

- Agenda -



**Sauk County Board Of Supervisors**

Tuesday, March 17, 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.

**Executive and Legislative Committee: 5:40 p.m., @ Gallery of County Board Room #326A, to consider:** 1.) Resolution 30A-09 Authorizing Reimbursement For Attendance At The Comprehensive Planning Public Participation Forum.

- **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**, with correction to page 5, item 6, line 4 add: *Michelle Koehler, Personnel Director.*
- **Scheduled appearances.**
- **Public comment.**

(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. 38-89 approved by Sauk County Board of Supervisors on April 19, 1988 effective upon passage pursuant to Section 59.97(5)(c)(6), Stat. 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)(c)(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.



OFFICE OF  
SAUK COUNTY PLANNING AND ZONING  
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505 BROADWAY  
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**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~~ [REDACTED], at 9:30 a.m. [REDACTED], 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

RESOLUTION NO. 36-09

**AUTHORIZATION TO CONTRACT WITH TECHNOLOGY SOLUTIONS GROUP  
INC. TO COMPLETE PHONE SYSTEM UPGRADES AND MOVE & INSTALL THE  
HEALTH CARE CENTER SYSTEM**

**WHEREAS**, the existing phone systems at the Courthouse, West Square, Law Enforcement Center, Human Services in Reedsburg, and Health Care Center have been in place since 1996; and,

**WHEREAS**, upgrades are completed every two to three years in order to stay current with software upgrades; and,

**WHEREAS**, the Health Care Center phone system will need to be moved upon completion of the new facility; and,

**WHEREAS**, the Emergency Management, Buildings & Safety Administrator has met with the existing Avaya Business Partner, Technology Solutions Group Inc., to determine what upgrades need to be completed; and,

**WHEREAS**, Technology Solutions Group, Inc. provided a proposal to complete the upgrades as well as moving the Health Care Center phone system at a cost of \$122,246.64; and,

**WHEREAS**, the cost to upgrade to a system from another vendor would result in a complete overhaul of the phone system, resulting in significant costs for the replacement of hardware; and,

**WHEREAS**, money is budgeted yearly in the County Buildings Services budget to complete such upgrades, including \$70,000 in 2009 and \$160,000 is included in the Health Care Center Building Projects Fund for the move of the system; and,

**WHEREAS**, the Property & Resources Committee recommends it to be in the best interest of Sauk County to accept the proposal from Technology Solutions Group Inc. in the amount of \$122,246.64,

**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 Technology Solutions Group Inc. in the amount of \$122,246.64.

COPY

*Res. 36 - 09*

For consideration by the Sauk County Board of Supervisors on March 17th, 2009.

Respectfully submitted,

**SAUK COUNTY PROPERTY & RESOURCES COMMITTEE**

\_\_\_\_\_  
Virgil Hartje, Chair

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

\_\_\_\_\_  
Charles Montgomery

\_\_\_\_\_  
Larry Volz

\_\_\_\_\_  
Shawn Posewitz

**Fiscal Note:** Budget dollars for this upgrade and move are included in the Building Services Budget and the Health Care Center Building Project Fund. *YLB*

**Information System Note:** Upgrade is compatible with existing network hardware.

RESOLUTION NO. 37 - 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:

**DRAFT**

**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.

For consideration by the Sauk County Board of Supervisors on March 17, 2009.

Respectfully submitted.

**REVOLVING LOAN FUND COMMITTEE**

\_\_\_\_\_  
TOMMY LEE BYCHINSKI, Chairperson

\_\_\_\_\_  
JACK SCHLUTER

\_\_\_\_\_  
JULIE ALIBRANDO

\_\_\_\_\_  
THOMAS FLEMING

\_\_\_\_\_  
LESLIE BRUNER

\_\_\_\_\_  
DON STEVENS

\_\_\_\_\_  
MYRON LAROWE

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

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

**DRAFT**

RESOLUTION NO. 38-09

ADDING THE FRED W. KOHLMAYER/KLONDIKE TRUCK PROPERTY TO THE SAUK COUNTY LANDMARKS REGISTRY DESIGNATION

WHEREAS, Section 59.56(1) of the Wisconsin Statutes provides authority for the Sauk County Board of Supervisors to promote cultural programs, projects and related activities within the County; and,

WHEREAS, Section 59.69(4m) of the Wisconsin Statutes grants authority to designate any place, structure or object throughout the County with a special character or historic interest as landmarks of historic significance; and,

WHEREAS, the Sauk County Code of Ordinances, Chapter 38 grants authority to the UW Extension, Arts & Culture Committee operating as the Landmarks Commission to designate such properties, structures and objects throughout the County with a special character or historic interest as landmarks of historic significance; and,

WHEREAS, the Landmarks Commission has received a request from properties for inclusion on the Sauk County Register;

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors that the following: *Fred W. Kohlmeyer/Klondike Truck Property located at 215 Walnut Street, Loganville, Wisconsin*, is hereby added to the official County Register.

For consideration by the Sauk County Board of Supervisors on March 17, 2009..

Respectfully submitted,

SAUK COUNTY UW EXTENSION, ARTS & CULTURE COMMITTEE

\_\_\_\_\_  
JUDY ASHFORD, Chairperson

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

\_\_\_\_\_  
MARCY HUFFAKER

\_\_\_\_\_  
LESTER WIESE

\_\_\_\_\_  
DONNA STEHLING

Fiscal Note: Plaques supplied to properties will be funded out of the existing 2009 Arts & Culture budget.

MIS Note: No MIS impact.

KPB

COPY

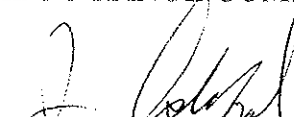


RESOLUTION NO. 27-09  
Page 2

For consideration by the Sauk County Board of Supervisors on March 17, 2009.

Respectfully submitted,

**BARABOO RANGE COMMISSION**

  
\_\_\_\_\_  
JUDY ASHFORD, Chairperson

  
\_\_\_\_\_  
WILLIAM BEARD

  
\_\_\_\_\_  
FORREST HARTMANN

  
\_\_\_\_\_  
GARY KOWALKE

  
\_\_\_\_\_  
ROMAN STATZ

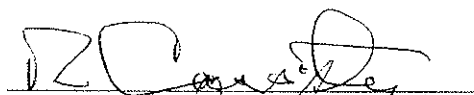
  
\_\_\_\_\_  
RON PERSCHE

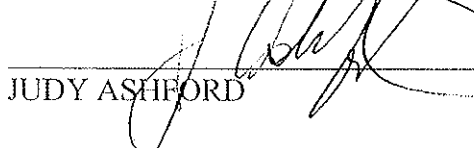
  
\_\_\_\_\_  
DEAN STEINHORST

  
\_\_\_\_\_  
TERRY TURNQUIST

  
\_\_\_\_\_  
MARCUS WENZEL

**PLANNING, ZONING AND LAND RECORDS COMMITTEE**

  
\_\_\_\_\_  
ROBERT CASSITY, Chairperson

  
\_\_\_\_\_  
JUDY ASHFORD

\_\_\_\_\_  
JOEL GAALSWYK

\_\_\_\_\_  
GERALD LEHMAN

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

Fiscal Note: Said purchase utilizes the Baraboo Range Protection Fund #27999691-582700.

KPB

# BRPP

## APPRAISAL SUMMARY

BRPP Application No.: BR2007-13

BRPP Rep: Dave Tremble

Phone: 608-355-3285 Ext. 3435

Landowner: Heinzen, Rick

Location of Property: S6908 Freedom Road  
North Freedom, WI 53951

Size of Property: 44.45 ac.

Size of Protected Property: 35.45 ac.

Rights Appraised: Conservation Easement

Appraiser: Paul Stone

Review Appraiser: Rod Bush

Appraisal Method: Market Data

Before Value	After Value	Easement Value
Land. \$211,300.00	\$152,400.00	\$58,900.00
Improvements: N.A.	N.A.	
Easement Value/acre: \$1,662	Percentage of Fee Value: 28%	

Access to Property: Unimproved public road access across grantor's adjacent property.

Building Rights Before: 1 (on 35.45 acre lot) Building Rights After: 0

Highest and Best Use Before: Rural Residential

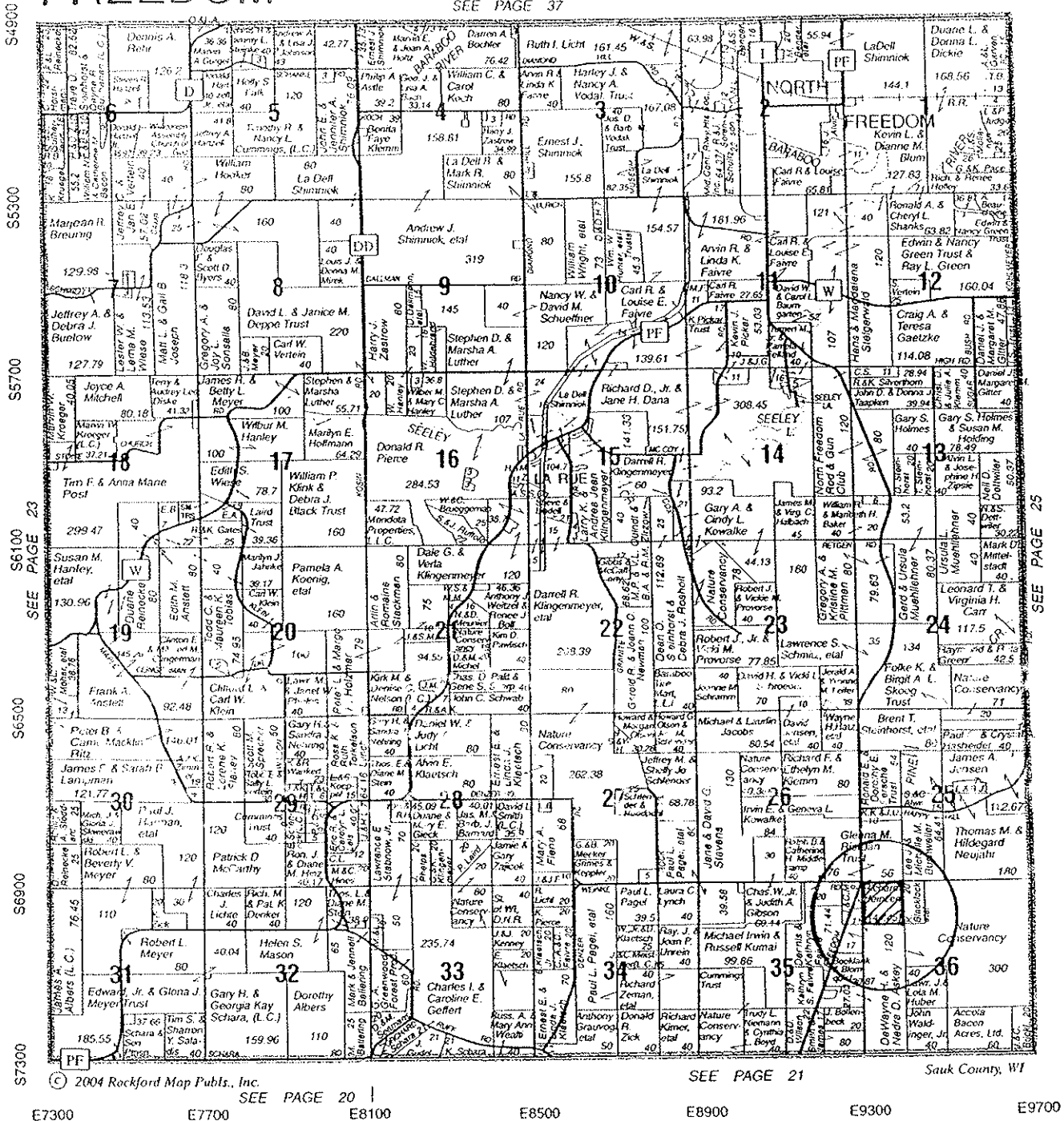
Highest and Best Use After: Agricultural, forestry and outdoor recreation

Other Factors:

# FREEDOM

SEE PAGE 37

# T.11N.-R.5E.

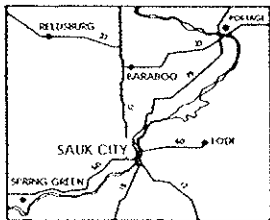


SEE PAGE 21

Sauk County, WI

SEE PAGE 20

E7300 E7700 E8100 E8500 E8900 E9300 E9700



JUST 4 BLOCKS SOUTH OF SAUK CITY STOP LIGHTS

Monday - Friday 7:00 a.m. - 7:00 p.m.  
Saturday 7:00 a.m. - 4:00 p.m.



WHERE SERVICE IS A FAMILY TRADITION

1259 South Water Street, P.O. Box 100 — Sauk City, Wisconsin 53583

Phone: (608) 643-3321

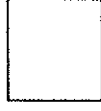
www.mcfarlanes.net

- ★ True Value
- ★ Hardware
- ★ Farm Machinery
- ★ Firestone Tires
- ★ Complete Farm Store
- ★ Animal Health & Horse Supplies
- ★ Lawn & Garden Equipment
- ★ Manufacturing - Structural Steel Fabricating
- ★ Just/Ask Rental

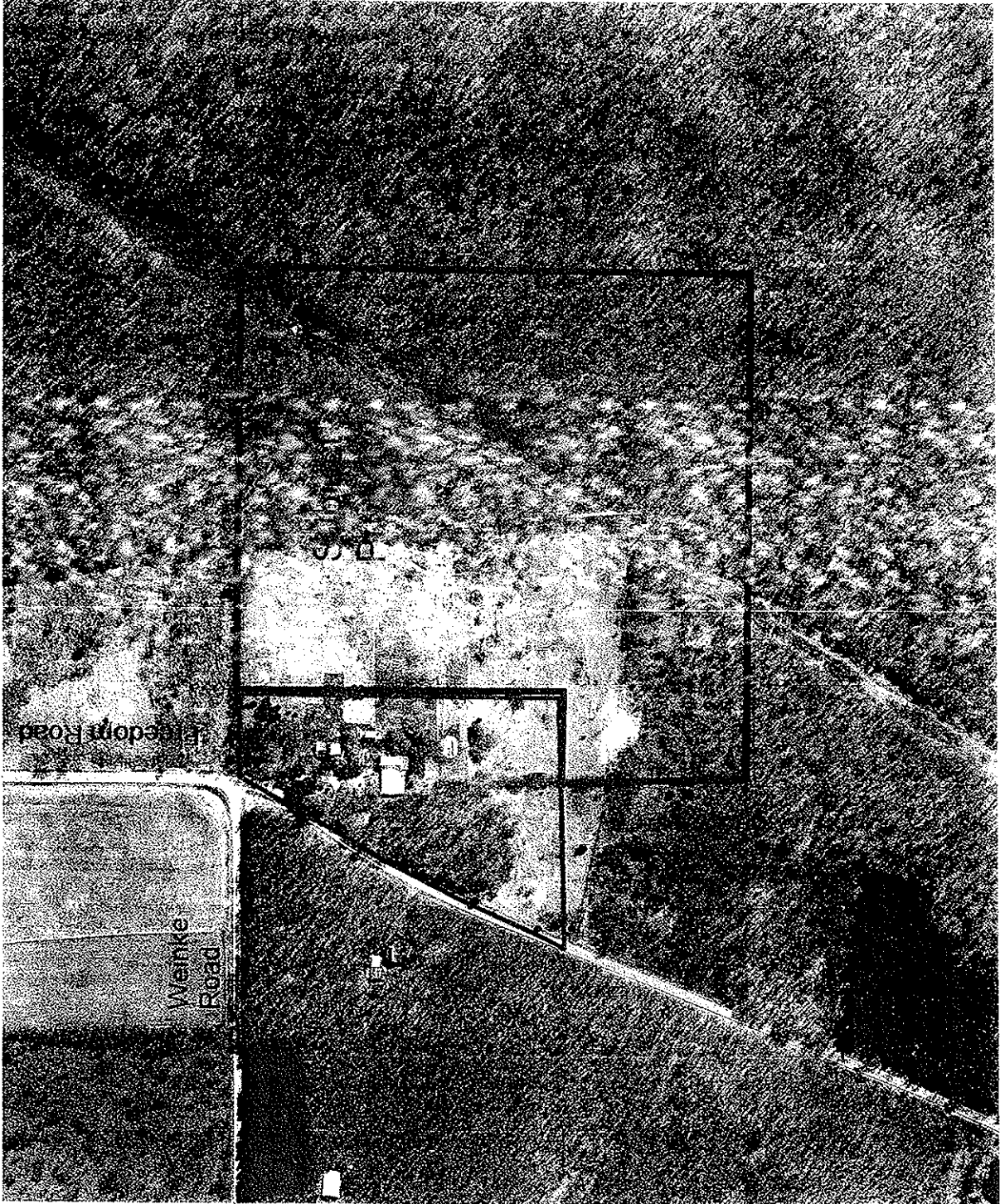
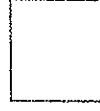
# Richard Heinzen

T. 11N., - R. 5E.  
Town of Freedom  
Sauk County, WI

Subject Property  
Boundary



Adjacent Heinzen  
Homestead



Baraboo Range Protection Program  
Sauk County Dept. of Planning and Zoning

*F. J. Heinzen*

**BARABOO RANGE PROTECTION PROGRAM  
OPTION FOR THE PURCHASE  
OF DEVELOPMENT RIGHTS**

IN CONSIDERATION of the sum of One Dollar (\$1.00) and other good and valuable consideration, and the mutual terms and conditions hereinafter contained, the receipt and adequacy of which is hereby acknowledged, Richard J. Heinzen (the Seller) hereby grants to SAUK COUNTY, a political subdivision of the State of Wisconsin, and its successors and assigns, the exclusive right and option to purchase the development rights in the form of a Conservation Easement to lands located in Sauk County, Wisconsin, and more particularly described on Exhibit "A" attached to this Option ("the Property") under the following terms and conditions:

Recording Area

Name and Return Address:

Dave Tremble  
Sauk Co. Planning & Zoning  
505 Broadway  
Baraboo, WI 53913

Parcel Identification Number

1. Option Period This Option shall remain in effect for a period of six (6) months after the date of this Agreement. Exercise of this Option shall be considered timely if written notice is mailed on or before the expiration date.
2. Purchase Price The total purchase price for the Conservation Easement shall be in the amount of **Fifty-eight thousand nine hundred (\$58,900.00)** Dollars. Said amount shall be paid to the Seller at closing.
3. Closing The closing of this Option shall be within thirty (30) days from the exercise of this Option.
4. Evidence of Title Upon exercise of this Option, Sauk County will obtain a preliminary title insurance commitment on the Property. The commitment shall evidence the Seller's merchantable title in a form acceptable to Sauk County. The cost of the title insurance commitment and the final policy to be issued at Closing shall be paid by Seller at Closing.

5. Purpose of Conservation Easement. After the exercise and Closing of this Option, Seller shall confine use of the real estate described herein to activities consistent with the requirements of a Conservation Easement Exhibit "B" attached hereto and made a part hereof, and in recognition of the following checked natural features of the land:

- Significant natural habitat in which fish, wildlife, plants or a similar ecosystem thrive in a natural state.
- Habitat for rare, threatened or endangered species of animals, fish or plants.
- Natural areas which represent high quality examples of terrestrial or aquatic communities.
- A natural area which contributes to the ecological viability of a local or state park, nature preserve, wildlife refuge, wilderness area or other similar conservation area.

- A scenic landscape and natural character which would be impaired by a modification of the Property.
- A scenic panorama visible to the public from publicly accessible sites which would be adversely affected by modifications of the natural habitat.

- Sustainable habitat for biodiverse vegetation, birds, fish and terrestrial animals.
- Proximity to conserved properties which similarly preserve the existing habitat.

