

PROCEEDINGS

OF THE

BOARD OF SUPERVISORS

Of

Dane County, Wisconsin

2018 - APRIL THROUGH DECEMBER
2019 - JANUARY THROUGH APRIL

SHARON CORRIGAN Chair
JENNI DYE 1st Vice-Chair
JEFF PERTL 2nd Vice Chair
MAUREEN McCARVILLE Sergeant-At-Arms
MATT VELDRAN Sergeant-At-Arms
SCOTT McDONELL County Clerk

2018 - 2019 COUNTY BOARD PROCEEDINGS**APRIL 17, 2018, 7:00 PM SESSION**

The Dane County Board of Supervisors met pursuant to statute. Chair Corrigan called the meeting to order. County Clerk McDonnell called the roll:

PRESENT: Bayrd, Bollig, Chenoweth, Clausius, Corrigan, Downing, Dye, Erickson, Gillis, Kiefer, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Pertl, Rusk, Salov, Schauer, Veldran, Wegleitner, Stubbs, Jones, Kilmer, Williams, Kuhn, Eicher, Chawla, Danner, Peters, Schwellenbach, Buckingham and Knoll

EXCUSED: Young

Supervisor Buckingham offered an inspirational message and led the Pledge of Allegiance

SPECIAL MATTERS AND ANNOUNCEMENTS**Administering the Oath of Office**

The Honorable Ann Walsh Bradley, WI Supreme Court Justice, administered the oath of office en masse to all County Board Supervisors that were present. The new Board was seated.

Election of Board Chair - 2 years

For the position of County Board Chair: Supervisor Bayrd nominated Supervisor Corrigan. As there were no other nominations, nominations were closed. Supervisor Dye moved to approve the nomination of Supervisor Corrigan by unanimous consent. Motion carried and Supervisor Corrigan was seated and chaired the remainder of the Board session.

Election of First Vice Chair - 2 years

For the position of First Vice Chair: Supervisor Pertl nominated Supervisor Dye. As there were no other nominations; the nominations were closed. Supervisor Pertl moved to approve Supervisor Dye by unanimous consent. Supervisor Dye was elected First Vice Chair.

Election of Second Vice Chair - 2 years

For the position of Second Vice Chair: Supervisor Stubbs nominated Supervisor Pertl. As there were no further nominations, the nominations were closed. Supervisor Stubbs moved to approve Supervisor Pertl by unanimous consent. Supervisor Pertl was elected Second Vice Chair.

Election of Sergeant s at Arms - 2 years

For the positions of Sergeants at Arms: Supervisor Rusk nominated Supervisor McCarville for Sergeant at Arms. Supervisor Erickson nominated Supervisor Veldran for Sergeant at Arms. There were no other nominations. Supervisor Erickson moved to approve Supervisor McCarville and Supervisor Veldran by unanimous consent. There were no objections and Supervisor Veldran and McCarville were elected Sergeants at Arms.

AMENDING COUNTY BOARD RULES

Sub.1, 2018 OA-001

AMENDING CHAPTER 7 OF THE DANE COUNTY CODE OF ORDINANCES, AMENDING BOARD RULES

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 7.03(2) is amended to read as follows:

(2) The chairperson shall appoint each supervisor to only one standing committee of the board, other than the executive committee, and shall also appoint members to other committees or commissions as directed by the board. In accordance with s. 7.11(10), the chairperson shall consider the recommendations of the UW Extension Committee in the appointment of youth members to standing committees, except for the executive committee, as well as to boards and commissions as authorized by Chapter 15.

ARTICLE 3. Section 7.04(2) is amended to read as follows:

(2) When the chairperson is absent from a board meeting, temporarily vacates the chair or is otherwise unable to preside,

one of the following, in order and as able, shall preside: first vice-chairperson; second vice-chairperson. In the event of ~~absence or unavailability~~ or other incapacity of all of these, a chairperson pro tem shall be elected. If the chair is unavailable, the first vice-chair can take provisional action until the chair is available.

ARTICLE 4. Section 7.11(10) is amended to read as follows:

(10) Except for the executive committee, the chairperson, with consideration of the recommendations of the UW Extension Committee, shall appoint twelve to eighteen youth members to standing committees for a one-year term from June to May.

(a) Youth members must be Dane County residents in grades ~~9~~10 - 12 and make application to serve through the Dane County Extension Department.

(b) Youth members shall have a non-binding advisory vote on standing committees, and boards and commissions as authorized by Chapter 15, and committee minutes should record their votes separately as advisory. Youth members shall be given the same opportunities for committee participation and involvement as elected county supervisors.

(c) Committee closed sessions may not include youth members.

(d) Youth members shall not be counted for purpose of quorum.

ARTICLE 5. Section 7.12 is amended to read as follows:

(intro.) The zoning & land regulation committee shall have the duty and responsibility to:

(1) Act as the supervisory committee for the land information office and the planning and development department, including survey, zoning, tax description and plat review functions.

(2) Act as the policy oversight committee for the register of deeds and the Dane County Board of Adjustment.

(4) Fulfill the zoning and subdivision control powers and duties enumerated in chapters 10, 74, 75 and 76, D.C. Ords.

(5) Advise the county board on all matters relating to zoning, land use and land regulation, and recommend policy and planning initiatives to the board and the planning director.

(6) Report to the county board regarding all proposed cemetery maps and plats in accordance with sec. 157.07, Wis. Stats.

(7) Review proposed amendments to the Dane County Comprehensive Plan, including amendments to town plans, and make recommendations to the County Board on amendments to Subchapter II of Chapter 82 of the Dane County Code of Ordinances.

(8) Act as the county's liaison to, and cooperate with, regional planning bodies.

ARTICLE 6. Section 7.14(19) is amended to read as follows:

(19) The committee shall review and periodically make recommendations to the county board on information technology ~~issues~~-needs and shall provide an updated information technology strategic plan to the county board annually by June 1st.

ARTICLE 7. Section 7.15(2) is amended to read as follows:

(2) Act as the policy oversight committee for the Dane County Housing Authority, the commission on sensitive crimes, the specialized transportation commission, and the Dane County Humane Society; ~~and act as the budget review committee for the Board of Health for Madison and Dane County.~~

ARTICLE 8. Section 7.18(1) and (2) are amended to read as follows:

(1) Act as the supervisory committee for the department of public works, highway and transportation, the Dane County Parking Ramp, ~~the facilities management division, and the Alliant Energy Center of Dane County.~~

(2) Act as the policy oversight committee for the Dane County Regional Airport Commission, the solid waste and recycling ~~commission~~ ad hoc subcommittee, the Dane County Zoo Commission, all regional transportation planning, and all rail transit commissions to which the county is a party. The committee may create an ad hoc subcommittee, including both standing committee members and citizen members, with appointments by the chair.

ARTICLE 9. Section 7.19(4)(d) is rescinded:

~~(d) — Recommend policy and planning initiatives to the board and the planning director.~~

ARTICLE 10. Section 7.19(7) is rescinded:

~~(7) — Act as the county's liaison to, and cooperate with, regional planning bodies.~~

ARTICLE 11. Section 7.20(2) is amended to read as follows:

(2) Land Conservation Committee. The land conservation committee shall be composed of the same supervisor members appointed by the county board chairperson to the Environment, Agriculture, Natural Resources Committee, and one additional supervisor, at least five (5), but no more than seven (7), supervisor members appointed by the county board chairperson. Together with the chair- person of the farm services agency county committee or his or her designee, the committee shall function as the land conservation committee in accordance with chapter 92, Wis. Stats. The committee shall have the powers set forth in sec. 92.07, Wis. Stats., and shall coordinate all matters relating to agriculture and soil and water use and conservation in the county, in cooperation with any interested governmental agency.

ARTICLE 12. Section 7.22(12) is amended to read as follows:

(12)(a) In order to encourage civic participation, meetings of County Board and committees shall not be scheduled on holidays or on the day of any ~~general~~ statewide or countywide election. If necessary for consideration of time- sensitive matters, committees may meet on the day of an election at the direction of both the committee chair and board chair. The County Board chair shall consider holidays and elections when developing the annual schedule of County Board meetings.

(b) The Office of Equity and Inclusion shall annually issue a memorandum delineating days and times on which meetings should not be scheduled.

ARTICLE 13. Section 7.22(14) is created to read as follows:

(14) Committee members may participate in a meeting via telephone or other electronic media but cannot be counted for quorum or vote.

ARTICLE 14. Section 7.225(2)(a) is amended to read as follows:

(a) If a committee has taken testimony on an item and the same committee considers action on the item at a separate meeting, the public shall not have the opportunity to testify if that same item appears on subsequent agendas of the same committee. Items are not considered to be the same item if a new amendment has been posted and the public has not had the opportunity to testify on the new amendment.

ARTICLE 15. Section 7.23(2)(i) is created to read as follows:

(i) Attendance shall be reflected in the minutes each time a member arrives or leaves to ensure accuracy in recording of votes.

ARTICLE 16. Section 7.59(4) is amended to read as follows:

(4) The two seats to the chairperson's left on the center aisle of the fifth row shall be reserved for the county board's staff. Remaining seats in the fifth row to the chairperson's left shall be reserved for the news media. Access to media seating shall not be available to the general public, registered lobbyists, or individuals registered to address and/or speaking before the board in support of or opposition to an item on the board agenda. If members of the media do not use the seats, the seats may be used by staff from county departments and other county officials.

ARTICLE 17. Section 7.68 is rescinded in its entirety.

7.68 COUNTY BOARD MEETINGS; CONDITIONAL USE PERMIT APPEAL PROCEDURE.

~~(1) For appeals of the grant or denial of a conditional use permit, the county board acts in a quasi judicial capacity and, notwithstanding the provisions of s. 7.63, shall follow the procedures set forth in this section.~~

~~(2) The county board shall make its decision based on the record.~~

~~(a) The record is composed of the following sources of information:~~

~~1. All evidence submitted to the Zoning and Land Regulation Committee, and documents incorporated therein.~~

~~2. Testimony heard by the county board in the hearing on the appeal.~~

~~(b) Evidence or other information in any form, not in the record of the Zoning and Land Regulation Committee, which is presented to Supervisors outside the hearing proceedings is not part of the record.~~

~~(3) The appellant or applicant shall appear in person or be represented by an agent or attorney. In the event that neither the appellant, applicant, or representative appears at the public hearing, the Board has the discretion to abey the matter to a future meeting or dismiss the appeal.~~

~~(4) Order of Business For Conditional Use Permit Appeals. A conditional use permit appeal shall follow the following sequence of events:~~

~~(a) Summary by Zoning Administrator. The Zoning Administrator shall summarize the conditional use permit application and the decision being appealed.~~

~~(b) Appellants case.~~

~~1. The Appellants will be afforded 30 minutes to present their case by presentation of testimony by witnesses or other evidence and argument. If there is more than one appellant of record, it is the responsibility of appellants to allocate the 30 minutes among themselves.~~

~~2. Following the testimony by the appellants, members of the county board may ask questions of the appellants and their witnesses.~~

~~(c) Respondent's case.~~

~~1. Respondent (if applicable) will be afforded 30 minutes to present their case by presentation of testimony by witnesses or other evidence and argument. If there is more than one respondent of record, it is the responsibility of the respondents to allocate the 30 minutes among themselves.~~

~~2. Following testimony by the respondent, members of the county board may ask questions of the respondent and their witnesses.~~

~~(d) Public testimony.~~

~~1. Members of the public may present testimony for or against the appeal. Testimony by non parties is limited to 5 minutes. 2. Following testimony by members of the public, members of the county board may ask questions of any member of the public who testified or registered without indicating a desire to speak.~~

~~(e) Closing Statements. Each party will be afforded 3 minutes to make a closing statement.~~

~~(f) Board debate and action. The county board shall debate the merits of the appeal and take final action as set forth in these rules.~~

[EXPLANATION: This amendment revises the Board Rules.]

The Executive Committee recommends adoption of 2018 RES-001, as amended. Environment, Agriculture & Natural Resources Committee recommends adoption of Sub. 1 to 2018 RES-001 as amended.

Sub 1 was before the Board as recommended by Committee. Moved by Supervisor Wegleitner, seconded by Supervisor Chawla, that the Ordinance be amended to delete the word "general" and add "statewide or countywide" before the word election. Moved by Supervisor Nelson, seconded by Supervisor Levin, to substitute "In order to encourage civic participation, meetings of County Board and committees shall not be scheduled on holidays or on the day of any statewide or countywide election. If necessary for consideration of time-sensitive matters, committees may meet on the day of an election at the direction of both the committee chair and board chair. The County Board chair shall consider holidays and elections when developing the annual

schedule of County Board meetings." The motion carried by a voice vote.

Moved by Supervisor Wegleitner, seconded by Supervisor Chawla, that the Ordinance be amended to read "Effective January 1, 2019, all standing committee meetings shall be video recorded and made available with the minutes in Dane County's legislative tracking system, except as otherwise provided in this section. (a) A meeting taking place at a special location that is not the regular meeting venue based on an agenda item specific to that location shall be exempt from the video recording requirement. (b) No meeting shall be scheduled at a special location with the intention to avoid the video recording requirement. (c) All meetings where the annual budget resolutions are considered shall be held at the committee's regular location and shall be video recorded." The motion failed by a voice vote.

Moved by Supervisor Wegleitner, seconded by Supervisor Williams, that the Ordinance be amended to add "7 (a) shall designate at least one meeting where public comment shall be taken on the budget after the Personnel & Finance Committee acts on the budget resolutions. After compliance with the sub. (a), the county board"... The motion failed by a voice vote.

A motion was made that the ordinance be adopted Sub. 1 as amended. The motion carried by a voice vote.

MOTION DESIGNATING OFFICIAL NEWSPAPER

Moved by Supervisor Dye, seconded by Supervisor Levin, that the Wisconsin State Journal be designated as the Official Newspaper for the 2018-2020 County Board. Motion carried unanimously.

ADJOURNMENT

Moved by Supervisor Miles, seconded by Supervisor Chenoweth, that the meeting be adjourned. The motion carried unanimously at 8:41 pm. Subsequent to adjournment, Chair Corrigan referred the following matters:

- 2018 RES-001 - Contract Change Order # 4 to Contract for BioFerm USA, Inc. for Biogas Cleaning Equipment for Pipeline Injection (Phase III). Submitted by Supervisor Nelson. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-003 - Extending John Bauman's Employee Service Agreement as Juvenile Court Administrator. Submitted by Supervisor Rusk. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-022 - Authorizing an Agreement to Accept highway Safety Grant Funds for a Speed Enforcement Task Force Project. Submitted by Supervisor Rusk. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-025 - Agreement for the Reconstruction and Jurisdictional Transfer of CTH PQ in the Village of Cambridge. Submitted by Supervisor Nelson. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.

2018 - 2019 COUNTY BOARD PROCEEDINGS

MAY 17, 2018, 7:00 PM SESSION

The Dane County Board of Supervisors met pursuant to statute. Chair Corrigan called the meeting to order. County Clerk McDonnell called the roll:

PRESENT: Bayrd, Bollig, Chenoweth, Clausius, Corrigan, Downing, Dye, Erickson, Gillis, Kiefer, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Pertl, Rusk, Salov, Schauer, Veldran, Stubbs, Jones, Kilmer, Young, Williams, Kuhn, Eicher, Chawla, Danner, Peters, Schwellenbach, Buckingham and Knoll

REPORTED ABSENCE: Wegleitner

Supervisor Chawla offered an inspirational message and led the Pledge of Allegiance.

SPECIAL MATTERS AND ANNOUNCEMENTS

2018 RES-040

RECOGNIZING MAY 20-26, 2018 AS EMS WEEK IN DANE COUNTY & HONORING DANE COUNTY AGENCIES THAT HAVE ACHIEVED 40 YEARS OF SERVICE IN 2018

WHEREAS the Dane County Emergency Medical Service (EMS) regional system is in its 41st year of providing coordinated quality care to the citizens of Dane County, and access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS 1,043 emergency medical providers, almost half of whom are volunteers, are ready to provide lifesaving care to those in need twenty-four hours a day, seven days a week, and the members of the emergency medical service teams engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS the Dane County EMS system responded to over 44,000 calls for service in 2017, and has saved more than 375 individuals in Dane County since the defibrillation program began in 1989, including 31 in 2017; and

WHEREAS the American College of Emergency Physicians (ACEP), along with other partners, is sponsoring Emergency Medical Services (EMS) Week throughout the nation;

WHEREAS DeerGrove EMS; servicing the Town of Cottage Grove, Village of Cottage Grove, Village of Deerfield, Town of Pleasant Springs at the Paramedic level of service celebrates 40 years of service in 2018;

WHEREAS Maple Bluff Fire; servicing the Village of Maple Bluff at the Advanced EMT level of service celebrates 40 years of service in 2018;

WHEREAS Oregon Area Fire/EMS; servicing the Village of Oregon, Town of Oregon, Town of Dunn, and Town of Rutland at the Advanced EMT level of service, celebrates 40 years of service in 2018;

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby recognizes the week of May 20th – 26th as EMERGENCY MEDICAL SERVICES WEEK in Dane County, as a tribute to the value and accomplishments of the Dane County Emergency Medical Service providers, including emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others; and

BE IT FINALLY RESOLVED that a copy of this resolution be presented to Dr. Michael Lohmeier, Medical Director for Dane County EMS and Charles Tubbs, Sr., Director of the Department of Emergency Management, and EMS Chief's of DeerGrove, Maple Bluff and Oregon Fire/EMS in recognition of the outstanding accomplishments and dedication of the men and women in the Dane County EMS system.

Moved by Supervisor Williams, seconded by Supervisor Salov, that the Special Resolution be adopted. Motion carried by a voice vote.

2018 RES-041

RECOGNIZING MADISON WEST HIGH SCHOOL ROCKETRY CLUB ON THEIR ALTITUDE AWARD IN THE NASA STUDENT LAUNCH EVENT 2018

WHEREAS the Madison West High School Rocketry Club has won the Altitude Award in the NASA Student Launch 2018 event by flying their rocket closest to the target of 1 mile (5,280ft) above ground level.

WHEREAS the team's official altitude was 5,271ft, which brought them closest to the target out of all 54 teams representing 23 states participating in the 2018 contest.

WHEREAS the team's performance was the third best in the 18-year history of the NASA Student Launch event, including the scores of college teams, and it also won the Best Looking Rocket Award for their Flying Lemur rocket.

WHEREAS in order to qualify for the NASA Student Launch event, a high school team must in the preceding year place among the top 25 places of the Team America Rocketry Challenge Contest, a nationwide contest entered by 800 teams annually. Additionally, the team has to successfully propose a sounding rocket project that is evaluated by a review board of NASA engineers.

WHEREAS after being admitted to the NASA Student Launch event, the team must pass four design reviews in front of a NASA review board before being granted the permission to launch their rocket at the NASA Student Launch event near Huntsville, AL, the birthplace of the US Space Program.

WHEREAS this successful project was funded through the team's fundraising efforts raking leaves during fall season, as well as through donations from families and the Madison community.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby recognizes the achievement of the Madison West High School Rocketry Club team members Sultani Atalla, Ella Blouin, Ryley Busch, Matilda Carne, Hyun-seok Chang, Michael Heintz, Benton Likos, Simone Vorperian and Kari Weiss; The program director Ms. Christine L. Hager, a Madison West High School biology teacher; and the program mentor and leader Dr. Pavel Pinkas.

BE IT FINALLY RESOLVED that a copy of this resolution be presented to the members of the team, Ms. Christine Hager, and Dr. Pavel Pinkas in recognition of their dedication and their outstanding accomplishment.

Moved by Supervisor Levin, seconded by Supervisor Stubbs that the Special Resolution be adopted. Motion carried by a voice vote.

APPROVAL OF PAYMENTS

The Controller's Office has examined the following bills which have been incurred in the operation of our County Departments. Inasmuch as the claims which cover the items purchased have been found reasonable and proper, we recommend that they be allowed by the Dane County Board.

1. Aring Equipment Company Inc.-Sweeper/Broom-Public Works	\$59,754.00
2. Aring Equipment Company Inc.-Sweeper/Equipment-Highway	\$60,000.00
3. ATI Systems Inc.-Siren Monitoring/Control System-Emergency Management	\$14,436.00
4. Bobcat of Madison Inc.-2018 Toolcat-Land & Water	\$22,828.99
5. Compass Minerals America-Road Salt-Highway	\$38,836.34
6. Compass Minerals America-Road Salt-Highway	\$32,621.76
7. Compass Minerals America-Road Salt-Highway	\$17,762.48
8. Compass Minerals America-Road Salt-Highway	\$16,758.56
9. Complete Office of Wisconsin-Office Chairs-District Attorney	\$25,223.20
10. Core & Main LP-Methane Pipes & Supplies-Public Works	\$44,002.00
11. Core & Main LP-Methane Pipes & Supplies-Public Works	\$36,837.00
12. Core & Main LP-Methane Pipes & Supplies-Public Works	\$28,972.00
13. Cryotech Deicing Technology-Runway Deicer-Airport	\$61,191.90
14. Cryotech Deicing Technology-Runway Deicer-Airport	\$20,304.90
15. Cryotech Deicing Technology-Runway Deicer-Airport	\$20,771.52
16. Custom Manufacturing Inc.-Badger Mill Pedestrian Bridge-Land & Water	\$52,200.00
17. Custom Manufacturing Inc.-Fryes Feeder Creek Snowmobile Bridge-Land & Water	\$31,500.00
18. Dane Arts Mural-Mural Arts Program-Cultural Affairs	\$13,500.00
19. Dicks Diggins-Road Killed Deer Pickup-Highway	\$11,200.00
20. Directional Systems-Airport Parking Ramp Signage-Airport	\$61,674.00
21. Dorschner Associates-Medical Examiner Building Final-Administration	\$13,400.00
22. EDS Boat Sales Inc.-2018 Lund Boat & Trailer-Sheriff	\$34,082.01
23. Eichelkraut, Darren-Cost Share Payment-Land & Water	\$10,950.40
24. Ennis-Flint Inc.-Acrylic Waterborne Highway Paint-Highway	\$20,812.00
25. Ennis-Flint Inc.-Acrylic Waterborne Highway Paint-Highway	\$23,080.75
26. Ennis-Flint Inc.-Acrylic Waterborne Highway Paint-Highway	\$20,323.60
27. Ewalds Hartford Ford LLC-2018 Ford Explorer-Land & Water	\$27,920.00
28. Hoff Associates of Mt Horeb LLP-WEDC Grant for Hoff Mall-Office of Equity & Inclusion	\$250,000.00
29. Interstate Billing-Kayser Auto Repair March Billing-Sheriff	\$17,505.72
30. Johnson Controls Inc.-Replacement Panel-Airport	\$20,062.00
31. Lakeside International LLC-2008 International-Highway	\$58,000.00
32. Lakeside International LLC-Equipment Repairs-Highway	\$12,450.85
33. Madison, City of-McKee Road-Highway	\$2,712,668.09
34. McFarland, Village of-Phase 2 Highway MN-Highway	\$196,672.53

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35. Overhead Door Company of Madison Inc.-Brine Shed Door Replacement-Highway	\$13,975.00
36. Payne & Dolan Inc.-HMA Pavement-Highway	\$144,815.96
37. Payne & Dolan Inc.-HMA Pavement-Highway	\$17,317.71
38. Payne & Dolan Inc.-HMA Pavement-Highway	\$26,326.88
39. Potters Industries LLC.-Glass Beads-Highway	\$12,320.00
40. Potters Industries LLC.-Glass Beads-Highway	\$12,320.00
41. Potters Industries LLC.-Glass Beads-Highway	\$12,320.00
42. Potters Industries LLC.-Runway Beads-Airport	\$13,960.00
43. Presidio Networked Solutions Group LLC-Wireless Controllers Upgrade-Information Mgt	\$88,125.00
44. Presidio Networked Solutions Group LLC-Wireless Project-Sheriff	\$25,896.00
45. Reserve Account-Postage Meter Refill-Printing & Services	\$50,000.00
46. Rvision Inc.-Timecard Support & Maintenance-Highway	\$10,463.75
47. Scully Oil Company Inc.-Landfill Fuel-Public Works	\$18,417.30
48. Scully Oil Company Inc.-Landfill Fuel-Public Works	\$16,364.88
49. Scully Oil Company Inc.-Transport Fuel-Airport	\$17,840.55
50. SGTS Inc.-Public Safety Building Cameras and Card Readers-Sheriff	\$49,439.26
51. SHI International Corp.-Varonis Data Licenses-Information Management	\$72,893.49
52. SHI International Corp.-Varonis Support-Information Management	\$33,050.57
53. UW Hospital & Clinics-Salaries & Fringes-Administration	\$14,138.79
54. White Gold Dairy LLC-Cost Share Payment-Land & Water	\$21,720.00
55. WI DNR-1st Quarter Recycling License Fee-Public Works	\$269,262.85
Subtotal	\$5,029,270.59
56. Building Restoration Corporation-Concrete Restoration & Railing-Facilities	\$16,164.50
57. Building Restoration Corporation-Concrete Restoration & Rust Removal-Facilities	\$10,703.25
58. DW Government-Microsoft EA Agreement-Information Management	\$222,352.20
59. Compass Minerals America-Road Salt-Highway	\$18,841.13
60. Compass Minerals America-Road Salt-Highway	\$32,064.11
61. Crafcro Inc.-Pavement Router-Airport	\$15,136.10
62. Dane County Narcotics Task Force-HIDTA Lease Reimbursement-Sheriff	\$18,661.29
63. Ewald Chevrolet Buick-2018 Chevrolet Silverado-Airport	\$47,018.00
64. Granicus Inc.-Legislative Tracking Software-Board	\$39,943.00
65. Interstate Billing-Kayser Auto Repair April Billing-Sheriff	\$16,811.77
66. Jefferson Fire & Safety-Dive Team Air Compressor-Sheriff	\$16,550.00
67. Jftco Inc.-2018 Cat Excavator-Highway	\$65,642.00
68. Lerdahl Business Interiors Inc.-Conference Room Seating & Tables-Alliant Energy Center	\$17,645.28
69. Madison, City of-Byrne Award Reimbursement-Sheriff	\$13,601.05
70. North American Corporation-Imops-Airport	\$10,535.18
71. Oil Equipment Company Inc.-Floor Hoist-Highway	\$13,948.07
72. Presidio Networked Solutions Group LLC-Wireless Controllers Upgrade-Information Mgt	\$18,698.53
73. R and K Construction LLC-April-May Dirt Moving-Alliant Energy Center	\$22,820.50
74. Scully Oil Company Inc.-Landfill Fuel-Public Works	\$18,601.05
75. Stertil-Koni USA-Mobile Column Lift-Highway	\$40,604.67
76. Tactical Electronics-Pole Camera-Sheriff	\$18,248.22
77. Universal Truck Equipment Inc.-Reversible Snow Plow-Highway	\$51,895.00
78. Universal Truck Equipment Inc.-Reversible Snow Plow-Highway	\$40,203.00
79. WI Dept. of Health-May Bed Assessment-Badger Prairie	\$20,400.00
Total	\$5,836,358.49

Moved by Supervisor Chenoweth, seconded by Supervisor Nelson, that the Payments be adopted. Motion carried by a voice vote.

CLAIMS RECOMMENDED FOR DENIAL

Moved by Supervisor Rusk, seconded by Supervisor Gillis, to deny the following claims:

Claim of Byniqua Houston against Highway for damage caused to her vehicle.
 Claim of Edith Craig against Highway for damage caused to her vehicle by a pothole.
 Claim of Colleen Volker against Highway for damage caused to her vehicle by a pothole.
 Claim of Bryant Giron against Highway for damage to windshield caused by unknown object thrown from a snow plow.

Motion carried by a voice vote.

APPROVAL OF COUNTY BOARD MINUTES

Moved by Supervisor Chenoweth, seconded by Supervisor Miles, that the Minutes of the County Board meetings of April 12, 2018 and April 17, 2018 be approved. Motion carried by a voice vote.

CONSENT CALENDAR

All items on the consent calendar were approved on a voice vote. (The test and committee recommendations for each of the items follow.)

2017 OA-047

AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, INCORPORATING THE TOWN OF VERMONT COMPREHENSIVE PLAN INTO THE DANE COUNTY COMPREHENSIVE PLAN

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 82.55(28) is amended to read as follows:

82.55 INCORPORATION OF TOWN PLANS. The following town plans are incorporated into the Dane County Comprehensive Plan:

(28) Town of Vermont Comprehensive Plan, including all amendments adopted by the county board of supervisors ~~as part of the Dane County Farmland Preservation Plan as of December 18, 2009.~~ [County Clerk to insert effective date of this amendment].

[EXPLANATION: This amendment adopts amendments to the Town of Vermont Comprehensive Plan and incorporates them into the Dane County Comprehensive Plan.]

Zoning & Land Regulation Committee recommends adoption of 2017 OA-047. Motion carried by a voice vote.

2017 OA-052

AMENDING CHAPTER 69 OF THE DANE COUNTY CODE OF ORDINANCES, ADJUSTING SPEED LIMITS ON COUNTY HIGHWAYS

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

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Subsection 69.03(2)(L)5 is amended as follows:

(L) County Trunk Highway "M"

5. City of Verona and Town of Verona

Forty-five miles per hour from a point 0.25 of a mile east of its intersection with Thousand Oak Trail CTH "PB", westerly and northerly to Whalen Road, except in those areas where the City has jurisdiction of the roadway.

ARTICLE 3. Subsection 69.03(2)(L)9 is created as follows:

(L) County Trunk Highway "M"

9. Town of Westport

Forty miles per hour from a point 0.25 of a mile north of its intersection with Bishops Bay Parkway to a point 0.25 of a mile south of its intersection with Bishops Bay Parkway.

ARTICLE 4. Subsections 69.03(2)(n)1a is amended as follows:

(n) County Trunk Highway "MM"

1a. City of Fitchburg.

Forty miles per hour from a point 0.10 of a mile south of Haight Farm Road to its intersection with Old Oregon Road. ~~a point 0.35 of a mile north of Goodland Park Road.~~

ARTICLE 5. Subsections 69.03(2)(n)1b is deleted as follows:

(n) County Trunk Highway "MM"

1b. City of Fitchburg.

~~Fifty miles per hour from a point 0.35 of a mile north of Goodland Park Road northerly to a point 0.10 of a mile south of its intersection with Old Oregon Road.~~

[EXPLANATION: These amendments revise the ordinance to reflect the reduced speed limits within areas of new development.]

Public Works & Transportation Committee recommends adoption of 2017 OA-052. Motion carried by a voice vote.

2017 RES-520

AUTHORIZING A WISCONSIN HABITAT PARTNERSHIP FUND GRANT APPLICATION TO THE WI DEPARTMENT OF NATURAL RESOURCES

The WI Department of Natural Resources administers the Wisconsin Habitat Partnership Fund that supports wildlife habitat restoration and enhancement costs for properties identified in the Dane County Parks & Open Space Plan. The Department of Land and Water Resources intends to apply for funds through this program to offset potential expenditures. Additionally, the projects would be completed in cooperation with the US Fish and Wildlife Service that would also offset expenditures.

NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors and County Executive hereby authorize a Wildlife Habitat Partnership Fund grant application to the WI Department of Natural Resources for financial assistance for the purpose of restoring and enhancing wildlife habitat at multiple properties that are managed by Dane County Parks.

BE IT FURTHER RESOLVED that the County Board of Supervisors and County Executive hereby authorize the Parks Director, Park Property Planner, and Botanist/Naturalist to sign and submit a grant application to the State of Wisconsin Department of Natural Resources, sign a grant agreement, submit reimbursement claims along with necessary supporting documentation within 6 months of project completion, submit signed documents and take necessary action to undertake, direct and complete approved projects.

BE IT FINALLY RESOLVED that the County Board of Supervisors and County Executive recognize and acknowledge the long-term management responsibilities of the Wildlife Habitat Partnership Fund program policies and will meet their obligations under the grant agreement for the projects, including the financial obligations under the grant.

Park Commission, Environment, Agriculture & Natural Resources and Personnel & Finance Committees recommend adoption of 2016 RES-520. Motion carried by a voice vote.

2017 OA-055

AMENDING CHAPTER 62 OF THE DANE COUNTY CODE OF ORDINANCES, RESCINDING THE VENDOR REGISTRATION FEE

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 62.15 is rescinded:

~~62.15 VENDOR REGISTRATION FEE. Any person desiring to bid on any county contract must register with the purchasing manager and pay an annual registration fee of \$20.~~

[EXPLANATION: This amendment rescinds the vendor registration fee.]

Personnel & Finance Committee recommends adoption of 2017 OA-055. Motion carried by a voice vote.

2017 RES-536

URBAN WATER QUALITY GRANT AWARD

The Dane County Urban Water Quality Grant Program is included in the County Budget to improve the quality of urban stormwater runoff entering Dane County lakes, rivers and streams, increase public awareness of urban water quality issues, and provide public education for urban stormwater quality improvement practices. The project goals are to be achieved through the construction of best management practices that will provide efficient, cost-effective treatment of urban runoff. Financial assistance is available to municipalities in the form of cost sharing.

The Land & Water Resources Department recommends \$615,000 in funding for the following project:

Sponsor	Project Title	Project Cost	Grant Award
City of Madison	East Towne Pond Reconstruction	\$820,000	\$615,000
TOTAL		\$615,000	

The grant awards are contingent on the County and project sponsor entering into a grant agreement that will specify the program requirements and applicable grant conditions for each project.

The term for the debt issued to support the project will be ten years.

NOW, THEREFORE, BE IT RESOLVED, that this Urban Water Quality Grant is approved by the Dane County Board and the Dane County Executive.

BE IT FURTHER RESOLVED, that the grant award is \$615,000 and that the funds are currently available in the Legacy Fund.

BE IT FURTHER RESOLVED, that Land & Water Resources staff are authorized to execute documents necessary to effectuate the grant award, which may include grant agreements and management agreements.

BE IT FINALLY RESOLVED, that the Water Resources Engineering Division Manager is authorized to approve reimbursement documentation for grant projects and the Controller is authorized to issue checks necessary to effectuate the projects authorized through the grant awards.

Environment, Agriculture & Natural Resources and Personnel & Finance Committees recommend adoption of 2017 RES-536. Motion carried by a voice vote.

REPORTS ON ZONING PETITIONS

ZONING PETITION 11229 - ZONING CHANGE IN THE TOWN OF CHRISTIANA - ZONING ORD. AMDT. 11229

Petition by Arlington Tree Farm, LLC., to change zoning from A-1EX Agriculture District TO A-2 (4) Agriculture District, A-1EX Agriculture District TO RH-1 Rural Homes District, RH-1 Rural Homes District TO RH-2 Rural Homes District on property located at 1166 Tillung Drive, Section 8, Town of Christiana.

Cindy Cutrano, Town of Christiana, registered to be available for information.

Zoning & Land Regulation Committee recommends that Petition 11229 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days, and Zoning Ord. Amdt. 11229 be adopted. Motion carried by a voice vote.

ZONING PETITION 11259 - ZONING CHANGE IN THE TOWN OF CROSS PLAINS - ZONING ORD. AMDT. 11259

Petition 11259 by Nikole Jones to change zoning from A-1EX Agriculture District TO RH-2 Rural Homes District, A-1EX Agriculture District TO RH-3 Rural Homes District on property located at 4190 Observatory Road, Section 16, Town of Cross Plains.

Zoning & Land Regulation Committee recommends that Petition 11259 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days, and Zoning Ord. Amdt. 11259 be adopted. Motion carried by a voice vote.

PETITION 11265 - ZONING CHANGE IN THE TOWN OF CROSS PLAINS - ZONING ORD. AMDT. 11265

Petition 11265 by Grant Willrett to change zoning from RH-2 Rural Homes District TO RH-2 Rural Homes District, RH 3 Rural Homes District TO RH-2 Rural Homes District on property located at 4209 Observatory Road, Section 16, Town of Cross Plains.

Zoning & Land Regulation Committee recommends that Petition 11265 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days, and Zoning Ord. Amdt. 11265 be adopted. Motion carried by a voice vote.

PETITION 11266 - ZONING CHANGE IN THE TOWN OF PLEASANT SPRINGS - ZONING ORD. AMDT. 11266

Petition 11266 by Randy Ehle to change zoning from A-1EX Agriculture District TO A-2 (4) Agriculture District on property located at 2432 CTH BN, Section 14, Town of Pleasant Springs.

Zoning & Land Regulation Committee recommends that Petition 11266 be granted and includes the condition that a certified survey map and the Condition and Deed Restriction below be submitted and/or recorded within 90 days, and that Zoning Ord. Amdt. 11266 be adopted. Motion carried by a voice vote.

Condition:

1. A shared driveway agreement shall be recorded with the Register of Deeds to provide access to the residence and the farm fields.

Deed Restriction:

1. A deed restriction shall be recorded with the Register of Deeds to prohibit further residential development on the A-2(4)property.

PETITION 11268 - ZONING CHANGE IN THE TOWN OF CROSS PLAINS - ZONING ORD. AMDT. 11268

Petition 11268 by James Kopatz to change zoning from R-1 Residence District TO RH-2 Rural Homes District, A 1EX Agriculture District TO RH-2 Rural Homes District, RH-2 Rural Homes District TO RH-1 Rural Homes District on property located at 3305 Sugar Valley Road, Section 32, Town of Cross Plains.

Zoning & Land Regulation Committee recommends that Petition 11268 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days, and Zoning Ord. Amdt. 11268 be adopted. Motion carried by a voice vote.

PETITION 11269 - ZONING CHANGE IN THE TOWN OF RUTLAND - ZONING ORD. AMDT. 11269

Petition 11269 by Dave Toothman to change zoning from RH-2 Rural Homes District TO A-2 (4) Agriculture District on property located at 4365 Old Stone Road, Section 20, Town of Rutland.

Zoning & Land Regulation Committee recommends that Petition 11269 be granted and Zoning Ord. Amdt. 11269 be adopted. Motion carried by a voice vote.

PETITION 11270 - ZONING CHANGE IN THE TOWN OF ALBION - ZONING ORD. AMDT. 11270

Petition 11270 by Rudisill, LLC., to change zoning from R-3 Residence District TO A-2 Agriculture District, A-1EX Agriculture District TO A-2 Agriculture District, R-3 Residence District TO A-1EX Agriculture District, R-3 Residence District TO A-2 (8) Agriculture District on property located in Section 36, Town of Albion.

Zoning & Land Regulation Committee recommends that Petition 11270 be granted and includes the condition that a certified survey map and the Conditions below be submitted and/or recorded within 90 days, and Zoning Ord. Amdt. 11270 be adopted. Motion carried by a voice vote.

Conditions:

1. The final Certified Survey Map shall depict the location of the burial mounds on the property.
2. The final Certified Survey Map shall show the general location of environmentally sensitive features (wetlands, slopes exceeding 20% grade).
3. The 2.88 acre area being rezoned to A-1EX shall be transferred to the adjoining owner (Jaskula) within 30 days of recording of the final Certified Survey Map.

PETITION 11271 - ZONING CHANGE IN THE TOWN OF MONTROSE - ZONING ORD. AMDT. 11271

Petition 11271 by Scott Schaller to change zoning from A-1EX Agriculture District TO A-2 (2) Agriculture District on property located North of 7757 Schaller Road, Section 6, Town of Montrose.

Zoning & Land Regulation Committee recommends that Petition 11271 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days, and that Zoning Ord. Amdt. 11271 be adopted. Motion carried by a voice vote.

PETITION 11272 - ZONING CHANGE IN THE TOWN OF VERONA - ZONING ORD. AMDT. 11272

Petition 11272 by Darcey Hagemann and Mark Singel to change zoning from A-3 Agriculture District TO A-2 Agriculture District on property located at 6403 CTH M, Section 25, Town of Verona.

Douglas Maxell, Chair - Town of Verona Plan Commission, registered in support of Petition 11272.

Zoning & Land Regulation Committee recommends that Petition 11272 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11272 be adopted. Motion carried by a voice vote.

Deed Restriction:

1. A deed restriction shall be recorded with the Register of Deeds to limit the land uses to the following: Single family residences, home occupation, agricultural uses, accessory building, and utility services. The following may be permitted with a conditional use permit: Horse boarding and riding stables, horseshows/events, training of horses at a horse boarding facility, hay and sleigh rides, retail sales of bridles, saddle, grooming supplies and related items at horse boarding and riding stables, dependency living arrangements, limited family businesses, and/or communication towers.

PETITION 11273 - ZONING CHANGE IN THE TOWN OF ALBION - ZONING ORD. AMDT. 11273

Petition 11273 by Kevin Zumkehr to change zoning from R-1 Residence District TO RH-1 Rural Homes District, A-1EX Agriculture District TO RH 1 Rural Homes District, R-1A Residence District TO RH-1 Rural Homes District on property located at 1194 CTH A, Section 16, Town of Albion.

Zoning & Land Regulation Committee recommends that Petition 11273 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days, and Zoning Ord. Amdt. 11273 be adopted. Motion carried by a voice vote.

PETITION 11274 - ZONING CHANGE IN THE TOWN OF COTTAGE GROVE - ZONING ORD. AMDT. 11274

Petition 11274 by Helgeland Family Farm, LLC., to change zoning from A-2 (8) Agriculture District TO A-2 (4) Agriculture District, A-2 (8) Agriculture District TO A-2 (2) Agriculture District on property located at 2608 Gaston Road, Section 4, Town of Cottage Grove.

Zoning & Land Regulation Committee recommends that Petition 11274 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and/or recorded within 90 days and that Zoning Ord. Amdt. 11274 be adopted. Motion carried by a voice vote.

Deed Restriction:

1. A deed restriction shall be recorded with the Register of Deeds to limit the land uses to the following: Single family residences, home occupation, agricultural uses, accessory building, and utility services. The following may be permitted with a conditional use permit: Horse boarding and riding stables, horseshows/events, training of horses at a horse boarding facility, hay and sleigh rides, retail sales of bridles, saddle, grooming supplies and related items at horse boarding and riding stables, dependency living arrangements, limited family businesses, and/or communication towers.

PETITION 11275 - ZONING CHANGE IN THE TOWN OF VERONA - ZONING ORD. AMDT. 11275

Petition 11275 by Maxwell Family, LLC., to change zoning A-3 Agriculture District TO R-4 Residence District on property located East and South of 11691 Mid Town Road, Section 6, Town of Verona.

Zoning & Land Regulation Committee recommends that Petition 11275 be granted and includes the condition that a certified survey map and the Conditions and Deed Restriction below be submitted and/or recorded within 90 days and that Zoning Ord. Amdt. 11275 be adopted. Motion carried by a voice vote.

Conditions:

1. A condominium plat shall be recorded with the Register of Deeds within 90 days. The plat shall be the design as submitted to the Zoning and Land Regulation Committee with the revision date of April 23, 2018.
2. A condominium declaration shall be recorded with the Register of Deeds within 90 days. The declaration shall be the final document dated April 28, 2018 as reviewed by the ZLR Committee. The declaration shall be subject to County Staff and Town of Verona approval prior to recording.
3. The zoning is contingent upon a development agreement being approved by the Town of Verona for the improvements necessary for the condominium development.

Deed Restriction:

1. A deed restriction shall be recorded with the Register of Deeds limiting the plat to a maximum of 29 single family dwellings having unit boundaries no smaller than 1.5 acres; 3 common areas (private road and two out lots); and with an easement for a road to connect to the property on the North and South.

PETITION 11276 - ZONING CHANGE IN THE TOWN OF VERONA - ZONING ORD. AMDT. 11276

Petition by Steven Reinen to change zoning from RH-1 Rural Homes District TO R-4 Residence District on property located North and West of 6440 Sunset Drive, Section 36, Town of Verona.

Douglas Maxwell, Chair - Town of Verona Plan Commission, registered in support of Petition 11276.

Zoning & Land Regulation Committee recommends that Petition 11276 be granted and includes the condition that a certified survey map and the Conditions and Deed Restrictions below be submitted and/or recorded within 90 days, and that Zoning Ord. Amdt. 11276 be adopted. Motion carried by a voice vote.

Condition:

1. A condominium plat shall be recorded with the Register of Deeds within 90 days. The plat shall be the design as submitted to the Zoning and Land Regulation Committee with the revision date of April 23, 2018.
2. A condominium declaration shall be recorded with the Register of Deeds within 90 days. The declaration shall be the final document dated May 2, 2018 as reviewed by the ZLR Committee. The declaration shall be subject to County Staff and Town of Verona approval prior to recording.
3. The zoning is contingent upon a development agreement being approved by the Town of Verona for the improvements necessary or the condominium development.
4. The developer shall provide cross sections for the private drive design at the intersection of Deer Haven Trail and Darby Fields Drive. The design shall be approved by the Town Engineer for safety purposes.
5. The zoning is contingent upon developer negotiating and entering into an easement agreement with the Ice Age Trail Alliance within 60 days for the purposes of the Ice Age Trail. The easement agreement shall be signed by the Ice Age Trail Alliance and recorded with the Register of Deeds.

Deed Restrictions:

1. A deed restriction shall be recorded with the Register of Deeds limiting the plat to a maximum of 16 single family

dwelling having unit boundaries no smaller than 1.5 acres; 3 common areas (private road and two out lots) and with a private road to connect to the property on the East and West.

PETITION 11278 - ZONING CHANGE IN THE TOWN OF DEERFIELD - ZONING ORD. AMDT. 11278

Petition 11278 by Phillip Hastings Rev. Trust, to change zoning from A-1EX Agriculture District TO LC-1 Limited Commercial District, LC-1 Limited Commercial District TO A-1EX Agriculture District on property located at 1013 CTH BB, Section 9, Town of Deerfield.

Zoning & Land Regulation Committee recommends that Petition 11278 be granted and that Zoning Ord. Amdt. 11278 be adopted. Motion carried by a voice vote.

RESOLUTIONS

2017 RES-487

APPROVAL OF ASSIGNMENT AND AMENDMENT OF LEASE E / DCRA 96-12 INVOLVING LAND AT THE DANE COUNTY REGIONAL AIRPORT

RMD Corben, LLC presently leases land adjacent to the Dane County Regional Airport pursuant to the provisions of Lease E, a lease dealing specifically with one of the several parcels of Dane County owned property originally included in the premises eased under Dane County Lease No. DCRA 96-12. RMD Corben, LLC has conditionally accepted an offer from PERTCO LLC for the purchase of the office building and associated improvements located on the property demised under Lease E, and now seeks Dane County's approval of an assignment of Lease E to PERTCO LLC, as is required and provided for under the lease. As a condition of Dane County's approval of the lease assignment the County has requested amendment of lease provisions regarding the description of the premises, permitted uses, term clarification, approval of improvements, subordination, condemnation, and party addresses. Payment of rent under Lease E is current, and all other obligations thereunder have been fulfilled. Other than the amendments approved under this resolution, the terms and conditions set forth in the Lease E will remain unchanged.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are authorized to execute on behalf of Dane County an Approval of Assignment and Amendment of Lease Involving Land at the Dane County Regional Airport, as set forth above. Further, the Director of the Dane County Regional Airport may approve and execute on behalf of Dane County additional documents necessary to finalize the transactions approved hereunder.

Airport Commission, Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2017 RES-487. Motion carried by a voice vote. Supervisor Ritt abstained.

2018 RES-001

CONTRACT CHANGE ORDER # 4 TO CONTRACT FOR BIOFARM USA, Inc. FOR BIOGAS CLEANING EQUIPMENT FOR PIPELINE INJECTION (PHASE III)

The Department of Public Works, Highway and Transportation, Solid Waste, awarded a contract to BIOFarm USA, Inc. for Biogas Cleaning Equipment for Pipeline Injection (Phase III), 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) bid #316039.

The following change is requested: Change Order # 4 Increase \$439,675.00 as additional work beyond the original contract is needed. Required for timely construction of overall facility and adjacent construction efforts.

NOW, THEREFORE, BE IT RESOLVED that Change Order #4 for a total increase of \$439,675.00 be approved to the Contract for BIOFarm USA, Inc. for the above listed changes.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-001. Motion carried by a voice vote.

APPOINTMENTS

2017 RES-538

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

Reclass Appeals Board

Malika Evancko, 549 N Star Drive, Madison WI 53718 (Ph: 608-358-5894; email: Mevancko10@gmail.com) to be appointed to replace M. Fran Tryon. Malika Evancko has over 15 years of human resources related experience, including strategic recruitment,

employee relations, benefits, compensation and training and professional development. In her current role as Director of HR Services, Malika is responsible for managing the HR service delivery needs for the UW Madison, School of Medicine and Public Health. Malika supervises a team of 30 HR professionals, including 6 managers. Over the years, Malika has been involved in various community activities, including the Madison Area Diversity Roundtable, City of Madison Personnel Board, YWCA Board of Directors, Madison Network of Black Professionals and the Youth Business Mentoring Program. This term will expire 6/30/21.

Stephanie Holzem, (ph: 608-266-7212; email: Stephanie.Holzem@wisconsin.gov) to be appointed to replace Tom Krauskopf. Stephanie has gone through classification training with OSER in 2014 and again with DPM in 2017 as a refresher. She has been trained to process requests for reclassification and reallocation, and classifying positions based on position descriptions. She has participated in classification specification modifications and personnel surveys. She has processed numerous requests for reclassification and reallocations independently in her role as Human Resources Specialist - Senior with DOA HR Services. She has performed position audits to gather additional information to assist with reclassification/reallocation analysis. She also has experience performing classification-related duties as an HR Assistant-Advanced with the University of Wisconsin - Madison. This term will expire 6/30/21.

Executive Committee recommends adoption of 2017 RES-538. Motion carried by a voice vote.

ITEMS REQUIRING A TWO-THIRDS MAJORITY FOR PASSAGE

2017 RES-472

AUTHORIZING ACCEPTANCE OF GRANT FUNDS FROM THE 2018 WISCONSIN LAND INFORMATION PROGRAM STRATEGIC INITIATIVE GRANT BETWEEN THE STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION AND DANE COUNTY

Strategic Initiative grants are for the purposes of addressing statutory directives specified by the State of Wisconsin Department of Administrative, Wisconsin Land Information Program (WLIP). The grant awarded is for a strategic initiative to fund the Benchmarks 4 waiver in favor of a LiDAR project. Each county is eligible for \$50,000 in 2018 WLIP Grant Application. The Dane County grant award will use \$50,000 to provide additional funding to the Fly Dane 2017 project and will further the completion of the county's LiDAR acquisition.

NOW, THEREFORE, BE IT RESOLVED that the Land Information Office is permitted to accept the FY 2018 Wisconsin Land Information Program - Strategic Initiative Grant funding, administered by the Wisconsin Department of Administration, in the amount of \$50,000; and

BE IT FURTHER RESOLVED that the grant awards \$50,000 and that the funds are currently available in the LIO 84557 - Strategic Initiative Grant account established by RES 225 (2016); and

BE IT FURTHER RESOLVED that the County of Dane has authorized an agreement embodying the above referenced provisions; and

BE IT FINALLY RESOLVED any funds authorized in this resolution that are not expended or received as of 12/31/2018 be carried forward until fully realized.

Zoning & Land Regulation and Personnel & Finance Committees recommend adoption of 2017 RES-472. Motion carried by a voice vote.

2017 RES-535

AUTHORIZING ACCEPTANCE OF GRANT FUNDS FROM THE NATIONAL ASSOCIATION OF CONSERVATION DISTRICTS (NACD) AND FUND TRANSFER

The Land Conservation Division in the Land & Water Resources Department has been awarded a staffing grant from the National Association of Conservation Districts (NACD) to fund a new 1.0 FTE Conservation Specialist project position. The position would assist with implementation of Natural Resource Conservation Service (NRCS) conservation planning and Environmental Quality Incentive Program (EQIP) grants under the county's Regional Conservation Partnership Program (RCPP) grant targeting conservation work with agricultural operations and landowners in the Yahara River Watershed.

The position is anticipated to start in the 2nd half of 2018. This resolution establishes the position for 2018 and the 2019 budget will include the remaining expenses and grant revenue.

NOW, THEREFORE, BE IT RESOLVED that the Land & Water Resources Department, Land Conservation Division is hereby authorized to accept the grant award from the NACD and that the County Conservationist is authorized to execute grant documents.

BE IT FURTHER RESOLVED that the Land & Water Resources Department is authorized to create a 1.0 FTE Conservation Specialist project position effective June 1, 2018, contingent on continued funding from NACD or other sources,

BE IT FURTHER RESOLVED that \$44,756 is set up as additional revenue in the Land & Water Resources Department, Land Conservation Division, USDA-Soil Conserv Service Rev (LWRCONSV 81782) and be credited to the General Fund; and

BE IT FURTHER RESOLVED that \$44,756 is transferred from the General Fund to the following expenditure accounts for 2018:

Salaries and Wages	(LWRCONSV 10009)	\$28,029
Retirement Fund	(LWRCONSV 10099)	\$2,214
Social Security	(LWRCONSV 10108)	\$2,144
Health	(LWRCONSV 10117)	\$11,367
Dental	(LWRCONSV 10153)	\$920
Disability Insurance	(LWRCONSV 10171)	\$9
Life Insurance	(LWRCONSV 10180)	\$3
Workers Compensation	(LWRCONSV 10189)	\$70

BE IT FINALLY RESOLVED that unspent funds and any unrealized revenue be carried forward to budget year 2019.

Land Conservation, Environment, Agriculture & Natural Resources and Personnel & Finance Committees recommend adoption of 2017 RES-535. Motion carried by a voice vote.

ADJOURNMENT

Moved by Supervisor Chenoweth, seconded by Supervisor Miles, to adjourn until June 7, 2018 or at the call of the Chair. The motion carried unanimously at 7:37 p.m. Subsequent to adjournment, Chair Corrigan referred the following matters:

- 2018 OA-003 - Amending Chapter 7 of the Dane County Code of Ordinances, Regarding Composition of Committee Membership. Submitted by Supervisor Corrigan. Referred to EXECUTIVE.
- 2018 RES-015 - Contract Change Order # 5 to Contract for BIOFerm USA, Inc. for Biogas Cleaning Equipment for Pipeline Injection (Phase III). Submitted by Supervisors Nelson, Ripp and Williams. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-029 - Award of the Phase I Design Contract for the Design of CTH M from CTH Q to STH 113. Submitted by Supervisors Nelson, Kiefer, Ripp, Schauer and Williams. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-030 - Acceptance of a WI Department of Natural Resources Grant for the B Riley Black Earth Creek Snowmobile Trail Bridge. Submitted by Supervisors Ripp, Jones, Downing, Miles and Ritt. Referred to PARKS, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-035 - Award of Agreement for Printing & Services Division Space Remodel at the City-County Building. Submitted by Supervisors Nelson, Ripp and Williams. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-039 - Agreement for the Construction of Traffic Signals at the Intersections of CTH V / River Road and CTH V / Morrisonville Road with the Village of Deforest. Submitted by Supervisors Nelson, McCarville, Ripp, Schauer and Williams. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-043 - Agreement for the Construction of a Salt Shed in the Town of Albion. Submitted by Supervisors Nelson, Ripp, Schauer and Williams. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-044 - Dane County Conservation Fund Grant Award to the City of Verona (Matt/Jones). Submitted by Supervisors Knoll, Bollig, Chawla, Clausius, Danner, Dye, Eicher, Gillis, Kiefer, Kilmer, Kolar, Kuhn, Levin, McCarville, Nelson, Peters, Ripp, Ritt, Schwellenbach. Referred to PARKS, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-045 - Dane County Conservation Fund Grant Award to Groundswell Conservancy (Whiteside). Submitted by Supervisors Kiefer, Knoll, Ripp and Ritt. Referred to PARKS, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-046 - Dane County Conservation Fund Grant Award to Groundswell Conservancy (Wisconsin Laborers' Apprenticeship and Training Fund). Submitted by Supervisors McCarville, Bayrd, Jones, Kilmer, Knoll, Kolar and Ripp. Referred to PARKS, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-047 - Award of Contract for CCB Concrete Flatwork Removal and Replacement. Submitted by Supervisors Nelson, Ripp and Williams. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-048 - Authorizing Acceptance of Highway Safety Grant Funds for a Pedestrian and Bicycle Enforcement Collaborative Project. Submitted by Supervisors Rusk, Bayrd, Danner, Gillis, Krause, McCarville and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-050 - Authorizing Stoughton Lease for Joining Forces for Families Program DCDHS - CYF Division. Submitted by Supervisors Levin, Buckingham, Kilmer, Kuhn, Salov and Young. Referred to HEALTH & HUMAN NEEDS, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-051 - Authorizing Lease for Northside Early Childhood Zone Office DCDHS - CYF Division. Submitted by Supervisors Levin, Buckingham, Kilmer, Kuhn, Salov and Young. Referred to HEALTH & HUMAN NEEDS, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-052 - Accepting Additional Medicaid Revenue and SSI Funds and Creating New Budget Line for Behavioral Health Services for Contracts with Integrity Residential Services and Porchlight DCDHS - ACS Division. Submitted by

Supervisors Levin, Buckingham, Kilmer, Kuhn, Salov and Young. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.

2018 RES-053 - Award of Contract for Refuse Hauling and Collection from County Facilities. Submitted by Supervisors Nelson, Ripp, Schauer and Williams. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.

2018 RES-054 - Award of Contract for Biogas Facility Construction. Submitted by Supervisors Nelson, Ripp and Williams. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.

2018 RES-055 - Award of Contract for Farmstead Building Demolition at Anderson County Park. Submitted by Supervisors Nelson, Ripp and Williams. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.

2018 RES-058 - County Executive Appointments. Submitted by Supervisor Corrigan. Referred to EXECUTIVE.

2018 RES-059 - Authorizing Acceptance of One-Time Competitive Victim of Crime Act Grant Funds and Establishing and Reallocating Revenue and Expenditure Lines to Reflect the Changes Resulting from Receipt of Funding. Submitted by Supervisors Rusk, Bayrd, Danner, Gillis, Krause, McCarville and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.

Petitions for Zoning Reclassification. Referred by Clerk McDonell to the Zoning & Land Regulation Committee:

Petition 11286 - Town of Rutland - James G. Lehman

11288 – Town of Black Earth – Jean M. Mitchell

11289 – HR Growing Acres LLC – Town of Perry

11290 – Timothy J. Foulker – Town of Vienna

11291 – Town of Cross Plains – Sawn A & Maureen K Connors Rev Tr

11292 – Town of Dane – Howard E Schwartz

11293 – Town of Vienna – Lawrence & Patricia Spahn Rev Tr

11294 – Town of Perry – Thomas J & Laurie A Stoehr Rev Living Tr

11295 – Town of Black Earth – Leftyland LLC

11296 – Town of Rutland - Wicompanyll LLC

11297 – Town of Albion – Steven D. Lawrence

11298 – Town of Oregon – William C. Cummings

11299 – Town of Oregon – Russell A. Schmid

11300 – Town of Albion – Judy Ciebell Schmidt

11301 – Town of York – Ruben J. Christian

2018 - 2019 COUNTY BOARD PROCEEDINGS

J U N E 7, 2 0 1 8, 7 : 0 0 P M S E S S I O N

The Dane County Board of Supervisors met as a Committee of the Whole. Chair Corrigan called the meeting to order. County Clerk McDonell called the roll:

PRESENT: Bayrd, Bollig, Chenoweth, Clausius, Corrigan, Downing, Erickson, Kiefer, Kolar, Levin, Miles, Mccarville, Nelson, Ripp, Ritt, Pertl, Schauer, Wegleitner, Jones, Kilmer, Young, Williams, Eicher, Chawla, Danner, Peters, Schwellenbach, Buckingham and Knoll

REPORTED ABSENCE: Rusk

ABSENT: Dye, Gillis, Krause, Salov, Veldran, Stubbs and Kuhn

SPECIAL MATTERS AND ANNOUNCEMENTS

Sexual Harassment Training

ADJOURNMENT

Motion was made to adjourn to Thursday, June 7, 2018 at 7:00 p.m. The motion carried unanimously.

2018 - 2019 COUNTY BOARD PROCEEDINGS**JUNE 7, 2018, 7:00 PM SESSION**

The Dane County Board of Supervisors met pursuant to statute. Chair Corrigan called the meeting to order. County Clerk McDonell called the roll:

PRESENT: Bayrd, Bollig, Chenoweth, Clausius, Corrigan, Downing, Dye, Erickson, Gillis, Kiefer, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Pertl, Salov, Schauer, Veldran, Wegleitner, Stubbs, Jones, Kilmer, Young, Williams, Kuhn, Eicher, Chawla, Danner, Peters, Schwellenbach, Buckingham and Knoll

REPORTED ABSENCE: Rusk

Supervisor Chenoweth offered an inspirational message and led the Pledge of Allegiance.

SPECIAL MATTERS AND ANNOUNCEMENTS

2018 RES-074

RECOGNIZING MICHAEL JOHNSON AND HIS CONTRIBUTIONS TO DANE COUNTY

WHEREAS Michael Johnson, President & CEO of the Boys & Girls Clubs of Dane County since 2010, has led the agency on a journey of change that has set an example within the organization and Dane County; and

WHEREAS, Michael has accepted a position with the United Way in Cincinnati, where he will be doing his “dream job” as president and CEO; and

WHEREAS, his influence can be seen within the community where he led community discussions about topics such as racism and Madison’s achievement gap, violence prevention, public funding for nonprofits serving children, and homelessness; and

WHEREAS, Michael has grown the Boys and Girls Club of Dane County increasing the number children served from 1,800 in 2010 to 8,000 by the end of 2018; and

WHEREAS, a few of Michael’s achievements at the Boys and Girls Club include producing graduation rates of over 90 percent with a college prep course through a partnership with Madison Metropolitan School District and securing paid internships for more than 500 young people; and

WHEREAS, Michael has received multiple awards for his work in Dane County while with the Boys and Girls Club including NBC Award for Making a Difference, Madison 365’s “Most Influential African-Americans in Wisconsin”, In Business Magazine’s “Most Influential Person”, State of WI’s “Friends of Education” award from the State Superintendent, WI State Journal’s “Five People to Watch”, Boys and Girls Clubs of America’s “Midwest Executive of the Year”, Pennsylvania House of Representatives and Senate Honoree, Madison Magazine’s “Person of the Year”, Omega Psi Phi Wisconsin Chapter’s Citizen of the Year; and

WHEREAS, Michael’s commitment and determination to the residents of Dane County will be felt for years to come.

BE IT RESOLVED that the Dane County Board of Supervisors appreciates and respects Michael Johnson’s work and impact on Dane County for the last eight years and wishes him the best on his future endeavor in Cincinnati.

BE IT FINALLY RESOLVED that the Dane County Board of Supervisors presents a copy of this resolution to Michael Johnson as a token of the esteem he is held in.

Moved by Supervisor Stubbs, seconded by Supervisor Kuhn, that the Special Resolution be adopted. Motion carried by a voice vote.

2018 RES-075

RECOGNIZING JUNE 15, 2018 AS WORLD ELDER ABUSE AWARENESS DAY IN DANE COUNTY

WHEREAS, Every year, more than two million disabled and elderly citizens are victims of physical, emotional, sexual abuse and neglect, and financial exploitation and they are denied many of their rights; and

WHEREAS, Older persons in our communities have the right to be protected under the law from financial, physical, emotional and sexual abuse as well as neglect and self-neglect; and

WHEREAS, In 2016, there were 7,987 reports of abuse relating to elderly citizens in the State of Wisconsin, and

WHEREAS, In 2017 in Dane County, Wisconsin, 459 reports of elder abuse were reported and in knowing there are situations relating to vulnerable adults that remain unreported; and

WHEREAS, The issue of elder abuse prevention requires continual community awareness and education; and

WHEREAS, The Dane County Department of Human Services Adult Protective Services Unit investigates reports of elder abuse and neglect in the community and also works to increase public awareness to prevent elder abuse in our communities; and

WHEREAS, The Dane County District Attorney's Office is charged with prosecuting cases of elder abuse and neglect as well as providing advocacy and assistance with claims for restitution; and

WHEREAS, The Dane County Sheriff's Office and local law enforcement agencies provide safety for victims, investigate allegations and arrest alleged offenders of elder abuse and neglect; and

WHEREAS, All citizens should be aware of and educated about elder abuse prevention, and all members of the community—especially those most vulnerable— should be able to live safe and secure lives without fear of neglect, pain or exploitation; and

WHEREAS, Elder abuse and neglect should not be ignored nor tolerated.

NOW, THEREFORE, BE IT RESOLVED, that June 15, 2018 will be recognized as World Elder Abuse Awareness Day in Dane County.

Moved by Supervisor Clausius, seconded by Supervisor Williams, that the special Resolution be adopted. Motion carried by a voice vote.

APPROVAL OF PAYMENTS

The Controller's Office has examined the following bills which have been incurred in the operation of our County Departments. Inasmuch as the claims which cover the items purchased have been found reasonable and proper, we recommend that they be allowed by the Dane County Board.

1. Compass Minerals-Road Salt-Highway	\$25,971.50
2. Compass Minerals-Road Salt-Highway	\$22,832.13
3. Highway Construction Products LLC-Steel Plate Beam Guards-Highway	\$15,971.00
4. Joe Daniels Construction Inc.-Verona Shelter Demolition-Public Safety	\$90,628.00
5. Madison, City of-1st Quarter Shared Streetlight & Signal Maintenance-Highway	\$15,704.92
6. Michels Materials-Agregate for Surface Treatment-Highway	\$28,728.75
7. Morse Electric Inc.-Smart Fund Seat Lighting Material @ Alliant Energy Center-Administration	\$25,000.00
8. Reserve Account-Postage Meter Refill-Printing & Services	\$50,000.00
9. Talarczyk Land Survey-Monument Restoration-Planning & Development	\$16,610.00
10. TAPCO-Orange Cones & Channelizer Drum-Highway	\$11,620.00
11. Truck Country Madison-CNG Patrol Truck Cab & Chassis-Highway	\$877,632.00
12. WI DNR-Plan & Construct Trout Habitat-Land & Water	\$20,000.00
13. Williamson Surveying and Associates LLC-Monument Restoration-Planning & Development	\$10,780.00
Sub-Total.....	\$1,211,478.30
14. Agrecol LLC-Native Plants-Land & Water	\$21,400.00
15. Badger Spray Repair LLC-Striper-Airport	\$16,848.04
16. DRS Ltd.-Wesner Rd & IAJ Trail Paving-Land & Water	\$22,789.78
17. Ennis-Flint Inc.-Acrylic Waterborne Highway Paint-Highway	\$23,080.75
18. Ennis-Flint Inc.-Runway Paint-Airport	\$20,198.50
19. JFTCO Inc.-Skid Steer Loader-Airport	\$75,080.00
20. Joe Daniels Construction Inc.-Zoo Admin Building Reroof-Administration	\$10,743.00
21. Johnson Controls Inc.-Replacement Panel-Airport	\$24,903.00
22. Lion Group Inc.-Chemical Suits-Sheriff	\$11,027.50
23. Madison Region Economic Partnership-2018 Pledge-Office of Equity & Inclusion	\$15,000.00
24. Metal Culverts Inc.-Polymeric Coated Pipe for CTH A-Highway	\$14,071.71
25. Meyers Truck Sales Inc.-2012 Used Freightliner-Highway	\$47,097.50
26. Meyers Truck Sales Inc.-2013 Used Freightliner-Highway	\$47,097.50
27. Michael Fields Agricultural Institute-2018 WI Cover Crop Conference Reimb.-Extension	\$11,381.53
28. Michaels Materials-Agregate for Surface Treatment-Highway	\$21,143.33
29. Scully Oil Company-Motor Fuel Landfill-Public Works	\$20,008.05
30. Scully Oil Company-Motor Fuel-Airport	\$10,403.36
31. Spirit of Greater Madison Inc.-Destination District Visioning Study-Planning & Develop	\$20,000.00
32. UW Madison Tandem Press-Art Exhibits-Airport	\$16,374.00
33. WI Dept. of Administration-April Record Center & Presort Services-Administration	\$13,369.49
34. WI DNR-Environmental Fee as of May 2018-Public Works	\$1,063,284.54
Total	\$2,736,779.88

Moved by Supervisor Dye, seconded by Supervisor Pertl, to adopt the above amended payments. Motion carried by a voice vote.

CLAIMS RECOMMENDED FOR DENIAL

Moved by Supervisor McCarville, seconded by Supervisor Dye, to deny the following claims:

Ross McFarlane, against Dane County Sheriff, for receiving too much medication while incarcerated.
 Michael Hilton, against Dane County, for allegedly having his ID bracelet ripped off, causing harm.
 Shawn Knox, against Dane County Sheriff, for damage to glasses and missing canteen items while incarcerated.
 Curtis Wittwer, against Dane County, regarding tripping and falling due to a crack in a sidewalk.
 Armand Baker, against Dane County Highway, regarding sunroof damage from rock falling off a dump truck.

Moved by supervisor Dye, seconded by Supervisor Pertl to adopt the above amended payments. Motion carried by a voice vote.

APPROVAL OF COUNTY BOARD MINUTES

Moved by Supervisor Chenoweth, seconded by Supervisor Eicher, to approve the Minutes of the County Board meeting of May 17, 2018. Motion carried by a voice vote.

CONSENT CALENDAR

All items on the consent calendar were approved on a voice vote. (The text and committee recommendations for each of the items follow.)

2017 OA-046

AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, INCORPORATING THE TOWN OF CROSS PLAINS COMPREHENSIVE PLAN INTO THE DANE COUNTY COMPREHENSIVE PLAN

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section 9 and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 82.55(10) is amended to read as follows:

82.55 INCORPORATION OF TOWN PLANS. The following town plans are incorporated into the Dane County Comprehensive Plan:

(10) Town of Cross Plains Comprehensive Plan, including all amendments adopted by the county board of supervisors ~~as of March 7, 2013.~~ [County Clerk to insert effective date of this amendment].

[EXPLANATION: This amendment adopts amendments to the Town of Cross Plains Comprehensive Plan and incorporates them into the Dane County Comprehensive Plan.]

Zoning & Land Regulation Committee recommends adoption of 2017 OA-046. Motion carried by a voice vote.

REPORTS ON ZONING PETITIONS

PETITION 11279 - ZONING CHANGE IN THE TOWN OF BLOOMING GROVE - ZONING ORD. AMDT. 11279

Petition 11279 by Joseph Rane to change zoning from R-1 Residence District TO A-2 (2) Agriculture District, A-2 (4) Agriculture District TO A-2 (2) Agriculture District on property located at 4439 Libby Road, Section 32, Town of Blooming Grove.

Zoning & Land Regulation Committee recommends Petition 11279 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days, and that Zoning Ord. Amdt. 11279 be adopted. Motion carried by a voice vote.

PETITION 11280 - ZONING CHANGE IN THE TOWN OF ROXBURY - ZONING ORD. AMDT. 11280

Petition 11280 by Curt Diehl to change zoning from RH-2 Rural Homes District TO A-1EX Agriculture District, A-1EX Agriculture District TO RH-2 Rural Homes District on property located south and east of 7342 USH 12, Section 18, Town of Roxbury.

Zoning & Land Regulation Committee recommends Petition 11280 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and that Zoning Ord. Amdt. 11280 be adopted. Motion carried by a voice vote.

PETITION 11281 - ZONING CHANGE IN THE TOWN OF ROXBURY - ZONING ORD. AMDT. 11281

Petition 11281 by Timothy Glaus to change zoning from RH-2 Rural Homes District TO A-2 (4) Agriculture District on property located at 7015 Kippley Road, Section 21, Town of Roxbury.

Zoning & Land Regulation Committee recommends Petition 11281 be granted and that Zoning Ord. Amdt. 11281 be adopted. Motion carried by voice vote.

PETITION 11284 - ZONING CHANGE IN THE TOWN OF BURKE - ZONING ORD. AMDT. 11284

Petition 11284 by Expor Properties, LLC. to change zoning from RH-1 Rural Homes District TO R-1 Residence District, RH-1 Rural Homes District TO R-1 Residence District on property located at 6265 Portage Road, Section 3, Town of Burke.

Zoning & Land Regulation Committee recommends that Petition 11284 be granted and includes the condition that a certified survey map and the Conditions listed below be submitted and/or recorded within 90 days and that Zoning Ord. Amdt. 11284 be adopted. Motion carried by a voice vote.

Condition:

1. The joint driveway easement area and the septic system easement area shall be depicted on the certified survey map.
2. A joint driveway agreement shall be recorded with the Register of Deeds.

PETITION 11285 - ZONING CHANGE IN THE TOWN OF PLEASANT SPRINGS - ZONING ORD. AMDT. 11285

Petition 11285 by James Alme to change zoning from C-1 Commercial District TO C-2 Commercial District on property located at 2817 CTH MN, Section 6, Town of Pleasant Springs.

Zoning & Land Regulation Committee recommends Petition 11285 be granted and includes the condition that a certified survey map and the Conditions and Deed Restriction below be submitted and/or recorded and that Zoning Ord. Amdt. 11285 be granted. Motion carried by a voice vote.

Condition:

1. Utility easements shall be shown on the certified survey map.
2. Storm water management plan shall be approved by Dane County Land and Water Resources. A copy of the approved plan shall be submitted to the Town of Pleasant Springs within 10 days of approval.
3. Conditional Use Permit #2232 for a single family residence shall be rendered null and void.
4. A new certified survey map combining the three lots into one lot shall be approved and recorded with the Register of Deeds.
5. A Driveway Access Placement permit shall be obtained from Pleasant Springs Public Works.

Deed Restriction:

1. A deed restriction shall be recorded with the Register of Deeds to limit the land use activities exclusively to a mini-warehouse storage facility; prohibiting the installation of billboard signs (off-premise advertising) on the property; all signs being in conformance with Dane County Sign Ordinances; requiring all lighting to be direct down lite and shall not cause glare on the roadways or neighboring properties; and requiring the property to be fenced having a gated entrance with keyed access.

PETITION 11287 - ZONING CHANGE IN THE TOWN OF BLACK EARTH - ZONING ORD. AMDT. 11287

Petition 11287 by RBJ Ripp, LLC. to change zoning from C-2 Commercial District TO A-1EX Agriculture District on property located at 9678 CTH KP, Section 36, Town of Black Earth.

Zoning & Land Regulation Committee recommends Petition 11287 be granted and Zoning Ord. Amdt. 11287 be adopted. Motion carried by a voice vote.

ORDINANCES

2018 OA-002

AMENDING CHAPTER 9 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING THOSE REQUIRED TO FILE A STATEMENT OF ECONOMIC INTEREST

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 9.04 is amended to read as follows:

9.04 APPLICATION OF CHAPTER. (1)—This ordinance shall apply to all county officials and county employees.

~~(2) Notwithstanding (1), the financial disclosure requirements shall not apply to county employees outside of the ten highest salary ranges in the managerial and professional salary schedule except that it shall apply to all employees serving under contract, to all employees who serve at the discretion of the county executive and to all managerial and professional level employees appointed by the county board chairperson.~~

ARTICLE 3. Section 9.60 is amended to read as follows:

9.60 STATEMENTS OF ECONOMIC INTEREST. (1) ~~All~~ The following county officials and county employees shall file a disclosure statement: ~~, except that county employees outside of the ten highest salary ranges in the managerial and professional salary schedule need not do so.~~

(a) Elected officials.

(b) Candidates for county elected office.

(c) Department Heads.

(d) Employees hired under an employment contract.

(e) Members of the Board of Adjustment.

~~(2) Notwithstanding sub. (1), an employee hired under an employment contract shall file a disclosure statement.~~

ARTICLE 4. Section 9.62 is amended to read as follows:

9.62 FILING DATES FOR STATEMENT. (1) Candidates for elected office shall file a disclosure statement not more than 14 days after the deadline for filing their respective nomination papers.

~~(2) All other persons~~ Persons affected by this ordinance shall file a disclosure statement within 60 days of the date of assuming office or beginning employment.

~~(3) County officials appointed to administrative agencies shall file a disclosure statement no later than the first meeting of the administrative agency or within 30 days of confirmation by the county board, whichever comes first. Such statements shall expire as of April 30 of even numbered years unless the statement was filed within the 60-day period prior to the scheduled expiration date.~~

~~(4)~~ (3) In March of even numbered years the county clerk shall cause a notice to be sent to all officials and employees having a disclosure statement on file notifying them that updated statements are to be filed.

~~(5)~~ (4) The county clerk shall notify candidates for elected office of the provisions of this chapter at the time that nomination papers are filed.

[EXPLANATION: This amendment revises who is required to file a Statement of Economic Interest.]

Personnel & Finance Committee recommends adoption of 2018 OA-022. Moved by Supervisor Wegleitner, seconded by Supervisor Pertl, that the ordinance be re-referred to the Personnel & Finance Committee. Motion carried by a voice vote.

AWARD OF CONTRACTS

2017 RES-502

AUTHORIZING EXECUTION OF AN AIR SERVICE PROMOTION AND MARKETING AGREEMENT WITH UNITED AIRLINES, INC. - DANE COUNTY REGIONAL AIRPORT

On June 7, 2018, United Airlines, Inc., will begin offering once daily non stop round trip air service between the Dane County Regional Airport ("DCRA") and the San Francisco International Airport ("SFO"), located in San Francisco, California. SFO is not currently served from DCRA by non-stop scheduled airline service. Non-stop service to SFO will offer convenience and time savings to passengers making domestic and international connections at this major United Airlines hub, as well as to those whose final destination is the Golden State.

Under the Air Service Promotion and Marketing Agreement, DCRA will provide up to \$100,000 for advertising and marketing for the promotion of the United Airlines non-stop air service between DCRA and SFO. In addition to promotional and marketing assistance during the critical start-up period for the non-stop SFO flights, DCRA will provide a waiver of landing fees for United Airlines flights arriving from SFO within twenty-four months of initiation of direct SFO service. The fixed term promotional support and landing fee waiver being offered United Airlines, Inc. is similar to that previously made available to other airlines under DCRA's Community Air Service Support Program.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are authorized to execute on behalf of Dane County an Air Service Promotion and Marketing Agreement providing promotional and marketing assistance and landing fee waivers to United Airlines, Inc. in support its newly initiated non-stop round trip passenger air service between the Dane County Regional Airport and the San Francisco International Airport, as set forth above.

Airport Commission, Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2017 RES-502. Motion carried by a voice vote.

2017 RES-507

AUTHORIZING AN AGREEMENT FOR THE RECONSTRUCTION AND JURISDICTIONAL TRANSFER OF CTH P IN THE VILLAGE OF CROSS PLAINS

The Dane County Department of Public Works, Highway & Transportation and representatives of the Village of Cross Plains have determined that CTH P from USH 14 Northerly to a point 605 feet north of the center line of Karen Court will be reconstructed in 2018. The Village agrees to accept jurisdiction of this section of CTH P on November 1, 2018, and it will no longer be a County Trunk Highway.

Funding for the design and construction of the project is to be accomplished in accordance with past policies of cost-sharing on similar projects. The Department has funds available in account HWCONCAP-59255 to cover the total project costs. The County's maximum share is \$1,320,000.

NOW THEREFORE BE IT RESOLVED that the County Executive and the County Clerk be authorized to execute this cost sharing agreement on behalf of Dane County, with the Village of Cross Plains.

BE IT FINALLY RESOLVED that any unexpended funds as of December 31, 2017, in the above-mentioned account be carried forward to 2018.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2017 RES-507. Motion carried by a voice vote.

2017 RES-518

AWARD OF CONTRACT FOR: CAPITAL CITY TRAIL PAVEMENT RESTORATION.

The Department of Public Works, Highway and Transportation reports the receipt of bids for Capital City Trail Pavement Restoration, 3101 Lake Farm Rd., Madison, WI, bid #318002.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

Payne & Dolan, Inc.
6295 Lacy Road
Fitchburg, WI 53593

Total: \$948,200.00

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to Payne & Dolan, Inc.

There are sufficient funds available for this project. The term of the borrowing used to support this project will be 10 years.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Payne & Dolan, Inc. in the amount of \$948,200.00; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2017 RES-518. Motion carried by a voice vote.

2017 RES-519

AWARD OF CONTRACT FOR 2018 RESTORATION AT CAPITOL SQUARE SOUTH PARKING RAMP INCLUDING ALTERNATE BIDS 1, 2 & 3

The Department of Public Works, Highway and Transportation reports the receipt of bids for 2018 Restoration at Capitol Square South Parking Ramp including Alternate Bids 1, 2 & 3, bid #318004.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

RAM Construction Services of Michigan, Inc.
13800 Eckles Road
Livonia, MI 48150

Total: \$462,000.00

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to RAM Construction Services of Michigan, Inc.

There are sufficient funds available for this project. The term of the borrowing used to support this project will be 10 years.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to RAM Construction Services of Michigan, Inc. in the amount of \$462,000.00; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved contract amount, whichever is smaller.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2017 RES-519. Motion carried by a voice vote.

2017 RES-527

AWARD OF CONTRACT FOR PROFESSIONAL CONSTRUCTION MANAGEMENT SERVICES FOR THE JAIL
CONSOLIDATION PROJECT AT THE PUBLIC SAFETY BUILDING

The Department of Public Works, Highway and Transportation reports the receipt of bids for Dane County Jail Consolidation Project, bid # 318001.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

Gilbane Building Company
101 West Pleasant Street, Suite 104
Milwaukee, WI 53212

Total: \$1,363,140.00

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to GILBANE BUILDING COMPANY.

The term of the borrowing used to support this project will be 20 years.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Gilbane Building Company in the amount of \$1,363,140.00; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2017 RES-527. Motion carried by a voice vote. Supervisor Wegleitner votes no.

2017 RES-528

AUTHORIZING ADDENDUM AND EXTENSION OF DANE COUNTY SHERIFF WEST PRECINCT LEASE WITH TOWN OF
MIDDLETON

In 1997 Dane County entered into a fifteen-year lease agreement with the Town of Middleton to rent 3,500 square feet of space in the Middleton Town Hall building for a West Precinct Station.

The original lease agreement terminated March 31, 2013. Annual lease and fixed costs were \$26,048, a rate of \$7.44 per square

foot for rental space, which included fixed costs of \$2,000 for a sinking fund and \$500 for landscaping and snow removal.

The original lease agreement was extended five-years terminating March 31, 2018. The lease cost for the first extension was \$20,900 annually with an additional fixed cost of \$2,000 for a sinking fund, \$1,000 annually for snow removal service and parking lot maintenance, and reimbursement of 60% of the annual cost of septic system maintenance/repair. The total annual lease and fixed cost for the first, five-year extension was \$23,900, a reduction of \$2,148 annually or \$6.83 per square foot compared to \$7.44 per square foot for 3,500 square feet of rental space.

The Dane County Sheriff and the Town of Middleton wish to extend the lease agreement an additional five years, a second extension, commencing April 1, 2018 and terminating March 31, 2023. Rent for the leased premises during the second extension is \$20,900 annually with an additional fixed cost of \$2,000 annually in a sinking fund for repairs and renovations, \$1,000 annually for snow removal service, and reimbursement of 60% of the annual cost associated with the septic system maintenance/repair. Total annual lease and fixed rate costs for the agreement shall remain \$23,900, \$7.44 per square foot for 3,500 square feet of rental space.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the Addendum to and Second Extension of Town of Middleton Lease 2018-2023; and

BE IT FINALLY RESOLVED that the Dane County Clerk and the County Executive are hereby authorized to execute the above-described Addendum and Extension on behalf of the County of Dane.

Public Protection & Judiciary, Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2017 RES-528. Motion carried by a voice vote.

2017 RES-530

APPROVING A CONTRACT FOR VIDEO SECURITY SYSTEM UPGRADE IN THE JUVENILE DETENTION FACILITY

The 2018 Capital Budget included funding to upgrade the video security system at the Juvenile Detention facility on the second floor of the City County Building. Personnel and Finance approved a bid waiver for SGTS, Inc. and a contract has been negotiated for an amount not to exceed \$150,648.28.

NOW, THEREFORE BE IT RESOLVED, that the contract with SGTS in the amount of \$150,648.28 is approve by the County Board and the County Executive and County Clerk are authorized to execute the contract documents.

Public Protection & Judiciary and Personnel & Finance recommend adoption of 2017 RES-530. Motion carried by a voice vote.

2017 RES-531

CONTRACT CHANGE ORDER # 3 TO CONTRACT FOR BIOFERM USA, INC. FOR BIOGAS CLEANING EQUIPMENT FOR PIPELINE INJECTION (PHASE III)

The Department of Public Works, Highway and Transportation, Solid Waste, awarded a contract to BIOFerm USA, Inc. for Biogas Cleaning Equipment for Pipeline Injection (Phase III), 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) bid #316039.

The following change is requested: Change Order #3-Increase \$59,000.00 as additional work beyond the original contract is needed. Required to provide heat to existing County facilities.

NOW, THEREFORE, BE IT RESOLVED that Change Order #3 for a total increase of \$59,000.00 be approved to the Contract for BIOFerm USA, Inc. for the above listed changes; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2017 RES-531. Motion carried by a voice vote.

2017 RES-537

CONTRACT CHANGE ORDER # 1 TO CONTRACT FOR R.G. HUSTON FOR PHASE 9, CELL 2 LINER AND STAGE 4 FINAL CAP CONSTRUCTION

The Department of Public Works, Highway and Transportation, Solid Waste, awarded a contract to R.G. Huston for Phase 9, Cell 2 Liner and Stage 4 Final Cap Construction, 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) Bid #317040.

The following change is requested: Change Order #1 - Increase \$952,537.10 as additional work beyond the original contract is needed. Required for additional final capped acres.

NOW, THEREFORE, BE IT RESOLVED that Change Order #1 for a total increase of \$952,537.10 be approved to the Contract for R.G. Huston for the above listed changes; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract;

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2017 RES-537. Motion carried by a voice vote.

2018 RES-003

EXTENDING JOHN BAUMAN'S EMPLOYEE SERVICE AGREEMENT AS JUVENILE COURT ADMINISTRATOR

A previously negotiated Employee Service Agreement for John Bauman to serve as Juvenile Court Administrator expires on April 27, 2018. An extension of John Bauman's Employee Service Agreement has been negotiated. The contract addendum updates the terms and conditions of employment. This contract addendum requires confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the County Executive and the Presiding Judge of the Juvenile Court are authorized to execute on the behalf of Dane County the attached agreement with John Bauman to serve as Juvenile Court Administrator with a salary of \$112,278.40, subject to any cost of living adjustments granted to unrepresented managerial employees.

Public Protection & Judiciary and Personnel & Finance Committees recommend adoption of 2018 RES-003. Motion carried by a voice vote.

2018 RES-015

CONTRACT CHANGE ORDER # 5 TO CONTRACT FOR BIOFerm USA, Inc. FOR BIOGAS CLEANING EQUIPMENT FOR PIPELINE INJECTION (PHASE III)

The Department of Public Works, Highway and Transportation, Solid Waste, awarded a contract to BIOFerm USA, Inc. for Biogas Cleaning Equipment for Pipeline Injection (Phase III), 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) bid #316039.

The following change is requested: Change Order #5 - Increase by \$90,875.00 for purchase of 2 - 2,500 scfm capacity product gas compressors (as compared to 2 - 1,250 scfm). Required for increased operation efficiency and decreased maintenance costs.

NOW, THEREFORE, BE IT RESOLVED that Change Order #5 for a total increase of \$90,875.00 be approved to the Contract for BIOFerm USA, Inc. for the above listed changes; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-015. Motion carried by a voice vote.

2018 RES-026

AWARD OF AGREEMENT FOR JAIL CONSOLIDATION - ARCHITECTURAL / ENGINEERING DESIGN SERVICES AT THE PUBLIC SAFETY BUILDING

The Department of Public Works, Highway and Transportation reports the receipt of proposals for Jail Consolidation - Architectural / Engineering Design Services at the Public Safety Building, 115 West Doty Street, Madison, Wisconsin, Public Works Proposal No. 318003.

A complete tabulation is on file at the Department of Public Works Office.

An Agreement has been negotiated with:

Mead & Hunt, Inc.

2440 Deming Way
Middleton, WI 53562

The Public Works staff finds the amount to be reasonable and recommends the Agreement be awarded to Mead & Hunt, Inc.

There are sufficient funds available for this project. The term of the borrowing used to support this project will be 20 years.

NOW, THEREFORE, BE IT RESOLVED that an Agreement be awarded to Mead & Hunt, Inc. in the amount not to exceed \$4,488,000.00; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Agreement; and

BE IT FINALLY RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Agreement.

Public Works & Transportation and personnel & Finance Committees recommend adoption of 2018 RES-026. Moved by Supervisor Wegleitner, seconded by Supervisor Kilmer, that the Resolution be re-referred to the Public Works & Transportation Committee. Roll call requested:

AYES - 8: Downing, Kiefer, Miles, Ritt, Veldran, Wegleitner, Kilmer And Chawla

NOES - 28: Bayrd, Bollig, Chenoweth, Clausius, Corrigan, Dye, Erickson, Gillis, Kolar, Krause, Levin, Mccarville, Nelson, Ripp, Pertl, Salov, Schauer, Stubbs, Jones, Young, Williams, Kuhn, Eicher, Danner, Peters, Schwellenbach, Buckingham And Knoll

EXCUSED - 1: Rusk

Motion failed.

Motion was made that the resolution be adopted. Motion carried by a voice vote. Supervisor Wegleitner votes no.

2018 RES-029

AWARD OF THE PHASE I DESIGN CONTRACT FOR THE DESIGN OF CTH M FROM CTH Q to STH 113

The Department of Public Works, Highway & Transportation received request for proposals for the design CTH M from CTH Q to STH 113, RFP # 118026.

A complete tabulation is on file at the Division of Purchasing office. The selected proposer is:

KL Engineering Inc
5400 King James Way, Suite 200
Madison, WI 53719

Total: \$719,300

The Highway and Transportation staff finds the amount to be reasonable and recommends the project be awarded to KL Engineering, Inc.

There are sufficient funds available for this project in account HWYCONCAP-57262.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to KL Engineering Inc in the amount of \$719,300; and

BE IT RESOLVED that the Highway Commissioner be authorized and directed to sign the Contract pursuant to the authority found in Wisconsin Statute 83.015(2)(a); and

BE IT FINALLY RESOLVED that any unexpended funds as of December 31, 2018, in the above mentioned accounts be carried forward to 2019.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-029. Motion carried by a voice vote.

2018 RES-035

AWARD OF AGREEMENT FOR PRINTING & SERVICES DIVISION SPACE REMODEL AT THE CITY-COUNTY BUILDING

The Department of Public Works, Highway and Transportation reports the receipt of proposals for Printing & Services Division Space Remodel at the City-County Building, 210 Martin Luther King Jr. Blvd., Madison, WI, Public Works Proposal No. 317007.

A complete tabulation is on file at the Department of Public Works Office.

An Agreement has been negotiated with:

Dimension IV
6515 Grand Teton Plaza, Suite 120
Madison, WI 53719

The Public Works staff finds the amount to be reasonable and recommends the Agreement be awarded to Dimension IV.

There are sufficient funds available for this project. The term of the borrowing used to support this project will be 10 years.

NOW, THEREFORE, BE IT RESOLVED that an Agreement be awarded to Dimension IV in the amount not to exceed \$45,500.00; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Agreement; and

BE IT FINALLY RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Agreement.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-035. Motion carried by a voice vote.

2018 RES-039

AGREEMENT FOR THE CONSTRUCTION OF TRAFFIC SIGNALS AT THE INTERSECTIONS OF CTH V / RIVER ROAD AND CTH V / MORRISONVILLE ROAD WITH THE VILLAGE OF DEFOREST

The Dane County Department of Public Works, Highway & Transportation and representatives of the Village of Deforest have determined that traffic signals should be constructed at two intersections with CTH V.

Funding for the design and construction of the project is to be accomplished in accordance with past policies of cost sharing on similar CTH projects.

The department has funds available in account HWCONCAP-57260 to cover the total project costs. The County's maximum share is \$330,000.

NOW THEREFORE BE IT RESOLVED that the County Executive and the County Clerk be authorized and directed to execute this cost sharing agreement on behalf of Dane County, with the Village of Deforest.

BE IT FINALLY RESOLVED that any unexpended funds as of December 31, 2018, in the above mentioned accounts be carried forward to 2019 .

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-039. Motion carried by a voice vote.

2018 RES-055

AWARD OF CONTRACT FOR: FARMSTEAD BUILDING DEMOLITION AT ANDERSON COUNTY PARK

The Department of Public Works, Highway and Transportation reports the receipt of bids for Farmstead Building Demolition at Anderson County Park, bid #317052.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

All Metals Recycling LLC
1802 S. Park Street
Madison, WI 53713

Total: \$129,900.00
Alternate Bid 1

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to All Metals Recycling.

There are sufficient funds available for this project. The term of the borrowing used to support this project will be 10 years.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to All Metals Recycling in the amount of \$129,900.00; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved contract amount, whichever is smaller.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-055. Motion carried by a voice vote.

