

**SAUK COUNTY BOARD OF SUPERVISORS
MEETING NOTICE/AGENDA**

COMMITTEE: SAUK COUNTY BOARD OF SUPERVISORS
DATE: TUESDAY, MAY 21, 2019
TIME: 6:00 PM
PLACE: ROOM 326, WEST SQUARE BUILDING, 505 BROADWAY, BARABOO, WI

REGULAR MEETING: SAUK COUNTY BOARD OF SUPERVISORS

- 1) Call to Order and Certify Compliance with Open Meeting Law.
- 2) Roll Call.
- 3) Invocation and Pledge of Allegiance.
- 4) Adopt Agenda.
- 5) Adopt Minutes of Previous Meeting(s): April 16, 2019 Regular Board Meeting, April 29, 2019 Special Board Meeting, April 29, 2019 Closed Session Minutes, and April 30, 2019 Mid- Term Assessment.
- 6) General Consent Agenda Items.

EXECUTIVE & LEGISLATIVE COMMITTEE:

Resolution 44-2019 Recognizing May As National Drug Court Month. (Page 5)

HEALTH CARE CENTER BOARD OF TRUSTEES:

Resolution 45-2019 Commending Mary Huntamer For More Than 20 Years of Faithful Service To The People Of Sauk County. (Page 6)

HIGHWAY COMMITTEE:

Resolution 46-2019 Commending Thomas Gowey For More Than 32 Years of Faithful Service To The People Of Sauk County. (Page 7)

- 7) Scheduled Appearances.
 - a. Morgan Mc Arthur, Community Development Educator, UW-Madison Extension: 2019 Class – Sauk County Institute of Leadership (SCIL).
 - b. Bradley D. Viegut, Managing Director from Baird
- 8) Public Comment – 3 minute limit: Registration form located on the table in gallery of County Board Room 326 – turn in to the County Board Chair.
- 9) Communications.
 - a. 04/22/2019 email from Supervisor White Eagle, re: Resignation from Revolving Loan Fund Committee. (Pages 8-9)
- 10) Appointments.

BOARD OF HEALTH:

Ken Carlson- Re-Appointment, Citizen Member
3 – Year Term: 02/14/2019 - 02/15/2022

FINANCE COMMITTEE:

Tony DeGiovanni- Appointment, Board Supervisor, filling unexpired term of William Wenzel
Term Concurrent with Board of Supervisors: 04/16/2019-04/20/2020

LAND INFORMATION COUNCIL:

John Dietrich- Appointment, Board Supervisor
Term Concurrent with Board of Supervisors: 05/21/2019-04/20/2020

LAND RESOURCES & ENVIRONMENT COMMITTEE:

Chuck Whitsell- Appointment, Board Supervisor

Term Concurrent with Board of Supervisors: expiring 04/20/2020

LAW ENFORCEMENT & JUDICIARY COMMITTEE:

Tony DeGiovanni- Appointment, Board Supervisor, filling unexpired term of William Wenzel

Term Concurrent with Board of Supervisors: 04/16/2019-04/20/2020

REVOLVING LOAN FUND COMMITTEE: (Acceptance of Supervisor White Eagle's Resignation)

Thomas Kriegl- Appointment, Supervisor

Term Concurrent with Board of Supervisors: 05/21/2019-04/20/2020

11) Bills.

12) Claims.

13) Elections.

14) Proclamations.

15) Reports – informational, no action required.

a. Rebecca C. Evert, Sauk County Clerk– Rezoning petitions filed with the office of the
Sauk County Clerk as a requirement of Wisconsin State Statutes 59.69(5)(e):

- **Petition 08-2019, Applicant:** Jamie Brandt/Team Engineering; **Project Location:** Town of Dellona;
Current Zoning: Agriculture; **Proposed Zoning:** Commercial. (Pages 10-13)

b. Kerry Beghin, Finance Director

- First Quarter 2019 Financial Report. (Pages 14-20)
- Report question and answer period. (Not to exceed 10 minutes).

c. Peter Vedro, County Board Chair

- Discussion of possible resolutions to be forwarded to Wisconsin Counties Association Business Meeting;
- Award Announcements;
- Update on Mid-term assessment process;
- Report question and answer period. (Not to exceed 10 minutes).

d. Alene Kleczek Bolin, Administrative Coordinator

- Public Input Sessions;
- Conservation Tour;
- Budget Projections;
- Update on Stepping Up Initiative;
- Report question and answer period. (Not to exceed 10 minutes).

16) Unfinished Business.

EXECUTIVE & LEGISLATIVE AND LAND RESOURCES & ENVIRONMENT COMMITTEES:

Resolution 33-2019 Approving Parks Department And Conservation, Planning, And Zoning Department To
Become The Conservation, Parks, Planning, And Zoning Department. (Pages 21-22)

17) New Business.

EXECUTIVE & LEGISLATIVE COMMITTEE:

Resolution 47-2019 Authorizing Reimbursement For Attendance At The WCA Conference in
Wisconsin Dells. (Page 23)

Resolution 48-2019 Recognizing The Importance of The 2020 Census And Creating A Complete Count Committee. (Page 24)

Proposed changes to Rules Of The Board:

1. Human Services Board, re: Finance Subcommittee Rule. (Page 25)
2. Consideration of Telephonic Rule Change per request of Supervisor Czupryno. (Pages 26-28)

EXECUTIVE & LEGISLATIVE COMMITTEE AND FINANCE COMMITTEE:

Resolution 49-2019 Authorizing "Dark Store" Litigation Support. (Pages 29-31)

FINANCE COMMITTEE:

Resolution 50-2019 Authorizing The Issuance And Establishing Parameters For The Sale of Not To Exceed \$2,900,000 General Obligation Refunding Bonds. (Pages 32-57)

Resolution 51-2019 Authorizing Amendments To The 2018 Budget. (Pages 58-63)

Resolution 52-2019 Amending Financial Policy 4-96 Capital Improvements. (Page 64-65)

FINANCE AND PERSONNEL & INSURANCE COMMITTEE:

Resolution 53-2019 To Authorize The 2020 Non-Represented Employees' Salaries Effective January 1, 2020. (Pages 66-67)

LAND RESOURCES & ENVIRONMENT COMMITTEE:

Resolution 54-2019 Authorizing The First Amendment To The Pasture Lease Agreement At The Sauk County Farm. (Pages 68-69)

Resolution 55-2019 Authorizing The Second Amendment To The Health Care Center Cropland Lease (Sauk County Farm). (Pages 70-71)

Ordinance 6-2019 An Ordinance Repealing And Replacing The Sauk County Shoreland Zoning Ordinance. (Pages 72-97)

Resolution 56-2019 Approving An Amendment To The Town Of Merrimac Zoning Ordinance. (Pages 98-127)

LAW ENFORCEMENT & JUDICIARY COMMITTEE:

Resolution 57-2019 Authorization To Purchase Two Livescan Fingerprint Machines. (Page 128)

PROPERTY COMMITTEE:

Ordinance 7-2019 Repealing Sauk Co. Code Chapter 19, Enforcement Of Collection Of Tax Liens, And Sections 43.03-43.05 Of Sauk Co. Code 43; Creating Chapter 2, Taxes, Collections, And Assessments. (Pages 129-135)

Resolution 58-2019 Authorizing Issuance Of A Quit Claim Deed For Parcels Located In The Town Of La Valle & Town Of Woodland To Aristotle LLC. (Pages 136-137)

Resolution 59-2019 Authorizing Issuance Of A Quit Claim Deed For Parcel NO. 024-1051-00000 In The Town Of La Valle To Ryan R. Hooker & Patricia A. Hooker. (Page 138)

Other Items:

1. Consideration of Financial Policy, Annual Budget Process, regarding outside Agency funding request process, per Supervisor Miller. (Pages 139-141)

18) Referrals.

19) New Agenda items (no discussion). Submit in writing or by e-mail new business items to the Administrative Coordinator as soon as possible for Rule III.A. referral.

20) Adjournment.

Respectfully,



Peter J. Vedro
County Board Chair

County Board Members, County staff & the public – Provide the County Clerk a copy of:

1. Informational handouts distributed to Board Members
2. Original letters and communications presented to the Board.

County Board Members:

Stop by the Office of the County Clerk prior to each Board Meeting to sign original resolutions and ordinances.

Any person who has a qualifying disability that requires the meeting or materials at the meetings to be in an accessible location or format should or format should contact Sauk County at 608-355-3269, or TTY at 608-355-3490, between the hours of 8:00 AM and 4:30 PM, 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

Agenda mail date via United States Postal Service: May 16, 2019.

Agenda Preparation: Peter Vedro, County Board Chair.

s:/admin/Co Bd Agendas/2019/ctybdagendaMay2019

RESOLUTION NO. 44 - 2019

RECOGNIZING MAY AS NATIONAL DRUG COURT MONTH

Background: The year of 2019 is the 30th anniversary of treatment courts, the cornerstone of justice reform which has been sweeping the nation. With more than 3,000 treatment courts nationwide, and having served 1.5 million individuals, treatment courts are now recognized as the most successful justice system intervention in our nation's history. It is appropriate that the members of the Sauk County Board should honor these achievements because treatment courts significantly improve substance use disorder treatment outcomes, substantially reduce addiction and related crimes, and do so at less expense than any other criminal justice strategy. In addition, treatment courts improve education, employment, housing and financial stability, promote family reunification, reduce foster care placements, and increase the rate of addicted mothers delivering babies who are fully drug free. Treatment courts provide hope for communities because they facilitate community-wide partnerships, bringing together public safety and public health by demonstrating that when one person rises out of substance abuse and crime, we all rise. Sauk County has operated an adult treatment court since 2016 with 7 program graduates and is proud to be part of such an effective criminal justice reform which promotes community safety and wellness.

Fiscal Impact: ☒ None ☐ Budgeted Expenditure ☐ Not Budgeted

NOW, THEREFORE, BE IT RESOLVED, that the Sauk County Board of Supervisors, met in regular session, hereby declare that the month of May be recognized as National Drug Court month.

For consideration by the Sauk County Board of Supervisors on May 21, 2019.

Respectfully submitted,

SAUK COUNTY EXECUTIVE & LEGISLATIVE COMMITTEE

Peter Vedro, Chair

William Hambrecht

Wally Czuprynko

Thomas Kriegl

David Riek

Fiscal Note: None.

Information System Note: No fiscal impact.

RESOLUTION 45 - 19

Commending Mary Huntamer for More Than 20 Years of Faithful Service To The People of Sauk County

Background: It is the custom of the Sauk County Board of Supervisors to recognize individuals who have served the people of Sauk County with distinction. Mary faithfully served the people of Sauk County serving at the Sauk County Highway Department as a Fiscal Support Clerk. After one year, Mary transferred to the Sauk County Health Care Center working as a Personnel Specialist, serving Sauk County in total for over 20 years. Mary was an essential team member to the Sauk County Health Care Center and all of Sauk County.

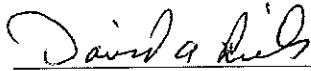
NOW, THEREFORE BE IT RESOLVED, that the Sauk County Board of Supervisors, hereby expresses its appreciation and commends Mary Huntamer for over 20 years of faithful service to the people of Sauk County.

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

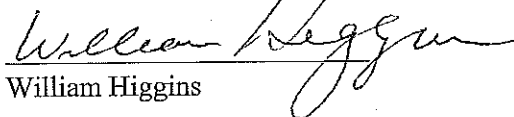
For Consideration by the Sauk County Board of Supervisors on May 21, 2019.

Respectfully submitted:

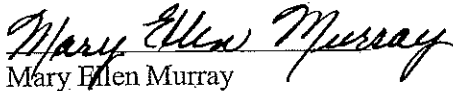
Sauk County Health Care Center Board of Trustees



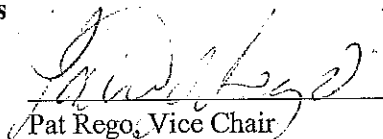
David Riek, Chair



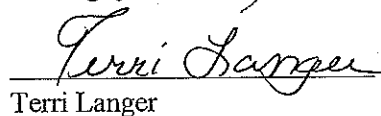
William Higgins



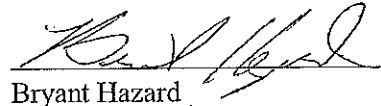
Mary Ellen Murray



Pat Rego, Vice Chair



Terri Langer



Bryant Hazard

Tim Reppen

Fiscal Note: None

MIS Note: None

KPB

RESOLUTION 46 - 19

**Commending Thomas Gowey for More Than 32 Years of Faithful Service
To The People of Sauk County**

Background: It is the custom of the Sauk County of Supervisors to recognize individuals who have served the people of Sauk County with distinction. Tom faithfully served the people of Sauk County as a Patrolman's Helper and a Patrolman at the Highway Department for over 32 years. Tom maintained professional and ethical integrity while serving the County. Tom was an essential team member to the Highway Department and all of Sauk County.

Fiscal Impact: (X) None () Budgeted Expenditure () Non Budgeted


NOW, THEREFORE BE IT RESOLVED, that the Sauk County Board of Supervisors, hereby expresses its appreciation and commends Thomas Gowey for thirty-two years of faithful service to the people of Sauk County.

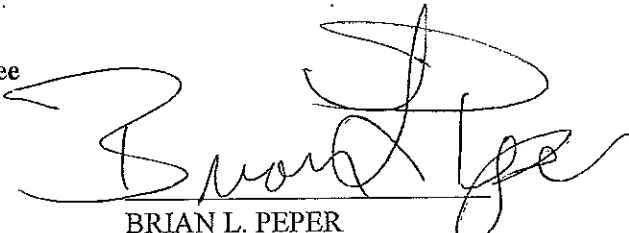
AND, BE IT FURTHER RESOLVED, that the Chairman of the Sauk County Board of Supervisors is hereby directed to present Thomas Gowey an appropriate symbol of our appreciation for service to the people of Sauk County.

For Consideration by the Sauk County Board of Supervisors on May 21, 2019.

Respectfully submitted:

Sauk County Highway and Parks Committee


DAVID A. RIEK, CHAIR


BRIAN L. PEPPER


TOMMY LEE BYCHINSKI


KEVIN LINS


JEAN BERLIN

Fiscal Note: No Fiscal Impact.
MIS Note: No MIS Impact.

WRB

Becky Evert

From: Peter Vedro
Sent: Monday, May 13, 2019 11:58 AM
To: Becky Evert
Subject: Fwd: RLF Committee - presence

FYI -Kristin's resignation from RLF (last paragraph)

please accept this as my 'resignation' from the RLF group.

P
Peter J. Vedro, Chair
Sauk County Board of Supervisors
(608) 963-6581 cell
(608) 355-3500 office vm

Sent from my iPhone

Begin forwarded message:

From: "Kristin K. WhiteEagle" <Kristin.WhiteEagle@ho-chunk.com>
Date: April 22, 2019 at 12:08:48 PM CDT
To: Peter Vedro <peter.vedro@saukcountywi.gov>
Cc: Alene Bolin <alene.bolin@saukcountywi.gov>, Haley Hoffman
<haley.hoffman@saukcountywi.gov>, "jared.pinkus@saukcountywi.gov"
<jared.pinkus@saukcountywi.gov>
Subject: RLF Committee - presence

Greetings sir!

I'm finding it extremely difficult to schedule my work days and activities to be physically present at these midday meetings. My work has me driving to others (throughout this expanded area) with such infrequency and sporadically that even my most well-planned days are disrupted.

I do not want the RLF to continue relying on all team members to be actively engaged while I feel my job is hindering my own personal pursuit of being reliable. It's not fair to the RLF group.

If participation and attendance at RLF meetings **demands** *physical* attendance, I need to 'resign.' If there are web-conferencing or telecommunication means for my continued presence and participation on the RLF group, then I'd like to pursue that. Otherwise, please accept this as my 'resignation' from the RLF group.

I, unexpectedly, cannot attend today's RLF meeting.

Your kind consideration is appreciated.

Respectfully,
Kristin K. White Eagle



Conservation, Planning, and Zoning
Department
505 Broadway, Ste. 248
Baraboo, Wisconsin 53913
Phone: (608) 355-3245 Fax: (608) 355-3292
www.co.sauk.wi.us

Application Accepted: 4-12-19
Accepted By: BC
Petition Number: Rez-CUP 08-2019
Hearing Date: May 28, 2019

District: 3

RECEIVED

APR 12 2019

SAUK COUNTY CLERK
BARABOO, WISCONSIN

Zoning Map Amendment (Rezone) Application

General Information

Property Owner Name: KENNETH KOZIDOWSKI Home Phone:
Mailing Address: E8343 County Road H Wisconsin Dells, WI 53945 Cell Phone: 608-495-3159
E-mail Address: KKOZDVM@gmail.com

Agent/Applicant Name: JAMIE BRANDT / TEAM ENGINEERING Home Phone: 608-768-5075
Mailing Address: 118 E. MAIN ST. Cell Phone: 608-963-6462
E-mail Address: jbrandt@teamenginc.com

Site Information

Site Address: INTERSECTION OF CTH H & P
Parcel ID: 0428-00000 Lot 1 Proposed CSM E
Property Description: SE 1/4 NW 1/4 Section 21, T13N, R5W
Town of: DELLONA Current Zoning: AG
Overlay District: ☐ Shoreland ☐ Floodplain ☐ Airport
Current Use: WOODS/FOREST

Existing Structures/Improvements: NONE

Proposed Zoning

Applicable Ordinance Section	Description
COM	Commercial Zoning District

Describe specifically the nature of the request (be sure to list all proposed uses of the property). What do you plan to do? Please attach additional sheets, if necessary.

REZONE THE PROPERTY TO COMMERCIAL. THE PROPERTY IS PLANNED TO HAVE STORAGE UNITS BUILT IN PHASES.

General Application Requirements

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all the necessary information has been provided. All information from the checklist must be provided to the Department to be considered a complete application. Only complete applications submitted by the deadline will be noticed for a specific hearing date/time.

- ☒ Completed Zoning Map Amendment Application Form.
- ☒ \$500 application fee (non-refundable), payable to Sauk County CPZ.
- ☒ A scaled map of the proposed rezone area (if the property is not vacant the location of buildings, driveways, etc. must be shown.
- ☒ Legal description of the area to be rezoned (CSM, Metes & Bounds description)
- ☐ Any other information as required by the zoning administrator to explain the request.

Zoning Map Amendment Standards

Explain how the proposed rezone is consistent with the overall purpose and intent of the zoning ordinance.

SEE ATTACHED PROPOSAL FOR NO FUS STORAGE.

If rezoning out of an Exclusive Agriculture Zoning District explain how the land is better suited for a use not allowed in the Exclusive Agriculture Zoning District and how the rezoning will not substantially impair or limit future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

Certification

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Sauk County Conservation, Planning, and Zoning Department to enter my property for the purpose of collecting information to be used as part of the public hearing process. I understand that the rezone fee is a non-refundable, regardless if the rezone is approved or denied. I understand that the fee for this application is only for the rezone request and if permits are required for the project that those will require separate application(s) and/or fee(s). I understand that partial or incomplete applications will be returned to the applicant resulting in the application being removed from the hearing agenda and the submittal deadlines will restart. I further agree to withdraw this application if substantive false or incorrect information has been included.

Applicant/Agent: _____ Date: _____

Property Owner Signature: [Signature] Date: 3/22/19

At the public hearing, the applicant may appear in person or through an agent or an attorney of their choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Conservation, Planning, and Zoning Department, will remain in the file, and will be public record.

Zoning Map Amendment Procedures and Requirements

What is a Zoning Map Amendment?

The purpose of a zoning map amendment is to alter, enlarge, or reduce a geographic extent of any zoning district, or to enact a new zoning designation for any particular parcel or real property. A change in zoning allows for different land uses and in some instances, different densities of development. The Conservation, Planning, and Zoning Committee will recommend approval or disapproval of a rezone to the Sauk County Board of Supervisors in accordance with the standards and criteria set by the zoning ordinance.

Standards and Criteria

In reviewing a Zoning Map Amendment request, the CPZ Committee must follow four standards:

- a) The proposed map amendment is consistent with the overall purpose and intent of the zoning ordinance.
- b) The proposed map amendment is consistent with the Sauk County Comprehensive Plan and the Farmland Preservation Plan, if applicable.
- c) Factors have changed from the time of initial ordinance adoption that warrant the map change, or an error, inconsistency, or technical problem administering the zoning ordinance as currently depicted has been observed.
- d) In rezoning land out of any exclusive agriculture district, the agency shall find all of the following, after a public hearing:
 1. The land is better suited for a use not allowed in the exclusive agriculture district.
 2. The rezoning is consistent with the Sauk County Comprehensive Plan.
 3. The rezoning is substantially consistent with the Sauk County Farmland Preservation Plan.
 4. The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

Note: Pursuant to Wis. Stat § 91.48(1) A political subdivision (Sauk County) with a certified farmland preservation zoning ordinance may not rezone land out of a farmland preservation zoning district (Exclusive Agriculture) without having the rezoning certified under Wis. Stat § 91.36 and provided that the standards (a) through (d) above are met.

CERTIFIED SURVEY MAP No. _____

LOCATED IN
THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 21,
TOWNSHIP 13 NORTH, RANGE 5 EAST, TOWN OF DELLONA, SAUK COUNTY, WISCONSIN

LEGEND

- SAUK COUNTY PLSS CORNER (MONUMENT AS NOTED)
- SET 3/4" X 24" REBAR W/CAP (WEIGHT = 1.50 LBS/FT)
- FOUND 3/4" IRON ROD
- () RECORDED AS

- RIGHT OF WAY
- EDGE OF TRAVELED WAY
- CENTERLINE

NORTH 1/4 CORNER
SECTION 21, T13N, R5E
HARRISON MONUMENT AND
REFERENCE TIES FOUND

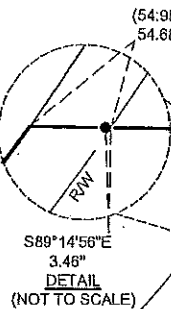
LOT 1
CSM # 4459

SEE SURVEY NOTE 3 ON
SHEET 2 OF 3 SHEETS

NORTH LINE OF THE SE 1/4 - NW 1/4

PLAT OF SURVEY
BY
DAVID CLARK
DATED AUGUST 18, 1871

SEE CURVE TABLE ON
SHEET 2 OF 3 SHEETS.
SEE SURVEY NOTES ON
SHEET 2 OF 3 SHEETS.

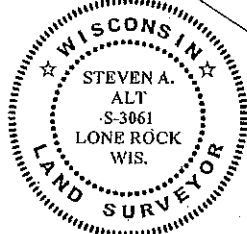


N
BEARINGS ARE REFERENCED TO THE
EAST - WEST QUARTER LINE OF SECTION
21, T13N, R5E DETERMINED TO BEAR
S89°26'00"E AS DERIVED FROM THE
WISCONSIN COORDINATE REFERENCE
SYSTEM, SAUK COUNTY, NAD 83 (2011).
0 200
SCALE: 1" = 200'

LOT 1

9.39 ACRES +/-
(408,982 S.F. +/-)

PLAT OF SURVEY
BY
DEAN A. JESSE
DATED APRIL 4, 1973



LOT 1
CSM # 4057

LOT 1
CSM # 3703

PROTRACTED
C1/4

WEST 1/4 CORNER
SECTION 21, T13N, R5E
BROKEN HARRISON
MONUMENT AND
REFERENCE TIES FOUND

SOUTH 1/4 CORNER
SECTION 21, T13N, R5E
HARRISON MONUMENT AND
REFERENCE TIES FOUND

EAST 1/4 CORNER
SECTION 21, T13N, R5E
HARRISON MONUMENT AND
REFERENCE TIES FOUND

TEAM
ENGINEERING
118 EAST MAIN STREET
REPPESBURG, WI 53959
PHONE: (608) 768-5075

PREPARED FOR: KENNETH KOZLOWSKI
E8343 COUNTY RD H
WISCONSIN DELLS, WI 53985

DRAWN BY: SAA
CHECKED BY: JPA
DATE: 3/12/2019
SHEET 1 OF 3 SHEETS



Accounting Department

Kerry P. Beghin, CPA
Finance Director
505 Broadway, Baraboo, WI 53913

PHONE: 608-355-3237
FAX: 608-355-3522
E-Mail: kerry.beghin@saukcountywi.gov

To: Sauk County Board of Supervisors
Date: May 13, 2019
About: March, 2019 1st Quarter Financial Report – 25.00% of Year

Revenues

Revenues tend to be more cyclical in nature than expenses. Many of Sauk County's grants and aids, the largest revenue source after property tax levy, are paid on a reimbursement basis. The County incurs the expenses, submits the paperwork to primarily the State, and the reimbursement comes later. For this reason, many grant dollars received in January and February are for prior year services, and are allocated back to 2018. Grants and aids are the highest revenue source for the County other than property taxes, so having many receipts allocated back to 2018 makes the first quarter revenues look alarmingly low. Intergovernmental revenues are charges to other units of government for work performed. Highway charges to other governments are higher than average due to winter activities. Interest on investments was budgeted more conservatively than first quarter actual experience. Fines, forfeitures and penalties are typically highest in the summer months, as are licenses and permits. Miscellaneous revenues are high due to unbudgeted proceeds from Focus on Energy of \$141,000.

Overall, 17.19% of annual revenues have been recognized through March. The following chart is in order of budgeted magnitude of dollars, and excludes both property taxes which are recorded 1/12th every month, and transfers between Sauk County funds which have an equal offsetting expense. Note that sales tax (discussed in more detail later) lags by one month.

Revenues	Budget	Actual	Favorable / (Unfavorable)	% of Budget
Grants & Aids	22,211,415	1,516,598	(20,694,817)	6.83%
User Fees	9,727,228	2,182,287	(7,544,941)	22.43%
Sales Tax	8,775,658	1,127,364	(7,648,294)	12.85%
Intergovernmental Charges	7,683,695	3,115,837	(4,567,858)	40.55%
Licenses & Permits	874,541	53,236	(821,305)	6.09%
Interest	824,858	352,206	(472,652)	42.70%
Other Taxes	640,195	156,694	(483,501)	24.48%
Fines, Forfeitures & Penalties	475,000	79,553	(395,448)	16.75%
Rent	460,302	127,791	(332,511)	27.76%
Miscellaneous	201,371	207,041	5,670	102.82%
Donations	103,366	14,057	(89,309)	13.60%
Total	51,977,629	8,932,661	(43,044,968)	17.19%

Property taxes are due on January 31 and are collected by local treasurers through that date. After January 31, all collections become the responsibility of the County. By August 15, Sauk County must make full payment to all the other taxing jurisdictions without regard to what has been collected. Outstanding taxes as of April 30, 2019 follow. This means uncollected delinquent taxes due to Sauk County equal \$32,853,381, which is \$3,807,514 more than a year ago at this time. Of this total, about 24.25% (about \$7,966,000) was originally levied to fund County operations. The remaining 75.75% was originally levied by schools and other local governments. The second installment of the 2018 levy, collected 2019, is not due until July 31, 2019.

Levy Year	Collection Year	County Tax Rate	County Levy	County-Wide Levy	Uncollected Taxes as of April 30, 2018	Percent of County-Wide Levy Collected
2018	2019	\$4.53	31,162,356	128,506,425	31,348,274	75.61%
2017	2018	\$4.68	30,969,018	124,864,925	780,592	99.37%
2016	2017	\$4.72	30,351,664	122,691,581	440,250	99.64%
2015	2016	\$4.76	30,183,042	123,046,787	182,105	99.85%
2014	2015	\$4.97	29,878,110	121,004,422	31,702	99.97%
2013	2014	\$4.79	28,854,774	124,273,971	30,005	99.98%
2012	2013	\$4.66	28,531,297	122,259,549	14,889	99.99%
2011	2012	\$4.54	28,531,297	121,315,933	10,508	99.99%
2010	2011	\$4.42	28,531,297	122,553,732	7,420	99.99%
2009	2010	\$4.34	28,659,120	115,574,314	7,340	99.99%
2008	2009	\$4.18	27,714,671	111,860,501	165	100.00%
2007	2008	\$4.06	25,805,357	102,211,966	133	100.00%
Uncollected Taxes as of April 30, 2019					32,853,381	
One Year Ago - Uncollected Taxes as of April 30, 2018					29,045,867	

Sales tax receipts lag the month of sale by two months. For instance, for sales made at stores during January, vendors report and remit the sales tax to the State at the end of February, the State processes the information throughout March, and the County receives its payment at the end of March or possibly even the first part of April. Therefore, the County's financial reports as of the end of March only contain sales made through February. Further, sales tax is not at all received equally each month through the year. Summer receipts and the December holidays are higher. Sauk County held its sales tax budget unchanged for 2019 at \$8,775,658. Adjusting the budget for historical seasonal receipts, 2019 sales tax collections are close to budget at this point.

Sales Tax Payment Month	Sales Tax Sales Month	2014	2015	2016	2017	2018	2019	Average 2014-2018 Cumulative % of Year	Actual 2019 Cumulative % of Budget
March	January	469,138.97	513,922.40	525,300.25	601,458.52	583,942.67	572,392.20	6.15%	6.52%
April	February	563,416.07	723,897.32	640,270.58	576,910.42	454,734.31	554,971.31	12.90%	12.85%
May	March	651,138.69	643,104.33	614,213.68	708,391.09	849,720.61		20.82%	
June	April	537,693.71	572,371.61	780,604.53	792,838.40	732,945.80		28.62%	
July	May	728,144.84	744,908.83	752,232.51	705,028.12	690,119.90		36.88%	
August	June	925,946.95	873,543.69	882,536.83	930,000.95	1,151,529.28		47.76%	
September	July	843,602.12	947,389.99	1,011,133.99	1,092,529.46	1,025,166.15		58.99%	
October	August	930,904.65	976,099.73	865,618.18	907,830.64	900,578.78		69.45%	
November	September	668,122.90	634,826.87	736,732.53	840,633.07	950,737.41		78.19%	
December	October	568,787.82	701,190.80	739,248.21	689,891.81	588,679.45		85.70%	
January	November	590,860.86	649,276.21	502,924.87	545,826.68	691,162.38		92.50%	
February	December	522,498.10	503,348.20	713,871.10	781,583.61	764,150.14		100.00%	
Sales Tax Collected		8,000,255.68	8,483,879.98	8,764,687.26	9,172,922.77	9,383,466.88	1,127,363.51		
Sales Tax Budgeted		7,200,000.00	7,095,831.00	7,470,179.00	8,020,000.00	8,775,658.00	8,775,658.00		
Collected in Excess of (Below) Budget		800,255.68	1,388,048.98	1,294,508.26	1,152,922.77	607,808.88	(7,648,294.49)		

Expenditures

Expenditures for wages, salaries and benefits tend to be spread relatively evenly throughout the year, and it is generally reasonable to assume 1/12th should be recorded each month. Supplies and services in most areas also tend to be spent fairly evenly throughout the year. Debt service is paid in April (interest only) and October (principal and interest). Capital outlay is rarely spent evenly, and there are huge peaks and valleys by month or quarter.

Overall, 22.51% of annual expenditures have been recognized through March. The following chart is in order of budgeted magnitude of dollars, and excludes both debt service and transfers between Sauk County funds which have equal offsetting revenues.

Expenditures	Budget	Actual	Favorable / (Unfavorable)	% of Budget
Wages & Salaries	35,176,033	7,727,634	27,448,399	21.97%
Supplies & Services	33,267,520	8,413,230	24,854,290	25.29%
Labor Benefits	13,551,102	2,838,741	10,712,361	20.95%
Capital Outlay	6,028,167	832,468	5,195,699	13.81%
Total	88,022,822	19,812,073	68,210,749	22.51%

Current Sauk County 2019 Financial Position

The Finance Committee and Sauk County managers spend a great deal of effort monitoring the Sauk County budget, making plans when areas of concern develop, and taking action (often with Committee and County Board action) when trouble is certain.

The impact of the economy is also watched through a number of key areas, including property tax collections, key planning and zoning permits, register of deeds collections, and interest earned on invested funds.

Economic Indicator Line Items	2016 Total for Year	2017 Total for Year	2018 Total for Year	2019 Annual Budget	Actual through March 2019	Avg 2015- 2018	2019 % of Budget
Interest Collected on Delinquent Taxes	598,024	502,980	466,562	425,000	112,600	23%	26%
Interest Earned on Investments	218,298	348,338	728,611	650,000	286,985	23%	44%
Real Estate Transfer Tax	234,296	236,646	254,384	195,000	44,064	18%	23%
Register of Deeds Filing Fees	364,999	304,789	287,000	300,000	57,643	24%	19%
CPZ Land Use Permits	114,274	100,246	105,207	90,000	7,100	10%	8%
CPZ Sanitary Permits	66,350	66,900	81,400	62,000	4,255	7%	7%

There are also certain line items that have particular attention paid to them:

Selected Line Items	2016 Total for Year	2017 Total for Year	2018 Total for Year	2019 Annual Budget	Actual through March 2019	2019 % of Budget
Huber Board Fees	131,802	114,131	138,152	145,000	12,523	9%
Housing Prisoners from Other Jurisdictions – All Sources	809,953	752,262	1,016,271	844,348	105,421	12%

Cash balances remain strong and steady, and the Treasurer is maintaining ample reserves for the County.

At this point, the Finance Committee has heard from one department that expects a possible budget overage in 2019. In the Administrative Coordinator budget, the Community Liaison position was budgeted through fund balance set aside over a number of years. The amount of fund balance set aside was not sufficient to cover the full salary and benefits of the community liaison for two years.

The 2019 contingency fund is originally \$350,000, all of which is funded by general fund balance.

Contingency Fund 2019 Appropriation		\$350,000
Administrative Coordinator – Community Liaison	-\$12,000	
Total Possible Uses		-\$12,000
Remaining 2018 Contingency Fund Balance		\$338,000

In Conclusion

In your role as oversight committee members, remain mindful of current and future indications that funding is changing, particularly from the State and Federal governments. Department managers provide you with monthly updates of budget position and statistics that can be leading indicators of changes to the status quo. Program review should *never* be complete to make sure Sauk County is providing those services most vital to those most in need. Changes to business as usual are often extremely difficult and take considerable time to implement.

I encourage you to contact me with questions as they come to mind.

Percent of Year Complete

Revenues

Notes on % of Budget Differing from Expected +/- 20% and \$25,000 if revenues (excluding transfers, capital outlay and debt service) wages & salaries and Labor Benefits under budget due to vacant positions and turnover

- Sales tax receipts for the month of sale on this report by one month. This report is through February, 2019 sales (12.90% as seasonally adjusted).

A Remain of Focus on Energy grants that were not budgeted for of \$141,600.

B Highway sale of materials receipts of \$57,000 exceed budgeted amount of \$50,000.

D Significant Human Services grant received in early 2019 relates to 2018.

