for town of Ironton, LaValle.

Phyllis Meister, E4003 Nachriener Hollow Rd., Plain, WI 53577 for town of Bear Creek, Spring Green, Franklin.  
*Andrea*  
 Andrea Meyer, Excel Cellular, 740 Phillips Blvd, Sauk City, WI 53582 for town of Prairie du Sac.

Barb/Maxine Mueller, P.O. Box 288, LaValle, WI 53941 for town of LaValle, Ironton.

James Murphy, S2593 Schepp Rd., Baraboo, WI 53913 for town of Fairfield.

Darwin Nelson, E12513 Inspiration Dr., Merrimac, WI 53561 for town of Merrimac.

Rick Patel, S57551 US. Hwy. 13, North Freedom, WI 53951 for town of Sumpter, Baraboo, Honey Creek, Prairie du Sac.

Lynn Peterson, Reedsburg Police Dept., 200 South Park Street, Reedsburg, WI 53959 for town of Reedsburg, Winfield, Excelsior.

Tina Raschein, E9420 Praire Road, Prairie du Sac, WI 53578 for town of Honey Creek, Sumpter, Prairie du Sac.

David Schulte, E4148 Hwy. 154, Hillpoint, WI 53937 for town of Washington.

Cynthia Shanks, S7149 Cemetery Road, Merrimac, WI 53561 for town of Merrimac.

Wendell Shore, E237 Cty. Hwy. EE, Wonewoc, WI 53968 for town of Woodland.

Eva Spear, E12375A Spear Dr., Merrimac, WI 53561 for town of Merrimac.

Dennis Sprecher, Consumers Coop Oi, 740 Phillips Blvd., Sauk City, WI 53583 for town of Prairie du Sac, Roxbury, Mazomanie.

Junior/Amy Sprecher, E 7425 Hwy. C, North Freedom, WI 53951 for town of Honey Creek, Franklin.

Jeanette Steive, E10499 Co. W, Baraboo, WI 53913 for town of Baraboo, Freedom, Sumpter.

Kevin Stieve, 135 4th Street, Baraboo, WI 53913 for town of Baraboo, Fairfield, Greenfield.

Loren Thering, Loren's Repair, S9004 Valley View Rd., Loganville, WI 53943 for town of Franklin, Honey Creek, Bear Creek.

Barry Walsh, S8721 Co. Hwy. G, Plain, WI 53577 for town of Bear Creek, Franklin.

Joan Whitehurst, DHL Owners Assoc., E2670 Clubhouse Dr., LaValle, WI 53941 for town of LaValle, Woodland and Ironton.

Dan/Marj Willis, Lime Ridge Agri Supply, 115 Minor Street, Box 19, Lime Ridge, WI 53942 for town of Washington, Ironton, Westfield, Reedsburg.

Randy Winchel, S2348 Hwy. V, Reedsburg, WI 53959 for town of Winfield, Reedsburg, Ironton, LaValle.

Randy Winchel, DRM Corp, 231 W. Adams St., Lake Delton, WI 53940 for township of Delton.

Lester Woolever, S895 Meffert Rd., LaValle, WI 53941 for town of Woodland.

Paul Zajackowski, Mirror Lake State Park, E10320 Fern Dell Road, Baraboo, WI 53913 for town of Delton and Dellona.

Verlin/Mary Zins, E9699 Fuchs Road, Sauk City, WI 53583 for town of Troy, Prairie du Sac, Honey Creek.

Dodgeville, Wisconsin  
 February 6, 2009

Department of Natural Resources

By John Videman (w)  
 Area Forestry Leader

By \_\_\_\_\_  
 County Board Chairman

RESOLUTION NO. 8 09

**Commending Kenneth Radke For More Than 42 Years Of Faithful Service  
To The People Of Sauk County**

**WHEREAS**, it is custom of the Sauk County Board of Supervisors to recognize employees who have served the people of Sauk County with distinction: and,

**WHEREAS**, Kenneth Radke has faithfully served the people of Sauk County as a member of the Sauk County Highway Department, since May 9, 1966, and,

**WHEREAS**, Kenneth Radke will be leaving the service of Sauk County Highway Department as of February 6, 2009,

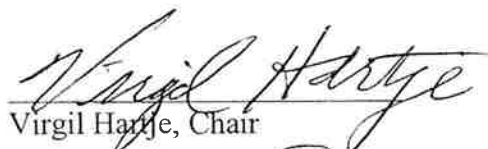
**NOW, THEREFORE BE IT RESOLVED**, that the Sauk County Board of Supervisors, hereby expresses its appreciation and commends Kenneth Radke for forty-two years of faithful service to the people of Sauk County;

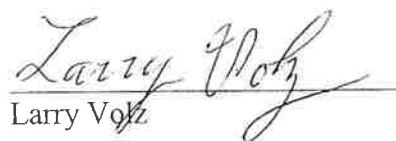
**AND, BE IT FURTHER RESOLVED**, that the Chairman of the Sauk County Board of Supervisors is hereby directed to present to Kenneth Radke an appropriate symbol of our appreciation for service to the people of Sauk County.


For Consideration by the Sauk County Board of Supervisors on February 18, 2009.

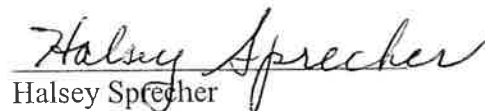
Respectfully submitted:

**Sauk County Highway and Parks Committee**

  
Virgil Hartzel, Chair

  
Larry Voz

  
Joel Gaalswyk

  
Halsey Sprecher

  
Martin (Tim) Meister

Fiscal Note: No Fiscal Impact. *VPB*  
MIS Note: Not Applicable

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**Authorizing the Upgrade of Desktop Application Software to the Microsoft Office Product**

**WHEREAS**, Sauk County utilizes a standard office application software suite on all desktop computers, and;

**WHEREAS**, Sauk County currently spends \$24,709 annually to maintain 411 units of the Lotus product at cost of \$60.12/unit, and;

**WHEREAS**, the current Lotus application suite limits compatibility with many commonly used business documents, and;

**WHEREAS**, upgrading to the Microsoft Application would result in greater efficiency throughout County Government, and;

**WHEREAS**, it is anticipated that Sauk County would be able to purchase up to 20% fewer licenses of the Microsoft product than it currently owns of the Lotus product, and;

**WHEREAS**, the annual maintenance cost of the Microsoft application suite would be comparable to the annual cost of the Lotus product, once the initial license fees are paid, and;

**WHEREAS**, based upon the State of Wisconsin's volume license agreement with Microsoft, the initial license purchase, to be paid over three years, would be as follows:

\$51,417 per year for 330 licenses or \$155.76 per license

and:

**WHEREAS**, the ongoing annual cost to maintain the licenses, after the third year, would be as follows:

\$24,562 annually for 330 licenses or \$74.43 per license per year

and;

**WHEREAS**, your Executive and Legislative and Finance Committees have reviewed this matter and found it in the best interest of Sauk County to enter into an Enterprise License agreement with Microsoft to purchase the above described software.

**NOW THEREFORE BE IT RESOLVED** by the Sauk County Board of Supervisors, met in regular session, that the purchase of Microsoft Office for desktop computers throughout Sauk County Government is hereby approved, and,

**BE IT FURTHER RESOLVED** that the Sauk County MIS Coordinator be authorized and directed to enter into the necessary agreements required to obtain the necessary licensing and services for this implementation.

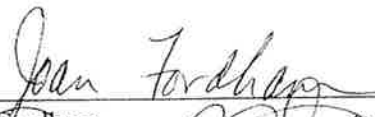
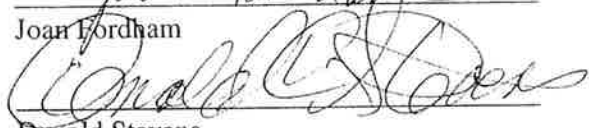
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For consideration by the Sauk County Board of Supervisors on February 18, 2009.

Respectfully submitted,

**Executive and Legislative Committee:**

  
\_\_\_\_\_  
Marty Krueger, Chair  
  
\_\_\_\_\_  
Paul Endres

  
\_\_\_\_\_  
Joan Fordham  
  
\_\_\_\_\_  
Donald Stevens

\_\_\_\_\_  
William F. Wenzel

**Finance Committee:**

\_\_\_\_\_  
Tommy Lee Bychinski, Chair  
  
\_\_\_\_\_  
Marty Krueger  
  
\_\_\_\_\_  
William F Wenzel

\_\_\_\_\_  
Joan Fordham  
  
\_\_\_\_\_  
Steven Bach

**Fiscal Note:** The 2009 MIS budget provides \$25,000 for the annual maintenance of the Lotus office suite which will be applied toward the initial license purchase. Additional funding will come from unexpended hardware replacement funds from the 2008 MIS budget. Funding for subsequent years will be provided for in future end user department budgets. *KEB*

**M.I.S. Note:** The 330 license quantity is an estimate and based on an initial end user count, additional licenses may be purchased upon request from County Departments. While Lotus license maintenance will be suspended, the MIS department will continue to support the Lotus software as necessary.

## **Desktop Application Software in Sauk County**

In the mid 1990s the MIS department adopted the Lotus Smart Suite desktop application product for Sauk County as our standard desktop application. The implementation was intended to meet the needs of desktop computer users with a set of applications which would provide word processing and spreadsheet functionality. At that time the Lotus application provided the best value for Sauk County as well as compatibility with a number of other applications used in business. Since that time all desktop computers provided by MIS to County Departments have been installed with the Lotus product. Sauk County pays an annual license fee for each desktop computer installed with this product.

## **Current Situation**

Today the popularity of the Microsoft Office product overshadows all other products in the market place. In addition, IBM, the parent company that licenses Lotus, has not developed the Lotus set of applications in the recent years. The impact on Sauk County has been that the office application available to our end users has not kept pace with what is happening beyond the walls of their offices. The result is an inability to effectively share documents with other agencies and businesses. This, coupled with the fact that most government agencies have standardized on the Microsoft Office suite, has made it necessary for many County departments to purchase licensing for the Microsoft product.

Today roughly one third of all computers within Sauk County government have some type of Microsoft Office licensing installed. Sauk County has expended over \$20,000 in the last three years for new Microsoft licenses. These licenses are purchased without Software Assurance (license maintenance), because of cost concerns. As a result, these licenses are not eligible for upgrade and the County will inevitably have to purchase a newer version at some point in the future.

## **Recommended Action**

Because Sauk County has expended a significant amount of money over the past few years on Microsoft Office licensing, a trend that is expected to continue, and in light of the fact that the Lotus product appears to have stagnated and provides no hope for improved compatibility, it is recommended that the County discontinue support for the Lotus application suite and migrate to Microsoft Office.

## **Financial Analysis**

The Microsoft product has two components to the initial purchase:

1. Cost to purchase the license
2. Cost for ongoing license Maintenance

Under the Microsoft Enterprise License agreement the initial purchase price for the licensing is spread out over three years. State of Wisconsin government contract price per license is \$155.75 per year, this cost also includes the license maintenance fees. After the third year the County would own the license

and pay an annual fee to maintain the licensing. The annual cost is currently \$74.43 per license, per year. The current annual cost for Lotus licensing is 65,00 per license, per year.

Sauk County would initially need to purchase 330 licenses. Due to differences in the manner in which the two products are licensed and based on the presumption that not every computer would need the Microsoft Office product installed, it is estimated that up to 20% fewer licenses would be needed than are currently installed of the Lotus product. Additional licensing may be purchased from Microsoft at the same price at any time; however, that cost will not be broken down over 3 years.

Attached is a projected cost of ownership comparison for the two products over 5 and 7 years. It should be noted that the comparison is based on an install base of 330 licenses for the Microsoft product as compared to the current install base of 411 for Lotus. The table below is a summary of the attached worksheet.

<b>Total Cost of Ownership</b>	<b>Microsoft</b>	<b>Lotus</b>
<b>5 yr total cost</b>	<b>\$ 203,326</b>	<b>\$ 123,545</b>
<b>7 yr total cost</b>	<b>\$ 252,450</b>	<b>\$ 172,963</b>
<b>Avg Annual Cost</b>		
<b>5 year average</b>	<b>\$ 40,665</b>	<b>\$ 24,709</b>
<b>7 year average</b>	<b>\$ 36,064</b>	<b>\$ 24,709</b>

**Cost of Ownership**

- ✚ After the initial license purchase, the maintenance cost for the Microsoft product is virtually the same as Sauk County pays today for Lotus license maintenance (\$24,562 compared to \$24,709).
- ✚ The annual cost of ownership will decrease over time as the upfront license purchase is a one time cost.
- ✚ Costs are based on 2008 pricing and may increase in the future
- ✚ See the attached worksheet for more detail

## Alternative Actions

1. Continue as we have in the past and maintain the Lotus Application until such time that the product is discontinued or becomes unusable for all practical purposes, while continuing to buy Microsoft licensing as necessary to interface with the State of Wisconsin and other agencies. There are a number of disadvantages to this option:
  - ✦ Over time cost will most likely exceed the cost of migration today
  - ✦ Sauk County will continue to pay for an application that is substandard and hampers productivity due to the need to convert documents to “standard” formats
  - ✦ Licenses purchased for the Microsoft product will not be eligible for conversion to an Enterprise License agreement in the future and would have to be repurchased if and when Sauk County does decide to migrate.
  - ✦ Sauk County runs the risk of encountering a forced upgrade situation at some point in the future due to incompatibilities with changing technology.
  
2. Look for an alternative desktop application or utilize an on-line or free product.  
Disadvantages:
  - ✦ Few alternatives available
  - ✦ No guarantee of compatibility
  - ✦ Online applications present potential availability issues
  - ✦ Will still be required to purchase Microsoft licensing for State provided applications





RESOLUTION NO. 10-09

ACCEPTING DONATION OF STRUCTURAL DESIGN ENGINEERING SERVICES  
FROM HARTJE LUMBER INC.

**WHEREAS**, Kraemer Brothers LLC, is presently constructing the new Sauk County Health Care Center for Sauk County, and;

**WHEREAS**, as part of the Health Care Center project it was determined that it would be necessary to construct a maintenance shop/storage facility, and;

**WHEREAS**, your Health Care Center Building Committee felt that the fees requested by the Architect for this project, Harty Elving & Associates, Inc. to complete the Structural, Mechanical, Electrical and Plumbing designs were too expensive, and;

**WHEREAS**, Virgil Hartje, whose company Hartje Lumber Inc. can provide the structural design services for such a facility, offered to donate those services at no cost to the County, and;

**WHEREAS**, the Health Care Center Building Committee would like to complete this maintenance/storage facility as part of this overall project if the money budgeted for this facility will cover these costs, and;

**WHEREAS**, in order to complete the design the Committee will seek pricing to complete the mechanical, electrical and plumbing designs, and;

**WHEREAS**, the Health Care Center Building Committee feels that it is in the best interest of the County to accept this donation to complete the structural design as a piece to completing the design of this facility so that Kraemer Brothers can provide pricing to construct this facility in conjunction with the Health Care Center facility,

**NOW, THEREFORE, BE IT RESOLVED**, by the Sauk County Board of Supervisors met in regular session and hereby accepts the donation of engineering and design services from Hartje Lumber.

COPY

Res 10-09

For consideration by the Sauk County Board of Supervisors on February 18th, 2009.

SAUK COUNTY HEALTH CARE CENTER BUILDING COMMITTEE

\_\_\_\_\_  
Paul Endres, Chair

\_\_\_\_\_  
Tommy Lee Bychinski

\_\_\_\_\_  
Joan Fordham

\_\_\_\_\_  
William Higgins

\_\_\_\_\_  
Virgil Hartje

**Fiscal Note:** \$150,000 is budgeted in the Health Care Center Building Projects funds to construct this facility. *YRB*

**Information System Note:** No Information System impact

RESOLUTION NO. 11-09

**AUTHORIZATION TO CONTRACT WITH AYRES ASSOCIATES,  
FOR ENGINEERING SERVICES FOR REHABILITATION OF THE  
LAKE REDSTONE AND DELTON DAMS**

**WHEREAS**, the Wisconsin Department of Natural Resources (WDNR) has completed inspections of the Delton Dam (also known as the Mirror Lake Dam) and the Lake Redstone Dam, which are owned by Sauk County; and,

**WHEREAS**, per the order of the WDNR it requires the owner of the dams to complete a dam break analysis for the Delton Dam and to complete repairs for the Delton Dam and the Lake Redstone Dam; and,

**WHEREAS**, to complete the analysis and repairs it will require Sauk County to hire an engineering firm capable of completing the analysis as well as designing and preparing for bid the necessary repairs as well as oversight of the repair process; and,

**WHEREAS**, the Highway and Parks Committee with the assistance of the Parks Director prepared a request for proposals from qualified companies to complete such work; and,

**WHEREAS**, the Committee reviewed the proposals submitted and felt that it is in the best interest of Sauk County to contract with AYRES Associates for completion of the dam break analysis, all engineering services for the design of the repairs, and construction oversight,

**NOW, THEREFORE, BE IT RESOLVED**, by the Sauk County Board of Supervisors met in regular session, that the proposal of AYRES Associates for \$61,100. for the engineering services to complete the dam break analysis and dam repair design be hereby accepted; and,

**BE IT FURTHER RESOLVED**, that the Parks Director shall be authorized to approve, without further County Board action, change orders not to exceed a total of \$6,110.

COPY

Res 11-09

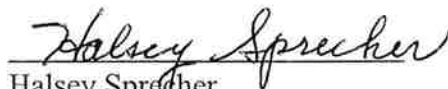
For consideration by the Sauk County Board of Supervisors on February 18th, 2009.