6. Documents for Closing. The Seller and Sauk County shall execute a Conservation Easement in the form set forth in Exhibit "B".

7. Right of Entry and Inspection. Sauk County and its agents shall have the right to enter upon the Property at reasonable times for surveying, appraising, conducting an environmental inspection and assessment, and other reasonable purposes related to this transaction.

8. Remedies. In addition to any other remedy specifically set forth in this Option, Sauk County has the right to enforce the provisions of this Option through an action for specific performance, injunctive relief, damages, contribution or any other available proceedings in law or equity. The election of any one remedy available under this Option shall not constitute a waiver of other available remedies.

9. Binding Effect. This Option becomes effective when last signed by all of the Sellers and shall then apply to and bind each of the Sellers and their heirs, personal representatives, successors and assigns.



Sauk County Baraboo Range Protection Program  
Option to Purchase Development Rights  
Exhibit A  
Property Description

**Description of Property belonging to Richard J. Heinzen in the Town of Freedom, Sauk County, Wisconsin.**

The Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of Section Thirty-six (36) Township Eleven (11) North, Range Five (5) East EXCEPT that part of Lot One (1), Certified Survey No. 291 as recorded in Volume 2 of Certified Surveys, Page 291 in the Office of the Register of Deeds for Sauk County, Wisconsin, located therein. Together with an easement of 66 feet in width along the South boundary of Lot 1, Certified Survey Map No. 291, from the Easterly boundary of Freedom Road to the West line of the NW ¼ of Section 36-11-5; Town of Freedom, Sauk County, Wisconsin.

**Property Proposed for the Imposition of the Conservation Easement:**

The entire property described above.

S:\planning\brpp\ projects\br2007-13\ Exhibit A Legal Description



RESOLUTION NO. 29-09

APPROVING PURCHASE OF DEVELOPMENT RIGHTS AGREEMENT  
FOR THE JAMES M. HALBACH PROPERTY  
PURSUANT TO THE SAUK COUNTY BARABOO RANGE PROTECTION PLAN

**WHEREAS**, by Resolution No. 36-99, the Honorable Sauk County Board of Supervisors approved the Memorandum of Agreement between the United States Government, the State of Wisconsin, Dane County, Sauk County and sundry other entities regarding the improvements of U.S. Highway 12 and the long term protection of the Baraboo Range; and,

**WHEREAS**, by Resolution No. 74-99, the Honorable Sauk County Board of Supervisors approved the Implementation Agreement between the State of Wisconsin and Sauk County regarding the administration of the WisDOT Baraboo Range National Natural Landmark Protection Fund and the creation of the Sauk County Baraboo Range Protection Plan; and,

**WHEREAS**, by Resolution No. 119-99, the Honorable Sauk County Board of Supervisors approved the Sauk County Baraboo Range Protection Plan, with said plan calling for the creation of the Baraboo Range Commission to oversee the program and the protection fund; and,

**WHEREAS**, the Honorable Sauk County Board of Supervisors confirmed the appointment of the nine-member Baraboo Range Commission; and,

**WHEREAS**, the Baraboo Range Commission, at its January 28, 2009 meeting, approved a motion to offer fair market value, **\$45,500.00**, as determined by a professional appraisal, for the purchase of the development rights for said property, covering 40 acres at a cost of \$1,137/acre; and,

**WHEREAS**, the Baraboo Range Commission believes this offer to purchase agreement is in the best interest of Sauk County and implements the Baraboo Range Protection Plan.

**NOW, THEREFORE, BE IT RESOLVED**, by the Sauk County Board of Supervisors, met in regular session, that said purchase agreement attached hereto as an appendix is hereby Approved.

COPY

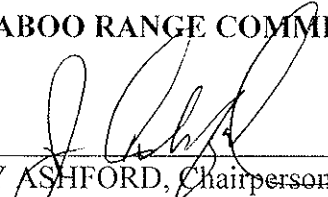
RESOLUTION NO. 29-09

Page 2

For consideration by the Sauk County Board of Supervisors on March 17, 2009.

Respectfully submitted,

**BARABOO RANGE COMMISSION**

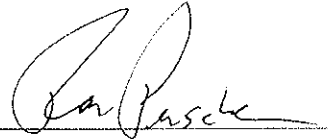
  
\_\_\_\_\_  
JUDY ASHFORD, Chairperson

  
\_\_\_\_\_  
WILLIAM BEARD

  
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FORREST HARTMANN

  
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GARY KOWALKE

  
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ROMAN STATZ

  
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RON PERSCHE

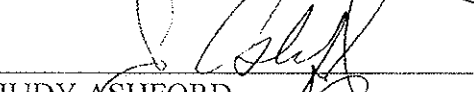
  
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DEAN STEINHORST

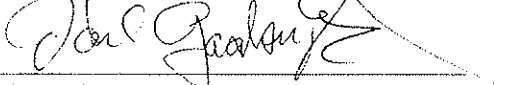
  
\_\_\_\_\_  
TERRY TURNQUIST

  
\_\_\_\_\_  
MARCUS WENZEL

**PLANNING, ZONING AND LAND RECORDS COMMITTEE**

  
\_\_\_\_\_  
ROBERT CASSITY, Chairperson

  
\_\_\_\_\_  
JUDY ASHFORD

  
\_\_\_\_\_  
JOEL GAALSWYK

\_\_\_\_\_  
GERALD LEHMAN

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

Fiscal Note: Said purchase utilizes the Baraboo Range Protection Fund #27999691-582700.

KPB

# BRPP

## BARABOO RANGE PROTECTION PROGRAM

### APPRAISAL SUMMARY

BRPP Application No.: BR2002-12

BRPP Rep: Dave Tremble

Phone: 608-355-3285 Ext. 3435

**Landowner:** James M. and Virginia C. Halbach

**Location of Property:** E9196 Retgen Road  
North Freedom, WI 53951  
Town of Freedom

**Size of Property:** 45 acres

**Size of Protected Property:** ~ 40 acres

**Acres Excluded from Protection:** ~ 5 acres

**Rights Appraised:** Conservation Easement

**Appraiser:** Tenny Albert

**Review Appraiser:** Rod Bush

**Appraisal Method:** Market Data

**Before Value:** \$189,500      **After Value:** \$144,000      **Easement Value:** \$45,500

**40 a. Land Only:** \$140,000

**5 a. Improvements:** \$ 52,500

**Easement Value/acre:** \$1,137      **Percentage of Fee Value:** 24%

**Access to Property:** Driveway access off Retgen Road

**Building Rights Before:** 2      **Building Rights After:** 1 (existing residence)

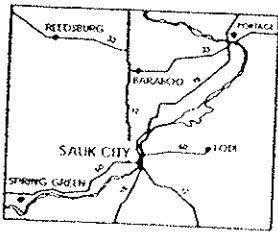
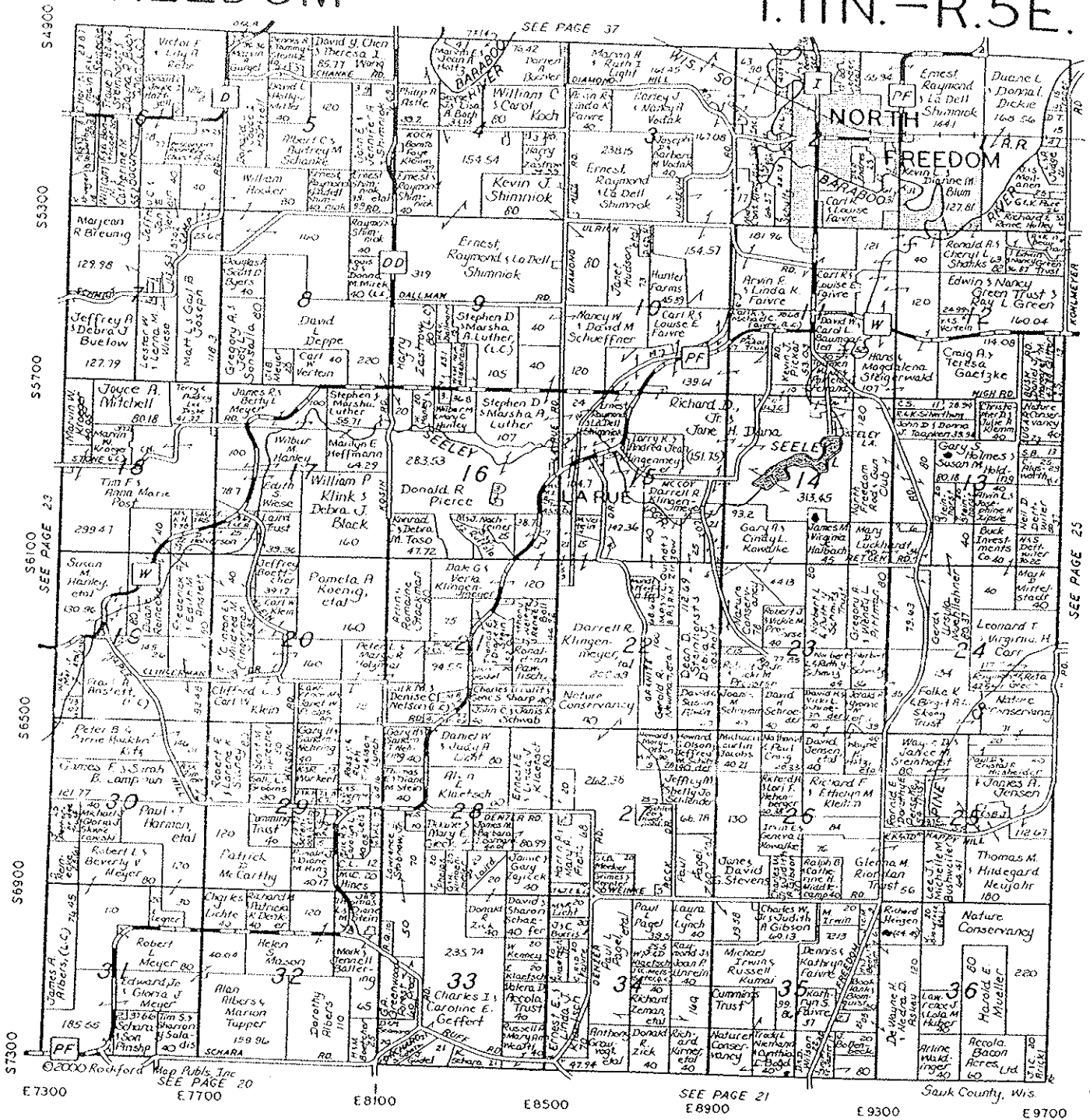
**Highest and Best Use Before:** Rural residential with potential for additional building site

**Highest and Best Use After:** Existing Residential, no future development; recreational

**Other Factors:** "Farm consolidation" per zoning ordinance allows additional building site

# FREEDOM

# T.11N.-R.5E.



JUST 4 BLOCKS SOUTH OF  
SAUK CITY STOP LIGHTS

# PARLIAMAS'

WHERE SERVICE IS A FAMILY TRADITION

1259 South Water Street, P.O. Box 100 — Sauk City, Wisconsin 53583

Phone: 643-3321

Monday - Friday 7:00 a.m. - 7:00 p.m. • Saturday 7:00 a.m. - 4:00 p.m.

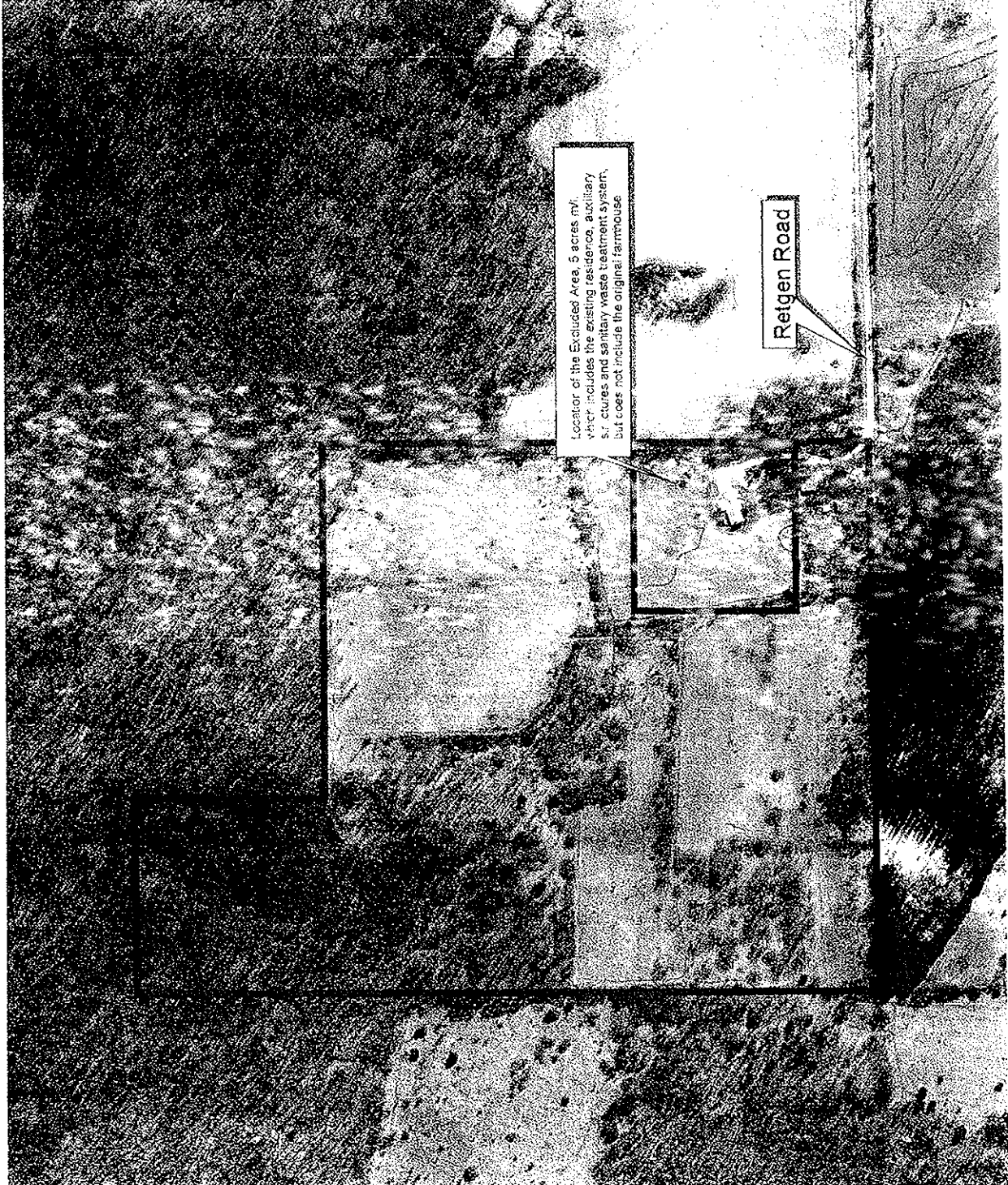
- \* True Value Hardware
- \* Farm Machinery
- \* Firestone Tires
- \* Complete Farm Store
- \* Animal Health & Horse Supplies
- \* Lawn & Garden Equipment
- \* Manufacturing - Structural Steel Fabricating
- \* Just/Ask Rental

James M. Halbach  
T. 11N. - R. 5 E.  
Section 14  
Town of Freedom  
Sauk County, Wisconsin

Halbach Property  
Boundary



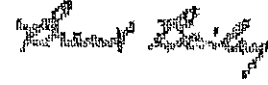
Excluded Area



Baraboo Range Protection Program  
Sauk County Department of Planning and Zoning  
Baraboo, Wisconsin

BARABOO RANGE PROTECTION PROGRAM, 2009 AT 08:00AM  
OPTION FOR THE PURCHASE  
OF DEVELOPMENT RIGHTS

Recorded  
2009 AT 08:00AM



REGISTRAR'S OFFICE  
SAUK COUNTY WI  
RECEIVED FOR RECORD  
Fee Amount: \$17.00

IN CONSIDERATION of the sum of One Dollar (\$1.00) and other good and valuable consideration, and the mutual terms and conditions hereinafter contained, the receipt and adequacy of which is hereby acknowledged, James M. Halbach (the Seller) hereby grants to SAUK COUNTY, a political subdivision of the State of Wisconsin, and its successors and assigns, the exclusive right and option to purchase the development rights in the form of a Conservation Easement to lands located in Sauk County, Wisconsin, and more particularly described on Exhibit "A" attached to this Option ("the Property") under the following terms and conditions:

City  
17-

Recording Area  
Name and Return Address:  
Dave Tremble  
Sauk Co. Planning & Zoning  
505 Broadway  
Baraboo, WI 53913

Parcel Identification Number

1. Option Period. This Option shall remain in effect for a period of six (6) months after the date of this Agreement. Exercise of this Option shall be considered timely if written notice is mailed on or before the expiration date.
2. Purchase Price. The total purchase price for the Conservation Easement shall be in the amount of Forty-five thousand five hundred (\$45,500.00) and 0/100 Dollars. Said amount shall be paid to the Seller at closing.
3. Closing. The closing of this Option shall be within thirty (30) days from the exercise of this Option.
4. Evidence of Title. Upon exercise of this Option, Sauk County will obtain a preliminary title insurance commitment on the Property. The commitment shall evidence the Seller's merchantable title in a form acceptable to Sauk County. The cost of the title insurance commitment and the final policy to be issued at Closing shall be paid by Seller at Closing.

Document Number

5. Purpose of Conservation Easement. After the exercise and Closing of this Option, Seller shall confine use of the real estate described herein to activities consistent with the requirements of a Conservation Easement Exhibit "B" attached hereto and made a part hereof, and in recognition of the following checked natural features of the land:

- Significant natural habitat in which fish, wildlife, plants or a similar ecosystem thrive in a natural state.
- Habitat for rare, threatened or endangered species of animals, fish or plants.
- Natural areas which represent high quality examples of terrestrial or aquatic communities.
- A natural area which contributes to the ecological viability of a local or state park, nature preserve, wildlife refuge, wilderness area or other similar conservation area.

A scenic landscape and natural character which would be impaired by a modification of the Property.

A scenic panorama visible to the public from publicly accessible sites which would be adversely affected by modifications of the natural habitat.

Sustainable habitat for biodiverse vegetation, birds, fish and terrestrial animals.

Proximity to conserved properties which similarly preserve the existing habitat.

6. Documents for Closing. The Seller and Sauk County shall execute a Conservation Easement in the form set forth in Exhibit "B".

7. Right of Entry and Inspection. Sauk County and its agents shall have the right to enter upon the Property at reasonable times for surveying, appraising, conducting an environmental inspection and assessment, and other reasonable purposes related to this transaction.

8. Remedies. In addition to any other remedy specifically set forth in this Option, Sauk County has the right to enforce the provisions of this Option through an action for specific performance, injunctive relief, damages, contribution or any other available proceedings in law or equity. The election of any one remedy available under this Option shall not constitute a waiver of other available remedies.

9. Binding Effect. This Option becomes effective when last signed by all of the Sellers and shall then apply to and bind each of the Sellers and their heirs, personal representatives, successors and assigns.





Sauk County Baraboo Range Protection Program  
Option to Purchase Development Rights  
Exhibit A  
**Property Description**

Description of Property belonging to James M. Halbach in the Town of Freedom, Sauk County, Wisconsin.

**Entire Ownership:**

The Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) and 5 acres in the Southwest corner of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 14, of Town 11 North, Range 5 East. Said 5 acres being 28  $\frac{1}{4}$  rods square.

**Property Proposed for the Imposition of the Conservation Easement:**

Entire property except for an area of no more than five acres surrounding the existing residence and auxiliary structures.

The boundaries of the 5.0 acre exception will be clearly defined by a Plat of Survey and approved by Sauk County prior to the conveyance of the conservation easement.