U

Sauk County Financial Report
as of March 31, 2019
Percent of Year Complete

25.00%

	Conservation, Development, Recreation, Culture & Education			Debt Service			Totals		
	Budget	Actual	Favorable / (Unfavorable)	Budget	Actual	Favorable / (Unfavorable)	Budget	Actual	% of Budget
Revenues									
Property Taxes	\$1,822,737	\$455,684	(\$1,367,053)			\$0	\$31,162,356	\$7,790,589	25.00%
Other Taxes	0	0	0			0	840,195	156,694	18.41%
Sales Tax	0	0	0			0	1,127,354	1,127,354	100.00%
Grants & Aids	1,549,031	140,140	(1,408,891)			0	8,775,658	7,648,294	87.18%
Licenses & Permits	231,600	20,795	(210,805)			0	22,211,415	1,516,598	6.83%
Fees, Forfeitures & Penalties	3,000	328	(2,672)			0	874,541	53,236	6.08%
User Fees	191,657	27,180	(164,477)			0	475,000	79,583	16.75%
Intergovernmental Charges	90,582	89,582	(1,000)			0	9,757,228	2,182,287	22.43%
Donations	0	500	500			0	7,663,695	3,115,837	40.65%
Interest	0	11,129	11,129			0	163,365	14,837	9.08%
Rent	0	0	0	20,000	12,432	(7,568)	824,658	352,206	42.70%
Miscellaneous	20,000	12,838	(7,162)			0	480,302	127,791	26.62%
Transfers from Other Funds	934,483	0	(934,483)	1,496,456	374,114	(1,122,342)	201,371	207,041	102.82%
Bond / Note Proceeds	0	0	0			0	3,705,180	678,799	18.32%
Total Revenues	4,865,303	758,776	(4,106,527)	1,516,456	386,546	(1,129,910)	86,846,165	17,402,050	20.04%
Expenses / Expenditures									
Wages & Salaries	1,259,050	261,999	997,051			0	35,176,033	7,727,634	21.97%
Labor Benefits	394,109	83,959	310,150			0	13,551,102	2,858,741	20.95%
Supplies & Services	4,086,523	1,631,138	2,455,385			0	33,267,520	8,413,230	25.29%
Debt Service - Principal	0	0	0	1,755,000	0	1,755,000	1,755,000	0	0.00%
Debt Service - Interest	0	0	0	107,875	0	107,875	387,616	71,804	18.52%
Capital Outlay	1,289,378	1,536	1,287,842			0	6,029,157	832,468	13.81%
Transfers to Other Funds /									
Debt Issuance Costs	0	0	0			0	3,705,180	678,799	18.32%
Total Expenditures	7,031,050	1,978,531	5,052,429	1,862,875	0	1,862,875	94,726,618	20,562,876	21.71%
Functional Expenditures as % of				1.97%	0.00%		100.00%	100.00%	
Net Increase/(Decrease) in Fund	(\$2,165,757)	(\$1,219,855)	\$945,902	(\$346,419)	\$386,546	\$732,965	(\$7,880,453)	(\$3,160,627)	\$4,719,826

Notes on % of Budget Differing from Expected +/- 20% and \$25,000 If revenues (excluding transfers, capital outlay and debt service) Wages & Salaries and Labor Benefits under budget due to vacant positions and turnover

SAUK COUNTY FINANCIAL REPORT (Unaudited)

March 31, 2019
Percent of Year Complete 25.00%

Department / Account Title	2019 Expense Budget		Year-to-Date Expenses	% of Budget	2019 Revenue		Year-to-Date Revenues	% of Budget	Department Net		SAUK COUNTY FUND BALANCES	
	Excluding Addition	to Fund Balance			Budget	Carryforwards, or Fund Bal Use			Favorable / (Unfavorable)	to Budget	PRELIMINARY December 31, 2018 as of 5-10-19	2019 Net Income/Adj March 31, 2019
General Fund Property Tax	0	0	0	-	-	-8,820,743	-1,705,186	25.00%	5,115,557			
Miscellaneous Sales Tax	0	0	0	-	-	130	30	23.08%	(100)			
County Sales Tax	0	0	0	-	-	8,775,658	1,127,364	12.85%	(7,648,294)			
Shared Revenue	0	0	0	-	-	748,603	0	0.00%	(748,603)			
Computer Aid	0	0	0	-	-	90,000	0	0.00%	(90,000)			
Personal Property Aid	0	0	0	-	-	266,019	0	0.00%	(266,019)			
Indirect Cost Reimbursement	0	0	0	-	-	101,994	25,491	25.00%	(76,473)			
Arts & Humanities Grants	0	0	0	-	-	7,750	7,750	100.00%	0			
Interest on Loan Payments	0	0	0	-	-	52,158	0	0.00%	(52,158)			
Principal on Loan Payments	0	0	0	-	-	42,271	0	0.00%	(42,271)			
Rent of County Buildings	0	0	0	-	-	134,302	47,455	35.33%	(86,847)			
Sale of County-Owned Property	0	0	0	-	-	8,000	0	0.00%	(8,000)			
Miscellaneous Revenues	0	0	0	-	-	1,000	331	33.09%	(669)			
Transfer from Human Services	0	0	0	-	-	7,000	1,750	25.00%	(5,250)			
Transfer from Health Care Center	0	0	0	-	-	70,000	17,500	25.00%	(52,500)			
Transfer from Highway	0	0	0	-	-	0	0	-	1,185			
Miscellaneous Expenses	1,185	0	0	0.00%	0.00%	0	0	-	0			
Charitable/Penal Fines, Misc	253	253	0	0.00%	0.00%	0	0	-	94,429			
CDBG Projects	94,429	0	0	0.00%	0.00%	0	0	-	350,000			
Contingency Fund Remaining	350,000	0	0	100.00%	100.00%	0	0	-	0			
Baraboo-Dells Airport	4,100	4,100	4,100	100.00%	100.00%	0	0	-	0			
Reedsburg Airport	4,100	4,100	4,100	100.00%	100.00%	0	0	-	0			
Sauk-Prairie Airport	4,100	4,100	4,100	100.00%	100.00%	0	0	-	0			
Tri-County Airport	16,422	16,422	16,422	100.00%	100.00%	0	0	-	0			
Wisconsin River Rail Transit	30,000	30,000	30,000	100.00%	100.00%	0	0	-	0			
Pink Lady Transit Commission	750	750	750	100.00%	100.00%	0	0	-	0			
Mid-Continent Railway Museum	125,000	125,000	125,000	100.00%	100.00%	0	0	-	0			
Sauk County Libraries	1,074,904	1,073,641	1,073,641	99.88%	99.88%	0	0	-	1,263			
Arts & Humanities	100,172	63,519	63,519	63.41%	63.41%	0	0	-	36,653			
UW-Baraboo / Sauk County	152,500	102,500	102,500	67.21%	67.21%	0	0	-	50,000			
Sauk County Development Corp	50,000	50,000	50,000	100.00%	100.00%	0	0	-	0			
ATC Environmental Impact Fee Projects	0	0	31,589	-	-	0	0	-	(31,589)			
Transfer to CDBG	934,483	0	0	0.00%	0.00%	0	0	-	934,483			
Transfer to Debt Service Fund	1,396,456	349,114	349,114	25.00%	25.00%	0	0	-	1,047,342			
Transfer to Health Care Center (for debt service)	1,191,241	283,685	283,685	23.81%	23.81%	0	0	-	907,556			
TOTAL GENERAL FUND NON-DEPARTMENTAL	5,530,095	2,138,773	2,138,773	38.68%	38.68%	3,489,112	-475,765	-13.64%	(573,555)			
County Board	150,260	38,160	38,160	25.38%	25.38%	160,260	40,065	25.00%	1,905			
Clerk of Courts	1,184,153	268,249	268,249	22.65%	22.65%	1,184,153	238,187	20.11%	(30,062)			
Circuit Courts	689,895	145,307	145,307	21.06%	21.06%	689,895	227,227	32.94%	81,921			
Court Commissioner	233,645	53,498	53,498	22.90%	22.90%	228,115	53,259	23.35%	5,281			
Register in Probate	179,913	38,297	38,297	21.29%	21.29%	179,913	43,046	23.93%	4,748			
Accounting	727,164	242,705	242,705	33.38%	33.38%	712,164	178,688	25.09%	(49,037)			
County Clerk / Elections	380,984	87,275	87,275	22.91%	22.91%	353,984	130,626	36.90%	70,351			
Personnel	577,429	139,360	139,360	24.13%	24.13%	577,429	143,931	24.93%	4,571			
Treasurer	531,119	116,106	116,106	21.86%	21.86%	531,119	313,881	59.10%	197,775			
Register of Deeds	230,182	51,565	51,565	22.45%	22.45%	230,182	37,504	16.29%	(14,162)			
District Attorney / Victim Witness	735,054	134,908	134,908	18.35%	18.35%	735,054	166,165	22.61%	31,258			
Corporation Counsel	699,186	154,257	154,257	22.06%	22.06%	689,186	166,987	24.23%	12,730			
Surveyor	81,026	10,382	10,382	12.81%	12.81%	81,026	20,286	25.00%	9,874			
Building Services	4,970,563	639,770	639,770	12.87%	12.87%	2,549,358	773,767	30.35%	2,555,202			
Sheriff	14,656,244	3,725,840	3,725,840	25.42%	25.42%	14,606,244	3,468,869	23.75%	(206,951)			
Coroner	210,604	37,282	37,282	17.71%	17.71%	210,604	51,776	24.58%	14,494			
Emergency Management	246,566	78,966	78,966	32.03%	32.03%	213,420	36,455	17.08%	(9,365)			
Administrative Coordinator	425,671	74,852	74,852	17.58%	17.58%	273,027	78,289	28.67%	156,081			
Management Information Systems	2,746,113	844,250	844,250	30.74%	30.74%	2,746,113	913,210	33.25%	88,960			
Criminal Justice Coordinating	621,669	115,284	115,284	18.54%	18.54%	618,194	101,452	16.41%	(10,357)			
Public Health	2,188,952	515,979	515,979	23.57%	23.57%	2,185,452	613,899	28.08%	100,420			
WIC	390,966	85,103	85,103	21.77%	21.77%	382,846	5,611	1.47%	(71,373)			
Environmental Health	638,853	106,726	106,726	16.71%	16.71%	638,853	31,367	4.91%	(75,359)			
Child Support	977,888	221,630	221,630	22.66%	22.66%	977,888	36,923	3.78%	(184,707)			
Veterans Service	358,871	66,451	66,451	18.62%	18.62%	356,871	86,343	24.19%	19,862			
Parks	1,202,353	161,702	161,702	13.45%	13.45%	1,040,651	174,395	16.62%	604,233			
Conservation, Planning & Zoning	1,940,145	294,269	294,269	15.10%	15.10%	1,645,876	458,585	28.55%	195,250			
UW Extension	405,603	76,411	76,411	18.79%	18.79%	329,192	101,829	25.04%	25,418			
TOTAL GENERAL FUND	43,919,169	10,663,496	10,663,496	24.28%	24.28%	38,537,092	8,216,828	21.32%	2,935,409			
										43,289,366	-2,446,668	40,842,697

GENERAL FUND TOTAL

SAUK COUNTY FINANCIAL REPORT (Unaudited)

March 31, 2019
Percent of Year Complete 25.00%

Department / Account Title

2019 Expense Excluding Addition to Fund Balance	Budget	Year-to-Date Expenses	% of Budget
Aging & Disability Resource Center	2,429,541	562,937	23.17%
Human Services	21,017,962	3,915,684	18.63%
Jail Fund	100,000	25,000	25.00%
Land Records Modernization	560,751	128,852	22.62%
Landfill Remediation	111,067	21,803	19.63%
Drug Seizures	11,100	0	0.00%
Community Development Block Grant	1,950,380	0	0.00%
CDBG Emergency Assistance Program	0	0	0.00%
CDBG Housing Rehabilitation	20,000	0	0.00%

TOTAL SPECIAL REVENUE FUNDS

26,200,821	4,653,276	17.75%
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DEBT SERVICE FUND

1,862,875	0	0.00%
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HEALTH CARE CENTER FUND

11,537,841	2,284,597	19.80%
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Highway Insurance	10,702,482	2,755,259	25.74%
Workers Compensation	64,500	4,712	7.31%
	415,500	190,239	45.79%

TOTAL INTERNAL SERVICE FUNDS

11,182,462	2,950,211	26.38%
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Dog License

23,450	11,096	47.32%
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TOTAL TRUST & AGENCY FUNDS

23,450	11,096	47.32%
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TOTAL COUNTY

94,726,518	20,562,676	21.71%
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SAUK COUNTY FUND BALANCES

2019 Revenue Budget Excluding Carryforwards, or Fund Bal Use	Year-to-Date Revenues	% of Budget	Department Net Favorable / (Unfavorable) to Budget	PRELIMINARY December 31, 2018 as of 5-10-19	2019 Net Income/Adj	March 31, 2019
2,357,807	457,661	19.41%	(33,542)	686,788	-105,276	581,512
20,907,962	2,188,285	10.47%	(1,618,399)	2,902,451	-1,728,399	1,174,052
100,000	14,783	14.78%	(10,217)	16,562	-10,217	6,345
412,762	104,625	25.35%	125,762	508,352	-22,227	486,124
15,300	18,186	118.87%	92,170	4,872,748	-3,617	4,869,131
100	0	0.00%	11,000	61,811	0	61,811
1,909,673	23,967	1.25%	54,674	42,466	23,967	66,433
20,000	0	0.00%	0	2,886	0	0
25,723,604	2,807,507	10.91%	(1,368,552)	9,094,062	-1,845,769	7,248,293

1,516,456	386,546	25.49%	732,965	1,043,232	386,546	1,429,778
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10,739,841	2,350,174	21.89%	853,577	5,600,347	65,577	5,665,924
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9,892,203	3,555,399	35.94%	1,610,398	16,541,718	800,139	17,341,858
120,416	10,276	8.53%	(50,352)	450,775	5,564	456,339
293,103	63,658	21.79%	(3,985)	571,541	-126,382	445,159

10,305,722	3,629,532	35.22%	1,556,061	17,594,095	679,321	18,243,356
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23,450	11,462	48.88%	366	-3,328	366	-2,962
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23,450	11,462	48.88%	366	-3,328	366	-2,962
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86,845,165	17,402,050	20.04%	4,719,826	76,587,713	-3,160,627	73,427,087
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CURRENT DEBT PRINCIPAL BALANCE

2009 HCC Refunding Bonds (final payment 2023)	3,650,000
2016 Law Enforcement Refunding Bonds (2021)	5,370,000
2017 HCC Refunding Bonds (2027)	5,055,000
Principal Payments are Due October 1	14,075,000

GENERAL FUND BALANCE DETAIL

PRELIMINARY December 31, 2018 as of 5-10-19	2019 Net Income/Adj	March 31, 2019
32,038	0	32,038
81,420	-2,500	78,920
1,402,144	0	1,402,144
0	0	0
131,470	0	131,470
326,094	0	326,094
1,867,539	0	1,867,539
5,353,077	0	5,353,077
16,787,792	1,173,585	17,961,377
17,207,792	-3,617,753	13,590,039
43,289,366	-2,446,668	40,842,697

TOTAL GENERAL FUND BALANCE

33,995,584	-2,444,168	31,551,416
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* County Reserves (working capital and unassigned)

RESOLUTION NO. 33 - 2019

APPROVING PARKS DEPARTMENT AND CONSERVATION, PLANNING, AND
ZONING DEPARTMENT TO BECOME THE CONSERVATION, PARKS, PLANNING,
AND ZONING DEPARTMENT

Background: Placemaking is a strategic priority that Sauk County has supported for many years. This support has included the development of a Place Plan. The Place Plan concentrates on community development and quality of life. Many of the ways that Sauk County Government influence the community are found in the Conservation, Planning, and Zoning Department and the Parks Department. These include improving and maintaining natural, agricultural, and cultural resources. The Parks and CPZ Department currently have many areas of overlap, including the Great Sauk State Trail, the Baraboo River Corridor Plan, and the Comprehensive Outdoor Recreation Plan. As we continue to progress the Place Plan forward and work to support our high class Parks Department, implementing a collaborative departmental change will allow us to increase value to the visitor and the community, to plan development of the Parks system, and to implement improved conservation standards across our Parks. This change supports the Parks future development.

Fiscal Impact: [X] None [] Budgeted Expenditure [] Not Budgeted

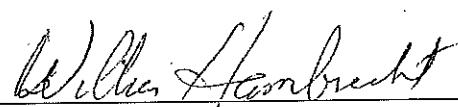
NOW, THEREFORE, BE IT RESOLVED, that the Sauk County Board of Supervisors, met in regular session, hereby combines the Parks Department and the Conservation, Planning, and Zoning Department to become the Conservation, Planning, Parks, and Zoning Department.

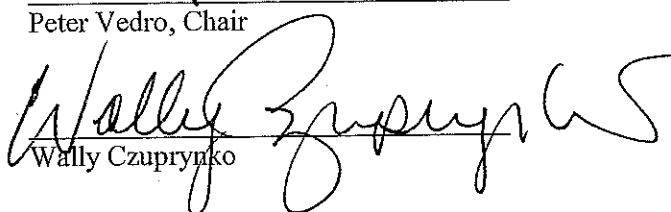
For consideration by the Sauk County Board of Supervisors on April 16, 2019.

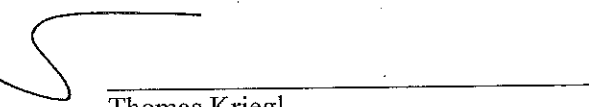
Respectfully submitted,


SAUK COUNTY EXECUTIVE & LEGISLATIVE COMMITTEE


Peter Vedro, Chair

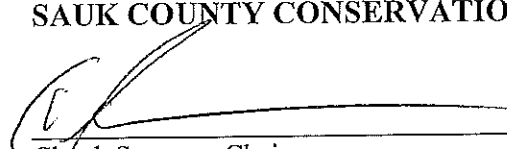

William Hambrecht


Wally Czuprynski

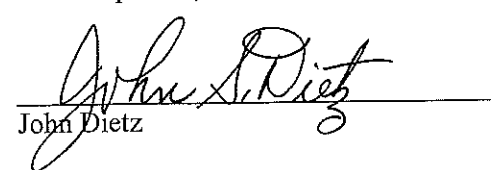

Thomas Kriegel

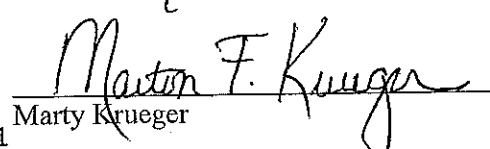

David Riek

SAUK COUNTY CONSERVATION, PLANNING, AND ZONING COMMITTEE

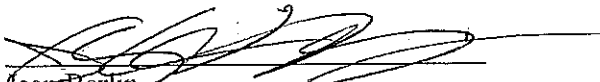

Chuck Spencer, Chair

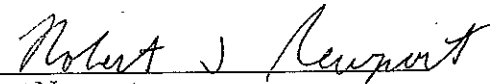

Glen Johnson

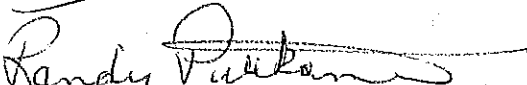

John Dietz


Marty Krueger

Resolution 33-2019


Jean Berlin


Robert Newport


Randy Puttkamer

SAUK COUNTY HIGHWAY AND PARKS COMMITTEE

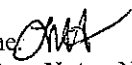
David A. Riek, Chair

Brian L. Peper

Tommy Lee Bychinski

Kevin Lins

Jean Berlin

Fiscal Note: None 
Information System Note: No fiscal impact.

RESOLUTION NO. 47 - 2019

**AUTHORIZING REIMBURSEMENT FOR ATTENDANCE AT THE WCA
CONFERENCE IN WISCONSIN DELLS**

Background: On September 22-24, 2019 the Wisconsin Counties Association is hosting their annual conference in Wisconsin Dells at the Kalahari. These sessions will allow policy makers an opportunity to learn about a variety of topics that occur in state legislative issues as well as the technological advances used in state legislature today. 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. B. of the Rules of the Sauk County Board of Supervisors). Wisconsin Counties Association is offering free registration for newly elected supervisors.

Fiscal Impact: ☐ None ☒ Budgeted Expenditure ☐ Not Budgeted

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 of Supervisors (per diem, mileage or transportation and registration fees) for attendance at the Wisconsin Counties Association Conference in Wisconsin Dells at the Kalahari, on September 22-24, 2019; and,

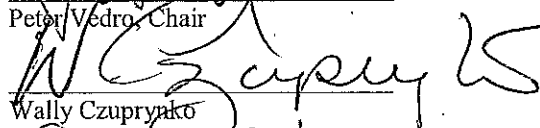
BE IT FURTHER RESOLVED, that all current Sauk County Board Supervisors are entitled to attend, and that the Wisconsin Counties Association is offering free registration for newly elected supervisors.

For consideration by the Sauk County Board of Supervisors on May 21, 2019.


Respectfully submitted,

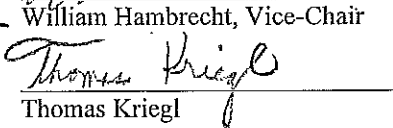
EXECUTIVE AND LEGISLATIVE COMMITTEE:


Peter Vedro, Chair


Wally Czupryako


Dave Riek


William Hambrecht, Vice-Chair


Thomas Kriegl

Estimated Costs	Cost Per Person
Registration	\$ 175.00
Per Diem	\$50.00 per day
Mileage (average)	\$.58 per mile roundtrip

Fiscal Note: Estimated costs including per diem, mileage and related travel expenses. The free registration would include all newly elected attendees.

MIS Note: None.

KPB

RESOLUTION NO. 48 - 2019

RECOGNIZING THE IMPORTANCE OF THE 2020 CENSUS AND CREATING A
COMPLETE COUNT COMMITTEE

Background: Our United States Constitution requires a Census of the population of our nation every ten years. Census information is used to determine how many members our state has in the United States House of Representatives and is also used to determine districts in our state legislature and local governing bodies. Having an accurate and complete Census count is important to our community in determining Federal and State aids and grants, economic development, housing assistance, transportation improvements, and many other uses. Every resident of our community counts and deserves to be counted. The purpose of the Complete Count Committee to increase awareness and motivate residents to respond to the 2020 Census. The Complete Count Committees serve as state and local "census ambassador" groups that play an integral part in ensuring a complete and accurate count of the community in the 2020 Census. Success of the census depends on community involvement at every level.

Fiscal Impact: ☐ None ☒ Budgeted Expenditure ☐ Not Budgeted

NOW, THEREFORE, BE IT RESOLVED, that the Sauk County Board of Supervisors, met in regular session, recognizes the importance of the 2020 Census and agrees to form a Complete Count Committee in conjunction with municipalities that wish to participate which shall include the Sauk County Board Chair and the Administrative Coordinator, and create appropriate sub-committees as needed, and to promote the Census to assure that all residents of our community are counted.

BE IT FURTHER RESOLVED, that the County Board Chair shall appoint the members of the Committee from the municipalities that wish to participate without further Board approval.

For consideration by the Sauk County Board of Supervisors on May 21, 2019.

Respectfully submitted,

SAUK COUNTY EXECUTIVE & LEGISLATIVE COMMITTEE

Peter Vedro, Chair

William Hambrecht

Wally Czuprynsko

Thomas Kriegl

David Riek

Fiscal Note: None. *KPB*

Information System Note: No fiscal impact.



Sauk County

Rules of the Board Change Proposals

The Executive and Legislative Committee will consider proposals beginning at their March 5, 2019 meeting. The Committee will consider further change proposals at subsequent meetings as they are submitted.

Name: Finance Committee (will not consider until 4/9 - but wanted to get this to you)

Rule that you would like changed:

Rule 1X.Standing Committees of the Board
Under Human Services Board add "Finance Subcommittee. Responsible for reviewing and approves for payment monthly report of bills from the Human Services Department when the bill needs to be paid prior to the next meeting of the full Human Services Board. Members 4.

Why do you think this rule should be changed?

This rule removes the Finance Committee from review and approval of bills from a Department over which it does not have direct oversight.

How will this help the County move forward?

Comply with required approval of bills in an efficient manner that does not delay payment.

What problem will this rule change address?

The Finance Committee has, in the past, been tasked with approving bills for the entire County when they do not have the direct knowledge to provide appropriate oversight.

<p>[20]</p> <p>Rule IV.R. Current</p> <p>As far as practicable and with prior chair approval, standing and special committee members may participate in committee meetings via telephonic conferencing, however those members appearing by phone for meetings that take place within Sauk County will not count toward quorum, may not vote, and shall not receive per diem compensation. At no time shall more than one committee member be participating by telephone. Upon prior approval by the Executive and Legislative Committee, committee members may count toward quorum, may vote and are eligible to receive per diem compensation for telephonic meetings where the committee meeting is convened outside of Sauk County.</p>	<p>Rule IV.R. Change(s):</p> <p>As proposed:</p> <p>As far as practicable and with prior chair approval, standing and special All committee members may participate in committee meetings via telephonic or video conferencing that complies with the Open Meeting Law accessibility requirements. Such participation shall count for purposes of quorum calculations. However these members appearing attending by phone or video for meetings that take place within Sauk County will not count toward quorum, may not shall be entitled to vote and participate as any other member, and shall not receive per diem compensation. At no time shall more than one committee member be participating by telephone. Upon prior approval by the Executive and Legislative Committee, committee members may count toward quorum, may vote and are eligible to receive per diem compensation for telephonic meetings where the committee meeting is convened outside of Sauk</p>	<p>Czuprynsko/Corporation Counsel</p>	<p>Legal Analysis:</p> <p>Proposed changes facilitate additional use of telephonic or video attendance so long as it complies with the accessibility requirements of the Open Meeting Law.</p> <p>The proposed changes comply with all applicable legal requirements.</p>	<p>Committee consensus:</p> <p>Support change for committee meetings only; each supervisor two remote appearances per year, not per month, the supervisor appearing remotely must inform the committee chair not less than 48 hours in advance; only 1 supervisor remote appearance per meeting; and, member chairing meeting cannot participate remotely.</p>
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				<p>County. Remote committee participation shall not exceed two (2) appearances per month for each supervisor.</p> <p>As suggested by E&L:</p> <p>As far as practicable and with prior chair approval, standing and special A committee members may participate in committee meetings via telephonic or video conferencing that complies with the Open Meeting Law accessibility requirements. Such participation shall count for purposes of quorum calculations. however these</p> <p>A members appearing attending by phone or video for meetings that take place within Sauk County will not count toward quorum, may not shall be entitled to vote and participate as any other member, and shall not receive per diem compensation. At no time shall more than one committee member be participating by telephone. Upon prior approval by the Executive and Legislative Committee, committee members may count toward quorum, may vote and are eligible to receive per diem</p>
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	<p>compensation for telephonic meetings where the committee meeting is convened outside of Sauk County. Remote committee participation shall require not less than forty-eight (48) hour notice to the committee chair by the member; is not permitted for the person chairing the meeting; shall not exceed two (2) appearances per year, and; shall be limited to one (1) member per meeting</p>			
<p>GROUP 3</p> <p>RULE CHANGES REPORTED WITHDRAWN WITH CONCURRENCE OF COMMITTEE</p>				

RESOLUTION NO. 49 - 2019

AUTHORIZING "DARK STORE" LITIGATION SUPPORT

Background: In recent years, some property owners have sought property tax reductions by arguing that the value of their retail building is comparable to the value of abandoned ("dark") buildings that are in different locations and subject to significant sale restrictions limiting the number of potential buyers and suppressing the value of those "comparable" properties. These property owners rely on law from other states to leverage tax reductions from Wisconsin local governments, including those in Sauk County, who often do not have sufficient resources to fight these property tax reduction claims.

Dark store tax reduction claims rely on court decisions from other jurisdictions because there is no current decision from any Wisconsin appellate court that addresses the validity of the "dark store" argument. Property tax reductions cause tax burden shifts. However, litigating these types of claims is costly and the costs may not be covered by insurance.

Fiscal Impact: ☐ None ☐ Budgeted Expenditure ☒ Not Budgeted

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session, that the Sauk County Corporation Counsel is authorized to work with Sauk County municipalities to find a Sauk County "dark store" claim case suitable for a favorable appellate court decision and sharing attorney's fees and litigation costs on a 50/50 basis up to an amount determined by the County Board; and

BE IT FURTHER RESOLVED, that the Sauk County Corporation Counsel must submit a "dark store" claim case recommendation to the Sauk County Board of Supervisors and obtain specific financial support authorization for any expenses, including attorney fees and litigations costs, in such case prior to participation by Sauk County.

For consideration by the Sauk County Board of Supervisors on May 21, 2019.

Respectfully submitted,

SAUK COUNTY EXECUTIVE & LEGISLATIVE COMMITTEE

PETER VEDRO, Chair

WILLIAM HAMBRECHT

WALLY CZUPRYNKO

THOMAS KRIEGL

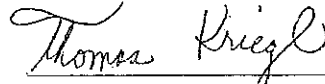
DAVID RIEK

Resolution 49-2019

SAUK COUNTY FINANCE COMMITTEE

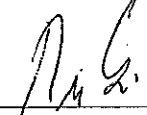


JOHN DIETZ, Chair



THOMAS KRIEGL, Vice Chair

KRISTIN WHITE EAGLE



KEVIN LINS



JOHN (TONY) DEGIOVANNI

Fiscal Note: No immediate fiscal impact. Successful dark store claims cause lower tax revenues for Sauk County and other local government units. *KPB*

MIS Note: No information systems impact

Legislation Sponsor Note (Kriegl)

In recent years, retail property owners, particularly big box retailers, have secured substantial property tax reductions with the claim that the value of their retail building is comparable to the value of abandoned ("dark") buildings. These are known as "dark store" claims and are based on law from other states. They succeed in Wisconsin, in part, because Wisconsin local governments, including those in Sauk County, do not have sufficient resources to fight these property tax reductions in court.

The Wisconsin League of Municipalities reports that in 1970/71 the property tax burden in Wisconsin was split nearly 50/50 between businesses and residences. In 2017/18 the property tax burden in Wisconsin shifted to about 32.8% for businesses and 67.2% for residences. Other studies indicate that big box retailer expenses for taxes and licenses amount to less than one-half percent of their income.

At least eight (8) Sauk County properties have obtained some type of dark store benefit not including the current attempt by Wal-Mart in Lake Delton nor the out of court settlement between the City of Baraboo, Wal-Mart, and Menards. The cost to Sauk County government for refunds and lost tax revenue is about \$1,139,335.78 to date. The cost to municipalities, school districts and other taxing jurisdictions is about \$3,920,000.00. In sum, these dark store tax reductions have shifted more than \$5 million of property taxes from eight dark store properties to all other Sauk County property taxpayers.

The future costs to Sauk County are substantial. The estimated annual future lost tax revenue to just Sauk County government from the eight dark store properties is approximately \$100,000 or \$12,500 per property. Assuming a flat levy rate, the projected revenue loss is just over \$1 million over the next ten years.

Only a small percentage of Sauk County big box stores have made dark store claims to date. However, Wal-Mart recently filed a dark store challenge against the Village of Lake Delton and there is no current legal restriction on these claims in Wisconsin to prevent even more tax shifting in the future. Moreover, the "dark store" argument is not limited to large retailers and a modified variation could be used by smaller and smaller retail stores to shift more and more tax burden to homeowners. Therefore, it is more likely than not that this problem will worsen without action.

Sauk County homeowners, small businesses, and Sauk County government are harmed by every successful dark store challenge anywhere in the county by reducing public funds for education, health care, roads and other government services. This resolution seeks to utilize the collective resources of the county and all of its residents to address that harm.

The actual legal costs to challenge or defend a dark store reduction cannot be projected with any specificity. However, they will certainly be less the ten-year \$1 million cost of the current reductions. If the legal costs are shared between Sauk County and a municipality 50/50 as this resolution proposes, the end costs to Sauk County are very likely to be less than just one year of Sauk County's lost tax revenue, \$100,000, from the existing dark store properties. Importantly, the legal costs will be more projectable when a specific case is proposed for participation and Sauk County and the participating municipality will be able to use that information to make a final decision.

Notably, mere adoption of this resolution may also have a positive fiscal impact for Sauk County taxpayers and governments. Big box stores considering a dark store reduction may forego such action if this resolution is approved given the resource commitment from Sauk County it includes. A Sauk County commitment to use its resources to fight dark store property tax reductions makes the fight a little more even. It is reasonable to think that alone may discourage new dark store tax reduction proposals in Sauk County.

Sauk County previously, and correctly, used reserve funds to pay for dark store refunds. Similarly, Sauk County should use reserve funds to pay for resistance to dark store threats.

RESOLUTION NO. 50

RESOLUTION AUTHORIZING THE ISSUANCE AND
ESTABLISHING PARAMETERS FOR THE SALE OF NOT TO
EXCEED \$2,900,000 GENERAL OBLIGATION REFUNDING BONDS

Background: This resolution establishes parameters for and authorizes sale of general obligation bonds to refinance the eligible portion of its bonded indebtedness (\$2,820,000) so long as the savings incurred from lower interest rates adequately exceeds the costs of refinancing. A parameters resolution allows for bonds to be sold and rates locked with investors between County Board meetings as long as parameters are met. Based on current interest rates, the County should be able to save around \$15,000 per year of 2020 through 2023.

The most pertinent parameters included in the resolution are:

Not to exceed par amount	\$2,900,000
Not to exceed true interest cost	2.75%
Minimum present value of savings	2.00%
Maturity schedule	10/1/20 – 10/1/23 (per maturity +/- up to \$200,000)
Approving certificate delegated to	Chairperson of the Board and County Clerk

Fiscal Impact: ☐ None ☐ Budgeted Expenditure ☒ Not Budgeted

WHEREAS, the County Board of Supervisors hereby finds and determines that it is necessary, desirable and in the best interest of Sauk County, Wisconsin (the "County") to raise funds to pay the cost of refunding obligations of the County, including interest on them, specifically, the General Obligation Refunding Bonds, dated October 13, 2009, maturing in the years 2020 through 2023 (the "Refunded Obligations") (hereinafter the refinancing of the Refunded Obligations shall be referred to as the "Refunding");

WHEREAS, the County Board of Supervisors deems it to be necessary, desirable and in the best interest of the County to refund the Refunded Obligations for the purpose of achieving debt service savings;

WHEREAS, the County is authorized by the provisions of Section 67.04, Wisconsin Statutes, to borrow money and issue general obligation bonds to refinance its outstanding obligations;

WHEREAS, it is the finding of the County Board of Supervisors that it is necessary, desirable and in the best interest of the County to authorize the issuance of and to sell its general obligation refunding bonds (the "Bonds") to Robert W. Baird & Co. Incorporated (the "Purchaser");

WHEREAS, at the time that the market conditions produce the savings the County expects to achieve, the Purchaser intends to submit a purchase proposal to the County (the "Proposal") offering to purchase the Bonds in accordance with the terms and conditions to be set forth in the Proposal; and

WHEREAS, in order to facilitate the sale of the Bonds to the Purchaser in a timely manner, the County Board of Supervisors hereby finds and determines that it is necessary, desirable and in the best interest of the County to delegate to the Chairperson and County Clerk (the "Authorized Officers") the authority to accept the Proposal on behalf of the County so long as the Proposal meets the terms and conditions set forth in this Resolution (the "Parameters") by executing a certificate in substantially the form attached hereto as Exhibit A and incorporated herein by reference (the "Approving Certificate").

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1. Authorization and Sale of the Bonds; Parameters. For the purpose of paying costs of the Refunding, there shall be borrowed pursuant to Section 67.04, Wisconsin Statutes, the principal sum of not to exceed TWO MILLION NINE HUNDRED THOUSAND DOLLARS (\$2,900,000) from the Purchaser upon the terms and subject to the conditions set forth in this Resolution. Subject to satisfaction of the conditions set forth in Section 16 of this Resolution, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, the Bonds aggregating the principal amount of not to exceed TWO MILLION NINE HUNDRED THOUSAND DOLLARS (\$2,900,000). The purchase price to be paid to the County for the Bonds shall not be less than 97.50% of the principal amount of the Bonds and the difference between the initial offering prices of the Bonds provided by the Purchaser and the purchase price to be paid to the County by the Purchaser shall not exceed 2.50% of the principal amount of the Bonds, with an amount not to exceed 1.00% of the principal amount of the Bonds representing the Purchaser's compensation and an amount not to exceed 1.50% of the principal amount of the Bonds representing costs of issuance, including bond insurance premium, payable by the Purchaser. If the costs of issuance are payable by the County rather than by the Purchaser, the amount of such costs of issuance, including bond insurance premium, shall be an amount not to exceed 1.50% of the principal amount of the Bonds.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Refunding Bonds"; shall be issued in the aggregate principal amount of up to \$2,900,000; shall be dated as of their date of issuance; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and mature or be subject to mandatory redemption on the dates and in the principal amounts set forth below, provided that the principal amount of each maturity or mandatory redemption amount may be increased or decreased by up to \$200,000 per maturity or mandatory redemption amount and that the aggregate principal amount of the Bonds shall not exceed \$2,900,000. The schedule below assumes the Bonds are issued in the aggregate principal amount of \$2,795,000.

<u>Date</u>	<u>Principal Amount</u>
10-01-2020	\$855,000
10-01-2021	900,000
10-01-2022	900,000
10-01-2023	140,000

Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2020. The true interest cost on the Bonds (computed taking the Purchaser's compensation into account) will not exceed 2.75%. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.

The present value debt service savings achieved by the Refunding (the "Savings") shall be at least 2.00% of the principal amount refunded.

Section 3. Redemption Provisions. The Bonds shall not be subject to optional redemption. If the Proposal specifies that certain of the Bonds are subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment to the Approving Certificate labeled as Exhibit MRP.

Section 4: Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit B and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2019 through 2022 for payments due in the years 2020 through 2023 in such amounts as are sufficient to meet such principal and interest payments when due.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously

issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Refunding Bonds-2019" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Bonds; (ii) any premium not used for the Refunding which may be received by the County above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium not used for the Refunding and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the County and disbursed solely for the purpose or purposes for which borrowed or for the payment of the principal of and the interest on the Bonds. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after

the purpose or purposes for which the Bonds have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Bonds and by the Refunded Obligations and the ownership, management and use of the projects will not cause the Bonds or the Refunded Obligations to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Bonds are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but,

unless the County has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 12. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by Associated Trust Company, National Association, Green Bay, Wisconsin, which is hereby appointed as the County's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The County hereby authorizes the Chairperson and County Clerk or other appropriate officers of the County to enter a Fiscal Agency Agreement between the County and the Fiscal Agent. Such contract may provide, among other things, for the performance by the Fiscal Agent of the functions listed in Wis. Stats. Sec. 67.10(2)(a) to (j), where applicable, with respect to the Bonds.

Section 13. Persons Treated as Owners; Transfer of Bonds. The County shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 14. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the County at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the County Clerk or other authorized representative of the County is authorized and directed to execute and deliver to DTC on behalf of the County to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the County Clerk's office.

Section 16. Conditions on Issuance and Sale of the Bonds. The issuance of the Bonds and the sale of the Bonds to the Purchaser are subject to satisfaction of the following conditions:

- (a) approval by the Authorized Officers of the principal amount, definitive maturities, redemption provisions, interest rates and purchase price for the Bonds, which approval shall be evidenced by execution by the Authorized Officers of the Approving Certificate; and
- (b) realization by the County of the Savings in an amount equal to at least 2.00% of the principal amount refunded.

The Bonds shall not be issued, sold or delivered until these conditions are satisfied. Upon satisfaction of these conditions, the Authorized Officers are authorized to execute a Proposal with the Purchaser providing for the sale of the Bonds to the Purchaser.

Section 17. Official Statement. The County Board of Supervisors hereby directs the Authorized Officers to approve the Preliminary Official Statement with respect to the Bonds and deem the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by the Authorized Officers or other officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 18. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the Chairperson and County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds, shall provide a Continuing

Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 19. Redemption of the Refunded Obligations. The Refunded Obligations are hereby called for prior payment and redemption on October 1, 2019 (or on such other date approved by the Authorized Officers in the Approving Certificate) at a price of par plus accrued interest to the date of redemption subject to final approval by the Authorized Officers as evidenced by the execution of the Approving Certificate.

The County hereby directs the County Clerk to work with the Purchaser to cause timely notice of redemption, in substantially the form attached hereto as Exhibit C and incorporated herein by this reference (the "Notice"), to be provided at the times, to the parties and in the manner set forth on the Notice. Any and all actions heretofore taken by the officers and agents of the County to effectuate the redemption of the Refunded Obligations are hereby ratified and approved.

Section 20. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 21. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 22. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

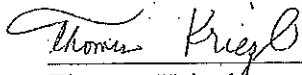
For consideration by the Sauk County Board of Supervisors on May 21, 2019.

Respectfully Submitted, Sauk County Finance Committee

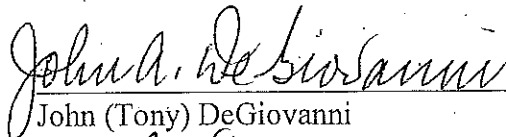


John S. Dietz, Chairperson


Kristin K. White Eagle



Thomas Kriegel



John (Tony) DeGiovanni



Kevin Lins

Adopted and recorded this 21st day of May, 2019.

Peter Vedro
Chairperson

ATTEST:

Rebecca C. Evert
County Clerk

(SEAL)

Fiscal Note: Refunding of the existing debt is estimated to save the County approximately \$65,000 in interest costs over the period of 2020 to 2023 compared to the County's existing debt service schedule. The interest rates will decrease from 4.0% to an estimated 2.25% on refunded maturities. *KPB*
MIS Note: No information systems impact

EXHIBIT A
Approving Certificate

(See Attached)

CERTIFICATE APPROVING THE PRELIMINARY OFFICIAL STATEMENT
AND DETAILS OF
GENERAL OBLIGATION REFUNDING BONDS

The undersigned Chairperson and County Clerk of Sauk County, Wisconsin (the "County"), hereby certify that:

1. Resolution. On May 21, 2019, the County Board of Supervisors of the County adopted a resolution (the "Resolution") authorizing the issuance and establishing parameters for the sale of not to exceed \$2,900,000 General Obligation Refunding Bonds of the County (the "Bonds") to Robert W. Baird & Co. Incorporated (the "Purchaser") and delegating to us the authority to approve the Preliminary Official Statement, to approve the purchase proposal for the Bonds, and to determine the details for the Bonds within the parameters established by the Resolution.

2. Preliminary Official Statement. The Preliminary Official Statement with respect to the Bonds is hereby approved and deemed "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934.