RESOLUTIONS

2018 RES-044

DANE COUNTY CONSERVATION FUND GRANT AWARD TO THE CITY OF VERONA (MATTS/JONES)

The City of Verona has applied to the Dane County Conservation Fund Grant Program for financial assistance to purchase approximately 13.1 acres in the City of Verona that lies within the Badger Mill Creek Natural Resources Area. The majority of the parcel consists of wetland and floodplain and includes over 1/3 of a mile of Badger Mill Creek, a tributary to the Sugar River. Badger Mill Creek has been reclassified by the Department of Natural Resources as a "cool water fishery" indicating that it has the potential to sustain some trout populations.

The parcel is adjacent to the City's Fireman's Park and the addition of this parcel would nearly double the size of the Park. Acquisition of the property would create an opportunity to improve habitat for fish and wildlife and provide public access for public recreation including hiking and fishing. The City intends to remove invasive woody plants and reestablish an open meadow with natural walking paths allowing access to the Badger Mill Creek.

The City plans to partner with Trout Unlimited, the Upper Sugar Watershed Association and the Department of Natural Resources for habitat and streambank improvement and management of the parcel.

The project costs for the acquisition total \$80,200. The Dane County Park Commission recommends up to \$20,500 in County matching funds. The remainder of the acquisition costs will be provided by funds from the City of Verona.

The term of the debt issued to support this expenditure will be 20 years.

NOW, THEREFORE, BE IT RESOLVED, that a grant of \$20,500 to the City of Verona is approved by the Dane County Board and the Dane County Executive and that the County will pay up to the grant amount based on actual project expenses.

BE IT FURTHER RESOLVED, that the Dane County Clerk and Dane County Executive are authorized to execute documents necessary to effectuate the grant award, which may include grant agreements, management agreements, and the acceptance of an easement that will vest in Dane County according to Wisc. Stats. 27.05(3), and that the land interests be managed under the jurisdiction of the Dane County Park Commission.

BE IT FINALLY RESOLVED, that the Dane County Land & Water Resources Director, Real Estate Coordinator, and Acquisition and Planning Specialist are authorized to approve closing and 40 reimbursement documentation for grant projects and the transfer of an easement to Dane County and the Controller is authorized to issue checks necessary to effectuate the transactions authorized through the grant award.

Park Commission, Environment, Agriculture and Natural Resources and Personnel & Finance Committees recommend adoption of 2018 RES-044. Motion carried by a voice vote.

2018 RES-045

DANE COUNTY CONSERVATION FUND GRANT AWARD TO GROUNDSWELL CONSERVANCY (WHITESIDE)

Groundswell Conservancy has applied to the Dane County Conservation Fund Grant Program for financial assistance to purchase approximately 10.9 acres in the Village of Waunakee. The property is located on a plateau that overlooks the Cherokee Marsh-Yahara River valley and is located within the boundary of the Cherokee Marsh Natural Resources Area. Acquisition of the parcel would fill a gap in conservation ownership between the Westport Drumlin Preserve/State Natural Area and conservation lands on the west side of Cherokee Marsh. The parcel would also provide land for local food production, which falls under the Agriculture, Gardening and Foraging initiative of the 2018-2023 Parks and Open Space Plan.

The landowner currently leases the land to local farmers and Groundswell would continue this practice, making the land available

to immigrant farmers for subsistence and market growing. Community GroundWorks, a non-profit that manages 26 acres of community farms and agricultural programming at Troy Gardens on the north side of Madison, has committed to partnering with Groundswell to manage the leases and the infrastructure on the property.

The landowner is donating half of the value of the land to Groundswell Conservancy as well as a perpetual conservation easement on the remainder of her farm. The land and the easement will allow a pedestrian trail linking the Westport Drumlin Preserve with County owned land east of River Road.

The project costs for the acquisition total \$107,590.00. The Dane County Park Commission recommends up to \$26,897.00 in County matching funds. The landowner will donate 50% of the land value and the remainder of the acquisition costs will be provided by Groundswell Conservancy.

The term of the debt issued to support this expenditure will be 20 years.

NOW, THEREFORE, BE IT RESOLVED, that a grant of \$26,897.00 to Groundswell Conservancy is approved by the Dane County Board and the Dane County Executive and that the County will pay up to the grant amount based on actual project expenses.

BE IT FURTHER RESOLVED, that the Dane County Clerk and Dane County Executive are authorized to execute documents necessary to effectuate the grant award, which may include grant agreements, management agreements, and the acceptance of an easement that will vest in Dane County according to Wisc. Stats. 27.05(3), and that the land interests be managed under the jurisdiction of the Dane County Park Commission.

BE IT FINALLY RESOLVED, that the Dane County Land & Water Resources Director, Real Estate Coordinator, and Acquisition and Planning Specialist are authorized to approve closing and reimbursement documentation for grant projects and the transfer of an easement to Dane County and the Controller is authorized to issue checks necessary to effectuate the transactions authorized through the grant award.

Park Commission, Environment, Agriculture and Natural Resources and Personnel & Finance Committees recommend adoption of 2018 RES-045. Motion carried by a voice vote.

2018 RES-046

DANE COUNTY CONSERVATION FUND GRANT AWARD TO GROUNDSWELL CONSERVANCY (WISCONSIN LABORERS' APPRENTICESHIP AND TRAINING FUND)

Groundswell Conservancy has applied to the Dane County Conservation Fund Grant Program for financial assistance to purchase approximately 95.5 acres in the Village of DeForest. The parcel lies within the Cherokee Marsh Natural Resource Area and also within the Department of Natural Resources' Cherokee Marsh Fishery Area. The property blocks with County land to the west and Department of Natural Resources' land to the southeast. A portion of its southern boundary is made up of 2,750 feet of Yahara River frontage, which is identified as a Tier II stream in the 2018-2023 Parks and Open Space Plan. The property is level, open wetland and is part of the largest remaining wetlands in the County.

The property will provide migration and nesting habitat for waterfowl and other migratory birds while also providing riparian protection for spawning northern pike and water quality protection of Lake Mendota. The parcel connects public ownership making management of the wetland complex easier and more efficient. The connection will also provide continuity for public recreation. The property will be open to the public year-round for hiking, hunting, trapping, fishing, canoeing/kayaking, bird watching, and nature appreciation.

Groundswell Conservancy will partner with the County, Department of Natural Resources and the Friends of Cherokee Marsh to restore the wetland and manage habitat. Acquisition of this parcel will protect additional wetland within the Cherokee Marsh wetland complex; provide wetland habitat for wildlife and recreational opportunities for the public.

The project costs for the acquisition total \$214,640. The Dane County Park Commission recommends up to \$17,070 in County matching funds. The remainder of the acquisition costs will be provided by funds from the Department of Natural Resources' Knowles Nelson Stewardship Grant Program, a small North American Wetlands Conservation Act grant and funds from Groundswell Conservancy.

The term of the debt issued to support this expenditure will be 20 years.

NOW, THEREFORE, BE IT RESOLVED, that a grant of \$17,070 to the Groundswell Conservancy is approved by the Dane County Board and the Dane County Executive and that the County will pay up to the grant amount based on actual project expenses.

BE IT FURTHER RESOLVED, that the Dane County Clerk and Dane County Executive are authorized to execute documents necessary to effectuate the grant award, which may include grant agreements, management agreements, and the acceptance of an easement that will vest in Dane County according to Wisc. Stats. 27.05(3), and that the land interests be managed under the jurisdiction of the Dane County Park Commission.

BE IT FINALLY RESOLVED, that the Dane County Land & Water Resources Director, Real Estate Coordinator, and Acquisition

and Planning Specialist are authorized to approve closing and reimbursement documentation for grant projects and the transfer of an easement to Dane County and the Controller is authorized to issue checks necessary to effectuate the transactions authorized through the grant award.

Park Commission, Environment, Agriculture & Natural Resources and Personnel & Finance Committees recommend adoption of 2018 RES-046. Motion carried by a voice vote.

ITEMS REQUIRING A TWO-THIRDS MAJORITY FOR PASSAGE

2017 RES-501

AGREEMENT FOR THE DESIGN OF A SALT SHED IN THE TOWN OF ALBION

The Dane County Department of Public Works, Highway & Transportation and representatives of WISDOT have agreed to design a salt shed in the Town of Albion on state owned land. This project is planned in conjunction with the expansion of I39 to meet the additional highway maintenance needs.

Funding for the design of the project is to be 100% provided by WisDOT.

After adding the following two budget lines the Department will have budgeted for both the revenue from the State and the expense for the design of the salt shed.

NOW THEREFORE BE IT RESOLVED that the following budget line items be added to fund the salt shed project:

REVENUE:	
HWFLTFAC-8XXXX	WISDOT REIMBURSEMENT \$50,000
EXPENSE:	
HWFLTFAC-5XXXX	ALBION SALT SHED \$50,000

NOW THEREFORE BE IT RESOLVED that the County Executive and the County Clerk be authorized and directed to execute the cost sharing agreement on behalf of Dane County, with WISDOT.

BE IT FINALLY RESOLVED that any unexpended funds as of December 31, 2018, in the above mentioned accounts be carried forward to 2019 .

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2017 RES-501. Motion carried by a voice vote.

2018 RES-020

AUTHORIZING ACCEPTANCE OF A WISCONSIN DEPARTMENT OF JUSTICE, BYRNE MEMORIAL JUSTICE ASSISTANCE PROGRAM, DANE COUNTY NARCOTICS TASK FORCE GRANT

Resolution 210, 1991 – 1992 authorized the Sheriff's Office to participate in a multi-jurisdictional drug enforcement task force to disrupt and dismantle drug trafficking organizations in Dane County. Members of the task force are comprised of deputies, officers, detectives, clerical staff and supervisors from the Madison Police Department, Dane County Sheriff's Office, and the University of Wisconsin, Madison, Police Department. Funding of \$132,211 is available from the Wisconsin Department of Justice (DOJ), Byrne Memorial Justice Assistance Grant Program, Drug Task Force, Grant Number 2015-DJ-01-12792, for continued participation in the Dane County Narcotics Task Force, to support overtime costs for members of the task force and for collection of data and information, as required. Grant funding is available through September 30, 2018.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is hereby authorized to accept \$132,211 from the Wisconsin Department of Justice, Grant Number, 2015-DJ-01-12792 for the 2018 Dane County Narcotics Task Force.

BE IT FURTHER RESOLVED that \$132,211 is set up as additional revenue in the Sheriff's Office, Field Services Drug Enforcement Grant Revenue (SHRFFLD 80527) account line and is credited to the General Fund.

BE IT FURTHER RESOLVED that \$132,211 is transferred from the General Fund to Sheriff's Office Field Services, Drug Enforcement POS (SHRFFLD 30925) account line

BE IT FURTHER RESOLVED that on behalf of the County of Dane, the County Executive is authorized to execute an agreement embodying the above provisions; and

BE IT FINALLY RESOLVED that all unexpended funds and unrecognized revenues from this account be carried forward until fully expended.

Public Protection & Judiciary and Personnel & Finance Committees recommend adoption of 2018 RES-020. Motion carried by a voice vote.

Sub. 1, 2018 RES-022

AUTHORIZING AN AGREEMENT TO ACCEPT HIGHWAY SAFETY GRANT FUNDS FOR A SPEED ENFORCEMENT TASK FORCE PROJECT

The Department of Transportation, Bureau of Transportation Safety, State of Wisconsin, is making funds available for participation in a 2018 Speed Enforcement Task Force Project, Grant Number FG-2018-DANE CO-04373; grant project period is June 1, 2018 through August 31, 2018. The goal of this federally funded enforcement project is to reduce traffic crashes in Dane County by focusing on speeding violations, aggressive driving, and seatbelt violations. In Wisconsin during 2016, speed-related crashes were a contributing factor in 15.1% of all crashes, and almost 30.7% of all fatal crashes. Excessive speed is often associated with other high-risk behaviors including following too closely and failure to wear safety belts that increase the likelihood of a crash, significant injury, and fatalities.

Participating agencies in this enforcement task force effort include the Dane County Sheriff's Office and Madison Police Department. These two agencies will adopt a zero tolerance for impaired driving, and unrestrained occupants during all motor vehicle stops. The Dane County Sheriff's Office will be the administrator of this grant, collecting data from both agencies and filing a single report with the State of Wisconsin.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is hereby authorized to accept \$120,000 from the Department of Transportation, Bureau of Transportation Safety, for the Speed Enforcement Task Force Project Grant. \$60,000 is allocated to Dane County for enforcement efforts and \$60,000 is allocated to the Madison Police Department, to be paid upon receipt of invoices; and

BE IT FURTHER RESOLVED that \$120,000 is set up as additional revenue in the Sheriff's Office, Field Services, Speed Task Force revenue account (SHRFFLD-80673) and to be credited to the General Fund; and

BE IT FINALLY RESOLVED that \$120,000 is transferred from the General Fund to the following accounts:

Overtime Speedwaves	(SHRFFLD-10066)	\$48,150
Retirement	(SHRFFLD 10099)	\$6,300
Social Security	(SHRFFLD 10108)	\$3,690
Worker's Compensation	(SHRFFLD 10189)	\$1,860
Sub-Total		\$60,000
Speed Task Force POS	(SHRFFLD-30346)	\$60,000
Grand Total		\$120,000

Public Protection & Judiciary Committee recommends adoption of 2018 RES-022. Personnel & Finance Committee recommends adoption of Sub. 1, 2018 RES-022.

Moved by Supervisor Dye, seconded by Supervisor Pertl, that the resolution requiring 2/3rd vote be adopted Sub. Question before the Board is adoption of Sub. 1, 2018 RES-022. Motion carried by a voice vote.

2018 RES-025

AGREEMENT FOR THE RECONSTRUCTION AND JURISDICTIONAL TRANSFER OF CTH PQ IN THE VILLAGE OF CAMBRIDGE

The Dane County Department of Public Works, Highway & Transportation and representatives of the Village of Cambridge have determined that the portion of CTH PQ from USH 12 to West Village limits within the corporate limits of the Village is in need of reconstruction.

CTH PQ from USH 12 to West Village limits within the corporate limits of the Village shall be jurisdictionally transferred to the Village of Cambridge on November 1, 2018 and will no longer be a County Trunk Highway.

Funding for the design and construction of the project is to be accomplished in accordance with past policies of cost sharing on similar CTH projects.

After making the following transfer, the Department has funds available to cover the total project costs and to receive reimbursement from the Village. The County's maximum share is \$580,000 and the Village maximum share is \$812,000.

NOW THEREFORE BE IT RESOLVED that the following fund transfer be made to increase the expense and revenue construction budget:

Expense Budget:
 HWCONCAP-57257, CTH PQ Project \$812,000

Revenue Budget:
 HWCONCAP _____ Cambridge Revenue \$812,000

NOW THEREFORE BE IT RESOLVED that the County Executive and the County Clerk be authorized and directed to execute this cost sharing agreement on behalf of Dane County, with the Village of Cambridge.

BE IT FINALLY RESOLVED that any unexpended funds as of December 31, 2018, in the above mentioned accounts be carried forward to 2019.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-025. Motion carried by a voice vote.

2018 RES-030

ACCEPTANCE OF A WI DEPARTMENT OF NATURAL RESOURCES GRANT FOR THE B RILEY BLACK EARTH CREEK SNOWMOBILE TRAIL BRIDGE

The Land & Water Resources Department – Parks Division has secured a \$35,900 Snowmobile Trail Aids grant from the Wisconsin Department of Natural Resources (WDNR) to replace the B. Riley Black Earth Creek snowmobile bridge.

The purpose of this grant is to replace a deteriorating snowmobile bridge on State Corridor #21 known as the B. Riley Black Earth Creek bridge. The new bridge will improve water flow and navigation while allowing safe access for trail maintenance equipment.

NOW, THEREFORE, BE IT RESOLVED, that the Dane County Board of Supervisors and the Dane County Executive hereby accept the \$35,900 grant from the WI DNR,

BE IT FINALLY RESOLVED, that revenue account CPLWRESC 81623 Snowmobile Trail Bridge Grant shall be increased by \$35,900 and a new expenditure account CPLWRESC Black Earth Creek Snowmobile Bridge Grant be established for \$35,900. All Funds shall be carried forward until realized and expended.

Park Commission, Environment, Agriculture & Natural Resources and Personnel & Finance Committees recommend adoption of 2018 RES-030. Motion carried by a voice vote.

2018 RES-043

AGREEMENT FOR THE CONSTRUCTION OF A SALT SHED IN THE TOWN OF ALBION

The Dane County Department of Public Works, Highway & Transportation and representatives of WISDOT have agreed to construct a salt shed in the Town of Albion on state owned land. This project is planned in conjunction with the expansion of I39 to meet the additional highway maintenance needs.

Funding for the construction of the project is to be 100% provided by WisDOT.

After adding the following two budget lines the Department will have budgeted for both the revenue from the State and the expense for the design of the salt shed.

NOW THEREFORE BE IT RESOLVED that the following budget line items be added to fund the salt shed project:

REVENUE:
 HWFLTFAC-8XXXX, WISDOT REIMBURSEMENT \$1,600,000

EXPENSE:
 HWFLTFAC-5XXXX, ALBION SALT SHED \$1,600,000

BE IT FINALLY RESOLVED that any unexpended funds as of December 31, 2018, in the above mentioned accounts be carried forward to 2019 .

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-043. Motion carried by a voice vote.

2018 RES-047

AWARD OF CONTRACT FOR: CCB CONCRETE FLATWORK REMOVAL & REPLACEMENT

The Department of Public Works, Highway and Transportation reports the receipt of bids for CCB Concrete Flatwork Removal & Replacement, 210 Martin Luther King Jr. Blvd., bid #316003.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

Joe Daniels Construction Co., Inc.
919 Applegate Road
Madison, WI 53713

Total: \$207,155.00
Base Bid: \$183,234.00, Alternate Bid 1: \$23,921.00

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to Joe Daniels Construction Co., Inc.

The cost for this project exceeds the funds available in the budget. This resolution transfers funds from other capital accounts to fund the difference. The term of the borrowing used to support this project will be 10 years.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Joe Daniels Construction Co., Inc. in the amount of \$207,155.00; and

BE IT FURTHER RESOLVED that account CPFACMG 57176 "CCB CONCRETE REPLACEMENT" be increased by \$129,000, that account CPFACMG 84340 "CITY SHARE OF JOINT BUILDING EXPENSE" be increased by \$52,720, and that account CPFACMG 58126 "PSB ROOF REPLACEMENT" be decreased by \$76,280; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-047. Motion carried by a voice vote.

2018 RES-048

AUTHORIZING ACCEPTANCE OF HIGHWAY SAFETY GRANT FUNDS FOR A PEDESTRIAN AND BICYCLE ENFORCEMENT COLLABORATIVE PROJECT

The Department of Transportation, Bureau of Transportation Safety, State of Wisconsin, is making funds available for participation in a 2018 Pedestrian and Bicycle Enforcement Project, Grant Number FG-2018-MADISON-04384; grant project period is July 1, 2018 through September 30, 2018. The goal of this federally funded enforcement project is to reduce traffic crashes involving pedestrians and bicycles in Dane County by focusing on reducing drunk driving, speeding, failure to yield to pedestrians, passing too close to bicyclists, reducing bicycling at night without lights and pedestrian and bicyclist traffic signal violations. In partnership with the Wisconsin Bureau of Transportation Safety, Madison Police Department, the Wisconsin Bicycle Federation, and the Dane County Sheriff's Office intersections with historically high rates of crashes involving bicycles and pedestrians will be identified and enforcement and education efforts will be targeted at those intersections with the goal of reducing crashes and saving lives.

The Madison Police Department will be the administrator of this grant, collecting data and filing a report with the State of Wisconsin. The total allocation for this grant is \$22,000, Dane County Sheriff's Office will receive \$9,500 and Madison Police Department will receive \$12,500 for pedestrian and bicycle enforcement and education efforts.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is hereby authorized to accept \$9,500 from the Department of Transportation, Bureau of Transportation Safety, for the Pedestrian and Bicycle Enforcement Collaborative Project Grant for enforcement and education efforts, to be paid to the Sheriff's Office upon receipt of invoices to Madison Police Department; and

BE IT FURTHER RESOLVED that \$9,500 is set up as additional revenue in the Sheriff's Office, Field Services, Pedestrian & Bike Grant Revenue (SHRFFLD 80058) account line and to be credited to the General Fund; and

BE IT FINALLY RESOLVED that \$9,500 is transferred from the General Fund to the following accounts:

Overtime Pedestrian & Bike (SHRFFLD 10038)	\$7,630
Retirement (SHRFFLD 10099)	\$1,000
Social Security (SHRFFLD 10108)	\$580
Worker's Compensation (SHRFFLD 10189)	\$290
Total	\$9,500

Public Protection & Judiciary and Personnel & Finance recommends adoption of 2018 RES-048. Motion carried by a voice vote.

2018 RES-054

AWARD OF CONTRACT FOR BIOGAS FACILITY CONSTRUCTION

The Department of Public Works, Highway and Transportation reports the receipt of bids for Biogas Facility Construction at Dane County Landfill Site No. 2, Bid # 317049.

A complete tabulation is on file at the Department of Public Works office. The lowest qualified bidder is:

Joe Daniels Construction
919 Applegate Road
Madison, WI 53713

Total: \$6,111,204.47 (Base Bid and Alternate 2)

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to Joe Daniels Construction.

There are sufficient funds available for this project. The term of the borrowing used to support this project will be 10 years.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Joe Daniels Construction in the amount of \$6,111,204.47; and

BE IT FURTHER RESOLVED That account SWMETHGO 58087 "Pipeline Gas Project" be increased by \$4,800,000 and SWMETHGO 84974 "Borrowing Proceeds" be increased by \$3,346,892 and SWMETHGO 89000 "Operating Transfer In" be increased by \$1,453,108 and HWCONCAP 57261 "CTH D-Mckee Rd. to Greenway Crossing" be decreased by \$2,000,000 and HWCONCAP 84974 "Borrowing Proceeds" be decreased by \$2,000,000 and HWCONCAP 59190 "CTH C-STH 19 to Egge Rd" be decreased by \$712,000 and HWCONCAP 59042 "CTH Y-Amenda Rd to STH 78" be decreased by \$241,108 and CPPUBSAF 62630 "Radio System Replacement" be decreased by \$500,000 and HWCONCAP 62630 "Operating Transfer Out" be increased by \$953,108 and CPPUBSAF 62630 "Operating Transfer Out" be increased by \$500,000; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Public Works & Transportation and Personnel and Finance Committees recommend adoption of 2018 RES-054. Motion carried by a voice vote.

2018 RES-059

AUTHORIZING ACCEPTANCE OF ONE-TIME COMPETITIVE VICTIM OF CRIME ACT GRANT FUNDS AND ESTABLISHING AND REALLOCATING REVENUE AND EXPENDITURE LINES TO REFLECT THE CHANGES RESULTING FROM RECEIPT OF FUNDING

The Crime Response Program of the Dane County District Attorney's Office was awarded a Victim of Crimes Act (VOCA) competitive grant for one time expenses in the amount of \$100,139 effective April 9, 2018. These funds are in addition to the continuation VOCA grant. It is a one-time grant ending September 30, 2018 and requires a 20% match. The focus of the Grant is for emergency services for victims, technology and staff development.

The grant funds will be used to fund alarms (equipped with radios) for use by victims to alert law enforcement, a smart board and cart for trainings, trial usage, and telecommunications use by victims for probation hearings, clothing for ready identification for crisis response first responders, stress reduction and program identification items for victims and referral sources, billboards to advertise crisis response services available to victims, on scene and clinical intervention to crime victims and

witnesses and survivors of homicide victims, funds to meet emergency needs of crime victims and an emergency phone for victims, supplied to each City of Madison Precinct.

NOW, THEREFORE, BE IT RESOLVED that the District Attorney's Office, Crime Response Program is hereby authorized to accept \$100,139 from the Wisconsin Department of Justice; and

BE IT FINALLY RESOLVED that the following budget lines are created and/or adjusted as follows:

Capital Budget		
CPDIST - NEW	Smartboard	\$ 9,300
CPDIST - NEW	Alarms with Radios	\$ 55,054
CPDIST 57230	Computer Equip	(\$ 840)
CPPUBSAF 58161	Radio System	(\$ 25,200)
CPDIST - NEW (80534)	VAWA Grant	\$ 2,418
CPDIST - NEW Revenue	VOCA One-time Grant	\$ 35,896
Operating Budget		
DACRIME NEW	Supplies - One-time Grant	\$ 11,243
DACRIME NEW	Emerg. Funds - One-time	\$ 18,000
DACRIME NEW	POS Svcs - One-time	\$ 15,000
DACRIME NEW	POS Billboards - One-time	\$ 20,000
DACTA 32481	VAWA - Stop grant	(\$ 2,418)
DACRIME NEW Rev.	Voca One-time Grant	\$ 64,243
DACTA 80534	VAWA - Stop grant	(\$2,418)

Public Protection & Judiciary and Personnel & Finance Committees recommend adoption of 2018 RES-059. Motion carried by a voice vote.

ADJOURNMENT

Moved by Supervisor Chenoweth, seconded by Supervisor Nelson, to adjourn to Thursday, June 21, 2018, or at the call of the chair. Motion carried unanimously at 8:25 pm. Subsequent to adjournment, Chair Corrigan referred the following matters:

- 2018 OA-004 - Amending Chapter 46 of the Dane County Code of Ordinances, Regarding Micro Market Permit Fee. Submitted by Supervisors Salov and Jones. Referred to BOARD OF HEALTH MADISON / DANE COUNTY and PERSONNEL & FINANCE.
- 2018 OA-005 - Amending Chapter 6 of the Dane County Code of Ordinances, Regarding Filling of Vacancy in the Office of the County Supervisor Occurring During a Term. Submitted by Supervisor Corrigan. Referred to EXECUTIVE.
- 2018 RES-062 - Approving Agreement for Community Development Block Grant Loan to Quality Transit, LLC. Submitted by Supervisor Ripp. Referred to PERSONNEL & FINANCE.
- 2018 RES-064 - Referendum on Legalizing Cannabis. Submitted by Supervisors Chawla, Pertl, Buckingham, Danner, Downing, Eicher, Erickson, Kilmer, Knoll, Krause, Miles, Nelson, Peters, Ritt, Salov, Schauer, Stubbs, Veldran, Wegleitner and Young. Referred to EXECUTIVE.
- 2018 RES - 068 - Authorizing Travel Outside of the Continental United States for the Dane County Regional Airport Director of Marketing and Communications. Submitted by Supervisors Rusk, Buckingham, McCarville, Peters and Schauer. Referred to AIRPORT, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-073 - Contract Change Order # 6 to Contract for BIOFerm USA, Inc. for Biogas Cleaning Equipment for Pipeline Injection (Phase III). Submitted by Supervisors Ripp and Nelson. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-078 - Authorizing Acceptance of Grant Funds from Clean Lakes Alliance to Enhance Erosion Control Inspections. Submitted by Supervisors Ritt, Jones and Salov. Referred to ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-079 - Authorizing the Creation of an Erosion Control Specialist Position and Fund Transfer. Submitted by Supervisors Ritt, Jones and Salov. Referred to ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-080 - Contract Change Order # 1 to Contract for TRC Environmental Corporation for Construction Quality Representative. Submitted by Supervisors Nelson, Ripp and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-081 - Authorizing the Purchase of Land for Solid Waste Operations. Submitted by Supervisors Nelson and Ripp. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.

- 2018 RES-082 - Agreement for the Reconstruction of CTH PB / Paoli Bridge in the Town of Montrose. Submitted by Supervisors Nelson, Ripp, Schauer and Williams. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-086 - Authorization to Establish Dane County Human Services Immigration Assistance Donation Revenue and Expenditure Accounts DCDHS - Admin Division. Submitted by Supervisors Kuhn, Buckingham, Eicher, Kilmer, Salov, Veldran and Young. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.
- 2018 RES-087 - Awarding a Contract to Madison Area Urban Ministries for Jail to Community Re-Entry Services DCDHS - ACS Division. Submitted by Supervisors Kuhn, Buckingham, Eicher, Kilmer, Salov, Veldran and Young. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.
- 2018 RES-088 - Authorizing Execution of Another Transaction Agreement with the United States for Reimbursement of the Electricity Used at the Security Checkpoints at the Dane County Regional Airport. Submitted by Supervisors McCarville, Bollig, Peters and Schauer. Referred to AIRPORT COMMISSION, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-089 - Award of Contract for Roof Replacement at the Northport Office Building. Submitted by Supervisors Nelson, Ripp, Schauer and Williams. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-090 - County Executive Appointments. Submitted by Supervisor Corrigan. Referred to EXECUTIVE.
- 2018 RES-091 - Referendum on Dark Store Tax Loopholes. Submitted by Supervisors Nelson, Bayrd, Bollig, Buckingham, Chawla, Chenoweth, Clausius, Danner, Downing, Dye, Eicher, Erickson, Gillis, Jones, Kilmer, Kolar, Krause, Levin, McCarville, Miles, Pertl, Peters, Ripp, Ritt, Rusk, Salov, Schauer, Schwellenbach, Stubbs, Veldran, Wegleitner, Williams and Young. Referred to EXECUTIVE.
- 2018 RES-092 - Award of Contract for Labor Relations Consultant. Submitted by Supervisor Dye. Referred to PERSONNEL & FINANCE.

2018 - 2019 COUNTY BOARD PROCEEDINGS**JUNE 21, 2018, 7:00 PM SESSION**

The Dane County Board of Supervisors met pursuant to statute. Chair Corrigan called the meeting to order. County Clerk McDonell called the roll:

PRESENT: Bayrd, Bollig, Chenoweth, Clausius, Corrigan, Downing, Erickson, Gillis, Kiefer, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Pertl, Rusk, Salov, Veldran, Wegleitner, Stubbs, Jones, Kilmer, Young, Kuhn, Eicher, Danner, Peters, Schwellenbach and Knoll

REPORTED ABSENCE: Dye, Schauer, Williams, Chawla and Buckingham

Supervisor Clausius offered an inspirational message and led the Pledge of Allegiance.

SPECIAL MATTERS AND ANNOUNCEMENTS

1. 2018-2019 Youth Governance Program Participant Pinning
2. Report on Criminal Justice Council Activities

APPROVAL OF PAYMENTS

The Controller's Office has examined the following bills which have been incurred in the operation of our County Departments. Inasmuch as the claims which cover the items purchased have been found reasonable and proper, we recommend that they be allowed by the Dane County Board.

1. Brooks Tractor Inc.-2 John Deere Wheel Loaders-Highway	\$92,109.00
2. Ennis-Flint Inc.-Acrylic Waterborne Highway Paint-Highway	\$23,080.75
3. Ennis-Flint Inc.-Acrylic Waterborne Highway Paint-Highway	\$20,812.00
4. Filtration Services-Air Filters for the CCB-Facilities	\$10,129.36
5. Graybar Electric Company-Led Lighting Upgrades-Badger Prairie	\$13,200.00
6. Janke General Contractors-Tenny Lock & Dam Rehab & Renovation-Land & Water	\$18,958.46
7. Michels Material-Agregate for Surface Treatment-Highway	\$21,484.05
8. Michels Material-Agregate for Surface Treatment-Highway	\$14,621.62
9. Mid-State Equipment-Schulte FX-1800 Rotary Three Pan Mower-Highway	\$26,844.00
10. Northwestern Stone Llc.-Crushed Stone & Gravel-Highway	\$14,709.12
11. Seiler Instrument & Mfg. Co. Inc.-Survey Station & Data Collection-Land & Water	\$41,349.95
12. Tri County Paving-Lower Yahara River Trail Park Parking Lot Paving-Land & Water	\$13,912.50
13. WI Dept. of Administration-VAWA Grant 3rd Qtr-District Attorney	\$22,831.85
Sub-Total	\$334,042.66
14. Ayres Associates Inc.-2017 Fly Dane Project-Land Information	\$100,137.50
15. Brooks Tractor Inc.-Grapple Loader Bucket-Public Works	\$27,450.00
16. Cardiac Science Corporation-AED's-Sheriff	\$18,130.00
17. Chemtek Inc.-Runway Rubber Remover-Airport	\$16,025.00
18. Dane County Sheriff-April Civil Process-Child Support	\$14,091.62
19. Dane County Sheriff-March Civil Process-Child Support	\$11,361.23
20. Dorschner Associates Inc.-5th Floor Improvements-Administration	\$18,407.78
21. Henry G Meigs Llc-Liquid Asphalt-Highway	\$191,532.19
22. Hill Electric Inc.-Siren Repair-Emergency Management	\$19,250.12
23. Interstate Billing-May Kayser Ford Repair Invoices-Sheriff	\$11,166.38
24. Kriete Truck Center-2018 Mack Quad Axle Vehicle-Highway	\$162,927.00
25. Landfill Drilling & Piping-Emergency Landfill and Flare Piping-Airport	\$25,493.26
26. Meigs Advantage Llc-Liquid Asphalt Application-Highway	\$12,794.40
27. Midstates Equipment & Supply-Hot Pour Sealant-Highway	\$17,917.20
28. Professional Audio Designs Inc.-Update Control System Revision-County Board	\$12,208.93
29. R & K Construction Llc-May 2018 Dirt Work-Alliant Energy Center	\$10,320.00
30. Reinders Inc.-Mower-Airport	\$80,415.74
31. SGTS Inc.-PSB Camera Addition-Sheriff	\$12,320.00
32. We-Bore-It Llc-Underground Boring AEC Parking Lot-Alliant Energy Center	\$16,000.80
33. WI Dept. of Health-June Bed Assessment-Badger Prairie	\$20,400.00
Total	\$1,132,391.81

Moved by Supervisor Pertl, seconded by Supervisor Nelson to adopt the above amended payments. Motion carried by a voice vote.

APPROVAL OF COUNTY BOARD MINUTES

Moved by Supervisor McCarville, seconded by Supervisor Eicher, to approve the minutes of the County Board - Committee of the Whole meeting of Thursday, June 7, 2018 and the minutes of the County Board meeting of June 7, 2018. Motion carried by a voice vote.

CONSENT CALENDAR

All items on the consent calendar were approved on a voice vote. (The text and committee recommendations for each of the items follow.)

2018 RES-058

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

Civil Service Commission

William Strycker, 5519 Riverview Dr, Waunakee, 53597 (Ph: 608-850-4907; email: willstrycker@hotmail.com) to be appointed to replace Tommye Schneider. Mr. Strycker is a self employed Mediator and Employment Relations consultant. He is a former Wisconsin Employment Relations Commission (WERC) Commissioner and a former VP of Human Resources. This term will expire 7/1/21.

Lisa Dally, 6417 Inner Drive, Madison 53705 (Ph: 608-515-7225; email: lisa.dally@icloud.com) to be appointed to replace Julie Chase. Ms. Dally has a bachelor's degree in criminal justice from Mount Senario College, and a masters degree in Human Resources & Labor Relations from the UW-Milwaukee. She also has a graduate certificate in mediation and negotiation from University Wisconsin Milwaukee. She has over 17 years of professional work experience in the state's civil service system. She has held a variety of progressively responsible human resource positions which include program work in the areas of recruitment, selection, employment relations, AA/EEO compliance, performance management, and supervision of staff. This term will expire 7/1/21.

Roger Howard, 1421 Rae Lane, Madison, 53711 to be reappointed. This term will expire 6/30/21.

Madison Area Transportation Planning Board (formerly the MPO)

Mayor Paul Esser, 300 E. Main St., Sun Prairie 53590 to serve representing a local elected official. This term will expire 04/21/20.

Monona Terrace Convention & Community Center Board

Mark Clarke, c/o AEC, 1919 AEC Way, Madison 53713 to be reappointed. This term will expire 5/1/21

South Central Rail Transit Commission

Christopher James, 3833 Dolphin Dr, Madison 53719 (Ph: 608-848-8011; email: james@countyofdane.com) to be appointed to replace Jim Haefs-Flemming. This term will expire 4/17/20.

Specialized Transportation Commission

Dee Nash, 3810 Milwaukee St, Madison 53704 to be reappointed as citizen member representing disabled consumer group. This term will expire 4/19/20.

Ken Golden, 121 S. Pinckney St #400, Madison, 53703 (Ph: 608-332-8208, Email: kengofpluto@yahoo.com) to be appointed as the MPO representative. This term will expire 4/19/20.

Executive Committee recommends adoption of 2018 RES-058. Motion carried by a voice vote.

2018 OA-003

AMENDING CHAPTER 7 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING COMPOSITION OF COMMITTEE MEMBERSHIP

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 7.20(2) is amended to read as follows:

(2) Land Conservation Committee. The land conservation committee shall be composed of the same supervisor members appointed by the county board chairperson to the Environment, Agriculture, Natural Resources Committee, two members of the

University Extension Committee, and one additional supervisor, together with the chairperson of the farm services agency county committee or his or her designee. The committee shall function as the land conservation committee in accordance with chapter 92, Wis. Stats. The committee shall have the powers set forth in sec. 92.07, Wis. Stats., and shall coordinate all matters relating to agriculture and soil and water use and conservation in the county, in cooperation with any interested governmental agency.

ARTICLE 3. Section 7.20(3) is amended to read as follows:

(3) University Extension Committee. The university extension committee shall be composed of at least five (5), but no more than seven (7) nine (9), supervisor members appointed by the county board chairperson. The committee shall function as the agriculture and extension education committee in accordance with sec. 59.87, Wis. Stats., and within the limits of funding appropriated by the county board, shall have the powers set forth in said statute. The committee shall be the oversight committee for the Dane County Fair Association and shall review dog claims under chapter 174, Wis. Stats., and on behalf of the county, approve, approve in part or deny such claims according to the standards set forth in the statutes except that approved claims over the amount of \$1,500 shall be brought to the full board before payment.

[EXPLANATION: This amendment revises the composition of the Land Conservation Committee and the University Extension Committee.]

Executive Committee recommends adoption of 2018 OA-003. Moved by Supervisor Chenoweth, seconded by Supervisor Downing, to re-refer the Ordinance to the Executive Committee. Motion carried by a voice vote.

REPORTS ON ZONING PETITIONS

PETITION 11282 - ZONING CHANGE IN THE TOWN OF VERMONT - ZONING ORD. AMDT. 11282

Petition by Henry Campbell to change zoning from A-1EX Agriculture District TO A-2 Agriculture District, A-1EX Agriculture District TO RH-2 Rural Homes District on property located at 4752 Old Indian Trail, Section 4, Town of Vermont.

Zoning & Land Regulation recommends Petition 11282 be granted and includes the condition that a certified survey map and the Conditions listed below be submitted and/or recorded within 90 days and that Zoning Ord. Amdt. 11282 be adopted. Motion carried by a voice vote.

Condition

1. A joint driveway agreement shall be recorded with the Register of Deed which follows the requirements of DCCO Section 75.19(8).
2. The building envelope which was approved by the Town of Vermont shall be shown on the certified survey map.

PETITION 11308 - ZONING CHANGE IN THE TOWN OF MADISON - ZONING ORD. AMDT. 11308

Petition 11308 by Mid-Town Center, LLC. (Alexander Company) to change zoning from C-1 Commercial District TO PUD Planned Unit Development on property located at the southeast corner of Oregon Road and Novation Parkway, Section 35, Town of Madison.

Zoning & Land Regulation Committee recommends Petition 11308 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11308 be adopted. Motion carried by a voice vote.

Jessica Vaughn, registered in support of Zoning Petition 11308 and was available for information.

ORDINANCES

2018 OA-005

AMENDING CHAPTER 6 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING FILLING OF VACANCY IN THE OFFICE OF THE COUNTY SUPERVISOR OCCURRING DURING A TERM

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 6.07 is amended to read as follows:

6.07 FILLING OF VACANCIES OCCURRING WITHIN A TERM. (1) Any vacancy in the office of county supervisor occurring between the commencement of a term and December 31 of an even numbered year shall be filled by a temporary appointment by the county board chairperson within one month of the vacancy subject to confirmation by the county board. A person so appointed shall serve until his or her successor is elected and qualified at a special election to be held concurrently with succeeding spring election.

(12) Any vacancy in the office of county supervisor occurring after December 31 of an even numbered year and on or before July 31 of an odd-numbered year shall be filled as promptly as possible by a special election.

(23) Any vacancy in the office of county supervisor occurring after July 30 of an odd-numbered year shall be filled by temporary appointment by the county board chairperson within one month, subject to confirmation by the county board. A person so appointed shall serve the remainder of the expired term.

(4) Any person interested in being appointed to a vacant office under sub. (1) or (3) shall submit nomination papers signed by at least 25 electors residing in the supervisory district in which the vacancy occurs. The signatures on the nomination papers may only be solicited by the person seeking the appointment. Prior to such appointment, the county clerk shall publicly announce a two-week solicitation period for submission of nomination papers and the declaration of candidacy from interested residents of the district. After the close of the application period, a public hearing shall be held in the supervisory district in which the vacancy occurs, and persons interested in being appointed shall attend. The chairperson shall not offer or promise appointment prior to the public hearing. A person so appointed and confirmed shall hold office until a successor is elected and qualified at the next regular election.

[EXPLANATION: This amendment authorizes a temporary appointment to fill a vacancy in the office of county supervisor if the vacancy occurs early in the term, subject to a special election to occur at the next spring election.]

Executive Committee recommends adoption of 2018 OA-005. Motion carried by a voice vote.

ADJOURNMENT

Moved by Supervisor Miles, seconded by Supervisor _Erickson, to adjourn to Thursday July 12, 2018, at 7:00 p.m. or at the call of the Chair. Motion carried unanimously at 7:40 p.m. Subsequent to adjournment, Chair Corrigan made the following referrals:

- 2018 RES-094 - Authorizing a Police Service Contract with the Village of Dane. Submitted by Supervisors Rusk, Danner, Krause, McCarville and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-096 - Contract Change Order # 2 to Contract for TRC Environmental Corporation for Construction Quality Representative. Submitted by Supervisors Nelson and Ripp. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-097 - Authorizing Acceptance of Grant Funding to Purchase Preliminary Breath Testing Equipment. Submitted by Supervisors Rusk, Danner, Krause, McCarville and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-104 - Authorizing Purchase of Services Agreement with Johnson Controls, Inc. for Maintenance of the Dane County Regional Airport Security Management Systems. Submitted by Supervisors Rusk, Bollig, Clausius, Danner, Kilmer, Kolar, Krause, McCarville, Nelson and Peters. Referred to AIRPORT, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-105 - Creating a Public Health Communications Coordinator Project Position Using Grant Funds. Submitted by Supervisors Dye, Salov, Jones, Miles and Ritt. Referred to BOARD OF HEALTH MADISON / DANE COUNTY and PERSONNEL & FINANCE.
- 2018 RES-106 - Award of Contract for Audit Services. Submitted by Supervisors Miles. Referred to PERSONNEL & FINANCE.
- 2018 RES-108 - Award of Contract for Garage Floor Restoration at the City-County Building. Submitted by Supervisors Nelson and Ripp. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-110 - Award of Contract for Native Prairie Grass Restoration and Maintenance (Clay Borrow Site). Submitted by Supervisors Nelson, Kiefer and Ripp. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-111 - Amending the 2018 Budget for Climate Action Plan (CAP) Modeling. Submitted by Supervisors Corrigan and Miles. Referred to EXECUTIVE and PERSONNEL & FINANCE.
- 2018 RES-112 - Authorizing the Combination of Two .50 FTE Positions Into 1.0 FTE Within the DCDHS Children Youth and Families (CYF) Division. Submitted by Supervisors Kuhn, Eicher, Kilmer, Salov, Veldran and Young. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.

Petitions for Zoning Reclassification. Referred by Clerk McDonell to the Zoning & Land Regulation Committee:

- Petition 11302 – Town of Verona - Erica J. Makar
- 11303 – Town of Montrose - Thomas L. Schaller
- 11304 – Town of Albion - Chad D. & Jennie Kaderabek
- 11305 – Town of Dunkirk - Gregory M. Shaw
- 11306 – Town of Oregon - Steven C. Ace
- 11307 – Town of Montrose - Gerald L. Gehin
- 11309 – Town of Cottage Grove - Kirk K. Eilenfeldt
- 11310 – Town of Perry - Brady C. Gomez
- 11311 – Town of Albion - Wisconsin Power & Light Co.
- 11313 – Town of Primrose - Diane E. Erb

2018 - 2019 COUNTY BOARD PROCEEDINGS**JULY 12, 2018, 7:00 PM SESSION**

The Dane County Board of Supervisors met pursuant to statute. Chair Corrigan called the meeting to order. County Clerk McDonnell called the roll:

PRESENT: Bayrd, Bollig, Corrigan, Downing, Dye, Erickson, Kiefer, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Pertl, Rusk, Schauer, Veldran, Wegleitner, Stubbs, Kilmer, Young, Williams, Kuhn, Eicher, Chawla, Danner, Peters, Schwellenbach And Buckingham

REPORTED ABSENCE: Chenoweth, Clausius, Salov, Jones & Knoll

Supervisor Danner offered an inspirational message and led the Pledge of Allegiance.

SPECIAL MATTERS AND ANNOUNCEMENTS**CONFIRMATION OF AND SWEARING IN OF COUNTY BOARD SUPERVISOR - DISTRICT 14**

Moved by Supervisor Dye, seconded by Supervisor Danner, to adopt the nomination of Huong Nguyen-Hilfiger for County Board District 14. Motion carried by a voice vote.

Moved by Supervisor Dye, seconded by Supervisor Danner, that the Nguyen-Hilfiger nomination for County Board District 14 be adopted. Motion carried by a voice vote.

2018 RES-127

MEMORIAL TO DAVE WIGANOWSKY

WHEREAS Dave "Wiggie" Wiganowsky, lifelong resident of Wisconsin, long-time resident of the Town of Burke and former Dane County Board member passed away on Tuesday, April 17, 2018; and

WHEREAS Dave was a member of the Dane County Board of Supervisors from 1994 - 2014 representing District 21 and serving on several committees including: Airport Commission, Board of Health, Executive Committee, Greenspace, Health and Human Needs Committee, Long Term Support Committee, Personnel and Finance Committee, Public Protection and Judiciary Committee, Regional Planning Commission, Solid Waste & Recycling Commission, Specialized Transportation Commission, and the Transportation Committee where he was chair from 2000 – 2002, as well as serving as a member and as the chair of the Town of Burke for many years; and

WHEREAS early in his career, Dave worked at Oscar Mayer where he served as the union steward; and

WHEREAS Dave and his wife Angie have owned and operated Wiggie's Tavern on the North Side of Madison since 1981 where it has remained as a fixture in the neighborhood; and

WHEREAS Dave was also the president of the Tavern League where he started the SafeRide program, which provides taxicab vouchers to intoxicated patrons, a program which was later expanded to much of the state; and

WHEREAS everyone who met Dave was impressed by his generous nature and joyful disposition; and

WHEREAS Dave was a proud parent to Jane LeCaptain, Shelly Groeschel, and Jesse Wiganowsky, and grandparent to seven grandchildren.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby expresses its sorrow at the passing of Dave Wiganowsky and extends its sympathy to his family as we join them in mourning their loss; and

BE IT FINALLY RESOLVED that as a final token of our esteem and deep respect copies of this resolution shall be presented to the family of Dave Wiganowsky.

Moved by Supervisor Ripp, seconded by Supervisor Rusk to adopt the Special Resolution. Motion carried by a voice vote.

APPROVAL OF PAYMENTS

1. Advanced Chiller Services-Courthouse HVAC Repair-Facilities	\$10,610.00
2. Armtec LP-Sound Panels for WISDOT Repairs-Highway	\$11,665.00
3. CBRE ESI-Fen Oak Card Access System-Facilities	\$20,431.00
4. Centerplate INC.-WI State FFA Convention Catering-Alliant Energy Center	\$48,382.39
5. Contech Engineered Solutions Culverts-Highway	\$12,467.00

6. Cross Plains, Village-CTH P Road Construction-Highway	\$274,948.57
7. Deano Dock & Lift LLC-Fish Camp Park Piers-Land & Water	\$12,758.28
8. Deano Dock & Lift LLC-Fish Camp Park Piers-Land & Water	\$11,270.28
9. Ewald Motors of Oconomowoc LLC-2018 Dodge Grand Caravan-Human Services	\$26,663.00
10. Ewald Motors of Oconomowoc LLC-2018 Dodge Grand Caravan-Human Services	\$26,663.00
11. Henry G Meigs LLC-Liquid Asphalt-Highway	\$13,039.62
12. Henry G Meigs LLC-Liquid Asphalt-Highway	\$71,871.72
13. Henry G Meigs LLC-Liquid Asphalt-Highway	\$187,225.31
14. Integral Building Systems INC.-911 IT Room Phase 1-Public Safety	\$12,464.88
15. LDV INC.-Dive Truck-Sheriff	\$351,354.50
16. LDV INC.-Used Mobile Command Vehicle-Emergency Management	\$420,070.50
17. Meyers Truck Sales INC.-Used 2006 GMC Tandem Chassis & Cab-Highway	\$31,974.50
18. Miller-Bradford & Risberg INC.-Heavy Equipment Repair & Parts-Public Works	\$10,135.42
19. Motorola Solutions INC.-Mobile Radios-Sheriff	\$12,433.62
20. Motorola Solutions INC.-Radio Equipment-Emergency Management	\$40,077.20
21. Payne & Dolan INC.-CTH P Hma Pavement-Highway	\$314,081.10
22. Pine River Group-Wood Posts-Highway	\$10,336.00
23. Precision Sealcoating INC.-Sweeping Services-Highway	\$48,498.00
24. R and K Construction-June Dirt Moving-Alliant Energy	\$10,214.50
25. Relias Learning-Online Training Subscription Services-Badger Prairie	\$11,135.79
26. Reserve Account-Postage Meter Refill-Printing & Services	\$50,000.00
27. Scully Oil Company-Landfill Fuel-Public Works	\$18,996.86
28. SGTS INC.-Network Video Recorders & Camera's-Sheriff	\$103,664.82
Subtotal \$2,173,432.86	
29. Dell Marketing LLC-File Servers-Information Management	\$29,660.19
30. Homburg Contractors INC-Prep Base for Repairs-Alliant Energy Center	\$13,086.00
31. JFTCO INC-Heavy Equipment Repair/Parts-Public Works	\$15,060.80
32. Monona Plumbing and Fire Protection INC-Piping for Pavilion 2-Alliant Energy Center	\$25,797.00
33. Potters Industries LLC-Glass Beads-Highway	\$12,320.00
34. Potters Industries LLC-Glass Beads-Highway	\$12,320.00
35. Scheidt & Bachmann USA INC-Intercom System Upgrade-Airport	\$16,814.69
36. Virtra Systems INC-Annual Service Agreement-Sheriff	\$11,258.30
Total	\$2,309,749.84

Moved by Supervisor Miles, seconded by Supervisor Schauer, to adopt the above amended payments. Motion carried by a voice vote.

CLAIMS RECOMMENDED FOR DENIAL

Motion was made to deny the following claims:

Candi Gamillo, against Alliant Energy Center, for damages to her vehicle after being towed from the Midwest Horse Fair.
Preston Riemenapp, against Highway Department for damage to a tire from road buckling.

Motion carried by a voice vote.

APPROVAL OF COUNTY BOARD MINUTES

Moved by Supervisor Eicher, seconded by Supervisor Nelson, to approve the Minutes of the County Board meeting of June 21, 2018. Motion carried by a voice vote.

CONSENT CALENDAR

All items on the consent calendar were approved on a voice vote. (The text and committee recommendations for each of the items follow.)

2018 RES-050

AUTHORIZING STOUGHTON LEASE FOR JOINING FORCES FOR FAMILIES PROGRAM DCDHS - CYF DIVISION

Dane County Department of Human Services is involved in a program of providing more localized services in the communities identified as needing those services most. One such program is the Joining Forces for Families (JFF) Program. The Joining Forces for Families program has secured office space on the main street of Stoughton, and this space is located at 343 East Main Street, Stoughton, Wisconsin. JFF will play a strong role in this community. This resolution is to pay for the monthly rental payment of \$300 per month to cover costs related to occupying this space during the lease year of 06/01/18 to 5/31/19.

Two one year renewal options are including in the lease.

The space will be utilized by a Dane County Community social worker and other JFF partners. The total rate for the term period is \$3,600. All utilities are included except for telephone.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with Dackprint LLC, for 2018; and

BE IT FURTHER RESOLVED that the Dane County Clerk and County Executive are hereby authorized to execute the described lease on behalf of Dane County.

Public Works & Transportation, Health & Human Needs and Personnel & Finance Committees recommend adoption of 2018 RES-050. Motion carried by a voice vote.

2018 RES-051

AUTHORIZING LEASE FOR NORTHSIDE EARLY CHILDHOOD ZONE OFFICE DCDHS - CYF DIVISION

Dane County Department of Human Services is involved in a program of providing more localized services in the communities identified as needing those services most. One such program is the Northside Early Childhood Zone (NECZ). The NECZ program would like to extend its lease of the NECZ office to rent approximately 1,800 square feet of office space in a building owned by Sherman Plaza, Inc. located at 2830 Dryden Drive, Madison, Wisconsin. This resolution is to renew the monthly lease agreement with rental payment to remain the same, \$1,833.33 per month to cover costs related to occupying this space during the lease renewal term of nineteen months, (06/01/18 – 12/31/19). The 19-month renewal will result in total lease payments of \$34,833 for the period of this extension. The NECZ program is a partnership between Dane County Human Services and the Oscar Rennebohm Foundation, Inc. (ORF). The ORF will provide \$1,833.33 monthly to offset these lease costs. All utilities will be paid by the lessor. The lease extension also adds a clause whereby the lessor may terminate the lease with not less than six months advance written notice if the lessor elects to demolish the building.

NOW, THEREFORE, BE IT RESOLVED that Dane County extend its lease with Sherman Plaza, Inc. under the terms summarized above; and

BE IT FINALLY RESOLVED that the Dane County Clerk and County Executive are hereby authorized to execute the described lease with Sherman Plaza, Inc. on behalf of Dane County.

Public Works & Transportation, Health & Human Needs and Personnel & Finance Committees recommend adoption of 2018 RES-051. Motion carried by a voice vote.

2018 RES-053

AWARD OF CONTRACT FOR REFUSE HAULING AND COLLECTION FROM COUNTY FACILITIES

The Department of Public Works, Highway and Transportation reports the receipt of bids for Refuse Hauling and Collection from County Facilities to Dane County Landfill Site No. 2, Bid # 318006. The bid is for unit costs for collection based on each county facility. The estimated annual amount is approximately \$305,000 but will be based on actual collection costs.

A complete tabulation is on file at the Department of Public Works office. The lowest qualified bidder is:

Pellitteri Waste Systems
7035 Raywood Rd
Madison, WI 53713

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to Pellitteri Waste Systems.

NOW, THEREFORE, BE IT RESOLVED that a five year contract be awarded to Pellitteri Waste Systems with an initial estimated cost of \$305,000 and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-053. Motion carried by a voice vote.

2018 RES-062

APPROVING AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT LOAN TO QUALITY TRANSIT, LLC.

Dane County administers Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development (HUD) as an entitlement community on an annual basis. The funds are allocated within the County's CDBG jurisdiction to implement the strategies of the Dane County 2015-2019 Consolidated Plan.

The purpose of the Commercial Revolving Loan Fund (CRLF) is to provide financing to businesses that create jobs for low and moderate-income persons. The objectives of the RLF are to: expand or modernize existing or locally owned and managed enterprises; encourage the creation or retention of employment opportunities for low and moderate-income County residents; leverage new private investment in downtown business districts and traditional business districts; assist businesses with high value added products or services, especially in the agricultural sector; and assist dairy farmers with capital improvements resulting in an increase in milk production.

The CDBG Commission met on April 26, 2018 to consider approval of a revolving loan fund loan for the expansion of an existing business, Quality Transit, LLC. Quality Transit provides affordable transportation services to ambulatory and disabled clients in Dane County. The loan proceeds will be used to purchase three additional wheelchair accessible vehicles allowing Quality Transit to keep pace with growing transportation ridership demands in the County. The loan requires Quality Transit to create 3.58 new permanent full-time equivalent positions, 51% of which, or 1.8, must be held by low to moderate-income persons.

The CDBG Commission recommended approval (8-0) of a loan of \$125,000 at 5.75% interest for seven years. \$80,000 will be initially disbursed upon approval and execution of the loan closing documents to purchase two vehicles, and the remaining \$45,000 will be disbursed for the purchase of a third vehicle upon submission of updated business financial statements, service provider contracts, and job/employment information. The remaining disbursement will be approved by the CDBG Commission upon receipt and review of the updated business documents.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors does approve a CRLF loan of \$125,000 with a seven-year term at an annual interest rate of 5.75% to Quality Transit, LLC for the purchase of additional handicapped-accessible vehicles

BE IT FURTHER RESOLVED that the Dane County Controller is authorized to issue checks necessary to effectuate this transaction; and

BE IT FINALLY RESOLVED that the Dane County Clerk and Dane County Executive are hereby authorized to sign the appropriate contract on behalf of Dane County.

Personnel & Finance Committee recommends adoption of 2018 RES-062. Motion carried by a voice vote.

2018 RES-064

REFERENDUM ON LEGALIZING CANNABIS

A resolution providing for an advisory referendum on the November 6, 2018, election ballot to measure public opinion on allowing adults 21 years of age and older to engage in the personal use of marijuana, while also regulating commercial marijuana-related activities, and imposing a tax on the sale of marijuana.

WHEREAS, criminalizing marijuana use has failed to curb its use and more than 100 million Americans say they have used marijuana; and

WHEREAS, 59 percent of Wisconsinites in a 2016 poll said that marijuana should be “fully legalized and regulated like alcohol”, and recent polls show a majority of Americans favor legalization of adult recreational use of marijuana; and

WHEREAS, the Wisconsin State Legislature has failed to act on legislation to legalize and regulate marijuana and has not allowed hearings on such legislation; and

WHEREAS, an estimate by the Congressional Research Service suggests that replacing marijuana prohibition with a system of taxation and regulation could yield \$6.8 billion in federal excise taxes alone; and

WHEREAS, Alaska, California, Colorado, Maine, Massachusetts, Nevada, Oregon, and Washington have legalized adult personal use of marijuana and regulate the production, distribution, and sale of marijuana, and Vermont and the District of Columbia have legalized limited personal possession and cultivation of marijuana by adults; and

WHEREAS, legalizing and taxing marijuana could significantly increase state and local revenue; and

WHEREAS, the time law enforcement spends enforcing existing marijuana laws and ordinances negatively impacts the time available to solve more serious crimes and apprehend more dangerous criminals; and

WHEREAS, African Americans are disproportionately arrested for marijuana use and possession, continuing a pattern of racially biased justice system outcomes with lifelong negative impacts on those convicted and on their families; and

WHEREAS, marijuana prohibition makes product quality control and sales regulation impossible, leaving marijuana sellers free to target children as potential customers and to peddle potentially adulterated products; and

WHEREAS, the lack of a dispute resolution system for disputes in the illicit marijuana trade inevitably leads to violence as disputes

arise;

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors places the following advisory referendum on the ballot for the November 2018 election:

"Should marijuana be legalized, taxed and regulated in the same manner as alcohol for adults 21 years of age or older?"

BE IT FINALLY RESOLVED that the Dane County Clerk shall take all necessary steps to implement this resolution.

Executive Committee recommends adoption of 2018 RES-064. Motion carried by a voice vote.

Phillip Scott, WI Hemp Farmer's and Manufacturer's Association, registered to speak in support of the referendum.

Daniel Conners, Madison, registered to speak in support of the referendum.

Brian Seamonson, Deerfield, registered to speak in support of the referendum.

Kelly Bunge, Fearless Wholistics, registered to speak in support of the referendum.

2018 RES-068

AUTHORIZING TRAVEL OUTSIDE OF THE CONTINENTAL UNITED STATES FOR THE DANE COUNTY REGIONAL AIRPORT DIRECTOR OF MARKETING AND COMMUNICATIONS

The County is a member of the airport trade association, Airports Council International – North America (ACI-NA) and its various committees. The association includes Canadian airports, and to strengthen its membership relationship with Canada, the association will include more instructive conferences and summits in that country.

November 13 – 16, 2018, the Association's Marketing & Communications Committee will hold its 2018 Marketing and Communications International Conference in Ottawa, Canada for senior level airport Marketing and Communications leaders.

The Conference will provide the Dane County Regional Airport, Director of Marketing and Communications a chance to meet with other senior airport committee members to discuss issues of importance.

The conference will also provide educational opportunities for the Director of Marketing and Communications to participate in discussions involving many different perspectives on issues that are critical to successful airport marketing strategies.

Travel outside the continental United States requires approval of the County Board and the County Executive. Funds for attendance at the Conference for Brent S. Kyzer-McHenry, the Director of Marketing & Communications, are included in the 2018 airport budget.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and County Executive do hereby approve and authorize Brent S. Kyzer-McHenry, Director of Marketing & Communications to attend the 2018 Marketing and Communications International Conference in Ottawa, Canada, November 13 – 16, 2018.

Airport Commission, Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-068. Motion carried by a voice vote.

2018 RES-073

CONTRACT CHANGE ORDER #6 TO CONTRACT FOR BIOFERM USA, INC. FOR BIOGAS CLEANING EQUIPMENT FOR PIPELINE INJECTION (PHASE III).

The Department of Public Works, Highway and Transportation, Solid Waste, awarded a contract to BIOFerm USA, Inc. for Biogas Cleaning Equipment for Pipeline Injection (Phase III), 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) bid #316039.

The following change is requested: Change Order #6 -Increase \$1,835,818.35 for biogas offloading station beyond the original contract is needed. Required for timely construction of the virtual pipeline and adjacent construction efforts.

NOW, THEREFORE, BE IT RESOLVED that Change Order #6 for a total increase of \$1,835,818.35 be approved to the Contract for BIOFerm USA, Inc. for the above listed changes; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-073. Motion carried by a voice vote.

2018 RES-080

CONTRACT CHANGE ORDER #1 TO CONTRACT FOR TRC ENVIRONMENTAL CORPORATION FOR CONSTRUCTION QUALITY REPRESENTATIVE

The Department of Public Works, Highway and Transportation, Solid Waste, awarded a contract to TRC Environmental Corporation for Construction Quality Assurance, 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) RFP #317053.

The following change is requested: Change Order #1 - Increase \$98,424.50 as additional work beyond the original contract is needed. Required for additional construction quality assurance work for Stage 5 final capping.

NOW, THEREFORE, BE IT RESOLVED that Change Order #1 for a total increase of \$98,424.50 be approved to the Contract for TRC Environmental Corporation for the above listed changes; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-080. Motion carried by a voice vote.

2018 RES-082

AGREEMENT FOR THE RECONSTRUCTION OF CTH PB/PAOLI BRIDGE IN THE TOWN OF MONTROSE

The Dane County Department of Public Works, Highway & Transportation and representatives of the Town of Montrose have determined that the Paoli Bridge on CTH PB needs to be reconstructed.

Funding for the design and construction of the project is to be accomplished in accordance with past policies of cost sharing on similar CTH projects.

The department has funds available in account HWCONCAP-59192 to cover the total project costs. The County's maximum share is \$300,000.

NOW THEREFORE BE IT RESOLVED that the County Executive and the County Clerk be authorized and directed to execute this cost sharing agreement on behalf of Dane County, with the Town of Montrose.

BE IT FINALLY RESOLVED that any unexpended funds as of December 31, 2018, in the above mentioned accounts be carried forward to 2019.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-082. Motion carried by a voice vote.

2018 RES-087

AWARDING A CONTRACT TO MADISON AREA URBAN MINISTRIES FOR JAIL TO COMMUNITY RE-ENTRY SERVICES DCDHS - ACS DIVISION

The 2018 Dane County adopted budget included funds for a program to work with Dane County Jail inmates who are transitioning into the community by providing case management and peer support. The objective of this program is to eliminate the intrapersonal and environmental factors that contribute to individuals engaging in repeated criminal activity resulting in repeated periods of incarceration. A Request for Proposals (RFP) was issued and multiple applications were filed prior to the April 18 deadline. After a review of these applications, Dane County Department of Human Services intends to enter into a contract with the winning applicant, Madison-Area Urban Ministries (MUM).

This resolution awards a contract totaling \$110,000 to MUM to provide case management and peer support services for Dane County Jail inmates who are re-entering the community. MUM will be the lead agency among a collaborative that also includes Nehemiah Corporation, Anesis, and the Jesse Crawford Recovery Center.

NOW, THEREFORE, BE IT RESOLVED, that Dane County enter into a contract with Madison-Area Urban Ministries in the amount of \$110,000.

BE IT FINALLY RESOLVED that the Dane County Executive and County Clerk are hereby authorized to execute the described contract with Madison Area Urban Ministries on behalf of Dane County.

Health & Human Needs and Personnel & Finance Committees recommend adoption of 2018 RES-087. Motion carried by

a voice vote.

2018 RES-088

AUTHORIZING EXECUTION OF AN OTHER TRANSACTION AGREEMENT WITH THE UNITED STATES FOR THE REIMBURSEMENT OF THE COST OF ELECTRICITY USED AT THE SECURITY CHECKPOINTS AT THE DANE COUNTY REGIONAL AIRPORT

Under federal law the Dane County Regional Airport (the "Airport") provides the Transportation Security Administration ("TSA") with rent-free space in which to perform its passenger and baggage screening operations at the Airport. As is also established under federal law, the Airport is reimbursed for electrical consumption costs related to TSA's use of the federally mandated checkpoint space. The terms and conditions under which the Airport is reimbursed for the cost of electricity used at its two security checkpoints are set forth in a contract known as an Other Transaction Agreement entered into between Dane County and the United States of America. The Other Transaction Agreement has a five year term, commencing on June 1, 2018, and provides for reimbursement of \$7,408.08 for fixed electrical costs during the initial contract year, subject to future adjustments based on changes in utility rates implemented by Madison Gas and Electric Company.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive is authorized to execute an Other Transaction Agreement with the United States of America for the reimbursement of electrical costs associated with TSA's operation of security checkpoints at the Airport, as set forth above. Further, the Airport Director is authorized to execute associated documents that may be required to implement rate adjustments related to the foregoing Other Transaction Agreement

Airport Commission, Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-088. Motion carried by a voice vote.

2018 RES-091

REFERENDUM ON DARK STORE TAX LOOPHOLES

The Dark Store theory used by several large retailers, argues that the assessed value of a new store in a thriving location should be based on comparing their buildings to sales of vacant stores in abandoned locations from a different market segment which dramatically reduces their property tax bills at the expense of homeowners and other taxpayers. Each time a big box retailer gets a Dark Store tax break, homeowners, small businesses and other property owners have to pick up a greater share of the property tax levy.

Over the past several months, municipal, county, city, and town officials have been in contact with state legislators testifying against the Dark Store tax loophole in order to avoid a property tax burden shifting to other tax pay entities such as residential homeowners and other business and/or cuts in essential services provided by an affected municipality. Unless the Dark Store loopholes are closed, residents will realize the impact when they receive their property tax bills.

A county-wide referendum on the issue of Dark Stores would provide guidance to the state legislature as to the will of the residents of Dane County on this issue.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors places the following advisory referendum on the ballot for the November 2018 election:

"Should the state legislature protect residential property taxpayers by preventing commercial and manufacturing property owners from using tax loopholes to shift the tax burden to homeowners?"

BE IT FINALLY RESOLVED that the Dane County Clerk shall take all necessary steps to implement this resolution.

Executive Committee recommends adoption of 2018 RES-091. Motion carried by a voice vote.

2018 RES-092

AWARD OF CONTRACT FOR LABOR RELATIONS CONSULTANT

The current contract for the County's chief labor negotiator and labor relations consultant expires as of June 30, 2018. Requests for proposals were solicited for this service pursuant to Chapter 25, Dane County Ordinances. The proposal submitted by Godfrey & Kahn, as represented by Attorney Jon Anderson, was deemed most responsive.

THEREFORE, BE IT RESOLVED that Godfrey & Kahn, as represented by Attorney Jon Anderson, be retained as Dane County's chief labor negotiator and consultant for a period of one (1) year with an option to extend an additional 4 years by mutual agreement of the County and Godfrey & Kahn, and

BE IT FINALLY RESOLVED that Attorney Jon Anderson be compensated at a rate of \$315.00 per hour for services as negotiator and consultant and that associate attorney and research support services be compensated at a rate of \$275.00 per hour. Any change to the hourly rate would be negotiated at the time of the annual renewal and is subject to a maximum increase of 5%

annually.

BE IT FINALLY RESOLVED that the County Executive is authorized to execute a one (1) year contract and up to four (4) one-year extensions with Godfrey & Kahn for the terms set forth above.

Personnel & Finance Committee recommends adoption of 2018 RES-092. Motion carried by a voice vote. Supervisor Schauer abstained.

2018 RES-110

AWARD OF CONTRACT FOR NATIVE PRAIRIE GRASS RESTORATION AND MAINTENANCE (CLAY BORROW SITE).

The Department of Public Works, Highway and Transportation reports the receipt of proposals for Native Prairie Grass Restoration and Maintenance at Dane County's Clay Borrow Site, Proposal No. 317055.

A complete tabulation is on file at the Department of Public Works office. The lowest qualified proposer is:

Eco-Resource Consulting, Inc.
2554 County Road N
Stoughton, WI 53589

Total: \$233,050.00

The Public Works staff finds the amount to be reasonable and recommends the proposal be awarded to Eco-Resource Consulting.

There are sufficient funds available for this project. The term of the borrowing used to support this project will be 10 years.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Eco-Resource Consulting in the amount of \$233,050.00; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Public Works & Transportation and Personnel & Finance recommend adoption of 2018 RES-110. Motion carried by a voice vote.

REPORTS ON ZONING PETITIONS

PETITION 11286 - ZONING CHANGE IN THE TOWN OF RUTLAND - ZONING ORD. AMDT. 11286

Petition 11286 by James G. Lehman to change zoning from RH-3 Rural Homes District TO A-2 (8) Agriculture District on property located South of 4603 STH 92, Section 31, Town of Rutland.

Zoning & Land Regulation Committee recommends that Petition 11286 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and/or recorded within 90 days and that Zoning Ord. Amdt. Motion carried by a voice vote.

Deed Restriction:

1. A deed restriction shall be recorded on the A-2(8) property to prohibit any further residential development or land division of the property.

PETITION 11288 - ZONING CHANGE IN THE TOWN OF BLACK EARTH - ZONING ORD. AMDT. 11288

Petition 11288 by Jean M. Mitchell to change zoning from RH-4 Rural Homes District TO RH-3 Rural Homes District, RH-4 Rural Homes District TO A-4 Agriculture District on property located South of 5578 Reeve Road, Section 20, Town of Black Earth.

Zoning & Land Regulation committee recommends Petition 11288 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and/or recorded within 90 days, and that Zoning Ord. Amdt. 11288 be adopted. Motion carried by a voice vote.

Deed Restriction

1. A deed restriction shall be recorded on the A-4 zoned property to prohibit residential use of the property and prohibit the construction of buildings.

PETITION 11289 - ZONING CHANGE IN THE TOWN OF PERRY - ZONING ORD. AMDT. 11289

Petition 11289 by HR Growing Acres, LLC., to change zoning from A-1EX Agriculture District TO RH-2 Rural Homes District on property located North of 1272 Savannah Road, Section 8, Town of Perry.

Zoning & Land Regulation Committee recommends Petition 11289 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days, and that Zoning Ord. Amdt. 11289 be adopted. Motion carried by a voice vote.

PETITION 11291 - ZONING CHANGE IN THE TOWN OF CROSS PLAINS - ZONING ORD. AMDT. 11291

Petition 11291 by Shawn A and Maureen K Connors Rev. Tr., to change zoning from A-1EX Agriculture District TO RH-2 Rural Homes District on property located North of 3337 Valley Spring Road, Section 34, Town of Cross Plains.

Zoning & Land Regulation Committee recommends Petition 11291 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and that Zoning Ord. Amdt. 11291 be adopted. Motion carried by a voice vote.

PETITION 11293 - ZONING CHANGE IN THE TOWN OF VIENNA - ZONING ORD. AMDT. 11293

Petition 11293 by Lawrence & Patricia Spahn Rev. Tr., to change zoning from A-3 Agriculture District TO A-2 (1) Agriculture District on property located East of Windsor Prairie Road, Section 36, Town of Vienna.

Zoning & Land Regulation Committee recommends Petition 11293 be granted and includes the condition that a certified survey map and the Condition below be submitted and/or recorded within 90 days and that Zoning Ord. Amdt. 11293 be adopted. Motion carried by a voice vote.

Condition:

1. The residence shall be served by a public sewer.

PETITION 11294 - ZONING CHANGE IN THE TOWN OF PERRY - ZONING ORD. AMDT. 11294

Petition by Thomas J. and Laurie A. Stoehr Rev. Living Tr., to change zoning from A-1EX Agriculture District TO RH-1 Rural Homes District on property located West of 9707 Lee Valley Road, Section 25, Town of Perry.

Zoning & Land Regulation Committee recommends Petition 11294 be granted and includes the condition that a certified survey map be submitted and/or recorded and that Zoning Ord. Amdt. 11294 be adopted. Motion carried by a voice vote.

PETITION 11295 - ZONING CHANGE IN THE TOWN OF BLACK EARTH - ZONING ORD. AMDT. 11295

Petition 11295 by Leftyland, LLC., to change zoning from A-1EX Agriculture District TO RH-2 Rural Homes District on property located at 5556 Mahocker Road, Section 20, Town of Black Earth.

Zoning & Land Regulation Committee recommends Petition 11295 be granted and includes the condition that a certified survey map be submitted and/or recorded and that Zoning Ord. Amdt. 11295 be adopted. Motion carried by a voice vote.

Condition:

1. A shared access agreement in accordance with DCCO 75.19(8) shall be recorded with the Register of Deeds to allowing access to lot 1 through 3.

PETITION 11296 - ZONING CHANGE IN THE TOWN OF RUTLAND - ZONING ORD. AMDT. 11296

Petition 11296 by WICOMPANYII, LLC., to change zoning from Wetland classification to Non wetland classification on property located at 4645 STH 138, Section 7, Town of Rutland.

Zoning & Land Regulation Committee recommends adoption of Petition 11296 and that Zoning Ord. Amdt. 11296 be adopted. Motion carried by a voice vote.

PETITION 11297 - ZONING CHANGE IN THE TOWN OF ALBION - ZONING ORD. AMDT. 11297

Petition 11297 by Steven D. Lawrence to change zoning from A-1EX Agriculture District TO A-4 Agriculture District, RH-2 Rural Homes District TO A-4 Agriculture District, RH 2 Rural Homes District TO RH-3 Rural Homes District on property located at 1522 CTH A, Section 18, Town of Albion.

Zoning & Land Regulation Committee recommends Petition 11297 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and that Zoning Ord. Amdt. 11297 be adopted. Motion carried by a voice vote.

PETITION 11298 - ZONING CHANGE IN THE TOWN OF OREGON - ZONING ORD. AMDT. 11298

Petition 11298 by William Cummings to change zoning from A-3 Agriculture District TO RH-2 Rural Homes District, A-3 Agriculture District TO RH-3 Rural Homes District on property located at 6060 Sun Valley Parkway, Section 5, Town of Oregon.

Zoning & Land Regulation Committee recommends Petition 11298 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and/or recorded within 90 days, and Zoning Ord. Amdt. 11298 be adopted. Motion carried by a voice vote.

Deed Restriction:

1. A deed restriction shall be recorded on parcel 0509-053-9000-1 and 0509-053-8500-8 to prohibit further residential development on the remaining A-3 Agriculture zoned land. The housing density rights for the original farm have been Exhausted.

PETITION 11299 - ZONING CHANGE IN THE TOWN OF OREGON - ZONING ORD. AMDT. 11299

Petition 11299 by Russell A. Schmid to change zoning from A-1EX Agriculture District TO RH-2 Rural Homes District on property located NW of 123 Union Road, Section 35, Town of Oregon.

Zoning & Land Regulation Committee recommend that Petition 11299 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and the Zoning Ord. Amdt. 11299 be granted. Motion carried by a voice vote.

PETITION 11300 - ZONING CHANGE IN THE TOWN OF ALBION - ZONING ORD. AMDT. 11300

Petition 11300 by Judy Ciebell Schmidt to change zoning from A-1EX Agriculture District TO RH-1 Rural Homes District on property located South of 270 CTH X, Section 32, Town of Albion.

Zoning & Land Regulation Committee recommends Petition 11300 be granted and includes the condition that a certified survey map and the Conditions listed below be submitted and/or recorded and that Zoning Ord. Amdt. 11300 be adopted. Motion carried by a voice vote.

Conditions:

1. The existing septic system and existing residence shall be located on the same lot. The location of the existing septic system shall be shown on the final certified survey map.
2. A shared driveway access easement agreement shall be established and recorded with the Register of Deeds. The driveway easement area shall be shown on the final certified survey map.

PETITION 11301 - ZONING CHANGE IN THE TOWN OF YORK - ZONING ORD. AMDT. 11301

Petition 11301 by Ruben J. Christian to change zoning from A-1EX Agriculture District TO RH-1 Rural Homes District on property located at 1427 CTH V, Section 7, Town of York.

Zoning & Land Regulation Committee recommends Petition 11301 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11301 be adopted. Motion carried by a voice vote.

ORDINANCES

2018 OA-002

AMENDING CHAPTER 9 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING THOSE REQUIRED TO FILE A STATEMENT OF ECONOMIC INTEREST

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 9.04 is amended to read as follows:

9.04 APPLICATION OF CHAPTER. (1) This ordinance shall apply to all county officials and county employees.

~~(2) Notwithstanding (1), the financial disclosure requirements shall not apply to county employees outside of the ten highest salary ranges in the managerial and professional salary schedule except that it shall apply to all employees serving under contract, to all employees who serve at the discretion of the county executive and to all managerial and professional level employees appointed by the county board chairperson.~~

ARTICLE 3. Section 9.60 is amended to read as follows:

9.60 STATEMENTS OF ECONOMIC INTEREST. ~~(1) All~~ The following county officials and county employees shall file a disclosure statement; ~~except that county employees outside of the ten highest salary ranges in the managerial and professional salary schedule need not do so.~~

(a) Elected officials.

(b) Candidates for county elected office.

(c) Department Heads.

(d) Employees hired under an employment contract.

(e) Members of the Board of Adjustment.

~~(2) Notwithstanding sub. (1), an employee hired under an employment contract shall file a disclosure statement.~~

ARTICLE 4. Section 9.62 is amended to read as follows:

9.62 FILING DATES FOR STATEMENT. (1) Candidates for elected office shall file a disclosure statement not more than 14 days after the deadline for filing their respective nomination papers.

(2) ~~All other~~ Persons affected by this ordinance shall file a disclosure statement within 60 days of the date of assuming office or beginning employment.

~~(3) County officials appointed to administrative agencies shall file a disclosure statement no later than the first meeting of the administrative agency or within 30 days of confirmation by the county board, whichever comes first. Such statements shall expire as of April 30 of even numbered years unless the statement was filed within the 60 day period prior to the scheduled expiration date.~~

~~(4)~~ In March of even numbered years the county clerk shall cause a notice to be sent to all officials and employees having a disclosure statement on file notifying them that updated statements are to be filed.

~~(5)~~ The county clerk shall notify candidates for elected office of the provisions of this chapter at the time that nomination papers are filed.

[EXPLANATION: This amendment revises who is required to file a Statement of Economic Interest.]

Personnel & Finance Committee recommends adoption of 2018 OA-002. Motion carried by a voice vote.

RESOLUTIONS

Sub. 1, 2018 RES-096

CONTRACT CHANGE ORDER #2 TO CONTRACT FOR TRC ENVIRONMENTAL CORPORATION FOR CONSTRUCTION QUALITY REPRESENTATIVE

The Department of Public Works, Highway and Transportation, Solid Waste, awarded a contract to TRC Environmental Corporation for Construction Quality Assurance, 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) RFP #317053.

The following change is requested: Change Order #2 – Increase \$25,500.00 (NOT TO EXCEED) as additional work and services beyond the original contract is needed. Required for design modifications based on field conditions for Stage 5 final capping.

NOW, THEREFORE, BE IT RESOLVED that Change Order #2 for a maximum total increase of \$25,500.00 be approved to the Contract for TRC Environmental Corporation for the above listed changes.

Public Works & Transportation Committee recommends adoption of 2018 RES-096. Personnel & Finance Committee recommend adoption of Sub. 1, 2018 RES-096. Moved by Supervisor Dye, seconded by Supervisor Perl to adopt Sub. 1 to 2018 RES-096.

Question before the Board is adoption of 2018 RES-096. Motion carried by a voice vote.

APPOINTMENTS

2018 RES-090

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

Aging and Disability Resource Center Governing Board

Supervisor Patrick Downing, 256 Tyvand Rd., Blanchardville 53516 to be appointed. This term will expire 04/21/20.

Airport Commission

Supervisor Jerry Bollig, 570 Scott St, Oregon 53575, to be appointed representing District 31 outside the City of Madison. This

term will expire 04/21/20.

Supervisor Maureen McCarville, 513 Flambeau Pkwy, DeForest, 53532, to be appointed representing District 22 outside the City of Madison. This term will expire 04/21/20.

Supervisor Steven Peters, 9518 Wild Prairie Trail, Verona 53593, to be appointed representing District 15 outside the city of Madison. This term will expire 4/21/20.

Supervisor Paul Rusk, 1422 Wyldewood Dr, Madison 53704, to be appointed representing District 12 inside the city of Madison. This term will expire 4/21/20.

Supervisor Andrew Schauer, 5336 Congress Ave., #2, Madison 53718, to be appointed representing District 21 in the City of Madison. This term will expire 4/21/20.

Area Agency on Aging Board

Supervisor Nikole Jones, 4109 Observatory Rd, Cross Plains, 53528 to be appointed. This term will expire 04/21/20.

Supervisor Richard Kilmer, 621 Emerson St, Madison, 53715 to be appointed. This term will expire 04/21/20.

Supervisor Matt Veldran, 5738 Kroncke Dr., Madison, 53711, to serve in the seat of a Supervisor representing the Health & Human Needs Committee. This term will expire 04/21/20.

Supervisor Danielle Williams, PO Box 135, Cottage Grove, 53527 to be appointed. This term will expire 04/21/20.

Board of Health for Madison and Dane County

Supervisor Bob Salov, 2103 Pleasant Dr, Cambridge, 53523 to serve representing a district outside of Madison. This term will expire 04/21/20.

Community Development Block Grant Committee

Supervisor Bill Clausius, 1831 Harwood Ct, Sun Prairie, 53590 to serve representing the Personnel and Finance committee. This term will expire 04/21/20.

Supervisor Jenni Dye, 2892 Mickelson Pkwy #209, Fitchburg, 53711 to serve representing a district outside of Madison. This term will expire 04/21/20.

City of Madison Long Range Transportation Planning Commission

Supervisor Paul Nelson, 1720 Mayflower Dr., Middleton, 53562 to be appointed. This term will expire 04/21/20.

Commission on Sensitive Crimes

Supervisor Maureen McCarville, 513 Flambeau Pkwy, DeForest, 53532 to serve representing the Public Protection and Judiciary Committee. This term will expire 04/21/20.

Supervisor Hayley Young, 661 Mendota Ct, Apt 304, Madison, 53703, to serve representing the Health and Human Needs Committee. This term will expire 04/21/20.

Commission on Economic & Workforce Development

Supervisor Dorothy Krause, 2105 Apache Dr, Fitchburg, 53711 to be appointed. This term will expire 04/21/20.

Supervisor Patrick Miles, 5410 North Pass, McFarland 53558 to be appointed. This term will expire 04/21/20.

Community Action Coalition for South Central Wisconsin Board of Directors

Supervisor Carousel Bayrd, 4901 Sherwood Rd, Madison 53711 to be appointed. This term will expire 04/21/20.

Cultural Affairs Commission

Supervisor Yogesh Chawla, 324 Russel St, Madison 53704 to be appointed. This term will expire 04/21/20.

Dane County Development Corporation Board of Directors

Supervisor Matt Veldran, 5738 Kroncke Dr., Madison 53711 to be appointed. This term will expire 04/21/20.

Emergency Medical Services Commission

Supervisor Bob Salov, 2103 Pleasant Dr, Cambridge 53523 to be appointed. This term will expire 04/21/20.

Environmental Council

Supervisor Julie Schwellenbach, 3118 Katie Ida Lane, Sun Prairie, 53590 to be appointed. This term will expire 04/21/20.

Equal Opportunity Commission

Supervisor Dorothy Krause, 2105 Apache Dr, Fitchburg, 53711 to be appointed. This term will expire 04/21/20.

Supervisor Richard Kilmer, 621 Emerson St, Madison, 53715 to be appointed. This term will expire 04/21/20.

Food Council

Supervisor Carl Chenoweth, 409 Garfield St, Stoughton, 53589 to be appointed. This term will expire 04/21/20.

Supervisor Michelle Ritt, 145 Pine View Dr, Madison 53704 to be appointed. This term will expire 04/21/20.

Greater Madison Convention & Visitors Bureau Board of Directors

Supervisor Shelia Stubbs, 4 Waunona Woods Ct #111, Madison 53713 to be appointed. This term will expire 04/21/20.

Housing Authority

Supervisor Kelly Danner, 3553 Heather Crest, Madison 53705 to be appointed. This term will expire 04/21/20.

Human Services

Supervisor Dorothy Krause, 2105 Apache Dr, Fitchburg, 53711 to serve representing the Public Protection and Judiciary Committee.. This term will expire 04/21/20.

Supervisor Danielle Williams, PO Box 135, Cottage Grove, 53527 to be appointed. This term will expire 04/21/20.

Supervisor Hayley Young, 661 Mendota Ct, Apt 304, Madison, 53703 to serve representing the Health and Human Needs Committee. This term will expire 04/21/20.

Lakes & Watershed Commission

Supervisor Mary Kolar, 125 N Hamilton Street #1101, Madison, 53703 (886-2640-C), to be reappointed. This term will expire 4/17/21

Supervisor Maureen McCarville, 513 Flambeau Pkwy, DeForest WI 53532, to fill the seat of a non-Madison supervisor will continue to serve until her term expires 4/19/19.

Supervisor Dave Ripp, 7220 Highway 19, Waunakee 53597. will continue to serve until his term expires 4/19/19.

Land Information Council

Supervisor Tanya Buckingham, 4908 Shore Acres, Monona 53716. This term will expire 04/21/20.

Local Emergency Planning Commission

Supervisor Bob Salov, 2103 Pleasant Dr, Cambridge 53523 to be appointed. This term will expire 04/21/20.

Madison Area Transportation Planning Board (formerly the MPO)

Kelly Danner, 3553 Heather Crest, Madison 53705 to serve representing a local elected official. This term will expire 04/21/20.

Parks Commission

Supervisor Analiese Eicher, 226 North St, Sun Prairie 53590 to be appointed. This term will expire 04/21/20.

Specialized Transportation Committee

Supervisor Matt Veldran, 5738 Kroncke Dr., Madison 53711, to fill one of two seats of a supervisor representing the City of Madison and also representing the AAA Board. This term will expire 04/21/20.

Supervisor Heidi Wegleitner, 1941 E. Dayton St, Madison 53704, to fill the seat of a supervisor representing the city of Madison. This term will expire 04/21/20.

South Central Library System Board

Supervisor Paul Nelson, 1720 Mayflower Dr., Middleton, 53562 to be appointed. This term will expire 04/21/20.

Tree Board

Supervisor Michelle Ritt, 145 Pine View Dr, Madison 53704 to be appointed. This term will expire 04/21/20.

Youth Commission

Supervisor Kelly Danner, 3553 Heather Crest, Madison 53705 to be appointed. This term will expire 04/21/20.

Supervisor Analiese Eicher, 226 North St, Sun Prairie 53590 to be appointed representing the Health and Human Needs Committees. This term will expire 04/21/20.

Zoo Commission

Supervisor Chuck Erickson, 1541 Jefferson St, Madison 53711 to be appointed. This term will expire 04/21/20.

Executive Committee recommends adoption of 2018 RES-090. Motion carried by a voice vote.

2018 RES-120

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

Area Agency on Aging Board

Fran Barman Paulson, 112 Eighth St, Waunakee 53597 to be reappointed. This term will expire 4/17/21.

Carole Kretschman, 206 Standish Ct, Madison 53705 to be reappointed. This term will expire 4/17/21.

Lakes and Watershed Commission

Alan Levin, Po Box 22, Waunakee 53597 to be reappointed. This term will expire 2/1/21.

Maria Moreno, 2014 Jennifer St, Madison 53703 to be reappointed. This term will expire 4/19/21.

Monona Terrace Convention & Community Center Board

Mark Clarke, 1919 AEC Way, Madison 53713 to be reappointed. This term will expire 5/1/21.

PACE Commission

Supervisor Patrick Miles, 5410 North Pass, McFarland 53558 to be appointed. This term will expire 04/21/20.

Parks Commission

Supervisor Dave Ripp, 7220 Highway 19, Waunakee 53597. will continue to serve until his term expires 4/21/20.

Executive Committee recommends adoption of 2018 RES-120. Motion carried by a voice vote.

ITEMS REQUIRING A TWO-THIRDS MAJORITY FOR PASSAGE

2018 RES-052

ACCEPTING ADDITIONAL MEDICAID REVENUE AND SSI FUNDS AND CREATING NEW BUDGET LINE FOR
BEHAVIORAL HEALTH SERVICES FOR CONTRACTS WITH INTEGRITY RESIDENTIAL SERVICES AND PORCHLIGHT
DCDHS - ACS DIVISION

Dane County has been successfully working with the state mental health institutes and community providers to transfer some individuals from long term stays at the mental health institutes back to the community. Recently a handful of individuals who have very high needs due to significant mental illness are now in specialized community residential placements. Close supervision, unique home adaptations, and regular medication regimens are key features of these community-based placements. These types of living arrangements are more humane and provide opportunities for individuals to work toward recovery in a way that years in a mental health institute will not. DCDHS will establish a contract for Integrity Residential Services in order to provide these unique and individualized living arrangements. Adequate support of these high needs individuals in a community setting requires an increase to the budget. However, a portion of these expenses can be offset by fees charged to residents who receive SSI payments and revenue that can be earned from Medicaid.

Porchlight's Safe Haven provides services to individuals who are homeless or dealing with issues of homelessness and have a mental illness and/or substance use issue. These individuals typically do not present at the Beacon for services. Safe Haven provides a quieter and smaller Drop-In Center where one can obtain two meals a day, access to do laundry and one on one support from staff. Porchlight lost all Department of Housing and Urban Development (HUD), City of Madison and United Way funding for its Safe Haven Program in 2018. The adopted 2018 Department of Human Services budget included \$100,000 to help defray the loss of this funding. In an effort to continue services to those who present each day, Safe Haven intends to earn Medicaid by providing services to individuals who are eligible to receive Medicaid funded crisis services per DHS 34. Safe Haven will provide person-centered behavioral health support and stabilization services to those who have the greatest needs, bridging the gap until longer term services can be established.

NOW, THEREFORE, BE IT RESOLVED that the following expenditure account be added in the Department of Human Services:

Expenditure Account Number Account Title

ACFCSPLT CMSHAA

Porchlight Safe Haven

BE IT FURTHER RESOLVED that the following 2018 Department of Human Services revenue accounts be adjusted and that the revenue increase be credited to the County General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services:

Revenue Account Number Account Title Amount

ACFMHLTH 81439	MA Crisis	\$1,061,000
ACFMHLTH 80840	SSI	\$ 24,000

Expenditure Account Number Account Title Amount

ACFCRIRS SDMHAA	Integrity Crisis Home AFH	\$950,000
ACFCSPLT CSMHAA	Porchlight Safe Haven	\$ 35,000
ACFCRTEL BCTEAA	Dane County Care Center	\$ 50,000
ACFCSTEL BZAPAA	THP Apartments	\$ 50,000

Health & Human Needs and Personnel & Finance Committees recommend adoption of 2018 RES-052. Motion carried by a voice vote.

2018 RES-078

AUTHORIZING ACCEPTANCE OF GRANT FUNDS FROM CLEAN LAKES ALLIANCE TO ENHANCE EROSION CONTROL INSPECTIONS

The Water Resource Engineering Division in the Land & Water Resources Department has been awarded a staffing grant from the Clean Lakes Alliance in the amount of \$10,000 to fund a LTE Erosion Control Specialist project position for the summer of 2018. The position would assist division staff in conducting increased erosion control inspection of construction sites.

NOW, THEREFORE, BE IT RESOLVED that the Land & Water Resources Department, Water Resource Engineering Division is hereby authorized to accept \$10,000 from the Clean Lakes Alliance and that a new revenue line LWRWRED Clean Lakes Revenue be established;

BE IT FINALLY RESOLVED that expense lines LWRWRED 10072 – Limited Term Employees shall be increased by \$9,289 and that LWRWRED 10108 – Social Security be increased by \$711.

Environment, Agriculture & Natural Resources and Personnel & Finance Committee recommend adoption of 2018 RES-078. Motion carried by a voice vote.

