

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

COMMITTEE: SAUK COUNTY BOARD OF SUPERVISORS – REGULAR MEETING
DATE: TUESDAY, JULY 21, 2015
TIME: 6:00 PM
PLACE: ROOM 326, WEST SQUARE BUILDING, 505 BROADWAY, BARABOO, WI

5:45 PM: LAW ENFORCEMENT AND JUDICIARY COMMITTEE in 3rd Floor, UW Extension Conference Room, West Square Building:

1. Call to Order and Certify Compliance with Open Meeting Law.
2. Adopt Agenda.
3. Consideration of Ordinance 8-2015 Amending Sauk Co. Code Ch. 6 To Conform To Amendments To State Statutes And To Provide For Towing Of Illegally Parked Vehicles.
4. Adjourn.

5:50 PM – FINANCE COMMITTEE in the Gallery of County Board Room, Room #326A to consider:

1. Call to Order and Certify Compliance with Open Meeting Law.
2. Adopt Agenda.
3. Consider approval of travel in excess of 300 miles for MIS staff to attend an Esri Holistic Testing event on August 10-13 in Redlands, California.
4. Approval of County vouchers.
5. Adjourn.

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.
- 6) Scheduled Appearances.
- 7) 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.
- 8) Communications.
 - a. Certified mail dated 06/19/2015– FEMA re: National Flood Insurance Program (NFIP). (Pages 4-5)
- 9) Bills & Referrals.
- 10) Claims.
- 11) Appointments.
 - a. Sauk County Clerk:
Rebecca C. Evert, new appointment, filling a vacancy created by the upcoming retirement of Rebecca A. DeMars, County Clerk, commencing on 08/25/2015 and expiring 01/02/2017.
- 12) Unfinished Business.
- 13) Reports – informational, no action required.
 - a. Rebecca A. DeMars, 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 15-2015, Applicant: Sauk County Conservation, Planning and Zoning Department;
Project Location: Sauk County; Proposed Zoning: Zoning Text Change. (Pages 6-13)

- b. Supervisor Fordham, Vice Chair – Executive & Legislative Committee.
- c. Marty Krueger, County Board Chair
 - Upcoming Vacancy due to retirement of Rebecca A. DeMars, County Clerk (*Chair will speak to this when appointment is up for consideration);
 - Process & Timeline: County Administrator or Administrative Coordinator;
 - WEDC Grant Application: Great Sauk Trail;
 - Board Summer Social.
- d. Brentt P. Michalek, Interim, Administrative Coordinator.

14) Consent Agenda:

HEALTH CARE CENTER BOARD OF TRUSTEES:

Resolution 73-2015 Resolution Commending Mary Parkhurst For 37 Years Of Faithful Service To The People Of Sauk County. (Page 14)

15) Resolutions & Ordinances:

CONSERVATION, PLANNING AND ZONING COMMITTEE:

Ordinance 6-2015 Petition 12-2015. Approving The Rezoning Of Lands In The Town Of Ironton From An Exclusive Agriculture To A Recreation Commercial Zoning District Filed Upon William And Debbie Kinsman, Property Owners. (Pages 15-25)

Ordinance 7-2015 Repealing Sauk Co. Code, Chapter 23, Tower Siting Ordinance, Creating Sauk Co. Code Chapter 7, Subchapter XI, Mobile Tower Siting, Amending Sauk Co. Code Chapter 7, And Amending Sauk Co. Code Chapter 20. (Petition 14-2015). (Pages 26-41)

Resolution 74-2015 Approving The Purchase Of A Conservation Streambank Easement For The Robert A. And Sandra L. Greenwood Property Pursuant To The Implementation Agreement Between The Wisconsin Department Of Transportation And Sauk County. (Pages 42-44)

Resolution 75-2015 Approving An Amendment To The Town Of Merrimac Zoning Ordinance By Creating Section 2.33 Mobile Tower Siting Permits. (Pages 45-49)

Resolution 76-2015 Authorizing Attendance At Southern Area Association Meeting. (Page 50)

EXECUTIVE AND LEGISLATIVE COMMITTEE:

Resolution 77-2015 Authorizing The Purchase Of A New Electronic Voting System And Voting Equipment. (Pages 51-53)

Resolution 78-2015 Expressing Opposition To The Acquisition Of Land In Trust By The Federal Government For the Benefit Of The Ho-Chunk Nation In The Town Of Delton. (Pages 54-59)

LAW ENFORCEMENT AND JUDICIARY:

Ordinance 8-2015 Amending Sauk Co. Code Ch. 6 To Conform To Amendments To State Statutes And To Provide For Towing Of Illegally Parked Vehicles. (Pages 60-61)

PROPERTY & INSURANCE COMMITTEE:

Resolution 79-2015 Rescinding So Much of Resolution No. 118-2014 Involving The Taking Of A Tax Deed On Parcel Number 030-1139-10000 In The Town Of Reedsburg And More Particularly Described Below. (Page 62)

Resolution 80-2015 Authorization To Contract With Johnson Controls Inc To Upgrade The Pneumatic Controls In The West Square Facility To Digital. (Pages 63-65)

Resolution 81-2015 Authorization To Contract With Technology Solutions Group Inc. To Complete Voice Mail System Upgrade. (Pages 66-67)

Resolution 82-2015 Authorizing To Purchase 2016 Ford Super Duty F-250 Regular Cab Truck with Snow Plow. (Page 68)

Resolution 83-2015 Authorizing To Purchase 2016 John Deere Tractor with Attachments. (Pages 69-70)

16) Adjournment to a date certain.

Respectfully,



Martin F. Krueger
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 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: July 16, 2015.

Agenda Preparation: Marty Krueger, County Board Chair, with the assistance of Brent Michalek, Interim, Administrative Coordinator and Rebecca A. DeMars, County Clerk

s:/admin/Co Bd Agendas/2015/ctybdagendJULY2015



FEMA

JUN 19 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Marty Krueger
Chairperson, County Board
Sauk County
West Square Building
505 Broadway, Room 140
Baraboo, Wisconsin 53913

RECEIVED

JUN 23 2015

SAUK COUNTY BOARD CHAIR
BARABOO, WISCONSIN

Dear Mr. Krueger:

I commend you for the efforts that have been put forth in implementing the floodplain management measures for Sauk County, Wisconsin, to participate in the National Flood Insurance Program (NFIP). As you implement these measures, I want to emphasize the following:

- a Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) have been completed for your community;
- the FIS and FIRM will become effective on October 2, 2015; and
- by the FIS and FIRM effective date, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) Regional Office is required to approve the legally enforceable floodplain management measures your community adopts in accordance with Title 44 Code of Federal Regulations Section 60.3(d).

As noted in FEMA's letter dated April 2, 2015, no significant changes have been made to the flood hazard data on the Preliminary and/or revised Preliminary copies of the FIRM for Sauk County. Therefore, Sauk County should use the Preliminary and/or revised Preliminary copies of the FIRM as the basis for adopting the required floodplain management measures. Final printed copies of the FIRM for Sauk County will be sent to you within the next few months.

If you encounter difficulties in enacting the measures, I recommend you contact the Wisconsin Department of Natural Resources. You may contact Gary Heinrichs, the NFIP State Coordinator, by telephone at (608) 266-3093, in writing at WT/3, Post Office Box 7921, Madison, Wisconsin 53707-7921, or by electronic mail at gary.heinrichs@wisconsin.gov.

The FEMA Regional staff in Chicago, Illinois, is also available to provide technical assistance and guidance in the development of floodplain management measures. The adoption of compliant floodplain management measures will provide protection for Sauk County and will ensure its participation in the NFIP. The Regional Office may be contacted by telephone at (312) 408-5500 or in writing. Please send your written inquiries to the Director, Federal Insurance and Mitigation Division, FEMA Region V, at 536 South Clark Street, Sixth Floor, Chicago, Illinois 60605.

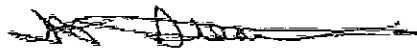
Marty Krueger

Page 2

You may have already contacted the NFIP State Coordinator and/or the FEMA Regional Office, and may be in the final adoption process or recently adopted the appropriate measures. However, in the event your community has not adopted the appropriate measures, this letter is FEMA's official notification that you only have until October 2, 2015, to adopt and/or submit a floodplain management ordinance that meets or exceeds the minimum NFIP requirements, and request approval from the FEMA Regional Office by the effective date. Your community's adopted measures will be reviewed upon receipt and the FEMA Regional Office will notify you when the measures are approved.

I appreciate your cooperation to ensure that your community's floodplain management measures are approved by the FEMA Regional Office by October 2, 2015. Your compliance with these mandatory program requirements will enable your community to avoid suspension from the NFIP.

Sincerely,



David H. Stearrett, CFM, Chief
Floodplain Management Branch
Federal Insurance and Mitigation Administration

cc: Andrew Velasquez, III, Regional Administrator, FEMA Region V
Gary Heinrichs, NFIP State Coordinator, Wisconsin Department of Natural Resources
Brent P. Michalek, Director, Conservation, Planning and Zoning, Sauk County

Petition # 15 - 2015

2015 DEVELOPMENT APPLICATION

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

RECEIVED

JUL - 22 2015

SAUK COUNTY CLERK
BARABOO, WISCONSIN

Instructions:

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

TYPE OF APPLICATION: (Please circle one or more)

Rezoning Conditional Use Subdivision Plat Zoning Text Change

ZONING: N/A

NAME OF SUBDIVISION (if applicable) _____

PROJECT
LOCATION Sauk County

TOWNSHIP _____

PROPERTY
OWNER _____

APPLICANT Sauk County Conservation, Planning, and Zoning Department

PHONE
NUMBER 608-355-3285

MAILING
ADDRESS West Square Building, 505 Broadway, Baraboo, WI 53913

SIGNATURE OF APPLICANT _____ DATE _____

Fee Paid _____

Receipt # _____ (Credit Account # 10063-444240)

c: Corporation Counsel's Office
Planning and Zoning Office
County Clerk - For reporting at the next County Board of Supervisors meeting Y/N
County Supervisor _____

PROJECT FACTS

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

Name of Subdivision (if applicable) _____

Total Site Area (Acres) _____ (Square Feet) _____

	<u>Existing zoning</u>	<u>Existing land use</u>
Subject Area	_____	_____
North	_____	_____
South	_____	_____
East	_____	_____
West	_____	_____

JUSTIFICATION STATEMENT

1. General description of the request.

Please see attached memo dated July 2015.

2. Related background information on the project and site.

Please see attached memo dated July 2015.

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

Please see attached memo dated July 2015.

SITE/PLOT PLAN

Submit the following plan(s):

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

SAUK COUNTY PLANNING AND ZONING
OWNER'S CONSENT FORM

5

_____, the sole owner of record of the
Owner's Name

property legally described as:

As determined by each town upon town adoption of the recreated Chapter 7 of the Sauk County Zoning ordinance.

states that he/she has thoroughly examined and is familiar with the application submitted to Sauk County Office of

Planning and Zoning submitted by Brian Simmert, on behalf
Agent/Representative

of Conservation, Planning, and Zoning Department and expressly consents to the use of
the

Applicant/Owner's Name

subject property for the purpose Zoning Text Change described in the
Type of Request

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

By _____
Owner's Name

SURVEY/PLAT

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

OTHER INFORMATION

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

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



Conservation, Planning, and Zoning Department
505 Broadway, Baraboo, Wisconsin 53913
(608) 355-3245 www.co.sauk.wi.us

TO: Sauk County Board of Supervisors, and Town Clerks.

FROM: Conservation, Planning, and Zoning Department

DEPARTMENT CONTACT: Brian Cunningham, Deputy Director

DATE: July 2015

RE: Staff report pertaining to the revised Flood Insurance Rate Maps (FIRMs), Flood Insurance Study (FIS) report, and sundry amendments to the Sauk County Chapter 9 Floodplain Zoning Ordinance.

Summary of Changes

Each time Federal Emergency Management Agency (FEMA) provides a community with new or revised flood hazard data, the community must either adopt new floodplain management regulations, or amend its existing regulations to reference the new Flood Insurance Rate Maps (FIRMs) and Flood Insurance Study (FIS) report. The Preliminary revised FIRMs and FIS report include flood hazard information for southern Sauk County, located mainly along the Wisconsin River from Prairie du Sac to Lone Rock. Since Sauk County just adopted the state model ordinance on October 15, 2013 the Conservation, Planning, and Zoning committee is proposing this update as an amendment to the Sauk County Chapter 9 Floodplain Zoning Ordinance.

For questions please contact Brian Cunningham, Deputy Director Conservation, Planning, and Zoning Department of Sauk County (608) 355-4833 or e-mail to bcunningham@co.sauk.wi.us

History/Information

Sauk County received a Letter of Final Determination (LFD) from FEMA dated April 2, 2015, which notified the County that the new FIRMs and FIS report will be effective as of October 2, 2015.

FEMA has posted digital copies of these FIRM and FIS report materials to the following Website: <http://www.fema.gov/preliminaryfloodhazarddata>. Sauk County has also posted this data on our GIS website.

The revised County Floodplain Zoning Ordinance and maps must be adopted by October 2, 2015 according to State and FEMA deadlines, given in the April 2, 2015 letter. This requires that the County's Floodplain Zoning Ordinance must be revised and approved by the DNR and FEMA no later than the October deadline or the County will be suspended from the National Flood Insurance Program (NFIP).

The NFIP was established with the passage of the National Flood Insurance Act of 1968. The NFIP is a Federal program enabling property owners in participating communities to purchase insurance as a protection against flood losses in exchange for State and community floodplain management regulations that reduce future flood damages. According to the 2011 *State of Wisconsin Hazardous Mitigation Plan Document*, which is produced by the Wisconsin Department of Natural Resources, the county received \$26,113,564 in disaster relief funds for the 2008 flood.

Sauk County is aware that by not approving the county floodplain zoning ordinance and subsequent maps the citizens of the county and the county itself will no longer be eligible for:

1. NFIP flood insurance policies;
2. Federal grants or loan for development from the Department of Housing and Urban Development, the Environmental Protection Agency, and the Small Business administration;
3. Federal disaster assistance will not be provided to repair buildings located in flood hazard areas;
4. Federal mortgage insurance or loan guarantees will not be provided in identified flood hazard areas by the Federal Housing Administration and Department of Veteran Affairs;
5. Conventional lending institutions must identify those applications for home loans for property in a flood hazard area is not eligible for Federal disaster relief.

1. Recommendation

The proposed amendment is required pursuant to Wis. Stat. § 87.30 and Wis. Admin. Code NR 116.05. By approving the revised floodplain ordinance the county will be reaffirming that it is of great benefit for the county and its residents to remain a participant in FEMA's National Flood Insurance Program.

Given this analysis, staff does make a recommendation on this petition that the Conservation, Planning, and Zoning Committee approve Petition #15-2015.

Report submitted by Brian Cunningham, Sauk County Conservation, Planning, and Zoning office.

July 2, 2015

TO THE MEMBERS OF THE SAUK COUNTY CONSERVATION, PLANNING, AND ZONING
COMMITTEE:

Judy Ashford, S6611 Bluff Road, Merrimac, WI 53561
John Dietz, S4821 Golf Course Road, Reedsburg, WI 53559
Joseph Fish, E8664 N Reedsburg Road, Reedsburg, WI 53959
Nathan Johnson, E5245 County Road V, LaValle, WI 53941
Gerald Lehman, S4263 Meyer Rd., Reedsburg, WI 53559
Eric Peterson, S9801 Exchange Road, Prairie du Sac, WI 53578
Dennis Polivka, E3681 County Road JJ, Spring Green, WI 53588

Hearing of Zoning Text Change Petition:

Petition #15-2015 Zoning Text Change. A petition to amend Sauk County Chapter 9,
Floodplain Zoning Ordinance to adopt updated Flood Insurance Rate Maps and the
Flood Insurance Study report dated October 2, 2015.