3. Proposal; Terms of the Bonds. On the date hereof, the Purchaser offered to purchase the Bonds in accordance with the terms set forth in the Bond Purchase Agreement between the County and the Purchaser attached hereto as Schedule I (the "Proposal"). The Proposal meets the parameters established by the Resolution and is hereby approved and accepted.

The Bonds shall be issued in the aggregate principal amount of \$_____, which is not more than the \$2,900,000 approved by the Resolution, and shall mature on October 1 of each of the years and in the amounts and shall bear interest at the rates per annum as set forth in the Pricing Summary attached hereto as Schedule II and incorporated herein by this reference. The amount of each annual principal or mandatory redemption payment due on the Bonds is not more than \$200,000 more or less per maturity or mandatory redemption amount than the schedule included in the Resolution as set forth below:

<u>Date</u>	<u>Resolution Schedule</u>	<u>Actual Amount</u>
10-01-2020	\$855,000	\$_____
10-01-2021	900,000	_____
10-01-2022	900,000	_____
10-01-2023	140,000	_____

The true interest cost on the Bonds (computed taking the Purchaser's compensation into account) is _____%, which is not in excess of 2.75%, as required by the Resolution. The present value debt service savings achieved by the Refunding is \$_____ or _____% of the principal amount refunded, which is at least 2.00% of the principal amount refunded as required by the Resolution.

4. Purchase Price of the Bonds. The Bonds shall be sold to the Purchaser in accordance with the terms of the Proposal at a price of \$_____, plus accrued interest, if any, to the date of delivery of the Bonds which is not less than 97.50% of the principal amount of the Bonds as required by the Resolution.

The difference between the initial offering prices provided by the Purchaser of the Bonds (\$_____) and the purchase price to be paid to the County by the Purchaser (\$_____) is \$_____, or _____% of the principal amount of the Bonds, which does not exceed 2.50% of the principal amount of the Bonds. The portion of such amount representing Purchaser's compensation is \$_____, or not more than 1.00% of the principal amount of the Bonds. The amount representing other costs of issuance [to be paid by the County] is \$_____, which does not exceed 1.50% of the principal amount of the Bonds.

5. Redemption Provisions of the Bonds. The Bonds are not subject to optional redemption.

6. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same respectively falls due, the full faith, credit and taxing powers of the County have been irrevocably pledged and there has been levied on all of the taxable property in the County, pursuant to the Resolution, a direct, annual irrepealable tax in an amount and at the times sufficient for said purpose. Such tax shall be for the years and in the amounts set forth on the debt service schedule attached hereto as Schedule III.

7. Redemption of the Refunded Obligations. In the Resolution, the County Board of Supervisors authorized the redemption of the Refunded Obligations and granted us the authority to determine the redemption date. The Refunded Obligations shall be redeemed on October 1, 2019.

8. Approval. This Certificate constitutes our approval of the Proposal, and the principal amount, the definitive maturities, interest rates, purchase price and redemption provisions for the Bonds and the direct annual irrepealable tax levy to repay the Bonds, in satisfaction of the parameters set forth in the Resolution.

IN WITNESS WHEREOF, we have executed this Certificate on _____, 2019 pursuant to the authority delegated to us in the Resolution.

Peter Vedro
Chairperson

Rebecca C. Evert
County Clerk

SCHEDULE I TO APPROVING CERTIFICATE

Proposal

To be provided by the Purchaser and incorporated into the Certificate.

(See Attached)

SCHEDULE II TO APPROVING CERTIFICATE

Pricing Summary

To be provided by the Purchaser and incorporated into the Certificate.

(See Attached)

SCHEDULE III TO APPROVING CERTIFICATE

Debt Service Schedule and Irrepealable Tax Levies

To be provided by the Purchaser and incorporated into the Certificate.

(See Attached)

EXHIBIT B

(Form of Bond)

REGISTERED NO. R- _____ UNITED STATES OF AMERICA
STATE OF WISCONSIN
SAUK COUNTY DOLLARS
\$ _____
GENERAL OBLIGATION REFUNDING BOND

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:
October 1, _____, 2019 _____ % _____

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS
(\$ _____)

FOR VALUE RECEIVED, Sauk County, Wisconsin (the "County"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2020 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Bond are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Bond is registered on the Bond Register maintained by Associated Trust Company, National Association, Green Bay, Wisconsin (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding each interest payment date (the "Record Date"). This Bond is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Bond together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the County are hereby irrevocably pledged.

This Bond is one of an issue of Bonds aggregating the principal amount of \$2,900,000, all of which are of like tenor, except as to denomination, interest rate and maturity date, issued by the County pursuant to the provisions of Section 67.04, Wisconsin Statutes, for the public purpose of refunding certain obligations of the County, as authorized by a resolution adopted on May 21, 2019 as supplemented by a Certificate Approving the Preliminary Official Statement and Details of General Obligation Refunding Bonds, dated _____, 2019.

Said resolution is recorded in the official minutes of the County Board of Supervisors for said date.

This Bond is not subject to optional redemption.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Bond have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the County, including this Bond and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Bond, together with the interest thereon, when and as payable.

This Bond has been designated by the County Board of Supervisors as a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Bond is transferable only upon the books of the County kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Bonds, and the County appoints another depository, upon surrender of the Bond to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Bond in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the County for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Bonds after the Record Date. The Fiscal Agent and County may treat and consider the Depository in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Bonds are issuable solely as negotiable, fully-registered Bonds without coupons in the denomination of \$5,000 or any integral multiple thereof.

This Bond shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Fiscal Agent.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, Sauk County, Wisconsin, by its governing body, has caused this Bond to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Chairperson and County Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

SAUK COUNTY, WISCONSIN

By: _____
Peter Vedro
Chairperson

(SEAL)

By: _____
Rebecca C. Evert
County Clerk

Date of Authentication: _____, _____

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds of the issue authorized by the within-mentioned resolution of Sauk County, Wisconsin.

ASSOCIATED TRUST COMPANY,
NATIONAL ASSOCIATION,
GREEN BAY, WISCONSIN

By _____
Authorized Signatory

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)

EXHIBIT C

NOTICE OF FULL CALL*

Regarding

SAUK COUNTY, WISCONSIN
GENERAL OBLIGATION REFUNDING BONDS, DATED OCTOBER 13, 2009

NOTICE IS HEREBY GIVEN that the Bonds of the above-referenced issue which mature on the dates and in the amounts; bear interest at the rates; and have CUSIP Nos. as set forth below have been called by the County for prior payment on October 1, 2019 at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the date of prepayment:

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>CUSIP No.</u>
10/01/2020	\$860,000	4.00%	804328HE5
10/01/2021	900,000	4.00	804328HF2
10/01/2022	905,000	4.00	804328HG0
10/01/2023	155,000	4.00	804328HH8

The County shall deposit federal or other immediately available funds sufficient for such redemption at the office of The Depository Trust Company on or before October 1, 2019.

Said Bonds will cease to bear interest on October 1, 2019.

By Order of the
County Board of Supervisors
Sauk County
County Clerk

Dated _____

* To be provided by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by The Depository Trust Company, to The Depository Trust Company, Attn: Supervisor, Call Notification Department, 570 Washington Blvd., Jersey City, NJ 07310, not less than thirty (30) days nor more than sixty (60) days prior to October 1, 2019 and to the MSRB electronically through the Electronic Municipal Market Access (EMMA) System website at www.emma.msrb.org.



100
YEARS

Sauk County County Board Meeting

May 21, 2019

Bradley D. Viegut, Managing Director

bviegut@wmbaird.com

777 East Wisconsin Avenue

Milwaukee, WI 53202

Phone 414.765.3827

Fax 414.298.7354

Sauk County

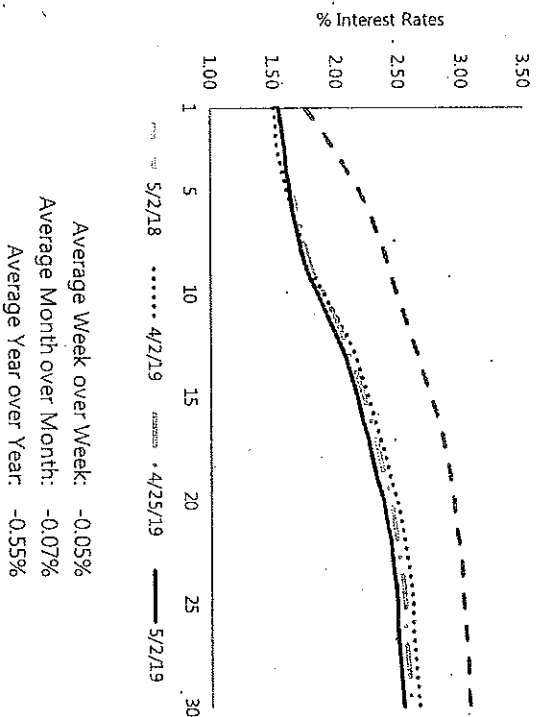
County Board Meeting

May 21, 2019

Where Have Tax-Exempt Rates Gone?

	Annual	Monthly	Weekly	Current	Difference	Month over Month	Week over Week
Maturity	5/2/18	4/2/19	4/25/19	5/2/19	Year over Year		
1	1.75	1.51	1.55	1.55	-0.20	0.04	0.00
2	1.88	1.52	1.57	1.57	-0.31	0.05	0.00
3	1.99	1.53	1.59	1.59	-0.40	0.06	0.00
4	2.08	1.57	1.61	1.61	-0.47	0.04	0.00
5	2.18	1.61	1.65	1.63	-0.55	0.02	-0.02
6	2.27	1.66	1.69	1.66	-0.61	0.00	-0.03
7	2.33	1.71	1.73	1.69	-0.64	-0.02	-0.04
8	2.39	1.76	1.77	1.73	-0.66	-0.03	-0.04
9	2.44	1.82	1.82	1.78	-0.66	-0.04	-0.04
10	2.49	1.90	1.90	1.85	-0.64	-0.05	-0.05
11	2.54	1.99	1.98	1.93	-0.61	-0.06	-0.05
12	2.59	2.08	2.05	2.00	-0.59	-0.08	-0.05
13	2.65	2.15	2.11	2.07	-0.58	-0.08	-0.04
14	2.70	2.21	2.17	2.12	-0.58	-0.09	-0.05
15	2.75	2.25	2.22	2.17	-0.58	-0.08	-0.05
16	2.81	2.30	2.27	2.21	-0.60	-0.09	-0.06
17	2.85	2.35	2.31	2.25	-0.60	-0.10	-0.06
18	2.88	2.40	2.35	2.29	-0.59	-0.11	-0.06
19	2.91	2.44	2.39	2.33	-0.58	-0.11	-0.06
20	2.93	2.48	2.43	2.37	-0.56	-0.11	-0.06
21	2.95	2.52	2.46	2.40	-0.55	-0.12	-0.06
22	2.97	2.55	2.49	2.43	-0.54	-0.12	-0.06
23	2.99	2.57	2.51	2.45	-0.54	-0.12	-0.06
24	3.00	2.59	2.53	2.47	-0.53	-0.12	-0.06
25	3.01	2.60	2.54	2.48	-0.53	-0.12	-0.06
26	3.02	2.61	2.55	2.49	-0.53	-0.12	-0.06
27	3.03	2.62	2.56	2.50	-0.53	-0.12	-0.06
28	3.04	2.63	2.57	2.51	-0.53	-0.12	-0.06
29	3.05	2.64	2.58	2.52	-0.53	-0.12	-0.06
30	3.06	2.65	2.59	2.53	-0.53	-0.12	-0.06
Average:					-0.55	-0.07	-0.05

AAA MMD Historical Yield Curve Range



BAIRD

BAIRD

BEFORE REFINANCING

Maturities callable 10/1/19 or any date thereafter.

REFINANCED WITH 2019 ISSUE.

ROUNDING AMOUNT	\$1,624
POTENTIAL GROSS SAVINGS	\$67,072
(2) POTENTIAL PRESENT VALUE SAVINGS \$	\$62,290
POTENTIAL PRESENT VALUE SAVINGS %	2.209%

(2) POTENTIAL PRESENT VALUE SAVINGS \$.....	\$62,290
POTENTIAL PRESENT VALUE SAVINGS %.....	2.209%

Interest Rate Sensitivity		
Change In Rates	Est. PV % Savings	Est. PV \$ Savings
-0.30%	2.907%	\$81,981
-0.20%	2.678%	\$75,512
-0.10%	2.443%	\$68,890
+0.10%	1.976%	\$55,709
+0.20%	1.747%	\$49,279
+0.30%	1.516%	\$42,741

Sauk County

County Board Meeting

May 21, 2019

BAIRD

Summary of Parameters Resolution

Purpose: Establish parameters for sale of General Obligation Refunding Bonds. A Parameters Resolution allows for bonds to be sold and rates locked with investors between Board meetings as long as parameters met.

Not to Exceed Par Amount	\$2,900,000
Not to Exceed True Interest Cost (%)	2.75%
Minimum PV Savings ¹ (as % of refunded bonds)	2.00%
Maturity Schedule	10/1/20 - 10/1/23 Per maturity increase/decrease up to \$200,000
Approving Certificate Delegated to	Chairperson and Clerk

¹ Present value calculating using the All Inclusive Cost (AIC) as the discount rate.

Sauk County

County Board Meeting

May 21, 2019



Timeline

Finance Committee reviews refunding opportunity.....	April 8, 2019
Finance Committee considers adopting a resolution establishing parameters to award the bonds	May 13, 2019
County Board considers recommendation of Finance Committee	May 21, 2019
Preparations are made for the issuance, including but not limited to the following:	
> Compilation of Preliminary Official Statement	
> Credit rating	
> Marketing	
Approving Certificate & Bond Purchase Agreement executed	June/July, 2019
> <i>Parameters are met; interest rates and savings finalized</i>	
Settlement (funds available)	July/August, 2019
Payoff 2009 Bonds	October 1, 2019

RESOLUTION 51 - 2019

Authorizing Amendments to the 2018 Budget

Background: Throughout the year, various additional funds become available that require no additional County matching funds or are expansions of existing grant funding and programs. Also throughout the year, additional expenditures are incurred for which funding is available. At the completion of each year's annual financial audit after all transactions have been recorded, a final resolution is brought forward to present a summary of departments and/or funds that exceeded their annual appropriations. This resolution authorizes amendments to the budget for those departments and/or funds that had offsetting revenues or fund balances, as well as for departments without offsetting funding and in need of a transfer from the contingency fund.

Fiscal Impact: ☐ None ☐ Budgeted ☒ Not Budgeted

WHEREAS, expenditure of additional funds sometimes causes a department to exceed their expenditure appropriations, while not exceeding their net budget or available fund balances, as summarized below:

Departments Exceeding Expenditure Budgets, But Offsetting Revenues or Fund Balances Exist

Amount	Department	Primary Reason for Variance	Revenue Source
\$19,663	Clerk of Courts	Court appointed counsel costs exceeded budget.	Interest collected on accounts receivable exceeded budget.
\$19,190	Community Development Block Grant – Housing Rehabilitation	Repaid loans allowed issuance of new loans that were not anticipated in the budget.	Loan repayments received completely fund expenditures.
\$112	Debt Service Fund	Paying agent fees slightly higher than expected.	Debt Service fund balance for this purpose is available.
\$1,642	Dog License Fund	Dog license fees collected are less than budget.	Future payments to the Humane Society will be reduced; temporarily carrying a deficit fund balance.
\$17,042	Drug Seizures	Reimbursements to other law enforcement agencies exceeded budget.	Drug Seizures fund balance for this purpose is available.
\$3,907,805	Human Services Fund	Transfer favorable 2017 yearend fund balance over set maximum to the General Fund per policy. Large increase in Comprehensive Community Services enrollments.	Human Services fund balance and additional revenues for these purposes are available.
\$115,312	Parks	Great Sauk State Trail (GSST) construction costs higher than expected.	Donations received specifically for the GSST.
\$29,316	Public Health	Nurse Family Partnership (NFP) program costs higher than expected.	NFP grant proceeds received.
\$163,239	Workers Compensation Fund	Workers compensation losses exceeded estimates.	Workers Compensation fund balance for this purpose is available.

Resolution 51 - 2019 Authorizing Amendments to the 2018 Budget

WHEREAS, the following General Fund departments' net budgets, expenses less revenues received, were exceeded in 2018 due to revenues being less than anticipated, as follows:

Departments Exceeding Overall Budgets

Contingency Transfer Amount	Percent of Budget	Expenditure Budget Exceeded	Department	Primary Reason for Variance
\$14,834	9.16%	\$12,084	Coroner	More autopsies than expected
\$13,872	6.13%	\$30,753	Emergency Management	Fall 2018 flood response
\$28,706	Total Required Transfer from Contingency Fund			

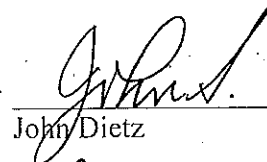
NOW, THEREFORE, BE IT RESOLVED that the 2018 budgets of the above-described departments that did not exceed their net appropriations be amended to appropriate the additional funds received or fund balances as proper; and,

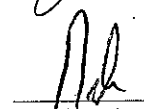
BE IT FURTHER RESOLVED, that \$28,706 be transferred from the 2018 contingency fund to the above-described departments' 2018 budgets that were exceeded when other balances were not available.

For consideration by the Sauk County Board of Supervisors on May 21, 2019.

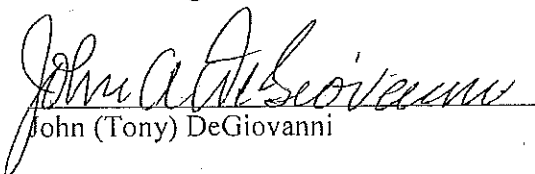
Respectfully submitted:

SAUK COUNTY FINANCE COMMITTEE


John Dietz


Kevin Lins


Thomas Kriegl


John (Tony) DeGiovanni

Kristin White Eagle

Fiscal Note: \$350,000 is available in the 2018 Contingency Fund to fund overdrawn appropriations of \$28,706. *KPB*

Information Systems Note: No information systems impact.

Sauk County Financial Report
PRELIMINARY December 31,
2018 as of 5-10-19
Percent of Year Complete

	General Government				Justice & Public Safety				Public Works				Health & Human Services			
	Budget		Favorable / (Unfavorable)		Budget		Favorable / (Unfavorable)		Budget		Favorable / (Unfavorable)		Budget		Favorable / (Unfavorable)	
				% of Budget				% of Budget				% of Budget				% of Budget
Revenues																
Property Taxes	(\$1,223,400)	(\$1,242,551)	\$19,251	101.57%	\$14,241,863	\$14,241,863	\$0	100.00%	\$4,116,954	\$4,116,954	\$0	100.00%	\$12,078,651	\$12,078,651	\$0	100.00%
Other Taxes	635,135	782,564	147,429	123.21%	0	0	0	—	0	0	0	—	0	0	0	—
Sales Tax	8,775,658	9,383,467	607,809	106.93%	729,116	729,116	25,120	103.73%	0	0	0	—	18,045,245	18,045,245	3,652,852	123.73%
Grants & Aids	1,189,822	1,234,868	45,046	103.79%	32,330	32,330	(2,710)	92.27%	1,652,033	1,652,033	257,277	116.45%	51,135	51,135	59,502	112.86%
Licenses & Permits	14,000	15,805	1,805	105.75%	35,040	35,040	0	100.00%	0	0	0	—	59,000	59,000	760	101.10%
Fines, Forfeitures & Penalties	5,000	5,834	834	116.68%	418,172	418,172	24,172	105.28%	0	0	0	—	7,644,183	7,644,183	(563,265)	92.63%
User Fees	587,491	581,633	(5,858)	99.01%	917,605	917,605	0	100.00%	185,601	185,601	(54,549)	70.59%	303,736	303,736	75,990	103.19%
Intergovernmental Charges	2,795,137	2,391,685	(403,452)	87.44%	1,131,718	1,503,510	371,793	132.86%	3,783,011	5,185,442	1,402,433	137.07%	228,046	228,046	7,557	107.92%
Donations	0	0	0	—	5,000	5,000	281	52.22%	0	0	0	—	100,254	100,254	113,729	912.35%
Interest	332,228	735,654	403,426	221.42%	100	100	(28)	71.92%	22,800	246,627	223,827	1081.70%	14,000	14,000	0	0.00%
Rent	413,577	549,625	136,048	132.90%	0	0	0	—	0	0	0	—	2,840	2,840	17,141	683.02%
Miscellaneous	21,620	73,705	52,085	340.91%	92,500	165,122	72,622	178.51%	0	0	0	—	1,803,382	1,168,167	(635,215)	64.78%
Transfers from Other Funds	748,877	3,319,816	2,570,939	443.31%	0	0	0	—	0	0	0	—	0	0	0	—
Bond / Note Proceeds	0	0	0	—	0	0	0	—	0	0	0	—	0	0	0	—
Total Revenues	14,235,145	17,816,004	3,580,859	125.16%	17,521,423	17,960,318	438,895	102.50%	9,503,072	11,332,060	1,828,988	119.25%	37,866,627	40,605,276	2,738,649	107.23%
Expenses / Expenditures																
Wages & Salaries	3,694,239	3,814,654	79,595	97.85%	10,099,519	10,108,237	(8,718)	100.09%	3,078,124	3,078,976	(852)	100.06%	15,204,146	14,574,265	(629,881)	95.86%
Labor Benefits	1,285,565	1,171,835	(93,730)	92.59%	3,982,442	3,790,194	(192,248)	95.17%	1,328,309	1,337,693	(9,374)	100.71%	5,981,762	5,525,781	(455,981)	92.38%
Supplies & Services	4,743,538	3,744,497	(999,041)	78.94%	4,024,251	3,816,451	(207,800)	94.84%	5,246,042	5,489,330	(243,288)	104.64%	15,231,325	16,970,729	(1,739,404)	111.42%
Debt Service - Principal	0	0	0	—	0	0	0	—	0	0	0	—	820,000	N/A	0	N/A
Debt Service - Interest	3,524,007	1,513,568	(2,010,439)	42.95%	1,023,588	1,000,508	(23,080)	97.75%	725,000	0	(725,000)	0.00%	312,167	312,866	(699)	100.22%
Capital Outlay	0	0	0	—	0	0	0	—	0	0	0	—	1,117,181	155,748	(961,433)	13.94%
Transfers to Other Funds /																
Debt Issuance Costs	3,221,679	2,596,454	(625,225)	80.28%	100,000	100,000	0	100.00%	8,000	152,515	(144,515)	1906.44%	740,877	3,167,301	(2,426,424)	427.51%
Total Expenditures	16,449,028	12,631,018	(3,818,010)	76.79%	19,228,800	18,815,390	(414,410)	97.84%	10,385,475	10,059,504	(325,971)	96.86%	39,407,478	40,706,670	(1,299,192)	103.30%
Functional Expenditures as % of																
Total Expenditures	17.49%	14.00%			20.44%	20.85%			11.04%	11.15%			41.90%	45.12%		
Net Increase/(Decrease) in Fund	(\$2,213,883)	\$5,184,986	\$7,398,869		(\$1,706,377)	(\$655,071)	\$553,306		(\$882,403)	\$1,272,556	\$2,154,959		(\$1,540,851)	(\$101,394)	\$1,439,457	
Balances																

Notes on % of Budget Differing from Expected 4-20% and \$25,000 if revenues (excluding transfers, capital outlay and debt service),
Wages & Salaries and Labor Benefits under budget due to vacant positions and turnover

• Sales tax receipts are through December 2018 sales, or 100% of the year.

A Real estate transfer tax exceeded budget by \$64,000.

B Interest on Treasurer's invested funds exceeds conservative estimates.

C Rent of fiber optics and towers exceeds budget.

D Sale of tax deed properties higher than expected by \$32,000.

E Housing prisoners from other jurisdictions exceeds budget by \$373,000.

F Clerk of Courts interest on accounts receivable exceeds budget by \$73,000.

G Sale of highway materials to private entities lower than budgeted by \$55,000.

H Charges to the Sauk County Parks budget for construction of the Great Sauk State Trail.

I Interfund and Landfill interest on invested funds exceeding conservative estimates.

J Health Care Center medical assistance supplemental payment exceeds budget by \$450,000.

K General fund contribution to Health Care Center energy efficiencies not budgeted \$85,000.

L Interfund interest on invested funds exceeding conservative estimates.

M Of \$485,000 budgeted for Health Care Center assisted living, only \$36,000 was spent and transferred.

N Of \$165,215 budgeted for ADRS remodeling, none was spent or transferred.

Sauk County Financial Report
PRELIMINARY December 31,
2018 as of 5-10-19
Percent of Year Complete

100.00%

	Conservation, Development, Recreation, Culture & Education			Debt Service			Totals		
	Budget	Actual	Favorable / (Unfavorable)	Budget	Actual	Favorable / (Unfavorable)	Budget	Actual	Favorable / (Unfavorable)
Revenues									
Property Taxes	\$1,754,950	\$1,754,950	\$0			\$0	\$30,949,767	\$30,949,767	(\$19,251)
Other Taxes	0	0	0			0	147,429	147,429	123,211
Sales Tax	0	0	0			0	9,363,467	9,363,467	607,809
Grants & Aids	360,633	598,703	176,070			0	23,198,035	23,198,035	4,157,386
Licenses & Permits	249,500	309,426	59,926			0	138,623	138,623	115,326
Fines, Forfeitures & Penalties	5,000	8,149	3,149			0	508,515	508,515	32,915
User Fees	179,800	589,791	409,991			0	9,359,637	9,359,637	1,500,724
Intergovernmental Charges	21,000	15,163	(5,837)			0	910,618	910,618	621,559
Donations	0	508,000	508,000			0	1,113,675	1,113,675	778,901
Interest	22,646	31,637	8,991			0	343,999	343,999	139,357
Rent	0	0	0			0	6,005,279	6,005,279	1,935,723
Miscellaneous	67,562	85,092	17,530			0	0	0	0
Transfers from Other Funds	0	0	0			0	0	0	0
Bond / Note Proceeds	0	0	0			0	0	0	0
Total Revenues	2,661,211	3,838,911	1,177,700	1,523,297	1,552,273	28,976	83,310,775	83,104,842	9,794,067
Expenses / Expenditures									
Wages & Salaries	1,234,140	1,210,037	24,103			0	33,310,166	32,587,168	723,000
Labor Benefits	397,625	349,546	48,079			0	12,555,723	12,175,018	380,705
Supplies & Services	3,929,270	3,646,479	282,791			0	33,174,426	33,667,466	(493,060)
Debt Service - Principal	0	0	0			0	1,720,000	1,720,000	0
Debt Service - Interest	0	0	0			(112)	454,330	455,141	(811)
Capital Outlay	1,163,816	947,441	216,375			0	7,553,592	3,617,266	3,936,326
Transfers to Other Funds /	0	0	0			0	4,070,566	6,005,279	(1,935,723)
Debt Issuance Costs	0	0	0			0	94,056,785	90,228,359	3,830,436
Total Expenditures	5,724,851	6,163,503	571,348	1,862,163	1,862,275	(112)	100.00%	100.00%	95.93%
Functional Expenditures as % of									
Total Expenditures	7.15%	5.82%		1.98%	2.06%				
Net Increase/(Decrease) in Fund	(\$4,063,640)	(\$2,314,592)	\$1,749,048	(\$338,866)	(\$310,002)	\$28,964	(\$10,745,020)	\$2,876,483	\$13,624,503
Balances									

Notes on % of Budget Differing from Expected +/- 20% and \$25,000 If revenues (excluding transfers, capital outlay and debt service) Wages & Salaries and Labor Benefits under budget due to vacant positions and turnover

N State Stewardship funds grant for the Great Sauk State Trail was not anticipated, \$200,000.

O Land use permit revenues exceed budget by \$15,200 and sanitary permits by \$19,400.

P Sale of rail and other track materials of \$381,000 not budgeted. Perks entrance and other fees exceed budget by \$22,000.

Q Friends of the Great Sauk State Trail donation of \$500,000.

R Debt service interest on invested funds exceeding conservative estimates.

SAUK COUNTY FINANCIAL REPORT (Unaudited)
PRELIMINARY December 31, 2018 as of 5-10-19
Percent of Year Complete 100.00%

Department / Account Title	2018 Expense Budget Excluding Addition		Year-to-Date	% of Budget	2018 Revenue Budget Excluding Carryforwards		Year-to-Date	% of Budget	Department Net Favorable / (Unfavorable)		SAUK COUNTY FUND BALANCES	
	to Fund Balance	to Fund Balance			or Fund Bal Use	or Fund Bal Use			to Budget	to Budget	December 31, 2017	December 31, 2018 Preliminary as of 5-10-19
General Fund Property Tax	0	0	0	-	-7,397,230	-7,415,481	100.26%	(19,251)				
Miscellaneous Sales Tax	0	0	0	-	130	125	96.15%	(5)				
County Sales Tax	0	0	0	-	8,775,658	9,393,467	106.93%	607,809				
Shared Revenue	0	0	0	-	702,079	749,374	106.74%	47,295				
Computer Aid	0	0	0	-	90,000	93,482	103.87%	3,482				
Indirect Cost Reimbursement	0	0	0	-	106,939	148,781	136.57%	39,842				
Arts & Humanities-Grants	0	0	0	-	7,010	7,010	100.00%	0				
Interest on Loan Payments	0	0	0	-	28	32	114.46%	4				
Rent of County Buildings	0	0	0	-	138,177	135,624	98.15%	(2,553)				
Sale of County-Owned Property	0	0	0	-	7,000	13,566	193.80%	6,566				
Miscellaneous Revenues	0	0	0	-	1,000	2,076	207.57%	1,076				
Transfer from Human Services	0	0	0	-	7,000	1,953,641	27909.15%	1,946,641				
Transfer from Health Care Center	0	0	0	-	733,877	1,213,660	165.38%	479,783				
Transfer from Highway	0	0	0	-	8,000	152,515	1906.44%	144,515				
Miscellaneous Expenses	100	4,195	0	4195.14%	0	0	-	(4,095)				
Charitable/Penal Fines, Misc	212	212	0	100.23%	0	0	-	350,000				
Contingency Fund Remaining	350,000	0	0	0.00%	0	0	-	0				
Baraboo-Deals Airport	4,100	4,100	0	100.00%	0	0	-	0				
Reedsburg Airport	4,100	4,100	0	100.00%	0	0	-	0				
Sauk-Prairie Airport	4,100	4,100	0	100.00%	0	0	-	0				
Tri-County Airport	16,422	16,422	0	100.00%	0	0	-	0				
Wisconsin River Rail Transit	28,000	28,000	0	100.00%	0	0	-	0				
Pink Lady Transit Commission	1,200	1,200	0	100.00%	0	0	-	0				
Mid-Continent Railway Museum	77,000	77,000	0	100.00%	0	0	-	0				
Sauk County Libraries	1,044,698	1,044,698	0	100.02%	0	0	-	0				
Arts & Humanities	77,952	76,784	0	98.63%	0	0	-	(1,168)				
UW-Baraboo / Sauk County	102,500	102,500	0	100.00%	0	0	-	0				
Sauk County Development Corp	75,000	71,250	0	95.00%	0	0	-	3,750				
ATC Environmental Impact Fee Projects	432,678	150,001	0	34.67%	0	0	-	282,677				
Transfer to ADRC	186,215	0	0	0.00%	0	0	-	186,215				
Transfer to Debt Service Fund	1,418,297	1,418,297	0	100.00%	0	0	-	0				
Transfer to Health Care Center (for debt service)	1,617,167	1,169,195	0	72.24%	0	0	-	449,000				
TOTAL GENERAL FUND NON-DEPARTMENTAL	5,439,641	4,171,195		76.69%	3,181,668	6,436,871	202.31%	4,523,649				
County Board	236,853	148,608		62.74%	156,853	155,853	100.00%	88,245				
Clerk of Courts	1,116,752	1,136,415		101.76%	1,116,752	1,225,391	109.73%	88,976				
Circuit Courts	695,691	685,042		98.47%	680,691	680,260	99.94%	10,218				
Court Commissioner	284,311	242,156		85.20%	237,449	228,994	96.44%	13,700				
Register in Probate	224,353	186,077		82.94%	224,353	225,719	100.61%	39,642				
Accounting	718,069	650,392		90.58%	704,325	702,745	99.78%	66,098				
County Clerk / Elections	417,989	370,265		88.59%	417,989	408,244	97.67%	37,879				
Personnel	625,594	533,895		85.34%	560,330	564,531	100.75%	95,900				
Treasurer	917,152	800,148		87.24%	521,052	1,050,462	201.60%	646,414				
District Attorney / Victim Witness	224,566	224,517		99.98%	224,566	284,382	126.64%	59,865				
Corporation Counsel	745,060	671,700		90.08%	726,060	651,990	89.80%	290				
Surveyor	655,789	633,844		96.65%	655,789	657,678	100.29%	23,934				
Building Services	81,346	81,346		100.00%	81,346	81,346	100.00%	35,743				
Sheriff	4,670,269	3,230,676		69.18%	2,958,113	3,101,407	104.84%	1,562,887				
Coroner	14,503,202	14,161,652		97.65%	14,047,751	14,433,517	102.75%	727,305				
Emergency Management	162,012	174,096		107.46%	162,012	159,262	98.30%	(14,834)				
Administrative Coordinator	226,255	257,008		113.59%	226,255	243,135	107.46%	(13,872)				
Management Information Systems	403,957	294,610		72.93%	230,373	232,437	100.90%	111,411				
Criminal Justice Coordinating	3,769,638	3,058,005		81.12%	3,181,770	2,884,885	90.67%	414,748				
Public Health	626,294	450,375		71.91%	566,775	577,483	98.42%	166,627				
WIC	1,964,956	1,994,272		101.49%	1,933,763	1,991,150	102.97%	28,071				
Environmental Health	416,582	373,103		89.56%	389,137	373,544	95.99%	27,886				
Child Support	826,094	615,176		74.47%	668,105	668,105	100.00%	293,769				
Veterans Service	933,194	912,102		97.74%	929,853	939,901	101.08%	31,140				
Parks	350,901	331,878		94.61%	350,367	350,367	100.00%	18,923				
Conservation, Planning & Zoning	2,259,070	2,373,382		105.11%	469,081	1,599,746	341.77%	1,016,353				
UW Extension	1,884,414	1,622,906		86.12%	1,702,017	1,735,280	101.95%	294,772				
	409,987	299,667		73.09%	400,885	408,425	101.88%	117,860				
TOTAL GENERAL FUND	45,769,991	40,648,875		88.81%	37,661,619	43,074,100	114.37%	10,533,597			40,884,141	2,425,225
												43,285,356

GENERAL FUND TOTAL*

SAUK COUNTY FINANCIAL REPORT (Unaudited)
PRELIMINARY December 31, 2018 as of 5-10-19
Percent of Year Complete 100.00%

Department / Account Title	2018 Expense Budget Excluding Addition		Year-to-Date	% of Budget	2018 Revenue Budget Excluding Carryforwards, or Fund Bal Use		Year-to-Date	% of Budget	Department Net Favorable / (Unfavorable)	SAUK COUNTY FUND BALANCES		
	to Fund Balance	to Fund Balance	Expenses		to Fund Balance	to Fund Balance	Revenues			December 31, 2017	2018 Net Income/Adj	PRELIMINARY December 31, 2018 as of 5-10-19
Aging & Disability Resource Center	2,602,108	2,186,472	2,186,472	84.03%	2,449,680	2,352,737	2,352,737	95.04%	318,694	520,522	166,266	686,788
Human Services	19,616,259	23,524,094	23,524,094	119.92%	18,439,281	22,667,944	22,667,944	115.61%	(978,121)	3,758,571	-856,119	2,902,451
Jail Fund	100,000	100,000	100,000	100.00%	100,000	110,771	110,771	110.77%	10,771	5,790	10,771	15,562
Land Records Modernization	560,752	464,514	464,514	82.84%	400,242	381,508	381,508	95.32%	77,504	591,357	-83,006	508,352
Landfill Remediation	114,281	74,598	74,598	65.28%	14,800	94,112	94,112	635.89%	118,995	4,853,234	19,514	4,872,748
Drug Seizures	11,100	28,142	28,142	253.53%	100	1,279	1,279	1278.68%	(15,853)	88,674	-26,863	61,811
Community Development Block Grant	342,652	295,956	295,956	86.37%	70,228	73,943	73,943	105.29%	50,411	264,479	-222,013	42,466
CDBG Housing Rehabilitation	20,000	39,190	39,190	195.95%	20,000	21,517	21,517	107.59%	(17,673)	20,559	-17,673	2,886
TOTAL SPECIAL REVENUE FUNDS	23,367,152	25,712,935	25,712,935	114.32%	22,494,311	25,703,811	25,703,811	114.27%	(136,283)	10,103,187	-1,009,124	9,094,062
DEBT SERVICE FUND	1,862,193	1,862,275	1,862,275	100.01%	1,523,297	1,552,273	1,552,273	101.90%	28,864	1,353,234	-310,002	1,043,232
HEALTH CARE CENTER FUND	12,526,384	10,596,860	10,596,860	84.60%	11,745,322	11,218,959	11,218,959	95.52%	1,403,161	4,978,248	622,099	5,600,347
Highway	10,213,272	9,925,983	9,925,983	97.20%	9,488,272	11,237,948	11,237,948	118.44%	2,035,964	15,230,754	1,310,964	16,541,718
Insurance	60,500	58,216	58,216	92.92%	138,621	34,590	34,590	24.95%	(99,747)	472,402	-21,626	450,775
Workers Compensation	235,333	398,572	398,572	169.36%	235,333	260,584	260,584	110.73%	(137,988)	709,529	-137,988	571,541
TOTAL INTERNAL SERVICE FUNDS	10,509,105	10,381,771	10,381,771	98.79%	9,862,226	11,533,122	11,533,122	116.94%	1,798,229	16,412,665	1,151,350	17,564,035
Dog License	24,000	25,542	25,542	106.84%	24,000	22,578	22,578	94.07%	(3,065)	-264	-3,065	-3,328
TOTAL TRUST & AGENCY FUNDS	24,000	25,542	25,542	106.84%	24,000	22,578	22,578	94.07%	(3,065)	-264	-3,065	-3,328
TOTAL COUNTY	94,056,795	90,228,359	90,228,359	95.93%	83,310,775	93,104,842	93,104,842	111.76%	13,624,503	73,711,231	2,876,483	76,587,713

GENERAL FUND BALANCE DETAIL	2018 Net Income/Adj		PRELIMINARY December 31, 2018 as of 5-10-19
	December 31, 2017	December 31, 2018	
Nonspendable - Inventories	23,959	8,079	32,038
Nonspendable - Prepaid Items	46,690	34,730	81,420
Nonspendable - Long-Term Receivable (Delinquent Taxes)	1,252,457	149,687	1,402,144
Nonspendable - LT Receivable (Loan to Tri-County Airport)	1,349	-1,349	0
Nonspendable - Interfund Receivable (Tri-County Airport)	97,945	33,524	131,470
Assigned - Encumbrances	285,130	40,964	326,094
Assigned - Carryforward Funds	3,205,036	-1,238,497	1,967,539
Assigned - Subsequent Yr Budgeted Fund Bal Use	4,803,284	549,813	5,353,077
*Unassigned - Working Capital	15,410,375	1,377,417	16,787,792
*Unassigned	15,736,935	1,470,657	17,207,592
TOTAL GENERAL FUND BALANCE	40,864,141	2,425,225	43,289,366
* County Reserves (working capital and unassigned)	31,147,310	2,648,274	33,995,584

CURRENT DEBT PRINCIPAL BALANCE

2009 HCC Refunding Bonds (final payment 2023)	3,650,000
2016 Law Enforcement Refunding Bonds (2021)	5,370,000
2017 HCC Refunding Bonds (2027)	5,055,000
Principal Payments are Due October 1	14,075,000

RESOLUTION 52 - 2019

Amending Financial Policy 4-96 Capital Improvements

Background: Sauk County defines a capital improvement as a project or purchase of \$25,000 or greater and with a useful life exceeding six years. Sauk County currently has a team consisting of four County Board and three staff members who review and prioritize these projects and purchases. The Team forwards its recommendation about projects and purchases to departments and oversight committees for inclusion in the subsequent year's budget. This policy amendment better defines the purpose of a Capital Improvement Plan (CIP), redefines the review team as a Capital Improvement Plan Committee comprised of five County Board members and no staff, and summarizes evaluation criteria for reviewing and prioritizing projects and purchases.