2018 RES-079

AUTHORIZING THE CREATION OF AN EROSION CONTROL SPECIALIST POSITION AND FUND TRANSFER

The Water Resource Engineering Division in the Land & Water Resources Department seeks to create a 1.0 FTE Erosion Control Project Position by transferring funds from the Division's LTE expenditure account. This position would be tasked with fulfilling the Division's contractual obligations with municipalities to provide erosion control plan review and site inspection. Transferring funds from the LTE account would provide funding through the end of fiscal year 2018. The Department expect to make the position permanent through actions in the 2019 budget process.

NOW, THEREFORE, BE IT RESOLVED that the Land & Water Resources Department is authorized to create a 1.0 FTE Erosion Control Specialist position effective immediately and ending at the end of the last pay period in 2018. The Department expects to reallocate resources in the 2019 budget process to make the position permanent.

BE IT FINALLY RESOLVED that \$44,756 is transferred from LWRWRED 10072 – Limited Term Employees to the following expenditure accounts for 2018:

Salaries and Wages (LWRCONSV 10009)	\$28,029
Retirement Fund (LWRCONSV 10099)	\$ 2,214
Social Security (LWRCONSV 10108)	\$ 2,144
Health (LWRCONSV 10117)	\$11,367
Dental (LWRCONSV 10153)	\$ 920
Disability Insurance (LWRCONSV 10171)	\$ 9
Life Insurance (LWRCONSV 10180)	\$ 3
Workers Compensation (LWRCONSV 10189)	\$ 70

Environment, Agriculture & Natural Resources and Personnel & Finance Committee recommend adoption of 2018 RES-079. Motion carried by a voice vote.

2018 RES-081

AUTHORIZING THE PURCHASE OF LAND FOR SOLID WASTE OPERATIONS

Dane County Public Works, Highway & Transportation Department has a contract to purchase property east of the County's

current ownership at the intersection of CTH AB and STH 12/18. The parcel is adjacent to the current County Highway Garage and the Medical Examiner's Office that was purchased several years ago. The property contains needed clay deposits which would be used for landfill liner and capping at the County Landfill across CTH AB. The proximity of the clay to the landfill and the additional land for future County services expansion make this a priority parcel for acquisition.

The property is approximately 70.26 acres in size and is located in the Town of Cottage Grove. The location is highly desirable as it is adjacent to already established County services and the Medical Examiner's Office and has quick access to major highways.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of approximately 70.26 acres from the Hlavac Revocable Trust for \$1,845,000.00 according to Wis. Stats Chapter 27.03(3); and

BE IT FURTHER RESOLVED that \$1,850,000 be transferred from account SWRODFLD 58059 "Phase VII and Phase VIII Closure" to account SWRODFLD 58634 "Site Expansion Acquisition"; and

BE IT FINALLY RESOLVED, that the Dane County Land & Water Resources Department Director, Real Estate Coordinator, or Acquisition and Planning Specialist are authorized to administer the closing and the transfer of the above-mentioned property to Dane County, and the Controller is authorized to issue checks necessary to effectuate the transaction.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-081. Moved by Supervisor Kiefer, seconded by Supervisor Ritt to re-refer to Public Works & Transportation Committee. Motion failed by a voice vote.

Question before the Board is adoption of 2018 RES-081. Roll call requested:

AYES: 29 - Bayrd, Bollig, Corrigan, Downing, Dye, Erickson, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Pertl, Rusk, Schauer, Veldran, Wegleitner, Stubbs, Kilmer, Young, Kuhn, Eicher, Chawla, Danner, Peters, Schwellenbach, Buckingham and Nguyen-Hilfiger

NOES: 3 - Kiefer, Ritt and Williams

EXCUSED: 5 - Chenoweth, Clausius, Salov, Jones and Knoll

Motion prevailed.

Sub. 1, 2018 RES-086

**AUTHORIZATION TO ESTABLISH DANE COUNTY HUMAN SERVICES IMMIGRATION ASSISTANCE DONATION
REVENUE AND EXPENDITURE ACCOUNTS DCDHS - ADMIN DIVISION**

The mission of the Dane County Human Services Department is to provide effective services that support well-being, independence, diversity, and community safety. Occasionally, businesses and individuals in the community make financial donations to support the Department's mission. Donations have been made in the amount of \$20,000 from UW Health and \$10,000 of County funds to support the work of the County's Immigration Affairs Specialist. Funds are to be used by the Immigration Specialist for immigration related expenses, such as police reports, birth certificates, passport fees, immigration filing fees, consultation fees, and other. In addition, funds will help clients with basic needs, such as utility, rent, and transportation among other expenses. Additional donations have been made in the amount of \$15,000 from UW Health for the Joining Forces for Families (JFF) to support eviction prevention in Dane County.

The Human Services Department requests the establishment of donation revenue and expenditure budget accounts to provide the capacity to accept donations from businesses and individuals.

NOW, THEREFORE, BE IT RESOLVED that the Department of Human Services is hereby authorized to accept immigration assistance donations up to \$20,000 and eviction prevention donations up to \$15,000 to support current and future expenses; and

BE IT FURTHER RESOLVED that a revenue account line is established in Human Services the Department to be credited as follows to the General Fund; and

BE IT STILL FURTHER RESOLVED that an expenditure account is created in Human Services Admin whereby expenditures are authorized to the extent revenues are received and any unexpended funds are carried forward each year; and

BE IT FINALLY RESOLVED that the following CYF revenue accounts be adjusted and that the revenue increase be credited to the County General Fund and transferred plus an additional \$10,000 from the General Fund to the CYF expenditure accounts below in the Department of Human Services and any unexpended funds be carried forward each year.

Expenditure

CYFJFFAC	AMCAAA	IMMIGRATION ASSISTANCE FUND	\$30,000
CYFACTBD	CPEPAA	EVICTON PREVENTION	\$15,000

Revenue

CYFJFFAC	81560 (New)	IMMIGRATION ASSISTANCE DONATIONS	\$20,000
CYFJFFAC	81415	UW HEALTH REVENUE	\$15,000

Health & Human Needs Committee recommends adoption of 2018 RES-086. Personnel & Finance Committee recommend adoption of Sub. 1, 2018 RES-086. Moved by Supervisor Miles, seconded by Supervisor Dye, to adopt Sub. 1, 2018 RES-086.

Question before the Board is adoption of Sub. 1, 2018 RES-086. Motion carried by a voice vote.

2018 RES-089

AWARD OF CONTRACT FOR ROOF REPLACEMENT AT THE NORTHPORT OFFICE BUILDING.

The Department of Public Works, Highway and Transportation reports the receipt of bids for Roof Replacement at the Northport Office Building, bid #317042.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

Maly Roofing Company, Inc.
4202 Robertson Road
Madison, WI 53714

Total: \$140,175.00 1

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to Maly Roofing Company, Inc.

The necessity of this project was discovered while the Northport Energy Efficiency Project was underway. It was determined at that time that the Northport roof needed immediate replacement. This resolution establishes a new capital project account for the roof project and transfers funds from a PSB project account that will not be needed due to the Jail Consolidation Project.

The term of the borrowing used to support this project will be 10 years.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Maly Roofing Company, Inc. in the amount of \$140,175.00; and

BE IT FURTHER RESOLVED that account CPFACMGT NEW "Northport Roof Replacement" be established and that \$165,000 be transferred from account from account CPFACMGT 58119 "PSB Cooling Tower Replacement"; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-089. Motion carried by a voice vote.

2018 RES-094

AUTHORIZING A POLICE SERVICE CONTRACT WITH THE VILLAGE OF DANE

The Village of Dane, located in Dane, Wisconsin, has requested the Dane County Sheriff's Office provide additional police service, within the boundaries of said village, at a level above and beyond the basic level of police service currently provided. The Village of Dane has agreed to compensate Dane County for the cost of assigning certified sworn law enforcement officers on an overtime basis, to perform such services; vehicle and office space to be provided by Village. Potential annual revenue is estimated to be \$75,390.

The Village of Dane Board has authorized the Village Chairperson and the Village Clerk-Treasurer to enter into an agreement with Dane County and the Dane County Sheriff's Office to contract for the above-described contract police service.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Sheriff, Dane County Executive, and Dane County Clerk are authorized to enter into a contract for police service with the Village of Dane; the contract shall stand automatically renewed for

successive single calendar year terms under the same conditions and provisions set forth within said contract; and

BE IT FURTHER RESOLVED that the Dane County Sheriff's Office is authorized to provide contract police service to the Village of Dane on an overtime basis; and

BE IT FURTHER RESOLVED that on behalf of the County of Dane, the County Clerk and County Executive are authorized to execute an agreement embodying the above provisions; and

BE IT FINALLY RESOLVED that \$37,700 is appropriated as additional revenue for Sheriff, Field Services, Inter-Agency Revenue – Dane (SHRFFLD-NEW) and is credited to the General Fund; and that \$31,060 is transferred from the General Fund to the following Sheriff's Office accounts:

Field Services - Overtime Inter-Agency (SHRFFLD - 10034)	\$24,930
Field Services - Retirement Fund (SHRFFLD - 10099)	\$3,270
Field Services - Social Security (SHRFFLD - 10108)	\$1,900
Field Services – Workers Comp (SHRFFLD – 10189)	\$960
Total	\$31,060

Public Protection & Judiciary and Personnel & Finance Committees recommend adoption of 2018 RES-094. Motion carried by a voice vote.

2018 RES-097

AUTHORIZING ACCEPTANCE OF GRANT FUNDING TO PURCHASE PRELIMINARY BREATH TESTING EQUIPMENT

The Wisconsin Department of Transportation, Bureau of Transportation Safety (BOTS), is making funds available for the Sheriff's Office to purchase Preliminary Breath Testing (PBT) equipment. The TraCS/Mobilization Equipment Grant, FG-2018-DANE CO-04419, funding available October 1 through September 30, 2018, will provide \$4,000 for the purchase of PBT equipment to replace and supplement current equipment inventory.

The Dane County Sheriff's Office receives grant funding for alcohol traffic enforcement. This grant will be used to purchase PBTs and to complete the inventory for all patrol squads. PBTs are used for any traffic stop or incident where alcohol use is suspected. The new units will be used for grant enforcement as well as routine patrol.

NOW, THEREFORE BE IT RESOLVED that the Sheriff's Office is hereby authorized to accept \$4,000 in the 2018 budget, from the Department of Transportation to purchase Preliminary Breath Testers; and

BE IT FURTHER RESOLVED that \$4,000 is appropriated as additional revenue in the 2018 budget, Sheriff's Office Traffic Safety Services, TraCS Grant Revenue (SHRFTRSS 80052) and is credited to the General Fund; and

BE IT FINALLY RESOLVED that \$4,000 is transferred from the General Fund to Sheriff's Office, Traffic Safety Services, TraCS Grant Equipment (SHRFTRSS 22654) expenditure account line.

Public Protection & Judiciary and Personnel & Finance Committees recommend adoption of 2018 RES-097. Motion carried by a voice vote.

2018 RES-108

AWARD OF CONTRACT FOR GARAGE FLOOR RESTORATION AT THE CITY COUNTY BUILDING

The Department of Public Works, Highway and Transportation reports the receipt of bids for Garage Floor Restoration at the City County Building, 210 Martin Luther King Jr. Blvd., Madison, WI, bid #318009.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

ProAxis, LLC 1
628 W. Hudson Street
Mazomanie, WI 53560

Total: \$372,464.00

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to ProAxis, LLC.

The term of the borrowing used to support this project will be 10 years. The cost of the project is above the amount budgeted. This resolution transfers excess funds from a completed project to supplement the budgeted amount.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to ProAxis, LLC in the amount of \$372,464.00; and

BE IT FURTHER RESOLVED that \$82,000 be transferred from CPFACMGT 57175 "CCB Cooling Tower Replacement" to

CPFACMGT 58027 "CCB Garage Floor Resurfacing"; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-108. Motion carried by a voice vote.

2018 RES-112

AUTHORIZING THE COMBINATION OF TWO .50 FTE POSITIONS INTO 1.0 FTE WITHIN THE DCDHS CHILDREN YOUTH AND FAMILIES (CYF) DIVISION

Dane County Department of Human Services (DCDHS) has more than 134 FTE Social Worker positions in the CYF Division. Occasionally, there is a need to reallocate position authority to facilitate changing work load demands and priorities.

This resolution seeks to combine two .50 FTE Social Worker positions #943 and #3121 in the Juvenile/Youth Justice program in CYF into 1.0 FTE. The CYF Division currently has two .50 FTE Youth Justice Social Worker positions vacant. A full-time position will better meet the needs of our consumers in this area in terms of availability and consistency.

NOW, THEREFORE, BE IT RESOLVED that .50 FTE position authority from position (#943) be combined with .50 FTE position (#3121) increasing position (#3121) to 1.0 FTE in the CYF Division Org 4455 effective June 24, 2018.

Health & Human Needs and Personnel & Finance Committees recommend adoption of 2018 RES-112. Motion carried by a voice vote.

ADJOURNMENT

Moved by Supervisor Schauer, seconded by Supervisor Schwellenbach, to adjourn until Thursday, August 16, 2018, at 7:00 p.m. or at the call of the Chair. Motion carried unanimously at 8:02 p.m. Subsequent to adjournment, Chair Corrigan referred the following matters:

- 2018 OA-006 - Amending Chapter 46 of the Dane County Code of Ordinances, Regarding Micro-Market Permit Fee. Submitted by Supervisor Salov. Referred to BOARD OF HEALTH - MADISON / DANE COUNTY and PERSONNEL & FINANCE.
- 2018 OA-007 - Amending Chapter 47 of the Dane County Code of Ordinances Regarding Animal Waste on Balconies. Submitted by Supervisor Salov. Referred to BOARD OF HEALTH - MADISON / DANE COUNTY, PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 OA-008 - Amending Chapter 14 of the Dane County Code of Ordinances, Regarding the Composition of Commission on Sensitive Crimes. Submitted by Supervisors Young, Bayrd, Buckingham, Chawla, Danner, Downing, Eicher, Kilmer, Kolar, Krause, Kuhn, McCarville, Pertl, Rusk, Schauer, Schwellenbach and Wegleitner. Referred to COMMISSION ON SENSITIVE CRIMES and EXECUTIVE.
- 2018 OA-009 - Amending Chapter 9 of the Dane County Code of Ordinances, Regarding the Appointees to Administrative Agencies and Requirements to File a Statement of Economic Interest. Submitted by Supervisors Wegleitner, Buckingham, Chawla, Danner, Kilmer, Krause and Schauer. Referred to EXECUTIVE, PUBLIC PROTECTION & JUDICIARY, ETHICS BOARD and PERSONNEL & FINANCE.
- 2018 OA-010 - Amending Chapter 15 of the Dane County Code of Ordinances, Regarding members of the Human Services Board. Submitted by Supervisors Wegleitner, Bayrd, Chawla, Danner, Kiefer, Kilmer, Kuhn, Pertl, Ritt, Veldran, Williams and Young. Referred to HUMAN SERVICES BOARD, HEALTH & HUMAN NEEDS and EXECUTIVE.
- 2018 RES-115 - Change Order # 4 to Contract for Eco-Resource Consulting, Inc. for Construction of the Badger Prairie Health Care Center Regrading and Prairie Restoration. Submitted by Supervisors Nelson, Kiefer, Ripp, Schauer and Williams. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-118 - Authorization to Increase Revenue in Smart Fund by the Amount of Proceeds of Sale at Vehicle Auction of one Sheriff's Office Patrol Division Vehicle. Submitted by Supervisors Ripp, Buckingham, Erickson, Peters and Schwellenbach. Referred to PUBLIC WORKS & TRANSPORTATION SUSTAINABILITY, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-124 - Award of Purchase of Services Agreement for Paradigm Software, LLC to Provide a New and Updated Landfill Scale System. Submitted by Supervisors Nelson, Ripp, Schauer and Williams. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-125 - Authorization to Apply for and Accept a 2018 State of Wisconsin DNR Lake Planning Grant (AIS Rapid

Response). Submitted by Supervisors Ripp. Referred to ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.

2018 RES-126 - 2018 Res Awarding Contract to Wisconsin Department of Corrections for Agricultural Instruction Provided by Dane County UW Extension. Submitted by Supervisor Stubbs. Referred to UW EXTENSION and PERSONNEL & FINANCE.

2018 RES-130 - County Board Chair Appointments. Submitted by Supervisor Corrigan. Referred to EXECUTIVE.

2018 RES-132 - Accepting Revenue From the Wisconsin Department of Health Services Authorizing New Position Authority for Food Stamp Employment and Training (FSET) DCDHS - EAWS Division. Submitted by Supervisors Kuhn, Buckingham, Chawla, Eicher, Kilmer, Peters, Ripp, Schwellenbach, Veldran and Young. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.

2018 RES-133 - Authorizing Job Center Office and South Madison Office space Sharing Agreement Between Dane County Department of Human Services and Forward Services Corporation - EAWS Division. Submitted by Supervisors Kuhn, Buckingham, Chawla, Eicher, Kilmer, Peters, Ripp, Schwellenbach, Veldran and Young. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.

2018 RES-134 - Contract Change Order # 4 to Contract for R.G. Huston for Phase 9, Cell 2 Liner and Stage 4 Final Cap Construction. Submitted by Supervisors Nelson, Ripp, Schauer and Williams. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.

2018 RES-135 - Authorizing Submission of Second Substantial Amendment of the 2017 Action Plan to the U.S. Department of Housing and Urban Development (HUD). Submitted by Supervisors Dye and Clausius. Referred to PERSONNEL & FINANCE.

2018 RES-136 - Approving Agreements and Purchases Supporting an Affordable Housing Project for the Gorman Grand family Project in the City of Madison. Submitted by Supervisors Chawla, Bollig, Danner, Kilmer, Kolar, Krause, Kuhn, Levin, McCarville, Nelson, Pertl, Rusk, Schauer, Schwellenbach and Stubbs. Referred to PERSONNEL & FINANCE.

2018 RES-137 - Contract Change Order # 1 to Contract for Next Energy LLC DBA Full Spectrum Solar for Job Center Solar Array. Submitted by Supervisors Nelson, Kiefer, Ripp, Schauer and Williams. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.

2018 RES-138 - Award of Contract for Native Prairie Grass Restoration and Maintenance (Landfill). Submitted by Supervisors Nelson, Kiefer, Ripp, Schauer and Williams. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.

2018 RES-148 - Awarding a Collective Bargaining Agreement to the Dane County Deputy Sheriff's Association. Submitted by Supervisor Miles. Referred to PERSONNEL & FINANCE.

2018 RES-152 - Approving Changes to the 2018 Employee Benefit Handbook. Submitted by Supervisor Miles. Referred to PERSONNEL & FINANCE.

2018 RES-153 - Awarding a Collective Bargaining Agreement to the Building & Construction Trades Council of South Central WI. Submitted by Supervisor Miles. Referred to PERSONNEL & FINANCE.

2018 RES-168 - Authorizing Joining an Amicus Brief in Support of an Injunction Preventing the Use of New Criteria for Title X Family Planning Grants. Submitted by Supervisor Corrigan. Referred to EXECUTIVE.

Petitions for Zoning Reclassification. Referred by Clerk McDonell to the Zoning & Land Regulation Committee:

Petition	11314 - Town of Primrose - Karl E Whisler
	11315 - Town of Oregon – Benjamin M Johnson
	11316 – Town of Verona – Gregory G Gard
	11317 – Town of Cottage Grove – Larry G Skaar
	11318 – Town of Dunn – Leon G Wagner
	11319 - Town of Primrose – Diann L Campbell
	11320 – Town of Cross Plains – David J Ellestad
	11321 – Town of Cottage Grove – Amy M Fluke
	11322 - Town of Oregon – David & Lynn Stiklestad Revocable Trust
	11323 – Town of Dane – James S Mulcahy Farms Trust
	11324 – Town of Albion – Jane M Cook
	11325 – Town of Vermont – David R Wilken Income Trust
	11326 – Town of Oregon - Tami and Tracy Bahr
	11327 – Town of Deerfield – Dale L Skaar
	11328 - Town of Springdale – Richard L Klinger III
	11329 – Town of Perry – James S Gibson
	11330 – Town of Verona – Wis-Properties LLC
	11331 – Town of Dunn – Lucky Pup LLC

2018 - 2019 COUNTY BOARD PROCEEDINGS
AUGUST 16, 2018 7:00 P.M. SESSION

The Dane County Board of Supervisors met pursuant to statute. Chair Corrigan called the meeting to order. County Clerk McDonell called the roll:

PRESENT: Bollig, Chenoweth, Clausius, Corrigan, Dye, Erickson, Kiefer, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Pertl, Rusk, Salov, Veldran, Wegleitner, Stubbs, Jones, Kilmer, Young, Kuhn, Eicher, Chawla, Danner, Peters, Schwellenbach, Buckingham, Knoll and Nguyen-Hilfiger

REPORTED ABSENCE: Bayrd, Downing and Schauer

Supervisor Dye offered an inspirational message and led the Pledge of Allegiance.

SPECIAL MATTERS AND ANNOUNCEMENTS

2018 RES-129

CONGRATULATING THE WAUNAKEE WARRIORS 2018 STATE CHAMPION BASEBALL TEAM

WHEREAS the Waunakee Warriors baseball team captured its first WIAA Division I State Championship in Waunakee baseball history with a victory over Arrowhead; and

WHEREAS the Warriors clinched the state title by winning three games in a row, including a three-hour long 11-inning tie breaker against Green Bay Preble; and

WHEREAS the Warriors showed tremendous spirit and illustrated the depth and breadth of their team with contributions from every player on their roster over the course of the three-day, 25-inning contest.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby congratulates Head Coach Spencer Lee and his staff, and the entire Warriors baseball team, on their historic 2018 WIAA Division I State Championship; and

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors recognizes the parents, student body, and all Warriors fans for their support during the 2018 championship season; and

BE IT FINALLY RESOLVED that copies of this resolution be presented to Coach Lee and his staff, and the members of the Warriors baseball team, as a token of the high esteem in which they are held by the Dane County Board.

Moved by Supervisor Kiefer, seconded by Supervisor Ripp to adopt Special Resolution 2018 RES-129. Motion carried by a voice vote.

DANE COUNTY PARKS PRESENTATION

Parks presentation by Park Commission Chair Bill Lunney and Lakes & Watershed Department Deputy Director Darren Marsh

APPROVAL OF PAYMENTS

The Controller's Office has examined the following bills which have been incurred in the operation of our County Department. Inasmuch as the claims which cover the items purchased have been found reasonable and proper, we recommend that they be allowed by the Dane County Board.

1. Amera, James-Cost Share Payment-Land & Water	\$11,760.00
2. Bartelt Enterprises Inc.-Zoo Paving Projects-Zoo	\$34,793.25
3. Baycom Inc.-Arbitrators-Sheriff	\$11,936.00
4. Brekken, Curt A-Cost Share Payment-Land & Water	\$33,793.00
5. Busch Systems Inc.-Zoo Recycling Containers-Administration	\$43,502.40
6. Capital City Culvert Corp.-Corrugated Aluminum Box Culvert-Highway	\$47,655.00
7. Contech Engineered Solutions Llc-Culvert Pipe for CTH P-Highway	\$10,640.00
8. Dane County Narcotics Task Force-Investigative Funds-Sheriff	\$25,000.00
9. Elkins Earthworks LLC-Gas Analyzer System-Public Works	\$12,407.73
10. Ennis-Flint Inc.-Acrylic Waterborne Highway Paint-Highway	\$23,080.75
11. Ennis-Flint Inc.-Acrylic Waterborne Highway Paint-Highway	\$20,812.00
12. Ennis-Flint Inc.-Acrylic Waterborne Highway Paint-Highway	\$20,812.00
13. FEI Behavioral Health-Employee Assistance Program-Sheriff	\$12,191.76
14. Friends of the State Street Family-Keys to Dignity-Administration	\$11,678.16

15. Graybar Electric Company-Lights for Lud's Lane-Administration (Sustainability)	\$13,680.85
16. H&H Industries Inc.-Chilled Water Pump Replacement-Alliant Energy Center	\$19,758.00
17. Highway Construction Products Llc.-Steel Plate Beam Guards-Highway	\$23,182.00
18. Huffcutt Concrete LLC-Vault Toilet Building-Land & Water	\$15,386.00
19. Integral Building Systems Inc.-Cable & Install for Radio-Public Safety	\$21,622.30
20. Interstate Billing-June Kayser Ford Repairs-Sheriff	\$18,442.96
21. Kriete Truck Center-2018 Mack Quad Axle-Highway	\$162,927.00
22. Madison, City of-2018 Gravecare-Veterans Services	\$10,214.00
23. Madison, City of-2nd Quarter Shared Street Light/Signal Maintenance-Highway	\$21,940.31
24. Madison, City of-Annual Marketing Assistance-Highway	\$19,300.00
25. Madison, City of-Impaired Driver Enforcement-Sheriff	\$17,131.67
26. Maier Electric LLC-New Barn Doors Installation-Zoo	\$20,600.00
27. Meigs Advantage LLC-Liquid Asphalt Application-Highway	\$12,506.70
28. Miron Construction Co. Inc.-Coliseum Lighting & Rigging-Administration	\$164,275.10
29. Monona, City of-Better Urban Infill Development-Planning	\$25,000.00
30. National Council on Crime & Delinquency-Criminal Justice System Data-County Board	\$11,278.00
31. Potters Industries LLC-Glass Beads-Highway	\$12,320.00
32. R and K Construction LLC-Dirt Moving-Alliant Energy Center	\$13,277.00
33. Ralph Andersen & Associates-Deputy Recruitment-Administration	\$19,500.00
34. River Valley Land Surveying-Monument Restoration-Planning	\$66,300.00
35. Rock River Marina & Motorsports-Boat-Land & Water	\$11,723.64
36. Rosenbaum Crushing & Excavating-Agregate for Surface Treatment-Highway	\$11,441.54
37. Scully Oil Company-Landfill Fuel-Public Works	\$17,656.38
38. Stop Stick Ltd-Centurion Scout Base Units-District Attorney	\$14,311.00
39. Sun Prairie, City of-Better Urban Infill Development-Planning	\$15,000.00
40. Sunbelt Rentals Inc.-Transformer Rentals-Alliant Energy Center	\$11,302.80
41. Talarczyk Land Surveys-Monument Restoration-Planning	\$16,610.00
42. Talarczyk Land Surveys-Monument Restoration-Planning	\$16,610.00
43. Talarczyk Land Surveys-Monument Restoration-Planning	\$39,875.00
44. Western Culvert & Supply Inc.-Corrugated Aluminum Box Culvert-Highway	\$224,009.05
45. WI Dept. of Administration-Record Center/Presort Services-Administration	\$10,612.03
46. Williamson Surveying & Associates LLC-Monument Restoration-Planning	\$17,200.00
47. Wisconsin Regional Training Partnership-Jan. to Jun. Workforce Activities-Executive	\$15,000.00
Subtotal	\$1,430,055.38
48. ADK Consulting Inc.-Airport Director Recruitment-Airport	\$11,633.00
49. AE Business Solutions-Comvault Licensing-Information Management	\$31,226.92
50. Bath, Louis H-Crossfit Games Security-Alliant Energy Center	\$19,652.00
51. Cross Plains, Village of-CTH P Construction-Highway	\$391,511.72
52. Dell Marketing LLC-Domain Controllers-Information Management	\$12,669.93
53. Ennis-Flint Inc.-Acrylic Waterborne Highway Paint-Highway	\$23,080.75
54. Gunderson Funeral Home Inc.-2018 Conveyances-Medical Examiner	\$12,100.00
55. Immix Technology Inc.-Kronos Annual Maintenance-Administration	\$22,405.80
56. Integral Building Systems Inc.-Wireless Project-Sheriff	\$23,903.00
57. Intergral Building Systems Inc.-Structured Cabling System-Human Services	\$23,939.00
58. Interstate Billing-July Kayser Ford Repairs-Sheriff	\$16,897.21
59. JFTCO Inc.-Heavy Equipment Repair-Public Works	\$29,079.96
60. JFTCO Inc.-Heavy Equipment Repair-Public Works	\$12,733.25
61. Landfill Drilling & Piping-Emergency Landfill Flare Piping Repair-Airport	\$11,871.39
62. Madison, City of-Deicing Charges-Airport	\$15,810.27
63. Madison, City of-JAG Grant 2nd Quarter-Sheriff	\$31,500.18
64. Madison, City of-June Speed Grant-Sheriff	\$17,288.42
65. Madison, City of-Occupant Restraint Grant 2nd Quarter-Sheriff	\$12,973.90
66. Mandt Sandfill Trucking & Excavating Llc-Yahara Clean Grant-Land & Water	\$13,163.50
67. Miller Bradford & Risberg Inc.-Compactor with Spreader-Public Works	\$574,950.00
68. Minuteman Security Technologies-Genetec Security Center-Airport	\$61,763.07
69. Northwestern Stone LLC-Crushed Stone & Gravel-Highway	\$11,901.36
70. Park Place Technologies-Isilon Support-Information Management	\$13,411.44
71. Peterson Technology Group-Server-Airport	\$15,716.70
72. Scheidt & Bachmann USA Inc.-Intercom System Upgrade-Airport	\$14,905.51
73. Scully Oil Company-Landfill Fuel-Public Works	\$18,818.55
74. SHI International Corp.-Fleet Asset Management Software-Sheriff	\$20,293.13
75. SHI International Corp.-NEO Gov Insight Enterprise EDI-Employee Relations	\$39,587.52
76. Swita Metal Roofing LLC-Morton Forest Garage Roof-Land & Water	\$13,793.80
77. Turbonomic Inc.-License Renewal-Information Management	\$24,998.40
78. UW Hospital & Clinics-Safe Route Grant Salaries & Fringe 2nd Qtr-Administration	\$23,114.41
79. WI Dept of Administration-VAWA Grant 4th Quarter-District Attorney	\$19,770.97
80. WI Dept. of Health Services-August Bed Assessment-Badger Prairie	\$20,400.00
81. Wiscnet-Membership Fee-Information Management	\$11,700.00

82. Wisconsin Kenworth-Equipment Repair-Highway	\$12,306.15
83. Wisconsin River Rail Transit Commission-2018 Rail Project-Highway	\$28,000.00
Total	\$3,088,926.59

Moved by Supervisor Nelson, seconded by Supervisor Miles, to adopt the above amended Payments. Motion carried by a voice vote.

CLAIMS RECOMMENDED FOR DENIAL

Moved by Supervisor Rusk seconded by Supervisor Pertl to deny the following claims:

Paul Maybee, against Dane County, for damage done to his windshield during a sealcoat project.
Parish Barnaby-Weatherby, against Dane County Jail, for failing to provide/administer medications.

Motion carried by a voice vote.

APPROVAL OF COUNTY BOARD MINUTES

Moved by Supervisor Chenoweth, seconded by Supervisor Eicher to approve the Minutes of the County Board meeting of July 12, 2018. Motion carried by a voice vote.

CONSENT CALENDAR

All items on the consent calendar were approved on a voice vote. (The text and committee recommendations for each of the items follow.)

2018 RES-104

AUTHORIZING PURCHASE OF SERVICES AGREEMENT WITH JOHNSON CONTROLS INC FOR MAINTENANCE OF THE DANE COUNTY REGIONAL AIRPORT SECURITY MANAGEMENT SYSTEMS

Due to the proprietary nature of the security equipment and systems at the Dane 9 County Regional Airport, Johnson Controls, Inc. has been approved as the sole-source 10 service provider for the security and access management systems at the Dane County Regional Airport. As negotiated, Johnson Controls, Inc. will provide inspection, testing, maintenance, repair, updates, and warranty services, including component replacement, for the Airport's security and access management systems for the five year term of the Purchase of Services Agreement for maximum annual costs as follows:

Lease Year One	\$84,903
Lease Year Two	\$86,600
Lease Year Three	\$88,335
Lease Year Four	\$90,100
Lease Year Five	\$91,900
Aggregate Max	\$441,838

Additionally, the terms of the Purchase of Services Agreement provide for emergency on-site services to keep the Airport's security and access management systems functioning to ensure uninterrupted airline operations and the continued safety and convenience of travelers flying out of the Dane County Regional Airport.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are hereby authorized to execute the above described Purchase of Services Agreement with Johnson Controls, Inc.

Airport Commission, Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-104. Motion carried by a voice vote.

2018 RES-106

AWARD OF CONTRACT FOR AUDIT SERVICES

The County is required by State Statute to have its financial statements audited each year. The current contract for auditing services ended for the fiscal year December 31, 2017. The Controller's Office initiated a request for proposals from qualified firms for auditing services. The responses to the RFP have been evaluated by the Controller's Office.

Based upon the evaluation, the Controller recommends that the County award a contract to Baker Tilly Virchow, Krause & Company, LLP of Ten Terrace Court, Madison, Wisconsin for auditing services for the fiscal years 2018-2022. The five year cost of the contract is \$716,000.

NOW, THEREFORE, BE IT RESOLVED that Baker Tilly Virchow, Krause & Company, LLP be awarded a contract to provide auditing services for the fiscal years 2018-2012.

BE IT FINALLY RESOLVED that the Dane County Clerk and the Dane County Executive are hereby authorized to sign the contract on behalf of Dane County.

Personnel & Finance Committee recommends adoption of 2018 RES-106. Motion carried by a voice vote.

2018 RES-115

CHANGE ORDER #4 TO CONTRACT FOR ECO-RESOURCE CONSULTING, INC. FOR CONSTRUCTION OF THE BADGER PRAIRIE HEALTH CARE CENTER REGRADING AND PRAIRIE RESTORATION

The Department of Public Works, Highway and Transportation awarded a Contract to Eco-Resource Consulting, Inc. for the construction of the Badger Prairie Health Care Center Regrading and Prairie Restoration, at the Badger Prairie Health Care Center 110 East Verona Ave., Verona, WI, Bid #315022.

The original Contract included Base Bid: \$325,480.00.

The following change is requested: Change Order #4 – repair and restoration of existing rain gardens (9 total).

NOW, THEREFORE, BE IT RESOLVED that Change Order #4 for a total of \$46,980.00 be approved to the Contract for Eco-Resource Consulting, Inc. for repair and restoration of existing rain gardens (9 total); and

BE IT FINALLY RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Change Order.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-115. Motion carried by a voice vote.

2018 RES-133

AUTHORIZING JOB CENTER OFFICE AND SOUTH MADISON OFFICE SPACE SHARING AGREEMENT BETWEEN DANE COUNTY DEPARTMENT OF HUMAN SERVICES AND FORWARD SERVICE CORPORATION - EAWS DIVISION

Dane County Department of Human Services is in partnership with Forward Service Corporation for the provision of Wisconsin Works (W2) and FoodShare Employment and Training services located at the Dane County Job Center and South Madison Offices.

Beginning January 1, 2018 through March 31, 2018, Forward Service Corporation will lease thirty four (34) standard cubicle workspaces and five (5) standard sized private offices within the Dane County Human Services Job Center building located at 1819 Aberg Avenue, Madison, Wisconsin.

Beginning April 1, 2018 Forward Service Corporation will lease twenty-six (26) standard cubicle workspaces and five (5) standard sized private offices within the Dane County Human Services Job Center and also three (3) standard cubicle workspaces within the South Madison Office located at 2306 South Park Street, Madison, Wisconsin.

This resolution authorizes the rental agreement and revenue of \$7,558.20 per month for January through March, 2018 based upon 39 workspaces at a per workspace rate of \$193.80. For April through September, 2018, monthly revenue will be \$6,732 per month for 34 workspaces at a per workspace rate of \$198.00. Thereafter, monthly revenue will be \$2,772 to cover costs related to occupying 14 spaces during the lease year of 01/01/18 to 12/31/18. Included in the agreement is a provision of 20 in-kind FSET spaces. The number of workspace units may be adjusted during the lease term. Five successive one-year renewal options are included with this lease with a 2% increase annually.

The space will be utilized by Forward Service Corporation staff and includes the use of designated conference and meeting rooms, break rooms, restrooms, parking and other common area space as may reasonably be made available at the leased premises. The total rate for the term period is \$71,382.60.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with Forward Service Corporation; and

BE IT FURTHER RESOLVED that the Dane County Clerk and County Executive are hereby authorized to execute the described lease on behalf of Dane County.

Health & Human Needs and Personnel & Finance Committee recommends adoption of 2018 RES-133. Motion carried by a voice vote.

2018 RES-134

CONTRACT CHANGE ORDER #4 TO CONTRACT FOR R.G. HUSTON FOR PHASE 9, CELL 2 LINER AND STAGE 4 FINAL CAP CONSTRUCTION

The Department of Public Works, Highway and Transportation, Solid Waste, awarded a contract to R.G. Huston for Phase 9, Cell 2 Liner and Stage 4 Final Cap Construction, 7102 U.S. Highway 12, Madison, WI (Rodefeld Landfill) Bid #317040.

The following change is requested: Change Order #4 - Increase \$1,679,842.10 for Stage 5 earthwork beyond the original contract to complete Stage 5 capping.

NOW, THEREFORE, BE IT RESOLVED that Change Order #4 for a total increase of \$1,679,842.10 be approved to the Contract for R.G. Huston for the above listed changes.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-134. Motion carried by a voice vote.

2018 RES-135

AUTHORIZING SUBMISSION OF SECOND SUBSTANTIAL AMENDMENT OF THE 2017 ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Dane County is an Entitlement Community under two U.S. Department of Housing and Urban Development (HUD) grant programs: the Community Development Block Grant (CDBG) and the Home Investment Partnerships (HOME). CDBG funds are intended to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low-and-moderate income persons. The intent of the HOME Program is to expand the supply of decent, safe, sanitary and affordable housing, with primary attention to rental housing for very low-income and low-income families.

This Substantial Amendment is required by the County's Citizen Participation Plan in light of changes to projects previously presented. It amends the 2017 Action Plan, passed by the County Board in November, 2016 and submitted to HUD to fund and include the following projects:

Recipient	Project Description	CDBG	HOME
Dane County Housing Authority	Main Street Apartments	\$ 450,000	
Dane County	Micro-enterprise Business Loan Program	\$ 130,000	

The Dane County Housing Authority (DCHA) and Gorman and Company are co-developers of the Main Street Apartments project, a proposed slum/blight elimination and affordable rental development located in Sun Prairie. The amendment is to authorize DCHA to be the lead entity to execute a contract agreement with Dane County; there are no other changes to the funding, size, or scope of the project.

This amendment also recognizes that the Community Action Coalition of South Central Wisconsin will no longer be administering a tenant-based rental assistance program for which they were awarded CDBG funds in 2016 and 2017. The Micro-enterprise Business Loan (MBL) program is a new program administered by the County's Office of Economic and Workforce Development initially funded at \$30,000. Three MBL loans have been issued totaling \$24,000, and additional funding is required to continue the program. The CDBG Commission recommended transferring the \$130,000 of unspent TBRA funds to the MBL loan fund at their June 28, 2018 meeting.

Applications for 2017 funding were solicited via an RFP process in April & May, 2016. These were reviewed by the Application Review Team of the CDBG Commission. The CDBG Commission made its preliminary recommendations at their July, 2016 meeting. These recommendations included releasing prior year unexpended CDBG funds, as well as, funds available for reallocation. These recommendations were incorporated into a Substantial Amendment to the 2017 Action Plan. In accordance with the Citizen Participation Plan, a summary of the Substantial Amendment to the 2017 Action Plan and notice of a public hearing was published in a non-legal section of the Wisconsin State Journal on June 27, 2017. A draft version of the Substantial Amendment was also posted on the County web site for public review and comment. A public hearing for citizen input was held on July 27, 2017 after which the CDBG Commission finalized their recommendations.

NOW, THEREFORE, BE IT RESOLVED that the County Executive is authorized to submit the above referenced Substantial Amendment to the 2017 Action Plan, as well as, any amendments and additional documentation to HUD relating to the 2017 Program Year CDBG and HOME grants;

BE IT FURTHER RESOLVED that the Dane County Executive and Dane County Clerk are hereby authorized and directed to sign the appropriate contracts on behalf of Dane County; and,

BE IT FINALLY RESOLVED that the Dane County Controller is authorized to issue checks necessary to implement the 2017 CDBG and HOME programs.

Personnel & Finance Committee recommends adoption of 2018 RES-135. Motion carried by a voice vote.

2018 RES-137

CONTRACT CHANGE ORDER #1 TO CONTRACT FOR NEXT ENERGY LLC dba FULL SPECTRUM SOLAR FOR JOB

CENTER SOLAR ARRAY

The Department of Public Works, Highway and Transportation awarded a contract to Next Energy LLC dba Full Spectrum Solar for Job Center Solar Array, Bid #317031.

The following change is requested: Change Order #1-Deduct \$47,671.00 for Alternate panel and PV system as it matches specified requirements and provides credit.

NOW, THEREFORE, BE IT RESOLVED that Change Order #1 for a total deduct of \$47,671.00 be approved to the Contract for Next Energy LLC dba Full Spectrum Solar based on the above listed changes.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-137. Motion carried by a voice vote.

2018 RES-138

AWARD OF CONTRACT FOR NATIVE PRAIRIE GRASS RESTORATION AND MAINTENANCE (LANDFILL)

The Department of Public Works, Highway and Transportation reports the receipt of proposals for Native Prairie Grass Restoration and Maintenance at Dane County Landfill Site No. 2, Proposal No. 317055.

A complete tabulation is on file at the Department of Public Works office. The lowest qualified proposer is:

Eco-Resource Consulting, Inc.
2554 County Road N
Stoughton, WI 53589

Total: \$816,330.00

The Public Works staff finds the amount to be reasonable and recommends the proposal be awarded to Eco-Resource Consulting.

There are sufficient funds available for this project. The term of the borrowing used to support this project will be 10 years.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Eco-Resource Consulting in the amount of \$816,330.00; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-138. Motion carried by a voice vote.

2018 RES-148

AWARDING A COLLECTIVE BARGAINING AGREEMENT TO THE DANE COUNTY DEPUTY SHERIFF'S ASSOCIATION

The County has reached a tentative agreement with the Dane County Deputy Sheriffs' Association on a successor agreement that will run through December 8, 2018. The current agreement expired on December 9, 2017. The County employs approximately 400 full time equivalent employees in this bargaining unit.

The agreed upon principle economic items include a wage increase, modifications to Undesirable hours pay, increases to the vacation and sick leave banks, and modifications to the educational incentive pay. The wage increase and other economic items agreed to are within the County's budgetary constraints. All negotiated changes are highlighted in the attached summary.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors approves the terms and conditions of a successor agreement between Dane County and the Dane County Deputy Sheriff's Association for the period of December 10, 2017 through December 8, 2018, with the attached negotiated changes; and

BE IT FINALLY RESOLVED that County officials take appropriate action to implement this resolution.

Personnel & Finance Committee recommends adoption of 2018 Res-148. Motion carried by a voice vote.

2018 RES-152

APPROVING CHANGES TO THE 2018 EMPLOYEE BENEFIT HANDBOOK

The Department of Administration has proposed amending the Employee Benefit Handbook ("EBH") for 2018. Updated wage scales reflecting a 1.25% increase as authorized in the 2018 Adopted Budget, increases in the sick leave and vacation bank caps, and an increase in uniform allowance are among the amendments to the EBH. The EBH has also been broken into sections for each employee group in an effort to make the document more understandable.

Specifically, amendments to the following subjects have been incorporated in the 2018 Handbook, and are set forth in the attached summary document:

1. ALTERNATIVE SCHEDULES
2. DISCIPLINE, SUSPENSION AND DISCHARGE
3. DISABILITY INSURANCE
4. EMERGENCY PROTECTIVE SERVICES
5. EMPLOYEE GROUP REPRESENTATION AND PAY (WORK RELATED ASSOCIATIONS)
6. GRIEVANCE PROCESS
7. HEALTH & DENTAL INSURANCE
8. LIMITED TERM EMPLOYEES
9. ORIENTATION
10. OVERTIME AND COMPENSATION
11. PROBATIONARY PERIODS
12. RECRUITMENT
13. SENIOR SOCIAL WORKERS
14. SENIORITY TRANSFERS
15. SICK LEAVE
16. TRAINING & EDUCATION
17. TRANSFER OF COUNTY FUNCTIONS
18. TRIAL PERIOD
19. UNIFORM ALLOWANCE
20. VACATION
21. VOLUNTARY LEAVE

As in previous years, the Department of Administration has also proposed making the changes set forth in the EBH applicable to those managerial employees whose terms and conditions of employment are not covered by the EBH. Pursuant to Dane County Ordinance, the 2018 amendments to the EBH have been shared with interested stakeholders.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors approves the changes to the terms and conditions of employment set forth in the 2018 Employee Benefit Handbook;

BE IT FURTHER RESOLVED that managerial employees who are not covered by the Employee Benefit Handbook be subject to the same benefit changes as those provided in the EBH;

BE IT FINALLY RESOLVED that the Department of Administration is authorized to take appropriate actions to implement the terms of this Resolution.

Personnel & Finance Committee recommends adoption of 2018 RES-152. Motion carried by a voice vote.

Morgan Aten registered in support of 2018 RES-152.
 Laura Beutel registered in support of 2018 RES-152.
 Laurie Lane registered in support of 2018 RES-152.
 Shannon Maier registered in support of 2018 RES-152.
 Lisa Morehead registered in support of 2018 RES-152.
 Neil Rainford registered in support of 2018 RES-152.
 Deb Selje registered in support of 2018 RES-152.

2018 RES-153

AWARDING A COLLECTIVE BARGAINING AGREEMENT TO THE BUILDING & CONSTRUCTION TRADES COUNCIL OF SOUTH CENTRAL WISCONSIN

A tentative agreement has been reached with the Building & Construction Trades Council of South Central Wisconsin for the 2018 contract year. The agreement is effective December 10, 2017 through December 8, 2018. The Building & Construction Trades Council of South Central Wisconsin include all full time and regular part-time carpenters, electricians, painters, and steamfitters employed by the County. Pursuant to Wis. Stat. § 111.70, the sole principle item agreed to was a base wage adjustment in the

amount of 1.25% for bargaining unit employees throughout the term of this agreement.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors approves the terms and conditions of the 2018 collective bargaining agreement between Dane County and the Building & Construction Trades Council of South Central Wisconsin.

BE IT FINALLY RESOLVED that County officials take appropriate action to implement this resolution.

Personnel & Finance recommends adoption of 2018 RES-153. Motion carried by a voice vote.

REPORTS ON ZONING PETITIONS

PETITION 11292 - ZONING CHANGE IN THE TOWN OF DANE - ZONING ORD. AMDT. 11292

Petition by Howard E. Schwartz to change zoning from A-1EX Agriculture District to RH-1 Rural Homes District on property located West of 7816 Crystal Lake Road, Section 6, Town of Dane.

Zoning & Land Regulation Committee recommends that Petition 11292 be granted and includes the condition that a certified survey map be submitted and or recorded within 90 days and Zoning Ord. Amdt. 11292 be adopted. Motion carried by a voice vote.

PETITION 11302 - ZONING CHANGE IN THE TOWN OF VERONA - ZONING ORD. AMDT. 11302

Petition 11302 by Erica J. Makar to change zoning from RH-1 Rural Homes District to RH-2 Rural Homes District, RH 1 Rural Homes District TO RH 4 Rural Homes District on property located at 6621 Sunset Drive, Section 36, Town of Verona.

Zoning & Land Regulation Committee recommends that Petition 11302 be granted and includes the condition that a certified survey map be submitted and or recorded within 90 days and Zoning Ord. Amdt. 11302 be adopted. Motion carried by a voice vote.

PETITION 11303 - ZONING CHANGE IN THE TOWN OF MONTROSE - ZONING ORD. AMDT. 11303

Petition 11303 by Thomas L. Schaller to change zoning from A-1EX Agriculture District to A-2 (2) Agriculture District on property located at 7676 Schaller Road, Section 6, Town of Montrose.

Zoning & Land Regulation Committee recommends that Petition 11303 be granted and includes the condition that a certified survey map be submitted and or recorded within 90 days and Zoning Ord. Amdt. 11303 be adopted. Motion carried by a voice vote.

PETITION 11304 - ZONING CHANGE IN THE TOWN OF ALBION - ZONING ORD. AMDT. 11304

Petition 11304 by Chad & Jennie Kaderabek to change zoning from RH-2 Rural Homes District to A-2 (4) Agriculture District on property located at 690 Craig Road, Section 15, Town of Albion.

Zoning & Land Regulation Committee recommends that Petition 11304 be granted and Zoning Ord. Amdt. 11304 be adopted. Motion carried by a voice vote.

PETITION 11305 - ZONING CHANGE IN THE TOWN OF DUNKIRK - ZONING ORD. AMDT. 11305

Petition 11305 by Gregory M. Shaw to change zoning from A-1EX Agriculture District to RH-1 Rural Homes District on property located West of 694 Taylor Road, Section 20, Town of Dunkirk.

Zoning & Land Regulation Committee recommends that Petition 11305 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and or recorded within 90 days and Zoning Ord. Amdt. 11305 be adopted. Motion carried by a voice vote.

Deed Restriction:

1. A deed restriction shall be recorded on parcel 0511-201-9620-0 to prohibit further residential development on the remaining A-1 Exclusive Agriculture zoned land. The housing density rights for the original farm have been exhausted.

PETITION 11306 - ZONING CHANGE IN THE TOWN OF OREGON - ZONING ORD. AMDT. 11306

Petition by Steven C. Ace to change zoning from A-4 Agriculture District to A-2 Rural Homes District on property located South of 996 Storytown Road, Section 17, Town of Oregon.

Zoning & Land Regulation Committee recommends that Petition 11306 be granted and includes the condition that a certified survey map and the Condition below be submitted and or recorded within 90 days and Zoning Ord. Amdt. 11306 be adopted. Motion carried by a voice vote.

Condition:

1. A deed restriction shall be recorded on parcel 0509-173-9500-1 prohibiting additional residential development.
2. A notice document shall be recorded on the sending farm property (parcels 0509-174-9000-5 and 0509-173-9500-1) indicating that one possible density unit / split remains available to the property.
3. A notice document shall be recorded on the receiving parcel 0509-174-8500-2 (subject property) indicating that the property received a development right pursuant to approval of rezoning petition #11306.

PETITION 11307 - ZONING CHANGE IN THE TOWN OF MONTROSE - ZONING ORD. AMDT. 11307

Petition 11307 by Gerald L. Gehin to change zoning from A-1EX Agriculture District to A-2 (8) Agriculture District on property located West of 7112 Karl Avenue, Section 28, Town of Montrose.

Zoning & Land Regulation Committee recommends that Petition 11307 be granted and includes the condition that a certified survey map and the Conditions listed below be submitted and or recorded within 90 days and Zoning Ord. Amdt. 11307 be adopted. Motion carried by a voice vote.

PETITION 11309 - ZONING CHANGE IN THE TOWN OF COTTAGE GROVE - ZONING ORD. AMDT. 11309

Petition 11309 by Kirk K. Eilenfeldt to change zoning from A-1EX Agriculture District TO A-2 Agriculture District on property located North of 2298 US HWY 12 & 18, Section 27, Town of Cottage Grove.

Zoning & Land Regulation recommends Petition 11309 be granted and Zoning Ord. Amdt. 11309 be adopted. Motion carried by a voice vote.

PETITION 11310 - ZONING CHANGE IN THE TOWN OF PERRY - ZONING ORD. AMDT. 11310

Petition 11310 by Brady C. Gomez to change zoning from A-1EX Agriculture District to RH-1 Rural Homes District on property located at 313 CTH 78, Section 32, Town of Perry.

Zoning & Land Regulation Committee recommends Petition 11310 be granted and includes the condition that a certified survey map and the Deed Restriction listed below be submitted and/or recorded within 90 days and that Zoning Ord. Amdt. 11310 be adopted. Motion carried by a voice vote.

Deed Restriction:

1. A deed notice shall be recorded on parcel 0506-322-8050-3 to prohibit further residential development on the remaining A-1 Exclusive Agriculture zoned land.

PETITION 11311 - ZONING CHANGE IN THE TOWN OF ALBION - ZONING ORD. AMDT. 11311

Petition by Wisconsin Power & Light Co., to change zoning from A-1EX Agriculture District to A-4 Agriculture District on property located West and South of 449 Lake Drive Road, Section 35, Town of Albion.

Zoning & Land Regulation Committee recommends Petition 11311 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and that Zoning Ord. Amdt. 11311 be adopted. Motion carried by a voice vote.

PETITION 11313 - ZONING CHANGE IN THE TOWN OF PRIMROSE - ZONING ORD. AMDT. 11313

Petition by Diane E. Erb to change zoning from A-1EX Agriculture District to RH-2 Rural Homes District on property located at 1646 Lewis Road, Section 6, Town of Primrose.

Zoning & Land Regulation Committee recommends Petition 11313 be granted and includes the condition that a certified survey map and the Condition listed below be submitted and or recorded within 90 days and that Zoning Ord. Amdt. 11313 be adopted.

Condition:

1. The mound system shall be designated on the certified survey map. The southerly property line shall be a minimum of 5 feet away from the foot of the mound system.

ORDINANCES

2018 OA-003

AMENDING CHAPTER 7 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING COMPOSITION OF COMMITTEE MEMBERSHIP

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 7.20(2) is amended to read as follows:

(2) Land Conservation Committee. The land conservation committee shall be composed of the same supervisor members appointed by the county board chairperson to the Environment, Agriculture, Natural Resources Committee, two members of the University Extension Committee, and one additional supervisor, together with the chairperson of the farm services agency county committee or his or her designee. The committee shall function as the land conservation committee in accordance with chapter 92, Wis. Stats. The committee shall have the powers set forth in sec. 92.07, Wis. Stats., and shall coordinate all matters relating to agriculture and soil and water use and conservation in the county, in cooperation with any interested governmental agency.

ARTICLE 3. Section 7.20(3) is amended to read as follows:

(3) University Extension Committee. The university extension committee shall be composed of at least five (5), but no more than ~~seven (7)~~ nine (9), supervisor members appointed by the county board chairperson. The committee shall function as the agriculture and extension education committee in accordance with sec. 59.87, Wis. Stats., and within the limits of funding appropriated by the county board, shall have the powers set forth in said statute. The committee shall be the oversight committee for the Dane County Fair Association and shall review dog claims under chapter 174, Wis. Stats., and on behalf of the county, approve, approve in part or deny such claims according to the standards set forth in the statutes except that approved claims over the amount of \$1,500 shall be brought to the full board before payment.

[EXPLANATION: This amendment revises the composition of the Land Conservation Committee and the University Extension Committee.]

Land Conservation and Executive Committees recommend adoption of 2018 OA-003. Motion carried by a voice vote.

RESOLUTIONS

2018 RES-168

AUTHORIZING JOINING AN AMICUS BRIEF IN SUPPORT OF AN INJUNCTION PREVENTING THE USE OF NEW CRITERIA FOR TITLE X FAMILY PLANNING GRANTS

In February 2018, the Department of Health and Human Services (HHS) released the 2018 Funding Opportunity Announcement criteria for Title X funding. As part of the announcement, HHS revealed that new application criteria were required. These new criteria have the effect of legislative rules but that have not been subject to notice and comment rulemaking. The Department of Health and Human Services began using these supplemental and controversial criteria in scoring Title X grant applications in May 2018.

Without an injunction pending appeal, HHS is free to award grants under the new criteria at any 1time.

On May 2, 2018, Planned Parenthood of Wisconsin, Inc. filed a lawsuit in United States District 12 Court of the District of Columbia, Case No. 18-CV-1035, asking for an injunction to prevent HHS from using new criteria for Title X Family Planning grants. The case is now on appeal, and the United States Court of Appeals for the District of Columbia Circuit is hearing the matter.

A group of municipalities, including the Cities of Austin, Columbus, Cincinnati, Dayton & Seattle plan to file an amici brief in support of the Court granting an emergency injunction that would prevent the use of the new criteria until the Court of Appeals can hear the appeal.

It is in the interests of Dane County's residents that an injunction is granted so that the new application criteria do not negatively impact their access to critical reproductive services.

NOW THEREFORE BE IT RESOLVED that the Dane County Board of Supervisors directs the Dane County Corporation Counsel's office to join other municipalities in filing an amici brief before the United States Court of Appeals for the District of Columbia Circuit that supports the grant of an emergency injunction until the Court of Appeals can consider the appeal.

Executive Committee recommends adoption of 2018 RES-168. Motion carried by a voice vote.

ITEMS REQUIRING A TWO-THIRDS MAJORITY FOR PASSAGE

2018 RES-118

AUTHORIZATION TO INCREASE REVENUE IN SMART FUND BY THE AMOUNT OF PROCEEDS OF SALE AT VEHICLE AUCTION OF ONE SHERIFF'S OFFICE PATROL DIVISION VEHICLE

In funding round 1 of 2018 the Dane County Sheriff's Office (DCSO) received a SMART Fund award for replacement of an existing Detective Bureau SUV, which gets about 15 MPG, with a new hybrid vehicle that will get an estimated 40 MPG, thereby saving fuel, reducing fossil fuel use, and reducing greenhouse gases and other pollution emissions.

An existing SUV vehicle with approximately 170,000 on its odometer, which is being replaced by the new hybrid vehicle, will then be sold by the DCSO at a vehicle auction.

The Sustainability Subcommittee of the Public Works and Transportation Committee has indicated that proposals for vehicle replacements should include an increment of funding from the department making the request as a part of the proposal, so that the SMART Fund is not covering the entire cost of the vehicle replacement and the departments' contribution offsets the full cost.

The subcommittee approved the DCSO's 2018 Round 1 funding request for the hybrid vehicle but made the approval contingent on the Sheriff's Office returning the proceeds of the auction of the SUV to the SMART Fund rather than to the general fund when they sell the DCSO vehicle at a later date in 2018. The estimated proceeds from the sale at auction of the old DCSO vehicle are \$3,500.

NOW, THEREFORE, BE IT RESOLVED that account CPSUSTAN 84830 "Sale of County Property" be created with a budget amount of \$3,500, and that the Sheriff's Office is hereby directed to deposit \$3,500 from the sale of surplus vehicles into account CPSUSTAN 84830 "Sale of County Property" and that the appropriation for the SMART Fund, account CPSUSTAN 57556 be increased by \$3,500.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-118. Motion carried by a voice vote.

2018 RES-111

AMENDING THE 2018 BUDGET FOR CLIMATE ACTION PLAN (CAP) MODELING

The Dane County Office of Energy and Climate Change (OECC) has convened a Council on Climate Change consisting of 37 organizations that represent a diverse mix of stakeholder perspectives and County leaders to help Dane County Develop a Climate Action Plan.

The OECC has also convened 10 advisory working groups made up of experts in a wide variety of substantive areas including renewable energy, transportation and land use, Agriculture/Forestry/Food, buildings and water. These working groups are helping the OECC and the Climate Council identify policies, programs and projects that will reduce greenhouse gas emissions and populate the CAP.

In order to develop a CAP that is based on sound science and evidence, that lays out a comprehensive list of policies, programs and projects that will put Dane County on a path to deep decarbonization, and that makes Dane County a national leader in the effort to address climate change, the OECC has also contracted with world class modelers to model the various policies, programs and projects to be included in the CAP.

OECC has contracted with Sustainable Energy Economics which developed and holds the proprietary ownership of the Framework for Analysis of Climate-Energy-Technology Systems (FACETS) model. The FACETS model is an extremely power sector model that Sustainable Energy Economics is amending with transportation sector data and gives Dane County the opportunity to perform uniquely specific and deep analysis to Dane County climate mitigation actions.

The 2018 Dane County Budget included \$20,000 towards a total price tag of \$80,000. The OECC applied for and was recently awarded a grant of \$29,500 from the Carolyn Foundation in Minneapolis, for provide matching funds to Dane County to help cover the cost of the modeling work being performed. This resolution is intended to amend the OECC budget to receive the Carolyn Foundation grant of \$29,500.

NOW THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors supports accepting the Carolyn Foundation Grant, in the amount of \$29,500, and increasing the Dane County Office of Energy and Climate Change (OECC) 2018 budget by \$29,500 for the purpose of executing modeling in the development of the Dane County Climate Action Plan.

BE IT FURTHER RESOLVED that the OECC 2018 budget be amended with a new revenue account line, OECC 30286, to reflect the \$29,500 increase in revenue to the OECC 2018 budget.

Executive and Personnel & Finance Committees recommend adoption of 2018 RES-111. Motion carried by a voice vote.

2018 RES-125

AUTHORIZATION TO APPLY FOR AND ACCEPT A 2018 STATE OF WISCONSIN DNR LAKE PLANNING GRANT (AIS Rapid Response)

The Land & Water Resources Department has secured a \$4,600 Lake Planning (AIS) grant from the Wisconsin Department of Natural Resources (WDNR).

The purpose of the grant is to fund the eradication of Yellow Floating Heart and Yellow Iris in the Town of Dane. Both species pose threats to native plants and are very aggressive. The required match for this project is met by in-kind county expenditures.

NOW, THEREFORE, BE IT RESOLVED, that Dane County will comply with all local, state, and federal rules, regulations and ordinances relating to this project and the cost-share agreement;

THEREFORE, BE IT RESOLVED, that the Dane County Board of Supervisors and the Dane County Executive hereby authorized the application and accept the \$4,600 Lake Planning grant from the WI DNR.

BE IT FINALLY RESOLVED, that revenue account LWRADMIN 80057 and expense account LWRADMIN 20129 APM & AIS Planning Grant shall be increased by \$4,600. All Funds shall be carried forward until realized and expended.

Environment, Agriculture & Natural Resources and Personnel & Finance recommend adoption of 2018 RES0-124. Motion carried by a voice vote.

2018 RES-132

ACCEPTING REVENUE FROM THE WISCONSIN DEPARTMENT OF HEALTH SERVICES AUTHORIZING NEW POSITION AUTHORITY FOR FOOD STAMP EMPLOYMENT AND TRAINING (FSET) DCDHS - EAWS DIVISION

Dane County Department of Human Services (DCDHS) has administered the Food Stamp Employment and Training (FSET) program since 2015 on behalf of a multi-county region and was just awarded a new contract after a competitive procurement.

This resolution seeks to add .25 FTE to administer the newly awarded FSET contract. This increased FTE will be fully funded by FSET revenue. The position will become a .75 with this change.

NOW, THEREFORE, BE IT RESOLVED that position authority in the EAWS Division Org 5820 position #3024 titled Economic Support Supervisor Project is increased .25 FTE as detailed above, effective August 1, 2018. The costs of these positions will be covered entirely by FSET revenues.

BE IT FURTHER RESOLVED that this increase in the position authority is necessary to adhere to the new terms and conditions of the FSET contract, which is renewable until 2023 and contains several significant programmatic changes that need implementation and oversight.

BE IT FUTHER RESOLVED that the following revenue account be created and that the revenue increase be credited to the General Fund and transferred from the General Fund to the following expenditure accounts in the Department of Human Services:

Revenue	Account Number	Account Title	Amount
EAEDBPER	81362	FSET 100	\$14,142
Total		\$14,142	
Expenditure	Account Number	Account Title	Amount
EAEDBPER	AAYAAA	Salaries and Wages	\$9,865
EAEDBPER	AAYMAA	Retirement	\$779
EAEDBPER	AAYPAA	Social Security	\$755
EAEDBPER	AAYSAA	Health	\$2,590
EAEDBPER	AAZBAA	Dental	\$164
EAEDBPER	AAZHAA	Disability Insurance	\$175
EAEDBPER	AAZKAA	Life Insurance	\$11
EAEDBPER	AAZXAA	Salary Savings	(\$197)
Total		\$14,142	

Health & Human Needs and Personnel & Finance Committees recommend adoption of 2018 Res-132. Motion carried by a voice vote.

2018 RES-126

AWARDING CONTRACT TO WISCONSIN DEPARTMENT OF CORRECTIONS FOR AGRICULTURAL INSTRUCTION PROVIDED BY DANE COUNTY UW EXTENSION

The 2018 budget included revenue from Community Groundworks for providing subcontracted services for instruction and curriculum services for the DOC Division of Juvenile Corrections youth residing at the Grow Academy. After several years of this arrangement, DOC now wishes to contract with Dane County directly and allow the county to subcontract with Community GroundWorks for their services. The DOC has proposed a multi-year agreement to continue this arrangement. The initial term of the agreement is from July 1, 2018 to June 30, 2020, with three optional one-year renewals.

BE IT RESOLVED that the following 2018 Revenue and Expense accounts be established:

EXTENSN NEW "DOC REVENUE"	\$60,000
EXTENSN NEW "Community Groundworks"	\$35,000

BE IT FINALLY RESOLVED that the County Executive and County Clerk are authorized to execute the contract including optional renewals included therein.

Environment, Agriculture & Natural Resources, UW Extension and Personnel & Finance Committees recommend adoption of 2018 RES-126. Motion carried by a voice vote.

ADJOURNMENT

Moved by Supervisor Ripp, seconded by Supervisor Jones, to adjourn to Thursday, September 6, 2018, at 7:00 pm or at the call of the Chair. Motion carried unanimously at 7:14 pm. Subsequent to adjournment, Chair Corrigan made the following referrals:

- 2018 OA-013 - Amending Chapters 2, 67, and 68 of the Dane County Code of Ordinances Regarding Dane County Regional Airport Regulations. Submitted by Supervisors Rusk, Krause and McCarville. Referred to AIRPORT, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 OA - 014 - Amending Chapter 80 of the Dane County Code of Ordinances Prohibiting Application and Sale of Coal Tar Sealant and Other High PAH Pavement Sealant. Submitted by Supervisors Kolar, Erickson, McCarville and Ripp. Referred to LAKES & WATERSHED, BOARD OF HEALTH MADISON / DANE COUNTY, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-161 - Authorizing Acceptance of Grant Funds from the Office of National Drug Control Policy, Milwaukee High Intensity Drug Trafficking Area (HIDTA), Grant G18ML0014A. Submitted by Supervisors Rusk, Krause, McCarville and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-162 - Authorizing Acceptance of Training Grant to Conduct Rad-IQ Training. Submitted by Supervisors Rusk, Krause, McCarville and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-163 - Authorizing Acceptance of Training Grant to Conduct Advanced Hazmat IQ Above and Below the Line. Submitted by Supervisors Rusk, Krause, McCarville and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-164 - Authorizing Acceptance of Training Grant to Conduct Hazmat IQ Propane Training. Submitted by Supervisors Rusk, Krause, McCarville and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-165 - Authorizing Acceptance of Training Grant to Conduct Hazmat Toxic Medic Training. Submitted by Supervisors Rusk, Krause, McCarville and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-178 - Authorizing Acceptance of a Grant from the WI Habitat Partnership Fund - WI Department of Natural Resources. Submitted by Supervisors Ripp and Ritt. Referred to PARKS, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-179 - Authorizing an Employment Services Agreement for Legislative Lobbyist (Danielle Williams). Submitted by Supervisor Miles. Referred to EXECUTIVE and PERSONNEL & FINANCE.
- 2018 RES-180 - Authorizing an Addendum to a Purchase of Services Contract with the Town of Westport. Submitted by Supervisor Ripp. Referred to PARKS, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-181 - 2018 Urban Water Quality Grant Awards. Submitted by Supervisors Ritt and Miles. Referred to ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-183 - Award of Contract for Pipeline Interconnection. Submitted by Supervisor Nelson. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-184 - Authorizing Supplemental Lease with USDA Farm Service Agency at Lyman Anderson Agriculture & Conservation Center. Submitted by Supervisor Ritt. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-185 - Contract Change Orders No. 97-111 for the Dane County Medical Examiner's Office Building. Submitted by Supervisor Nelson. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-186 - Authorizing the Purchase of Land for the Ice Age National Scenic Trail. Submitted by Supervisors Knoll, Buckingham, Dye, Erickson, Jones, Ritt, Rusk and Wegleitner. Referred to PARKS, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-188 - Contract Change Orders No. 78-80 for the Dane County East Highway Garage & Salt Storage Facility. Submitted by Supervisor Nelson. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-189 - Authorizing Badger Road Lease for Joining Forces for Families Program - DCDHS - CYF Division. Submitted by Supervisors Kuhn, Buckingham, Chenoweth, Clausius, Eicher and Veldran. Referred to HEALTH & HUMAN NEEDS, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-190 - Contract Change Order # 8 to Contract for BIOFerm USA, Inc. for BIOGas Cleaning Equipment for Pipeline Injection (Phase III). Submitted by Supervisor Nelson. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-191 - Authorizing Amendment for Public Safety Communications Information Logging System. Submitted by Supervisors Rusk, Krause, McCarville and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-192 - Addendum Agreement No. 1 for Hazardous Waste - Clean Sweep. Submitted by Supervisor Nelson. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.

- 2018 RES-193 - Award of Contract for Inmate Laundry and Linen Service. Submitted by Supervisors Rusk, Krause, McCarville and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-194 - Contract Change Order # 9 to Contract for BIOFerm USA, Inc. for BIOGas Cleaning Equipment for Pipeline Injection (Phase III). Submitted by Supervisor Nelson. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-195 - Resolution Awarding the Sale of General Obligation Promissory Notes, Series 2018A. Submitted by Supervisor Miles. Referred to PERSONNEL & FINANCE.
- 2018 RES-196 - Resolution Awarding the Sale of General Obligation Capital Improvement Bonds, Series 2018B. Submitted by Supervisor Miles. Referred to PERSONNEL & FINANCE.
- 2018 RES-197 - Resolution Awarding the Sale of Taxable General Obligation Pipeline Gas Project Promissory Notes, Series 2018C. Submitted by Supervisor Miles. Referred to PERSONNEL & FINANCE.
- 2018 RES-198 - Resolution Awarding the Sale of General Obligation Airport Project Promissory Notes, Series 2018D (AMT). Submitted by Supervisor Miles. Referred to PERSONNEL & FINANCE.
- 2018 RES-199 - County Executive Appointments. Submitted by Supervisor Corrigan. Referred to EXECUTIVE.
- 2018 RES-200 - Award of Contract for Priority Dispatch. Submitted by Supervisors Rusk, Krause, McCarville and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-206 - Amending Dane County Planning & Development Departments 2018 Budget to Transfer Funds to the Dane County Clerk's 2018 Budget to Facilitate the Completion and Executive of the Voter ID Education Plan. Submitted by Supervisor Miles. Referred to ZONING & LAND REGULATION, EXECUTIVE and PERSONNEL & FINANCE.
- 2018 RES-213 - Waiving Erosion Control, Shoreland Erosion Control and Zoning Fees Related to the August 21, 2018 Rainfall Event in Dane County. Submitted by Supervisor Corrigan. Referred to PERSONNEL & FINANCE.

Petitions for Zoning Reclassification. Referred by Clerk McDonell to the Zoning & Land Regulation Committee:

- Petition 11332 - Town of Primrose – Trevor G Otto
- 11333 – Town of Rutland – Mark Nelson
- 11334 – Town of Cottage Grove – William J Rickerman
- 11335 – Town of Roxbury – Jerome R Ballweg
- 11336 – Town of Middleton – Albert Borokhim
- 11337 – Town of Cottage Grove – Edward J & Carol Knapton
- 11338 – Town of Montrose – Doerfer Brothers Inc.
- 11339 – Town of Rutland – Edward Meachen & Francine Tompkins
- 11340 – Town of Pleasant Springs – Linnerud Farms LTD Partnership
- 11341 – Town of Dunkirk – Linda Altenburg
- 11342 – Town of Montrose – Thomas A Sarbacker

2018 - 2019 COUNTY BOARD PROCEEDINGS

SEPTEMBER 6, 2018 7:00 PM SESSION

The Dane County Board of Supervisors met pursuant to statute. Chair Corrigan called the meeting to order. County Clerk McDonnell called the roll:

PRESENT: Bayrd, Bollig, Chenoweth, Clausius, Corrigan, Downing, Dye, Erickson, Kiefer, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Pertl, Rusk, Salov, Schauer, Veldran, Wegleitner, Stubbs, Kilmer, Young, Kuhn, Eicher, Chawla, Danner, Peters, Schwellenbach, Buckingham, Knoll, Nguyen-Hilfiger And Ratcliff

REPORTED ABSENCE: Jones

Supervisor Downing offered an inspirational message and led the Pledge of Allegiance.

SPECIAL MATTERS AND ANNOUNCEMENTS

Confirmation of and swearing in of County Board Supervisor - District 36

Moved by Supervisor Eicher, seconded by Supervisor Pertl, that the action item be approved. Motion carried by a voice vote.

APPROVAL OF PAYMENTS

The Controller's Office has examined the following bills which have been incurred in the operation of our County Departments. Inasmuch as the claims which cover the items purchased have been found reasonable and proper, we recommend that they be allowed by the Dane County Board.

1. Besse Medical-Opioid Response Grant for Vivitrol-Human Services	\$20,158.60
2. Camosy Incorporated-Medical Examiner Building-Administration	\$84,996.25
3. Cross Plains, Village of-CTH P Construction-Highway	\$202,523.79
4. Dell Marketing (No Suggestions) Subscription and Support-Information Management	\$51,021.02
5. Dicke Tool Company-Roll Up Signs-Highway	\$22,564.00
6. Ennis-Flint Inc.-Acrylic Waterborne Highway Paint-Highway	\$23,080.75
7. Ennis-Flint Inc.-Acrylic Waterborne Highway Paint-Highway	\$20,812.00
8. Ennis-Flint Inc.-Acrylic Waterborne Highway Paint-Highway	\$20,812.00
9. Galls LLC-Body Armor-Sheriff	\$17,937.50
10. General Communications-Alliant Energy Center DAS Part-Public Safety	\$99,878.41
11. General Communications-Danecom Spare Parts-Public Safety	\$24,363.06
12. General Communications-Radio Signal Amplification-Public Safety	\$44,789.53
13. Potters Industries LLC-Glass Beads-Highway	\$12,320.00
14. Potters Industries LLC-Glass Beads-Highway	\$12,320.00
15. Potters Industries LLC-Glass Beads-Highway	\$12,320.00
16. Potters Industries LLC-Glass Beads-Highway	\$12,320.00
17. Revere Electric Supply-Copper Wire-Alliant Energy Center	\$31,558.63
18. SGTS Inc.-Video System Upgrade-Juvenile Detention	\$140,000.00
19. Truck Country of Wisconsin-Patrol Truck-Highway	\$106,650.00
20. Wolf Paving & Excavating of Madison Inc.-Asphaltic Concrete Products-Highway	\$12,416.80
Subtotal	\$972,842.34
21. Baycom Inc.-Motorcycle Toughbooks-Sheriff	\$28,597.00
22. Big O's Trailers Inc.-8 Ton Trailer-Land & Water	\$14,743.63
23. CDW Government-Palo Alto Firewalls-Information Management	\$102,160.00
24. Evologic Inc.-Landfill Site Workstation PC-Public Works	\$10,124.41
25. Ewald Chevrolet Buick LLC-2018 Chevrolet Silverado 1500-Airport	\$37,626.50
26. Ewalds Hartford Ford LLC-2018 Ford F150 Super Crew-Public Works	\$39,695.00
27. Highway Construction Products LLC-Steel Plate Beam Guards-Highway	\$19,612.70
28. JFTCO Inc.-Heavy Equipment Repair/Parts-Public Works	\$23,403.16
29. JFTCO Inc.-Heavy Equipment Repair/Parts-Public Works	\$159,657.30
30. JFTCO Inc.-Used Caterpillar Grader-Public Works	\$80,000.00
31. Johnson Controls-Security System Maintenance-Airport	\$84,903.00
32. L & S Investments of Wisconsin LP-Cost Share Payment-Land & Water	\$102,900.63
33. Prairie Power Center-Scag Mower-Airport	\$13,114.00
34. Proaxis LLC-Pressure Washing & Stall Restriping-Airport	\$46,550.00
35. R and K Construction LLC-August Dirt Moving-Alliant Energy Center	\$11,555.00
36. Reserve Account-Postage Meter Refill-Printing & Services	\$50,000.00
37. Scully Oil Company-Landfill Motor Fuel-Public Works	\$19,251.30
38. Scully Oil Company-Transport Fuel-Airport	\$11,594.28

	9/6/2018
39. Staples Business Advantage-Janitorial Supplies-Alliant Energy Center	\$11,101.45
40. Truck Country of Wisconsin-2012 Freightliner-Highway	\$38,405.00
41. Tyler Irrevocable Trust-Cost Share Payment-Land & Water	\$30,532.18
Total	\$1,908,368.88

Moved by Supervisor Chenoweth, seconded by Supervisor Nelson, to accept the above amended payments. Motion carried by a voice vote.

APPROVAL OF COUNTY BOARD MINUTES

Moved by Supervisor Kilmer, seconded by Supervisor Schwellenbach to approve the Minutes of the County Board Meeting of August 16, 2018. Motion carried by a voice vote.

CONSENT CALENDAR

All items on the consent calendar were approved on a voice vote. (The text and committee recommendations for each of the items follow.)

2018 RES-130

COUNTY BOARD CHAIR APPOINTMENTS

The County Board Chair has appointed the following persons to the City-County Homeless Issues Committee and the Food Council.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed:

City-County Homeless Issues Committee

Supervisor Heidi Wegleitner, 1941 E. Dayton St. Madison, WI 53704 (333-3676) as a County Board Supervisor member, for a term to expire on 4/21/20

Supervisor Michele Ritt, 145 Pine View Dr. Madison, WI 53704 (335-6827) as a County Board Supervisor member, for a term to expire on 4/21/20

Food Council

Christine Ameigh, 410 Pawling Street #2, Madison, WI 53704. slidersandbeyond@gmail.com As a citizen member representing food retail/distribution concerns, for a term ending on 4/20/21

Executive Committee recommends adoption of 2018 RES-130. Motion carried by a voice vote.

REPORTS ON ZONING PETITIONS

PETITION 11316 - ZONING CHANGE IN THE TOWN OF VERONA - ZONING ORD. AMDT. 11316

Petition 11316 by Gregory G. Gard to change zoning from RH-1 Rural Homes District to RH-2 Rural Homes District, A-1EX Agriculture District TO RH-2 Rural Homes District on property located at 7830 Riverside Road, Section 30, Town of Verona.

Zoning & Land Regulation Committee recommends Petition 11316 be granted and Zoning Ord. Amdt. 11316 be adopted. Motion carried by a voice vote.

PETITION 11317 - ZONING CHANGE IN THE TOWN OF COTTAGE GROVE - ZONING ORD. AMDT. 11317

Petition 11317 by Larry G. Skaar to change zoning from A-2 Agriculture District to C-2 Commercial District on property located North of 3385 North Star Road, Section 28, Town of Cottage Grove.

Zoning & Land Regulation Committee recommends Petition 11317 be granted and includes the condition that a certified survey map and the Condition and Deed Restriction below submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11317 be adopted. Motion carried by a voice vote.

Condition:

1. North Star Road right-of-way shall be dedicated to the public.

Deed Restriction:

1. A deed restriction shall be recorded on the C-2 zoned property to limit the land uses to the following: office buildings no more than 2 stories; repairs, storage, and service of contractors machinery and equipment; and parking and storage of motor vehicles.

PETITION 11318 - ZONING CHANGE IN THE TOWN OF DUNN - ZONING ORD. AMDT. 11318

Petition 11318 by Leon G. Wagner to change zoning from R-3 Residence District to R-1A Residence District on property located at 1848 USH 51, Section 25, Town of Dunn.

Zoning & Land Regulation Committee recommends Petition 11318 be granted and includes the condition that a certified survey map and the Condition listed below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11318 be adopted. Motion carried by a voice vote.

Condition:

1. A joint driveway agreement shall be recorded with the Register of Deeds. The drive access shall be approved by Wisconsin DOT.

PETITION 11319 - ZONING CHANGE IN THE TOWN OF PRIMROSE - ZONING ORD. AMDT. 11319

Petition 11319 by Diann L. Campbell to change zoning from A-1EX Agriculture District to RH-1 Rural Homes District, A-1EX Agriculture District to A-4 Agriculture District on property located 1000 feet East of 8840 CTH G, Section 8, Town of Primrose.

Zoning & Land Regulation Committee recommends Petition 11319 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11319 be adopted. Motion carried by a voice vote.

Deed Restriction:

1. A deed restriction shall be recorded on parcel 0507-084-8001-9 to identify that there is one (1) housing density right remaining on the property. The future residential lot may not exceed an area of 12 acres.

PETITION 11321 - ZONING CHANGE IN THE TOWN OF COTTAGE GROVE - ZONING ORD. AMDT. 11321

Petition 11321 by Amy M. Fluke to change zoning from B-1 Local Business District to A-2 (2) Agriculture District on property located at 3098 Hope Hollow Trail, Section 30, Town of Cottage Grove.

Zoning & Land Regulation Committee recommend Petition 11321 be granted and Zoning Ord. Amdt. 11321 be adopted. Motion carried by a voice vote.

PETITION 11322 - ZONING CHANGE IN THE TOWN OF OREGON - ZONING ORD. AMDT. 11322

Petition 11322 by David & Lynn Stiklestad Rev. Living Trust to change zoning from A-1EX Agriculture District TO A-2 (8) Agriculture District on property located at 5571 Bellbrook Road, Section 33, Town of Oregon.

Zoning & Land Regulation Committee recommends Petition 11322 be granted and includes the condition that a certified survey map and the Deed Restriction listed below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11322 be adopted. Motion carried by a voice vote.

Deed Restriction:

1. A deed restriction shall be recorded on parcels 0509-331-8001-0, 0509-331-9600-0, 0509-331-9000-4, 0509-331-8800-0, and 0509-331-8050-0 to prohibit further residential development on the remaining A-1 Exclusive Agriculture zoned land. The housing density rights for the original farm have been exhausted.

PETITION 11324 - ZONING CHANGE IN THE TOWN OF ALBION - ZONING ORD. AMDT. 11324

Petition 11324 by Jane M. Cook to change zoning from A 1EX Agriculture District to A-2 (8) Agriculture District, A-2 (2) Agriculture District TO A-2 (2) Agriculture District on property located at 105 CTH N, Section 32, Town of Albion.

Zoning & Land Regulation Committee recommends Petition 11324 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and that Zoning Ord. Amdt. 11324 be adopted. Motion carried by a voice vote.

PETITION 11325 - ZONING CHANGE IN THE TOWN OF VERMONT - ZONING ORD. AMDT. 11325

Petition 11325 by David R. Wilken Income Trust to change zoning from RH-3 Rural Homes District TO CO-1 Conservancy District on property located at 3659 CTH F, Section 29, Town of Vermont.

Zoning & Land Regulation Committee recommends Petition 11325 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11325 be adopted. Motion carried by a voice vote.

PETITION 11327 - ZONING CHANGE IN THE TOWN OF DEERFIELD - ZONING ORD. AMDT. 11327

Petition 11327 by Dale L. Skaar to change zoning from A-1EX Agriculture District to A-2 (1) Agriculture District on property located at 3272 Deerfield Road, Section 31, Town of Deerfield.

Zoning & Land Regulation Committee recommends Petition 11327 be granted and includes the condition that a certified survey map and the Condition and Deed Restriction below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11327 be adopted. Motion carried by a voice vote.

Condition:

1. The new westerly property line shall be located a minimum of 5 feet away from the tow of the drainage field. The septic system shall be depicted on the certified survey map.

Deed Restriction:

1. A deed restriction shall be recorded on parcels 0712-313-9000-5 and 0712-313-8500-2 to prohibit further residential development on the remaining A-1 Exclusive Agriculture zoned land. The housing density rights for the original farm have been exhausted.

PETITION 11328 - ZONING CHANGE IN THE TOWN OF SPRINGDALE - ZONING ORD. AMDT. 11328

Petition 11328 by Richard L. Klinger III to change zoning from A-1 Agriculture District to LC-1 Limited Commercial District on property located at 2731 Gust Road, Section 12, Town of Springdale.

Zoning & Land Regulation Committee recommends Petition 11328 be granted and includes the condition that a certified survey map and the Condition and Deed Restriction below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11328 be adopted. Motion carried by a voice vote.

Condition:

1. A certified survey map shall be recorded with the Register of Deeds to correct the land division violation.
2. Appropriate building permits and zoning permits shall be obtained to correct buildings being constructed without a permit.

Deed Restriction:

1. A deed restriction shall be recorded on the property to limit the LC-1 Limited Commercial Zoning District to the following land uses and conditions:
a. The land uses shall be limited exclusively to professional lawn care, mulch and stone installation, concrete flatwork and snow plowing/removal services. The business shall be an off-site service oriented business. Retail sales, manufacturing, or assembly of products are prohibited.
b. The hours of operation shall be Monday – Saturday, 7 a.m. - 5 p.m. in the summer and winter hours vary depending upon snow fall.
c. The number of employees shall be limited to six full-time equivalent employees with the number of hours tallied on-site to not exceed 40 hours per week per employee.
d. The vehicles and pieces of equipment used in the business shall be limited to 12.
e. No customers shall visit the site. No retail sales shall be conducted on the property. The business shall not be opened to the public.

PETITION 11329 - Zoning Change in the Town of Perry - Zoning Ord. Amdt. 11329

Petition 11329 by James S. Gibson to change zoning from A-1EX Agriculture District to RH-1 Rural Homes District on property located West of 70 Drammen Valley Road, Section 31, Town of Perry.

Zoning & Land Regulation Committee recommends Petition 11329 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11329 be adopted. Motion carried by a voice vote.

Deed Restriction

1. A deed restriction shall be recorded on parcels 0506-313-9500-7, 0506-313-9000-2, and 0506-313-8500-9 to prohibit further residential development on the remaining A-1 Exclusive Agriculture zoned land. The housing density rights for the original farm have been exhausted.

PETITION 11330 - ZONING CHANGE IN THE TOWN OF VERONA - ZONING ORD. AMDT. 11330

Petition 11330 by WIS Properties LLC., to change zoning from R-2 Residence District to R-3A Residence District on property located at 6383 Everest Drive, Section 12, Town of Verona.

Zoning & Land Regulation Committee recommends Petition 11330 be granted and Zoning Ord. Amdt. 11330 be adopted. Motion carried by a voice vote.

PETITION 11314 - ZONING CHANGE IN THE TOWN OF PRIMROSE - ZONING ORD. AMDT. 11314

Petition 11314 by Karl E. Whisler to change zoning from A-1EX Agriculture District to RH-3 Rural Homes District on property located North of 9006 CTH A, Section 17, Town of Primrose.

Zoning & Land Regulation Committee recommends Petition 11314 be granted and includes the condition that a certified survey map and the Condition below be submitted and/or recorded and Zoning Ord. Amdt. 11314 be granted. Motion carried by a voice vote.

Condition:

1. A single driveway access shall be constructed to service the lot. The driveway shall be on either County Highway A or Norland Road.

PETITION 11315 - ZONING CHANGE IN THE TOWN OF OREGON - ZONING ORD. AMDT. 11315

Petition 11315 by Benjamin M. Johnson to change zoning from C-2 Commercial District to LC-1 Limited Commercial District, A-2 (1) Agriculture District to LC-1 Limited Commercial District on property located at 1088 Union Road, Section 13, Town of Oregon.

Zoning & Land Regulation Committee recommends Petition 11315 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11315 be adopted. Motion carried by a voice vote.

RESOLUTIONS

2018 RES-183

AWARD OF CONTRACT FOR PIPELINE INTERCONNECTION

The Department of Public Works, Highway and Transportation reports the receipt of a Cost Proposal and Contract for Pipeline Interconnection at Dane County Landfill Site No. 2.

The contract is for 80construction of an interconnection to the TransCanada transmission pipeline for a high BTU project at the landfill.

The Contract is awarded to:

TransCanada
700 Louisiana Street
Houston, TX 77002

Total: \$3,103,000.00

The Public Works staff finds the amount to be reasonable and recommends the bid waiver and contract be awarded to TransCanada.

There are sufficient funds available for this project. The term of the borrowing used to support this project will be 10 years.

NOW, THEREFORE, BE IT RESOLVED that a bid waiver be approved for this work because TransCanada is a regulated pipeline utility and the County must contract with them to access the national pipeline system; and

BE IT FURTHER RESOLVED that a Contract be awarded to TransCanada in the amount of \$3,103,000.00; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-183. Motion carried by a voice vote.

RESOLUTION AWARDING THE SALE OF GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2018A

WHEREAS, on February 4, 2016, the County Board of Supervisors of Dane County, Wisconsin (the "County") adopted a resolution (the "2016 Initial Resolution") by a 3/4 vote authorizing the issuance of general obligation bonds and promissory notes in an amount not to exceed \$54,650,000 for public purposes, consisting of paying the cost of various projects listed in the 2016 Initial Resolution (collectively, the "2016 Project");

WHEREAS, on June 15, 2017, the County Board of Supervisors of the County adopted a resolution (the "2017 Initial Resolution") by a 3/4 vote authorizing the issuance of general obligation bonds and promissory notes in an amount not to exceed \$74,720,000 for public purposes, consisting of paying the cost of various items included in the County's Capital Budget, including but not limited to: general government; public safety; human services; conservation and economic development; culture and recreation; and public works projects, as listed with estimated amounts in the 2017 Initial Resolution (collectively, the "2017 Project");

WHEREAS, on January 18, 2018, the County Board of Supervisors of the County adopted a resolution (the "2018 Initial Resolution" and collectively with the 2016 Initial Resolution and the 2017 Initial Resolution, the "Initial Resolutions") by a 3/4 vote authorizing the issuance of general obligation bonds and promissory notes in an amount not to exceed \$177,000,000 for public purposes, consisting of paying the cost of various items included in the County's Capital Budget, including but not limited to: general government; public safety; human services; conservation and economic development; culture and recreation; and public works projects, as listed with estimated amounts in the 2018 Initial Resolution (the "2018 Project");

WHEREAS, the County Board of Supervisors now deems it to be necessary, desirable and in the best interest of the County to issue general obligation promissory notes in the aggregate principal amount of \$48,450,000 (the "Notes") for the purpose of paying the cost of certain portions of the 2016 Project, the 2017 Project and the 2018 Project described in the Initial Resolutions with a term of 10 years or less (collectively, the "Project");

WHEREAS, the County Board of Supervisors hereby finds and determines that the Project is within the County's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, the County is authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue the Notes for such public purposes;

WHEREAS, none of the proceeds of the Notes shall be used to fund the operating expenses of the general fund of the County or to fund the operating expenses of any special revenue fund of the County that is supported by the property taxes;

WHEREAS, in the 2018 Initial Resolution, the County directed Ehlers & Associates, Inc. ("Ehlers") to take the steps necessary to sell the Notes;

WHEREAS, Ehlers, in consultation with the officials of the County, prepared a Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Notes and indicating that the Notes would be offered for public sale on September 6, 2018;

WHEREAS, the Controller (in consultation with Ehlers) caused a form of notice of the sale to be published and/or announced and caused the Notice of Sale to be distributed to potential bidders offering the Notes for public sale on September 6, 2018;

WHEREAS, the County has duly received bids for the Notes as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Notice of Sale and is deemed to be the most advantageous to the County. Ehlers has recommended that the County accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

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

Section 1A. Ratification of the Notice of Sale and Offering Materials. The County Board of Supervisors of the County hereby ratifies and approves the details of the Notes set forth in Exhibit A attached hereto as and for the details of the Notes. The Notice of Sale and any other offering materials prepared and circulated by Ehlers are hereby ratified and approved in all respects. All actions taken by officers of the County and Ehlers in connection with the preparation and distribution of the Notice of Sale, and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Authorization and Award of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of FORTY-EIGHT MILLION FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$48,450,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Notes for the sum set forth on the Proposal, plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal is hereby accepted. The Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. The good faith deposit of the Purchaser shall be retained by the County Treasurer and applied in accordance with the

Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Notes shall bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes, Series 2018A"; shall be issued in the aggregate principal amount of \$48,450,000; shall be dated September 27, 2018; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on June 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest shall be payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2019. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes maturing on June 1, 2026 and thereafter shall be subject to redemption prior to maturity, at the option of the County, on June 1, 2025 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

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

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2018 through 2027 for payments due in the years 2019 through 2028 in the amounts set forth on the Schedule.

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

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

Section 6. Segregated Debt Service Fund Account.

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

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$48,450,000 General Obligation Promissory Notes, Series 2018A, dated September 27, 2018" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the County above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

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

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

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

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

Section 9. Compliance with Federal Tax Laws.

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

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

Section 10. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 11. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by the County Clerk or the County Treasurer (the "Fiscal Agent").

Section 12. Persons Treated as Owners; Transfer of Notes. The County shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

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

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

Section 13. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the County Clerk or other authorized representative of the County is authorized and directed to execute and deliver to DTC on behalf of the County to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the County Clerk's office.

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

Section 16. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Chairperson and County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 17. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 18. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 19. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Personnel & Finance Committee recommend adoption of Sub. 1, 2018 RES-195.