Respectfully submitted,

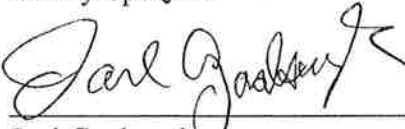
**SAUK COUNTY HIGHWAY & PARKS COMMITTEE**

  
Virgil Hartje, Chairperson

  
Tim Meister

  
Halsey Sprecher

  
Larry Volz

  
Joel Gaalswyk

**Fiscal Note:** \$215,000. was budgeted for engineering and repairs in the 2009 Parks Budget.

**Information System Note:** No information system impact.

KPB

**Engineering Proposals for Rehabilitation of Delton and Redstone Dams - February, 2009**

Engineering Firm	Dam Break Analysis - Delton Dam 1.11	Emergency Action Plans 1.12	Inspection Operation Maintenance 1.13	Engineering for Rehabilitation 1.14	Application for Permits 1.15	Final Plans 1.16, 1.17	Construction Oversight, Final Insp. 1.18	Proposal TOTAL
AYRES Associates Eau Claire, WI	Incl.	Incl.	Incl.	30,500 D 29,600 RS, incl Topo, pipe insp.	500 D 500 RS	Incl.	Incl.	61,100
Mead & Hunt Madison, WI	14,000	14,800	3,500	29,800 D 31,000 RS	Incl.	30,400	Incl.	123,500
CWE, Inc. Weston, WI	5,140	3,080	1,650	9,700	1,660	2,200	4,000	27,430
Foth Madison, WI	13,500	6,700	Incl.	9,900 13,700 D 9,800 RS	Incl.	2,600 25,100	13,900 21,500 Option for Inspection	98,100 - 119,600
Vierbicher Reedsburg, WI	25,000	8,000	6,000	12,000	Time & Exp. Estimated 8,000	Time & Exp. Estimated 23,000	Time & Exp. Estimated 24,800	106,800
GRAEF Madison, WI	22,000	22,200	11,300	11,000 D 15,700 RS.	Incl.	Range 12,100 - 16,500 18,100 - 24,500	Range 9,400 - 12,900 9,500 - 12,900	131,300 - 149,000
Northern Environmental Waupun, WI	25,000	4,000	6,000	15,000	if required 2,000	36,000	25,000	113,000
Montgomery Associates Cottage Grove WI	9,000	3,700	5,700	69,500	2,000	4,000 Range 50,000 - 75,000	Range 15,000- 30,000	158,900 - 198,900

RESOLUTION NO. 12 09

**Request To Accept Proposal For One (1) Used Motor Grader  
From Aring Equipment Company, Madison, Wisconsin.**

**WHEREAS**, your Highway Department is in need of one (1) Motor Grader, and in a planned program of replacement, having set minimum specifications for same and,

**WHEREAS**, your Committee has agreed to accept the following proposal which met our specifications subject to County Board approval:

From: Aring Equipment Company  
Madison, Wisconsin

One (1) 2003 Volvo Model G 726B  
Motor Grader \$ 105,000.00

Less Trade In:  
Sauk Co. 1986 Champion Model 740R  
Motor Grader #54 (\$ 11,000.00)

Net Cost, F.O.B. Baraboo \$ 94,000.00

**NOW, THEREFORE, BE IT RESOLVED**, that the above bid be approved, it further being understood that this expenditure will be paid from Highway Department funds.

For Consideration by the Sauk County Board of Supervisors on February 18, 2009.

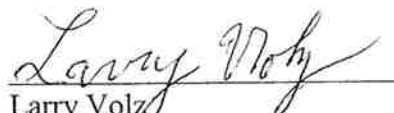
Respectfully submitted:

**Sauk County Highway and Parks Committee**

  
Virgil Hartje

  
Joel Gaalswyk

  
Martin (Tim) Meister

**COPY**  
  
Larry Volz

  
Halsey Sprecher

Fiscal Note: This Expenditure will be paid from Highway Fund Account #70-185010 for the fiscal year of 2009. *YB*

Information System Note: No information system impact.

RESOLUTION NO. 13 - 09

**RESOLUTION TO AUTHORIZE CREATION OF MISSISSIPPI VALLEY HEALTH SERVICES COMMISSION AND PARTICIPATION OF SAUK COUNTY**

**WHEREAS**, the Sauk County Board of Supervisors previously adopted a resolution authorizing the formation of a nonstock entity known as Mississippi Valley Health Services, Inc.; and,

**WHEREAS**, the aforementioned resolution authorized Sauk County to be a member of the nonstock corporation; and,

**WHEREAS**, the members of the nonstock corporation currently consist of LaCrosse County, Crawford County, Monroe County, Richland County, Vernon County, Chippewa County, Sauk County, Marinette County, Juneau County, Rock County and Trempealeau County; and,

**WHEREAS**, the nonstock corporation was formed for the purpose of, among other things, transferring legal and operational responsibility for the Medicaid certified nursing home facility known as Lakeview Health Center located in LaCrosse County ("Lakeview") to a multi-county collaboration governed by the nonstock corporation; and,

**WHEREAS**, the State of Wisconsin Department of Health Services raised concerns regarding the organizational structure of the nonstock corporation as it relates to the multi-county collaboration; and,

**WHEREAS**, all of the public policy reasons for forming a multi-county collaborative for purposes of leasing and administering Lakeview continue to exist, as is more particularly set forth in the introductory paragraphs of the aforementioned resolution; and,

**WHEREAS**, based upon the Department of Health Services' concerns, the Sauk County Board of Supervisors deems it to be in the best interests of Sauk County to enter into an agreement under Wis. Stat. § 66.0301 related to the formation of a commission that would allow multiple counties to collaboratively own and administer Lakeview; and,

**WHEREAS**, the Sauk County Board of Supervisors agrees that it is in the best interests of Sauk County to enter into the aforementioned agreement based upon the needs of Sauk County residents as it relates to the superior care and treatment afforded Sauk County residents at Lakeview, which care and treatment would potentially cease if Sauk County did not enter into the aforementioned agreement; and,

**WHEREAS**, this resolution is intended to authorize the creation of the Mississippi Valley Health Services Commission and appoint a member of the Sauk County Board of Supervisors to act as the member representative, as is more particularly set forth in the Intergovernmental Agreement attached hereto;

COPY



NOW, THEREFORE, BE IT RESOLVED, that the Sauk County Board of Supervisors hereby takes the following action:

1. Sauk County hereby enters into the Intergovernmental Agreement attached hereto and authorizes the appropriate Sauk County official to execute the Intergovernmental Agreement on behalf of Sauk County.
2. Sauk County hereby ratifies the actions of the Mississippi Valley Health Services, Inc., Board of Directors and Members in authorizing the dissolution of Mississippi Valley Health Services, Inc.
3. Sauk County hereby authorizes the transfer of all money that Sauk County paid to Mississippi Valley Health Services, Inc., to Mississippi Valley Health Services Commission.
4. Sauk County hereby authorizes the Chair of the Sauk County Board of Supervisors to appoint a representative to act on behalf of Sauk County as a member of the Commission consistent with the Intergovernmental Agreement.
5. Sauk County hereby authorizes the appointment of one (1) commissioner to represent the interests of Sauk County on the Commission Board with respect to the Commission's business and affairs consistent with the Intergovernmental Agreement.


Dated this 18<sup>th</sup> day of February, 2009.


Respectfully submitted,

**HUMAN SERVICES BOARD**

  
\_\_\_\_\_  
Scott Alexander, Chairperson

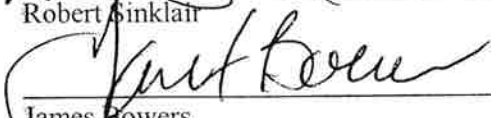
  
\_\_\_\_\_  
Judith Stoeckmann

  
\_\_\_\_\_  
Joan Fordham

  
\_\_\_\_\_  
Paul Endres

  
\_\_\_\_\_  
Karen Fabisiak

  
\_\_\_\_\_  
Robert Sinklait

  
\_\_\_\_\_  
James Bowers

  
\_\_\_\_\_  
Beverly Vertein

  
\_\_\_\_\_  
Al Dippel

Fiscal Note:

2009 - Annually - \$58,400 anticipated cost. This represents \$40.00/day/individual for four individuals versus an estimated \$400.00/day/individual (\$584,000) if placed elsewhere, with an annual savings of \$525,600. Lakeview accepts difficult to care for individuals, so it would be extremely difficult and may not even be possible to find a placement other than Lakeview for these individuals.

KPB

RESOLUTION NO. 14 -09  
AUTHORIZATION TO PURCHASE 2009  
FOUR WHEEL DRIVE VEHICLE

**WHEREAS**, the 2009 Sheriff's Budget contains an allocation for eight squad cars; and

**WHEREAS**, the need for a 3<sup>rd</sup> Administrative four-wheel-drive vehicle is needed for the Field Services Captain to be able to respond to incidents during floods and snow and ice storms; and

**WHEREAS**, the Sheriff requests to purchase a four-wheel-drive vehicle and requests to reduce the purchase of eight squad cars to seven squad cars; and

**WHEREAS**, the Law Enforcement and Judiciary Committee has authorized the Sheriff to solicit bids for the purchase of a four-wheel-drive vehicle; and

**WHEREAS**, your committee has examined the bids received, which are enumerated on the attached bid informational sheet; and

**WHEREAS**, after examination of the bids your committee recommends it to be in the best interest of Sauk County to accept the bid of Kayser Ford of Madison for a 2009 Ford Explorer.

**NOW, THEREFORE, BE IT RESOLVED**, by the Sauk County Board of Supervisors, met in regular session that the Sauk County Sheriff be hereby authorized to purchase a 2009 Ford Explorer from Kayser Ford in Madison Wisconsin for an after-trade cost of \$22,114.00 with payment for the vehicle to be made from the Sheriff's 2009 adopted budget, Vehicle Purchase-Field Services account.

For consideration by the Sauk County Board of Supervisors this 18<sup>th</sup> day of February, 2009

Respectfully submitted,

SAUK COUNTY LAW ENFORCEMENT AND JUDICIARY COMMITTEE

\_\_\_\_\_  
DONALD C. STEVENS, CHAIR

\_\_\_\_\_  
PETER TOLLAKSEN

\_\_\_\_\_  
CHARLES MONTGOMERY

\_\_\_\_\_  
ROBERT SINKLAIR

\_\_\_\_\_  
HALSEY SPRECHER

**Fiscal Note:**

Expenditure of \$22,114.00 from the 2009 adopted Sheriff's budget, Vehicle Purchase-Field Services

KPB

COPY

Res. 14-09

### 2009 Ford Explorer Bids

Bids received were for one Ford Explorer.

Ballweg Ford	Ford Explorer	\$ 24,911.00
	Trade Allowance	\$ 2,000.00
	Per Vehicle Cost	\$ 22,911.00
Koenecke Ford	Per Vehicle Cost	\$ 22,274.07
Kayser Ford	Ford Explorer	\$ 23,514.00
	Trade Allowance	\$ 1,400.00
	Per Vehicle Cost	\$ 22,114.00

RESOLUTION NO. 15-09  
AUTHORIZATION TO PURCHASE 2009 FORD CROWN VICTORIA  
REPLACEMENT SQUAD CAR UNDER  
EMERGENCY PROCEDURES.

**WHEREAS**, a 2008 Ford Crown Victoria police package marked squad car belonging to Sauk County was destroyed in a traffic crash on January 14, 2009; and

**WHEREAS**, the squad car has been declared a total loss by Local Government Property Insurance Fund adjusters; and

**WHEREAS**, a vehicle is needed to replace the destroyed car; and

**WHEREAS**, a replacement 2009 Ford Crown Victoria can be purchased from Kayser Ford in Madison, Wisconsin, at a price of \$21,699; and

**WHEREAS**, Administrative Coordinator Kathy Schauf has authorized the expenditure of funds under emergency procedure; and

**WHEREAS**, Sauk County will be reimbursed by the insurance carrier of the operator of the vehicle which struck the squad car in the amount of \$11,000 which is the actual current value of the squad car; and

**WHEREAS**, the Sauk County Law Enforcement & Judiciary Committee has authorized the purchase of the replacement 2009 Ford Crown Victoria police package squad car for a cost of \$21,699.00 with costs being partially offset by insurance payments; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Sauk County Board of Supervisors, met in regular session that the Sauk County Sheriff be authorized and directed to purchase a 2009 Ford Crown Victoria from Kayser Ford in Madison, Wisconsin, for a cost of \$21,699.00.

For consideration by the Sauk County Board of Supervisors this 18<sup>th</sup> day of February, 2009

Respectfully submitted,

SAUK COUNTY LAW ENFORCEMENT AND JUDICIARY COMMITTEE

\_\_\_\_\_  
DONALD C. STEVENS, CHAIR

\_\_\_\_\_  
PETER TOLLAKSEN

\_\_\_\_\_  
CHARLES MONTGOMERY

\_\_\_\_\_  
ROBERT SINKLAIR

\_\_\_\_\_  
HALSEY SPRECHER

**Fiscal Note:**

Replacement costs in the amount of \$11,000 to be paid by insurance carrier for operator of offending vehicle in the collision and the balance of \$10,699 to be paid with unspent monies in the 2009 adopted Sheriff's budget, Vehicle Replacement account,

KPB

COPY

RESOLUTION NO. 16-09  
AUTHORIZATION TO PURCHASE SEVEN  
POLICE SPECIFICATION SQUAD CARS

**WHEREAS**, the 2009 Sheriff's Budget contains an allocation of \$164,445 for the purchase of eight police specification squad cars; and

**WHEREAS**, the Sheriff request to purchase a four-wheel-drive vehicle and request reducing the purchase of eight squad cars to seven squad cars; and

**WHEREAS**, the Law Enforcement and Judiciary Committee has authorized the Sheriff to solicit bids for the purchase of seven police specification squad cars;

**WHEREAS**, your committee has examined the bids received, which are enumerated on the attached bid informational sheet; and

**WHEREAS**, after examination of the bids your committee recommends it to be in the best interest of Sauk County to accept the bid of Kayser Ford of Madison, Wisconsin.

**NOW, THEREFORE, BE IT RESOLVED**, by the Sauk County Board of Supervisors, met in regular session that the Sauk County Sheriff be and hereby authorized to purchase seven 2009 Ford Crown Victoria Police Interceptors from Kayser Ford of Madison, Wisconsin for a total after trade cost of \$129,943.00 with payment for the vehicle to be made from the Sheriff's 2009 adopted budget, Vehicle Purchase-Field Services account.

For consideration by the Sauk County Board of Supervisors this 18<sup>th</sup> day of February, 2009

Respectfully submitted,

SAUK COUNTY LAW ENFORCEMENT AND JUDICIARY COMMITTEE

\_\_\_\_\_  
DONALD C. STEVENS, CHAIR

\_\_\_\_\_  
PETER TOLLAKSEN

\_\_\_\_\_  
CHARLES MONTGOMERY

\_\_\_\_\_  
ROBERT SINKLAIR

\_\_\_\_\_  
HALSEY SPRECHER

**Fiscal Note:**

Expenditure of \$129,943.00 from the 2009 adopted Sheriff's budget, Vehicle Purchase-Field Services

KPB

COPY

Res. 16-09

### 2009 Squad Car Bids

Bids received were for seven police Specifications squad cars.

Ballweg Ford	7 Ford Crown Victoria Squad Cars	\$ 155,015.00
	Trade Allowance	\$ 22,000.00
	After Trade	\$ 133,015.00
	Per Vehicle Cost	\$ 19,002.15
Koenecke Ford	7 Ford Crown Victoria Squad Cars	\$135,219.48
	Per Vehicle Cost	\$ 19,317.07
Kayser Ford	7 Ford Crown Victoria Squad Cars	\$150,143.00
	Trade Allowance	\$ 20,200.00
	After Trade	\$129,943.00
	Per Vehicle Cost	\$ 18,563.29

RESOLUTION NO. 17-09

RATIFYING THE 2009 - 2010 COLLECTIVE BARGAINING AGREEMENT BETWEEN SAUK COUNTY AND SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 1199W

WHEREAS, the collective bargaining agreement between Sauk County and employees represented by Service Employees International Union, Local 1199W, hereinafter referred to as "SEIU", expired on December 31, 2008; and,

WHEREAS, the Negotiating Committee, acting under the authority of the Personnel Committee, has negotiated a tentative agreement with the Union (attached hereto), for the terms of a successor agreement for the calendar years of 2009 and 2010; and,

WHEREAS, the provisions of the tentative agreement reflect a commitment of Sauk County to remain competitive with the wage rates of neighboring counties, be fiscally responsible and the dedication of both parties to recruit and retain the highest quality employees for Sauk County; and,

WHEREAS, the Personnel Committee recommends the provisions of the tentative agreements as being in the best interest of Sauk County.

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors met in regular session, that the Sauk County Personnel Committee be and hereby is authorized and directed to sign on behalf of Sauk County a collective bargaining agreement incorporating the provisions of the tentative agreement, set forth in more detail in the attached summary;

Respectfully submitted for consideration by the Sauk County Board of Supervisors on February 18, 2009,

PERSONNEL COMMITTEE

\_\_\_\_\_  
TIM MEISTER

\_\_\_\_\_  
HENRY NETZINGER

\_\_\_\_\_  
PETER TOLLAKSEN

\_\_\_\_\_  
SCOTT ALEXANDER

\_\_\_\_\_  
CHARLES MONTGOMERY

COPY

**FISCAL NOTE:** The total fiscal impact (*total package cost*) of this two-year agreement between Sauk County and SEIU for approximately 67.27 full-time equivalents, is estimated at 3.71% growth over the estimated 2008 costs for this bargaining unit in 2009, 4.33% growth in 2010.

Factored into the costing of this proposal are increased costs of health insurance (*7.9% increase for 2009, and estimated 15% for 2010*), social security and Medicare taxes, retirement, life insurance, and workers compensation. A 2.0% across-the-board (ATB) increase on 1/1/2009; 1.0% (ATB) increase 9/1/2009; 1.5% (ATB) increase on 1/01/2010; 1.0% (ATB) increase on 1/1/2010.

The year-to-year percentage total package growth is estimated as follows:

2009	2.0% (1/1/09)	KAB	\$175,572 (total package) increase over 2008
	1.0% (9/1/09)		
2010	- 1.5% (1/1/2010)		
	1.00% (7/1/2010)		\$212,245 (total package) increase over 2009



TENTATIVE AGREEMENTS  
BETWEEN  
SAUK COUNTY  
AND  
SEIU DISTRICT 1199W

The 2007 - 2008 Collective Bargaining Agreement shall remain unchanged for a two (2) year period commencing January 1, 2009, except as follows:

Deletions are indicated by: ~~Strikethrough~~.

Additions and new language are indicated by: Shadow

Any language not included in this offer is intended to remain unchanged.

**ARTICLE 1 - PREAMBLE**

- 1.01 PREAMBLE: THIS AGREEMENT, made and entered into at Baraboo, Wisconsin, pursuant to the provisions of Section 111.70, Wisconsin Statutes, by and between the County of Sauk, hereinafter referred to as "County" or as "Employer and ~~Service Employees International Union District 1199 Wisconsin / United Professionals for Quality Health Care~~, CTW, CLC, hereinafter referred to as "Union".

**ARTICLE 2 - UNION RECOGNITION**

- 2.01 RECOGNITION: The County of Sauk hereby recognizes its legal obligation to bargain with ~~Service Employees International Union (SEIU) Healthcare District 1199W - Wisconsin / United Professionals for Quality Health Care~~ as the exclusive representative for the purposes of collective bargaining with the County, or its authorized representative(s), on all questions of wages, hours, and/or other conditions of employment for all regular, full time and part-time professional employees employed by the ~~Aging and Disability Resource Center~~, Department of Human Services, Sheriff's Jail/Huber Nursing Unit and Public Health Department of Sauk County, but excluding supervisors, craft employees, managerial and confidential employees, in accordance with WERC Decision 25107ME-1732 and 17343-C.

**ARTICLE 4 - UNION RIGHTS**

- 4.04 UNION LEAVE: At the sole discretion of the Department Head, any employee who is appointed to a Union Special Project (USP) may be granted a leave of absence with pay not to exceed three (3) months. The employee shall be returned to his or her same position, defined as position on the same shift, work unit and FTE status. The employee shall provide written union notification a minimum of thirty (30) days prior to the commencement of the USP. Under this agreement, the Union agrees to fully reimburse the County for the costs of the salary, salary generated benefits, and other benefits for time spent by those employees when performing special projects.

**ARTICLE 9 - SENIORITY**

- 9.03 SENIORITY TERMINATION: Seniority and continuous service shall be considered broken and all rights lost when an Employee:

(D) Is laid off for a period in excess of ~~twelve (12)~~ twenty-four (24) consecutive months.