Fiscal Impact: ☐ None ☐ Budgeted ☒ Not Budgeted

NOW, THEREFORE, BE IT RESOLVED that the Sauk County Board of Supervisors, met in regular session, hereby approves the attached amendments to Financial Policy 4-96, Capital Improvements, effective upon passage.

For consideration by the Sauk County Board of Supervisors on May 21, 2019.

Respectfully submitted:

SAUK COUNTY FINANCE COMMITTEE

John Dietz

Thomas Kriegl

Kevin Lins

John (Tony) DeGiovanni

Kristin White Eagle

Fiscal Note: The Capital Improvements Plan Committee meets once per year. The addition of one County Board member is estimated to increase costs by \$75. *KPB*

Information Systems Note: No information systems impact.

Capital Improvements

Policy

All Capital Projects must be included on the approved Sauk County Capital Improvement Plan (CIP). A CIP ~~Committee~~ Team consisting of ~~five~~four County Board Supervisors and ~~three~~Sauk County staff will review requests based on evaluative criteria and make recommendations for projects to be included on the CIP.

Policy Authorization

- Resolution 117-96, July 23, 1996
- Finance Committee action, June 12, 1998
- Finance Committee action, May 08, 2012
- Finance Committee action, May 13, 2019
- Resolution xxx-2019, May 21, 2019

Procedure

1. ~~The purpose of the CIP is to assist County leaders in allocating limited financial resources for major future capital expenditures. Capital projects are defined as major projects undertaken on a non-recurring (year-in, year-out) basis. A capital improvement plan (CIP) is a working blueprint for building and sustaining physical infrastructure. The purpose is to identify capital improvement projects, identify and forecast funding sources, and prioritize improvements based on funding available. The CIP links capital expenditures to other long-range plans, such as the comprehensive plan or hazard mitigation plan, and connects community goals to priorities for public spending. These projects include such things as major improvements or repairs to existing structures, construction of new facilities, and purchases of large equipment.~~
2. Capital projects are defined as major projects undertaken on a non-recurring (year-in, year-out) basis. To be included in the CIP, the cost of the project or purchase must be \$25,000 or greater and the useful life should exceed six years. All County purchases, regardless of funding source, that meet the above criteria are to be included in the CIP. The CIP will include projects forecast for the next ten years.
3. During the budget cycle, departments will identify capital improvement needs.
4. The CIP ~~Committee~~ Team will review and evaluate all requests based on the relationship of the project to countywide strategic issues and priorities, public need, initial costs, future annual budgetary impacts, "soft" economic impacts, and impact to other county departments. Projects will be prioritized accordingly by the CIP ~~Committee~~ Team. The Team will spread the projects over the next ten years.
5. ~~Capital Projects from funds other than the General Fund will be included in the CIP for the year recommended by the Oversight Committee of that fund.~~
56. The CIP ~~Committee~~ Team will forward ~~its~~their recommendation to the oversight committees and the Finance Committee, along with a list of projects rejected for inclusion in the plan, for consideration with the rest of the budget. The Finance Committee will incorporate the CIP into their budget recommendation for consideration by the entire County Board.
67. The ~~five~~four County Board Supervisors to sit on the CIP ~~Committee~~ Team will consist of two members of the Finance Committee, one member of the Executive and Legislative Committee, and ~~two~~one members of the Property and Insurance Committee. The ~~three~~Sauk County staff members will be the Administrative Coordinator, the Controller, and the Emergency Management, Buildings and Safety Director.

**RESOLUTION TO AUTHORIZE THE 2020 NON-REPRESENTED EMPLOYEES' SALARIES
EFFECTIVE JANUARY 1, 2020**

Background: In accordance with §13.026 of the Personnel Ordinance, the Personnel Committee in conjunction with the Finance Committee, "shall conduct an annual wage and salary review and make specific recommendations for changes in pay rates, fringe benefits, and other conditions of employment to the county board. Any across-the-board adjustments to the compensation plan shall be provided to all employees, including those serving an introductory period, regardless of their performance level. To the extent feasible, the personnel committee's annual salary increase for non-represented employees shall be at least the average increase for the settled contracts. All increase approvals shall, to the extent feasible, be on a timely basis in conjunction with the annual budget cycle." This includes all employees except elected officials, some limited term employees and those represented by WPPA/LEER.

The Personnel and Finance Committees have reviewed cost of living increases in the surrounding areas, Social Security, the Department of Revenue Consumer Price Index, and internal settlements and believe it to be in the best interest of Sauk County to review the Sauk County Classification and Compensation Plan in coordination with the 2020 Budget planning cycle.

Fiscal Impact: ☐ None ☒ Budgeted Expenditure ☐ Not Budgeted

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session, that the Sauk County Classification and Compensation Plan for the non-represented employees be increased by twenty-five cents (\$0.25) effective January 1, 2020.

For consideration by the Sauk County Board of Supervisors on May 21, 2019.

Respectfully submitted,

SAUK COUNTY FINANCE COMMITTEE

JOHN DIETZ

TOM KRIEGL

KRISTIN WHITE EAGLE

JOHN (TONY) DEGIOVANNI

KEVIN LINS

SAUK COUNTY PERSONNEL COMMITTEE

TOMMY BYCHINSKI

SHANE GIBSON

PAT REGO

CARL GRUBER

TIM MCCUMBER

RESOLUTION 53 - 19

Fiscal Note:

	<u>2019 Estimated</u>	<u>2020 with Proposed \$0.25 Increase</u>	<u>Total Change from 2019 to 2020</u>	
Full-Time Equivalent Employees	488.78	488.78		
Wages & Overtime	26,934,885	27,201,953	0.99%	267,068
Merit increase to wages and benefits	Included in base	385,843	--	385,843
Wage-Based Benefits (FICA/Medicare, Retire, Workers Compensation)	4,066,324	4,102,440	0.89%	36,116
Health & Life Insurance	5,928,463	6,402,067	7.99%	473,604
Total Cost	<u>36,929,672</u>	<u>38,092,303</u>	3.15%	<u>1,162,631</u>
On average, 94% of labor costs are funded by property tax levy	<u>34,713,892</u>	<u>35,806,765</u>		<u>1,092,873</u>

Across-the-board increase included is:
1/1/2019 = \$0.25 cents per hour

Includes an estimated increase in health insurance rates of 8.0%.

KPB

No MIS Impact

RESOLUTION NO. 54 - 2019

AUTHORIZING THE FIRST AMENDMENT TO THE PASTURE LEASE
AGREEMENT AT THE SAUK COUNTY FARM

Background: Sauk County owns approximately 28.3 acres of pasture, known as the Sauk County Farm in Sections 33 and 34, town of Reedsburg, located adjacent to the former Sauk County Health Care Center. This pasture is used to rotationally graze cattle and act as a demonstration site to show case new and innovative conservation practices that prevent soil erosion and reduce agricultural runoff to protect groundwater and surface water resources. The pasture is leased out to a local farmer every five years and a competitive bidding procedure is used to solicit bids for leasing this pasture. Sauk County and Peter Kinsman entered into a lease agreement for such premises on March 1, 2018. In April 2019, staff and Mr. Kinsman were agreeable to changing the field boundary of the crop field to the north due to wet field conditions that persist each year allowing for the expansion of the pasture. The First Amendment to the Lease would increase the pasture lease acreage by 5.8 acres.

Fiscal Impact: ☐ None ☒ Budgeted Expenditure ☐ Not Budgeted

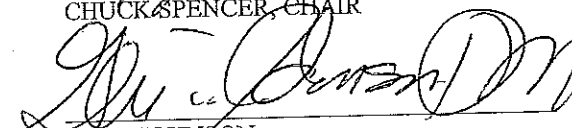
NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session, that the attached amendment is hereby agreed to and the Land Resources and Environment Committee (formerly known as CPZ) Chair and the County Clerk are hereby authorized to execute an amendment to such lease agreement.

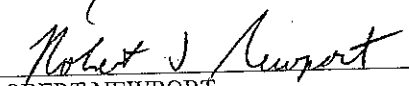
For consideration by the Sauk County Board of Supervisors on May 21, 2019.

Respectfully submitted,

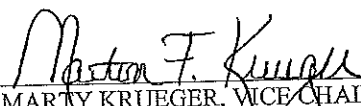
LAND RESOURCES AND ENVIRONMENT COMMITTEE (formerly known as CPZ)

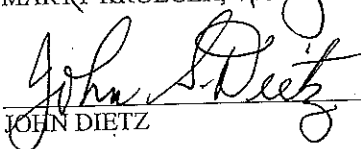

CHUCK SPENCER, CHAIR


GLEN JOHNSON



ROBERT NEWPORT


RANDY PUTKAMER


MARTY KRUEGER, VICE CHAIR


JOHN DIETZ


JEAN BERLIN

Fiscal Note: The annual payment from the pasture rental agreement at the Sauk County farm was originally \$1,556.78 (28.3 acres * \$55.01/acre). Due to the increased acreage, the annual payment will be increased by \$319.06 to \$1,875.84 (34.1 acres * \$55.01/acre). 

MIS Note: No information systems impact.

Exhibit A: Sauk County Farm Field Map



Field_Num b	ACRES
01a	6.29
01b	2.09
01c	2.68
01d	2.59
01e	2.75
01f	3.11
01g	3.44
01h	6.81
01i	4.07
01j	2.95
01k	4.92
01l	2.15
01m	2.63
01n	3.26
01o	2.03
01p	2.46
02a	2.59
02b	1.53
02c	1.62
02d	2.34
03	4.71
04	17.0
05a	2.48
05b	2.79
05c	3.01
05d	3.30
06	21.6
07a	11.0
07b	5.39
08	11.9
09	11.8
10a	4.88
10b	2.59
10c	3.09
10d	3.41
10e	4.01
12a	4.06
12b	2.51
12c	6.09
12d	0.76
12f	3.71
12g	4.00
12h	1.51
12i	1.37
12j	1.17
12k	3.10
13a	1.68
13b	1.57
14a	1.25
14b	1.63
14c	1.67
14d	1.51
14e	2.84
14f	3.10
14g	3.01
14h	1.42
14j	3.35
15	8.97
16a	3.32
16b	15.4
17	7.97

RESOLUTION NO. 55 - 2019

AUTHORIZING THE SECOND AMENDMENT TO THE HEALTH CARE CENTER
CROPLAND LEASE (SAUK COUNTY FARM)

Background: Sauk County owns approximately 259 acres of tillable land, known as the Sauk County Farm in Sections 27, 28, 33, and 34, town of Reedsburg, located adjacent to the former Sauk County Health Care Center. The Sauk County Farm is used as a demonstration site, which showcases new and innovative conservation practices that prevent soil erosion and reduce agricultural runoff to protect groundwater and surface water resources. Cropland is leased to a local farmer every five years and a competitive bidding procedure is used to solicit bids for renting this land. Sauk County and Jason Bergman entered into a lease agreement for such premises on March 1, 2018. In April 2019, Mr. Bergman notified staff of one crop field that continues to be too wet to plant each spring. Staff and Mr. Bergman determined the field boundary of the crop field should be changed allowing for an expansion of the pasture to the south. The Second Amendment to the Lease would reduce the farm lease acreage by 5.8 acres.


Fiscal Impact: ☐ None ☒ Budgeted Expenditure ☐ Not Budgeted

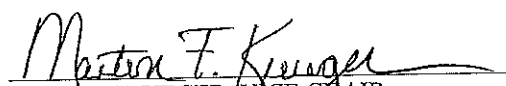
NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session, that the attached amendment is hereby agreed to and the Land Resources and Environment Committee Chair (formerly known as CPZ) and the County Clerk are hereby authorized to execute an amendment to such lease agreement.

For consideration by the Sauk County Board of Supervisors on May 21, 2019.

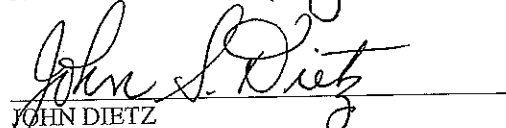
Respectfully submitted,

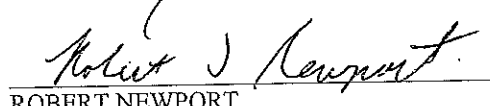
LAND RESOURCES AND ENVIRONMENT COMMITTEE (formerly known as CPZ)


CHUCK SPENCER, CHAIR


MARTY KRUEGER, VICE CHAIR


GLEN JOHNSON


JOHN DIETZ


ROBERT NEWPORT


JEAN BERLIN


RANDY PUTTKAMER

Fiscal Note: The annual payment from the crop land rental agreement at the Sauk County farm was originally \$43,000 (259 acres * \$166.02/acre). Due to the decreased acreage, the annual payment will be reduced by \$963.74 to \$42,036.26 (253.2 acres * \$166.02/acre). *YJB*

MIS Note: No information systems impact.

Sauk County Health Care Center
Pasture Management Map

EXHIBIT

Total Pasture 28.3 acres

19ac

1.2ac

8.1ac



23

Perimeter Fence

Interior Fence

Water



ORDINANCE NO. 6 - 2019

AN ORDINANCE REPEALING AND REPLACING THE SAUK COUNTY
SHORELAND ZONING ORDINANCE

Wis. Stats. 59.692 and 281.31 provide the authority for Counties to administer shoreland protection ordinance regulations. NR 115 establishes Wisconsin's Shoreland Protection Program, which sets the requirements that must be met by development to comply with state law. Both Wisconsin Statute and Administrative Code recognize that shoreland protection zoning is a necessary tool to protect public health, safety, and general welfare, and the public trust in navigable waters. The proposed ordinance is established to (1) protect spawning grounds, fish, and aquatic life; (2) control building sites, placement of structures and land uses; (3) preserve and restore shoreland vegetation and natural scenic beauty, and (4) further the maintenance of safe and healthy conditions and prevent and control water pollution.

Following the enactment of Act 55 and additional legislation adopted in 2016 narrowed the implementation of shoreland zoning. On October 2, 2018, Sauk County received notification from the WI DNR that our Shoreland Ordinance was substantially compliant; however, due to recent legislative changes additional text amendments were required. In addition, through the implementation of the ordinance over the last several years, staff noted a number of areas that needed improvement and clarity to ensure consistent, efficient, and effective administration of the ordinance provisions. Overall amendments are summarized in a staff memo, which was provided to all of the townships and lake protection districts for review and comment prior to the hearing.

Fiscal Impact: ☒ None ☐ Budgeted Expenditure ☐ Not Budgeted


The County Board of Supervisors of the County of Sauk does hereby ordain as follows:

NOW, THEREFORE, BE IT ORDAINED, by the Sauk County Board of Supervisors, met in regular session, that A repeal and replacement of Chapter 8 Shoreland Protection Ordinance, as referenced under Appendix A, be Approved.

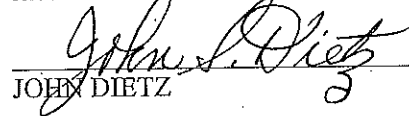
For consideration by the Sauk County Board of Supervisors on May 21, 2019.

Respectfully submitted,

LAND RESOURCES AND ENVIRONMENT COMMITTEE



CHUCK SPENCER, CHAIR

JEAN BERLIN


JOHN DIETZ


GLEN JOHNSON


MARTIN KRUEGER


ROBERT NEWPORT

Fiscal Note: No Impact
MIS Note: No Impact

PRB

CHAPTER 8

SHORELAND PROTECTION

SUBCHAPTER I GENERAL PROVISIONS		8.009 Subdivision and commercial development stormwater management. 8.010 Minimum lot size. 8.011 Setbacks. 8.012 Vegetation. 8.013 Filling, grading, lagooning, dredging, ditching and excavating. 8.014 Impervious surface standards. 8.015 Height. 8.016 Nonconforming uses and structures. 8.017 Mitigation.
8.001 Statutory authorization. 8.002 Purpose.	SUBCHAPTER II DEFINITIONS	
8.003 Purpose and word usage. 8.004 Definitions.	SUBCHAPTER III SHORELAND ZONING REQUIREMENTS	
8.005 General provisions. 8.006 Shoreland-wetland district. 8.007 Amendment of shoreland-wetland map and zoning district. 8.008 Land division, review, planned unit development, and sanitary regulations.	SUBCHAPTER IV PROCEDURES AND ADMINISTRATION	
	8.018 Procedures and administration. 8.019 Changes and amendments. 8.020 Enforcement and penalties.	

SUBCHAPTER I GENERAL PROVISIONS

8.001 Statutory authorization. This ordinance is adopted pursuant to the authorization contained in Wis. Stat. § 59.692 to implement Wis. Stat. §§ 59.692 and 281.31.

8.002 Purpose. To promote and protect the public health, safety, and general welfare, and the public trust in navigable waters, this ordinance is established to:

- (1) Protect spawning grounds, fish, and aquatic life through:
 - (a) Preserving wetlands and other fish and aquatic habitat.
 - (b) Regulating pollution sources.
 - (c) Controlling shoreline alterations, dredging, and lagooning.
- (2) Control building sites, placement of structures, and land uses through:
 - (a) Prohibiting certain uses detrimental to shoreland-wetlands.
 - (b) Setting minimum lot sizes and widths.
 - (c) Setting minimum building setbacks from waterways.

(d) Setting the maximum height of near-shore structures.

(3) Preserve and restore shoreland vegetation and natural scenic beauty through:

(a) Restricting the removal of natural shoreland cover.

(b) Preventing shoreline encroachment by structures.

(c) Controlling shoreland excavation and other earth-moving activities.

(d) Regulating the use and placement of boathouses and other structures.

(4) Further the maintenance of safe and healthy conditions and prevent and control water pollution through:

(a) Limiting structures to areas where soil and geological conditions will provide a safe foundation.

(b) Establishing minimum lot sizes to provide adequate area for private on-site waste treatment systems.

(c) Controlling filling and grading to prevent soil erosion problems.

(d) Limiting impervious surfaces to control runoff, which may carry pollutants.

SUBCHAPTER II DEFINITIONS

8.003 Purpose and word usage. For the purpose of this ordinance, certain terms or words used herein shall be interpreted as follows:

- (1) Words used in the present tense include the future.
- (2) Words in the singular number include the plural number, and words in the plural number include the singular number.
- (3) The word "shall" is mandatory, not permissive.
- (4) All districts, unless otherwise specified, shall be measured horizontally.

8.004 Definitions. For the purposes of this chapter, certain words and terms are defined as follows:

- (1) "Access and viewing corridor" means a strip of vegetated land that allows safe pedestrian access to the shore through the vegetative buffer zone.
- (2) "Berth" means a space at a pier, wharf, boat shelter, or boathouse suitable for mooring a single watercraft of a type commonly in use on the waterbody where the berth is located.
- (3) "Boat hoist" means a mechanical device used to raise and lower a boat.
- (4) "Boat shelter" means a structure in navigable waters designed and constructed for the purpose of providing cover for berth place for watercraft, which may include a roof but may not have walls or sides. A boat shelter structure may include a boat hoist.
- (5) "Boathouse" means a permanent structure used for storage of watercraft and associated materials, and includes all structures, which are totally enclosed, have roofs or walls, or any combination of these structural parts. Boathouses may not be used for human habitation.
- (6) "Building envelope" means the 3-dimensional space within which a structure is built.
- (7) "Class II notice" means notice as specified in Wis. Stat. ch. 985 with publication of a hearing notice in an official newspaper of circulation in the affected area twice on

consecutive weeks, the last at least 7 days prior to the hearing.

(8) "Department" means the Sauk County Conservation, Planning, and Zoning Department.

(9) "Development" means any man-made change to improved or unimproved real estate, including the construction of buildings, structures, or accessory structures; the construction of additional or substantial alterations to buildings, structures or accessory structures; the placement of mobile homes; ditching, lagooning, dredging, filling, grading, paving, excavating, or drilling operations, and the deposition or extraction of earthen materials.

(10) "Drainage system" means one or more artificial ditches, tile drains or similar devices, which collect surface runoff or groundwater and convey it to a point of discharge.

(11) "Existing development pattern" means that principal structures exist within 250 feet of a proposed principal structure in both directions along the shoreline.

(12) "Floodplain" means the land which has been or may be hereafter, covered by flood water during the regional flood. The floodplain includes the floodway and the flood fringe as defined in Wis. Admin. Code ch. NR 116.

(13) "Flood proofing" means any combination of structural provisions, changes, or adjustments to properties, structures, water and sanitary facilities, and contents of buildings subject to flooding for the purpose of reducing or eliminating flood damage.

(14) "Floor area" means the area, measured in square feet, within the outer lines of the exterior walls of a building, at the top of the foundations or basement wall, provided that the floor area of a dwelling may not include space that is unusable for living quarters, such as attics, utility or unfinished basement rooms, garages, breezeways or unenclosed porches, or terraces. Floor area includes all area regardless of ability to stand upon or whether the surface is covered or contains a floor.

(15) "Footprint" means the land area covered by a structure at ground level measured on a horizontal plane. The footprint of a residence or building includes the horizontal plane bounded by the furthest exterior wall or eave if present, projected to natural grade. For structures without walls, including decks, stairways, patios, and

carports, a footprint is a single horizontal plane bounded by the furthest portion of the structure projected to natural grade. For the purposes of replacing or reconstructing a nonconforming building with walls, the footprint may not be expanded by enclosing the area that is located within the horizontal plane from the exterior wall projected to natural grade. This constitutes a lateral expansion under Wis. Admin. Code ch. NR 115 and would need to follow § NR 115.05 (1)(g)5.

(16) "Gazebo" means an open-sided structure that is designed for viewing, which may not be used as sleeping accommodations, and which has no water service.

(17) "Generally accepted forestry management practices" means forestry management practices that promote sound management of a forest. Generally accepted forestry management practices include those practices contained in the most recent version of the Wisconsin Department of Natural Resources publication entitled *Wisconsin Forest Management Guidelines*, also known as DNR PUB FR 226.

(18) "Impervious surface" means an area that releases as runoff all or a majority of the precipitation that falls on it. Impervious surface excludes frozen soil but includes rooftops, sidewalks, decks, patios, paved driveways, unpaved driveways, parking lots, and streets unless designed, constructed, and maintained to be pervious. Roadways as defined in Wis. Stat. § 340.01(54), or sidewalks as defined in Wis. Stat. § 340.01(58), are not considered impervious surfaces.

(19) "Lagoon" means an artificial enlargement of a waterway.

(20) "Landing" means a platform interrupting a flight of stairs, limited to a maximum of 40 square feet.

(21) "Land use permit" means a permit granting authorization to locate, erect, move, reconstruct, extend, convert, or structurally alter a use, sign, structure, building, land or water pursuant to the requirements of the Ordinance.

(22) "Lift" means a mechanical device that is designed to transport persons and cargo up or down a hill from the house to the water's edge. A lift platform may not exceed 40 square feet in size. A lift may have open safety railings on the

sides which are not solid and may have a roof or canopy located over it.

(23) "Lot width" means the distance between side lines of the lot at the building setback line. In the case of a shoreland lot, the lot width is the width of the lot 75 feet from the waterline.

(24) "Lot of record" means 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, or recorded, or both, but which no longer complies with the current minimum land area within the applicable zoning district. The land area shall be occupied by or designed to provide space necessary for one main building and its accessory buildings or uses.

(25) "Maintenance and repair of structures" means activities such as interior remodeling, painting, decorating, paneling, plumbing, insulation, and replacement of windows, doors, wiring, siding, shingles, sheathing, and other nonstructural components and the repair of cracks in foundations, sidewalks, walkways, and the application of waterproof coatings to foundations.

(26) "Mitigation" means balancing measures that are designed, implemented, and function to restore natural functions and values that are otherwise lost through development and human activities.

(27) "Mobile home" means a detached single-family dwelling unit designed for long-term occupancy that may contain sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems, which is designed to be transported on its own wheels.

(28) "Navigable waters" means 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 Wis. Stat. § 281.31(2)(d), notwithstanding any other provision of law or administrative rule promulgated thereunder, shoreland ordinances

required under Wis. Stat. § 59.692, and this ordinance do not apply to lands adjacent to farm drainage ditches if:

(a) The lands are not adjacent to a natural navigable stream or river and where the lands were not navigable streams before ditching on December 23, 1985;

(b) Artificially constructed drainage ditches, ponds or storm water retention basins that are not hydrologically connected to a natural navigable water body; and

(c) Such lands are maintained in non-structural agricultural use.

(29) "Ordinary high water mark" or "OHWM" means the point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction, or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristics.

(30) "Pier" means any structure extending vertically into navigable waters from the shore with water on both sides, built or maintained for the purpose of providing a berth for watercraft or for loading or unloading cargo or passengers onto or from watercraft.

(31) "Pond" means any naturally occurring or artificially created structure of 200 square feet or more which impounds water all or part of the year. Types of ponds include but are not limited to:

(a) An embankment pond is made by building an embankment or dam across a stream or watercourse where the channel is depressed long enough to allow water storage.

(b) An excavated pond located in the wetland district made by digging a hole or excavation in an area capable of sustaining year-round water levels to a depth not to exceed 4 feet. The water capacity is obtained almost entirely by excavation. Any spoil material may not be placed within the wetland district.

(c) An excavated pond with limited filling made by digging a hole or excavation and shaping the spoil material to allow for an area capable of sustaining year-round water levels.

(32) "Previously developed" means a lot or parcel that was developed with a structure legally placed upon it.

(33) "Privy" means a structure that is not connected to a plumbing system, which is used by persons for the deposition of human body wastes.

(34) "Private recreation" means facilities, structures, buildings, or property which are privately held that require a fee, membership, or residence for use or participation. Such facilities may also serve a public recreational need.

(35) "Public park and recreation area" means a public playground, recreation center, and other public spaces and areas created, established, designated, maintained, provided or set aside by a government entity for purpose of public rest, play, recreation, or assembly and all buildings, facilities, structures, or land thereon.

(36) "Regional flood" means a flood determined to be representative of large floods known to have generally occurred in Wisconsin and which may be expected to occur on a particular stream because of like physical characteristics, once in every 100 years.

(37) "Routine maintenance of vegetation" means normally accepted horticultural practices, including pruning or removal of dead or dying vegetation, that do not result in the loss of any layer of existing vegetation and do not require earth disturbance.

(38) "Setbacks, water" means the minimum horizontal distance from the ordinary high water mark of a body of water to the nearest part of a structure.

(39) "Shoreland" means lands within the following distances from the ordinary high water mark of navigable waters: 1,000 feet from a lake, pond, or flowage; and 300 feet from a river or stream or to the landward side of the floodplain, whichever distance is greater.

(40) "Shoreland setback" also known as the "shoreland setback area" in Wis. Stat. § 59.692(1)(bn), means an area in a shoreland that is within a certain distance of the ordinary high water mark in which the construction or placement of structures has been limited or prohibited under an ordinance enacted under Wis. Stat. § 59.692.

(41) "Silvicultural thinning" means a woodland management practice which, for the purposes of this ordinance, improves or maintains the quality of adjacent surface water through responsible cutting in shoreland and by which

long-lived species are perpetuated and provision is made for efficient methods of slash disposal.

(42) “Special exception” means a use, which is permitted by this ordinance provided that certain conditions specified in the ordinance are met and that a permit is granted by the Sauk County Board of Adjustment.

(43) “Stormwater best management practice” or “Stormwater BMP” means a structural best management practice that is designed to collect or manage the quantity or quality of stormwater runoff for an indefinite period of time, following adopted county or state standards. Some examples include: pervious pavement, rain gardens, infiltration trench or basin, green roof, bio-swale, filter strip, constructed wetlands, bio-retention basin, wet detention basin, or any combination of these or other permanent stormwater management practices approved by the county.

(44) “Structure” means a principal structure or any accessory structure including a garage, shed, boathouse, sidewalk, stairway, walkway, patio, deck, retaining wall, porch or fire pit.

(45) “Structure, accessory” means a subordinate structure, which is devoted to a use incidental to the principal use of the property. Accessory structures include: detached garages, sheds, barns, gazebos, patios, attached or detached decks, swimming pools, hot tubs, fire pits, retaining walls, driveways, parking lots, sidewalks, detached stairways and lifts.

(46) “Structure, principal” means the main structure or structures on a lot intended for the primary use as permitted by the regulations of the zoning district in which it is or they are located.

(47) “Subdivision” means the division of a lot, parcel, or ¼ of ¼ section by the owner thereof or their agent, for the purpose of transfer of ownership or building development where the act of division creates 4 or more lots, or where the act of division creates 4 or more lots by successive division within a 5-year period of time.

(48) “Substandard lot” means a lot that does not conform to the dimensional or area requirements, or both, of this ordinance.

(49) “Unnecessary hardship” means that circumstance where special conditions, which were not self-created, affect a particular property and make strict conformity with restrictions

governing area, setbacks, frontage, height, or density unnecessarily burdensome or unreasonable in light of the purposes of this ordinance.

(50) “Variance” means an authorization granted by the Sauk County Board of Adjustment to construct or alter a building or structure in a manner that deviates from the dimensional standards of this ordinance.

(51) “Vegetative buffer zone” means a vegetated area within 35 feet of the ordinary high water mark.

(52) “Vegetative cover” means unmowed vegetation composed of at least two of the following layers: herbaceous, saplings, shrub, and tree.

(53) “Wetlands” means those areas where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation, and that have soils indicative of wet conditions.

(54) “Wharf” means any structure in navigable waters extending along the shore and generally connected with the uplands throughout its length, built or maintained for the purpose of providing a berth for watercraft or for loading or unloading cargo or passengers onto or from watercraft.

(55) “Zoning administrator” means a staff person employed as director of the Conservation, Planning, and Zoning Department or any additional staff which have been delegated authority by the zoning administrator to exercise the functions of this ordinance assigned to the zoning administrator.

SUBCHAPTER III

SHORELAND ZONING REQUIREMENTS

8.005 General provisions. (1) JURISDICTION. Areas regulated by the Shoreland Zoning District shall include all the shorelands in the unincorporated areas of Sauk County which are as follows:

(a) Within 1,000 feet from the ordinary high water mark of a navigable lake, pond, or flowage. If the navigable water is a glacial pothole lake, the distance shall be measured from the ordinary high water mark thereof. Lakes, ponds, or flowages in Sauk County shall be presumed to be navigable if

they are listed in the Wisconsin Department of Natural Resources publication FH-800 2009 *Wisconsin Lakes* book or are shown on United States Geological Survey quadrangle maps (1:24,000 scale) or other zoning base maps.

(b) Within 300 feet of the ordinary high water mark of a navigable river or stream or to the landward side of the floodplain, whichever distance is greater. Rivers and streams in Sauk County shall be presumed to be navigable if they are designated as perennial waterways or intermittent waterways on United States Geological Survey quadrangle maps (1:24,000). Flood hazard boundary maps, flood insurance rate maps, flood boundary-floodway maps, county soil survey maps, or other existing county floodplain zoning maps shall be used to delineate floodplain areas.

(c) The provisions of this chapter apply to regulation of the use and development of unincorporated shoreland areas. Unless specifically exempted by law, all cities, villages, towns, counties, and, when Wis. Stat. § 13.48(13) applies, state agencies are required to comply with, and obtain all necessary permits under local shoreland ordinances. The construction, reconstruction, maintenance, or repair of state highways and bridges carried out under the direction and supervision of the Wisconsin Department of Transportation, Sauk County Highway Department, or Township is not subject to local shoreland zoning ordinances if Wis. Stat. § 30.2022(1) applies, pursuant to Wis. Admin. Code § NR 115.02. Shoreland zoning requirements in annexed or incorporated areas are provided in Wis. Stat. §§ 61.353 and 62.233.

(d) Determinations of navigability and ordinary high water mark location shall be made by the zoning administrator. When questions arise, the zoning administrator shall contact the appropriate office of the Wisconsin Department of Natural Resources for a final determination of navigability or ordinary high water mark. The county may work with surveyors with regard to § 59.692(1h).

(e) Pursuant to Wis. Stat. § 281.31(2m), notwithstanding any other provision of law or administrative rule promulgated thereunder, this shoreland zoning ordinance does not apply to:

1. Lands adjacent to farm drainage ditches if all of the following apply:

a. The lands are not adjacent to a natural navigable stream or river.

b. Those parts of the drainage ditches adjacent to the lands were not navigable streams before ditching.

2. Lands adjacent to artificially constructed drainage ditches, ponds, or stormwater retention basins that are not hydrologically connected to a natural navigable water body.

3. Lands adjacent to an impoundment described under Wis. Stats. § 30.10(2)(b) that does not discharge directly to a natural navigable waterway.

(f) *Shoreland-wetland maps.* The most recent version of the *Wisconsin Wetland Inventory* as depicted on the Wisconsin Department of Natural Resources Surface Water Data Viewer is made part of this ordinance. The maps can be viewed at the Wisconsin Department of Natural Resources website at <https://dnrm.wisconsin.gov/H5/?Viewer=SWDV>.

(2) COMPLIANCE. The use of any land; the size, shape, and placement of lots; the use, size, type, and location of structures on lots; the installation and maintenance of water supply and waste disposal facilities; the filling, grading, lagooning, and dredging of any lands; the cutting of shoreland vegetation; and the subdivision of lots shall be in full compliance with the terms of this ordinance and other applicable local, state, or federal regulations. Buildings and other structures shall require a land use permit unless otherwise expressly excluded by a provision of this ordinance. Property owners, builders, and contractors are responsible for compliance with the terms of this ordinance.

(3) MUNICIPALITIES AND STATE AGENCIES REGULATED. Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply with Wis. Stat. § 13.48(13) when applicable. The construction, reconstruction, maintenance, and repair of state highways and bridges by the Wisconsin Department of Transportation are exempt when Wis. Stat. § 30.2022(1) applies:

(4) ABROGATION AND GREATER RESTRICTIONS. The provisions of this ordinance supersede any provisions in a county zoning ordinance that solely relate to shorelands. If a

zoning standard only applies to lands that lie within the shoreland and applies because the lands are in a shoreland, then this ordinance supersedes those provisions. Where an ordinance adopted under a statute other than Wis. Stat. § 59.692 does not solely relate to shorelands and is more restrictive than this ordinance, for example a floodplain ordinance, that ordinance shall continue in full force and effect to the extent of the greater restrictions.

(a) This ordinance shall not require approval or be subject to disapproval by any town or town board.

(b) If an existing town ordinance relating to shorelands is more restrictive than this ordinance or any amendments to this ordinance, the town ordinance continues in all respects to the extent of the greater restrictions, but not otherwise.

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

(d) The provisions of Chapter 7 of the Sauk County Zoning Ordinance are hereby incorporated by reference, and applied as permitted by state law.

(e) This ordinance may establish standards to regulate matters that are not regulated in Wis. Admin. Code ch. NR 115, which further the purposes of shoreland zoning as described in s. 8.002 of this ordinance.

(f) Counties may not establish shoreland zoning standards in a shoreland zoning ordinance that requires any of the following:

1. Approval to install or maintain outdoor lighting in shorelands, impose any fee or mitigation requirement to install or maintain outdoor lighting in shorelands, or otherwise prohibits or regulates outdoor lighting in shorelands if the lighting is designed or intended for residential use.

2. Requires any inspection or upgrade of a structure before the sale or other transfer of the structure may be made.

(g) The construction and maintenance of a facility is considered to satisfy the requirements of a shoreland zoning ordinance if:

1. The Wisconsin Department of Natural Resources has issued all required permits or approvals authorizing the construction or

maintenance under Wis. Stat. chs. 30, 31, 281, or 283.

2. A “facility” means any property or equipment of a public utility, as defined in Wis. Stat. § 196.01(5), or a cooperative association organized under Wis. Stat. ch. 185 for the purpose of producing or furnishing heat, light, or power to its members only, that is used for the transmission, delivery, or furnishing of natural gas, heat, light, or power.

(5) INTERPRETATION. In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of Sauk County and may not be deemed a limitation or repeal of any other powers granted by Wisconsin Statutes. Where a provision of this ordinance is required by statute and a standard in Wis. Admin. Code ch. NR 115, and where the ordinance provision is unclear, the provision shall be interpreted in light of the statute and Wis. Admin. Code ch. NR 115 standards in effect on the date of the adoption of this ordinance or in effect on the date of the most recent text amendment to this ordinance.

(6) SEVERABILITY. If any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

SUBCHAPTER IV SHORELAND-WETLAND ZONING DISTRICT

8.006 Shoreland-wetland district. (1) JURISDICTION. The shoreland-wetland zoning district shall include all shorelands within the jurisdiction of this ordinance which are designated as wetlands on the most recent version of the *Wisconsin Wetland Inventory* as depicted on the Wisconsin Department of Natural Resources Surface Data Viewer at <https://dnrm.wisconsin.gov/H5/?Viewer=SWDV> and those wetlands as defined in s. 8.004(53) of this ordinance shall be included in the shoreland-wetland district.