Question before the Board is adoption of Sub. 1 to 2018 RES-195. Roll call required:

AYES: 36 - Bayrd, Bollig, Chenoweth, Clausius, Corrigan, Downing, Dye, Erickson, Kiefer, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Perl, Rusk, Salov, Schauer, Veldran, Wegleitner, Stubbs, Kilmer, Young, Kuhn, Eicher, Chawla, Danner, Peters, Schwellenbach, Buckingham, Knoll, Nguyen-Hilfiger and Ratcliff

EXCUSED: 1 - Jones

Motion prevailed.

Sub. 1, 2018 RES-196

RESOLUTION AWARDING THE SALE OF GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS, SERIES 2018B

WHEREAS, on January 18, 2018, the County Board of Supervisors of Dane County, Wisconsin (the "County") adopted a resolution (the "Initial Resolution") by a 3/4 vote authorizing the issuance of general obligation bonds and promissory notes in an amount not

to exceed \$177,000,000 for the public purpose of paying the cost of certain capital improvement projects which include \$3,000,000 for the jail consolidation project and \$1,850,000 for a landfill project (collectively, the "Project");

WHEREAS, the County Board of Supervisors hereby finds and determines that the Project is within the County's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, the County is authorized by the provisions of Section 67.04, Wisconsin Statutes, to borrow money and issue general obligation bonds (the "Bonds") to finance the Project;

WHEREAS, the County Board of Supervisors now deems it to be necessary, desirable and in the best interest of the County to issue the Bonds in the aggregate principal amount of \$4,865,000 for the purpose of paying the cost of the Project;

WHEREAS, none of the proceeds of the Bonds shall be used to fund the operating expenses of the general fund of the County or to fund the operating expenses of any special revenue fund of the County that is supported by the property taxes;

WHEREAS, in the Initial Resolution, the County directed Ehlers & Associates, Inc. ("Ehlers") to take the steps necessary to sell the Bonds;

WHEREAS, Ehlers, in consultation with the officials of the County, prepared a Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Bonds and indicating that the Bonds would be offered for public sale on September 6, 2018;

WHEREAS, the Controller (in consultation with Ehlers) caused a form of notice of the sale to be published and/or announced and caused the Notice of Sale to be distributed to potential bidders offering the Bonds for public sale on September 6, 2018;

WHEREAS, the County has duly received bids for the Bonds as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Notice of Sale and is deemed to be the most advantageous to the County. Ehlers has recommended that the County accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

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

Section 1A. Ratification of the Notice of Sale and Offering Materials. The County Board of Supervisors of the County hereby ratifies and approves the details of the Bonds set forth in Exhibit A attached hereto as and for the details of the Bonds. The Notice of Sale and any other offering materials prepared and circulated by Ehlers are hereby ratified and approved in all respects. All actions taken by officers of the County and Ehlers in connection with the preparation and distribution of the Notice of Sale, and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Authorization and Award of the Bonds. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.04, Wisconsin Statutes, the principal sum of FOUR MILLION EIGHT HUNDRED SIXTY-FIVE THOUSAND DOLLARS (\$4,865,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Bonds for the sum set forth on the Proposal, plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal, is hereby accepted. The Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. The good faith deposit of the Purchaser shall be retained by the County Treasurer and applied in accordance with the Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Bonds shall bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Capital Improvement Bonds, Series 2018B"; shall be issued in the aggregate principal amount of \$4,865,000; shall be dated September 27, 2018; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on June 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest shall be payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2019. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Bonds maturing on June 1, 2028 and thereafter are subject to redemption prior to maturity, at the option of the County, on June 1, 2027 or on any date thereafter. Said Bonds are redeemable as a whole or in part, and if in part, from maturities selected by the County, and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption. If the Proposal specifies that any of the Bonds are subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference. Upon the optional redemption of any of the Bonds subject to mandatory redemption, the principal amount of such Bonds so redeemed shall be credited against the mandatory redemption payments established in Exhibit MRP for such Bonds in such manner as the County shall direct.

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

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2018 through 2037 for payments due in the years 2019 through 2038 in the amounts set forth on the Schedule.

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

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

Section 6. Segregated Debt Service Fund Account.

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

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Capital Improvement Bonds, Series 2018B, dated September 27, 2018" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Bonds; (ii) any premium which may be received by the County above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

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

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

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

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Bonds, shall certify as to facts,

estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws.

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

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

Section 10. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 11. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by Bond Trust Services Corporation, Roseville, Minnesota, which is hereby appointed as the County's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The County hereby authorizes the Chairperson and County Clerk or other appropriate officers of the County to enter a Fiscal Agency Agreement between the County and the Fiscal Agent. Such contract may provide, among other things, for the performance by the Fiscal Agent of the functions listed in Wis. Stats. Sec. 67.10(2)(a) to (j), where applicable, with respect to the Bonds.

Section 12. Persons Treated as Owners; Transfer of Bonds. The County shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

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

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

Section 13. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the County at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the County Clerk or other authorized representative of the County is authorized and directed to execute and deliver to DTC on behalf of the County to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the County Clerk's office.

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

Section 16. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the Chairperson and County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 17. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 18. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 19. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Personnel & Finance Committee recommends adoption of Sub. 1 to 2018 RES-196.

Question before the Board is adoption of Sub. 1 to 2018 RES-196. Roll call requested:

AYES: 34 - Bayrd, Bollig, Chenoweth, Clausius, Corrigan, Downing, Dye, Erickson, Kiefer, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Pertl, Rusk, Salov, Schauer, Veldran, Stubbs, Kilmer, Young, Kuhn, Eicher, Danner, Peters, Schwellenbach, Buckingham, Knoll, Nguyen-Hilfiger and Ratcliff

NOES: 2 - Wegleitner and Chawla

EXCUSED: 1 - Jones

Motion prevailed.

Sub. 1, 2018 RES-197

RESOLUTION AWARDING THE SALE OF TAXABLE GENERAL OBLIGATION PIPELINE GAS PROJECT PROMISSORY NOTES, SERIES 2018C

WHEREAS, on June 15, 2017, the County Board of Supervisors of Dane County, Wisconsin (the "County") adopted a resolution (the "2017 Initial Resolution") by a 3/4 vote authorizing the issuance of general obligation bonds and promissory notes in an amount not to exceed \$74,720,000 for public purposes, consisting of paying the cost of various items included in the County's Capital Budget, including \$3,000,000 for the pipeline gas project (the "Project") which authority the County has not used;

WHEREAS, on January 18, 2018, the County Board of Supervisors of the County adopted a resolution (the "2018 Initial Resolution" and collectively with the 2017 Initial Resolution, the "Initial Resolutions") by a 3/4 vote authorizing the issuance of general obligation bonds and promissory notes in an amount not to exceed \$177,000,000 for public purposes, including the Project;

WHEREAS, the County Board of Supervisors now deems it to be necessary, desirable and in the best interest of the County to issue general obligation promissory notes designated as "Taxable General Obligation Pipeline Gas Project Promissory Notes, Series 2018C" in the aggregate principal amount of \$11,860,000 (the "Notes") pursuant to the authority in the Initial Resolutions;

WHEREAS, the County Board of Supervisors hereby finds and determines that the Project is within the County's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, the County is authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue the Notes for such public purposes;

WHEREAS, none of the proceeds of the Notes shall be used to fund the operating expenses of the general fund of the County or to fund the operating expenses of any special revenue fund of the County that is supported by the property taxes;

WHEREAS, due to certain provisions contained in the Internal Revenue Code of 1986, as amended, it is necessary to issue such Notes on a taxable rather than tax-exempt basis;

WHEREAS, in the 2018 Initial Resolution, the County directed Ehlers & Associates, Inc. ("Ehlers") to take the steps necessary to sell the Notes;

WHEREAS, Ehlers, in consultation with the officials of the County, prepared a Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Notes and indicating that the Notes would be offered for public sale on September 6, 2018;

WHEREAS, the Controller (in consultation with Ehlers) caused a form of notice of the sale to be published and/or announced and caused the Notice of Sale to be distributed to potential bidders offering the Notes for public sale on September 6, 2018;

WHEREAS, the County has duly received bids for the Notes as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Notice of Sale and is deemed to be the most advantageous to the County. Ehlers has recommended that the County accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

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

Section 1A. Ratification of the Notice of Sale and Offering Materials. The County Board of Supervisors hereby ratifies and approves the details of the Notes set forth in Exhibit A attached hereto as and for the details of the Notes. The Notice of Sale and any other offering materials prepared and circulated by Ehlers are hereby ratified and approved in all respects. All actions taken by officers of the County and Ehlers in connection with the preparation and distribution of the Notice of Sale, and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Authorization and Award of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of ELEVEN MILLION EIGHT HUNDRED SIXTY THOUSAND DOLLARS (\$11,860,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Notes for the sum set forth on the Proposal, plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal, is hereby accepted. The Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. The good faith deposit of the Purchaser shall be retained by the County Treasurer and applied in accordance with the Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Notes shall bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Notes. The Notes shall be designated "Taxable General Obligation Pipeline Gas Project Promissory Notes, Series 2018C"; shall be issued in the aggregate principal amount of \$11,860,000; shall be dated September 27, 2018; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on June 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest shall be payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2019. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes maturing on June 1, 2026 and thereafter are subject to redemption prior to maturity, at the option of the County, on June 1, 2025 or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities selected by the County, and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

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

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2018 through 2027 for payments due in the years 2019 through 2028 in the amounts set forth on the Schedule.

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

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

Section 6. Segregated Debt Service Fund Account.

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

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for Taxable General Obligation Pipeline Gas Project Promissory Notes, Series 2018C, dated September 27, 2018" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the County above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

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

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

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

Section 8. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent

as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 9. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by the County Clerk or the County Treasurer (the "Fiscal Agent").

Section 10. Persons Treated as Owners; Transfer of Notes. The County shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

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

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

Section 11. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the Record Date.

Section 12. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the County Clerk or other authorized representative of the County is authorized and directed to execute and deliver to DTC on behalf of the County to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the County Clerk's office.

Section 13. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement or final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement or final Official Statement to be distributed to the Purchaser.

Section 14. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Chairperson and County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 15. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 16. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 17. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Personnel & Finance Committee recommends adoption of Sub. 1 to 2018 RES-197.

Question before the Board is adoption of Sub. 1 to 2018 RES-197. Roll call required:

AYES: 36 - Bayrd, Bollig, Chenoweth, Clausius, Corrigan, Downing, Dye, Erickson, Kiefer, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Pertl, Rusk, Salov, Schauers, Veldran, Wegleitner, Stubbs, Kilmer, Young, Kuhn, Eicher, Chawla, Danner, Peters, Schwellenbach, Buckingham, Knoll, Nguyen-Hilfiger and Ratcliff

EXCUSED: 1 - Jones

Motion prevailed

Sub. 1, 2018 RES-198

RESOLUTION AWARDING THE SALE OF GENERAL OBLIGATION AIRPORT PROJECT PROMISSORY NOTES, SERIES 2018D (AMT)

WHEREAS, on January 18, 2018, the County Board of Supervisors of the Dane County, Wisconsin (the "County") adopted a resolution (the "Initial Resolution") by a 3/4 vote authorizing the issuance of general obligation bonds and promissory notes in an amount not to exceed \$177,000,000 for public purposes, including the terminal modernization project at Dane County Regional Airport (the "Project");

WHEREAS, the County Board of Supervisors now deems it to be necessary, desirable and in the best interest of the County to issue general obligation promissory notes designated as "General Obligation Airport Project Promissory Notes, Series 2018D (AMT)" in the aggregate principal amount of \$7,010,000 (the "Notes") for the purpose of paying a portion of the cost of the Project;

WHEREAS, the County Board of Supervisors hereby finds and determines that the Project is within the County's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, the County is authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue the Notes for such public purposes;

WHEREAS, none of the proceeds of the Notes shall be used to fund the operating expenses of the general fund of the County or to fund the operating expenses of any special revenue fund of the County that is supported by the property taxes, including Dane County Regional Airport;

WHEREAS, on August 27, 2018, the Personnel and Finance Committee of the County Board held a public hearing concerning the issuance of the Notes and the financing of the Project and notice of such hearing was published in the Wisconsin State Journal more than 14 days prior to the public hearing, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code");

WHEREAS, in the Initial Resolution, the County directed Ehlers & Associates, Inc. ("Ehlers") to take the steps necessary to sell the Notes;

WHEREAS, Ehlers, in consultation with the officials of the County, prepared a Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Notes and indicating that the Notes would be offered for public sale on September 6, 2018;

WHEREAS, the Controller (in consultation with Ehlers) caused a form of notice of the sale to be published and/or announced and caused the Notice of Sale to be distributed to potential bidders offering the Notes for public sale on September 6, 2018;

WHEREAS, the County has duly received bids for the Notes as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Notice of Sale and is deemed to be the most advantageous to the County. Ehlers has recommended that the County accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

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

Section 1A. Ratification of the Notice of Sale and Offering Materials. The County Board of Supervisors of the County hereby ratifies and approves the details of the Notes set forth in Exhibit A attached hereto as and for the details of the Notes. The Notice of Sale

and any other offering materials prepared and circulated by Ehlers are hereby ratified and approved in all respects. All actions taken by officers of the County and Ehlers in connection with the preparation and distribution of the Notice of Sale, and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Authorization and Award of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of SEVEN MILLION TEN THOUSAND DOLLARS (\$7,010,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Notes for the sum set forth on the Proposal, plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal is hereby accepted. The Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. The good faith deposit of the Purchaser shall be retained by the County Treasurer and applied in accordance with the Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Notes shall bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Airport Project Promissory Notes, Series 2018D (AMT)"; shall be issued in the aggregate principal amount of \$7,010,000; shall be dated September 27, 2018; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on June 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest shall be payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2019. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes maturing on June 1, 2022 and thereafter shall be subject to redemption prior to maturity, at the option of the County, on June 1, 2021 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

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

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2018 through 2022 for payments due in the years 2019 through 2023 in the amounts set forth on the Schedule.

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

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

Section 6. Segregated Debt Service Fund Account.

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

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$7,010,000 General Obligation Airport Project Promissory Notes, Series 2018D (AMT), dated September 27, 2018" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the County above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the

Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

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

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

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

Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants that it will comply with the provisions of the Code (including restrictions on the ownership, management, leasing and use of the Project, the purpose for which Note Proceeds can be used, limitations on the investment of Note Proceeds and the payment of any required rebates or penalties to the United States) to the extent necessary to maintain the tax-exempt status of the interest on the Notes. The County also represents and covenants that it will not use or permit the Project to be used in a manner which would cause such facilities not to be described in Section 142(a)(1) of the Code. The Controller of the County or other officer of the County charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

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

Section 10. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 11. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by the County Clerk or the County Treasurer (the "Fiscal Agent").

Section 12. Persons Treated as Owners; Transfer of Notes. The County shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

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

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

Section 13. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the County Clerk or other authorized representative of the County is authorized and directed to execute and deliver to DTC on behalf of the County to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the County Clerk's office.

Section 15. Public Approval. The issuance of the Notes is hereby approved by the County Board of Supervisors. This Resolution is intended to constitute public approval (within the meaning of Section 147(f) the Code) of the issuance of the Notes.

Section 16. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement or final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement or final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Chairperson and County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 18. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 19. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Personnel & Finance recommend adoption of Sub. 1 to 2018 RES-198.

Question before the Board is adoption of Sub. 1 to 2018 RES-198. Roll call required:

AYES: 36 - Bayrd, Bollig, Chenoweth, Clausius, Corrigan, Downing, Dye, Erickson, Kiefer, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Pertl, Rusk, Salov, Schauer, Veldran, Wegleitner, Stubbs, Kilmer, Young, Kuhn, Eicher, Chawla, Danner, Peters, Schwellenbach, Buckingham, Knoll, Nguyen-Hilfiger and Ratcliff

EXCUSED: 1 - Jones

Motion prevailed.

2018 RES -179

AUTHORIZING AN EMPLOYMENT SERVICES AGREEMENT FOR LEGISLATIVE LOBBYIST (DANIELLE WILLIAMS)

The County Executive has selected a candidate to serve in the position of Legislative Lobbyist for Dane County. Consistent with the budget, county ordinance and existing practice for employment contracts, an employment agreement has been negotiated with Danielle Williams. The underlying employment services agreement is similar to other employment contracts used by the County with the following exceptions:

- The County Civil Service Ordinance [Dane Co. Ord. § 18.05(1)(f)] limits the term of the agreement to three years;
- The agreement addresses the concern that the Legislative Lobbyist not otherwise involve herself in political matters by prohibiting her from participating in both partisan and nonpartisan races;

NOW, THEREFORE, BE IT RESOLVED that the County Executive is hereby authorized to execute, on behalf of the County of Dane, an employment services agreement with Danielle Williams to serve as the Legislative Lobbyist for a three-year period commencing September 10, 2018 and expiring on September 9, 2021 with a beginning base salary of \$95,000.00.

Personnel & Finance recommend adoption of 2018 RES-179. Motion carried by a voice vote.

2018 RES-213

WAIVING EROSION CONTROL, SHORELAND EROSION CONTROL, AND ZONING FEES RELATED TO AUGUST 21, 2018 RAINFALL EVENT IN DANE COUNTY

On August 21, 2018 Dane County received record rainfall resulting in severe flooding in Dane County. Continued rainfall and rising floodwaters have damaged infrastructure, homes, properties, and businesses throughout the County. The owners of these properties will face tremendous costs in rebuilding, including fees for various county permits.

NOW, THEREFORE BE IT RESOLVED that erosion control, shoreland erosion control, and zoning fees shall be waived for applications to repair damage caused by flooding as a result of heavy rainfall in August and September 2018, to the extent possible and so as not to conflict with other applicable state and federal laws and regulations, particularly those pertaining to development and redevelopment in shoreland zones and floodplains.

Personnel & Finance Committee recommends adoption of 2018 RES-213. Motion carried by a voice vote.

SUCH OTHER BUSINESS AS THE COUNTY BOARD IS AUTHORIZED TO CONDUCT BY LAW

2018 ACT-149

DECLARATION OF STATE OF EMERGENCY

Moved by Supervisor Nelson, seconded by Supervisor Schauer, that the Action item be approved. Motion carried by a voice vote.

ADJOURNMENT

Moved by Supervisor Chenoweth, seconded by Supervisor Erickson to adjourn to Wednesday, September 12, 2018 at 7:00 p.m., or at the call of the chair. Motion carried unanimously at 7:35 p.m. Subsequent to adjournment, Chair Corrigan referred the following matters:

- 2018 OA-012 - Amending Chapter 18, Regarding Employee Probationary Periods. Submitted by Supervisor Miles. Referred to PERSONNEL & FINANCE.
- 2018 OA-016 - Amending Chapter 82, Incorporating Amendments to the Town of Cottage Grove Comprehensive Plan into the Dane County Comprehensive Plan. Submitted by Supervisors Ratcliff, Buckingham, Chenoweth, Clausius, Erickson, Kilmer and Schauer. Referred to ZONING & LAND REGULATION.
- 2018 RES-201 - Authorizing Acceptance of Grant Funding From the FY 2017 Edward Byrne Memorial Justice Assistance Grant (JAG) Program. Submitted by Supervisors Rusk, Bayrd, Danner, Krause, McCarville, Nguyen-Hilfiger and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-204 - Authorizing Execution of a Purchase of Services Agreement for Consulting Services for the Dane County Regional Airport. Submitted by Supervisors Rusk, Bollig, McCarville, Peters and Schauer
- 2018 RES-207 - Authorizing Execution of Lease for Advertising Concession at the Dane County Regional Airport. Submitted by Supervisors Rusk, Bollig, McCarville, Peters and Schauer. Referred to AIRPORT, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.

- 2018 RES-208 - Award of Contract for SCS Engineers for Rowe Property Remediation. Submitted by Supervisors Nelson, Ripp and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-210 - Agreement for the Design of Improvements Including Traffic Signals at the Intersection of CTH S and Pioneer Road in the Town of Middleton. Submitted by Supervisors Nelson, Ripp and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-214 - Dane County Conservation Fund Grant Award to Groundswell Conservancy. Submitted by Supervisors Dye, Bayrd, Bollig, Buckingham, Chawla, Clausius, Danner, Downing, Erickson, Kilmer, Knoll, Kolar, Krause, Kuhn, Levin, McCarville, Miles, Nelson, Nguyen-Hilfiger, Pertl, Ratcliff, Ritt, Salov, Schauer, Veldran and, Wegleitner. Referred to PARKS, ENVIRONMENT AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-215 - Authorizing Highway Safety Grant Funding for an Impaired Driver Enforcement Task Force. Submitted by Supervisors Rusk, Bayrd, Danner, Krause, McCarville, Nguyen-Hilfiger and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-216 - Authorizing Highway Safety Grant Funding for a Seat Belt Enforcement Project. Submitted by Supervisors Rusk, Bayrd, Krause, McCarville, Nguyen-Hilfiger and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-218 - Contract Change Order # 4 - to Contract for TRC Environmental Corporation for Construction Quality Representative. Submitted by Supervisors Nelson, Ripp and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-219 - Contract Change Order # 1 to Contract for Payne & Dolan, Inc. for Capital City Pavement Restoration. Submitted by Supervisors Nelson and Ripp. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-220 - Award of Contract for Restroom Expansion. Submitted by Supervisors Nelson, Ripp and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-221 - Award of Contract for McCarthy County Park Pedestrian Bridge. Submitted by Supervisors Nelson, Ripp and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-222 - Award of Contract for Bathroom and Shelter Roof Replacements. Submitted by Supervisors Nelson, Ripp and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-223 - Authorizing Assignment of Two Leases Involving Land at Dane county Regional Airport. Submitted by Supervisors Rusk, Bollig, McCarville, Peters and Schauer. Referred to AIRPORT, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-224 - Merging Two Part-Time Food Service Helper Positions at Consolidated Food Service. Submitted by Supervisor Miles. Referred to PERSONNEL & FINANCE.
- 2018 RES-225 - Award of Contract for Airport Sand Storage and Maintenance Building Reroofing. Submitted by Supervisors Nelson, Bollig, McCarville, Peters and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-226 - Award of Contract for Shop & Parts Room Roof Rehabilitation. Submitted by Supervisors Nelson, Ripp and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-232 - Authorizing Acceptance of an Urban Institute Grant for Data Work in Front End Justice. Submitted by Supervisor Corrigan. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.

Petitions for Zoning Reclassification. Referred by Clerk McDonell to the Zoning & Land Regulation Committee:

- | | |
|----------|---|
| Petition | 11343 - Town of Dane – Kenneth J & Eleanor D Johnson Family Trust |
| | 11344 – Town of Oregon – Greenscapes RE LLC |
| | 11345 – Town of Dane – Jean A Mulcahy Survivors Trust |
| | 11346 – Town of Cottage Grove – Joseph G Bessetti |
| | 11347 – Town of Mazomanie – Alisen E Vetter |
| | 11348 – Town of Albion – Karen A McWilliam |
| | 11349 – Town of York – Mathaire Field LLC |
| | 11350 – Town of Vermont – Tyrol Basin Corp |

2018 - 2019 COUNTY BOARD PROCEEDINGS

SEPTEMBER 12, 2018 7:00 PM SESSION

The Dane County Board of Supervisors met pursuant to statute. Chair Corrigan called the meeting to order. County Clerk McDonnell called the roll:

PRESENT:

REPORTED ABSENCE:

SPECIAL MATTERS AND ANNOUNCEMENTS

The County Board met to conduct a public hearing on the 2015 Human Services budget requests. Department representatives described their budget requests to the Board and answered questions from supervisors.

The following people spoke or registered:

Blia Thao, spoke in support.
 Chong Taua Xiong, spoke in support.
 Don Thao, spoke in support.
 See Vang, spoke in support.
 Chor Vue, spoke in support.
 Nao Yee Thao, spoke in support.
 Xee Lee, spoke in support.
 Xao Xiong Her, spoke in support.
 Chao, Yang, spoke in support.
 Bonaby Smith, spoke in support.
 Sokha Tek, spoke in support.
 Ginger Baier, Outreach Inc., Madison, spoke in support.
 Steve Starkey, Outreach, Inc., Madison, spoke in support.
 Lindsay Wallace, NAMI-Dane, Madison, spoke in support.
 Carlin Becker, NAMI-Dane, Madison, spoke in support.
 Linda Preysz, NAMI-Dane, Madison, spoke in support.
 Theodore Tardy, Madison, spoke in support of the Human Services budget.
 DeShawn Witter, Off the Square Club, spoke in support of addit'l funding for Off the Square Club.
 Mary Ann Cook, Fitchburg, spoke in support.
 Helen Kitchel, Bay Creek Neighborhood Planning & Economic Development, spoke regarding affordable housing for homeless.
 Karen Menendez-Coller, Centro Hispano, spoke in support.
 Aissa Olivarez, Community Immigration Law Center, Madison, spoke in support.
 Lia Ocasio, RISE Law Center, Madison, spoke in support.
 Dawn Berrey, Jewish Social Services of Madison, spoke in support.
 Torrie Kapp Mueller, Homeless Services Consortium, spoke in support.
 Kristin Rucinski, The Road Home - Dane County, spoke in support.
 Jim Cavanaugh, Worker Justice Wisconsin, spoke in support.
 Christopher Michaels, Porchlight, Madison, spoke in support.
 Karla Thennes, Porchlight, Madison, spoke in support.
 Esther Olson, Montrose, spoke in support.
 Margie Zutter, Madison, spoke in support of services for seniors.
 Jill McHone, Fitchburg Senior Center, spoke in support.
 Scott Strong, POS Leadership Coalition, spoke in support.
 Sharyl Kato, Rainbow Project, spoke regarding restoring/renewing project contract.
 Jeanne Erickson, Today not Tomorrow, Harambee Village, African American Breastfeeding Alliance, Madison, spoke in support.
 Alysha Clark, Recovery Coalition of Dane County, Madison, spoke and registered in support.
 Linda Ketcham, Kajsia House, spoke in support.
 Lore Vang, Kajsia House, spoke in support.
 Nancy Vue Tran, Freedom Inc., Madison, spoke in support.
 Doua Vang & Peng Her, Kajsia House, Madison, spoke in support.
 Savang Onhorm, spoke in support.
 Meng Vang, spoke in support.
 Ma Thao, spoke in support.
 Pazong Thao, spoke in support.
 Mai Zong Vue, spoke in support.

Niko Magallon, Kasjiab House/Cambodian Temple, spoke in opposition.
 Kristina Dierstorff, Safe Haven, spoke in support.
 Louis Sanner, Northeast Family Medical Center, spoke and registered in support of Hmong & Cambodian Mental Health Services.
 Dave Schueler, spoke in support.
 Shotan Gibson, Porchlight/Safehaven, spoke in support.
 Marjorie Lewis, Porchlight/Safehaven, Madison, spoke in support
 Gary Stephens, Safe Haven, spoke in support.
 Carla Williams, Off the Square Club, spoke in support of the budget.
 Todd Winstrom, Off the Square club, spoke in support of the budget and add'l funding for Off the Square Club.
 Peyton Yang, registered to speak in opposition.
 Pam Barker, Off the Square Club, registered to speak in support.
 Donna Rice, Off the Square club, spoke in support of the budget and add'l funding for Off the Square Club.
 JoAnn Wagner Novak, Northeast Medical Center, spoke in support of Kasjiab House.
 Pa Yeeb Xiong, registered support for funding for Kasjiab House.
 Nhia Chue Yang, Madison, registered in support of funding for Kasjiab House.
 Teng Vang, Madison, registered in support of funding for Kasjiab House.
 Chor Xiong, registered in support of funding for Kasjiab House.
 Chong T. Xiong, registered in support of funding for Kasjiab House.
 Ge Thao, Madison, registered in support of funding for Kasjiab House.
 Ricky Vang, Madison, registered in support of funding for Kasjiab House.
 Dia L. Vang, registered in support of funding for Kasjiab House.
 Joel Girard, Madison, registered in support.
 Fabiola Hamdan, registered in support of Dane County immigration assistance.
 Kelli Malueg, Porchlight/Safehaven, registered in support.
 Kim Sutter, Porchlight, Inc., registered in support.
 Stephan Pfister, registered in support.
 Gregory Kolaske, registered in support.
 Jonathan Vu, The Rainbow Project, Madison, registered in support.
 Robin Valley Massey, The Rainbow Project, registered in support.
 Sara Flynn, Rainbow Project, registered in opposition.
 Hannah Flanagan, Journey Mental Health.
 Brandy George-Copeland, Rainbow Project, registered in opposition.
 Gabby Booth, Women in Transition, was available for information.
 Robert Williams Jr., Madison, registered in support of add'l funding for Off the Square Club.
 Frank Hawkins, Off the Square Club, Madison, registered in support of add'l funding for Off the Square Club.
 Patricia Vyse, Off the Square Club, Madison, registered in support of add'l funding for Off the Square Club.
 Jamie Smith, Off the Square Club, Madison, registered in support of add'l funding for Off the Square Club.
 Robert Smith, Off the Square Club, Madison, registered in support of add'l funding for Off the Square Club.
 Dustin Bleibaum, Off the Square Club, Madison, registered in support of add'l funding for Off the Square Club.
 Thomas Turner, Off the Square Club, Madison, registered in support of add'l funding for Off the Square Club.
 Thomas Abbott, Off the Square Club, Madison, registered in support of add'l funding for Off the Square Club.
 Errica Braun, Off the Square Club, Madison, registered in support of add'l funding for Off the Square Club.
 Ariel Pena, registered in support of Kasjiab House.
 Dana Pellebon, Porchlight, registered in support.
 Hope Vang, registered in support of Kasjiab House.
 Shwaw Vang, registered in support of Kasjiab House.
 Maisee Thao, registered in support of Kasjiab House and supporting services for seniors.
 Song Lee, registered in support of Kasjiab House and supporting services for seniors.
 Kao, Lee, registered in support of Kasjiab House.
 Mao Vang, Sun Prairie, registered in support of Kasjiab House funding.
 Ma Yang, Madison, registered in support of Kasjiab House funding.
 Ka Lor, registered in support of Kasjiab House funding.
 Mai Vang, Sun Prairie, registered in support of Kasjiab House funding.
 Mai Vai Yang, Sun Prairie, registered in support of Kasjiab House funding.
 Blia Thao, Madison, registered in support of Kasjiab House funding.
 Xao Her, Sun Prairie, registered in support of Kasjiab House funding.

2018 - 2019 COUNTY BOARD PROCEEDINGS**SEPTEMBER 13, 2018, 7:00 P.M. SESSION**

The Dane County Board of Supervisors met pursuant to statute. Chair Corrigan called the meeting to order. County Clerk McDonnell called the roll:

PRESENT: - 33: Bollig, Chenoweth, Corrigan, Downing, Dye, Erickson, Kiefer, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ritt, Pertl, Rusk, Salov, Veldran, Wegleitner, Stubbs, Jones, Kilmer, Young, Kuhn, Eicher, Chawla, Danner, Peters, Schwellenbach, Buckingham, Knoll, Nguyen-Hilfiger And Ratcliff

REPORTED ABSENCE: - 4: Bayrd, Clausius, Ripp and Schauer

SPECIAL MATTERS AND ANNOUNCEMENTS

The County Board met to conduct a public hearing on the 2019 departmental budget requests. Department representatives described their budget requests to the Board and answered questions from supervisors.

The following people spoke or registered:

Dea Larsen Converse, Madison, spoke in support.

Roe Parker, Town of Oregon, Anderson Park Friends, Inc., spoke in support.

Vicky Selkoe, Legal Action of WI., spoke in support.

Gary Werner, Capital Region Advocacy Network for Environmental Sustainability, spoke in support of the 2019 Budget.

Kathleen Fullin, League of Women Voters of Dane County, spoke in support of the 2019 Budget.

Liz Wessel, Four Lakes Group Sierra Club, spoke in support of the 2019 Budget.

ADJOURNMENT

Moved by Supervisor Miles, seconded by Supervisor Jones, to adjourn to Thursday, September 20, 2018, at 7:00 pm or at the call of the Chair. Motion carried by a voice vote at 10:10 pm.

2018 - 2019 COUNTY BOARD PROCEEDINGS
SEPTEMBER 20, 2018, 7:00 P.M. SESSION

The Dane County Board of Supervisors met as a Committee of the Whole. Chair Corrigan called the meeting to order. County Clerk Scott McDonell called the roll:

PRESENT: Bayrd, Bollig, Chenoweth, Corrigan, Downing, Dye, Erickson, Kiefer, Kolar, Krause, Miles, McCarville, Nelson, Ripp, Ritt, Rusk, Schauer, Veldran, Wegleitner, Jones, Kilmer, Young, Kuhn, Eicher, Chawla, Danner, Peters, Buckingham, Knoll, Nguyen-Hilfiger and Ratcliff

REPORTED ABSENCE: Clausius, Levin, Pertl, Salov, Stubbs and Schwellenbach

SPECIAL MATTERS AND ANNOUNCEMENTS

The Lakes and Watershed Commission has been invited to attend and ask questions of the presenter(s). A quorum of the committee may be present, but the committee will not convene or conduct any official business.

2018 Flooding and Lake Level Management of the Yahara Chain of Lakes

ADJOURNMENT

Moved by Supervisor Chenoweth, seconded by Supervisor Erickson, to adjourn the meeting to Thursday, September 20, 2018 at 7:00 pm or at the call of the Chair. Motion carried unanimously at 7:05.

2018 - 2019 COUNTY BOARD PROCEEDINGS**SEPTEMBER 20, 2018, 7:00 PM SESSION**

The Dane County Board of Supervisors met pursuant to statute. Chair Corrigan called the meeting to order. Clerk McDonell called the roll:

PRESENT: Bayrd, Bollig, Chenoweth, Clausius, Corrigan, Downing, Dye, Erickson, Kiefer, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Pertl, Rusk, Salov, Schauer, Veldran, Wegleitner, Stubbs, Jones, Kilmer, Young, Kuhn, Eicher, Chawla, Danner, Peters, Schwellenbach, Buckingham, Knoll, Nguyen-Hilfiger and Ratcliff

REPORTED ABSENCE: Clausius, Levin, Pertl and Schwellenbach

Supervisor Eicher offered an inspirational message and led the Pledge of Allegiance.

SPECIAL MATTERS AND ANNOUNCEMENTS

Presentation and brief discussion regarding "Minding the Gap: The Housing Crisis in Dane County"

APPROVAL OF PAYMENTS

The Controller's Office has examined the following bills which have been incurred in the operation of our County Departments. Inasmuch as the claims which cover the items purchased have been found reasonable and proper, we recommend that they be allowed by the Dane County Board.

1. Crossfit Inc.-Crossfit Settlement Refund-Alliant Energy Center	\$123,611.06
2. Custom Manufacturing Inc.-Snowmobile Bridge 7 Springs Rd-Land & Water	\$12,200.00
3. Dane County Sheriff-May Process Service Fees-Child Support	\$17,575.45
4. Ewald Chevrolet Buick Llc-Park Ranger Truck-Land & Water	\$43,109.00
5. Ewald Chevrolet Buick Llc-Park Ranger Truck-Land & Water	\$43,109.00
6. Ironcore Inc.-Zixcorp Email Encryption Licenses-Information Management	\$48,891.00
7. The Sandbagger Llc-Sandbagger Unit for Flooding-Emergency Management	\$21,943.00
8. WI Dept. of Health Services-September Bed Assessment-Badger Prairie	\$20,400.00
9. WI DNR-2nd Quarter Recycling & License Fee Surcharge-Public Works	\$346,716.20
Subtotal \$677,554.71	
10. A&J Mobility-Braun Entervan II Conversion-Human Services	\$23,955.00
11. Albion, Town of-Dallman Rd Bridge Aid-Highway	\$88,886.21
12. Atmosphere Commercial Interiors-Job Center Cubicles-Human Services	\$126,613.17
13. Banner Desert Medical Center-Medical-Sheriff	\$29,242.93
14. Bruce Municipal Equipment Inc.-Equipment Repair/Parts-Airport	\$17,095.04
15. Camosy Construction-Construction East Highway Garage-Highway	\$19,738.97
16. Chemtek Inc.-Runway Rubber Remover-Airport	\$12,238.64
17. Dorschner Associates Inc.-CCB 5th Floor Improvements-Administration	\$26,520.00
18. Dorschner Associates Inc.-CCB 5th Floor Remodel-Administration	\$15,085.00
19. Ennis-Flint Inc.-Acrylic Waterborne Highway Paint-Highway	\$20,812.00
20. Enterprise Systems Group-Rgnets Support Renewal-Alliant Energy Center	\$10,902.68
21. Green County Highway-Hwy 69 Storm Damage-Highway	\$22,075.93
22. Interstate Billing Service Inc.-August Kayser Ford Services-Sheriff	\$18,498.04
23. M-B Companies Inc.-Snow Removal Vehicle-Airport	\$699,344.82
24. Motorola-Radios-District Attorney	\$28,038.15
25. Payne & Dolan Inc.-HMA Pavement CTH PQ-Highway	\$84,055.39
26. Payne & Dolan Inc.-I94 Milling-Highway	\$12,637.50
27. Payne & Dolan Inc.-US 14 Patching from Flooding-Highway	\$26,102.40
28. Reserve Account-Postage Meter Refill-Printing & Services	\$50,000.00
29. Scully Oil Company Inc.-Landfill Motor Fuel-Public Works	\$19,846.80
30. SGTS Inc.-Qtr 4 of the Preventative Maintenance Plan-Sheriff	\$13,638.87
31. Tri-County Paving-HMA Pavement CTH H & CTH Q-Highway	\$602,502.35
32. Western Culvert & Supply Inc.-Retainage Box Culvert-Highway	\$11,789.95
33. WI Dept. of Transportation-Glacial Drumlin Trail-Land & Water	\$22,752.86
Total	\$2,679,927.41

Moved by Supervisor Nelson, seconded by Supervisor Schauer, to adopt the above amended Payments. Motion carried by a voice vote.

APPROVAL OF COUNTY BOARD MINUTES

Moved by Supervisor McCarville, seconded by Supervisors Ritt, to approve the Minutes of the County Board meeting of

August 16, 2018. Motion carried by a voice vote.

CONSENT CALENDAR

All items on the consent calendar were approved on a voice vote. (The text and committee recommendations for each of the items follow.)

Sub. 1, 2018 RES-199

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

Aging and Disability Resource Center Board

Esther Olson, 957 Severson Rd, Belleville 53508 to be appointed to replace Paul Yochum. Esther is retired from the University of Wisconsin. She has years of advocacy work at the local, county, state and federal Level. Also currently chairs the AAA Legislative and Advocacy Committee. She is also a member of the local Sugar River Senior Board and a member of the Wisconsin Aging Advocacy Network. She recently was appointed to the State Aging Advocacy Council. This term will expire 09/1/19.

Airport Commission

Perry Armstrong, 8834 Offerdahl Rd, Mount Horeb 53572 to be reappointed. This term will expire 06/30/21.

Commission on Economic and Workforce Development

Alexander Law, 1481 Carver St, Apt 202, Madison 53713 to be appointed to replace Manus McDevitt as a Clean Energy representative. Mr. Law works for Wisconsin Energy Conservation Corporation as a Program Manager. He has a diverse background in residential and commercial lending, international banking, management consulting, and project and program management. He was born and raised in Germany, and will bring a unique outside perspective to the commission. In his current job as program manager for the Wisconsin Energy Conservation Corporation (WECC) he coordinates and supervises residential and commercial energy efficiency and renewable energy loan programs throughout the United States. WECC is also the program administrator for commercial PACE, which is a new commercial loan program that will likely stimulate significant economic activity throughout Wisconsin. This term will expire 06/30/21.

Bryan Foster, 506 Kopp Rd, Waunakee 53597 to be reappointed. This term will expire 06/30/21.

Patricia Schram, 3535 Anderson St, Madison 53704 to be reappointed. This term will expire 06/30/21.

Marianne Morton, 1501 Williamson St, Madison 53703 to be reappointed. This term will expire 06/30/21.

Cultural Affairs Commission

Mary Klehr, 1031 Sherman Ave, Madison 53703 to be reappointed. This term will expire 04/17/21.

Steve Morgan, 2405 Rigby Row, Madison 53726 to be reappointed. This term will expire 06/30/21.

Luis Montoto, 814 N Meadowbrook Lane, Waunakee 53597 to be reappointed. This term will expire 04/17/21.

Tracey Williams, 903 Sky Ridge Dr., Madison 53719 to be reappointed. This term will expire 06/30/21.

Marcia Miquelon, 417 Bridge St, Mazomanie 53560 to be reappointed. This term will expire 06/30/21.

Emergency Medical Services Commission

Eric Bauman, 1615 Maple St, Middleton 53562 to be reappointed. This term will expire 04/18/20.

Megan Gussick, MD, 4206 Mohawk Dr, Madison to be reappointed. This term will expire 04/18/20.

Equal Opportunity Commission

Shahanna Baldon, 5 Cheyenne Circle, Madison 53705 to be reappointed. This term will expire 01/1/21.

~~Susan Crawford, 6417 Masthead Dr, Madison 53705 to be reappointed. This term will expire 01/1/21.~~

Angel Cartagena, 2243 Woodview Ct, Apt 8, Madison to be reappointed. This term will expire 04/17/20.

Shia Fisher, 6810 Harvest Hill Rd, Madison 53717 (608-831-8121, Email: shia0fisher@gmail.com) to be appointed to replace Coleen Butler. Mr. Fisher works in IT and media consulting. He has cultural responsive training related to recognizing, embracing and respecting diversity. This term will expire 01/01/21.

Annie Weatherby-Flowers, 4809 Splint Rd, Madison 53718 (608-838-2751, Email: msfloroq@gmail.com) to be appointed to replace Bill Clingan. Ms. Weatherby-Flowers worked 17 years for the Equal Opportunities Division of the City of Madison. She has developed a thorough knowledge of local, state, and federal civil rights laws. She served as one of the agency's experts as it relates to the understanding, comprehending, and analyzing the provisions of other local state and federal EEO/AA laws. This responsibility included responding to inquiries from other agencies both locally, across the state and nationally. This term will expire 01/01/20.

Library Board

Pat Behling, 7026 Briar Lane, Sun Prairie 53590 to be reappointed. This term will expire 01/31/19.

Parks Commission

Dan Wisniewski, 6816 Aldo Leopold Way, Middleton 53562 to be reappointed. This term will expire 07/01/22.

Youth Commission

Khaddy Jarjou, 5117 Hazelcrest Dr, Madison 53704 (608-692-2350, Email: kkjarjou@madison.k12.wi.us) to be appointed to replace Sabine Westermeyer as a youth representative. Khaddy will be a Freshman in High School. She was part of student leadership for three years at Whitehorse Middle School. She also was the founder of the Making A Difference Foundation, founded in 2016 to collect and distribute books for children in need around Africa. She is apart of the PEOPLE program as well. This term will expire 04/19/20.

Marcia Morales, 730 Williamson St #214, Madison 53703 (608-320-5118, Email: mmorales@uwhealth.org) to be appointed to replace Nichelle Nichols. Marcia works for UW Health as the Safe Routes to School Program Coordinator. She graduated from UW La Crosse with a masters of public health in community health education. Her work with the Safe Routes to School program includes the implementation and evaluation of the program in K-8 schools in Dane County through a social justice and equity framework. She is also a member of the leadership core team of the Wisconsin Active Communities Alliance, a statewide group that collaborates with local and state stakeholders on strategies to create more active communities across Wisconsin. This term will expire 04/18/20.

Executive Committee recommends adoption of 2018 RES-199. Motion carried by a voice vote.

ORDINANCES

2018 OA-004

AMENDING CHAPTER 46 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING MICRO MARKET PERMIT FEE

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 46.34(6)(d)3. is amended to read as follows:

3. ~~The annual fee for the micro market permit shall be sixty dollars (\$60) for the licensing year commencing July 1, 2017, and subsequent thereto. The annual fee for the micro market permit shall be forty (\$40) for one micro market located in a building, and shall be sixty dollars (\$60) for two or more micro markets located in the same building.~~ The licensing year shall be from July 1 through the following June 30. The permit fee herein established shall be for one year or a fractional part thereof. Renewal licenses shall be obtained on or before June 30 of each year or be subject to a late filing fee of fifteen percent (15%) of the license fee. Payment of the late filing fee shall not relieve any person from any other penalties prescribed in this chapter for failure to possess or obtain a license.

[EXPLANATION: This amendment revises the micro market permit fee.]

Board of Health - Madison / Dane County and Personnel & Finance Committee recommend adoption of 2018 OA-004. Motion carried by a voice vote.

Sub 1, 2018 OA-007

AMENDING CHAPTERS 2 & 47 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING ANIMAL WASTE ON BALCONIES

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 2.06(263b) and (263c) are created to read as follows:

(263b) 47.17(5) Allowing animal to expel bodily fluids \$25.00

(263c) on elevated balcony, first offense
 47.17(5) Allowing animal to expel bodily fluids \$50.00
 on elevated balcony, second offense

ARTICLE 3. Section 47.17(5) is created to read as follows:

(5) No owner or caretaker of an animal shall permit such animal to urinate, defecate, or expel other bodily fluids onto an elevated balcony, porch or platform, if said balcony, porch or platform is located above property owned or rented by another person.

ARTICLE 4. Section 47.51(9m) is created to read as follows:

(9m) Any person who violates section 47.17(5) of this ordinance shall forfeit not less than \$25.00 nor more than \$100.00 for the first offense and not less than \$50.00 nor more than \$200.00 for each subsequent offense.

[EXPLANATION: This amendment prohibits owners and caretakers of animals from permitting said animal to urinate, defecate or expel other bodily fluids on an elevated balcony, porch or platform that is above an area owned by another.]

Public Protection & Judiciary, Board of Health for Madison / Dane County - Executive, and Personnel & Finance Committees recommend adoption of 2018 OA-007. Motion carried by a voice vote.

2018 OA-011

AMENDING CHAPTER 18 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING APPOINTMENT OF
DEPARTMENT HEADS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 18.05 (4) is amended to read as follows:

~~(4) All appointments to positions identified as department heads shall be made pursuant to the merit selection procedures set forth in this ordinance. All terms and conditions of employment shall be set forth in a written employment contract. No such appointment shall be for a term in excess of five (5) years, except that the appointment of the Corporation Counsel shall be for an indefinite term, shall not be in the civil service and shall be subject to removal by the County Executive, with County Board approval, as provided for in s. 59.42 of the Wisconsin Statutes.~~

s. 59.17(2)(br) or s. 59.42, Wis. Stats. An appointment to a position identified as a department head shall require the confirmation of the board. It is the policy of the County Board that the recruitment announcement and affirmative action provisions of sections 18.09(1)(a) and 18.09(2) shall be taken into account by the members of the board when considering appointments, along with any other criteria that the members of the board may deem relevant. All terms and conditions of employment shall be set forth in a written employment agreement.

[Explanation: This amendment requires department heads to be appointed by the county executive and confirmed by the board.]

Board of Health - Madison / Dane County, Personnel & Finance and Public Protection & Judiciary Committees recommend adoption of 2018 OA-011. Motion carried by a voice vote.

2018 OA-012

AMENDING CHAPTER 18 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING EMPLOYEE PROBATIONARY
PERIODS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 18.14(1) is amended to read as follows:

18.14 PROBATION. (1) All newly hired employees shall be on probation for a period of time as specified in the Employee Benefit Handbook. Those hired to positions allocated to the managerial/~~professional~~ salary schedule shall be on probation for one (1) year and such employees may, after serving their initial six months of employment, take accumulated vacation ~~or floating holiday credits~~ as well as receive salary step increases in accordance with section 18.25 of this chapter.

[EXPLANATION: This amendment modifies the conditions of probation for managerial employees by granting them the ability to use floating holiday credits upon hire.]

Personnel & Finance Committee recommends adoption of 2018 OA-012. Motion carried by a voice vote.

AWARD OF CONTRACTS

2018 RES-193

AWARD OF CONTRACT FOR INMATE LAUNDRY AND LINEN SERVICE

The Sheriff's Office provides linens and uniforms to inmates of the Dane County Jail which includes the City County Building, Public Safety Building, Ferris Center, and the Juvenile Detention Center, in order to maintain adequate levels of sanitation and prevent the spread of disease. Clothing, linens, and bedding of all inmates is laundered on a regular schedule and when tendered at inmate release and before being reissued. Laundry and linen service includes sufficient quantities of linen inventory for the Jail and the Juvenile Detention Center and provides timely pick-up, laundering, delivery, and proper infection control of facility linens and inmate clothing and bedding.

The existing contract for laundry and linen service, with Madison United Healthcare Linen Ltd., expires September 30, 2018. Dane County engaged in a competitive bid process, Bid #118063, for a vendor to provide laundry and linen service to inmates. Madison United Linen, Ltd., of 1310 West Badger Road, Madison, Wisconsin, 53713, was the successful bidder in the competitive bid process.

NOW, THEREFORE, BE IT RESOLVED that a 5-year contract is awarded to Madison United Healthcare Linen, Ltd., not to exceed the total amount of \$970,600 for inmate laundry and linen service, to begin October 1, 2018, and continue for five-years to September 30, 2023.

Annual contract cost estimates are as follows:

Year	Contract Term	Cost Estimate
Year-1	October 1, 2018 - September 30, 2019	\$ 188,400
Year-2	October 1, 2019 - September 30, 2020	\$ 191,200
Year-3	October 1, 2020 - September 30, 2021	\$ 194,100
Year-4	October 1, 2021 - September 30, 2022	\$ 197,000
Year-5	October 1, 2022 - September 30, 2023	\$ <u>199,900</u>
	TOTAL	\$ 970,600

BE IT FINALLY RESOLVED that the Dane County Executive and the Dane County Clerk are authorized to execute the contract.

Public Protection & Judiciary and Personnel & Finance Committees recommend adoption of 2018 RES-193. Motion carried by a voice vote.

RESOLUTIONS

2018 RES-136

**APPROVING AGREEMENTS AND PURCHASES SUPPORTING AN AFFORDABLE HOUSING PROJECT
5 FOR THE GORMAN GRANDFAMILY PROJECT IN THE CITY OF MADISON**

The 2017 Capital Budget included the Affordable Housing Development Fund. This fund is to be used to support affordable housing projects in Dane County. A Request for Proposals (RFP) was issued by the AHDF staff team. As a result, five projects were selected for funding. One of the projects is located at the Union Corners development at the intersection of East Washington Avenue and Milwaukee Street in the City of Madison. The project, being pursued by Gorman & Company, was selected to receive low income housing tax credits by the Wisconsin Housing and Economic Development Authority. The development will include a total of 60 housing units, of which, 56 will be set aside for households with incomes between 30 and 60% of the local median income. These units will be targeted to "grand families" meaning grandparents raising grandchildren, and "kinship families" meaning family members raising other family member's children. This project was awarded \$525,000 through the AHDF RFP process.

Since statutes do not allow the County to make a grant directly to Gorman & Company for development costs, an alternative strategy was developed to allow the County to assist the project. This strategy involves the County purchasing a portion of the building using a condominium arrangement. The County will be purchasing an underground parking garage in one of the two buildings. The County will then lease the garage back to Gorman & Company for a nominal annual fee.

The term of the debt issued to support this project will be 10 years.

THEREFORE BE IT RESOLVED that the County Board authorizes the purchase of a condominium unit to be developed by Gorman at Union Corners, and

BE IT FURTHER RESOLVED that the County Board authorizes the lease of the condominium unit to Gorman & Company, and the

County Executive and County Clerk are authorized to execute the leases;

BE IT FINALLY RESOLVED that the County Real Estate staff are authorized to execute documents necessary to purchase both the land and the condominium unit, and the Controller is authorized to make payments necessary for these purchases.

Personnel & Finance Committee recommends adoption of 2018 RES-136. Motion carried by a voice vote.

2018 RES-180

AUTHORIZING ADDENDUM B TO A PURCHASE OF SERVICES CONTRACT WITH THE TOWN OF WESTPORT

Purchase of Service Agreement #12629 was awarded to the Town of Westport for \$39,700 to provide planning and design services for a segment of the North Mendota Trail. Addendum A for \$30,000 was awarded to obtain necessary soil borings.

Dane County and the Town of Westport wish to amend the Master Agreement in order to extend the contract and for the Town to provide design drawings, specifications and bidding documents for construction of an off-road boardwalk path along CTH M from Woodland Drive to Northshore Bay Drive.

NOW, THEREFORE, BE IT RESOLVED, that Purchase of Service Agreement Addendum B be awarded to the Town of Westport in the amount of \$34,900 and to extend the contract through December 31, 2019.

BE IT FINALLY RESOLVED that the County Executive and County Clerk are hereby authorized and directed to sign the agreement on behalf of Dane County.

Park Commission, Environment, Agriculture & Natural Resources and Personnel & Finance Committees recommend adoption of 2018 RES-180. Motion carried by a voice vote.

2018 RES-184

AUTHORIZING SUPPLEMENTAL LEASE WITH USDA FARM SERVICE AGENCY AT LYMAN ANDERSON AGRICULTURE & CONSERVATION CENTER

The Land & Water Resources Department - Land Conservation Division and Dane County University of Wisconsin - Extension have been co-located for over 60 years and are currently all located at the Lyman F. Anderson Agriculture and Conservation Center.

The USDA has requested a supplemental lease to extend the existing supplemental lease at the existing rental rate of \$15.00 per square foot or \$40,305 annually through September 30, 2020 or until a new long term lease can be put in place. The new lease will also include space that is occupied by Natural Resources Conservation Service. The county and the agricultural constituencies benefit from having these agencies co-located.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the above-described supplemental lease amendment, and

BE IT FURTHER RESOLVED that the Dane County Clerk and the County Executive are hereby authorized to execute the supplemental lease amendment with the Dane County Committee of the Farm Service Agency on behalf of the County of Dane.

Environment, Agriculture & Natural Resources, Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-184. Motion carried by a voice vote.

2018 RES-186

AUTHORIZING THE PURCHASE OF LAND FOR THE ICE AGE NATIONAL SCENIC TRAIL

The Dane County Parks & Open Space Plan recommends the acquisition of lands for the Ice Age National Scenic Trail (IANST). The IANST was designated a National Scenic Trail by Congress in 1980 and is one of only eleven National Scenic Trails. The Trail corridor traverses north - south through western Dane County and follows the end moraines that mark the furthest extent of the glacial advancement. The County, along with other units of government and the Ice Age Trail Alliance (IATA) work together to acquire lands in order to make Trail connections.

A portion of the established IANST currently runs through the Town of Verona, ending at Woods Road. The City of Madison (City) has recently negotiated the acquisition of approximately 40 acres of land from Charles P. Dykman and Bonnie Dykman that provides a critical trail connection across Woods Road. The parcel is unimproved, has varied topography and contains mostly mature woodland and a small portion of tillable land. The City has plans to annex the parcel in 2019.

Acquisition of the property is a partnership between the County and the City. The purchase price has been established at \$2,000,000 which is also the appraised value of the parcel. The City will provide \$1,500,000 toward the purchase price and the County will provide the remaining \$500,000. The City will hold fee simple title to the property and will grant the County a

conservation easement. The City, the IATA and its partners will be responsible for construction and management of the trail.

Funds for the purchase are available in the Conservation Fund. The debt issued to support this expenditure will have a term of 20 years.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the expenditure of \$500,000 for the City's purchase of approximately 40 acres and subsequent conservation easement to the County, according to Wis. Stats Chapter 27.03(3); and

BE IT FURTHER RESOLVED, that the Dane County Land & Water Resources Department Director, Real Estate Coordinator, or Acquisition and Planning Specialist are authorized to administer the closing and the acceptance of the above-mentioned easement from the City and the Controller is authorized to issue checks necessary to effectuate the transaction.

Park Commission, Environment, Agriculture & Natural Resources and Personnel & Finance recommend adoption of 2018 RES-186. Motion carried by a voice vote.

2018 RES-189

AUTHORIZING BADGER RD LEASE FOR JOINING FORCES FOR FAMILIES PROGRAM DCDHS – CYF DIVISION 4

Dane County Department of Human Services is involved in a program of providing more localized services in the communities identified as needing those services most. One such program is the Joining Forces for Families (JFF) Program. The JFF program would like to rent office space in a building owned by JEK Properties located at 1125 W. Badger Rd #6, Madison. This resolution is to pay for the monthly rental payment of \$875 per month to cover costs related to occupying this space during the lease term of twelve months (10/01/18 running through 9/30/19.)

The JFF office space will be utilized by a Dane County community social worker. The total rate for the term period is \$10,500. All utilities except electricity and telephone will be paid by JEK Properties.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with JEK Properties, for 2018-2019; and

BE IT FURTHER RESOLVED that the Dane County Clerk and County Executive are hereby authorized to execute the described lease on behalf of Dane County.

Public Works & Transportation, Health and Human Need and Personnel & Finance Committees recommend adoption of 2018 RES-189. Motion carried by a voice vote.

2018 RES-190

CONTRACT CHANGE ORDER #8 TO CONTRACT FOR BIOFerm USA, Inc. FOR BIOGAS CLEANING EQUIPMENT FOR PIPELINE INJECTION (PHASE III)

The Department of Public Works, Highway and Transportation, Solid Waste, awarded a contract to BIOFerm USA, Inc. for Biogas Cleaning Equipment for Pipeline Injection (Phase III), 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) bid #316039.

The following change is requested: Change Order #8 -Increase \$22,925.00 for procuring and installing additional conduit for waste heat loop system, required to heat adjacent County buildings.

NOW, THEREFORE, BE IT RESOLVED that Change Order #8 for a total increase of \$22,925.00 be approved to the Contract for BIOFerm USA, Inc. for the above listed changes; and

BE IT FINALLY RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the change order.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-190. Motion carried by a voice vote.

2018 RES-192

ADDENDUM AGREEMENT NO. 1 FOR HAZARDOUS WASTE-CLEAN SWEEP

The Department of Public Works, Highway & Transportation awarded Contract #12803 to VEOLIA ES TECHNICAL SOLUTIONS on June 9, 2016 for Hazardous Waste, RFP # 115103.

Dane County Solid Waste has determined that \$470,000 would cover the term of the Addendum Agreement No. 1 from January 1, 2019 to December 31, 2020.

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized to sign the Addendum Agreement

No. 1; and

BE IT FINALLY RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 Res-192. Motion carried by a voice vote.

2018 RES-194

CONTRACT CHANGE ORDER #9 TO CONTRACT FOR BIOFerm USA, Inc. FOR BIOGAS CLEANING EQUIPMENT FOR PIPELINE INJECTION (PHASE III)

The Department of Public Works, Highway and Transportation, Solid Waste, awarded a contract to BIOFerm USA, Inc. for Biogas Cleaning Equipment for Pipeline Injection (Phase III), 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) bid #316039

The following change is requested: Change Order #9 - Increase \$526,369.00 for installation and commissioning of effluent neutralization system, required for discharging effluent into Madison Metropolitan Sewerage District..

NOW, THEREFORE, BE IT RESOLVED that Change Order #9 for a total increase of \$526,369.00 be approved to the Contract for BIOFerm USA, Inc. for the above listed changes; and

BE IT FINALLY RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Change Order.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-194. Motion carried by a voice vote.

ITEMS REQUIRING A TWO-THIRDS MAJORITY FOR PASSAGE

2018 RES-161

AUTHORIZING ACCEPTANCE OF GRANT FUNDS FROM THE OFFICE OF NATIONAL DRUG CONTROL POLICY, MILWAUKEE HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA), GRANT G18ML0014A

The Office of National Drug Control Policy (ONDCP) provides funding to law enforcement agencies to participate in the HIDTA Program. The HIDTA Program, created by Congress with the Anti-Drug Abuse Act of 1988, provides assistance to federal, state, local, and tribal law enforcement agencies that operate in areas determined to be critical drug-trafficking regions of the United States. This resolution authorizes acceptance of HIDTA Grant funding to reimburse the Sheriff's Office for criminal investigations involving Drug Trafficking Organizations (DTO) and Money Laundering Organizations (MLO) to reduce drug trafficking and drug production in the region.

The grant period for this funding is 1/1/2018 – 12/31/2019 (two-years) and total revenue of \$167,896, is reimbursed quarterly upon submission of approved reimbursable claims to the Milwaukee HIDTA.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is permitted to accept ONDCP funding administered by the Milwaukee HIDTA, in the amount of \$167,896; and

BE IT FURTHER RESOLVED that \$167,896 is set up as revenue in the Sheriff's Office, Field Services, Drug Enforcement HIDTA Grant Revenue (SHRFFLD 80726) account line and is credited to the General Fund; and

BE IT FURTHER RESOLVED that \$167,896 is transferred from the General Fund to the following Sheriff's Office account lines:

BE IT FINALLY RESOLVED that any grant funds not unexpended as of December 31, 2018, are carried forward until fully expended.

Overtime – HIDTA Grant	(SHRFFLD 10063)	\$32,100
Retirement Fund	(SHRFFLD 10099)	\$4,210
Social Security	(SHRFFLD 10108)	\$2,460
Workers Compensation	(SHRFFLD 10189)	\$1,230
Sub-Total	\$40,000	
Drug Enforcement HIDTA Expense	(SHRFFLD 20924)	\$127,896
TOTAL	\$167,896	

Public Protection & Judiciary and Personnel & Finance Committees recommend adoption of 2018 RES-161. Motion carried by a voice vote.

2018 RES-162

AUTHORIZING ACCEPTANCE OF TRAINING GRANT TO CONDUCT RAD-I.Q. TRAINING

The HazMat Division of the Department of Emergency Management has been awarded a training grant from Wisconsin Emergency Management (WEM) in the amount of \$6,000 to conduct training for county firefighters regarding the handling of radiological emergencies. This training will be conducted over 3-days. Day 1 will train students on radiological equipment. Day 2 will discuss radioactive materials of concern that may become a weapon. Day 3 will include exercising unknown/lost sources response while operating as part of a field monitoring team.

NOW, THEREFORE, BE IT RESOLVED that \$6,000 be set up as additional revenue in the Emergency Management, Hazardous Materials Planning Division Training Revenue Account 81812 and be credited to the General Fund and that \$6,000 be transferred from the General Fund to the Hazardous Materials Planning Division Training Expense Account 31133.

BE IT FINALLY RESOLVED that all unexpected funds and unrecognized revenues from this account be carried from the 2018 to the 2019 budget period.

Public Protection & Judiciary and Personnel & Finance Committees recommend adoption of 2018 RES-162. Motion carried by a voice vote.

2018 RES-163

AUTHORIZING ACCEPTANCE OF TRAINING GRANT TO CONDUCT ADVANCED HAZMAT IQ ABOVE AND BELOW THE LINE

The HazMat Division of the Department of Emergency Management has been awarded a training grant from Wisconsin Emergency Management (WEM) in the amount of \$6,000 to conduct training for county firefighters using strategic flow charts to safely and efficiently "size-up" a chemical/mixture assessing the physical state/hazards, initial hot zone determination needed instrumentation, and personal protective equipment requirements enabling responders to immediately go to work when they arrive on a Hazardous Materials/WMD event.

NOW, THEREFORE, BE IT RESOLVED that \$6,000 be set up as additional revenue in the Emergency Management, Hazardous Materials Planning Division Training Revenue Account 81812 and be credited to the General Fund and that \$6,000 be transferred from the General Fund to the Hazardous Materials Planning Division Training Expense Account 31133.

BE IT FINALLY RESOLVED that all unexpected funds and unrecognized revenues from this 14 account be carried from the 2018 to the 2019 budget period. 15

Public Protection & Judiciary and Personnel & Finance Committees recommend adoption of 2018 RES-162. Motion carried by a voice vote.

2018 RES-164

AUTHORIZING ACCEPTANCE OF TRAINING GRANT TO CONDUCT HAZMAT I.Q. PROPANE TRAINING

The HazMat Division of the Department of Emergency Management has been awarded a training grant from Wisconsin Emergency Management (WEM) in the amount of \$12,000 to conduct training for county firefighters regarding the handling of propane emergencies. This training will be conducted over 2-days and will discuss propane cylinder anatomy, propane tank hardware and case studies of prior propane emergencies. Day 2 of training will include accessing propane vessels, proper flare set-up, flaring liquid propane versus vapor and review of response safety guidelines.

NOW, THEREFORE, BE IT RESOLVED that \$12,000 be set up as additional revenue in the Emergency Management, Hazardous Materials Planning Division Training Revenue Account 81812 and be credited to the General Fund and that \$12,000 be transferred from the General Fund to the Hazardous Materials Planning Division Training Expense Account 31133.

BE IT FINALLY RESOLVED that all unexpected funds and unrecognized revenues from this account be carried from the 2018 to the 2019 budget period.

Public Protection & Judiciary and Personnel & Finance Committees recommend adoption of 2018 RES-162. Motion carried by a voice vote.

2018 RES-178

AUTHORIZING ACCEPTANCE OF A GRANT FROM THE WI HABITAT PARTNERSHIP FUND – WI DEPARTMENT OF NATURAL RESOURCES

Dane County Parks has secured an \$110,928 grant from the Wisconsin Department of Natural Resources - Wisconsin Habitat Partnership Fund to enhance wildlife habitat restoration on six county parkland properties.

Project areas for restoring and enhancing wildlife habitat have been identified in the Dane County Parks & Open Space Plan as Dorn Creek Wildlife Area, Falk Wells Wildlife Area, Walking Iron Wildlife Area, McCarthy County Park, Token Creek County Park and Festge County Park.

The remaining cost of the projects will be covered by Dane County Parks and a grant from the US Fish & Wildlife Service would further offset expenditures.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby accept \$110,928 from the Wisconsin Department of Natural Resources – Wisconsin Habitat Partnership Fund.

BE IT FURTHER RESOLVED that the County Board of Supervisors and the Dane County Executive hereby authorize the Parks Director, Park Property Planner, and Botanist/Naturalist to sign and submit the grant agreement, submit reimbursement claims along with necessary supporting documentation within 6 months of project completion, submit signed documents and take necessary action to undertake, direct and complete approved projects.

BE IT FINALLY RESOLVED that a new expense and revenue account LWRPKOP “Habitat Partnership Fund Grant” be established for \$110,928. These funds shall be carried forward until expended.

Park Commission, Environment, Agriculture & Natural Resources and Personnel & Finance Committees recommend adoption of 2018 RES-178. Motion carried by a voice vote.

2018 RES-185

CONTRACT CHANGE ORDERS NO. 97-111 FOR THE DANE COUNTY MEDICAL EXAMINER'S OFFICE BUILDING.

The Department of Public Works, Highway, and Transportation, awarded a contract to Camosy Inc. for the Dane County Medical Examiner's Office Building, bid#313083 (bid package B).

The following changes are requested: Change Order #97-Increase \$10,300.00 for Drywall Changes; Change Order #98-Increase \$4,071.00 for Electrical Modifications; Change Order #99-Increase \$21,870.00 for Storefront Changes; Change Order #100-Increase \$11,674.00 for Multiple Colors for MP-2; Change Order #101-Increase \$12,547.00 for Changes to Roofing at Garage; Change Order #102-Increase \$669.00 for Electrical Modifications; Change Order #103-Increase \$750.00 for Modification of Design of Chime System for Volume Control; Change Order #104-Increase \$3,144.00 for Spacesaver-Install locks; Change Order #105-Deduct \$1,489.00 for Correct Switches were not provided; Change Order #106-Deduct \$796.00 for Change Control from two valve to one; Change Order #107-Deduct \$750.00 for Humidifier not being installed; Change Order #108-Deduct \$1,050.00 for New Stainless Steel Skin On Top Of Panels Was Cheaper Than Replacement; Change Order #109-Deduct \$1,250.00 Dent In Two Stainless Steel Frames; Change Order #110-Deduct \$3,561.00 Clearstory Sill instead of Stainless Steel; Change Order #111-Deduct \$3,975.00 Dent In Metal Panels-West Side.

These change orders represent the final closeout for this project and exceed the budgeted amount. This resolution transfers funds between facilities accounts.

NOW, THEREFORE, BE IT RESOLVED that Change Orders No. 97-111 for a total increase of \$52,154; and

BE IT FURTHER RESOLVED that account CPADMIN 57809 “Medical Examiner Building” be increase by \$52,154 and that account CPFACMGT 58119 “PSB Cooling Tower” be decreased by \$52,154; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, and be directed to ensure complete performance of the Contract.

Public Works & Transportation and Personnel & Finance Committee recommend adoption of 2018 RES185. Motion carried by a voice vote.

2018 RES-188

CONTRACT CHANGE ORDERS NO. 78-80 FOR THE DANE COUNTY EAST HIGHWAY GARAGE & SALT STORAGE FACILITY

The Department of Public Works, Highway, and Transportation, awarded a contract to Camosy Inc. for the Dane County East Highway Garage & Salt Storage Facility, bid#313083 (bid package A).

The following changes and additions are requested: Change Order #78-Increase \$9,068.00 for 1Paving OT for AB shutdown as work was performed on the weekend. Change Order #79-Increase \$9,563.00 for Finance Charges-Wingra CSS Invoices as bills never got paid from May-November. Change Order #80-Increase \$31,676.00 for Upgraded Seed Mixture because the specified seed mixture failed the first time, and per contract, must maintain for the next 11 months.

These change orders represent the final closeout for this project and exceed the project budget. This resolution transfers funds within the Highway Department.

NOW, THEREFORE, BE IT RESOLVED that Change Orders No. 78-80 for a total increase of \$50,307.00 for the above listed changes; and

BE IT FURTHER RESOLVED that account HWFLTFAC 57360 "East Side Highway Garage" be increased by \$50,000, and that account HWFLTFAC 58857 "Excavator" be decreased by \$50,000, and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, and be directed to ensure complete performance of the Contract.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-188. Motion carried by a voice vote.

2018 RES-206

AMENDING DANE COUNTY PLANNING AND DEVELOPMENT DEPARTMENTS 2018 BUDGET TO TRANSFER FUNDS TO THE DANE COUNTY CLERK'S 2018 BUDGET TO FACILITATE THE COMPLETION AND EXECUTION OF THE VOTER ID EDUCATION PLAN

The 2016 election brought the lowest voter turnout in Wisconsin in 20 years, and it was the first year the photo ID law was in place statewide. The state of Wisconsin spent only approximately \$250,000 in a public awareness campaign on the photo ID law. Going into the 2018 election, it appears the burden remains on local governments to properly inform citizens of this law. The Dane County Clerk will run an advertising and outreach campaign in an effort to fill the void in the state's public information campaign. Using data from the UW-Madison voter ID study, the campaign will target the minimum 16,800 voters who were deterred from voting because of the photo ID law in Dane and Milwaukee county even though some possessed a qualifying ID. This campaign will use data to target low-income voters who are disproportionately affected by the law and wards with the lowest turnouts in 2016.

The goal of the campaign is to 1) inform voters of the ID law 2) direct voters to the statewide helpline and/or microsite where they can get assistance or a ride to obtain an ID and 3) promote a culture of voting in areas that did not turn out.

The 2018 Operating Budget includes funding for voter outreach efforts in the County Clerk's Office. The cost of anticipated outreach efforts exceed the available funds. There are unused funds in the amount of \$15,000 in the Planning and Development Department's budget from a BUILD grant project that was not completed in time. This resolution transfers these funds to the Voter Outreach line in the County Clerk's Office to facilitate the completion and execution of the Voter ID Education Plan.

NOW, THEREFORE, BE IT RESOLVED funds from the following account lines are transferred as follows:

Decrease – PDPLNDIV 30437	BUILD \$15,000
Increase – COCLKEL 22776	Voter Outreach \$15,000

Zoning & Land Regulation, Executive and Personnel & Finance Committees recommend adoption of 2018 RES-206. Motion carried by a voice vote.

2018-RES-224

MERGING TWO PART-TIME FOOD SERVICE HELPER POSITIONS AT CONSOLIDATED FOOD SERVICE

Consolidated Foods has two vacant part-time food service helper positions. In order to more efficiently deploy resources and to develop a more functional staff schedule, Consolidated Foods would merge these two part-time positions in to a single position.

Position #2970 is a 0.3 FTE Food Service Helper. Position # 1036 is a 0.55 FTE Food Service Helper. This request would add 0.3 FTE to Position # 1036. Position #1036 would become a 0.85 FTE Food Service Helper and Position #2970 would become 0.0 FTE position and be eliminated.

THEREFORE, BE IT RESOLVED that 0.3 FTE be added to position #1036 and position #2970 eliminated.

Personnel & Finance Committee recommends adoption of 2018 RES-224. Motion carried by a voice vote.

ADJOURNMENT

Moved by Supervisor Chenoweth, seconded by Supervisor Jones, to adjourn the meeting until Thursday, October 4, 2018 at 7:00 p.m. or at the call of the chair. Motion carried unanimously at 8:45 p.m. Subsequent to adjournment, Chair Corrigan referred the following matters:

2018 OA-018 - Amending Chapter 15 of the Dane County Code of Ordinances, Changing the Name of Cultural Affairs Commission to the Arts and Cultural Affairs Commission. Submitted by Supervisors Chawla, Bollig, Buckingham, Chenoweth, Danner, Eicher, Erickson, Kilmer, Kolar, Krause, Kuhn, McCarville, Nelson, Peters, Rusk, Schauer and Wegleitner. Referred to CULTURAL AFFAIRS and EXECUTIVE.

- 2018 RES-227 - Establishing a technical Work Group to Address Recent Flooding in the Yahara Chain of Lakes. Submitted by Supervisors Corrigan, Bollig, Buckingham, Chawla, Chenoweth, Danner, Downing, Dye, Eicher, Erickson, Jones, Kilmer, Kolar, McCarville, Miles, Nelson, Nguyen-Hilfiger, Peters, Ratcliff, Ripp, Ritt, Rusk, Salov, Stubbs, Veldran, Wegleitner and Young. Referred to LAKES & WATERSHED and ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES.
- 2018 RES-239 - Accepting Independent Living Innovation Grant Funds and Creating Revenue and Expense Lines DCDHS - CYF Division. Submitted by Supervisors Kuhn, Bollig, Buckingham, Danner, Kilmer, Kolar, Krause, Schauer and Wegleitner. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.
- 2018 RES-240 - Contract Change Order # 22 to Contract for Cornerstone Environmental Group for Professional Engineering Services. Submitted by Supervisors Nelson, Ratcliff and Ripp. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-242 - Authorizing an Agreement to Accept Grant Funding for Mobile Field Forces Equipment. Submitted by Supervisors Rusk, McCarville and Nguyen-Hilfiger. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-243 - Authorizing an Agreement to Accept Grant Funding for Mobile Field Force Training. Submitted by Supervisors Rusk, Bayrd, Danner, Krause, McCarville and Nguyen-Hilfiger. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-244 - Authorizing Acceptance of a Grant from US Fish & Wildlife Services. Submitted by Supervisors Ritt, Chawla, Downing and Jones. Referred to PARKS, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-245 - Awarding a Collective Bargaining Agreement to the Dane County Wisconsin Professional Police Association - Supervisory Law Enforcement Unit. Submitted by Supervisor Corrigan. Referred to PERSONNEL & FINANCE.
- 2018 RES-246 - Affirming Awards Under the 2018 Affordable Housing Development Fund. Submitted by Supervisors Danner, Bayrd, Bollig, Buckingham, Jones, Kilmer, Kolar, Krause, Miles, Peters, Ritt, Salov, Schauer and Young. Referred to PERSONNEL & FINANCE.
- 2018 RES-247 - County Executive Appointments. Submitted by Supervisor Corrigan. Referred to EXECUTIVE.

2018 - 2019 COUNTY BOARD PROCEEDINGS**OCTOBER 4, 2018, 7:00 P.M. SESSION**

The Dane County Board of Supervisors met pursuant to statute. Chair Corrigan called the meeting to order. County Clerk McDonnell called the roll:

PRESENT: Bayrd, Bollig, Chenoweth, Corrigan, Downing, Dye, Erickson, Kiefer, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Pertl, Rusk, Salov, Veldran, Wegleitner, Jones, Kilmer, Young, Kuhn, Eicher, Chawla, Danner, Peters, Buckingham, Knoll, Nguyen-Hilfiger and Ratcliff

EXCUSED ABSENCE: Clausius, Schauer, Stubbs and Schwellenbach

Supervisor Erickson offered an inspirational message and led the Pledge of Allegiance.

SPECIAL MATTERS AND ANNOUNCEMENTS

Announcements

Flower Fund Collection

APPROVAL OF PAYMENTS

The Controller's Office has examined the following bills which have been incurred in the operation of our County Departments. Inasmuch as the claims which cover the items purchased have been found reasonable and proper, we recommend that they be allowed by the Dane County Board.

1. American Signal Corporation-Electro Mechanical Outdoor Warning-Emergency Management	\$19,000.00
2. Communications Engineering Company-Polycom Camera Maintenance-Clerk of Courts	\$34,635.00
3. Conservation Demonstrations-Rainfall Simulator & Trailer-Land & Water	\$17,449.00
4. Cross Plains, Village of-CTH P Construction-Highway	\$160,374.03
5. Dane County Narcotics Task Force-2018 Lease Reimbursement-Sheriff	\$18,661.29
6. Ewalds Hartford Ford Llc-2018 Ford Fusion Hybrid Sheriff-Administration Sustainability	\$23,286.00
7. Fidar Technologies Inc.-Real Estate Vitals Software Lease-Register of Deeds	\$28,032.00
8. Finks Paving & Excavating Inc.-Road Repair Materials for Flooding-Highway	\$13,023.83
9. Highway Construction Products Llc-Steel Plate Beam Guards-Highway	\$10,626.00
10. Immix Technology Inc.-Scheduling Software Maintenance-Sheriff	\$24,629.70
11. Madison, City of-Speed Grant Reimbursement-Sheriff	\$16,610.20
12. Northwestern Stone Llc-Crushed Stone & Gravel for Flooding-Highway	\$30,708.31
13. Rtvision Inc.-Annual Time Card Subscription-Highway	\$12,000.00
14. Stanley Michelstetter Attorney-Legal Fees-Administration	\$16,618.75
15. The Nehemiah Company-1509 McKenna Blvd Rehab-Administration	\$18,440.50
16. Tri County Paving-HMA Pavement Project CTH A-Highway	\$20,259.00
17. Truck Utilities-Boss Air Compressor-Highway	\$26,360.00
18. WI Dept of Transportation-STH 69-USH 151 Project-Highway	\$52,698.68
19. Yahara Materials Inc.-Crushed Stone & Gravel-Highway	\$10,525.22
Subtotal	\$553,937.51
20. ADK Executive Search-Airport Director Recruitment-Airport	\$13,267.00
21. Deans, Daniel J-Yahara Clean Program-Land & Water	\$17,150.00
22. Decker Supply Co Inc.-Freeway Truck Message Board-Sheriff	\$10,850.00
23. Deere & Company-Mower Tractor-Airport	\$119,314.90
24. Dell Marketing Llc-100 Dell Monitors-Information Management	\$14,699.00
25. Hoffman Dairy Farms LLC-Yahara Wins Program-Land & Water	\$84,501.07
26. Lincoln Contractors Supply Inc.-Emergency Rentals for Flooding-Highway.....	\$28,170.00
27. Lincoln Contractors Supply Inc.-Emergency Rentals for Flooding-Highway	\$21,663.00
28. Proaxis Llc-Pressure Washing & Stall Restriping-Airport	\$46,550.00
Total	\$910,102.48

Moved by Supervisor Nelson, seconded by Supervisor Chenoweth, to adopt the above amended payments. Motion carried by a voice vote.

APPROVAL OF COUNTY BOARD MINUTES

Moved by Supervisor Kiefer, seconded by Supervisor Miles, to amend the minutes to delete the words "and ask questions by the presenters". Motion carried by a voice vote. Moved by Supervisor Eicher, seconded by Supervisor McCarville, that the minutes of Thursday, September 20, 2018, 7:00 pm meeting, be adopted as amended. Motion carried by a voice vote.

Moved by Supervisor Eicher, seconded by Supervisor McCarville, to approve the minutes of the County Board - Committee of the Whole meeting Thursday, September 20, 2018, at 6:00 pm. Motion carried by a voice vote.

REPORTS ON ZONING PETITIONS

PETITION 11323 - ZONING CHANGE IN THE TOWN OF DANE - ZONING ORD. AMDT. 11323

Petition by James S. Mulcahy Family Trust to change zoning from A-1EX Agriculture District to A 2 (4) Agriculture District, A-1EX Agriculture District TO A-4 Agriculture District on property located North of 6632 Hyslop Road, Section 26, Town of Dane.

Zoning & Land Regulation recommends Petition 11323 be granted and includes the condition that a certified survey map and the Condition listed below be submitted and/or recorded within 90 days and that Zoning Ord. Amdt. 11323 be adopted. Motion carried by a voice vote.

PETITION 11332 - ZONING CHANGE IN THE TOWN OF PRIMROSE - ZONING ORD. AMDT. 11332

Petition by Trever G. Otto to change zoning from A-1EX Agriculture District to RH-1 Rural Homes District on property located at 1371 STH 92, Section 11, Town of Primrose.

Zoning & Land Regulation recommends Petition 11332 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11332 be adopted. Motion carried by a voice vote.

PETITION 11333 - ZONING CHANGE IN THE TOWN OF RUTLAND - ZONING ORD. AMDT. 11333

Petition 11333 by Mark Nelson to change zoning from A-1EX Agriculture District to R-3 Residence District on property located at 3196 CTH A, Section 13, Town of Rutland.

Zoning & Land Regulation recommends Petition 11333 be granted and Zoning Ord. Amdt. 11333 be adopted. Motion carried by a voice vote.

PETITION 11334 - ZONING CHANGE IN THE TOWN OF COTTAGE GROVE - ZONING ORD. AMDT. 11334

Petition 11334 by William J. Rickerman to change zoning from RH-2 Rural Homes District to C-2 Commercial District on property located at 2760 USH 12/18, Section 32, Town of Cottage Grove.

Zoning & Land Regulation recommends Petition 11334 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11334 be adopted. Motion carried by a voice vote.

Deed Restriction:

1. A deed restriction shall be recorded with the Register of Deeds to limit the land uses on the property to the following: Single-family residence, Warehousing Service Business, and the storage/parking of commercial vehicles up to 4 business vehicles. The commercial building shall have a maximum size of 40'x40'. There shall be no signs or external lighting except for exit illumination

PETITION 11335 - ZONING CHANGE IN THE TOWN OF ROXBURY - ZONING ORD. AMDT. 11335

Petition 11335 by Jerome R. Ballweg to change zoning from A-1EX Agriculture District to RH-1 Rural Homes District, A-1EX Agriculture District TO R-1 Residence District, R-1 Residence District TO RH-2 Rural Homes District, A-1EX Agriculture District TO RH-2 Rural Homes District on property located at 8788 Katzenbuechel Road, Section 33, Town of Roxbury.

Zoning & Land Regulation recommends Petition 11335 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11335 be adopted. Motion carried by a voice vote.

PETITION 11337 - ZONING CHANGE IN THE TOWN OF COTTAGE GROVE - ZONING ORD. AMDT. 11337

Petition 11337 by Edward J. and Carol Knapton to change zoning from A-1EX Agriculture District to A-B Ag Business District on property located at 4311 Vilas Hope Road, Section 7, Town of Cottage Grove.

Zoning & Land Regulation recommends Petition 11337 be granted and Zoning Ord. Amdt. 11337 be adopted. Motion carried by a voice vote.

PETITION 11339 - ZONING CHANGE IN THE TOWN OF RUTLAND - ZONING ORD. AMDT. 11339

Petition 11339 by Edward Meachen & Francine Tompkins to change zoning from A-1EX Agriculture District to RH-2 Rural Homes District, RH-1 Rural Homes District TO RH-2 Rural Homes District, RH-1 Rural Homes District TO A-1EX Agriculture District on property located at 975 Flint Road, Section 16, Town of Rutland.

Zoning & Land Regulation recommends Petition 11339 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11339 be adopted. Motion carried by a voice vote.

Deed Restriction:

1. A deed restriction shall be recorded on parcels 0510-162-9570-0 and 0510-162-9001-0 to prohibit further residential development on the remaining A-1 Exclusive Agriculture zoned land. The housing density rights for the original farm have been exhausted.

PETITION 11340 - ZONING CHANGE IN THE TOWN OF PLEASANT SPRINGS - ZONING ORD. AMDT. 11340

Petition 11340 by Linnerud Farms LTD. Partnership to change zoning from A-1EX Agriculture District TO RH-1 Rural Homes District on property located North of 1824 Skyline Drive, Section 32, Town of Pleasant Springs.

Zoning & Land Regulation recommends Petition 11340 be granted and includes the condition that a certified survey map and the Conditions listed below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11340 be adopted. Motion carried by a voice vote.

Conditions:

1. Three development rights will remain on the original farm.
2. The certified survey map shall be approved by the Town of Pleasant Springs and shall meet specific Town conditions.

PETITION 11341 - ZONING CHANGE IN THE TOWN OF DUNKIRK - ZONING ORD. AMDT. 11341

Petition 11341 by Linda Altenburg to change zoning from A 1EX Agriculture District TO RH 1 Rural Homes District on property located at 493 Taylor Lane, Section 29, Town of Dunkirk.

Zoning & Land Regulation recommend Petition 11341 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. be adopted. Motion carried by a voice vote.

Deed Restriction:

1. A deed restriction shall be recorded on parcels 0511-291-8070-6, 0511-291-8500-5, and 0511-292-8000-9 to prohibit further residential development on the remaining A-1 Exclusive Agriculture zoned land. The housing density rights for the original farm have been exhausted.

PETITION 11342 - ZONING CHANGE IN THE TOWN OF MONTROSE - ZONING ORD. AMDT. 11342

Petition 11342 by Thomas A. Sarbacker to change zoning from A-1EX Agriculture District TO A-2 (2) Agriculture District on property located East of 1560 Range Trail, Section 3, Town of Montrose.

Zoning & Land Regulation recommend Petition 11342 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11342 be adopted. Motion carried by a voice vote.

ORDINANCES

2018 OA - 013

AMENDING CHAPTERS 2, 67, AND 68, OF THE DANE COUNTY CODE OF ORDINANCES REGARDING DANE COUNTY REGIONAL AIRPORT REGULATIONS

The Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 2.06(461n) is created to read as follows:

2.06 SCHEDULE OF DEPOSITS

Sub. Ordinance

No.	Number:	Offense:	Deposit
(461n)	67.20(3)	Leaving security door or gate open or unlocked while not in use	50.00

ARTICLE 3. Section 67.04(4) is amended to read as follows:

~~(4) Air operations area means any area of the airport that can be used for landing, takeoff or surface maneuvering of aircraft, and contiguous areas delineated for the protection of such activities.~~

~~(4) Air operations area means all areas within the airport perimeter fence used or intended to be used for the movement of~~

aircraft, including, but not limited to, runways, taxiways, ramps, and aprons.

ARTICLE 4. Section 67.04(26g) is renumbered as Section 67.04(14m).

ARTICLE 5. Section 67.04(18) is renumbered as Section 67.04(25m).

ARTICLE 6. Section 67.04(32) is renumbered as Section 67.04(18).

ARTICLE 7. Sections 67.04(26g), 67.04(26h), and 67.04(26i) are created to read as follows:

67.04(26g) Secured area means the area of the airport in which commercial aircraft operators enplane and deplane passengers, and sort and load baggage, including associated adjacent areas.

67.04(26h) Security identification display area encompasses all areas of the airport, in addition to the air operations area, the secured area, and the sterile area, in which a person is required by federal law and airport policy to at all times properly display airport approved security identification, or be under airport approved escort.

67.04(26i) Sterile area means the area of the airport where ticketed passengers gain access to gates and aircraft boarding areas after passing through an airport security checkpoint.

ARTICLE 8. Section 67.20(3) is created to read as follows:

(3) To leave open or unlocked a door or gate that provides access to the air operations area, secured area, security identification display area or sterile area when the associated doorway or gateway is not in active use for ingress or egress by an authorized user.

ARTICLE 9. Section 67.43(7) is rescinded:

~~**(7)** Unlock or leave unlocked any security gate at the airport except when actually in use.~~

ARTICLE 10. Section 67.91 is amended to read as follows:

Violation Of section:	Not less than:	Not more than:
<u>67.20(3) \$25.00</u>	<u>\$100.00</u>	
<u>(first)</u>		
<u>67.20(3)</u>	<u>\$50.00</u>	<u>\$150.00</u>
<u>(second)</u>		
<u>67.20(3)</u>	<u>\$100.00</u>	<u>\$250.00</u>
<u>(third)</u>		

ARTICLE 11. Section 68.24(3)(g) is amended to read as follows:

68.24 MINIMUM STANDARDS FOR AIRCRAFT LINE SERVICES OPERATIONS.

(3) Each line services operator shall:

(g) maintain and operate all vehicles and equipment in accordance with ~~federal, state, and local codes~~ applicable federal, state or local law, regulation, policy or rule, including written directives issued by the Director of the Airport.

[EXPLANATION: These amendments establish and clarify Chapter 67 ordinance provisions related to security doors and gates at the Dane County Regional Airport, designate the citation deposits and penalties applicable to non-compliance with the amended security regulations, create and organize certain Airport related definitions found in Chapter 67, and amend Chapter 68 provisions regarding minimum standards for the maintenance and operation of vehicles and equipment used for fueling operations at the Airport.]

Airport Commission, Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 OA-013. Motion carried by a voice vote.

2018 OA-014

AMENDING CHAPTER 80 OF THE DANE COUNTY CODE OF ORDINANCES,
PROHIBITING APPLICATION AND SALE OF COAL TAR SEALANT AND OTHER HIGH PAH PAVEMENT SEALANT

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 80.4 is amended to read as follows:

80.04 DEFINITIONS. **(1)** *Agricultural use* has the meaning set forth in sec. 14 10.01(2a).

(2) *Coal tar* is a byproduct of the process used to refine coal. *Coal tar* contains high levels of polycyclic aromatic hydrocarbons (PAHs).

(3) *Coal tar sealant product* means a material that contains coal tar, coal tar pitch, coal tar pitch volatiles, or any variation, and is for use on asphalt or concrete surface, including a driveway, playground, or parking area.

(4) *Department* shall mean the Environmental Health Division of the Public Health Department Madison and Dane County.

(35) *Fertilizer* has the meaning set forth in sec. 94.64(1)(e), Wis. Stats.

(6) ~~High PAH sealant product means any pavement sealant product that contains greater than 0.1% polycyclic aromatic hydrocarbons by weight, including, but not limited to, coal tar, coal tar pitch, coal tar pitch volatiles, tar, fuel oil, petroleum, or asphalt.~~

(47) Lawn fertilizer means any fertilizer, whether distributed by property owner, renter or commercial entity, distributed for nonagricultural use, such as for lawns, golf courses, parks and cemeteries. Lawn fertilizer does not include fertilizer products intended primarily for garden and indoor plant application.

(58) Polycyclic aromatic hydrocarbons (PAHs) are a group of organic chemicals that are present in coal tar and other products. PAHs in pavement sealants and are an environmental concern because many are known human carcinogens and they are toxic to aquatic life.

(6) ~~Sealcoat is a black liquid that is sprayed or painted on asphalt pavement in an effort to protect and beautify the asphalt. Most sealcoat products are coal tar or asphalt based.~~

ARTICLE 3. Section 80.08 is amended to read as follows:

80.08 REGULATION OF THE APPLICATION AND SALE OF ~~SEALCOAT PRODUCTS CONTAINING~~ COAL TAR AND HIGH PAH SEALANT PRODUCTS.

(1) No person shall apply any sealcoat-coal tar sealant product or high PAH sealant product within Dane County that is labeled as containing coal tar.

(2) No person shall allow a coal tar sealant product to be applied upon property in Dane County that is under that person's ownership or control.

(23) No person shall sell, offer to sell, or display for sale any sealcoat-coal tar sealant product or high PAH sealant product within Dane County that is labeled as containing coal tar.

(34) Any person who sells pavement sealcoat-sealant products shall prominently display, in the area where such pavement sealcoat-sealant products are sold, a notice that contains the following language: "The application of coal tar sealcoat-sealant products and high PAH sealant products on driveways, parking lots and all other paved surfaces in Dane County is prohibited by section 80.08 of the Dane County Code of Ordinances. Coal tar is a significant source of polycyclic aromatic hydrocarbons (PAHs), a group of organic chemicals that can be carried by stormwater and other runoff into Dane County's lakes and streams. PAHs are an environmental concern because they are toxic to aquatic life."

ARTICLE 4. Section 80.09 is amended to read as follows:

80.09 EXEMPTIONS. (1) The sale of a sealcoat-coal tar sealant product or a high PAH sealant product containing coal tar to a person who intends to apply the product on a surface that is not located within Dane County is permitted under the following conditions:

(a) The seller requires the purchaser to complete and sign a form, to be provided by the Land and Water Resources Department, that includes the purchaser's name, address, phone number, date of purchase, quantity purchased and a statement that the coal tar sealcoat product will not be applied on a surface that is located within Dane County.

(b) The seller retains the completed form for a period of not less than three (3) years from the date of sale and allows the inspection and copying of the form by Dane County staff upon request.