Please take note:

A hearing on the above Petition has been scheduled for TUESDAY, July 28, 2015 at 10:00 a.m.
in the COUNTY BOARD ROOM.

A copy of the Notice of Hearing is enclosed.

Sincerely,



Brian Simmert, AICP
Senior Planner

Copy (with enclosure) to:

Sauk County Clerk, Sauk County West Square Building
Town Clerks (certified mail)
Affected Airports in Sauk County

OFFICE OF
SAUK COUNTY CONSERVATION, PLANNING AND ZONING

SAUK COUNTY WEST SQUARE BUILDING
505 BROADWAY
BARABOO, WI 53913
Telephone: (608) 355-3285

NOTICE

PLEASE TAKE NOTICE, that the Conservation, Planning, and Zoning Committee of the Sauk County Board of Supervisors will hold a public hearing on July 28, 2015, at 10:00 a.m. or as soon thereafter as the matter may be heard, in the County Board Room at the Sauk County West Square Building in the City of Baraboo to consider:

- I. A. Petition 15-2015 Zoning Text Change. A petition to amend Sauk County Chapter 9, Floodplain Zoning Ordinance to adopt updated Flood Insurance Rate Maps and the Flood Insurance Study Report dated October 2, 2015.
- B. Testimony of persons to appear at the public hearing; any person so desiring will be given a reasonable opportunity to express their opinions on the matter before the Committee.
- II. A. The proposed amendment is required pursuant to Wis. Stat. § 87.30 and Wis. Admin Code NR116.05
- B. Any person desiring more information or to request copies of related maps and studies may contact may contact the Sauk County Conservation, Planning and Zoning Office, Brian Cunningham at the Sauk County West Square Building (Telephone 608/355-4833). Copies of the proposed maps and studies may also be obtained from the Sauk County Clerk.

Date: July 3, 2015

SAUK COUNTY CONSERVATION, PLANNING AND ZONING COMMITTEE

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

To be published July 16, 2015 and July 23, 2015

For office use only: Pet No. 15-2015

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

RESOLUTION No. 13 - 15

Commending **Mary Parkhurst** for 37 Years of Faithful Service
to the People of Sauk County

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

WHEREAS, **Mary Parkhurst** has faithfully served the people of Sauk County as a Dietary Aid and Cook at the Sauk County Health care Center for a total of 37 years; and

WHEREAS, **Mary Parkhurst** retired from the Health Care Center on June 17, 2015;

NOW, THEREFORE, BE IT RESOLVED, that the Sauk County Board of Supervisors hereby expresses its appreciation and commends **Mary Parkhurst** for 37 faithful years of service to the people of Sauk County;

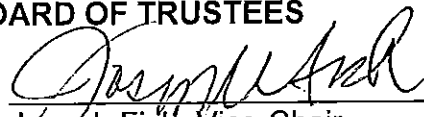
AND, BE IT FURTHER RESOLVED, that the Chairman of the Sauk County Board of Supervisors is hereby directed to present to **Mary Parkhurst** an appropriate certificate and commendation as a token of our esteem.

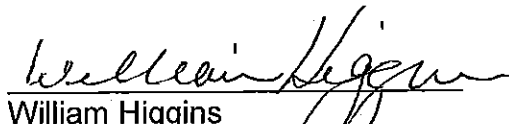
For consideration by the Sauk County Board of Supervisors on July 21 2015.

Respectfully submitted,

SAUK COUNTY HEALTH CARE CENTER BOARD OF TRUSTEES



Mary Ellen Murray, Chair

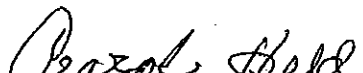

Joseph Fish, Vice-Chair


William Higgins


Terri Langer


Henry Netzinger


Tut Gramling


Carol Held

No Fiscal Impact
No Information System Impact

KPB

ORDINANCE NO. 6 -2015

**PETITION 12-2015. APPROVING THE REZONING OF LANDS IN THE
TOWN OF IRONTON FROM AN EXCLUSIVE AGRICULTURE TO A RECREATION
COMMERCIAL ZONING DISTRICT FILED UPON WILLIAM AND DEBBIE KINSMAN,
PROPERTY OWNERS.**

WHEREAS, a public hearing was held by the Conservation, Planning, and Zoning Committee upon petition 11-2015 as filed by William and Debbie Kinsman, property owners, for a change in the zoning of certain lands from an Exclusive Agriculture to a Recreation Commercial Zoning District; and

WHEREAS, the purpose of the request is to allow for the establishment of a facility to host events such as weddings, dances, and benefits; and

WHEREAS, the Town of Ironton Town Board has approved the rezone request; and

WHEREAS, the Conservation, Planning, and Zoning Committee reviewed and discussed the request as described in petition 12-2015; and

WHEREAS, your Committee, based upon the facts of the request and public testimony heard at the public hearing on June 23, 2015, recommended to the Sauk County Board of Supervisors that the petition be approved.

NOW, THEREFORE, BE IT ORDAINED, by the Sauk County Board of Supervisors met in regular session, that the rezoning of the aforementioned lands, more specifically described in petition 12-2015, as filed with the Sauk County Clerk, under the Sauk County Zoning Ordinance, Chapter 7 SCCO, be Approved.

For consideration by the Sauk County Board of Supervisors on July 21, 2015.

Respectfully submitted,

CONSERVATION, PLANNING, AND ZONING COMMITTEE

GERALD LEHMAN, CHAIR

JUDY ASHEORD

JOHN DIETZ

JOSEPH FISH

NATHAN JOHNSON

ERIC PETERSON

DENNIS POLIVKA

Fiscal Note: No Impact
MIS Note: No Impact

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

NOTICE

PLEASE TAKE NOTICE, that the Conservation, Planning, and Zoning Committee of the Sauk County Board of Supervisors will hold a public hearing on June 23, 2015, at 10:00 a.m. or as soon thereafter as the matter may be heard, in the County Board Room at the Sauk County West Square Building in the City of Baraboo to consider:

- I. A. Petition 12-2015 Rezone and Conditional Use. A petition to rezone certain lands from an Exclusive Agriculture to a Recreation Commercial district pursuant to Chapter 7, Sauk County Zoning Ordinance. A petition to consider a conditional use permit pursuant to s.7.031(2) Eating establishment with alcohol, liquor, or malt beverages and 7.035(3) Recreation facility, outdoor. Said rezone and conditional use is located in the Town of Ironton, Sauk County, Wisconsin.

Lands to be affected by the proposed rezone are located in Section 32, T12N, R3E, Town of Ironton, and further described in Petition 12-2015.
- B. Testimony of persons to appear at the public hearing; any person so desiring will be given a reasonable opportunity to express their opinions on the matter before the Committee.
- II. A. The purpose of the proposed rezone is to establish a facility to host events such as weddings, dances, and benefits..
- B. Any person desiring more information may contact the Sauk County Conservation, Planning and Zoning Office, Brian Simmert at the Sauk County West Square Building (Telephone 608/355-4834).

Date: June 3, 2015

SAUK COUNTY CONSERVATION, PLANNING AND ZONING COMMITTEE

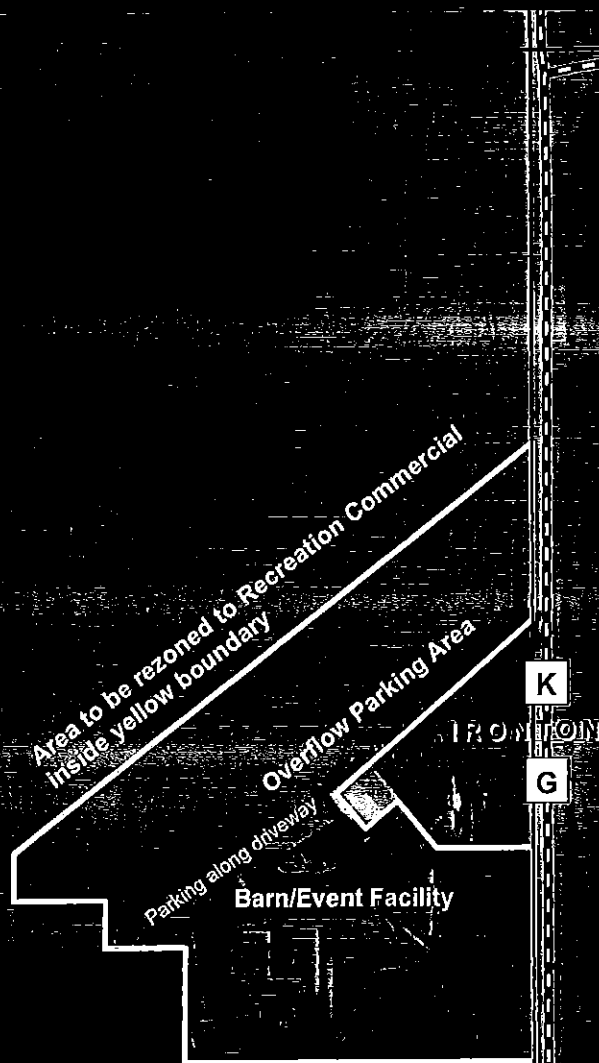
BY: BRIAN SIMMERT
Sauk County Department of Planning and Zoning
505 Broadway Street
Sauk County West Square Building
Baraboo, WI 53913

To be published June 11, 2015 and June 18, 2015

For office use only: Pet. No. 12-2015

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

William & Debbie Kinsman, Rezone Petition 12-2015



Legend

Rezoned Centerline

County Road

Sauk County

Conservation

Planning

and Zoning

Department

Zoning

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Staff Report
Conservation, Planning, and Zoning Committee
William & Debbie Kinsman, applicant/property owner
Rezone Petition 12-2015

Hearing Date: June 23, 2015

Applicant:

William & Debbie Kinsman

Staff:

Brian Simmert, CPZ

355-4834

bsimmert@co.sauk.wi.us

Current Zone:

Exclusive Agriculture

Proposed Zone:

Recreation Commercial

Relevant Plans:

Town of Ironton Comprehensive

Area to be Rezoned:

4.36 acres

Applicable Zoning Regulations:

7.031(2) Eating establishment with alcohol, liquor, or malt beverages.

7.035(3) Recreation facility, outdoor

Notification:

(by U.S. mail, except newspaper)

June 3, 2015: Newspaper

June 3, 2015: CPZ Committee

June 3, 2015: Town Clerk

June 3, 2015: Adjacent Landowners

Town Board Recommendation:

May 11, 2015: Approval of Rezone

Exhibits:

A. Map of area to be rezoned (cover)

Request

William & Debbie Kinsman, hereafter referred to as 'applicants,' are requesting a rezone from an Exclusive Agriculture to a Recreation Commercial zoning district. The purpose of the rezone request is to establish a facility to host events such as weddings, dances, and benefits. According to the applicants, an existing barn was refurbished in 2014 for an agriculture themed wedding and reception area for a family member and the intention is to utilize the barn and surrounding outside area for events on a rental basis. The applicants anticipate 4-5 event per year.

Legal Description of Area

A parcel located in the NE ¼, NE ¼ Section 32, T12N, R3E, Town of Ironton, Sauk County, Wisconsin, containing 4.36 acres.

Background

William and Debbie Kinsman are requesting a rezone to the recreation commercial zoning district to establish a facility to host wedding and related events.

If the rezone is approved, the applicant will be able to seek a land use permit for the following uses pursuant to the Sauk County Zoning Ordinance sections:

7.035 (2) Recreation Facility, indoor

The applicant will also need approval of a Conditional Use Permit by the Conservation, Planning, and Zoning Committee for outside recreation and serving of alcoholic beverages pursuant to the Sauk County Zoning Ordinance section:

7.035(3) Recreation facility, outdoor

7.031(20) Eating establishment with alcohol, liquor, or malt beverages

Pending the approval of the rezone and conditional uses and all permits being issued, the applicant may begin operations by late July/early August.

Parking and Access

The site will be designed to exceed parking requirements pursuant to the Sauk County Zoning Ordinance section 7.092 (5) Parking Requirements (a) Intensive Parking , which requires a parking to be provided at a rate of 9 vehicles per 1,000 feet of floor area. The total square footage of floor area provided by the barn facility is approximately 6,000 square feet which would require 54 parking spaces. Parking will be provided along existing gravel drives located throughout the area to be rezoned.

Access to the site will be provided by an existing driveway from County Road G that is currently used by an existing residence. The Sauk County Highway Department did not identify any safety issues related to this access.

Town of Ironton

The Town of Ironton recommended approval of the rezone and conditional use at their May 11, 2015 Town Board meeting. While the Town of Ironton's Comprehensive Plan designates the area requested to be rezoned as agriculture, the town's action suggests that they believe that a "wedding barn" is consistent with agriculture uses and the therefore the rezone is appropriate.

Adjacent Zoning and Land Uses (also shown in Exhibit A)

Direction	Zoning	Land Use
Property	Exclusive Agriculture	Farm Buildings
North	Exclusive Agriculture	Farm Field
South	Exclusive Agriculture	Farm Field
East	Exclusive Agriculture	Farm Field
West	Exclusive Agriculture	Farm Field

Zoning Map Amendment Standards pursuant to 7.141(8)

In its review and action on the application, the agency (CPZ Committee) shall make findings with respect to the following criteria:

- (a) The proposed map amendment is consistent with the overall purpose and intent of this chapter (Sauk County Zoning Ordinance).

Staff comment: The rezone as proposed is consistent with the overall purpose and intent of the Sauk County Zoning Ordinance which is to protect public health, safety and welfare of Sauk County residents and the public, to plan for future development of communities, and to further the purposes contained in Wis. Stat. § 59.69(1).

- (b) The proposed map amendment is consistent with the Sauk County Comprehensive Plan and the Farmland Preservation Plan, if applicable.

Staff comment: Both the Sauk County Farmland Preservation Plan and Sauk Comprehensive Plan do not provide direct guidance to decision makers regarding a rezone out of Exclusive Agriculture zoning to accommodate a 'wedding barn' facility. However, the facility will add value to the agriculture industry by allowing diversification and providing positive exposure to agriculture as a livelihood. The proposed use may also contribute to existing and future agriculture related opportunities, such as bed and breakfasts, further diversifying the rural economy. Both the Sauk County Farmland Preservation and in particular, the Sauk County Comprehensive Plan support this type of rural economic development.

- (c) Factors have changed from the time of initial ordinance adoption that warrant the map change, or an error, inconsistency, or technical problem administering this chapter as currently depicted has been observed.

Staff comment: The county zoning ordinance was repealed, recreated, and adopted by the Sauk County Board of Supervisors in February 2014. The official zoning maps included as part of the new zoning ordinance are not meant to anticipate future land uses, thereby applying certain zoning on an assumption of future land uses. The zoning ordinance does, however, include a rezoning process to evaluate zoning changes on current conditions and needs basis.

The following item (d) is pursuant to Wis. Stat. ch 91 and the Sauk County Zoning Ordinance.

- (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 or land that are zoned for or legally restricted to agricultural use.

Staff comment: Items (a) through (c) above largely address item (d) 1-3. To further address item (d) 4., the rezone and proposed use will be confined to a small portion of the property and it is not anticipated that the use will have a negative impact on the surrounding parcels and agricultural uses, other than occasional higher volumes of traffic before and after events that may coincide with the use of the same roads by agricultural equipment.

Committee Action Options

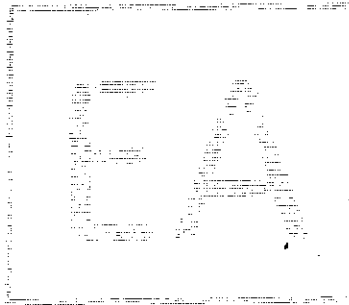
Approve Petition 12-2015, based on the facts of the request presented at the public hearing, that the Town of Ironton Board recommends approval of the rezone, and that the proposed rezone appears to be consistent with respective plans and meets the standards and findings for rezoning pursuant to 7.141(8).