RESOLUTION NO. 30 - 09

**AUTHORIZING REIMBURSEMENT FOR ATTENDANCE AT THE LEGISLATIVE CONFERENCE**

**WHEREAS**, on February 10th and 11th, 2009 the Wisconsin Counties Association hosted a Legislative Exchange; and,

**WHEREAS**, this session will allow policy makers an opportunity to learn about a variety of issues that occur in state legislative issues as well as the technological advances used in state legislative issues today; and,

**WHEREAS**, the Rules of the Board stipulate that attendance at a school, institute or meeting which is not a part of regular committee meetings requires approval by the County Board of Supervisors (Rule V. A. of the Rules of the Sauk County Board of Supervisors.).

**NOW, THEREFORE, BE IT RESOLVED**, that the Sauk County Board of Supervisors, met in regular session, hereby approves compensating and reimbursing expenses of County Board Chair Krueger for attendance at the Wisconsin Counties Association Legislative Conference in Madison, WI on February 10th and 11th, 2009.

For consideration by the Sauk County Board of Supervisors on March 17, 2009.

Respectfully submitted,

**EXECUTIVE AND LEGISLATIVE COMMITTEE**

\_\_\_\_\_  
MARTY KRUEGER, Chair

\_\_\_\_\_  
PAUL ENDRES

\_\_\_\_\_  
JOAN FORDHAM

\_\_\_\_\_  
DONALD C. STEVENS

\_\_\_\_\_  
WILLIAM F. WENZEL

COPY

Fiscal Note:

Estimated Costs	Total Estimated Cost
Registration	\$150.00
Meals and Expenses (i.e. hotel, parking, etc.)	\$106.00
Per Diem and Benefits	\$100.00
Mileage	\$19.72
Total Estimated Costs	\$375.72

MIS Note: No MIS impact.

RESOLUTION NO. 30A - 09

**AUTHORIZING REIMBURSEMENT FOR ATTENDANCE AT THE COMPREHENSIVE PLANNING PUBLIC PARTICIPATION FORUM**

**WHEREAS**, on March 30, 2009 the County will host as part of their comprehensive planning process public participation, a session entitled, *Facing our Future: A Sauk County Community Conversation*; and,

**WHEREAS**, this session will allow policy makers an opportunity to learn about a variety of issues that affect County government, and explore the relationship to the global economy; and,

**WHEREAS**, the Rules of the Board stipulate that attendance at a school, institute or meeting which is not a part of regular committee meetings requires approval by the County Board of Supervisors (Rule V. A. of the Rules of the Sauk County Board of Supervisors.).

**NOW, THEREFORE, BE IT RESOLVED**, that the Sauk County Board of Supervisors, met in regular session, hereby approves compensating and reimbursing expenses of the County Board of Supervisors for attendance at the March 30, 2009, *Facing our Future: A Sauk County Community Conversation*, with Richard Longworth at the CAL Center in Reedsburg.

For consideration by the Sauk County Board of Supervisors on March 17, 2009.

Respectfully submitted,

**EXECUTIVE AND LEGISLATIVE COMMITTEE**

\_\_\_\_\_  
Martin F. Krueger, Chair

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

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

\_\_\_\_\_  
Don Stevens

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

COPY

Fiscal Note: If all 31 Board members were to attend the total cost would be: *KAS*

Estimated Costs	Cost Per Person	Number of Persons	Total Estimated Cost
Per Diem and Benefits	\$50.00	31	\$1,550.00
Mileage (average)	\$30.00	31	\$930.00
Total Estimated Costs	\$80.00		\$2,480.00

MIS Note: No MIS impact.

RESOLUTION NO. 31-09

DELEGATING CONSTRUCTION PROJECT OVERSIGHT TO THE HEALTH CARE CENTER BUILDING COMMITTEE

WHEREAS, by Resolution 77-07 the Health Care Center Building Projects Committee was formed to oversee the design of a new Health Care Center Facility, and;

WHEREAS, by Resolution 98-08 Kraemer Brothers LLC was hired to complete the construction of the new Sauk County Health Care Center facility, and;

WHEREAS, by Resolution 98-08 the Emergency Management Buildings & Safety Administrator was designated to approve changes not exceeding \$10,000.00, and;

WHEREAS, on past construction projects in order to keep the construction process moving along smoothly, Special Building Committees have approved changes in excess of \$10,000 as long as such changes did not exceed the budget, and;

WHEREAS, this authority was not clearly established for the Health Care Center Building Projects Committee;

NOW, THEREFORE, BE IT RESOLVED, that the Sauk County Board of Supervisors met in regular session hereby authorizes the Health Care Center Building Projects Committee to approve changes in excess of \$10,000.00 as long as those changes do not exceed the budget established for this building project.

For consideration by the Sauk County Board of Supervisors on March 17th, 2009.

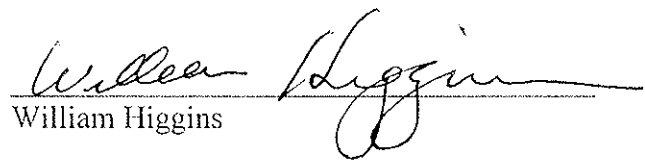
SAUK COUNTY HEALTH CARE CENTER BUILDING COMMITTEE



Paul Endres, Chair

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

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

  
William Higgins

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

**Fiscal Note:** The Health Care Center building project contingency was originally \$1,025,643. To date, change additions and deductions totaling an addition of \$60,328 have been approved. The remaining project contingency is \$965,315. *YFB*

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

RESOLUTION NO. 3209

**Request To Accept Bid For Two (2) Fourteen Yard Dump Bodies With PTO Hydraulic System From Stainless & Repair, Inc., Marshfield, Wisconsin.**

WHEREAS, your Highway Department is in need of two (2) Fourteen Yard Dump Bodies with PTO Hydraulic System, and in a planned program of replacement, having set minimum specifications for same and,

WHEREAS, your Committee received four (4) bid proposals for two (2) Fourteen Yard Dump Bodies with PTO Hydraulic System, copies attached, your Highway Committee has agreed to accept the following bid which met our specifications subject to County Board approval:

From: Stainless & Repair, Inc.  
Marshfield, Wisconsin

Two (2) Bibeau - Fourteen Yard Dump Bodies  
with PTO Hydraulic System \$ 67,000.00

Net Cost, F.O.B. Baraboo \$ 67,000.00

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.

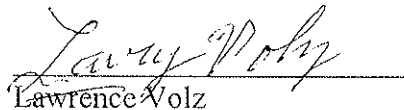
For Consideration by the Sauk County Board of Supervisors on March 17, 2009.

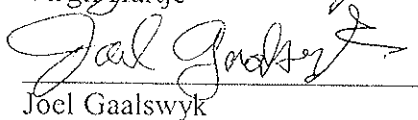
Respectfully submitted:

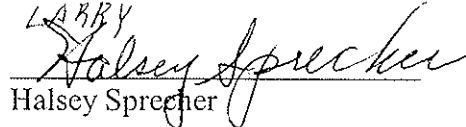
COPY

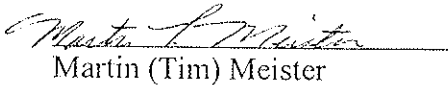
Sauk County Highway and Parks Committee

  
Virgil Hartje

  
Lawrence Volz

  
Joel Gaalswyk

  
Halsey Sprecher

  
Martin (Tim) Meister

Fiscal Note: This Expenditure will be paid from Highway Fund Account #70-185010.  
Information System Note: No information system impact.

YPB

**SUMMARY SHEET  
 BID PROPOSAL**

BID LETTING DATE: March 11, 2009 at 10:00 a.m.  
 FOR TWO (2) FOURTEEN YARD DUMP BODY/PTO HYDRAULIC SYSTEMS

FIRM NAME	UNIVERSAL TRUCK EQUIPMENT, INC.	STRAUSS & REINER, INC.	MADISON TRUCK EQUIPMENT, INC.	MURPHY TRUCK EQUIPMENT, INC.		
MAKE & MODEL	HENDERSON PREMIUM ROCK BODY	BIBEAU EL-250	STE APRON BODY	CRYSTEEL EQUIPMENT		
TOTAL NET COST F.O.B BARABOO	77,096.00	67,000.00	71,372.00	70,076.00		
DELIVERY DATE	60-100 DAY	120 DAYS	60-90 DAYS	50-120 DAYS		
REMARKS		LOW BID AWARDED				

RESOLUTION NO. 33 09

**Request To Accept Bid For Two (2) Five Yard Dump Bodies With Central Hydraulic System From Madison Truck Equipment, Madison, Wisconsin.**

**WHEREAS**, your Highway Department is in need of two (2) Five Yard Dump Bodies with PTO Hydraulic System, and in a planned program of replacement, having set minimum specifications for same and,

**WHEREAS**, your Committee received three (3) bid proposals for two (2) Five Yard Dump Bodies with PTO Hydraulic System, copies attached, your Highway Committee has agreed to accept the following bid which met our specifications subject to County Board approval:

From: Madison Truck Equipment  
Madison, Wisconsin

Two (2) 10 ft Heil 316 - Five Yard Dump Bodies  
with PTO Hydraulic System \$ 45,972.00

Net Cost, F.O.B. Baraboo \$ 45,972.00

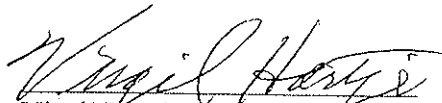
**NOW, THEREFORE, BE IT RESOLVED**, that the above bid be approved, it further being understood that this expenditure will be paid from Highway Department funds.


For Consideration by the Sauk County Board of Supervisors on March 17, 2009.

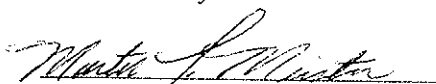
Respectfully submitted:

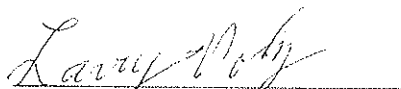
Sauk County Transportation/Parks Committee

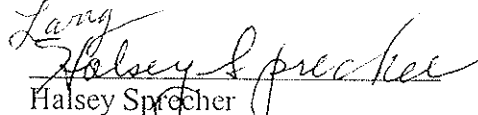
COPY

  
Virgil Hartje

  
Joel Gaalswyk

  
Martin (Tim) Meister

  
Lawrence Volz

  
Halsey Sprecher

Fiscal Note: This Expenditure will be paid from Highway Fund Account #70-185010.  
Information System Note: No information system impact.

KPB

**SUMMARY SHEET  
BID PROPOSAL**

BID LETTING DATE: March 11, 2009 at 10:00 a.m.  
FOR TWO (2) FIVE YARD DUMP BODY/PTO HYDRAULIC SYSTEMS

FIRM NAME	UNIVERSAL Tractor Equipment, Inc	MADISON Tractor Equipment, Inc.	MENROE Tractor Equipment, Inc				
MAKE & MODEL	HENDERSON MARK II	HEIL 316	GRAY'S 316EL				
TOTAL NET COST F.O.B BARABOO	49,990.00	45,972.00	54,254.00				
DELIVERY DATE	45-100 Days	60-90 DAYS	90-120 DAYS				
REMARKS		LOW BID AWARDED					



RESOLUTION NO. 34 - 09

**AUTHORIZING REIMBURSEMENT FOR ATTENDANCE AT THE EMERGING ISSUES IN WIND AND RENEWABLE ENERGY SEMINAR**

**WHEREAS**, on March 30, 2009 the Wisconsin Counties Association will host a seminar in Stevens Point; and,

**WHEREAS**, this session will allow policy makers an opportunity to learn about the emerging trends in wind and renewable energy and how local governments are affected; and,


**WHEREAS**, the Rules of the Board stipulate that attendance at a school, institute or meeting which is not a part of regular committee meetings requires approval by the County Board of Supervisors (Rule V. A. of the Rules of the Sauk County Board of Supervisors.).

**NOW, THEREFORE, BE IT RESOLVED**, that the Sauk County Board of Supervisors, met in regular session, hereby approves compensating and reimbursing expenses of County Board Supervisor Lehman for attendance at the Wisconsin Counties Association Emerging Issues in Wind and Renewable Energy Seminar in Stevens Point, WI on March 30, 2009.

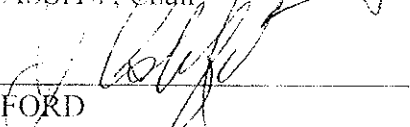
For consideration by the Sauk County Board of Supervisors on March 17, 2009.


Respectfully submitted,

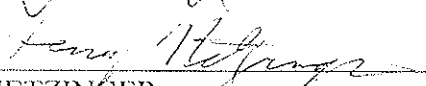
**PLANNING, ZONING & LAND RECORDS COMMITTEE**

  
ROBERT CASSITY, Chair

GERALD LEHMAN

  
JUDY ASHFORD

  
JOEL GAALSWYK

  
HENRY NETZINGER

COPY

Fiscal Note:

Estimated Costs	Total Estimated Cost
Registration	\$70.00
Meals and Expenses (i.e. hotel, parking, etc.)	\$0.00
Per Diem and Benefits	\$50.00
Mileage	\$127.00
Total Estimated Costs	\$247.00

MIS Note: No MIS impact.

KRB

ORDINANCE NO. 35-2009

PETITION 14-2008. AMENDING CHAPTER 7 SAUK COUNTY ZONING ORDINANCE REPLACING THE TERMS BUILDING INSPECTOR WITH ZONING ADMINISTRATOR, BUILDING PERMIT WITH LAND USE PERMIT AND EXTENDING THE VALID DATES OF A LANDUSE PERMIT FROM (TWO) 2 YEARS TO (FOUR) 4 YEARS

AND

AMENDING CHAPTER 22 SAUK COUNTY LAND DIVISION AND SUBDIVISION REGULATIONS ORDINANCE TO DEFINE ACCESS EASEMENT, 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 7 Sauk County Zoning Ordinance and Chapter 22 Sauk County Land Division and Subdivision Regulations Ordinance; and

**WHEREAS**, your Committee recognizes the need to enact the amendment to Chapter 7 and Chapter 22 prior to a comprehensive rewrite of these two ordinances; and

**WHEREAS**, adoption of the proposed amendment to Chapter 22 was considered by the Sauk County Board of Supervisors on February 18, 2009 and was rejected; and

**WHEREAS**, your Committee reconsidered the proposed amendment to Chapter 22 and Chapter 7 at their March 10, 2009 meeting and unanimously support the adoption of both ordinances; 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 be APPROVED.

**NOW, THEREFORE, BE IT ORDAINED**, by the Sauk County Board of Supervisors met in regular session, that Chapter 7 Sauk County Zoning Ordinance and 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 March 17, 2009.

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

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

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

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

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

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

COPY

Fiscal Note:  
No fiscal impact

MB

# Ordinance Version Focusing on Changes to 7.14 for County Board 3/17/09

Underlined and Highlighted Language = Proposed Language  
Strikethrough = Deleted Language

## CHAPTER 7

### SAUK COUNTY ZONING ORDINANCE

7.01	District and District Maps	7.12	Planned Unit Development (PUD)
7.02	Definitions	7.13	General Provisions and Exceptions
7.03	Single-Family Residential District	7.14	<u>Building <del>Land Use</del> Permits, Certificates of Occupancy and Use</u>
7.04	Multiple-Family District	7.15	Boundaries of Districts
7.05	Agricultural District	7.16	Interpretation and Application
7.05B	Exclusive Agricultural District	7.17	Sauk County Board of Adjustment
7.06	Rural Community District	7.18	Highway Setback Lines
7.07	Wetland District	7.19	Changes and Amendments
7.08	Recreational-Commercial District	7.20	Enforcement and Penalties
7.09	Commercial District	7.21	Planning, Zoning and Land Records Committee
7.10	Resource Conservancy District - 35		
7.10A	Resource Conservancy District - 5		
7.11	Industrial District		

**7.01 District and District Maps.** For the purpose of promoting the public health, safety and general welfare and determining, establishing, regulating and restricting the areas within the County, outside the limits of incorporated cities and villages, within which agriculture, forestry, industry, trades, business, recreation and residential uses may be conducted, to establish districts of such number, shape and area, to adopt such regulations for each such district as the County Board has determined to be necessary in order to carry out the purposes of this ordinance in accordance with the provisions of § 59.97 of the Wisconsin Statutes, the entire area of Sauk County, outside the limits of incorporated cities and villages, included within the following towns: Baraboo, Bear Creek, Dellona, Excelsior, Franklin, Freedom, Greenfield, Honey Creek, Ironton, LaValle, Prairie du Sac, Reedsburg, Spring Green, Sumpter, Troy, Westfield, Winfield and Woodland are hereby divided into eleven (11) use districts, namely:

Section 7.03 - Single-Family Residential District  
Section 7.04 - Multiple-Family District  
Section 7.05 - Agricultural District  
Section 7.05B - Exclusive Agricultural District  
Section 7.06 - Rural Community District  
Section 7.07 - Wetland District

Section 7.08 - Recreational-Commercial District

Section 7.09 - Commercial District

Section 7.10 - Resource Conservancy District - 35

Section 7.10A - Resource Conservancy District - 5

Section 7.11 - Industrial District

The boundaries of these eleven (11) districts are shown upon the map of Sauk County, being designated the "*Zoning Map of Sauk County, Wisconsin*", and made a part of this ordinance. All notations, references and other information shown upon the said zoning map shall be as much a part of this ordinance as if the matter and things set forth by the said map were fully described herein.

~~7.14 Building Permits, Certificates of Occupancy and Use: Land Use Permits. (1) Office. The office of building inspector shall be under the supervision of the Zoning Administrator. The building inspector shall supervise and inspect all building activity and assist zoning activity as directed by the Zoning Administrator and the Agency.~~

~~Legal counsel shall be specified by resolution of the Agency and approved by the Sauk County Board of Supervisors. The appointed legal counsel shall expeditiously prosecute all violations, process all zoning variance appeals and keep a record of all Sauk County Board of Adjustment proceedings when in session. It shall be the duty of the Zoning Administrator and all his deputies to enforce this ordinance.~~

~~(2) Deputy building inspectors:~~

~~(a) The building inspector may have deputy building inspectors in the towns which shall elect to become subject to the County Zoning Ordinance when a qualified person responsible to and approved by the town board is named by resolution of the town board, subject to approval only upon recommendation of the Agency and the Zoning Administrator.~~

~~(b) Deputy building inspectors shall collect fees and issue permits as directed by the Agency in accordance with a schedule adopted by an annual resolution of the Board of Supervisors.~~

~~(3) Regulations:~~

~~(a) No building, sign or other structure or any part thereof shall hereafter be built, enlarged, altered, located, or moved within the area subject to the provisions of this ordinance until a building land use permit has been applied for in writing and obtained from the Department building inspector. A land use permit is required before the use of any building or structure is changed from that originally permitted. Said Such permits shall be posted in a prominent place on the premises prior to and during the period of construction, alteration or moving. Applications for a land use permit shall be made upon forms. Forms for application for building permits shall be supplied by the Department building inspector and a record of all permits issued shall be kept in the Department office of the building inspector.~~

(ab) All applications for a land use building permit shall be accompanied by a location sketch drawn to scale, showing the location, actual shape and dimensions of the lot to be built upon, the exact size and location of the building on the lot, the existing or intended use of building, the number of families to be accommodated, the distances between the nearest point on the building and the center line of the highway, and other information with regard to the proposed building and neighboring lots and buildings as may be called for on the application or may be necessary to provide for the enforcement of this ordinance.

(be) The term "building" as used in this section shall include any building, structure or use of land which is governed by the requirements of this ordinance, and any substantial alteration in the heating plant, sanitary facilities or mechanical equipment of any such building which would effect a change in its use.