(2) LOCATING SHORELAND - WETLAND BOUNDARIES. Where an apparent discrepancy exists between the shoreland-wetland district boundary shown on the Wisconsin Wetland

Inventory and actual field conditions, the county shall contact the Wisconsin Department of Natural Resources to determine if the map is in error. If the Wisconsin Department of Natural Resources determines that a particular area was incorrectly mapped as wetland or meets the wetland definition but was not shown as wetland on the map, the county shall have the authority to immediately grant or deny a land use permit in accordance with the applicable regulations based on the Wisconsin Department of Natural Resources determination as to whether the area is wetland. In order to correct wetland mapping errors on the official zoning map, an official zoning map amendment must be initiated within a reasonable period of time. The official zoning map of Sauk County is a digital compilation within the county's geographic information system. This map shall be the official map for the purpose of the enforcement of this ordinance.

(3) **PURPOSE.** The shoreland-wetland district is created to maintain safe and healthy conditions, to prevent water pollution, to protect fish spawning grounds and wildlife habitat, to preserve shore cover and natural beauty, and to control building and development in wetlands whenever possible. When development is permitted in a wetland, the development should occur in a manner that minimizes adverse impacts on the wetland.

(4) **PERMITTED USES.** The following uses shall be allowed, subject to general shoreland zoning regulations contained in this ordinance, the provisions of Wis. Stat. chs. 30, 31, 281.36, and the provisions of other applicable local, state and federal laws:

(a) Activities and uses which do not require the issuance of a land use permit, but which must be carried out without any filling, flooding, draining, dredging, ditching, tiling, or excavating except as allowed under s. 8.013(6) are as follows:

1. Hiking, fishing, trapping, hunting, swimming, and boating.
2. The harvesting of wild crops, such as marsh hay, ferns, moss, wild rice, berries, tree fruits, and tree seeds, in a manner that is not injurious to the natural reproduction of the crops.
3. The pasturing of livestock.
4. The cultivation of agricultural crops.

5. The practice of silviculture, including the planting, thinning, and harvesting of timber.

6. The construction or maintenance of duck blinds.

(b) Uses which do not require the issuance of a land use permit and which may include limited filling, flooding, draining, dredging, ditching, tiling, or excavating but only to the extent specifically provided below:

1. Temporary water level stabilization measures necessary to alleviate abnormally wet or dry conditions that would have an adverse impact on silviculture activities if not corrected.

2. The cultivation of cranberries including flooding, dike and dam construction, or ditching, necessary for the growing and harvesting of cranberries.

3. The maintenance and repair of existing agricultural drainage systems including ditching, tiling, dredging, excavating and filling, necessary to maintain the level of drainage required to continue the existing agricultural use. Maintenance and repair is limited to re-establishing the original ditch cross section. This includes the minimum filling necessary for disposal of dredged spoil adjacent to the drainage system provided that dredged spoil is placed on existing spoil banks where possible.

4. The construction or maintenance of fences for the pasturing of livestock, including limited excavating and filling necessary for the construction or maintenance.

5. The construction or maintenance of piers and docks built on pilings, including limited excavating and filling necessary for these constructions and their maintenance.

6. The maintenance, repair, replacement, or reconstruction of existing town and county highways and bridges, including limited excavating and filling necessary for the maintenance, repair, replacement, or reconstruction.

(c) Uses which require the issuance of a land use permit and which may include limited filling, flooding, draining, dredging, ditching, tiling, or excavating, but only to the extent specifically provided below:

1. The construction and maintenance of roads, which are necessary to conduct silvicultural activities or agricultural cultivation, provided that:

a. The road cannot as a practical matter, be located outside the wetland.

b. The road is designed and constructed to minimize adverse impacts on the natural functions of the wetland enumerated in s. 8.007(2).

c. The road is designed and constructed with the minimum cross-sectional area practical to serve the intended use.

d. Road construction activities are carried out only in the immediate area of the roadbed.

2. The construction or maintenance of nonresidential buildings provided that:

a. The building is essential for, and used solely in conjunction with, the raising of waterfowl, minnows, or other wetland or aquatic animals; or some other use permitted in the shoreland-wetland district.

b. The building cannot as a practical matter, be located outside the wetland.

c. The building is not designed for human habitation and does not exceed 500 square feet in floor area.

d. Only limited filling or excavating necessary to provide structural support for the building is authorized.

3. The establishment of public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, fish hatcheries, and public boat launching ramps and attendant access roads, provided that:

a. Any private development is used exclusively for the permitted use, and the applicant has received a permit or license under Wis. Stat. ch. 29, where applicable.

b. Filling or excavating necessary for the construction or maintenance of public boat launching ramps or attendant access roads is allowed only where the construction or maintenance meets the criteria in s. 8.006(4)(c).

c. Ditching, excavating, dredging, or dike and dam construction in public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, and fish hatcheries is allowed only for the purpose of improving wildlife habitat and to otherwise enhance wetland values. The applicant has received any permits necessary

through the Wisconsin Department of Natural Resources or other governmental entity, when applicable.

4. The construction or maintenance of electric, gas, telephone, water and sewer transmission and distribution facilities by public utilities and cooperative associations organized for the purpose of producing or furnishing heat, light, power, or water to their members and the construction or maintenance of railroad lines provided that:

a. The transmission and distribution facilities and railroad lines cannot as a practical matter, be located outside the wetland.

b. The construction or maintenance is done in a manner designed to minimize adverse impact on the natural functions of the wetland enumerated in s. 8.007(2).

5. The construction of excavated ponds.

a. The excavated pond may not exceed a depth of 4 feet. Any excavated pond deeper than 4 feet shall be located outside of the shoreland-wetland district.

b. All excavated pond banks shall be sloped to 3:1 or flatter.

c. All disturbed areas associated with the pond construction must be stabilized.

d. All debris piles, brush piles, tree stumps, and other material, associated with pond construction may not be placed or located within the shoreland-wetland district.

e. If deemed necessary, the Department shall require safety measures to protect the public from the excavated pond including fencing and gates.

(5) WETLAND SETBACKS. A setback of 25 feet from a wetland boundary to the nearest part of a building or structure shall be required. Driveways extending not more than 6 inches above the average ground level at their margins are exempt from the wetland setback requirement.

(6) PROHIBITED USES. Any use not listed in s. 8.006(4) is prohibited unless the wetland or portion of the wetland has been rezoned by amendment of this ordinance in accordance with s. 8.007 of this ordinance and Wis. Stat. § 59.69(5)(e).

8.007 Amendment of shoreland-wetland map and zoning district. (1) For all

proposed text and map amendments to the shoreland-wetland provisions of this ordinance, the appropriate office of the Wisconsin Department of Natural Resources shall be provided with the following:

(a) A copy of every petition for a text or map amendment to the shoreland-wetland provisions of this ordinance, within 5 days of the filing of the petition with the county clerk. The petition shall include a copy of the "Wisconsin Wetland Inventory Map" adopted as part of this ordinance describing any proposed rezoning of a shoreland-wetland.

(b) Written notice of the public hearing to be held on a proposed amendment at least 10 days prior to the hearing.

(c) A copy of the county zoning agency's findings and recommendations on each proposed amendment within 10 days after the submission of those findings and recommendations to the county board.

(d) Written notice of the county board's decision on the proposed amendment within 10 days after it is issued.

(2) A wetland or a portion of a wetland in the shoreland-wetland district may not be rezoned if the proposed rezoning may result in a significant adverse impact on any of the following:

(a) Storm and flood water storage capacity.

(b) Maintenance of dry season stream flow, the discharge of groundwater to a wetland, the recharge of groundwater from a wetland to another area, or the flow of groundwater through a wetland.

(c) Filtering or storage of sediments, nutrients, heavy metals, or organic compounds that would otherwise drain into navigable waters.

(d) Shoreline protection against soil erosion.

(e) Fish spawning, breeding, nursery, or feeding grounds.

(f) Wildlife habitat.

(g) Wetlands both within the boundary of designated areas of special natural resource interest and those wetlands which are in proximity to or have a direct hydrologic connection to the designated areas as defined in Wis. Admin. Code § NR 103.04.

(3) If the Wisconsin Department of Natural Resources notifies the Department that a proposed text or map amendment to the

shoreland-wetland provisions of this ordinance may have a significant adverse impact on any of the criteria listed in s. 8.007(2) of this ordinance, that amendment, if approved by the county board, shall contain the following provisions: "This amendment shall not take effect until more than 30 days have elapsed after written notice of the Sauk County Board's approval of this amendment is mailed to the Wisconsin Department of Natural Resources. During that 30-day period, the Wisconsin Department of Natural Resources may notify the Sauk County Board that it will adopt a superseding shoreland ordinance for Sauk County under Wis. Stat. § 59.692(6). If the Wisconsin Department of Natural Resources does so notify the Sauk County Board, the effect of this amendment shall be stayed until the § 59.692(6) adoption procedure is completed or otherwise terminated."

8.008 Land division review, planned unit development, and sanitary regulations.

(1) **LAND DIVISION REVIEW.** Pursuant to Wis. Stat. § 236.45, the county shall review all land divisions in shoreland areas. In land division review, all of the following factors shall be considered:

(a) Hazards to the health, safety or welfare of future residents.

(b) Proper relationship to adjoining areas.

(c) Public access to navigable waters, as required by law.

(d) Adequate stormwater drainage facilities.

(e) Conformity to state law and administrative code provisions.

(2) **PLANNED UNIT DEVELOPMENT (PUD).**

(a) *Purpose.* A planned unit development is intended to permit smaller, non-riparian lots where the physical layout of the lots is so arranged as to better assure the control of pollution and preservation of ground cover than would be expected if the lots were developed with the normal lot sizes and setbacks and without special conditions placed upon the planned unit development at the time of its approval. A condition of all planned residential unit development is the preservation of certain open space, preferably on the shoreland, in perpetuity.

(b) *Requirements for planned unit development.* The county board may, at its discretion, upon its own motion or upon petition,

approve a planned unit development overlay district upon finding, after a public hearing, that all of the following facts exist:

1. 'Area.' The area proposed for the planned unit development shall be at least 2 acres in size or have a minimum of 200 feet of frontage on a navigable water.

2. 'Lots.' Any proposed lot in the planned unit development that does not meet the minimum size standards of ss. 8.010(2) and 8.010(3) shall be a non-riparian lot.

3. 'Lot sizes, width, setbacks, and vegetation removal.' When considering approval of a planned unit development the governing body shall consider whether proposed lot sizes, widths, and setbacks are of adequate size and distance to prevent pollution or erosion along streets or other public ways and waterways. Increased shoreland setbacks shall be a condition of approval as a way of minimizing adverse impacts of development. Shore cover provisions in s. 8.012 shall apply except that the maximum width of a lake frontage opening shall be 100 feet and minimum vegetative buffer depth shall be increased to offset the impact of the proposed development.

(3) **SANITARY REGULATIONS.** The county shall adopt sanitary regulations for the protection of health and the preservation and enhancement of water quality.

(a) Where public water supply systems are not available, private well construction shall be required to conform to Wis. Admin. Code ch. NR 812.

(b) Where a public sewage collection and treatment system is not available, design and construction of private, on-site waste treatment systems shall, prior to July 1, 1980, be required to comply with Wis. Admin. Code ch. SPS 383, and after June 30, 1980, be governed by Chapter 25 of the Sauk Co. Code adopted by the county pursuant to Wis. Stat. § 59.70(5).

(4) **PROCEDURE FOR ESTABLISHING A PLANNED RESIDENTIAL UNIT DEVELOPMENT OVERLAY DISTRICT.** The procedure for establishing a planned residential unit development district shall be as follows:

(a) A petition setting forward all of the facts required in s. 8.008(2) shall be submitted to the Sauk County Clerk with sufficient copies to provide for distribution.

(b) *Review and Hearing.* The petition shall be submitted to the Sauk County Conservation, Planning, and Zoning Committee established as required by Wis. Stats. § 59.69(3)(d), which shall hold a public hearing and report to the Sauk County Board as required by law. Copies of the petition and notice of the hearing shall also be sent to the appropriate office of the Department. The committee's report to the Sauk County Board shall reflect the recommendations of any federal, state or local agency with which the Sauk County Conservation, Planning, and Zoning Department consults.

(c) *Findings and Conditions of Approval.* The Sauk County Board shall make written findings as to the compliance or noncompliance of the proposed overlay district with each of the applicable requirements set forth in ss. 8.008(2) and (3). If the petition is granted in whole or in part, the Sauk County Board shall attach such written conditions to the approval as are required by and consistent with ss. 8.008(2) and (3). The conditions of approval shall in all cases establish the specific restrictions applicable with regard to minimum lot sizes, width, setbacks, dimensions of vegetative buffer zone and open space requirements.

(d) *Planning studies.* A landowner or petitioner may at his own expense develop the facts required to establish compliance with the provisions of ss. 8.008(2) and (3) or may be required to contribute funds to the county to defray all or part of the cost of such studies being undertaken by the county, any agency or person with whom the county contracts.

8.009 Subdivision and commercial development stormwater management.

(1) All newly platted residential subdivisions and commercial developments to be located in the shoreland or shoreland-wetland district shall be required to prepare and submit a stormwater management plan and be in compliance with Wis. Admin. Code ch. NR 151 and additional provisions in that code. All stormwater runoff from within the proposed development boundaries shall be controlled or directed to prevent adverse impacts to the property and neighboring properties. The stormwater management plan shall include the following:

(a) Stormwater runoff control measures or devices including the following:

1. Retention and detention ponds may not be located within the boundaries of a mapped wetland.

2. Retention and detention ponds may not discharge runoff to streams or waterways classified as trout habitat. Overflow runoff may be discharged to an approved infiltration trench or related diversion.

3. Stormwater runoff control measures or devices shall be in place and stabilized prior to any site disturbance.

(b) The stormwater management plan shall be designed by a licensed professional engineer.

(c) The stormwater management plan shall describe all security and safety measures.

(d) The stormwater management plan shall describe all landscaping and site maintenance.

(e) The stormwater management plan shall describe all measures for removing sediment.

(2) The stormwater management plan shall protect neighboring properties from flooding, increased sediment levels, decreased water quality, or any other adverse impact as measured prior to site development. All stormwater leaving the project site shall be in compliance with all applicable State of Wisconsin water quality standards.

(3) A financial guarantee must be submitted to cover the costs associated with the review of plans as well as construction and installation of improvements in accordance with the stormwater management plan.

8.010 Minimum lot size. (1) **PURPOSE.** Minimum lot sizes in the shoreland area shall be established to afford protection against danger to health, safety, and welfare, and protection against pollution of the adjacent body of water.

(2) **SEWERED LOTS.** The minimum lot area shall be 10,000 square feet and the minimum average lot width shall be 65 feet.

(a) The width shall be calculated by averaging measurements at the following 3 locations:

1. The ordinary high water mark.
2. The front building setback line.
3. The rear lot line measured at 75 feet from the ordinary high water mark.

(3) **UNSEWERED LOTS.** The minimum lot area shall be 20,000 square feet and the minimum average lot width shall be 100 feet with at least 100 feet of frontage at the ordinary high water mark.

(a) The width shall be calculated by averaging measurements at the following 3 locations:

1. The ordinary high water mark.
2. The front building setback line.
3. The rear lot line measured at 75 feet from the ordinary high water mark.

(4) **SUBSTANDARD LOTS.** A legally created lot or parcel that met minimum area and minimum average width requirements when created, but does not meet current lot size requirements, may be used as a building site if all of the following apply:

(a) The substandard lot or parcel was never reconfigured, combined with another lot or parcel by plat, survey, or consolidation by the owner into one property tax parcel.

(b) The substandard lot or parcel has never been developed with one or more of its structures partly upon an adjacent lot or parcel.

(c) The substandard lot or parcel is developed to comply with all other ordinance requirements.

(5) **OTHER SUBSTANDARD LOTS.** (a) Except for lots which meet the requirements of s. 8.010(4), a land use permit for the improvement of a lot having lesser dimensions than those stated in ss. 8.010(2) and 8.010(3) shall be issued only if a variance is granted by the Sauk County Board of Adjustment.

(b) A legal non-conforming lot may not be further divided or lot lines adjusted to increase the non-conformity.

8.011 Setbacks. (1) **BUILDING SETBACKS.** Permitted building setbacks shall be established to conform to health, safety and, welfare requirements, preserve natural beauty, reduce flood hazards, and avoid water pollution.

(2) **SHORELAND SETBACKS.** Unless exempt under s. 8.011(3) or reduced under s. 8.011(5), a setback of 75 feet from the ordinary high water mark of any navigable waters to the nearest part of a building or structure shall be required for all buildings and structures.

(3) EXEMPT STRUCTURES. All of the following structures are exempt from the 75 foot shoreland setback standards in s. 8.011(2) provided the following requirements are met and a land use permit is issued by the Department:

(a) Boathouses meeting the requirements of the Wisconsin Statutes and Wisconsin Administrative Code.

1. Boathouses shall be located entirely above the ordinary high water mark.

2. Boathouses shall be located entirely within the access and viewing corridor.

3. Boathouses shall not contain plumbing and are not to be used for human habitation.

4. Boathouses, where permitted, shall be designed and constructed solely for the storage of boats and related equipment and shall not be used for human habitation. Any construction, including plumbing fixtures, heating and cooling equipment, patio doors, fire places, stoves, ranges, and second stories, which is inconsistent with the exclusive use of the boathouse, is prohibited.

5. One boathouse is permitted per lot. A boathouse is considered an accessory structure.

6. The construction or placement of boathouses below the ordinary high water mark of any navigable waters is prohibited.

7. Boathouses shall be set back a minimum of 5 feet from the ordinary high water mark. Boathouses shall be constructed in conformity with local floodplain zoning standards.

8. Boathouses shall have a minimum floor area of 300 square feet and shall have a maximum floor area of 450 square feet. Flat roofed surfaces of boathouses may be used as open recreational areas, but may not be enclosed, roofed, or have side walls or screens. The roof may have a railing that meets the Wisconsin Department of Safety and Professional Services standards.

9. Boathouses shall not exceed one-story with a maximum sidewall height not to exceed 10 feet, as measured from the top of the wall to the floor.

10. The main door shall face the water. Aprons or approaches into the boathouse are not permitted.

11. Rail systems must be depicted on proposed plans prior to construction.

12. Boathouses shall have a maximum width parallel to the shore of 15 feet.

13. Boathouses shall have a minimum side yard setback of 20 feet.

(b) Open-sided and screened structures such as gazebos, decks, patios, and screen houses in the shoreland setback areas that satisfy the requirements in Wis. Stat. § 59.692(1v.).

1. The part of the structure that is nearest to the water is located at least 35 feet landward from the ordinary high water mark.

2. The total floor area of all the structures existing and proposed in or extending into the shoreland setback of 75 feet shall not exceed 200 square feet of floor area. In calculating this square footage, exempt structures such as boathouses, stairways, walkways, and lifts shall not be included.

3. The structure that is the subject of the request for special zoning permission has no sides or has open or screened sides.

4. The county must approve a plan that will be implemented by the owner of the property to preserve or establish a vegetative buffer zone that covers at least 70% of the half of the shoreland setback area. The location of the vegetative buffer shall be shown on a site plan prepared by a registered land surveyor and the boundaries clearly marked on the lot.

5. The structure must be freestanding and more than 5 feet from a principal structure.

6. An affidavit must be filed with the Sauk County Register of Deeds prior to construction acknowledging the limitations on vegetation.

(c) Broadcast signal receivers, including satellite dishes or antennas that are 3 feet or less in diameter and satellite earth station antennas that are 6 feet or less in diameter.

(d) Utility transmission and distribution lines, poles, towers, water towers, pumping stations, well pump house covers, private on-site wastewater treatment systems that comply with state statutes, and other utility structures that have no feasible alternative location outside of the minimum setback and that employ best management practices to infiltrate or otherwise control storm water runoff from the structure.

(e) Stairways, walkways, or rail systems that are necessary to provide pedestrian access to the shoreline and are a maximum of 60 inches in width as follows:

1. Only one stairway, walkway, lift, or combination thereof, shall be constructed. If a

new lift is needed and approved by the Department, it shall be mounted to an existing stairway or walkway.

2. The platform of the lift may not exceed 40 square feet.

3. Landings associated with stairs, walkways, and lifts shall be constructed only when required for safety purposes and if the landing does not exceed 40 square feet.

(f) Stormwater best management practices used to treat runoff from impervious surfaces.

(4) EXISTING EXEMPT STRUCTURES. Existing exempt structures may be maintained, repaired, replaced, restored, rebuilt, and remodeled provided the activity does not expand the footprint and does not go beyond the three-dimensional building envelope of the existing structure. Counties may allow expansion of a structure beyond the existing footprint if the expansion is necessary to comply with applicable state or federal requirements.

(5) REDUCED PRINCIPAL STRUCTURE SETBACK. A setback less than the 75 foot required setback from the ordinary high water mark shall be permitted only for a proposed principal structure and shall be determined as follows:

(a) Where there are existing principal structures in both directions, the setback shall equal the average of the distances the two existing principal structures foundation walls are set back from the ordinary high water mark provided all of the following are met:

1. Both of the existing principal structures are located on adjacent lots to the proposed principal structure.

2. Both of the existing principal structures are located within 250 feet of the proposed principal structure and are the closest structure.

3. Both of the existing principal structures are located less than 75 feet from the ordinary high water mark.

4. The averaged setback may not be reduced to less than 35 feet from the ordinary high water mark of any navigable water.

(b) A reduced principal structure setback may not be used for additions or accessory structures.

(6) SIDE YARD SETBACKS. Side yard setbacks shall be measured based upon the applicable underlying general zoning standards,

except that boathouses shall maintain a minimum side yard setback of 20 feet.

(7) FLOODPLAIN STRUCTURES. Buildings and structures to be constructed or placed in a floodplain shall be required to comply with any applicable floodplain zoning ordinance.

8.012 Vegetation. (1) PURPOSE. To protect natural scenic beauty, fish and wildlife habitat, and water quality and to promote preservation and restoration of native vegetation, Sauk County shall regulate removal of vegetation in shoreland areas and establish standards that consider sound forestry and soil conservation practices and the effect of vegetation removal on water quality, including soil erosion, and the flow of effluents, sediments, and nutrients.

(2) REMOVAL OF VEGETATION. Unless excepted below removal of vegetation is prohibited within the vegetative buffer zone.

(3) EXCEPTIONS WITHOUT A LAND USE PERMIT. Removal of vegetation within the vegetative buffer area is permitted without a land use permit for the following:

(a) Routine maintenance of vegetation, including removal of dead or dying trees.

(b) Non-structural agricultural practices provided all agricultural practices comply with a site-specific farm conservation plan approved by the Department. Such plans must specifically address erosion control and improvement of the native shoreland plant community.

(c) Soil conservation, stream and adjacent wetland protection and ecological restoration practices when construction is overseen by and implemented according to site specific plans and designs approved by the Natural Resources Conservation Service (NRCS), US Fish and Wildlife Service, Wisconsin Department of Natural Resources, or the Sauk County Conservation, Planning, and Zoning Department.

(4) Exceptions with land use permit. Removal of vegetation within the vegetative buffer zone is permitted subject to the approval of a land use permit, for the following:

(a) Removal of trees and shrubs to create access and viewing corridor provided the following conditions are met:

1. The viewing corridor may not exceed 35% of the lot frontage.

2. The viewing corridor may run contiguously for the entire maximum width of the shoreline lot frontage.

(b) The removal of trees and shrubs in the vegetative buffer zone may be permitted upon a parcel with 10 or more acres of forested land consistent with “generally accepted forestry management practices” as defined in Wis. Admin. Code § NR 1.25 (2)(b), and described in Wisconsin Department of Natural Resources publication *Wisconsin Forest Management Guidelines*, publication FR-226, provided that vegetation removal be consistent with these practices.

(c) The removal of vegetation within the vegetative buffer zone may be permitted to manage exotic or invasive species, damaged vegetation, vegetation that must be removed to control disease, or vegetation creating an imminent safety hazard, provided that any vegetation removed under the land use permit be replaced by replanting in the same area as soon as practicable.

(d) Additional vegetation management activities in the vegetative buffer zone may be permitted provided that all management activities comply with detailed plans approved by the Department and designed to control erosion by limiting sedimentation into the water body, to improve the plant community by replanting in the same area, and to maintain and monitor the newly restored area.

8.013 Filling, grading, lagooning, dredging, ditching and excavating. (1) Filling, grading, lagooning, dredging, ditching and excavating may be permitted only in accordance with the provisions of Wis. Admin. Code § NR 115.04, the requirements of Wis. Stat. ch. 30, and other state and federal laws where applicable, and only if done in a manner designed to minimize erosion, sedimentation and impairment of fish and wildlife habitat and natural scenic beauty.

(2) **GENERAL STANDARDS – LAND USE PERMIT NOT REQUIRED.** Filling, grading, lagooning, dredging, ditching and excavating which does not require a permit under s. 8.013 may be permitted in the shoreland area provided that:

(a) It is not done within the vegetation buffer zone unless necessary for establishing or expanding the vegetative buffer.

(b) It is done in a manner designed to minimize erosion, sedimentation and impairment of fish and wildlife habitat.

(c) Filling, grading, lagooning, dredging, ditching or excavating in a shoreland wetland district meets the requirements of s. 8.006(3) and s. 8.006(4) of this ordinance.

(d) All applicable federal, state and local permits are obtained in addition to a permit under this ordinance.

(e) Any fill placed in the shoreland area is protected against erosion by the use of riprap, vegetative cover or a bulkhead.

(3) **LAND USE PERMIT EXCEPTIONS.** Land use permits for filling, grading, lagooning, dredging, ditching or excavating are not required for the following:

(a) *Riprapping.* A land use permit is not required for any riprapping where the project is exempt per Wis. Stat. § 30.12(1g)(im) or the Wisconsin Department of Natural Resources has issued all of the required permits for the particular work to be completed and the zoning administrator certifies that the proposed work, as documented in the plans to be submitted by the landowner, is in compliance with the provisions of this ordinance.

(b) Soil conservation, stream and adjacent wetland protection and restoration practices such as terraces, run-off diversions, grassed waterways, cattle and equipment crossings, cattle watering access, water control structures, dikes, ditch plugs, tile breaks and sediment removal catchments, when construction is overseen by and implemented according to plans and designs approved by the Natural Resource Conservation Service, US Fish and Wildlife Service, Wisconsin Department of Natural Resources, or the Sauk County Conservation, Planning, and Zoning Department.

(c) Tillage directly related to planting, growing and harvesting of agricultural or horticultural crops or gardens.

(4) **LAND USE PERMIT REQUIRED.** Filling, grading, lagooning, dredging, ditching or excavating, which requires a land use permit under s. 8.013 may be permitted in a shoreland area:

(a) For filling or grading of any area which is within 300 feet landward of the ordinary high water mark of navigable water, has surface drainage toward the water, and on which there are any of the topographic conditions listed below:

1. Any filling or grading on slopes of more than 20%.
2. Filling or grading of more than 1,000 square feet on slopes of 12% to 20%.
3. Filling or grading of more than 2,000 square feet on slopes less than 12%.

(b) For constructing, dredging, or enlarging of any artificial water body that connects with a navigable waterway.

(c) For the construction or enlargement of an artificial body of water that is or will be located within 300 feet landward of the ordinary high water mark of, but that does not connect with, an existing navigable waterway.

(5) PERMIT APPLICATION. Applicants shall include a plot plan with the permit application. This plot plan shall be drawn to scale and include the following:

- (a) Existing and proposed topography.
- (b) An engineered drainage and erosion control plan stamped by a licensed engineer; unless:

1. The permit request is for a structure or structures in areas that are more than 300 feet from the ordinary high water mark of any navigable water;

2. The project is for an agricultural waterway, ditch, or tile maintenance projects; or

3. The project is for a stormwater best management practice that does not require a professional engineer to create the necessary plans.

(c) Cross-sections of the anticipated area of disturbance.

(d) North arrow, appropriate map scale, and property line dimensions.

(e) Nearest roads, existing and proposed right-of-ways, access drives and easements, and affected utilities.

(f) All property lines.

(g) Floodplain elevation.

(h) Boundaries of existing natural features such as trees, lakes, ponds, streams, rock outcroppings, topography, wetlands, and woodlands.

(i) Location of water, well, and septic.

(j) Location of proposed stormwater management facilities.

(k) Proposed landscaping including buffer zones, fences, retaining walls, and earth berms.

(6) PERMIT CONDITIONS. In granting a permit under s. 8.013, the county shall attach the following conditions, where appropriate and any other applicable administrative or legal requirements as determined by the Department:

(a) The smallest amount of bare ground shall be exposed for as short a time as feasible.

(b) Temporary ground cover, such as mulch or jute netting, shall be used, and permanent vegetative cover shall be established.

(c) Diversion berms or bales, silting basins, terraces, filter fabric fencing, and other methods shall be used to prevent erosion.

(d) Lagoons shall be constructed to avoid fish trap conditions.

(e) Fill shall be stabilized according to accepted engineering standards.

(f) Filling shall comply with any local floodplain zoning ordinance and may not restrict a floodway or destroy the flood storage capacity of a floodplain.

(g) Channels or artificial watercourses shall be constructed with side slopes of 2 units horizontal distance to 1 unit vertical or flatter which shall be promptly vegetated unless bulkheads or riprap are provided.

(7) SHORELAND-WETLAND DISTRICT. Filling, grading, lagooning, dredging, ditching or excavating in a shoreland-wetland district shall comply with s. 8.006 of this ordinance.

8.014 Impervious surface standard. (1)

PURPOSE. Establish impervious surface standards to protect water quality and fish and wildlife habitat and to protect against pollution of navigable waters. Impervious surface standards shall apply to the construction, reconstruction, expansion, replacement, or relocation of any impervious surface on a riparian lot or parcel and any non-riparian lot or parcel that is located entirely within 300 feet of the ordinary high water mark of any navigable waterway. (a)

Calculation of percentage of impervious surface.

1. Percentage of impervious surface shall be calculated by dividing the surface area of the existing and proposed impervious surfaces on the portion of a lot or parcel that is within 300 feet of

the ordinary high water mark by the total surface area of the lot or parcel and multiplied by 100. Impervious surfaces described in s. 8.014(1)(d) shall be excluded from the calculation of impervious surface on the lot or parcel. If an outlot lies between the ordinary high water mark and the developable lot or parcel and both are in common ownership, the lot or parcel and the outlot shall be considered one lot or parcel for the purposes of calculating the percentage of impervious surface.

2. For properties within a condominium plat, the impervious surface calculations apply to the entire condominium platted property and shall not be exclusive to each individual limited common element.

(b) *General impervious surface standard.* Except as allowed in s. 8.014(1)(c), the county will allow up to 15% impervious surface on the portion of a lot or parcel that is within 300 feet of the ordinary high water mark.

(c) *Maximum impervious surface.* A property may exceed the impervious surface standard under s. 8.014(1)(b) providing the following:

1. A property owner may have more than 15% impervious surface but not more than 30% impervious surface on the portion of the lot or parcel that is within 300 feet of the ordinary high water mark.

2. For properties that exceed the standard under s. 8.014(b), but do not exceed the standard under s. 8.014(c), a permit can be issued for development with a mitigation plan that meets the standards found in s. 8.017.

(d) *Treated impervious surfaces.* Impervious surfaces that can be documented to show that they meet either of the following standards shall be excluded from the impervious surface calculations under s. 8.014(1)(a). This exemption can only be used when the runoff from the impervious surface is being treated by a sufficient treatment system, treatment device, or internally drained. If the property owner fails to maintain the treatment system, treatment device, or internally drained area, the impervious surface is no longer exempt.

1. The impervious surface is treated by devices such as stormwater ponds, constructed wetlands, infiltration basins, rain gardens, bio-swales or other engineered systems, which are

designed to contain a 2-year, 24-hour rainfall event or larger.

2. The runoff from the impervious surface discharges to an internally drained pervious area that retains the runoff on or off the parcel and allows infiltration into the soil, designed to contain a 2-year, 24-hour rainfall event or larger.

(e) To qualify for the statutory exemption, property owners shall submit a complete permit application and documentation showing compliance with the standards listed in this section. Depending upon the type of treatment proposed a professional engineer may be required to prepare any necessary plans. The application shall include:

1. Calculations showing how much runoff is coming from the impervious surface area.

2. Documentation that the runoff from the impervious surface is being treated by a proposed treatment system, treatment device, or internally drained area.

3. The design of stormwater best management practices shall comply with the following technical standards: *Natural Resources Conservation Field Office Technical Guide*, applicable Wisconsin Department of Natural Resources construction and erosion control standards; or technical methodology approved by the Sauk County Conservation, Planning, and Zoning Department.

4. An implementation schedule and enforceable obligation on the property owner to establish and maintain the treatment system, treatment devices, or internally drained area. The enforceable obligations shall be evidenced by an instrument recorded in the office of the Sauk County Register of Deeds prior to the issuance of the permit.

(f) *Existing impervious surfaces.* For existing impervious surfaces that were lawfully placed when constructed but that do not comply with the impervious surface standard in s. 8.014(1)(b) or the maximum impervious surface standards in s. 8.014(1)(c), the property owner may do any of the following:

1. Maintain and repair the existing impervious surfaces.

2. Replace existing impervious surfaces with similar surfaces within the existing building envelope.

3. Relocate or modify an existing impervious surface with similar or different impervious surface, provided that the relocation or modification does not result in an increase in the percentage of impervious surface that existed on the effective date of this ordinance, and the impervious surface meets the applicable setback requirements in Wis. Admin. Code § NR 115.05(1)(b).

(g) This section of the ordinance shall not be construed to supersede other provisions in the county shoreland ordinance. All of the provisions of the county shoreland ordinance still apply to new or existing development.

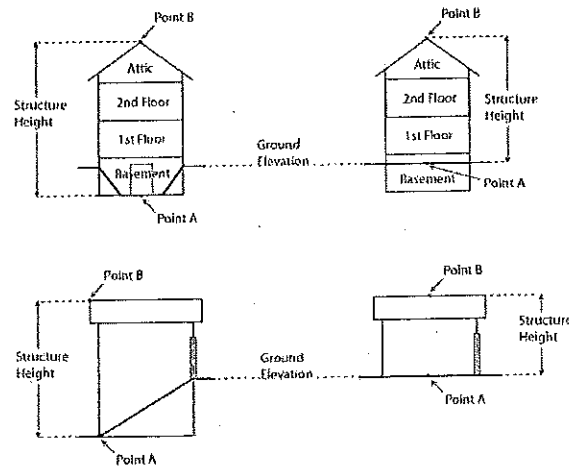
(h) Applicants shall include a plot plan with the land use permit application. This plot plan shall be drawn to scale and include the following:

1. Calculation of percentage of impervious surface.
2. Location and size of all existing and proposed structures on the property.
3. North arrow, appropriate map scale, and property line dimensions.
4. Nearest roads, existing and proposed access drives.
5. All property lines.
6. Boundaries of existing natural features such as lakes, ponds, streams, rock out-croppings, topography, wetlands, and woodlands.
7. Location of treated impervious surfaces.
8. Proposed landscaping including buffer zones, fences, retaining walls, and earth berms.
9. Impervious surface calculation and the above information may have to be prepared and provided by a professional engineer or surveyor if requested by the Department.

8.015 Height.

To protect and preserve wildlife habitat and natural scenic beauty, on or after February 1, 2010, the Department may not permit any construction that results in a structure taller than 35 feet within 75 feet of the ordinary high water mark of any navigable waters.

(1) Structure height is the measurement of the vertical line segment starting at the lowest point of any exposed wall and its intersect with the ground, Point A in the following diagram, to a line horizontal to the highest point of a structure, Point B in the following diagram, unless specified under other sections of this code.



8.016 Nonconforming uses and structures.

(1) **DISCONTINUED NONCONFORMING USE.** If a nonconforming use is discontinued for a period of 365 days, any future use of the building, structure, or property shall conform to the ordinance.

(2) Wis. Admin. Code § NR115.05(1)(b)1m and s. 8.011(3) list structures that are exempt from the shoreland setback. These structures are considered conforming structures and are not considered nonconforming structures. Structures that were granted variances or illegally constructed structures are not considered nonconforming structures.

(3) **MAINTENANCE, REPAIR, REPLACEMENT OR VERTICAL EXPANSION OF NONCONFORMING STRUCTURES.** An existing structure that was lawfully placed when constructed but that does not comply with the required shoreland setback may be maintained, repaired, replaced, restored, rebuilt or remodeled if the activity does not expand the footprint of the nonconforming structure. Further, an existing structure that was lawfully placed when constructed but that does not comply with the required shoreland setback may be vertically expanded unless the vertical expansion would extend more than 35 feet above grade level as measured under s. 8.015(1). Counties may allow expansion of a structure beyond the existing footprint if the expansion is necessary to comply with applicable state or federal requirements.

(4) **LATERAL EXPANSION OF A NONCONFORMING PRINCIPAL STRUCTURE WITHIN**

THE SETBACK. An existing principal structure that was lawfully placed when constructed but that does not comply with the required building setback pursuant to s. 8.011(2) may be expanded laterally, provided that all of the following requirements are met:

(a) The use of the structure has not been discontinued for a period of 365 days or more if a nonconforming use.

(b) The existing principal structure is at least 35 feet from the ordinary high water mark.

(c) Lateral expansions are limited to a maximum of 200 square feet over the life of the structure. No portion of the expansion may be any closer to the ordinary high-water mark than the closest point of the existing principal structure.

(d) The Department shall issue a permit that requires a mitigation plan that shall be approved by the Department and implemented by the property owner by the date specified in the permit. The mitigation plan shall meet the standards found in s. 8.017.

(e) All other provisions of the shoreland ordinance shall be met.

(5) EXPANSION OF A NONCONFORMING PRINCIPAL STRUCTURE BEYOND SETBACK. An existing principal structure that was lawfully placed when constructed but that does not comply with the required building setback pursuant to s. 8.011(2) may be expanded horizontally, landward, or vertically provided that the expanded area meets the building setback requirements pursuant to s. 8.011, lateral expansions meet the requirements pursuant to s. 8.010(4), and that all other provisions of the shoreland ordinance are met. A mitigation plan is not required solely for expansion under this paragraph, but may be required pursuant to s. 8.014.

(6) RELOCATION OF A NONCONFORMING PRINCIPAL STRUCTURE. An existing principal structure that was lawfully placed when constructed but that does not comply with the required building setback pursuant to s. 8.011(2) may be replaced or relocated on the property provided all of the following requirements are met:

(a) The use of the structure has not been discontinued for a period of 365 days or more.

(b) The existing principal structure is at least 35 feet from the ordinary high water mark.

(c) No portion of the replaced or relocated structure is located any closer to the ordinary high water mark than the closest point of the existing principal structure.

(d) The Department determines that no other location is available on the property to build a principal structure of a comparable size to the structure proposed for relocation that will result in compliance with the shoreland setback requirement pursuant to s. 8.011(2).