Disapprove Petition 12-2015, based on the facts of the request presented at the public hearing and that the rezone does not meet the standards and findings for rezoning pursuant to 7.141(8).

Modify and Approve Petition 12-2015. Not Recommended.

Staff Recommendation

Staff recommends that the CPZ Committee base their decision upon the findings on whether the standards and findings pursuant to 7.141(8) are met and recommendation from the Town of Ironton. If the Committee believes the standards are met, staff recommends approval of petition 12-2015.



Exclusive Agriculture Zoning District

Chapter 7 Sauk County Zoning Ordinance, Subchapter IV

This information herein is only a brief summary of the zoning district and may not be a complete and accurate representation of the applicable law. This information is not meant to replace or change the existing Sauk County Ordinances. Sauk County makes no representations or warranties with respect to the accuracy of the information presented and its employees shall not be liable for any loss, damage or inconvenience arising from the use of the information contained herein.

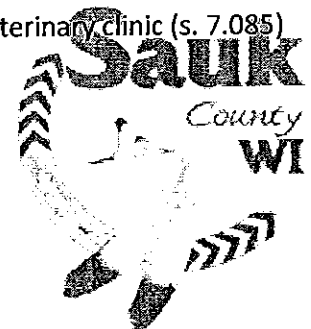
The exclusive agriculture (EA) zoning district provides for the conservation of natural resources while maintaining and enhancing a diverse, economically viable, commercial agricultural base.

Permitted Uses (Land use permit required)

- **Agricultural uses**
 - Agriculture incubator
 - Aquaculture facility (s. 7.045)
 - Food processing facility (s. 7.084)
 - Agriculture (s. 7.046)
 - Roadside stand and farmer's market (s. 7.076)
- **Community uses**
 - Child care center, 8 or fewer people (s. 7.051)
- **Food business uses**
 - Grocery store, confectionary, bakery, deli, and meat market (s. 7.084)
- **General Uses**
 - Accessory structure, detached (s. 7.075)
 - Accessible elements (s. 7.081)
 - Ponds (depending on size – see s. 7.063)
- **Home business uses**
 - Home-based business (depending on size, s. 7.052)
- **Recreational living uses**
 - Camping (s. 7.055)
- **Residential uses**
 - Dwelling temporarily used during construction (s. 7.057)
- **Resource uses**
 - Solar energy system (s. 7.078)
 - Wind energy system (s. 7.078)
 - Gasification energy system (s. 7.078)
- **Storage and fabrication uses**
 - Seasonal storage of recreational equipment and motor vehicles (s. 7.082)

Conditional Uses (Conservation, Planning, & Zoning Committee approval + land use permit required)

- **Agricultural uses**
 - Agriculture-related business
 - Agricultural tourism (s. 7.044)
 - Sawmill (s. 7.048)
 - Livestock harvest facility (s. 7.049)
 - Stable and equestrian facility (s. 7.049)
- **Art uses**
 - Art gallery (s. 7.050; s. 7.052)
 - Art studio (s. 7.050; s. 7.052)
- **Community uses**
 - Cemetery, mausoleum (s. 7.074 (1))
 - Government facilities, buildings, and uses (s. 7.074 (1); s. 7.080)
 - Places of worship (s. 7.074 (1))
- **Education uses**
 - Library, museum (s. 7.074 (1))
 - Public/private elementary and secondary schools, colleges, universities, technical institutes, and related facilities (s. 7.074 (1))
- **Recreational uses**
 - Sport shooting range (s. 7.054)
- **Recreational living uses**
 - Bed and breakfast establishment (s. 7.083)
- **Residential uses**
 - Single family dwelling (s. 7.7074 (3); Subch. IX; s. 7.075)
 - Multiple family dwelling, 2 units
 - Temporary secondary dwelling for dependency living arrangements or agricultural use (s. 7.059)
- **Resource uses**
 - Transportation, communications, pipeline, electric transmission, utility, or drainage uses
- **Retail sales and service uses**
 - Animal grooming, veterinary clinic (s. 7.085)



Special Exceptions (Board of Adjustment approval + land use permit required)

- **Recreational living uses**
 - Lodging house (s. 7.083)
- **Resource uses**
 - Nonmetallic mining site, < 1 acre, not exceeding 24 months (S. 7.061, s 7.074 (2))
 - Nonmetallic mining site, 1-15 acres, not exceeding 24 months (s. 7.062 s 7.074 (2))

Lot Area, Setbacks, & Height Requirements (Subchapter VII)

- **Minimum lot area:** 35 acres (see Subch. IX for exceptions)
- **Minimum lot width at building setback line:** 100 feet
- **Maximum building height**
 - Principal: 45 feet
 - Accessory: 75 feet
- All accessory structures now require a land use permit
- **Principal and accessory structure minimum setbacks**
 - Side: 10 feet
 - Rear: 25 feet
 - Front: 25 feet
 - Fences and walls > 6 ft tall and > 50% opacity are considered structures, so they require a permit and must meet setback requirements
- **Minimum floor area of principal structure:** 500 feet (s. 7.093 (10))
- **Road setbacks** (distance from right-of-way line)
 - State and Federal highways: 50 feet
 - County roads: 42 feet
 - Town roads: 30 feet
 - Exceptions: see s. 7.098 (4)
- **Structures permitted within setbacks**
 - Bay windows, balconies, chimneys, etc. extending < 3 feet into setback
 - Platforms, walks, and drives < 6 inches above average ground level
 - Fences and walls > 6 ft tall and > 50% opacity are considered a structure (see s. 7.144 (3))

Setback Requirements for Livestock-Related and Manure Storage Structures

- **Livestock structures, < 1,000 animal units:** 100 feet from road and property line
- **Livestock structures, > 1,000 animal units:** 150 feet from road, 200 feet from property line
- **Manure storage structures:** 350 feet from road and property line

Exclusive Agriculture Zoning District Secondary Standards

- A conditional use permit pursuant to Wis. Stat. 91.46 (2)(c) must be obtained for construction of a dwelling in an EA zone



RCOM

Recreation Commercial Zoning District

Chapter 7 Sauk County Zoning Ordinance, Subchapter IV

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The recreation commercial (RCOM) zoning district provides for a broad range of recreational uses. This district is intended to accommodate retail and service establishments in order to promote economic vitality.

Permitted Uses (Land use permit required)

- **Agricultural uses**
 - Agriculture incubator
 - Landscaping center
 - Roadside stand and farmer's market (s. 7.076)
- **Art uses**
 - Art gallery (s. 7.050)
 - Art studio (s. 7.050)
- **Community uses**
 - Government facilities, buildings, and uses (s. 7.074 (1); s. 7.080)
 - Places of worship (s. 7.074 (1))
- **Education uses**
 - Library, museum (s. 7.074 (1))
 - Public/private elementary and secondary schools, colleges, universities, technical institutes, and related facilities (s. 7.074 (1))
- **Food business uses**
 - Eating establishment without alcohol, liquor, or malt beverages
 - Grocery store, confectionary, bakery, deli, and meat market (s. 7.084)
- **General Uses**
 - Accessory structure, detached (s. 7.075)
 - Accessible elements (s. 7.081)
 - Ponds (depending on size – see s. 7.063)
- **Home business uses**
 - Home-based business (depending on size, s. 7.052)
- **Industrial uses**
 - Fabrication and assembly of parts
 - Lab or research facilities
- **Recreational uses**
 - Recreation facility, indoor
- **Recreational living uses**
 - Hotel, motel
- **Residential uses**
 - Community living arrangements (depending on size, see s. 7.056)
 - Dwelling temporarily used during construction (s. 7.057)
 - Single family dwelling (s. 7.075; s. 7.074 (3); Subch. IX)
- **Resource uses**
 - Solar energy system (s. 7.078)
 - Wind energy system (s. 7.078)
 - Transportation, communications, pipeline, electric transmission, utility, or drainage uses (s. 7.074 (1))
- **Retail sales and service uses**
 - Animal grooming, veterinary clinic
 - Auction facility, flea market facilities
 - Building material sales (indoor storage only)
 - Retail establishment, indoor

Conditional Uses (Conservation, Planning, & Zoning Committee approval + land use permit required)

- **Agricultural uses**
 - Agricultural tourism (s. 7.044)
 - Sawmill (s. 7.048)
 - Livestock harvest facility (s. 7.049)
- **Community uses**
 - Child care center, 9 or more people (s. 7.051)
- **Food business uses**
 - Eating establishment with alcohol, liquor, or malt beverages
- **Industrial uses**
 - Outside product or equipment testing, truck terminals, refining, distribution center

Conditional Uses (continued)

- **Recreational uses**
 - Recreation facility, outdoor (s. 7.053)
 - Sport shooting range (s. 7.054)
- **Recreational living uses**
 - Bed and breakfast establishment (s. 7.083)
 - Resort (s. 7.087)
- **Residential uses**
 - Multiple family dwelling, 2 units
- Temporary secondary dwelling for dependency living arrangements or agriculture use (s. 7.059)
- **Retail and service uses**
 - Building material sales (outdoor storage)
 - Kennel (s. 7.064)
 - Retail establishment, outdoor
 - Auto body, vehicle repair and maintenance (s. 7.065)

Special Exceptions (Board of Adjustment approval + land use permit required)

- **Recreational living uses**
 - Campground (s. 7.086)
 - Lodging house (s. 7.083)

Lot Area, Setbacks, & Height Requirements (Subchapter VII)

- **Minimum lot area**
 - Sewered: 8,000 square feet
 - Unsewered: 20,000 square feet
- **Minimum lot width at building setback line: 100 feet**
- **Maximum building height**
 - Principal: 50 feet
 - Accessory: 50 feet
- All accessory structures now require a land use permit
- **Principal and accessory structure minimum setbacks**
 - Side: 10 feet
 - Rear: 10 feet
 - Front: 25 feet
 - Fences and walls > 6 ft tall and > 50% opacity are considered structures, so they require a permit and must meet setback requirements
- **Minimum floor area of principal structure: 500 feet (s. 7.093 (10))**
- **Road setbacks (distance from right-of-way line)**
 - State and Federal highways: 50 feet
 - County roads: 42 feet
 - Town roads: 30 feet
 - Exceptions: see s. 7.098 (4)
- **Structures permitted within setbacks**
 - Bay windows, balconies, chimneys, etc. extending < 3 feet into setback
 - Platforms, walks, and drives < 6 inches above average ground level
 - Fences and walls > 6 ft tall and > 50% opacity are considered a structure (see s. 7.144 (3))

Parking (see Subch. VI Parking and Loading for detailed requirements)

- **Intensive parking**
 - Health care facilities, places of worship, educational facilities, eating establishments, grocery stores, hotels and motels, resorts, vehicle repair and maintenance
 - 9 spaces per 1,000 feet of floor area or one space per 2 beds or chairs, as applicable, whichever number is more restrictive
- **Moderate parking**
 - Agriculture-related businesses, landscaping centers, art galleries and studios, child care centers with 9 or more people, libraries and museums, bed and breakfast establishments, animal groomers and veterinary clinics
 - 2 spaces per 1,000 feet of floor area or 1 space per 4 beds or chairs, as applicable, whichever number is more restrictive
- **Flex Parking**
 - Must demonstrate that sufficient parking space is available to park safely without obstructing traffic

Signs (see Subch. X Sign Regulations for detailed requirements)

- **Sign permits** are required prior to erection, relocation, structural alteration, or reconstruction of a sign or banner. Changing a sign's content does not require a permit.
- Inflatable, noise-making, steam-emitting, or odor-emitting, obscene, and/or portable signs are prohibited.
- Signs may not be placed on roofs, utility poles, electrical boxes, or other public utilities.
- Signs may not imitate or resemble any official traffic sign, signal, or device
- Electronic message signs other than those described in Subch. X are prohibited

ORDINANCE NO. 7 - 2015

REPEALING SAUK CO. CODE, CHAPTER 23, TOWER SITING ORDINANCE,
CREATING SAUK CO. CODE CHAPTER 7, SUBCHAPTER XI, MOBILE TOWER SITING,
AMENDING SAUK CO. CODE CHAPTER 7, AND AMENDING SAUK CO. CODE CHAPTER 20.
(Petition 14-2015)

WHEREAS, the County Board of Supervisors of the County of Sauk does ordain as follows:

WHEREAS, Wis. Stat. § 50.69 allows the Sauk County Board of Supervisors, by ordinance, to establish districts of such number, shape, and area, and adopt such regulations for each such district as the Sauk County Board of Supervisors considers best suited to carry out the purposes of this section, including the purposes of promoting the public health, safety, and general welfare; and,

WHEREAS, Wis. Stat. §66.0404 preempts significant county control over the siting of communication towers rendering Sauk Co. Code, Chapter 23 Tower Siting Ordinance inconsistent with regulations prescribed by the State of Wisconsin; and,

WHEREAS, the proposed amendment has the effect of making consistent county tower siting regulations with state regulations, repeals Sauk Co. Code, Chapter 23, and incorporates said regulations under the newly created Sauk Co. Code, Chapter 7, Subchapter XI Mobile Tower Siting; and,

WHEREAS, the Sauk Co. Code, Chapter 7 now in effect was originally passed on February 18, 2014, however because of the scale and complexity of drafting a new zoning ordinance, certain omissions, oversights, and incorrect references have been discovered; and,

WHEREAS, the proposed amendment has the effect of correcting certain omissions, oversights, and incorrect references by changing allowable uses on certain property, adding regulatory language pertaining to water extraction facilities, correcting ambiguous language, and other sundry amendments; and,

WHEREAS, it is necessary to amend ch. 20, Uniform Citation Ordinance, to reflect changes made to ch. 7 of the Sauk Co. Code of Ordinances; and,

WHEREAS, your Committee has considered the repeal of Sauk Co. Code, Chapter 23 and amendments to Sauk Co. Code, Chapters 7 and 20 and believes that adoption of these amendments is in the best interest of the people of Sauk County.

NOW, THEREFORE, BE IT ORDAINED, by the Sauk County Board of Supervisors met in regular session, that Sauk Co. Code Chapter 23 is hereby repealed effective upon adoption of this ordinance; and,

BE IT FURTHER ORDAINED, that Sauk Co. Code, Chapter 7, is hereby amended to read as attached hereto as Appendix A, and shall be effective upon adoption; and,

Ordinance No. 7 - 2015

REPEALING SAUK CO. CODE, CHAPTER 23, TOWER SITING ORDINANCE,
CREATING SAUK CO. CODE CHAPTER 7, SUBCHAPTER XI, MOBILE TOWER SITING,
AMENDING SAUK CO. CODE CHAPTER 7, AND AMENDING SAUK CO. CODE CHAPTER 20.

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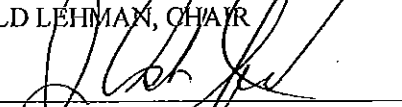
BE IT FURTHER ORDAINED, that Sauk Co. Code Chapter 20, Sections 20.07(3) and 20.07(11), are hereby amended to read as attached hereto as Appendix B, and shall be effective upon adoption.

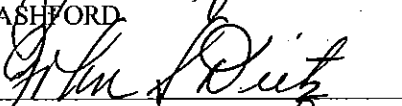
For consideration by the Sauk County Board of Supervisors on July 21, 2015.