(cd) No land use County permit shall be required for any of the following cases, however, town building permits or other County permits may be required:

1. For any accessory building having a floor area of 100 square feet or less, costing with an estimated appraised value of one thousand dollars (\$1,000) or less, provided such building conforms to all the setback, yard and open space requirements of this ordinance.

2. For any improvements or alterations to an existing building in the amount with an estimated appraised value of one thousand dollars (\$1,000) or less which shall not effect a change in the use nor encroach upon any yard or open space.

3. For any maintenance repairs regardless of costs. For maintenance or repairs including, but not limited to; replacement or installation of the same windows, size and doors, skylights, vents, siding, insulation, shutters, gutters, flooring and shingles.

4. For permanent farm buildings, except farm houses.

5. Structures not for human habitation which are not permanently fixed to the ground and are readily removable in their entirety with a value of one thousand dollars (\$1,000) or less.

(d) The burden of proving an exemption from a land use permit per Section 7.14 (1)c is on the person claiming the exemption.

(e) A land use building permit shall lapse and become void unless the building or other activities separations described in the permit are commenced completed within ~~one (1) year~~ two (2) years from the date of issue of such permit except that one two (2) year renewal permit may be issued provided that said renewal permit is applied for to the Department prior to the date the original permit is set to expire. ~~The land use permit may be renewed for a period of not more than two (2) years and will expire within four (4) years after the date of issue of such permit.~~

~~(4) Certificate of occupancy.~~

~~(a) No vacant land shall be occupied or used and no building or structure hereafter erected, altered or moved shall be occupied or used until a certificate of occupancy shall have been issued by the building inspector. Such certificate of occupancy shall be applied for coincident with the application for a building permit and shall be issued within ten (10) days after the erection, alteration, repair or moving of such building shall have been completed in conformity with the provisions of this ordinance and in conformity with the statements of the application for a building permit.~~

~~(b) Under such rules and regulations as may be established by the County Board, the building inspector may issue a temporary certificate of occupancy for part of a building.~~

~~(c) Upon written request from the owner, the building inspector shall issue a certificate of occupancy for any building or premises existing at the time of the adoption of this ordinance, certifying after inspection, the extent and kind of use made of the building or premises and whether or not such use conforms to the provisions of this ordinance.~~

**(25) Fees.** Fees shall be reviewed annually by the Sauk County Board of Supervisors and a fee schedule adopted by resolution.

Amended May 11, 1971; amended June 15, 1971; amended May 15, 1973, revised March 5, 1975; recodified March 22, 1977; amended May 15, 1979; amended July 21, 1981; amended January 19, 1982; amended March 15, 1983; amended February 21, 1984; amended June 19, 1984; amended July 18, 1984; amended August 21, 1984; amended April 15, 1986; amended June 17, 1986; amended July 8, 1986; amended November 12, 1986; amended December 16, 1986; amended July 26, 1987; amended April 19, 1988; amended August 16, 1988; amended September 10, 1991; amended August 18, 1992; amended July 20, 1993; amended June 20, 1995; amended October 17, 1995; amended April 16, 1996; amended November 11, 1997; amended December 15, 1998; amended July 20, 1999. Amended by the Sauk County Board of Supervisors on October 16, 2001 - Ordinance No. 119-01. 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 August 20, 2002 - Ordinance No. 146-02. Amended by the Sauk County Board of Supervisors on September 23, 2003 - Ordinance No. 136-03. Amended by the Sauk County Board of Supervisors on May 16, 2006 - Ordinance No. 54-06.

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> <u>Identification of Street and Access Easement Rights-of-Way</u>	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, 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)(5) or land division, as defined under Section 22.07(16)(17) 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)(5) or land division, as specified under § Section 22.07(16)(17) 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)~~ 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.

~~(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.

- **Communications:**

**Page #**

- 6 & 7 E-mail from Mark Steward, Sauk County Planning & Zoning Director, encouraging citizens to attend the Sauk County Vision Conference: *Facing Our Future: A Sauk County Community Conversation* on Monday, March 30, 2009, in the CAL Center at the Reedsburg Area High School, 1100 S Albert Avenue, Reedsburg, Wisconsin from 5:30 - 9:00 p.m. Register by calling the UW Extension Office, 608-355-3250; or on line @ the Sauk County Comprehensive Plan web site, [www.saukplan.org](http://www.saukplan.org).
- 8 & 9 Letter to Marty Krueger, County Board Chair, from Erhard Huettl, President, Wisconsin County Mutual Insurance Corporation, regarding Sauk County's continued ownership of the County Mutual, and future proposals for insurance services.

- **Bills & referrals.**

- **Claims.**

- **Appointments:**

**Re-appointment to Ethics Inquiry Board:** Citizen member Attorney James C. Bohl, 3 year term expires 04/18/2012

**Re-appointment to Long Term Support Planning Committee:** Citizen member Community Action Representative. Susan Tucker 3 year term expires May 01, 2012.

**Re-appointments to Public Health Board:** Citizen members, Stacy Clement, 3 year term expires 4/17/2012; and Amy Delong MD, 3 year term expires 4/17/2012

**Re-appointments to Revolving Loan Fund Committee:** Citizen members, Attorney Myron La Rowe, Reedsburg, 2 year term expires 04/17/2012  
Julie Alibrando, La Valle/Reedsburg area, 2 year term expires 04/17/2012  
Thomas Fleming, Baraboo, 2 year term expires 04/17/2012

**Re-appointment to Sauk County Development Corporation:** Citizen member Melvin Rose, 3 year term expires 04/17/2012

**Re-appointments to Sauk County Housing Authority:** Citizen members Howard Murphy, 5 year term expires 04/15/2014; and Betty Repka, 5 year term expires 04/15/2014

- **Unfinished Business.**

• **Reports** (informational - no action required):

Page #

- 10 - 14 Beverly J. Mielke, Sauk County Clerk, rezoning petitions received per Wisconsin State Statutes 59.69(5)(e):  
♦ **Petition #2-2009** Rezoning request, Township of Baraboo, From RC-35 to Commercial. Filed by Kenneth & Karen Hurtig.
- 15 2008 Supervisor Per Diem and Mileage Summary.
- n/a Supervisor Endres, Chair, Sauk County Health Care Center Building Committee.
- n/a Supervisor Endres, Vice-Chair, Executive & Legislative Committee.
- n/a Marty Krueger, County Board Chair
- n/a Kathryn Schauf, Administrative Coordinator

• **Consent Agenda:**

Page #

**COMMITTEE:**

**LAW ENFORCEMENT & JUDICIARY:**

- 16 Resolution 23-09 Commending Bonnie E. Manning for Over Twenty Eight Years of Faithful Service to the People of Sauk County.
- 17 Resolution 24-09 Crime Victims' rights Week Proclamation.

• **Resolutions & Ordinances:**

Page #

**COMMITTEE:**

**AGING & DISABILITY RESOURCE CENTER:**

- 18 - 23 Resolution 25-09 Implementing Deviated Fixed Route Service In Sauk County.

**BARABOO RANGE COMMISSION and  
PLANNING, ZONING AND LAND RECORDS:**

- 24 - 34 Resolution 26-09 Approving Purchase Of Development Rights Agreement For The Kendall L. Cady and Carla K. Cady Property Pursuant To The Sauk County Baraboo Range Protection Plan.
- 35 - 48 Resolution 27-09 Approving Purchase Of Development Rights Agreement For The Darrell R. Klingenmeyer, et al. Property Pursuant To The Sauk County Baraboo Range Protection Plan.

49 - 57 Resolution 28-09 Approving Purchase Of Development Rights Agreement For The Richard J. Heinzen Property Pursuant To The Sauk County Baraboo Range Protection Plan.

58 - 66 Resolution 29-09 Approving Purchase Of Development Rights Agreement For The James M. Halbach Property Pursuant To The Sauk County Baraboo Range Protection Plan.

**EXECUTIVE & LEGISLATIVE:**

67 Resolution 30-09 Authorizing Reimbursement for Attendance at the Legislative Conference.

68 Resolution 30A-09 Authorizing Reimbursement For Attendance At The Comprehensive Planning Public Participation Forum.

**HEALTH CARE CENTER BUILDING COMMITTEE:**

69 Resolution 31-09 Delegating Construction Project Oversight To The Health Care Center Building Committee.

**HIGHWAY & PARKS:**

70 & 71 Resolution 32-09 Request To Accept Bid For Two (2) Fourteen Yard Dump Bodies With PTO Hydraulic Systems (copy not available).

72 & 73 Resolution 33-09 Request To Accept Bid For Two (2) Five Yard Dump Bodies With PTO Hydraulic Systems, (copy not available).

**PLANNING, ZONING AND LAND RECORDS:**

74 Resolution 34-09 Authorizing Reimbursement For Attendance At The Emerging Issues In Wind and Renewable Energy Seminar.

75 - 101 Ordinance 35-09 Petition 14-2008 Amending Chapter 7 Sauk County Zoning Ordinance Replacing The Terms Building Inspector With Zoning Administrator, Building Permit With Land Use Permit And Extending The Valid Dates Of A Landuse Permit From (Two) 2 Years To (Four) 4 Years, AND Amending Chapter 22 Sauk County Land Division and Subdivision Regulations Ordinance to Define Access Easement, Redefine Street and Lot Access/Frontage Requirements.

**PROPERTY & RESOURCE:**

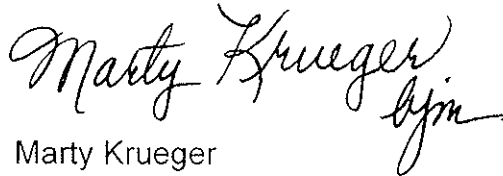
102 & 103 *Possible* Resolution 36-09 Authorization To Contract With Technology Solutions Group Inc. To Complete Phone System Upgrades and Move & Install The Health Care Center System.

**REVOLVING LOAN FUND:**  
104 & 105 Resolution 37-09 Approving Community Development Block Grants  
Flood Relief Small Business.

**UW EXTENSION, ARTS & CULTURE:**  
106 Resolution 38-09 Adding The Fred W. Kohlmeyer/Klondike Truck  
Property To The Sauk County Landmarks Registry Designation.

- 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.

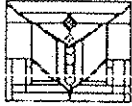
✓ **County Board members:** Stop in the Office of the County Clerk prior to each Board meeting to sign original resolutions/ordinances.

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, March 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/MARCH172009.lwp



Fw: SAVE THE DATE: Facing Our Future: a Sauk County Community Conversation

Mark Steward to:

Bcc: Pat VanOosten

02/20/2009 08:58 AM

From: Mark Steward/WS/SCG

To:

Bcc: Pat VanOosten/WS/SCG

*Imagine, Decide, Prepare*  
**Facing Our Future in Sauk County**

COPY

*Our future is now, and we are the change we've been waiting for.* How often have we all heard these statements? Well, what is your role in creating a better tomorrow for yourself, your family and the community you live in? What choices do we have, both as individuals and as members of a society, and what vision do we share? How can we work together to realize the future we seek? Sauk County confronts a world of uncertainty that promises only to get our attention - one way or the other. There is no time to waste, and much to gain by knowing our strengths, recognizing our weaknesses and by scouting the trail ahead. *If not now, then when? If not us, then who?*

Sauk County welcomes you and your neighbors to join us for **Facing Our Future: a Sauk County Community Conversation** on March 30, 2009, in the CAL Center at Reedsburg Area High School, 1100 South Albert Ave., Reedsburg, Wisconsin. *Facing Our Future* is the latest of a series of public participation events conducted by the citizens' Steering Committee, appointed by the Sauk County Board of Supervisors to manage the development of the *Sauk County Comprehensive Plan*.

The keynote speaker for the event is Richard Longworth, an internationally recognized journalist, senior fellow at the Chicago Council on Global Affairs and Distinguished Visiting Scholar at DePaul University. He will address the topic of economic and social upheaval in Midwestern communities resulting from global economic change. Mr. Longworth is the author of *Caught in the Middle, America's Heartland in the Age of Globalism*.

**Facing Our Future: a Sauk County Community Conversation** is intended to generate creative ideas regarding the future of Sauk County, particularly with regard to five critical areas of concern: Agriculture and Natural Resources; the Economy; Government; Quality of Life and Transportation. Energy and Jobs are topics of special importance as well.

Participants will have an opportunity to ask questions of Richard Longworth following his presentation, to contribute to the creation of a comprehensive Sauk County community *Vision Statement*, and to engage in facilitated small group discussions designed to identify and develop strategies for solving pressing problems and improving the lives of Sauk County residents.

The Steering Committee of the *Sauk County Comprehensive Plan* encourages all citizens of the County to gather for this evening of learning and sharing, to assist its efforts to write a Comprehensive Plan that will help *Position Sauk County for the Future* .

Registration is required, and seating is limited. Please register soon by telephone at (608) 355-3250. For more information, and to register on-line for the *Facing the Future* event, visit the Sauk County Comprehensive Plan website, [www.saukplan.org](http://www.saukplan.org) .

**Please help us spread the word about this event and forward it to anyone that might be interested.**

Mark Steward, AICP  
Planning & Zoning Director  
Sauk County  
West Square Building, Room 248  
505 Broadway  
Baraboo, WI 53913  
608-355-3285





Wisconsin County Mutual Insurance Corporation

February 27, 2009

Marty Krueger  
Sauk County Board Chair  
346 Warren Avenue  
Reedsburg, WI 53959

RECEIVED

MAR - 5 2009

SAUK COUNTY CLERK  
BARABOO, WISCONSIN

Dear County Board Chair Krueger:

Twenty-three years ago, county officials created the Wisconsin County Mutual Insurance Corporation to provide liability insurance. At that time, you and your colleagues believed that a county owned and operated insurance company would provide counties with the protection they needed and counter the skyrocketing costs of the commercial insurance market.

On January 1, 2009, the County Mutual began its 22nd year of operation. Over the past 21 years, the County Mutual Board of Directors has worked hard to:

- provide you with excellent claims adjusting, litigation and risk management and corporate services;
- control your county insurance costs; and
- expand the County Mutual's policies to cover the changing needs of county government.

We believe the Board's efforts have resulted in quality insurance and services, substantially at cost. This is extremely important as county government is forced to provide more services with less funding from the state and federal government.

On behalf of the County Mutual Board of Directors, I would like to congratulate and thank you for Sauk County's continued ownership of the County Mutual. Without your dedication and commitment to the County Mutual, we would not be as successful as we are today. During the past 21 years:

- total combined assets with the Community Insurance Corporation has grown from \$1.8 million to approximately \$63 million.
- all of the capital contributed by counties to create the County Mutual has been repaid.
- \$500,000 in liability dividends were paid to county owners in 2008, bringing the total liability dividends paid to county owners to \$11.8 million since inception.

Corporate Management • Wisconsin Counties Association  
22 E. Mifflin Street, Suite 900 • Madison, WI 53703  
Phone: 866.404.2700 • 608.663.7188 • Fax: 608.663.7189 • [www.wisconsincountymutual.org](http://www.wisconsincountymutual.org)

General Administrator • Aegis Corporation  
18550 West Capitol Drive • Brookfield, WI 53045-1925  
Phone: 800.236.6885 • Fax: 262.781.7743 • [www.aegis-corporation.com](http://www.aegis-corporation.com)

COPY

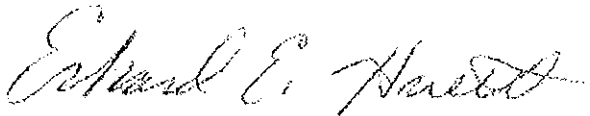
Page Two  
February 27, 2009

The Wisconsin County Mutual is quite a success story, and in order to continue this success for many years to come we are dependent upon your continued support and ownership. We recognize that some counties may need to request proposals for insurance services in the future. Therefore, this letter is to inform you that pursuant to Article III, Section 3 of the County Mutual Bylaws, you must provide the County Mutual with six months advance written notice of your intent to solicit proposals and preserves your county's membership in good standing. Satisfaction of this notification provision merely provides us with an indication of your county's intent to solicit proposals and does not require that your county make a decision on the selection of a carrier before June 30<sup>th</sup>.

Further, if you decide to solicit proposals for insurance services, please contact us. To assist you, the County Mutual Board of Directors has prepared a summary of the County Mutual's coverages, limits and services that you can use as a benchmark in reviewing insurance proposals. We believe that any comparison will demonstrate that counties receive better protection and services with lower costs when counties own and manage the company.

Finally, on behalf of the Wisconsin County Mutual Board of Directors, please accept our appreciation for your continued commitment to and ownership of the County Mutual. We look forward to continuing to serve your needs.

Sincerely,



Erhard Huettl  
President, Wisconsin County Mutual Insurance Corporation

ADJUTANT  
MAR 13

2009  
~~2008~~ DEVELOPMENT APPLICATION  
Sauk County Office of Planning and Zoning  
505 Broadway Street - Sauk County West Square Building  
Baraboo, Wisconsin 53913  
(608) 355-3285

Petition # 2-5009

RECEIVED

MAR 09 2009

SAUK COUNTY CLERK  
BARABOO WISCONSIN

Instructions:

1. It is strongly recommended that the applicant meet with a staff person prior to completing this application, with adequate time prior to an application deadline.
2. The applicant should complete and sign the form and provide all material listed within this application.
3. Please note: The application and attachments become part of the official public records of Sauk County and are therefore not returnable.

TYPE OF APPLICATION: (Please circle one or more)

Subdivision Plat      Rezoning      Development Plan      Zoning Text Change

ZONING:

CURRENT PC-35      PROPOSED Commercial

NAME OF SUBDIVISION (if applicable) MA

PROJECT

LOCATION Com 582 Lot 1

TOWNSHIP Baraboo

PROPERTY

OWNER Kenneth + Karen Hurtig

APPLICANT Kenneth + Karen Hurtig

PHONE

NUMBER 608/356/6481

MAILING

ADDRESS 33831 Hwy 12 Baraboo, WI 53913

SIGNATURE OF APPLICANT

Karen Hurtig

DATE 3/2/09

Fee Paid 500.00 Karen Hurtig

Receipt # 34158 (Credit Account # 10063-444240)

- c: Corporation Counsel's Office
- Planning and Zoning Office
- County Clerk - For reporting at the next County Board of Supervisors meeting
- County Supervisor 27 Alexander

COPY

TYPE OF APPLICATION AND INFORMATION REQUIREMENTS (continue for explanation)

Type of Application Fee Required	Project Facts (Please see Page 3)	Site/Plot Plan or Survey/Plat	Other Information (As required)
Subdivision Plat Review / Development Plan / PUD \$300 plus \$20/lot	Yes	Preliminary Plat-6 copies Final Plat-11 copies Site/Plot Plan 1 reproducible copy	Aerial Photo of Site# Utilities statement* Architectural Drawings** Other information in Chapter 22 County Code
Rezoning \$500	Yes	Site/Plot Plan 1 reproducible copy	Aerial Photo of Site# Utilities statement*
Zoning Text Change \$500	No	No	**

# Aerial photos are available from the Office of Planning and Zoning.

\* Prior to the approval of any final plat or rezoning, the applicant must provide written statements from the utility providers which will serve the proposed development. The statements shall address the adequacy and location of all utility easements. The applicant shall also provide driveway access improvement approvals where applicable.

\*\* Other items which the staff may require.

**APPLICATION DEADLINE**

All applications must be in the Office of Planning and Zoning no later than 12:00 noon on the day of the deadline. In order to be accepted, the application must contain all required items and information described in the application. Partial applications will not be accepted for placement on the Planning, Zoning and Land Records Committee agenda until all such materials are submitted.

APPLICATION DEADLINE DATE	PLANNING, ZONING & LAND RECORDS COMMITTEE MEETING DATE
December 7, 2007	January 22, 2008
January 11, 2008	February 26, 2008
February 8, 2008	March 25, 2008
February 29, 2008	April 22, 2008
April 11, 2008	May 27, 2008
May 2, 2008	June 24, 2008
June 6, 2008	July 22, 2008
July 11, 2008	August 26, 2008
August 8, 2008	September 23, 2008
September 12, 2008	October 28, 2008
October 10, 2008	November 25, 2008
November 14, 2008	December 23, 2008

**APPLICATION FEE**

Submit the appropriate application fee indicated above. Make checks payable to Sauk County Planning & Zoning.