(e) The Department shall issue a land use permit that requires a mitigation plan that shall be approved by the Department and implemented by the property owner by the date specified in the permit. The mitigation plan shall meet the standards pursuant to s. 8.017, including enforceable obligations of the property owner to establish and maintain mitigation measures that the Department determines are adequate to offset the impacts of the permitted expansion on water quality, near-shore aquatic habitat, upland wildlife habitat, and natural scenic beauty. The mitigation measures shall be proportional to the amount and impacts of the replaced or relocated structure being permitted. The obligations of the property owner under the mitigation plan shall be evidenced by an instrument recorded with the Sauk County Register of Deeds office.

(f) All other provisions of the shoreland ordinance shall be met.

(7) MAINTENANCE, REPAIR, REPLACEMENT OR VERTICAL EXPANSION OF STRUCTURES THAT WERE AUTHORIZED BY VARIANCE. A structure of which any part has been authorized to be located within the shoreland setback area by a variance granted before July 13, 2015 may be maintained, repaired, replaced, restored, rebuilt or remodeled if the activity does not expand the footprint of the authorized structure. Additionally, the structure may be vertically expanded unless the vertical expansion would extend more than 35 feet above grade level. The Department may allow expansion of a structure beyond the existing footprint if the expansion is necessary to comply with applicable state or federal requirements.

(8) MAINTENANCE, REPAIR, REPLACEMENT OF ILLEGAL STRUCTURES. A structure that was illegally constructed, which is older than 10 years and may not be enforced under Wis. Stat.

§ 59.692(1t), the shoreland ordinance, may be maintained, repaired, replaced, restored, rebuilt, or remodeled if the activity does not expand the footprint of the structure. No vertical or lateral expansions are allowed for these structures.

8.017 Mitigation. (1) MITIGATION PURPOSE. The purpose of mitigation is to offer options to property owners who desire to make improvements to a parcel located within the shoreland area while preserving, protecting, enhancing, and maintaining the scenic, conservation, and recreational values of navigable waters and shorelands.

(2) PERMIT REQUIREMENT. When the Department issues a permit requiring mitigation under ss. 8.014(1)(c), 8.016(4), or 8.016(6), the property owner must submit a complete permit application that is reviewed and approved by the Department. The application shall include the following:

(a) A mitigation plan in accordance with s. 8.017(4) that describes the proposed mitigation measures. The mitigation plan shall be designed and implemented to restore natural functions lost through development. The mitigation measures shall be proportional in scope to the impacts on water quality, near-shore aquatic habitat, upland wildlife habitat, and natural scenic beauty.

(b) An implementation schedule and enforceable obligation on the property owner to establish and maintain the mitigation measures. The enforceable obligations shall be evidenced by an instrument recorded in the Office of the Sauk County Register of Deeds prior to issuance of the permit.

(3) RECORDING REQUIREMENT. The enforceable obligation described in s. 8.017(2)(b), as modified by the Department during the permitting process, must be recorded with the Sauk County Register of Deeds in order for the permit to be effective so that work may commence.

(4) MITIGATION PLAN. A mitigation plan with a recorded enforceable obligation and maintenance agreement shall include a scaled plot plan of the lot, including the following information:

(a) Location of all existing and proposed structures. Examples of structures that shall be depicted on the plot plan of the lot include: paths,

stairways, retaining walls, decks, patios, and vegetative cover, and shall be represented with accurate distances shown between the structures and all property lines.

(b) Location of any areas of existing and proposed land disturbance.

(c) Location of septic and well facilities.

(d) Location of the viewing and access corridor.

(e) Location of parking areas and driveways.

(f) Location of ordinary high-water mark and any wetland areas.

(g) Maps showing the existing and proposed topography and slope of the property.

(h) Impervious surface calculations.

(i) A minimum of four photos of the property. The required photos shall include a photo taken from the water, along the shoreline, and from the principal structure. The Department may require additional photos of the property or a site inspection, or both.

(j) Properties which include flood hazard areas shall be required to submit documentation showing the base flood elevation and its location on the property. A professional surveyor may be required to provide elevation data on the plan.

(5) MITIGATION REQUIREMENTS. Mitigation shall be required for the following activities:

(a) Impervious Surface coverage greater than 15% but no more than 30%.

(b) Lateral expansion of a non-conforming principal structure.

(c) Relocation of a non-conforming principal structure.

(6) MITIGATION OPTIONS. Property owners must install stormwater control systems that shall be designed to contain the 2-year, 24-hour rainfall event for impervious areas, meeting s. 8.014, impervious surface standards. Depending upon the type of stormwater best management practice proposed, a qualified professional engineer or surveyor may be required to prepare any necessary plans. In addition to the installation of a stormwater best management practices, mitigation shall also include at least one of the following:

(a) Removal of a structure within the shoreland setback.

(b) Removal of shoreland structures such as artificial beaches, seawalls, or bulkheads.

(c) Replacement of private on-site wastewater treatment or "POWTS" installed prior to July 1, 1980, or connection to a public sanitary sewer service or private group wastewater treatment system serving 5 or more lots.

(d) Reduction of impervious surface coverage to less than 15% of the lot.

(e) Shoreland buffer restoration of at least 35 feet landward side from the ordinary high water mark. A plan for the restoration of the shoreland buffer is required and shall include:

1. All requirements as entailed by s. 8.017(4).

2. Identification of the vegetation to be cut and the size and type of species to be removed.

3. A list of desired native species appropriate for the site, or cultivars of native species, to include in the restoration area and a schedule for their planting.

4. A scaled plot plan showing the placement, size and densities of each species to be planted within the buffer area.

5. A narrative description of how the applicant intends to carry out the project including the erosion control measures that will be used during construction. Please include the name and phone number of the landscape architect or consultant, if applicable.

6. The Restoration Plan will be reviewed according to United States Department of Agriculture, Natural Resources Conservation Service, Shoreland Habitat Standard and Wisconsin Biology Technical Note 1: Shoreland Habitat within the shoreland buffer area. The plan must also fulfill the intent and purpose of s. 8.012 of this ordinance. The above listed standards can be viewed on the Wisconsin Department of Natural Resources website or at the Sauk County Conservation, Planning, and Zoning Department, 505 Broadway, Baraboo, WI 53913

7. 'Certification of completion.' Restoration is required to be completed within one year of issuance of the land use permit but may be extended upon approval of the Department. The property owner shall complete the required shoreland buffer and shall certify in writing to the zoning administrator that the required shoreland buffer has been completed. As part of the certification, the property owner shall submit photos documenting the mitigation

measures and the zoning administrator may conduct an on-site compliance inspection to ensure compliance with the plan.

(f) Wetland restoration or creation, designed in accordance with the NRCS Field Office Technical Guide.

(g) Elimination of existing erosion and sedimentation on areas that have surface drainage towards the water.

(h) Reducing the width of allowable view and access corridors.

(i) Installation of a stormwater infiltration system, such as infiltration trenches or chambers, drywells, grass swales, rain gardens or other comparable practices.

(j) Installation of shoreline stabilization practice located at the OHWM, which comply with Wis. Admin. Code ch. 30.

SUBCHAPTER IV PROCEDURES AND ADMINISTRATION

8.018 Procedures and administration.

(1) **PURPOSE.** The purpose of this subchapter is to establish responsibilities for administration of this chapter, procedural requirements for various development approvals under this chapter, and enforcement procedures and penalties for non-compliance.

(2) **CONSERVATION, PLANNING, AND ZONING DIRECTOR AND ZONING ADMINISTRATOR: DESCRIPTION AND ROLES.** The Sauk County Conservation, Planning, and Zoning Director is the administrative and enforcement officer for the provisions of this chapter pursuant to the general authorization of the Wisconsin Statutes. The conservation, planning, and zoning director shall serve as the zoning administrator, unless the director designates a different position or staff person as the zoning administrator. Other professional staff within the Department may assist the director or zoning administrator in the performance of the duties prescribed herein.

(3) **DUTIES AND RESPONSIBILITIES.** To interpret and administer this chapter, as well as certain other chapters of the Sauk Co. Code as provided therein. With respect to this chapter, the zoning administrator shall have the following specific duties and responsibilities:

(a) Conduct on-site inspections of buildings, structures, waters, and land to determine compliance with all provisions of this chapter.

(b) Be permitted access to premises and structures to make inspections to ensure compliance with this chapter. If refused entry after presentation of identification, the zoning administrator may seek the assistance of the corporation counsel to procure a special inspection warrant in accordance with the Wisconsin Statutes.

(c) Maintain records associated with this chapter including all maps, amendments, land use permits, conditional uses, special exceptions, site plans, variances, appeals, inspections, interpretations, applications, and other official actions.

(d) Receive, file, and forward applications to the designated review and approval bodies, and provide related technical information or reports, or both, to assist review and approval bodies in decision-making.

(e) Provide staff support to the agency and the Sauk County Board of Adjustment including the scheduling of public hearings, other meetings, and site visits; and the recording of the actions, recommendations, and minutes of the agency and the Sauk County Board of Adjustment.

(f) Issue land use permits.

(g) Review and approve site plans for land uses under this chapter prior to the issuance of land use permits, ensuring compliance with this and other applicable ordinances, and any additional requirements of designated official review and approval bodies for associated rezoning, conditional use, special exception, or variance requests.

(h) Make interpretations regarding the provisions of this chapter in a manner that is consistent with the purpose of this chapter. All interpretations are subject to appeal to the Sauk County Board of Adjustment in accordance with the procedures in this chapter.

(i) Make interpretations regarding the permissibility of land uses in certain zoning districts where land uses are not explicitly listed as permitted-by-right, conditional uses or special exception, in accordance with the procedures and criteria of this chapter.

(j) Investigate all complaints made relating to the location and use of structures, lands, and

waters; and fulfill enforcement functions prescribed by this chapter.

(4) SAUK COUNTY BOARD OF ADJUSTMENT.

(a) *Powers of the board.* 1. The Chairperson of the Sauk County Board of Supervisors is hereby directed to appoint a Sauk County Board of Adjustment according to Wis. Stat. § 55.694, consisting of 5 members and 2 alternates, with allowance for payment per diem and mileage.

a. One member from the Sauk County Board of Supervisors who is a resident of an unincorporated area.

b. Three citizen members, residents or officials of those townships within the county, which have approved the Sauk County Zoning Ordinance.

c. One member who is a resident of an unincorporated area in Sauk County.

d. Two alternates shall be appointed, who may act with full power, when a member of the board refuses to vote due to a conflict of interest or when a member is absent.

e. Appointed board members shall reside in different townships, and all members shall reside in unincorporated areas.

2. The Sauk County Board of Adjustment shall adopt rules as it deems necessary for the conduct of business and may exercise all of the powers conferred on boards of adjustment by Wis. Stat. § 59.694.

3. The Sauk County Board of Adjustment shall hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement or administration of this ordinance.

4. The Sauk County Board of Adjustment shall hear and decide special exception appeals to the terms of this ordinance upon which the board is required to pass under this ordinance.

5. The Sauk County Board of Adjustment may authorize upon appeal, in specific cases, a variance from the standards of this ordinance where an applicant convincingly demonstrates that literal enforcement of the provisions of the ordinance will result in unnecessary hardship on the applicant; the hardship is due to special conditions unique to the property; the request is not contrary to the public interest; and the request represents the minimum relief necessary to relieve unnecessary burdens.

6. 'No use variance.' A variance may not grant or increase any use of property which is prohibited in the zoning district.

(b) *Appeals to the board.* Appeals to the Sauk County Board of Adjustment may be taken by a person aggrieved or by an officer, department, board, or bureau of the municipality affected by any decision of the zoning administrator. The appeal shall be taken within a reasonable time, as provided by the board, by filing an appeal with the Department. The zoning administrator shall transmit forthwith to the board all the papers constituting the record upon which the action appealed from was taken.

(c) *Hearing appeals.* 1. The Sauk County Board of Adjustment shall fix a reasonable time for the hearing of the appeal; give public notice thereof by publishing in the official newspaper of the county a Class II notice specifying the date, time, and place of hearing and the matters to come before the board; as well as mailed notices to the parties in interest including the appropriate district office of the Wisconsin Department of Natural Resources 10 days prior to the public hearing.

2. A decision regarding the appeal shall be made as soon as practicable.

3. The final disposition of an appeal or application to the Sauk County Board of Adjustment shall be in the form of a written resolution or order signed by an officer of the board. The resolution shall state the specific facts that are the basis for the board's determination and shall either affirm, reverse, vary, or modify the order, requirement, decision, or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or prosecution, or grant the application.

4. A copy of any decision regarding an appeal or granting of a variance shall be mailed to the district office of the Wisconsin Department of Natural Resources within 10 days of the filing of the decision.

5. Upon hearing, any party may appear in person or by representative.

(5) **SPECIAL EXCEPTIONS.** (a) *Application for a special exception.* Any use listed as a special exception in this ordinance shall be permitted only after an application has been submitted to the zoning administrator and a

special exception has been granted by the Sauk County Board of Adjustment.

(b) *Standards applicable to all special exceptions.* In granting a special exception, the Sauk County Board of Adjustment shall evaluate the effect of the proposed use upon:

1. The maintenance of safe and healthful conditions.

2. The prevention and control of water pollution including sedimentation.

3. Compliance with local floodplain zoning ordinances and opportunity for damage to adjacent properties due to altered surface water drainage.

4. The erosion potential of the site based upon degree and direction of slope, soil type, and vegetative cover.

5. The location of the site with respect to existing or future access roads.

6. The need of the proposed use for a shoreland location.

7. Compatibility with uses on adjacent land.

8. The amount of liquid and solid wastes to be generated and the adequacy of the proposed disposal systems.

9. Location factors under which:

a. Domestic uses shall be generally preferred.

b. Uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source.

c. Use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase that possibility.

(c) *Conditions attached to special exceptions.* Upon consideration of the factors listed above, the Sauk County Board of Adjustment may attach special exception conditions, in addition to those required elsewhere in this ordinance, as are necessary to further the purposes of this ordinance. Violation of any of these conditions shall be deemed a violation of this ordinance. The attached conditions may include specifications for, without limitation because of specific enumeration: type of shore cover; specific sewage disposal and water supply facilities; landscaping and planting screens; period of operation; operational control; sureties; deed restrictions; location of piers, docks, parking, and

signs; and type of construction. To secure information upon which to base its determination, the Sauk County Board of Adjustment may require the applicant to furnish, in addition to the information required for a land use permit, the following information:

1. A plan of the area showing surface contours, soil types, ordinary high water marks, ground water conditions, subsurface geology, and vegetative cover.

2. Location of buildings, parking areas, traffic access, driveways, walkways, piers, open space, and landscaping.

3. Plans of buildings, sewage disposal facilities, water supply systems, and arrangement of operations.

4. Specifications for areas of proposed filling, grading, lagooning, or dredging.

5. Other pertinent information necessary to determine if the proposed use meets the requirements of this ordinance.

(d) *Notice of public hearing.* The Sauk County Board of Adjustment shall hold a public hearing. Notice of the public hearing, specifying the time, place, and matters to come before the board, shall be given in the manner specified in s. 8.018(4)(b), including mailed notice to the appropriate district office of the Wisconsin Department of Natural Resources, 10 days prior to the public hearing.

(e) *Fees.* Fees shall be reviewed annually by the Sauk County Conservation, Planning, and Zoning Committee.

(f) *Recording.* When a special exception is approved, an appropriate record shall be made of the land use and structures permitted, and the granted special exception shall be applicable solely to the structures, use, and property described. A copy of any decision granting a special exception shall be mailed to the district office of the Wisconsin Department of Natural Resources within 10 days of filing.

(g) *Termination.* Where a special exception does not continue in conformity with the conditions of the original approval, the special exception shall be terminated by action of the Sauk County Board of Adjustment or the zoning administrator.

(6) LAND USE PERMITS. (a) Except where another section of this ordinance specifically exempts certain types of

development from this requirement, a land use permit shall be obtained from the zoning administrator before any development, as defined in s. 8.004(10), or any change in the use of an existing building or structure, is initiated.

(b) An application for a land use permit shall be made to the zoning administrator on forms furnished by the Department, and shall include for the purpose of proper enforcement of these regulations, the following data:

1. Name and address of applicant and property owner.

2. Legal description of the property and type of proposed use.

3. A scaled plot plan showing site features, location of buildings relative to the lot lines, right-of-way line of the abutting roads, and the ordinary high water mark of any abutting watercourses. If the project involves filling, grading, lagooning, dredging, ditching, or excavating, the scaled plot plan shall include the operation, reclamation, erosion control, and cross-section drawings.

4. Location and description of any existing private water supply or sewage system or notification of plans for any water supply or sewage system installation.

5. A narrative describing the project.

(c) Once issued, each land use permit shall be posted in a prominent place on the premises prior to and during the period of construction, alteration, or movement. If the work authorized by the land use permit is not completed within 24 months of the date of the approval, the land use permit approval shall be considered void. The applicant may apply for, and the zoning administrator may grant, a one-time, 24-month extension provided that a written extension request is submitted before the original expiration date.

(d) *Reasonable accommodations for handicapped persons.* The zoning administrator may issue a special permit to relax the standards of this ordinance in order to provide reasonable accommodations as required by provisions of federal or state law. Such reasonable accommodations shall be the minimum necessary to be consistent with federal or state guidelines for accommodation of persons with disabilities and shall, where practicable, be terminated when the facility is no longer used by the disabled

person. A person applying for a permit for construction under this section shall establish the nature and extent of the disability and that the reasonable accommodation requested is the minimum necessary to provide reasonable use of the facility. A deed restriction or affidavit for the reasonable accommodation shall be filed with the register of deeds.

8.019 Changes and amendments. (1) The county board may from time to time, alter, supplement, or change the boundaries of use districts and the regulations contained in this ordinance in accordance with the requirements of Wis. Stat. § 59.69(5)(e), Wis. Admin. Code ch. NR115, and this ordinance where applicable.

Amendments to this ordinance may be made on petition of any interested party as provided in Wis. Stat. § 59.69(5).

(2) Amendments to the shoreland-wetland map and zoning district shall in accordance with s. 8.007 of this ordinance.

8.020 Enforcement and penalties. Any development, building, or structure constructed, moved, or structurally altered; or any use established after the effective date of this ordinance in violation of the provisions of this ordinance; by any person, firm, association, corporation; including building contractors or their agents; shall be deemed a violation. The Sauk County Zoning Administrator or the Department shall refer violations to the district attorney or corporation counsel who shall expeditiously prosecute violations. Any person, firm, association, or corporation who violates or refuses to comply with any of the provisions of this ordinance shall be subject to a forfeiture of not less than \$10.00 nor more than \$200.00 per offense, together with the taxable costs of action. Each day that the violation exists shall constitute a separate offense. Every violation of this ordinance is a public nuisance and the creation of a public nuisance may be enjoined and the maintenance of a public nuisance may be abated pursuant to Wis. Stat. § 59.69(11).

by the Sauk County Board of Supervisors on May 20, 1997. Complete ordinance repealed and recreated March 31, 1986. Create sub. 8.06(3)(e) and (f) regarding boathouses; create s. 8.06(5) regarding side yard setbacks, Ordinance No. 177-86 approved by the Sauk County Board of Supervisors December 16, 1986. Repeal and recreate ordinance, Ordinance No. 54-97 approved by the Sauk County Board of Supervisors on May 20, 1997. Repeal and recreate s. 8.08(2)(a), filling and grading, Ordinance No. 83-98 approved by the Sauk County Board of Supervisors on June 16, 1998. Amended to create s. 8.05(5) relating to the siting of commercial fueling storage tanks, approved by the Sauk County board of Supervisors on January 18, 2000 - Ordinance 2-00. Amended by the Sauk County Board of Supervisors on April 17, 2001 - Ordinance No. 13-01. Amended by the Sauk County Board of Supervisors on May 20, 2003, amending s. 8.06(1)(a)2 as applied only to property annexed from the Town of Reedsburg to the City of Reedsburg and described in Ordinance No. 86-03. Amended by the Sauk County Board of Supervisors on December 15, 2009 - Ordinance No. 174-09. Repealed and recreated ordinance, adopted by the Sauk County Board of Supervisors on September 20, 2016 - Ordinance No. 5-16. Repealed and recreated ordinance, adopted by the Sauk County Board of Supervisors on May 21, 2019 - Ordinance No. _____-19.

RESOLUTION NO. 56 - 2019

APPROVING AN AMENDMENT TO THE TOWN OF MERRIMAC ZONING ORDINANCE

Background: Pursuant to Wis. Stat §60.10(2)(c) the Town of Merrimac has been granted village powers to develop, adopt, and amend their town zoning ordinance. In counties that have county zoning, Wis. Stat §60.62(3) states that no (town) zoning ordinance or amendment to a (town) zoning ordinance may be adopted unless approved by the county board.

The Town of Merrimac Board amended the Town of Merrimac Zoning Ordinance on May 1, 2019. A public meeting was held by the Land Resources and Environment Committee on May 9, 2018, as requested by the Town of Merrimac, to consider the amendment to the Town of Merrimac Zoning Ordinance. The Committee found the amendment reasonable and recommended approval of the amendment by the Sauk County Board of Supervisors.

Fiscal Impact: ☒ None ☐ Budgeted Expenditure ☐ Not Budgeted

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session, that the amendment to the Town of Merrimac Zoning Ordinance as referenced under Appendix and more specifically Town of Merrimac Ordinance #2019-30, #2019-31, #2019-32 be Approved.

For consideration by the Sauk County Board of Supervisors on May 21, 2019.

Respectfully submitted,

LAND RESOURCES AND ENVIRONMENT COMMITTEE


CHUCK SPENCER, CHAIR


ROBERT NEWPORT


GLEN JOHNSON


JEAN BERLIN


MARTIN KRUEGER


JOHN DIETZ

THE TOWN OF MERRIMAC

APPENDIX

S6911 State Highway 113 - P.O. Box 115
Merrimac, WI 53561

NOTICE OF PUBLIC HEARING TOWN OF MERRIMAC

Notice is hereby given that the Town Board of the Town of Merrimac will hold a public hearing in the Town Hall located at S6911A State Road 113, Merrimac, Wisconsin; Wednesday, May 1, 2019 at 7:00pm to consider the following:

Proposed ordinance #2019-30 amending Section 2.30 of the Town of Merrimac Zoning Ordinance. The proposed changes eliminates are 1,000 foot requirement to establish a Vacation Rental Establishment (VRE) from any commercial property, school or daycare and any other vacation rental establishment. It also includes additional conditions related to better define "local property manager", requirements for floor and site plans, total occupancy, and off-street parking requirements. It also prohibits signage and outdoor advertising of such properties.

Proposed ordinance #2019-31 amending several sections of the Town of Merrimac Zoning Ordinance as they relate to conditional uses and non-conforming structures to come into compliance with 2017 Assembly Bill 479. The proposed amendments strikes Ordinance 2.08 (2) prohibiting the reconstruction of a non-conforming structure based on percentage of size and dollar value as well as similar language in Section 2.21 regarding non-conforming signs. The proposal defines that Section 5.03 (1) (b) conditional uses in the Agricultural District shall be agricultural or ag use related. In Section 7.02 it better defines that accessory structure in the residential district shall have a primary residence as is current practice and prohibits accessory structures larger than 24 feet by 30 feet in area and 14 feet in height within 1,000 feet of Lake Wisconsin to protect viewing corridors. It also moves swimming pools from conditional uses (Section 7.03) to allowed uses (Section 7.02) by permit, and allows structures larger than 24 feet by 30 feet in area and 14 feet in height to be considered as a conditional use in the residential district outside of the 1,000 feet from Lake Wisconsin.

Proposed ordinance #2019-32 proposes to repeal and replace Section 10 of the Town of Merrimac zoning ordinance entitled "Mineral Extraction". The replacement Section 10 of the ordinance will better define condition requirements for mining activities in the town.

The complete proposed ordinances and ordinance revisions are available for viewing online at www.TownOfMerrimac.net or they are viewable at the clerk's office.

All persons are invited to attend said hearing and be heard.

By Order of the Town of Merrimac Town Board
Tim McCumber, Town Administrator

CLASS II Notice

HEARING NOTICE POSTED: April 11, 2019
HEARING NOTICE PUBLISHED: April 11 & 18, 2019

Telephone: (608) 493-2588
Fax: (608) 493-2238
www.Tn.Merrimac.Wi.Gov

TOWN OF MERRIMAC ORDINANCE 2019-30

The Town Board of the Town of Merrimac, Sauk County, Wisconsin, ordain that the Town of Merrimac Zoning Ordinance be amended as follows (deleted language is stricken; no language is underlined):

2.30 Vacation Rental Establishments

1. Subject to the provisions of subsection 2.30 (2), vacation rental establishments may be permitted only by conditional use in the following districts:
 - a) Agricultural District
 - b) Agricultural Conservation District
 - c) Single Family Residential District
2. Conditional use status shall not be granted to vacation rental establishments unless all of the following conditions are met:
 - a) The petitioner must provide to the Town Clerk a copy of the State Tourist Rooming House License for the subject property, prior to the conditional use order being granted; and evidence of each renewal of such license shall be filed by the Petitioner with the Town Clerk, such as evidence that a current license is always on file for the duration of the vacation rental establishment conditional use permit.
 - b) Transfer of a conditional use permit issued in accordance with this section shall not be permitted. Should the subject property be sold or transferred, then the conditional use permit shall become void and a new conditional use permit must be issued for use as a vacation rental establishment to continue. The town is not obligated or required to issue a conditional use permit to the new property owner.
 - c) All vacation rental establishments shall be subject to and comply with Wis. Stats. Chapter 254, subchapter VII as required by Wis. Stats. 254.69 (2), which sections are incorporated herein by reference.
 - d) All vacation rental establishments shall be subject to and comply with Wisconsin Administrative Code HS 195 which is hereby incorporated herein by reference.
 - e) A minimum of one off-street parking stall shall be provided for every guest bedroom. All off-street parking shall be established outside of the town highway (road) right-of-way. All guest parking for vehicles and trailers shall be within a parking space designated on the site plan, on an area paved with concrete or asphalt.
 - f) Sleeping quarters related to a vacation rental establishment use shall only be located within the principal residential structure on the property. Accessory buildings cannot be used for sleeping quarters.
 - g) All refuse containers shall be screened from view and instructions for recycling shall be posted.
 - h) Unless the property is connected to a municipal sewer system, the property owner must provide proof that the septic system is properly sized for the proposed use and shall be properly maintained.
 - i) Property that is used for a vacation rental establishment must have clearly delineated property lines, by approved fences, vegetation or other means to the satisfaction of the Town Planning & Zoning Commission. Such clear delineation must be maintained for the duration of the

TOWN OF MERRIMAC ORDINANCE 2019-30

conditional use permit to ensure that all users of the property are clearly aware of the boundaries of the property and confine their use to the applicable parcel.

- j) The Planning and Zoning Commission and the Town Board shall consider the potential impact to the surrounding neighborhood and proximity to any existing lodging place as defined by Wis. Stat. 254.61 when reviewing a request for a vacation rental establishment conditional use permit.
- k) The Town Board may revoke the conditional use permit if the property has been declared a public nuisance affecting the peace and safety affecting the public. Public nuisances shall include, but are not limited to all loud and unnecessary noises, including those produced by animals and the unlawful use of fireworks, particularly before 6:00am and after 9:00pm; unlawful or unauthorized use of any town highway (road) which causes large crowds to gather or obstructs traffic; illegal or unlawful activity; and failure to remove all snow and ice from sidewalks, parking areas, and driveways.
- l) The Town Board shall not renew the conditional use permit if the property owner has failed to remit room tax. Upon remittance of the delinquent room tax, the conditional use permit may be reinstated by the Town Board.
- m) Room tax shall be collected by the property owner from the lessee to whom the Agreement has been made. The room tax shall be remitted to the Town Clerk on a quarterly basis. Should the property owner fail to remit the room tax, the property shall be subject to the forfeiture provisions of Town Ordinance 1-78 and the conditional use permit shall be automatically revoked. Upon remittance of delinquent room tax, the conditional use permit may be reinstated.
- n) Every conditional use permit for a vacation rental establishment expires on June 30 of each year and shall be eligible to apply for one (1) year renewal periods unless the conditional use permit is revoked by the town or voluntarily surrendered by the property owner. The Town Clerk shall prepare a renewal application for vacation rental establishments and collect a \$15.00 application fee plus costs for legal publications. All renewals shall be subject to the following:
 - 1. The clerk shall post and publish a Class I legal notice 15 days prior to the granting of the conditional use permit renewal.
 - 2. The Town Board may renew a conditional use permit if the property owner has demonstrated it has met all of the same conditions established when the conditional use permit was initially issued unless a condition has been specifically waived by the Planning and Zoning Commission.
 - 3. The Town Board may deny renewal of the conditional use permit if the property is deemed to be a nuisance or has failed to meet any of the conditions established.
 - 4. The Town Board shall not renew the conditional use permit if the property owner has failed to remit room tax. Upon remittance of the delinquent room tax, the conditional use permit may be reinstated by the Town Board.

TOWN OF MERRIMAC ORDINANCE 2019-30

- o) If the town finds that any statement made on the conditional use permit, or the renewal application, is incorrect, the Town Board may, at any time, immediately and summarily revoke the conditional use permit.
 - p) The property owner shall provide a copy of this ordinance along with a current copy of the conditional use permit to any person using the property for vacation rental purposes prior to the commencement of each use.
 - q) The property owner is required to have owned the property at least two years.
 - ~~r) The property must be at least 1,000 feet from any commercial property, school or daycare, and any other vacation rental establishment.~~
 - r) There shall be no outdoor storage of any kind allowed on the subject property, with the exception of trailers, watercraft, snowmobiles, or ATV's on trailers.
 - s) No recreational vehicle or tent may be used for living or sleeping purposes.
 - t) The property owner shall post at the main entrance contact information for the owner and the contact information of a local property manager who resides within 25 miles of the property and can be reached twenty-four (24) hours a day, seven (7) days a week. This information shall be on file with the town clerk.
 - u) The property shall not be leased for a period of less than a 7 days stay.
 - v) Any conditional use may not be leased for more than 180 days total.
 - w) A current floor plan for the vacation property shall be provided at a minimum of one-inch equals four feet, and a site plan of the property at a minimum scale of one-inch equals 10 feet, showing on-site parking spaces and trash storage.
 - x) Proof of valid property and liability insurance for the property.
 - y) The maximum number of occupants shall not exceed the total number licensed by the State of Wisconsin or two per bedroom plus two additional occupants, whichever is less.
 - z) No exterior signage or outdoor advertising related to the vacation rental home is permitted, other than the property address.
3. Description: A dwelling unit available for overnight, weekend or weekly stays by paying guests, which may or may not be owner-occupied for parts of the year. These uses are often referred to as vacation rentals and include timeshare units. This land use category is distinct from Bed and Breakfast, Commercial Indoor Lodging, and Boarding House land uses.
4. All leases 29 days or less are prohibited unless a conditional use permit has been granted in accordance with Section 2.30 of this ordinance. Leases over 29 days are not subject to the requirements of this Section.

The Town Board further ordain that the above amendments of the Zoning Ordinance shall be effective immediately upon adoption and publication of this ordinance as provided by law. The foregoing ordinance was adopted by the Town Board of the Town of Merrimac at a meeting held on May 1, 2019.

TOWN OF MERRIMAC ORDINANCE 2019-30

APPROVED:

Steve Peetz, Town Chair

ATTEST:

Tim McCumber, Town Administrator-Clerk-Treasurer

Posted _____

Published _____

Ordinance 2017-14 Adopted by the Town Board March 5, 2014
Approved by Sauk County Board of Supervisors April 15, 2014
Amended and approved by the Town Board December 12, 2017 (Ordinance 2017-22)
Amended approved by the Sauk County Board of Supervisors December 19, 2017
Recommended for approval by the Planning & Zoning Commission March 27, 2019

TOWN OF MERRIMAC ORDINANCE 2019-31

Amending the Town of Merrimac Zoning Ordinance

The Town Board of the Town of Merrimac, Sauk County, Wisconsin, ordain that the Town of Merrimac Zoning Ordinance be amended as follows (deleted language is stricken; no language is underlined):

2.08 Non-Conforming Uses

The existing lawful use of a structure or premises which is not in conformity with the provisions of this Ordinance may be continued subject to the following conditions:

- 1) No such use shall be expanded or enlarged except in conformity with the provisions of this Ordinance without the granting of a variance by the Board of Appeals.
- 2) ~~No structural alteration or repair to any non-conforming building, as long as such use continues, shall increase by more than 50% of its assessed value, except upon the granting of a variance by the Board of Appeals. Should a noneonforming structure be destroyed by fire, wind, or other disaster beyond 50% of its current fair market value, or voluntarily moved or torn down, it cannot be rebuilt unless it conforms to the provisions of this ordinance.~~
- 3) If such use is discontinued for 12 consecutive months, any future use of the building and premises shall conform to this Ordinance, after such use is discontinued for 6 months, the Town Board shall notify the owner of this provision.
- 4) Existing methods of waste disposal which constitute nuisance under state law or the terms of this Ordinance shall not be permitted to continue as non-conforming.

2.21 Signs

7) Nonconformance

a. Nonconforming Signs

1. Signs existing as of the effective date of this Ordinance which do not conform to the provisions of this Ordinance, shall be nonconforming signs and shall be subject to the following provisions. No nonconforming sign shall be rebuilt, altered, or moved to a new location without being brought into compliance with the requirements of this Ordinance.

5.03 Standards (Agricultural District)

1) Dimensional rules and standards for conditional uses

- a) The minimum lot size, height and yard requirements for conditional uses shall be as specified in the conditional use permit, but in no case shall any structure be less than 20 feet from a lot line and any structure shall meet all highway and water setbacks.
- b) Conditional uses shall be related to the agriculture industry and must be determined;

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Amending the Town of Merrimac Zoning Ordinance

- 1) Not to cause unusual or unique public service needs.
 - 2) Not to produce traffic which will result in a major slowing of highway traffic
 - 3) Not to cause unreasonable air or water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas
- c) Applicants shall submit plot plans showing principal and accessory structures, parking areas, storage areas, and general design and land use, and any other pertinent information needed to satisfy the Planning & Zoning Commission that the site and plot plan as indicated can provide adequate and functional spacing and operations, and responsible surface water management.
- d) The Planning & Zoning Commission shall consider whether other locations, less threatening to continued farming of productive agricultural lands, might be available for the proposed use and the strength of the reasons offered by the applicant in support of the site in question. In considering the conditional use, the Planning & Zoning Commission shall also consider the effects upon and possible conflicts with agricultural uses on surrounding land. Impacts which would be harmful to agriculture in the area may be the basis for rejection of the proposed conditional use or may be the basis for conditions attached to the use.

7.02 Permitted Uses (Single Family Residential District)

- 1) Accessory structures including, but not limited to, private garages, carports and boathouses, clearly incidental to the residential use of the property and provided that:
 - a) No accessory structure may be used as a separate dwelling unit or constructed on a site without a primary residential structure.
 - b) For the purpose of protecting view corridors Any accessory building greater than 24 feet by 30 feet in area or greater than 14 feet in height shall require a conditional use permit; not be permitted within 1,000 feet of Lake Wisconsin.
- 7) Fenced swimming pools shall comply with all State codes.

7.03 Conditional Uses (Single Family Residential District)

- 1) Two-family dwellings
- 2) Churches
- 3) Schools

TOWN OF MERRIMAC ORDINANCE 2019-31
Amending the Town of Merrimac Zoning Ordinance

- ~~4) Telephone and power distribution poles, lines, gas lines and necessary appurtenant equipment meeting the conditions set forth in the Town Ordinance regarding utility locations, and provided that local distribution facilities shall be underground. (Note: already addressed in Ordinance 2.10)~~
- ~~5) Fenced swimming pools shall comply with all State codes.~~
- 6) Tennis courts and other similar recreational facilities developed in conjunction with and intended for the sole use of the residents of an individual development.
- 7) Parks and playgrounds.
- 8) Institutional Residential Developments:
 - a) No individual lots are required, although the development shall contain a minimum of 800 square feet of gross site area for each occupant of the development.
 - b) Shall be located with primary vehicular access onto a State Highway, County Highway, or Town Road with a right-of-way no less than 66' feet.
 - c) All Parking, loading, and unloading areas shall be off-street.
- 9) Any accessory building not subject to Town of Merrimac Ordinance 7.01 (1)(b) and greater than 24 feet by 30 feet in area or greater than 14 feet in height shall require a conditional use permit.

The Town Board further ordain that the above amendments of the Zoning Ordinance shall be effective immediately upon adoption and publication of this ordinance as provided by law. The foregoing ordinance was adopted by the Town Board of the Town of Merrimac at a meeting held on May 1, 2019.

APPROVED:

Steve Peetz, Town Chair

ATTEST:

Tim McCumber, Town Administrator-Clerk-Treasurer

Posted _____

Published _____

THE TOWN OF MERRIMAC ORDINANCE 2019-32
MINING LICENSE ORDINANCE

The Town Board of the Town of Merrimac, Sauk County, Wisconsin, ordain that the Town of Merrimac Zoning Ordinance be amended as follows:

Section 10 is repealed and replaced with the following:

Section 10.0 MINING:

Section 10.01. Findings, Purpose and Authority

- (1) Findings. Mining constitutes a permissible activity in the State's economy and has the potential to both beneficially or adversely impact Town residents, environments and economies. Mining may provide employment opportunities, needed industrial materials and significant economic benefits to local communities. Mining operations, however, have the potential to create nuisance conditions, negatively impact property values and present health and safety impacts to Town residents if not properly designed and operated. While many aspects of mining operations are subject to state or federal regulation, some are not.
- (2) Purpose. The purpose of this Ordinance is to establish local minimum standards for Mining Operations conducted within the Town, and a process by which to systematically consider mineral licenses in a manner that promotes the health, safety, welfare, and convenience of the Town and its residents. The general intent of this Ordinance is to minimize or prevent any adverse on- or off-site impacts flowing from and as a result of mining operations. The objectives of this Ordinance are to set forth rules and procedures to govern mining within the Town, establish procedures for the administration and enforcement of this Ordinance, and provide penalties for its violation.
- (3) Authority. This Ordinance is adopted by the powers granted to the Town of Merrimac by the Town's adoption of village powers under Wis. Stat. §§ 60.10, 60.22(3) and 61.34, its authority under § 66.0415, and other authority granted to it under the statutes.

Section 10.02. Definitions

- (1) Any term not expressly defined in this Ordinance shall have the meaning set forth in Wis. Stat. Ch. 293 and if not defined therein then as defined in Wisconsin Administrative Code Ch. NR 132, and if not defined therein then as defined in Wisconsin Administrative Code Ch. Chapter 182.
- (2) "Buffer" means an undisturbed vegetated area measured from the property line of the Mining Site into the Mining Site, in which no Mining Operations, structures or roads can occur or be constructed except for the construction and maintenance of a vegetated berm.
- (3) "Dwelling" means a structure or part of a structure that is used or intended to be used and occupied for human habitation as a home or residence by one or more persons.
- (4) "Mining" or "Mining Operation" means all or part of the process involved in the mining of nonferrous minerals, other than for exploration, bulk sampling, or prospecting, including, but not limited to, commercial extraction, agglomeration, beneficiation, construction of roads, removal of overburden and the production of refuse.
- (5) "Mining License" means a license issued by the Town which is required of all Mining Operations as a condition precedent to commencing Mining at a Mining Site.