Respectfully submitted,

CONSERVATION, PLANNING, AND ZONING COMMITTEE


GERALD LEHMAN, CHAIR


JUDY ASHFORD


JOHN DIETZ


JOSEPH FISH


NATHAN JOHNSON


ERIC PETERSON


DENNIS POLIVKA

Fiscal Note: No Impact
MIS Note: No Impact

KPB

CHAPTER 7

SAUK COUNTY ZONING ORDINANCE

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- 7.007 Minimum requirements and compliance with other applicable regulations.
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- 7.055 Camping: secondary standards.
- 7.056 Community living arrangements: secondary standards.
- 7.057 Dwelling used temporarily during construction: secondary standards.
- 7.058 Mobile home park and mobile homes: secondary standards.
- 7.059 Temporary secondary dwelling for dependency living arrangement or agricultural use: secondary standards.
- 7.060 Nonmetallic mining site, one acre or greater: secondary standards.
- 7.061 Nonmetallic mining site, less than one acre, not exceeding 24 months: secondary standards.
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SUBCHAPTER II

DEFINITIONS

7.011 Definitions.

(25) "Campground" means a parcel or tract of land maintained, intended, or used for the purpose of supplying temporary or overnight living accommodations to the public by providing designated areas for the placement of trailers, tents, buses, automobiles, or sleeping bags camping units. A campground may include buildings to provide services to the patrons such as restrooms, bathing, laundry, and commissary facilities.

(108g) "Water extraction and removal facility" means a facility where water is taken off site for the purpose of sale and distribution.

(108r) "Water treatment" means any conditioning of the water by filtering, UV exposure, chemical additives, reverse osmosis, or similar modifications.

**SUBCHAPTER IV
PERMITTED, CONDITIONAL, AND
SPECIAL EXCEPTION USES**

P=Permitted. Blank Cell= Not Permitted. C= Conditional Use. S = Special Exception. P/C=Permitted or Conditional.
P/S=Permitted or Special Exception. SFR = Single Family Residential. MFR = Multiple Family Residential. RUC = Rural
Community. COM = Commercial. RCOM = Recreation Commercial. IND = Industrial. EA = Exclusive Agriculture.
RC = Resource Conservancy. AG = Agriculture.

All uses must meet applicable primary and secondary standards.

Principal Use	(a) SFR	(b) MFR	(c) RUC	(d) COM	(e) RCOM	(f) IND	(g) EA	(h) RC	(i) AG	Secondary standards
7.038 Resource uses.										
(1) Nonmetallic mining site, one acre or greater.									S	s. 7.060 s. 7.074 (2)
(2) Solar energy system.	P	P	P	P	P	P	P	P	P	s. 7.078
(3) Wind energy system.	P	P	P	P	P	P	P	P	P	s.7.078
(4) Gasification energy system.						P	P	P	P	s.7.078
(5) Nonmetallic mining site, less than one acre, not exceeding 24 months.							S	P	P	s. 7.061 s. 7.074 (2)
(6) Nonmetallic mining site, between one acre and 15 acres, not exceeding 24 months.							S	S	S	s. 7.062 s. 7.074 (2)
(7) Transportation, communications, pipeline, electric transmission, utility, or drainage uses.	P	P	P	P	P	C	C	P	P	s. 7.074(1)
(8) Water extraction and removal				C		C				s. 7.0625
(9) Mobile tower siting	C	C	C	C	C	C	C	C	C	Subch. XI

<p>P=Permitted. Blank Cell= Not Permitted. C= Conditional Use. S = Special Exception. P/C=Permitted or Conditional. P/S=Permitted or Special Exception. SFR = Single Family Residential. MFR = Multiple Family Residential. RUC = Rural Community. COM = Commercial. RCOM = Recreation Commercial. IND = Industrial. EA = Exclusive Agriculture. RC = Resource Conservancy. AG = Agriculture.</p>										
All uses must meet applicable primary and secondary standards.										
Principle Use	(a) SFR	(b) MFR	(c) RUC	(d) COM	(e) RCOM	(f) IND	(g) EA	(h) RC	(i) AG	Secondary standards
7.040 Storage and fabrication uses.										
(1) Bulk storage in excess of 50,000 gal.						C				
(2) Storage yard.			C	C		P		C	C	s. 7.066
(3) Metal and wood fabrication.				C		P			C	s. 7.079
(4) Warehousing, self-storage facility, or mini-warehousing.				C	C	C				s. 7.067
(5) Wholesale, distribution facility.				C		C				s. 7.068
(6) Seasonal storage of recreational equipment and motor vehicles.							P	P	P	s. 7.082
(7) Water distribution, wholesale, processing, and treatment.				C		C				s. 7.0685

SUBCHAPTER V

SECONDARY STANDARDS

7.0625 Water extraction and removal facility: secondary standards. (1) A conditional use permit shall be required for all water extraction and removal facilities. All facilities shall meet the following standards.

(a) The hours of trucking operations shall be limited to 8:00 a.m. to 8:00 p.m., Monday through Friday.

(b) The establishment, maintenance, or operation of the conditional use shall not endanger the public health, safety, or general welfare, nor impair significant aesthetic, scientific, educational, or agricultural values.

(c) That the establishment, maintenance, or operation of the conditional use will not substantially affect the existing use of adjacent properties and will not have a substantial adverse effect on the most suitable long-term future use for the area.

(d) That adequate utilities, access roads, drainage, traffic plans, and other site improvements are or will be provided.

(e) All outdoor lighting shall utilize fully shielded lighting fixtures to minimize artificial sky glow and prevent light trespass or glare beyond the property line.

(f) The use shall conform to all government regulations and standards pertaining to the activity, including air and water quality standards and storm and wastewater permit discharge requirements.

(g) Abandonment of the site must be done in accordance with local, state, and federal laws.

7.0685 Water distribution, wholesale, processing, and treatment Facility: secondary standards. (1) VEGETATIVE SCREENING: Facilities shall meet the vegetative screening requirements of s. 7.043.

(2) **MATERIAL STORAGE.** All materials and vehicles at the facility shall be stored indoors.

(3) **HOURS OF OPERATION.** The hours of trucking operations shall be limited to 8:00 a.m. to 8:00 p.m., Monday through Friday.

(4) **WATER TREATMENT.** All treatment shall be done within an enclosed facility.

7.074 Exclusive agriculture zoning district, secondary standards.

(2) These standards apply to the uses stated in s. 7.038 (1), (5), and (6). The uses may be located in the exclusive agriculture zone if it is determined that all of the following apply:

SUBCHAPTER VII

**LOT AREA, LOT COVERAGE,
SETBACKS, FLOOR AREA, DENSITY,
BUILDING HEIGHT**

7.094 Lot area, lot coverage, setbacks, floor area, and building height. All lots created shall meet minimum lot area requirements. Except as otherwise provided under Sauk Co. Code chs. 8 and 23 and Subchapter IX, lot area, width, setbacks, and building height shall be in accordance with the following:

Zoning District	(a) Minimum Lot Area (sq. ft.)	(b) Minimum Lot Width at the Building Setback Line (ft.)	(c) Principal and Accessory Structure Yard Minimum Setbacks (ft.)	(d) Maximum Building Height (ft.)
(1) Single Family Residential.	Sewered: 8,000 sq. ft. Unsewered: 20,000 sq. ft.	100 ft.	Side: 10 ft. Rear: 25 ft. Front: 25 ft.	Principal: 35 ft. Accessory: 20 ft.
(2) Multiple family Residential.	Section 7.095	100 ft.	Side: 10 ft. Rear: 25 ft. Front: 25 ft.	Principal: 35 ft. Accessory: 20 ft.
(3) Rural Community.	Sewered: 8,000 sq. ft. Unsewered: 20,000 sq. ft.	100 ft.	Side: 10 ft. Rear: 25 ft. Front: 25 ft.	Principal: 35 ft. Accessory: 20 ft.
(4) Commercial.	Sewered: 8,000 sq. ft. Unsewered: 20,000 feet	100 ft.	Side: 10 ft. Rear: 10 ft. Front: 25 ft. As per Section 7.096	Principal and Accessory: 50 ft.
(5) Recreational Commercial.	Sewered: 8,000 sq. ft. Unsewered: 20,000 sq. ft.	100 ft.	Side: 10 ft. Rear: 10 ft. Front: 25 ft.	Principal and Accessory: 50 ft.
(6) Industrial.	Sewered: 8,000 sq. ft. Unsewered: 20,000 sq., ft.	100 ft.	Side: 10 ft. Rear: 10 ft. Front: 25 ft. As per Section 7.096	Principal and Accessory: 50 ft.
(7) Exclusive Agriculture.	35 acres except as provided under subch. IX	100 ft.	Side: 10 ft. Rear: 25 ft. Front: 25 ft.	Principal: 45 ft. Accessory: 75 ft.
(8) Resource Conservancy.	35 acres except as provided under subch. IX	100 ft.	Side: 10 ft. Rear: 25 ft. Front: 25 ft.	Principal: 45 ft. Accessory: 75 ft.
(9) Agriculture.	1 acre	100 ft.	Side: 10 ft. Rear: 25 ft. Front: 25 ft.	Principal: 45 ft. Accessory: 75 ft.

7.096 Commercial and industrial zoning: setbacks, and height. The minimum setback for any principal building and accessory structure shall be 10 feet from any side yard and 10 feet from any rear yard. Side and rear yards shall be increased in depth by 1.5 feet from the minimum setback requirement for each additional one foot of height greater than 35 feet

in height of any structure that exceeds 35 feet in height.

SUBCHAPTER X

SIGN REGULATIONS

7.129 On-premises sign standards. The following on-premises signs are allowed in all

zoning districts, except that (1), (3), (7), and (9) must be located in a commercial, recreation commercial, or industrial zoning district. Each type of sign shall be subject to the provisions of this chapter including:

On Premises Sign Type	(a) Maximum Number	(b) Maximum Total Copy Area (sq. ft.)	(c) Maximum Height (ft.)
(1) Banner	2 per parcel.	32 sq. ft.	6 ft.
(2) Home-based business, lodging house, and bed and breakfast establishments	1 per home-based-business-parcel.	12 sq. ft.	8 ft.
(3) Canopy sign	1 per building entrance or 1 per side for service station canopies.	15% of the canopy surface or 15% per canopy side for service station canopies.	
(4) Development	2 per development.	64 sq. ft.	12 ft.
(5) Directional	1 per driveway entrance and 1 per driveway exit.	4 sq. ft.	4 ft.
(6) Farm identification	1 per parcel to which the sign pertains.	32 sq. ft.	15 ft.
(7) Ground	1 sign per road frontage.	75 sq. ft.	10 ft.
(8) Notification		4 sq. ft.	
(9) Wall	2 per parcel.	15% of the building wall that the sign is affixed to, not to exceed 300 sq. ft. The area of the wall shall be calculated as wall height (not to exceed 15 feet) times wall length.	The maximum projection shall not exceed 12 inches from the wall on which it is mounted.

SUBCHAPTER XI

MOBILE TOWER SITING

7.137 Purpose and intent. (1) This ordinance regulates by conditional use permit the siting and construction of any new mobile service. The conservation, planning, and zoning department is to regulate mobile service support structures and facilities as permitted by Wis. Stat. § 66.0404. (a) With regard to a class 1 collocation, this subchapter is to regulate the substantial modification of an existing support structure and mobile service facilities.

(b) With regard to a class 2 collocation, this subchapter is to regulate collocation on an existing support structure which does not require a substantial modification of an existing support structure and mobile service facilities.

(2) It is intended that Sauk County apply these regulations to accomplish to the greatest degree possible the following:

(a) Minimize adverse effects of mobile service facilities and mobile support structures.

(b) Maintain and ensure that a non-discriminatory, competitive, and broad range of mobile services and high-quality mobile service infrastructure is consistent with the Federal Telecommunications Act of 1996, and are provided to serve the community as well as serve as an important and effective part of Sauk County's police, fire, and emergency response network.

(c) Provide a process for obtaining permits for these facilities and support structures while protecting the health, safety, and welfare of Sauk County residents.

(d) Encourage the use of alternative support structures, collocation of new antennas on existing support structures, camouflaged support structures, and construction of support structures with the ability to collocate three or more providers.

(3) This section is not intended to regulate residential satellite dishes or residential television antennas that are used privately. It is not intended to regulate satellite dishes or antennas where regulation is prohibited by Wis. Stat. § 59.69(4d).

7.138 Definitions. All definitions contained in Wis. Stat. § 66.0404(1), are hereby incorporated by reference.

7.139 Exempt from permitting. Mobile service facilities providing public information coverage of news events of a temporary or emergency nature shall be exempt from the permitting requirement of this chapter, unless otherwise specified.

7.140 Siting and construction of new mobile service support structures and class 1 collocations. (1) A conditional use permit is required for the siting and construction of new mobile service support structures and facilities, and for class 1 collocations.

(2) An application for a conditional use permit must be completed by the applicant and submitted to the department. The application must contain the following information:

(a) The name and business address of, and the contact individual for, the applicant.

(b) The location of the proposed or existing mobile service structure.

(c) The location of the proposed mobile service facility.

(d) If the application is to substantially modify an existing mobile service support structure, a construction plan which describes the proposed modifications to the support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling and related equipment associated with the proposed modifications.

(e) If the application is to construct a new mobile service support structure or tower, a

construction plan which describes the proposed mobile service support structure or tower and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment to be placed on or around the new mobile service support structure or tower.

(f) If the application is to construct a new mobile service support structure, an explanation as to why the applicant chose the proposed location and why the applicant did not choose collocation, including a sworn statement from the owner or officer responsible for the placement of the mobile service support structure or tower attesting that collocation within the applicant's search ring would not result in the same mobile service functionality, coverage, and capacity; is technically infeasible; or is economically burdensome.

(3) If an application is incomplete, the department shall notify the applicant in writing within 10 days of the receipt of the application. The written notification shall specify the required missing information. An applicant may resubmit an application as often as is necessary until it is complete.

(4) **COUNTY RESPONSIBILITIES.** Within 90 days of receiving a complete application, the county shall finish all of the following or the applicant may consider the application approved, except that the applicant and the county may agree in writing to extend this period:

(a) Review the application to determine whether it complies with all applicable aspects of the county's ordinances.

(b) Make a final decision whether to approve or disapprove the application.

(c) Notify the applicant of the decision in writing.

(d) If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.

(5) **HEIGHT:** Shall meet the terms of the Sauk Co. Code ch. 41 or any other airport zoning ordinances.

(6) **SETBACKS.** All structures must meet the commercial and industrial zoning setbacks of s. 7.096 and road setbacks of s. 7.098 unless an applicant provides the county with an

engineering certification showing that a mobile service support structure, tower, or an existing structure, is designed to collapse within a smaller area than the setback or fall zone area required. The county may still require the setbacks required by this section if the county provides the applicant with substantial evidence that the engineering certification provided is flawed.

(7) **LIMITATIONS.** Conditional use permits for siting and construction of any new mobile service support structure and facilities or class 1 collocation shall only be granted provided the following conditions exist:

(a) No lease or deed restriction on property that is proposed for the location of a mobile service support structure or mobile service facility shall preclude the owner or lessee from entering into agreements, leases, or subleases with other providers or prohibit collocation of other providers.

(b) The application has obtained federal communications commission license and registration numbers if required.

(c) The applicant provides a finding of no significant impact, environmental assessment or environmental impact statement approved by the federal communications commission, if required.

(d) The applicant provides a copies of a determination of no hazard from the federal aviation administration, including any aeronautical study or other findings if applicable.

(e) The applicant provides plans indicating security measures such as fencing, access, lighting, and any other requirements.

(f) For a new mobile service support structure, the applicant has obtained a report prepared by an engineer licensed by the State of Wisconsin certifying the structural design of the tower and its ability to accommodate addition antennas.

(g) The applicant shall provide proof of liability insurance coverage.

(h) The applicant shall provide copies of an affidavit of notification indicating all operators and owners of airports located within 5 miles of the proposed site have been notified by certified mail.

(i) The new facility is designed to promote site sharing so that space is reasonably available to collocators and so that telecommunication towers and necessary appurtenances, including parking areas, access roads, and utilities are shared by site users whenever possible.

7.141 Class 2 collocations. (1) A county land use permit is required for a class 2 collocation. A class 2 collocation is considered a permitted use in the county but still requires the issuance of the county permit.

(2) **APPLICATION PROCESS.** A written permit application must be completed by any applicant and submitted to the department. The application must include the following information:

(a) The name and business address of, and contact individual for, the applicant.