PROJECT FACTS

Please complete the following information for all proposed subdivisions and rezonings. Contact a staff person if you need assistance.

Name of Subdivision (if applicable) NA

Total Site Area (Acres) NA (Square Feet)

	<u>Existing zoning</u>	<u>Existing land use</u>
Subject Area	<u>RC-35</u>	<u>Home / Business</u>
North	<u>Commercial</u>	<u>Car dealership</u>
South	<u>Commercial</u>	<u>log business</u>
East	<u>RC-35</u>	<u>Food</u>
West	<u>RC-35</u>	<u>field</u>

JUSTIFICATION STATEMENT

Please answer the following question. Contact a staff person if you need assistance.

1. General description of the request.

Outside storage of landscape materials, equipment rental, sharpening business, fence + deck business display area and house

2. Related background information on the project and site.

brings existing use into compliance

3. Justification, special reasons or basis for the request.

4

*Sec # 1 + # 2*

**SITE/PLOT PLAN**

Submit the following plan(s):

Scaled site/plot plan showing: date, north arrow, graphic scale; location of property lines, rights-of way, easements, water courses; streets, driveways, intersections; outlines of all buildings, setbacks, dimensions; means of vehicular and pedestrian access; layout and location of all off-street parking; schematic of drainage system; percentage and size in acres to be reserved as open space, parks and recreation; and the location of proposed trees, shrubs and ground cover, complete site erosion control plan and finished grade plan.

**SURVEY/PLAT**

Surveys and plats shall be signed and sealed by a registered surveyor and should include a legal description, computation of the total acreage of the site and any other requirements as defined by Wisconsin State Statutes Chapter 236 and Sauk County Code of Ordinances, Chapter 22.

**OTHER INFORMATION**

Submit these additional items which apply to the types of applications listed below:

1. Subdivisions - Submit a uniform street name plan with the application for a preliminary plat.
2. Development Plan - Submit information as required by Chapter 22, Sauk County Code of Ordinances.
3. Subdivisions/Rezoning - Submit a complete metes and bounds legal description.

SAUK COUNTY PLANNING AND ZONING  
OWNER'S CONSENT FORM

5

Kenneth + Karen Hurtig \_\_\_\_\_, the sole owner of record of the  
Owner's Name

property legally described as:

CSM 582 Lot 1

states that he/she has thoroughly examined and is familiar with the application submitted to Sauk County Office of  
Planning and Zoning submitted by Kenneth + Karen Hurtig \_\_\_\_\_, on behalf  
Agent/Representative

of Kenneth + Karen Hurtig \_\_\_\_\_ and expressly consents to the use of the  
Applicant/Owner's Name

subject property for the purpose Rezone \_\_\_\_\_ described in the  
Type of Request

application and expressly consents to all conditions which may be agreed to for the application which may be  
imposed by the Planning, Zoning and Land Records Committee and Sauk County Board of Supervisors. I will  
permit representatives from the Sauk County Department of Planning and Zoning to access my property at any time  
for a "site visit" before the public hearing is conducted.

By Kenneth E. Hurtig \_\_\_\_\_ Karen Hurtig  
Owner's Name

2008 Supervisor Per Diem and Mileage Summary

Per Rule VII (B) of the Sauk County Board of Supervisors:

All members of the County Board, who are to be reimbursed for committee work, shall submit vouchers to the County Clerk on a monthly basis, to be placed on file with other current claims or accounts to be authorized for payment at regular Finance Committee meetings. Per diem and mileage paid Board members through any calendar year shall be compiled in the Accounting Department and approved by the Board prior to annual publication in March of the following year.

NAME	PER DIEM	MILEAGE & MISCELLANEOUS	TOTAL	TOTAL CO BOARD & COMMITTEE MEETINGS
Thomas Bychinski	3,140.00	1,045.44	4,185.44	60
Henry Netzinger	2,990.00	1,256.16	4,246.16	57
Joel Gaalswyk	2,890.00	1,837.44	4,727.44	55
Robert Sinklair	1,290.00	147.84	1,437.84	23
Peter Tollaksen	2,630.00	718.80	3,348.80	50
Joan Fordham	4,640.00	416.08	5,056.08	90
Martin F Krueger	12,540.00	4,029.76	16,569.76	152
Joan Wheeler	620.00	0.00	620.00	12
Thomas Kriegl	2,230.00	373.44	2,603.44	42
Virgil Hartje	2,790.00	1,002.72	3,792.72	53
Charles Montgomery	3,420.00	1,135.36	4,555.36	66
Martin Meister	2,180.00	588.16	2,768.16	41
Lowell Haugen	2,180.00	783.16	2,963.16	41
William Wenzel	3,740.00	1,148.64	4,888.64	72
Arthur Carlson	2,690.00	1,552.41	4,242.41	51
Paul Endres	3,390.00	773.28	4,163.28	65
Albert Dippel	2,130.00	0.00	2,130.00	40
Robert Cassity	2,270.00	369.90	2,639.90	43
Lester Wiese	2,880.00	1,174.80	4,054.80	55
Scott K. Alexander	2,280.00	302.40	2,582.40	43
Gerald L. Lehman	2,340.00	1,087.68	3,427.68	44
Halsey Sprecher	3,190.00	1,095.75	4,285.75	61
Katherine A. Zowin	2,320.00	408.60	2,728.60	44
Judith Stoeckmann	2,220.00	657.30	2,877.30	42
Linda Borleske	3,140.00	754.16	3,894.16	60
Larry Volz	3,290.00	735.36	4,025.36	63
Judith Ashford	3,540.00	1,034.40	4,574.40	60
Donald Stevens	3,540.00	1,471.80	5,011.80	68
Rose White	880.00	281.40	1,161.40	17
Catherine Horenberger	360.00	13.44	373.44	7
Steven Bach	1,860.00	101.28	1,961.28	35
Shawn Posewitz	1,210.00	26.88	1,236.88	22
Donna Stehling	1,410.00	437.28	1,847.28	26
Marcie Huffaker	2,170.00	9.60	2,179.60	41
Totals	\$94,410.00	\$26,766.23	\$121,176.23	2129

FINANCE COMMITTEE:

Thomas Bychinski, Chair

Martin F Krueger

Joan Fordham

Steven Bach

William F Wenzel

COPY



RESOLUTION # 23 - 09

COMMENDING BONNIE E MANNING FOR  
OVER TWENTY EIGHT YEARS OF FAITHFUL SERVICE  
TO THE PEOPLE OF SAUK COUNTY

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

WHEREAS, **Bonnie E. Manning** has faithfully served the people of Sauk County as a vital member of the Sauk County Sheriff's Department for more than Twenty-eight years and;

WHEREAS, **Bonnie E. Manning**, Office Manager of the Sauk County Sheriff's Department, will be retiring effective January 23, 2009;

NOW, THEREFORE, BE IT RESOLVED, that the Sauk County Board of Supervisors hereby expresses its appreciation and commends her for her many faithful years of 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 **Bonnie E. Manning** with an appropriate certificate and commendation as a token of our esteem.

For consideration by the Sauk County Board of Supervisors on March 17, 2009

Respectfully submitted,

SAUK COUNTY LAW ENFORCEMENT AND JUDICIARY COMMITTEE

  
DONALD C. STEVENS, CHAIR

  
PETER TOLLAKSEN

  
CHARLES MONTGOMERY

  
ROBERT SINCLAIR

  
HALSEY SPRECHER

Fiscal Note: No fiscal impact. *KPB*  
MIS Note: No MIS impact.

COPY

RESOLUTION NO. 24-09  
Crime Victims' Rights Week Proclamation

WHEREAS, more than 33 million Americans are victims of crime each year; and

WHEREAS, victims may suffer emotional, physical, psychological, and financial harm as a result of crime; and

WHEREAS, victim assistance and compensation programs across the country provide vital and supportive services for victims that help individuals, families, and communities cope with the impact of crime; and

WHEREAS, the Victims of Crime Act (VOCA), passed by Congress in 1984, affirmed a national commitment to helping victims rebuild their lives by establishing the Crime Victims Fund, a major source of funding for services and compensation to victims of crime throughout the United States; and

WHEREAS, the Fund comprises fines and penalties levied on offenders and affirms the principle that those who commit crimes should be held accountable for their actions; and

WHEREAS, the Crime Victims Fund provides support to states for victim assistance and victim compensation programs, as well as support for federal victims of crime, child abuse prosecution, emergency reserve to assist victims of terrorism, and training and technical assistance for the victim services field; and

WHEREAS, the Crime Victims Fund supports more than 4,400 state and local victim assistance programs, including rape crisis centers, domestic violence shelters, victim assistants in law enforcement and prosecutor offices, and other direct service providers that help millions of victims every year; and

WHEREAS, victim compensation programs pay for medical and counseling costs, funeral bills, crime scene cleanup, and lost wages for victims of crime; and

WHEREAS National Crime Victims' Rights Week—April 26 – May 2, 2009—provides an opportunity for our county to recognize the Victims of Crime Act as a major bedrock of support for victim services and to reaffirm our nation's commitment to addressing the needs of victims of crime; and

WHEREAS, The Sauk County District Attorney's Office – Victim Witness Unit is joining forces with victim service programs, criminal justice officials, and concerned citizens throughout Sauk County, Wisconsin and America to raise awareness of victims' rights and to observe the 25<sup>th</sup> anniversary of the Victims' of Crime Act (VOCA) during National Crime Victims' Rights Week.


**NOW THEREFORE BE IT RESOLVED**, that the Sauk County Board of Supervisors reaffirms a commitment to respect and enforce victims' rights and address their needs and do hereby proclaim the week of April 26 – May 2, 2009, as Sauk County Crime Victims' Rights Week.

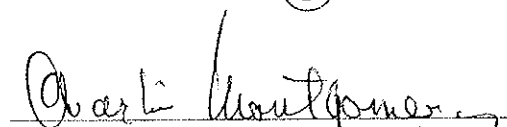
For consideration by the Sauk County Board of Supervisors on March 17, 2009.

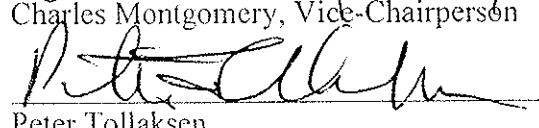
COPY

LAW ENFORCEMENT AND JUDICIARY COMMITTEE

  
Donald Stevens, Chairperson

  
Robert Smclair, Secretary

  
Charles Montgomery, Vice-Chairperson

  
Peter Tollaksen

  
Halsey Sprecher

Fiscal Note: *No fiscal impact* *PPB*  
Information Systems Note: *No MIS impact*

RESOLUTION IMPLEMENTING DEVIATED FIXED ROUTE SERVICE IN SAUK COUNTY

**WHEREAS**, the Aging & Disability Resource Center (ADRC) operates a variety of transportation services serving the human services population comprised of older adults, adults with disabilities, and people with low income; and

**WHEREAS**, the ADRC has been awarded STRAP grant funds for planning rural transportation services and implementing a proposed deviated fixed route service; and

**WHEREAS**, the Board of Supervisors authorized acceptance of these grant funds in January 2008; and

**WHEREAS**, the demand for transportation services (largely provided by volunteer drivers) continues to grow, outpacing the ADRC's ability to recruit a sufficient number of volunteers to provide the service; and

**WHEREAS**, as part of its strategic planning, the Board of Supervisors chartered the Continuum of Care Committee to study transportation trends, services and unmet transportation needs of the human services population; and

**WHEREAS**, the Continuum of Care Committee submitted a report to the Board of Supervisors in May, 2008 concluding that it is in the County's best interest to develop a comprehensive transportation system including mobility management for expanded opportunities and additional responsiveness in addressing human services transportation needs; and

**WHEREAS**, the system is expected to leverage existing resources, implement technology resources and changes in modes of travel to address existing gaps in service and reduce the over reliance on volunteer drivers for future sustainability; and

**WHEREAS**, the Committee recommended "creating a seamless service model that leverages and maximizes scarce resources, develops systems that encourage self sufficiency, and explores multi-county, efficient and responsive services"; and

**WHEREAS**, at its December 10, 2008 meeting, the ADRC Committee has reviewed the available resources and service demands concluding that it is more cost-effective to provide transportation services in a public transit-style service delivery model rather than in a one-on-one driver escort model; and

**WHEREAS**, the proposed deviated fixed route service is intended to provide more transportation opportunities to common destinations in Sauk County while reserving limited volunteer one-on-one service for those who need additional assistance in traveling or are traveling to a more distant destination; and

COPY

RESOLUTION IMPLEMENTING DEVIATED FIXED ROUTE SERVICE IN SAUK COUNTY

WHEREAS, the trend for awarding transportation grant funds continues to have a futuristic focus on transit-style services designed to sustain rural transportation route services.


NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session, that the ADRC Director, Trish Vandre, be and hereby is authorized and directed to implement a deviated fixed route transportation system coordinated with other county, private, and non-profit transportation services.

For consideration by the Sauk County Board of Supervisors on March 17, 2009.

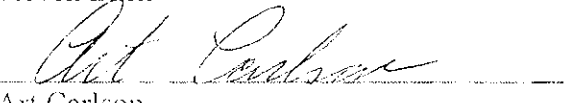
Respectfully submitted,

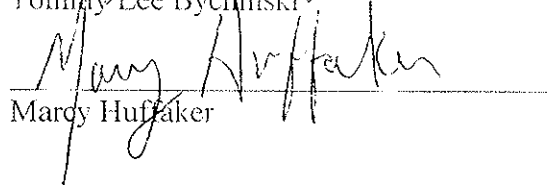
AGING & DISABILITY RESOURCE CENTER COMMITTEE

  
Robert Cassity, Chair

  
Steven Bach

  
Tommy Lee Bychinski

  
Art Carlson

  
Marcy Huffaker

No Information System Impact

RESOLUTION NO. 25-09

RESOLUTION IMPLEMENTING DEVIATED FIXED ROUTE SERVICE IN SAUK COUNTY

Fiscal Note: Supplemental Transportation Rural Assistance Program (STRAP) grant funds of \$102,248 have already been awarded for implementation of this service. These funds will be used for staff drivers to operate the service, and operating costs for the vehicles, such as fuel and maintenance costs. The initial plan is for bus leases, but pending Wisconsin Department of Transportation discussions, purchase will also be considered. Any lease or purchase contracts and staff decisions will be subject to future committee and board actions. In all cases, no County property tax levy will be used. The program will be reevaluated for efficiency and effectiveness as grant dollars are available.

K.P.B

Policy Outline and Supporting Documentation for  
Resolution Implementing Deviated Fixed Route Service in Sauk County

**HISTORY**

The former Commission on Aging Committee and current Aging & Disability Resource Center Committee has included consideration of transportation route service in its strategic planning and short-term goal setting since 2006. At that time a series of Town Hall Meetings were held to gather input from older adults in each of our communities about the issues and services they need to live meaningfully and independently. Transportation was identified as a universal and consistent need. It was also identified that the transportation services currently in place were not adequate to meet the needs.

Since that initial fact finding, the County has received increased grant funds in order to plan, develop and implement more comprehensive transportation services. There are a significant number of federal and state grant sources to respond to rural transportation needs as transportation has been identified as a national issue for the human services population; that is those of any age who are low income, older adults or adults with disabilities.

Since 2006, the ADRC [formerly Commission on Aging] has housed a Mobility Manager project position funded by the Department of Transportation to study, plan and develop transportation services to respond to the needs of Sauk County citizens. The Continuum of Care Committee has participated in this study and development bringing the expertise of a broad base of stakeholders and staff to the discussion of transportation services, needs and gaps in services. In May, 2008 the Committee presented a report of its findings to the Board of Supervisors concluding that it is in the County's best interest to develop a comprehensive transportation network including mobility management for expanded opportunities and additional responsiveness in addressing human services transportation needs. The system is expected to leverage existing resources, implement technology resources and changes in modes of travel to address existing gaps in service and reduce the over reliance on volunteer drivers for future sustainability. The Committee recommended "creating a seamless service model that leverages and maximizes scarce resources, develops systems that encourage self sufficiency, and explores multi-county, efficient and responsive services".

There are many components to a comprehensive transportation network. This network includes the sanctioning of a Transportation Coordination Committee to frequently bring together consumer stakeholders, transportation providers and county staff and Supervisors to develop collaborative solutions and bring practical recommendations to the Board of Supervisors. This establishment of this Committee also paves the way for Sauk County's eligibility for additional grant funding sources. This Committee was appointed by the Board of Supervisors in August 2008.

**OPTIONS EXPLORED / POLICY OPTIONS**

The ADRC, Continuum of Care, and Transportation Coordination Committees all recognize that there is a need for a more comprehensive coordinated transportation services to bridge the gaps between existing services.

Some examples are:

- taxi services exist within the four (4) municipalities however, it is cost prohibitive to travel by taxi outside of or between municipalities by taxi,
- Low income residents of Bluffview who are transportation disadvantaged have no formal transportation options; only those who are older or disabled adults are eligible for grant funded transportation services through the ADRC,

Policy Outline and Supporting Documentation for  
Resolution Implementing Deviated Fixed Route Service in Sauk County

- Many requests for transportation go unserved because all available staff and volunteer drivers are in service,
- Specialized medical vehicle transportation providers [ala Wheels of Independence, Abby Vans, etc.] Have ceased services in Sauk County except for private pay services and some medical trips leaving Sauk County Health Care Center residents and community residents who use wheelchairs without their usual transportation services. The ADRC has been attempting to meet these needs but frequently does not have a driver or vehicle available to provide the service. Recently in one day there were eight (8) passengers who use wheelchairs in need of transportation. Three (3) of these requests went unserved and had to reschedule their medical appointments because there was not transportation available for them.
- In some cases, the Health Care Center staff must provide transportation services instead of their usual job duties in order to provide for the needs of their residents. This is an undesirable use of specialized resources and we are seeking to coordinate services to eliminate this expense for the Health Care Center.

#### ISSUE

At its December 10, 2008 meeting, the ADRC Committee discussed the need to provide service in a public transit model to make provision of transportation services more flexible, effective and efficient. The Committee moved to fully implement the proposed services under the 2008 STRAP Grant application. This proposed service is a deviated fixed route service.

#### DESCRIPTION OF PREFERRED ALTERNATIVE

Deviated fixed route service between the Sauk County population centers is one response to resolving some of the transportation service needs. Deviated fixed route service is a set of established timed stops along a specific route in combination with on-demand stops to accommodate passengers who are unable to be collected at a specified stop. The route incorporates frequently used destinations and allows for a deviation of the bus to a special destination along the route upon a passenger's request. There may also be the availability of "flag stops" at which a passenger hails the bus to board at a convenient location along the route. The route is being designed to provide the broadest possible access to the areas of the county with the highest population, most commonly used destinations and frequent service to reduce wait times between buses whenever possible.

The ADRC strives for coordination of all transportation providers and services to meet the transportation needs of Sauk County residents. The Route Service will work in concert with the ADRC driver escort and other staff driven lift-equipped vehicle programs to provide comprehensive service and accommodate a passenger who may have special needs for whom route service may not be appropriate. It is expected that staff and driver escort service will be reserved for those with special needs or for those who need to travel outside of Sauk County. Driver escort services may also be used to connect passengers to the route service who do not live along the deviated route.

