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**RESOLUTION #**

**Resolution to Authorize a Small Dam Option for Hemlock Dam and to Rescind the Use of Funds through the Department of Natural Resources Municipal Dam Grant Program**

**Resolution offered by the Land Resources and Environment Committee**

Resolved by the Board of Supervisors of Sauk County, Wisconsin:

**BACKGROUND:** The Hemlock Dam creates Hemlock Slough, located at Hemlock County Park, in the Town of LaValle, Sauk County. The dam was constructed in 1964 for recreational purposes. During the months of August and September 2018, the dam sustained damages during a flooding event. Subsequently, the Wisconsin Department of Natural Resources (WDNR), gave the Sauk County Land Resources and Environment Department an Administrative Order to Repair or Abandon Hemlock Dam. The WDNR requested that a decision to abandon or repair Hemlock Dam be made by August 30, 2019. To give the County time to review its options, an extension request was granted by the DNR.

On October 15, 2019, the decision (Resolution 132-2019) was made by the Sauk County Board of Supervisors to repair Hemlock Dam. Shortly thereafter, Resolution 154-2019 was approved by the Sauk County Board awarding a contract to Ayres and Associates to engineer a large-scale dam for an amount not to exceed \$38,041. In addition to preparing plans/specifications for the dam, Ayres and Associates assisted with the preparation of the materials necessary to make application for the DNR Municipal Dam Grant Program. Resolution 53-2020 authorized our participation in the program with the intention that Sauk County would pay a share of the eligible costs for the construction of the dam, which is equal to the total project cost minus the state share.

As a result of pursuing reconstruction of the dam as well as Municipal Dam Grant Funds, additional jurisdictional and maintenance requirements were proposed by the WDNR for the large-scale dam being proposed. To avoid the additional requirements a small-scale dam was authorized by the County Board on March 16, 2021 (Resolution 29-2021). The contracted amount for engineering services up to \$76,191 was authorized in an amended contract with Ayres Associates. Despite the authorization of the small-dam, further requirements of the DNR Municipal Dam Grant program have resulted in our inability to accept funding under the program. As a result, Sauk County would be responsible for the engineering and construction costs associated with the replacement of the Hemlock Dam.

**THEREFORE, BE IT RESOLVED,** that the Sauk County Board of Supervisors, met in regular session, hereby re-authorizes a small-scale dam for Hemlock Dam and directs the Land Resources and Environment Director to prepare said plans; and rescinds the use of funds through the DNR Municipal Dam Grant Program to assist paying for engineering and construction costs.

Approved for presentation to the County Board by the Land Resources and Environment Committee, this 19 day of April 2022.

Consent Agenda Item: [ ] YES [X] NO

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

Vote Required: Majority = \_\_\_\_\_ 2/3 Majority = \_\_\_\_\_ 3/4 Majority = \_\_\_\_\_

The County Board has the legal authority to adopt: Yes \_\_\_\_\_ No \_\_\_\_\_ as reviewed by the Corporation Counsel, \_\_\_\_\_, Date: \_\_\_\_\_.

Offered and passage moved by:

Marty Krueger, Chair

Peter Kinsman, Vice Chair

Ross Curry

Brandon Lohr

Valerie McAuliffe

Rob Nelson

Dennis Polivka

Randy Puttkamer

Fiscal Note: The 2022 Budget included \$196,000 for the replacement of Hemlock Dam. Payment for engineered plans for the small-scale dam would be taken from this budgeted amount. The contracted amount is \$38,150. Additional funds may be necessary for construction of the project. Material and construction costs have seen significant increases. A future request for additional funding may come before the County Board once the project has been bid.

MIS Note: No information systems impact.