(b) The location of the affected mobile service support structure.

(c) The location of the proposed mobile service facility.

(3) The department shall notify the applicant in writing within 5 days of receiving the application that the application is not complete. An applicant may resubmit an application as often as necessary until it is complete.

(4) **COUNTY REQUIREMENTS.** Within 45 days of receiving of a complete application, the department shall complete all of the following or the applicant may consider the application under this section approved, except that the applicant and the department may agree in writing to an extension of the 45-day period:

(a) Make a final decision whether to approve or disapprove the application.

(b) Notify the applicant of its decision in writing.

(c) If the application is approved, issue the applicant the relevant permit.

(d) If the decision is to disapprove the application, include with the written notification substantial evidence to support the decision.

7.142 Information report. (1) **PURPOSE.** The report is to provide Sauk County with accurate and current information regarding the mobile service facility owners and providers who offer or provide mobile services within the

county, or that own or operate mobile service facilities within the county, to assist the county in enforcement of this section and to assist the county in monitoring compliance with local, state, and federal laws.

(2) **REPORT.** All mobile service support structure owners of any new mobile service support structure shall submit to the department a "Telecommunications Facility Information Report" within 45 days:

(a) Following issuance of a land use permit.

(b) Of receipt of a written request from the department.

(c) Of any change in occupancy of the mobile service facility.

(3) **REPORT CONTENTS.** (a) The report shall include the following information regarding the owner or owners:

1. The name of the mobile service support structure's owner.

2. Address.

3. Phone number.

4. Contact person.

5. Proof of bond as security for removal.

(b) The support structure owner shall supply:

1. The mobile service support structure height.

2. Current occupancy, if applicable.

3. The number of collocation positions designated, occupied, or vacant.

(c) The information shall be submitted on a form provided by the department and shall become evidence of compliance.

7.143 Removal. (1) It is the policy of Sauk County that mobile service support structures be removed once they are no longer in use and not a providing mobile service. It is the permittee's responsibility to remove mobile service support structures and restore the site to its original condition or to condition approved by the department. This restoration shall include removal of any subsurface structure or foundation, including concrete, used to support the mobile service support structure down to 5 feet below the ground surface. After a mobile service support structure is no longer being used for mobile service that is in operation, the mobile service support structure owner shall have 180 days to effect removal and restoration

unless weather prohibits such efforts. The permittee shall record a document with the Sauk County Register of Deeds showing the existence of any subsurface structure remaining below the ground surface. The recording shall accurately set forth the location and shall described the dimensions and nature of the remaining structure.

7.144 Structural, design, and environmental standards.

(1) **MOBILE SERVICE SUPPORT STRUCTURE, ANTENNA, AND FACILITY REQUIREMENTS.** All mobile service facilities and mobile service support structures, except exempt facilities as described in s. 7.139, shall be designed to reduce the negative impact on the surrounding environment by implementing the following measures:

(a) Mobile service support structures shall be constructed of metal or other nonflammable material.

(b) Satellite dish and parabolic antennas shall be situated as near to the ground as possible to reduce visual impact without compromising their functions.

(c) Equipment compounds shall be constructed of non-reflective materials on visible exterior surfaces only. Equipment compounds shall be designed to blend with existing architecture in the area, or shall be screened from sight by mature landscaping, and shall be located or designed to minimize their visibility.

(d) Mobile service facilities and support structures shall not interfere with or obstruct existing or proposed public safety, fire protection, or supervisory controlled automated data acquisition operation telecommunication facilities. Any actual interference or obstruction shall be corrected by the applicant at no cost to a public entity negatively impacted by the interference or obstruction.

(2) **SITE DEVELOPMENT.** A leased parcel intended for the location of new mobile service facilities, mobile service support structures, and equipment compounds shall be located so as to permit expansion for mobile service facilities to serve all potential collocators.

(3) **VEGETATIVE.** Facilities shall meet the vegetative screening requirements of s. 7.043.

(4) **FIRE PROTECTION.** All mobile service facilities shall be designed and operated with all applicable codes regarding fire prevention.

(5) **NOISE AND TRAFFIC.** All mobile service facilities shall be constructed and operated in such a manner as to minimize the amount of disruption caused to nearby properties. To accomplish this, the following measures shall be implemented for all mobile service facilities, except exempt facilities as described under s. 7.139:

(a) Noise producing construction activities shall take place only Monday through Friday, excluding legal holidays, between the hours of 6:00 a.m. to 6:00 p.m., except in times of emergency repair.

(b) Backup generators shall be operated only during power outages and for maintenance and testing purposes.

7.145 Abandonment. (1) **ABANDONMENT.** Any antenna, mobile service facility, or mobile service support structure that is not operated for a period of 12 months shall be considered abandoned. Upon application, the agency may extend the time limit for abandonment for an additional 12-month period. Such extension shall be based on the finding that the owner or permit holder is actively seeking tenants for the site. After expiration of the established time period, the following shall apply:

(a) The owner of the antenna, mobile service facility, or mobile service support structure shall remove the antenna, mobile service facility, or mobile service support structure; including all supporting equipment, buildings, and foundations to the depth required in this chapter within 90 days of receipt of notice from the department that abandonment is required. If removal to the satisfaction of the department does not occur within 90 days; the department may order removal and salvage the antenna, mobile service facility, or mobile service support structure; including all supporting equipment and buildings.

(b) The recipient of a permit allowing a mobile service support structure and facility under this chapter, or the current owner or operator, shall notify the department within 45 days of the date when the mobile service facility is no longer in operation.

SUBCHAPTER XI-XII

PROCEDURES AND ADMINISTRATION

7.150 Ordinance amendments: review procedure and standards.

(11) **MONITORING AND POTENTIAL REVOCATION OF A CONDITIONAL USE.** The agency or zoning administrator may require evidence and guarantees as either may deem necessary as proof that approved plans are being followed, required conditions are being met, and review criteria are being satisfied for conditional use at all times. If the agency or zoning administrator finds that the review criteria of this section or the conditions attached to the permit are not complied with, ~~the agency, after a public hearing, may revoke or alter the conditional use~~ the zoning administrator may suspend the permit and require an additional public hearing to alter the conditional use.

(12) **EXPANSION OF CONDITIONAL USE.** The expansion of any use approved by a conditional use shall require an application and review by the agency. Expansion of use shall be determined by the zoning administrator.

7.152 Special exceptions: review procedure and standards.

(10) **MONITORING AND POTENTIAL REVOCATION OF A SPECIAL EXCEPTION.** The board of adjustment or zoning administrator may require evidence and guarantees as either may deem necessary as proof that approved plans are being followed, required conditions are being met, and review criteria are being satisfied for special exceptions at all times. If the board of adjustment or zoning administrator finds that the review criteria of this subsection or the conditions attached to the use are not complied with, ~~the board of adjustment, after a public hearing, may revoke or alter the special exception;~~ the zoning administrator may suspend the permit and require an additional public hearing to alter the special exception.

Amended May 11, 1971; amended June 15, 1971; amended May 15, 1973; revised March 5, 1975; recodified March 22, 1977; amended May 15, 1979; amended July 21, 1981; amended January 19, 1982; amended March 15, 1983;

amended February 21, 1984; amended June 19, 1984; amended July 18, 1984; amended August 21, 1984; amended April 15, 1986; amended June 17, 1986; amended July 8, 1986; amended November 12, 1986; amended December 16, 1986; amended July 26, 1987; amended April 19, 1988; amended August 16, 1988; amended September 10, 1991; amended August 18, 1992; amended July 20, 1993; amended June 20, 1995; amended October 17, 1995; amended April 16, 1996; amended November 11, 1997; amended December 15, 1998; amended July 20, 1999. Amended by the Sauk County Board of Supervisors on October 16, 2001 - Ordinance No. 119-01. Amended by the Sauk County Board of Supervisors on February 19, 2002 - Ordinance No. 31-02. Amended by the Sauk County Board of Supervisors on March 19, 2002 - Ordinance No. 55-02. Amended by the Sauk County Board of Supervisors on August 20, 2002 - Ordinance No. 146-02. Amended by the Sauk County Board of Supervisors on September 23, 2003 - Ordinance No. 136-03. Amended by the Sauk County Board of Supervisors on February 19, 2004 - Ordinance No. 28-04. Amended by the Sauk County Board of Supervisors on May 16, 2006 - Ordinance No. 54-06. Amended by the Sauk County Board of Supervisors on March 17, 2009 - Ordinance No. 35-09. Amended by the Sauk County Board of Supervisors on August 18, 2009 - Ordinance No. 105-09. Amended by the Sauk County Board of Supervisors on October 20, 2009 - Ordinance No. 137-09. Amended by the Sauk County Board of Supervisors on June 15, 2010 - Ordinance No. 72-10. Amended by the Sauk County Board of Supervisors on March 15, 2011 - Ordinance No. 31-11. Amended by the Sauk County Board of Supervisors on January 17, 2012 - Ordinance No. 128-11. Amended by the Sauk County Board of Supervisors on August 21, 2012 - Ordinance No. 12-12. Repealed and recreated by the Sauk County Board of Supervisors on February 18, 2014 - Ordinance No. 2-2014. Amended by the Sauk County Board of Supervisors on December 16, 2014 - Ordinance No. 10-14. Amended by the Sauk County Board of Supervisors on _____, 2015 - Ordinance No. ____.

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CHAPTER 20

UNIFORM CITATION ORDINANCE

20.07 Schedule of forfeitures.

(3) **CHAPTER SEVEN: ZONING ORDINANCE**; pursuant to Section 7.146 which authorizes penalties of not less than \$50.00 nor more than \$200.00.

FORFEITURE PROVISIONS, DESCRIPTIONS AND SECTION NUMBERS

- (a) \$ 200 violations of Subchapter IV, Permitted, Conditional, and Special Exception Uses.
 - (b) \$ 150 violations of Subchapter V Secondary Standards.
 - (c) \$ 50 violations of Subchapter VI Parking and Loading.
 - (d) \$ 200 violations of Subchapter VII Lot Area, Lot Coverage, Setbacks, Floor Area, Density, Building Height.
 - (e) \$ 150 violations of Subchapter VIII Nonconforming Uses and Structures.
 - (f) \$ 50 violations of Subchapter IX Planned Rural Development.
 - (g) \$ 100 violations of Subchapter X Sign Regulations.
 - (h) \$ 200 violations of Subchapter XI Mobile Tower Siting.
- (11) ~~CHAPTER TWENTY-THREE: TOWER SITING ORDINANCE~~; pursuant to Section 23.13 which authorizes penalties of not less than \$100.00 nor more than \$500.00 for each offense. Each day of violation shall constitute a separate offense.

FORFEITURE PROVISIONS, DESCRIPTION AND SECTION NUMBERS

~~\$ 250 first and subsequent violations of s. 23.05 through s. 23.10; s. 23.13.~~

Chapter 20 of the Sauk County Code of Ordinances repealed and recreated, adopted by the Sauk County Board of Supervisors on November 10, 1992. Amended by the Sauk County Board of Supervisors on April 15, 1997. Amended by the Sauk County Board of Supervisors on April 18, 2000 - Ordinance No. 83-00. Amended by the Sauk County Board of Supervisors on June 19, 2001 - Ordinance No. 40-01. Amended by the Sauk County Board of Supervisors on June 18, 2002 - Ordinance No. 110-02. Chapter 15 repealed in its entirety by the Sauk County Board of Supervisors on December 19, 2006 - Ordinance No. 154-06. Amended by the Sauk County Board of Supervisors on April 17, 2007 - Ordinance No. 51-07. Amended by the Sauk County Board of Supervisors on May 19, 2009 - Ordinance No. 58-09. Amended by the Sauk County Board of Supervisors on July 21, 2009 - Ordinance No. 84-09. Amended by the Sauk County Board of Supervisors on August 18, 2009 - Ordinance No. 99-09. Amended by the Sauk County Board of Supervisors on October 19, 2010 - Ordinance Nos. 119-10 and 120-10. Amended by the Sauk County Board of Supervisors on February 20, 2012 - Ordinance No. 3-12. Amended by the Sauk County Board of Supervisors on April 16, 2013 - Ordinance No. 06-13. Amended by the Sauk County Board of Supervisors on October 15, 2013 - Ordinance No. 64-13. Amended by the Sauk County Board of Supervisors on February 18, 2014 - Ordinance No. 2-14. Amended by the Sauk County Board of Supervisors on June 17, 2014 - Ordinance No. 3-2014. Amended by the Sauk County Board of Supervisors on December 16, 2014 - Ordinance No. 9-14. Amended by the Sauk County Board of Supervisors on July 21, 2015 - Ordinance No. _____ -15.

RESOLUTION NO. 74 - 15

**APPROVING THE PURCHASE OF A CONSERVATION STREAMBANK EASEMENT
FOR THE ROBERT A. AND SANDRA L. GREENWOOD PROPERTY PURSUANT TO
THE IMPLEMENTATION AGREEMENT BETWEEN THE WISCONSIN
DEPARTMENT OF TRANSPORTATION AND SAUK COUNTY**

WHEREAS, the State of Wisconsin Department of Transportation (WISDOT) and Sauk County are parties to the "Memorandum of Agreement Concerning U.S. Highway 12 Between Middleton and Lake Delton, Wisconsin" (MOA), fully executed by WISDOT, Sauk County, the Governor of Wisconsin, the Federal Highway Administration, the National Park Service(NPS), the U.S. Fish and Wildlife Service (USFWS), the U.S. Environmental Protection Agency (EPA) the Wisconsin Department of Natural Resources (WISDNR), Dane County and the Nature Conservancy (TNC); and,

WHEREAS, by Resolution #124-2011, the Honorable Sauk County Board of Supervisors approved the Memorandum of Agreement implementing the Sauk County Fund component of the Highway 12 Growth Management Plan that provides the State of Wisconsin allocate funds in the amount of \$250,000 to fund among other things the purchase of lands or scenic/conservation/agricultural easements from willing sellers in Sauk County outside of the Baraboo Range National Natural Landmark (BRNNL); and,

WHEREAS, one of the express and stated purposes of the Implementation Agreement between the State of Wisconsin Department of Transportation and Sauk County for the Sauk County Fund is to procure streambank easements and to protect and enhance these environmentally sensitive areas and mitigate the environmental impact caused by the expansion of US Highway 12.

WHEREAS, the Conservation, Planning and Zoning Committee believes this offer to purchase a streambank easement is in the best interest of Sauk County and implements the MOA executed between Sauk County and the State of Wisconsin Department of Transportation.

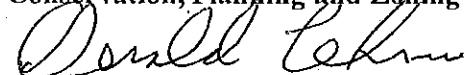
NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session, that said streambank easement is hereby Approved.

RESOLUTION NO. 74-15
Page 2

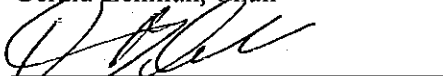
For consideration by the Sauk County Board of Supervisors on July 21, 2015.

Respectfully submitted,

Conservation, Planning and Zoning Committee



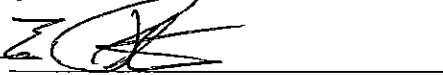
Gerald Lehman, Chair



Dennis Polivka



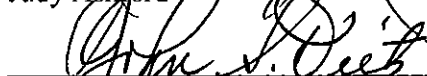
Joe Fish



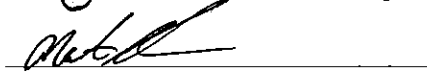
Eric Peterson



Judy Ashford



John Dietz



Nathan Johnson



Shana Johnson

Fiscal Note: The easement purchase price of \$5,000 plus related expenditures such as title search and appraisal are funded 55.6% by the state and 44.4% by existing appropriated funds.

KPB

MIS Note: No Impact.