THE TOWN OF MERRIMAC ORDINANCE 2019-32
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- (6) "Mining Site" means the surface area disturbed by a mining operation, including, but not limited to, the surface area from which the nonferrous minerals or refuse or both have been removed, the surface area covered by the refuse, all lands disturbed by the construction or improvement of haulageways, and any surface areas in which processing facilities, structures, equipment, materials and any other things used in the Mining Operation are situated, operated, conducted or otherwise utilized.
- (7) "Person" means any person, individual, owner, operator, corporation, limited liability company, partnership, association, municipality, interstate agency, state agency or federal agency.
- (8) "Operator" means any person who is engaged in, or who has applied for and been granted a Mining License to engage in Mining, whether individually, jointly or through subsidiaries, agents, employees or contractors.
- (9) "Ordinance" means this mining ordinance.
- (10) "Retained expert" means professional consultants, including, but not limited to, engineers, attorneys, planners, environmental specialists, and other consultants with skills relevant to reviewing, processing and acting upon applications for an Mining License or to issues associated with the inspection, monitoring and enforcing of approvals arising under this Ordinance.
- (11) "Town" means the Town of Merrimac.
- (12) "Town Board" means the Town Board of the Town of Merrimac.

Section 10.03. Applicability, Exemptions, Interpretation, and Effective Date

- (1) Applicability. This Ordinance shall apply to the use and proposed use of land within the Town for the purpose of mining and any proposed Mining Operation regardless of when such use is commenced and regardless of where such use is proposed within the Town.
- (2) Exemptions. This Ordinance does not apply to:
 - (a) Exploration, bulk sampling or prospecting activities as defined under Wis. Stat. § 293.01.
 - (b) The lawful use of a building, structure or lot for Mining Operations which existed at the time this Ordinance, or an applicable amendment to this Ordinance that took effect and which is not in conformity with the provisions of this Ordinance, subject to the following conditions: (1) if a preexisting use is discontinued for 12 consecutive months, any future use of the building, structure or property shall conform to this Ordinance; (2) uses which are nuisances shall not be permitted to continue.
 - (c) Mining Operations where the Town has entered into a local agreement with the Operator under Wis. Stat. § 293.41, and the local agreement specifically states that this Ordinance, or any portion of this Ordinance, is inapplicable to that particular Mining Operation.

THE TOWN OF MERRIMAC ORDINANCE 2019-32
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- (3) Interpretation. The provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the Town. This Ordinance is not intended to repeal, abrogate, annul, impair or interfere with any existing laws, regulations, ordinances, rules, standards or permits that are not specific to mining previously adopted pursuant to other Wisconsin law.¹
- (4) Effective Date. Following passage by the Town Board, this Ordinance shall take effect the day after the date of publication as provided by Wis. Stat. § 60.80.

Section 10.04. Mining License Required

- (1) License Requirement. No person may commence construction of a Mining Site or engage in any Mining Operations in the Town except in conformance with a valid Mining License issued by the Town pursuant to this Ordinance or as otherwise authorized by a mining agreement as set forth in the Ordinance in accordance with Wis. Stat. §295.47, or a local agreement under Wis. Stat. § 293.41, whichever is applicable.
- (2) Compliance. Conditions established by any Mining License pursuant to this Ordinance must be met at all times or the Operator may be found in violation and subject to enforcement, fines, penalties and Mining License revocation as provided in this Ordinance.
- (3) Effective Date. Except as provided in this Ordinance, a Mining License issued pursuant to this Ordinance shall become valid on the date the Operator is awarded a State of Wisconsin Mineral Mining Permit for the same mining site.
- (4) Duration of License. The Mining License issued in accordance with this Ordinance shall last through operation and reclamation of the Mining Site provided the Operator complies with all conditions of the Mining License, all provisions of this Ordinance, all required state and local licenses, permits, approvals and financial assurances are maintained, and suspension or revocation of the Mining License does not occur pursuant to this Ordinance.
- (5) Major License Modifications. If a Mining License has been issued, both the Town and the Operator may pursue an amendment to that Mining License during the Mining License term pursuant to this section.
- (a) The Town reserves the right to reopen and modify any Mining License if it is determined by the Town Board, upon the basis of newly discovered evidence, including, but not limited to, evidence presented by governmental or other regulatory bodies for the same Mining Operation, such mining activity pursuant to the Mining License would, without further conditions placed on the Mining License, substantially endanger the environment, public health, safety or welfare of the community. Any action to reopen a Mining License shall be done by hearing with at least 30 days' notice to the Operator. In order to reopen the Mining License and modify any terms and conditions, the Town Board must determine that there is reasonable cause to believe that the newly discovered evidence demonstrates a substantial threat to the environment, public health, safety or welfare.
- (b) The Town reserves the right to reopen and modify any Mining License if newly discovered evidence shows that there is new science or technology that would substantially decrease the impact of the Mining Operations on human health, safety, welfare or the environment or would substantially and cost-effectively allow the

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required outcome of the planned reclamation to be accomplished in less time or with greater certainty. Any action to reopen a Mining License shall be done by hearing with at least 30 days' notice to the Operator. In order to reopen the Mining License and modify any terms and conditions under this section, the Town Board must determine that there is reasonable cause to believe that the newly discovered science or technology substantially decreases the impact of the Mining Operations on human health, safety, welfare or the environment or would substantially and cost-effectively allow the planned reclamation to be accomplished in significantly less time or with greater certainty.

- (c) For the Town to reopen a Mining License, the Town Board shall identify the specific terms of the Mining License subject to reopening and shall hold a public hearing and issue a report that considers the specific reason(s) for reopening the license before voting on the proposed modification. The Town Board shall consider the report's findings and vote to either reopen or not to reopen the Mining License based on the report's findings and in accordance with the procedures established by this Ordinance. A decision to reopen and modify a Mining License must be adopted by a vote of two-thirds of the entire membership of the Town Board.
 - (d) Should the Operator desire to modify the Mining License in any way, it may request modification by submitting a written application and evidence supporting such modification to the Town Clerk. Such application shall be in substantially the same form as the original application for the Mining License, with the same level and substance of information required, although it shall be permissible to incorporate by reference any portions of the original Mining License application that still pertain to the reopening request. Upon receipt of the application to modify the Mining License, the Town Clerk and Town Board shall follow the procedures outlined in this Ordinance for review of an application for a Mining License.
- (6) Minor License Modifications. The Town Board has the discretion to determine that a proposed Mining License modification is so inconsequential in scope or limited in proposed duration that the Mining License modification procedures outlined under Section 1.04(5) of this Ordinance are unnecessary and therefore inapplicable. If such a determination is made, the Town Board may act on the proposed minor Mining License modification at a properly noticed Town Board meeting following the procedure set forth in (b) below. If a modification is approved, the Town Clerk shall issue written notice of the modification to the Operator within 30 days of approval.
- (a) If the Operator is requesting a Mining License modification that it believes is minor in nature, the Operator may file a written request describing the proposed minor Mining License modification with the Town Clerk. Within 45 days of receipt of such a written request, the Town Board shall grant the request in whole or in part, deny the request in whole or in part, or notify the Operator in writing that, in its determination, the requested modification is not minor in nature and the procedures to be used for requesting a major Mining License modification as outlined under Section 1.04(5) must be followed.
 - (b) If the Town is proposing the minor Mining License modification, the Town Clerk shall provide the Operator with the following at least 30 days prior to the Town Board meeting at which the modification will be considered: (1) a written explanation of the proposed modification which shall include a description of the Town Board's rationale for determining that the proposed modification is warranted; and (2) written notice of

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the time, date, and location of the Town Board meeting at which the modification will be considered.

- (7) Transfer of License. When one entity succeeds to the interest of another in a Mining Site, the Town shall release the current Operator of the responsibilities imposed by the Mining License only if the following conditions are met, pursuant to the Town's reasonable discretion:
- (a) Both the Operator and the successor Operator are in compliance with the requirements and standards of this Ordinance and all other applicable State, Federal and local laws, requirements, regulations, permits, and licenses.
 - (b) The successor Operator assumes the responsibility of the current Operator in writing and agrees to operate, complete, and reclaim the Mining Operations in accordance with the Mining License and all other applicable laws, requirements, regulations, permits, and approvals.
 - (c) The successor Operator shows proof of financial responsibility in substantially the same manner and amount as the current Operator and the successor Operator agrees to maintain any instrument of financial assurance at the same level as the current Operator.
 - (d) The Town Board makes a written finding that all conditions of the existing Mining License will be complied with by the successor Operator.

Section 10.05. Procedures For Applying For a Mining License

- (1) Application. An application for a Town of Merrimac License shall be filed with the Town Clerk and shall include an electronic copy and 15 paper copies of the Mining License application requirements. The Application shall include the information set forth in Section 1.06 and as otherwise reasonably required by the Town.
- (2) Reimbursement of Fees and Costs.
- (a) At the time an application for approval of a Mining License is filed with the Town, the applicant shall execute for the benefit of the Town an agreement agreeing to pay and provide adequate security guaranteeing payment of the cost of the investigation, review and processing of the application, including, but not limited to, any Retained Experts and Town staff administrative costs. The agreement and the security shall be in form and substance acceptable to the Town. The Town shall not begin processing the application until the preliminary cost reimbursement agreement is approved and signed and until the required security is provided to the Town. The Town may accept an initial deposit to begin license processing and to provide an estimate to the applicant of anticipated costs, but it shall not be required to incur any processing costs beyond that for which a deposit or other security has been approved.
 - (b) The fees provided by an applicant when submitting a Mining License application, and for deposit upon being granted a Mining License and other administrative fee deposits received from the applicant or Operator shall be placed by the Town in an assigned account, for which statements shall be issued at least annually, and shall be used as necessary to pay the Town's reasonable administrative expenses associated with the evaluation of the Mining License application, including, but not limited to, Retained Expert fees, legal fees and administrative costs and expenses for holding required

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hearings, and other matters compelled by the need to review and respond to the application for Mining License as provided by this Ordinance, including environmental monitoring. At the request of an applicant or Operator that is attempting to transfer its interest in any application or Mining License, upon any such transfer any monies on deposit in the assigned account shall be held and applied for the benefit of the transferee, provided the transferee meets all requirements of this Ordinance and further provided that if Town approval is required for the applicant or Operator to transfer such interest then such transfer must first meet with the Town's approval and satisfaction.

(3) Preliminary Review by Plan Commission.

- (a) Notice and Preliminary Review. Within fifteen (15) days after receiving a complete Mining License application, the Town Clerk shall forward the Mining License application to the Plan Commission for initial review to determine if additional information or expertise is necessary to properly evaluate the application. Within 30 days of receipt of the application, the Town Clerk shall also publish or post a class 2 notice under Chapter 985 of the Wisconsin Statutes indicating that a mining application has been filed and transmitted to the Plan Commission. A copy of the application shall be made available for public review.
- (b) Additional Information. The Plan Commission may request the applicant to submit additional information if the Plan Commission determines that the application is incomplete, or if the Plan Commission determines that additional information is needed to determine whether the proposed Mining Operation will meet the standards of this Ordinance. The Plan Commission may also retain the services of Retained Experts to review the application and report to the Plan Commission whether additional information is required for review of the application and to determine whether the application meets the standards of this Ordinance. The Plan Commission shall make a determination regarding the need for additional information or expertise within 90 days after receiving the initial application. If no additional information or expertise is deemed necessary the Plan Commission shall proceed to schedule a final review.
- (c) Retained Expert Reports. Any Retained Experts shall report to the Plan Commission on whether the application meets the requirements of this Ordinance within 90 days of the Retained Expert's receipt of a complete Mining License application. A complete Mining License application shall include the following:
 - (1) the initial application which shall contain all of the information required by Section 11.06;
 - (2) any applicable fees; and
 - (3) any additional information that is provided by the Operator during the application process to assist the Retained Experts with reviewing the application.
- (d) Recommendation to the Town Board. Within 45 days of receipt of any Retained Expert reports, or if there are no such reports, within 120 days of receipt of the complete Mining License application, applicable fees and any additional information, the Plan Commission shall make findings of fact and either recommend that the Town Board grant the applicant a license to operate a mine with or without conditions, or recommend that the Town Board deny the application.

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(4) Decision by the Town Board.

- (a) Notice and Hearing. Upon Recommendation by the Town Plan Commission, the Town Clerk shall place the Plan Commission's recommendation on the agenda for the next regular meeting of the Town Board, provided it can be practically done. At that meeting, the Town Board shall set a date for a public hearing. At least 15 days prior to the public hearing, the Town Clerk shall publish or post a class 1 notice under Chapter 985 of the Wisconsin Statutes and shall provide written notice of the hearing via U.S. Mail to all landowners immediately adjacent to the proposed Mining Site. At the public hearing, the Town Board shall take public comment on the proposed Mining Operation and Mining License.
- (b) Town Board Decision. Within 30 days following the public hearing, the Town Chairperson shall set a date for a Town Board meeting to consider a final decision on the Mining License application. At that meeting, the Town Board shall review the complete application, any Retained Experts' reports, and public comments made and information provided at the public hearing. The Town Board shall grant the Mining License if it determines that the Operator and Mining Operation will adhere to and comply with the minimum standards and purposes of this Ordinance and with all conditions, requirements and terms set forth in the Mining License.
- (c) Remedies on Denial. If the Town Board denies the Mining License request, the applicant may request a hearing before the Town Board by filing a written request for a hearing with the Town Clerk within 30 days of denial. Following the hearing, the Town Board may, in its discretion, reconsider its previous decision on the application. In addition, the applicant may re-submit its Mining License application in accordance with this Ordinance, and re-submittal shall constitute a new application in conformance with all provisions of this Ordinance, provided that any differences between the original Mining License application and the new Mining License application shall be summarized by the applicant in a document entitled "Explanation of Reasons for Re-Submittal." A Mining License application received by re-submittal may be denied for any reason that any original Mining License application may be denied.

Section 10.06. Mining License Application Requirements

- (1) General Requirements. All applicants for a Mining License shall submit the information required in this Section 11.06. The applicant may provide this information by reference to other documents submitted to other governmental agencies, but in such cases shall provide a copy of the referenced document and a specific cross reference identifying where the information required by this Section 11.06 is located in any referenced material.
- (2) Ownership Information.
 - (a) The name, address, phone number, and email address of the Operator.
 - (b) The name, address, phone number, and email address of all owners or lessors of the land on which the Mining Operation will occur.

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- (c) If the Operator does not own the proposed mine Site, a copy of a fully executed lease and/or agreement between the landowner and the Operator who will engage in Mining Operations on the proposed Mining Site.
- (d) Proof that all local taxes, special charges, special assessments, fees, and forfeitures (and any interest or penalties thereon) owed by the landowner and/or Operator of the proposed Mining Site are current.

(3) Site Information and Maps.

- (a) Survey maps and parcel identification numbers of all contiguous parcels owned by the same landowner/lessor on which the Mining Operation will be located and any additional contiguous parcels on which the landowner/lessor has secured a right of first refusal.
- (b) An aerial photo of the proposed site at a scale of not less than 1 inch equals 660 feet.
- (c) A topographic map of the Mining Site extending one mile beyond the site boundaries at contour intervals no wider than 10 feet showing the boundaries of the site, the location and total acreage of the site, and the name of all roads within one mile of the site.
- (d) A site plan for the Mining Site showing the location of all existing and proposed buildings and other structures, equipment, stockpiles, storage and parking areas, road access points, driveways, and buffer areas along bordering properties and public roads.
- (e) A plan for staking or marking the borders of the entire Mining Site and for securing the site by appropriate measures, which may include fencing or alternative measures consistent with mine safety and security and in accordance with all applicable laws and regulations.
- (f) A map on which all residential, agricultural and municipal wells within one mile of the boundaries of the Mining Site in all directions are marked and given a numerical identification of the location.
- (g) The location and name of all surface waters, including, but not limited to, lakes, private or public ponds, streams (including intermittent streams and headwaters), drainage ditches, wetlands, drainage patterns, and other water features on the site and within one mile of the Mining Site.
- (h) The applicant shall place sufficient test wells to verify the groundwater elevations, gradient and depth of the groundwater on the Mining Site. In addition, the applicant shall install sufficient wells to conduct adequate pump tests to determine the amount of drawdown estimated to occur from the mining operation. Results of any testing described in this paragraph shall be provided to the Town Board within 30 days.
- (i) A description of the distribution, depth and type of topsoil for the Mining Site. The description shall include the geological composition, depth and width of the deposit and the location of slopes greater than 20% and highly erodible soils.
- (j) A map identifying the location of all other non-contiguous sites within the Town or adjacent towns, cities, or villages, if any, that will contribute material to the Mining Operation for which the applicant seeks a Mining License.

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(4) Operation Plan.

- (a) Dates of the planned commencement and cessation of the operation of the mine.
- (b) Description of hours of operation of the Mining Site, including all times when any vehicles will enter or leave any portion of the Mine Site.
- (c) Description of mining methods, machinery and equipment to be used for extraction and processing of the extracted material, and the sequence of operations.
- (d) Estimated volume of material to be extracted over the life of the mine and for the next calendar year.
- (e) Identification of all proposed off-site trucking routes, if any, together with the frequency of traffic and the common schedule of travel to be used for transporting extracted materials or products to or from the Mining Site; a description of the types of vehicles to be used on town roads and their respective weights, lengths, widths, axle numbers and spacing, and ESAL ratings both when empty and legally loaded; an assessment, which shall include core sampling, of the adequacy of roads within proposed off-site trucking routes and a description of any proposed alterations or improvements to such roads, and a description of any traffic control or other measures needed to protect public safety.
- (f) A water budget, including an estimate of the amount of daily water use, water sources, and methods for disposing of water used or falling on the Mining Site, including, but not limited to, methods used for infiltration and control of run-off.
- (g) A listing of any hazardous materials, including, but not limited to, stored or operational fuel supplies that will be used or located on the Mining Site and a description of measures to be used for securing and storing these materials. The operation plan shall also include a written plan for the use of any hazardous materials at the Mining Site and procedures for responding to spills of these materials and fuels on the site and the frequency of regular drills for responding to spills on the site.

(5) Town Impact Summary. The Mining License application shall include a Town impact summary report, which shall include a thorough narrative description of the Mining project in sufficient detail to allow the Town to assess probable physical, environmental and developmental impacts of the proposed mine and assess and summarize the potential and estimated impacts on the human health, safety and welfare of residents of the Town, based on the potential environmental, socioeconomic and other impacts of the proposed Mining Operation. The report shall include, but shall not be limited to, the likely and potential impacts of the proposed Mining Operations with respect to each of the following baselines:

- (a) A life-of-Mine analysis of impacts upon social and environmental baseline parameters through completion of reclamation, including any impact market conditions may have on the operation of the Mine.
- (b) A traffic impact analysis that discusses all reasonably foreseeable roadway construction and maintenance needs arising in the Town from the proposed Mining Operation and reasonably

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foreseeable secondary impacts of the Mining Operation that may result in the demand for additional roadway or other infrastructure improvements, repairs or additional maintenance needed as a result of the Mining Operations, including a description of the anticipated needs for roadway modifications resulting from the likely Mine-related traffic impacts, both primary and secondary, and shall fully describe the existing reasonably foreseeable Mine-related changes to traffic patterns, traffic volume, the class of roadways associated with those patterns, and any load-related needs and restrictions.

- (c) The impacts of the mine on employment, economic activity and tax base within the Town.
 - (d) The impacts of the mine on the Town's population and housing stock, including the availability of such housing stock.
 - (e) The impacts of the mine on the need for additional government services, including, but not limited to, infrastructure, utilities, schools, fire protection, emergency medical services, and sheriff.
 - (f) The expected changes in land use within the Town, including the percentage of lands devoted to each use currently and in the future.
 - (g) The impacts of the mine on air quality within the Town.
 - (h) A description of the current environmental characteristics of the Mining Site, including wildlife, vegetation and physical parameters of groundwater quality and quantity, and surface water quality and quantity, including wetlands as compared to the same environmental characteristics after the mine becomes operational.
 - (i) A description of the environmental characteristics within the Town, including, but not limited to, air, groundwater, surface water and acres of disposal facilities for any waste as compared to the same environmental characteristics after the mine becomes operational.
 - (j) A description of the topographical and aesthetic features of the proposed Mining Site, including other geographical vegetative conditions.
 - (k) A description of the cultural features of the proposed Mining Site, including, but not limited to, an inventory and analysis of all historical and cultural sites and landmarks.
 - (l) A description and analysis of the ambient noise audible in half-mile increments within a five (5) mile radius of the proposed mining site.
- (6) Information Demonstrating Compliance with Minimum Standards. The Operator shall provide such additional information the Town deems necessary to determine whether the mining operation will comply with the minimum standards in Section 11.07.
- (7) Compliance with all Applicable Laws and Regulations. The Mining License application shall include a description of all other governmental or other regulatory permits, licenses, approvals, or other approvals necessary for the Mining Operation. The Mining License application shall also include a timeline of dates when such approvals were granted, or the expected date of approvals.

Section 10.07. Minimum Operational Standards

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(1) General Standards.

- (a) The borders of the entire Mining Site will be appropriately staked or marked, and the Mining Site will be secured by appropriate measures which may include fencing or other alternative measures consistent with mine safety and security as set forth by governmental or other regulatory authorities.
- (b) The Mining Operation will comply with all applicable Town Ordinances.
- (c) The Operator shall demonstrate, to the sole satisfaction of the Town, that all other applicable and required federal, state and local permits and approvals required for the Mining Operation have been or will be obtained prior to commencement of any Mining Operation. The applicant shall further demonstrate compliance with this sub-section by submitting a copy of all permits, approvals, or waivers of permits to the Town prior to commencing operations.
- (d) The Operator shall provide proof that it has provided the financial assurances as required under Wis. Stat. Chapter 293 or any other applicable codes or regulations.
- (e) The Operator shall agree to comply with all other applicable federal, state and local permits and approvals once issued.

(2) Buffer Areas. The Operator shall provide a buffer area from the boundaries of the Mining Site, to protect bordering properties from noise, dust, lighting, odors, blasting, and other adverse impacts of the operation, along bordering property lines and public roadways.

- (a) The buffer area shall provide a setback of $\frac{1}{4}$ mile from the mining site to the property line of an adjacent property owner unless the landowner consents to a lesser distance, but not less than 50 feet. If consent is provided for a lesser distance, a copy of such consent agreement shall be recorded against the property at the register of deeds office for the county in which the land is located and a copy of the agreement shall be provided to the Town Clerk.
- (b) The buffer area shall provide a setback of $\frac{1}{2}$ mile from the Mining Site to any school, medical facility, nursing home, or community based residential facility.
- (c) The Operator shall screen the mining operations from public view to the maximum extent practicable. Screening may be achieved through the use of berms, additional setbacks or other measures deemed adequate by the Town Board. Screening activities, such as construction of a vegetated berm or installation of a fence, may occur in the buffer area.

(3) Hours of Operation. The Operator shall limit normal hours of operations at the Mining Site to 12 hours a day Monday through Friday not earlier than 6:00 a.m. and not later than 9:00 p.m. and on Saturday not earlier than 6:00 a.m. and not later than noon, to avoid substantial or undue impacts on neighboring properties and town residents.² Operations on-site shall not occur on Sundays or legal holidays.

(4) Control of Light. The Operator shall limit night lighting on the Mining Site, to that which is minimally necessary for security and worker safety. Every effort consistent with the legal

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requirements for safety shall be made to minimize illumination of the night sky and neighboring properties. At a minimum, such measures shall include the following:

- (a) The use of full cutoff shrouds on all lights.
- (b) Portable lighting shall be used only as necessary to illuminate temporary work areas.
- (c) The use of berms of sufficient height coupled with other methods of visual screening to block light from the Mining Site to neighboring properties.
- (d) The design and location of access roads, driveways and other access points to the Mining Site to minimize lights from traffic and operations to neighboring properties.
- (e) Lighting from any and all sources within the mining property shall not be designed nor maintained to exceed 0.5 footcandles when measured at ground level. A lighting photometric plan shall be prepared for any and all exterior lighting fixtures, which depicting lighting candles (in footcandles) assuming all exterior fixtures are illuminated. Spot levels shall be provided every ten feet, and the 0.5 candles isometric line shall be depicted wherever present on the subject property.

(5) Control of Noise.

- (a) The Operator shall control off-site noise levels to the maximum extent practicable to avoid adverse impacts to neighboring landowners. The noise levels at the boundaries of the mining or processing site shall not exceed 65 dB. The noise levels at the boundaries of any school, medical facility, nursing home, or community based residential facility shall not exceed 60 dB. Decibels shall be based on dbA, which is the unit of sound level expressed in decibels (db) and A-weighted as described in ANSI § 1.4, 1983 and shall be measured in accordance with accepted protocols.
- (b) Noise levels shall be monitored at the Mining Site's property boundary by an independent testing company. The tests shall occur for a 10-day period at least once per quarter. The results shall be reported to the Town within 30 days of the last test result.

(6) Well Monitoring and Impact on Groundwater Quality. For a period of one year prior to commencement of construction of any portion of the Mining Site or commencement of any Mining Operation, and during the period of the Mining Operation, and continuing for no less than three years after the completion of the Mine reclamation, the Operator shall monitor all private and public wells (to the extent access can be secured), at the Operator's sole cost and expense, located within two miles of the perimeter of the Mining Site in order to provide baseline data concerning quantity and quality of water. The wells shall be monitored quarterly for lead, arsenic, turbidity, total dissolved solids, chlorides, nitrates, specific conductivity and any toxic substance that may reasonably be believed to be present in the ore deposit proposed to be mined. Well monitoring required under this Ordinance shall be performed by an independent consultant agreeable to both the Town and the Operator. All test and monitoring results shall be reported to the Town within 30 days of completion. Mining Operations shall not cause an exceedance of groundwater quality standards in Wis. Admin. Code Ch. NR 140 or as otherwise may be set forth in applicable law.

(7) Fugitive Dust Control.

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- (a) In addition to any ambient air monitoring required by the Wisconsin Department of Natural Resources, the Operator shall be required to comply with best management practices for control of off-site fugitive dust, including, but not limited to, use of truck covers, watering roads and equipment, and stabilizing stock piles.

Section 10.08. Reporting

(1) Ongoing Reporting Requirements.

- (a) The Operator shall provide notice to the Town of any notices of violations, citations, or other enforcement actions taken by any other governmental or regulatory authority against the mining operation. The Operator shall provide notice to the Town of such actions within 15 days after receiving such notice from the governmental or regulatory authority.
- (b) All monitoring data, sampling results and any other test results required by this Ordinance shall be undertaken at the Operator's expense and provided to the Town Clerk. Unless otherwise specified in this Ordinance, all monitoring data, sampling results and any other test results shall be provided to the Town Clerk within 30 days of receipt of the results by the Operator.

(2) Annual Report.

- (a) No later than October 1 of each calendar year, the Operator shall submit an annual report to the Town Board for all active and intermittent Mining Sites and Mining Operations for which the Operator has a Mining License in the Town of Merrimac. At its own discretion, the Town Board may also require that the Operator appear at a Town Board meeting to present the annual report and answer questions from the Town Board. The reporting period shall be from the date of the issuance of the first Operator's Mining License to August 31, and thereafter from September 1 to August 31.
- (b) The annual report shall include the following information:
 - 1. An identification of the Operator and location of the Mining Site.
 - 2. A map or drawing accurately showing the area of excavation, the unclaimed area and the reclaimed area, including a calculation of the number of acres for each type.
 - 3. A description of activities, including ore extraction and waste material production and operations on the Mining Site for the previous calendar year, including the cubic yards each of material extracted, processed, and waste material produced.
 - 4. A description of activities and operations on the Mining Site, including ore extraction and waste material production or processing anticipated for the following calendar year.
 - 5. A written report demonstrating how the Operator has been in compliance with all terms and conditions of its Mining License and this Ordinance. The report

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shall include all groundwater, surface water and other monitoring results, as well as a copy of all annual reports submitted to all other governmental or other regulatory authorities.

6. A summary of all areas of non-compliance, and a plan for bringing non-compliant areas into compliance.
7. A signed certification by the Operator to the effect that: "I certify that this information is true and accurate, and except as expressly set forth herein the mineral mining site and operations described herein and for which the town issued the mining license dated _____ complies with all conditions of the applicable Town license, the Ordinance, all other Town ordinances and codes, and all other governmental or other regulatory authority requirements, laws, regulations, and requirements and is in compliance with any applicable permits, licenses and approvals required for operation of the mineral mining site and operations described herein and for which the town issued the mining license dated _____."

(c) Quarterly Inspection Summary. The Operator shall submit to the Town Clerk, within 30 days following the close of each calendar quarter, a report summarizing the results of the following inspections.

1. Daily Inspections. The Operator shall inspect any tailings ponds and any other waste lagoons on a daily basis for evidence and indications of any phenomenon, activity or process which might affect the integrity of any tailings pond or dike.
2. Monthly Inspections. The Operator shall designate one or more qualified senior personnel to inspect any tailings ponds and any other waste lagoons on a monthly basis and prepare, sign and date a report. If the person or persons making the monthly inspections is not a Wisconsin registered professional engineer, then the Operator shall also provide for quarterly inspections as required herein by a registered professional engineer.
3. Natural Event Inspections. The Operator shall inspect any tailings ponds and any other waste lagoons after any unusual natural occurrence, including, but not limited to, the following: earthquake, tornado, flood, storm event exceeding the 100-year storm threshold or any other natural event which the Operator should reasonably expect could affect the integrity of the tailings pond, dike, or other areas of the Mining Site.

(d) Inspection Logs. All daily, monthly and quarterly inspection observations shall be recorded in a log and maintained on the premises of the Mining Site and be made available for inspection by Town officials during regular business hours. The Operator shall submit copies of inspection logs to the Town upon request.

Section 10.09. Changes in Operation

- (1) Expansion. Expansion of the Mining Site or any Mining Operation that is not specifically allowed by or is inconsistent with any limitation or parameters of the Mining License is prohibited and is a violation of this Ordinance. Performance of activities not described in, or activities not

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expressly allowed by, the Mining License application or the Mining License shall be considered an unlawful expansion and a violation of this Ordinance. The movement of any waste, ore or concentrate to a Mining Site from a location outside the boundary of that Mining Site shall be deemed an unlawful expansion of Mining Operation unless such movement is specifically and expressly authorized in a Mining License issued pursuant to this Ordinance.

(2) Suspension or Termination of Mining.

- (a) An Operator must provide notice to the Town as soon as possible of any temporary halt of mining operations lasting more than 180 days, including, but not limited to, a statement showing projected loss of employment. Notice shall include the reason for the temporary suspension as well as plans to ensure continued compliance of all applicable laws and regulations throughout the suspension period.
- (b) The Operator must provide notice of its intent to permanently terminate any or all activity at the Mining Site no later than one year before the proposed Mining Operation, or any portion of the Mining Operation, is terminated. The Operator must provide notice by the end of each calendar year of any significant change in the anticipated timing of each major phase of the Mining Operation as originally detailed in the plan of operation submitted as part of the Mining License application pursuant to this Ordinance, and explain any reasonably foreseeable changes to the overall Mining Operation lifetime based on such changes.
- (c) Upon receipt of a notice of temporary halt in mining or upon a cessation lasting more than 180 days, whichever is sooner, the Town Board may require that the Operator take additional measures to ensure that public health, safety and welfare are protected during the temporary cessation of mining operations, including, but not limited to, a temporary cap on tailing facilities, additional security measures, additional erosion control measures, and other site stabilization measures.
- (d) A suspension longer than two years shall be considered a permanent abandonment and require the Operator to commence closure and reclamation. The Operator may request the Town Board re-evaluate this requirement based on exceptional circumstances. The Town Board shall not be obligated to grant the request for re-evaluation. The Town Board's determination of the Operator's request for re-evaluation is not subject to appeal or other additional review.
- (e) Any action ordered by the Town Board pursuant to Section 11.09(2) shall not be deemed a Mining License Modification pursuant to Section 11.04(5).

- (3) Commencement of Reclamation. Reclamation of any mine shall begin within one year after cessation of mining activities, whether temporary or permanent, in accordance with the Reclamation Plan as set forth in Wis. Stat. Chapter 293 or Wis. Stat. 295, whichever is applicable.

Section 10.10. Inspection, Enforcement, and Penalties

(1) Inspection.

- (a) Compliance Inspections. Upon issuance of a Mining License, the Operator is deemed as a condition of licensure to have consented to allow inspections of the

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mining site and all mining operations by the Town Board or its designee(s) for the purpose of determining compliance with the provisions of this Ordinance and the terms and conditions of the Mining License. Inspections may occur pursuant to

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this section upon showing of proper identification, with or without advance notice to the Operator.

- (b) Records Review. All required records to demonstrate lawful operation of the Mining Operation shall be maintained by the Operator at the Mining Site and made available within a reasonable time to the Town Board or its designee(s) to assist the Town Board to determine compliance with the provisions of this Ordinance.
 - (c) Investigation of Complaints. The Operator shall provide access to the Mining Site to allow the Town Board or its designee(s) to inspect for the purpose of investigating any complaint against the Operator alleging a condition that negatively impacts the public health, safety or welfare.
 - (d) Retained Experts. If, as a result of any inspections or investigations, the Town Board determines that a Retained Expert should undertake any further inspections or investigations, the Town may hire a Retained Expert, the expense of which shall be paid by the Operator. If the Operator fails to provide access for the inspections or investigations, or provide payment of the Town's expenses, the Town may take enforcement action under Section 11.10(1).
- (2) Violations. In addition to failure to comply with any provision of this Ordinance, the following are specific violations under this Ordinance:
- (a) Engaging in any mining or any activities associated with mining, without a Mining License granted by the Town Board pursuant to this Ordinance.
 - (b) Failure to comply with the applicable minimum standards and other terms of this Ordinance, all other Town ordinances and codes, and all other governmental or other regulatory authority requirements, laws, regulations, and requirements, or failure to comply with any applicable permits, licenses and approvals required for Mining Operation.
 - (c) Making an incorrect or false statement in the information and documentation submitted during the Mining License application process or during inspection of the Mining Operation by the Town or its designees or other duly appointed representative.
 - (d) Failure to timely file the annual operational report under Section 1.08 of this Ordinance.
 - (e) Failure to comply with any conditions of approving the Mining License application, or any agreements entered into as a condition of approving the Mining License application.
 - (f) Failure to provide or maintain any financial assurance required as a condition of approving the Mining License application.
 - (g) Failure to take appropriate action in response to a notice of violation, citation, request for additional financial assurance or other order issued by the Town.
- (3) Remedies. The Town Board may take any appropriate action or proceeding against any person in violation of this Ordinance or in violation of the terms of the Mining License, including, but not limited to, the following:

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- (a) Issue a stop work order for all Mining Operations. Any Operator issued a stop work order shall be provided with a notice of violation under Section 11.10(4) by the Town Clerk within 10 days.
 - (b) Issue a notice of violation and order that specifies the action to be taken to remedy a violation under Section 11.10(4).
 - (c) Issue a citation in accordance with the Town's citation ordinance or pursuant to other Town authority.
 - (d) Refer the matter to legal counsel for consideration and commencement of legal action, including, but not limited to, the assessment of forfeitures under Section 11.10(6) and injunctive relief.
 - (e) Suspend or terminate the Mining License under Section 11.10(5).
- (4) Notice of Violation. The Town Board or its designee may issue a notice of violation and order for curing the violation upon a violation of any term of this Ordinance or upon a violation of any agreement entered into between the Town and the Operator for the Mining Operations pursuant to the following provisions.
- (a) The Town shall serve a notice of violation upon the Operator within thirty days of the Town's obtaining knowledge of the violation. The notice of violation may include a proposed work plan or other remediating steps to cure the violation. The
 - (b) Operator shall have thirty days from the Operator's receipt of the notice of violation and order to complete all necessary work to cure the violations to the Town's satisfaction.
 - (c) Any person affected by a notice and order issued in connection with the enforcement of this Ordinance under Section 11.10(4) may request and shall be granted a hearing on the notice of violation and order before the Town Board, provided such person shall file with the Town Clerk a written petition requesting the hearing and setting forth the person's name, address, telephone number and a brief statement of the grounds for the hearing, the requested relief, or for the mitigation of the order. Such petition shall be filed within thirty days of the date the notice and order are served upon the Operator. Upon receipt of the petition for hearing, the Town Clerk shall set a time and place for a hearing before the Town Board and shall give the petitioner written notice thereof. In the event the petitioner is not the Operator, the Town shall provide notice of the hearing to the Operator.

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- (d) After the hearing, the Town Board by a majority vote, shall sustain, modify or withdraw the notice under Section 11.10(3), or modify the order, depending on the Town Board's findings, as to whether the provisions of this Ordinance have been complied with. The petitioner shall be notified within ten days of the Town Board's issuance of its findings and any modification of the order. In the event the petitioner is not the Operator, the Town shall provide a copy of the Town Board's findings of fact and any modification of the Town's order to the Operator.
 - (e) The proceedings of the hearing, including the findings and decision of the Town Board and the reasons therefore, shall be summarized in writing and entered as a matter of public record in the office of the Town Clerk. Such record shall also include a copy of every notice and order issued in connection with the case.
- (5) Mining License Suspension or Revocation.
- (a) After service of any notice of violation on an Operator and after any requested hearing has been held on such notice pursuant to Section 11.10(4), the Town Board may consider suspension or revocation of a Mining License for any violation of this Ordinance or the terms of the Mining License. A Mining License may also be revoked if it is determined that there has been an abandonment of mining as defined under Wis. Stat. § 293.61, or under Wis. Stat. § 295.97, whichever is applicable.
 - (b) The Town Board shall provide the Operator with a hearing on any proposed Mining License suspension or revocation. The Town Clerk shall provide the Operator with notice of the hearing at least 15 days in advance. Following the hearing, if the Town Board determines there is reasonable cause to conclude that the Operator has failed to correct or cure a violation it may suspend or revoke the license.
 - (c) Revocation of any Mining License awarded pursuant to this Ordinance shall terminate the Operator's right and authority to continue Mining Operations pursuant to this Ordinance, but shall not affect the Operator's obligation to comply with any continuing obligations of the Operator under the terms of the Mining License or any agreement to which the Town is a party.
 - (d) In the event of any violation that is not corrected pursuant to any conditions of correction established by the Town Board and to the satisfaction of the Town Board the Town Board shall, at one or more open meetings, establish and levy an appropriate forfeiture and order an appropriate compliance schedule consistent with the intent of this Ordinance, the violation of which shall constitute a separate violation of this Ordinance.
- (6) Penalties. Any person or Operator who violates this Ordinance or any of the provisions contained herein shall forfeit not less than \$10 nor more than \$10,000 for each violation. Each day of violation is a separate offense.
- (a) The Town Board shall, promptly after verifying any violation of any provision of a Mining License or agreement to which the Town is a party, notify the Operator in writing of such violation and require the Operator to report to the Town Clerk within 10 days.
 - (b) The Town shall be entitled to recover from the violator the reasonable and necessary

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expenses associated with prosecution of the violation.