The route service is being launched with funding available through the Department of Transportation's (DOT) STRAP grant. This grant is renewable and will sustain the program for the foreseeable future. In addition, New Freedom grant funds are also now available to support rural public transit services. The Section 85.21 transportation grant, which Sauk County has received for more than 30 years, will also continue to fund

Policy Outline and Supporting Documentation for  
Resolution Implementing Deviated Fixed Route Service in Sauk County

transportation services. The required match dollars for these grants are already allocated as part of the ADRC's operating budget. There are also a myriad of other federal and state transportation funding streams provided through statutory provision for which Sauk County has not yet applied. These grants will be pursued and considered by the ADRC Committee as part of the ongoing planning and development of services to meet transportation needs.

Passengers using the route service will pay a fare based on their membership in one of the target populations. Those who are eligible for fare subsidy under one of the grant programs will pay a reduced fare while members of the greater community who choose to use the service will pay the full fare. This rate schedule has not been finalized at the time of this report.

**IMPLEMENTATION**

The implementation of this service is not intended to be a means to conserve funds. The benefits are not found in cost analysis but in ability to close gaps in service and meet the increasing demands for transportation. Route service serving 62 passengers per week costs \$.09 less per passenger than the costs for current passengers of staff and volunteer escort services. However, route service does maximize our resources and provide consumers more independence through more transportation opportunities.

The hybrid buses proposed to operate the route service are reportedly 30-35% more fuel efficient than gasoline or diesel only buses. This will bring cost savings and environmental benefits.

The initial implementation of the service proposes the use of leased shuttle buses instead of immediate purchase of vehicles. This lease will allow Sauk County desired flexibility to ensure that this is the right service and the right vehicles to provide the service before capital expenditures are requested. In addition, the STRAP grant funds are available to pay for this lease at the outset of the program. If the decision is made to purchase shuttle buses in the future, grant funds which are expressly designed for capital expenditures and vehicle procurement will be sought. At that time, the STRAP funds used initially for leasing the buses will be available for the operational costs of the program with no additional local funding necessary.



RESOLUTION NO. 26-09

**APPROVING PURCHASE OF DEVELOPMENT RIGHTS AGREEMENT  
FOR THE KENDALL L. CADY and CARLA K. CADY PROPERTY  
PURSUANT TO THE SAUK COUNTY BARABOO RANGE PROTECTION PLAN**

**WHEREAS**, by Resolution No. 36-99, the Honorable Sauk County Board of Supervisors approved the Memorandum of Agreement between the United States Government, the State of Wisconsin, Dane County, Sauk County and sundry other entities regarding the improvements of U.S. Highway 12 and the long term protection of the Baraboo Range; and,

**WHEREAS**, by Resolution No. 74-99, the Honorable Sauk County Board of Supervisors approved the Implementation Agreement between the State of Wisconsin and Sauk County regarding the administration of the WisDOT Baraboo Range National Natural Landmark Protection Fund and the creation of the Sauk County Baraboo Range Protection Plan; and,

**WHEREAS**, by Resolution No. 119-99, the Honorable Sauk County Board of Supervisors approved the Sauk County Baraboo Range Protection Plan, with said plan calling for the creation of the Baraboo Range Commission to oversee the program and the protection fund; and,

**WHEREAS**, the Honorable Sauk County Board of Supervisors confirmed the appointment of the nine-member Baraboo Range Commission; and,

**WHEREAS**, the Baraboo Range Commission, at its December, 2008 meeting, approved a motion to offer fair market value, **165,500.00**, as determined by a professional appraisal, for the purchase of the development rights for said property, covering 65 acres at a cost of \$2,546/acre; and,

**WHEREAS**, the Baraboo Range Commission believes this offer to purchase agreement is in the best interest of Sauk County and implements the Baraboo Range Protection Plan.

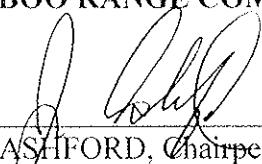
**NOW, THEREFORE, BE IT RESOLVED**, by the Sauk County Board of Supervisors, met in regular session, that said purchase agreement attached hereto as an appendix is hereby Approved.

COPY

For consideration by the Sauk County Board of Supervisors on March 17, 2009.

Respectfully submitted,

**BARABOO RANGE COMMISSION**

  
\_\_\_\_\_  
JUDY ASHFORD, Chairperson

  
\_\_\_\_\_  
WILLIAM BEARD

  
\_\_\_\_\_  
FORREST HARTMANN

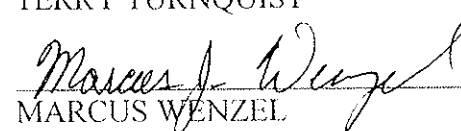
  
\_\_\_\_\_  
GARY KOWALKE

  
\_\_\_\_\_  
ROMAN STATZ

  
\_\_\_\_\_  
RON PERSCHE

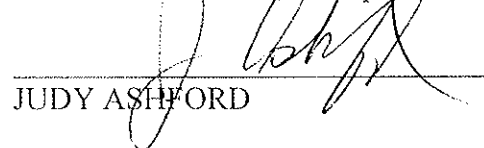
  
\_\_\_\_\_  
DEAN STEINHORST

  
\_\_\_\_\_  
TERRY TURNQUIST

  
\_\_\_\_\_  
MARCUS WENZEL

**PLANNING, ZONING AND LAND RECORDS COMMITTEE**

  
\_\_\_\_\_  
ROBERT CASSITY, Chairperson

  
\_\_\_\_\_  
JUDY ASHFORD

\_\_\_\_\_  
JOEL GAALSWYK

\_\_\_\_\_  
GERALD LEHMAN

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

Fiscal Note: Said purchase utilizes the Baraboo Range Protection Fund #27999691-582700.

KRB

# BRPP

## APPRAISAL SUMMARY

BRPP Application No.: BR2008-02  
BRPP Rep: Dave Tremble  
Phone: 608-355-3285 Ext. 3435

Landowner: Ken and Carla Cady  
Location of Property: Sections 5, 7 and 8, T 11. N - R. 7 E., town of Greenfield  
Size of Property: 80.76 ac.  
Size of Protected Property: 65 ac.  
Rights Appraised: Conservation Easement  
Appraiser: Paul Stone  
Review Appraiser: Rod Bush  
Appraisal Method: Market Data

Before Value	After Value	Easement Value
Land: \$520,900	\$355,400.00	\$165,500.00
Improvements: N.A.	N.A.	N.A.
Easement Value/acre \$2,546	Percentage of Fee Value: 32%	

Access to Property: Driveway at E12304 Neuman Road, Baraboo, WI 53913

Building Rights Before: 3 (on entire 80.76 ac. property).

Building Rights After: 0 (on Protected Property inside BRNNL- see explanation below)

Highest and Best Use Before: Rural residential

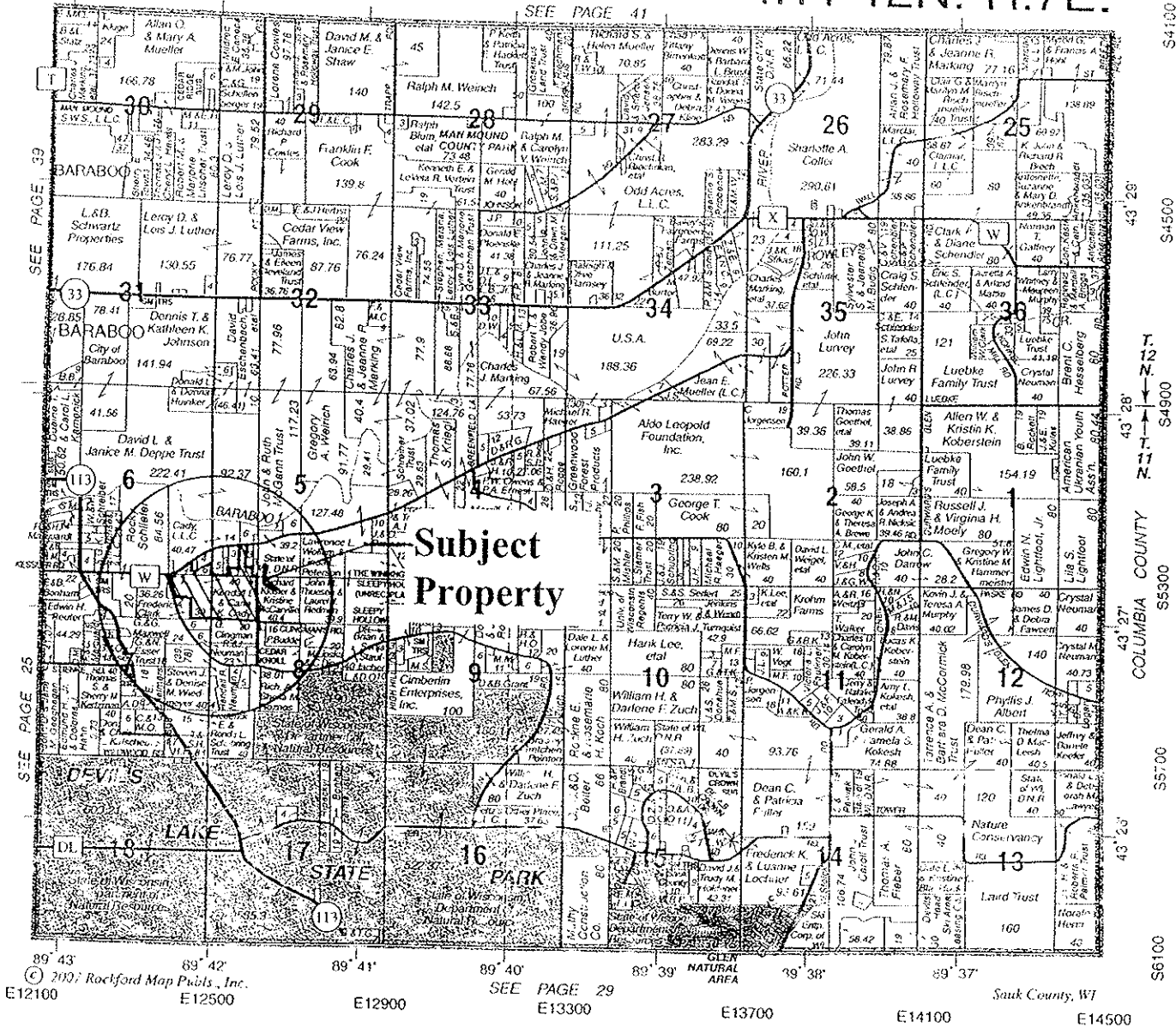
Highest and Best Use After: Existing residential outside BRNNL; forestry, agriculture, wildlife habitat and low-impact outdoor recreation on Protected Property.

**Other Factors:** The Baraboo Range National Natural Landmark (BRNNL) boundary crosses the Cady property. Existing land uses outside the BRNNL are not affected by the conservation easement, but a calculation of building rights on the overall property cannot rely on acres under protection. Current zoning allows three splits on the overall 80.76 acres, including a farm consolidation split of the existing homestead. Once the easement is in place, the sixty-five acres under Protection cannot be included in net acreage calculations for future land divisions of the entire property. So of the 80.76 total acres, the 15.76 acres left unprotected cannot be subdivided, since a 15.76 acre lot is less than the required residential acreage required under the RC-35 zoning district.

# GREENFIELD

## T.11-12N.-R.7E.

SEE PAGE 41



SEE PAGE 39

SEE PAGE 25

### Subject Property

89° 43' E12100    89° 42' E12500    89° 41' E12900    89° 40' E13300    89° 39' E13700    89° 38' E14100    89° 37' E14500

© 2007 Rockford Map Publs., Inc.    SEE PAGE 29    Sank County, WI

## GAVIN BROS. AUCTIONEERS

### Real Estate • Auctioneers

296 Main Street - Box 267 • Reedsburg, Wisconsin 53959 • (608) 524-6416 • Fax: (608) 524-0292  
 112 Fifth Avenue, P.O. Box 183 • Baraboo, Wisconsin 53913 • (608) 356-9437  
[www.gavinbros.com](http://www.gavinbros.com)

## Senger Lumber Company

Retail Lumber Yard  
 We Want Your Business  
 We Manufacture Trusses To Your Needs

PHONE: 356-6395

Highway 12 • E11004 • Terry Town Road  
 Baraboo Wisconsin 53913



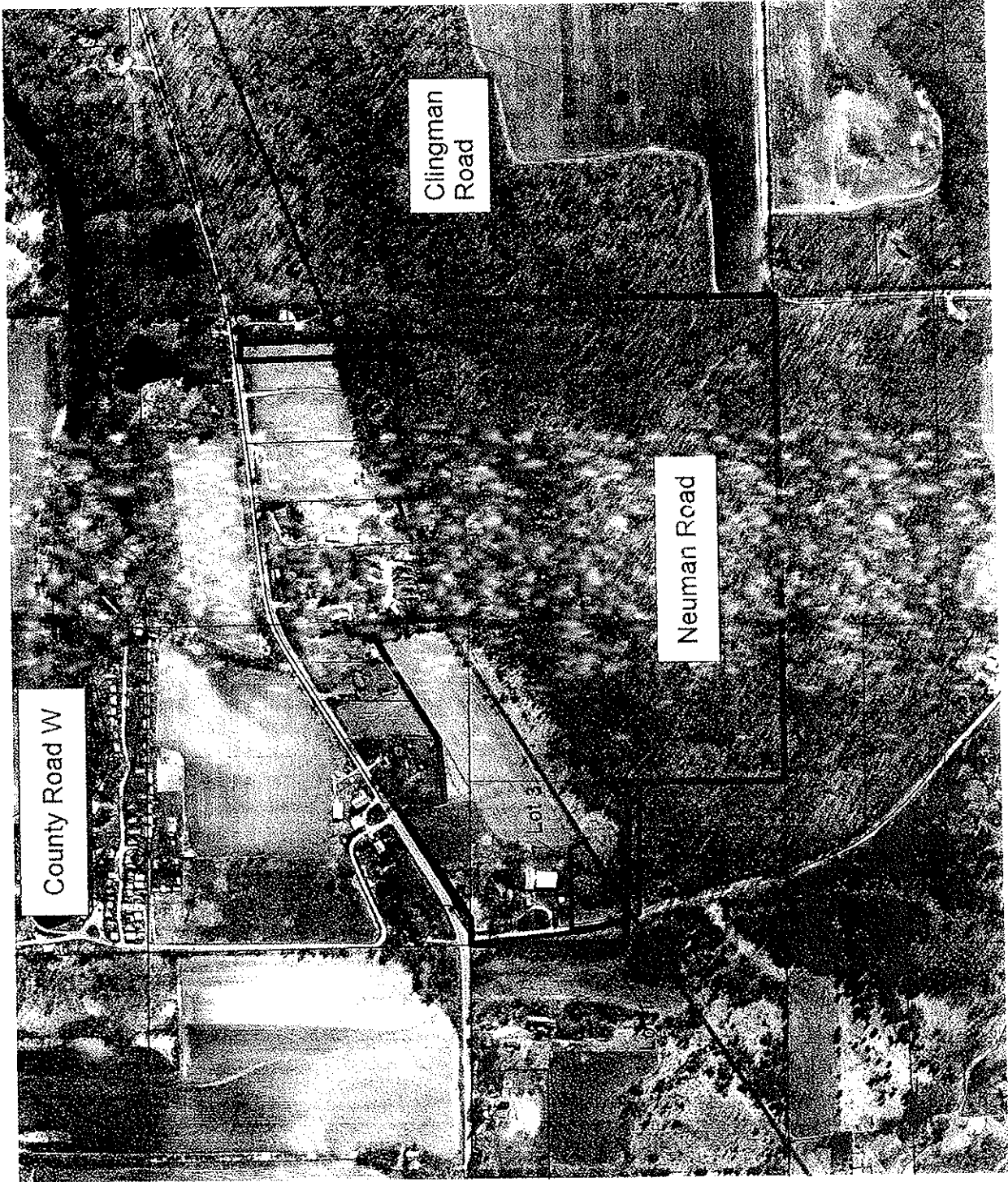
## ARLINGTON MUTUAL FIRE INSURANCE COMPANY

### FARM, HOME & AUTOMOBILE INSURANCE

Business Phone:

(608) 635-4754

203 Main Street — Arlington, Wisconsin 53911



Ken and Carla Cady  
 T.11 N. - R.7 E.  
 Sections 5, 7 and 8  
 Town of Greenfield  
 Sauk County Wisconsin

Cady Property  
 Boundary

Brnlscc.shp  
 Townparcels.shp



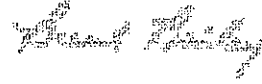
Baraboo Range Protection Program  
 Sauk County Dept. of Planning and Zoning  
 Baraboo, WI

000527

DOC# 980022

**BARABOO RANGE PROTECTION PROGRAM**  
**OPTION FOR THE PURCHASE**  
**OF DEVELOPMENT RIGHTS**

Recorded  
FEB. 25, 2009 AT 11:10AM



IN CONSIDERATION of the sum of One Dollar (\$1.00) and other good and valuable consideration, and the mutual terms and conditions hereinafter contained, the receipt and adequacy of which is hereby acknowledged, Kendall L. Cady and Carla K. Cady (the Sellers) hereby grant to SAUK COUNTY, a political subdivision of the State of Wisconsin, and its successors and assigns, the exclusive right and option to purchase the development rights in the form of a Conservation Easement to lands located in Sauk County, Wisconsin, and more particularly described on Exhibit "A" attached to this Option ("the Property") under the following terms and conditions:

REGISTRAR'S OFFICE  
SAUK COUNTY WI  
RECEIVED FOR RECORD  
Fee Amount: \$31.00

*B. Charge*

Recording Area  
Name and Return Address:  
Dave Tremble  
Sauk Co. Planning & Zoning  
505 Broadway  
Baraboo, WI 53913

018 192-0000; 018 190-0000;  
018 257-0000; 018 0129-3000  
Parcel Identification Number

1. Option Period. This Option shall remain in effect for a period of six (6) months after the date of this Agreement. Exercise of this Option shall be considered timely if written notice is mailed on or before the expiration date.
2. Purchase Price. The total purchase price for the Conservation Easement shall be in the amount of One hundred sixty-five thousand five hundred (\$165,500.00) and 0/100 Dollars. Said amount shall be paid to the Seller at closing.
3. Closing. The closing of this Option shall be within thirty (30) days from the exercise of this Option.
4. Evidence of Title. Upon exercise of this Option, Sauk County will obtain a preliminary title insurance commitment on the Property. The commitment shall evidence the Seller's merchantable title in a form acceptable to Sauk County. The cost of the title insurance commitment and the final policy to be issued at Closing shall be paid by Seller at Closing.

5. Purpose of Conservation Easement. After the exercise and Closing of this Option, Seller shall confine use of the real estate described herein to activities consistent with the requirements of a Conservation Easement Exhibit "B" attached hereto and made a part hereof, and in recognition of the following checked natural features of the land:

- ( x ) Significant natural habitat in which fish, wildlife, plants or a similar ecosystem thrive in a natural state.
- ( x ) Habitat for rare, threatened or endangered species of animals, fish or plants.
- ( x ) Natural areas which represent high quality examples of terrestrial or aquatic communities.
- ( x ) A natural area which contributes to the ecological viability of a local or state park, nature preserve, wildlife refuge, wilderness area or other similar conservation area.
- ( x ) A scenic landscape and natural character which would be impaired by a modification of the Property.
- ( x ) A scenic panorama visible to the public from publicly accessible sites which would be adversely affected by modifications of the natural habitat.
- ( x ) Sustainable habitat for biodiverse vegetation, birds, fish and terrestrial animals.
- ( x ) Proximity to conserved properties which similarly preserve the existing habitat.

6. Documents for Closing. The Seller and Sauk County shall execute a Conservation Easement in the form set forth in Exhibit "B".