ROBERT A. GREENWOOD &
SANDRA L. GREENWOOD
Streambank Easement Map
Town of Greenfield
T12-R7E, Sec. 33
EXHIBIT B

1.8AC

2.2 AC

Parcel # 018-0765-00000

Parcel #

018-0765-00000

Baraboo River

PARCEL LINES



RESOLUTION NO. 75-2015

APPROVING AN AMENDMENT TO THE TOWN OF MERRIMAC ZONING ORDINANCE BY
CREATING SECTION 2.33 MOBILE TOWER SITING PERMITS

WHEREAS, the Town of Merrimac has been granted the authority to exercise village powers under Wis Stat. § 60.10(2)(c); and

WHEREAS, the Town Board of the Town of Merrimac amended the Town of Merrimac Zoning Ordinance on July 1, 2015, to clarify that the provisions of Wis. Stat. §66.0404 are hereby incorporated into the Town of Merrimac's Zoning Ordinance and to establish tower siting permit fees; and

WHEREAS, the Town of Merrimac Zoning Ordinance as amended is referenced under Appendix A of this Resolution; and

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

WHEREAS, a public meeting was held by the Sauk County Conservation, Planning, and Zoning Committee on June 23, 2015, as requested by the Town of Merrimac, to consider the amendment to the Town of Merrimac Zoning Ordinance as referenced in Appendix A; and

WHEREAS, your Committee, based upon the facts of the request, does recommend that the Town of Merrimac Zoning Ordinance, as referenced in Appendix A, be granted.

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors met in regular session, that Town of Merrimac Zoning Ordinance as referenced in Appendix A, be Approved.

For consideration by the Sauk County Board of Supervisors on July 21, 2015.

Respectfully submitted,

CONSERVATION, PLANNING, AND ZONING COMMITTEE


GERALD LEHMAN, CHAIR


JUDY ASHFORD


JOHN DIETZ


JOSEPH FISH


NATHAN JOHNSON


ERIC PETERSON


DENNIS POLIVKA

Fiscal note: no impact
MIS note: no impact

TOWN OF MERRIMAC ORDINANCE 2015-17

Mobile tower siting permits

Chapter 2 of the Town of Merrimac Zoning ordinance entitled "General Provisions", Section 2.33 entitled "Mobile Tower Siting Permits" is hereby created as follows:

2.33 Mobile Tower Siting Permits.

- 1) The purpose of this ordinance is to regulate by zoning permit (1) the siting and construction of any new mobile service support structure and facilities; (2) with regard to a class 1 collocation, the substantial modification of an existing support structure and mobile service facilities; and (3) with regard to a class 2 collocation, collocation on an existing support structure which does not require the substantial modification of an existing support structure and mobile service facilities. The town board has the specific authority under ss. 60.61 and 66.0404, Wis. Stats., to adopt and enforce this ordinance.
- 2) This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, provides for the regulation by zoning permit (1) the siting and construction of any new mobile service support structure and facilities; (2) with regard to a class 1 collocation, the substantial modification of an existing support structure and mobile service facilities; and (3) with regard to a class 2 collocation, collocation on an existing support structure which does not require the substantial modification of an existing support structure and mobile service facilities.
- 3) Definitions: All definitions contained in s. 66.0404(1) are hereby incorporated by reference.
- 4) **SITING AND CONSTRUCTION OF ANY NEW MOBILE SERVICE SUPPORT STRUCTURE AND FACILITIES:**
 - a. Application Process
 - i. A town zoning permit is required for the siting and construction of any new mobile service support structure and facilities. The siting and construction of any new mobile service support structure and facilities is a conditional use in the town obtainable with this permit.
 - ii. A written permit application must be completed by any applicant and submitted to the town. The application must contain the following information:
 1. The name and business address of, and the contact individual for, the applicant.
 2. The location of the proposed or affected support structure.
 3. The location of the proposed mobile service facility.
 4. If the application is to substantially modify an existing support structure, a construction plan which describes the proposed modifications to the support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment associated with the proposed modifications.
 5. If the application is to construct a new mobile service support structure, a construction plan which describes the proposed mobile service support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment to be placed on or around the new mobile service support structure.
 6. If an application is to construct a new mobile service support structure, an explanation as to why the applicant chose the proposed location and why the applicant did not choose collocation, including a sworn statement from an individual who has responsibility over the placement of the mobile service support structure attesting that collocation within the applicant's search ring would not result in the same mobile service

TOWN OF MERRIMAC ORDINANCE 2015-17

Mobile tower siting permits

- functionality, coverage, and capacity; is technically infeasible; or is economically burdensome to the mobile service provider.
- iii. A permit application will be provided by the town upon request to any applicant.
 - iv. If an applicant submits to the town an application for a permit to engage in an activity described in this ordinance, which contains all of the information required under this ordinance, the town shall consider the application complete. If the town does not believe that the application is complete, the town shall notify the applicant in writing, within 10 days of receiving the application, that the application is not complete. The written notification shall specify in detail the required information that was incomplete. An applicant may resubmit an application as often as necessary until it is complete.
 - v. Within 90 days of its receipt of a complete application, the town shall complete all of the following or the applicant may consider the application approved, except that the applicant and the town may agree in writing to an extension of the 90 day period:
 - 1. Review the application to determine whether it complies with all applicable aspects of the political subdivision's building code and, subject to the limitations in this section, zoning ordinances.
 - 2. Make a final decision whether to approve or disapprove the application.
 - 3. Notify the applicant, in writing, of its final decision.
 - 4. If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.
 - vi. The town may disapprove an application if an applicant refuses to evaluate the feasibility of collocation within the applicant's search ring and provide the sworn statement described under Section 2.31, Part 4, Paragraph ii; 6.
- 5) The fall zone for all mobile towers shall not encroach any town setback as established in Sections 2.18 and 2.19 of this ordinance. If an applicant provides the town with an engineering certification showing that a mobile service support structure, or an existing structure, is designed to collapse within a smaller area than the set back or fall zone area required in the zoning ordinance, that zoning ordinance does not apply to such a structure unless the town provides the applicant with substantial evidence that the engineering certification is flawed.
- 6) The fee for the permit is \$3,000.00.
- 7) SECTION VIII – CLASS 1 COLLOCATION
- a. Application Process
 - i. A town zoning permit is required for a class 1 collocation. A class 1 collocation is a conditional use in the town obtainable with this permit.
 - ii. A written permit application must be completed by any applicant and submitted to the town. The application must contain the following information:
 - 1. The name and business address of, and the contact individual for, the applicant.
 - 2. The location of the proposed or affected support structure.
 - 3. The location of the proposed mobile service facility.
 - 4. If the application is to substantially modify an existing support structure, a construction plan which describes the proposed modifications to the support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment associated with the proposed modifications.
 - 5. If the application is to construct a new mobile service support structure, a construction plan which describes the proposed mobile service support structure and the equipment and network components, including

TOWN OF MERRIMAC ORDINANCE 2015-17

Mobile tower siting permits

antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment to be placed on or around the new mobile service support structure.

6. If an application is to construct a new mobile service support structure, an explanation as to why the applicant chose the proposed location and why the applicant did not choose collocation, including a sworn statement from an individual who has responsibility over the placement of the mobile service support structure attesting that collocation within the applicant's search ring would not result in the same mobile service functionality, coverage, and capacity; is technically infeasible; or is economically burdensome to the mobile service provider.
 - iii. A permit application will be provided by the town upon request to any applicant.
 - iv. If an applicant submits to the town an application for a permit to engage in an activity described in this ordinance, which contains all of the information required under this ordinance, the town shall consider the application complete. If the town does not believe that the application is complete, the town shall notify the applicant in writing, within 10 days of receiving the application, that the application is not complete. The written notification shall specify in detail the required information that was incomplete. An applicant may resubmit an application as often as necessary until it is complete.
 - v. Within 90 days of its receipt of a complete application, the town shall complete all of the following or the applicant may consider the application approved, except that the applicant and the town may agree in writing to an extension of the 90 day period:
 1. Review the application to determine whether it complies with all applicable aspects of the political subdivision's building code and, subject to the limitations in this section, zoning ordinances.
 2. Make a final decision whether to approve or disapprove the application.
 3. Notify the applicant, in writing, of its final decision.
 4. If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.
 - vi. The town may disapprove an application if an applicant refuses to evaluate the feasibility of collocation within the applicant's search ring and provide the sworn statement described under Section 2.31, Part 7, Paragraph ii; 6.
 - b. If an applicant provides the town with an engineering certification showing that a mobile service support structure, or an existing structure, is designed to collapse within a smaller area than the set back or fall zone area required in the zoning ordinance, that zoning ordinance does not apply to such a structure unless the town provides the applicant with substantial evidence that the engineering certification is flawed.
 - c. The fee for the permit is \$3,000.00
- 8) CLASS 2 COLLOCATION
- a. Application Process:
 - i. A town zoning permit is required for a class 2 collocation. A class 2 collocation is a permitted use in the town but still requires the issuance of the town permit.
 - ii. A written permit application must be completed by any applicant and submitted to the town. The application must contain the following information:
 1. The name and business address of, and the contact individual for, the applicant.
 2. The location of the proposed or affected support structure.
 3. The location of the proposed mobile service facility.


TOWN OF MERRIMAC ORDINANCE 2015-17
Mobile tower siting permits

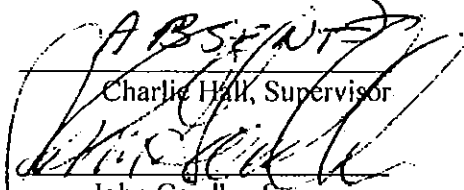
4. A permit application will be provided by the town upon request to any applicant.
- b. A class 2 collocation is subject to the same requirements for the issuance of a building permit to which any other type of commercial development or land use development is subject per this ordinance.
- c. If an applicant submits to the town an application for a permit to engage in an activity described in this ordinance, which contains all of the information required under this ordinance, the town shall consider the application complete. If any of the required information is not in the application, the town shall notify the applicant in writing, within 5 days of receiving the application, that the application is not complete. The written notification shall specify in detail the required information that was incomplete. An applicant may resubmit an application as often as necessary until it is complete.
- d. Within 45 days of its receipt of a complete application, the town shall complete all of the following or the applicant may consider the application approved, except that the applicant and the town may agree in writing to an extension of the 45 day period:
 - i. Make a final decision whether to approve or disapprove the application.
 - ii. Notify the applicant, in writing, of its final decision.
 - iii. If the application is approved, issue the applicant the relevant permit.
 - iv. If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.
- e. The fee for the permit is \$500.00

Additionally, Section 2.31 of the Town of Merrimac Zoning ordinance entitled "Vacation Rental Establishments" is hereby renumbered to Section 2.32 and restoring Section 2.30 entitled "Camping" as originally adopted on December 2, 2004.

This ordinance is effective on the day following publication per s. 60.80, or upon approval of the Sauk County Board, whichever date is latter. The town clerk shall properly publish this ordinance as required per s. 60.80.

Adopted this 1st day of July, 2015


Steve Peetz, Town Chair


Charlie Hall, Supervisor


John Gaedke, Supervisor

Attest: 
Tim McCumber, Town Administrator & Clerk - Treasurer

Adopted by the Town Board -
Approved by Sauk County Board of Supervisors -

RESOLUTION NO. 76 - 15

AUTHORIZING ATTENDANCE AT SOUTHERN AREA ASSOCIATION MEETING

WHEREAS, on August 6, 2015, the Southern Area Association of Land Conservation Committees will host a meeting; and

WHEREAS, this session will provide policy makers an opportunity to learn about a variety of statewide initiatives regarding conservation as well as share regional concerns regarding resource conservation issues with other county Conservation Committees from the area; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Sauk County Board of Supervisors, met in regular session, hereby approves compensating and reimbursing expenses of any member from the Conservation, Planning, and Zoning Committee for attendance at the meeting of the Southern Area Association of Land Conservation Committees held in Richland Center, WI on August 6, 2015.

For consideration by the Sauk County Board of Supervisors on July 21, 2015.

Respectfully submitted,

CONSERVATION, PLANNING, AND ZONING COMMITTEE

GERALD LEHMAN, Chair

JUDY ASHFORD

NATE JOHNSON

ERIC PETERSON

JOHN DIETZ

DENNIS POLIVKA

JOE FISH

SHANA JOHNSON

Fiscal Note:

**Estimated Costs	Cost Per Person
Meal/Registration	\$25.00
Mileage (100 miles round trip)	\$57.00
Per diem/benefits	\$54.00
Total Estimated Costs	\$136.00**

MIS Note: No information systems impact.

RESOLUTION 77 - 15

AUTHORIZING THE PURCHASE OF A NEW ELECTRONIC VOTING SYSTEM AND VOTING EQUIPMENT

WHEREAS, pursuant to Wis. Stat. s. 7.60, Sauk County is responsible to canvass votes for all voting wards within the County and to aggregate and report these results to the Government Accountability Board.; and,

WHEREAS, this process is accomplished through the use of electronic vote tabulators, located at each polling place, which transmit these results electronically to an election management system in the County Clerk's Office.; and,

WHEREAS, resolution 176-99 authorized the purchase of the system and equipment currently utilized by the County and municipalities; and,

WHEREAS, this equipment has become difficult and costly to maintain due to its age; and,

WHEREAS, the County Clerk's Office has submitted a Request for Proposal for the replacement of this equipment; and,

WHEREAS, your Executive and Legislative Committee has reviewed this matter and found it in the best interest of Sauk County to accept the following proposal:

Election Systems and Software (ES&S) for \$345,825 for an Election Management System and related voting equipment for 37 municipalities.


NOW THEREFORE BE IT RESOLVED, by the Sauk County Board of Supervisors met in regular session, that the above described equipment and services be purchased from ES&S; and,

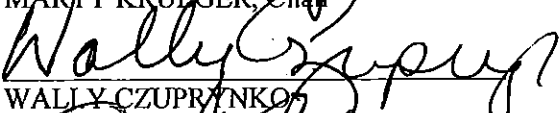
BE IT FURTHER RESOLVED that the Sauk County Clerk be authorized and directed to enter into the necessary agreements required to obtain these products and services.


For consideration by the Sauk County Board of Supervisors on July 21, 2015.

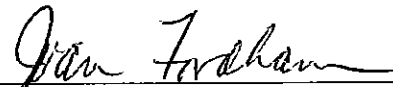
Respectfully submitted,

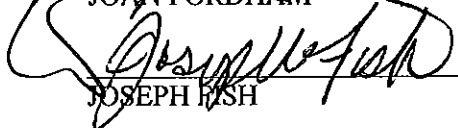
EXECUTIVE AND LEGISLATIVE COMMITTEE:


MARTY KRUEGER, Chair


WALLY CZUPRYNSKI


DENNIS POLIVKA


JOAN FORDHAM


JOSEPH FISH

RESOLUTION NO. 11 -15

**AUTHORIZING THE PURCHASE OF A NEW ELECTRONIC VOTING SYSTEM AND
VOTING EQUIPMENT**

PAGE 2

FISCAL NOTE: The 2015 budget for the County Clerk's Office provides \$460,000 for this project. Annual Software Support the system is estimated to be \$4000. Annual firmware support is estimated to be \$330 per voting system for a total of \$12,210. *KPB*

M.I.S. NOTE: The computing platforms and equipment related to this acquisition are compatible with existing network infrastructure and meet applicable security requirements for County Systems.