9.05 LAYOFF:

(A) The Union recognizes the right of the Employer to lay off Employees.

(B) In the event it becomes necessary to lay off Employees, the layoff shall be by job classification. The employer will solicit volunteers from within the classification first. If enough volunteers within the

classification are not found, temporary and then probationary employees within the classification shall be laid off next.

For purposes of this article only, job classifications shall consist of: Social Worker; AODA Counselor; Registered Nurse; Public Health Nurse; Psychotherapist and Early Intervention Specialist; relative to Department (e.g. Public Health, Human Services, Aging and Disability Resource Center and Sheriff's Department).

- (F) Regular Employees whose positions are being eliminated shall be given whenever reasonably practicable, written notice of the action not less than fifteen (15) calendar days prior to the effective date. In no case shall an Employee, prior to the effective date of layoff, receive less than a ten (10) day notice or an amount equal to the Employee's regular rate of pay for such ten (10) day period.

Before an employee is placed on layoff status, the Employee shall have preferential rights to fill any open vacancy, if qualified.

- (G) The Employer will notify the Union prior to any layoff affecting bargaining unit Employees. At the request of either party, a meeting shall be held between the parties for the purpose of attempting to identify alternatives to layoff.

9.04 **SENIORITY LISTS:** The Employer shall keep and maintain a seniority list of all bargaining unit employees. Upon written request by the Union to the Personnel Director, a current copy of said list shall be provided to the Chapter President and Union Office annually by no later than February 1st of every year within fourteen (14) calendar days. This request may be made no more than twice per calendar year.

9.06 **RECALL:**

- (D) Employees on the re-employment list shall maintain preferential re-employment rights to any vacancy within their classification for two (2) one (1) year from the date they were laid off.

## ARTICLE 10 - WAGES & HOURS OF WORK

10.01 **WAGES:** Effective January 1, 20097, the Employer shall pay Employees covered by this Agreement compensation as set forth in Appendix A, attached hereto. ~~Said Appendix incorporates an across the board wage increase of 2.75% over the current wage rates. Effective January 1, 2008, the Employer shall pay Employees covered by this Agreement compensation as set forth in Appendix B, attached hereto. Said Appendix incorporates an across the board wage increase of 2.0% over the wage rates contained in Appendix A. Effective July 1, 2008, the Employer shall pay Employees covered by this Agreement compensation as set forth in Appendix C, attached hereto. Said Appendix incorporates an increase of 1% over the wage rates contained in Appendix B.~~

~~(A) Effective September 1, 2007, the following changes shall be implemented in the wage schedule. 3A will become 3. All positions in 3B will move to 4. A new 4B will be created that will be .30 cents higher than 4. All Public Health Nurses shall be moved from 4 to 4B.~~

~~(B) Effective January 1, 2008, all nurses shall receive an additional .30 cents.~~

~~(C) Create a sixth column labeled 180 months to be added December 1, 2008, at a wage increase 1% from the 60 month column.~~

10.20 **PM SHIFT DIFFERENTIAL FOR LAW ENFORCEMENT NURSES:** Effective January 1, 20094, Law Enforcement Nurses shall receive a shift differential of one dollar (\$1.00) fifty cents (.50) per hour for hours worked from 2:30 p.m. through 11:00 p.m., and hours worked from 11:00 p.m. Friday through 11:59 p.m. Saturday, provided however that such employees working shifts at or after 6:00 a.m. and ending at or before 5:00 p.m., shall not be entitled to said differential.

**ARTICLE 12 - LEAVES OF ABSENCE**

12.05 **SICK LEAVE CONVERSION AT RETIREMENT:** An eligible Employee who retires with an annuity from the Wisconsin Retirement System shall be allowed to utilize unused sick leave to purchase continued health insurance benefits according to the following formula: (For purposes of this agreement annuity is defined as including lump sum withdrawal of retirement funds.)

Number of hours unused, earned sick leave X 70% + the number of hours accumulated X 70% X base hourly rate of the Employee at retirement X number of hours normally worked in a day = dollars to be applied to health insurance.

If a retired Employee becomes re-employed and is eligible for health insurance with a conversion privilege from said employer, no further health insurance payments will be made by the Employer until such time as that Employee terminates his employment with the other employer. At that time, the retired Employee may be reinstated to the Employer's group plan, if available, or if not available, the Employer shall pay up to the amount of the payments it would have made had the Employee remained in the group plan to the retired Employee's insurance plan under which he has a conversion privilege, but not to exceed the full amount of the premium for such plan. An Employee may elect to receive the cash equivalent of the sick leave compensation formula, in lieu of their right to continued health insurance coverage.

An eligible Employee who retires with an annuity from the Wisconsin Retirement System shall be allowed to either:

A) Convert unused sick leave in accordance with Article 12.05; or

B) Utilize unused sick leave to receive 100% sick leave payout upon retirement. The choice is irrevocable and must be made upon notice of intent to retire.

12.07 **BEREAVEMENT LEAVE- FAMILY:** Employees shall be granted leave with pay beginning from the time of death and ending at 7:00 a.m. on the second calendar day following the funeral but not to exceed three (3) workdays, at least one of which must be the day of the funeral unless the funeral is held on a weekend, in the event of the death of such Employee's mother, father, spouse, children, step-parent, stepchildren, brother, sister, mother-in-law, father-in-law, a relative who permanently has resided in the home of the Employee, brother-in-law, sister-in-law, grandchildren and grandparents. Employees shall be granted one (1) leave with pay to attend the funeral or memorial service in the event of the death of such employee's aunt or uncle. Additional time off may be granted at the discretion of the Employer and shall be charged to the accrued vacation, compensatory or professional leave of the Employee, unless the Employee is suffering from a condition that would entitle the Employee to utilize sick leave.

**ARTICLE 13 - HEALTH & WELFARE BENEFITS**

HEALTH INSURANCE CATEGORIES		
CATEGORY	HOURS NORMALLY WORKED IN A PAY PERIOD	PERCENTAGE OF PREMIUM PAID BY EMPLOYER ON BASE PLAN *
CATEGORY 1	70 OR MORE HOURS	90%
CATEGORY 2	AT LEAST 60 HOURS BUT LESS THAN 70 HOURS	67.5%
CATEGORY 3	AT LEAST 38.75 HOURS BUT LESS THAN 60 HOURS	50.45%
CATEGORY 4	LESS THAN 38.75 HOURS	NOT ELIGIBLE TO PARTICIPATE IN EMPLOYER PROVIDED HEALTH PLAN

## ARTICLE 14 - MISCELLANEOUS ISSUES

- 14.11 **TEMPORARY LEAD WORKER POSITIONS:** Employees may be selected by the Department Head to serve as temporary lead workers from time to time, for not more than three (3) months. Temporary lead workers are defined as those who are temporarily assigned duties beyond their normal job description. The selection of an Employee for these duties shall be made within the sole discretion of the Department Head. Employees selected for temporary lead work shall be compensated at the rate of eighty five cents (\$.85) ~~one dollar and ten cents (\$1.10)~~ per hour above their current wage rate. Additional compensation granted under this section shall terminate at such time as the Employee is no longer performing temporary lead worker duties.
- 14.12 **LEAD WORKER POSITIONS:** Employees may be selected by the Department Head to serve as lead workers. Lead workers are assigned to regularly and consistently perform duties beyond their normal job description and may serve as a resource to staff based on their expertise. The selection of an Employee for these duties shall be made within the sole discretion of the Department Head. Employees selected for lead worker shall be compensated at the rate of one dollar and twenty five cents (\$1.25) ~~ten cents (\$1.10)~~ per hour above their current wage rate. Additional compensation granted under this section shall terminate at such time as the Employee is no longer performing lead worker duties.

### OTHER MATTERS

1. Combine job title Social Worker (1) and (2) into job title (2) effective January 1, 2010.
2. Implementation of changes to health insurance plan effective April 1, 2009:
  - a. Emergency Room copay from \$50 to \$75;
  - b. Prescription drug copay for generic/name brand from \$6/\$10 to \$5/\$15.
3. A wage increase as follows:
  - a. January 1, 2009: 2.00% ATB on all rates;
  - b. September 1, 2009: 1.00% ATB on all rates;
  - c. January 1, 2010: 1.50% ATB on all rates;
  - d. October 1, 2010: 1.00% ATB on all rates.
3. January 1, 2009: \$.75 ATB increase for all nurses;  
January 1, 2010: \$.20 ATB increase for all nurses.
4. On Call – Increase: \$22.50 to \$23.50, \$32.50 to \$33.50, and \$37.50 to \$38.50, and A) \$22.50 to \$23.50 and B) \$22.50 to \$23.50 and increase holiday to \$38.00 for all holidays except for Christmas Day and New Year's Day which will be paid at \$45.00.

RESOLUTION NO. 18-2009

APPROVING AN AMENDMENT TO THE TOWN OF DELTON  
PLANNING AND ZONING ORDINANCE TO REZONE CERTAIN LANDS FROM A  
COMMERCIAL TO A SINGLE FAMILY RESIDENTIAL ZONING DISTRICT  
AS FILED BY DAVID AND INGER CLEMENS.

**WHEREAS**, the Town of Delton has been granted the authority to exercise village powers under Wis Stat. § 60.12(2)(c); and

**WHEREAS**, a public hearing was held by the Planning and Zoning Committee of the Town of Delton in accordance with Wis Stat. § 60.61(4)(c) on December 9, 2008, as requested by the David & Inger Clemens, for a change in the zoning of certain lands from a Commercial to a Single Family Residential zoning district, for the purpose of converting a tavern to a sing-family vacation home. Said lands are located in Section 29, T13N, R6E, Town of Delton, Sauk County Wisconsin and more particularly described as by Lot 3 CSM 5808; and

**WHEREAS**, the Delton Town Board, on December 29, 2008 voted to approve the rezoning request of said lands; and

**WHEREAS**, Wis Stat. § 60.62(3) states that no zoning ordinance or amendment to a zoning ordinance may be adopted unless approved by the county board; and

**WHEREAS**, the Sauk County Board of Supervisors approved the Town of Delton Planning and Zoning Ordinance on April 20, 1982 and all amendments thereafter; and


**WHEREAS**, your Committee, based upon the facts of the request, does recommend that the rezone as an amendment to the Town of Delton Planning and Zoning Ordinance, be GRANTED

**NOW, THEREFORE, BE IT RESOLVED**, by the Sauk County Board of Supervisors met in regular session, that the rezoning of the aforementioned lands, from a Commercial to a Single Family Residential zoning district under the Town of Delton Planning and Zoning Ordinance, be Approved.

For consideration by the Sauk County Board of Supervisors on February 18, 2009.

Respectfully submitted,  
**PLANNING & ZONING & LAND RECORDS  
COMMITTEE**

  
\_\_\_\_\_  
Judy Ashford

  
\_\_\_\_\_  
Robert Cassity

  
\_\_\_\_\_  
Joel Gaalswyk

  
\_\_\_\_\_  
Gerald Lehman

  
\_\_\_\_\_  
Henry Netzing

COPY

Fiscal note: no impact

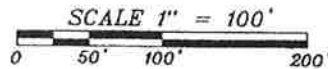
S:\planning/rezoning/2009/January/Clemens

FAUERBACH SURVEYING & ENGINEERING 810 ACADEMY ST., ELROY, WI 53929 PH/FAX 608-624-6937

SAUK COUNTY CERTIFIED SURVEY MAP NO. 5808

A REDIVISION OF LOTS 1 & 2, SAUK CO. CSM 4784, LOCATED IN THE NW1/4 OF THE SW1/4, SEC. 29, T13N, R6E, TOWN OF DELTON, SAUK COUNTY, WISCONSIN.

OWNER: DAVID & INGER CLEMENS  
E10191 PICKERAL SLOUGH RD  
LAKE DELTON, WI 53940



BEARINGS ARE REFERENCED TO THE NORTH LINE OF THE NW1/4 OF THE SW1/4, SECTION 29 RECORDED AS BEARING S 87°49'52" E ON PLAT OF SURVEY REF. #7393 BY CARLSON.

KEY

- SET 3/4" X 24" REBAR WEIGHING 1.50 LBS/LIN FT
- ⊕ FOUND CAST IRON SLIMLINE MONUMENT
- FOUND 3/4" REBAR
- ⊙ FOUND 2-1/4" O.D. IRON PIPE

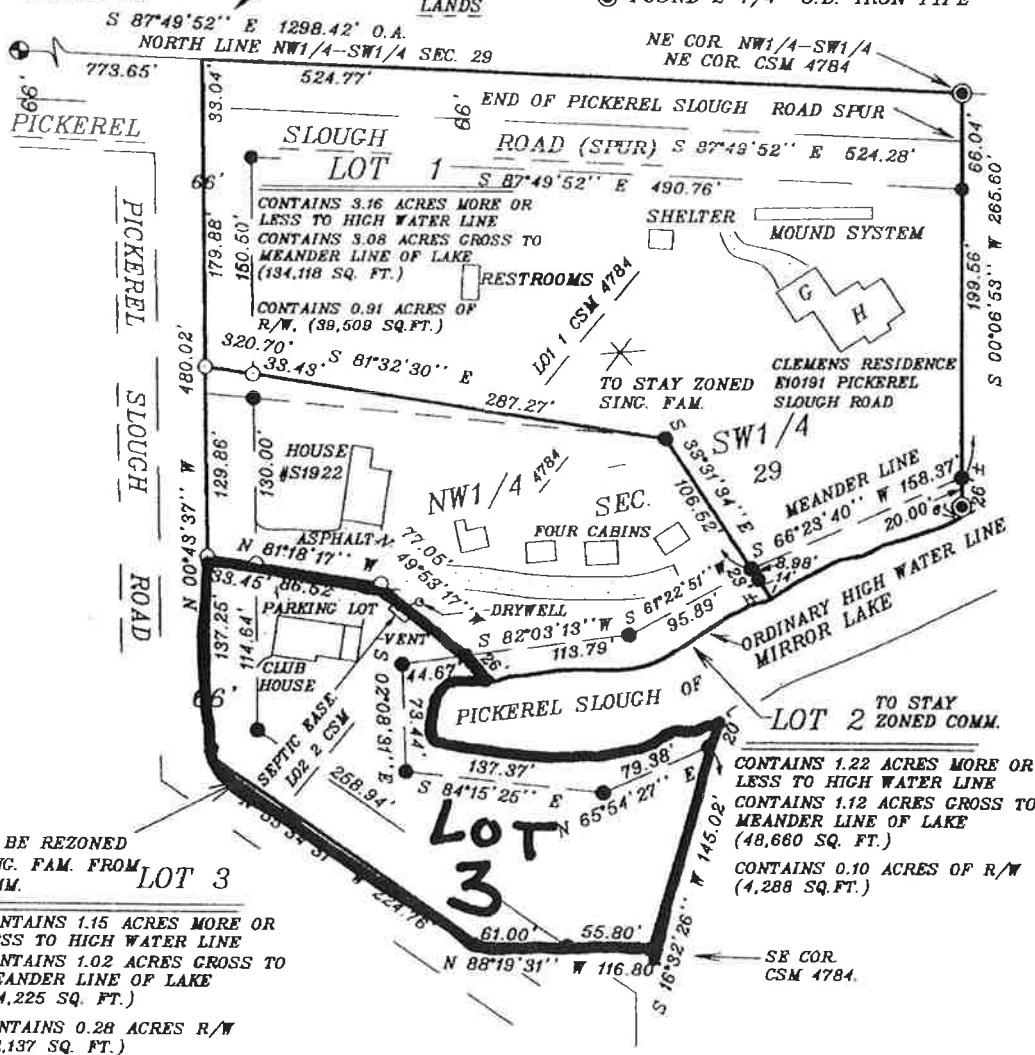


WIS. PLAT REVIEW  
MONUMENTATION WAIVER  
#20081222, FOR R/W IRONS.

NW1/4 CORNER SECTION 29

P.O.B. - NW COR. CSM 4784.

LANDS



TO BE REZONED SINC. FAM. FROM COMM. LOT 3

CONTAINS 1.15 ACRES MORE OR LESS TO HIGH WATER LINE  
CONTAINS 1.02 ACRES GROSS TO MEANDER LINE OF LAKE (44,225 SQ. FT.)  
CONTAINS 0.28 ACRES R/W (12,137 SQ. FT.)

PLANNING AND ZONING PUBLIC HEARING  
DECEMBER 9, 2008

UPON GIVING PROPER NOTICE PURSUANT TO WIS. STATS., SECTION 19.84 AND CERTIFYING COMPLIANCE WITH THE OPEN MEETING LAW, PLANNING AND ZONING PUBLIC HEARING #2008-09 WAS CALLED TO ORDER BY CHAIRMAN MARVIN GIEBEL ON TUESDAY, DECEMBER 9, 2008 AT 5:30 P.M.

PRESENT WERE PLANNING AND ZONING COMMITTEE CHAIRMAN MARVIN GIEBEL, COMMITTEE MEMBERS, LARRY VOLZ, ROMAN STATZ, WILLIAM RYAN, RON WORMET AND LARRY FISH; CLERK-TREASURER CAROL WORMET; ZONING ADM. ROBERT ROTH; ATTORNEY WILLIAM GREENHALGH; LYNN BRADLEY FROM GEN. ENGINEERING; PETITIONER DAVID CLEMENS; SURVEYOR GREG FAUERBACH; ARLENE VOLZ AND ANNA FROM THE DELLS EVENTS. COMMITTEE MEMBER PETER TOLLAKSEN WERE ABSENT.

CHAIRMAN GIEBEL CALLED THE MEETING TO ORDER AND THE COMMITTEE WAS INTRODUCED. CHAIRMAN GIEBEL READ PETITION #2008-08 INTO THE RECORD.

ZONING ADMN. ROTH SAID THIS PETITION FOLLOWS TOWN BOARD APPROVAL OF A CERTIFIED SURVEY.

DAVID CLEMENS SAID THEIR INTENTION IS TO TURN WHAT USED TO BE PICKEREL SLOUGH TAVERN INTO A VACATION HOME AND THE BUYERS ARE PEOPLE WHO USED TO SPEND VACATIONS HERE WHEN THEY WERE YOUNGER. THEY NOW WANT TO USE THIS PROPERTY FOR THEIR OWN VACATION HOME. HE SAID HE IS AWARE THERE ARE SEPTIC ISSUES AND DRIVEWAY ISSUES AND THOSE WILL HAVE TO BE WORKED OUT BEFORE ANYTHING CAN BE DONE. HE SAID HE WILL RETAIN LOT 2 TO BE RENTED OUT AS THEY DO NOW. HE ADDED HE IS ASKING FOR THIS PROPERTY TO BE ZONED SINGLE FAMILY RESIDENTIAL TO PROTECT HIMSELF FROM THE NEW OWNERS RENTING IT OUT TO ANYONE ELSE.