(2) The Department after consultation with the Director of the Land and Water Resources Department may exempt a person from the requirements of section 80.08 if the person is conducting bona fide research concerning the effects of a coal tar sealant product or high PAH sealant product on the environment and the use of the coal tar product is required for said research.

ARTICLE 5. Section 80.10 is amended to read as follows:

80.10 ENFORCEMENT. (1) Violations of this ordinance will be enforced by the Environmental Health Section of the Public Health Division of the Department of Human Services, or any successor organization Department.

(2) Any violation of this ordinance may be enforced by injunctive order at the suit of the county corporation counsel.

(3) Each day that a violation of this chapter is permitted to exist shall constitute a separate offense.

ARTICLE 6. Section 80.11 is amended to read as follows:

80.11 PENALTY (1) Any person who violates section 80.05 in the application of fertilizer at his or her residence shall be subject to a forfeiture of \$25 per violation.

(2) Any person who violates section 80.08(1) by applying a coal tar sealant product or high PAH sealant product at his or her residence to property under that person's ownership or control shall be subject to a forfeiture of \$25 per violation.

(3) Any commercial fertilizer applicator, residential or commercial developer, industrial or commercial owner, or other person who violates section 80.05, and any person who violates section 80.07, shall be subject to a forfeiture of \$50 for the first violation within a twelve month period, \$150 for the second violation within a twelve month period, and \$300 for the third and each subsequent violation within a twelve month period.

(4) Any commercial sealcoat-sealant product applicator, residential or commercial developer, industrial or commercial owner, or any other person, other than a person identified under sub. (2) above, who violates section 80.08, shall be subject to a forfeiture of \$500 for the first violation within a twelve month period, \$1000 for the second violation within a twelve month period, and \$2000 for the third and each subsequent violation within a twelve month period.

(5) If a coal tar sealant product or high PAH sealant product is applied in violation of s.80.08, each day the product remains on the property shall constitute a separate offense until the product is removed and disposed of in a manner approved by the department

(6) Any person who applies, sells, offers to sell or displays for sale any sealcoat product within Dane County that is labeled as containing coal tar is presumed to have applied, sold, offered to sell or displayed the product in violation of this section who sells, offer to sell, or display for sale any sealant product in violation of s.80.08(3) or (4) shall be subject to a forfeiture of \$500.

[EXPLANATION: This amendment prohibits the application of sealant products containing coal tar or high PAH]

Lakes & Watershed Commission, Environment, Agriculture & Natural Resources and Personnel & Finance Committees recommend adoption of 2018 OA-014. Motion carried by a voice vote.

AWARD OF CONTRACTS

2018 RES-220

AWARD OF CONTRACT FOR RESTROOM EXPANSION

The Department of Public Works, Highway and Transportation reports the receipt of bids for Restroom Expansion Dane County Job Center 1819 Aberg Ave bid # 318026.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

Dorschner Associates, Inc.
849 East Washington Ave Suite 112
Madison, WI 53703

Total: \$32,945.00

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to Dorschner Associates, Inc.

There are sufficient funds available for this project.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Dorschner Associates, Inc. in the amount of \$32,945.00; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-220. Motion carried by a voice vote.

2018 RES-221

AWARD OF CONTRACT FOR: McCarthy County Park Pedestrian Bridge

The Department of Public Works, Highway and Transportation reports the receipt of bids for McCarthy County Park Pedestrian Bridge, 4841 County Highway TT, bid #318020.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

Custom Manufacturing, Inc.
606 Delco Drive
Clinton, WI 53525

Total: \$45,400.00

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to Custom Manufacturing, Inc.

There are sufficient funds available for this project. The term of the borrowing to support the project will be ten years.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Custom Manufacturing, Inc. in the amount of \$45,400.00; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete

performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-221. Motion carried by a voice vote.

2018 RES-222

AWARD OF CONTRACT FOR BATHROOM AND SHELTER ROOF REPLACEMENTS

The Department of Public Works, Highway and Transportation reports the receipt of bids for Bathroom and Shelter Roof Replacements, Badger Prairie County Park, 6720 U.S. 151, bid #318034.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

Joe Daniels Construction Co., Inc.
919 Apple Gate Road
Madison, WI 53713

Total: \$41,800.00

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to Joe Daniels Construction Co., Inc.

There are sufficient funds available for this project. The term of the borrowing to support the project will be ten years.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Joe Daniels Construction Co., Inc. in the amount of \$41,800.00; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-222. Motion carried by a voice vote.

2018 RES-225

AWARD OF CONTRACT FOR AIRPORT SAND STORAGE AND MAINTENANCE BUILDING REROOFING

The Department of Public Works, Highway and Transportation reports the receipt of bids for Airport Sand Storage and Maintenance Building Reroofing Dane County Regional Airport 4000 International Lane bid #318012.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

Quality Roofing, Inc.
1507 Laemle Ave.
Marshfield, WI 54449

Total: \$321,986.00

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to Quality Roofing, Inc.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Quality Roofing, Inc. in the amount of \$321,986.00; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete

performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-225. Motion carried by a voice vote.

Sub. 1, 2018 RES-226

AWARD OF CONTRACT FOR SHOP & PARTS ROOM ROOF REHABILITATION

The Department of Public Works, Highway and Transportation reports the receipt of bids for Shop & Parts Room Roof Rehabilitation Fish Hatchery Highway Garage 2302 Fish Hatchery Road bid #318017.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

Quality Roofing, Inc.
1507 Laemle Ave.
Marshfield, WI 54449

Total: \$92,845.00

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to Quality Roofing, Inc.

There are sufficient funds available for this project after transferring \$56,000 from HWFLTFAC-57034. The term of the borrowing used to support this project will be 10 years.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Quality Roofing, Inc. in the amount of \$92,845.00; and

BE IT FURTHER RESOLVED that \$56,000 be transferred from HWFLTFAC-57034 Mt Horeb Building Improvements to HWFLTFAC-58871 Roof Repair; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Public Works & Transportation Committee recommends adoption of 2018 RES-226. Personnel & Finance Committee recommend adoption of Sub. 1, 2018 RES-226. Moved by Supervisor Dye, seconded by Supervisor Miles, to adopt Sub. 1, 2018 RES-226.

Question before the Board is adoption of Sub. 1, 2018 RES-226. Motion carried by a voice vote.

RESOLUTIONS

2018 RES-181

2018 URBAN WATER QUALITY GRANT AWARDS

The Dane County Urban Water Quality Grant Program was included in the 2018 County Budget to improve the quality of urban stormwater runoff entering Dane County lakes, rivers and streams, increase public awareness of urban water quality issues, and provide public education for urban stormwater quality improvement practices. The project goals are to be achieved through the construction of best management practices that will provide efficient, cost-effective treatment of urban runoff. Financial assistance is available to municipalities in the form of cost sharing.

The Land & Water Resources Department recommends a total of \$662,527 in Legacy Funds for the following five projects:

Sponsor	Project Title	Project Cost	Grant Award
City of Sun Prairie	Northwest Koshkonong Creek Regional Basin	\$3,000,000	\$100,000
Town of Middleton	Stonebrook Estates Stormwater Facilities	\$524,000	\$393,000
City of Stoughton	Industrial Park Bioswale Wet Basin Conversion	\$392,573	\$100,000
Village of Oregon	Oregon Ice Arena Stormwater Facility Rehabilitation	\$39,055	\$19,527
City of Verona	American Way Pond	\$50,000	\$25,000
City of Madison	Ultra Low Dose Alum Pilot	\$50,000	\$25,000
TOTAL			\$662,527

The grant awards are contingent on the County and project sponsor entering into a grant agreement that will specify the program requirements and applicable grant conditions for each project.

The term for the debt issued to support the project will be ten years.

NOW, THEREFORE, BE IT RESOLVED, that the 2018 Urban Water Quality Grants are approved by the Dane County Board and the Dane County Executive.

BE IT FURTHER RESOLVED, that the grant awards total \$662,527 and that the funds are currently available in the 2018 Legacy Fund.

BE IT FURTHER RESOLVED, that Land & Water Resources staff are authorized to execute documents necessary to effectuate the grant award, which may include grant agreements and management agreements.

BE IT FINALLY RESOLVED, that the Water Resources Engineering Division Manager is authorized to approve reimbursement documentation for grant projects and the Controller is authorized to issue checks necessary to effectuate the projects authorized through the grant awards.

Environment, Agriculture & Natural Resources and Personnel & Finance Committee recommends adoption of 2018 RES-181. Motion carried by a voice vote.

2018 RES-204

AUTHORIZING EXECUTION OF A PURCHASE OF SERVICES AGREEMENT FOR CONSULTING SERVICES FOR THE DANE COUNTY REGIONAL AIRPORT

Dane County issued a Request for Proposals for the provision to the Dane County Regional Airport of airport business consulting services related to air service development, rates and charges analysis, non-aeronautical revenue development, and business and financial planning. The successful proposer has since been acquired in its entirety by Landrum and Brown, Incorporated, a well-established corporation involved in international aviation consultancy, which has assumed all obligations of the proposing company. The five year Purchase of Services agreement to be awarded to Landrum and Brown, Incorporated is for on-call aviation consulting services at a maximum cost of \$80,000 during the initial year of the lease term, and thereafter as approved under the Dane County budget adopted annually by the Dane County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are authorized to execute on behalf of Dane County a Purchase of Services Agreement under the terms of which Landrum and Brown, Incorporated will provide to the Dane County Regional Airport on-call airport consulting services, as set forth above.

Airport Commission, Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-204. Motion carried by a voice vote.

Sub. 1, 2018 RES-207

AUTHORIZING EXECUTION OF LEASE FOR ADVERTISING CONCESSION AT THE DANE COUNTY REGIONAL AIRPORT

Pursuant to a Request for Proposals issued by Dane County, Lamar Airport Advertising Company has been selected as the new advertising concessionaire at the Dane County Regional Airport. Under the provisions of the Airport Advertising Concession Lease, Lamar Airport Advertising Company will provide advertising services and programs that complement the design and aesthetics of

the Dane County Regional Airport. Payments to the County under the advertising concession lease are set at the greater of 45 percent of gross receipts derived from the sale of advertising space at the Airport for digital displays, plus fifty (50) percent of gross revenues for space for static advertising displays, or a minimum annual guarantee set initially at \$175225,000. The advertising lease has an initial five-year term and provides for a five year extension if specified operational standards are met.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are authorized to execute an Airport Advertising Concession Lease under which Lamar Airport Advertising Company will operate the advertising concession at the Dane County Regional Airport, as set forth above.

Airport Commission, Public Works & Transportation and Personnel & Finance Committees recommend adoption of Sub. 1, 2018 RES-207. Motion carried by a voice vote.

2018 RES-210

AGREEMENT FOR THE DESIGN OF IMPROVEMENTS INCLUDING TRAFFIC SIGNALS AT THE INTERSECTION OF CTH S AND PIONEER ROAD IN THE TOWN OF MIDDLETON

The Dane County Department of Public Works, Highway & Transportation and representatives of the Town of Middleton have determined that CTH S and Pioneer Road requires reconstruction to a signalized intersection.

Funding for the design and construction of the project is to be accomplished in accordance with past policies of cost sharing on similar CTH projects.

The department has funds available in account HWCONCAP-57259 to cover the design costs. The County's maximum share is \$11,000.

NOW THEREFORE BE IT RESOLVED that the County Executive and the County Clerk be authorized and directed to execute this cost sharing agreement on behalf of Dane County, with the Town of Middleton.

BE IT FINALLY RESOLVED that any unexpended funds as of December 31, 2018, in the above mentioned accounts be carried forward to 2019 .

Public Works & Transportation and Personnel & Finance recommend adoption of 2018 RES-210. Motion carried by a voice vote.

2018 RES-214

DANE COUNTY CONSERVATION FUND GRANT AWARD TO GROUNDSWELL CONSERVANCY (PASLEY)

Groundswell Conservancy has applied to the Dane County Conservation Fund Grant Program for financial assistance to purchase approximately 35.65 acres in the City of Fitchburg. The parcel is part of the South Waubesa Wetlands Natural Resource Area and is part of the Swan Creek wetlands system that drains into the Waubesa Wetlands State Natural Area.

The property contains a small portion of uplands, farmland and wetland. It is directly across the street from the new 600-acre Northeast Neighborhood development.

Groundswell plans to partner with Neighborhood Food Solutions (NFS) in order to establish a local farm on the approximately 12.4 acres of farmland that would integrate farming, education and conservation. NFS plans to incorporate an agricultural education program for children and an agricultural training program for those returning from incarceration.

Approximately 19.5 acres of the property are sedge meadow with upland edges containing prairie restoration and oak woodlands. The wetland is considered to be in very good ecological condition and will provide wildlife habitat and ensure the wetlands remain intact and help provide water quality benefits for Waubesa Wetlands State Natural Area.

The project costs for the acquisition total \$345,520. The Dane County Park Commission recommends up to \$182,960 in County matching funds. The remainder of the acquisition costs will be provided by funds from the Department of Natural Resources' Knowles Nelson Stewardship Grant Program, a donation from the landowner and funds from Groundswell 27 Conservancy.

The term of the debt issued to support this expenditure will be 20 years.

NOW, THEREFORE, BE IT RESOLVED, that a grant of \$182,960 to Groundswell Conservancy is approved by the Dane County Board and the Dane County Executive and that the County will pay up to the grant amount based on actual project expenses.

BE IT FURTHER RESOLVED, that the Dane County Clerk and Dane County Executive are authorized to execute documents necessary to effectuate the grant award, which may include grant agreements, management agreements, and the acceptance of an easement that will vest in Dane County according to Wisc. Stats. 27.05(3), and that the land interests be managed under the jurisdiction of the Dane County Park Commission.

BE IT FINALLY RESOLVED, that the Dane County Land & Water Resources Director, Real Estate Coordinator, and Acquisition and Planning Specialist are authorized to approve closing and reimbursement documentation for grant projects and the transfer of an easement to Dane County and the Controller is authorized to issue checks necessary to effectuate the transactions authorized through the grant award.

Park Commission, Environment, Agriculture & Natural Resources and Personnel & Finance Committees recommend adoption of 2018 RES-214. Motion carried by a voice vote.

2018 RES-218

CONTRACT CHANGE ORDER #4 TO CONTRACT FOR TRC ENVIRONMENTAL CORPORATION FOR CONSTRUCTION QUALITY REPRESENTATIVE.

The Department of Public Works, Highway and Transportation, Solid Waste, awarded a contract to TRC Environmental Corporation for Construction Quality Assurance, 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) RFP #317053.

The following change is requested: Change Order #4 – Increase \$41,469.75 as additional work and services beyond the original contract is needed. Required for additional CQA services, materials testing, and report generation for activities related to capping additional areas of the landfill.

NOW, THEREFORE, BE IT RESOLVED that Change Order #4 for a maximum total increase of \$41,469.75 be approved to the Contract for TRC Environmental Corporation for the above listed changes; and

BE IT FINALLY RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract.

2018 RES-219

CONTRACT CHANGE ORDER #1 TO CONTRACT FOR PAYNE & DOLAN, INC. FOR CAPITAL CITY PAVEMENT RESTORATION

The Department of Public Works, Highway and Transportation awarded a contract to Payne & Dolan, Inc. for Capital City Pavement Restoration, 3101 Lake Farm Rd, Madison, WI, Bid#318002.

The following change is requested: Change Order #1-Increase \$26,000.00 for Emergency trail repairs at Longford Terrace due to flood event.

NOW, THEREFORE, BE IT RESOLVED that Change Order #1 for a total increase of \$26,000.00 be approved to the Contract for Payne & Dolan, Inc. for the above listed changes.

Public Works & Transportation and Personnel & Finance recommend adoption of 2018 RES-219. Motion carried by a voice vote.

2018 RES-223

AUTHORIZING ASSIGNMENT OF TWO LEASES INVOLVING LAND AT DANE COUNTY REGIONAL AIRPORT

Amended and Restated Lease C, Ground Lease No. DCRA 2016-13

Amended and Restated Lease D, Ground Lease No. DCRA 2016-14

Under two leases, Amended and Restated Lease C, Ground Lease No. DCRA 2016-13 effective November 6, 2012, and Amended and Restated Lease D, Ground Lease No. DCRA 2016-14 effective November 6, 2012, Corben Land Development, LLC leases from Dane County approximately 3.54 acres of land on Pankratz Street in Truax Air Park West, adjacent to the Dane County Regional Airport. Corben Land Development, LLC has requested that Dane County approve the assignment of the foregoing leases to Pankratz Building Land, LLC. Contingent upon approval of the requested assignments, it is the intent of Pankratz Building Land, LLC to construct an office building, a parking lot, and associated improvements on the leased premises. Upon assignment of the leases, other than the identity of the lessee, the terms and conditions set forth therein shall remain unchanged.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are authorized to execute on behalf of Dane County an Approval of Lease Assignment approving the assignment of Amended and Restated Lease C, Ground Lease No. DCRA 2016-13, and Amended and Restated Lease D, Ground Lease No. DCRA 2016-14, as set forth above.

Airport Commission, Public Works & Transportation and Personnel & Finance Committees recommend adoption of 018 RES-223. Motion carried by a voice vote.

2018 RES-240

CONTRACT CHANGE ORDER #22 TO CONTRACT FOR CORNERSTONE ENVIRONMENTAL GROUP FOR PROFESSIONAL ENGINEERING SERVICES

The Department of Public Works, Highway and Transportation, Solid Waste, awarded a contract to Cornerstone Environmental Group for Professional Engineering Services, 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) Bid #317025.

The following change is requested: Change Order #22 - Increase \$68,000.00 for continued construction assistance.

NOW, THEREFORE, BE IT RESOLVED that Change Order #22 for a total increase of \$68,000.00 be approved to the Contract for Cornerstone Environmental Group for the above listed changes; and

BE IT FINALLY RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract.

2018 RES-245

AWARDING A COLLECTIVE BARGAINING AGREEMENT TO THE DANE COUNTY WISCONSIN PROFESSIONAL POLICE ASSOCIATION-SUPERVISORY LAW ENFORCEMENT UNIT

The County has reached a tentative agreement with the Dane County WPPA Supervisory Law Enforcement Unit on a successor agreement that will run through December 8, 2018. The current agreement expired on December 9, 2017. The County employs approximately 46 full time equivalent employees in this bargaining unit.

The agreed upon principle economic items include a wage increase, modifications to Undesirable hours pay, increases to the vacation and sick leave banks, and modifications to the educational incentive pay. The wage increase and other economic items agreed to are within the County's budgetary constraints. All negotiated changes are highlighted in the attached summary.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors approves the terms and conditions of a successor agreement between Dane County and the Dane County Wisconsin Professional Police Association-Supervisory Law Enforcement Unit for the period of December 10, 2017 through December 8, 2018, with the attached negotiated changes; and

BE IT FINALLY RESOLVED that County officials take appropriate action to implement this resolution.

Personnel & Finance Committee recommends adoption of 201 RES-245. Moved by Supervisor Rusk, seconded by Supervisor Ritt to amend that the Resolution be amended to delete "Dane County Deputy Sheriff's Association" and insert "Dane County Wisconsin Professional Police Association Supervisory Law Enforcement Unit". Motion carried by a voice vote.

Question before the Board is adoption of 2018 RES-245 as amended. Motion carried by a voice vote.

2018 RES-246

AFFIRMING AWARDS UNDER THE 2018 AFFORDABLE HOUSING DEVELOPMENT FUND

Dane County plans to award funding to seven projects from the 2018 Affordable Housing Development Fund. The fund had \$3,173,508 to award through a request for proposal process in 2018. Responses to the RFP included over \$6.3 million in requested funding. Review of the responses resulted in the following awards of funding:

A. \$403,200 to Stone House Development to partially fund an 80-unit building comprised of 1, 2 and 3 bedrooms at 134 South Fair Oaks in the City of Madison. Sixty eight units will be affordable at the 30-60% DCMI levels with 12 available at market rate. Moderate to low income Veterans are the target market. Eight Section 8 Vouchers have been issued for this development. In addition to the usual sources of financing, this project will seek TIF money from the City of Madison. The Road Home will provide supportive services.

B. \$300,000 to the Gorman Company for the project on Main Street in Sun Prairie. 46 of the 55 1,2 & 3 bedroom apartments will be available at 60% of the DCMI with the remaining 9 at market rate. Eight Section 8 Vouchers have been issued for this development. Vets and Moderate to low income persons will be targeted. Funding will come from the usual sources with the addition of CDBG funds. Supportive services will come from JFF and Greenpath.

C. \$1,043,963 to support the "Valor" development by Gorman. This 59-unit development will be constructed on County-owned property on East Washington Avenue in the City of Madison. Of the 59 2 and 3 bedroom units, There will be 50-units available at 30-60% of the DCMI and 9 available at market rate. Vets are the target market. Dry Hootch (located in the building) and Lutheran Social Services will be providing supportive services. This project will be supported by a no-cost ground lease of the site by the County. Other sources of proposed funding are the City of Madison, WHEDA tax credits, and a FHLB grant .

D. \$591,346 to MSP for a 112-unit development with 1,2 and 3 bedrooms on Cottage Grove Road in the City of Madison. Ninety-five of the units will be targeting persons earning 30-60% of the DCMI with the remaining 17-units available at market rates. Other

proposed sources of funding are the City of Madison, private financing, FHLB, and WHEDA. CAC, MUM and Porchlight will be providing supportive services.

E. \$403,513 to CommonBond to partially fund the 54-unit building on Tree Lane in the City of Madison. The building contains 1 and 2-units and is targeted toward seniors and vets with 51 units available at 60% or less of the DCMI and 3 units at market rate. This project has funding from the Madison Community Foundation, the City of Madison and the WEDC Brownfields Remediation Fund as well the usual funding sources. Supportive services to residents will be provided by CommonBond Advantage Services (an in house program from CommonBond).

F. \$34,352 to the partnership of Mirus & Movin' Out to partially fund a 70-unit development on Acewood Blvd. in the City of Madison. The target market will be vets and developmentally disabled persons and other persons with income at or below 60% of the DCMI. The development will have 1, 2 and 3 bedroom units, with 59 offered to persons with incomes of 30 – 60% of the Dane County Median Income (DCMI) and 11 units at market rate. Eight units will be available for persons with Section 8 Vouchers. There will be space for a commercial enterprise on the first floor. Other proposed sources of funding are the City of Madison, FHLB, and WHEDA. Supportive services will be available from Tenant Success Services (in-house program from Movin' Out) and other providers as needed by tenants.

G. \$397,134 to J.T. Klein to partially fund the 73-unit building in Fitchburg (2556 Fish Hatchery Road) targeting 55 and older persons. The units will be 100% affordable with 15 units targeting those with up to 30% of the DCMI; 13 units reserved for those making up to 60% of the DCMI and 45 units reserved for those individuals earning up to 80% of the DCMI. Of the total units, 15 will be reserved for vets or those with permanent disabilities. Supportive services will be available from CAC. Sources of other financing are from the usual providers.

Resolutions specific to each individual project will be forwarded to the County Board to approve purchases, leases and other documents related to the financing structure of each individual project.

THEREFORE BE IT RESOLVED that the County Board affirms the awards for the 2018 Affordable Housing Development fund.

Personnel & Finance Committee recommends adoption of 2018 RES-246. Motion carried by a voice vote.

2018 RES-227

ESTABLISHING A TECHNICAL WORK GROUP TO ADDRESS RECENT FLOODING IN THE YAHARA CHAIN OF LAKES

Climate change is increasing the frequency of wetter conditions, more severe storms and threats to public health, safety and public and private property. This summer storms have caused dramatic and unprecedented flooding damage across the County including historic high water levels on the Yahara Chain of Lakes and severe flooding in Madison's Isthmus, resulting in financial damages exceeding \$78,287,645 to residents and \$37,114,219 to businesses with approximately only 2% of those damages insured.

Lake levels for the Yahara Chain of Lakes (Mendota, Monona, Waubesa, Kegonsa) are managed by Dane County in accordance with Wisconsin Department of Natural Resources lake level orders developed in 1979.

Similar to flood events of 1993, 2000, and 2008, the events of 2018 call the questions of:

1. How to manage our lakes and reduce flooding with ever increasing volumes of water, mostly attributed to climate change and urban development;
2. How to improve the volume of water leaving the Yahara River system, a chain of impounded lakes connected by low gradient (relatively flat) river with obstructions by 31 bridges and railroad crossings, aquatic plants and sediment deposits; and
3. How to reduce stormwater runoff volumes through increased stormwater infiltration and better management of stormwater on impervious surfaces.

These questions must be asked within the larger context of the powers of the Wisconsin Department of Natural Resources (WI DNR) "to promote safety, and to protect life, health, property, property values, and economic values" and to "regulate and control the level and flow of water in all navigable waters..." (Chapter 31.02 Wis Stats).

NOW, THEREFORE BE IT RESOLVED, that the Land & Water Resources Department shall immediately convene a technical work group that may include representation from the University of Wisconsin and other experts to evaluate lake level conditions, model various scenarios that include predicted climate changes, identify short- and long-term approaches to improve resiliency for future events by February 1, 2019.

BE IT FUTHER RESOLVED, that the Lakes and Watershed Commission in cooperation with the Environment Agriculture and Natural Resources Committee shall convene a task force to review the findings of the technical work group and make policy recommendations prior to March 31, 2019.

BE IT FURTHER RESOLVED, that the task force shall comply with the meeting requirements set forth in Chapter 7 of the Dane County Code of Ordinances.

BE IT FURTHER RESOLVED, that Dane County will continue to prioritize the aggressive harvesting of aquatic plants, including native species, in the Yahara River to improve water flow through the system.

BE IT FURTHER RESOLVED, that, consistent with the Lake Level Management Guide that calls for attaining minimums in the fall and winter, Dane County will continue to implement any tools that may be available to lower lake levels to DNR designated minimum levels as soon as possible and work to maintain lakes at that level until the County Board acts on recommendations from the task force.

Lakes & Watershed Commission and Environment, Agriculture & Natural Resources Committee recommend adoption of 2018 RES-227.

Moved by Supervisor Wegleitner, seconded by Supervisor Chenoweth, to amend the Resolution to Insert "Be it Further Resolved, that the technical work group and task force shall comply with the meeting requirements set forth in Chapter 7 of the Dane County Code or Ordinances".

Substitute motion by Supervisor Corrigan, seconded by Supervisor Levin that the Resolution be amended to amend lines 28-34 to add the word "may" before "includes" and change "includes" to "include" and to change the word "recommendations" to "approaches" and to delete everything after the word "events". The motion carried by a voice vote.

Moved by Supervisor Downing, seconded by Supervisor Kiefer, that the Resolution be amended to read at lines 36-39 "BE IT FURTHER RESOLVED, that the technical work group shall issue its finding by November 30, 2018 and" and delete "convene a task force to" and delete "prior to March 31, 2019" and add by December 31, 2018".

A second motion was made by Downing, seconded by Kiefer to reinstate the words "convene a task force to" to the motion. Motion passed by a voice vote.

Question before the Board is the adoption of the original Resolution. Roll call requested.

AYES: 3 - Downing, Kiefer and Wegleitner

NOES: 30 - Bayrd, Bollig, Chenoweth, Corrigan, Dye, Erickson, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Pertl, Rusk, Salov, Veldran, Jones, Kilmer, Young, Kuhn, Eicher, Chawla, Danner, Peters, Buckingham, Knoll, Nguyen-Hilfiger and Ratcliff

EXCUSED: 4 - Clausius, Schauer, Stubbs and Schwellenbach

Moved by Supervisor Downing, seconded by Supervisor Kiefer, that the Resolution on line 28 to delete "Land 7 Water Resources Department" and substitute "Environment, Agriculture & Natural Resources Committee". The motion failed by the following vote:

AYES: 4 - Downing, Kiefer, Veldran and Wegleitner

NOES: 29 - Bayrd, Bollig, Chenoweth, Corrigan, Dye, Erickson, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Pertl, Rusk, Salov, Jones, Kilmer, Young, Kuhn, Eicher, Chawla, Danner, Peters, Buckingham, Knoll, Nguyen-Hilfiger and Ratcliff.

EXCUSED: 4 - Clausius, Schauer, Stubbs and Schwellenbach

Moved by Supervisor Downing, seconded by Supervisor Kiefer, that the Resolution be amended to add at line 35 "The Environment, Agriculture and Natural Resources Committee may make additional appointments to the technical work group" . The motion failed by a voice vote.

Moved by Supervisor Ritt, seconded by Supervisor Corrigan, that the Resolution be amended to add "by February 1, 2019" on line 32 after the word "events". The motion carried by a voice vote.

Moved by Supervisor Veldran, seconded by Supervisor Corrigan, that the Resolution be amended on line 39 to read "Be it further resolved, that the task force shall comply with the meeting requirements set forth in Chapter 7 of the Dane County Code of Ordinances". The motion carried by a voice vote.

A motion was made that the Resolution be adopted as amended. The motion carried by a voice vote.

APPOINTMENTS

Sub. 1, 2018 RES-247

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

Airport Commission

~~Jason Ilstrup, 4026 Council Crest, Madison 53711 (Ph: 608-512-1330, email: jilstrup@downtownmadison.org) to be appointed to replace Perry Armstrong. Jason was referred to the commission by Kim Jones and is the President of Downtown Madison Inc. (DMI). Mr. Ilstrup has also worked as the General Manager and Director of Development at HotelRed. At HotelRed he learned the value of hospitality in creating community, how to work with differing groups to accomplish goals and how to ensure a small business succeeds in a competitive environment. He understands how important travel is to the overall economy. This term will expire 6/30/21.~~

Area Agency on Aging Board

Supervisor Melissa Ratcliff, 242 Forrester Dr, Cottage Grove, 53528 to be appointed. This term will expire 04/21/20.

Board of Health Madison and Dane County

Kim Whitmore, 2780 Blue Aster Blvd, Sun Prairie, 53590 (Ph: 414-403-2699, email: kim.whitmore@wisc.edu) to be appointed to replace Renae Sieling. Ms. Whitmore works for the University of Wisconsin – Madison School of Nursing as an Assistant Professor. She was referred by Pat Lasky. She has more than 15 years of progressive leadership experience working with communities as a home-care nurse manager, local Health Officer, Policy Section Chief and State Health Plan Officer for the Wisconsin Division of Public Health, educator and research scientist. This term will expire 4/11/20.

Civil Service Commission

Heath Straka, 2018 Uphoff Rd, Cottage Grove, 53527 to be appointed to replace Robert Selk. Mr. Straka works for Axley Brynson. In his practice he has focused exclusively on civil litigation, with varying portion of that practice being devoted to employment law. He has represented individuals and small/medium sized businesses in employment disputes in the MEOC, ERD, and Federal Court (both Eastern and Western Districts of Wisconsin). This term will expire 6/30/21.

Commission on Sensitive Crimes

Shannon Barry, P.O. Box 1761, Madison 53701 (251-1237-W), to be reappointed. This term will expire 6/30/21.

Amy Brown, Dane County District Attorney's Office, 215 S. Hamilton St, Madison, 53703 to be appointed to replace Marlys Howe. Amy is the Director of Victim Witness Services for the District Attorney's office. This term will expire 6/30/21.

Beth Freeman, Dane County Human Services Department, 1202 Northport Dr, Madison, 53704 to be appointed to replace Shari Gray-Dorn. Beth is the manager for Long Term Services in the Adult Community Services Division. This term will expire 6/30/21.

Jan Miyasaki, 2830 Stevens Street, Madison 53705 (231-1619-H, 283-6435-W), to be reappointed. This term will expire 6/30/21.

Jamie Temple, University of Wisconsin Health Services, 333 East Campus Mall, Madison, 53706 to be appointed to replace Carmen Hotvedt. This term will expire 6/30/19.

Erin Thornley Parisi, c/o the Rape Crisis Center, 2801 Coho Street, #301, Madison 53713 (251-5126-W) to be reappointed. This term will expire 6/30/21.

Lieutenant Mindy Winter, Madison Police Department, 115 W. Doty St, Madison, 53703 to be appointed to replace Lt. Matt Tye. This term will expire 6/30/21.

Emergency Medical Services Commission

Supervisor Nikole Jones, 4109 Observatory Rd, Cross Plains, 53528 to be appointed. This term will expire 04/21/20.

Equal Opportunity Commission

Samuel Katz, 1137 Erin St, Madison, 53715 to be appointed to replace Susan Crawford. Mr. Katz was referred to the commission by Shahanna Baldon. He is a self employed IT Professional with project management experience through YwebCA, a project of the YWCA. This term will expire 1/1/21.

Land Information Council

Byron Chase, 846 Woodrow St, Madison, 53711 to be reappointed. This term will expire 6/30/20.

Library Board

Supervisor Melissa Ratcliff, 242 Forrester Dr, Cottage Grove, 53528 to be appointed. This term will expire 04/21/20.

Local Emergency Planning Committee

Karen Munt, RN, BSN, CHEC, Emergency Preparedness & Safety Manager at UnityPoint Health-Meriter, 2869 Crinkle Root Dr, Fitchburg, WI 53711 to be reappointed as Hospital Representative. This term will expire 4/19/20.

Marisa Trapp, UW- Madison, 5122 Churchill Lane #7, Middleton 53562, to be reappointed as Environmental Representative. This term will expire 4/19/20.

Tim Mrowiec, Division Chief, City of Madison Fire Department to be reappointed as City of Madison Hazardous Incident Team

Representative. This term will expire 4/19/20.

Deputy Fire Chief Rich Roth, Dane County Fire Chief's Association to be reappointed as Fire Representative. This term will expire 4/19/20.

Charles Tubbs, Director of Emergency Management for Dane County to be reappointed as Community Emergency Coordinator. This term will expire 4/19/20.

Specialized Transportation Commission

Bill Carter, Business Manager, Union Cab of Madison to be appointed to replace Paul Bittorf as a member representing local specialized transportation providers. This term will expire 4/18/20.

Executive Committee recommends adoption of Sub. 1, 2018 RES-247. Motion carried by a voice vote.

ITEMS REQUIRING A TWO THIRDS MAJORITY FOR PASSAGE

2018 RES-239

ACCEPTING INDEPENDENT LIVING INNOVATION GRANT FUNDS AND CREATING REVENUE AND EXPENSE LINES
DCDHS – CYF DIVISION

The Wisconsin Department of Children and Families has awarded the DCDHS CYF Division an Independent Living Innovation Grant. The total of the grant is \$162,200, and the grant expires on December 31, 2019. The amount to be expended in CY 2018 is \$32,200. The grant was awarded to support youth in making permanent connections with supportive adults. CYF Independent Living Social Workers will assess youth readiness for new relationships, will assist youth in identifying existing relationships that can be enhanced, will complete searches for extended family and other supportive adults, will facilitate meetings between youth and potential permanent connections, and will support activities between youth and identified adults. An additional component of the Dane County Grant will be the development of partnerships with local faith-based organizations, focusing on African American and Latino organizations, for the identification of possible supportive adults for youth. CYF staff will also reach out to agencies familiar with LGBTQ youth issues for the identification of possible supportive adults for youth.

The Human Services Department requests the establishment of IL Innovation revenue and expenditure budget accounts for the new grant.

NOW, THEREFORE, BE IT RESOLVED that the following expenditure and revenue accounts be created:

Expenditure

<u>Account Number</u>	<u>Account Title</u>	<u>Amount</u>
CYFDSSCL CMIHAA (New)	IL INNOVATION	\$32,200

Revenue

<u>Account Number</u>	<u>Account Titles</u>	<u>Amount</u>
CYFSUPRT 81567 (New)	GRANTS	\$32,200

BE IT FINALLY RESOLVED that the following Revenue account be adjusted and that the revenue increase be credited to the County General Fund and transferred from the General fund to the expenditure account in the Department of Human Services and any unexpended funds be carried forward to the following year.

Health & Human Needs and Personnel & Finance recommend adoption of 2018 Res-239. Motion carried by a voice vote.

2018 RES-244

AUTHORIZING ACCEPTANCE OF A GRANT FROM US FISH & WILDLIFE SERVICE

Dane County Parks has secured a US Fish & Wildlife Service grant of \$8,900 to restore wildlife habitat on county owned land.

The required match for the projects will be native plant seed and in-kind services provided by Dane County Parks.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby accept \$8,900 from the US Fish & Wildlife Service.

BE IT FURTHER RESOLVED that the Land & Water Resources Deputy Director and the Acquisition & Planning Specialist are authorized to execute documents, including grant agreements, necessary to accept the grant funds.

BE IT FINALLY RESOLVED that revenue account LWRPKOP 80102 and expense account LWRPKOP 20265 US Fish & Wildlife Grant be increased by \$8,900. These funds shall be 19 carried forward until expended.

Park Commission, Environment, Agriculture & Natural Resources and Personnel & Finance Committees recommend

adoption of 2018 RES-244. Motion carried by a voice vote.

ADJOURNMENT

Moved by Supervisor Chenoweth, seconded by Supervisor Nelson, to adjourn until Thursday, October 17, 2018 at 7:00 pm, or at the call of the Chair. Subsequent to adjournment, Chair Corrigan made the following referrals:

- 2018 OA-019 - Amending Chapter 82, Amending the Dane County Farmland Preservation Plan. Submitted by Supervisor Kolar. Referred to ZONING & LAND REGULATION COMMITTEE.
- 2018 OA-021 - Amending Chapter 62, Regarding Medical Examiner Fees. Submitted by Supervisors Rusk and McCarville. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 OA-022 - Amending Chapter 67, Airport Terminal Rent and Landing Fees. Submitted by Supervisors Rusk, Bollig, McCarville and Peters. Referred to AIRPORT, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 OA-023 - Amending Chapter 12, Modifying Zoning Fees. Submitted by Supervisor Kolar. Referred to ZONING & LAND REGULATION and PERSONNEL & FINANCE.
- 2018 OA-024 - Amending Chapter 75, Amending Subdivision Fees. Submitted by Supervisor Kolar. Referred to ZONING & LAND REGULATION and PERSONNEL & FINANCE.
- 2018 OA-025 - Amending Chapters 2, 7 and 41, Regarding Creation of a Department of Waste and Renewables. Submitted by Supervisors Nelson, Ratcliff and Ripp. Referred to PUBLIC WORKS & TRANSPORTATION.
- 2018 RES-250 - Contract Change Order # 4 to Contract for Joe Daniels for BioGas Facility Construction. Submitted by Supervisors Nelson, Ratcliff and Ripp. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-254 - In Support of the William S. Middleton Memorial Veterans Administration Hospital and in Opposition of Privatization of Services. Submitted by Supervisors Kolar, Bayrd, Bollig, Buckingham, Danner, Dye, Erickson, Kilmer, Knoll, Krause, Kuhn, McCarville, Miles, Nelson, Pertl, Peters, Ratcliff, Ritt, Salov, Wegleitner and Young. Referred to EXECUTIVE.
- 2018 RES-258 - Authorizing Acceptance of Grant Funds to Administer Funding for DaneNet (FG-2019-DaneNet-04537). Submitted by Supervisors Rusk, Bayrd, Danner, Krause, McCarville and Nguyen-Hilfiger. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-260 - Authorizing Execution of a Scheduled Airline Operating Agreement and Terminal Building Lease with Sun Country Airlines. Submitted by Supervisors Rusk, Bollig, McCarville, and Peters. Referred to AIRPORT, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-262 - Amending Contract with Northwoods Consulting Partners, Inc. - DCDHS - CYF Division. Submitted by Supervisors Kuhn, Buckingham, Eicher, Kilmer, Veldran and Young. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.
- 2018 RES-264 - Amending Contract for PP Acquisition Company LLC dba Omnicare of Madison - DCDHS - BPHCC. Submitted by Supervisors Kuhn, Buckingham, Eicher, Kilmer, Veldran and Young. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.
- 2018 RES-268 - Confirming the Appointment of John Welch as the Director of the Department of Waste and Renewables. Submitted by Supervisors Nelson, Ratcliff and Ripp. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-269 - Change Order # 2 to Contract for Petersen Companies Inc., DBA PCI Dredging for Dorn Creek Sediment Removal. Submitted by Supervisors Nelson, Kiefer, Ratcliff and Ripp. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-270 - Authorizing Amendment of Three Leases Involving Parcels of Land at the Dane County Regional Airport. Submitted by Supervisors Rusk, Bollig, McCarville and Peters. Referred to AIRPORT, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-271 - Authorizing Amendment of Two Leases Involving Parcels of Land at the Dane County Regional Airport. Submitted by Supervisors Rusk, Bollig, McCarville and Peters. Referred to AIRPORT, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-272 - County Executive Appointments. Submitted by Supervisor Corrigan. Referred to EXECUTIVE.
- 2018 RES-273 - Authorizing Reclassification of a Clerk III Position in the Planning & Development Department to a Land Records Technician. Submitted by Supervisor Kolar. Referred to ZONING & LAND REGULATION and PERSONNEL & FINANCE.
- 2018 RES-274 - Awarding a Contract to the Hmong Institute for Community Services DCDHS Administration Division. Submitted by Supervisors Kuhn, Bayrd, Bollig, Buckingham, Chawla, Chenoweth, Corrigan, Danner, Downing, Dye, Eicher, Erickson, Jones, Kiefer, Kilmer, Knoll, Kolar, Krause, Levin, McCarville, Miles, Nelson, Nguyen-Hilfiger, Pertl, Peters, Ratcliff, Ripp, Ritt, Rusk, Salov, Veldran, Wegleitner and Young. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.
- 2018 RES-275 - Change Order # 1 to the Agreement for Mead & Hunt, Inc. for Jail Consolidation Architectural / Engineering Design at the Public Safety Building. Submitted by Supervisors Nelson, Ratcliff and Ripp. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.

2018 - 2019 COUNTY BOARD PROCEEDINGS**OCTOBER 17, 2018 7:00 P.M. SESSION**

The Dane County Board of Supervisors met pursuant to statute. Chair Corrigan called the meeting to order. County Clerk McDonnell called the roll:

PRESENT: Bayrd, Bollig, Chenoweth, Clausius, Corrigan, Downing, Dye, Erickson, Kiefer, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Rusk, Salov, Schauer, Veldran, Wegleitner, Stubbs, Jones, Kilmer, Young, Kuhn, Eicher, Chawla, Danner, Peters, Schwellenbach, Buckingham, Knoll, Nguyen-Hilfiger and Ratcliff

EXCUSED: Pertl

Pledge of Allegiance

SPECIAL MATTERS AND ANNOUNCEMENTS

The County Board met to conduct a public hearing on the 2019 departmental budget requests. Department representatives described their budget requests to the Board and answered questions from supervisors.

The following people spoke or registered:

Robyn Klaila, Safe Harbor Child Advocacy Center, spoke in support.
 Frank Rodriguez, Verona Area Schools / Latino Nation, spoke in support.
 Peng Her, Dane County, spoke in support.
 Karissa Schaper, Madison, registered and spoke in support of the Human Services budget.
 Erica Braun, Lutheran Social Services of Wisconsin / Upper Michigan, registered and spoke in support of the Human Services budget.
 Todd Winstrom, Lutheran Social Services of Wisconsin / Upper Michigan, registered and spoke in support of the Human Services budget.
 Becky Steinhoff, Goodman Anesis Mental Health Project, spoke in support.
 Clifton Davis, Goodman Anesis Mental Health Project, spoke in support.
 Grant Sovern, Community Immigration Law Center, spoke in support.
 James Tye, Clean Lakes Alliance, spoke in support.
 Peter Foy, Stoughton, spoke in support.
 Jon Becker, Madison, spoke regarding the departmental budget requests.
 Caryl Terrell, Cranes, spoke in support.
 Ann Catlett, Madison, spoke in support of Wegleitner amendments.
 Jenna Smith, Homeless Services Consortium, spoke in support.
 Victor Ponce, Homeless Services Consortium, spoke in support.
 Sherry Wallace, spoke in support.
 Sonya Worthy, spoke in support of increased capital funding ADH from \$3 million to \$6 million.
 Sharyl Kato, spoke in support of resolution to support funds for Rainbow Services Trauma Specialization.
 Scott Strong, Purchase of Service Leadership Coalition, registered and spoke in support.
 Carla Williams, Off the Square Club, registered in support of funding for Off the Square Club.
 Thomas Lee Turner, Madison, registered in support of budget funding for OTSC in Human Services budget.
 Dustin Bleibaum, Madison, registered in support of budget funding for Off the Square Club.
 Marissa Burack, Madison, registered in support of HHN OA-7.
 Gerald McDonough, Sun Prairie, registered in support of HHN OA-7.
 Conner Wild, Madison, registered in support of affordable housing expansion proposed by Wegleitner.
 Theodore Tardy, Madison, registered in support of budget funding for Off the Square Club.
 Jennifer Schultz, Dane County, registered in support of Verona Area School District / Latino Nation.

ADJOURNMENT

Moved by Supervisor Chenoweth, seconded by Supervisor Miles to adjourn the meeting until October 18, 2018 at 7:00 pm or at the call of the Chair. Motion carried unanimously at 8:12 pm.

2018 - 2019 COUNTY BOARD PROCEEDINGS**OCTOBER 18, 2018 7:00 P.M. SESSION**

The Dane County Board of Supervisors met pursuant to statute. Chair Corrigan called the meeting to order. County Clerk McDonell called the roll:

PRESENT: Bayrd, Bollig, Clausius, Corrigan, Downing, Erickson, Kiefer, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Pertl, Rusk, Salov, Schauer, Veldran, Wegleitner, Stubbs, Jones, Kilmer, Young, Kuhn, Eicher, Chawla, Peters, Schwellenbach, Buckingham, Knoll and Nguyen-Hilfiger

EXCUSED: Chenoweth, Dye, Danner and Ratcliff

Supervisor Jones offered an inspirational message and led the Pledge of Allegiance.

APPROVAL OF PAYMENTS

The Controller's Office has examined the following bills which have been incurred in the operation of our County Departments. Inasmuch as the claims which cover the items purchases have been found reasonable and proper, we recommend that they be allowed by the County Board.

1. Berntsen International INC-Reмонumentation Supplies-Planning & Development	\$11,991.00
2. Boldtronics INC-Security Cameras Installation-Alliant Energy Center	\$171,717.00
3. Contech Engineered Solutions LLC-Culvert Repair for Flooding-Highway	\$12,302.40
4. Ewalds Hartford Ford LLC-2018 Ford Transit Van-Extension	\$23,560.00
5. League of Women Voters of Dane County-Voter Outreach Digital Media-Clerk	\$10,500.00
6. Madison Gas & Electric-New Electric Service-Alliant Energy Center	\$24,000.00
7. Madison, City of-2018 Hazardous Materials Response-Emergency Management	\$39,000.00
8. Motorola-Radios and Licensing-District Attorney	\$16,822.89
9. Northwestern Stone LLC-Crushed Stone & Gravel for Flooding-Highway	\$11,194.95
10. Scully Oil Company INC-Landfill Motor Fuel-Public Works	\$21,511.05
11. Waunakee Utilities-Phase 3 Schumacher Electrical-Land & Water	\$15,594.62
12. WI Dept. of Health-October Bed Assessment-Badger Prairie	\$20,400.00
13. Yes Equipment & Services INC.-Used Loader-Alliant Energy Center	\$50,500.00
Subtotal	\$429,093.91
14. Adams Outdoor Advertising-Billboards-District Attorney	\$18,000.00
15. Advanced Building Corporation-Stone House Remodel @ Silverwood-Land & Water	\$11,731.00
16. Baker Tilly Virchow Krause-2017 Financial Audit-Administration	\$11,097.00
17. Carl F Statz & Sons INC-Polaris Ranger-Land & Water	\$23,045.66
18. Entrust Inc-Entrust Maintenance-Info Management	\$17,954.70
19. Evologic INC-Workstation PC at Landfill-Public Works	\$13,033.76
20. Interstate Billing-Kayser Repair Billing-Sheriff	\$14,519.16
21. Lewis Associates INC-Team Development Training-Highway	\$24,750.00
22. Madison, City of- Byrne Grant-Overtime Reimbursement-Sheriff	\$17,375.00
23. Madison Metropolitan School District-Drivers Ed Grant-Office for Equity & Inclusion	\$40,000.00
24. Motorola-Radio Equipment-Medical Examiner	\$38,856.78
25. Mountain Vista Medical Center-Inmate Medical-Sheriff	\$63,154.50
26. Payne & Dolan Incorporated-HMA Pavement Projects-Highway	\$175,831.00
27. Proaxis LLC-CCB Garage Floor Restoration-Administration	\$45,142.20
28. R G Huston CO INC-Sound Panel Installation-Highway	\$28,500.00
29. Reliable Government Solutions INC-ATHOC Integrated Notifications-Emergency Mgmnt	\$45,731.98
30. Reserve Account-Postage Meter Refill-Printing & Services	\$50,000.00
31. Simpson Street Free Press-Sponsored Internships-Office for Equity & Inclusion	\$15,000.00
32. Sunbelt Rentals INC-Rental Equipment for World Dairy Expo-Alliant Energy Center	\$14,028.76
33. University of Minnesota Physicians-Expert Witness Consultation-District Attorney	\$17,925.00
34. UW Board of Regents-UniverCity Year Partnership-Board	\$25,000.00
35. Verona Parks & Recreation-Matts/Jones Acquisition Grant-Land & Water	\$20,500.00
36. WI Dept. of Transportation-Final Lower Yahara Trail Construction-Land & Water	\$662,976.44
37. Windsor, Village of-Better Urban Infill Development-Planning & Development	\$12,500.00
Total	\$1,835,746.85

Moved by Supervisor Schauer, seconded by Supervisor Ritt, to adopt the above amended payments. Motion carried by a voice vote.

CLAIMS RECOMMENDED FOR DENIAL

Joseph Hilgers against Dane County regarding bike damage and injuries sustained when the bike went through hot tar in a crack.

Joan Kamholz against Dane County for a damaged tire from a metal file in the parking ramp.
 Alliant Energy against Dane County involving a damaged gas main pipe.
 Mary Ellen Murray against Highway involving an alleged highway truck failing to yield the right of way.
 Perry Firari against Highway involving alleged paint on vehicle in a road painting operation.

APPROVAL OF COUNTY BOARD MINUTES

Moved by Supervisor Eicher, seconded by Supervisor Nelson, to approve the minutes of the County Board meeting of October 4, 2018. Motion carried by a voice vote.

CONSENT CALENDAR

All items on the consent calendar were approved on a voice vote. (The text and committee recommendations for each of the items follow.)

2018 OA-008

AMENDING CHAPTER 15 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING THE COMPOSITION OF COMMISSION ON SENSITIVE CRIMES

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 15.23(1) is amended to read as follows:

15.23 COMMISSION ON SENSITIVE CRIMES. (1) The commission on sensitive crimes shall consist of ~~fourteen~~sixteen members, appointed by the county executive and approved by the county board, as follows: one citizen member of the Madison Public Safety Review Board and one member each from the Public Protection & Judiciary committee, the Health & Human Needs committee, the District Attorney's office, the Sheriff's Department, the Madison Police Department, the Department of Human Services; four representatives of providers of service to victims of sensitive crimes each representing the disciplines of domestic violence, sexual assault, child abuse/neglect and elder abuse; one representative of an organization focusing on anti-racism work; ~~two-three~~ citizens who are informed about matters relating to the commission's areas of concern; and a designee of the University of Wisconsin Chancellor. The Chair (or designee) of each of the Community Coordinated Response (CCR) teams may serve as ex-officio, non-voting members of the Commission.

[EXPLANATION: This amendment revises the composition of the Commission on Sensitive Crimes.]

Commission on Sensitive Crimes and Executive Committees recommend adoption of 2018 OA-008. Motion carried by a voice vote.

2018 RES-208

AWARD OF CONTRACT FOR SCS ENGINEERS FOR ROWE PROPERTY REMEDIATION

The Department of Public Works, Highway and Transportation reports the receipt of a cost estimate and waived the bid process for SCS Engineers for Rowe Property Remediation bid #116104.

The Contract is for the plan preparation for the Rowe Property Remediation. We must use the plan developed by SCS Engineers because of their earlier work on this site under an existing contract and because they are the only firm with intimate knowledge of the specific site needs for remediation.

The Contract is awarded to:

SCS Engineers
 2830 Dairy Drive
 Madison, WI 53718

Total: \$120,620.00

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to SCS Engineers.

There are sufficient funds available for this project. Most of the cost for this project will be reimbursed by the State PEFCA fund. The total cost to Dane County after reimbursement will be \$14,060.00.

BE IT FURTHER RESOLVED that a Contract be awarded to SCS Engineers in the amount of \$120,620.00; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-208. Motion carried by a voice vote.

ITEMS REQUIRING TWO-THIRDS MAJORITY FOR PASSAGE

2018 RES-201

AUTHORIZING ACCEPTANCE OF GRANT FUNDING FROM THE FY 2017 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM

The City of Madison and Dane County are participating in the FY 2017 Edward Byrne Memorial Justice Assistance Grant (JAG) Program which awards \$91,240 to the City of Madison; City of Madison will receive \$68,765 from the allocation of \$91,240 and Dane County will receive \$22,475 to be used as follows:

- \$10,915 for the Dane County Human Services Drug Court Treatment Program;
- \$6,100 to the Dane County Sheriff's Office for a speed board radar trailer; and
- \$5,460 for the Dane County District Attorney Crime Response Program.

Funding of \$10,915 is for the Drug Court Treatment Program and \$5,460 for the District Attorney's Crime Response Program are reflected in the 2018 Adopted Budget.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is permitted to accept the FY 2017 Justice Assistance Grant funding, administered by the City of Madison, in the amount of \$6,100; and

BE IT FURTHER RESOLVED that \$6,100 is established, as revenue in the 2018 Budget, in Sheriff's Office Support Services Division, Justice Assistance Grant Revenue Account Line (SHRFSUP 83139) and is credited to the General Fund; and

BE IT FURTHER RESOLVED that \$6,100 is transferred, in the 2018 Budget, from the General Fund to the Sheriff's Office Support Services Division, Justice Assistance Grant Expenditure Account Line (SHRFSUP 47680).

BE IT FINALLY FURTHER RESOLVED that the County of Dane has executed a Memorandum of Understanding between the City of Madison and Dane County embodying the above referenced provisions.

Public Protection & Judiciary and Personnel & Finance Committees recommends adoption of 2018 RES-201. Motion carried by a voice vote.

2018 RES-216

AUTHORIZING HIGHWAY SAFETY GRANT FUNDING FOR A SEAT BELT ENFORCEMENT PROJECT

The Department of Transportation (DOT), Bureau of Transportation Safety, State of Wisconsin, is making funds available for the Sheriff's Office to participation in a highway safety program aimed at increasing enforcement of motor vehicle seat belt use in Dane County; Grant Number FG-2019-DANE CO-04494, funding is available October 1, 2018 through September 30, 2019 to provide for a collaborative enforcement effort with the Madison Police Department to encourage seat belt use.

Consistent safety belt use by all vehicle occupants including those in rear seats is the single most effective way to protect against being ejected from a vehicle or being thrown around violently inside a vehicle during a crash. A sustained high-visibility seatbelt enforcement effort is a proven effective countermeasure in changing driver behavior and increasing seat belt use. Increasing seat belt use will save lives, prevent injuries on Dane County roadways, and positively impact health and safety of citizens in the community.

Total grant award for seat belt enforcement is \$113,400. The Sheriff's Office will administer the grant; the Madison Police Department will receive \$56,700 and the Sheriff's Office will receive \$56,700 for seat belt enforcement efforts.

NOW, THEREFORE BE IT RESOLVED that the Sheriff's Office is hereby authorized to accept \$113,400 from the Department of Transportation, Bureau of Transportation Safety, for the Seatbelt Enforcement Project; and

BE IT FURTHER RESOLVED that \$113,400 is appropriated as additional revenue in the Sheriff's Office, Field Services Rural Safety Belt Grant revenue account (SHRFFLD 80718) and is credited to the General Fund: and

BE IT FURTHER RESOLVED that \$113,400 is transferred from the General Fund to the following accounts:

BE IT FINALLY RESOLVED that all unexpended funds and unrecognized revenues from the above referenced account lines are carried forward from the 2018 budget to the 2019 budget period.

Overtime-Safety Belt	(SHRFFLD - 10061)	\$45,500
Retirement Fund	(SHRFFLD - 10099)	\$5,970
Social Security	(SHRFFLD - 10108)	\$3,480
Workers Compensation	(SHRFFLD - 10189)	\$1,750
Seat Belt Enforcement POS	(SHRFFLD - 30272)	\$56,700
Total		\$113,400

Public Protection & Judiciary and Personnel & Finance Committees recommend adoption of 2018 RES-216. Motion carried by a voice vote.

2018 RES-232

AUTHORIZING ACCEPTANCE OF AN URBAN INSTITUTE GRANT FOR DATA WORK IN FRONT END JUSTICE

The Dane County Criminal Justice Council Innovation and Research Team has been awarded a \$20,000 grant from The Urban Institute on behalf of the John D. and Catherine T. MacArthur Foundation, as part of the Innovation Fund and Safety and Justice Challenge. In 2017, The MacArthur Foundation funded the Dane County Community Restorative Court in 2017, and this effort will compliment the previous work completed.

The Safety and Justice Challenge is a national initiative designed to reduce incarceration by changing the way America thinks about and uses jails. Dane County and other selected jurisdictions will design and test innovative local justice reforms designed to safely reduce jail usage and reduce racial and ethnic disparities in their local justice systems.

Dane County has been selected to receive a capstone grant in the amount of \$20,000 in order to pilot and validate code to develop a data model for front end justice (arrest through pretrial). The data work will occur from October 2018 through September 31, 2019. Upon completion of the data model and validation, the Criminal Justice Council of Dane County Innovation and Research Team will be able to more accurately give stakeholders information around potential impact of policy and/or procedural changes in front end justice. Policy questions around race, gender, age and statute violations will be easier to ascertain upon completion.

The data model may then potentially impact future expansion of current programs or policies, which may include: the Dane County Community Restorative Court, the PSA (Pretrial Services), Dane County , Criminal Justice Council-Racial Disparities Sub committee and the Dane County Criminal Justice Council-Pretrial Services Committee. Additionally, it will be helpful with the National League of Cities initiative, "Cities reducing Jail Population" and work with the City of Madison.

NOW, THEREFORE BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby accept the grant award from the Urban Institute for \$20,000.

BE IT FINALLY RESOLVED that a new revenue account COBOARD (NEW)- Criminal Justice Innovation Grant shall be established under the County Board of Supervisors budget for \$20,000 and that the following expenditure accounts be established and these funds be carried forward until expended:

COBOARD (NEW)	Innovation Grant LTE	\$11,261
COBOARD	Social Security	\$864
COBOARD (NEW)	Innovation Grant Expenditures	\$7,875

Public Protection & Judiciary, Executive and Personnel & Finance Committees recommend adoption of 2018 RES-232. Motion carried by a voice vote.

2018 RES-242

AUTHORIZING AN AGREEMENT TO ACCEPT GRANT FUNDING FOR MOBILE FIELD FORCES EQUIPMENT

The State of Wisconsin, Department of Military Affairs (DMA), Division of Emergency Management (WEM) is providing grant funding, in the amount of \$10,396, for the purchase of emergency police service, mobile field forces equipment, WEM Grant Number 2018-MFF-01-11205; funding is available September 1, 2018 through December 31, 2018.

Grant funding will provide for the purchase of personal protection equipment for Crowd Control Teams that respond to events of civil unrest in Wisconsin. Allowable equipment purchases under the grant include riot helmets with face shields, hard shell knee protection, batons, riot gloves, hard shell upper body protection, thigh and groin protection, safety glasses, crowd control shields, and gear bags; equipment will provide impact protection not ballistic protection.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is authorized to accept \$10,396 from WEM, DMA, for the purchase of emergency police service/mobile field forces equipment; and

BE IT FURTHER RESOLVED that \$10,396 is appropriated as additional revenue in account line Sheriff's Office, Field Services Division, WEM Grant Equipment (SHRFFLD NEW) and is credited to the General Fund; and

BE IT FURTHER RESOLVED that \$10,396 is transferred from the General Fund to operating account line Sheriff's Office, Field Services Division, WEM Grant Equipment (SHRFFLD NEW).

BE IT FINALLY RESOLVED that all unexpended funds and unrecognized revenues from this grant award are carried forward from the 2018 budget period to the 2019 budget period.

Public Protection & Judiciary and Personnel & Finance Committees recommend adoption of 2018 RES-242. Motion carried by a voice vote.

2018 RES-243

AUTHORIZING AN AGREEMENT TO ACCEPT GRANT FUNDING FOR MOBILE FIELD FORCE TRAINING

The State of Wisconsin, Department of Military Affairs (DMA), Division of Emergency Management (WEM) is providing grant funding, in the amount of \$1,200, for emergency police service/mobile field forces field training, WEM Grant Number 2018-MFF-02-11215; funding is available September 1, 2018 through March 31, 2019.

Grant funding will provide for training of fully equipped Crowd Control Squads, a 13-person squad that consist of one supervisor and twelve squad members. Squads trained under this grant will be expected to respond regionally within their respective Emergency Police Services Region upon receipt of a mutual aid request. Training grant priorities are directed to train-the-trainer courses and reimbursement may include meals and lodging for courses hosted in Wisconsin at the WI State Patrol Academy and put on by the National Center for Domestic Preparedness.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is authorized to accept \$1,200 from WEM, DMA for emergency police service/mobile field forces field training; and

BE IT FURTHER RESOLVED that \$1,200 is appropriated as additional revenue in account line Sheriff's Office, Field Services Division, WEM Grant Training (SHRFFLD NEW) and is credited to the General Fund; and

BE IT FURTHER RESOLVED that \$1,200 is transferred from the General Fund to operating account line Sheriff's Office, Field Services Division, WEM Grant Training (SHRFFLD NEW); and

BE IT FINALLY RESOLVED that all unexpended funds and unrecognized revenues from this grant award are carried forward from the 2018 budget period to the 2019 budget period.

Public Protection & Judiciary and Personnel & Finance Committees recommend adoption of 2018 RES-243. Motion carried by a voice vote.

ADJOURNMENT

Moved by Supervisor Eicher, seconded by Supervisor Erickson, to adjourn to Thursday, November 1, 2018 or at the call of the Chair. Motion carried unanimously at 7:09 pm. Subsequent to adjournment, Chair Corrigan referred the following matters:

- 2018 OA-020 - Amending Chapter 10, a Comprehensive Revision of the Dane County Zoning Ordinance. Submitted by Supervisors Kolar, Knoll, Peters and Wegleitner. Referred to ZONING & LAND REGULATION.
- 2018 RES-205 - Authorizing Execution of an Air Service Promotion and Marketing Agreement for Sun Country Airlines. Submitted by Supervisors Rusk, McCarville, Peters and Schauer. Referred to AIRPORT, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-280 - Contract Change Order # 5 - Phase 9, Cell 2 Liner and Stage 4 Final Cap Construction- Contractor: R.G. Huston. Submitted by Supervisors Nelson, Ripp and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-285 - Authorizing an Addendum to Intergovernmental Agreement - MAMSWAP. Submitted by Supervisors Ritt, Jones and Salov. Referred to ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-286 - Accepting Intergovernmental Agreement with the City of Fitchburg for Backup Emergency Operations Center. Submitted by Supervisors Rusk, Bollig, McCarville and Schauer. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-287 - Contract Change Order # 3 to Contract for Janke General Contractors for Lussier County Park Boat Launch. Submitted by Supervisors Nelson, Ripp and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.

2018 RES- 289 - Confirming the Appointment of Kim Jones as the Director of the Dane County Regional Airport. Submitted by Supervisors Nelson, Ripp and Schauer. Referred to AIRPORT, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.

2018 RES- 294 - Requesting Congress Enact a Revenue-Neutral Fee on Carbon in Fossil Fuels. Submitted by Supervisor Miles. Referred to ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and EXECUTIVE.

Petitions for Zoning Reclassification. Referred by Clerk McDonell to the Zoning & Land Regulation Committee:

Petition 11350 - Town of Verona - Michael D Knight
11352 – Town of Perry – Nortman Enterprises LLC
11353 – Town of Oregon – Patrick J Hermesen
11354 – Town of Montrose – Michael M Meister
11355 – Town of Perry – John E Ranum
11356 – Town of Cottage Grove – Steve J Banovetz Sr
11357 – Town of Springdale – Dale N Chestnut
11358 – Town of Cottage Grove – Michael F Fonger
11359 – Town of Rutland – John P Ziegler
11360 – Town of Cottage Grove – Daniel Goff
11361 - Town of Albion – Crazy Acres II LLC
11362 – Town of Christiana – East Koshkonong Evangelical Lutheran Church
11363 – Town of York – John Prosser
11364 – Town of Christiana – Robert P Riege

2018 - 2019 COUNTY BOARD PROCEEDINGS

NOVEMBER 1, 2018 7:00 P.M. SESSION

The Dane County Board of Supervisors met pursuant to statute. Chair Dye called the meeting to order. County Clerk McDonell called the roll:

PRESENT: Bayrd, Bollig, Chenoweth, Clausius, Corrigan, Downing, Dye, Erickson, Kiefer, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Pertl, Rusk, Salov, Schauer, Veldran, Wegleitner, Stubbs, Jones, Kilmer, Young, Kuhn, Eicher, Chawla, Danner, Peters, Schwellenbach, Buckingham, Knoll, Nguyen-Hilfiger and Ratcliff

REPORTED ABSENCE: Chenoweth, Corrigan, Kolar, Pertl, Stubbs and Peters

Supervisor Kiefer offered an inspirational message and led the Pledge of Allegiance.

SPECIAL MATTERS AND ANNOUNCEMENTS

Announcements

APPROVAL OF PAYMENTS

The Controller's Office has examined the following bills which have been incurred in the operation of our County Departments. Inasmuch as the claims which cover the items purchased have been found reasonable and proper, we recommend that they be allowed by the Dane County Board.

1. Central Nebraska Packing-Food- Zoo	\$12,045.59
2. Dane Co Sheriff-Civil Process July-Child Support	\$16,045.21
3. Dane Co Sheriff-Civil Process August-Child Support	\$16,041.38
4. JH Findorff-Restroom Renovation-Zoo	\$22,537.68
5. Lakeside International-Repair/Parts-Highway	\$14,589.64
6. Madison, City of-3Q Traffic Signal & Street Lighting-Highway	\$18,872.54
7. Mega Rentals-Safety Equipment-Highway	\$17,660.00
8. SHI International-Splunk Enterprise License & Support-Information Management	\$106,860.00
9. Tri County Paving-HMA Pavement Hwy Q Project-Highway	\$910,991.78
10. Truck Country-2018 Freightliner-Consolidated Food Services	\$41,799.00
11. UW Extension-Educators July-Dec 2018-Extension	\$144,427.75
Subtotal	\$1,321,870.57
12. ABC Seamless Home Specialists-Roof Replacement Fish Lake-Land & Water	\$24,230.00
13. All Metals Recycling-Anderson Farm Building Demo-Land & Water	\$129,900.00
14. Baycom Inc-MDCs-Sheriff	\$48,070.00
15. Brooks Tractor-2018 John Deere Dozer-Solid Waste	\$308,492.00
16. Ennis-Flint-Acrylic Waterbourne Paint-Highway	\$12,589.50
17. Farhner Asphalt-Runway Paint Removal-Airport	\$52,289.95
18. Finks Paving-Road Repair Materials-Highway	\$17,848.03
19. Green Window Cleaning-Window Cleaning-Airport	\$11,110.00
20. Keenan Nagle Advertising-Video Presentation of Landfill Gas-Methane Gas	\$11,125.00
21. Larry Skaar-Harvestable Buffer Cost-Share-Land & Water	\$50,850.00
22. Madison, City of-Speed Grant Reimbursement-Sheriff	\$16,347.91
23. M&K Lewis Associates-Team Development Training-Highway	\$12,750.00
24. Nutech US Inc-Body Scanners-Sheriff	\$195,000.00
25. Payne & Dolan-HMA Pavement -Highway	\$145,626.90
26. Payne & Dolan-HMA Pavement -Highway	\$178,800.00
27. Payne & Dolan-HMA Pavement USH 14-Highway	\$19,137.75
28. Payne & Dolan-HMA Pavement -Highway	\$29,098.07
29. Payne & Dolan-HMA Pavement -Highway	\$361,537.95
30. Pitney Bowes-Reserve Account-Printing & Services	\$50,000.00
31. Premier Golf-Cart Rental World Dairy Expo-Alliant Energy Center	\$13,960.00
32. Scully Oil-Motor Fuel-Solid Waste	\$20,611.80
33. Sitar Construction-Bridge Fiber Wrap-Highway	\$102,800.00
34. Sitar Construction-Bridge Fiber Wrap-Highway	\$31,000.00
35. T&T Stone Company-Crushed Aggregate-Highway	\$197,398.00
36. &T Stone Company-Crushed Stone & Gravel - Highway	\$10,399.07
37. Yahara Materials-Crushed Aggregate-Highway	\$20,187.60
38. Yahara Materials-Crushed Aggregate-Highway	\$43,858.22
39. Yahara Materials-Crushed Aggregate-Highway	\$20,678.96
Total	\$3,457,567.28

Moved by Supervisor Miles, seconded by Supervisor Nelson, to adopt the above amended payments. Motion carried by a voice vote.

APPROVAL OF COUNTY BOARD MINUTES

Moved by Supervisor Eicher, seconded by Supervisor Kilmer, to approve the Minutes of the County Board meeting of October 17, 2018 and October 18, 2018. Motion carried by a voice vote.

CONSENT CALENDAR

All items on the consent calendar were approved on a voice vote. (The text and committee recommendations for each of the items follow.)

2018 OA-016

AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, INCORPORATING AMENDMENTS TO THE TOWN OF COTTAGE GROVE COMPREHENSIVE PLAN INTO THE DANE COUNTY COMPREHENSIVE PLAN

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 82.55(9) is amended to read as follows:

82.55 INCORPORATION OF TOWN PLANS. The following town plans are incorporated into the Dane County Comprehensive Plan:

(9) Town of Cottage Grove Comprehensive Plan, including all amendments adopted by the county board of supervisors as of ~~January 5, 2018~~. [County Clerk to insert effective date of this amendment.]

[EXPLANATION: This amendment adopts amendments to the Town of Cottage Grove Comprehensive Plan and incorporates them into the Dane County Comprehensive Plan.]

Zoning & Land Regulation Committee recommends adoption of 2018 OA-016. Motion carried by a voice vote.

2018 OA-19

AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, AMENDING THE DANE COUNTY FARMLAND PRESERVATION PLAN

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 82.555(2) is amended to read as follows:

82.555 INCORPORATION OF COUNTY, REGIONAL AND MUNICIPAL PLANS. The following plans are incorporated into the Dane County Comprehensive Plan:

(2) Dane County Farmland Preservation Plan, including all amendments adopted by the county board of supervisors as of ~~January 26, 2018~~. [County Clerk to insert effective date of this amendment.]

[EXPLANATION: This amendment amends the Dane County Farmland Preservation Plan to bring it into consistency with recently approved amendments to the Dane County Comprehensive Plan.]

Zoning & Land Regulation Committee recommends adoption of 2018 OA-019. Motion carried by a voice vote.

2018 RES-200

AWARD OF CONTRACT FOR PRIORITY DISPATCH SYSTEM

Public Safety Communications utilizes a Priority Dispatch System when answering 911 calls from the public to insure callers receive the highest level of care possible, and there the appropriate responders are dispatched in a timely manner. This contract is for five years and includes upgrades and technical services. The department has used this program since 2002.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into this Agreement with Priority Dispatch Corporation, with the cost being \$207,360.

Public Protection & Judiciary and Personnel & Finance committees recommend adoption of 2018 RES-200. Motion carried by a voice vote.

2018 RES-250

CONTRACT CHANGE ORDER #4 TO CONTRACT FOR JOE DANIELS FOR BIOGAS FACILITY CONSTRUCTION

The Department of Public Works, Highway and Transportation, Solid Waste, awarded a contract to Joe Daniels for Biogas Facility Construction, 7102 U.S. Highway 12, Madison, WI (Rodefeld Landfill) Bid #317049.

The following change is requested: Change Order #4 - Increase \$83,206.46 for additional undercut and fill of subgrade soil.

NOW, THEREFORE, BE IT RESOLVED that Change Order #4 for a total increase of \$83,206.46 be approved to the Contract for Joe Daniels for the above listed changes; and

BE IT FINALLY RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-250. Motion carried by a voice vote.

2018 RES-262

AMENDING CONTRACT WITH NORTHWOODS CONSULTING PARTNERS, INC. – DCDHS CYF DIVISION

In 2013, Dane County Human Services purchased Child Protective Services Mobile Application/Imaging software. This software is a commercial-off-the-shelf (COTS) software application that allows Child Protective Services (CPS) social workers to develop, create, access, and update case files. This application includes the ability to scan, provide short-term storage and retrieval of all necessary documents used in CPS intake and ongoing operations.

This addendum modifies the number of licenses owned by Dane County and extends the term of the contract through 9/30/2023 to continue the Compass Software Silver Level of Support of the software.

NOW, THEREFORE, BE IT RESOLVED that the term of the Purchase of Service agreement be extended to September 30, 2023, in the amount of \$477,076 to continue all of the services contained in the contract with Northwoods Consulting Partners, Inc.

BE IT FURTHER RESOLVED that Dane County amend the number of licenses at a one-time cost of \$7,520.

BE IT FINALLY RESOLVED that the Dane County Executive and County Clerk are hereby authorized to execute the described addendum with Northwoods Consulting Partners, Inc. on behalf of Dane County.

Health & Human Needs and Personnel & Finance Committees recommend adoption of 2018 RES-262. Motion carried by a voice vote.

2018 RES-269

CHANGE ORDER #2 TO CONTRACT FOR PETERSEN COMPANIES INC., DBA PCI DREDGING FOR DORN CREEK SEDIMENT REMOVAL

The Department of Public Works, Highway and Transportation awarded a Contract to Petersen Companies Inc., dba PCi Dredging for Dorn Creek Sediment Removal, Public Works Bid No. 317033.

The following change is requested: Change Order #2-Increase of \$193,625.00-Additional 2400 feet of channel dredge upstream of current project limits, cleaning of HWY Q culverts.

NOW, THEREFORE, BE IT RESOLVED that Change Order #2 for a total increase of \$193,625.00 be approved to the Contract for Petersen Companies Inc., dba PCi Dredging based on the above listed changes.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-269. Motion carried by a voice vote.

2018 RES-272

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

Aging and Disability Resource Center Board

Esther Olson, 957 Severson Rd, Belleville 53508 to be appointed to replace Elaine DeSmidt. Esther is retired from the University of Wisconsin. She has years of advocacy work at the local, county, state and federal Level. She currently chairs the AAA Legislative and Advocacy Committee. She is also a member of the local Sugar River Senior Board and a member of the Wisconsin Aging Advocacy Network. She was recently appointed to the State Aging Advocacy Council. This term will expire 09/1/21.

Paul Yochum, 406 Saint Francis St, Cross Plains, WI to be reappointed. This term will expire 09/01/20.

Human Service Board

Supervisor Melissa Ratcliff, 242 Forrester Dr, Cottage Grove, 53527 to be appointed as the Area Agency on Aging Representative. This term will expire 04/21/20.

Monona Terrace Convention Center Board

Supervisor Steven Peters, 9518 Wild Prairie Trail, Verona 53593 to be appointed. This term will expire 04/21/20

Executive Committee recommends adoption of 2018 RES-272. Motion carried by a voice vote.

REPORTS ON ZONING PETITIONS

PETITION 11320 - ZONING CHANGE IN THE TOWN OF CROSS PLAINS - ZONING ORD. AMDT. 11320

Petition by David J. Ellestad to change zoning from A-1EX Agriculture District TO A-2 (4) Agriculture District, A-2 (2) Agriculture District TO A-2 (4) Agriculture District, A-2 (2) Agriculture District TO A-2 (8) Agriculture District, A-2 (4) Agriculture District to A-2 (8) Agriculture District on property located at 8181 Coyle Drive, Section 25, Town of Cross Plains.

Zoning & Land Regulation Committee recommend Petition 11320 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11320 be granted. Motion carried by a voice vote.

PETITION 11326 - ZONING CHANGE IN THE TOWN OF OREGON - ZONING ORD. AMDT. 11326

Petition 11326 by Tami and Tracy Bahr to change zoning from A-4 Agriculture District TO A-2 (8) Agriculture District on property located at 996 Storytown Road, Section 17, Town of Oregon.

Zoning & Land Regulation Committee recommends Petition 11326 be granted and Zoning Ord. Amdt. 11326 be adopted. Motion carried by a voice vote.

PETITION 11331 - ZONING CHANGE IN THE TOWN OF DUNN - ZONING ORD. AMDT. 11331

Petition 11331 by Lucky Pup, LLC., to change zoning from B-1 Business District to Planned Unit Development (PUD) on property located at 2515 USH 51, Section 15, Town of Dunn.

Zoning & Land Regulation Committee recommends Petition 11331 be granted and includes the Conditions listed below and Zoning Ord. Amdt. 11331 be adopted. Motion carried by a voice vote.

Condition:

The Specific Implementation Plan shall address the following conditions:

1. The Specific Implementation Plan (SIP) shall be submitted for review within one year of GDP approval.
2. As part of the SIP, a deed restriction shall be recorded with the Register of Deeds which will detail decibel limits on outdoor entertainment, number of events, and hours of operation.
3. A storm water maintenance agreement shall be record with the Register of Deeds for the two bio-retention basins.
4. An on-site septic system shall be installed on the property to facility the development.
5. A highway access permit shall be obtained from the Wisconsin Department of Transportation regarding highway access and allowing parking in the existing gravel area which is located in the highway right-of-way.
6. As part of the SIP, detailed information will be presented for signs. One pylon sign shall be permitted on the property similar to the size of the existing sign. The new sign shall not be internally illuminated and meet dark sky requirements.
7. As part of the SIP, a deed restriction shall be recorded with the Register of Deeds to establish hours of operation for the bar/restaurant.

PETITION 11343 - ZONING CHANGE IN THE TOWN OF DANE - ZONING ORD. AMDT. 11343

Petition 11353 by Kenneth J & Eleanor D Johnson Family Trust, to change zoning from A-1EX Agriculture District TO A-2 (8) Agriculture District on property located at 6630 Lee Road, Section 11, Town of Dane.

Zoning & Land Regulation Committee recommends Petition 11343 be granted and includes the condition that a certified survey map be submitted and/or recorded and that Zoning Ord. Amdt. 11343 be adopted. Motion carried by a voice vote.

PETITION 11345 - ZONING CHANGE IN THE TOWN OF DANE - ZONING ORD. AMDT. 11345

Petition 11345 by Jean A Mulcahy Survivors Trust, to change zoning from A-1EX Agriculture District TO R-1 Residence District on property located West of 6405 Lavina Road, Section 25, Town of Dane.

Zoning & Land Regulation Committee recommends Petition 11345 be granted and includes the condition that a certified survey map be submitted and/or recorded and Petition 11345 be adopted. Motion carried by a voice vote.

PETITION 11346 - ZONING CHANGE IN THE TOWN OF COTTAGE GROVE - ZONING ORD. AMDT. 11346

Petition 11346 by Joseph G Bessetti to change zoning from A-2 Agriculture District TO C-2 Commercial District on property located at 2621 Coffeytown Road, Section 21, Town of Cottage Grove.

Zoning & Land Regulation Committee recommends Petition 11346 be granted and includes the condition that a certified survey map and the Condition listed below be submitted and/or recorded within 90 days and Petition 11346 be adopted.

Condition:

1. The land uses allowed in the 5.2-acre zoning boundary shall include the repairs, storage, and service of contractor's machinery and all other land uses within the C-2 Commercial Zoning District.

PETITION 11347 - ZONING CHANGE IN THE TOWN OF MAZOMANIE - ZONING ORD. AMDT. 11347

Petition 11347 by Alisen E Vetter to change zoning from A-1EX Agriculture District TO CO-1 Conservancy District, RH-1 Rural Homes District, A-4 Agriculture District on property located South/Southeast and Southwest of 10550 Laws Drive, Section 21, Town of Mazomanie.

Zoning & Land Regulation Committee recommends Petition 11347 be adopted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11347 be granted. Motion carried by a voice vote.

PETITION 11348 - ZONING CHANGE IN THE TOWN OF ALBION - ZONING ORD. AMDT. 11348

Petition 11348 by Karen A McWilliam to change zoning from R-1 Residence District TO R-1A Residence District, R-1A Residence District TO R-1 Residence District on property located at 983 Hillside Road, Section 14, Town of Albion.

Zoning & Land Regulation Committee recommends Petition 11348 be adopted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11348 be adopted. Motion carried by a voice vote.

RESOLUTIONS

Sub. 1, 2018 RES-124

AWARD OF PURCHASE OF SERVICES AGREEMENT FOR: PARADIGM SOFTWARE, LLC TO PROVIDE A NEW AND UPDATED LANDFILL SCALE SYSTEM.

The Department of Public Works, Highway and Transportation reports the purchase of services agreement for providing a new and updated landfill scale system.

A complete tabulation is on file at the Department of Public Works office. The agreement is awarded to:

Paradigm Software, LLC
113 Old Padonia Road, Suite 200
Cockeysville, MD 21030

Total: ~~\$205,065.00~~ 213,218.96

The Public Works staff finds the amount to be reasonable and recommends this agreement be awarded to Paradigm Software, LLC.

There are sufficient funds available for this project. The term of the borrowing used to support this project will be 10 years.

The term of the contract will be five (5) years.

NOW, THEREFORE, BE IT RESOLVED that this agreement be awarded to PARADIGM SOFTWARE, LLC in the amount of ~~\$205,065.00~~ 213,218.96; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that account SWRODFLD 58534 "SCALE SYSTEM REPLACEMENT" will be the capital expenses for a total of \$165,639.70 in year 1; that account SWRODFLD 22349 "SERV AGRMT FOR SCALE" will be the operating expenses for a total of ~~\$47,579.26~~ ~~39,425.30~~, with ~~\$8,153.96~~ ~~7,885.06~~ used in year 1, and then \$7,885.06 each year following for years 2-65.

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of Sub. 1, 2018 RES-124. Motion carried by a voice vote.

2018 RES-275

CHANGE ORDER #1 TO THE AGREEMENT FOR MEAD & HUNT, INC. FOR JAIL CONSOLIDATION-ARCHITECTURAL / ENGINEERING DESIGN SERVICES AT THE PUBLIC SAFETY BUILDING

The Department of Public Works, Highway and Transportation awarded an agreement to Mead & Hunt, Inc. for Jail Consolidation-Architectural / Engineering Design Services at the Public Safety Building, Bid 318003.

The following change is requested: Change Order #1 - Increase \$137,000.00 for additional consulting and design services related to the alternate location on West Wilson Street.

NOW, THEREFORE, BE IT RESOLVED that Change Order #1 for a total increase of 15 \$137,000.00 be approved to the Contract for Mead & Hunt, Inc. for the above listed changes;

and

BE IT FINALLY RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Agreement.

Public Works & Transportation and Personnel & Finance recommend adoption of 2018 RES-275. Moved by supervisor Wegleitner, seconded by Supervisor Kiefer, to re-refer this Resolution to the Public Protection & Judiciary Committee. Motion failed by the following vote:

Ayes: 4 - Kiefer, Wegleitner, Kilmer and Chawla

Noes: 27 - Bayrd, Bollig, Clausius, Downing, Dye, Erickson, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Rusk, Salov, Schauer, Veldran, Jones, Young, Kuhn, Eicher, Danner, Schwellenbach, Buckingham, Knoll, Nguyen-Hilfiger and Ratcliff

Excused: 6 - Chenoweth, Corrigan, Kolar, Pertl, Stubbs and Peters

Motion failed.

Moved by supervisor Kiefer, seconded by Supervisor Wegleitner, that the Resolution be amended by inserting on line 17: " Be it further resolved that the Dane County Jail shall provide equitable access for everyone to attend communal services/activities according to their respective spiritual traditions and practices, in compliance with Federal guidelines. The spaces shall be designed/decorated to meet the needs of the groups that utilize them and lift up the spirits of those who participate; and"

Chair Dye ruled the motion was not germane. Supervisor Kiefer challenged the ruling of the chair. Roll call requested:

Ayes: 28 - Bayrd, Bollig, Clausius, Dye, Erickson, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Rusk, Salov, Schauer, Veldran, Jones, Kilmer, Young, Kuhn, Eicher, Chawla, Danner, Schwellenbach, Buckingham, Knoll, Nguyen-Hilfiger and Ratcliff

Noes: 3 - Downing, Kiefer and Wegleitner

Excused: 6 - Chenoweth, Corrigan, Kolar, Pertl, Stubbs and Peters

The Chair's ruling is sustained.

Motion was made that the Resolution be adopted. Roll call requested:

Ayes: 27 - Bayrd, Bollig, Clausius, Downing, Dye, Erickson, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Rusk, Salov, Schauer, Veldran, Jones, Young, Kuhn, Eicher, Danner, Schwellenbach, Buckingham, Knoll, Nguyen-Hilfiger and Ratcliff

Noes: 4 - Kiefer, Wegleitner, Kilmer and Chawla

Excused: 6 - Chenoweth, Corrigan, Kolar, Pertl, Stubbs and Peters

Motion prevailed.

The following spoke or registered:

Coletta Corwin, Madison, in opposition of the Resolution.
 Elvice McAlpine, Fitchburg, in opposition of the Resolution.
 Katharine Goray, Madison, in opposition of the Resolution.
 Harold Rayford, Sun Prairie, in opposition of the Resolution.
 Ron Geason, Madison, in opposition of the Resolution.
 Laiman Mai, in opposition of the Resolution.
 Joan Duerst, Madison, in opposition of the Resolution.
 Glen Ecklund, Madison, in support of the Resolution.
 Karen Carlson, Madison, in support of the Resolution.

2018 RES-294

REQUESTING CONGRESS ENACT A REVENUE-NEUTRAL FEE ON CARBON IN FOSSIL FUELS

Nearly all climate scientists agree that the Earth is warming rapidly, which is causing the climate to change, and that these negative effects on the Earth's natural systems and human civilization are already being seen and measured. The major contributor to carbon dioxide (CO₂) increase is human activity, especially through the combustion of fossil fuels. The continued use of fossil fuels is being supported by a market failure whereby the costs of carbon emissions are not included in the price of fossil fuels.

Changing climate has an impact on Dane County's natural resources and has been identified in the Wisconsin Division of Emergency Management's Hazard Mitigation Plan ("In the past 50 years, average statewide temperatures have increased by about 1.1°F. It is also likely that the state will see more extreme weather events." section 4.4). Twenty-five Wisconsin Counties have already incorporated climate change into their approved Hazard Mitigation Plans.

The urgent need to transition away from fossil fuels can best be accomplished with a market-based program, namely a revenue-neutral carbon fee on fossil fuel producers, with corresponding rebates or dividends in equal amounts to American households to offset increased energy costs.

Using a revenue-neutral carbon fee and dividend to reduce carbon emissions would have the following benefits:

1. The carbon fee would provide an incentive for the development and use of energy efficiency and low carbon energy sources.
2. The transition to low-carbon energy sources would provide a range of additional benefits including enhanced public health, job creation and strengthening of the U.S. economy, increased energy security, and increased local energy development in rural areas.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors strongly urges the United States Congress to pass legislation that levies an annually increasing revenue-neutral fee on the carbon in fossil fuels at the point of production or importation that would be sufficient to:

- a. Encourage individuals and businesses to produce and use less fossil fuel;
- b. Make the transition from fossil fuels less onerous to consumers and to the economy by returning to Americans on an equal basis all of the revenues gained from the fee;
- c. Reduce U.S. CO₂ emissions to 10% of 1990 levels by 2050;
- d. Encourage similar actions by other nations trading with the United States, by suitable carbon-content-based fees for imports, and rebates for exports, to nations that have not taken such actions.

BE IT FINALLY RESOLVED that a copy of this resolution be provided to the Dane County Congressional delegation to include Senator Ron Johnson, Senator Tammy Baldwin and Representative Mark Pocan.

Environment, Agriculture & Natural Resources recommends adoption of 2018 Res-294. Motion carried by a voice vote.

The following spoke or registered:

Sara Roberts, Fitchburg, in support of the Resolution.
 Daniel Slick, Madison, in support of the Resolution.
 Marnie Schulenburg, Madison, in support of the Resolution.
 Tom Sinclair, Madison, in support of the Resolution.
 Doug Edwards, Madison, in support of the Resolution.
 Bruce Jamison, Maple Bluff, in support of the Resolution.

John Stolzenberg, Madison, in support of the Resolution.
 Kermit Hovey, Middleton, in support of the Resolution.
 Anthony Praza, Middleton, in support of the Resolution.
 Madeleine Para, Madison, in support of the Resolution.
 Alan Lukazewski, Fitchburg, in support of the Resolution.
 Rona Lukazewski, Fitchburg, in support of the Resolution.

ITEMS REQUIRING A TWO-THIRDS MAJORITY FOR PASSAGE

2018 RES-258

AUTHORIZING ACCEPTANCE OF GRANT FUNDS TO ADMINISTER FUNDING FOR DANenet (FG-2019-DANenet-04537)

The Wisconsin Department of Transportation, Bureau of Transportation Safety (BOTS), is making funds available for Dane County to administer funding to DANenet to publish a quarterly Traffic Safety Reporter (TSR). DANenet is a non-profit organization that collaborates with the Department of Transportation to publish this electronic newsletter. By administering this grant, the Sheriff's Office will receive 5% of the total grant, and have the opportunity to contribute to the newsletter.

DANenet staff will continue to produce quarterly issues of the Wisconsin Traffic Safety Reporter (TSR) and administer and expand the email list for emailing issues of the TSR to readers. DANenet staff will also ensure that the TSR is web ready so that it may be posted on the WisDOT website.

DANenet staff will also improve the overall look of the 2018 Annual Report and the 2020 Highway Safety Performance Plan by overseeing and providing guidance to the sub-contractor performing graphic design work.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is hereby authorized to accept \$6,590, in the 2018 budget, from the Department of Transportation to support DANenet publishing the Traffic Safety Reporter and to provide technical assistance as it relates to DDACTS; and

BE IT FURTHER RESOLVED that \$6,590 is set up as additional revenue in the 2018 budget, Sheriff's Office, Field Services, DANenet Grant Revenue account (SHRFFLD 80517) and is credited to the General Fund; and

BE IT FURTHER RESOLVED that \$6,276 is transferred from General Fund to operating expenditure account line DANenet Traffic Safety Expenditures (SHRFFLD 22615); and

BE IT FURTHER RESOLVED that on behalf of the County of Dane the Dane County Executive and the Dane County Clerk are authorized to execute an agreement embodying the above provisions; and

BE IT FINALLY RESOLVED that all unexpended funds and unrecognized revenues from this account are carried forward until fully expended.

Public Protection & Judiciary and Personnel & Finance Committees recommend adoption of 2018 RES-258. Motion carried by a voice vote.

2018 RES-273

AUTHORIZING RECLASSIFICATION OF A CLERK III POSITION IN THE PLANNING & DEVELOPMENT DEPARTMENT TO A LAND RECORDS TECHNICIAN

The Department of Planning and Development recently had a retirement which led to the internal promotion of one of its staff who had formerly been employed as a Clerk III in the department. The resulting vacancy has provided an opportunity for the department to reevaluate the Records and Support Division's organizational structure while balancing workloads and priorities. One reason for the change is that the department has a greater need to allocate additional resources towards a GIS mapping initiative associated with its remonumentation effort, an extensive, multi-year capital project on which the department is working. While the acquisition of survey information is nearing half-completion, the subsequent mapping work will be a need for many years to follow.

Another reason is that the department currently has an LTE performing these mapping duties, which is problematic because it is limited in the number of hours an employee can work on an annual basis, which raises concerns with training and retention of staff. There have already been three previous employees working in this LTE mapping capacity. The current LTE is approaching her maximum allotted hours for 2018.

The loss of a Clerk III position will be significant, but the department will restructure schedules and duties to minimize any negative impacts of position reassignment. There are two other clerks providing administrative support services for the department: Between them, with supplemental assistance from other existing staff, and utilizing the existing LTE pool of money to assist with some elements of shared clerical responsibilities, the department's administrative functions will be appropriately realigned and staffed. Additionally, the department has identified in the Land Records Technician position description up to eight hours per week to assist in clerical support.

This position realignment in Planning and Development will put the department in a strong position to address goals and responsibilities well into the future, and it will also help with succession planning. With an entry level GIS/Land Records Technician position at a G13 level, there is also room for professional growth and opportunities for advancement in the department.

NOW, THEREFORE BE IT FINALLY RESOLVED that the Dane County Board of Supervisors does hereby authorize reclassification of the Clerk III (G13) position (Position No. 327) in the Planning and Development Department to a Land Records Technician (G13) position.

Zoning & Land Regulation and Personnel & Finance Committees recommend adoption of 2018 Res-273. Motion carried by a voice vote.