Cost Comparison		
Vendor	ES&S	Dominion
Proposed system for 37 Municipalities	345,825	440,000
Additional Equipment		
Server	12,000	included in above
Workstation	1,500	1,500
Printer	1,850	1,850
Spare/Additional Voting Systems (2)	18,520	included in above
Estimated Total Cost	379,695	443,350
Ongoing Maintenance Fees		
Annual Firmware Support (per Voting System)	330	275
Annual Software Support	4,000	6,800
Additional Voting Systems (each)*	9,760	10,199

*Includes voter interface, tabulator and modem

RESOLUTION NO 14-2015

EXPRESSING OPPOSITION TO THE ACQUISITION OF LAND IN TRUST BY THE FEDERAL GOVERNMENT FOR THE BENEFIT OF THE HO-CHUNK NATION IN THE TOWN OF DELTON

WHEREAS, Sauk County has received two notices for the acquisition of land in trust by the U.S. Government for the benefit of the Ho-Chunk Nation in the Town of Delton; the first notice dated May 6, 2015 for 51.02 acres and referred to as the Allan-Casey property; the second notice dated May 26, 2015 for 395.64 acres and referred to as the Village West property; said properties identified on the maps attached hereto as Appendices A and B, with the properties currently used largely for agricultural purposes; and,

WHEREAS, the lands proposed for acquisition are within the regulatory jurisdiction of Sauk County and the Town of Delton, with the Allan-Casey properties proposed for tribal housing and education and the Village West properties proposed for a mixture of commercial development and other uses changing the current use of these properties and resulting in the loss of both real estate and sales tax revenue; and,

WHEREAS, the Village West property was the subject of a previous application in 2011 wherein the Ho-Chunk proposed a massive commercial development including a resort, shopping mall, IMAX theater and other development which the county opposed by Resolution No. 53 - 2011; and,

WHEREAS, Sauk County has a long history of opposing the acquisition of trust land because doing so removes land from the tax rolls, allows tribal commercial enterprise and industries to compete unfairly with non-tribal businesses, and creates a jurisdictional void where units of government frequently provide services but cannot regulate activities and receive no compensation for services provided; and,

WHEREAS, where trust status is granted, tax revenue is unavailable to compensate for the costs of the provision of public services such as law enforcement, public health inspections, zoning and schools, and members of the public may not enjoy the protection currently afforded by existing laws and regulations that currently apply to this property will not apply once these land are acquired in trust; and,

WHEREAS, trust status provides the Ho-Chunk Nation with an unfair competitive advantage over neighboring businesses that must not only pay real estate and sales taxes on their similar operations, but must now compete with an enterprise exempt from those taxes; and,

WHEREAS, the Ho Chunk Nation is not in need of tax exempt status in view of the fact that the Nation maintains an extremely profitable business enterprise in Sauk County in the form of a casino gambling hall, hotel, tavern and restaurant facilities and the taxpayers of Sauk County will be required to make up the shortfall created by removing these properties from the tax roll thereby resulting in a subsidy to the Ho Chunk Nation; and,

WHEREAS, Sauk County asserts that significant portions of the proposed acquisition of lands in trust by the United States Department of the Interior will result in significant negative effects on the human environment of Sauk County and the fiscal health of the affected units of local government including Sauk County; and,

WHEREAS, Sauk County is grateful for the areas in which the Ho-Chunk Nation and the County have cooperated over the years, and is desirous of maintaining and expanding that relationship, but current budget constraints and potential jurisdictional issues require that the County vigorously oppose portions of this request until these concerns are resolved; and,

WHEREAS, Sauk County does recognize that the Ho-Chunk Nation is a sovereign governmental entity, and that a distinction must be made between tribal businesses and governmental functions, and that housing and education are traditional functions of government while having a government engage in private business enterprises is inconsistent with the free enterprise system; and,

WHEREAS, the Town of Delton has taken action to oppose the granting of trust status to parcels of land proposed to be used for commercial or industrial development while not opposing acquisition of land in trust to be used for governmental purposes such as housing and education, and Sauk County is generally favorable to a similar approach while reserving legal arguments regarding the validity of laws and regulations permitting land to be acquired in trust in general.

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session, that Sauk County opposes the approval of the applications of the Ho-Chunk Nation for the acquisition of land in trust for the benefit of the Ho-Chunk Nation in the Town of Delton unless and until the concerns of the local units of government are resolved; and,

BE IF FURTHER RESOLVED, that land proposed to be used for commercial, industrial, agricultural or business purposes should not be acquired in trust, and while Sauk County opposes the acquisition of land in trust generally, trust status if lawful and granted needs to be reserved for lands used solely for governmental purposes, such as governmental administration, housing for tribal members, religion and education; and,

BE IT FURTHER RESOLVED, that Sauk County calls upon representatives of the Ho-Chunk Nation to meet with the County and the other impacted units of government in order to address concerns regarding the acquisition of land in trust, to work out agreements in advance of the granting of trust status, and to arrive at common ground so that the interest of the Ho-Chunk Nation and the local units of government can be accommodated; and,

BE IF FURTHER RESOLVED, that the Corporation Counsel is authorized to take any legal action necessary to oppose the acquisition of land in trust and the Executive & Legislative Committee is delegated the authority to negotiate with the Ho-Chunk Nation to resolve the outstanding issues involved in the trust land acquisition.

For consideration by the Sauk County Board of Supervisors on July 21, 2015.

Respectfully submitted,

EXECUTIVE & LEGISLATIVE COMMITTEE

MARTIN F. KRUEGER, Chairperson

JOAN FORDHAM

WALLY CZUPRYNKO

JOE FISH

DENNIS POLIVKA

Fiscal Note: The financial loss to the county from the acquisition of this land into trust is contained on the attached Appendix. Potential litigation will result in additional workload for the Corporation Counsel department and may result in additional costs for mileage, travel, duplication expenses, filing fees and other litigation related expenses. *PPB*

MIS Note: No impact.

s:\ccounsel\HO-CHUNK\2015trustrequestopposition\Sres.doc

Ho-Chunk Notice of Land Acquisition

Per Sauk County Property Records - 2014 (paid 2015) Valuation

BIA Letter Parcel #	BIA Letter Parcel Name	Sauk County Tax Parcel #	Tax Parcel Size (Acres) (B)	Equalized Value	All Real Estate Taxes	State Real Estate Taxes	Sauk County Real Estate Taxes	Town Real Estate Taxes	Baraboo School Real Estate Taxes	MATC Real Estate Taxes
1	Sauk 11	008-0021-00000	258.99	\$91,680	\$1,429.17	\$15.56	\$472.52	\$162.31	\$693.17	\$85.61
2	Sauk 12	008-0045-00000	130.09	\$518,149	\$8,077.26	\$87.93	\$2,670.55	\$917.34	\$3,917.62	\$483.82
2	Sauk 12	008-0045-10000	1.56	\$392	\$6.12	\$0.07	\$2.02	\$0.69	\$2.97	\$0.37
3	Holmes	008-0204-00000	5.00	\$35,066	\$546.62	\$5.95	\$180.73	\$62.08	\$265.12	\$32.74
Communications Dated 4/28/2011 and 5/26/15				\$645,286	\$10,059.17	\$109.51	\$3,325.82	\$1,142.42	\$4,878.88	\$602.54

Allan - Casey	008-0972-00000	008-0972-00000	3.22	\$655,571	\$10,219.50	\$111.26	\$3,378.83	\$1,160.63	\$4,556.64	\$612.14
	008-0972-10000**	Split to 008-1080-30100 to 31300			\$395.47	\$4.31	\$130.75	\$44.91	\$191.81	\$23.69
		008-1080-30100 (Lot 4)	2.24	\$490	\$0.00					
		008-1080-30200 (Lot 5)	2.24	\$490	\$0.00					
		008-1080-30300 (Lot 6)	2.24	\$490	\$0.00					
		008-1080-30400 (Lot 7)	2.24	\$490	\$0.00					
		008-1080-30500 (Lot 8)	2.24	\$490	\$0.00					
		008-1080-30600 (Lot 9)	2.24	\$490	\$0.00					
		008-1080-30700 (Lot 10)	2.42	\$588	\$0.00					
		008-1080-30800 (Lot 11)	2.42	\$588	\$0.00					
		008-1080-30900 (Lot 12)	2.43	\$1,273	\$0.00					
		008-1080-31000 (Lot 13)	2.43	\$4,408	\$0.00					
		008-1080-31100 (Lot 14)	2.50	\$2,938	\$0.00					
		008-1080-31200 (Lot 15)	0.98	\$1,763	\$0.00					
	008-0982-00000	008-0982-00000	7.16	\$98,928	\$1,542.16	\$16.79	\$509.88	\$175.14	\$747.98	\$92.37
	008-0982-10000	008-0982-10000	1.68	\$47,309	\$737.48	\$8.03	\$243.83	\$83.76	\$357.69	\$44.17
	008-0987-00000	008-0987-00000	5.80	\$285,129	\$4,444.79	\$48.39	\$1,469.56	\$504.80	\$2,155.80	\$266.24
	Giebel Court roadway		4.11							
	Communication Dated 5/06/2015		51.01	\$1,102,021	\$17,339.40	\$73.21	\$2,223.27	\$763.70	\$3,261.47	\$402.78

Grand Total

446.65	1,747,308	27,398.57	182.72	5,549.09	1,906.12	8,140.35	1,005.32
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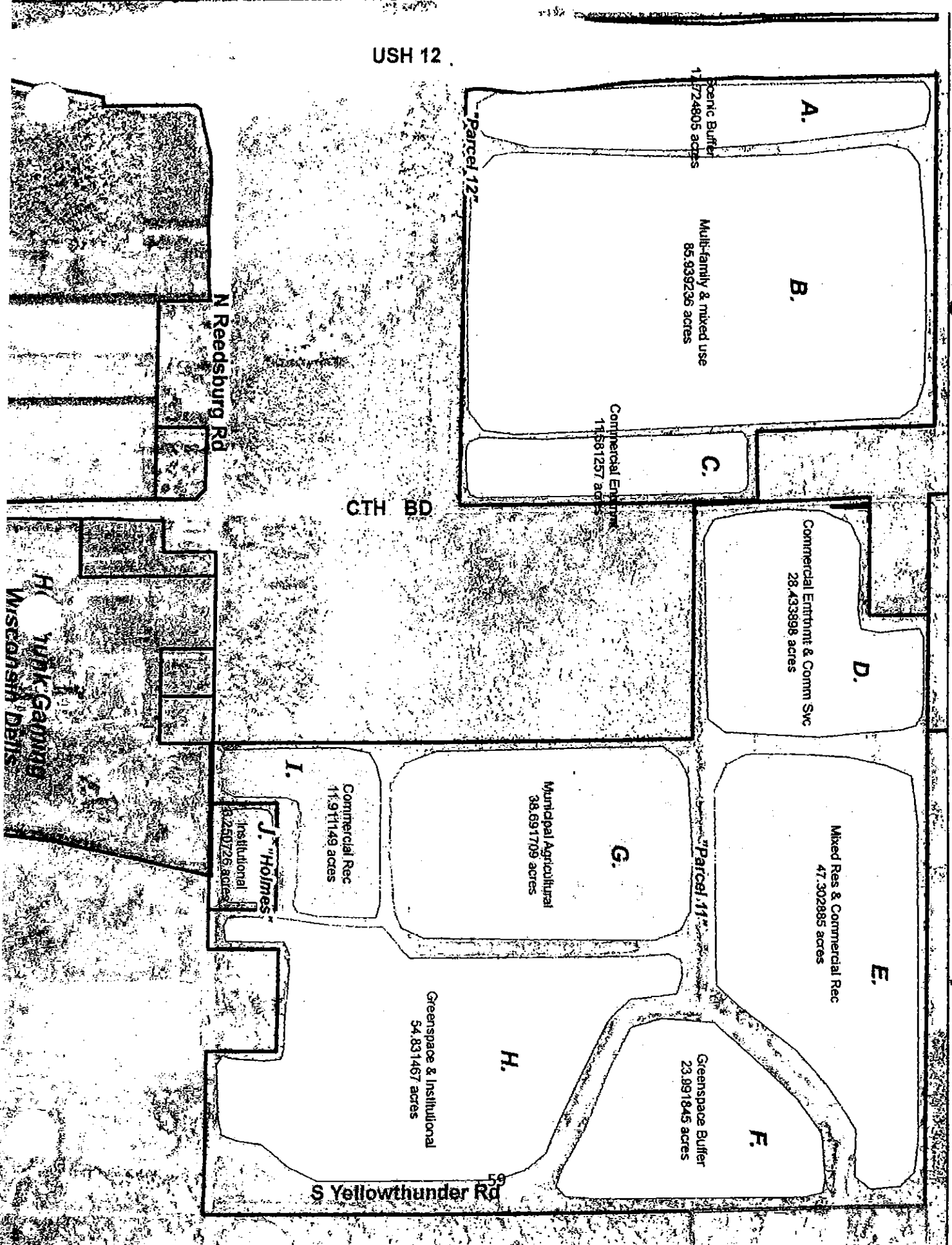
Loss of Equalized Value	State of Wisconsin	Sauk County	Town of Delton	Baraboo Schools	MATC
2014 (2015 budget) Equalized Value for Property Taxes (TID Out)		\$1,747,308	\$1,747,308	\$1,747,308	\$1,747,308
Percent of Total Equalized Value Lost		\$6,014,446.300	\$279,692,700	\$1,505,488,441	\$69,564,373,725
		0.03%	0.62%	0.12%	0.00%
2014 (2015 budget) Equalized Value for Property Taxes AFTER Removal of these Parcels		\$6,012,698,992	\$277,945,392	\$1,503,741,133	\$69,562,626,417
Tax burden shifted to all other taxpayers in the taxing jurisdiction		\$5,549.09	\$1,906.12	\$8,140.35	\$1,005.32
Tax on an average residential property of	N/A*	\$0.15	\$1.15	\$0.91	\$0.00
Excludes impact of levy limits or revenue caps					

* State of Wisconsin forestry tax under Section 70.58 Wis Stats. Rate is set, not levy amount set.

**Lot 3 of CSM 6125 was re-platted in 2014 as The Allan Property and is therefore no longer an active parcel. For 2015 each lot within The Allan Property has a new parcel number.

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Village West - Future Lanouse rian Concept



ORDINANCE NO. 8 - 2015

**AMENDING SAUK CO. CODE CH. 6 TO CONFORM TO AMENDMENTS TO STATE
STATUTES AND TO PROVIDE FOR TOWING OF ILLEGALLY PARKED VEHICLES**

WHEREAS, Wis. Stat. § 346.56(1m) has been amended to provide for a minimum forfeiture of \$20.00 and Sauk Co. Code § 6.06(1)(a) currently provides for only a \$10.00 forfeiture and therefore is not in compliance with state law; and,

WHEREAS, the Sauk County Code of Ordinances currently does not provide for towing of illegally parked vehicles, and Wis. Stat. § 349.13 requires a county to have an ordinance in order to tow illegally parked vehicles; and,

WHEREAS, your undersigned committee has had this matter under advisement, and does believe that increasing the fine is required and having the option of towing vehicles will create a strong deterrent and is currently necessary due to an increase in the number of illegally parked vehicles.

NOW, THEREFORE, BE IT ORDAINED, by the Sauk County Board of Supervisors, met in regular session, that the amendments to Sauk Co. Code chs. 6 and 20 are hereby adopted to be effective upon passage.

For consideration by the Sauk County Board of Supervisors on July 21, 2015.

Respectfully submitted,

LAW ENFORCEMENT AND JUDICIARY COMMITTEE

WILLIAM WENZEL, CHAIR

GERALD LEHMAN

MICHELLE DENT

JOHN DEITRICH

DAVID MOORE

FISCAL NOTE: There will be an increase in revenue from the increased parking forfeiture, but no increased cost or revenue associated with the possible towing of vehicles.

MIS NOTE: No MIS impact.

APPENDIX – AMENDMENTS TO SAUK CO. CODE CH. 6

6.06 Penalties. (1) Except as otherwise provided herein, the penalty for violation of any provision of this ordinance shall be a forfeiture as specified in the Wisconsin Statutes or a deposit as specified in the deposit schedule established by the judicial conference pursuant to Wis. Stat. §345.26 (2)(a) and any amendments thereto.

(a) The forfeiture for violation of Sauk Co. Code § 6.05(1) shall be ~~\$10.00~~ \$20.00, together with the cost of prosecution and such other costs as are provided for in Wis. Stat. ch. 345.