FISH SAID HE FEELS THIS IS SPOT ZONING BECAUSE THEY ARE LEAVING ONE COMMERCIAL LOT IN BETWEEN TWO SINGLE FAMILY RESIDENTIAL LOTS, BUT VOLZ SAID ALL THEY ARE DOING IS MAKING THE COMMERCIAL AREA SMALLER. FISH ARGUED THAT A LOT OF THINGS COULD GO ON THE MIDDLE LOT BY LEAVING IT ZONED COMMERCIAL. CLEMENS SAID THAT AS THE BUILDINGS ON THE MIDDLE LOT AGE AND DETERIORATE THEY PLAN TO REMOVE THEM AND LET THE PROPERTY GO BACK TO NATURE.

THERE BEING NO ONE ELSE WHO WISHED TO SPEAK A MOTION WAS MADE BY RYAN SECONDED BY VOLZ TO CLOSE THE PUBLIC HEARING. MOTION CARRIED.

MOTION BY VOLZ SECONDED BY RYAN TO APPROVE A ZONING CHANGE FROM COMMERCIAL TO SINGLE FAMILY RESIDENTIAL ON LOT 3, CONSISTING OF 1.15 ACRES OF PARCEL #0883-1, S1922 PICKEREL SLOUGH ROAD, AS APPLIED FOR BY DAVID AND INGER CLEMENS PURSUANT TO TOWN OF DELTON ZONING ORDINANCE SECTION 8.0. ROLL CALL VOTE WAS TAKEN WITH THE FOLLOWING RESULTS: AYES 6; NAYS 0; ABSENT 1. MOTION CARRIED.

MOTION BY VOLZ SECONDED BY RYAN TO ADJOURN. MOTION CARRIED.

  
DEBORAH L. KOWALKE, SECRETARY

ORDINANCE NO. 19-2009

PETITION 14-2008  
AMENDING CHAPTER 22 SAUK COUNTY LAND DIVISION AND SUBDIVISION  
REGULATIONS ORDINANCE TO DEFINE ACCESS EASEMENT AND REDEFINE STREET AND  
LOT ACCESS/FRONTAGE REQUIREMENTS.

**WHEREAS**, a public hearing was held by the Planning, Zoning & Land Records Committee on February 10, 2009, upon petition 14-2008 as filed by the Sauk County Planning & Zoning Department to amend Chapter 22 Sauk County Land Division and Subdivision Regulations Ordinance; and

**WHEREAS**, your Committee recognizes the need to enact the amendment to Chapter 22 prior to a comprehensive rewrite of this ordinance; and

**WHEREAS**, the Planning, Zoning and Land Records Committee, based upon the facts of the request and after review the proposed ordinance language, does recommend that the petition to amend Chapter 22 be APPROVED.

**NOW, THEREFORE, BE IT ORDAINED**, by the Sauk County Board of Supervisors met in regular session, Chapter 22 Sauk County Land Division and Subdivision Regulations Ordinance, more particularly described in Petition 14-2008, as filed with the Sauk County Clerk and noted in Appendix A herein, be Approved.

For consideration by the Sauk County Board of Supervisors on February 18, 2009.

Respectfully submitted,  
**PLANNING, ZONING & LAND RECORDS**

\_\_\_\_\_  
Judy Ashford

\_\_\_\_\_  
Robert Cassity

\_\_\_\_\_  
Joel Gaalswyk

\_\_\_\_\_  
Gerald Lehman

Fiscal Note:  
No fiscal impact *KPB*

\_\_\_\_\_  
Henry Netzing

**COPY**



OFFICE OF  
SAUK COUNTY PLANNING AND ZONING  
SAUK COUNTY WEST SQUARE BUILDING  
505 BROADWAY  
BARABOO, WI 53913  
Telephone: (608) 355-3285

**NOTICE**

**NOTE REVISED TIME AND DATE**

PLEASE TAKE NOTICE, that the Planning, Zoning and Land Records Committee of the Sauk County Board of Supervisors will hold a public hearing on ~~January 27, 2009~~ **February 10, 2009**, at ~~9:30 a.m.~~ **10:30 a.m.**, or as soon thereafter as the matter may be heard, in the County Board Room at the Sauk County West Square Building in the City of Baraboo to consider:

- I. A. Petition 14-2008 Ordinance Amendment. A petition to amend *Chapter 22 Sauk County Land Division and Subdivision Regulations* ordinance relative to access for new lot creation and *Chapter 7 Sauk County Zoning Ordinance* relative to permit issuance and planning & Zoning department functions.
- B. Testimony of persons to appear at the public hearing; any person so desiring will be given a reasonable opportunity to express their opinions on the matter before the Committee.
- II. A. Chapter 22: The principal amendment includes the addition of the term Access Easement to Section 22.07 Definitions and requires that new lots have frontage on a publicly dedicated road or access easement. Also, amend the definition of street to be consistent with terminology utilized by local comprehensive plans and Wis-DOT. Chapter 7: The principal amendment includes the replacement of the term building permit with land use permit, building inspector with zoning administrator and extension of the valid dates of a land use permit from a total of (two) 2 years to (four) 4 years.
- B. Any person desiring more information may contact the Sauk County Planning and Zoning Office, Brian Simmert at the Sauk County West Square Building (Telephone 608/355-3285).

Date: January 22, 2009

SAUK COUNTY PLANNING, ZONING AND LAND RECORDS COMMITTEE

BY: BRIAN SIMMERT  
Sauk County Department of Planning and Zoning  
505 Broadway Street  
Sauk County West Square Building  
Baraboo, WI 53913

To be published January 26, 2009 and February 2, 2009

For office use only: Pet. No. 14-2008

If you have a disability and need help, reasonable accommodations can be made for those so requesting provided that a 48 hour notice is given. Please call 608-355-3285 or TDD 608-355-3490.

# PLANNING, ZONING & LAND RECORDS COMMITTEE STAFF REPORT

Petition # 14-2008 Proposed Amendments to:

Chapter 7 Sauk County Zoning Ordinance

Chapter 22 Sauk County Land Division and Subdivision Regulations Ordinance

Applicant: Sauk County Planning & Zoning Department

Public Hearing Scheduled for: January 27, 2009

## 1. General Description of the Request

### Chapter 22 Land Division & Subdivision Regulations Ordinance

Add the term *Access Easement* to *Section 22.07 Definitions*. This amendment will allow the creation of lots by CSM or subdivision plat that do not have frontage on a town, county, state road or U.S. Highway, but which have access to a common easement, to meet the requirement that all new lots have frontage on a public right-of-way. *Section 22.14 Access* and *22.15 Dedication of Lands for Streets and Public Ways* will also be amended to be consistent with the *Access Easement* definition. Other minor amendments to Chapter 22 are part of this petition and most pertain to ensuring consistency with the new *Access Easement* definition. Those that don't pertain to the new *Access Easement* definition include an update to Section 22.07(31), the definition of Street, to have greater consistency with terminology utilized in most comprehensive plans and the Wisconsin Department of Transportation and Section 22.13 to fix a typo.

### Chapter 7 Zoning Ordinance

*Amend Section 7.14 Building Permits, Certificates of Compliance and Use* to better reflect the activities of the Planning & Zoning Department relative to permit issuance. The amendment will primarily replace the term building permit with land use permit and remove the certificate of compliance provisions. Certificates of compliance are typically issued by town building inspectors as part of the Uniform Dwelling Code. This section also makes reference to a building inspector, which will be replaced with the proper term, zoning administrator. Land use permits are currently good for (two) 2 years if the project commences within the first year after permit issuance. This amendment will extend the date of commencement from (one) 1 to (two) 2 years and the permit will be valid for a total of (four) 4 years instead of the current (two) 2 years.

## 2. Related Background and Information

### Chapter 22 Land Division & Subdivision Regulations Ordinance

Chapter 22 requires that any lot created by CSM or subdivision plat have 40 (forty) feet of frontage on a public right-of-way such as a town, county or state road or U.S. Highway. Since the year 2000, the Planning & Zoning Department has permitted the creation of lots that do not have physical frontage on a public right-of-way so long as these lots had frontage/access to what has been termed a 'nonexclusive easement'. Recently, the Sauk County Planning, Zoning and Land Records Committee (PZLR) considered a subdivision plat and a PUD-Cluster Lot proposal, both of which proposed a lot with access/frontage on a nonexclusive easement. In lieu of the fact that Chapter 22 does not define nonexclusive access easement, the PZLR Committee denied the plat and postponed action on the PUD lot. The PZLR Committee then directed County Planning & Zoning staff to define access easement in a form that both allows the creation of lots not fronting a public right-of-way and with assurance that said easement be noted on a document recorded in the Sauk County Register of Deeds. Staff followed up on this directive and convened a working group of surveyors that do work in Sauk County to provide input to the amendment process and proposed language.

## **Chapter 7 Zoning Ordinance**

The Sauk County Board of Supervisors adopted the Sauk County Zoning Ordinance in 1963. During this time, many other counties in the State of Wisconsin were also developing and adopting their first county zoning ordinances. To assist counties, it was likely that a standard zoning ordinance template was utilized and included typical language often found in zoning ordinances. This is evidenced by similar or identical language in county ordinances during this time. This language similarity even persists today. Often times, this standard language did not accurately reflect the function, and terminology utilized by individual county zoning departments, however, the language was adopted anyway. The proposed amendment identifies language that is not consistent with the functions of the Planning & Zoning Department and where appropriate amends this language to assure consistency. Additionally, as noted under item 1 above, the permit duration was extended to (four) 4 years before expiration to better accommodate those building projects that may have a delayed start or take longer to complete.

### **3. Justification for the Amendments**

Both *Chapter 22 Land Division & Subdivision Regulations Ordinance* and *Chapter 7 Zoning Ordinance* are out-of-date and many provisions within these chapters do not reflect current desires expressed in recently adopted local town comprehensive plans. As a result, these two chapters will undergo a comprehensive rewrite process during the years 2009/2010. While the amendments under this petition could be addressed under this process, the PZLR Committee felt it necessary to complete these amendments ahead of the rewrite project.

### **4. Recommendation**

In summary, the proposed amendments to Chapter 7 and Chapter 22 are needed to accurately reflect both the function of the Planning & Zoning Department relative to permit issuance and the need to provide a definition for access easement for lots that do not have frontage on a public right-of-way. Both amendments are at the direction of the PZLR Committee. While the amendment to Chapter 7 simply reaffirms the type of permit issued by the Planning & Zoning Department and person issuing permits, the amendment to Chapter 22 reflects the results of a work group of surveyors who assisted with and agreed on the final ordinance language. Staff believes that both amendments accomplish the desired outcome, while meeting the directive provided by the PZLR Committee. Therefore, staff recommends approval of Petition 14-2008, an amendment to Chapter 7 and Chapter 22 as described in this staff report.

Report submitted by Brian Simmert, Sauk County Planner

**Underlined and Highlighted Language = Proposed Language**  
**~~Strikethrough~~** = Deleted Language

**CHAPTER 22**

**LAND DIVISION AND SUBDIVISION REGULATIONS**

22.01	Authority	22.25	Certified Survey Map Procedure
22.02	Purpose and Intent	22.31	Development Plan
22.03	Severability	22.32	Preliminary Plat
22.04	Repeal	22.33	Final Plat
22.05	Title	22.34	Certified Survey Map
22.06	Effective Date	22.35	Class I Subdivisions; Additional Information
22.07	Definitions	22.41	Streets
22.11	Jurisdiction in Unincorporated Areas	22.42	Utility Easements
22.12	Jurisdiction in Incorporated Areas	22.43	Drainageway Easements
22.13	Compliance with Ordinances, Statutes, Regulations and Plans	22.44	Setbacks
22.14	Access	22.45	Blocks
22.15	<del>Dedication of Lands for Streets and Public Ways</del> <del>Identification of Street and Access Easement Rights-of-Way</del>	22.46	Lots
22.16	Dedication of Lands for Parks, Playgrounds or Natural Areas	22.51	Survey Monuments
22.17	Reservation of Lands for Parks, Playgrounds, School Sites or Public Sites	22.52	Public Water and Sewage Disposal System
22.18	Land Suitability	22.53	Private Water and Sewage Disposal System
22.19	Exceptions	22.54	Grading and Surfacing
22.20	Pre-Application Procedure	22.55	Storm Water Drainage Facilities
22.21	Condominium Plat Procedure	22.56	Erosion Control
22.22	Development Plan Procedure	22.57	Installation of Improvements
22.23	Preliminary Plat Procedure	22.61	Variances
22.24	Final Plat Procedure	22.62	Fees
		22.63	Violations and Penalties
		22.71	Planned Unit Developments

**22.01 Authority.** These regulations are adopted under the authority granted by § 236.45 of the Wisconsin Statutes, and pursuant to §§ 59.69, 281.31 and 281.33 of the Wisconsin Statutes.

**22.02 Purpose and Intent.** The purpose of this ordinance is to promote the public health, safety and general welfare of the County, and to lessen congestion in the streets and highways; to further the orderly layout and use of land; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision for transportation, water, sewerage, energy and communications facilities, surface drainage, schools, parks, playgrounds and other public requirements; to facilitate the further

re-subdivision of larger parcels into smaller parcels of land.

**22.03 Severability.** If any section, provision or portion of this ordinance is adjudged invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

**22.04 Repeal.** All other ordinances or parts of ordinances of Sauk County inconsistent or in conflict with this ordinance, to the extent of inconsistency or conflict only, are hereby repealed.

**22.05 Title.** This ordinance shall be entitled the "*Land Division and Subdivision Regulations, Sauk County, Wisconsin.*"

Underlined and Highlighted Language = Proposed Language  
~~Strikethrough~~ = Deleted Language

## CHAPTER 22

### LAND DIVISION AND SUBDIVISION REGULATIONS

22.01	Authority	22.25	Certified Survey Map Procedure
22.02	Purpose and Intent	22.31	Development Plan
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22.07	Definitions	22.41	Streets
22.11	Jurisdiction in Unincorporated Areas	22.42	Utility Easements
22.12	Jurisdiction in Incorporated Areas	22.43	Drainageway Easements
22.13	Compliance with Ordinances, Statutes, Regulations and Plans	22.44	Setbacks
22.14	Access	22.45	Blocks
22.15	<u>Dedication of Lands for Streets and Public Ways</u> <del>Identification of Street and Access Easement Rights-of-Way</del>	22.46	Lots
22.16	Dedication of Lands for Parks, Playgrounds or Natural Areas	22.51	Survey Monuments
22.17	Reservation of Lands for Parks, Playgrounds, School Sites or Public Sites	22.52	Public Water and Sewage Disposal System
22.18	Land Suitability	22.53	Private Water and Sewage Disposal System
22.19	Exceptions	22.54	Grading and Surfacing
22.20	Pre-Application Procedure	22.55	Storm Water Drainage Facilities
22.21	Condominium Plat Procedure	22.56	Erosion Control
22.22	Development Plan Procedure	22.57	Installation of Improvements
22.23	Preliminary Plat Procedure	22.61	Variances
22.24	Final Plat Procedure	22.62	Fees
		22.63	Violations and Penalties
		22.71	Planned Unit Developments

**22.01 Authority.** These regulations are adopted under the authority granted by § 236.45 of the Wisconsin Statutes, and pursuant to §§ 59.69, 281.31 and 281.33 of the Wisconsin Statutes.

**22.02 Purpose and Intent.** The purpose of this ordinance is to promote the public health, safety and general welfare of the County, and to lessen congestion in the streets and highways; to further the orderly layout and use of land; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision for transportation, water, sewerage, energy and communications facilities, surface drainage, schools, parks, playgrounds and other public requirements; to facilitate the further

re-subdivision of larger parcels into smaller parcels of land.

**22.03 Severability.** If any section, provision or portion of this ordinance is adjudged invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

**22.04 Repeal.** All other ordinances or parts of ordinances of Sauk County inconsistent or in conflict with this ordinance, to the extent of inconsistency or conflict only, are hereby repealed.

**22.05 Title.** This ordinance shall be entitled the "*Land Division and Subdivision Regulations, Sauk County, Wisconsin.*"

**22.06 Effective Date.** This ordinance shall be effective upon passage and publication.

**22.07 Definitions.** For the purposes of this ordinance, the following definitions shall be used. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word "shall" is mandatory and not directory.

**(1) ACCESS EASEMENT.** A privately owned and maintained easement for ingress and egress, for the purpose of granting to all Owners and their occupants, agents, employees, guests, licensees, and invitees vehicular and pedestrian access across property which abuts a public right-of-way. The access easement may not provide ingress and egress access for more than three lots. The general use and maintenance of the access easement shall be governed by a legal agreement that runs with the land and is recorded with the Sauk County Register of Deeds.

**(1)(2) AGENCY.** The Sauk County Planning, Zoning and Land Records Committee.

**(2)(3) AGRICULTURAL PRESERVATION PLAN.** Plans developed and adopted by Sauk County and certified by the Wisconsin Land and Water Conservation Board as meeting the standards of Wis. Stat. Chapter 91, to protect agricultural lands through Farmland Preservation Agreements and Exclusive Agriculture zoning, and to enable farmland owners to be eligible for farmland preservation tax credits.

**(3)(4) CERTIFIED SURVEY MAP.** A map of land division, not a subdivision, prepared in accordance with Wis. Stat. § 236.34, and in full compliance with the applicable provisions of this ordinance. A certified survey map has the same legal force and effect as a subdivision plat.

**(4)(5) CLUSTER DEVELOPMENT.** A PUD that concentrates buildings or lots on a parcel to allow the remaining lands to be preserved as open space for agricultural, recreational, and environmental resource protection and other open space uses. A Cluster Development is further defined as the creation of not more than three (3) lots in a five (5) year period on a parcel, or as provided in an applicable comprehensive plan(s) or the provisions set forth in the Sauk County

Agricultural Preservation Plan, whichever is more restrictive. A Cluster Development is inclusive of a PUD Development Area and a PUD Preservation Area.

**(5)(6) COMMON ELEMENT.** All real property set aside under common ownership for the future use and enjoyment of residents of a condominium or conservation subdivision, including, but not limited to: buildings, open space, private streets, parking areas, walkways, recreation areas, drainage easements, and utilities that serve more than one unit, such as sewerage and water supply facilities.

**(6)(7) CONDOMINIUM.** Individual ownership of a structure or a unit in multi-unit structure located on a commonly held parcel of land organized under Chapter 703, Wisconsin Statutes, buildings in a condominium shall meet the density and location requirements of the zoning district in which they are located and must follow the review process requirements of §§ 22.23, 22.24, 22.32, and 22.33 of the Sauk County Code of Ordinances.

**(7)(8) COMPREHENSIVE PLAN.** A community plan which has been developed and adopted in accordance with Wis. Stat. §§ 59.69(2) or (3), 60.22(3), 62.23(2) or (3), or 66.1001.

**(8)(9) CONSERVATION SUBDIVISION.** A PUD housing development in a rural setting that is characterized by compact lots and common open space, and where the natural features of land are maintained to the greatest extent possible. A Conservation Subdivision shall be further defined as the creation of four (4) lots or more in a five (5) year period on a parcel or as further defined in the applicable comprehensive plan(s).

**(9)(10) DENSITY CREDIT.** A point system utilized as part of the application of a PUD Cluster Development or Conservation Subdivision derived by assigning a value of one (1) credit to each lot that can be created, as determined by the applicable zoning district's minimum lot size or comprehensive plan(s), whichever is more restrictive, and rounded down to the nearest whole number.