2018 RES-274

AWARDING A CONTRACT TO THE HMONG INSTITUTE FOR COMMUNITY SERVICES DCDHS ADMINISTRATION DIVISION

In August, Journey Mental Health Center informed the staff at Kajsab House they would be closing the community center at the end of September. As a result of the impending news, the Hmong and Cambodian community were forced to reach out to the community at large for support.

Members of the Kajsab House community bravely told their story to the County Board and the City Council, and asked for emergency assistance to continue the community services, as well as assistance in finding a new home. After many conversations with many entities and organizations, an emergency home was found by the leaders of the Hmong community at the Catholic Multicultural Center.

The Catholic Multicultural Center (CMC) will insure many of the community services can continue by providing community space for community meals, case management, programming, support groups, family support and referral services. This evidence based model of wrap around services in a community setting is how the Kajsab House community seeks to continue. The space will be open to the Hmong and Cambodian community five days a week. In addition, CMC has offered to provide access to the food pantry, computer lab, language classes and citizenship classes if necessary.

The Catholic Multicultural Center is a place where the community is welcome and safe, and CMC respects the Kajsab House community's need for hope and autonomy during this transition and into the future.

While the members of the Kajsab House have had to face new trauma as a result of this situation, they worked diligently to find new partners and prepare for the transition.

The Madison City Council and many individual members of the community have stepped up with funding to keep these services available through this year. Many organizations such as United Way of Dane County have also provided support during this time.

NOW, THEREFORE, BE IT RESOLVED that a new expenditure account be added to the ADMIN section of the Department of Human Services.

Expenditure Account Number	Account Title	Amount
HSADMIN HCSFAA (new)	Hmong and Cambodian Services Fund	\$40,000

BE IT FINALLY RESOLVED that Dane County immediately enter into a contract with the Hmong Institute in the amount of \$40,000 for community services such as staff, food and programming to be utilized in 2018.

Health & Human Needs and Personnel & Finance Committees recommend adoption of 2018 RES-274. Motion carried by a voice vote.

The following spoke or registered:

Peng Her, Dane County, in support of the Resolution.
Mai Zong Vue, in support of the Resolution.

ADJOURNMENT

Moved by Supervisor Miles, seconded by Supervisor Nelson to adjourn to Monday, November 12, 2018 at 7:00 pm, or at the call of the chair. Motion carried unanimously at 9:04 pm. Subsequent to adjournment, Chair Dye referred the following matters:

2018 OA-028 - Amending Chapter 14 and Creating Chapter 49 of the Dane County Code of Ordinances, Agricultural Performance Standards and Manure Management. Submitted by Supervisors Kolar, Chenoweth and Ritt. Referred to LAKES & WATERSHED, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.

2018 OA-029 - amending Chapter 2, Regarding Issuance of Citations. Submitted by Supervisors Kolar and Chenoweth. Referred to ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES.

2018 RES-292 - Authorizing Purchase of Insurance. Submitted by Supervisor Miles. Referred to PERSONNEL & FINANCE.

- 2018 RES-293 - Reauthorization of Dane County's Self-Insured Worker's Compensation Program & Purchase of Excess Worker's Compensation Coverage. Submitted by Supervisor Miles. Referred to PERSONNEL & FINANCE.
- 2018 RES-295 - Approval of the 2019 Annual Action Plan Funding Recommendations. Submitted by Supervisors Dye, Clausius... Referred to PERSONNEL & FINANCE.
- 2018 RES-296 - Authorizing Submission of Substantial Amendment of the 2018 Action Plan to the US Department of Housing and Urban Development (HUD). Submitted by Supervisors Clausius, Dye. Referred to PERSONNEL & FINANCE.
- 2018 Res-301 - Authorizing and Agreement to Accept Grant Funding to Purchase Pole Camera Equipment. Submitted by Supervisors Rusk, Bayrd, Danner, Krause, McCarville, Nguyen-Hilfiger, Schauer and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-303 - Contract Change Order # 6 to Joe Daniels Construction in the Amount of \$338,900.00 for Removal of Alternative Bid 2 Scope Work. Submitted by Supervisors Nelson, Ratcliff, Ripp and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-304 - Authorizing the Purchase of an Easement for the North Mendota Trail. Submitted by Supervisors Ripp, Eicher and Kiefer. Referred to PARKS, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-305 - Authorizing Acceptance of Funds as a Sub-Recipient of a NAWCA Grant from Groundswell Conservancy Inc. Submitted by Supervisors Ripp and Eicher. Referred to PARKS, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-306 - Approve Crop Leases on County Land. Submitted by Supervisors Ripp and Eicher. Referred to PARKS, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-308 - Approving Agreements to Support the Main Street Apartments Affordable Housing Project in the City of Sun Prairie. Submitted by Supervisors Clausius, Erickson, McCarville, Nelson, Schauer, Schwellenbach and Wegleitner. Referred to HEALTH & HUMAN NEEDS, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-309 - Award of Contract to J.H. Findorff & Son Inc. for Remodel of Office Space on 5th Floor of the CCB. Submitted by Supervisors Nelson, Buckingham, Kilmer, Salov, Veldran and Young. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-310 - Authorizing Allied Lease for Joining Forces for Families/Early Childhood Initiative Programs - DCDHS - CYF Division. Submitted by Supervisors Kuhn, Buckingham, Kilmer, Salov, Veldran and Young. Referred to HEALTH & HUMAN NEEDS, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-311 - Authorizing Leopold Lease for Joining Forces for Families Program - DCDHS - CYF Division. Submitted by Supervisors Kuhn, Erickson, McCarville, Nelson, Schauer, Schwellenbach and Wegleitner. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.
- 2018 RES-312 - Authorizing Leopold Lease for Early Childhood Initiative Program - DCDHS - CYF Division. Submitted by Supervisors Kuhn, Buckingham, Kilmer, Salov, Veldran and Young. Referred to HEALTH & HUMAN NEEDS, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-313 - Authorization for 2018-2019 State of Wisconsin DNR Lake Planning Grants. Submitted by Supervisors Ritt, Chawla, Downing, Jones and Levin. Referred to ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-319 - Change Order # 1 to the Agreement for Mead & Hunt, Inc. for Design of Life-safety Improvements in the CCB Jail. Submitted by Supervisors Nelson, Ratcliff, Ripp and Rusk. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-321 - Award of Contract to JH Findorff and Son Inc. for Printing and Services Remodel. Submitted by Supervisor Nelson. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-322 - County Executive Appointments. Submitted by Supervisor Corrigan. Referred to EXECUTIVE.

2018 - 2019 COUNTY BOARD PROCEEDINGS

NOVEMBER 12, 2018 7:00 P.M. SESSION

The Dane County Board of Supervisors met pursuant to statute. Chair Corrigan called the meeting to order. County Clerk McDonnell called the roll:

PRESENT: Bayrd, Bollig, Chenoweth, Clausius, Corrigan, Downing, Dye, Erickson, Kiefer, Kolar, Krause, Levin, Miles, Mccarville, Nelson, Ripp, Ritt, Pertl, Rusk, Salov, Schauer, Veldran, Wegleitner, Stubbs, Jones, Kilmer, Young, Kuhn, Eicher, Chawla, Danner, Peters, Schwellenbach, Buckingham, Knoll, Nguyen-Hilfiger And Ratcliff

Supervisor Kilmer offered an inspirational message and led the Pledge of Allegiance.

OPERATING BUDGET RESOLUTION

Sub 1 to 2018 RES 255

2019 DANE COUNTY OPERATING BUDGET APPROPRIATIONS RESOLUTION

The 2019 Operating Budget is a financial plan for the operational needs of the County and was developed in accordance with the Uniform Accounting Manual for Wisconsin Counties and the pronouncements of the Governmental Accounting Standards Board (GASB). This resolution constitutes the 2019 Adopted Operating Budget, formulated in accordance with s. 65.90 Wis. Stats., and consists of several parts, as follows:

TABLE 1:	TAX LEVY COMPUTATION AND FUND BALANCE ANALYSIS
TABLE 2:	TAX LEVY HISTORY
TABLE 3:	2019 APPROPRIATIONS FOR OPERATIONS
TABLE 4:	EXPENDITURE & REVENUE HISTORY - OPERATIONS
TABLE 5:	CARRY-FORWARDS
TABLE 6:	INDEBTEDNESS
TABLE 7:	2019 BUDGETED POSITIONS

Together with the 2019 Adopted Capital Budget Appropriations Resolution, this document shall constitute the County Budget as defined in s. 65.90, Wisc Stats.

NOW, THEREFORE, BE IT RESOLVED that in accordance with s. 65.90, Wis. Stats, the Dane County Board of Supervisors hereby appropriate for 2019 fiscal year operations, the expenditures and revenue amounts on lines designated as appropriations in the attached Table 3. Amounts on lines not designated as appropriations are for informational purposes only. Expenditures in excess of the amounts appropriated or use of general purpose revenues in excess of the amounts listed on the lines designated as appropriations shall require County Board authorization in accordance with s. 65.90(5), Wis. Stats.

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors authorize carry-forward of expenditures and revenues from 2018 to 2019 as recommended in Table 5.

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors authorizes positions for the 2019 fiscal year as shown in Table 7.

BE IT FURTHER RESOLVED that encumbrances on purchase orders outstanding at the end of 2018 are re-appropriated in 2019

BE IT FURTHER RESOLVED that payments are authorized as required under sec. 74.41(5), Wis. Stats.

BE IT FURTHER RESOLVED that 2019 operating expenditures and revenues shall be subject to the following provisions and controls in addition to all budget control policies enumerated in D.C. Ord. sec. 29.52:

- In addition to reviewing and approving contracts in accordance with Chapter 25, D.C. Ords., the County Board shall adopt resolutions approving all contracts with non-county agencies for which a separate appropriation has been made except for those contracts whose scope of services remains the same as the previous year. No disbursement of funds shall be made to such non-county agencies until a contract has been adopted by the County Board and approved by the County Executive except as otherwise provided. Each Miscellaneous Appropriations contract is to be controlled separately. The Department of Administration has the responsibility to administer these contracts.
- The budgets for all departments having fifteen or more employees shall include a "Salary Savings" line that will be 2% of the budgeted "Salaries & Wages" account for that department.
- The following procedure will be applied at the end of fiscal year 2019. First, all fiscal activity in all funds will be closed according to Generally Accepted Accounting Principles, and any budgeted transfers other than between the general fund and the human services and badger prairie funds will be made. To the extent that the GPR requirement to balance the Human Services Fund is less than the amount budgeted, any surplus will be applied toward any deficit in the Badger Prairie Fund. The unassigned general fund balance shall not decrease, and shall increase a minimum of the percentage increase in the combined expenditures of the general fund and the human services fund. To the extent funds are available after the above items are applied, the remaining surplus of GPR budgeted for the human services fund will be retained in the human services fund and applied to future budgets for expenditures.
- The Public Protection and Judiciary Committee requests the Criminal Justice Council to work with its members to make available to the Council staff the following information regarding racial breakdown/racial percentages from the prior year to be compiled in a semi-annual report (on March 1st and by September 1st) to share aggregate information with PP&J and the CJC about:
 - ++Dane County Jail bookings,
 - ++Drug Court participation,
 - ++Deferred Prosecution participation,
 - ++Community Restorative Court,
 - ++Signature bonds,

++ Cash bail, and

++ Individuals who had a trial/ were prosecuted in court by the DA's Office.

- \$20,000 of the base Partners in Equity grant funding will be allocated to community groups for projects related to increased access to healthy food, ease of access to land for growing food, and addressing issues of food waste and recovery. All PIE grant proposals shall be scored and awarded by a team of at least one county board member each from the HHN committee, the PP&J committee and the P&F committee, all appointed by the County Board Chair annually, and three additional individuals who are members of the OEI Advisory Board appointed, annually by the Chair of the OEI Advisory Board. The grants should be awarded by March 31 and the meetings of the award committee shall be posted with agendas and minutes to comply with the open meetings requirements.
- The budget includes \$12,500 in the Land and Water Resources Department to help the Department evaluate current UW methodologies and models used to develop a Yahara watershed phosphorus budget including the feasibility and applicability of the budget to inform long term trends. Focus should be on the necessary inputs used in the budget, the variability and access to data used, the interval periods for updates, and ability to sustain and update the budget over time.
- The 2019 Budget Proposal contains \$320,000 to increase funding at Journey Mental Health Center to add three (3.0) FTEs to the Emergency Services Unit. Any new contract or addendum for this purpose shall include the requirements of regular reports to the department on number of people actively experiencing a crisis served per month, length of contacts, and time of day of mobile contacts, the number of people served per month as a follow up to a crisis, the rate of people being diverted from an involuntary hospitalization, and that people served and community providers will submit their level of satisfaction, and challenges and successes of the program. A report that contains this information shall be made at least annually to the Health and Human Needs Committee.
- The Department of Human Services is directed to work with Journey Mental Health Center to provide a report to the Health & Human Needs Committee by 4-1-19 on the fiscal stability of Journey Mental Health Center as it relates to Dane County funded programs and a strategic plan to address any issues identified. The report shall include 1) Review of budget for the previous three years; 2) A comparison of budget to actuals showing deficits and surpluses by program; 3) Information related to staff salaries, benefits and turnover; and 4) Detail of program spending versus administration spending.
- The Controller's Office may add standard "Personal Services" lines to department's budgets to properly account for Personal Services expenditures not specifically budgeted for. The new accounts added will not change the department's total appropriation.
- The rate for limited term employee Staff Attorney positions in the Clerk of Courts shall be up to \$21.17 beginning with the first pay period of 2019 and with the one position dedicated to Prisoner Litigation work subject to an additional incentive of \$2 per hour above those rates.
- The wage scales for non-represented employees will increase by 3.5% beginning with pay period 1 of 2019.
- Rather than being closed directly into the General Fund at the end of the year, Alliant Energy Center funds are to be closed into the General Fund, Reserve for Alliant Energy Center. This policy will enable the Alliant Energy Center to retain profits made in one year to assist in covering costs of future years.
- The wage scale for employees within the Building & Construction Trades Council of South Central Wisconsin will be increased by the amount negotiated in collective bargaining plus an additional non-negotiated amount not to exceed the difference between the negotiated increase to the hourly rate and a 3.5% increase to the hourly rate beginning in pay period 1 2019.
- Pursuant to DCO 25.501(b), the Human Services contracts listed in Appendix A may be executed by the Director of Human Services.
- The Controller is authorized to make technical corrections to the Budgeted Position List, subject to the review and approval by the County Board Chair.

BE IT FINALLY RESOLVED that the Department of Administration is directed to prepare, in consultation with the Office of the County Board, appropriate narrative information explaining County Board budget related actions, and County Executive veto actions, if any, to be distributed in late 2018 or early 2019, following review and approval by the County Board Chair.

A motion was made that the Resolution be Adopted Sub. 1 as amended. The motion carried by a voice vote.

CAPITAL BUDGET RESOLUTION

Sub. 1 to 2018 RES-256

2019 DANE COUNTY CAPITAL BUDGET APPROPRIATIONS RESOLUTION

The 2019 Capital Budget is a financial plan for the capital needs of the County and was developed in accordance with the Uniform Accounting Manual for Wisconsin Counties and the pronouncements of the Governmental Accounting Standards Board (GASB). This resolution constitutes the 2019 Adopted Capital Budget, formulated in accordance with s. 65.90, Wis. Stats., and consists of several parts, as follows:

TABLE 1:	TAX LEVY COMPUTATION AND FUND BALANCE ANALYSIS
TABLE 2:	TAX LEVY HISTORY
TABLE 3:	2018 APPROPRIATIONS FOR CAPITAL EXPENDITURES
TABLE 4:	CAPITAL EXPENDITURE HISTORY
TABLE 5:	CAPITAL BUDGET CARRY-FORWARDS
TABLE 6:	COUNTY INDEBTEDNESS

Together with the 2019 Adopted Operating Budget Appropriations Resolution, this document shall constitute the County budget as defined in s. 65.90, Wis. Stats.

NOW, THEREFORE, BE IT RESOLVED that in accordance with s. 65.90, Wis. Stats., the Dane County Board of Supervisors hereby appropriate for the 2019 fiscal year capital projects, the expenditure and revenue amounts shown for each capital project in the attached Table 3. Total amounts for each department are for informational purposes only. Expenditures in excess of the amounts appropriated or use of outside revenues, county general purpose revenues, or borrowing proceeds in excess of the amounts appropriated shall require County Board authorization in accordance with s. 65.90(5), Wis. Stats.

BE IT FURTHER RESOLVED that the Capital Budget includes funding for reconstruction of CTH D, DM and AB. Funding for these projects is contingent upon an agreement between the County and the municipality that includes project cost share as per the county policy joint use project with municipalities and a jurisdictional transfer.

BE IT FURTHER RESOLVED that The Juvenile Court Program Director is required to periodically report to PP&J regarding the status of the Juvenile Detention Center expansion project as well as the associated grant application.

BE IT FURTHER RESOLVED that The capital budget includes \$6 million in funding for the Affordable Housing Development Fund. One goal of the AHDF will be that up to 30% of the funds will support projects outside the City of Madison.

BE IT FINALLY RESOLVED that the Dane County Board of Supervisors authorize carry-forward of expenditures and revenues from 2018 to 2019 as recommended in Table 5 and that encumbrances on purchase orders outstanding at the end of 2018 are re-appropriated in 2019.

A motion was made that the Resolution be Adopted Sub. 1. The motion carried by a voice vote.

ORDINANCE AMENDMENTS CREATING OR CHANGING FEES

2018 OA-021

AMENDING CHAPTER 62 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING MEDICAL EXAMINER FEES

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 62.80(1) is amended to read as follows:

62.80 MEDICAL EXAMINER; FEES FOR CERTAIN SERVICES. Pursuant to sections 59.36 and 69.18, Wis. Stats., the Dane County Medical Examiner is authorized to charge the following fees:

(1) a fee of ~~\$350~~ \$291 for services rendered in connection with cremation certificates.

ARTICLE 3. Section 62.80(2) is amended to read as follows:

(2) a morgue use fee of ~~\$1,200~~ \$1,250 for anatomical tissue recovery agencies.

ARTICLE 4. Section 62.80(6) is rescinded in its entirety:

~~(6) a fee of \$150 for services rendered in connection with completing a medical certification of death.~~

ARTICLE 5. Section 62.80(8) is amended to read as follows:

(8) the fees listed in subs. (1), ~~and (6)~~ shall not be charged to any funeral home, cemetery or crematory that receives reimbursement under section 49.785, Wis. Stats.

NON-CODE PROVISION: The amendment made herein shall first take effect on January 1, 2019 or the day after publication, whichever is later.

A motion was made that the Ordinance be adopted. The motion carried by a voice vote.

2018 OA-022

AMENDING CHAPTER 67 OF THE DANE COUNTY CODE OF ORDINANCES, AIRPORT TERMINAL RENT AND LANDING FEES

The Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 67.26 is amended to read as follows:

67.26 LANDING FEES AND SPACE RENTAL.

(3) A nonsignatory commercial air carrier occupying exclusive use terminal space at the airport shall pay an annual base rent of ~~\$42,8843.00~~ per square foot, payable in advance in equal monthly installments.

(4) In addition to payment for space used exclusively by it, a nonsignatory commercial air carrier shall pay, in equal monthly installments at the annual rate set in section 3 above, its pro rata share of the rental of common use space according to the formula hereinafter set forth.

(a) For common use space a nonsignatory commercial air carrier shall pay each month a sum equal to the total monthly rent due for all common use space multiplied by the quotient of the number of the carrier's passengers enplaning at the airport during the previous month divided by the number of all commercial air carrier passengers enplaning at the airport during the previous month.

(5) A nonsignatory commercial air carrier shall pay the following fees for aircraft landing at the airport, including transitional landings:

(a) For landing an aircraft with a Federal Aviation Administration Maximum Certificated Gross Landing Weight (GLW) of less than 12,500 pounds: ~~\$43,2544.75~~.

(b) For landing an aircraft with a GLW equal to or greater than 12,500 pounds but less than 30,000 pounds: ~~\$103,80107.40~~

(c) For landing an aircraft with a GLW equal to or greater than 30,000 pounds but less than 70,000 pounds: ~~\$242,20250.06~~.

(d) For landing an aircraft with a GLW equal to or greater than 70,000 pounds:

~~\$3,4633.58~~ per 1000 pounds of GLW.

2018 OA-023

AMENDING CHAPTER 12 OF THE DANE COUNTY CODE OF ORDINANCES, MODIFYING ZONING FEES

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 12.03 is amended to read as follows:

12.03 ZONING PERMIT FEES FOR NEW CONSTRUCTION, ADDITIONS AND ALTERATIONS. (1) For construction of new single family, duplex and mobile home residences, the fee shall be \$50.00 plus \$0.10~~75~~ for each square foot of floor area, including basements and attached garages. Late Filing Fee: Where work has begun before a permit has been obtained the fee shall be doubled.

(2) For additions to or alterations of existing single family, duplex and mobile home residences, and for buildings accessory to single family, duplex and mobile home residences, the fee shall be \$50.00 plus \$0.10~~75~~ for each square foot of added floor area, including basements and attached garages. Late Filing Fee: Where work has begun before a permit has been obtained the fee shall be doubled.

(3) For construction of commercial structures and multi-family residences, including additions, alterations and accessory buildings, the fee shall be ~~\$200.00~~\$250.00 plus \$2.00 for each \$1,000 of construction costs or fraction thereof. Late Filing Fee: Where work has begun before a permit has been obtained the fee shall be doubled.

(4) Measurements are to be made using outside dimensions. When computed, the fee amount shall be rounded to the nearest dollar.

(5) The fee for all new construction, alterations and additions to existing buildings and buildings used for agricultural purposes where a permit is required because of locational requirements of the board of adjustment shall be \$80.00, except as otherwise provided above. Late Filing Fee: Where work has begun before a permit has been obtained the fee shall be doubled.

(6) Cost of construction shall include the cost of mechanical equipment, but shall not include the cost of manufacturing or processing equipment or machinery, site preparation, sewage disposal systems, utility lines or landscaping.

(7) The fee for a zoning permit for equipment replacement or modification, or co-location of equipment on an existing cell tower or other structure shall be \$500

ARTICLE 3. Section 12.05 is amended to read as follows:

12.05 OTHER PERMIT AND REVIEW FEES. (1) The fee for a petition to amend the zoning maps in the M-1, C-1, or C-2 districts shall be \$500.00. The fee for a petition to amend the zoning maps in all other districts shall be \$350.00. Late Filing Fee: Where work has begun before a permit has been obtained, or where a change in the use of the property has occurred which requires a change in zoning district, or where necessary approvals have not been obtained prior to commencing a change in use, the fee shall be doubled.

(a) The zoning administrator shall collect an additional fee of ~~\$36.00~~\$45.00 when the petition, if granted, will result in a change to the zoning map.

(b) The zoning administrator shall collect an additional fee of \$100.00 for a density study when the petition includes a request to rezone from the A-1 Exclusive Agriculture zoning district.

(c) The zoning administrator shall collect an additional fee of \$100 per lot when the petition requests a rezone for a subdivision comprised of five or more lots. The maximum fee under this subsection shall not exceed \$2,800 per subdivision.

(d) The zoning administrator shall collect an additional fee of ~~\$425~~\$145.00 when the petition includes land in the shoreland-wetland or inland-wetland districts.

(3)(a) Except as provided in section 12.05(2)(b) and subs. (b) and (c) herein, the fee for an application for a conditional use permit shall be \$450.00. Late Filing Fee: Where work has begun before a permit has been obtained, or where appropriate approvals have not been obtained prior to commencing a change in use which requires a conditional use permit, the fee shall be doubled.

(b) The fee for an application for a conditional use permit for the construction, placement or modification of a communication tower under section 10.194 of this code of ordinances shall be \$1,100.00. Late Filing Fee: Where work has begun before a permit has been obtained or appropriate approvals obtained the fee shall be doubled.

(c) The fee for an application for a conditional use permit for a mineral extraction operation shall be \$1,100.00. Late Filing Fee: Where work has begun before a permit has been obtained or appropriate approvals are obtained the fee shall be doubled.

(d) In addition to the fees set forth in paragraphs (a), (b) and (c), there is imposed a digital mapping maintenance fee of ~~\$36.00~~\$45.00.

(e) In addition to the fees set forth in paragraphs (a), (b), (c), and (d), there is imposed a digital mapping maintenance fee of ~~\$36.00~~\$45.00.

(f) The fee for Radio Frequency Engineering review of an application for a conditional use permit for the construction, placement or modification of a communication tower under section 10.194 of this code of ordinances shall be \$3,000 per communication tower plus the cost of any additional services rendered as established in current Purchase of Service (POS) agreement for these services.

(4) The fee for an application for a variance shall be ~~\$350.00~~\$500.00. Late Filing Fee: Where work has begun before a permit has been obtained or appropriate approvals obtained the fee shall be doubled.

(5) The fee for an appeal to the board of adjustment of an administrator's decision shall be ~~\$350.00~~\$500.00.

(6) The fee for a certificate of compliance for buildings constructed prior to August 20, 1970, and all other certificates provided for in chapter 10 shall be ~~\$45.00~~\$50.00.

(7) The fee for a salvage yard license or renewal shall be ~~\$125.00~~\$150.00.

(9) The fee for each zoning certificate under the Wisconsin Farmland Preservation Act shall be \$30.00.

(a) Whenever a farm is located in two townships and two certificates are required, only one fee shall be charged.

(12) The fee for an administrative determination of the flood plain status of a parcel of land shall be ~~\$125.00~~\$145.00.

(13) The fee for an administrative determination of the navigability or ordinary high water mark of any lake, pond, flowage, river or stream shall be ~~\$125.00~~\$145.00.

(14) The fee for a preliminary density study shall be ~~\$100.00~~\$120.00. A *preliminary density study* is a study conducted by the department to determine the number of splits remaining for a particular parcel or to analyze other components of a town plan, performed where the person requesting the study does not have a zoning petition pending.

(15) The fee for review of a general development plan (GDP) required under s. 10.152 shall be ~~\$400.00~~\$1,000.00 plus \$5.00 for every acre proposed for development, inclusive of the fee to amend the zoning ordinance. The fee to amend a previously approved GDP or for review of a specific implementation plan (SIP) shall be \$150.00 plus \$5.00 for every acre proposed for development.

(15a) The fee for review of a general development plan (GDP) required to establish an urban planned unit development district shall be \$1,000.00 inclusive of the fee to amend the zoning ordinance. The fee to amend a previously approved GDP or for review of a specific implementation plan (SIP) required before development in an urban planned unit development district may occur shall be \$1,000.00. Except that for a rural planned unit development district, the fee shall be \$500 for the initial GDP and \$500 for an amendment or SIP.

(16) The fee for a rural number assignment including those within all extraterritorial zoning jurisdiction areas, shall be ~~\$40.00~~\$50.00.

(17) The permit fee for covered enclosures used for the purposes of keeping domestic fowl shall be \$15.00.

ARTICLE 4. Section 12.08(2) is amended to read as follows:

(2) Fees are imposed according to the following schedule:

TYPE OF SIGN:	FEE
APARTMENT COMPLEX	\$ 75.00
BILLBOARDS (Each Face)	\$250.00 <u>\$500.00</u>
DEVELOPMENT (Each Face)	\$ 75.00
DIRECTORY (Each Face)	\$ 100.00 <u>\$120.00</u>
HOME OCCUPATION	\$ 50.00
LIMITED FAMILY BUSINESS	\$ 50.00
ON-PREMISE ADVERTISING (Each Sign)	\$ 100.00
ON-PREMISE ADVERTISING (Each Sign)	\$ 100.00
MARQUEE (Each Sign)	\$ 100.00
SUBDIVISION (Permanent)	\$ 100.00

ARTICLE 5. Section 12.21 is amended to read as follows:

12.21 NONMETALLIC MINING PERMIT FEES; PLAN REVIEW FEES. (1) *Amount and applicability.* A person who intends to operate a nonmetallic mining site for which a permit application has been submitted under s. 74.121 shall submit a non-refundable plan review fee of:

- a. Less than one acre No fee
- b. One acre but not more than 25 ~~\$ 875~~ \$1,000.00 acres
- c. More than 25 but not more than ~~\$ 1,400~~ \$1,275.00 50 acres
- d. More than 50 acres ~~\$ 1,300~~ \$1,500.00

(2) A fee shall not be assessed under this section for:

(b) Any local transportation-related mining receiving an automatic permit under s. 74.165 (See ss. NR 135.23(1)(g) and NR 135.39(5)(a), Wis. Admin. Code).

(3) A separate fee of ~~\$550~~ \$620.00 shall be paid under this section for any modification to an existing reclamation plan submitted pursuant to s. 74.231.

ARTICLE 6. Section 12.27(1) is amended to read as follows:

12.27 NONMETALLIC MINING PERMIT FEES; ANNUAL FEES. (1) An operator of a non-metallic mining site subject to the requirement for a reclamation permit issued under ch. 74 shall pay an annual fee to Dane County according to the following table:

- a. Less than one acre No fee
- b. From one to not more than five ~~\$ 620~~ acres
- c. More than 5 acres but less than ~~\$ 775~~ 10 acres
- d. More than 10 acres but less than ~~\$ 955~~ 15 acres
- e. More than 15 but less than 25 acres ~~\$ 1,210~~
- f. More than 25 but less than 50 acres ~~\$ 1,310~~
- g. More than 50 acres ~~\$ 1,465~~ \$1,700.00

ARTICLE 7. Section 12.33 is amended to read as follows:

12.33 NONMETALLIC MINING APPEAL FILING FEES. The filing fee for an appeal to the nonmetallic mining appeals board brought under ch. 74 is ~~\$400~~ \$120.00.

A motion was made that the Ordinance be adopted. The motion carried by a voice vote.

2018 OA- 024

AMENDING CHAPTER 75 OF THE DANE COUNTY CODE OF ORDINANCES, AMENDING SUBDIVISION FEES

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 75.22 is amended to read as follows:

75.22 FEES. (1) A subdivider submitting a preliminary plat for review under s. 236.11(1)(a), Wis. Stats., shall pay to the Dane County Treasurer a fee of ~~\$500.00~~ \$600.00, to assist in defraying review costs.

(2) A subdivider submitting a final plat for approval under s. 236.11(2), Wis. Stats., shall pay to the Dane County Treasurer a fee of ~~\$200.00~~ \$220.00 per lot for each lot in the final plat.

(3) A subdivider submitting a certified survey map for approval under s. 75.17(1) shall pay to the Dane County Treasurer a fee of ~~\$200.00~~ \$220.00 per lot for each lot in the certified survey map.

(4) In addition to the fees set forth in subs. (2) and (3), there is imposed a digital mapping maintenance fee of ~~\$36.00~~ \$45.00 per lot.

(5) Any person seeking a determination by the County Land Division Review Officer as to the applicability of Chapter 75 to a particular parcel or parcels shall pay a fee of \$100.00.

(6) Any person seeking a variance from the land/subdivision ordinance by the committee, shall pay a fee of \$100.00.

(7) A subdivider submitting a shared driveway easement agreement for approval under s. 75.19(8) shall pay a fee of \$200.

ARTICLE 3. Section 75.55(3) is amended to read as follows:

(3) Fees. If reviewed by Dane County, a base fee of \$~~136~~165.00 plus \$25 per unit, not to exceed total fee of \$1,000, will be applied to each set of condominium instruments and to any amendments or addendums that add new units to the condominium. Cities, villages or towns may set a different fee for review of condominium instruments under this ordinance.

A motion was made that the Ordinance be adopted. The motion carried by a voice vote.

RESOLUTION SETTING THE TAX LEVY

Sub 1 to 2018 RES-257 SETTING THE 2018 TAX LEVY

The County Board of Supervisors may, according to law, levy certain taxes each year as follows:

<u>Tax Levy</u>	<u>Levied To</u>
State Tax	Entire County
County Taxes	
State Special Charges	Entire County
Bridge Aid	All Towns and the City of Monona
Highway	Entire County
County Library	All towns; the Villages of Blue Mounds, Brooklyn, Cottage Grove, Dane, Maple Bluff, Rockdale, Shorewood Hills.
Board of Health	Entire County except the City of Madison

NOW, THEREFORE, BE IT RESOLVED that in addition to the amounts below, the County levies taxes equal to the amount of any refunded or rescinded taxes pursuant to notices received from the Wisconsin Department of Revenue under sec. 74.41(5) and , Wis. Stats., and

BE IT FINALLY RESOLVED that County Taxes in conformity thereto:

1. \$234,107 be levied for County Bridge Aid on the taxable property of Dane County, exclusive of all villages and cities in the County which have never received County Bridge Aid except as otherwise provided in Sections 81.38 of the Wisconsin Statutes.
2. \$5,288,587 be levied for a County Library Tax on the taxable property of Dane County, exclusive of those towns, villages or cities which have filed a written application for exemption from a County Library Tax as provided in Section 43.64 of the Wisconsin Statutes.
3. \$6,392,924 be levied for the Board of Health on the taxable property of Dane County exclusive of the City of Madison.
4. Taxes be levied on the taxable property of Dane County as follows:
 - A. \$ 0 for State Special Charges
 - B. \$ 91,195 for Highway
 - C. \$172,579,270 County Taxes

Summary:

Gross County Taxes	\$ 251,082,412
Gross Tax Rate Per \$1,000	\$ 4.04
County Sales Tax Applied	\$ 64,649,659
Net Proposed County Property Taxes	\$ 186,432,753
State Aid – Exempt Computers	\$ 1,846,670
Net Required County Property Taxes	\$ 184,586,083
Net Tax Rate Per \$1,000	\$ 2.97

A motion was made that the Resolution be Adopted Sub. 1. The motion carried by a voice vote.

ADJOURNMENT

A motion was made by Supervisor CARL CHENOWETH, seconded by Supervisor PATRICK MILES, that the meeting be adjourned. The motion carried unanimously at 8:12 pm.

018 - 2019 COUNTY BOARD PROCEEDINGS**NOVEMBER 29, 2018 7:00 P.M. SESSION**

The Dane County Board of Supervisors met pursuant to statute. Chair Corrigan called the meeting to order. County Clerk McDonnell called the roll:

PRESENT: Bayrd, Bollig, Chenoweth, Clausius, Corrigan, Downing, Dye, Erickson, Kiefer, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Pertl, Rusk, Salov, Schauer, Veldran, Wegleitner, Stubbs, Jones, Kilmer, Young, Kuhn, Eicher, Chawla, Danner, Peters, Schwellenbach, Buckingham, Knoll, Nguyen-Hilfiger and Ratcliff

REPORTED ABSENCE: Bayrd, Clausius and Pertl

Supervisor Knoll offered an inspirational message and led the Pledge of Allegiance.

APPROVAL OF PAYMENTS

The Controller's Office has examined the following bills which have been incurred in the operation of our County Departments. Inasmuch as the claims which cover the items purchased have been found reasonable and proper, we recommend that they be allowed by the Dane County Board.

1. Besse Medical-Vivitrol-Human Services	\$19,150.67
2. Commerical Recreation-Sun Shade for Cap Springs-Land & Water	\$10,150.68
3. Complete Office Interior-Furniture-Information Management	\$39,253.36
4. Dane County Narcotics-3Q HIDTA Grant-Sheriff	\$61,493.23
5. Dell Marketing-BigSwitch Hardware-Information Management	\$114,678.30
6. Enterprise Systems-AV Upgrades-Human Services	\$55,313.65
7. Ewalds-2019 Ford Superduty F-250-Sheriff	\$42,562.00
8. Ewalds-2018 Ford Transit Van-Medical Examiner	\$42,257.00
9. General Code Publishing-Laserfiche Module-Administration	\$75,890.97
10. General Communications-Danecom PSB/CCB DAS Upgrade-Public Safety Comm	\$14,200.00
11. Harris Corporation-2018 Maintenance-Dane Comm	\$23,900.00
12. Harris Corporation-2018 Maintenance-Dane Comm	\$11,100.00
13. Interstate Billing-Oct 2018 Squad Repairs/Parts-Sheriff	\$11,815.74
14. Lincoln Contractors-Flooding Emergency Rentals-Highway	\$33,957.00
15. Madison, City of-2018 Gypsy Moth Grant-Land & Water	\$12,627.62
16. Mega Rentals-Safety Equipment-Highway	\$12,000.00
17. Nalco Chemical-HVAC System Chemicals-Alliant Energy Center	\$11,454.26
18. Premier Golf-2019 Club Car-Alliant Energy Center	\$17,863.20
19. R&K Construction-Dirt Moving-Alliant Energy Center	\$10,218.50
20. Rendevev Inc-VR Headsets-Human Service	\$30,400.00
21. Slavin Management-Director Search-Human Services	\$11,213.21
22. Trittech-2019 Maintenance-Public Safety Communications	\$256,654.73
23. Wis Dept of Admin-VAWA Grant funded DA positions-District Attorney	\$20,770.60
24. Wis Dept of Health-Bed Assessment-Badger Prairie	\$20,400.00
25. Wis Dept of Natural Resources-3Q Recycling Fees-Solid Waste	\$395,388.00
26. Wis Dept of Transportation-Sugar River Bridge-Highway	\$26,240.94
Subtotal	\$1,380,953.66
27. Capital City Culvert-Culverts-Highway	\$11,560.00
28. Cryotech Deicing-Runway Deicer-Airport	\$79,768.96
29. Detroit Salt-Sodium Chloride-Highway	\$56,278.17
30. Detroit Salt-Sodium Chloride-Highway	\$83,546.37
31. Detroit Salt-Sodium Chloride-Highway	\$41,837.59
32. Ewalds Hartford-Utility Truck-Land & Water	\$72,602.00
33. Ewalds Hartford-Utility Truck-Land & Water	\$70,692.00
34. Faulks Brothers-Runway Sand-Airport	\$18,337.56
35. M-B Companies-Wafers & Broom Cores-Airport	\$32,417.64
36. Northwoods Consulting-Compass Support-Human Services	\$91,677.00
37. Ram Construction-Ramp Restoration-Highway	\$12,774.44
Total	\$1,952,445.39

Moved by Supervisor seconded by Supervisor to approve the above amended payments. Motion carried by a voice vote.

CLAIMS RECOMMENDED FOR DENIAL

Moved by Supervisor , seconded by Supervisor to deny the following claims:

Claim of Matthew Kaminski for vehicle damage from tire debris in road.
 Claim of Jacobs Cooperage LLC/J Thomas Jacobs, alleging unusable building due to improper design and maintenance of culvert, silt trap and storm water runoff causing flooding damage.
 Claim of Girl Scouts of Wisconsin, Badgerland Council, Inc., alleging unusable building due to improper design and maintenance of culvert, silt trap and storm water runoff causing flooding damage.
 Claim of Linda Nawricki regarding wrongful death claim.
 Claim of Mark Bittorf regarding alleged tire damage from a pothole.
 Claim of Elizabeth Caulfield regarding alleged damaged windshield from unknown substance in parking ramp.
 Claim of Bill Spencer regarding alleged damage from a pothole.

Motion carried by a voice vote.

APPROVAL OF COUNTY BOARD MINUTES

Moved by Supervisor Miles, seconded by Supervisor Buckingham, to approve the minutes of the County Board meetings of November 1, 2018 and November 12, 2018. Motion carried by a voice vote.

CONSENT CALENDAR

All items on the consent calendar were approved on a voice vote. (The text and committee recommendations for each of the items follow.)

2018 RES-191

AUTHORIZING AMENDMENT FOR PUBLIC SAFETY COMMUNICATIONS INFORMATION LOGGING SYSTEM

Dane County RFP #113034 led to agreement #11586 with Northland Business Systems of Burnsville, Minnesota. The County's new 9-1-1 telephone system includes technology requiring recording upgrades, and capital budget account CPPUBSAF58339 includes funds for this project. The Public Safety Communications Technical Services Manager will oversee this upgrade on behalf of the County.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into this Agreement with Northland Business Systems, with the cost being \$258,601.

Public Protection & Judiciary and Personnel & Finance recommend adoption of 2018 RES-191. Motion carried by a voice vote.

2018 RES - 260

AUTHORIZING EXECUTION OF A SCHEDULED AIRLINE OPERATING AGREEMENT AND TERMINAL BUILDING LEASE WITH SUN COUNTRY AIRLINES

Signatory airlines providing scheduled passenger air service at the Dane County Regional Airport (the "Airport") each lease space in the Airport Terminal Building and operate under the provisions of a Scheduled Airline Operating Agreement and Terminal Building Lease (the "Operating Agreement"). In September 2018, MN Airlines, LLC d/b/a Sun Country Airlines ("Sun Country") intends to initiate air service at the Airport serving Tampa and Fort Meyers, Florida, and seeks to enter into an Operating Agreement setting forth the terms and conditions under which it will lease exclusive, common and shared space in the Airport Terminal and conduct its operations at the Airport through the end of 2018.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are hereby authorized to execute, on behalf of the County of Dane, a the Scheduled Airline Operating Agreement and Terminal Building Lease pursuant to which Sun Country Airlines will lease space in the Airport Terminal Building and offer air service at the Dane County Regional Airport, as set forth above.

Airport Commission, Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-260. Motion carried by a voice vote.

2018 RES-270

AUTHORIZING AMENDMENT OF THREE LEASES INVOLVING PARCELS OF LAND AT THE DANE COUNTY REGIONAL AIRPORT

Under three leases identified as (i) Amended and Restated Lease B, Ground Lease No. DCRA 2016-12, (ii) Amended and Restated Lease F, Ground Lease No. DCRA 2016-16, and (iii) Amended and Restated Lease G, Ground Lease No. DCRA 2016-17, Corben Land Development, LLC leases from Dane County three parcels of land on Pankratz Street in Truax Air Park West, adjacent to the Dane County Regional Airport. Subject to approval by Dane County, Corben Land Development, LLC and the Dane County Regional Airport, which administers the three subject leases, have agreed to amend each of the leases to extinguish the right of Corben Land Development, LLC to terminate the lease in the event title to the premises leased thereunder is not free and

clear of all liens and encumbrances, and to remove all references to the now terminated Truax Air Park Declaration of Covenants, Conditions and Restrictions and the body that formerly enforced said covenants, conditions and restrictions. With the exception of the foregoing amendments, all terms and conditions in each of the above identified leases will remain unchanged.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are authorized to execute on behalf of Dane County an Amendment of Leases modifying the terms of Amended and Restated Lease B, Ground Lease No. DCRA 2016-12, Amended and Restated Lease F, Ground Lease No. DCRA 2016-16, and Amended and Restated Lease G, Ground Lease No. DCRA 2016-17, as set forth above.

Airport Commission, Public Works & Transportation Committee and Personnel & Finance recommend adoption of 2018 RES-260. Motion carried by a voice vote.

2018 RES-271

AUTHORIZING AMENDMENT OF TWO LEASES INVOLVING PARCELS OF LAND AT THE DANE COUNTY REGIONAL AIRPORT

Under two leases identified as (i) Amended and Restated Lease C, Ground Lease No. DCRA 2016-13, and (ii) Amended and Restated Lease D, Ground Lease No. DCRA 2016-14, Pankratz Building Land, LLC leases from Dane County two adjoining parcels of land on Pankratz Street in Truax Air Park West, adjacent to the Dane County Regional Airport. Pankratz Building Land, LLC has requested that Dane County approve amendments to each of the foregoing leases to permit the subleasing of each of the two parcels demised under the leases to Pankratz Professional Building, LLC, which intends to construct a building and related improvements on the parcels, with the right to thereafter lease the land and improvements to a third party tenant. Airport staff has no objection to the subleasing arrangements proposed by Pankratz Building Land, LLC provided the above identified leases are amended to include conditions assuring that (i) there is no diminishment of Dane County's security and protections in the event of default under the terms of either of the foregoing leases, (ii) each of the leases is amended to extinguish the right of Pankratz Building Land, LLC to terminate the lease in the event title to the premises leased thereunder is not free and clear of all liens and encumbrances, and (iii) each of the subject leases is amended to remove all references to the now terminated Truax Air Park Declaration of Covenants, Conditions and Restrictions and the body that formerly enforced said covenants, conditions and restrictions. With the exception of the foregoing amendments, all terms and conditions in each of the above identified leases will remain unchanged.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are authorized to execute on behalf of Dane County an Amendment of Leases modifying the terms of Amended and Restated Lease C, Ground Lease No. DCRA 2016-13, and Amended and Restated Lease D, Ground Lease No. DCRA 2016-14, as set forth above.

Airport Commission, Public Works & Transportation Committee and Personnel & Finance recommend adoption of 2018 RES-271. Motion carried by a voice vote.

2018 RES-287

CONTRACT CHANGE ORDER #3 TO CONTRACT FOR JANKE GENERAL CONTRACTORS FOR LUSSIER COUNTY PARK BOAT LAUNCH

The Department of Public Works, Highway and Transportation awarded a contract to Janke General Contractors for Lussier County Park Boat Launch at Lussier County Park, 8587 Schoepp Road, Roxbury, Wisconsin, Bid No. 317023.

The following change is requested: Change Order #3-Increase \$24,648.00 for work that is needed to provide ADA access to the toilet, building, and boat ramp, and complete final grading of site.

NOW, THEREFORE, BE IT RESOLVED that Change Order #3 for a total increase of \$24,648.00 be approved to the Contract for Janke General Contractors for the above listed changes; and

BE IT FINALLY RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract.

Public Works & Transportation and Personnel & Finance Committee recommends adoption of 2018 RES-287. Motion carried by a voice vote.

2018 RES-289

CONFIRMING THE APPOINTMENT OF KIM JONES AS THE DIRECTOR OF THE DANE COUNTY REGIONAL AIRPORT

The County Executive's Office conducted a national search for candidates to lead the Dane County Regional Airport and the County Executive has selected a candidate to serve as the Director for the Dane County Regional Airport.

An Employee Service Agreement for Kim Jones to serve as the Director of the Dane County Regional Airport has been negotiated. The agreement sets forth the terms and condition of employment. The appointment requires confirmation by the County Board

NOW, THEREFORE, BE IT RESOLVED that the appointment of Kim Jones to the position of the Director of the Dane County Regional Airport is confirmed.

BE IT FURTHER RESOLVED that the County Executive is authorized to execute on the behalf of Dane County the attached agreement with Kim Jones to serve as the Director of the Dane County Regional Airport with a starting salary of \$183,350, subject to any cost of living adjustments granted to unrepresented managerial employees.

Airport Commission, Public Works & Transportation Committee and Personnel & Finance recommend adoption of 2018 RES-289. Motion carried by a voice vote.

2018 RES-292

AUTHORIZING PURCHASE OF INSURANCE

The adopted budget provides the authority to purchase insurance to protect Dane County.

Dane County purchases insurance coverage through Wisconsin Municipal Mutual Insurance Company (WMMIC) for automobile liability, general liability, miscellaneous liability, and errors and omissions in amounts up to \$10 million in excess coverage to protect the County from catastrophic losses.

In addition, insurance coverage is purchased from commercial insurance carriers for issues that are excluded from the WMMIC policy, specifically: Airport Liability insurance, Professional Liability insurance for Badger Prairie Health Care Center and the Medical Examiner's Office; property insurance, insurance to cover physical damage to automobiles and equipment, boiler insurance, underground tank insurance, insurance to cover employee crime and theft insurance, builder's risk insurance, and Workers Compensation coverage for volunteer EM. The specific amounts for these policies are provided in the adopted 2019 budget.

NOW, THEREFORE, BE IT RESOLVED that the County Controller be authorized to pay the premiums and deductibles associated with these contracts.

Personnel & Finance Committee recommends adoption of 2018 RES-292. Motion carried by a voice vote.

2018 RES-293

REAUTHORIZATION OF DANE COUNTY'S SELF-INSURED WORKER'S COMPENSATION PROGRAM & PURCHASE OF EXCESS WORKER'S COMPENSATION COVERAGE

The Wisconsin Worker's Compensation Act ("the Act") requires employers covered by the Act to either purchase worker's compensation insurance or be self-insured (and thereby assume the responsibility for worker's compensation risk and payment.)

In compliance with Wisconsin Administrative Code DWD 80.60(3), the Dane County Board of Supervisors approves the continuation of the self-insured workers' compensation program currently in effect. Dane County will continue to report faithfully all compensable injuries to the Wisconsin Department of Workforce Development ("DWD") and will continue to comply with the Act and DWD rules.

Dane County transfers some of the risk of operating a self-insured workers' compensation program by purchasing excess worker's compensation insurance coverage.

NOW, THEREFORE, BE IT RESOLVED that the County Controller is authorized to pay the premiums and deductibles associated with this coverage. The specific amount for this policy is provided in the adopted 2019 budget.

Personnel & Finance recommend adoption of 2018 RES-293. Motion carried by a voice vote.

2018 RES-295

APPROVAL OF THE 2019 ANNUAL ACTION PLAN FUNDING RECOMMENDATIONS

Dane County is an Entitlement Community under two U.S. Department of Housing and Urban Development (HUD) programs: the Community Development Block Grant (CDBG) and the Home Investment Partnerships (HOME). CDBG funds are intended to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low-and-moderate income persons. The intent of the HOME Program is to expand the supply of decent, safe, sanitary and affordable housing, with primary attention to rental housing for very low-income and low-income families.

HUD regulations require the development of a Consolidated Plan every five years to provide an overall framework for the investment of grant funds and a one-year action plan that governs the recommended projects for the upcoming year. The current Consolidated Plan was approved by the County Board and the County Executive in November 2014 and covers a five-year time period through December 31, 2019.

The development of the one-year action plan is based on the priorities identified in the Consolidated Plan and from a public hearings held on March 22, 2018 and September 27, 2018 soliciting citizen input. The County established a competitive application process for the allocation of the projected grant funds. Applications for 2018 CDBG and HOME funds were solicited beginning April 2, 2018 and due May 24, 2018. The Application Review Team, a subcommittee of the CDBG Commission, met July 14 and 21, 2018 to hear presentations by the applicants and to make initial recommendations to the full CDBG Commission. The CDBG Commission made its preliminary recommendations at its July 26, 2018 meeting.

A draft of the 2019 Action Plan Funding Recommendations was posted on the County web site beginning on July 27, 2018 for public review and comment. A summary of the 2019 Funding Recommendations and notice of public hearing was published in a non-legal section of the Wisconsin State Journal on August 26, 2018. Following a public hearing for citizen input regarding the 2019 Action Plan Funding Recommendations, the CDBG Commission finalized the following recommendations at their September 27, 2018 meeting: 28 Applicant

Applicant	Activity	CDBG	HOME
Community Action Coalition of SC WI	Housing Resource & Referral	\$ 35,000	
Habitat for Humanity of Dane County	Mortgage Reduction		\$ 300,000
JT Klein	Limestone Ridge		\$ 300,000
Madison Black Chamber of Commerce	Micro Business Incubator	\$ 40,000	
Madison Dental Initiative d/b/a/ More Smiles WI	Fitchburg-West Dental Clinic	\$ 25,000	
Movin' Out, Inc.	Minor Home Rehab	\$ 60,000	
Movin' Out, Inc.	Mortgage Reduction		\$ 200,000
North/Eastside Senior Coalition	LASSO	\$ 6,000	
Operation Fresh Start	Affordable Home Ownership		\$ 54,000
Project Home, Inc.	Major Home Rehab		\$ 260,000
Project Home, Inc.	Minor Home Rehab	\$ 150,000	
Stoughton United Methodist Church	Affordable Transportation Prg.	\$ 7,000	
Sunshine Place	The Bed Lady Program	\$ 10,000	
Vera Court Neighborhood Center	Expanding Spanish GED	\$ 45,000	
WI Partnership for Housing Development	Stoughton Family Housing		\$ 300,000
WWBIC	Economic Assistance	\$ 75,000	
YWCA of Madison	YW Transit	\$ 40,000	
TBD	Set aside disaster assistance	\$ 51,000	

All funding is contingent upon Federal action on these programs. The CDBG Commission recommends that if there are not sufficient funds available for the programs recommended for CDBG or HOME funding, that:

- Decreases will be made to comply with the federal caps on administration, Community Housing Development Organization (CHDO), and public services funds;
- Public services funds will receive an equal percentage reduction across the board;
- Funds available for reallocation, such as dollars unexpended from prior year contracts, will be used to offset the cuts.

In the event of an increase in CDBG or HOME funds:

- Public Service projects recommended for funding will receive an equal percentage increase in funding until the public services cap is met; no project will receive more than its requested amount.

NOW, THEREFORE, BE IT RESOLVED that the County Executive is authorized to submit the above referenced 2019 Action Plan funding recommendations, as well as, any amendments and additional documentation to HUD relating to the 2019 Program Year CDBG and HOME grants;

BE IT FURTHER RESOLVED that the Dane County Executive and Dane County Clerk are hereby authorized and directed to sign the appropriate contracts on behalf of Dane County; and,

BE IT FINALLY RESOLVED that the Dane County Controller is authorized to issue checks necessary to implement the 2019 CDBG and HOME programs.

Personnel & Finance Committee recommends adoption of 2018 RES-295. Motion carried by a voice vote.

2018 RES-296

AUTHORIZING SUBMISSION OF SUBSTANTIAL AMENDMENT OF THE 2018 ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Dane County is an Entitlement Community under two U.S. Department of Housing and Urban Development (HUD) grant programs: the Community Development Block Grant (CDBG) and the Home Investment Partnerships (HOME). CDBG funds are intended to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low-and-moderate income persons. The intent of the HOME Program is to expand the supply of decent, safe, sanitary and affordable housing, with primary attention to rental housing for very low-income and low-income families.

This Substantial Amendment is required by the County's Citizen Participation Plan in light of changes to projects previously presented. It recognizes and allocates unexpended funds from prior year contracts and program income. It also accounts for slight changes in the 2018 CDBG and HOME formula allocations and applies the methodology previously approved by the governing bodies to those revisions.

The Substantial Amendment amends the 2018 Action Plan, passed by the County Board in November, 2017 and submitted to HUD to fund and include the following projects:

Recipient	Project Description	CDBG	HOME
Boys and Girls Club of Dane County	The Sun Prairie Youth Center	\$ 450,000	

Applications for 2018 funding were solicited via an RFP process in April & May, 2017. The applications were reviewed by the Application Review Team of the CDBG Commission. The CDBG Commission made its preliminary recommendations at their July, 2017 meeting. These recommendations included releasing prior year unexpended CDBG funds, as well as, funds available for reallocation. These recommendations were incorporated into a Substantial Amendment to the 2018 Action Plan. In accordance with the *Citizen Participation Plan*, a summary of the Substantial Amendment to the 2018 Action Plan and notice of a public hearing was published in a non-legal section of the *Wisconsin State Journal* on August 26, 2018. A draft version of the Substantial Amendment was also posted on the County web site for public review and comment. A public hearing for citizen input was held on September 27, 2018 after which the CDBG Commission finalized their recommendations.

NOW, THEREFORE, BE IT RESOLVED that the County Executive is authorized to submit the above referenced Substantial Amendment to the 2018 Action Plan, as well as, any amendments and additional documentation to HUD relating to the 2018 Program Year CDBG and HOME grants;

BE IT FURTHER RESOLVED that the Dane County Executive and Dane County Clerk are hereby authorized and directed to sign the appropriate contracts on behalf of Dane County; and,

BE IT FINALLY RESOLVED that the Dane County Controller is authorized to issue checks necessary to implement the 2018 CDBG and HOME programs.

Personnel & Finance Committee recommends adoption of 2018 RES-296. Motion carried by a voice vote.

2018 RES-303

CONTRACT CHANGE ORDER #6 TO CONTRACT FOR JOE DANIELS FOR BIOGAS FACILITY CONSTRUCTION

The Department of Public Works, Highway and Transportation, Solid Waste, awarded a contract to Joe Daniels for Biogas Facility Construction, 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) Bid #317049.

The following change is requested: Change Order #6 - Decrease \$338,900.00 for removal of alternative bid 2 from scope of contract.

NOW, THEREFORE, BE IT RESOLVED that Change Order #6 for a total decrease of \$338,900.00 be approved to the Contract Joe Daniels for the above listed changes; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-303. Motion carried by a voice vote.

2018 RES-304

AUTHORIZING THE PURCHASE OF AN EASEMENT FOR THE NORTH MENDOTA TRAIL

An off-road bicycle and pedestrian trail (the North Mendota Trail) along County Highway M is a long-desired recreational and transportation amenity. Dane County, along with the Town of Westport, Village of Waunakee and City of Middleton are working to complete various segments of the North Mendota Trail, which will eventually have links to Pheasant Branch Conservancy, Mendota County Park, Schumacher Farm County Park and Governor Nelson State Park.

The Land & Water Resources Department has recently negotiated the acquisition of a multi-use conservation and trail easement over approximately 5.8 acres of a larger parcel known as the Community of Bishops Bay, just west of and running parallel to County Highway M in the Town of Westport. The easement will result in a nearly ½ mile stretch of trail that will make the connection to Governor Nelson State Park. Located in an area of intense development, this purchase will secure a crucial trail corridor linkage along County Highway M. The purchase requires that the seller provide site grading and paving of this segment of trail as well as paving of the ¼ mile segment directly to the north.

The purchase price for the approximately 5.8 acre trail easement and trail construction has been established at \$200,000. Funds for the purchase are available in the Conservation Fund. The debt issued to support this expenditure will have a term of 10 years.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of a conservation and trail easement from Bishops Bay Land Holdings, LLC and Bishops Bay Farm & Prairie, LLC for \$200,000 according to Wis. Stats Chapter 27.03(3); and

BE IT FURTHER RESOLVED that the Dane County Clerk and County Executive are hereby authorized to execute the described easement and related documents on behalf of Dane County; and

BE IT FINALLY RESOLVED that the Land & Water Resources Director and/or Real Estate Coordinator are authorized to administer the closing and the transfer of the property interest to Dane County and the Controller is authorized to issue checks necessary to effectuate the transaction.

Park Commission, Environment, Agriculture & Natural Resources and Personnel & Finance Committees recommend adoption of 2018 RES-304. Motion carried by a voice vote.

2018 RES-308

APPROVING AGREEMENTS TO SUPPORT THE MAIN STREET APARTMENTS AFFORDABLE HOUSING PROJECT IN THE CITY OF SUN PRAIRIE

The 2018 Capital Budget included \$3 million for the Affordable Housing Development Fund. This fund is to be used to support affordable housing projects in Dane County. A Request for Proposals (RFP) was issued by the AHDF staff team. As a result, seven projects were selected for funding. One of the projects is the Main Street Apartments project located in the City of Sun Prairie, which was awarded \$300,000 under the program. The project, being developed by Gorman & Company partnered with the Dane County Housing Authority and was selected to receive low income housing tax credits by the Wisconsin Housing and Economic Development Authority. The development will include a total of 64 housing units, of which, 55 will be set aside for households with incomes between 30 and 60% of the local median income.

County staff have developed the required documents to transmit the funding to the developer. The agreements utilize a partnership between Dane County and the Dane County Housing Authority to provide long term loan to Gorman to contribute to the financing of the project. The debt issued to support this project will have a term of ten years.

THEREFORE BE IT RESOLVED that the agreements related to the Affordable Housing Development Fund award to Gorman and Company for the purposes of developing a Low Income Housing Tax Credit Project known as Main Street Apartment in the City of Sun Prairie are approved and the County Executive and County Clerk are authorized to execute the documents and the County Controller is authorized to issue payments required under the agreements.

Personnel & Finance Committee recommends adoption of 2018 RES-308. Motion carried by a voice vote.

2018 RES-309

AWARD OF CONTRACT TO J.H. FINDORFF & SON INC. FOR REMODEL OF OFFICE SPACE ON 5TH FLOOR OF THE CCB

The Department of Public Works, Highway and Transportation reports the receipt of bids for Information Management Office Remodel 5th Floor Phase 2, bid #318038.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

J.H. Findorff & Son Inc.
300 S. Bedford Street
Madison, WI 53703

Total: \$ 511,000.00

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to J.H. Findorff & Son Inc.

There are sufficient funds available for this project. The term of the borrowing used to support this project will be 10 years.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to J.H. Findorff & Son Inc. in the amount of \$511,000.00; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-309. Motion carried by a voice vote.

2018 RES-313

AUTHORIZATION TO APPLY FOR 2018-2019 STATE OF WISCONSIN DNR LAKE PLANNING GRANTS

WHEREAS, Dane County is interested in obtaining cost-share grants from the Wisconsin Department of Natural Resources for the purpose of funding three Small Scale Lake Planning Grants for near shore fishery surveys on lakes Waubesa and Kegonsa and updating Aquatic Plant Harvesters with Sonar devices.

FURTHERMORE, a subsequent resolution would establish any grant funding awarded to Dane County in the Land & Water Resources budget.

NOW, THEREFORE, BE IT RESOLVED, Dane County will comply with all local, state, and federal rules, regulations and ordinances relating to this project and the cost-share agreement;

BE IT FURTHER RESOLVED, that the County Board of Supervisors and County Executive hereby authorize the Water Resources Planner and Director of Dane County Land & Water Resources or his or her designee to sign and submit the grant application, grant agreement, reports and the grant reimbursement request to the Wisconsin Department of Natural Resources.

Environment, Agriculture & Natural Resources and Personnel & Finance Committees recommend adoption of 2018 RES-313. Motion carried by a voice vote.

2018 RES-319

CHANGE ORDER #1 TO THE AGREEMENT FOR MEAD & HUNT, INC. FOR DESIGN OF LIFE-SAFETY IMPROVEMENTS IN THE CCB JAIL

The Department of Public Works, Highway and Transportation awarded an agreement to Mead & Hunt, Inc. for Design of Life-Safety Improvements in the City-County Building Jail, Proposal #316040.

The following change is requested: Change Order #1 - Increase \$98,300.00 for additional consulting and design services related to significant modifications to the project.

NOW, THEREFORE, BE IT RESOLVED that Change Order #1 for a total increase of \$98,300.00 be approved to the Agreement for Mead & Hunt, Inc. for the above listed changes; and

BE IT FINALLY RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Agreement.

Public Works & Transportation and Personnel & Finance Committee recommends adoption of 2018 RES-319. Motion carried by a voice vote.

REPORTS ON ZONING PETITIONS

PETITION 11349 - ZONING CHANGE IN THE TOWN OF YORK - ZONING ORD. AMDT. 11349

Petition 11349 by Mathaire Field LLC., to change zoning from A-2 Agriculture District to RE-1 Recreational District on property located at 7530 STHG 73, Section 10, Town of York.

Zoning & Land Regulation Committee recommends that Petition 11349 be granted and Zoning Ord. Amdt. 11349 be adopted. Motion carried by a voice vote.

ORDINANCES

Sub No.1, 2018 OA-025

AMENDING CHAPTERS 2, 7, 25 AND 41 OF THE DANE COUNTY CODE OF ORDINANCES. REGARDING CREATION OF A DEPARTMENT OF WASTE AND RENEWABLES

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 2.03(2)(i) is amended to read as follows:

2.03 PERSONS AUTHORIZED TO ISSUE CITATIONS. The following persons may issue citations authorized under this ordinance:

- (1) Any county law enforcement officer.
- (2) The following county officials with respect to the enforcement of only those chapters or sections of the ordinances specified:
- (i) Chapter 41, Solid Waste Collections: ~~Public Works Director~~ Waste and Renewables Director.

ARTICLE 3. Section 7.18(1) is amended to read as follows:

7.18 THE PUBLIC WORKS & TRANSPORTATION COMMITTEE. (intro.) The ~~public works & transportation committee~~ **shall have the duty and responsibility to:**

- (1) Act as the supervisory committee for the department of public works, highway and transportation, department of waste and renewables, the Dane County Parking Ramp, and the Alliant Energy Center of Dane County.
- ~~(5) Receive recommendations from the solid waste and recycling commission on all matters of policy relating to solid waste in Dane County.~~

ARTICLE 4. Section 25.12(1)(e)3. is amended to read as follows:

(e) *Service contract* means any contract with the County, for the provision of services to any County department or agency. The purchasing agent shall review each bid specification or request for proposals and make a determination as to whether the proposed contract will constitute a service contract. *Service contract* includes subcontracts but does not include any contract, whether or not a subcontract, which:

- 3. Is a ~~department of~~ public works contract regulated under ch.40;

ARTICLE 5. Section 25.52 is amended to read as follows:

25.52 PUBLIC WORKS CONTRACTS. The public works director and the director of waste and renewables ~~is-are~~ authorized to make purchases directly related to public works construction in accordance with chapter 40 and s. 59.52(29), Wis. Stats. The director of public works or the director of waste and renewables may, at his or her discretion, utilize the services of the purchasing division for any other or all goods and services related to public works construction which are required by the public works or waste and renewables department. Purchases not directly related to department public works construction shall be made through the Controller in accordance with this ordinance.

ARTICLE 6. Section 41.04(4), (5) and (8) are amended to read as follows:

- (4) *Department* shall mean the department of ~~public works, highway and transportation~~ waste and renewables.
- (5) *Director* shall mean the director of the department of ~~public works, highway and transportation~~ waste and renewables.
- (8) *Sanitary landfill* shall mean a type of land disposal operation involving the disposal of solid waste on land without creating nuisances or hazards to public health or safety, by utilizing the principles of engineering to confine the solid waste to the smallest practical area, to reduce it to the smallest practical volume and to cover it with a layer of earth or other Wisconsin Department of Natural Resources approved cover material at the conclusion of each day's operation or at such more frequent intervals as may be necessary.

ARTICLE 7. Section 41.05(2) is amended to read as follows:

- (2) The director of the department of ~~public works~~ waste and renewables shall exercise day to day supervision of the program and the procedures established to effect the program's purposes and goals.

ARTICLE 8. Section 41.99(5) is amended to read as follows:

- (5) In addition to the imposition of forfeitures, the ~~public works~~ director of waste and renewables may, in the interests of preserving Dane County's ability to handle solid wastes, refuse entry to any Dane County landfill to any person, firm or municipality who or which violates any provision of this ordinance. Any person, firm or municipality affected may appeal the decision of the ~~public works~~ director of waste and renewables to the committee whose decision shall be final.

[EXPLANATION: This amendment conforms the county ordinance to reflect the creation of the department of waste and renewables.]

Personnel & Finance Committee recommend adoption of 2018 OA-025. Public Works & Transportation Committee recommends adoption of Sub. 1, 2018 OA-025.

Moved by Supervisor Nelson, seconded by Supervisor Miles, to adopt Sub. 1, 2018 OA-025. Motion carried by a voice vote.

RESOLUTIONS

Sub. 1, 2018 RES-254

IN SUPPORT OF THE WILLIAM S. MIDDLETON MEMORIAL VETERANS ADMINISTRATION HOSPITAL AND IN OPPOSITION OF PRIVATIZATION OF SERVICES

Dane County area Veterans Administration clinics and hospitals currently see approximately 1349 patients daily. Of those, the William Middleton Memorial Veterans Administration Hospital in Madison currently sees about 951 outpatients daily. Services provided include medical, surgical, neurological, psychiatric, and a range of outpatient services as well as research programs in clinical, basic, laboratory, rehabilitation, and health services research.

Affiliated with the University of Wisconsin School of Medicine and Public Health, and physically connected to the University of Wisconsin Clinical Science Center, the hospital and its affiliated clinics provide world-renown care and research to the thousands of veterans that utilize its services supported by a \$385.6 million budget.

This critical area hospital and clinics employ approximately 2,200 employees making it an integral part of the Dane County economy and community. The services provided to veterans and the jobs created are unmatched and should not be compromised by a potential transition to private care providers.

The federal government needs to support policies and provide resources that do not jeopardize care for veterans by moving essential resources to the private sector. The diverse group of veterans that utilize the services of the VA include older residents with diseases associated with aging and disabilities associated with past wars, and younger veterans with complex conditions related to their military service.

Privatization for very rural areas without reasonable access to Veterans Hospitals and services has been advocated for by Veterans and their organizations for several years. The current federal administration has moved from providing private services in very rural areas toward complete privatization rather than reinvesting in the department which lowers the quality of care for the majority of Veterans.

Veterans care should not be seen as a political pawn, rather a requirement and duty to take care of the men and women that served this country. Dismantling a system that is supported and preferred by 80% of veterans so that a small group of people can profit is irresponsible and negligent.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors supports and recognizes the significance of the William S. Middleton Memorial Veterans Administration Hospital and area clinics in the lives of veterans and in the Dane County community; and

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors opposes the privatization of services that the Veterans Administration provides to millions of veterans nationally and thousands of Dane County residents jeopardizing their care; and

BE IT FINALLY RESOLVED that a copy of this resolution be sent to the Dane County legislative delegation, Governor Scott Walker, Representative Mark Pocan, Representative Paul Ryan, Senator Tammy Baldwin, Senator Ron Johnson, and President Donald Trump.

Steve Brooks, Mount Horeb, registered and spoke in support of 2018 Res-254.

F. Lincoln Grahls, Madison, registered in support of 2018 RES-254.

Executive Committee recommends adoption of Sub. 1, 2018 RES-254. Motion carried by a voice vote.

2018 RES-268

CONFIRMING THE APPOINTMENT OF JOHN WELCH AS THE DIRECTOR OF THE DEPARTMENT OF WASTE AND RENEWABLES

An employment services agreement setting forth the terms and conditions of employment has been negotiated with John Welch to serve as the Director of the Department of Waste and Renewables. The appointment requires confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointment of John Welch to the position of the Director of the Department of Waste and Renewables is confirmed.

BE IT FURTHER RESOLVED that the County Executive is hereby authorized to execute on behalf of the County of Dane, an employment services agreement with John Welch to serve as the Director of the Department of Waste and Renewables with a beginning base salary of \$119,500.00.

Public Works & Transportation and Personnel & Finance recommend adoption of 2018 RES-268. Motion carried by a voice vote.

2018 RES-413

RESOLUTION AUTHORIZING CORPORATION COUNSEL TO INTERVENE IN THE CARDINAL-HICKORY HIGH-VOLTAGE TRANSMISSION LINE PROCEEDINGS BEFORE THE PUBLIC SERVICE COMMISSION

American Transmission LLC, by its corporate manager, ATC Management Inc., (collectively ATC), ITC Midwest LLC (ITC Midwest), and Dairyland Power Cooperative (Dairyland) have submitted an application with the Public Service Commission (PSC) (docket number 05-CE-146) to construct a new 345 kilovolt transmission power line from the Cardinal Substation in Dane County, Wisconsin, to the Hickory Creek Substation in Dubuque County, Iowa, and connecting to a new intermediate substation to be constructed in Grant County, Wisconsin.

Otherwise known as the "Cardinal-Hickory Transmission Line", the high-voltage power line's proposed path will traverse through a portion of Dane County, and may create a number of potential impacts to Dane County's farmlands and parks. The County's objections to ATC's unneeded line include the negative impacts it would have on the County's residents and economic development, as well as to its farms, parks, businesses, visual appearance and environmentally sensitive wetlands, woods, and other natural areas. The County also objects to the fact that the line will place a far greater financial burden on the County's resident ratepayers than any projected minimal benefit they might possibly ever receive. In order to ensure that the PSC is aware of the significance of these impacts, the County must participate in the Cardinal-Hickory Transmission Line Certificate of Public Convenience and Necessity (CPCN) hearing before the Commission.

NOW THEREFORE, BE IT RESOLVED, that the Dane County Board of Supervisors hereby directs the Corporation Counsel to intervene in the CPCN hearing regarding the Cardinal-Hickory High Voltage Transmission Line, and to litigate the matter in order to advocate for Dane County's interests.

Public Protection & Judiciary Committee recommends adoption of 2018 RES-413. Motion carried by a voice vote.

ITEMS REQUIRING TWO-THIRDS MAJORITY

2018 RES-264

AMENDING CONTRACT FOR PP ACQUISITION COMPANY LLC dba OMNICARE OF MADISON – DCDHS-BPHCC

DCDHS purchases pharmaceutical products for residents of Badger Prairie Health Care Center from PP Acquisition Company LLC dba Omnicare of Madison. These products include prescription medications, over-the-counter medications and supplies, and other medical supplies and vaccines. The level and type of products provided fluctuates dependent on patient need. Actual 2018 utilization has been higher due to a higher Medicare Part A resident census. This resolution authorizes increasing the Medicare Part A Pharmacy expense account by a total of \$20,000, with a corresponding increase in the Medicare Part A Room & Board revenue account. This would bring the contract total to \$109,500. Since the contract will exceed \$100,000 and was not approved as a part of the County budget process it requires County Board approval per Dane County Ordinance 25.11.

NOW, THEREFORE, BE IT RESOLVED that the following revenue account be credited to the General Fund and transferred from the general fund to the following expenditures accounts in the Department of Human Services Badger Prairie Health Care Center fund:

<u>Revenue Account Number</u>	<u>Account Title</u>	<u>Amount</u>
BPHCREV 839170	Medicare Part A Room & Board	\$20,000

<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
BPHCREV 21890	Medicare PT	\$20,000

BE IT FURTHER RESOLVED that the contract with PP Acquisition Company LLC dba Omnicare of Madison below be amended to increase the contract by \$20,000.

BE IT FINALLY RESOLVED that the Dane County Executive and County Clerk are hereby authorized to execute the described addendum with PP Acquisition Company LLC dba Omnicare of Madison on behalf of Dane County.

Health & Human Needs and Personnel & Finance Committee recommends adoption of 2018 RES-264. Motion carried by a voice vote.

2018 RES-280

CONTRACT CHANGE ORDER #5 TO CONTRACT FOR R.G. HUSTON FOR PHASE 9, CELL 2 LINER AND STAGE 4 FINAL CAP CONSTRUCTION

The Department of Public Works, Highway and Transportation, Solid Waste, awarded a contract to R.G. Huston for Phase 9, Cell 2 Liner and Stage 4 Final Cap Construction, 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) Bid #317040.

The following change is requested: Change Order #5 - Increase \$431,500.00 for Stage 4 and 5 earthwork beyond the original contract to complete capping. This resolution transfers funds from existing capital accounts to the project account to provide adequate funding for this change order.

NOW, THEREFORE, BE IT RESOLVED that Change Order #5 for a total increase of \$431,500.00 be approved to the Contract for R.G. Huston for the above listed changes; and

BE IT FURTHER RESOLVED that \$27,340.00 be transferred from account SWRODFLD/57921 to account SWRODFLD/58681; that \$34,008.08 be transferred from account SWRODFLD/58971 to account SWRODFLD/58681; that \$116,486.67 be transferred from account SWRODFLD/57351 to account SWRODFLD/58681; that \$127,414.92 be transferred from account SWRODFLD/57054 to account SWRODFLD/58681; and

BE IT FINALLY RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract.

Public Works & Transportation and Personnel & Finance Committee recommends adoption of 2018 Res-280. Motion carried by a voice vote.

2018 RES-305

AUTHORIZING ACCEPTANCE OF FUNDS AS A SUB-RECIPIENT OF A NAWCA GRANT FROM GROUNDSWELL CONSERVANCY INC

Dane County Parks has been selected as a sub-recipient of a North American Wetlands Conservation Act Grant (NAWCA) awarded to Groundswell Conservancy Inc. for \$10,000.

The purpose of the \$10,000 grant is for invasive species removal at Cherokee Marsh Wildlife Area along the Yahara River corridor, driven by the goal of protecting and restoring migratory bird habitat.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby accept \$10,000 for restoration at Cherokee Marsh Wildlife Area.

BE IT FURTHER RESOLVED that the Land & Water Resources Director and the Acquisition & Planning Specialist are authorized to execute documents, including reimbursement requests, necessary to accept the grant funds.

BE IT FINALLY RESOLVED that revenue and expense accounts LWRPKOP 80085 and LWRPKOP 21285 "Invasive Species Control" be increased by \$10,000. These funds shall be carried forward until expended.

Public Works & Transportation and Personnel & Finance Committee recommends adoption of 2018 RES-280. Motion carried by a voice vote.

2018 RES-321

AWARD OF CONTRACT TO J.H. FINDORFF & SON INC. FOR PRINTING AND SERVICES REMODEL

The Department of Public Works, Highway and Transportation reports the receipt of bids for Printing and Services Remodel, bid #318037.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

J.H. Findorff & Son Inc.
300 S. Bedford Street
Madison, WI 53703

Total: \$ 400,800.26

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to J.H. Findorff & Son Inc.

The total project costs exceed the funds available in the capital budget. This resolution transfers excess funds from the Information Management Remodel Project to supplement the budgeted amount. The term of the borrowing used to support this project will be 10 years.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to J.H. Findorff & Son Inc. in the amount of \$400,800.26; and

BE IT FURTHER RESOLVED that \$60,000 be transferred from CPADMIN 58674 "DIM Remodel" to CPFACMGT 58028 "Printing and Services Remodel"; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Public Works & Transportation and Personnel & Finance Committee recommends adoption of 2018 Res-321. Motion carried by a voice vote.

ADJOURNMENT

Moved by Supervisor Chenoweth, seconded by Supervisor Ritt, to adjourn the meeting to Thursday, December 20, 2018 at 7:00 pm or at the call of the chair. Motion carried unanimously at 8:13 pm. Subsequent to adjournment, Chair Corrigan made the following referrals:

- 2018 RES-329 - Authorizing Acceptance of a Grant from Wisconsin Office of Energy Innovation. Submitted by Supervisors Nelson, Kiefer, Ratcliff and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-330 - Funding for Next Generation 911 Upgrades. Submitted by Supervisors Rusk, Danner, Krause, McCarville and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-401 - Awarding a Collective Bargaining Agreement to the Dane County Deputy Sheriff's Association. Submitted by Supervisors Miles, Corrigan, Dye, Eicher, Jones, Kiefer, Knoll, Levin, Nguyen-Hilfiger, Ritt, Rusk, Salov, Schwellenbach and Stubbs. Referred to PERSONNEL & FINANCE.
- 2018 RES-402 - Awarding a Collective Bargaining Agreement to the Building & Construction Trades Council of South Central Wisconsin. Submitted by Supervisors Miles, Bollig, Buckingham, Chawla, Chenoweth, Corrigan, Danner, Downing, Dye, Eicher, Erickson, Jones, Kiefer, Kilmer, Knoll, Kolar, Krause, Kuhn, Levin, McCarville, Nelson, Nguyen-Hilfiger, Ratcliff, Ritt, Rusk, Salov, Schauer, Schwellenbach, Stubbs, Veldran, Wegleitner and Young. Referred to PERSONNEL & FINANCE.
- 2018 RES-405 - Authorizing Acceptance of Grant Funding from the FY 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Program. Submitted by Supervisors Rusk, Danner, Krause, McCarville and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-408 - Amended Agreement for the Reconstruction of CTH N in the City of Stoughton. Submitted by Supervisors Nelson, Ratcliff and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-411 - Authorizing Acceptance of a Grant from US Fish & Wildlife Service for McCarthy County Park. Submitted by Supervisors Ritt, Chawla, Downing, Jones, Levin and Miles. Referred to PARK COMMISSION, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-414 - Approval of Fifth Amendment of Operating Agreement and Terminal Building Lease of Delta Airlines, Inc. Submitted by Supervisors Rusk, Bollig, McCarville and Schauer.
- 2018 RES-415 - Authorizing to Accept Stop Violence Against Women Act Grant Funding for the Position of Specialized Regional Resource Prosecutor for the Dane County District Attorney's Office. Submitted by Supervisors Rusk, Danner, Krause, McCarville and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-420 - Urging Allocation of Space for Spiritual Contemplation in the Consolidation Dane County Jail. Submitted by Supervisors Dye, Bollig, Buckingham, Chawla, Chenoweth, Danner, Downing, Eicher, Erickson, Jones, Kilmer, Knoll, Kolar, Krause, Kuhn, Levin, Miles, Nelson, Nguyen-Hilfiger, Ratcliff, Rusk, Salov, Schauer, Veldran and Wegleitner. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-421 - Contract Change Order # 12 to Contract for BIOFerm USA, Inc. for Biogas Cleaning Equipment for Pipeline Injection (Phase III). Submitted by Supervisors Nelson and Ratcliff. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-424 - Approving Agreements and Purchases Supporting an Affordable Housing Project at 134 S. Fair Oaks Avenue in the City of Madison. Submitted by Supervisors Chawla, Bollig, Chenoweth, Eicher, Jones, Kilmer, Knoll, Kolar, Levin, McCarville, Miles, Nelson, Ritt, Rusk, Schauer and Stubbs. Referred to PERSONNEL & FINANCE.
- 2018 RES-426 - Award of Contract for Multiple Highway Garage CNG Retrofit-York & Springfield Garages. Submitted by Supervisors Nelson and Ratcliff. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-427 - Award of Contract for Airport Main Terminal Reroofing - Dane County Regional Airport. Submitted by Supervisor Nelson. Referred to AIRPORT, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.

- 2018 RES-428 - Supporting the Request of Naming of Un-named Body of Water as Pleasant Valley Creek. Submitted by Supervisor Jones. Referred to ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-429 - Approve New Crop Leases on County Land. Submitted by Supervisors Ripp and Corrigan. Referred to PARK, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-430 - Authorizing Streambank Easement on Milum Creek - Fritz. Submitted by Supervisor Downing. Referred to PARK, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-431 - Approval of the Dane County Land & Water Resource Management Plan. Submitted by Supervisors Chenoweth, Chawla, Downing, Jones, Levin and Ritt. Referred to LAND CONSERVATION, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-433 - Approval of Third Amendment of Operating Agreement and Terminal Building Lease of United Airlines, Inc. Submitted by Supervisors Rusk, Bollig and McCarville. Referred to AIRPORT, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-439 - Award of Contract for Medical Director for the Public Safety Communications Department. Submitted by Supervisors Rusk, Danner, Krause, McCarville and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-444 - Awarding Contract to the Wisconsin State Law Library. Submitted by Supervisor McCarville. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-456 - Award of Contract for Printing of Optical Ballots. Submitted by Supervisor Corrigan. Referred to EXECUTIVE and PERSONNEL & FINANCE.

2018 - 2019 COUNTY BOARD PROCEEDINGS**DECEMBER 20, 2018 6:00 P.M. SESSION**

The Dane County Board of Supervisors met pursuant to statute. Chair Corrigan called the meeting to order. County Clerk McDonell called the roll:

PRESENT: Bollig, Clausius, Corrigan, Erickson, Kiefer, Kolar, Krause, Levin, McCarville, Nelson, Ripp, Ritt, Rusk, Salov, Schauer, Veldran, Wegleitner, Stubbs, Jones, Kilmer, Young, Eicher, Chawla, Danner, Peters, Buckingham, Knoll, Nguyen-Hilfiger and Ratcliff

EXCUSED ABSENCE: Bayrd, Miles and Pertl

ABSENT: Chenoweth, Downing, Dye, Kuhn and Schwellenbach

SPECIAL MATTERS AND ANNOUNCEMENTS

2018 PRES-083 - Alliant Energy Center Campus Master Plan was presented to the Board.

ADJOURNMENT

Moved by Supervisor Jones, seconded by Supervisor Kilmer, to adjourn the meeting until Thursday, December 20, 2018 at 7:00 pm or at the call of the Chair. Motion carried unanimously at 7:06 pm.

2018 - 2019 COUNTY BOARD PROCEEDINGS

DECEMBER 20, 2018 7:00 P.M. SESSION

The Dane County Board of Supervisors met pursuant to statute. Chair Corrigan called the meeting to order. County Clerk McDonnell called the roll:

PRESENT: Bollig, Chenoweth, Clausius, Corrigan, Downing, Dye, Erickson, Kiefer, Kolar, Krause, Levin, Mccarville, Nelson, Ripp, Ritt, Rusk, Salov, Schauer, Veldran, Wegleitner, Stubbs, Jones, Kilmer, Young, Kuhn, Eicher, Chawla, Danner, Peters, Schwellenbach, Buckingham, Knoll, Nguyen-Hilfiger And Ratcliff

EXCUSED ABSENCE: Bayrd, Miles and Pertl

Supervisor Kolar offered an inspirational message and led the Pledge of Allegiance.

APPROVAL OF PAYMENTS

The Controller's Office has examined the following bills which have been incurred in the operation of our County Departments. Inasmuch as the claims which cover the items purchased have been found reasonable and proper, we recommend that they be allowed by the Dane County Board.

1. Bruce Municipal Equipment-Vehicle Repair/Parts-Airport	\$10,267.61
2. Burke Truck & Equipment Inc.-Snow Plow and Grader Blades-Highway	\$124,411.80
3. Communication Support-Forc Card Access System-Administration	\$17,578.94
4. Consolidated Doors Inc.-Tenney Boat House Overhead Door-Sheriff	\$23,453.00
5. Cryotech Deicing Technology-Runway Deicer-Airport	\$36,921.53
6. Dane Co Sheriff-October Process Service Fee-Child Support	\$16,122.42
7. Dell Marketing LP-Dell Latitude-Administration	\$24,237.20
8. Dell Marketing LP-Dell Latitude-Administration	\$16,846.00
9. Dell Marketing LP-Parts CAD Server-Public Safety Communications	\$10,376.91
10. Detroit Salt-Road Salt-Highway	\$29,979.58
11. Frank Productions Concerts LLC-Rent Rebate-Alliant Energy Center	\$15,948.00
12. Maly Roofing Company-Final CCB Roofing-Administration	\$16,196.00
13. Mead & Hunt-Tenney Locks-Land & Water Resources	\$22,400.00
14. Northland Business Systems-Maintenance Agreement-Public Safety	\$29,789.00
15. Payne & Dolan Inc.-CTH N Final Retainage-Highway	\$16,530.58
16. Payne & Dolan Inc.-CTH PQ Final Retainage-Highway	\$23,945.25
17. Scully Oil Company-Landfill Motor Fuel-Public Works	\$13,087.44
18. Swita Metal Roof-Cam #2 Shelter Roof-Land & Water Resources	\$20,289.50
19. Tri County Paving-CTH H Final Retainage Payment-Highway	\$31,710.65
20. Tri County Paving-CTH Q Final Retainage Payment-Highway	\$47,946.94
21. WI Dept. of Health -December Bed Assessment-Badger Prairie	\$20,400.00
Subtotal	\$568,438.35
22. DK Consulting & Executive Search-Airport Director Recruitment-Airport	\$10,860.74
23. CCB Technology-Security Awareness Training-Information Management	\$26,180.00
24. Cross Plains, Village of-CTH P Construction-Highway	\$92,379.42
25. Cryotech Deicing Technology-Runway Deicer-Airport	\$19,991.96
26. D&K Dairy LLC-Cost Share Payment-Land & Water	\$16,320.00
27. Deforest, Village of-CTH V Signals-Highway	\$330,000.00
28. Dell Marketing LP-Big Switch Hardware Licensing-Information Management	\$235,912.18
29. Dell Marketing LP-Dell Latitude Laptops-Information Management	\$20,808.00
30. Dell Marketing LP-Optiplex Workstations-Information Management	\$42,264.50
31. Evologic Inc.-Workstation PC Landfill Site-Public Works	\$21,102.52
32. Ewalds Hartford Ford LLC-2019 Ford Expedition-Sheriff	\$48,725.00
33. Ewalds Hartford Ford LLC-2019 Ford Expedition-Sheriff	\$48,725.00
34. GCS Software Inc.-2019 Property Assessment Software-Planning & Development	\$31,350.00
35. Harley Davidson of Madison-2018 Harley Davidson-Sheriff	\$23,001.08
36. High Line Software Inc.-2019 Nextgen Maintenance-Information Management	\$80,477.00
37. Highway Construction Products LLC-Steel Beam Guards-Highway	\$31,546.70
38. Interstate Billing-November Kayser Repair Billing-Sheriff	\$15,232.70
39. Kayser Ford Inc.-2019 Ford Explorer-Sheriff	\$28,640.00
40. Madison College-2018 Jail GED Prep & Testing-Sheriff	\$19,100.00
41. Mandt, James R-Cost Share Payment-Land & Water	\$19,064.00
42. Marco Inc.-2019 Mitel Voip Maintenance-Information Management	\$18,780.00
43. McFarland, Village of-Phase 3 MN Project-Highway	\$570,000.00
44. Mid-State Equipment-Boom Mower-Airport	\$65,624.00
45. Paragon Development Systems Inc.-Pdus for Racks-Information Management	\$16,884.00

46. Precision Sealcoating Inc.-Sweeping Services-Highway	\$13,806.00
47. Reserve Account-Postage-Printing & Services	\$50,000.00
48. Shotliff, Melvin-Cost Share Payment-Land & Water	\$17,760.00
49. Tyler Technologies Inc.-2019 Munis Maintenance-Information Management	\$247,495.19
50. UW Stevens Point-Interns-Zoo	\$16,029.31
51. Verona, Town of-Badger Mill Creek Bridge Aid-Highway	\$54,136.72
Total	\$2,800,634.37

Moved by Supervisor Chenoweth, seconded by Supervisor Dye, to adopt the above amended bills and accounts. Motion carried by a voice vote.

APPROVAL OF MINUTES

Moved by Supervisor McCarville, seconded by Supervisor Nelson, to approve the Minutes of the County Board meeting of November 29, 2018. Motion carried by a voice vote.

REPORTS ON ZONING PETITIONS

PETITION 11350 - ZONING CHANGE IN THE TOWN OF VERONA - ZONING ORD. AMDT. 11350

Petition 11350 by Michael Knight to change zoning from RH-1 Rural Homes District to R-1A Residence District on property located at 6420 Sunset Drive, Section 36, Town of Verona.

Zoning & Land Regulation Committee recommends Petition 11350 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11350 be adopted. Motion carried by a voice vote.

PETITION 11352 - ZONING CHANGE IN THE TOWN OF PERRY - ZONING ORD. AMDT. 11352

Petition 11352 by Nortman Enterprises LLC., from A-2 Agriculture District to RH-1 Rural Homes District on property located just West of 10828 CTH A, Section 18, Town of Perry.

Zoning & Land Regulation Committee recommends Petition 11352 be granted and includes the that a certified survey map and the Condition and Deed Restriction below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11352 be adopted. Motion carried by a voice vote.

Condition:

1. The remaining lands (A-4) shall be part of the certified survey map.

Deed Restriction:

1. A deed notice shall be recorded on the remaining 14 acres of land to prohibit residential development.

PETITION 11353 - ZONING CHANGE IN THE TOWN OF OREGON - ZONING ORD. AMDT. 11353

Petition 11353 by Patrick Hermesen to change zoning A-2 Agriculture District to RH-1 Rural Homes District, RH-2 Rural Homes District, and CO-1 Conservancy District ; A-2 (8) Agriculture District TO CO-1 Conservancy District on property located at 5375 Netherwood Road, Section 3, Town of Oregon.

Zoning & Land Regulation Committee recommends Petition 11353 be granted and includes the condition that a certified survey map be submitted and/or recorded and that Zoning Ord. Amdt. 11353 be adopted. Motion carried by a voice vote.

PETITION 11354 - ZONING CHANGE IN THE TOWN OF MONTROSE - ZONING ORD. AMDT. 11354

Petition 11354 by Michael Meister to change zoning from A-1EX Agriculture District to A-2 (2) Agriculture District on property located at 7066 Gaffney Road, Section 10, Town of Montrose.

Zoning & Land Regulation Committee recommends Petition 11354 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and that Zoning Ord. Amdt. 11354 be adopted. Motion carried by a voice vote.

PETITION 11356 - ZONING CHANGE IN THE TOWN OF COTTAGE GROVE - ZONING ORD. AMDT. 11356

Petition 11356 by Steve Banovetz, Sr., to change zoning from A-2 Agriculture District TO C-2 Commercial District on property located North of 3385 North Star Road, Section 28, Town of Cottage Grove.

Zoning & Land Regulation Committee recommends Petition 11356 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and/or recorded within 90 days and that Zoning Ord. Amdt. 11356 be adopted. Motion carried by a voice vote.

Deed Restriction:

1. The land uses occurring on the property shall be limited to the following: agricultural uses (no livestock); contractor or landscaper operations; indoor storage; offices; outdoor storage associated with a business; personal and professional services.
2. Prohibited Uses on the property: Billboard signs and pylon signs.
3. All development of the property shall obtain site plan approval from the Town of Cottage Grove Board prior to the construction. The landowner shall be responsible for submitting a site plan of the property, which complies with TCG Ord. Section 12.08, and including proposed buildings, parking areas, outside storage areas, storm water detention, landscaping, lighting, open space areas, and septic field. The submittal shall include proposed building elevations. The landowner shall comply with the approved site plan.
4. If parking lot lighting is installed, the light fixtures shall be mounted no higher than 20 feet. All lighting shall be direct down-lighted fixtures being dark sky compliant. Wall mounted fixtures shall be full cutoff direct down lighted fixtures. The light fixtures shall not cause element glare to the surrounding properties.
5. All outdoor storage areas shall be screened from view to the greatest extent practical. The screening shall consist of a minimum of a 6-foot fence with a minimum opacity of 80%.
6. Landscaping design shall be reviewed by the Plan Commission and Town Board as part of site plan approval.
7. All trash receptacles shall be screened from view. The dumpsters shall be placed inside a walled enclosure using material similar to the building design.
8. A maximum of one wall sign shall be permitted for each business. The wall signs shall face the front of the building. A maximum of one monument sign shall be permitted per lot/unit. Pylon signs and off-premise billboard signs are prohibited.
9. The landowner of each lot/unit shall be responsible for storm water management.
10. The landowner shall be responsible for obtaining a storm water management permit from Dane County Land and Water Resources prior to development of the property.