(b) The forfeiture for violations of Sauk Co. Code §6.05 (2) shall be \$150.00, together with the cost of prosecution and such other costs as are provided for in Wis. Stat. ch. 345.

(c) If the forfeiture is not paid within 10 days of its issuance, the forfeiture amount expressed above shall double.

(d) If an operator of a vehicle violates any of those sections of this ordinance in strict conformity with Wis. Stat. §§ 346.04 (1) or (2), 346.18 (6), 346.27, 346.37, 346.39, 346.46 (1), 346.57 (2), (3), (4) (d) to (h) or (5) or 346.62 (2) where persons are engaged in work in a highway maintenance or construction area or in a utility work area are at risk from traffic, the forfeiture or fine for the violation shall be doubled.

(e) Any vehicle parked or left standing upon a highway, street or alley, or other public grounds in violation of any of the provisions of this section is declared to be a hazard to traffic and public safety. Such vehicle shall be removed by the operator, upon request of the sheriff or deputy sheriff, to a position where parking, stopping or standing is not prohibited. Any deputy sheriff, after issuing a citation for illegal parking, stopping or standing of an unattended vehicle in violation of this code, is authorized to remove such vehicle to a position where parking is not prohibited. The officer may order a motor carrier holding a permit to perform vehicle towing services, a licensed motor vehicle salvage dealer or a licensed motor vehicle dealer who performs vehicle towing services, to remove and store such vehicle in any storage garage, or rental parking grounds, or any facility of the person providing the towing and services. In addition to other penalties provided by this chapter, the owner or operator of a vehicle so removed shall pay the cost of towing and storage.

AMENDMENTS TO SAUK CO. CODE § 20.07(2)(b)

20.07(2) CHAPTER SIX: TRAFFIC AND SNOWMOBILE RULES AND REGULATIONS; pursuant to Section 6.02 (2) which authorizes penalties of not less than \$10.00 nor more than \$200.00.

FORFEITURE PROVISIONS, DESCRIPTIONS AND SECTION NUMBERS

(b) ~~\$10.00~~ \$20.00 parking and nonmoving violations adopted; s. 6.05(1)*

Deletions indicated by ~~strike through~~.

New language indicated by shading.

RESOLUTION NO. 19 - 2015

RESCINDING SO MUCH OF RESOLUTION NO. 118-2014
INVOLVING THE TAKING OF A TAX DEED ON PARCEL
NUMBER 030-1139-10000 IN THE TOWN OF REEDSBURG AND MORE
PARTICULARLY DESCRIBED BELOW

WHEREAS, by Resolution No. 118-2014, the Honorable Sauk County Board of Supervisors authorized the taking of a tax deed on parcel number 030-1139-10000, more particularly described below:

TOWN OF REEDSBURG S36-12-4 NW SE EXC CSM #5894 38.6A M/L (SEE EASE D-1008618); more particularly described in the Register of Deeds Office at Document No. 869484; Document No. 847021; and Document No. 700738.

WHEREAS, Sauk Co. Code § 30.03(6) and Wis. Stat. § 75.35(3) authorizes Sauk County to give preference to a former owner in the sale of property taken by tax deed; and,

WHEREAS, your undersigned Committee has had this matter under advisement, and has determined that it is in the best interest of Sauk County to give preference to the former owner of this property because the funds received will compensate the County in full for the amounts due and owing.

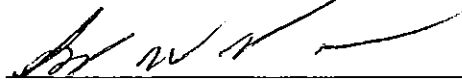
NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session, that so much of Resolution No. 118-2014 as it pertains to the above described parcel of real property located in the Town of Reedsburg is hereby rescinded; and,

BE IT FURTHER RESOLVED, that the County Clerk shall be and hereby is authorized to sign documents effectuating and providing notice of rescission of a portion of said tax deed.

For consideration by the Sauk County Board of Supervisors on July 21, 2015.

Respectfully submitted:

PROPERTY & INSURANCE COMMITTEE


SCOTT VON ASTEN, Chairperson


NATHAN S. JOHNSON


JOHN M. DEITRICH


WILLIAM HAMBRECHT


JEFFREY GIEBEL

FISCAL NOTE: Funds received were \$3,206.73. This amount is sufficient to cover all previously owed Taxes (Years of 2010 thru 2014) in the amount of \$1,986.69; Interest & Penalty the amount of \$864.74; Tax Deed Service Charge in the amount of \$150.00; Service Charges pursuant to Sauk County Ordinance 30.03(6) (b) in the amount of \$175.30 and Recording Fee of \$30.00.

MIS NOTE: No impact.

RESOLUTION NO. 80 - 15

**AUTHORIZATION TO CONTRACT WITH JOHNSON CONTROLS INC TO UPGRADE
THE PNEUMATIC CONTROLS IN THE WEST SQUARE FACILITY TO DIGITAL**

WHEREAS, Sauk County in 2010 completed an Energy Feasibility Study of the West Square and Courthouse facilities; and

WHEREAS, as part of that study a number of energy savings measures were identified with estimated costs; and,

WHEREAS, as part of the Capital Improvement Plan money was budgeted for the past three years in anticipation of completing a major upgrade to the pneumatic building controls for the heating and cooling system in the West Square Building to digital controls to improve upon the energy efficiency of that facility; and,

WHEREAS, the Emergency Management, Buildings and Safety Department in conjunction with Strang Engineering developed a Request for Bid to complete the upgrade of the pneumatic controls in the West Square Facility to digital controls; and,

WHEREAS, the Emergency Management, Buildings and Safety Department has reviewed the bids received with the Property and Insurance Committee and the Committee feels that it is in the best interest of Sauk County to accept the bid of \$510,100.00 from Johnson Controls Inc. to complete this upgrade;

NOW, THEREFORE, BE IT RESOLVED, by that Sauk County Board of Supervisors, met in regular session, that the Emergency Management, Buildings & Safety Administrator in conjunction with the Corporation Counsel is hereby authorized to contract with Johnson Controls Inc. to complete the digital controls upgrade at a cost of \$510,100.00, and,

BE IT FURTHER RESOLVED, that the Emergency Management Buildings & Safety Administrator is designated to approve changes not exceeding \$10,000.00 as long as those changes do not exceed the budget established for this project; and,

RESOLUTION NO. 80-15

**AUTHORIZATION TO CONTRACT WITH JOHNSON CONTROLS INC TO UPGRADE
THE PNEUMATIC CONTROLS IN THE WEST SQUARE FACILITY TO DIGITAL**

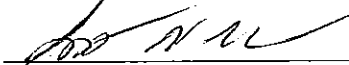
Page 2

BE IT FURTHER RESOLVED that the Sauk County Board of Supervisors hereby authorizes the Property & Insurance Committee to approve changes in excess of \$10,000.00 as long as those changes do not exceed the budget established for this building project.

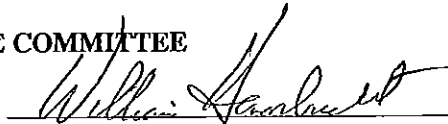
For consideration of the Sauk County Board of Supervisors on July 21st, 2015.

Respectfully submitted:

SAUK COUNTY PROPERTY AND INSURANCE COMMITTEE



Scott Von Asten, Chair



William Hambrecht



Nathan Johnson



John Deitrich

Jeffrey Giebel

Fiscal Note: Funds totaling \$653,769 has been budgeted within the Building Services budget as part of the Capital Improvement Planning Process.

YJB

Information System Note: No Impact.

COMPANY	BASE BID	VARIABLE FREQUENCY DRIVES (VFD) FOR PUMPS 1 THRU 20	REPLACE MOTORS PUMPS 1 THRU 20 WITH HIGH EFFICIENCY MOTORS	REPLACE ALL 2 1/2" OR LARGER PNEUMATIC CONTROL VALVES	MODIFY AIR HANDLING UNIT #1 TO ADD DRAIN PAN	PROVIDE VFD FOR COOLING TOWER FANS	PROVIDE HIGH EFFICIENCY MOTORS FOR COOLING FANS	WATER BALANCING	TOTAL
Johnson Controls	\$367,000	\$50,500	\$22,200	\$19,800	\$18,300	\$11,300	\$12,500	\$8,500	\$510,100
Complete Controls	\$424,145	\$87,995	\$18,360	\$11,780	\$15,867	\$11,099	\$5,583	\$12,925	\$587,754

RESOLUTION NO. 81-15

**AUTHORIZATION TO CONTRACT WITH TECHNOLOGY SOLUTIONS GROUP
INC. TO COMPLETE VOICE MAIL SYSTEM UPGRADE**

WHEREAS, the existing voice mail system for Sauk County has been experiencing issues and is no longer supported due to the age of the system; and,

WHEREAS, the County regularly budgets for system upgrades; and,

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

WHEREAS, Technology Solutions Group, Inc. provided a proposal to provide the software and technical assistance to upgrade to the Aura Messaging system of \$18,679.50; and,


WHEREAS, the Property & Resources Committee recommends it to be in the best interest of Sauk County to accept the proposal from Technology Solutions Group Inc. in the amount of \$18,679.50

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors met in regular session, that the Emergency Management Buildings & Safety Administrator is hereby directed and authorized to contract with Technology Solutions Group Inc. in the amount of \$18,679.50.

For consideration by the Sauk County Board of Supervisors on July 21, 2015.

Respectfully submitted:

SAUK COUNTY PROPERTY AND INSURANCE COMMITTEE



Scott Von Asten, Chair



William Hambrecht



Nathan Johnson

Jeffrey Giebel



John Deitrich

Fiscal Note: Funds are budgeted within the Building Services budget as part of the Capital Improvement Planning Process. *klb*

Information System Note: MIS will assist EMBS with the installation of the virtual software system at a cost of approximately \$3,200.

Technology Solutions Group, Inc.

2575 White Oak Circle
Aurora, IL 60502
Phone: 630-929-7600



Proposal

No. 167204

Date: 4/22/2015

Corporate Office: Aurora, IL
Branch Offices: Milwaukee, WI; Omaha, NE; Pittsburgh, PA; Rockford, IL
Field Offices: Cedar Falls, IA; Madison, WI; Springfield, IL

Prepared for ("Customer")

Sauk County Courthouse

510 Broadway

Baraboo, WI 53913 U.S.A.

Contact: Mr. Tim Stieve Phone: (608) 355-3200

Prepared by Dick Philipp

E-Mail: dphilipp@4tsg.com

Qty.	Item Description	Sell	Total
	AVAYA COMMUNICATIONS SOLUTION		
	AVAYA MODULAR MESSAGING TO AURA MESSAGING MIGRATION		
500	MESSAGING R6.X AVAYA STORE SEAT TRACKING LIC	0.00	\$0.00
1	MSG R6.X NEW SYSTEM TRACKING	0.00	\$0.00
1	MSG R6+ MEDIA ENCRYPTION	0.00	\$0.00
550	MSG R6.X MAINSTREAM ASIPP NC MM LIC	17.42	\$9,581.00
1	SAL STDALN GATEWAY LIC R2 DWNLD	0.00	\$0.00
1	MSG R6.X VIRTUAL PLTFRM SOL TR K	0.00	\$0.00
1	MSG R6.X VAPP SYS LIC	0.00	\$0.00
1	MSG R6.3 MED AV VMWARE OVA DVD	33.50	\$33.50
9065.00	Total Project Installation - TAXABLE LABOR	1.00	\$9,065.00

Equipment and Labor: \$ 18,679.50

Total: \$ 18,679.50

This proposal is valid for 30 days.

Customer acknowledges and agrees that this agreement is subject at all times to the terms and conditions set out in the Master Agreement previously executed by Customer and TSG. Unless otherwise stated within a scope of work, all hardware and software will be invoiced upon shipment and all implementation services will be billed upon completion.

Accepted by: _____

67

Date: _____

RESOLUTION NO. 82-15

**AUTHORIZING TO PURCHASE 2016 FORD SUPER DUTY F-250 REGULAR CAB
TRUCK WITH SNOW PLOW**

WHEREAS, The Emergency Management, Building and Safety (EMBS) Department handles the plowing for the facilities that it oversees; and,

WHEREAS, the EMBS Department has a 1997 Ford at the Reedsburg Facility that is due for replacement; and,

WHEREAS, the Facility Manager obtained the state bid pricing for ¾ ton trucks and the lowest cost truck is the Ford from Ewald Automotive Group at a cost of \$25,498; and,

WHEREAS, the Facility Manager also obtained state pricing for Western MVP Plow and a Western LP 1000 Salt Spreader and Ewald Automotive Group provided the lowest bid of \$6,798; and,

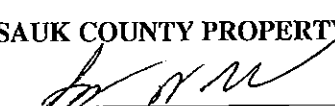
WHEREAS, the 2015 budget includes \$30,000 for this replacement vehicle. The remaining funds are available in the budget due to savings in other capital outlay purchases;

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session that the Sauk County Emergency Management Department be authorized and directed to purchase a 2016 Ford Super Duty F-250 Regular Cab Pickup from Ewald Automotive Group at a total cost including the plow equipment at a cost of \$32,296.00.

For consideration of the Sauk County Board of Supervisors on July 21st, 2015.

Respectfully submitted:


SAUK COUNTY PROPERTY AND INSURANCE COMMITTEE




Scott Von Asten, Chair



William Hambrecht



Nathan Johnson



Jeffrey Giebel



John Deitrich

Fiscal Note: Funds are budgeted in the 2015 Building Services Budget for this purchase.

Information System Note: No Information System impact

RESOLUTION NO. 83 - 15

**AUTHORIZING TO PURCHASE 2016 JOHN DEERE TRACTOR WITH
ATTACHMENTS**

WHEREAS, The Emergency Management, Building and Safety (EMBS) Department handles the mowing and plowing for the facilities that it oversees; and,

WHEREAS, the EMBS Department has a John Deere 425 Lawn Tractor and attachments at the Courthouse and West Square Facility that is due for replacement; and,

WHEREAS, the Facility Manager obtained the state bid pricing for a John Deere Model 734X with the quad steering and the lowest cost was obtained from Mid-state Equipment Sauk Prairie at a cost of \$19,154.51; and,

WHEREAS, the pricing obtained includes the necessary attachments for the various seasonal uses of the tractor includes the 54" Mowing Deck, seven bushel bagging system, 47" Snow Blower, 54" Front Blade and Cab; and,

WHEREAS, the 2015 Building Services Budget contains funding for the purchase of this Lawn Tractor;

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session that the Sauk County Emergency Management Department be authorized and directed to purchase a John Deere 734X lawn tractor from Mid-state Equipment Sauk Prairie at a total cost including the attachments of \$19,154.49.


For consideration of the Sauk County Board of Supervisors on July 21st, 2015.

Respectfully submitted:

SAUK COUNTY PROPERTY AND INSURANCE COMMITTEE




Scott Von Asten, Chair



William Hambrecht



Nathan Johnson



Jeffrey Giebel



John Deitrich

Fiscal Note: Funds are budgeted in the 2015 Building Services Budget for this purchase.

Information System Note: No Information System impact

John Deere 734 X Tractor Price Sheet

	Slama's Lawn & Sport	Mid States Sauk Prairie	Riesterer & Schnell
JD X734 TRACTOR	\$8,834.58	\$8,726.15	\$8,572.59
ROPS HARD CAB	\$4,908.16	\$4,578.82	\$4,175.87
47" Q. Hitch snowblower	\$2,604.96	\$2,604.96	\$2,996.11
54" Q. Hitch Blade	\$570.24	\$570.24	\$650.71
54" Mower Deck	\$1,577.07	\$1,577.07	\$1,449.62
7 Bu Hopper Assembly	\$400.42	\$400.42	\$619.71
54 HC Power Flow for X700	\$510.49	\$510.49	\$510.49
Power Flow Chute	\$93.60	\$93.60	\$95.30
Click n Go Bracket		\$92.74	\$110.92
Total Discounted Bid	\$19,499.52	\$19,154.49	\$19,181.32