(c) All funds recovered pursuant to this section will be placed in an assigned account established by the Town and used at the Town Board's sole discretion consistent with achieving the intent of this Ordinance.

(d) The remedies provided herein shall not be exclusive of other remedies.

(7) Non-Waiver. A failure by the Town to take action on any past violation(s) shall not constitute a waiver of the Town's right to take action on any present or future violation(s).

Section 10.11. Setbacks

(8) No person shall establish, construct, operate or maintain the use of property for any mining related buildings, roads, ponds, or other construction within the residential district, or areas designated for residential development in the town's development plan, or any of the following areas:

- (a) Within 1,000 feet of any navigable or non-navigable lake, pond or flowage;
- (b) Within 1,000 feet of any navigable or non-navigable waterbody or wetland;
- (c) Within 100 feet of adjoining property lines;
- (d) Within 100 feet from the base, or top, of a bluff, which means the line delineating the bottom or top of a slope connecting the points at which the slope becomes 18 percent or greater;
- (e) Within 1,000 feet of any existing occupied structures not owned by the operator or owner;
- (f) Within 500 feet of any contiguous property subdivided into residential lots;
- (g) Within a floodplain; or
- (h) Within 1,000 feet of the nearest edge of the right-of-way of any of the following: any state trunk highway, interstate or federal primary highway; the boundary of a state public park; the boundary of a scenic easement purchased by the department of transportation; the boundary of a designated scenic or wild river; a scenic overlook designated by the department by rule; or a bike or hiking trail designated by the United States Congress or state legislature.

Section 10.12. Severability

Should any section, clause, provision or portion of this Ordinance be adjudged unconstitutional, invalid, unlawful, or unenforceable by a final order of a court of competent jurisdiction, including, but not limited to, all applicable appeals, the remainder of this Ordinance shall remain in full force and effect.

The Town Board further ordain that the above amendments of the Zoning Ordinance shall be effective immediately upon adoption and publication of this ordinance as provided by law.

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The foregoing ordinance was adopted by the Town Board of the Town of Merrimac at a meeting held on May 1, 2019.

APPROVED:

Steve Peetz, Town Chair

ATTEST:

Tim McCumber, Town Administrator-Clerk-Treasurer

Posted _____

Published _____

RESOLUTION NO. 57 - 2019

AUTHORIZATION TO PURCHASE TWO LIVESCAN FINGERPRINT MACHINES

Background: The Livescan fingerprint machines that the Sheriff's Office currently has are at end of life and running windows XP which is no longer supported by Microsoft. They were last upgraded around 2013. There are two machines, one at the jail and the second one at the courthouse. We planned on a replacement cost of \$19,521, but after being awarded a grant from the state to upgrade the courthouse machine to a model that will allow collection of palm prints as well as fingerprints, we can replace/upgrade both for a cost of around \$34,090 with a grant of \$24,840 off setting the cost. The vendor is Cross Match Technologies, which gives a slight discount for trading in the old equipment, and by staying with an existing vendor, saves the money from having to purchase a new interface to work with our Jail Management System.

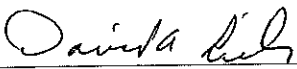
Fiscal Impact: ☐ None ☒ Budgeted Expenditure ☐ Not Budgeted


NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session, that the Sauk County Sheriff be and hereby is authorized to purchase two fingerprint machines for an after trade cost of \$34,089.86 with a grant decreasing that amount by \$24,840 for a total cost to the County for \$9,249.86.

For consideration by the Sauk County Board of Supervisors on May 21, 2019.

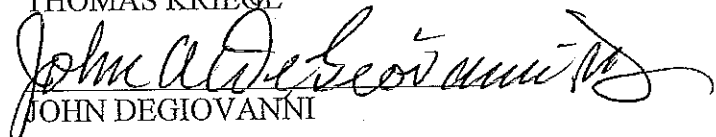
Respectfully submitted,

SAUK COUNTY LAW ENFORCEMENT AND JUDICIARY COMMITTEE


DAVID RIEK


TIM REPPEN


THOMAS KRIEGL


JOHN DEGIOVANNI

JOHN DIETZ

Fiscal Note:

Expenditure of \$34,089.86 for two livescan fingerprint machines with a \$24,840 grant to offset the cost. The final cost will be \$9,249.86. The budgeted amount of \$19,521 is located within the MIS budget. *KPB*

MIS Note: No MIS impact if we stay with the same company, Cross Match, as the interface is already in place.

ORDINANCE NO. 7 - 2019

REPEALING SAUK CO. CODE CHAPTER 19, ENFORCEMENT OF COLLECTION OF TAX LIENS, AND SECTIONS 43.03-43.05 OF SAUK CO. CODE 43; CREATING CHAPTER 2, TAXES, COLLECTIONS, AND ASSESSMENTS

Background: The Sauk County code of ordinances contains more than 40 chapters and lacks appropriate organizational structure, which makes it unwieldy, hard to understand and difficult to use. To improve organization and usability, the code will be condensed over time to ten chapters with defined subject matters including Chapter 2, which will be redesigned to contain provisions regarding enforcement of real estate tax collection, the sale of tax deed property, delinquent tax assessments and penalties, and the county sales and use tax. This ordinance moves some existing provisions from chapters 19 and 43 to the redesigned Chapter 2. Existing provisions in Chapter 43 regarding the use of tax deed to enforce real estate tax collection will not be recreated in Chapter 2 because the treasurer will utilize the newly revised in rem process for collection of real estate taxes, formerly Chapter 19, and because the tax deed statutory enforcement provisions are still available for the treasurer to use and need not be stated in the code of ordinances. Existing provisions in Chapter 2 that are unrelated to the new subject heading will be relocated to an appropriate chapter in the new organizational structure.

Fiscal Impact: ☒ None ☐ Budgeted Expenditure ☐ Not Budgeted

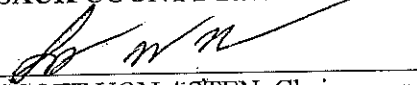
The County Board of Supervisors of the County of Sauk does hereby ordain as follows;

NOW, THEREFORE, BE IT ORDAINED, by the Sauk County Board of Supervisors met in regular session that Chapter 19 and sections 43.03-43.05 of Chapter 43 of the Sauk County Code of Ordinances are repealed, and Chapter 2 Taxes, Collections, and Assessments of the Sauk County Code of Ordinances is created as attached hereto as Appendix A and shall be effective upon passage.

For consideration by the Sauk County Board of Supervisors on May 21, 2019.

Respectfully submitted,

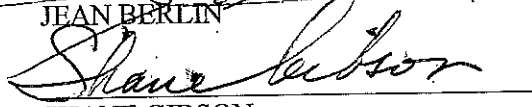
SAUK COUNTY PROPERTY AND INSURANCE COMMITTEE:


SCOTT VON ASTEN, Chairperson


WILLIAM HAMBRECHT


JEAN BERLIN


CARL GRUBER


SHANE GIBSON

FISCAL NOTE: No impact

MIS NOTE: No MIS impact

CHAPTER 2

TAXES, COLLECTIONS, AND ASSESSMENTS

SUBCHAPTER I	
REAL ESTATE TAX ENFORCEMENT	
2.100	Authority.
2.101	Purposes; statement of policy.
2.102	Definitions.
2.103	Administration and oversight responsibilities.
2.104	Enforcement of real estate taxes.
2.105	Lands exempt from application of this chapter.
2.106	Authority to manage and sell tax deeded lands.
2.107	Procedures.
2.108	Preference to former owner.
2.109	Sale of tax deeded lands to the state or a municipality.
2.110	Appraisals required.

2.111	Public advertisement of and sale of tax deeded land.
2.112	Provisions of sale.

SUBCHAPTER II DELINQUENT TAX, SPECIAL ASSESSMENT, AND CHARGE PENALTIES

2.200	Imposing penalty on delinquent general property taxes, special assessments, special charges and special taxes.
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SUBCHAPTER III COUNTY SALES AND USE TAX

2.300	County sales and use tax.
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SUBCHAPTER I REAL ESTATE TAX ENFORCEMENT

2.100 Authority. This chapter is enacted under the authority of sections 59.52(6), 75.35, 75.521 and 75.69 of the Wisconsin Statutes.

2.101 Purposes; statement of policy. (1) This chapter is enacted to establish procedures and authority for enforcing tax liens, the sale of tax deeded lands, and to create penalties for failure to pay real property taxes in a timely manner.

(2) The treasurer and the committee shall acquire, manage and dispose of tax deeded lands so as to realize as much tax revenue as circumstances may permit, and without speculation as to the possible future sale value of such lands.

2.102 Definitions. The following terms as used in this section shall have the meanings indicated as follows:

(1) "Board" means the Sauk County Board of Supervisors.

(2) "Clerk" means Sauk County Clerk.

(3) "Committee" means the Property and Insurance Committee of the Sauk County Board of Supervisors.

(4) "Former owner" means any person, persons, or business entity last holding title to lands which have been taken by tax deed and includes the heirs, successors, assigns, and personal representative of the estate of any such person or entity.

(5) "Tax deeded lands" means lands which have been acquired by Sauk County through the process of collecting delinquent real estate taxes by tax deed, foreclosure of tax certificates, deed in lieu of tax deed, in rem foreclosure, or other real estate tax collection means.

(6) "Treasurer" means Sauk County Treasurer.

2.103 Administration and oversight responsibilities. (1) The treasurer shall administer this chapter in accordance with its provision.

(2) The committee shall oversee the administration of this chapter.

2.104 Enforcement of real estate taxes. (1) Sauk County elects to adopt the provisions of Wis. Stat. § 75.521 for the purpose of enforcing tax liens in the county in the cases where the procedure provided by that section is applicable.

(2) Tax delinquent property which is subject to a lien or liens for special assessments under Wis. Stat. §§ 66.54, 66.60, 66.604 and

75.365., shall be acquired by the county ~~taken as tax deeded lands~~ subject to special authorization from the committee.

2.105 Lands exempt from application of this chapter. Lands which subsequent to acquisition have been improved for or dedicated to a public use by Sauk County in accord with Wis. Stat. §§ 59.04 and 59.06, shall not be treated as tax deeded lands and shall not be disposed of under the procedures of this section. Such lands shall be disposed of only as the board shall from time to time direct.

2.106 Authority to manage and sell tax deeded lands. (1) Under the authority of Wis. Stats. §§ 73.35 and 75.69, the treasurer under the general oversight of the committee is hereby empowered to manage and sell tax deeded lands, except as provided in subs. (2) and (3), pursuant to policies established by the county treasurer.

(2) It shall be the responsibility of the committee to review any and all proposed sales or exchanges of lands to or between municipalities or to the state of tax deeded land, pursuant to Wis. Stat. § 75.69(2), and to make recommendations to the county board, by resolution, before such conveyances are acted upon.

(3) It shall be the responsibility of this committee to review any and all proposed exchanges of tax deeded land pursuant to Wis. Stat. § 59.69(8) for the purpose of promoting the regulation and restriction of agricultural and forestry lands and for the purpose of creating a park or recreational area and to make recommendations to the county board, by resolution, before such exchanges are acted upon.

2.107 Procedures. No tax deeded lands shall be offered for sale unless the procedures of this section shall first have been complied with.

2.108 Preference to former owner. (a) ~~The Sauk County Board may, at its option and by resolution, authorize the committee to convey tax deeded lands to a former owner who lost title to real property through delinquent tax collection enforcement procedures, pursuant to the authority contained in Wis. Stat. § 75.35(3). The~~

~~committee is further authorized, but not required, to give such former owners first option to purchase said lands. This section shall in no manner create any right of first refusal in any former owner.~~

~~(b) Any sale made to a former owner pursuant to this section shall be exempt from the operation of Wis. Stat. § 75.69., but no such sale shall be approved by and authorized by the committee or board unless, as a minimum, the former owners pay to the county all real estate taxes, including special assessments, special charges and special taxes, then due and owing together with the interest and penalty thereon, plus a service fee on such transaction equal to ½ percent (.005%) of the equalized value of the tax deeded lands. In any event, the service fee shall be not less than \$50.00. Such sale shall be considered a redemption of the property from the tax lien, and shall result in the cancellation of the tax deed. A recordable certificate of such shall be issued by the county clerk, upon request by the former owner, in accordance with Wis. Stat. § 75.23.~~

~~(c) Consideration under this section shall be given only to those former owners who request the same, prior to the time the sale and appraised value of the lands involved have been advertised by publication, in accordance with Wis. Stat. § 75.69. If the former owners do not make payment to the county within 30 days of the time such sale is authorized by the committee, the committee may, at its option, proceed to sell the lands involved in accordance with Wis. Stat. § 75.69, to the highest or most advantageous bidder thereon.~~

~~(d) Failure to give notice to the proper party as former owner shall not create a right in any person or persons to redeem tax deeded lands. In any event, no former owner shall have any privilege of redemption of tax deeded lands after 6 months of the date the board first takes title to the property, if unsold, or upon sale to a subsequent purchaser of the property.~~

~~(e) This section shall not apply to tax deeded lands which have been improved for or dedicated to a public use by Sauk County, subsequent to acquisition. No sale to the former owner or any other person shall be made of such lands without the express authorization of the board.~~

(1) Pursuant to Wis. Stat. § 75.35(3), the treasurer is hereby empowered to sell tax deeded lands to the former owner. In so doing, the treasurer is authorized to give such former owner preference over others in the purchase of said lands. This section shall in no manner create any right of first refusal in any former owner.

(2) Sales made pursuant to this section shall be exempt from the requirements of Wis. Stat. § 75.69.

(3) The treasurer shall give notice of the privilege to redeem tax deeded lands to the former owner by sending a letter by certified mail, return receipt requested, addressed to the former owner at his or her last known address. The notice shall be deemed delivered as of the earlier of:

(a) the date the letter is actually received by the former owner;

(b) the date a receipt is given for the letter by or on behalf of the former owner; or

(c) the date the United States Postal Service indicates service by certified mailing cannot be completed.

(4) The privilege of repurchasing tax deeded lands under this section shall expire if the former owner does not exercise the privilege within 45 days of delivery of the notice from the treasurer under sub. (3) hereof. Exercise of the privilege means full payment to the county of the amounts listed in sub. (5).

(5) The treasurer shall not sell any tax deeded lands to the former owner unless the former owner pays all real estate taxes, including special assessments, special charges and special taxes, then due and owing together with the interest and penalty thereon, including In Rem foreclosure service charge, plus purchase fee on said lands equal to 1% of the equalized value of the tax deeded lands. In any event, the service fee shall not be less than \$50.00.

(6) Failure to give notice to the proper party as former owner shall not create a right in any person or persons to redeem tax deeded lands.

(7) This section shall not apply to tax deeded lands which have been improved for or dedicated to a public use by Sauk County, subsequent to acquisition. No sale to the former owner or any other person shall be made of such lands without the express authorization of the board committee.

(8) If the former owner fails to exercise the privilege to purchase as required in this subsection, the treasurer may, at his or her option, proceed to sell the land involved in accordance with Wis. Stat. § 75.69, to the highest or most advantageous bidder thereon.

2.109 Sale of tax deeded lands to the state or a municipality.

(1) In the event a parcel of tax deeded lands is not purchased by the former owner, the treasurer may offer it to the municipality within which the parcel is located or to the State of Wisconsin before offering the same to the public.

(2) The sale price of a parcel of tax deeded lands on sale to a municipality or state shall be in an amount at least equal to the sum of all real estate taxes, including special assessments, then due and owing, including the interest and penalty thereon, the In Rem foreclosure service charge, together with a service fee equal to ten percent of the assessed value of the tax deeded land. In any event, the service fee shall not be less than \$500.00.

(3) The sale of tax deeded lands to a municipality under this section shall be approved by the committee before a deed is issued by the county clerk.

2.110 Appraisals required.

(1) Where the assessed value of a parcel or of contiguous parcels of tax deeded lands is, or exceeds \$25,000, the treasurer may obtain a professional appraisal.

(2) If a professional appraisal is not obtained, the committee, acting by a subcommittee of not less than 3 of its members, shall appraise said parcels.

(3) The following shall be considered when preparing an appraisal for tax deeded land:

(a) All expenses incurred by the county to obtain marketable title to the property, including but not limited to publication, abstract search, certified letters, attorney fees and disbursements.

(b) All amount of unpaid general property taxes, special assessments, special charges and special taxes levied against the property, including interest and penalties thereon, and any withdrawal tax due under Wis. Stat. § 77.84(3).

(c) Consideration of the physical condition of the property may be given when appraising

land in blighted areas or parcels affected by natural disaster or other extenuating circumstances.

2.111 Public advertisement of and sale of tax deeded land. The procedure for sale of tax deeded properties by the county, pursuant to Wis. Stats. §§ 75.35 and 75.69, shall be as follows:

(1) The treasurer shall advertise the sale of all such real estate to be offered by publishing a class 3 notice, under Wis. Stat. ch. 985. Such notice shall include a date certain by which sealed bids for the purchase of such property must be submitted to the treasurer for Sauk County. No more than one bid may be submitted per parcel by any bidder. The appraised value as set pursuant to s. 2.110 of this ordinance shall constitute the minimum bid necessary to sell such property.

(2) On the date and time set forth in said notice, the treasurer shall open the sealed bids for each parcel of tax deeded lands available for sale on that date. On such date, the treasurer shall sell each parcel to the bidder whose unconditional bid is most advantageous to the county and equal to or exceeds the advertised appraised value or the parcel. At the same price or within 10% of each other, unconditional bids shall be given preference over conditional offers.

(3) At the first attempt to sell the property, every bid less than the appraised value of the property shall be rejected.

(4) Offers which contain conditions, including financing contingencies of a duration of more than 30 days, shall be referred to the committee for review and approval. The committee may require that the entire transaction be referred to the board for resolution.

(5) The treasurer is authorized to sell for any amount any land previously advertised for sale after advertising the sale of such land by publication of a class 1 notice, under Wis. Stat. ch. 985; except that no property may be sold for an amount that is less than the property's appraised value unless the committee reviewed and approved such a sale and no property may be sold for an amount that is less than the amount of the highest bid unless the committee prepares a written statement, available for public inspection, that explains the reasons for accepting a bid that is less than the highest bid. The treasurer is authorized to accept the offer first made after said

publication that meets or exceeds the appraised value that is most advantageous to the county.

(6) The treasurer may also utilize an on-line auction service.

(7) The treasurer may engage the services of a licensed real estate broker to sell those parcels not sold on the first date available for sale and may pay a commission not to exceed 6% of the sale price for any sale arranged by the broker retained by the treasurer. The retention of a broker shall not affect the ability of the treasurer to sell the parcel directly, without incurring an obligation to pay brokerage fees when a sale is arranged without the involvement of the broker.

2.112 Provisions of sale. (1) All sales shall be in the form of money order or cashier's check. All sales of \$500.00 or less shall be paid in full on the day of sale.

(2) All sales of tax deeded properties shall be by quit claim deed. All quit claim deeds shall be recorded at the purchaser's expense. The county will not provide an abstract or title insurance.

(3) All sales shall be completed within 30 days of notification of acceptance of bid. If, due to the fault of the purchaser, said sale is not completed within the said 30 days, the county may keep all monies paid by the purchaser as liquidated damages, and the county may then sell said property to another purchaser.

(4) Purchaser shall be entitled to take possession of the property upon the recording of the quit claim deed.

~~(b) A parcel once advertised for sale, but not sold on the first date of the sale, need not be advertised again.~~

2.103 SALE OF TAX DELINQUENT LAND.—

~~(1) The Committee shall be authorized, pursuant to Wis. Stat. 75.69, to sell tax delinquent property acquired by the county.~~

~~(5) —ISSUANCE OF TAX DEEDS.—(a) The treasurer shall take all necessary steps, including the giving of notice pursuant to Wis. Stat. § 75.12, to owners of record, occupants, or mortgagees of record. This shall be done prior to the issuance of tax deeds to Sauk County on all property on which Sauk County holds delinquent~~

tax sales certificates which are eligible for and subject to the taking of tax deeds. The treasurer shall safeguard the interests of Sauk County in the taking of tax deeds.

~~—(b) The treasurer, after notice to the committee, shall refer to the corporation counsel those acquisitions which, pursuant to Wis. Stat. § 75.39, the treasurer deems it necessary to bar former owners from all right, title, interest or claim in such lands.~~

~~© Title to property Tax delinquent property which is subject to a lien or liens for special assessments under Wis. Stat. §§ 66.54, 66.60, 66.604 and 75.365, shall be acquired by the county taken as tax deeded lands subject to special authorization from the committee. (moved)~~

~~(d) The county shall not be required to pay any outstanding special assessment nor special charge due on property, acquired by the county by tax deed, pursuant to Wis. Stat. § 75.36. During the period that the county is the owner of lands so acquired it shall not be subject to any restrictions or covenants running with the land which require an owner to expend any money to keep the premises in sanitary or sightly condition or to contribute to the cost of maintaining private roads or to abate nuisances or undesirable conditions per Wis. Stat. § 75.14(4). Such restrictions and covenants shall be applicable to any subsequent purchaser of the property.~~

~~(10) SALE OF TAX-DEEDED LANDS. —(a) On the date specified in the notice, the committee will accept bids and will sell each parcel to the highest or most advantageous bidder whose unconditional bid is equal to or exceeds the advertised appraised value of the parcel. No more than one bid may be submitted per parcel by any bidder.~~

~~—(b) Unconditional offers shall be given preference over conditional offers. Offers that contain conditions, including financing contingencies of a duration of more than 30 days, shall be considered and reviewed by the committee.~~

~~—(c) Upon receipt of payment in full by the successful bidder, a resolution shall be presented to the Sauk County Board requesting approval of such sale. If the Sauk County Board rejects the sale to that bidder, all funds submitted for such~~

~~purchase excepting a service fee of \$50.00 shall be returned to that bidder.~~

~~—(d) If a parcel is not sold by bid on the first date offered for sale, the committee may sell the parcel at anytime thereafter to any person making an offer at or exceeding the appraised value of the property.~~

SUBCHAPTER II

DELINQUENT TAX, SPECIAL ASSESSMENT, AND CHARGE PENALTIES

2.200 Imposing penalty on delinquent general property taxes, special assessments, special charges and special taxes.

(1) **AUTHORITY.** This ordinance is adopted pursuant to the authority of Wis. Stat. § 74.47(2).

(2) **IMPOSITION OF PENALTY.** There is hereby imposed a penalty of 0.5 percent per month or fraction of a month, in addition to the interest provided for in Wis. Stat. § 74.47(1), on all general property taxes, special charges, special assessments and special taxes that are overdue or delinquent on and after the effective date of this ordinance.

(3) **EFFECTIVE DATE.** This ordinance shall become effective September 1, 1993.

SUBCHAPTER III

COUNTY SALES AND USE TAX

2.300 County sales and use tax. (1) **AUTHORITY AND PURPOSE.** This ordinance is enacted on the authority of Wis. Stat. ch. 77, Subch. V, and the county sales and use taxes imposed herein shall be used for the purpose of reducing the property tax levy by the following:

(a) Paying the debt service on any bond or note issuance.

(b) Paying for designated capital projects.

(c) Any remainder revenues to further offset the levy.

All monies collected from the sales and use tax shall be maintained in a separate revenue account.

(2) **IMPOSITION OF TAX.** There is hereby imposed a Sauk County sales and use tax at a rate

of 0.5% in the manner and to the extent permitted as set forth in Wis. Stat. ch. 77, Subch. V, which are incorporated herein and acts amendatory thereto.

(3) EFFECTIVE DATE. This ordinance shall become effective April 1, 1992, and a certified copy of this ordinance shall be delivered to the Secretary of Revenue of the State of Wisconsin at P.O. Box 8933, Madison, WI 53708, at least 120 days prior to the effective date.

~~Section 30.04 was created and adopted by the Sauk County Board of Supervisors on November 12, 1991 - Ordinance No. 158-91. Section 30.05 was created and adopted by the Sauk County Board of Supervisors on December 15, 1992 - Ordinance No. 187-92. Amended by the Sauk County Board of Supervisors on May 17, 2005 - Ordinance No. 62-05. Amended by the Sauk County Board of Supervisors on October 16, 2007 - Ordinance No. 129-07. Section 30.60 was created and adopted by the Sauk County Board of Supervisors on July 15, 2008 - Ordinance No. 67-08. Section 30.07 was created and adopted by the Sauk County Board of Supervisors on December 20, 2011 - Ordinance No. 122-11. Amended by the Sauk County Board of Supervisors on May 15, 2012 - Ordinance No. 10-12. Amended by the Sauk County Board of Supervisors on November 20, 2012 - Ordinance No. 14-12. Amended by the Sauk County Board of Supervisors on December 18, 2012 - Ordinance No. 16-12. Amended by the Sauk County Board of Supervisors on December 16, 2014 - Ordinance Nos. 9-14 & 12-14. Previously Chapter 30, Chapter 43 was created by the Sauk County Board of Supervisors on January 17, 2017 - Ordinance No. 1-17, and amended by the Sauk County Board of Supervisors on January 17, 2017 - Ordinance No. 2-17. Chapter 43 was repealed in part and recreated by the Sauk County Board of Supervisors on May 21, 2019 - Ordinance No. ____-19.~~

RESOLUTION NO. 58 - 2019

**AUTHORIZING ISSUANCE OF A QUIT CLAIM DEED FOR PARCELS
LOCATED IN THE TOWN OF LA VALLE & TOWN OF WOODLAND
TO ARISTOTLE LLC**

Background: Sauk County has taken a tax deed on the below described parcels. These properties have been advertised as a Class III Notice under Chapter 985 of the Wisconsin Statutes and they remain unsold. Pursuant to Wisconsin Statutes 75.69, Sauk County may sell a parcel that remains unsold as long as the price received meets or exceeds the advertised aggregate appraised value. The appraised values are noted below. Aristotle LLC has offered the sum of \$13,767.00.

Fiscal Impact: ☐ None ☒ Budgeted Expenditure ☐ Not Budgeted

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors met in regular session that the Sauk County Clerk be and hereby is authorized and directed, having received \$13,767.00 from Aristotle LLC on April 8, 2019, to issue a quit claim deed to Aristotle LLC for the below described properties:

Town of La Valle Amsterdam Add to Branigar's Dutch Hollow Lake Lot 1114
(Parcel #024-2576-00000)

Appraised Value: \$2,800.00 Offer Amount: \$2,800.00

Town of La Valle Green Knoll Add to Branigar's Dutch Hollow Lake Lot 720
(Parcel #024-2634-00000)

Appraised Value: \$2,200.00 Offer Amount: \$2,200.00

Branigar's Dutch Hollow Lake Lot 18

(Parcel #044-0813-00000)

Appraised Value: \$1,100.00 Offer Amount: \$1,100.00

Black Forest Add to Branigar's Dutch Hollow Lake Lot 152

(Parcel #044-0933-00000)

Appraised Value: \$1,267.00 Offer Amount: \$1,267.00

Netherlands Add to Branigar's Dutch Hollow Lake Lot 523

(Parcel #044-1156-00000)

Appraised Value: \$1,560.00 Offer Amount: \$1,560.00

Netherlands Add to Branigar's Dutch Hollow Lake Lot 590

(Parcel #044-1223-00000)

Appraised Value: \$1,250.00 Offer Amount: \$1,250.00

Rhine Add to Branigar's Dutch Hollow Lake Lot 627

(Parcel #044-1275-00000)

Appraised Value: \$3,590.00 Offer Amount: \$3,590.00

RESOLUTION NO. 52 - 2019

AUTHORIZING ISSUANCE OF QUIT CLAIM DEED FOR PARCELS LOCATED IN THE TOWN OF LA VALLE AND TOWN OF WOODLAND TO ARISTOTLE LLC

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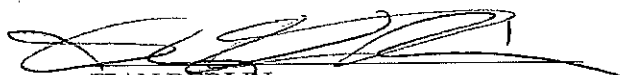
For consideration by the Sauk County Board of Supervisors on May 21, 2019.


Respectfully submitted,

SAUK COUNTY PROPERTY AND INSURANCE COMMITTEE:


SCOTT VON ASTEN, Chairperson


WILLIAM HAMBRECHT


JEAN BERLIN


CARL GRUBER


SHANE GIBSON

FISCAL NOTE: Sauk County funds invested in these properties totaled \$11,624.01. Funds received from the sale were \$13,767.00 *VRB*

MIS NOTE: No MIS impact

RESOLUTION NO. 59 - 2019

**AUTHORIZING ISSUANCE OF A QUIT CLAIM DEED FOR PARCEL
NO. 024-1051-00000 IN THE TOWN OF LA VALLE
TO RYAN R. HOOKER & PATRICIA A. HOOKER**

Background: Sauk County has taken a tax deed on the below described parcel. This property has been advertised as a Class III Notice under Chapter 985 of the Wisconsin Statutes and it remains unsold. Pursuant to Wisconsin Statutes 75.69, Sauk County may sell a parcel that remains unsold as long as the price received meets or exceeds the advertised aggregate appraised value. The appraised value is \$5,000.00. Ryan R. Hooker & Patricia A. Hooker have offered the sum of \$5,000.00

Fiscal Impact: ☐ None ☒ Budgeted Expenditure ☐ Not Budgeted

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors met in regular session that the Sauk County Clerk be and hereby is authorized and directed, having received \$5,000.00 from Ryan R. Hooker & Patricia A. Hooker on April 25, 2019, to issue a quit claim deed to Ryan R. Hooker & Patricia A. Hooker for the below described property:

Lot 49 of Lake Redstone Subdivision & the East half of vacated public access located between
Lots 49 & 50 of Lake Redstone Subdivision.
(Parcel #024-1051-00000)


Appraised Value: \$5,000.00 Offer Amount: \$5,000.00

For consideration by the Sauk County Board of Supervisors on May 21, 2019.

Respectfully submitted,

SAUK COUNTY PROPERTY AND INSURANCE COMMITTEE:


SCOTT VON ASTEN, Chairperson


WILLIAM HAMBRECHT


JEAN BERLIN


CARL GRUBER


SHANE GIBSON

FISCAL NOTE: Sauk County funds invested in this property totaled \$2,093.92. Funds received from the sale were \$5,000.00. *KPB*

MIS NOTE: No MIS impact

Annual Budget Process

Policy

Sauk County shall comply with the applicable Wisconsin Statutes, adopt the budget at the legal level of control which is department expenditures within individual funds, and utilize a decentralized operating budget approach incorporating strategic planning.

Policy Authorization

- Finance Committee action, June 13, 2017
- Finance Committee action, March 11, 2008
- Resolution 75-96, April 16, 1996
- Wis. Stats. 65.06 & 65.90

Procedure

1. The County shall formulate a budget, hold a public hearing, and publish a budget summary in compliance with Wis. Stats. 65.90.
2. A balanced budget shall be adopted and maintained throughout the entirety of the budget year. A balanced budget is defined as a financial plan in which operating (ongoing) expenditures or expenses do not exceed operating (ongoing) revenues over the long term.
3. A department's actual expenditure during a budget year may not exceed appropriated expenditures. (See Fin. Policy 15-95 "Appropriations")
4. All appropriations lapse at year-end, however, specific funds may carry forward to the next year by action of the County Board. No carry forward will be authorized unless specifically allowed by law. Requests for carry forward of funds between budget years should be submitted in writing to the Accounting Department for inclusion on a March resolution. (See Fin. Policy 3-96 "Carryforward Funds")
5. The budget preparation process shall include departmental participation with an emphasis on services provided. Each department and its Oversight Committee will request funding to support their recommended level of service for the budget year.
6. Departments will participate in strategic planning under the direction of the Administrative Coordinator and Finance Director.
7. Levy-funded positions within each department must be identified and budgeted for during the budget preparation period.
8. A capital outlay plan for the County will be developed and updated during the budget process. This plan will span five years.
9. Each year, a specific budget timeline and procedure will be developed by the Finance Committee with the assistance of the Administrative Coordinator and the Finance Director.
10. The Accounting Department will maintain a budgetary control system to ensure adherence to the budget and will prepare timely, monthly financial reports comparing actual revenues and expenditures to budgeted amounts.

The following changes were accepted by the Finance Committee 4-8-19:
Underline denotes NEW language. ~~Strikethrough~~ denotes REMOVED language.

Add definitions to create a new #1
Renummer all subsequent sections
Delete sentence regarding review of performance objective achieved in new #3

Funding Requests from Non-County Departments

1. Categories of non-county departmental funding requests:

- a. Organizations in which Sauk County has an ownership interest. These organizations shall be organizations in which Sauk County has rights and control over property, which may be an object, land/real-estate or intellectual property. The Corporation Counsel shall make final determinations of ownership.
- b. Organizations in which Sauk County has a seat on the board of directors or similar governing body. These organizations are outside agencies for purposes of this policy.
- c. Organizations with which Sauk County has a contract. These agencies are not outside agencies for purposes of the contracted service but may still request funding through the Grant Review Process for services not otherwise contracted.

1-2. To be considered for an outside agency appropriation, an organization must:

- a. Have a bona fide mission directly aligned with the public purpose mission of Sauk County; and,
- b. Have a target clientele or population directly aligned with those persons served by Sauk County; and,
- c. Provide services that intersect and/or overlap with services provided by Sauk County utilizing Sauk County funds; and,
- d. Be a viable going concern and can demonstrate sound management, or there is assurance that the purpose for which funds are requested shall be realistically pursued.

2-3. Outside agencies shall not include:

- a. Ownership - Organizations in which Sauk County has an ownership interest or joint venture.
- b. Contractual - Organizations with which Sauk County has a contractual relationship. If Sauk County is providing funding in exchange for performance of specific objectives, this likely constitutes a contractual relationship, and is not an outside agency relationship. A contract should be developed between Sauk County and the organization that defines the funding amount (appropriation), specific objectives to be achieved, and timing of contract performance and payment. ~~Outside agency appropriations are not subject to review of performance objectives achieved.~~

Budget requests of entities with which Sauk County has an ownership interest or contractual relationship shall be reviewed by the oversight committee most closely aligned with the organization.

3-4. Each appropriation shall be considered individually and independently, and shall be reviewed by the Corporation Counsel office for legal sufficiency. All contracts and outside agency appropriations must be within the requirements of the law, including the public purpose doctrine. Sauk County will not provide tax dollars to an organization for any purpose unless there is statutory authority for the County to perform the undertaking itself. Once received by the outside agency, funds shall be earmarked for the lawful purpose for which the funds were provided. Granting funding does not obligate the County to future continued funding.

4-5. Approval of appropriations to outside agencies will be made annually through Sauk County's budget process. The Sauk County oversight committee that most closely serves a similar population or whose departments have similar missions will review budget requests. If no standing committee is deemed appropriate by the County Board Chairperson, the Finance Committee shall consider the request. Although standard budget forms will be distributed to all outside agencies, oversight committees may request additional information as necessary. The oversight committee will forward a recommendation of outside agency funding level to the Finance Committee.

The Finance Committee prioritizes all County budget requests, and shall forward a budget recommendation to the County Board. The County Board shall adopt the budget, including outside agency requests. Requests for funds outside the budget process must be accompanied by documentation of an emergency or unforeseeable event.

- 5-6. Sauk County, through its oversight committees, reserves the right to revoke appropriations to outside agencies if any portions of this policy are violated. Oversight committees are responsible for interactions with outside agencies through funding levels, periodic reporting throughout the year, requests for documentation and/or audit, or other wishes of the oversight committee. Outside agencies may present a written request to modify use of the funds from the originally presented purpose for oversight committee consideration and possible approval.

The following changes were rejected by the Finance Committee 4-8-19:
Underline denotes rejected NEW language. ~~Strikethrough~~ denotes rejected REMOVAL of language.

In renumbered #4, do not strike "considered individually and independently, and shall be"
In renumbered #5 and #6, do not add grant funds and grant review process.

- 6-7. Each appropriation shall be ~~considered individually and independently, and shall be reviewed~~ by the Corporation Counsel office for legal sufficiency. All contracts and outside agency appropriations must be within the requirements of the law, including the public purpose doctrine. Sauk County will not provide tax dollars to an organization for any purpose unless there is statutory authority for the County to perform the undertaking itself. Once received by the outside agency, funds shall be earmarked for the lawful purpose for which the funds were provided. Granting funding does not obligate the County to future continued funding.

- 7-8. ~~Approval of appropriations~~ Grant funds to outside agencies will shall be made budgeted annually through Sauk County's budget process. Once grant funds are set aside, outside agencies may request funds through the Grant Review Process. The Sauk County oversight committee that most closely serves a similar population or whose departments have similar missions will review budget requests. If no standing committee is deemed appropriate by the County Board Chairperson, the Finance Committee shall consider the request. Although standard budget forms will be distributed to all outside agencies, oversight committees may request additional information as necessary. The oversight committee will forward a recommendation of outside agency funding level to the Finance Committee. The Finance Committee prioritizes all County budget requests, and shall forward a budget recommendation to the County Board. The County Board shall adopt the budget, including outside agency requests grant funding. Requests for funds outside the budget process Grant Review Process must be accompanied by documentation of an emergency or unforeseeable event.

- 8-9. Grant Review Process. Grant priorities shall be determined by Department Heads and Oversight Committees by functional group. Once grant priorities are determined, notification shall be made to the public regarding the availability of grants to meet the purposes of the grant priorities. A grant review committee shall be set up by the Administrative Coordinator and shall consist of experts in the community in each of the functional group areas. The grant review committee shall recommend grants and amounts to the Oversight Committee most closely aligned to the mission of the outside agency who shall review and approve all grants for \$10,000 and under. All grants over \$10,000 shall require County Board approval. Once a grant is awarded, the grant shall be monitored through the Department which most closely serves a similar population or whose departments have similar missions. Sauk County, through its oversight committees, reserves the right to revoke appropriations to outside agencies if any portions of this policy are violated. Oversight committees are responsible for interactions with outside agencies through funding levels, periodic reporting throughout the year, requests for documentation and/or audit, or other wishes of the oversight committee. Outside agencies may present a written request to modify use of the funds from the originally presented purpose for oversight committee consideration and possible approval.