7. Right of Entry and Inspection. Sauk County and its agents shall have the right to enter upon the Property at reasonable times for surveying, appraising, conducting an environmental inspection and assessment, and other reasonable purposes related to this transaction

8. Remedies. In addition to any other remedy specifically set forth in this Option, Sauk County has the right to enforce the provisions of this Option through an action for specific performance, injunctive relief, damages, contribution or any other available proceedings in law or equity. The election of any one remedy available under this Option shall not constitute a waiver of other available remedies.

9. Binding Effect. This Option becomes effective when last signed by all of the Sellers and shall then apply to and bind each of the Sellers and their heirs, personal representatives, successors and assigns.





Sauk County Baraboo Range Protection Program  
 Option to Purchase Development Rights  
 Exhibit A  
**Property Description**

Description of Property belonging to Kendall L. Cady and Carla K. Cady, Town of Greenfield, Sauk County, Wisconsin.

**Entire Ownership:**

Tax parcel No. 018 0129-3000

A parcel of land located in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section Five (5), T. 11N. - R.7E., Township of Greenfield, Sauk County, Wisconsin bounded by a line described as follows:

Commencing at a found standard Harrison monument at the Southwest corner of said Section Five (5); thence N88° 43' 56" E 502.37 feet along the South line of said SW1/4 SW1/4 said Section Five (5), to the point of beginning. Said point of beginning also being the Southeast corner of a parcel of land described in Reel 452 Image 476, Sauk County Registry.

Thence N01° 00' 15" W 260.00 feet along the East line of said parcel described in Reel 452 Image 476; thence N88° 43' 56" E 590.60 feet parallel with the South line of the SW1/4 SW1/4 Section Five (5), thence N01° 00' 15" W 668.92 feet parallel with the East line of lands described in said Reel 452 Image 476 to a point on the Centerline of C.T.H. "W"; thence N83° 28' 15" E 74.01 feet along the centerline of C.T.H. "W"; thence S01° 07' 03" E 935.70 feet to a point on the South line of said SW1/4 SW1/4 Section Five (5); thence S88° 43' 56" W 666.12 feet along the South line of SW1/4 SW1/4 said Section Five (5) to the point of beginning. Subject to C.T.H. "W" right of way.

EXCEPT THEREFROM that part of Lot 1 Certified Survey Map No. 5284 in said description.

Tax parcel No. 018 0189-0000

That part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Six (6), T.11N.-R7E., Lying South of C.T.H. W Excepting therefrom Certified Survey Maps No. 2854 and No. 2934.

Tax parcel # 018 0190-0000

The East Half of the Northeast Quarter of the Northeast Quarter (E1/2 NE1/4 NE1/4) of Section Seven (7), T11N.- R7E.

Tax parcel #018 0192-0000

The Northwest Quarter of the Northeast Quarter of the Northeast Quarter (NW1/4 NE1/4 NE1/4) of Section Seven (7), T11N.-R.7 E.

12/11/2013 10:23

Sauk County Baraboo Range Protection Program  
Option to Purchase Development Rights  
Exhibit A  
Property Description

Description of Property belonging to Kendall L. Cady and Carla K. Cady, Town of Greenfield, Sauk County, Wisconsin (continued).

Tax parcel 018 0257-0000

The Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4) of Section Eight (8), T11 N.-R.7 E.

**Property Proposed for the Imposition of the Conservation Easement:**

Those portions of the following parcels lying within the Baraboo Range National Natural Landmark boundary, to be described by a Plat of Survey to be recorded with the Sauk County Register of Deeds prior to the recording of a conservation easement on these described parcels.

Tax parcel No. 018 0129-3000

A parcel of land located in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section Five (5), T. 11N. - R.7E., Township of Greenfield, Sauk County, Wisconsin bounded by a line described as follows:

Commencing at a found standard Harrison monument at the Southwest corner of said Section Five (5); thence N88° 43' 56" E 502.37 feet along the South line of said SW1/4 SW1/4 said Section Five (5), to the point of beginning. Said point of beginning also being the Southeast corner of a parcel of land described in Reel 452 Image 476, Sauk County Registry.

Thence N01° 00' 15" W 260.00 feet along the East line of said parcel described in Reel 452 Image 476; thence N88° 43' 56" E 590.60 feet parallel with the South line of the SW1/4 SW1/4 Section Five (5), thence N01° 00' 15" W 668.92 feet parallel with the East line of lands described in said Reel 452 Image 476 to a point on the Centerline of C.T.H. "W"; thence N83° 28' 15" E 74.01 feet along the centerline of C.T.H. "W"; thence S01° 07' 03" E 935.70 feet to a point on the South line of said SW1/4 SW1/4 Section Five (5); thence S88° 43' 56" W 666.12 feet along the South line of SW1/4 SW1/4 said Section Five (5) to the point of beginning. Subject to C.T.H. "W" right of way.

EXCEPT THEREFROM that part of Lot 1 Certified Survey Map No. 5284 in said description.

Tax parcel No. 018 0189-0000

That part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Six (6), T.11N.-R7E., Lying South of C.T.H. W Excepting therefrom Certified Survey Maps No. 2854 and No. 2934.

Sauk County Baraboo Range Protection Program  
Option to Purchase Development Rights  
Exhibit A  
**Property Description**

Description of Property belonging to Kendall L. Cady and Carla K. Cady, Town of Greenfield, Sauk County, Wisconsin (continued).

Tax parcel # 018 0190-0000

The East Half of the Northeast Quarter of the Northeast Quarter (E1/2 NE1/4 NE1/4) of Section Seven (7), T11N.- R7E.

Tax parcel #018 0192-0000

The Northwest Quarter of the Northeast Quarter of the Northeast Quarter (NW1/4 NE1/4 NE1/4) of Section Seven (7), T11N.-R.7 E.).

Tax parcel 018 0257-0000

The Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4) of Section Eight (8), T11 N.-R.7 E.

RESOLUTION NO. 27 - 09

**APPROVING PURCHASE OF DEVELOPMENT RIGHTS AGREEMENT  
FOR THE DARRELL R. KLINGENMEYER, et al. PROPERTY  
PURSUANT TO THE SAUK COUNTY BARABOO RANGE PROTECTION PLAN**

**WHEREAS**, by Resolution No. 36-99, the Honorable Sauk County Board of Supervisors approved the Memorandum of Agreement between the United States Government, the State of Wisconsin, Dane County, Sauk County and sundry other entities regarding the improvements of U.S. Highway 12 and the long term protection of the Baraboo Range; and,

**WHEREAS**, by Resolution No. 74-99, the Honorable Sauk County Board of Supervisors approved the Implementation Agreement between the State of Wisconsin and Sauk County regarding the administration of the WisDOT Baraboo Range National Natural Landmark Protection Fund and the creation of the Sauk County Baraboo Range Protection Plan; and,

**WHEREAS**, by Resolution No. 119-99, the Honorable Sauk County Board of Supervisors approved the Sauk County Baraboo Range Protection Plan, with said plan calling for the creation of the Baraboo Range Commission to oversee the program and the protection fund; and,

**WHEREAS**, the Honorable Sauk County Board of Supervisors confirmed the appointment of the nine-member Baraboo Range Commission; and,

**WHEREAS**, the Baraboo Range Commission, at its December, 2008 meeting, approved a motion to offer fair market value, **\$124,000.00**, as determined by a professional appraisal, for the purchase of the development rights for said property, covering 80 acres at a cost of \$1,550/acre; and,

**WHEREAS**, the Baraboo Range Commission believes this offer to purchase agreement is in the best interest of Sauk County and implements the Baraboo Range Protection Plan.

**NOW, THEREFORE, BE IT RESOLVED**, by the Sauk County Board of Supervisors, met in regular session, that said purchase agreement attached hereto as an appendix is hereby Approved.

COPY

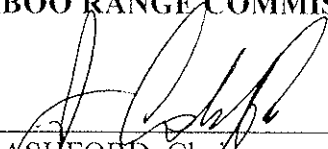
RESOLUTION NO. 27-09


Page 2

For consideration by the Sauk County Board of Supervisors on March 17, 2009.

Respectfully submitted,

**BARABOO RANGE COMMISSION**


  
\_\_\_\_\_  
JUDY ASHFORD, Chairperson

  
\_\_\_\_\_  
WILLIAM BEARD

  
\_\_\_\_\_  
FORREST HARTMANN

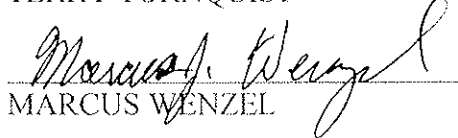
  
\_\_\_\_\_  
GARY KOWALKE

  
\_\_\_\_\_  
ROMAN STUTZ

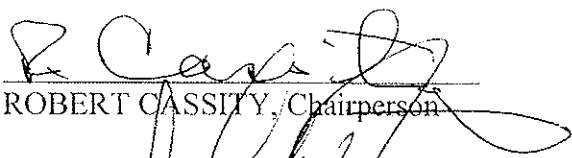
  
\_\_\_\_\_  
RON PERSCHE

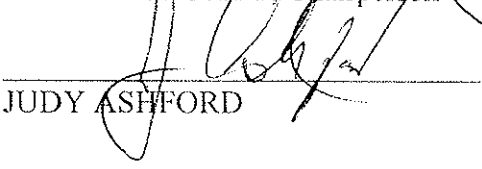
  
\_\_\_\_\_  
DEAN STEINHORST

  
\_\_\_\_\_  
TERRY TURNQUIST

  
\_\_\_\_\_  
MARCUS WENZEL

**PLANNING, ZONING AND LAND RECORDS COMMITTEE**

  
\_\_\_\_\_  
ROBERT CASSITY, Chairperson

  
\_\_\_\_\_  
JUDY ASHFORD

\_\_\_\_\_  
JOEL GAALSWYK

\_\_\_\_\_  
GERALD LEHMAN

  
\_\_\_\_\_  
HENRY METZINGER

Fiscal Note: Said purchase utilizes the Baraboo Range Protection Fund #27999691-582700.

KPB

# BRPP

## APPRAISAL SUMMARY

BRPP Application No.: BR2008-04

BRPP Rep: Dave Tremble

Phone: 608-355-3285 Ext. 3435

**Landowner:** Darrell Klingenmeyer, et al.

**Location of Property:** Section 22, T 1 N. - R. 5 E. Town of Freedom

**Size of Property:** 223 ac.

**Size of Protected Property:** 80 ac.

**Rights Appraised:** Conservation Easement

**Appraiser:** Paul Stone

**Review Appraiser:** Rod Bush

**Appraisal Method:** Market Data

Before Value	After Value	Easement Value
Land \$308,000	\$184,000.00	\$124,000.00
Improvements:		
<b>Easement Value/acre:</b> \$1,550	<b>Percentage of Fee Value:</b> 40%	

**Access to Property:** Field road off Granite Drive.

**Building Rights Before:** 3 /five years. **Building Rights After:** 0

**Highest and Best Use Before:** Rural residential

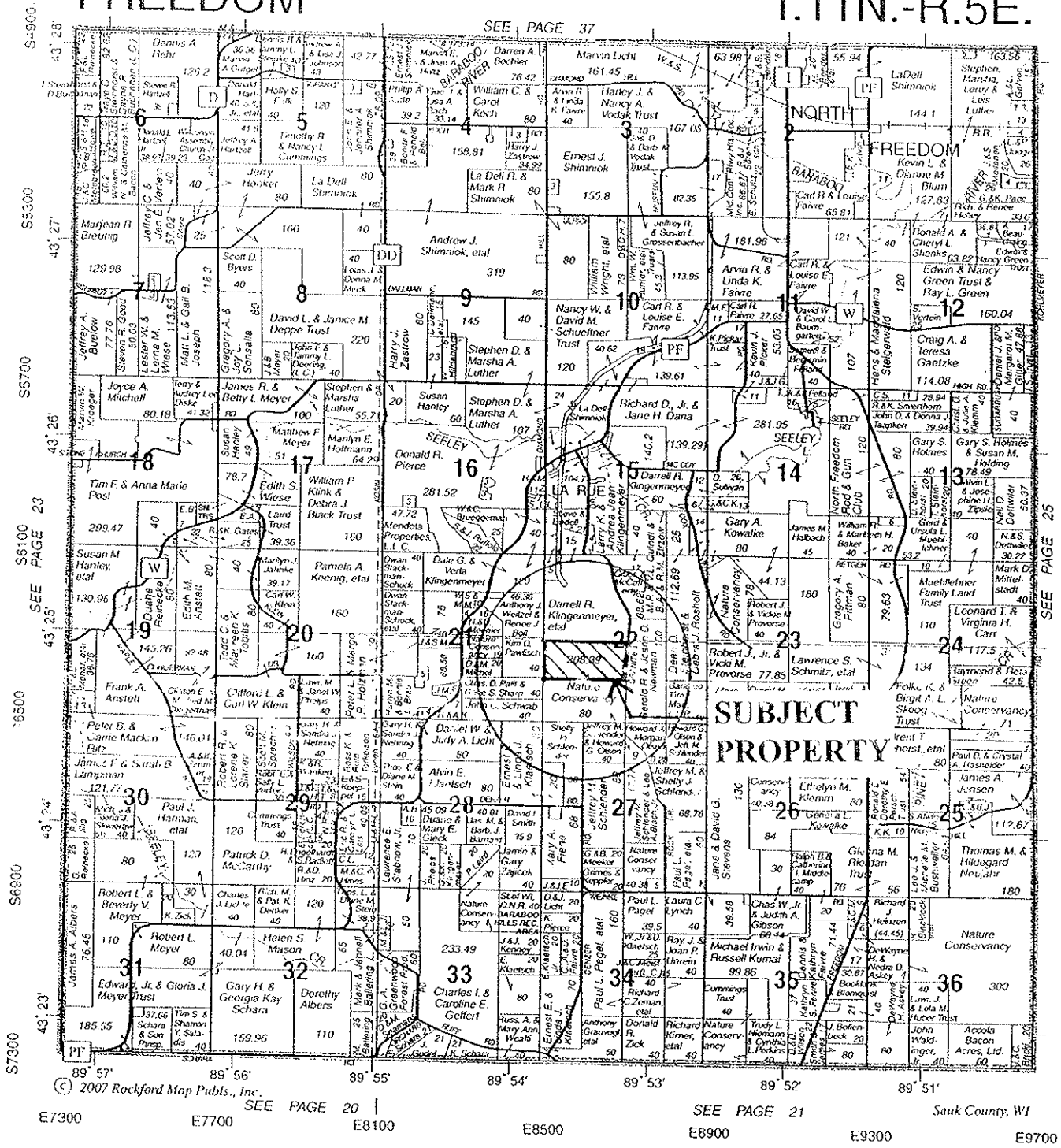
**Highest and Best Use After:** Forestry, wildlife habitat and low-impact outdoor recreation.

**Other Factors:** Current General Agricultural zoning allows small lot splits, and county subdivision regs allow up to three lot divisions / five years without a subdivision plat. But the remote property is not a likely subdivision development site.

# FREEDOM

# T.11N.-R.5E.

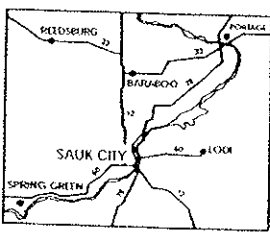
SEE PAGE 37



SEE PAGE 25

**SUBJECT PROPERTY**

© 2007 Rockford Map Pubs., Inc. SEE PAGE 20 | SEE PAGE 21 | Sauk County, WI  
 E7300 E7700 E8100 E8500 E8900 E9300 E9700



# McFARLANES


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 Saturday 7:00 a.m. - 4:00 p.m.

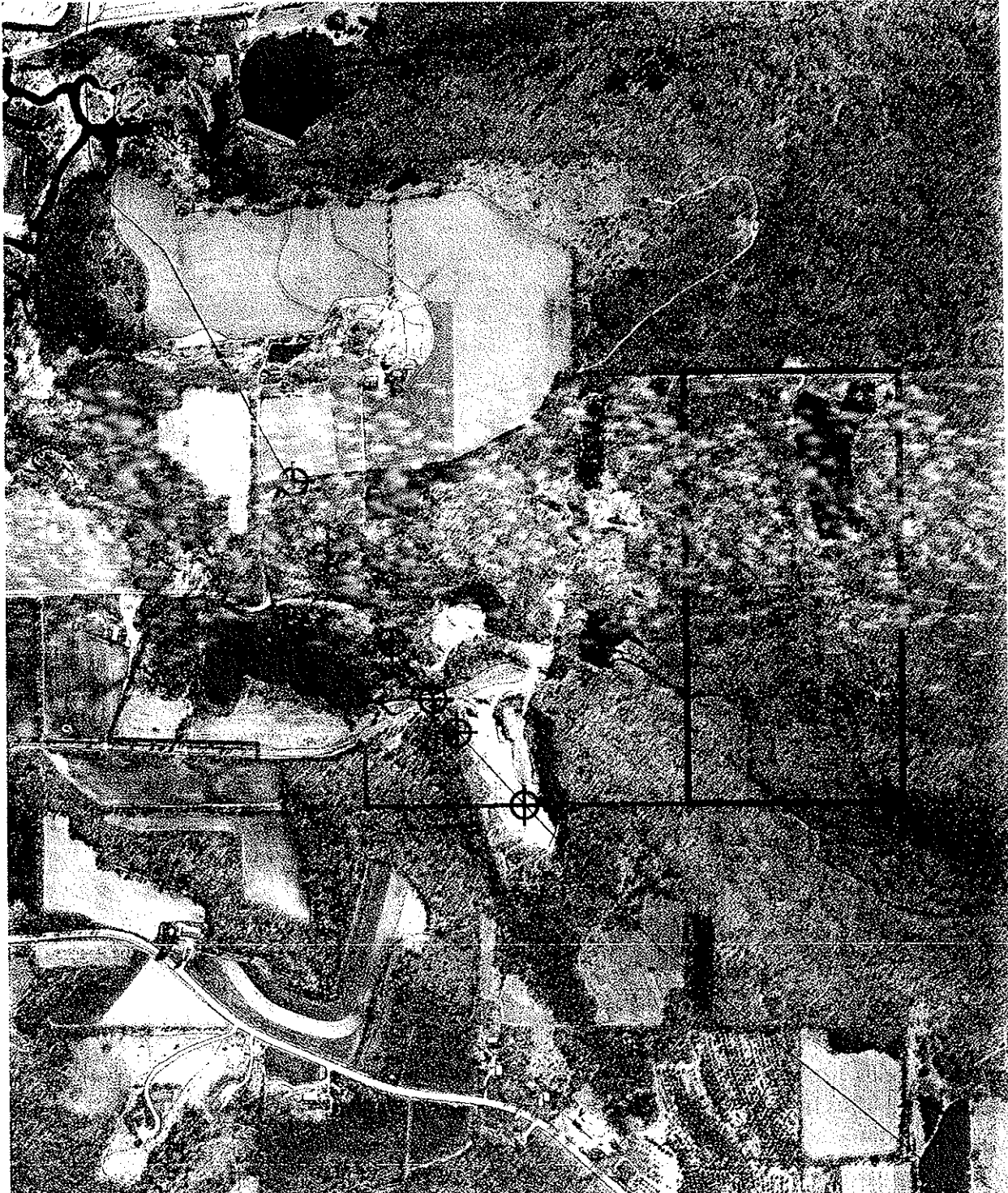
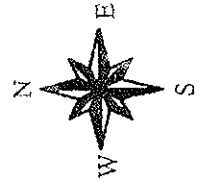
Phone: (608) 643-3321  
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- ★ Animal Health & Horse Supplies
- ★ Lawn & Garden Equipment
- ★ Manufacturing - Structural Steel Fabricating
- ★ Just/Ask Rental

Darrell Klingenmeyer, et al.  
Section 22  
T. 11 N - R 5 E.  
Town of Freedom  
Sauk County, Wisconsin

Protected Property  


Klingenmeyer Parcel  



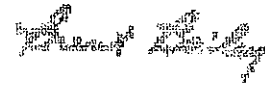
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DOC# 980023

Document Number

**BARABOO RANGE PROTECTION PROGRAM  
OPTION FOR THE PURCHASE  
OF DEVELOPMENT RIGHTS**

Recorded  
Feb. 25, 2009 AT 11:10AM



REGISTRAR'S OFFICE  
SAUK COUNTY WI  
RECEIVED FOR RECORD  
Fee Amount: \$27.00

IN CONSIDERATION of the sum of One Dollar (\$1.00) and other good and valuable consideration, and the mutual terms and conditions hereinafter contained, the receipt and adequacy of which is hereby acknowledged, Darrell R. Klingenmeyer, Mary Klingenmeyer, Dale Klingenmeyer, Larry Klingenmeyer, Dennis Klingenmeyer, and Gary Klingenmeyer (the Sellers) hereby grant to SAUK COUNTY, a political subdivision of the State of Wisconsin, and its successors and assigns, the exclusive right and option to purchase the development rights in the form of a Conservation Easement to lands located in Sauk County, Wisconsin, and more particularly described on Exhibit "A" attached to this Option ("the Property") under the following terms and conditions:

*27 change*

Recording Area

Name and Return Address:

Dave Tremble  
Sauk Co. Planning & Zoning  
505 Broadway  
Baraboo, WI 53913

016-0467-0000; 016-0468-0000  
Parcel Identification Number

1. Option Period. This Option shall remain in effect for a period of six (6) months after the date of this Agreement. Exercise of this Option shall be considered timely if written notice is mailed on or before the expiration date.
2. Purchase Price. The total purchase price for the Conservation Easement shall be in the amount of **One hundred twenty-four thousand (\$124,000.00)** Dollars. Said amount shall be paid to the Seller at closing.
3. Closing. The closing of this Option shall be within thirty (30) days from the exercise of this Option.
4. Evidence of Title. Upon exercise of this Option, Sauk County will obtain a preliminary title insurance commitment on the Property. The commitment shall evidence the Seller's merchantable title in a form acceptable to Sauk County. The cost of the title insurance commitment and the final policy to be issued at Closing shall be paid by Seller at Closing.