**(10)(11) DENSITY POLICY.** A ratio describing the net acreage required to establish a lot or dwelling unit on a given parcel of

land as permitted by the applicable zoning district in which the parcel lies as well as the applicable comprehensive plan(s) or provisions set forth in the Sauk County Agricultural Preservation Plan, whichever is more restrictive.

~~(11)~~(12) DEPARTMENT. Sauk County Department of Planning and Zoning.

~~(12)~~(13) DEVELOPMENT PLAN. A general site analysis for a subdivision or for a Planned Unit Development pursuant to Section 22.71 and its environs identifying and analyzing the natural and cultural features of the area. A development plan is required for Class III subdivisions, and is recommended for all other subdivisions.

~~(13)~~(14) DWELLING UNIT. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living sleeping, eating, cooking, and sanitation.

~~(14)~~(15) EXTRATERRITORIAL PLAT APPROVAL JURISDICTION. The unincorporated area within three (3) miles of the city limits of a city of the first, second or third class, if said city has a subdivision ordinance or official map, or within one and one-half (1½) miles of the corporate limits of a city of the fourth class or a village, if said city or village has a subdivision ordinance or official map.

~~(15)~~(16) FARMLAND PRESERVATION AGREEMENT. A Farmland Preservation Agreement shall have the same meaning as defined in Wis. Stat. § 91.01(7).

~~(16)~~(17) LAND DIVISION. Any division of a parcel of land where the act of division creates a new lot of less than 40 contiguous acres, excluding one quarter (1/4) of one quarter (1/4) section parcels as defined by the original Public Land Survey System.

~~(17)~~(18) LOT. A parcel of land occupied by or designed to provide space necessary for one main building and its accessory buildings or uses that abuts a publicly dedicated street. A lot shall be created by a subdivision plat, or certified survey map, or a parcel described in a conveyance recorded with the Sauk County Register of Deeds, which complies with the minimum size requirements pursuant to the applicable zoning district designation in effect at

the time of the land division or recording of the conveyance. No land included in any street, highway, or railroad right-of-way shall be included when computing the area for minimum lot sizes. No street, highway, easement, railroad right-of-way, river, stream or water body shall constitute a break in contiguity.

~~(18)~~(19) LOT OF RECORD. A land area designated in a subdivision plat, plat of survey, or certified survey map, or described in a conveyance recorded in the Sauk County Register of Deeds office which complied with zoning laws in existence when the property was originally divided and/or recorded but which no longer complies with the current minimum land area within the applicable zoning district. Such land area shall be occupied by or designed to provide space necessary for one main building and its accessory buildings or uses.

~~(19)~~(20) MASTER PLAN. A plan for guiding and shaping the growth or development of Sauk County or of a community or area in Sauk County which has been adopted by a governmental unit of Sauk County, and whose preparation is authorized by the Wisconsin Statutes.

~~(20)~~(21) NAVIGABLE WATERS. Lake Superior, Lake Michigan, all natural inland lakes within Wisconsin and all streams, ponds, sloughs, flowages and other waters within the territorial limits of this state, including the Wisconsin portion of boundary waters, which are navigable under the laws of this state. Under § 281.31(2)(d), Wisconsin Statutes, notwithstanding any other provision of law or administrative rule promulgated thereunder, shoreland ordinances required under § 59.692, Wisconsin Statutes, and Chapter NR 115, Wisconsin Administrative Code, do not apply to lands adjacent to farm drainage ditches if:

(a) Such lands are not adjacent to a natural navigable stream or river.

(b) Those parts of such drainage ditches adjacent to such lands were not navigable streams before ditching; and

(c) Such lands are maintained in nonstructural agricultural use.

(d) Wisconsin's Supreme Court has declared navigable bodies of water that have a bed differentiated from adjacent uplands and levels or

flow sufficient to support navigation by a recreational craft of the shallowest draft on an annually recurring basis (Muench v. Public Service Commission, 261 Wis. 492 Wis. (1952) and DeGayner and Co., Inc., v. Department of Natural Resources, 70 Wis. 2d 936 (1974)). For example, a stream which is navigable by skiff or canoe during normal spring high water is navigable, in fact, under the laws of this state though it may be dry during other seasons.

~~(21)~~~~(22)~~ OFFICIAL MAP. A map indicating the location, width, extent of existing and proposed streets, highways, parks and playgrounds adopted by a municipality in Sauk County in accordance with Wis. Stat. § 62.23.

~~(22)~~~~(23)~~ PARCEL. A contiguous quantity of land in the possession of an owner, single or common interest. No street, highway, easement, railroad right-of-way, river, stream or water body shall constitute a break in contiguity.

~~(23)~~~~(24)~~ PLANNED UNIT DEVELOPMENT (PUD). One or more lots or parcels of land to be developed as a single entity, the plan for which may propose intensity increases, mixing of land uses, open space conservation, or any combination thereof, but which still corresponds to the applicable zoning districts density and use requirements. For the purposes of this ordinance, the terms Planned Unit Development and PUD shall be interchangeable and have the same meaning.

~~(24)~~~~(25)~~ PLAT. A map of a subdivision.

~~(25)~~~~(26)~~ PRESERVATION AREA EASEMENT. A legal agreement recorded with the Sauk County Register of Deeds which conveys an interest in real estate imposing limitations and affirmative obligations on the type and amount of development that may take place on a property. For the purposes of this ordinance said easement shall apply to PUD Preservation Areas as part of a PUD.

~~(26)~~~~(27)~~ PRINCIPAL CONSERVATION AREA. Areas identified as part of a PUD that contain productive agricultural or environmentally and culturally sensitive lands that significantly contribute to the economic and natural resource base of the rural community. Because of their importance or State and Federal

use restrictions, these areas shall be protected from residential development and shall include the following:

(a) Economically productive farmland as determined by the 1977 Soil Survey of Sauk County, Wisconsin with a land capability class I that either currently is or could be used for cropland in a contiguous quantity of 5 acres or more, regardless of ownership.

(b) Wetlands identified by the Wisconsin Wetland Inventory Map in accordance with Wis. Stat. § 23.32 and Section 8.10.

(c) Lakes, rivers, perennial and intermittent rivers or streams as identified on a USGS Map.

(d) Floodplains as identified by referring to the maps and studies identified within Section 9.03(2).

(e) Any historical or archaeological site listed on the Wisconsin Archaeological and Historic Resource Database (WisAHRD) by the Wisconsin Historical Society.

~~(27)~~~~(28)~~ PUD DEVELOPMENT AREA. Developed lands as part of a PUD application identified as the area to be improved so as to accommodate structural development and which includes roads and utilities, public or private, the area and number of lots permitted therein being calculated by the net acreage required for said improved area as expressed by the application of a density policy.

~~(28)~~~~(29)~~ PUD PRESERVATION AREA. Undeveloped lands as part of a PUD identified as the balance of lands remaining once PUD Development Areas are designated, the area of which is expressly calculated as the difference of lands remaining after the application of a density policy and further, that such lands are placed under a Preservation Area Easement.

~~(29)~~~~(30)~~ SECONDARY CONSERVATION AREA. Areas identified as part of a PUD that contain productive agriculture or environmentally and culturally sensitive lands that significantly contribute to the economic and natural resource base of the rural community. Because of their importance, these areas shall be substantially protected from residential development, and shall include the following:



(a) Economically productive farmland as determined by the 1977 Sauk County Soil Survey with land capability classes II and III that either currently is or could be used for cropland in a contiguous quantity of 5 acres or more, regardless of ownership.

(b) Steep slopes in excess of 20 percent.

(c) Large contiguous blocks of forestry in excess of 40 acres.

(d) Other natural or cultural elements of the site identified for preservation or protection by the Sauk County Agricultural Preservation Plan, the Wisconsin Department of Natural Resources Natural Heritage Inventory and applicable comprehensive plan(s).

~~(30)~~(31) SHORELAND AREA.

All lands lying within one thousand (1,000) feet of the normal, high water elevation of navigable lakes, ponds, or flowages, or within one thousand (1,000) feet of the high water mark of glacial potholes; all lands lying within three hundred (300) feet of the normal, high water mark of navigable streams, or within the flood plain thereof, whichever distance is greater. For the purposes of this ordinance, the term "navigable waters" applies to all nonintermittent streams and bodies of water indicated on the 7.5 minute series of the United States Geological Survey Quadrangles, and any other rivers, streams, lakes, ponds or flowages designated as navigable by the Wisconsin Department of Natural Resources.

~~(31)~~(32) STREET. ~~A public way or right-of-way for vehicular or pedestrian and vehicular traffic. A public way or right-of-way that provides vehicular and pedestrian access to parcels of land where general use and maintenance of such right-of-way is governed by the appropriate unit of government.~~

~~(a) Interstate Highways. U.S. Interstate Highway 90/94.~~ (b)

(a) Arterial Streets and Highways. Streets which provide for rapid movement of concentrated volumes of traffic over relatively long distances between activity areas. ~~Includes all Federal highways other than the interstate highway, all state and county highways, and designated township roads.~~

(1) Principal arterials: streets serving the major interstate and inter regional traffic corridors. These routes provide the highest level of mobility under a high degree of access control.

(2) Primary arterials: streets serving major regions or connecting several cities while also serving as an inter community corridor within a designated area. These routes provide for a high degree of mobility under a high degree of access control.

(3) Standard arterials: streets that provide for intermediate trips, thus serving through traffic movement or feeding traffic to primary and principal arterials from lower activity areas not served by such routes.

(c) Collector Streets. Streets which provide for moderate speed movement within large areas ~~and provide~~ ~~They are basically local streets which usually, because of~~ more directness of routing and higher capacity than other local streets, receive higher volumes of traffic to be distributed from or collected toward nearby arterial streets.

(d) Local Streets. Streets designed for low speeds and volumes which provide access from low traffic generating areas to collector and arterial streets.

(e) Marginal Access Streets. Streets which are parallel and adjacent to arterial streets and which provide access to abutting properties.

(f) Alleys. Streets which provide secondary means of access for vehicular services to the back or side of property otherwise abutting a street.

(g) Cul-de-sac Streets. Streets closed at one (1) end with turnarounds.

(h) Dead End Streets. Streets closed at one (1) end without turnarounds.

~~(32)~~(33) SUBDIVIDER. A person, firm, corporation and/or their designated agent initiating the creation of a land division, subdivision or condominium plat.

~~(33)~~(34) SUBDIVISION. The division of a lot, parcel, tract or one-quarter (1/4) of one-quarter (1/4) section by the owner thereof or their agent, for the purpose of transfer of ownership or building development, where the act of division creates four (4) or more lots, or where

the act of division creates four (4) or more lots by successive division within a five (5) year period.

(a) Class I Subdivision. A subdivision which consists of fewer than ten (10) lots and includes all contiguous lands under one ownership.

(b) Class II Subdivision. A subdivision which consists of fewer than twenty-five (25) lots.

(c) Class III Subdivision. A subdivision which consists of twenty-five (25) or more lots.

~~(34)~~(35) USE CONSISTENT WITH AGRICULTURAL USE. An activity that meets all of the following conditions: (a) The activity will not convert land that has been devoted primarily to agricultural use, (b) The activity will not limit the surrounding land's potential for agricultural use, (c) The activity will not conflict with agricultural operations on the land subject to a farmland preservation agreement, and (d) The activity will not conflict with agricultural operations on other properties.

~~(35)~~(36) ZONING ADMINISTRATOR. A public official charged with the administration, enforcement and interpretation of the Sauk County Zoning Ordinance and the Land Division and Subdivision Regulations Ordinance. For the purposes of this ordinance, the terms Zoning Administrator and Building Inspector shall be interchangeable and have the same meaning.

**22.11 Jurisdiction in Unincorporated Areas.** The provisions of this ordinance shall apply in all unincorporated areas of Sauk County.

**22.12 Jurisdiction in Incorporated Areas.** The provisions of this ordinance shall apply in all incorporated areas which have, under Section 66.30 of the Wisconsin Statutes, entered into agreement with Sauk County for the cooperative exercise of the authority to approve plats of subdivisions.

**22.13 Compliance With Ordinances, Statutes, Regulations and Plans.** Any person, firm or corporation dividing land which results in a subdivision or a land division shall prepare a subdivision plat or a certified survey map in

accordance with the requirements of this ordinance and;

(1) The provisions of Chapter 236, and Section 80.08, Wisconsin Statutes.

(2) The rules of the Department of Commerce contained in COMM. 83, Wisconsin Administrative Code for subdivisions not served by public sewer.

(3) The rules of the Division of Highways, Wisconsin State Department of Transportation contained in Hwy. 33 ~~Trans. 233~~, Wisconsin Administrative Code for subdivisions which abut a state trunk highway or connecting street.

(4) The rules of the Wisconsin Department of Natural Resources contained in Chapter N.R.116, Wisconsin Administrative Code for Flood Plain Management Programs.

(5) County ordinances and regulations.

(6) Master plan or master plan component.

(7) The official map of any municipality or governmental unit having jurisdiction.

(8) The rules and by-laws of the State of Wisconsin Department of Regulation and Licensing.

**22.14 Access.** ~~No lot, land division or parcel shall be created or sold unless it is accessible to a street. Every lot within a subdivision~~ Lots designated on a plat or lots designated on a certified survey map shall front on a publicly dedicated and improved street or access easement for a distance of at least not less than forty (40) feet<sup>depth</sup>, provided that the lot width at the building setback line complies with the county zoning regulations. Every lot, parcel or tract not located within a subdivision shall front on a publicly dedicated street for at least forty (40) feet, unless a lesser frontage is approved in writing by the Agency. Lot frontage of less than forty (40) feet may be approved only where existing and potential ownership patterns make a larger frontage impractical or unnecessary. The Agency may approve lot frontage of less than forty (40) feet where the strict application of this standard is impractical and where such deviation is not

contrary to the public interest and safety and intent of this ordinance.

**22.15 Dedication of Lands for Streets and Public Ways. Identification of Street and Access Easement Rights-of-Way** ~~Whenever a parcel of land to be divided or sold as a subdivision or as a land division~~ Parcels of land subject to a land division that contains all or in part, a street, drainageway, or other public way, which has been designated in a master plan defined in this ordinance, or an official map adopted under Wis. Stat. § 62.23, said street or public way may be required to be platted and dedicated in the location and width indicated unless otherwise provided herein. Any street or access easement ~~created for the purposes of this Section or Section 22.14~~ shall be made a part of a plat or certified survey. ~~However,~~ ~~the~~ dedication of a street right-of-way shall not create a commitment on the part of any public agency to construct, improve or maintain any roadbed placed upon said right-of-way. Acceptance of any street, road or highway for maintenance purposes shall require compliance with the design and construction standards of this ordinance ~~and those of the applicable highway maintenance authority.~~ The right-of-way width of any dedicated street or access easement shall be sixty-six (66) feet, unless a wider right-of-way is requested by the appropriate highway authority unit of government, in which case, the wider right-of-way shall be dedicated. Rights-of-way less than sixty-six (66) feet wide are prohibited, except as approved in writing by the Agency and the town upon their finding that a wider right-of-way is unnecessary or impractical to achieve.

The Agency may approve rights-of-way less than sixty-six (66) feet where the strict application of this standard is impractical and where such deviation is not contrary to the public interest and safety and intent of this ordinance.

**22.16 Dedication of Lands for Parks, Playgrounds, Open Space and/or Other Facilities.** For lots created under the provisions of this ordinance, a dedication of lands for parks, playgrounds, open space or other facilities shall be made, or at the Agency's option, a payment in lieu of dedication shall be made. Dedications and

payments in lieu of dedication shall be made according to the following procedure:

(1) Dedications.

(a) The subdivider shall dedicate an area equal to five percent (5%) of the total area shown on any plat or certified survey map; or an area as specified by a Conservation Subdivision under Section 22.71 for park, playground or open space purposes. This dedication shall not include required improvements or streets, provided that such dedication is acceptable to the Agency.

(b) Ownership of lands to be dedicated. The following methods may be used, either singly or in combination, for ownership of parks, playgrounds, open space, or other common facilities which have been dedicated at the time of approval of a final plat or certified survey map. These dedications shall not be transferred to another entity except in compliance with this subsection. Documentation of the proposed ownership arrangement for the dedicated lands shall accompany the plat or certified survey map, including any draft contracts, articles of incorporation, by-laws, etc. The following forms of ownership are acceptable:

1. Homeowners Association. Parks, playgrounds, open space, and other facilities shall be held in common ownership and governed by the association. This ownership shall be comprised of an undivided fractional interest by each residential landowner with an easement granted to the association. The association shall be responsible for the maintenance and insurance of all parks, playgrounds, open space, and common facilities and the costs thereof.

2. Condominium Agreements. Parks, playgrounds, open space, and facilities shall be held in common ownership by property owners of the development through the use of condominium agreements. The requirements of such agreements shall be reviewed for conformance with Wis. Stat. Chapter 703. All parks, playgrounds, open space and other facilities shall be held as "common elements" by the unit owners in the form of undivided percentage interests in accordance with the condominium documents. An association of unit owners shall be formed to govern the affairs of the condominium and membership shall be mandatory. The applicant shall provide all

documents necessary to establish a condominium association and all documents governing maintenance requirements and use restrictions for common facilities and open spaces to the Agency for review and approval.

3. Ownership retained by original landowner. Parks, playgrounds, open space, and other facilities resulting from a plat or Conservation Subdivision may be retained by the original landowner. Any resident access limitation can include retaining ownership and exclusive use of the PUD Preservation Area for agriculture or other open space purposes by the original landowner. Ownership may be transferred to another person or entity in compliance with this subsection and the Preservation Area Easement.

4. Fee simple conveyance to a public entity. Fee simple conveyance free and clear of all encumbrances and restrictions to the County, town or other public agency or utility deemed to be acceptable by the Agency through a warranty deed or other acceptable method as determined by the Sauk County Corporation Counsel. There shall be no cost of acquisition to the County, town or other agency or utility.

5. Fee simple conveyance to a private organization. Fee simple conveyance to a private organization deemed to be acceptable by the Agency through a warranty deed or other acceptable method as determined by the Sauk County Corporation Counsel. This method of conveyance must contain appropriate provisions for proper reversion or retransfer of said lands or facilities to one of the other entities outlined within this subsection in the event that the organization becomes unwilling or unable to continue ownership.

(c) Conveyance of a Preservation Area Easement to the County and town as part of a PUD under Section 22.71. Land preserved as a PUD Preservation Area under Section 22.71 shall be accomplished through the conveyance of a Preservation Area Easement. There shall be no cost of acquisition to the County and town for said easement. As further defined in Section 22.71, the Preservation Area Easement benefits and binds all occupants, lessees, owners, heirs and assigns of the PUD Preservation Area.

(d) Management Plan. To ensure adequate operation and maintenance of parks,

playgrounds, open space, and other facilities, including stormwater management facilities, a management plan shall be prepared and submitted at the time of application for approval of a Certified Survey Map or Plat by the Agency. The management plan shall:

1. Define ownership.
2. Define the use.
3. Establish necessary operation and maintenance responsibilities.
4. Estimate service contract needs, insurance requirements, and other associated costs and define the means for funding.
5. Include a stormwater management plan.
6. Include a section specifically focusing on the long-term management of the PUD Preservation Area.
7. Include provisions for cutting of trees, grading, removal of topsoil, or alterations to watercourses and waterbodies.