PETITION 11358 - ZONING CHANGE IN THE TOWN OF COTTAGE GROVE - ZONING ORD. AMDT. 11358

Petition 11358 by Michael Fonger to change zoning from R-1A Residence District to RH-2 Rural Homes District on property located Northeast of 2953 CTH BB, Section 7, Town of Cottage Grove.

Zoning & Land Regulation Committee recommends Petition 11358 be granted and includes the condition that a certified survey map and the Condition listed below be submitted and/or recorded within 90 days and that Zoning Ord. Amdt. 11354 be adopted. Motion carried by a voice vote.

Condition:

1. The area shall be combined with Lot 3 of CSM #2739 through a certified survey map.

PETITION 11359 - ZONING CHANGE IT THE TOWN OF RUTLAND - ZONING ORD. AMDT. 11359

Petition 11359 by John P Ziegler to change zoning from LC-1 Limited Commercial District TO R-3 Residence on property located at 1256 USH 14, Section 7, Town of Rutland.

Zoning & Land Regulation Committee recommends Petition 11359 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11359 be adopted. Motion carried by a voice vote.

Deed Restriction:

1. A deed restriction shall be recorded on the LC-1 parcel (proposed Lot 2) and R-1A parcel (Lot 2, CSM 14770) prohibiting the individual sale of either parcel and requiring that they must be sold together in the future.

PETITION 11360 - ZONING CHANGE IN THE TOWN OF COTTAGE GROVE - ZONING ORD. AMDT. 11360

Petition 11360 by Daniel Goff to change zoning from C-2 Commercial District to C-2 Commercial District on property located at 3019 CTH BB, Section 7, Town of Cottage Grove.

Zoning & Land Regulation Committee recommends Petition 11360 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and/or recorded within 90 days and that Zoning Ord. Amdt. 11360 be adopted. Motion carried by a voice vote.

Deed Restriction:

1. The land uses on the property shall be limited to the following: Major repairs of motor vehicles and Sales of new and used motor vehicles.
2. There shall be a maximum of 12 vehicles displayed outside, with the exception of occasional parking of up to 4 other vehicles related to the business, i.e. employee vehicles.
3. Hours of business open for sales and service is limited to 7 a.m. to 6 p.m., Monday through Friday, and 8 a.m. to 2 p.m. on Saturday. Repairs can be made outside of business hours as long as the doors are closed and it does not disturb the neighbors. No Sunday hours allowed.

4. All inoperable vehicles must be kept inside, all service work must be performed inside buildings, and all hazardous waste must be handled within State and Federal specifications.

PETITION 11361 - ZONING CHANGE IN THE TOWN OF ALBION - ZONING ORD. AMDT. 1361

Petition 11361 by Crazy Acres II, LLC., to change zoning from A-1EX Agriculture District TO RH-1 Rural Homes on property located at 23 STH 106, Section 24, Town of Albion.

Zoning & Land Regulation Committee recommends Petition 11361 be granted and a certified survey map be submitted and/or recorded and that Zoning Ord. Amdt. 11361 be adopted. Motion carried by a voice vote.

PETITION 11362 - ZONING CHANGE IN THE TOWN OF CHRISTIANA - ZONING ORD. AMDT. 11362

Petition 11362 by East Koshkonong Evangelical Lutheran Church to change zoning from A-1EX Agriculture District to A-2 (1) Agriculture District, A-1EX Agriculture District TO C-1 Commercial District on property located at 453 E. Church Road, Section 26, Town of Christiana.

Zoning & Land Regulation Committee recommends Petition 11362 be granted and includes the condition that a certified survey map be submitted and/or recorded and that Zoning Ord. Amdt. 11362 be adopted. Motion carried by a voice vote.

PETITION 11363 - ZONING CHANGE IN THE TOWN OF YORK - ZONING ORD. AMDT. 11363

Petition 11363 by John Prosser to change zoning from A-1EX Agriculture District to A-4 Agriculture District, A-1EX Agriculture District TO RH-4 Rural Homes District on property located at the intersection of Marshall Road and York Center Road, Section 14, Town of York.

Zoning & Land Regulation Committee recommends Petition 11363 be granted and includes the condition that a certified survey map and the Condition listed below be submitted and/or recorded within 90 days and that Zoning Ord. Amdt. 11363 be adopted. Motion carried by a voice vote.

Condition:

1. The wetland boundary shall be shown on the certified survey map.

ORDINANCES

2018 OA-010

AMENDING CHAPTER 15 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING MEMBERS OF THE HUMAN SERVICES BOARD

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 15.15(1) is amended to read as follows:

15.15 HUMAN SERVICES BOARD. (1) The human services board shall consist of seven (7) nine (9) members. Three (3) to four (4) of the board's members shall be county board supervisors. One supervisor member shall also be a member of the health and human needs committee and one shall also be a member of the public protection and judiciary committee. One member shall be a member of the area agency on aging board at the time of appointment to the human services board. At least one member shall be either an individual, or a family member of an individual, who receives or has received human services. The remainder of the board's members shall be consumers of services or citizens-at-large. Members shall be chosen on the basis of recognized ability and demonstrated interest in human services. No public or private provider of services may be appointed.

[EXPLANATION: This amendment changes the number of county board supervisors who may serve on the Human Services Board.]

Health & Human Needs, Executive and Human Services Committee recommend adoption of OA-010.

Moved by Supervisor Dye, seconded by Supervisor Wegleitner, to re-refer 2018 OA-010 to the Executive Committee. Motion carried by a voice vote.

2018 OA-018

AMENDING CHAPTER 15 OF THE DANE COUNTY CODE OF ORDINANCES, CHANGING THE NAME OF CULTURAL AFFAIRS COMMISSION TO THE ARTS AND CULTURAL AFFAIRS COMMISSION

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 15.33 is amended to read as follows:

15.33 ARTS AND CULTURAL AFFAIRS COMMISSION. (1) The arts and cultural affairs commission shall consist of eleven (11) members, one (1) of whom shall be county board supervisors and ten (10) of whom shall be citizen members.

(2) It shall be the duty of the commission to:

- (a) Assist in the planning, coordination and promotion of county and local programs with an historic, cultural or festival nature.
- (b) Oversee the provision of county services and the allocation of county money to cultural programs, encouraging maximum service and accountability in return for tax dollars.
- (c) Plan and execute the publication of information materials such as a promotional brochure on the county as a whole; instructional packets and slide/tape presentations for use in schools and by organizations; and assist in publishing the "Guide to Historic Dane County."
- (d) Unify and publicize the many county information services, both to prevent duplication and to improve accessibility to county government while minimizing confusion.
- (e) Create opportunities for cultural exchange and increased interdependence of communities, especially for the purpose of sharing plays, histories, crafted materials, etc.

[EXPLANATION: This amendment changes the name of the Cultural Affairs Commission to the Arts and Cultural Affairs Commission.]

Executive Committee recommends adoption of 2018 OA-018. Motion carried by a voice vote.

AWARD OF CONTRACT

SUB. 1, 2018 RES-426

AWARD OF CONTRACT FOR MULTIPLE HIGHWAY GARAGE CNG RETROFIT – YORK & SPRINGFIELD GARAGES

The Department of Public Works, Highway and Transportation reports the receipt of bids for Multiple Highway Garage CNG Retrofit – York & Springfield Garages; U.S Highway 151/County Highway V, Town of York, Dane County, WI. & Ramford Ct., Cross Plains, WI. Bid No. 318016. A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

Hill Electric Inc.
1513 Emil Street
Madison, WI 53713

Total: \$164,732.00 1

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to Hill Electric Inc.

There are sufficient funds available for this project.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Hill Electric Inc. in the amount of \$164,732.00; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Personnel & Finance Committee recommends adoption of Sub. 1, 2018 RES-426. Motion carried by a voice vote.

2018 RES-436

AWARD OF CONTRACT FOR THE PRINTING OF OPTICAL SCAN BALLOTS

The Dane County Clerk's Office is responsible for printing ballots for elections in the county. The Clerk's Office initiated Bid #118092 to procure ballots for elections beginning in January 2019. As a result of the bid, a contract has been developed between Dane County and the low bidder, Wisconsin Graphic Forms & Ad Madison. The contract is for calendar year 2019 with four possible one-year extensions. Pricing for the additional extensions was set in the bid.

The actual expenditures for ballot printing varies each year depending on the election cycle. The expenditure for 2019 is estimated to be \$75,000.

NOW, THEREFORE, BE IT RESOLVED that a Contract for the printing of optical scan ballots for a one-year period beginning on January 1, 2019, with four (4) possible one-year extensions, be awarded to Wisconsin Graphic Forms & Ad Madison; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the contract; and

BE IT FINALLY RESOLVED that the County Clerk be directed to ensure complete performance of this Contract.

Personnel & Finance recommends adoption of 2018 RES-456. Motion carried by a voice vote.

RESOLUTIONS

2018 RES-191

AUTHORIZING AMENDMENT FOR PUBLIC SAFETY COMMUNICATIONS INFORMATION LOGGING SYSTEM

Dane County RFP #113034 led to agreement #11586 with Northland Business Systems of Burnsville, Minnesota. The County's new 9-1-1 telephone system includes technology requiring recording upgrades, and capital budget account CPPUBSAF58339 includes funds for this project. The Public Safety Communications Technical Services Manager will oversee this upgrade on behalf of the County.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into this Agreement with Northland Business Systems, with the cost being \$258,601.

Public Protection & Judiciary and Personnel & Finance recommend adoption of 2018 RES-191. Motion carried by a voice vote.

2018 RES-205

AUTHORIZING EXECUTION OF AN AIR SERVICE PROMOTION AND MARKETING AGREEMENT FOR SUN COUNTRY AIRLINES

In September 2018, MN Airlines LLC, d/b/a Sun Country Airlines will begin offering non-stop round trip air service to the West Florida/Gulf Coast Region, with service twice weekly between Dane County Regional Airport ("DCRA") and Tampa ("TPA") and twice weekly between DCRA and Fort Myers Southwest Florida International Airport ("RSW"). The West Florida/Gulf Coast Region is not presently served by direct flights from DCRA and has been designated as a Focus Service Region eligible for incentives under DCRA's Community Air Service Support Program (CASSP) upon execution of an Air Service Promotion and Marketing Agreement by an airline initiating direct service to the region.

Under the Air Service Promotion and Marketing Agreement, DCRA will provide up to \$100,000 for advertising and marketing for the promotion of Sun Country's newly established direct flights to TPA and RSW. Additionally, DCRA will provide a two year waiver of landing fees for Sun Country's non-stop flights arriving from TPA and RSW.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are authorized to execute on behalf of Dane County an Air Service Promotion and Marketing Agreement providing promotional and marketing assistance and landing fee abatement to support Sun Country's newly initiated non-stop round trip flights servicing TPA and RSW, as set forth above.

Airport Commission, Public Works & Transportation and Personnel & Finance Committee recommend adoption of 2018 RES-205. Motion carried by a voice vote.

2018 RES-286

ACCEPTING INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF FITCHBURG FOR BACKUP EMERGENCY OPERATIONS CENTER

The purpose of this resolution is to accept the Intergovernmental Agreement Between Dane County and the City of Fitchburg Regarding Usage of a Portion of the Fitchburg Fire Station No.1 as a Backup Dane County Emergency Operations Center.

The Intergovernmental agreement establishes the terms and conditions necessary to establish space in Fitchburg Fire Station No.1 as a back-up location for the County Emergency Operations Center at 5971 Lacy Road in the City of Fitchburg.

In a large-scale emergency or disaster, Dane County Emergency Management coordinates the response and recovery activities of governmental, volunteer, and private sector organizations through the Emergency Operations Center (EOC).

EOC operation has been identified as an essential function of the Department of Emergency Management in its continuity of operations plan. Emergency Management has a fully developed primary EOC, co-located with its offices in the Public Safety Building at 115 West Doty Street in Madison. With operation of the EOC identified as an essential function, it is necessary to identify and establish plans and procedures for relocation of the EOC to a secondary location in the event that the primary location becomes inaccessible or otherwise unusable.

Fitchburg Fire Station No.1 has sufficient space and adjunct support such as parking, computer network access, radio communications infrastructure, building security, rest rooms, and physical accessibility to serve well as a back-up EOC location.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors accepts the Intergovernmental Agreement Between Dane County and the City of Fitchburg Regarding Usage of a Portion of the Fitchburg Fire Station No.1 as a Backup Dane County Emergency Operations Center.

BE IT FINALLY RESOLVED that County officials are authorized to take appropriate actions to implement the terms of this agreement.

Public Protection & Judiciary and Personnel & Finance Committees recommend adoption of 2018 RES-286. Motion carried by a voice vote.

Sub. 1, 2018 RES-310

AUTHORIZING ALLIED LEASE FOR JOINING FORCES FOR FAMILIES / EARLY CHILDHOOD INITIATIVE PROGRAMS
DCDHS - CYF DIVISION

Dane County Department of Human Services is involved in a program of providing more localized services in the communities identified as needing those services most. Two such programs are the Joining Forces for Families (JFF) and Early Childhood Initiatives (ECI). JFF and ECI are renewing a lease on office space in a building owned by Cyrena Pondrom and newly managed by Faircrest Management, LLC. These offices are located at 2225 Allied Drive, Apartments #1,2, 3 and 4, Madison, Wisconsin. This resolution is to pay for the monthly rental payment of \$2,925 per month to cover costs related to occupying this space during the lease term of twelve months (01/01/19 to 12/31/19). The lease includes an automatic renewal option for the second year (01/01/20 to 12/31/20) which would increase the rent 4%, which would be approximately \$3,042 a month/\$36,504 a year.

The space will be utilized by a Dane County Community social worker and other JFF partners. The total rate for the first term period is \$35,100. All utilities except electricity will be paid by landlord.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with Pondrom Apartments, for 2019; and

BE IT FURTHER RESOLVED that the Dane County Clerk and County Executive are hereby authorized to execute the described lease on behalf of Dane County.

Health & Human Needs, Public Works & Transportation recommend adoption of 2018 RES-310. Personnel & Finance Committee recommends adoption of Sub. 1, 2018 RES-310.

Moved by Supervisor Dye, seconded by Supervisor Chenoweth, to adopt Sub. 1, 2018 RES-310. Sub. 1 was before the Board. Motion carried by a voice vote.

2018 RES-330

FUNDING FOR NEXT GENERATION 911 UPGRADES

WHEREAS, modernizing Wisconsin's 911 system has been a priority for local governments, Public Safety Answering Points (PSAPs), law enforcement, and the telecommunications industry since the early 2000s; and

WHEREAS, the 2017-19 state biennial budget provided funding for creation of a statewide emergency services IP network (ESInet), which is the first step in the transition to a digital Next Generation 911 (NG911) system; and

WHEREAS, a NG911 system utilizes advancements in technology to improve communication with 911 operators and provides greater efficiency in assisting individuals in crisis; and

WHEREAS, once the ESInet is operational, local 911 centers (PSAPs) will require NG911 capable equipment to connect to the digital system; and

WHEREAS, currently very few PSAPs have the equipment necessary to utilize the ESInet and transition from analog to digital systems; and

WHEREAS, the average cost for the necessary equipment upgrades will exceed \$250,000 per county in addition to ongoing maintenance costs; and

WHEREAS, while the state has provided grant funding for counties in the past to upgrade local PSAPs, state funding has not existed in over a decade; and

WHEREAS, the state currently has a fund—the Police and Fire Protection Fee—whose original intent was to fund county PSAP upgrades; and

WHEREAS, revenue from the Police and Fire Protection Fee is deposited in the state's general fund and has never been utilized for its intended purpose.

NOW, THEREFORE, BE IT RESOLVED that Dane County does hereby urge the Governor and Wisconsin State Legislature to allocate \$7 million annually for counties to upgrade local 911 centers to begin the NG911 transition; and

BE IT FURTHER RESOLVED that the \$7 million for county PSAP upgrades should be funded through the existing Police and Fire Protection Fee.

Public Protection & Judiciary and Personnel & Finance recommend adoption of 2018 RES-330. Motion carried by a voice vote.

2018 RES-401

AWARDING A COLLECTIVE BARGAINING AGREEMENT TO THE DANE COUNTY DEPUTY SHERIFF'S ASSOCIATION

Dane County has reached an agreement with the Dane County Deputy Sheriffs' Association on a successor agreement that will run through December 7, 2019. The current agreement expires on December 8, 2018. The County employs approximately 400 full time equivalent employees in this bargaining unit.

The agreed upon items include a wage increase, increases to the vacation bank, and an increase to the sick leave payout calculation. The fiscal effect of the agreed upon items are within the County's budgetary constraints. All negotiated changes are highlighted in the attached summary.

THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors approves the terms and conditions of a successor agreement between Dane County and the Dane County Deputy Sheriff's Association for the period of December 9, 2018 through December 7, 2019, with the attached negotiated changes; and

BE IT FURTHER RESOLVED that County officials are authorized to take appropriate action to implement this resolution.

Personnel & Finance recommends adoption of 2018 RES-401. Motion carried by a voice vote.

2018 RES-402

AWARDING A COLLECTIVE BARGAINING AGREEMENT TO THE BUILDING & CONSTRUCTION TRADES COUNCIL OF SOUTH CENTRAL WISCONSIN

Dane County has reached an agreement with the Building & Construction Trades Council of South Central Wisconsin for the 2019 contract year. The agreement is effective December 9, 2018 through December 7, 2019. The Building & Construction Trades Council of South Central Wisconsin includes all full-time and regular part-time carpenters, electricians, painters, and steamfitters employed by the County. Pursuant to Wis. Stat. § 111.70, the sole principle item agreed to was a base wage adjustment in the amount of 2.15% for bargaining unit employees throughout the period of this agreement.

THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors approves the terms and conditions of the 2019 collective bargaining agreement between Dane County and the Building & Construction Trades Council of South Central Wisconsin.

BE IT FURTHER RESOLVED that Dane County officials are authorized to take appropriate action to implement this resolution.

Personnel & Finance Committee recommends adoption of 2018 RES-402. Motion carried by a voice vote.

2018 RES-421

CONTRACT CHANGE ORDER #12 TO CONTRACT FOR BIOFerm USA, Inc. FOR BIOGAS CLEANING EQUIPMENT FOR PIPELINE INJECTION (PHASE III)

The Department of Public Works, Highway and Transportation, Solid Waste, awarded a contract to BIOFerm USA, Inc. for Biogas Cleaning Equipment for Pipeline Injection (Phase III), 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) bid #316039

The following change is requested: Change Order #12 - Increase \$36,393.05 for purchase of moisture separator required for ANR injection.

NOW, THEREFORE, BE IT RESOLVED that Change Order #12 for a total increase of \$36,393.05 be approved to the Contract for BIOFerm USA, Inc. for the above listed changes; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Change Order.

Public Works & Transportation Committee and Personnel & Finance Committee recommends adoption of 2018 RES-421. Motion carried by a voice vote.

2018 RES-422

CHANGE ORDER #81 TO CAMOSY INCORPORATED FOR DANE COUNTY EAST HIGHWAY GARAGE & SALT STORAGE FACILITY

The Department of Public Works, Highway and Transportation awarded a Contract to Camosy Incorporated for Dane County East Highway Garage & Salt Storage Facility, Public Works Bid No. 313083.

The following change is requested: Change Order #81-Deduct of \$31,676.00-Dane County will provide all plantings and landscape restoration.

NOW, THEREFORE, BE IT RESOLVED that Change Order #81 for a total deduct of \$31,676.00 be approved to the Contract for Camosy Incorporated based on the above listed changes.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-422. Motion carried by a voice vote.

2018 RES-424

APPROVING AGREEMENTS AND PURCHASES SUPPORTING AN AFFORDABLE HOUSING PROJECT AT 134 SOUTH FAIR OAKS AVENUE IN THE CITY OF MADISON

As part of the 2018 awards for the Affordable Housing Development fund, the county awarded funding of \$403,200 to Stone House Development for the proposed Fair Oaks Apartments to be constructed at 134 South Fair Oaks Avenue in the City of Madison. The proposed development will have a total of 80 units, 68 of which will be income restricted to those earning 30-60% of area median income. Of the 68 affordable units, 16 will be targeted to veterans and homeless families in need of supportive services.

The project has received funding from the City of Madison and was awarded low income housing tax credits by WHEDA. As part of the funding, the county will purchase a commercial condominium unit on the first floor that will be leased back to the developer or its affiliate, 134 Fair Oaks, LLC.

THEREFORE BE IT RESOLVED that the County Board authorizes the purchase of a condominium unit to be developed by Stone House Development, and

BE IT FUTHER RESOLVED that the County Board authorizes the lease of the condominium unit to Stone House Development or its affiliate, and the County Executive and County Clerk are authorized to execute the leases;

BE IT FINALLY RESOLVED that the County Real Estate staff are authorized to execute documents necessary to purchase the condominium unit, and the Controller is authorized to make payments necessary for this purchase.

Personnel & Finance Committee recommends adoption of 2018 RES-424. Motion carried by a voice vote.

2018 RES-428

SUPPORTING THE REQUEST OF NAMING OF UN-NAMED BODY OF WATER AS PLEASANT VALLEY CREEK

The Wisconsin Geographic Names Council has received a proposal to name a geographic feature that falls within Dane County. Local opinion and support is highly valued by the Wisconsin Geographic Names Council.

The proposal is to name 3.03 miles of a stream "Pleasant Valley Creek." This name is already used for the stream by Dane County, Google Maps, USGS Topography and locally. The proposed stream reach runs roughly from the intersection of CTH FF and F to area between Beil Road and CTH JJ in the Town of Vermont. A good portion of it runs parallel to Pleasant Valley Road.

NOW, THEREFORE, BE IT RESOLVED, that the Dane County Board of Supervisors 15 and County Executive support the naming of Pleasant Valley Creek in Sections 5,8, 9, 15 and 16, Town of Vermont T07N R06E, Dane County, Wisconsin.

Environment, Agriculture & Natural Resources and Personnel & Finance Committees recommend adoption of 2018 RES-428. Motion carried by a voice vote.

2018 RES-429

APPROVE NEW CROP LEASES ON COUNTY LAND

Dane County leases land for cropping as an interim land management tool.

Following are new leases for 4 years, January 1, 2019 – December 31, 2022

Lewis Nine Springs E-Way NRA - Section 31, Town of Blooming Grove; 37.2 acres

New Bid

\$6,324.00 per year for 4 years

Lessee: UHB Family Farms LLC

Lewis Nine Springs E-Way NRA - Section 1, City of Fitchburg; 15.7 acres

New Bid

\$2,512.00 per year for 4 years

Lessee: UHB Family Farms LLC

Following is a new lease for 5 years, January 1, 2019 - December 31, 2023

Black Earth Creek Wildlife Area – Sunnyside Unit - Section 7, Town of Middleton; 35 acres

New bid. Rotation is continuous hay consisting of one year of seeding followed by four years of established hay for transition to prairie.

\$11,125.20 per year for 4 years

Lessee: Triple J Dairy Farms, LLC

Revenue from the above leases is included in the 2019 Budget.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive and County Clerk be authorized to execute the lease contracts set forth above.

BE IT FINALLY RESOLVED that the Land & Water Resources Department Director and/or Real Estate Coordinator be authorized to act as the County's representative in administering the leases.

Park Commission, Environment, Agriculture & Natural Resources Committee and Personnel & Finance Committee recommend adoption of Sub. 1, 2018 RES-429. Motion carried by a voice vote.

2018 RES-430

AUTHORIZING STREAMBANK EASEMENT ON MILUM CREEK - FRITZ

Dane County has negotiated the purchase of a streambank easement along Milum Creek, a tributary of the West Branch of the Sugar River in the Town of Montrose. The easement will include approximately 2,252 feet of undeveloped streambank along the headwaters of Milum Creek. This creek is classified as an Outstanding and Exceptional Resource Water by the Wisconsin Department of Natural Resources. The purpose of the easement is to provide permanent public fishing access, protect water quality, and preserve fish and wildlife habitat.

Acquisition of this streambank easement will continue the success and popularity of the permanent streambank easement program, which was established in 2007. To date over 20 miles have been permanently protected and are available for public use. This program is an affordable and efficient way to provide permanent public access to restored trout streams while keeping the property in private ownership and without negatively impacting surrounding uses.

The purchase price of the easement is \$35,310. Funds for purchasing the streambank easement are available in the Lake Preservation & Renewal Fund. The debt issued to support this expenditure will have a term of 10 years.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and County Executive hereby authorize the purchase of a streambank easement from Mary Fritz for \$35,310 and associated closing costs and that the land rights be managed under the jurisdiction of the Dane County Park Commission according to Wis. Stats. 27.05(3).

BE IT FURTHER RESOLVED that the Dane County Clerk and County Executive are hereby authorized to execute the described easement and related documents on behalf of Dane County; and

BE IT FINALLY RESOLVED that the Land & Water Resources Director or Real Estate Coordinator are authorized to administer the closing and the transfer of the property interest to Dane County and the Controller is authorized to issue checks necessary to effectuate the transaction.

Park Commission, Environment, Agriculture & Natural Resources and Personnel & Finance recommend adoption of 2018 RES-430. Motion carried by a voice vote.

2018 RES-431

APPROVAL OF THE DANE COUNTY LAND AND WATER RESOURCE MANAGEMENT PLAN

Dane County Land & Water Resources Department (LWRD) has completed revisions to the Dane County Land and Water Resource Management Plan as required by the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) under ch. 92, Wis. Stats., and ch. ATCP 50, Wis. Adm. Code. The plan maintains the County's eligibility to receive state soil and water conservation grant funds used for staffing and implementation of conservation practices for landowners.

The LWRD utilized a local advisory committee consisting of stakeholders across the county to assist in the development and prioritization of plan goals and objectives. The draft plan was then posted on the LWRD website and made available for public comment. The Land Conservation Committee hosted a public hearing on November 15, 2018.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive adopt the Dane County Land and Water Resource Management Plan.

BE IT FINALLY RESOLVED that the Dane County Land Conservation Committee, County Board of Supervisors and the County Executive thank all of the citizens and stakeholders for their time and effort in assisting with the preparation of the plan.

Land Conservation, Environment, Agriculture & Natural Resources and Personnel & Finance Committee recommends adoption of 2018 RES-431. Motion carried by a voice vote.

APPOINTMENTS

2018 RES-322

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

Land Information Council

Brian Berquist, 2912 Marketplace Dr, Fitchburg 53719 (ph: 608-273-3350 Email: brian@tcengineers.net) to be appointed to replace Steve Ventura. Mr. Berquist was referred by Fred lausly. He has many years of providing GIS service to Dane County Villages. Brian is the president of Town & County Engineering, Inc. This term will expire 6/30/19.

Youth Commission

Adam Fearing, 916 E Gorham St, Apt LL, Madison 53703 (ph: 608-442-4049 Email: fearing@wisc.edu) to be appointed to replace Bridget Maniaci. Adam is currently on the Student Council of the Associated Students of Madison, which is the student government body for the University of Wisconsin-Madison. Mr. Fearing has lived in Dane County his entire life. This term will expire 4/18/20.

Executive Committee recommends adoption of 2018 RES-322. Motion carried by a voice vote.

ITEMS REQUIRING A TWO-THIRDS MAJORITY FOR PASSAGE

2018 RES-301

AUTHORIZING AN AGREEMENT TO ACCEPT GRANT FUNDING TO PURCHASE POLE CAMERA EQUIPMENT

The State of Wisconsin, Homeland Security, Department of Military Affairs (DMA), Division of Emergency Management (WEM) is providing grant funding, in the amount of \$15,000, for the purchase of pole camera equipment to provide law enforcement officers with the ability to observe high-risk situations from a safe distance; Grant Number 2018-HSW-02A-11403, funding is available through May 31, 2019.

Grant funding will provide for the purchase of a camera system designed for use in a broad range of applications including search and rescue operations. Pole camera equipment allows for the viewing and monitoring of activity in circumstances when it is operationally impractical to conduct physical surveillance and for use in high-risk situations. The use of Pole camera equipment will enhance officer and public safety during hazardous and time-critical situations.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is authorized to accept \$15,000 from DMA, for the purchase of pole camera equipment; and

BE IT FURTHER RESOLVED that \$15,000 is appropriated as additional revenue in budget account line Sheriff's Office, Field Services Division, Tactical Response Team Equipment Revenue (SHRFFLD 80725) and is credited to the General Fund; and

BE IT FURTHER RESOLVED that \$15,000 is transferred from the General Fund to operating budget account line Sheriff's Office, Field Services Division, TRT Grant Expense (SHRFFLD 22653).

BE IT FINALLY RESOLVED that all unexpended funds and unrecognized revenues from this grant award are carried forward from the 2018 budget period to the 2019 budget period.

Public Protection & Judiciary and Personnel & Finance Committees recommend adoption of 2018 RES-301. Motion carried by a voice vote.

2018 RES-329

AUTHORIZING ACCEPTANCE OF A GRANT FROM WISCONSIN OFFICE OF ENERGY INNOVATION

The Department of Public Works, Highway and Transportation has secured a Wisconsin Office of Energy Innovation grant of \$450,000.00 to expand the capacity of the East District Campus CNG fueling station.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby accept \$450,000.00 from the Wisconsin Office of Energy Innovation; and

BE IT FURTHER RESOLVED that the Dane County Clerk and Dane County Executive are authorized to execute documents, including grant agreements, necessary to accept the grant funds; and

BE IT FINALLY RESOLVED that revenue account (HWFLTFAC-NEW "PSC Grant Revenue") and expense account (HWFLTFAC-57203 "CNG Infrastructure") be increased by \$450,000.00. These funds shall be carried forward until expended.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-329. Motion carried by a voice vote.

2018 RES-405

AUTHORIZING ACCEPTANCE OF GRANT FUNDING FROM THE FY 2018 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM

The City of Madison and Dane County are participating in the FY 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Program which awarded \$87,781 to the City of Madison, Grant Number 2018-DJ-BX-0479. The City of Madison will receive \$66,251 from the allocation of \$87,781 and Dane County will receive \$21,530 to be used as follows:

- \$10,500 for the Dane County Human Services Drug Court Treatment Program;
- \$5,780 to the Dane County Sheriff's Office for forensic video lab improvements; and
- \$5,250 for the Dane County District Attorney Crime Response Program.

Funding of \$10,500 for the Drug Court Treatment Program and \$5,250 for the District Attorney's Crime Response Program are reflected in the 2019 Budget.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is permitted to accept the FY 2018 Justice Assistance Grant funding, administered by the City of Madison, in the amount of \$5,780; and

BE IT FURTHER RESOLVED that \$5,780 is established, as revenue in the 2019 Budget, in Sheriff's Office Support Services Division, Justice Assistance Grant Revenue Account Line (SHRFSUP 83139) and is credited to the General Fund; and

BE IT FURTHER RESOLVED that \$5,780 is transferred, in the 2019 Budget, from the General Fund to the Sheriff's Office Support Services Division, Justice Assistance Grant Expenditure Account Line (SHRFSUP 47680).

BE IT FINALLY FURTHER RESOLVED that the County of Dane has executed a Memorandum of Understanding between the City of Madison and Dane County embodying the above referenced provisions.

2018 RES-411

AUTHORIZING ACCEPTANCE OF A GRANT FROM US FISH & WILDLIFE SERVICE FOR MCCARTHY COUNTY PARK

Dane County Parks has secured a US Fish & Wildlife Service grant sub-award of \$3,406 to restore wildlife habitat at McCarthy Youth & Conservation County Park.

The required match for the project will be in-kind services provided by Dane County Parks.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby accept \$3,406 from the US Fish & Wildlife Service.

BE IT FURTHER RESOLVED that the Land & Water Resources Director and the Acquisition & Park Property Planner are authorized to execute documents, including grant agreements, necessary to accept the grant funds.

BE IT FINALLY RESOLVED that revenue account LWRPKOP 80102 and expense account LWRPKOP 20265 US Fish & Wildlife Grant be increased by \$3,406. These funds shall be carried forward until expended.

Park Commission, Environment, Agriculture & Natural Resources and Personnel & Finance recommend adoption of 2018 RES-411. Motion carried by a voice vote.

2018 RES-415

AUTHORIZING TO ACCEPT STOP VIOLENCE AGAINST WOMEN ACT GRANT FUNDING FOR THE POSITION OF SPECIALIZED REGIONAL RESOURCE PROSECUTOR FOR THE DANE COUNTY DISTRICT ATTORNEY'S OFFICE

The Stop Violence Against Women Act provided a grant through the Department of Justice, State of Wisconsin, to the Dane County District Attorney Office for a 1.0 FTE Domestic Violence Regional Resource Prosecutor position, Grant Number 2017-VA-02B-14015

This funding is from October 1, 2018 through September 30, 2019. The purpose of this federally funded grant is to provide a Domestic Violence Regional Resource Prosecutor who is a resource for Region 2, in the state of Wisconsin that includes 18 surrounding counties. This position will carry a specialized Domestic Violence (DV) and Sexual Assault (SA) caseload and also be attending meetings related to DV/SA issues as a liaison from our office to the community.

NOW, THEREFORE, BE IT RESOLVED that the Dane County District Attorney's Office is hereby authorized to accept \$125,000 from the Department of Justice and the County Executive is authorized to execute the necessary documents, and

BE IT FURTHER RESOLVED that the 2018 Operating Budget be amended to increase account line "Domestic Violence Grant-STOP Revenue" DACTA 80534 by \$125,000 and increase account line "Domestic Violence Grant-STOP Expense" DACTA 32481 by \$125,000;

BE IT FINALLY RESOLVED that all unexpended funds and unrecognized revenues are carried forward from the 2018 into the 2019 budget period.

Public Protection & Judiciary and Personnel & Finance Committees recommend adoption of 2018 RES-415. Motion carried by a voice vote.

Sub. 1, 2018 RES-427

AWARD OF CONTRACT FOR: AIRPORT MAIN TERMINAL REROOFING – DANE COUNTY REGIONAL AIRPORT

The Department of Public Works, Highway and Transportation reports the receipt of bids for Airport Main Terminal Reroofing; Dane County Regional Airport, 4000 International Lane, Madison, WI. Bid No. 318011.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

Quality Roofing, Inc.
1507 Laemle Ave.
Marshfield, WI 54449

Total: \$66,709.00

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to Quality Roofing, Inc.

The bid results require the transfer of funds.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Quality Roofing, Inc. in the amount of \$66,709.00; and

BE IT FURTHER RESOLVED that \$125,000 be transferred from account AIRTERM 57219 "Combined Federal Projects" to account AIRMAINT 57171 "Maintenance Roof Replacement"; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Airport Commission, Public Works & Transportation and Personnel & Finance Committees recommend adoption of Sub. 1, 2018 Res-427. Motion carried by a voice vote.

ADJOURNMENT

Moved by Supervisor Chenoweth, seconded by Supervisor Erickson, to adjourn to Thursday, January 3, 2019 at 7:00 pm or at the call of the chair. Motion carried unanimously at 7:30 pm. Subsequent to adjournment, Chair Corrigan referred the following matters:

- 2018 OA-030 - Amending Chapter 82, Incorporating Amendments to the Town of Verona Comprehensive Plan into the Dane County Comprehensive Plan. Submitted by Supervisors Knoll, Kolar, Bollig, Buckingham, Clausius, Danner, Dye, Eicher, Kilmer, Krause, McCarville, Nelson, Nguyen-Hilfiger, Salov, Schauer, Wegleitner and Young. Referred to ZONING & LAND REGULATION.
- 2018 OA-031 - Amending Chapter 18, Making the Executive Deputy Airport Director a Contract Position. Submitted by Supervisors Nelson, Ratcliff, Ripp and Schauer. Referred to AIRPORT, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-440 - Awarding a Collective Bargaining Agreement to the Dane County Wisconsin Professional Police Association - Supervisory Law Enforcement Unit. Submitted by Supervisors Miles and Corrigan. Referred to PERSONNEL & FINANCE.
- 2018 RES-443 - Authorizing an Agreement to Accept Grant Funding for the Purchase of Night Vision Equipment. Submitted by Supervisors Rusk, Danner, Krause, McCarville, Nguyen-Hilfiger and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-448 - Amended Agreement for the Construction of Traffic Signals at the Intersections of CTH V/River Road and CTH V/Morissonville Road with the Village of Deforest. Submitted by Supervisors Nelson, McCarville, Ratcliff, Ripp and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-449 - Amended Agreement for the Design, Reconstruction and Jurisdictional Transfer of CTH MN in the Village of McFarland. Submitted by Supervisors Nelson and Ripp. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-450 - Contract Change Order # 13 5o Contract for BIOFerm USA, Inc. for Biogas Cleaning Equipment for Pipeline Injection (Phase III). Submitted by Supervisors Nelson, Ratcliff, Ritt and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-451 - Award of Contract for Albion Salt Storage Building. Submitted by Supervisors Nelson and Ripp. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-459 - Funding Ramp Study. Submitted by Supervisors Nelson, Ratcliff and Ripp. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-460 - Authorizing Russett Road Lease for Joining Forces for Families/Early Childhood Initiative Programs DCDHS - CYF Division. Submitted by Supervisors Kuhn, Buckingham, Eicher, Kilmer, Veldran and Young. Referred to HEALTH & HUMAN NEEDS, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-461 - Accepting State of Wisconsin Grant Funds and Amending 2018 Contract with Soar Case Management Services, Inc., DCDHS - ACS Division. Submitted by Supervisors Kuhn, Buckingham, Eicher, Kilmer and Veldran. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.
- 2018 RES-465 - Confirming the Appointment of Eli Goodman as Deputy Medical Examiner. Submitted by Supervisors McCarville, Danner, Krause, Nguyen-Hilfiger, Rusk and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-467 - An Initial Resolution Authorizing General Obligation Funds and Promissory Notes. Submitted by Supervisors Miles and Corrigan. Referred to PERSONNEL & FINANCE.
- 2018 RES-469 - Authorizing Reclassification of a Clerk I-II Position to an Administrative Assistant I-II in the Human Services Department, CYF Division. Submitted by Supervisors Kuhn, Buckingham, Eicher, Kilmer, Veldran and Young. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.
- 2018 RES-470 - Authorizing a Police Service Contract with the Village of Dane and the Town of Westport. Submitted by Supervisors McCarville, Danner, Krause, Nguyen-Hilfiger, Rusk and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-471 - 2018 PARC & Ride Bicycle Trail Grant Awards. Submitted by Supervisors Ripp, Eicher, McCarville, Ratcliff, Salov and Schwellenbach. Referred to PARK, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-472 - Abolishing a Deputy Airport Directory Position and Re-creating an Executive Deputy Airport Director Position. Submitted by Supervisors Nelson, Ratcliff, Ripp and Schauer. Referred to AIRPORT, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-474 - 2019 - 2021 Dane County Legislative Agenda. Submitted by Supervisor Corrigan. Referred to EXECUTIVE.
- 2018 RES-505 - Urging Legislative Action to Close the Dark Stores Tax Loophole. Submitted by Supervisors Miles, Buckingham, Chawla, Kolar, Krause, McCarville, Nelson, Ratcliff, Ritt and Schwellenbach. Referred to EXECUTIVE.

2018-19 COUNTY BOARD PROCEEDINGS**JANUARY 17, 2019 7:00 P.M. SESSION**

The Dane County Board of Supervisors met pursuant to statute. Chair Corrigan called the meeting to order. County Clerk McDonnell called the roll:

PRESENT: Bayrd, Bollig, Chenoweth, Clausius, Corrigan, Downing, Erickson, Kiefer, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Rusk, Schauer, Veldran, Wegleitner, Stubbs, Kilmer, Young, Kuhn, Eicher, Chawla, Danner, Peters, Schwellenbach, Buckingham, Knoll, Nguyen-Hilfiger And Ratcliff

EXCUSED: Dye, Pertl, Salov and Jones

Supervisor Krause offered an inspirational message and led the Pledge of Allegiance.

SPECIAL MATTERS AND ANNOUNCEMENTS

Presentation of Dane County Land Information Plan 2019 - 2021

APPROVAL OF PAYMENTS

The Controller's Office has examined the following bills which have been incurred in the operation of our County Departments. Inasmuch as the claims which cover the items purchased have been found reasonable and proper, we recommend that they be allowed by the Dane County Board.

1. Association of Zoos & Aquariums-2019 Dues-Zoo	\$11,667.00
2. Cambridge International Inc.-Screen Wire for Harvesters-Land & Water	\$24,931.42
3. DC Group Inc.-Remote Tower Site Battery-Public Safety	\$10,400.00
4. Decker Supply Co. Inc.-Crash Cushion Repair Hwy 30-Highway	\$15,730.60
5. Enterprise Systems Group-2019 Mitel Coverage-Badger Prairie	\$21,804.00
6. Fidar Technologies Inc.-2019 Annual Maintenance-Planning & Development	\$15,560.00
7. Fidar Technologies Inc.-2019 Real Estate and Vital Records-Register of Deeds	\$28,032.00
8. Frank Productions Concerts LLC-Lindsey Stirling Rent Rebate-Alliant Energy Center	\$12,626.38
9. General Code-2019 Laser Fiche Maintenance-Information Management	\$58,842.00
10. Grays Inc.-Snow Plow & Grader Blades-Highway	\$41,897.50
11. Highway Construction Products LLC-Steel Plate Beam Guards-Highway	\$21,536.04
12. Kayser Ford Inc.-2019 Ford Explorer-Sheriff	\$28,640.00
13. Kayser Ford Inc.-2019 Ford Explorer-Sheriff	\$28,640.00
14. Kayser Ford Inc.-2019 Ford Explorer-Sheriff	\$28,640.00
15. Kayser Ford Inc.-2019 Ford Explorer-Sheriff	\$28,640.00
16. Kayser Ford Inc.-2019 Ford Explorer-Sheriff	\$28,640.00
17. Kayser Ford Inc.-2019 Ford Explorer-Sheriff	\$28,640.00
18. Landfill Drilling & Piping-Three Gas Wells-Public Works	\$17,147.80
19. Madison, City of-Annual Cleaning at Landfill Site-Public Works	\$11,897.74
20. Mainline Carpets-Showcase 13 Carpet-Alliant Energy Center	\$31,593.74
21. Perkins & Will Inc.-AEC Campus Master Plan Final-Alliant Energy Center	\$34,800.00
22. Rochon Construction-Badger Prairie Small Dog Park Fencing-Land & Water	\$23,985.00
23. Ungerboeck Systems International Inc.-2019 Software Maintenance-Alliant Energy	\$25,110.54
Subtotal	\$579,401.76
24. Albion, Town of-Bridge Aid-Highway	\$14,506.50
25. ASI Technologies-Roll Up Door Repairs-Airport	\$11,571.12
26. Citrix Systems Inc.-3 Year Maintenance-Information Management	\$340,435.99
27. Coyle Contract Partnership-Carpet Replacement-Sheriff	\$103,650.00
28. Cryotech Deicing Technology-Runway Deicer-Airport	\$59,935.20
29. DBT Transportation Services LLC-Aviation Support 2019-Airport	\$17,498.00
30. Decker Supply Co. Inc.-Quadguard II System-Highway	\$15,735.00
31. Evologic Inc.-Landfill Workstation-Public Works	\$21,995.03
32. Evologic Inc.-Landfill Workstation-Public Works	\$16,101.00
33. Evologic Inc.-Landfill Workstation-Public Works	\$10,915.00
34. GOC Technologies-Surface Treatment-Public Works	\$11,913.00
35. Gunderson Funeral Home-2018 Conveyance Services-Medical Examiner	\$11,550.00
36. Interstate Billing-Kayser Ford Monthly Billing-Sheriff	\$21,756.90
37. John Fabick Tractor-Heavy Equipment Repair/Parts-Public Works	\$35,476.39
38. John Fabick Tractor-Repair of DT6 Dozer-Public Works	\$27,454.82
39. Lakeside International LLC-Equipment Repair/Parts-Highway	\$11,507.34
40. Lewis Assoc. Inc.-Team Development Training-Highway	\$12,750.00

	01/17/2019
41. Montrose, Town of-Bridge Aid-Highway	\$31,538.50
42. North America Airports Council-2019 Dues-Airport	\$16,062.00
43. Pulitzer Bogard & Associates L LC-Jail Population Forecast-Sheriff	\$24,880.00
44. The Detroit Salt Company-Road Salt-Highway	\$26,532.46
45. The Detroit Salt Company-Road Salt-Highway	\$68,384.88
46. The Detroit Salt Company-Road Salt-Highway	\$21,955.82
47. Uphoff Company Inc.-DC Fair, Angus, WI Holstein,WQHA Manure-Alliant Energy Center	\$22,950.00
48. Uphoff Company Inc.-Shorthorn & Angus Manure Hauling-Alliant Energy Center	\$28,698.75
49. Uphoff Company Inc.-WW Horse, Clydesdales, WIHA, Badger Classic-Alliant Energy	\$13,512.50
50. WI Dept. of Administration-VAWA Grant-District Attorney.....	\$24,392.41
51. WI Dept. of Health-January Assessment-Badger Prairie	\$20,400.00
52. Wisconsin River Rail Transit Commission-2019 Project Billing-Highway	\$30,000.00
Total	\$1,653,460.37

Moved by Supervisor Miles, seconded by Supervisor Chenoweth to approve the above amended payments. Motion carried by a voice vote.

APPROVAL OF COUNTY BOARD MINUTES

Moved by Supervisor Eicher, seconded by Supervisor Kilmer that the County Board minutes of December 20, 2018 be approved. Motion carried by a voice vote.

REPORTS ON ZONING PETITIONS

PETITION 11355 - ZONING CHANGE IN THE TOWN OF PERRY - ZONING ORD. AMDT. 11355

Petition by John Ranum to change zoning from A-1EX Agriculture District TO A-2 (4) Agriculture District on property located at 1059 CTH H, Section 16, Town of Perry.

Zoning & Land Regulation Committee recommends that Petition 11355 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and that Zoning Ord. Amdt. 11355 be adopted. Motion carried by a voice vote.

PETITION 11357 - ZONING CHANGE IN THE TOWN OF SPRINGDALE - ZONING ORD. AMDT. 11357

Petition 11357 by Dale N Chestnut to change zoning from C-2 Commercial District TO C-2 Commercial District on property located at 2731, 2733 and 2737 Gust Road, Section 12, Town of Springdale.

Zoning & Land Regulation Committee recommends that Petition 11357 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11357 be adopted. Motion carried by a voice vote.

Deed Restriction:

1. The 1985 Restrictions and the 1992 Restrictions are hereby amended and restated in full with respect to Lot 1 as follows:

- a. Except in the case of emergency or when necessitated by road work, any vehicle with a gross vehicle weight over 12,000 lbs., which is operated or used in connection with any commercial use of Lot 1 permitted under these Restrictions, shall limit travel on Gust Rd. to between the location of Lot 1 and County Highway PD. Gross vehicle weight means the weight of any truck or road tractor and its semi-trailer plus the load that the vehicle is rated to haul.
- b. Any demolished vehicle shall be prohibited on Lot 1 unless it is stored in an enclosed building.
- c. Any vehicles, trailers or equipment stored on Lot 1 within the public view shall be stored in a neat and orderly fashion.
- d. On-street parking by employees is not permitted at any time. No parking or storage of vehicles, trailers or equipment is permitted within the street right-of-way.
- e. The maximum height of any buildings shall be thirty-five (35) feet.
- f. Outdoor lighting, except for required security lighting, shall be operational only during hours of operation. All lighting shall be shielded to prevent glare into the night sky or direct-beam illumination of neighboring residences. All new lighting fixtures shall be full cut-off fixtures which prevent all upward transmission of light. All night photo cell controlled lighting shall not be permitted, however, motion controlled and switch controlled security lights are acceptable. All outdoor lighting shall be in compliance with applicable county and town ordinances.
- g. The use of outdoor loudspeakers is not permitted at any time.
- h. Architectural review and approval by the Town of Springdale Plan Commission in accordance with the Town of Springdale Land Use Plan shall be required prior to constructing any improvements or remodeling of existing improvements, to ensure that the exterior appearance, design and character of the proposed improvements, including parking facilities, site plan, and signs, will maintain the rural quality of life throughout the town.
- i. No further land divisions are permitted.

- j. Uses shall be limited to the following:
 - i. Repair, storage and service to all types of motor vehicles, trailers, machinery or equipment.
 - ii. Sales or rental of used motor vehicles. Provided, however, a maximum of five motor vehicles offered for sale or rental shall be permitted on the property at any given time.
 - iii. Manufacturing of truck trailers, equipment and general purpose trailers.
 - iv. Sales or rental of new or used trailers and equipment of all types.
 - k. Primary business operations shall be limited to weekdays and Saturdays between the hours of 6:00 am to 6:00 pm. Business operations on Sundays may only occur as needed due to weather or in the event of emergencies.
 - l. Landscaping shall be installed during the next available planting season in the approximate locations shown on the site plan attached as Exhibit A and shall consist of a planted evergreen screen initially landscaped with four (4) foot tall evergreen shrubs. Such landscaping shall thereafter be maintained.
 - m. On-site employees are limited to twenty (20) or fewer, full-time or equivalent employees.
 - n. The Waste Disposal Plan attached as Exhibit B shall be followed.
 - o. All signage shall comply with Town of Springdale ordinances.
2. These restrictions shall constitute covenants running with the land and shall be binding upon all parties now owning any part of said land, their successors, heirs and assigns, and all parties holding under them unless said restrictions are amended or terminated.
3. The restrictions provided for herein shall be enforceable at law or equity against any party who has or acquires an interest in the land subject to the restrictions by the following parties who are named as grantees and beneficiaries with enforcement rights:
- a. The County Government of Dane County, Wisconsin, provided that the lands are under the jurisdiction of a zoning ordinance of said County at the time the enforcement action is commenced; and
 - b. The Town Government of the Town of Springdale, Dane County, Wisconsin, provided that the lands are within the governmental jurisdiction of said Town at the time the enforcement action is commenced.

PETITION 11365 - ZONING CHANGE IN THE TOWN OF DUNKIRK - ZONING ORD. AMDT. 11365

Petition by Ronald J Cotter to change zoning from A-1EX Agriculture District TO A-2 (4) Agriculture District and A-2 (8) Agriculture District on property located at 1494 Pleasant Hill Road, Section 2, Town of Dunkirk.

Zoning & Land Regulation Committee recommends Petition 11365 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and that Zoning Ord. Amdt. 11365 be adopted. Motion carried by a voice vote.

PETITION 11366 - ZONING CHANGE IN THE TOWN OF MEDINA - ZONING ORD. AMDT. 11366

Petition 11366 by Dolores Margaret Mandt Living Trust to change zoning from Various Zoning Districts TO LC-1 Limited Commercial District on property located at 3818 STH 73, Section 33, Town of Medina.

Zoning & Land Regulation Committee recommends Petition 11366 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and that Zoning Ord. Amdt. 11366 be adopted. Motion carried by a voice vote.

PETITION 11368 - ZONING CHANGE IN THE TOWN OF RUTLAND - ZONING ORD. AMDT. 11368

Petition 11368 by DKR-Rutland LLC to change zoning from A-1EX Agriculture District TO RH-1 Rural Homes District on property located East of 4558 Rome Corners Road, Section 19, Town of Rutland.

Zoning & Land Regulation Committee recommends Petition 11368 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11368 be adopted. Motion carried by a voice vote.

Deed Restriction:

1. A deed restriction shall be recorded on parcels 0510-184-9190-1, 0510-184-9690-6, 0510-191-8040-5, 0510-191-8500-8, 0510-191-9541-0, and 0510-202-8500-4 to prohibit further residential development on the remaining A-1 Exclusive Agriculture zoned land. The housing density rights for the original farm have been exhausted.
2. A deed restriction shall be recorded on the proposed lot to prohibit the lot from being sold separately from the adjacent farmland.

PETITION 11369 - ZONING CHANGE IN THE TOWN OF PLEASANT SPRINGS - ZONING ORD. AMDT. 11369

Petition by William Plumley to change zoning from A-2 Agriculture District TO R-1 Residence District on property located at 2785 Spring Hill Drive, Section 17, Town of Pleasant Springs.

Zoning & Land Regulation Committee recommends Petition 11369 be granted and that Zoning Ord. Amdt. 11369 be adopted. Motion carried by a voice vote.

PETITION 11370 - ZONING CHANGE IN THE TOWN OF CROSS PLAINS - ZONING ORD. AMDT. 11370

Petition by Daniel & Sandra Petersen to change zoning from A-1EX Agriculture District and R-1 Residence District TO A-2 Agriculture District on property located at 3888 Birch Trail, Section 24, Town of Cross Plains.

Zoning & Land Regulation Committee recommends Petition 11370 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11370 be adopted.

Deed Restriction:

1. A deed restriction shall be recorded on the property to prohibit division of the land.

ORDINANCES

2018 OA-020

AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES, A COMPREHENSIVE REVISION OF THE DANE COUNTY ZONING ORDINANCE**2018 OA- 028****AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES, A COMPREHENSIVE REVISION OF THE DANE COUNTY ZONING ORDINANCE****10.0. General Provisions.****10.1. Title, Purpose and Statutory Authorization.****(1) Title.**

This ordinance is known as the "Dane County Zoning Ordinance."

(2) Purpose.

The purpose of this chapter is to:

- (a) promote the public health, safety, convenience and general welfare;
- (b) encourage planned and orderly land use development;
- (c) protect property values and the property tax base;
- (d) permit the careful planning and efficient maintenance of highway systems;
- (e) ensure adequate highway, utility, health, educational and recreational facilities;
- (f) recognize the needs of agriculture, forestry, industry and business in future growth;
- (g) encourage uses of land and other natural resources which are in accordance with their character and adaptability;
- (h) provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems;
- (i) encourage the protection of groundwater resources;
- (j) preserve wetlands;
- (k) conserve soil, water and forest resources;
- (l) protect the beauty and amenities of landscape and man-made developments;
- (m) provide healthy surroundings for family life; and
- (n) promote the efficient and economical use of public funds.
- (o) to promote creation of employment opportunities;
- (p) to support the continued existence of strong and economically viable towns as vital communities of Dane County.

(3) Statutory Authority.

This ordinance is adopted under, but not limited to, the following statutes: ss.59.69, 59.694, and Chapter 91, Wisconsin Statutes.

10.2. Reenactment and Repeal.**(1) Rights and liabilities under previous code.**

It is the intention of this chapter to continue in force such existing provisions of the previous code known as "Chapter 10, Dane County Zoning Ordinance" so that all rights and liabilities that have accrued there under are preserved and may be enforced, unless explicitly surrendered by specific provisions of this chapter or altered by the Official Zoning Map.

(2) Prior ordinance temporarily in effect.

As provided in [s. 59.69\(5\)\(d\), Wis. Stats.](#), the previous code known as "Chapter 10, Dane County Zoning Ordinance" shall remain in effect for up to one year from [clerk to insert effective date] in all towns, or until the town board adopts this ordinance, whichever comes first.

(3) Repeal of provisions not reenacted.

Effective one year from [clerk to insert effective date] all provisions of the previous code known as "Chapter 10, Dane County Zoning Ordinance" which are not reenacted herein are hereby repealed.

(4) Violations under previous code.

The adoption of this chapter shall not adversely affect the County's right to prosecute any violation of the predecessor Chapter 10, provided that such violation occurred while that chapter was in effect. Declarations of rights and injunctions abating violations shall not be invalidated by the repeal and recreation of Chapter 10.

10.3. Jurisdiction, Effective Date and Interpretation

(1) Applicability and effective dates.

(a) Unincorporated areas.

This chapter is applicable to all territory, except for areas under city or village extraterritorial zoning under [s. 62.23\(7a\), Wis. Stats.](#), located within those portions of the unincorporated areas of Dane County in which the associated town board has adopted this chapter pursuant to [s. 59.69\(5\), Wis. Stats.](#) The following towns have adopted this ordinance as of the effective date listed below:

1. (List)

(b) Incorporated areas.

Under [s. 59.69\(7\), Wis. Stats.](#):

1. Whenever an area which has been subject to a county zoning ordinance petitions to become part of a city or village, the regulations imposed by the county zoning ordinance shall continue in effect, without change, and shall be enforced by the city or village until the regulations have been changed by official action of the governing body of the city or village.

2. In the event an ordinance of annexation is contested in the courts, the county zoning shall prevail and the county shall have jurisdiction over the zoning in the area affected until ultimate determination of the court action.

(c) Municipalities And State Agencies Regulated.

Unless specifically exempted by law, all cities, villages, towns and counties are required to comply with this chapter and obtain all necessary permits for projects occurring within this chapter's jurisdiction. State agencies are required to comply as required by [s. 13.48\(13\), Wis. Stats.](#) The construction, reconstruction, maintenance and repair of State highways and bridges by the Wisconsin Department of Transportation are exempt when permits under [s. 30.12, Wis. Stats.](#) are issued. Siting and construction of electric generating facilities are exempt when the Wisconsin Public Service Commission has issues a certificate of necessity and convenience under [s. 196.491, Wis. Stats.](#)

(2) Severability.

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

(b) If any court of competent jurisdiction shall adjudge invalid the application of any portion of this chapter to a particular property, building, or structure, such judgment shall not affect the application of said provision to any other property, building, or structure not specifically included in said judgment.

(c) If any requirement or limitation attached to a permit issued under this chapter is found invalid, it shall be presumed that the permit would not have been granted without the requirement or limitation and, therefore, said permit shall also be invalid.

(3) Abrogations and other restrictions.

(a) It is not otherwise intended by this chapter to abrogate, repeal, annul, impair or interfere with any existing plats, certified survey maps, easements, covenants, deed restrictions, agreements, rules, regulations or permits previously adopted or issued pursuant to law. However, wherever this chapter imposes greater restrictions, the provisions of this chapter shall prevail.

(4) Interpretation and Application.

(a) In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirements for the promotion of the public health, safety, morals and welfare, and shall be liberally construed in favor of the County and shall not be construed to be a limitation or repeal of any other power now granted by Wisconsin Statutes and possessed by the County.

(b) Where property is affected by the regulations imposed by any provision of this chapter and by other governmental regulations, the regulations which are more restrictive or which impose higher standards or requirements shall prevail. Regardless of any other provision of this chapter, no land shall be developed or used, and no structure erected or maintained in violation of any State or Federal regulations.

(c) Word usage. In the interpretation of words used in this chapter:

1. Words used or defined in one tense or form shall include other tenses and derivative forms.

2. Words in the singular number shall include the plural number, and words in the plural number shall include the single number.

3. The masculine gender shall include the feminine, and vice versa.

4. The words "shall", "must" and "will" are mandatory.

5. The words "may", "can", "should", and "might" are permissive.

6. The word "person" includes individuals, firms, corporations, partnerships, associations, trusts, and any other legal entity.

7. If there is any ambiguity between the text of this chapter and any caption, illustration, table, or appendix, then the text shall control.

10.4. Definitions

(1) Abandoned or discontinued use.

(a) Except as described in (b) below, when the nonconforming use of a property has ceased for twelve months or longer, a use shall be considered abandoned and discontinued.

(b) Mineral extraction uses shall be considered abandoned or discontinued if the use ceases for twelve months or longer, unless

the landowner or operator complies with all of the following:

1. Within twelve months of the effective date of this ordinance has submitted a reclamation plan under Chapter 74, Dane County Code;
2. By January 31 of each year after submitting a reclamation plan, submits an annual report that meets all the requirements of [s. 74.251, Dane County Code](#) and indicates the site was active during the previous year.
3. Within twelve months of the receipt of notice under [s. 10.102\(7\)\(b\)2.](#), records a deed notice document, that:
 - (a) indicates the presence of a nonconforming mineral extraction site;
 - (b) describes the boundaries of the nonconforming mineral extraction site, and;
 - (c) is signed by the landowner and the zoning administrator.
4. By January 31 of each year after submitting a reclamation plan, provide to the zoning administrator evidence, subject to inspection, that all of the following conditions are met:
 - (a) Verification of property ownership or an active mineral lease, as recorded with the Dane County Register of Deeds, between the landowner and a mineral extraction operator. The driveway accessing the subject site shall either be paved or covered with crushed asphalt for a minimum distance of 100 feet from the public right-of-way.
 - (b) There shall be a safety fence around the entire extraction area at all times.
 - (c) Driveway access points to the site shall be gated. All gates shall be signed "no trespassing."
 - (d) The operator shall post clearly visible signage indicating the presence of mineral extraction activity.

(2) Accessory building.

A subordinate or supplemental building, the use of which is incidental to that of the main building on the same lot or the use of the premises on which it is located. Except for accessory dwelling units, accessory buildings may not be used for human habitation.

(3) Accessory dwelling unit - attached.

- (a) A second dwelling unit, limited in size, which is physically attached to an existing principal dwelling.
- (b) Accessory dwelling units have their own entrance, and do not share a main entrance with the principal residence on the lot.

(4) Accessory dwelling unit - detached.

- (a) A second dwelling unit, limited in size, which is in a freestanding accessory building, located on the same lot as a principal dwelling.
- (b) This definition includes accessory buildings constructed in connection with a private garage or a private garage converted into a dwelling unit.

(5) Accessory structure.

A structure associated with an accessory use.

(6) Accessory use.

A land use incidental to, and customarily associated with, a specific principal use. Accessory uses must be located on the same lot or parcel and in the same zoning district as the principal use.

(7) Active recreation.

- (a) Non-motorized leisure and athletic activities, usually performed with others, often requiring equipment and taking place at prescribed, developed sites, fields, courts, courses or facilities. Active recreational uses may involve relatively large numbers of participants or spectators.
- (b) Examples of such land uses include, but are not limited to: baseball or softball diamonds, field sports, gymnasiums, ice rinks or arenas, tennis courts, golf courses, swimming pools, velodromes and similar land uses.
- (c) Active recreation does not include indoor entertainment and assembly or outdoor entertainment, as defined in this ordinance.

(8) Adult book store.

An establishment which is used for selling or renting, for monetary consideration, the following materials, when such activity constitutes a significant part of the business conducted therein:

- (a) Any picture, photograph, drawing, motion picture film or similar visual representation or image of a person or portion of human body which depicts sexual conduct, sadomasochistic conduct or nudity in the context of sexual activity, whether or not the same is intended to be viewed on or off the premises; or
- (b) Any book, pamphlet, magazine, printed matter, however reproduced, or any sound recording which contains any matter enumerated in para. (a) above or which contains explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct or sadomasochistic abuse.
- (c) As used in paragraphs (a) and (b), sexual conduct has the meaning set forth in [s. 944.21 \(2\)\(e\), Wis. Stats.](#), and as used in this subsection, significant part of the business means dedication or use of more than 10% of the available floor space to the sale or rental of the subject matter referenced herein, including space devoted to viewing of videotapes or films.
- (d) Material, however distributed, which is published by a medical products manufacturer, a medical or health association, an insurance company, or by a consumer education organization shall not be considered part of the business of operating an adult bookstore.

(9) Adult entertainment establishment.

- (a) Any establishment which regularly features for monetary consideration performances or presentations which are distinguished or characterized by an emphasis on exposure to view of less than completely or opaquely covered human genitals, pubic area, anus, vulva, female breasts below a point immediately above the top of the areola; or male genitals in a discernable turgid state, even if opaquely covered; or on acts of or acts which simulate the fondling of another person's genitals, pubic region, anus, or

female breasts, sexual intercourse, masturbation, flagellation, sodomy, bestiality, necrophilia, sadomasochistic abuse, fellatio, cunnilingus, or any sexual conduct as defined by [s. 944.21\(2\)\(e\), Wis. Stats.](#)

(b) The term regularly features as used in this subsection means giving special prominence at uniform, orderly intervals on a permanent basis, or always features.

(10) Adopted town and county comprehensive plan.

A town comprehensive plan adopted by both the affected town board and the Dane County Board of Supervisors under [s. 66.1001, Wis. Stats.](#), and [Chapter 82, Dane County Code](#).

(11) Agricultural use.

Means any of the following activities conducted for the purpose of producing an income or livelihood:

- (a)** Crop or forage production.
- (b)** Keeping livestock.
- (c)** Beekeeping.
- (d)** Nursery, sod, or Christmas tree production.
- (e)** Floriculture.
- (f)** Aquaculture.
- (g)** Fur farming.
- (h)** Forest management.
- (i)** Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation payment program.

(12) Agricultural accessory building.

A building or buildings used in the operation of a farm.

(13) Agricultural accessory use.

Any of the following land uses on a farm:

- (a)** A building, structure, or improvement that is an integral part of, or incidental to, an agricultural use.
- (b)** An activity or business operation that is an integral part of, or incidental to, an agriculture use.
- (c)** Farm residence.
- (d)** A business, activity, or enterprise, whether or not associated with an agricultural use, which is conducted by the owner or operator of a farm, that requires no buildings, structures, or improvements other than those described in par. (a) or (c), that employs no more than 4 full-time employees annually, and that does not impair or limit the current or future agricultural use of the farm or of other protected farmland.

(14) Agricultural entertainment.

(a) An agricultural accessory use, taking place on a farm, that combines the elements and characteristics of agriculture and tourism.

(b) Examples of agricultural entertainment include, but are not limited to: corn mazes, pick-your-own operations, hay rides, sleigh rides, petting farms, on-farm tours, agricultural related museums, demonstrations of farming practices, techniques and methods, educational activities about farm animals and camps centered around interaction with farm animals, fee based fishing and hunting, horseback riding, nature trails, haunted barns, farm breakfasts and luncheons, and similar activities which are related to agriculture.

(15) Agriculture-related use.

A facility, whether or not located on a farm, that has at least one of the following as a primary, and not merely incidental, purpose:

- (a)** Providing agricultural supplies, agricultural equipment, agricultural inputs or agricultural services directly to farms, including farms in the farmland preservation zoning district.
- (b)** Storing, processing or handling raw agricultural commodities obtained directly from farms, including farms in the farmland preservation zoning district.
- (c)** Processing agricultural by-products or wastes received directly from farms, including farms in the farmland preservation district.

(16) Airport, landing strip or heliport.

A transportation facility that provides takeoff, landing, servicing, storage and other services to any type of air transportation.

(a) Seaplane operation below the ordinary highwater mark of a navigable water is not included in this definition, but such use may be regulated under Chapter 72, Dane County Code.

(b) Except for emergency and rescue operations, the operation of any type of air vehicle requiring Federal Aviation Administration pilot certification shall occur only in conjunction with an approved airport, landing strip, or heliport.

(17) Amusement park.

An outdoor entertainment use, publicly or privately owned, containing amusement and recreational facilities and devices, whether operated for profit or not.

(18) Animal boarding, domestic pet.

Any premises that accommodates six or more domestic pets during the daytime hours or overnight, including both indoor and outdoor facilities. May also include accessory retail sales of pet food, pet supplies and related items, limited to 250 square feet of floor space.

(a) Examples of these land uses include: commercial kennels, pet breeding operations and pet day-care operations.

(b) Domestic pet animal boarding does not include:

1. the keeping of six or more domesticated songbirds, aquarium fish or reptiles, kept indoors and owned by a resident of the property;
2. temporary foster care not to exceed a residence of six weeks per animal;
3. overnight or observational care for patients of a veterinary clinic;
4. large animal boarding, domestic fowl or beekeeping, colony houses, small-scale farming or agricultural livestock operations.

(19) Animal boarding, large animal.

Any premises that accommodates six or more of any animals, not owned by the owner of the property, not including domestic pets, domestic fowl or domestic bees. Exercise yards, fields, training areas, and trails associated with such land uses are considered accessory to such land uses and do not require separate consideration.

- (a) Examples of these land uses include commercial stables, livestock boarding, wildlife rehabilitation centers and game farms.
- (b) Large animal boarding does not include: temporary foster care not to exceed a residence of six weeks per animal, overnight or observational care for patients of a veterinary clinic, domestic pet boarding, domestic fowl or beekeeping, colony houses, small-scale farming or agricultural livestock operations.

(20) Animal unit.

One animal unit shall be defined as being the equivalent of 1 cow, 4 hogs, 10 sheep, 10 goats, 100 poultry, 1 horse, 1 pony, 1 mule or 100 rabbits or an equivalent combination thereof. The WI DNR Animal Unit Worksheet shall be used to determine animal unit if not defined above.

(21) Apartment.

A room, or a suite of rooms, with toilet and culinary accommodations, used or designed for use as a residence by a family or individual, and located in either:

- (a) a building containing two or more such rooms or suites or;
- (b) a building devoted primarily to nonresidential use.

(22) Apartment building.

A building containing accommodations for more than two (2) families living independently of each other.

(23) Bed and breakfast. (See Transient or tourist lodging.)

(24) Boathouse.

A permanent accessory structure used solely for the personal storage of watercraft and associated materials.

(25) Boat slip.

A mooring accommodation for the in-water storage of a boat or other water craft which is owned by other than a resident or owner of the premises.

(26) Building.

- (a) Any structure having a roof supported by posts, columns or walls and its appendages including, but not limited to balconies, porches, decks, stoops, fireplaces and chimneys.
- (b) For permit and locational purposes, the following are also considered buildings: swimming pools, both above and below ground, permanent hunting blinds with a foundation, and towers, including communication towers.
- (c) The following are not considered buildings: poles, towers and posts for lines carrying telephone messages or electricity and recreational structures of open construction and without walls, such as swing sets, slides, yard gyms, climbers, sand boxes and teeter totters.

(27) Building envelope.

The three dimensional space within which a building is constructed.

(28) Building footprint.

The entire area of ground covered by a structure, expressed in square feet, including appurtenances such as, but not limited to, balconies, porches, decks, stoops, fireplaces, and chimneys.

(29) Building height.

- (a) The vertical distance, measured from the mean elevation of the finished grade along the front of the building to the highest point on the roof for flat roofs; to the mean height level between the highest ridge and its associated eave for gable and hip roofs; to the deck line for mansard roofs.
- (b) The front of the building shall be the side directly facing the public or private thoroughfare which affords primary means of access to the property, excluding the driveway.

(30) Building line.

- (a) The building line shall be the point at which the building wall or any appendage of the building such as steps, chimneys, decks, porches or covered patios meet the ground.
- (b) For earth sheltered homes, the building line is a line where the exterior walls of the building if extended vertically would be located on the lot or zoning parcel.

(31) Building setback line.

(a) A line that is parallel to the front or street lot line and is located at a distance from either the center line of the adjacent highway or the front lot line as provided for in [s. 10.102\(9\)](#) of this ordinance.

(b) For triangular or gored lots that do not have the required lot width at the required building setback line, the building setback line shall be a line that is parallel to the front lot line or if the front lot line is a curve it shall be parallel to the chord of the arc of the curve of the front lot line and located at the point on the lot where the length of the line meets the lot width requirements of the zoning district in which it is located.

(32) Bus terminal.

A building or facility where passengers may board or leave intercity buses, also facilities for baggage handling, bus package services and ticket sales.

(33) Campground.

Any parcel of land which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by 2 or more camping units, or which is advertised or represented as a camping area. Campgrounds may include buildings to provide services to the patrons, such as restrooms, bathing, laundry and commissary facilities.

(34) Campground, primitive.

Any campground which is accessible only by hiking, boating or canoeing.

(35) Camping unit.

(a) Any portable device, no more than 400 square feet in area, used as a temporary shelter for a period not exceeding 180 days within any calendar year.

(b) Camping units include, but are not limited to, a tent, camping trailer, motor home, bus, van, or pickup truck that is fully licensed, if required, and ready for highway use.

(36) Caretaker's residence.

A dwelling on a nonresidential property occupied by the person who oversees the nonresidential property 24 hours a day, and his or her family.

(37) Cemetery.

(a) Any land, that is used, or intended to be used, for the burial of human remains.

(b) Examples of cemeteries include, but are not limited to, cemeteries, mausoleums, columbariums and burial chapels.

(38) Clear area.

An area adjacent to and completely surrounding each and every physical structure comprising part or all of an historic site. No building or structure of any kind, whether or not a permit therefor is required under this chapter, shall be erected in the clear area and no obstacle of any kind, whether attached to an allowed structure or not, shall be placed in the airspace above the clear area, and no soil disturbance shall occur in the clear area.

(39) Colony house.

A building for the breeding and raising of experimental and laboratory animals, such as white mice and rats, guinea pigs and the like, and for the storage of feed and accessory materials.

(40) Committee.

The Zoning and Land Regulations Committee of the Dane County Board of Supervisors, or any other committee of the Dane County Board of Supervisors designated to act as the county zoning agency and delegated the responsibility for zoning matters under ss.59.69, 59.692, 87.30 and 144.26 of the Wisconsin Statutes.

(41) Communications tower.

(a) Except as exempted below, any of the following:

1. A mobile service support structure, as defined in [s. 66.0404\(1\)\(n\), Wis. Stats.](#)
2. A radio broadcast service facility as defined in [s. 66.0406\(1\)\(c\), Wis. Stats.](#)
3. Any structure, whether free-standing or attached to an existing building or structure, that is designed and constructed primarily for the purpose of supporting one or more antennas.

4. Communications towers may include, but are not limited to: self- supporting lattice towers, guy towers or monopole towers, radio and television transmission towers, microwave towers, common-carrier towers, or cellular telephone towers.

(b) Exemptions.

The following are not considered communication towers for the purposes of this ordinance:

1. Amateur radio towers installed, erected, maintained and/or operated in association with any permitted or conditional residential use, by a federally-licensed amateur radio operator, so long as all the following conditions are met:

a. The antenna use involved is accessory to the primary use of the property which is not a telecommunication facility;

b. In a residential zone, no more than one support structure for licensed amateur radio operator is allowed on the parcel;

c. Sufficient anti-climbing measures have been incorporated into the facility, as needed, to reduce potential for trespass and injury.

2. Publicly owned and operated telecommunications facilities required in the public interest to provide for and maintain a radio frequency telecommunication system, including digital, analog, wireless or electromagnetic waves, for police, fire and other municipal services.

3. Broadcast signal receivers, including satellite dishes or antennas that are one (1) meter or less in diameter and satellite earth

station antennas that are two (2) meters or less in diameter

4. Towers erected on municipally owned property, or on private property as part of a municipally sponsored project, for the primary purpose of providing wireless internet services to town residents, so long as all the following conditions are met:

- a.** The tower is under 100' in height;
- b.** The tower does not require nighttime lighting per Federal Aviation Administration standards;
- c.** Is located a minimum distance of 300' from any principal residential structure located on neighboring property; and
- d.** The town board has submitted a resolution in support of the proposal.

(42) Communications tower, substantial modification.

The modification of a communications tower, including the mounting of an antenna on such a structure, that does any of the following:

- (a)** For structures with an overall height of 200 feet or less, increases the overall height of the structure by more than 20 feet.
- (b)** For structures with an overall height of more than 200 feet, increases the overall height of the structure by 10 percent or more.
- (c)** Measured at the level of the appurtenance added to the structure as a result of the modification, increases the width of the support structure by 20 feet or more, unless a larger area is necessary for collocation.
- (d)** Increases the square footage of an existing equipment compound to a total area of more than 2,500 square feet.

(43) Community living arrangements.

(a) Any of the following facilities licensed or operated, or permitted under the authority of the Wisconsin Department of Health and Social Services:

- 1. a community living arrangement for adults, as defined in [s. 46.03 \(22\), Wis. Stats.](#) and [s. 50.01\(1g\), Wis. Stats.](#)
- 2. a community living arrangement for children, as defined in [s. 48.743 \(1\), Wis. Stats.](#)
- 3. a foster home, as defined in [s. 48.02 \(6\), Wis. Stats.](#), or
- 4. or an adult family home, as defined in [s. 50.01 \(1\), Wis. Stats.](#)

(b) Community living arrangements do not include:

- 1. day care centers,
- 2. nursing homes,
- 3. hospitals,
- 4. prisons or jails.

(44) Community garden.

A private or public facility for cultivation of fruits, flowers, vegetables or ornamental plants by more than one person or family.

(45) Composting facility.

A commercial or public solid waste processing facility where yard, kitchen or garden waste is transformed into soil conditioner or fertilizer by biological decomposition.

(46) Condominium.

Individual ownership of a structure, a unit in a multi-unit structure, or a piece of real property located on a commonly held parcel of land organized under [Chapter 703, Wis. Stats.](#) Buildings in a condominium shall meet the density and locational requirements of the zoning district in which they are located.

(47) Consistent with.

Furtheres or does not contradict:

- (a)** The purposes and standards of this ordinance, or
- (b)** the policies contained in relevant town comprehensive plans, the Dane County Comprehensive Plan or the Dane County Farmland Preservation Plan.

(48) Construction equipment.

(a) A type of commercial vehicle that is primarily designed and used for commercial, construction, or industrial operations or activities.

(b) Construction equipment includes, but is not limited to, front end loaders, dumpster haulers, forklifts, augers, tractor-trailers, dump trucks, wreckers, bulldozers, cranes, bobcats, trenchers, stump grinders, backhoes, and cement mixers tractors, both wheeled and crawler types, graders, end loaders, scrapers, bulldozers, cranes, back hoes, drag lines, trucks, including dump, stake body or semi-trailer lowboys of more than two and one-half (2-½) ton capacity, "cherry picker" vehicles and air compressors.

(c) Equipment used in connection with a farm operation and not leased or contracted for use on any other property shall not be considered construction equipment.

(49) Contiguous.

Lots or parcels that share a common boundary for a distance of at least 66 feet.

(50) Day care centers.

A place or home which provides care for eight (8) or more children under the age of seven (7) years for less than 24 hours a day and is licensed as provided for in

[s. 48.65](#) of the Wisconsin Statutes.

(51) Development.

Any activity requiring any of the following:

- (a) a zoning permit, conditional use permit or certificate of compliance under this ordinance;
- (b) a shoreland zoning permit under [Chapter 11](#), Dane County Code
- (c) a floodplain zoning permit under [Chapter 17](#), Dane County Code
- (d) an erosion control permit or stormwater management permit under [Chapter 14](#), Dane County Code
- (e) a sanitary permit under Chapter 46, Dane County Code.

(52) Development plan.

A scale drawing of the premises which accurately depicts:

- (a) the shape and dimensions of the lot, zoning parcel, tax parcels, or condominium units, as appropriate;
- (b) the location and dimensions of all existing and proposed buildings and other structures;
- (c) the location and dimensions of all parking areas, loading areas, circulation areas, and access drives;
- (d) the distance in feet between all structures, and between all structures and parking areas, abutting streets and highway rights-of-way or easements and side and rear lot lines, and;
- (e) any other information as the zoning administrator deems necessary to determine the nature of the development.

(53) Development right.

- (a) A potential new residential building site available under the policies of an adopted town and county comprehensive plan, subject to the standards of this ordinance and chapters 11, 17 and 75.
- (b) For purposes of participating in a transfer of development rights program, a development right exists on a particular property if adopted town and county comprehensive plans would support a rezone petition to allow residential development on the property.

(54) Divided highway

A highway with 2 or more roadways separated by spaces not intended for the use of vehicular traffic.

(55) Domestic beekeeping.

The keeping of honeybees in a residential zoning district.

(56) Domestic fowl.

Female chickens, ducks, and quail. Geese, turkeys, and pea fowl are not considered domestic fowl for the purposes of this ordinance.

(57) Domestic pets.

- (a) Any animal that:
 1. has been bred or raised to live in or near the habitations of humans,
 2. is not kept for slaughter, milk, eggs or the harvesting of fur, wool or plumage, and;
 3. is dependent on humans for food and shelter.
- (b) Domestic pets include, but are not limited to: dogs, cats and domestic ferrets.
- (c) Domestic pets do not include: horses, sheep, any animal equivalent to one-half animal unit or larger, endangered species, wildlife, livestock, domestic fowl or bees.

(58) Drive-in establishment.

- (a) An establishment which accommodates motor vehicles from which the occupants may obtain or receive a service or product which may be used or consumed in the vehicle on the same premises, or
- (b) An establishment which accommodates motor vehicles for the purpose of fueling or providing minor motor vehicle services.

(59) Duplex.

A dwelling designed or intended to be occupied by two families.

(60) Dwelling.

A building, or part of a building, containing living, sleeping, housekeeping accommodations and sanitary facilities for occupancy by one or more families.

(61) Electric generating facility.

Any equipment together with associated structures, buildings, grounds and other facilities intended to produce electricity consumed primarily off the premises.

(62) Explosive materials.

- (a) Any chemical compound, mixture or device, the primary or common purpose of which is to function by explosion, except as exempted below.
- (b) Explosive materials include, but are not limited to, dynamite and other high explosives, slurries, emulsions, water gels, blasting agents, black powder, pellet powder, initiating explosives, detonators, safety fuses, squibs, detonating cord, igniter cord and igniters.
- (c) Exemptions.
- (d) For the purposes of this ordinance, the following are not considered explosive materials:
 1. Fireworks, as defined in [s.167.10, Wis. Stats.](#)
 2. Fuel or a lubricant.
 3. A firearm cartridge or shotgun shell.
 4. A flare used or possessed or sold for use as a signal in an emergency or in the operation of a railway, aircraft, watercraft or

motor vehicle.

5. A match, cigarette lighter, stove, furnace, candle, lantern or space heater.
6. A cap containing not more than one-quarter grain of explosive mixture, if the cap is used or possessed or sold for use in a device which prevents direct bodily contact with a cap when it is in place for explosion.
7. A toy snake which contains no mercury.
8. A model rocket engine.
9. Tobacco and a tobacco product.
10. A sparkler on a wire or wood stick not exceeding 36 inches in length that is designed to produce audible or visible effects or to produce audible and visible effects.
11. A device designed to spray out paper confetti or streamers and which contains less than one-quarter grain of explosive mixture.
12. A fuseless device that is designed to produce audible or visible effects or audible and visible effects, and that contains less than one-quarter grain of explosive mixture.
13. A device that is designed primarily to burn pyrotechnic smoke- producing mixtures, at a controlled rate, and that produces audible or visible effects, or audible and visible effects.
14. A cylindrical fountain that consists of one or more tubes and that is classified by the federal department of transportation as a Division 1.4 explosive, as defined in [49 CFR 173.50](#).
15. A cone fountain that is classified by the federal department of transportation as a Division 1.4 explosive, as defined in [49 CFR 173.50](#).
16. A novelty device that spins or moves on the ground
17. Propellants for airbags in a motor vehicle.

(63) Family.

A single housekeeping unit, living together on the premises, comprised of either:

- (a) Any number of individuals related by blood, adoption, foster care, domestic partnership or marriage, or
- (b) No more than five unrelated individuals.

(64) Farm.

All land under common ownership that is primarily devoted to agricultural use. For the purposes of this ordinance, "primarily devoted" means that a majority of the land is in agricultural use.

(65) Farm operator.

A person who, or a family at least one member of which, earns substantial farm income from farm operations on the farm.

(66) Farm residence.

Any of the following structures that is located on a farm:

- (a) A single-family residence that is occupied by any of the following:
 1. A person who is both the owner and farm operator of the farm.
 2. A parent or child of the owner and farm operator of the farm.
 3. An individual who earns more than 50 percent of his or her gross income from the farm.
- (b) A migrant labor camp that is certified under [s. 103.92, Wis. Stats.](#)

(67) Governmental, institutional, religious, or nonprofit community uses.

A facility, land or premises that provides a public service and is operated by a:

- (a) federal, state, county, city, village, town or tribal government,
- (b) public or private utility, commission or authority,
- (c) public or private school, university, college or school district,
- (d) church or religious institution
- (e) public or quasi-public agency, or
- (f) tax-exempt organization.

(68) Gross floor area.

- (a) The aggregate area of all horizontal levels of a building, expressed in square feet, not including any horizontal level where the average floor to ceiling height is less than 6 feet.
- (b) When used as a basis of measurement for off-street parking and loading spaces for any use, gross floor area shall be the sum of the areas of the several floors of the buildings devoted to such use, including all areas devoted to restrooms, storage, utilities and circulation.

(69) Gross income.

Wisconsin Adjusted Gross Income, as defined in [s. 71.01, Wis. Stats.](#)

(70) Gross vehicle weight.

The weight of any truck or road tractor and its semitrailer plus the load that the vehicle is rated to haul.

(71) Heavy industrial.

- (a) A processing, manufacturing or assembly use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or any other processing, manufacturing or assembly use where any of the following conditions apply:

1. operations are conducted wholly or partially outdoors;
 2. operations are potentially associated with significant nuisances such as odor, noise, heat, vibration, pollution or radiation which are detectable at the property line;
 3. operations may pose a significant safety hazard (such as danger of fire, toxic spills or explosion).
- (b)** Heavy industrial uses include, but are not limited to: paper, pulp or paperboard producers; chemical and allied product producers including poison or fertilizer producers but not including drug producers; petroleum and coal product producers; permanent asphalt, concrete or cement producers; tanneries; stone, clay or glass product producers; primary metal producers; heavy machinery producers; electrical distribution equipment producers; electrical industrial apparatus producers; transportation vehicle producers; commercial sanitary sewage treatment plants; power production facilities; railroad switching yards; and commercial recycling facilities not involving the on-site storage of salvage materials.
- (c)** Heavy industrial uses do not include agriculture, agriculture-related, small-scale domestic energy generation, utility services, or light industrial uses.

(72) Home occupation.

A home occupation is any activity carried on by a member of the family residing on the premises, which meets all of the following conditions:

- (a)** The occupation is conducted within a dwelling and not in an accessory building;
- (b)** Only members of the family residing on the premises may be employed on the premises, plus a maximum of one other unrelated person;
- (c)** No stock-in-trade is kept or commodities sold, other than those made on the premises;
- (d)** Samples may be kept but not sold on the premises;
- (e)** No mechanical equipment is used except such as may be used for purely domestic or household purposes;
- (f)** Such occupation shall not require internal or external alterations, or involve construction features not customary in a dwelling;
- (g)** No more than 25 percent (25%) of the floor area of one (1) story of the dwelling is devoted to the occupation;
- (h)** The entrance to the space devoted to the occupation is from within the building;
- (i)** There is no evidence, other than the sign referred to in subsection (j) below, that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling; and
- (j)** One (1) sign shall be permitted, which sign shall be attached to the building, shall not exceed two (2) square feet in area and shall not be lighted at night.

(73) Incidental room rental.

Rental or leasing of rooms within a single-family residence, provided all of the following are met:

- (a)** All rooms offered for rent are within the landowner's principal residence;
- (b)** No room has its own kitchen facility;
- (c)** No more than two rooms are offered for rent; and
- (d)** One off-street parking space is provided for each rental room.

(74) Indoor commercial lodging.

- (a)** A building or premises that provides lodging to transient or tourist guests, that meets at least one of the following criteria:
 1. Provides more than eight rooms available for transient guests;
 2. Provides accommodations for more than twenty transient or tourist guests at a time; or
 3. Is located in a building that is not on the same zoning parcel as the landowner's principal residence.
- (b)** Indoor commercial lodging may include, but is not limited to: hotels, motels, inns or resorts.
- (c)** Indoor commercial lodging does not include: incidental room rental, transient or tourist lodging, campgrounds, rooming houses, duplexes or multifamily residences.

(75) Indoor entertainment or assembly.

(a) All land uses which provide entertainment services, 10 or more days per calendar year, entirely within an enclosed building. Such activities often have:

1. operating hours which extend significantly later than other commercial land uses and;
 2. event-driven attendance of 50 or more people, who typically arrive and leave the premises as a group, and may congregate outside before and after events.
- (b)** Examples of such land uses include, but are not limited to: restaurants, taverns, theaters, dance clubs, music or performance venues and auditoriums.

(76) Indoor sales.

Includes all principal land uses that conduct or display sales or rental merchandise or equipment completely or nearly completely within an enclosed building. Indoor sales operations may provide incidental service and indoor repair as an accessory use.

- (a)** Indoor sales include, but are not limited to: general merchandise stores, grocery stores, bait shops, sporting goods stores, antique stores, gift shops, laundromats, artisan studios, and bakeries.
- (b)** Indoor sales do not include adult bookstores, personal or professional services.

(77) Indoor storage and repair.

Uses that are primarily oriented to the receiving, holding and shipping of materials for a single business. Such uses are not for retail sales, storage of personal belongings of others, or warehousing of materials for others. With the exception of loading facilities, such uses are contained entirely within an enclosed building.

(78) Institutional residential.

- (a)** A congregate residential use that provides some level of human, health or social service to non-transient residents, in addition

to basic housing.

(b) Institutional residential uses include, but are not limited to: group homes, convents, monasteries, nursing homes, convalescent homes, rehabilitation centers, assisted living facilities, congregate care facilities and retirement communities.

(c) Institutional residential uses do not include: community living arrangements, day care centers, duplexes, multifamily residences, rooming houses, adult family homes, foster homes or treatment foster homes.

(79) Junk.

Garbage, waste, refuse, trash, any used motor vehicle upon which no current license plate is displayed, any inoperable motor vehicle, any used tire or used motor vehicle part, and any scrap material such as metal, paper, rags, cans or bottles.

(80) Junkyard. (See Salvage yard.)

(81) Kennel. (See Animal boarding, domestic pet)

(82) Land disturbing activity.

Any alteration or disturbance that may result in soil erosion, sedimentation or change in runoff including, but not limited to, removal of ground cover, grading, excavating or filling of land.

(83) Light industrial.

(a) The processing, manufacturing, compounding, assembly, packaging, treatment or fabrication of materials and products, from previously processed or previously manufactured materials. All operations (with the exception of loading operations):

1. are conducted entirely within an enclosed building;
2. are not potentially associated with nuisances such as odor, noise, heat, vibration, and radiation which are detectable at the property line;
3. do not pose a significant safety hazard (such as danger of explosion); and
4. include no retail sales.

(b) Light industrial uses do not include agriculture-related, limited family businesses, Limited farm businesses, small workshops accessory to a permitted use, or heavy industrial uses.

(84) Limited family business.

A small family-run commercial operation, accessory to a permitted principle use, that takes place entirely within an accessory building. All employees, except up to one or one full-time equivalent, must be a member of the family residing on the premises.

(85) Limited farm business.

An agricultural accessory use that meets all of the following criteria:

- (a)** Consists of a business, activity, or enterprise, whether or not associated with an agricultural use, that is conducted by the owner or operator of a farm,
- (b)** Requires no buildings, structures, or improvements other than existing agricultural buildings or a farm residence
- (c)** Employs no more than 4 full-time equivalent employees annually, who are not members of the family residing on the farm, and;
- (d)** Does not impair or limit the current or future agricultural use of the farm or of other protected farmland.

(86) Livestock.

(a) Except as listed below, bovine animals, equine animals, goats, poultry, sheep, swine, farm-raised deer, farm-raised game birds, camelids, ratites, and farm-raised fish.

(b) For the purposes of this ordinance, the following are not considered livestock:

1. Five or fewer equine animals on a premises in the Rural Mixed-Use Districts;
2. Domestic fowl;
3. Domestic pets;
4. Domestic beekeeping.

(87) Location survey.

Survey information prepared by a licensed surveyor indicating the location of property lines and building location distances from those property lines for the specific portions of the building indicated in this ordinance.

(a) Such surveys need not provide all the parcel information set forth by Wisconsin Administrative Code Chapter A-E 7.02 Minimum Standards for Property Surveys item A-E 7.01(2), but may exclude unnecessary information as permitted in A-E 7.01(2).

(b) All location surveys must comply with the accuracy standard required by A-E 7.06 Measurements.

(88) Long-term care facility.

Any of the following:

- (a)** A nursing home, as defined in [s. 50.01 \(3\), Wis. Stats.](#)
- (b)** A community-based residential facility, as defined in [s. 50.01 \(1g\), Wis. Stats.](#)
- (c)** A facility, as defined in [s. 647.01 \(4\), Wis. Stats.](#)
- (d)** A swing bed in an acute care facility or extended care facility, as specified under 42 USC 1395tt.
- (e)** A hospice, as defined in [s. 50.90 \(1\) \(c\), Wis. Stats.](#)
- (f)** An adult family home, as defined in [s. 50.01 \(1\), Wis. Stats.](#)
- (g)** A residential care apartment complex, as defined in [s. 50.01 \(6d\), Wis. Stats.](#)

(89) Lot.

A parcel of land occupied or intended to be occupied by one principal building and its accessory buildings or uses, except for commercial zoning districts. A parcel or tract of land that is defined by metes and bounds, certified survey, recorded subdivision plat, or other means of description recorded with the Register of Deeds and legally separated from other lots by such description. No land included in any public road, street, highway or railroad right-of-way shall be included when computing lot area. Also referred to as a "lot of record."

(90) Lot depth.

The lot depth is the mean horizontal distance between the front lot line and the rear lot line measured within the lot boundaries.

(91) Lot width.

(a) The distance between the side lot lines measured along a line that is parallel to the front lot line at the required building setback line.

(b) On triangular or gored lots, the lot width shall be measured along a line that is parallel to the chord of the arc of the front lot line at the required building setback line. The lot width at this point shall not be less than that required by the zoning district in which the lot is located.