Document Number

5. Purpose of Conservation Easement. After the exercise and Closing of this Option, Seller shall confine use of the real estate described herein to activities consistent with the requirements of a Conservation Easement Exhibit "B" attached hereto and made a part hereof, and in recognition of the following checked natural features of the land:

- Significant natural habitat in which fish, wildlife, plants or a similar ecosystem thrive in a natural state.
- Habitat for rare, threatened or endangered species of animals, fish or plants.
- Natural areas which represent high quality examples of terrestrial or aquatic communities.
- A natural area which contributes to the ecological viability of a local or state park, nature preserve,

wildlife refuge, wilderness area or other similar conservation area.

- A scenic landscape and natural character which would be impaired by a modification of the Property.
- A scenic panorama visible to the public from publicly accessible sites which would be adversely affected

by modifications of the natural habitat.

- Sustainable habitat for biodiverse vegetation, birds, fish and terrestrial animals.
- Proximity to conserved properties which similarly preserve the existing habitat.

6. Documents for Closing. The Seller and Sauk County shall execute a Conservation Easement in the form set forth in Exhibit "B".

7. Right of Entry and Inspection. Sauk County and its agents shall have the right to enter upon the Property at reasonable times for surveying, appraising, conducting an environmental inspection and assessment, and other reasonable purposes related to this transaction.

8. Remedies. In addition to any other remedy specifically set forth in this Option, Sauk County has the right to enforce the provisions of this Option through an action for specific performance, injunctive relief, damages, contribution or any other available proceedings in law or equity. The election of any one remedy available under this Option shall not constitute a waiver of other available remedies.

9. Binding Effect. This Option becomes effective when last signed by all of the Sellers and shall then apply to and bind each of the Sellers and their heirs, personal representatives, successors and assigns.



Sauk County Baraboo Range Protection Program  
Option to Purchase Development Rights  
Exhibit A  
**Property Description**

Description of Property belonging to Darrell R. Klingenmeyer, et al., Town of Freedom, Sauk County, Wisconsin.

**Entire Ownership:**

Town 11 North, Range 5 East, Sauk County, Wisconsin:

Section 22: The Northeast Quarter of the Southwest Quarter (NESW), and the Northwest Quarter of the Southwest Quarter (NWSW).

**Property Proposed for the Imposition of the Conservation Easement:**

The entire property.

### Sauk County Baraboo Range Protection Program CONSERVATION EASEMENT

**THIS EASEMENT** is entered into between \_\_\_\_\_, Grantor, and Sauk County, a political subdivision of the State of Wisconsin, Grantee, and the State of Wisconsin, non-signatory, additional Grantee.

**WHEREAS**, the Grantor is the owner of fee simple title of certain real estate, and the Grantee desires to obtain a conservation easement on said real estate for the purposes delineated below;

**NOW, THEREFORE**, for and in consideration of the sum of one dollar and other good and valuable consideration, and the mutual terms and conditions hereinafter contained, Grantor conveys to Grantee, its successors and assigns, a conservation easement on the following described real estate, situated in the County of Sauk, State of Wisconsin, to wit:

[LEGAL DESCRIPTION]

Recording Area

Name and Return Address:

This [is] [is not] homestead property.

Parcel Identification Number

**CONVEYANCE:** The Grantor conveys and warrants to the Grantee a perpetual Conservation Easement over the Property. The scope of this Conservation Easement is set forth in this agreement.

**CONSERVATION VALUES:** The Property possesses, among other things, natural, scenic, open space, scientific, biological and/or ecological values of prominent importance to the Grantor, the Grantee and the public. These values are referred to as the "Conservation Values" in this Conservation Easement.

**PURPOSE OF THIS CONSERVATION EASEMENT:**

A. The Grantor is fee simple title owner of the Property, and is committed to preserving the Conservation Values of the Property. This Conservation Easement assures that the Property will be perpetually preserved in its predominantly natural, scenic, historic, agricultural, forested, and/or open space condition. Specifically, this Conservation Easement will serve to protect the wetlands, woodlands and/or open spaces identified in the Baseline Documentation Report. Any use of the Property which may impair or interfere with the Conservation Values, unless expressly permitted in this Conservation Easement, is expressly prohibited. The Grantor agrees to confine use of the Property to activities consistent with the purposes of this easement and preservation of the Conservation Values.

B. Specific Conservation Values of the Property have been documented in a natural resource inventory signed by the Grantor and the Grantee. This "Baseline Documentation Report" consists of maps, a depiction of all existing man-made modifications, prominent vegetation, identification of flora and fauna, land use history, distinct natural features and/or photographs. The parties acknowledge that this Baseline Documentation is an accurate representation of the Property at the time of this transaction.

**THE PARTIES AGREE TO THE FOLLOWING TERMS OF THIS CONSERVATION EASEMENT:**

I. **PROHIBITED ACTIONS.** Any activity on or use of the Property inconsistent with the purposes of this Conservation Easement or detrimental to the Conservation Values is expressly prohibited. By way of example, the following activities and uses are explicitly prohibited:

a. **Commercial Activities.** Commercial or industrial activity is prohibited, including use by easement or other right of access or passage across or upon the property in conjunction with commercial activity, except that the property may be used for: 1) Forestry purposes approved by the Grantee conducted pursuant to a timber management plan approved by the Grantee; 2) Non-forested portions of the property may be used for agricultural purposes, provided that agricultural management is conducted pursuant to a soil and water conservation plan (farm plan) approved by the Sauk County Land Conservation Committee; and, 3) the sale of agricultural and forest products grown on the property so long as the products are produced pursuant to plan approved by the Grantee.

b. **Construction.** The construction and placement of any man-made modification such as buildings, structures requiring a county land use permit, roads and parking lots in the eased area is prohibited, except as expressly permitted in this Conservation Easement.

c. **Cutting Vegetation.** The Grantor shall not conduct timber harvesting unless is conducted in accordance with a timber management program approved by the Grantee. Prior to removing, destroying, cutting or trimming any trees, or the application of any pesticides within forested portions of the property, the Grantor shall have obtained the permission of the Grantee either expressly or through the approved timber management program. Downed and dead standing timber may be removed for firewood.

d. **Land Surface Alteration.** Any topographic changes, extraction of subsurface materials, mining, construction or widening of roads or driveways, construction of any trails wider than six feet, or alteration of the natural landscape or waters of the property by excavation, filling, drainage, tilling, ditching, or any other means is prohibited. Certain alterations may occur if expressly authorized in an approved timber management program or soil and water conservation plan approved by the Grantee.

e. **Dumping.** Dumping or placement upon the property of ashes, trash, garbage, sewage, sawdust, trees, brush, manure (except pursuant to an approved farm plan), discarded or salvageable materials including junk cars or any solid waste material defined in Wis. Stats. § 144.01(15) or any unsightly, offensive or hazardous materials is prohibited.

f. **Water Courses and Wetlands.** Natural water courses, lake shores, wetlands, streams, springs, lakes, ponds, marshes, sloughs, swales, swamps, or potholes now existing or hereinafter occurring shall not be drained or otherwise altered including draining, tiling, ditching, filling in with earth or other material, or burning any areas covered by marsh vegetation except where approved by a soil and water conservation plan approved by the Grantee. The natural flow of surface or underground waters shall not be disturbed except a minor alteration approved by a soil and water conservation plan approved by the Grantee. Existing tiles draining lands outside the property may be maintained or replaced by the Grantor.

g. **Signs and Billboards.** Advertising Signs and Billboards are prohibited except for one sign not larger than four feet square advertising the sale or lease of the property. The following signs are permitted provided they do not exceed signs customarily used in the area for the intended purpose:

- the name and address of the Property.
- the owner's name.
- the area protected by this Conservation Easement.
- prohibition of any unauthorized entry or use.
- an advertisement for the sale or rent of the Property.

h. **Grazing in Forested Lands.** Grantor shall not allow horses, cattle, or other livestock access to forested lands, erodible slopes, streams, rivers or wetlands for any purpose except that occasional, noncommercial, recreational horseback rides within forested areas are permitted.

i. **Vehicle use.** Vehicle use on the property may be limited by the Grantee, in the Grantee's sole discretion.

j. **Division.** Any division or subdivision of the Property is prohibited without the advance written approval of the Grantees.

2. **RIGHTS OF THE GRANTEE.** The Grantor confers the following rights upon the Grantee to perpetually maintain the Conservation Values of the Property:

a. **Right to Enter.** The Grantee has the right to enter the Property at reasonable times to monitor or to enforce compliance with this Conservation Easement. The Grantee may not, however, unreasonably interfere with the Grantor's use and quiet

Document Number

enjoyment of the Property. The Grantee has no right to permit others to enter the Property. The general public is not granted access to the Property under this Conservation Easement.

b. Right to Preserve. The Grantee has the right to prevent any activity on or use of the Property that is inconsistent with the terms or purposes of this Conservation Easement.

c. Right to Require Restoration. The Grantee has the right to require restoration of the areas or features of the Property which are damaged by activity inconsistent with this Conservation Easement.

d. Signs. The Grantee has the right to place signs on the Property which identify the land as being protected by this Conservation Easement.

3. PERMITTED USES. The Grantor retains all ownership rights which are not expressly restricted by this Conservation Easement. In particular, the following rights are reserved:

a. Right to Convey. The Grantor retains the right to sell, mortgage, bequeath or donate the Property. Any conveyance will remain subject to the terms and conditions of this Conservation Easement and the subsequent interest holder will be bound by terms and conditions of this Conservation Easement.

b. Right to Maintain and Replace Existing Structures. The Grantor retains the right to maintain, renovate and replace the existing structure(s) as noted in the Baseline Documentation Report in substantially the same location and the same or smaller size. Any renovation or replacement may not substantially alter the character or function of the structure.

c. Maintenance and Agricultural Use. The Grantor may, where consistent with the soil and water conservation plan (farm plan) specified in 1(a)2) above, cut lawns, cut weeds, engage in agricultural cropping practices, and manage native prairies on any portions of the property that are not forested. Grantor may pasture or graze animals outside forested areas if expressly approved in writing by the Grantee and where consistent with the soil and water conservation plan (farm plan) specified in 1(b)2)

d. Hunting. Nothing contained herein shall be construed as limiting the right of the Grantor to use the property for personal hunting and fishing in accordance with applicable laws and regulations.

e. Other Uses. The Grantor may use the property insofar as such use is consistent with the rights, privileges, restrictions and covenants contained herein.

f. Right to Engage in Ecological Restoration. The Grantor has the right to engage in activities that restore the biological and ecological integrity of the Property as part of a restoration plan approved by the Grantee. Possible activities include planting native vegetation and use of controlled fire to reduce the presence of undesirable vegetation.

4. GRANTEE'S REMEDIES. This section addresses cumulative remedies of the Grantee or other eligible participant and limitations on these remedies. Any and all remedies available to the Grantee are also available to any eligible participant identified in the Memorandum of Agreement Concerning U.S. Highway 12 and the Baraboo Range Protection Plan. The Grantee and any eligible participant may enforce this easement jointly or severally on their own behalf and in their own name.

a. Delay in Enforcement. A delay in enforcement shall not be construed as a waiver of the Grantee's right to enforce the terms of this Conservation Easement.

b. Notice and Demand. If the Grantee determines that the Grantor is in violation of this Conservation Easement, or that a violation is threatened, the Grantee may provide written notice to the Grantor unless the violation constitutes immediate and irreparable harm. The written notice will identify the violation and request corrective action to cure the violation or to restore the Property.

c. Failure to Act. If the Grantor continues violating this Conservation Easement, or if the Grantor does not abate the violation and implement corrective measures requested by the Grantee, the Grantee may bring an action in law or in equity to enforce the terms of the Conservation Easement. The Grantee is also entitled to enjoin the violation through injunctive relief, seek specific performance, declaratory relief, restitution, reimbursement of expenses or an order compelling restoration of the Property. If the court determines that the Grantor has failed to comply with this Conservation Easement, then the Grantor also agrees to reimburse all reasonable costs and attorney fees incurred by the Grantee compelling such compliance.

d. Grantor's Absence. If the Grantee determines that this Conservation Easement is, or is expected to be, violated, the Grantee will make good-faith efforts to notify the Grantor. If, through reasonable efforts, the Grantor cannot be notified, and

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if the Grantee determines that circumstances justify prompt action to mitigate or prevent impairment of the Conservation Values, then the Grantee may pursue its lawful remedies without prior notice and without awaiting the Grantor's opportunity to cure. The Grantor agrees to reimburse all costs associated with this effort.

e. Actual or Threatened Noncompliance. Grantor acknowledges that actual or threatened events of noncompliance under this Conservation Easement constitute immediate and irreparable harm. The Grantee is entitled to invoke the equitable jurisdiction of the court to enforce this Conservation Easement.

f. Cumulative Remedies. The preceding remedies of the Grantee are cumulative. Any, or all, of the remedies may be invoked by the Grantee if there is an actual or threatened violation of this Conservation Easement.

5. OWNERSHIP COSTS AND LIABILITIES. In accepting this Conservation Easement, the Grantee shall have no liability or other obligation for costs, liabilities, taxes or insurance of any kind related to the Property. The Grantee and its trustees, officers, employees, agents and members have no liability arising from injury or death to any person or from physical damage to any property on the Property or otherwise. The Grantor agrees to defend the Grantee against such claims and to indemnify the Grantee against all costs and liabilities relating to such claims during the tenure of the Grantor's ownership of the Property. The Grantor is responsible for posting the Property's boundaries and for discouraging any form of trespass that may occur.

6. TERMINATION. This Conservation Easement may be extinguished only by an unexpected change in condition which causes it to be impossible to fulfill the Conservation Easement's purposes, or by exercise of eminent domain. If subsequent circumstances render the purposes of this Conservation Easement impossible to fulfill, then this Conservation Easement may be partially or entirely terminated only by judicial proceedings. The Grantee will then be entitled to compensation in accordance with applicable laws and in proportion to the Grantee's interest in the property at the effective date of this Conservation Easement. If the Property is taken, in whole or in part, by power of eminent domain, then the Grantee will be entitled to compensation in accordance with applicable laws and in proportion to the Grantee's interest in the property at the effective date of this Conservation Easement.

7. LIBERAL CONSTRUCTION. This Conservation Easement shall be liberally construed in favor of maintaining the Conservation Values of the Property.

8. NOTICES. For purposes of this agreement, notices may be provided to either party, by personal delivery or by mailing a written notice. Notice to Grantor shall be sufficient if sent to the name and address shown on the current real estate tax records. Notice to Grantee shall be addressed to the Sauk County Clerk. Service will be complete upon depositing the properly addressed notice with the U.S. Postal Service with sufficient postage.

9. SEVERABILITY. If any portion of this Conservation Easement is determined to be invalid, the remaining provisions will remain in force.

10. SUCCESSORS. This Conservation Easement is binding upon, and inures to the benefit of, the Grantor's and the Grantee's successors in interest. All subsequent owners of the property are bound to all provisions of this Conservation Easement to the same extent as the current property owner.

11. TERMINATION OF RIGHTS AND OBLIGATIONS. A party's future rights and obligations under this Conservation Easement terminate upon transfer of that party's interest in the Property. Liability for acts or omissions occurring prior to transfer will survive the transfer.

12. WISCONSIN LAW. This Conservation Easement will be construed in accordance with Wisconsin Law.

13. ENTIRE AGREEMENT. This Conservation Easement, together with the Baseline Documentation Report, sets forth the entire agreement of the parties and supersedes all prior discussions and understandings.

14. STATE OF WISCONSIN AS ADDITIONAL GRANTEE. The State of Wisconsin is an additional Grantee under this Agreement, and has all the rights and privileges of the Grantee. Sauk County is expressly authorized to accept this Agreement on behalf of the State of Wisconsin, and the acceptance of this Agreement by the State of Wisconsin is evidenced by the signature of Sauk County's agent below.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_\_.





RESOLUTION NO. 28 - 09

APPROVING PURCHASE OF DEVELOPMENT RIGHTS AGREEMENT  
FOR THE RICHARD J. HEINZEN PROPERTY  
PURSUANT TO THE SAUK COUNTY BARABOO RANGE PROTECTION PLAN

**WHEREAS**, by Resolution No. 36-99, the Honorable Sauk County Board of Supervisors approved the Memorandum of Agreement between the United States Government, the State of Wisconsin, Dane County, Sauk County and sundry other entities regarding the improvements of U.S. Highway 12 and the long term protection of the Baraboo Range; and,

**WHEREAS**, by Resolution No. 74-99, the Honorable Sauk County Board of Supervisors approved the Implementation Agreement between the State of Wisconsin and Sauk County regarding the administration of the WisDOT Baraboo Range National Natural Landmark Protection Fund and the creation of the Sauk County Baraboo Range Protection Plan; and,

**WHEREAS**, by Resolution No. 119-99, the Honorable Sauk County Board of Supervisors approved the Sauk County Baraboo Range Protection Plan, with said plan calling for the creation of the Baraboo Range Commission to oversee the program and the protection fund; and,

**WHEREAS**, the Honorable Sauk County Board of Supervisors confirmed the appointment of the nine-member Baraboo Range Commission; and,

**WHEREAS**, the Baraboo Range Commission, at its December, 2008 meeting, approved a motion to offer fair market value, **\$58,900.00** as determined by a professional appraisal, for the purchase of the development rights for said property, covering 35.45 acres at a cost of \$1,662/acre; and,

**WHEREAS**, the Baraboo Range Commission believes this offer to purchase agreement is in the best interest of Sauk County and implements the Baraboo Range Protection Plan.

**NOW, THEREFORE, BE IT RESOLVED**, by the Sauk County Board of Supervisors, met in regular session, that said purchase agreement attached hereto as an appendix is hereby Approved.

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