(e) At the Agency's discretion, the applicant may be required to provide a performance bond, letter of credit or escrow sufficient funds for the maintenance and operation costs of parks, playgrounds, open space and common facilities for a period of one year.

(f) Modification of the management plan after final plat approval may be allowed with approval of the Agency.

(g) Management plans and subsequent modifications shall be recorded with the Sauk County Register of Deeds.

(2) Payment in lieu of dedication. Where the Agency determines that a dedication of land is inappropriate, a payment in lieu of dedication shall be made at the time of approval of all final plats and certified survey maps. Payment in lieu of dedication shall not be utilized as part of a PUD defined by this ordinance. The dedication fee shall be established by resolution of the County Board. Said payments are in addition to any other fees collected, and shall be deposited into a non-lapsing account to be used only for the purposes of land acquisition or improvements to parks, playgrounds or natural areas in Sauk County.

(3) Waiver of dedication and payments in lieu of dedication. The Agency may waive the aforementioned dedication and payment

requirements for lots created solely for purposes of transfer of ownership where a residence or farmstead exists at the time the lot is created, the lot is certified as unbuildable on the plat or certified survey map and is to be used only for agricultural or other open space purposes, or the property is to be developed for public transportation or utility purposes.

**22.17 Reservation of Lands for Parks, Playgrounds, School Sites or Public Sites.** Whenever a lot is to be created which contains all or in part a site for a park, playground, school or other public use designated in an adopted public plan, and the area designated is in excess of the amount of land required to be dedicated in s. 22.16, the excess amount of land shall be reserved for public acquisition for a period of three (3) years from the date of approval of the final plat, unless extended by mutual agreement between the Agency and the subdivider.

**22.18 Land Suitability.** No land shall be divided or subdivided for a use which is held unsuitable by the Agency for reason of flooding or potential flooding, soil limitations, inadequate drainage, incompatible surrounding land use, or any other condition likely to be harmful to the health, safety or welfare of the future residents or users of the area, or to the residents of Sauk County.

(1) Except as provided herein, the Agency shall determine land suitability at the time the preliminary plat, or first required submission, is considered for approval. The subdivider shall furnish such maps, data and information as may be necessary to make a determination of land suitability. In addition to the data required to be submitted with the preliminary plat or first required submission, the subdivider shall be required to submit some or all of the following additional information for development located in an area where flooding or potential flooding may be a hazard:

(a) Two (2) copies of an aerial photograph, or two (2) maps prepared by a registered land surveyor or engineer, which accurately locates the proposed development with respect to flood plain zoning district limits if

present, channel or stream fill limits and elevations, and flood proofing measures taken or proposed to be taken.

(b) Two (2) copies of a typical valley cross-section showing the channel of the stream, the flood plain adjoining each side of the channel, cross-sectional area to be occupied by the proposed development, and high water information.

(c) Two (2) copies of a profile showing the slope of the bottom of the channel or flow line of the stream.

(d) Such other data as may be required.

(2) When a proposed subdivision is located in an area where flooding or potential flooding may be a hazard, the Agency shall transmit to the Division of Water Regulation and Zoning, Wisconsin Department of Natural Resources, one (1) set of the information required and shall request that agency to provide technical assistance in determining whether the land is suitable or unsuitable for the use and development proposed, or whether certain modifications, limitations, improvements, or other conditions of the development can overcome the land unsuitability.

(3) In applying the provisions of this section, the Agency shall, in writing, recite the particular facts upon which it bases its conclusion that the land is unsuitable for the intended use or development and afford the subdivider an opportunity to present evidence and the means of overcoming such unsuitability, if he so desires. Thereafter, the Agency may affirm, modify or withdraw its determination of unsuitability.

(4) Where a proposed subdivision is located wholly or partly in an area where flooding or potential flooding may be a hazard, the Agency shall apply the following standards in addition to all other requirements in the approval of plats and certified survey maps.

(a) The development shall be in accordance with flood plain management standards of the Division of Water Regulation and Zoning, Wisconsin Department of Natural Resources.

(b) Building sites must be filled to a height and area sufficient to provide protection from the regional flood as defined by and according to the standards of said Division of Water Regulation and Zoning.

(c) Development shall be carried out or assured so as to not have an adverse effect on flood flows or storage capacity standards of said Division of Water Regulation and Zoning.

(5) Unless specifically exempted from this requirement elsewhere in this ordinance, all subdivision proposals where private water and/or sewage disposal systems are to be used shall be accompanied by certifications and/or reports:

(a) Describing the probable depth, cost and yield of private wells. This report shall be based on competent scientific investigation and shall include the sources of all data used in the preparation of the report.

(b) Describing the soil conditions existing on the site as applicable to on-site waste disposal. A soils report shall accompany all subdivision proposals.

(6) The subdivider may, as a part of the pre-application procedures, request a determination of land suitability, providing that he shall provide all necessary maps, data and information for such a determination to be made.

**22.19 Exceptions.** The provisions of this ordinance shall not apply to transfer of interests in land by will or pursuant to court order; leases for a term not to exceed ten (10) years, mortgages or easements; or the sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by this ordinance, the county zoning ordinance or other applicable laws or ordinances.

**22.20 Pre-Application Procedure.** Prior to submitting an application for approval of a certified survey or, subdivision plat, or PUD, the subdivider and/or his agent shall consult with the staff of the Agency for advice and assistance for the purpose of reviewing the procedures and requirements of this ordinance and other ordinances, and any plans or data which may affect the proposed development.

**22.21 Condominium Plat Procedure. (1) Review Procedure.**

(a) A development plan shall be prepared in accordance with data submission

requirements noted under Section 22.31 (1) through (5) and Section 22.71.

(b) The review is to be completed within 10 working days after submission of the condominium instrument and provides that, if the review is not completed within this period, the condominium instrument is approved for recording.

(c) A condominium instrument may be rejected if it fails to comply with the applicable requirements of Wis. Stat. §§ 703.095, 703.11(2)(a), (c)(d) and (3), 703.275(5) and 703.28(1m) or if the surveyor's certificate under § 703.11(4) is not attached to or included in the condominium plat.

(d) Upon approval of the condominium instrument by staff of the Agency, the Department shall certify approval in writing, accompanied by his or her signature and title.

(2) **Fee Procedure.** The Department is hereby authorized to charge a fee that reflects the actual cost of performing this review.

**22.22 Development Plan Procedure. (1)**

A development plan is to be used for the purpose of generating information and to allow analysis of major developmental proposals. The general physical and cultural characteristics of the land on which development is proposed should be ascertained by the subdivider and the Agency before major resource commitments are made.

(2) A development plan shall be required of all Class II and III subdivisions, condominium plats and any PUD and is recommended for all Class I subdivisions.

(3) A required development plan shall be submitted at least thirty (30) days prior to the submission of a preliminary or final plat. Within the first ten (10) days after submission of the development plan, the Zoning Administrator may request additional relevant information or clarification of the submitted information. The aforementioned thirty (30) day period may, at the Zoning Administrator's option, be extended from the date of receipt of the requested supplemental information. A reproducible developmental plan, together with three (3) copies, shall be submitted to the Department. A development plan review fee, as established by the Sauk County Board of

Supervisors, shall also be submitted at the time of submission of the development plan. At a minimum, the review and comment procedure shall consist of:

(a) Preparation of a written report by the Zoning Administrator addressing any issues relevant to the development proposal and including any recommendations deemed appropriate. Copies of the Administrator's report shall be forwarded to the subdivider, the Agency, and the town(s), village(s) and/or city(ies) directly affected by the proposed subdivision.

(b) All parties notified and any other interested parties may review and comment, in writing, or orally, on any development plan submitted and/or the Zoning Administrator's report. All written comments shall be forwarded to the Agency, and all parties who received the Zoning Administrator's report and any other parties commenting on said report shall be notified in writing of any public meeting at which the Agency will consider or discuss the proposed development plan.

(c) The Agency shall consider any development plan submitted to it at a minimum of one (1) public meeting. The Agency, after reviewing the development proposal and the resulting reports and comments, shall report their findings concerning the suitability and appropriateness of the development proposal to the subdivider, the affected town(s), village(s) and/or city(ies); and include a summary of the report in the minutes of the first regular meeting of the Agency following completion of the report. The Agency report shall not constitute approval or denial of a subdivision plat, nor shall it preclude submission of preliminary or final plats by the subdivider. However, the Agency shall consider the development plan and the comments generated when acting on any subsequent preliminary or final plat.

**22.23 Preliminary Plat Procedure. (1)**

A preliminary plat shall be required for all Class II and Class III subdivisions, and is recommended for all Class I subdivisions. No final plat shall be approved prior to the approval of required preliminary plat. The application for approval of a preliminary plat shall include all data required by

this ordinance accompanied by one (1) reproducible and five (5) copies of the proposed preliminary plat.

(2) The preliminary plat shall include the entire contiguous area owned or controlled by the subdivider unless a development plan has been filed, in which case, only that portion of the area designated for development in the development plan need be included.

(3) The Agency shall forward copies of each preliminary plat submitted to all units of general purpose local government within one thousand (1,000) feet of the area shown in the preliminary plat; and within sixty (60) days from the date submitted, approve, approve conditionally or reject, the preliminary plat, based on its determination of conformance with the provisions of this ordinance.

**22.24 Final Plat Procedure.** Provided that all preliminary procedures have been completed, the subdivider may submit one (1) reproducible and ten (10) copies of the final plat. If the final plat meets the requirements of this ordinance, and other applicable statutes and ordinances, the Agency shall approve the final plat of the subdivision within forty (40) days from the date submitted. Town agency approval shall be required prior to final county approval, where applicable.

**22.25 Certified Survey Map Procedure.**

(1) No person, firm or corporation shall divide any land located within unincorporated Sauk County which shall result in a Cluster Development as defined under Section 22.07~~(4)~~<sup>(5)</sup> or land division, as defined under Section 22.07~~(16)~~<sup>(17)</sup> of this ordinance without first filing for approval by the Agency and subsequently recording with the Sauk County Register of Deeds a certified survey map which complies fully with Wis. Stat. § 236.34, and with all applicable requirements contained within this ordinance.

(2) A certified survey map shall include all lots, parcels or building sites created by a Cluster Development as defined under Section 22.07~~(4)~~<sup>(5)</sup> or land division, as specified under § Section 22.07~~(16)~~<sup>(17)</sup> of this ordinance and all remnants of the original parcel that meet the

applicable zoning requirements and that are ten (10) acres or less in size.

(3) The Agency shall, within forty-five (45) calendar days, approve, approve conditionally, or reject the certified survey map, based on a determination of conformance with the provisions of this ordinance. Authority to approve certified survey maps is hereby delegated by the Agency to the Zoning Administrator or appointee thereof. The decision of the Zoning Administrator or appointee thereof may be appealed to the Agency, in which case, the forty-five (45) calendar day approval period shall be extended. The Zoning Administrator shall ensure that any town board having jurisdiction over the land involved has had a copy of the certified survey map for at least forty (40) days. Said copy shall be forwarded to the Town Chairperson and Town Plan Commission where applicable. The Zoning Administrator shall review all comments made by the town agency within said forty-five (45) day period, failure of the town to comment shall be construed to indicate town approval. Within said forty (40) day period, the town should approve, conditionally approve or reject the certified survey map. Failure to submit written notification of town action or request one additional twenty (20) day review period to the Zoning Administrator within said forty (40) day period shall indicate town approval and may result in approval of the certified survey map by the Zoning Administrator or appointee thereof, provided the certified survey map meets all applicable county ordinances. The forty-five (45) calendar day approval period for the Agency may also be extended if the town submits a request for the one additional twenty (20) day review period and if the Agency's forty-five (45) day period would expire before the town has the opportunity to approve, conditionally approve, or reject the certified survey map. This extension will last as long as necessary to receive, review, and act upon the town's recommendation.

(4) The certified survey map shall be prepared by a registered land surveyor at a scale of not more than four hundred (400) feet to one (1) inch. The certified survey map shall include:

(a) The name and address of the individual dividing the lands.

(b) The date of the survey.

(c) A metes and bounds description referenced to a line and a corner of the U.S. Public Land Survey, or referenced to an adjoining recorded plat.

(d) The locations, rights-of-way widths and names of existing or proposed streets, alleys or other public ways; easements, and railroad and utility rights-of-way included within or adjacent to the proposed land division.

(e) The area(s) of the parcel(s) being created in square feet and acres.

(f) The locations of existing property lines, buildings, drives, streams and water courses, lakes, marshes, and other significant features within the parcel(s) being created shall be shown.

(g) Utility easements and access restrictions, where applicable.

(h) The location of an existing on-site sewage disposal system.

(i) The statement on the face of the certified survey map that the parcel(s) created are considered unbuildable until a soil evaluation report as required by the Department of Commerce is filed in the Department. If the parcel has access to a public sanitary sewage system, the surveyor shall note on the face of the certified survey map that the parcel(s) are unbuildable unless a hookup is made to the public sanitary sewer.

(j) If lots were created as part of a Cluster Development, a statement on the face of the certified survey map that shall read as follows, "Lots so noted on this document cannot be further divided unless approved in writing by the Sauk County Planning, Zoning and Land Records Committee." The approval provided herein shall be pursuant to the procedures provided in Section 22.71 and 7.12 for a PUD.

(k) Reference to the corresponding PUD Preservation Area easement document number.

~~(l) Reference to the corresponding Access Easement document number.~~

~~(m)~~(n) When dedication of lands is required, an owner's certification of dedication prepared in accordance with Wis. Stat. § 236.34 and a governmental jurisdiction certificate of acceptance of the dedication, approved by the full governing body of the accepting jurisdiction.

~~(m)~~(n) Proof of compliance with Trans 233 Wis. Adm. Code where applicable.



~~(n)~~(o) Separate certificates of approval for recording in accordance with Town Board and Agency action.

**22.31 Development Plan.** A development plan, when required, shall address the broader issues of development and land use in and around any proposed subdivision or PUD pursuant to Section 22.71. The data used to prepare the development plan may be obtained from readily available sources (i.e., U.S.G.S., N.R.C.S., D.A.T.C.P., DNR, Department, etc.), rather than from detailed field investigations. However, the developer is expected to prepare a comprehensive presentation of the information required. At a minimum, the area to be included in a development plan shall include all contiguous lands owned, leased, optioned or otherwise under the control of the developer, plus those adjacent areas specified in this section. The following data shall be presented and analyzed in a development plan:

(1) Geographical information: Boundaries of the developer's property, and boundaries of the proposed subdivision, if different; ownership and location of all adjacent properties (excluding public rights-of-ways and streams less than three hundred (300) feet wide); location and name of all public rights-of-way and publicly owned lands within one thousand (1,000) feet of any property boundary; location, size and ownership of all public utilities within three hundred (300) feet of the property.

(2) Natural features: Soil conditions, including wet areas and rock outcrops; general topography and delineation of all areas with slopes over twelve percent (12%); geology, including approximate depth to bedrock, and ground water resources (depth, quality and quantity); location and names of all streams, lakes and flood plains within one thousand (1,000) feet of the property; vegetative cover on the property and all contiguous properties.

(3) Cultural features: Existing zoning of the property and all contiguous properties; all existing easements on the property; the boundary of any unit of government within one thousand (1,000) feet of the property; location of any airport, solid waste disposal site, sewage treatment facility, water treatment plant, school, cemetery, or other

significant cultural feature within one thousand (1,000) feet of the property.

(4) Development proposal: Approximate density and type of development; proposed land use(s); approximate lot sizes (minimum, maximum and average); approximate location and size of all streets, public dedications and utilities proposed; proposed filling, grading, lagooning, dredging and/or flood proofing; anticipated timing of the development; where appropriate, the developer may wish to obtain and attach the comments of affected agencies, groups and/or individuals.

(5) Additional requirements for a PUD. To aid the Agency in determining whether the applicant has accomplished the design objectives for a PUD as described in Section 22.71, the development plan shall also include:

(a) Vegetation of the site by general land cover type.

(b) Visual resources, showing viewsheds onto the site from surrounding roads and public areas. Photographs can be used to demonstrate viewsheds.

(c) Principal and secondary conservation areas.

(d) Potential development areas. Areas of the site which protect the principal preservation areas and substantially protect the visual and physical impacts of development on the secondary preservation areas.

(6) Form of presentation: The methods used by the developer to prepare and present the development plan shall be governed by the Agency's need for a clear, concise description of the proposed development.

**22.32 Preliminary Plat.** The preliminary plat shall be based upon a survey by a registered land surveyor or engineer and shall be drawn at a scale of one hundred (100) feet to one (1) inch, and shall show correctly on its face:

(1) Date, graphic scale and north point.

(2) Name of the proposed subdivision.

(3) Name, address and telephone number of the landowner, subdivider and person to be contacted regarding the plat.

(4) Location of the proposed subdivision by legal description and indication on township map(s).

(5) A scaled drawing of the exterior boundaries of the proposed subdivision referenced to a corner established in the U.S. Public Land Survey, and the total acreage encompassed thereby.

(6) Location and names of adjacent subdivisions, parks and cemeteries.

(7) Location, dimensions and names of all existing easements and rights-of-way within or adjacent to the proposed subdivision.

(8) Location, dimensions and names of all proposed streets, rights-of-way and easements within or adjacent to the proposed subdivision.

(9) Location of existing property lines, buildings, drives, rock outcrops, wooded areas, and other similar significant features within the parcel being subdivided.

(10) Location and approximate high water elevations of all streams and water courses, lakes, marshes and flowages within one thousand (1,000) feet of the proposed subdivision.

(11) Delineation of flood plain and zoning boundaries within and adjacent to the proposed subdivision.

(12) Contours at vertical intervals of not more than two (2) feet for a slope less than five percent (5%) and five (5) feet for a slope of five percent (5%) or more.

(13) On-site sewage disposal suitability, including soil suitability, depth to ground water and bedrock, and slope.

(14) Source and availability of potable water supplies.

(15) Location and approximate dimensions of any sites to be preserved or dedicated pursuant to Section 22.16 of this ordinance.

(16) Approximate dimensions of all lots, and proposed lot and block numbers.

(17) A draft of any proposed covenants, deed restrictions, and PUD Preservation Area Easements.

(18) A statement on the face of the plat that reads as follows, "Lots so noted on this document cannot be further divided unless

approved in writing by the Sauk County Planning, Zoning and Land Records Committee."

(19) Reference to the corresponding PUD Preservation Area Easement document number.

~~(20) Reference to the corresponding Access Easement document number.~~

**22.33 Final Plat.** The final plat of the proposed subdivision shall comply with the requirements of Chapter 236 Wis. Stats., and the provisions of this ordinance.

**22.34 Certified Survey Map.** The certified survey map shall comply with the provisions of Wis. Stat. § 236.34 and the provisions of this ordinance.

**22.35 Class I Subdivisions; Additional Information.** Only the final plat is required for submission in the case of Class I subdivisions; the Agency may require the subdivider of a Class I subdivision to submit any additional information deemed appropriate.

**22.41 Streets.** (1) The arrangement, character, extent, width, grade, location and construction of all streets shall conform to the standards of the unit of government having jurisdiction over said street, and the provisions of this ordinance.

(2) The arrangement of streets in a subdivision shall provide, where possible, for the continuation on appropriate projection of existing or proposed collector and arterial streets.

(3) Local streets shall be laid out so as to discourage their use by through traffic.

(4) Where a subdivision abuts or contains an existing or proposed arterial street, the Agency may require marginal access streets, reverse frontage lots with screen planting contained in a nonaccess reservation along the rear of the property line, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

(5) The number of intersections along arterial streets shall be held to a minimum. Wherever practicable, the distance between such

intersections shall be not less than one thousand two hundred (1,200) feet.

(6) Where a subdivision borders on or contains a railroad right-of-way, the Agency may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land.

(7) Street jogs with centerline offsets of less than one hundred fifty (150) feet shall be avoided.

(8) Reserve strips controlling access to streets shall be prohibited, except where their control is definitely placed in the Agency, under conditions approved by said Agency.

(9) Cul-de-sacs shall provide a turnaround with a minimum right-of-way radius of sixty (60) feet. The traveled way within the cul-de-sac shall provide a minimum radius of forty (40) feet.

(10) Dead end streets shall not be permitted without a suitable turnaround.

(11) In commercial and industrial districts, alleys or other definite and assured provisions shall be made for off-street parking, loading and service access consistent with and adequate for the uses proposed.

(12) Half streets shall be prohibited, except where necessary for continuity of the street system.

(13) Street names:

(a) The Agency may disapprove of the name of any street shown on the plat which has already been used elsewhere in the county, or which, because of similarity, may cause confusion.

(b) Where a street maintains the same general direction, except for curvilinear changes for short distances, the same name shall continue for the entire length of the street.

(c) A name which is assigned to a street which is not presently a through street due to intervening land over which the street extension is planned, shall be continued for the separate portions of the planned through street.

(d) Access roads and highways served by them shall have the same street names and designation.

(e) Approval of street names on a preliminary plat will not reserve street name, nor shall it be mandatory for the Agency to accept it at the time of final platting.

**22.42 Utility Easements.** (1) Easements across lots or along rear or side lot lines shall be provided for utilities where necessary and shall be at least six (6) feet wide on each side of lot lines, and shall be designated as "Utility Easement" on the plat or certified survey map.

(2) Prior to approval of any final plat, the subdivider shall provide the Agency with written statements from the utility companies which will serve the proposed subdivision. The statements shall address the adequacy and location of all utility easements.

**22.43 Drainageway Easements.** Where a subdivision is traversed by a water course, drainageway, channel or stream, there shall be provided an adequate drainageway easement as required by the Agency. The location, width, alignment and grading of such easements shall be of such a width and design to accommodate the anticipated discharge from the property being subdivided and also the anticipated runoff that will occur when property at a higher elevation in the drainage basin is developed.

**22.44 Setbacks.** Where the lots abut navigable waters, building setback lines for all buildings and structures, except piers, marinas, boathouses and similar uses, shall be shown on the plat and shall not be less than seventy-five (75) feet from the normal high water line.

**22.45 Blocks.** (1) The length, width, and shape of blocks shall be suited to the planned use of the land, zoning requirements, needs for convenient access, control and safety of street traffic, and limitations and opportunities of topography. Block lengths in residential areas shall not, as a general rule, be less than six hundred (600) feet in length between street lines, unless dictated by exceptional topography or other limiting factors of good design.

(2) Blocks shall have sufficient widths to provide two (2) tiers of lots of appropriate

depth, except where otherwise required to separate residential development from through traffic.

(3) Pedestrian ways or cross walks may be required, as deemed appropriate by the Agency.

**22.46 Lots.** (1) The size, shape, and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

(2) ~~Every lot or parcel shall front or abut a public street. Lots designated on a plat or lots designated on a certified survey map shall front on a publicly dedicated and improved street or access easement for a distance of not less than forty (40) feet. A minimum frontage of forty (40) feet shall be maintained for all lots, and the lot~~ Lot width measured at the highway setback line shall conform to the requirements of the Sauk County Zoning Ordinance.

(3) Additional width may be required on corner lots to permit adequate building setbacks from side streets.

(4) The use of long, narrow strips of land to provide access to buildable lot areas shall be avoided.

**22.51 Survey Monuments.** The subdivider shall install survey monuments in accordance with the requirements of Wis. Stat. § 236.15, and the standards of the Sauk County Surveyor.

**22.52 Public Water and Sewage Disposal System.** (1) Public water supplies and sewage disposal systems shall be utilized whenever possible.

(2) Water and sewage disposal facilities shall be installed and financed according to the requirements of the owner of the utility and applicable state regulations.

**22.53 Private Water and Sewage Disposal Facilities.** (1) The subdivider shall assure the suitability and availability of private water and sewage disposal facilities on all lots at the time of subdivision.

(2) Privately shared water and sewage facilities are encouraged whenever practical as part of a PUD.

(3) Private water and sewage disposal facilities shall comply with all applicable state statutes and Sauk County ordinances.

**22.54 Grading and Surfacing.** All streets shall be graded and surfaced in accordance with the plans, specifications and requirements of the Sauk County Highway Department and the affected town, village or city.

**22.55 Storm Water Drainage Facilities.** Subdividers shall submit to the Agency a storm water management plan that incorporates facilities of a size and design that will assure that the anticipated discharge of stormwater following the development of the land is less than or equal to the discharge preceding the development. Design volumes for flow shall not present a hazard to life or property and shall be installed in accordance with plans and specifications approved by the Agency. The guidelines, standards and specifications contained within "The Wisconsin Stormwater Manual" or successor publications issued by the Wisconsin Department of Natural Resources, will provide a framework for the development, review and implementation of the storm water plan. The provisions for ownership and maintenance of the storm water facilities shall be provided as part of a management plan document as specified under Section 22.16(1)(d) and which shall be recorded with the Sauk County Register of Deeds. Approved storm water facilities shall be installed prior to the commencement of any grading not directly associated with the installation of such facilities.

**22.56 Erosion Control.** The subdivider shall cause all gradings, excavations, open cuts, side slopes, and other land surface disturbances to be mulched, seeded, sodded or otherwise protected so that erosion, siltation, sedimentation and washing are prevented. The Agency may request the subdivider to submit an erosion control plan that specifies measures that will be taken to assure the minimization of erosion problems. The erosion control plan shall be reviewed by the Department

and the Land Conservation Departments to determine the adequacy of the proposed measures. After review and recommendation by the Department, the Agency shall take action to approve or deny the application. The guidelines, standards and specifications contained within the "Wisconsin Construction Site Best Management Practice Handbook" by the Wisconsin Department of Natural Resources will provide a framework for the development, review and implementation of the erosion control plan. All erosion control structures shall be in place prior to the commencement of any grading not associated with the installation of such structures.

#### **22.57 Installation of Improvements.**

The improvements specified herein shall be installed and approval of the final plat shall be given only after the work has been completed, or one of the following has been filed, with the appropriate governmental jurisdiction:

(1) A duly completed and executed, continuing surety bond in an amount sufficient to complete the work with surety satisfaction to the appropriate governmental jurisdiction or the Agency.

(2) A certified check, in the amount sufficient to complete the work, drawn on an approved bank and available to the appropriate governmental jurisdiction or the Agency. As the work progresses, the governmental jurisdiction or the Agency may permit the exchange of said check for another check of sufficient amount to complete the remaining improvements agreed upon. If the improvements are not completed within the specified time, the governmental jurisdiction or Agency may use the bond or the certified check to complete the remaining specified work.

(3) Other collateral satisfactory to the appropriate governmental jurisdiction or the Agency in an amount sufficient to complete the work.

**22.61 Variances.** (1) Where the Agency finds that unnecessary hardship may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done; provided that public interest is secured and that such variation will not have the

effect of nullifying the intent and purpose of these regulations.

(2) Any modifications or variance thus granted shall be entered in the minutes of the Agency, setting forth the reasons which, in the judgment of the Agency, justified the modification or variance.

**22.62 Fees.** The subdivider shall pay such fees as shall be periodically established by the Sauk County Board of Supervisors.

**22.63 Violations and Penalties.** Any person, firm or corporation who fails to comply with the provisions of these regulations shall, upon conviction thereof, be subject to penalties and forfeitures as provided in Wis. Stat. §§ 236.30, 236.31, 236.32, 236.335 and 236.35.

#### **22.71 Planned Unit Development (PUD).**

(1) A PUD provides an alternative set of design objectives and standards for residential development in accordance with the provisions of Section 7.12. A PUD shall be planned as a unit, be appropriate to the site and location, shall not conflict with other laws or requirements, or with the intent of this ordinance. The design objectives of a PUD are as follows:

(a) To maintain and protect Sauk County's rural character by preserving the important landscape elements, including but not limited to large contiguous woodlands and agriculture fields, productive agricultural lands, environmental corridors, river and stream corridors, wetlands, scenic vistas, floodplains, shorelands and any other elements specifically identified in the applicable comprehensive plan(s) or the Sauk County Agricultural Preservation Plan, whichever is more restrictive.

(b) To provide for greater design flexibility in the siting of dwellings and other development features than would be permitted by the application of a standard subdivision in order to minimize the disturbance of important landscape elements and the overall aesthetic and scenic value of the landscape.

(c) To increase flexibility and efficiency in the siting of services and infrastructure by clustering homes, reducing street

length and width, reducing utility requirements, drainage requirements, paving requirements and sharing water and sewage facilities.

(d) To promote the preservation of farmland by minimizing the parceling and fragmentation of existing agricultural lands through the proper siting of development and effective land use planning.

(e) To connect PUD Preservation Areas in order to preserve large tracts of open space for natural area and wildlife preservation.

(f) To provide for open space uses in those areas best suited for such activities by minimizing conflict with adjoining residential uses.

(2) The density and use requirements of a PUD shall comply with Section 7.12, applicable comprehensive plan(s) and provisions set forth within the Sauk County Agricultural Preservation Plan. If the provisions of the town comprehensive plan conflict with the Sauk County Agricultural Preservation Plan, the most restrictive provisions shall prevail in addition to the following:

(a) Cluster Development.

1. A Cluster Development may be permitted on lands approved for a Conditional Use Permit for the creation of 1 to 3 lots. This will allow for an adjustment in the location of residential dwelling units on a parcel of land provided that the total number of dwelling units does not exceed the density permitted by the applicable zoning district or as otherwise set forth in the applicable comprehensive plan(s) or the Sauk County Agricultural Preservation Plan, whichever is more restrictive.

2. Density credits shall be utilized to establish a set number and size of lots for residential development purposes pursuant to Section 7.12 or the applicable comprehensive plan(s) and ordinances for towns which have zoning authority under Wis. Stat. § 60.62.

3. A Preservation Area Easement shall be recorded with the Sauk County Register of Deeds in conjunction with town and Agency approval of a Cluster Development and shall include, but not be limited to, the following provisions:

a. The grantor of the Preservation Area Easement for a Cluster Development shall be the current property owner and joint grantees shall be Sauk County and the town in which the property is located.

b. Verification of a Preservation Area Easement being described by a metes and bounds legal description or survey.

c. Verification that the grantor or grantee may continue any use of the property in a conforming manner with all town, county, state and federal regulations with the added provision that no additional dwelling units may be constructed on the PUD Preservation Area.

d. A Certified Survey Map designating clustered lots within the PUD Development Area that references the recorded Preservation Area Easement document number.

e. A Certified Survey Map document that prohibits the future division of lots created as part of a PUD unless the division occurs by means of obtaining additional credits coupled with the designation of an additional PUD Preservation Area.

f. Verification that the proposed PUD does not conflict or abrogate the terms of any Farmland Preservation Agreement.

g. A statement on the face of the Certified Survey Map that reads as follows: "Through Wis. Stat. § 823.08, the Wisconsin Legislature has adopted a right to farm law. This statute limits the remedies of owners of later established residential property to seek changes to nearby pre-existing agricultural practices. Active agricultural operations are now taking place and are planned to continue on lands in the vicinity of this CSM. These active agricultural operations may produce noises, odors, dust, machinery traffic or other conditions during daytime and evening hours."

h. Any additional information deemed appropriate by Department, Sauk County Corporation Counsel or the town.

(b) Conservation Subdivision.

1. A Conservation Subdivision may be permitted only on lands zoned Single-Family Residential with a Conditional Use Permit as provided in Section 7.12 or as provided in the applicable comprehensive plan(s) and ordinances for towns which have zoning authority under Wis.

Stat. § 60.62. Adjustments in the location of residential dwelling units on a parcel may be permitted provided that the total number of dwelling units does not exceed the density permitted in the following subsection.

2. The density for a Conservation Subdivision shall require that forty percent (40%) of the total acreage of the original parcel shall be dedicated as open space pursuant to Section 22.16(1). The remaining sixty percent (60%) may be utilized for the subdivision of lands as a PUD Development Area. The density policy shall not exceed one (1) acre per dwelling unit within the PUD Development Area.

3. A PUD Preservation Area shall be shown on the preliminary and final plat document. The following shall also be included on the plat document or within the subdivision covenants prior to recording:

a. Prohibition of the future division of lots created as part of a PUD or the creation of lots in the PUD Preservation Area as part of a specified PUD shall be shown on the face of the plat unless the division occurs through the utilization of additional density credits as expressed in the applicable comprehensive plan(s) or the Sauk County Agricultural Preservation Plan, whichever is more restrictive.

b. Prohibition of the construction of any dwelling unit in the PUD Preservation Area shall be included in the subdivision covenants.

c. Location and described use of any proposed or existing common facilities to be utilized by residents or visitors of the PUD shall be included in the subdivision covenants.

(3) The Agency may waive specific requirements and standards located within Chapters 7 and 22 of the Sauk County Code of Ordinances, but shall not waive any requirement of Wis. Stat. ch. 91. Waivers may be granted provided such development is planned as a unit appropriate to the site and location of sufficient size to permit the unified development of the area, not conflict with other laws and requirements or with intent of this ordinance. Provisions for maintenance and use of open space, recreation areas, services, other facilities shall be assured in a manner acceptable to the Agency. Specifically,

standards that may be waived include only the following:

- (a) Street right-of-way setback.
- (b) Minimum lot size requirements.
- (c) Side, rear and front yard setbacks.
- (d) Street right-of-way width.
- (e) Street dedication.

(4) The Preservation Area Easement applied to the PUD Preservation Area as part of a Cluster Development shall be subject to the following:

(a) A Preservation Area Easement shall be drafted that will include, at a minimum, the following:

1. The Density Policy of the town as recognized in the applicable comprehensive plan(s) or Table 3.1 *Town Plan Provisions* of the Sauk County Agricultural Preservation Plan, whichever is more restrictive at the time of the PUD.

2. The term of the Preservation Area Easement expressed by this ordinance or the applicable comprehensive plan(s) or Table 3.1 *Town Plan Provisions* of the Sauk County Agricultural Preservation Plan, whichever is more restrictive.

a. The Preservation Area Easement applied to a PUD Preservation Area through the application of a PUD shall be for a minimum period of 20 years or greater as specified in the applicable comprehensive plan(s) unless the property becomes annexed from a transition area as identified within the Sauk County Agricultural Preservation Plan to an incorporated municipality in accordance with Wis. Stat. §§ 66.0217, 66.0219, 66.0221 or 66.0223 or attached by virtue of a boundary agreement pursuant to Wis. Stat. § 66.0307. The Preservation Area Easement shall automatically renew on the anniversary date the easement was originally recorded with the Sauk County Register of Deeds for additional increments of 10 years, in compliance with the provisions of the current density policy in the applicable comprehensive plan or the Sauk County Agricultural Preservation Plan, whichever is more restrictive.

3. A metes and bounds description of the PUD Preservation Area on which the Preservation Area Easement will be placed.

4. Verification that no dwelling unit will be utilized/erected on the PUD Preservation Area.

5. Verification that the lots created as part of a PUD shall not be further divided or the number of dwelling units increased unless the respective number of density credits are utilized.

6. Any additional terms required by the Agency, the town or as required in the applicable comprehensive plan(s) or Sauk County Agricultural Preservation Plan, whichever is more restrictive.

(b) If additional density credits are utilized to establish new lots adjacent to an existing Cluster Development or Conservation Subdivision, the Preservation Area Easement may be altered by agreement to accommodate new lots with the addition of the appropriate amount of land protected as open space under such easement. However, after any such alteration, the specified density and original provisions of the easement document shall be maintained. This action requires the County and town and all heirs, representatives, successors, assigns, and devisees of the PUD Preservation Area, or portions thereof to agree to and become signatories to a revised Preservation Area Easement, recorded in the Sauk County Register of Deeds.

(c) The County and town, as parties to the Preservation Area Easement, may waive the Preservation Area Easement, or parts thereof, if there is a recognition that such easement no longer meets its original intent to preserve specified lands as expressed in the applicable comprehensive plan(s) or the Sauk County Agricultural Preservation Plan, whichever is more restrictive.

(5) PUD Procedure. The following procedure shall be utilized when seeking approval of a PUD by the Agency.

(a) The landowner or developer of a parcel must first obtain approval of a Conditional Use Permit for a PUD pursuant to Section 7.12 by the Agency.

(b) As a component of the Conditional Use Permit process provided in Section 7.12, a landowner shall identify the PUD Development and PUD Preservation Areas. A metes and bounds legal description shall be submitted which clearly delineates the PUD Preservation Area. On lands in

the Exclusive Agricultural District, any proposed use must be consistent with agricultural uses, as defined in Wis Stat. § 91.01(10) and meet any applicable standards of Wis. Stat. § 91.75.

(c) Once a metes and bounds legal description has been provided for a PUD Preservation Area, the Preservation Area Easement shall be finalized for approval by both the town and Agency for a Cluster Development; or the lands shall be dedicated in accordance with Section 22.16 and approved by the town and Agency for a Conservation Subdivision pursuant to Section 22.24.

(d) For lands included within the PUD Development Area, the landowner shall prepare a Certified Survey Map in accordance with the provisions of Section 22.25 for a Cluster Development; or a Plat in accordance with the provisions of Sections 22.23 and 22.24 for a Conservation Subdivision.

(e) Once Agency approval is granted, the landowner shall record all documents deemed appropriate by the Agency with the Sauk County Register of Deeds.

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As adopted on August 21, 1979, and subsequently amended by the Sauk County Board of Supervisors. Ordinance No. 38-88 approved by Sauk County Board of Supervisors on April 19, 1988, effective upon passage pursuant to Section 59.97(5)(e)(6), Stats. Amend Section 22.07, to include the definition of "Navigable Waters". Amend Section 22.07(5), definition of the term "Land Division". Amend Section 22.13(2), reference to Administrative Code. Amend Section 22.18(5), data requirements. Amend Section 22.25 (2nd paragraph), C.S.M. requirements. Amend Section 22.25(8), C.S.M. requirements. Amend Section 22.25(9), C.S.M. requirements. Delete subsection 22.25(9)(a), (b) and (c). Ordinance No. 170-91 approved by Sauk County Board of Supervisors on December 17, 1991, effective upon passage pursuant to Section 59.97(5)(e)(6), Stats. Repeal and recreate Section 22.07(15), definition of the term "subdivision". Amended by the Sauk County Board of Supervisors on February 19, 2002 - Ordinance No. 31-02. Amended by the Sauk County Board of Supervisors on March 19, 2002 - Ordinance No. 55-02. Amended by the Sauk County Board of Supervisors on May 21, 2002 - Ordinance No. 77-02. Amended by the Sauk County Board of Supervisors on July 16, 2002 - Ordinance No. 118-02. Amended by the Sauk County Board of Supervisors on May 16, 2006 - Ordinance No. 54-06.



ORDINANCE NO. 20-2009

PETITION 1-2009. APPROVING THE REZONING OF LANDS IN THE TOWN OF PRAIRIE DU SAC FROM AN EXCLUSIVE AGRICULTURAL TO AN AGRICULTURAL ZONING DISTRICT FILED UPON MERTON & GENEVIEVE VON WALD, OWNER THE KRAEMER COMPANY LLC, AGENT.

**WHEREAS**, a public hearing was held by the Planning, Zoning & Land Records Committee on February 10, 2009, upon petition 1-2009 as filed by The Kraemer Company, LLC for a change in the zoning of certain lands from an Exclusive Agricultural to an Agricultural Zoning District; and

**WHEREAS**, the Planning, Zoning and Land Records Committee reviewed and discussed the request as described in petition 1-2009; and

**WHEREAS**, the Town of Prairie du Sac Town Board approved the rezone to an Agricultural Zoning District on January 13, 2009; and

**WHEREAS**, your Committee, based upon the facts of the request, does recommend that the petition be APPROVED.


**NOW, THEREFORE, BE IT ORDAINED**, by the Sauk County Board of Supervisors met in regular session, that the rezoning of the aforementioned lands, more particularly described in petition 1-2009, as filed with the Sauk County Clerk, under the Sauk County Zoning Ordinance, Chapter 7 SCCO, be Approved.

For consideration by the Sauk County Board of Supervisors on February 18, 2009.

Respectfully submitted,  
**PLANNING, ZONING & LAND RECORDS**

  
\_\_\_\_\_  
Judy Ashford

  
\_\_\_\_\_  
Robert Cassity

  
\_\_\_\_\_  
Joel Gaalswyk

  
\_\_\_\_\_  
Gerald Lehman

  
\_\_\_\_\_  
Henry Netzsinger

Fiscal Note:  
No fiscal impact

KPB

COPY

OFFICE OF  
**SAUK COUNTY PLANNING AND ZONING**  
 SAUK COUNTY WEST SQUARE BUILDING  
 505 BROADWAY  
 BARABOO, WI 53913  
 Telephone: (608) 355-3285

**NOTICE**

**NOTE REVISED TIME AND DATE**

PLEASE TAKE NOTICE, that the Planning, Zoning and Land Records Committee of the Sauk County Board of Supervisors will hold a public hearing on ~~January 27, 2009~~ **February 10, 2009** at 9:30 a.m. ~~10:00 a.m.~~, or as soon thereafter as the matter may be heard, in the County Board Room at the Sauk County West Square Building in the City of Baraboo to consider:

- I. A. Petition 1-2009 Rezone. A petition to rezone certain lands in the Town of Prairie du Sac, County of Sauk, Wisconsin, from an Exclusive Agricultural to an Agricultural Zoning District. Lands are owned by Merton & Genevieve Von Wald.  
  
Lands to be affected by the proposed rezone are located in Section 29, T10N, R6E, Town of Prairie du Sac, Sauk County, Wisconsin. Said parcel to be rezoned contains 10.50 acres more or less.
- B. Testimony of persons to appear at the public hearing; any person so desiring will be given a reasonable opportunity to express their opinions on the matter before the Committee.
- II. A. The purpose of the proposed rezone is to establish the correct zoning designation to expand an existing quarry operation.
- B. Any person desiring more information may contact the Sauk County Planning and Zoning Office, Brian Simmert at the Sauk County West Square Building (Telephone 608/355-3285).

Date: January 22, 2009

SAUK COUNTY PLANNING, ZONING AND LAND RECORDS COMMITTEE

BY: BRIAN SIMMERT  
 Sauk County Department of Planning and Zoning  
 505 Broadway Street  
 Sauk County West Square  
 Baraboo, WI 53913

To be published January 26, 2009 at  
 For office use only: Pet. No. 1-2009  
 If you have a disability and need h  
 that a 48 hour notice is given. Pleas

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Address</span></p> <p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes          If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p style="text-align: center;">RICHARD NOLDEN          E10098 COUNTY ROAD PF          PRAIRIE DU SAC, WI 53578</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number  <small>(refer from service label)</small></p>	<p style="text-align: center; font-size: 1.2em;">7008 0150 0001 6212 5325</p>



# Staff Report

Petition 1-2009

Sauk County Planning, Zoning  
and Land Records Committee

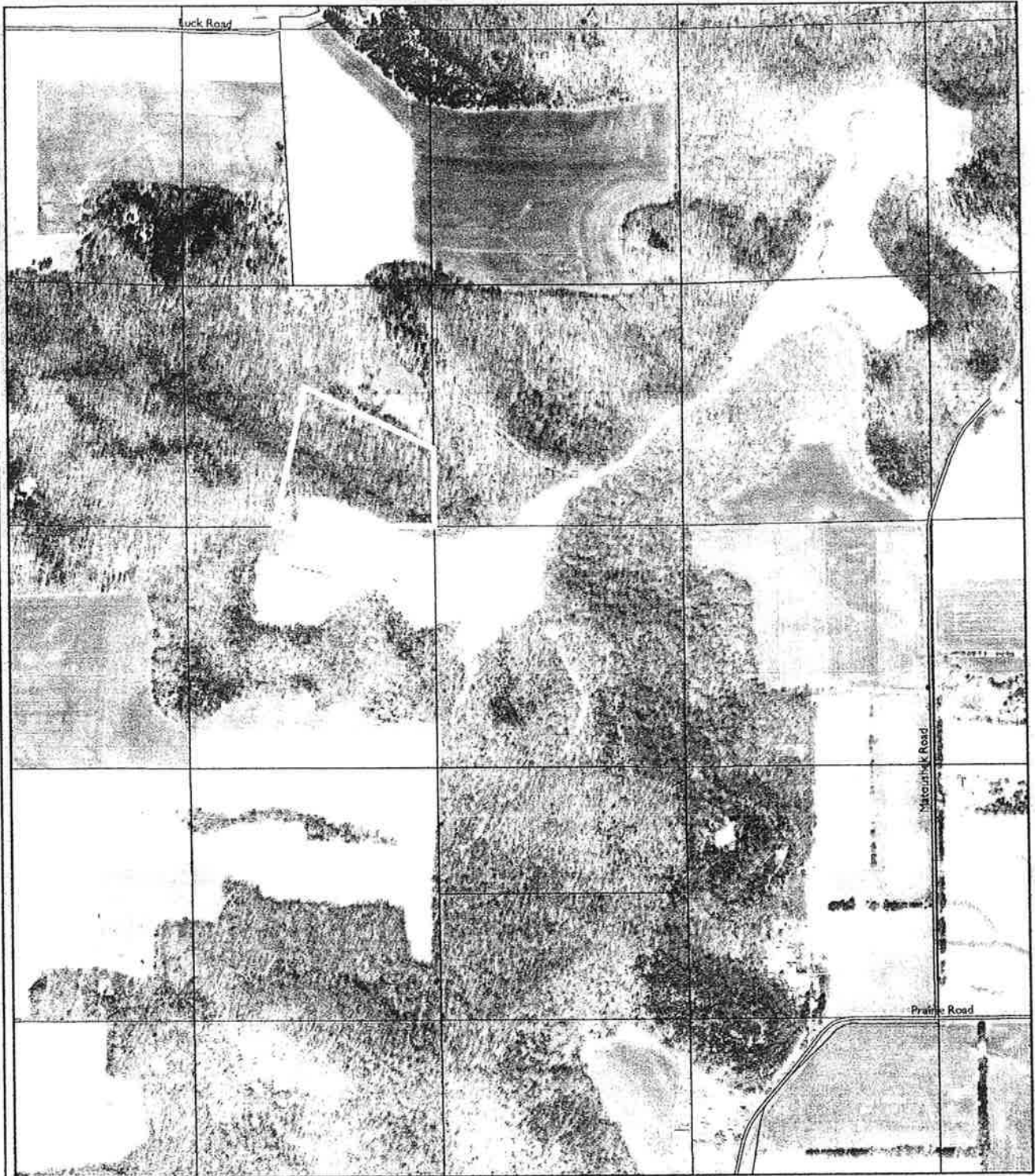
Feb 10 January 27, 2009

**Applicant:**

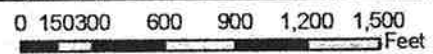
Merton & Genevieve Von Wald  
1214 Sunset Circle  
Prairie du Sac, WI 53578

**Property Location:**

Town of Prairie du Sac  
Section 29  
T. 10 N. - R. 6 E.



Map By: Sauk County Department of Planning and Zoning



PLANNING, ZONING & LAND RECORDS COMMITTEE STAFF REPORT

Petition # 1-2009 Proposed Agricultural Rezone by Merton & Genevieve Von Wald, property owners and The Kraemer Company, LLC, agent.

Public Hearing Scheduled for: 2/10/09

**1. Request**

At petition by Merton & Genevieve Von Wald to change the zoning of property from an Exclusive Agricultural to an Agricultural Zoning District. The purpose or basis of the rezone request, as stated by the applicant, is to expand an existing non-metallic mining operation onto the Von Wald property. The land to be affected by the proposed rezone includes:

Part of the NW ¼ of the NE ¼ commencing at a point 52 rods West of the Southeast corner of said NW ¼ of the NE ¼, then East to said corner, then North 25 rods, then Northwesterly 46 rods to a point 46 rods Northeasterly of the beginning, then Southwesterly 46 rods to the point of beginning, Section 29, T10N,R6E, Town of Prairie du Sac, Sauk County, Wisconsin.

Total acreage under this petition to be considered for rezoning: 10.50 acres more or less.

**2. History/Timeline**

**December 17, 2008.** Sauk County Planning & Zoning received a complete Development Application for a rezone from the Kraemer Company requesting a rezone to the Agricultural Zoning District. Included with the application was a document entitled, *'Information in Support of a Zoning Change and Special Exception Permit for the Von Wald Property.'* The Kraemer Company submitted this document.

**January 13, 2009.** The Town of Prairie du Sac Town Board approved the rezone.

**December 30, 2008.** Planning & Zoning staff sent a notice of the rezone proposal to adjacent landowners. No correspondence has been received.

**3. Issues**

When reviewing a rezone proposal and change in land use, staff looks at several criteria, including how the proposed use fits into the surrounding area, whether there are any constraints to development at the proposed site and if the proposed use is consistent with local and county development plans and ordinances.

• **Present adjacent land uses and zoning**

First, the existing land uses and zoning designations in the surrounding area are reviewed to determine the proposal's compatibility and appropriateness. It is important that the proposed use and zoning be compatible and appropriate to the area.

**Adjacent Land Uses and Zoning (General)**

Direction	Land Use	Zoning
Site	Woods	Exclusive Agricultural
North	Woods	Exclusive Agricultural
South	Quarry	Agricultural
East	Quarry	Agricultural
West	Woods	Exclusive Agricultural

- **Physical constraints to development**

Second, it must be determined if there are any special physical constraints to development at the property. These include:

Floodplain: None

Wetlands: None

Steep Slopes: N/A Quarry

Prime Agriculture Soils: None

Septic Suitability: N/A

#### **4. Consistency with local development plans and ordinances**

When reviewing a rezone application for a property within Sauk County, staff looks at how the proposed land use relates to the County and Town development plans.

#### **Consistency with the Sauk County 20/20 Development Plan**

Staff has reviewed the proposed land use designation and has concluded that the designation of this area does meet the provisions of the *Sauk County 20/20 Development Plan*. The identified policy and a brief explanation are as follows:

**Chapter 7: Transportation Policy 7.2 states:** *Sauk County should identify and zone existing potential nonmetallic mineral extraction material sources and access points. This should be based upon the quantity and quality of materials, accessibility, adjacent land uses and impact to the significant natural resources within the county.*

This goal goes on to state: *Utilizing standards located within local development plans (comprehensive plans), county staff should work with aggregate producers to identify those areas that are suitable for quarries. This effort should be conducted in order to give Sauk County residents and aggregate producers a sense of where quarrying activities are most appropriate.*

#### **Consistency with the Sauk Prairie Comprehensive Plan**

According to the *Sauk Prairie Comprehensive Plan*, the following standards have been established for mineral extraction operation special exception permits (which are also applicable to mineral extraction rezone requests):

1. The extraction and any associated buildings minimize use of Group I through II soils.

Comment: the project will not disturb class I and II soils.

2. The project submits for Town review a complete project description, operations plan, and reclamation plan as required by the Sauk County Zoning Ordinance.

Comment: this information will be submitted as part of the special exception permit application process, which will occur subject to rezone approval under this petition.

3. The project meets the standards for approval of a special exception permit as prescribed in the Sauk County Zoning Ordinance with the Town providing the County with its evaluation of the project against such standards as part of its recommendation.

Comment: this information will be submitted as part of the special exception permit application process, which will occur subject to rezone approval under this petition.

4. The Town intends to limit mineral extraction to rock and sand quarries with only one permanent rock quarry operation allowed to operate in the Town at any one time. Rock quarry operations shall be set back at least 1,320 feet from residences in parcels not in the same ownership.

Comment: This quarry and its expansion represent the only operating rock quarry in the Town. The nearest residence is greater than 1,320 feet (roughly 1,700 feet) from the quarry operation.

Initially, it appears as though the proposed rezone is consistent with the Town's Comprehensive Plan.

## 5. Recommendation

In summary, the proposed rezone and land use is consistent with the *Sauk Prairie Comprehensive Plan*. The proposed rezone also meets the intent of the *Sauk County 20/20 Development Plan* based upon the identification of existing mineral resources and that the area is adjacent to an existing quarry. The Town of Prairie du Sac Town Board did also approve a rezone of the lands under this application from Exclusive Agricultural to Agricultural. Given this analysis, staff recommends that the PZLR Committee approve **Petition #1-2009**, a rezone to Agricultural.

Staff Report submitted by Brian Simmert

RESOLUTION NO. 21-09

**Authorization to Contract with Protection Technologies, Inc. to Upgrade the Card Access System and Make Additions to the System**

**WHEREAS**, the existing Lenel Card Access System has been in place for the West Square & Courthouse facilities since 1999; and,

**WHEREAS**, additional safeguards for existing doors need to be added to the Card Access System both at the Courthouse and Reedsburg Human Services to better increase our security as well as adding some video integration with the card access system; and,

**WHEREAS**, the Emergency Management, Buildings & Safety Administrator has met with the existing vendor, the exclusive Lenel representative for Wisconsin, Protection Technologies, Inc. of McFarland to determine what additions and upgrades need to be made; and,

**WHEREAS**, Protection Technologies, Inc. of McFarland provided a proposal to complete the additions and upgrades selected in the amount of \$121,183.00; and

**WHEREAS**, \$130,000 was included in the County Buildings Services budget to complete this upgrade; and,

**WHEREAS**, the Property & Resources Committee recommends it to be in the best interest of Sauk County to accept the proposal from Protection Technologies, Inc. in the amount of \$121,183.00,

**NOW, THEREFORE, BE IT RESOLVED**, by the Sauk County Board of Supervisors met in regular session, that the Emergency Management Buildings & Safety Administrator is hereby directed and authorized to contract with Protection Technologies Inc. in the amount of \$121,183.00, payment to be made from the 2009 County Building Services Outlay.

COPY

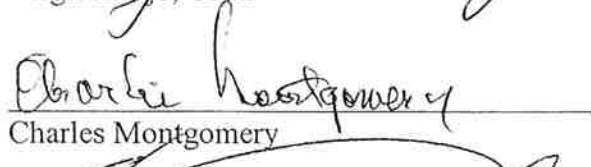

Res. 21-09

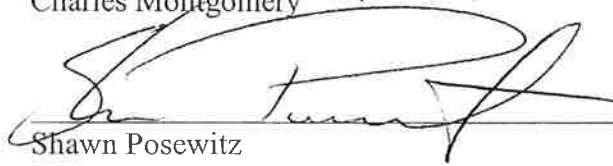
For consideration by the Sauk County Board of Supervisors on February 18th, 2009.

Respectfully submitted,

**SAUK COUNTY PROPERTY & RESOURCES COMMITTEE**

   
Virgil Hartje, Chair Al Dippel

   
Charles Montgomery Larry Volz

  
Shawn Posewitz

**Fiscal Note:** \$130,000 for this work is budgeted in the Building Services Outlay Account. *KPB*

**Information System Note:** The existing computer hardware meets the system specifications for the upgrade. The vendor will install the necessary software.



RESOLUTION NO. 22 - 09

APPROVING COMMUNITY DEVELOPMENT BLOCK GRANTS  
FLOOD RELIEF SMALL BUSINESS

WHEREAS, the State of Wisconsin and the County of Sauk are currently addressing the adverse economic impact of disastrous flooding; and

WHEREAS, for the good of its communities, the State of Wisconsin, Department of Commerce has created the Flood Recovery Small Business loan program (FRSB) to utilize new and existing CDBG-ED funds to mitigate the adverse economic impact of this flooding; and,

WHEREAS, with Resolutions 94-08 and 95-08 the County of Sauk has chosen to participate in the FRSB program as a means of promoting continued economic success and the economic well being of its small businesses; and,

WHEREAS, Federal moneys are available under the Community Development Block Grant - Flood Relief Small Business program, administered by the State of Wisconsin, Department of Commerce, for the purpose of economic development; and,

WHEREAS, A total of \$82,000 is available as the local revolving loan fund match, with an additional amount of up to \$518,000 from the State Department of Commerce; and,

WHEREAS, after due consideration, the Revolving Loan Fund Committee has recommended that award be made to the following applicants:

Howie's Restaurant	Marlene Kimball	20,000
Boshie Ltd - dba Rumbleseats	Mary Lanita Schulz	20,000
The Treasure Mill - Granny's	Michael Cummings	20,000

NOW, THEREFORE, BE IT RESOLVED, that the Sauk County Board of Supervisors, met in regular session, does authorize the distribution of \$60,000 in Community Development Block Grant - Flood Relief Small Business funds to the aforementioned small business owners; and,

BE IT FURTHER RESOLVED, that the Revolving Loan Administrator is hereby authorized to sign all necessary documents on behalf of the County of Sauk in accordance with this resolution.

COPY

For consideration by the Sauk County Board of Supervisors on February 18, 2009.

Respectfully submitted,

**REVOLVING LOAN FUND COMMITTEE**

  
TOMMY LEE BYCHYNSKI, Chairperson

  
JULIE ALIBRANDO

LESLIE BRUNER

MYRON LAROWE

  
JACK SCHLUTER

  
THOMAS FLEMING

  
DON STEVENS

Fiscal Note: Funds to be expended from the CDBG-FRSB account.

*FRS*

FRSB funds	\$600,000
December loan total	\$131,900
January loan total	\$ 80,000
February loan total	\$ 60,000
Balance remaining	\$328,100