(92) Lot line, front.

The lot line adjoining, and parallel to, the right-of-way that provides primary vehicular access to the lot.

(93) Lot line, rear.

(a) The rear lot line shall mean that lot line which is opposite and most distant from the front lot line.

(b) In the case of an irregular, triangular or gore shaped lot, a line ten (10) feet in length entirely within the lot, parallel to and most distant from the front lot line shall be considered to be the rear lot line for the purpose of determining depth of rear yard.

(c) In cases where none of these definitions is applicable, the zoning administrator shall designate the rear lot line.

(94) Lot line, side.

Any lot line other than a front or rear lot line

(95) Manufactured home.

(a) A residential dwelling for one family as is defined in [s. 101.91\(2\), Wis. Stats.](#), that:

1. Is fabricated in an off-site facility for installation or assembly at the building site,
2. bears a HUD label or insignia certifying that it is built in compliance with the Federal Manufactured Housing Construction Standards under 42 U.S.C. ss. 5401 to 5425, and
3. was built after June 14, 1976.

(b) A manufactured home is considered a single-family dwelling for the purposes of this chapter.

(96) Manufactured home communities.

(a) Any plot or plots of ground upon which two (2) or more manufactured dwellings, occupied for dwelling or sleeping purposes, are located.

(b) Exceptions. Manufactured home communities do not include manufactured homes used for any of the following uses, with an approved conditional use permit:

1. Accessory dwelling units
2. Secondary farm residences.

(97) Marina.

(a) A commercial shoreside facility that provides accommodation and service for multiple boats.

(b) Marinas may include, but are not limited to, docks; boat slips; inside or outside storage of boats, boat trailers, storage cradles and other related marina items; sale of boats, boating equipment, fuel and supplies.

(c) Marinas do not include noncommercial boathouses, docks, or piers intended for watercraft owned by the landowner and accessory to a permitted principal use.

(98) Mineral extraction.

(a) Quarrying, excavation or removal of sand, gravel, limestone, earth, soil or other mineral resources.

(b) Mineral extraction does not include:

1. Site preparation for residential or commercial plats,
2. Construction or landscaping projects,
3. Soil conservation practices
4. Stream, lake or shoreline protection projects
5. Agricultural land leveling projects conducted in accordance with NR 151, Subchapter II, Wisconsin Administrative Code, provided materials are not removed from the site.
6. Composting, storage or processing of materials that meet the definition of an agriculture-related use.
7. Solid waste disposal operations.

(99) Mineral extraction accessory uses.

(a) When conducted entirely within the boundaries of an approved Conditional Use Permit for a mineral extraction site, the following are considered permitted accessory uses:

1. washing, crushing, screening and other processing of extracted mineral materials,
2. stockpiling and processing concrete and asphalt pavements for the purpose of recycling for reuse in asphalt or concrete mixtures or base course products

3. importing and dumping of clean fill materials
 4. the erection of structures and the installation or storage, or both, of the necessary machinery and equipment used in the mineral extraction operation
 5. soil blending for production of bioretention products
 6. activities associated with an approved erosion control or stormwater management plan under Chapter 14, Dane County Code.
 7. activities associated with site reclamation under an approved reclamation plan under Chapter 74, Dane County Code.
- (b) At their own initiative or at the applicant's request, town boards and the committee may further limit or prohibit any of the above accessory uses on a particular mineral extraction site, as part of the conditions on an individual Conditional Use Permit.

(100) Mini-warehouse. (See Personal storage facility.)

(101) Mobile home.

(a) A transportable factory built structure as is defined in [s. 101.91\(10\), Wis. Stats.](#), designed for long-term occupancy by one family and either:

1. was built prior to June 15, 1976, or
 2. does not comply with the Federal Manufactured Housing Construction and Safety Standards Act.
- (b) A mobile home is not considered to be a type of single-family dwelling for the purposes of this chapter.

(102) Motel. (See Indoor commercial lodging.)

(103) Motor vehicle.

Cars, trucks, buses, semi-tractors and semi-trailers which may be used to transport goods, materials, freight or passengers

(104) Multiple family dwelling.

A dwelling designed or intended to be occupied by more than two families.

(105) Native wildlife rehabilitator.

A facility operated under a rehabilitator license approved by the Wisconsin Department of Natural Resources, the U.S. Fish and Wildlife Service or the U.S. Department of the Interior under [s.169.24, Wis. Stats.](#) and [Chapter NR 19, Subchapter II, Wisconsin Administrative Code.](#)

(106) Nursing home. (See also Institutional residential.)

(a) An institutional residential facility for the aged, chronically ill or incurable person in which three (3) or more persons not of the immediate family are received, kept or provided with food and shelter or care for compensation.

(b) Nursing homes do not include any of the following:

1. A convent or facility owned or operated exclusively by and for members of a religious order that provides reception and care or treatment of an individual.
2. A hospice, as defined in [s. 50.90 \(1\), Wis. Stats.](#), that directly provides inpatient care.
3. A residential care apartment complex
4. Hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

(107) Nonconforming parcel.

A lot or zoning parcel lawfully created prior to the time this ordinance or relevant amendments took effect, and which does not conform to current area or lot width standards of this ordinance. Also known as a "substandard parcel."

(108) Nonconforming structure.

A structure lawfully erected prior to the time this ordinance or relevant amendments took effect, and which does not conform to the setback, side yard, rear yard, lot coverage, height or other dimensional requirements of this ordinance.

(109) Nonconforming use.

A lawfully created use that existed prior to the time this ordinance or relevant amendments took effect, and which does not conform to the current standards of this ordinance.

(110) Notice document.

A recorded instrument to notify future landowners and others of unusual features, policies, regulations or other characteristics that may affect future development potential or other speculative use of a specific property. All notice document instruments must meet the minimum recording standards of the Dane County Register of Deeds.

(111) Occupiable floor area.

(a) When used as a basis of measurement for off-street parking spaces, the sum of the areas of the several floors of the buildings designed or intended to be used for service to the public as customers, patrons, clients, patients or members.

(b) Occupiable floor area includes areas occupied by fixtures and equipment used for the sale of merchandise, or in the case of office uses those areas occupied or used by employees.

(c) Occupiable floor area does not include areas used principally for non- public purposes such as restrooms, locker rooms, storage, utilities and areas behind counters.

(112) Office.

An exclusive indoor land use whose primary function is the handling of information or administrative services. Such uses do not

typically provide services directly to customers on a walk-in or on-appointment basis.

(113) Outdoor assembly event.

(a) Any organized activity, not including agricultural entertainment events, of more than one hundred (100) persons, occurring 10 or more days per calendar year, that occurs entirely or partially outdoors.

(b) Examples of such land uses include, but are not limited to: outdoor concerts or performances, fairs, festivals, weddings, parties, banquets, circuses, sporting events, races and amusement parks.

(114) Outdoor entertainment.

(a) All land uses which provide, on a permanent or ongoing basis, entertainment services partially or wholly outside of an enclosed building. Such activities often have the potential to be associated with nuisances related to noise, lighting, dust, trash and late operating hours.

(b) Examples of such land uses include, but are not limited to: shooting ranges, outdoor swimming pools, driving ranges, miniature golf facilities, volleyball courts, amusement parks, drive-in theaters, go-cart tracks and racetracks.

(115) Outdoor passive recreation.

Outdoor activities that generally do not require a developed site, and have minimal impact on natural resources and surrounding properties. Such land uses may include, but are not limited to: arboreta, natural areas, wildlife areas, hiking trails, bike trails, cross country ski trails, horse trails, open grassed areas not associated with any particular active recreational land use, picnic areas, picnic shelters, gardens, fishing areas, and similar land uses.

(116) Outdoor sales, display, or repair.

(a) Includes uses that conduct or display merchandise outside of an enclosed building that is for sale or rent and land uses that conduct maintenance or repairs on merchandise or equipment outside of an enclosed building.

(b) Examples of such land uses include, but are not limited to, vehicle sales, vehicle rental, manufactured and manufactured home sales, monument sales, and lawn mower repair.

(c) Such land uses do not include uses where the outdoor sales or display area is less than 15 percent of the gross floor area of any principal building where sales are also conducted, which are instead classified in the "indoor sales" land use category; motor vehicle repair or maintenance, which are instead classified in the "Drive-in establishment" category; drive-in theaters, which are instead classified in the "outdoor commercial entertainment" category; or the storage or display of inoperative vehicles or materials typically associated with a junkyard or salvage yard.

(117) Outdoor storage.

(a) Any activity located primarily outdoors involving the receiving, holding and shipping of materials for a single business.

(b) Outdoor storage does not include loading and parking areas, storage of materials typically associated with a salvage or junkyard, salvage recycling centers or solid waste recycling centers.

(c) Outdoor storage of materials is not permitted within any building setback area.

(118) Person.

Except where otherwise indicated by the context, the word person shall include the plural, or a company, firm, corporation or partnership.

(119) Personal and professional services.

(a) All exclusively indoor land uses whose primary function is the provision of services directly to an individual on a walk-in or on-appointment basis.

(b) Examples of such land uses include, but are not limited to: professional services, insurance services, realty offices, financial services, repair and maintenance of small items conducted indoors; medical offices and clinics, veterinary clinics, barbershops, beauty shops, and related land uses.

(c) Personal and professional services do not include adult entertainment or vehicle repair and maintenance services.

(120) Personal storage facility.

A facility that provides indoor storage of personal items entirely within partitioned buildings having an individual access to each partitioned area. Also known as "mini-warehouses."

(121) Planned unit development.

(d) A form of land development, conceived and implemented as a cohesive, unified project and permitted only after following the procedures for creating a planned unit development district as provided in [s. 10.291](#) of this ordinance.

(e) Within a planned unit development, regulations on permitted or conditional land uses, setbacks, lot or zoning parcel sizes or other development standards may vary to suit the proposed use and the site, as determined in the General Development Plan and Specific Improvement Plan approved by the County Board specifically for that project.

(122) Principal building.

A building within which a majority of the principal use of a premises or lot is conducted.

(123) Principal use.

The primary use of a premises.

(124) Property maintenance shed.

A small utility structure, no larger than 600 square feet, used exclusively for storage of materials or equipment in conjunction with the maintenance of the property. Property maintenance sheds may be allowed on properties without a principal residence. Property maintenance sheds have no plumbing fixtures and cannot be used for living or sleeping purposes.

(125) Racetrack.

An outdoor entertainment activity consisting of any location hosting a gathering of more than three people for the purpose of repetitive motor vehicular activity over a fixed course or area, which persists for periods in excess of 30 minutes in any one 24 hour period.

(126) Recorded.

Recorded with the Dane County Register of Deeds.

(127) Recreational equipment.

Boats, canoes, watercraft, snowmobiles or camping and luggage carrying trailers intended to be towed by an automobile or truck or a camper unit to be mounted on a truck. Any motor driven camper or motor home shall be considered as recreational equipment

(128) Recreational racetrack.

A defined or fixed course for the driving of a motorcycle, automobile, ATV, snowmobile, go-cart, or any other similar motorized craft used for personal use.

(129) Refuse. (See also Solid waste.)

Combustible and noncombustible rubbish including, but not limited to, paper, wood, metal, glass, cloth and products thereof, litter and street rubbish, ashes and lumber, concrete and other debris resulting from the construction or demolition of structures.

(130) Rendering plant.

A plant for the reduction of dead animals or slaughtered animals not suitable for human consumption, to by-products such as hide, skin, grease, bones, glue and soap, and for the storage of such by-products.

(131) Renewable energy.

Electricity, heat, steam, gas or other power derived from any of the following:

- (a) A fuel cell that uses, as determined by the Wisconsin Public Service Commission under [s.196.378, Wis. Stats.](#), a renewable fuel.
- (b) Tidal or wave action.
- (c) Solar thermal electric or photovoltaic energy.
- (d) Wind power.
- (e) Geothermal technology.
- (f) Biomass.
- (g) Synthetic gas created by the plasma gasification of waste.
- (h) Densified fuel pellets made from waste material that does not include garbage, as defined in [s. 289.01\(9\), Wis. Stats.](#), and that contains no more than 30 percent fixed carbon.
- (i) Fuel produced by pyrolysis of organic or waste material.

(132) Roadside stand.

A structure having a ground area of not over 200 square feet, not permanent by being attached to the ground, readily removable in its entirety and to be used solely for the sale of farm and garden products produced on the premises. Such structures may be located within the setback lines of roads but shall not interfere with visibility along the highway.

(133) Rooming house.

A building or premises, with a common, shared kitchen area, that rents three or more rooms:

- (a) For definite, extended periods of time, typically 180 days or more,
- (b) To no more than twenty unrelated individuals, and
- (c) Is not open to transients, tourists or to the general public.

(134) School (See also Governmental, institutional, religious or nonprofit community use).

- (a) Any private, public or religious educational institution.
- (b) Schools do not include either truck driving schools or construction equipment operator schools, unless expressly stated otherwise in this chapter.

(135) Salvage yard.

An area where junk, waste or scrap materials are bought, sold, exchanged, stored, recycled, baled, packed, disassembled or handled.

- (a) For the purposes of this definition, waste or scrap materials may include, but are not limited to: garbage, waste, refuse, trash, any used motor vehicle upon which no current license plate is displayed, any inoperable motor vehicle, any used tire or used motor vehicle part, and any scrap material such as metal, paper, rags, cans or bottles
- (b) A salvage or junk yard may include a motor vehicle wrecking or dismantling yard
- (c) A salvage or junk yard does not include a solid waste recycling center, composting facilities or processing operations meeting

the definition of an agriculture-related use.

(136) Sanitary fixture.

Any plumbing fixture that requires discharge to a private onsite wastewater treatment system or public sanitary sewer system pursuant to state or county plumbing code.

(137) Setback.

The minimum horizontal distance from the front line or from the center of the highway, measured parallel to the highway or front lot line, to the front of the building.

(138) Single family residential.

Land use characterized by individual, standalone dwellings designed for and occupied for a period of more than 30 days, exclusively by one family.

(139) Slaughterhouse.

Any building or premises used commercially for the killing or dressing of cattle, sheep, swine, goats or horses, for human consumption and the storage, freezing and curing of meat and the preparation of meat products.

(140) Small-scale farming.

Any agricultural use operated for recreational, hobby or supplementary income purposes on a site with a non-agricultural principal use. Animal use is limited to one animal unit per acre.

(141) Solid waste.

Garbage, refuse and all other discarded or salvageable solid materials, including solid waste materials resulting from industrial, commercial, operations and other domestic use and public service activities. Solid waste does not include solids or dissolved material in waste water effluents or other common water pollutants.

(142) Solid waste disposal operation.

A site or facility for the collection, storage, utilization, processing or final disposal of solid waste.

(a) Solid waste disposal operations include, but are not limited to: sanitary landfills, land disposal, incinerator, transfer, air curtain destruction, composting reduction, shredding, compression, processing and salvage.

(b) Solid waste disposal operations do not include: agriculture-related uses or in-house re-use of the imperfect finished products to make a merchantable finished product.

(143) Solid waste recycling center. (See also Salvage yard.)

A solid waste disposal operation at which temporary storage and processes such as baling of paper, grinding of glass and flattening of cans, are conducted on segregated solid waste to facilitate reuse of the segregated solid waste as raw material.

(144) Stormwater runoff.

Waters derived from rains falling, snowmelt or icemelt occurring within the drainage area, flowing over the surface of the ground and collected in channels, watercourses or conduits.

(145) Story.

The vertical distance of a building included between the surface of any floor, except the basement, and the floor next above it. For top stories, the story is the space between the floor and the ceiling.

(146) Story, half.

A story under a gable or hip or mansard roof, where the wall plates of which on at least two (2) sides are not more than two (2) feet above the floor of that story for at least 70% of the wall line.

(147) Street.

A public or private thoroughfare, not including driveways, which affords primary means of access to abutting property.

(148) Street line.

The dividing line between the street and the lot.

(149) Structure.

(a) Any human-made object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lake bed.

(b) Structures include, but are not limited to, any building, dwelling, manufactured building, manufactured home, mobile home, house trailer, recreational vehicle, boathouse, boat shelter, advertising sign, deck, patios, driveways, fences, retaining walls, or other improvements or any part of such structure.

(c) A structure includes any permanent or temporary attachments, including but not limited to awnings, extensions, porches or decks.

(150) Structural alteration.

Any change in the dimensions of a structure or in the interior layout or floor plan of a structure.

(151) Substantial farm income.

A minimum of \$10,400 gross farm income/year for the past three (3) years currently derived from the farming operation on the farm where the residential use is proposed. Rental income may not be used to meet the income requirement.

(152) Tax parcel.

A parcel of land identified by a Parcel Identification Number assigned by the Dane County Property Listing Division for the purpose of assessing real property taxes. The boundaries of a tax parcel may or may not coincide with a lot, lot of record or zoning parcel.

(153) TDR agricultural conservation easement.

(a) A holder's non-possessory interest in real property imposing any limitation or affirmative obligation, the purpose of which may include any or all of the following:

1. retaining or protecting natural, scenic or open space values of real property;
2. assuring the availability of real property for agricultural, forest, recreational or open space use;
3. protecting natural resources;
4. maintaining or enhancing air or water quality;
5. preserving a burial site, as defined in [s.157.70\(1\)\(b\), Wis. Stats.](#); or,
6. preserving the historical, architectural, archaeological or cultural aspects of real property.

(b) TDR agricultural conservation easements need not include any requirements for public access or restrictions on agricultural or forestry practices.

(154) Temporary batch asphalt or concrete production.

Production of asphalt or concrete, using portable equipment, for a period not to exceed six months per calendar year and associated with time-limited, specific projects identified by project number.

(155) Temporary or portable building.

(a) A building or structure that is not attached to the ground by anchors, bolts, footings, foundation piers, pilings, posts or other means of attaching permanently to the ground.

(b) Lawn and yard buildings not attached, anchored or affixed to the ground shall not exceed 32 square feet of floor area on a lot in a residential district.

(156) Temporary outdoor display and sales.

Outdoor sales events limited to two (2) events per year. For purposes of this paragraph, a single event is one which is held on consecutive days of not more than ten (10) days in duration.

(157) Topography.

The configuration of the ground surface and relations among human-made and natural features that may determine ground slope and the direction of runoff flow.

(158) Transfer of development rights (TDR).

(a) The conveyance of development rights by TDR agricultural conservation easement from one parcel of land to another and the recording of that conveyance with the Dane County Register of Deeds and other land records of Dane County.

(b) Any individual transfer of development rights transaction may, at the discretion of the parties involved, also include the conveyance of additional rights not enumerated in this ordinance.

(159) Transient or tourist.

(a) A person who travels to a location away from his or her permanent or legal address for a short period of time, not to exceed thirty days, for vacation, pleasure, recreation, culture, business or employment.

(b) For the purposes of this ordinance, transients or tourists do not include:

1. Nonpaying guests of the family occupying a dwelling unit;
2. Patients, clients or residents of permitted indoor institutional, institutional residential, or community living arrangement land uses;
3. Employees who receive room and/or board as part of their salary or compensation.

(160) Transient or tourist lodging.

(a) A residence or accessory dwelling unit that rents more than two, but not more than eight, rooms to transient guests or tourists, where all of the following apply:

1. Buildings housing rental rooms are either within, or on the same zoning parcel as, the landowner's principal residence.
2. Rooms are rented to no more than a total of 20 individuals who are not members of the landowner's family.
3. Length of stay does not exceed thirty (30) consecutive days for each registered guest.
4. Rooms do not include their own kitchen facilities.

(b) Transient lodging houses may include, but are not limited to: bed and breakfasts, hostels and recreational cabins.

(c) Transient lodging does not include: incidental room rental, campgrounds, duplexes, multifamily housing, institutional residential, indoor institutional, community living arrangements, rooming houses or indoor commercial lodging.

(161) Truck terminal.

Buildings or land which is used for the storage or distribution of freight or goods by a common carrier.

(162) Urban service area.

Areas identified and mapped by the Capitol Area Regional Planning Commission, or successor agency designated by the State of Wisconsin in accordance with the federal Clean Water Act, that are planned for urban development and capable of being provided with a full range of services.

(163) Use, conditional.

A land use, which because of the potential for unusual or site-specific impacts, may be lawfully established only with an approved conditional use permit and subject to specific limitations or conditions.

(164) Use, permitted.

A land use which may be lawfully established and that conforms with all requirements and standards of this ordinance and the zoning district in which the use is located.

(165) Use, principal.

The main or primary use of land or buildings, as distinguished from a subordinate or accessory use.

(166) Utility services.

Transmission, distribution and small-scale renewable generation facilities both above and below ground which carry electricity, liquid or gaseous fuel, steam, water, data, heat, sewage, telephone messages, television or radio signals, or other similar services.

(a) Utility services include, but are not limited to:

1. Services necessary to support development within the immediate vicinity, and that involve only minor structures, as necessary to operate transmission and distribution lines such as substations, transformer installations, repeater stations, and pumping stations.

2. Renewable energy systems, such as solar, wind, geothermal or other systems intended primarily for generation of energy, fuel or heat consumed on the premises. Incidental or occasional provision of energy to a utility company or electric grid is included within this definition.

3. Public sewer systems and private onsite wastewater treatment systems.

4. Collocation of an antenna array on an existing communication tower, provided there is no substantial modification of the tower.

(b) Utility services do not include offices, garages, manually operated exchanges, terminal distribution facilities, new or substantially modified communication towers, electric generating facilities, heat generating plants or sewage disposal plants.

(167) Variance.

Permission, as granted by the Board of Adjustments under [s. 10.101\(10\)](#), to depart from the dimensional standards of this ordinance.

(168) Vehicle, farm or off-road.

An operational motor vehicle that is used only on private property and is not licensed for use on a public right-of-way.

(169) Vehicle repair or maintenance service.

Includes all principal land uses that perform repair, maintenance, or painting services to motorized vehicles.

(170) Veterinary clinic.

An establishment for the medical or surgical treatment of animals. Boarding and care is limited only to animals undergoing active treatment or observation.

(a) Veterinary clinics include, but are not limited to: animal hospitals and clinics for the treatment of domestic pets or livestock and wildlife rehabilitation centers.

(b) Veterinary clinics do not include: animal boarding facilities, breeding operations, colony houses, domestic fowl or beekeeping, small-scale farming or agricultural livestock operations.

(171) Warehousing and distribution facilities.

Any land use oriented to the short-term indoor storage, shipment, and possible repackaging of commercial materials of a single user.

(172) Vision clearance triangle.

The area in each quadrant of an intersection which is bounded by the right-of-way lines of the highways or streets and a vision clearance setback line connecting points on each right-of-way line which are located a distance back from the intersection equal to the setback required on the road or highway.

(173) Yard.

An open space on a zoning parcel which is unoccupied or unobstructed from its lowest level to the sky, except as otherwise provided herein. For the purpose of this ordinance, a yard extends along a zoning parcel line to a depth or width specified in the yard regulations.

(174) Yard, front.

A yard paralleling the full length of the front zoning parcel line between the side lot lines.

(175) Yard, rear. A rear yard is a yard paralleling the full length of the rear zoning parcel line between the side lot lines.

(176) Yard, side.

A yard paralleling along a side zoning parcel line from the front yard to the rear yard.

(177) Zoning lot.

(a) A parcel of land under single ownership and in a single zoning district, occupied or intended to be occupied by:

1. One principal building or principal use;
2. Buildings and uses customarily accessory or incidental to the principal use; and
3. Open spaces, yards or setback areas normally associated with the principal use or as required by this ordinance.

(b) The boundaries of a zoning parcel may or may not coincide with a lot of record or tax parcel.

10.100. Standards and Requirements for All Land Uses

10.101. Administration, Enforcement and Penalties

(1) Zoning Permits

(a) Zoning permits required. Unless specifically exempted below, the following activities may not occur until the zoning administrator, or his or her designee, issues a zoning permit specific to the use and premises:

1. Erection or construction of any new building.
2. The addition to, or structural alteration or expansion, horizontally or vertically of, any existing building.
3. Change of land use for any building, structure or premises
4. The erection, replacement, or reconstruction of a sign.
5. Erection of covered enclosures for domestic fowl. Notwithstanding the exemption set forth in section 10.101(1)(b), zoning permits shall be required prior to the erection, placement or construction of covered enclosures for domestic fowl, regardless of size.

(b) Exceptions. Zoning Permits under this chapter are not required for accessory buildings equal to or less than 120 square feet on non-permanent foundations, provided they meet all setback, height, and lot coverage requirements.

(c) Unresolved violations or arrears. The zoning administrator shall not issue a zoning permit for any property upon which there are:

1. Unresolved violations of this ordinance, or Chapters 11, 14, 17, 74, 75 or 46, Dane County Code, or
2. Delinquent real estate taxes.

(d) Application materials. An application for a zoning permit shall be filed with the zoning administrator on a form prescribed by the zoning administrator. Only complete applications will be accepted. At a minimum, applications for a zoning permit must include the following:

1. Name and address of the owner of the property; Contractor name; Legal description of the property; project description; and cost of construction.
2. A scaled site plan of the property showing the location all existing buildings, proposed buildings, and location of the well and septic system, as applicable. The plan shall show an accurate dimension of the proposed building's location in relation to the property lines, floodplain, lake, stream, or wetland.
3. Floor plans of the proposed building. The plan shall identify each room and the proposed use.
4. Elevation drawings of the building. The elevation drawing shall show the vertical dimension from the roof eave and peak to the finish ground elevation. The height of the building is based on the elevation which faces the public or private thoroughfare which affords primary means of access to the property, excluding the driveway.
5. Evidence of compliance with other applicable regulations, including, but not limited to County Sanitary Code, land division regulations, stormwater and erosion control regulations, floodplain regulations, wetland/shoreland regulations, access to State/County/Town highways, or site approval by Town.
6. Any other information, as determined by the zoning administrator or designee, necessary to determine compliance of the proposed use with the standards or purposes of this ordinance.
7. Appropriate application fees as noted in Chapter 12, Zoning Fees.

(e) Application review.

The application shall be reviewed to determine if the proposed use of the building and location meets the applicable ordinance requirements and applicable regulations. If the proposal does not meet the requirements or regulations, the application shall be denied and information shall be provided to the applicant identifying the reasons for the denial.

(f) Permit posting.

1. Once a zoning permit is issued, the zoning administrator or designee shall prepare a placard that identifies the permit number and construction and premises covered by the permit.
2. The applicant shall post the permit placard in a conspicuous place on the premises prior to the start of, and for the entire duration of, any construction associated with the project. No construction shall begin until the permit placard is posted.
3. For purposes of this section, start of construction shall be when any earth disturbing activity takes place that will lead to the installation of footings, piers, posts, pilings or foundations. Earth disturbing activity for the purpose of soil evaluation or testing shall not be considered the start of construction.

(g) Expiration and Voiding of Permits

1. Any permit obtained through material misrepresentation shall be null and void.
2. Zoning permits shall expire one year from the date of issuance if construction has not started or two years from the date of construction.
3. Any project which has an expired or revoked permit shall not continue unless a new zoning permit is issued.

(2) Location Surveys

(a) Location survey required. Unless waived by the zoning administrator under (c) below, applicants must submit a location survey

for any development located within ten (10) feet of any of the following:

1. Road setback lines under [s. 10.102\(9\)](#).
1. Side and rear yard setback lines required in the applicable zoning district
2. Navigable water setback, wetland setback or vegetative buffer lines required under [Chapter 11, Dane County Code](#).
- (b) Timing of survey. The survey shall be done at the time when foundations or basement walls are completed. Such survey shall be submitted to the zoning office prior to the continuation of work on the project.
- (c) Waivers from location survey requirements. At his or her discretion, the zoning administrator may waive the requirement for a location survey for accessory buildings under 120 square feet in gross floor area not located on a foundation, concrete slab, pilings, or footings. If a location survey is waived, the owner shall demonstrate, at the zoning administrator's request, compliance with all setback requirements.

(3) Inspection

- (a) The zoning administrator or his or her designee may inspect premises of existing or proposed land uses regulated under this chapter to ascertain compliance with this ordinance or to investigate an alleged violation.
- (b) Application for any approvals from the Zoning Division constitutes the landowner's consent to allow zoning staff on site, before a certificate of compliance is issued, for the purposes of conducting inspections under this ordinance.
- (c) Zoning staff will abide by any applicable workplace safety rules or standards for the site.
- (d) Upon completion of a permitted project, the owner or their agent must notify the zoning division and request an inspection. The owner or his or her agent shall have all lot corners visibly staked prior to requesting an inspection. If the zoning administrator is unable to accurately verify the location of a building on its lot, he or she may post a stop work order where appropriate and require that a survey map be prepared by a registered land surveyor that will show the location of the building on its lot before allowing construction to continue or issuing of a certificate of compliance.

(4) Violations and Penalties

(a) Continuing violations.

1. Each day a non-permitted structure, building, addition, alteration or activity or any other violation of this ordinance exists shall constitute a separate offense.
2. A non-permitted structure, building, addition, alteration or activity is one which requires the issuance of a permit under this ordinance but which permit has not been issued by the zoning administrator.

(b) Stop work order.

1. Whenever the zoning administrator, or designee, finds that any development activity does not comply with the provisions of this ordinance or Chapters 11, 17 or 75, Dane County Code, the zoning administrator or designee shall post a stop work order in a conspicuous place on the premises. Once a stop work order is issued, all development activities on the premises must cease until all construction is in compliance.
2. The stop work order card shall provide the following information: date of issuance, town and section number, reason for posting, a description of rights to appeal to the Board of Adjustment under [s. 10.101\(9\)](#) and the signature of the inspector posting the card.
3. It shall be a violation of this ordinance for anyone to remove a stop work-order card from the premises without specific authorization from the zoning administrator or designee.

(c) Citation authority.

The zoning administrator and any of his or her designees may enforce violations of this chapter, [Chapter 11](#), [Chapter 17](#), [Chapter 75](#), and [Chapter 78](#), Dane County Code by citation as described in [Chapter 2, Dane County Code](#) and [s. 66.0113, Wis. Stats.](#)

(d) Forfeitures.

Any person or persons, firm, company or corporation, owner, occupant or other user of the premises who violates, disobeys, omits, neglects or refuses to comply with or resists the enforcement of any of the provisions of this ordinance shall be subject to a forfeiture as described in [s. 2.06, Dane County Code](#).

(e) Court injunction.

Compliance with this ordinance may be enforced by injunctive order at suit of the county or occupant of real estate within 300 feet of the subject property. It shall not be necessary to prosecute for forfeiture before resorting to injunctive proceedings.

(f) Jail.

1. Any person who has the ability to pay any forfeiture entered against him or her under this ordinance but refuses to do so may be confined in the county jail until such forfeiture is paid, but in no event to exceed thirty (30) days.
2. In determining whether an individual has the ability to pay a forfeiture, all items of income and all assets may be considered regardless of whether or not such income or assets are subject to garnishment, lien or attachment by creditors.

(5) Certificates of Compliance

- (a) No building or addition thereto, constructed after the effective date of this ordinance and no addition to a previously existing building shall be occupied, except accessory buildings used exclusively for farming or agricultural purposes and no vacant land, except that used exclusively for farming or agricultural purposes on the effective day of this ordinance, shall be used for any purposes until a certificate of compliance has been issued by the county zoning administrator. Every certificate of compliance shall state the use and occupancy and the location of the building or buildings and indicate that the use of land complies with all of the provisions of this ordinance.
- (b) Every application for a zoning permit shall be an application for a certificate of compliance.
- (c) An application for a certificate of compliance for a new use or a change in use of land or a building shall be made directly to the zoning administrator.
- (d) No certificate of compliance for a building or addition thereto, constructed after the effective date of this ordinance shall be issued until construction has been substantially completed and the premises inspected and certified by the zoning administrator to be in conformity with the specifications on which the permit was issued.

(e) The zoning administrator may establish rules by which a temporary certificate of compliance may be issued for a part of a building.

(6) Site Plans

(a) Site plans required. Applicants must submit site plans with any of the following applications:

1. Any Zoning Permit application within the CO-1, NR-I or UTR zoning districts.
 2. Any Conditional Use Permit application.
 3. Any rezone petition to the HAM-R, HAM-M, LC, GC, HC, RI or MI zoning districts.
 4. Any rezone petition within the NR-I overlay zoning district, except for petitions to rezone to the FP-35, FP-1 or NR-C districts.
- (b) Information included. Site plans must be drawn to a scale large enough to show sufficient detail on 11" by 17" paper, that includes, at a minimum the following information, as applicable:
1. A small vicinity map that clearly identifies the site's location within Dane County
 2. Location of subject property, tax parcel number(s), and any relevant certified survey (CSM) or plat information related to the identification of the property.
 3. Scale and north arrow;
 4. Date the site plan was created and/or last revised;
 5. Existing subject property lot lines and dimensions;
 6. Existing and proposed wastewater treatment systems and wells;
 7. All buildings and all outdoor use and/or storage areas, existing and proposed, including provisions for water and sewer. Existing and proposed uses must be clearly labeled.
 8. All dimensions and required setbacks, side yards and rear yards.
 9. Location and width of all existing and proposed driveway entrances onto public and private roadways, and of all interior roads or driveways. Traffic flow patterns must be indicated.
 10. Location and dimensions of any existing utilities, easements or rights-of-way.
 11. Parking lot layout in compliance with [s. 10.102\(8\)](#).
 12. Proposed loading/unloading areas.
 13. Zoning district boundaries in the immediate area. All districts on the property and on all neighboring properties must be clearly labeled.
 14. All relevant natural features, including but not limited to:
 - a. Navigable waters, including ordinary highwater marks and shoreland setbacks required under [Chapter 11](#), Dane County Code, for all lakes, ponds, rivers, streams (including intermittent streams) and springs within 300 feet of the property.
 - b. Non-navigable water features, including drainage ditches, culverts and stormwater conveyances
 - c. Floodplain boundaries and field-verified elevations, including floodfringe, floodway, flood storage and general floodplain districts as described in Chapter 17, Dane County Code
 - d. Delineated wetland areas, including wetland setbacks required under Chapter 11, Dane County Code
 - e. Natural drainage patterns
 - f. Archaeological features and
 - g. Slopes over 12% grade.
 15. If required by [s. 10.102\(12\)](#), location and type of proposed screening, landscaping, berms or buffer areas.
 16. The Zoning Administrator may require, at his or her discretion, site plans to show additional detail, including, but not limited to contours, drainage, screening, fences, landscaping, lighting, signs, refuse dumpsters, and possible future expansion areas.

(7) Conditional Use Permits

(a) Purpose. The development and execution of this ordinance is based upon the division of the county into districts, within which districts the use of land and buildings, and bulk and location of buildings and structures in relation to the land are mutually compatible and substantially uniform. Certain uses, because of their unusual nature and potential for impacts on neighboring lands, public facilities, the environment or general welfare, warrant special consideration and review. With appropriate limitations on siting, development and operation, such uses may be compatible with other uses in a particular zoning district. Such uses are classified as conditional uses and are subject to the following provisions.

(b) Application Requirements. An application for a conditional use shall be filed with the zoning administrator on a form prescribed by the zoning administrator. Only complete applications will be accepted. The application shall be accompanied by such plans and other information as required by this section, by requirements for particular uses or as prescribed by the zoning administrator, and shall include, at a minimum, the following:

1. Statement. The applicant shall provide a written statement and adequate evidence demonstrating that the proposed conditional use conforms to the standards for approval described in [s. 10.101\(7\)\(d\)](#), and to any additional standards required in the applicable zoning district.
2. Site plan. All applications for a conditional use permit must be accompanied by a site plan, meeting all the standards described in [s. 10.101\(6\)](#).
3. Operational plan. All applications for a conditional use permit must be accompanied by an operational plan that describes, at a detail acceptable to the Zoning Administrator, the following characteristics of the operation, as applicable:
 - a. Hours of operation.
 - b. Number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.
 - c. Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate impacts to neighboring properties.
 - d. Descriptions of any materials stored outside and any activities, processing or other operations taking place outside an enclosed building.
 - e. Compliance with county stormwater and erosion control standards under Chapter 11 or Chapter 14, Dane County Code.
 - f. Sanitary facilities, including adequate private onsite wastewater treatment systems and any manure storage or management

plans approved by the Madison & Dane County Public Health Agency and/or the Dane County Land and Water Resources Department. Facilities for managing and removal of trash, solid waste and recyclable materials.

g. Anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.

h. A listing of hazardous, toxic or explosive materials stored on site, and any spill containment, safety or pollution prevention measures taken.

i. Outdoor lighting and measures taken to mitigate light-pollution impacts to neighboring properties.

j. Signage, consistent with ss. 10.800.

4. Third Party Consultation. If necessary expertise is not available from county staff, public academic institutions or from appropriate regional, state or federal agencies, the committee may consult with a third party to effectively evaluate a conditional use permit application. The zoning administrator, or his or her designee, will select the consultant. The applicant for the conditional use permit shall bear all reasonable costs and expenses associated with such consultation. Applicants retain the right to withdraw a pending conditional use permit application if they choose not to pay consultant fees.

5. Property Owner Consent. If the applicant for any conditional use permit is not the owner of the property, the applicant must provide a signature(s) of the property owner(s) on the application form or a written statement from the property owner(s) granting authorization to proceed with the conditional use permit application.

(c) Approval process.

1. Hearing on application.

a. Upon receipt of a complete and acceptable application, statement, site plan and operational plan, the zoning committee shall hold a public hearing on each application for conditional use. The zoning committee shall establish, by rule, a regular schedule and location for public hearings. The zoning committee may prescribe or amend rules for the conduct of the hearing and preserving a publicly-accessible recording of the proceedings.

b. The Department of Planning Development will publish a Class 2 notice of each public hearing, as provided in [Chapter 985](#) of the Wisconsin Statutes. The Department will also provide direct notice to the Town Clerk of any towns affected by the proposed conditional use. The zoning committee shall establish policies governing notice to other parties of interest.

2. Zoning Committee Action.

a. The zoning committee is authorized by s. [59.69\(2\)\(bm\)](#), Wis. Stats. to grant conditional use permits.

b. The zoning committee, after a public hearing, shall, within a reasonable time, grant, grant with conditions or deny any application for conditional use.

c. The zoning committee shall not take action on the application for conditional use until it receives action from the town board or the time period for action by the town board described in [s. 10.101\(7\)\(c\)3](#), has expired.

i. If the town board denies the conditional use permit within the timeframes described in s. 10.101(7)(c)3, the zoning committee need take no further action.

ii. The zoning committee may approve or deny a conditional use permit without town action if the town board fails to act within the time period set forth in s. 10.101(7)(c)3 below.

d. The zoning committee may postpone action on any conditional use permit until any unresolved violations of this Chapter or Chapters 11, 12, 13, 14, 17, 74, 75 or 78 are corrected and the property brought into full compliance with applicable standards.

e. Prior to granting or denying a conditional use, the zoning committee shall make written findings of fact based on evidence presented and issue a determination whether the proposed conditional use, with any recommended conditions, meets all of the following standards:

i. General standards for approval of a conditional use under [s. 10.101\(7\)\(d\)](#);

ii. Any prescribed standards specific to the applicable zoning district.

iii. Any prescribed standards specific to the particular use under [s. 10.103](#).

f. The zoning committee must deny a conditional use permit if it finds that the standards for approval are not met.

g. The zoning committee must approve a conditional use permit if it finds that the standards for approval are met.

3. Town Board Action.

a. The Department of Planning and Development shall provide direct notice to the town clerk of the town where a conditional use is proposed.

b. The town board may, at a properly noticed public meeting, grant, grant with conditions or deny any application for conditional use.

i. The town board shall communicate its position in writing on the conditional use application within sixty (60) days of the date of the county zoning committee public hearing.

ii. The town board may request an extension of the review period of up to forty (40) days by submitting a written request to the zoning committee.

c. Prior to granting or denying a conditional use, the town board shall make written findings of fact based on evidence presented and issue a determination whether the proposed conditional use, with any recommended conditions, meets all of the following standards:

i. General standards for approval of a conditional use under [s. 10.101\(7\)\(d\)](#);

ii. Any prescribed standards specific to the applicable zoning district.

iii. Any prescribed standards specific to the particular use under [s. 10.103](#).

d. The town board must deny a conditional use permit if it finds that the standards for approval are not met.

e. The town board must approve a conditional use permit if it finds that the standards for approval are met.

4. Appeals to Board of Adjustment.

a. Any person aggrieved by the grant or denial of a conditional use permit may appeal the decision of the town board or zoning committee to the Dane County Board of Adjustment.

b. Aggrieved parties must file their appeal with the zoning administrator within 30 days of the final action.

(d) Requirements and standards for conditional use permits

1. Standards for approval. Before approving any conditional use permit, the town board and zoning committee must find that all

of the following conditions are met:

- a. That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare;
- b. That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use;
- c. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
- d. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made;
- e. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
- f. That the conditional use shall conform to all applicable regulations of the district in which it is located. That the conditional use is consistent with the adopted town and county comprehensive plans.
- g. If the conditional use is located in a Farmland Preservation Zoning district, the town board and zoning committee must also make the findings described in [s. 10.220\(1\)](#).

2. Conditions

a. Standard conditions. The town board and zoning committee shall impose, at a minimum, the following conditions on any approved conditional use permit:

- i. Any conditions required for specific uses listed under [s. 10.103](#).
- ii. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
- iii. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code.
- iv. The applicant shall apply for, receive and maintain all other legally required and applicable local, county, state and federal permits. Copies of approved permits or other evidence of compliance will be provided to the zoning administrator upon request.
- v. Any ongoing business operation must obtain and continue to meet all legally required and applicable local, county, state and federal licensing requirements. Copies of approved licenses or other evidence of compliance will be provided to the zoning administrator upon request.
- vi. Existing onsite wastewater sewage disposal systems, if any, serving the conditional use must be inspected by a licensed plumber to determine its suitability for the proposed or expanded use. Deficient systems must be brought, at the owner's expense, into full compliance with the current requirements for new development of the state plumbing code and Chapter 46, Dane County Code.
- vii. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
- viii. Off-street parking must be provided, consistent with [s. 10.102\(8\)](#).
- ix. If the Dane County Highway, Transportation and Public Works Department or the town engineer determine that road intersection improvements are necessary to safely accommodate the conditional use, the cost of such improvements shall be born by the landowner. Costs born by the landowner shall be proportional to the incremental increase in traffic associated with the proposed conditional use.
- x. The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.
- xi. The owner must post, in a prominent public place and in a form approved by the zoning administrator, a placard with the approved Conditional Use Permit number, the nature of the operation, name and contact information for the operator, and contact information for the Dane County Zoning Division.
- xii. The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public during business hours.
- xiii. Failure to comply with any imposed conditions, or to pay reasonable county costs of investigation or enforcement of sustained violations, may be grounds for revocation of the conditional use permit. The holder of a conditional use permit shall be given a reasonable opportunity to correct any violations prior to revocation.
- b. Other conditions. In addition to the standard conditions listed above, the town board and zoning committee may, at their discretion, impose any other conditions as necessary to meet the standards for approval described in [s. 10.101\(7\)\(d\)1](#). above, including but not limited to:
 - i. Expiration dates on conditional use permits, except for permits for communication towers under [s. 10.103\(9\)](#). Continuation or extension of an expired conditional use requires re-application and approval by the town board and zoning committee.
 - ii. Limits on hours or days of operation, or number of events each year.
 - iii. Limits on numbers of employees.
 - iv. Limits on numbers of total people, vehicles or animals on the premises at any one time.
 - v. Limits on total quantity or volume of product on the premises at any one time.
 - vi. Limits on square footage of buildings or outdoor areas devoted to the proposed use.
 - vii. Requirements for screening, berms or minimum setbacks as necessary to minimize disturbance to neighboring properties.
 - viii. Noise limits, set to a decibel [db(a)] level appropriate for the particular use and location, as provided in [s. 10.102\(6\)](#).
 - ix. Controls, limits or setbacks to control odor or fumes.
 - x. Surety bonds or other financial guarantees, to dismantle equipment, buildings or structures that may pose a hazard or nuisance after a conditional use permit is abandoned or revoked. Unless otherwise required under applicable state statute or administrative code:

- Any bond or other financial instrument shall expressly state that it will remain in full force and effect for a period of at least six months after the surety provides Dane County written notification of expiration or termination of the surety's obligation under the bond.

- Applicant shall remove any equipment or structure placed or erected pursuant to the conditional use permit no less than 30

days prior to the termination or expiration of the guarantee.

- Bonds or other financial instruments shall not exceed \$20,000 unless it is conclusively demonstrated that a higher amount is necessary to protect the public health, safety and welfare.

(8) Petitions to Rezone (Zoning Map Amendments)

(a) Who may petition to rezone. As described in [s. 59.69\(5\)\(e\), Wis. Stats.](#), petitions to amend the zoning map to change the zoning district of any new or existing parcels, or to modify the boundaries of any zoning district may be submitted by any of the following:

1. A property owner in the area affected by the proposed amendment;
2. The town board affected by the proposed amendment;
3. Any member of the zoning committee, or
4. Any county board supervisor.

(b) Petition requirements.

1. Town consultation. Prior to submitting a rezone petition, applicants must consult with the affected town clerk, town plan commission or town board, as determined by the town.

2. Application form. Zoning petitions must be submitted in a form approved by the zoning administrator, and must include, at a minimum, the following:

- a. The name, address and other contact information for the owner(s) of all properties affected by the rezone; The name, address and other contact information for anyone acting as the owner's agent on the application;
- b. A written legal description accurately describing the area to be rezoned;
- c. A scaled drawing of the proposed rezone area, including area in acres or square feet;
- d. The town(s) in which the proposed rezone is located;
- e. Parcel ID numbers affected by the proposed rezone;
- f. A written narrative describing the proposed use;

3. Site plan. For rezones to the HAM-R, HAM-M, LC, LC, HC, RI or MI zoning districts, the applicant must provide site plans as described in [s. 10.101\(6\)](#);

4. Land division application. If required under Chapter 75, Dane County Code, the applicant must provide draft certified survey maps, preliminary plats, land division applications and any associated fees;

5. Fees. The applicant must provide payment of all applicable fees as described in Chapter 12, Dane County Code.

6. Other information. Any other information the zoning administrator, or designee, determines necessary to evaluate the nature, location or intensity of the proposed use or consistency with the Dane County Comprehensive Plan or the Dane County Farmland Preservation Plan.

7. Incomplete applications will not be accepted.

(c) Approval process.

1. Zoning committee, town board and county board action.

(a) The zoning committee, town board and county board shall follow the process for public hearing, recommendations, amendment, approval, denial and re-referral of petitions to rezone as described in [s. 59.69\(5\)\(e\), Wis. Stats.](#)

(b) The zoning committee may postpone action on any rezone petition until any unresolved violations of this Chapter or Chapters 11, 12, 13, 14, 17, 74, 75 or 78 are corrected and the property brought into full compliance with applicable standards.

(c) The zoning committee or county board may adopt additional rules and procedures for petitions to rezone under the authority of Chapter 7, Dane County Code.

2. County executive action. The county executive shall, within a reasonable time of county board action, take action on the proposed rezone petition. The county executive may sign, refuse to sign or veto the rezone petition within the timelines described in [s. 59.17\(6\), Wis. Stats.](#)

(d) Conditions on rezone petitions.

1. The zoning committee may recommend and the county board may adopt an ordinance effecting an amendment of the zoning district map containing the condition that the change in the map will take effect on such date occurring within a specified number of months of the date of county board approval of the amendment when the first on-site inspection for building location is made and approved for the project sought to be established, and in the event such approved inspection has not occurred by the end of the specified time period, the possibility of making effective the rezoning will then be terminated.

2. The zoning committee may recommend and the county board may adopt an ordinance effecting an amendment of the zoning district map containing the condition that the change in the map will take effect on such date occurring within a specified number of months of the date of county board approval of the amendment when a restrictive covenant has been recorded binding the property to conditions specified in the amending ordinance, and in the event such covenant is not recorded by the end of the specified time period, the possibility of making effective the rezoning will then be terminated.

3. Conditions specified to be in such required covenants shall be related to the purposes of the Dane County Code of Ordinances and consistency with adopted town and county comprehensive plans. They may include, as specific cases warrant, limits of permissible uses to less than the full range of uses otherwise allowable in the district into which the land is being placed. The covenant controls shall be amendable or repealable upon petition of the owner of the lands subject to the controls and approval by the county board after a hearing similar to a rezoning hearing. A rezoning of the lands to a different zoning district shall also act to repeal the covenant controls. Except as provided above, the covenants shall run with the land.

4. Other similar controls appropriate to handling by covenant provisions may also be imposed.

(9) Appeals of administrative decisions.

(a) Who may appeal. Any person aggrieved or any officer, department, board or bureau of the municipality affected by any decision of the zoning administrator or other administrative officer, may appeal that decision to the board of adjustment.

(b) Application process. Such appeal shall be taken within a reasonable time, as provided by the rules of the board, by filing with the officer from whom the appeal is taken and with the board of adjustment a notice of appeal specifying the grounds thereof. The

officer from whom the appeal is taken shall transmit to the board all the papers constituting the record upon which the action appealed from was taken.

(c) Stays. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken shall certify to the board of adjustment after the notice of appeal shall have been filed with him or her that by reason of facts stated in the certificate a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the board of adjustment or by a court of record on application on notice to the officer from whom the appeal is taken and on due cause shown.

(d) Hearing appeals. The board of adjustment shall fix a reasonable time for the hearing of the appeal and publish a class 2 notice thereof under ch. 985, Wis. Stats., as well as give due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appeal in person or by agent or attorney.

(e) Board of Adjustment Action. The board of adjustment may, by majority vote, affirm, reverse, reverse partly or modify the order, requirement, decision or determination that is the subject of the appeal. The board may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

(f) Effect of denial. If the Board of Adjustment denies an appeal, the same, or substantially similar appeal cannot be resubmitted for a period of one year from the date of denial. The Board may waive this requirement if it finds there is valid new evidence or proof of change of conditions.

(10) Variances

(a) Application. Landowners may apply, on a form approved by the zoning administrator, for a variance from the standards of this ordinance.

(b) Hearing on application. Upon receipt of a complete and acceptable petition and accompanying materials, the board of adjustment shall hold a public hearing on each variance appeal. The board of adjustment shall establish, by rule, a regular schedule and location for public hearings. The board of adjustment may prescribe or amend rules for the conduct of the hearing and preserve a publicly-accessible recording of the proceedings.

(c) Decision. The Board of Adjustment may approve, conditionally approve, or deny a variance after a public hearing.

(d) Majority vote. The concurring vote of a majority of the five-member Board of Adjustment is required to grant a variance.

(e) Findings of fact. The decision of the Board of Adjustment shall include findings of fact, related to conditions on the site, the standards for approval of a variance and any impacts on the purposes of this ordinance.

(f) Conditions on variances. The Board of Adjustment may impose conditions on the use, development or activities subject to the variance. The Board of Adjustment may require the conditions in order to comply with the standards in this section, to mitigate the effect of the variance on other property in the neighborhood, and to better carry out the general intent of this ordinance.

(g) Standards for approval of a variance. The Board of Adjustment shall not grant a variance unless it finds that all of the following standards are met:

1. There are conditions unique to the property of the applicant that do not apply generally to other properties in the district.
2. The variance is not contrary to the spirit, purpose, and intent of the regulations in the zoning district and is not contrary to the public interest.
3. For a variance from area, setback or dimensional standards in the ordinance, compliance with the strict letter of the ordinance would unreasonably prevent use of the property for a permitted purpose or would render compliance with the ordinance unnecessarily burdensome.
4. The alleged difficulty or hardship is created by the terms of the ordinance rather than by a person who has a present interest in the property.
5. The proposed variance shall not create substantial detriment to adjacent property.
6. The proposed variance shall be compatible with the character of the immediate neighborhood.

(h) Effect of denial. If the Board of Adjustment denies a variance, the same or substantially similar variance cannot be resubmitted for a period of one year from the date of denial. The Board may waive this requirement if it finds there is valid new evidence or proof of change of conditions.

(i) Time limits on construction.

1. The landowner must obtain zoning permits for any construction authorized by variance within one year from the date the Board of Adjustment approved the variance.
2. Failure to obtain appropriate permits within one year shall render the variance null and void.
3. The board of adjustment may, upon request, extend the timeframe for a specific period, without another public hearing.

10.102. General Provisions Applicable to All Uses in All Zoning Districts

(1) Accommodations for disabled persons.

(a) Where strict interpretation of this chapter would effectively deny disabled persons equal housing opportunity, and where the property does not meet the criteria for a variance under [s. 10.101\(10\)](#), the Zoning Administrator may grant a waiver to the dimensional standards of this chapter in order to provide reasonable accommodations as required by the Federal Americans with Disabilities Act, the Federal Housing Act and the Wisconsin Fair Housing Act. The permit shall be subject to the following conditions:

1. Only the minimum relaxation of dimensional standards needed to provide reasonable accommodation shall be approved. No use, structure or other relaxation of standards shall be approved that would violate or undermine the stated purpose of this chapter.
2. Where practicable, the improvement authorized by this provision shall be removed when the premises are no longer occupied or frequented by a disabled person.

(b) If the zoning administrator denies a permit requesting an accommodation under this subsection, the denial may be appealed to the Board of Adjustment pursuant to [s. 10.101\(9\)](#).

(2) Buildings and structures.

(a) Accessory Buildings.

1. Zoning Permit fees do not apply to agricultural accessory buildings on farms of 35 acres or larger.
2. Except for agricultural accessory buildings, or for property management sheds specifically authorized by conditional use permit, a principal building must exist or be under construction prior to the construction of an accessory building.
3. Except for accessory dwelling units, accessory buildings may not be used for living spaces. No guesthouses or apartments are allowed.
4. Except for accessory dwelling units or as specifically permitted by conditional use permit, plumbing fixtures are prohibited in accessory buildings.
5. All accessory buildings must meet size, height and lot coverage restrictions of the general provisions and applicable zoning district.
- (b) Accessory buildings must meet required setbacks from roads and the locational requirements of the Shoreland, Wetland, and Floodplain Districts**
- (c) Modifications to existing buildings.**
 1. Nothing herein contained shall require any change in the plans, construction or intended use of a building or premises for which plans have been prepared heretofore, and the construction of which shall have been diligently pursued within three (3) months after the effective date of this ordinance.

(3) Junk and refuse.

Except for salvage yards, solid waste disposal operations or solid waste recycling centers under an approved conditional use permit, all properties shall be free of accumulated junk or refuse.

(4) Lighting.

Except for lighting of the United States flag, any outdoor lighting associated with any permitted or conditional use shall be directed downward and away from adjacent properties and public rights-of-way, and shall be designed to minimize ambient light spill.

(5) Noise Reduction.

- (a)** Town boards and the zoning committee may, as necessary, set decibel limits appropriate to the use and location as a condition on a Conditional Use Permit or on a conditional rezone petition.
- (b)** Town boards and the zoning committee may, as necessary, recommend decibel limits appropriate to the use and location as a condition on rezones to General Commercial, Heavy Commercial, Limited Commercial or Hamlet Mixed-Use districts.
- (c)** Noise abatement on blasting sites shall not conflict with or exceed the requirements of SPS 307, Wisconsin Administrative Code, as amended from time to time, or its successor administrative code regulations.
- (d)** Noise levels shall be set to the db(a) decibel scale and should be appropriate to the background noise level of the surrounding area, and to the nature, duration and repetition of the proposed use. Table 1 describes common uses by typical decibel level, as a reference guide for town board and zoning committee action.

Table 1: Common Indoor and Outdoor Noise Levels

Noises	Sound Level dBA
Threshold of pain	140
Leaf blower/Car horn	110
Gas lawn mower at 3 feet	100
Diesel truck at 50 feet /Food blender at 3 feet	90
Passenger Plane at 1,500 feet	85
Diesel truck at 50 feet at 40 mph	84
Noisy urban area in daytime	80
Car at 25 feet at 65 mph	77
Vacuum cleaner at 10 feet	70
Heavy traffic at 300 feet	60
Dishwasher next room	50
Quiet suburban area, nighttime	40
Library	35
Threshold of hearing	0

(6) Nonconforming Uses and Structures.

(a) Certificate of Compliance for Nonconforming Uses and Structures

1. Any person, firm or corporation having a legal or equitable interest in a property which is nonconforming as to use or building location may request a certificate of compliance.
2. The applicant shall present documentary proof that said use was a permitted use at the time it originated or that the building has been erected prior to the adoption of this ordinance and was made nonconforming by the adoption of this ordinance or by a subsequent amendment.
3. After certifying that the use of the building or land is in fact nonconforming the zoning administrator shall issue a certificate of

compliance stating the use in question or the location of buildings and the zoning of the property.

(b) Nonconforming Uses.

1. Continuation of a Legal, Nonconforming Use.

The lawful principal use of a building or premises existing at the time of adoption of this ordinance may be continued as a nonconforming use.

2. Notification of Nonconformity.

Within 30 days of the effective date of this ordinance in any town, the zoning administrator will send a notice via certified mail, return receipt requested, to all legally established, nonconforming mineral extraction operations which existed prior to 1969, and were registered with and approved by the Dane County Zoning Administrator at the time. The notice shall inform the landowner that registered nonconforming mineral extraction sites are subject to the provisions of this section.

3. Abandonment or Discontinuation of a Nonconforming Use.

a. Any use that is discontinued or abandoned for a period of one

(1) year shall be considered terminated and shall lose its nonconforming status. Any future use or reestablishment of a previously nonconforming use on the premises must conform to the provisions of this ordinance, except as specifically exempted below.

b. The relocation or expansion of any nonconforming use beyond areas where such use was originally established shall conform to all standards and requirements of this ordinance, except as otherwise provided by law.

4. Expansion of building or structure housing a nonconforming use.

a. Except as specifically exempted below, no building or premises used as a nonconforming use shall be added to or structurally altered so as to increase the facilities for such nonconforming use.

b. Exceptions. Alteration, restoration or repair of any legal structure occupied by a nonconforming use at the effective date of this ordinance is permitted; provided that the value of the structure is not increased by more than 50%, compared with the assessed value of the structure at the time it became nonconforming.

(c) Nonconforming structures.

1. Continued use of nonconforming structures.

a. Except as exempted below, any nonconforming structure may be continued in use.

b. Exceptions. Nothing herein contained shall require any change in the plans, construction or intended use of a structure or premises for which plans have been prepared heretofore, and the construction of which shall have been diligently pursued within three (3) months after the effective date of this ordinance.

2. Demolition or destruction of a nonconforming structures.

a. Except as exempted in d. below, a structure is considered to be demolished and nonexistent if more than 50% of the pre-existing structure is removed or must be replaced to maintain structural integrity.

b. Any variance that may have been issued for said building or structure shall be null and void and any zoning permits shall be rescinded pending verification of compliance.

c. A structure subject to subs. a and c shall comply with the provisions of this ordinance.

d. Exceptions. Nothing contained in this section shall prevent the restoration of a nonconforming structure damaged or destroyed by wind, vandalism, fire, flood, ice, snow, mold, or infestation, if the structure is restored to the size, location, and use that it had immediately before the damage or destruction occurred. Such restoration shall occur within 2 years of the damage or destruction.

i. A structure to which sub. d. applies may be larger than the size it was immediately before the damage or destruction if necessary to comply with applicable state or federal requirements, but no larger than necessary to comply with said requirements.

3. Repair, maintenance and renovation of nonconforming structures.

a. A nonconforming principal structure may be maintained and repaired within its existing building envelope.

b. Maintenance and repair also includes such activities as interior remodeling, exterior remodeling, and the replacement or enhancement of plumbing or electrical systems, insulation, windows, doors, siding, or roof within the existing building envelope.

4. Additions or alterations to nonconforming structures. Any future additions to, or any other alterations that expand the building envelope of, a nonconforming structure shall conform to the provisions of this ordinance.

(7) Parking and loading areas.

(a) Purpose.

The purpose of this section is to provide off-street vehicle parking, loading and circulation standards sufficient to prevent congestion of public rights-of-way and provide safe and efficient public access to properties, while minimizing the impact of off-street parking areas on nearby properties and the natural environment.

(b) Applicability.

In all districts, in connection with all uses, at the time any new structure is erected, any use of a structure or land is enlarged or increased in intensity, or any other use or change of use is established, off-street parking, loading and circulation areas shall be provided and located in accordance with the requirements of this section. Off-street parking areas in existence as of the effective date of this ordinance shall not hereafter be reduced below or further below the requirements for a similar new building or use.

(c) General provisions.

1. A scaled and dimensioned parking, loading and circulation plan shall be included within a development plan submitted to and approved by the zoning administrator prior to issuance of a zoning permit for construction or expansion of any use. When a use requires a conditional use permit, such plan shall be submitted with the application for the conditional use.

2. No areas designated for parking, loading or circulation may be used for any other purposes. Required parking spaces shall be used solely for the parking of licensed automobiles of occupants, patrons and employees and licensed service vehicles.

3. All parking spaces required to serve buildings erected or uses established shall be located on the same zoning lot as the building or use served, except that parking may be located off-site on another zoning lot provided all of the following criteria are satisfied:

4. Off-site parking shall be located only in the LC, HC, MI and PUD districts.

a. The zoning lots including the principal use and off-site parking shall be located no farther than 500 feet from one another;

b. Adequate pedestrian connection and directional signage between the sites exists or shall be provided;

c. The continued availability of such off-site parking areas, necessary to meet the requirements of this section, shall be ensured by an agreement among all involved property owners describing the rights and limitations of all property owners and businesses. Such agreement shall bind all heirs, successors and assigns of each owner and shall be approved by the zoning administrator before being recorded with the register of deeds.

d. Off-site parking areas shall be subject to the same design standards as on-site parking areas.

5. The parking or storage of motor vehicles provided for in [s. 10.102\(8\)\(g\)](#) shall not occur within parking spaces otherwise required by this section.

(d) Design standards.

1. Access. Adequate ingress and egress to parking and loading areas by means of clearly limited and defined drives shall be provided. Access drives shall be perpendicular to the public right-of-way wherever possible. Access drives shall be spaced a safe distance from street intersections and each other, shall not be located within vision corners, and may be limited in number and location according to applicable local, county, state and federal standards.

2. Surfacing. Within urban service areas, except for single family residences, duplexes and manufactured homes: all parking areas, loading areas, driveways and circulation areas shall be paved with a hard, all-weather surface such as asphalt, concrete, Portland cement or brick. Outside of urban service areas and for single family residences, duplexes and manufactured homes: gravel surfacing is also permitted unless otherwise restricted by town ordinance, and grass surfacing may be permitted for seasonal parking only. Seasonal means limited to a period no longer than six months in a twelve month period, or related to a unique or annually occurring event or condition of limited duration. All parking areas shall be maintained in a smooth and dust free condition.

3. Dimensions of parking spaces. Perpendicular (90-degree) parking is encouraged. Each required off-street parking space shall have a stall width of at least 8 feet for 90-degree and parallel parking and 9 feet for angle parking, and a stall length of at least 17 feet for 90-degree and angle parking and 23 feet for parallel parking. Parking for people with disabilities shall be provided at a size, number, location and with signage as specified by state and federal regulations, in addition to those spaces required in [s. 10.102\(8\)\(e\)](#). All spaces on hard-surfaced lots shall be striped.

4. Circulation. Minimum width of internal aisles providing two-way traffic access to parking spaces shall be as follows: 10 feet for parallel (0-degree) to 45-degree parking, 16 feet for 46 degree to 60 degree parking, and 20 feet for 61 to 90 degree parking. Two-way traffic aisles shall not be permitted to serve angle parking. Directional marking or signage, or both, shall be provided where required to facilitate safe, efficient circulation. Uses with drive-through facilities shall provide sufficient space on-site for all vehicles queuing to be served by or otherwise waiting to do business at the facility. Such queuing space shall not interfere with the use or operation of parking spaces, circulation aisles, access drives, entrances or public roads.

5. Loading areas. Uses which involve deliveries or removal of goods, materials, supplies or waste by truck shall provide adequate off-street loading and unloading facilities on the same lot as the principal use. Space reserved for loading and unloading shall not be used for off-street parking spaces or vehicle circulation. For such uses located in buildings with over 10,000 square feet of gross floor area, at least one loading berth shall be provided. Each off-street loading berth shall have a width of at least 10 feet and a length of at least 50 feet, and shall be located no closer than 30 feet from any residence district.

6. Drainage. Suitable grading and drainage shall be provided to collect and transmit stormwater to appropriate retention or detention basins, drainageways, ditches or storm sewers.

7. Lighting. Any lighting used to illuminate off-street parking areas shall be directed downward and away from adjacent properties and public rights-of-way.

8. Setbacks. Parking, loading and circulation areas may be provided within required front setbacks and side and rear yards. Areas for parking, loading and circulation shall be a minimum of three feet from all property lines, except where this requirement prohibits a proposed joint driveway or proposed shared parking.

9. Screening and landscaping. Screening shall be provided in accordance with specifications in [s. 10.102\(12\)](#). All hard-surfaced and graveled parking, loading and circulation areas with 10 or more spaces shall be provided with accessory landscape areas totaling not less than five percent of the surfaced area. Such landscaping shall consist primarily of trees, bushes and shrubs. Landscaping may be planted internal to the parking area itself within islands or around the immediate perimeter and shall be reasonably distributed. Landscaping shall be protected from damage by vehicles and shall be replaced if damaged or killed.

(e) Required off-street parking spaces.

Minimum off-street parking spaces serving uses hereinafter designated shall be provided as follows:

1. Accessory dwelling unit (attached): 1 per unit.
2. Accessory dwelling unit (detached): 1 per unit.
3. Adult book stores: 1 per 1.3 employees, plus 1 per 250 square feet.
4. Adult entertainment: 1 per 1.3 employees, plus 1 per every 6 occupants at capacity.
5. Agricultural accessory use: 1 per 1.3 employees.
6. Agricultural entertainment and special events: 1 per every 2 expected attendees
7. Agriculture uses: 1 per 1.3 employees.
8. Agriculture-related uses: 1 per 1.3 employees.
9. Airport, landing strip or heliport: 1 per 1.3 employees, 1 per vehicle stored on site, 1 per 200 square feet of lobby area.
10. Animal Boarding, Domestic Pet: 1 per 1.3 employees, plus 1 per 1,000 square feet, not including outdoor kennels or exercise areas.
11. Animal Boarding, Large Animal: 1 per 1.3 employees, plus 1 per each 4 animal stalls or bays.
12. Bio-diesel and ethanol manufacturing: 1 per 1.3 employees, plus 1 space for every vehicle to be stored or stopped simultaneously on premises.
13. Biopower facilities for distribution, retail, or wholesale sales: 1 per 1.3 employees, plus 1 space for every vehicle to be stored or stopped simultaneously on premises. Buildings which have more than 2.5 stories: Based on building use.
14. Buildings which have more than 4 stories: Based on building use.
15. Bus terminals: 1 per 1.3 employees, 1 per vehicle stored on site, 1 per 200 square feet of lobby area.

16. Campgrounds: 1 per campsite, 1 per 1.3 employees, 1 per vehicle stored on site, 1 visitor space per each 10 campsites.
17. Caretaker's residence: 1 per residence.
18. Commercial Indoor Lodging: 1 per 1.3 employees, plus 1 per rooming unit.
19. Community living arrangements for less than nine (9) persons: 1 per resident with a driver's license.
20. Community living arrangements for nine (9) to fifteen (15) persons: 1 per resident with a driver's license.
21. Contractor, landscaping or building trade operations 1 per 1.3 employees, plus 1 per vehicle stored on site
22. Daycare center: 1 per 1.3 employees, plus 1 per each 10 children.
23. Dead stock hauling services: 1 per 1.3 employees, plus 1 per vehicle stored on site.
24. Demolition material disposal sites: 1 per 1.3 employees, plus 1 space for every vehicle to be stored or stopped simultaneously on premises.
25. Distribution center: 1 per 1.3 employees, plus 1 space for every vehicle to be stored or stopped simultaneously on premises.
26. Drive-in establishment: 1 per 1.3 employees, 1 per each service area, fuel dispenser or drive-through window, plus required spaces for associated uses.
27. Dumping grounds: 1 per 1.3 employees.
28. Farm residence (primary or secondary): See single-family or two-family residence.
29. Fertilizer manufacturing plants: 1 per 1.3 employees, plus 1 space for every vehicle to be stored or stopped simultaneously on premises.
30. Fertilizer mixing or blending plants: 1 per 1.3 employees, plus 1 space for every vehicle to be stored or stopped simultaneously on premises.
31. Freight and passenger bus terminal: 1 per 1.3 employees, 1 per vehicle stored on site, 1 per 200 square feet of lobby area.
32. Governmental, institutional, religious, or nonprofit community uses: For office or service uses, 1 per each 1.3 employees, 1 per each vehicle stored on site, plus 1 per 300 square feet. For assembly halls, churches, convention centers and similar gathering spaces, 1 per every 6 occupants at capacity.
33. Heavy industrial: 1 per 1.3 employees, plus 1 space for every vehicle to be stored or stopped simultaneously on premises.
34. Home occupations: 1 space for an employee, if any, plus adequate space to accommodate all customers on the site at peak periods. Incidental room rental: 1 space per rented room.
35. Incinerator sites: 1 per 1.3 employees, plus 1 space for every vehicle to be stored or stopped simultaneously on premises.
36. Indoor entertainment or assembly: 1 per 1.3 employees, plus 1 per every 6 occupants at capacity.
37. Indoor sales: 1 per 1.3 employees, 1 per 300 square feet of indoor occupiable floor area.
38. Indoor storage and repair: 1 per 2,000 square feet of gross floor area.
39. Institutional residential: 1 per 1.3 employees, plus 1 per every 4 residents.
40. Light industrial: 1 per 500 square feet of gross floor area.
41. Limited family business: 1 per 1.3 employees, plus 1 per anticipated customer at peak.
42. Limited farm business: 1 per 1.3 employees, plus 1 per anticipated customer at peak.
43. Manufactured home communities: 1 per 1.3 employees, 2 per residential unit (tandem parking permitted), plus 1 visitor space per every 4 units.
44. Manufacturing: 1 per 600 square feet of gross floor area.
45. Manure processing facilities: 1 per 1.3 employees, plus 1 space for every vehicle to be stored or stopped simultaneously on premises.
46. Marinas: 0.6 per boat slip.
47. Mineral extraction: 1 per 1.3 employees, plus 1 space for every vehicle to be stored or stopped simultaneously on premises.
48. Mixed use developments: For uses with no overlap in hours of operation, the largest number of spaces required for each individual use. For uses with overlap in hours of operation, 75% of the total required for all individual uses.
49. Multifamily residential: 1.5 per dwelling unit.
50. Office: 1 per 300 square feet of occupiable floor area.
51. Off-site parking lot: Based on associated use.
52. Outdoor active recreation: 1 per 1.3 employees, plus 1 per every 4 spectators and participants at capacity.
53. Outdoor assembly events: 1 per every 2 expected attendees.
54. Outdoor entertainment: 1 per every 1.3 employees, plus 1 per every 2 customers at capacity.
55. Outdoor passive recreation: 1 per every 1.3 employees, plus additional parking as determined by the zoning administrator based on anticipated site use.
56. Outdoor sales, display, or repair: 1 per every 2,000 square feet of area devoted to outdoors sales, display or repair.
57. Outdoor Storage: 1 per 20,000 square feet devoted to outdoor storage.
58. Personal or professional service: 1 per 1.3 employees, 1 per 300 square feet of indoor occupiable floor area. Personal storage facility: 1 per storage unit, which may be directly in front of unit entrance.
59. Processing or composting of organic byproducts or wastes: 1 per 1.3 employees, plus 1 space for every vehicle to be stored or stopped simultaneously on premises.
60. Residential uses in a commercial zone: 1.5 per dwelling unit.
61. Rooming house: 1 per bed.
62. Salvage recycling centers: 1 per 1.3 employees, 1 for each operational vehicle stored on site, plus 3 visitor spaces.
63. Sanitary landfills: 1 per 1.3 employees, plus 1 per vehicle stored on site.
64. Single family residential: 1 per dwelling unit.
65. Solid waste recycling centers and disposal: 1 per 1.3 employees, plus 1 per recycling dropoff container.
66. Stock yards, livestock auction facilities: 10 per 1,000 square feet of gross floor area.
67. Storage of explosive materials: 1 per 1.3 employees, plus 1 per each truck or other vehicle at premises at peak.
68. Storage of vehicles and pieces of construction equipment: 1 per stored vehicle.
69. Storage of recreational equipment and motor vehicles not owned by resident: 1 per stored vehicle.
70. Temporary asphalt and concrete production: 1 per 1.3 employees at peak shift, plus 1 for every truck, or vehicle on site at

peak.

71. Tourist or transient lodging: 1 per 1.3 employees, 1 per resident family plus 1 per guest room.

72. Transportation, utility, communication or similar use: 1 per 1.3 employees if working on site, 1 per maximum number of vehicles anticipated to be onsite at any time.

73. Two-family residential: 1 per dwelling unit.

74. Vehicle repair or maintenance: 1 at each fuel dispenser, 3 per service bay, 1 per vehicle stored on premises, 1 per 1.3 employees.

75. Veterinary clinics: 1 per 1.3 employees, plus 3 per examination or treatment room.

(f) Potential reductions in required spaces.

The zoning administrator may decrease the required number of off-street parking spaces by up to 25 percent of the requirement based on one or more of the following criteria:

1. Technical documentation supplied by the applicant indicates, to the satisfaction of the zoning administrator, that actual parking demand for that particular development is less than the standard would suggest;

2. Bicycle parking facilities will be provided through racks, lockers or equivalent structures located convenient to the proposed use;

3. A public transportation route is located within 1,000 feet of the property;

4. Shared parking for more than one use will be implemented, provided that the applicant(s) demonstrate that the same spaces may adequately serve two or more uses by reason of the hours of operation of such uses. The continued availability of such shared parking areas shall be ensured by an agreement among all involved property owners describing the rights and limitations of all property owners and businesses, and providing that if any of the uses sharing the parking changes, the agreement shall become null and void. Such agreement shall bind all heirs, successors and assigns of each owner and shall be approved by the zoning administrator before being recorded with the register of deeds.

5. Reserve area. In the event the number of required spaces is reduced as allowed by s. 10.102(8)(f), the zoning administrator may also require that sufficient area be held in reserve for potential future development of parking to meet the requirements under s. 10.102(8)(e). If required, such reserve area shall be shown and noted on the development plan, maintained in open space use and developed with parking spaces when the zoning administrator determines that such development is necessary due to parking demand which exceeds original expectations, the loss of bicycle or public transit access or facilities, or the dissolution of a shared parking agreement.

(g) Parking and storage of trucks, buses and special vehicles.

1. In the Residential and Rural Residential districts, and on any lot in the Rural Mixed Use districts where the principal use is residential, motor vehicles used for personal transportation and recreational vehicles and trailers owned by a person residing on the premises may be parked or stored within an accessory building, provided that the gross vehicle weight shall not exceed 12,000 pounds.

2. In the Residential, Rural Residential, Recreational, Farmland Preservation-Business, Hamlet Mixed-Use and General Commercial districts, only motor vehicles that are accessory to a permitted and principal use on any lot may be stored or parked.

3. Any automobile licensed as an antique or special interest vehicle under s. 341.266, Wis. Stats., or parts cars therefore, can be stored on a lot in any district provided that such vehicle is stored in such a manner that it does not constitute a health hazard and is screened from ordinary public view by means of a fence, rapidly growing trees, shrubbery or other appropriate means, as required by s. 341.266(4), Wis. Stats.

4. Farm trucks or trailers licensed under ss. 341.26(3) or 341.30, Wis. Stats., may be parked on lots in agriculture districts.

5. Trucks with gross vehicle weight exceeding 12,000 pounds may be stored or parked only in the LC, HC, RI and MI districts, except that parking or storage of one truck and one road tractor and its trailer in excess of 12,000 pounds gross vehicle weight shall be permitted in the residence, rural homes and agricultural districts, subject to the following conditions:

a. The vehicle shall be owned and operated by a person residing on the premises.

b. In the residence districts, the lot area shall be not less than one acre.

c. The vehicle shall not be parked or stored within the required highway or road setback area.

d. The vehicle shall not be parked closer than 100 feet to another residence.

e. New accessory buildings may be constructed to house the vehicle, provided such buildings comply with all applicable setback, lot coverage and building height limitations for that zoning district.

f. Before the vehicle may be parked or stored on the property, a certificate of compliance shall be issued by the zoning administrator.

6. One racing vehicle and spare parts for such vehicle may be stored in the residence and rural homes districts, provided that such vehicle and spare parts are screened from public view in an enclosed building.

7. Storage of no more than two racing vehicles and spare parts for such vehicles is permitted in any district except the residence and rural homes districts, provided that such vehicles and spare parts are screened from public view in an enclosed building.

8. In any district, one school bus driven by a person residing on the premises may be parked provided that in residence districts the minimum lot area for bus parking is one acre.

9. Except as provided in s. 341.266(4), Wis. Stats., a motor vehicle that is inoperable or unlicensed is considered salvage or junk and shall only be stored in a licensed salvage recycling center. Trucks licensed on a monthly or quarterly basis shall be considered currently licensed if they have been licensed for at least one period during the previous year.

(8) Road setbacks / required front yards.

(a) Except as indicated in (a)1.c. and (b) below, or as permitted by variance, all structures shall be set back from public roads as follows:

1. Divided highways.

a. Except as exempted in c. below, all principal residential buildings must be at least 200 feet from the right-of-way line.

b. Accessory buildings must meet the setbacks described for undivided highways below.

c. Exceptions. Principal dwellings meeting either of the following criteria must meet the setbacks for undivided highways in 2.

below:

- i. Principal dwellings on lands originally zoned for residential use prior to May 1, 1992.
- ii. Lands where noise control barriers effectively reduce the noise level from traffic to 67 decibels [db(a)] or less.
- 2. Undivided highways.
 - a. State and Federal Highways. All structures must be at least 100 feet from the centerline, or 42 feet from the right-of-way line, whichever is greater.
 - b. County Trunk Highways. All structures must be at least 75 feet from the centerline, or 42 feet from the right-of-way line, whichever is greater.
 - c. Town Roads. All structures must be at least 63 feet from the centerline, or 30 feet from the right-of-way line, whichever is greater.
 - d. Service or Other Roads. All structures must be at least 30 feet from the right-of-way line.
- (b) Exceptions.
 - 1. In lots or platted subdivisions created before (insert date) where a building line shall have been established by the construction of buildings on 30 percent of the lots in any one (1) block, such established setback line shall be the setback for that block, but in no event shall such setback be less than 20 feet.
 - 2. For lots in the HAM-M or HAM-R zoning districts, setbacks shall be as described in ss. 10.261(5) and 10.262(5)
 - (c) Private roads or driveways within a multiple family dwelling complex shall not be considered a road for determining setback.

(9) Setback measurements and exceptions.

- (a) For purposes of entry to buildings, steps, stoops, decks or ramps may be constructed in such a manner that they intrude into required front yard or road setback or areas provided that all of the following limitations and conditions are satisfied:
 - 1. Height shall not exceed 5 feet aboveground level, not including railings.
 - 2. Width shall not exceed 12 feet side to side.
 - 3. Structure shall extend no farther than 10 feet from the front of the building to which it is attached or up to the front property line, whichever is less.
 - 4. Structure shall not be enclosed. Railings which do not exceed 3 1/2 feet in height and which are of open architecture and not solid in appearance are permitted.
 - 5. Structure shall not interfere with existing or planned roads, sidewalks, gas and electrical lines, sewers, drainageways, and other utilities or public improvements. The zoning administrator may require written verification from appropriate agencies before issuing a zoning permit.
- (b) No part of the structure shall extend into any required vision clearance triangle. For single family residences or duplexes, single story bay windows may be constructed in such a manner that they project three (3) feet or less into a required yard or setback area provided that such windows do not occupy, in the aggregate, more than one-third (1/3) of the wall of the building.
- (c) Roof overhangs, soffits and awnings that are not supported to the ground may extend into any required setback or yard by not more than three (3) feet.
- (d) More restrictive setback requirements may be required under Chapters 11 or 17, Dane County Code.
- (e) Corner lots
 - 1. When the long side of a corner lot is formed by a federal, state, county or town highway the side yard on that street shall conform to the setback requirements for such highway.
 - 2. When the long side of a corner lot is formed by a road other than a federal, state, county, or town road not included within the boundaries of a recorded subdivision or plat, the setback from the lot line of the long side shall not be less than one-fifth (1/5) of the lot depth measured from the long side except on lots of less than 60 feet, then the setback shall not be less than 12 feet. For buildings with attached garages facing the long side and having access to the long side of the lot, the minimum setback of the garage from the lot line shall be not less than 20 feet.
- (f) On waterfront lots, accessory buildings may be located in the front yards subject to the reduced side yard setbacks described in the district it is located in, provided, however, that the setback requirements are met.
- (g) On interior lots less than 60 feet in width no accessory building shall be erected, moved, or added to so as to be nearer than two and one-half (2 1/2) feet to a side or rear lot line, provided, however, if the front building line of any accessory building is located closer than 109 feet from the rear building line of a residence, the same side and rear yards as required for a principal or residential building shall be maintained.
- (h) Uncovered swimming pools both above and below ground may be located no closer than 10 feet from any side or rear lotline.

(10) Topography Near Property Lines.

(a) Purpose.

The purpose of this subsection is to set forth the minimum requirements for preserving existing topography near property lines whenever development is planned, and to promote and protect the public health, safety, convenience and general welfare. This sub-section is intended to regulate development:

- 1. to protect adjacent property owners from possible damage due to changes to the existing topography of adjoining lands;
- 2. to retain stormwater runoff on each property undergoing development; and
- 3. to preserve the general character of neighborhoods.

(b) Standards.

- 1. Except as authorized in sub. (c), the topography, including both surface and subsurface structure, within five (5) feet of any property line at the commencement of any development shall remain unchanged.
- 2. When land disturbing activities associated with development occur within five (5) feet of any property line, finished grades in that area shall be restored to the topography in existence before the land disturbing activity began.
- 3. The established grade of the adjoining property shall determine the finished grade at the property line for any development. The owner of the property under development bears the burden of proof as to the established grade at the property line and the topography within five (5) feet of the property line. The Zoning Administrator may require detailed site grading plans of existing and

proposed conditions prior to commencement of land disturbing activities.

4. Natural watercourses along property lines shall be maintained. Existing drainage ways and drainage easements along property lines including, but not limited to, stormwater management areas shown on subdivision plats and certified survey maps, shall be maintained.

(c) Exceptions.

1. A positive slope of one-half (1/2) inch vertical per one (1) foot horizontal within five (5) feet of the property line is allowed to provide proper drainage away from a one or two family residence.

2. Development in Floodplain Districts requiring fill to comply with chapter 17 is exempt from this section.

3. Upon written application, the Zoning Administrator may authorize exceptions resulting in changes to the existing topography at and within five (5) feet of any property line that would promote the purposes stated in this ordinance, only if the results do not direct additional stormwater runoff toward adjacent properties. Proposed exceptions may include, but are not limited to, retaining walls, berms and other structures, and other changes to existing grade at and within five (5) feet of a property line. The Zoning Administrator may require the submittal of detailed site grading plans of existing and proposed conditions including, but not limited to, detailed topographical information of the subject and adjoining properties, before land disturbing activities commence.

(11) Visual Screening

(a) Purpose.

Visual screening is intended to protect enjoyment and use of neighboring properties by reducing the visual impact of utilitarian, commercial facilities near residential areas.

(b) Applicability.

1. Screening is required along the interior boundary of any lot in the Limited Commercial (LC), General Commercial (LC), Heavy Commercial (HC) and Manufacturing/Industrial (MI) districts that are adjacent to land in the Single Family Residential (SFR), Two Family Residential (TFR), Multi Family Residential (MFR), Rural Residential (RR) or Rural Mixed-Use (RM) Districts.

2. At the town board and zoning committee's discretion, screening may also be required as a condition on any conditional use permit, where appropriate to minimize visual impact to neighboring properties.

(c) When a use requires a vegetative screening, the requirements of this section shall apply. A vegetative screening plan shall be submitted at the time of permit application, and no permit shall be issued until an acceptable vegetative screening plan has been approved. The plan shall provide for a minimum of 15 feet in depth, parallel to any area used for vehicles or buildings. The vegetative screening area shall not be used for any purpose other than screening, except at designated points of ingress and egress delineated in the plan. Vegetative screens that are within 1,000 feet of the ordinary high water mark of a lake, pond or flowage, or 300 feet of the ordinary high water mark of a navigable river or stream, must comply with applicable portions pursuant to Chapter 11, Dane County Code.

(d) Dimensions and design.

1. Vegetative screening. Within the screening area, vegetation shall consist of:

a. A minimum of 2 parallel rows of trees, with all rows planted 10 feet apart.

b. Within any given row, there shall be a minimum of one tree every 12 feet.

c. Vegetative screening densities along the front of the property adjacent to the road right-of-way may be reduced to not less than one tree every 20 feet.

d. Not less than 75% of the trees shall be evergreens.

e. A minimum of 2 different species of evergreens shall be utilized.

f. Non-native species which have the potential to be invasive shall not be utilized as part of the screening.

g. Deciduous trees shall be either single stem or multi-stem trees, with the smallest trunk measured at a minimum of a one-inch diameter at the time of planting. The trunk shall be measured 6 inches above the ground.

Evergreen trees shall be a minimum of 4 feet tall at the time of planting.

h. There shall be a ground cover of either native grasses and flowers, or lawn grasses.

2. Vegetative screens shall not interfere with applicable vision triangle requirements.

3. Within the screening area, vegetation shall be maintained in viable growing conditions. Maintenance of the ground cover shall be completed in a manner so as to maintain the shape or appearance of trees within the buffer area.

4. Screens shall be maintained along the interior boundaries of the lot to a point 15 feet from the street right-of-way.

10.103. Special Requirements for Particular Uses

(1) Accessory dwelling units.

(a) On lots zoned for single-family residential use, no more than one accessory dwelling unit may be created per lot.

(b) Multiple accessory dwelling units per lot may be created only in the Multi-Family Residential (MFR), Hamlet Residential (HAM-R) or Hamlet Mixed-Use (HAM-M) districts, or within a manufactured home community permitted under [s. 10.103\(14\)](#).

(c) A detached accessory dwelling unit may be included in either an existing or new dwelling unit.

(d) Lots accommodating an accessory dwelling unit must meet the minimum lot size for the applicable zoning district.

(e) In no case shall an accessory dwelling unit exceed 800 square feet of occupiable floor area.

(f) No accessory dwelling unit shall have more than two bedrooms.

(g) Accessory dwelling units shall not be sold separately from the principal dwelling unit, nor from the property on which it sits.

(h) A lot or parcel of land containing an accessory dwelling unit shall be occupied by the owner of the premises. The owner may live in either the accessory dwelling unit or the principal residence.

(i) The orientation of the proposed accessory dwelling unit shall, to the maximum extent practical, maintain the privacy of residents in adjoining dwellings. The town board and zoning committee may, as necessary, require screening, consistent with [s. 10.102\(12\)](#) between a property containing an ADU and adjacent properties.

(j) Off-street parking shall be provided consistent with [s. 10.102\(8\)](#).

(k) Accessory dwelling units must meet applicable residential building codes and sanitary codes.

(2) Adult book stores.

(a) The County of Dane, relying upon the experience of other local governments in this state and throughout the country, finds that adult book stores have an adverse secondary effect on the surrounding community and that regulations are necessary to minimize this secondary effect. The experience of other cities are summarized in the case of Northend Cinema, Inc. v. Seattle, 585 P. 2d 1153 (1978).

(b) This ordinance does not regulate the content of materials held for sale or rent in adult book stores.

(c) Adult book stores shall meet all of the following requirements:

1. Location of any particular adult book store must be not less than 1,000 feet from any church, synagogue, temple, mosque or any other place of worship, any residentially zoned district, park, school, playground, day care center, public library and any other adult book store;
2. Exterior windows shall not be covered or made opaque in anyway;
3. No material referenced in paragraphs (a), (b) or (c) of [s. 10.004\(7\)](#) shall be placed in any exterior window, provided that material which is not so referenced may be placed in a window;
4. The business may have only one (1) nonflashing business sign which sign may only indicate the name of the business and identify it as an adult book store and which shall be not larger than 4 feet by 4 feet;
5. A one square foot sign shall be placed on each public entrance which shall state "Admittance to adults only" and may include other pertinent business information; and
6. There shall be no doors on any viewing booths and each booth must be lighted by a source emitting at least 10 candlepower at all times.

(3) Agricultural entertainment, special events, tourism or assembly.

(a) For any such activities planned or anticipated to have attendance of more than 200 persons at any one time during a day, the landowner shall file an event plan, approved by the zoning administrator, addressing, at a minimum the following issues:

1. the number of events proposed each year
2. the maximum expected attendance at each event
3. off-street parking, to meet standards in [s. 10.102\(8\)](#)
4. days and hours of operation
5. ingress and egress
6. sanitation
7. trash / recycling collection and disposal
8. proposed signage
9. other public safety issues

(b) Event plans must be filed with the following:

1. the zoning administrator,
2. town clerk,
3. servicing fire department,
4. emergency medical service provider,
5. Dane County Sheriff's Department and
6. any local law enforcement agency.

(c) Event plans for such activities must be filed at least 30 days prior to the start of any activities in each calendar year.

(4) Airport, landing strip or heliport.

(a) All buildings, structures, outdoor airplane or helicopter storage areas shall conform to the setbacks, maximum building height and lot coverage requirements for agricultural or commercial accessory buildings in the underlying zoning district.

(b) Runways shall be located a minimum of 100 feet from all lotlines.

(c) Runways must be laid out to provide sufficient clear space, either within the property boundaries, or through the use of a recorded aviation easement for safe takeoff and landing. Clear space must meet current WISDOT Bureau of Aeronautics distance-to-height ratios appropriate to the speed of the proposed aircraft.

(d) All proposed airports, landing strips or heliports must meet all current requirements of Chapter 114, Wisconsin Statutes, TRANS 57, Wisconsin Administrative Code, or its successor and any applicable standards from the Federal Aeronautics Administration.

(e) Applicants must submit, with their conditional use permit application, copies of Wisconsin Department of Transportation airport review applications or approved certificates.

(f) The committee and town board may require visual screening, per the standards in [s. 10.102\(12\)](#), provided that such screening will not interfere with airport operations.

(5) Animal boarding, domestic pets.

(a) Use shall be enclosed by a fence or other suitable enclosure to prevent animals from leaving the site.

(b) Each animal shall be provided with an indoor containment area if the use is located within 500 feet of an existing residence or any lot in the Single Family Residential, Two-Family Residential, Multi-Family Residential, Rural Residential or Hamlet districts.

(c) Each animal enclosure shall meet current minimum design and space requirements of the US Department of Agriculture, Animal and Plant Health Inspection Service, under the Federal Animal Welfare Act.

(d) Applicant shall submit a manure management plan.

(e) At their discretion, and where necessary to minimize impacts to neighboring properties, the town board and zoning committee may:

1. impose noise limits under [s. 10.102\(6\)](#),
2. require visual screening, consistent with [s. 10.102\(12\)](#), and/or;

3. establish hours where animals must be kept indoors.

(f) The committee and town board will impose limits on the total number of animals that may be present at any one time, as appropriate to the site and neighboring land uses.

(6) Animal boarding, large animal.

(a) Use shall be enclosed by a fence or other suitable enclosure to prevent animals from leaving the site.

Each animal enclosure shall meet current minimum design and space requirements of the US Department of Agriculture, Animal and Plant Health Inspection Service, under the Federal Animal Welfare Act.

The committee and town board will impose limits on the total number of animals that may be present at any one time, as appropriate to the site and neighboring land uses.

(b) Operations exceeding one animal unit per acre must comply with the standards of [s. 10.103\(7\)](#).

(7) Animal use in excess of one animal unit per acre

(a) Applicant must submit and maintain a site-specific manure management plan.

(b) Applicant must maintain a Farm Conservation Plan, compliant with [NR 151, Subchapter II, Wisconsin Administrative Code](#), that is approved by the County Conservationist.

(8) Campgrounds.

Campgrounds must meet all current standards and permitting requirements of:

(a) ATCP 79, Wisconsin Administrative Code, or its successor.

(b) Chapter 11, Dane County Code. Camping units must meet all principal structure setbacks from ordinary high water marks or wetland boundaries.

(c) Chapter 17, Dane County Code, including all applicable flood warning, evacuation, record-keeping and notice standards.

(9) Communication towers.

(a) Purpose. The purpose and intent of this section is to provide a uniform and comprehensive set of standards for the development and installation of telecommunication and related facilities, including broadcast radio and television facilities. The provisions of this section are intended to ensure that telecommunication facilities are located, constructed, maintained and removed in a manner that:

1. Protects and promotes public health, safety, community welfare and the quality of life in Dane County as set forth within the goals, objectives and policies of the Dane County Comprehensive Plan, this ordinance, and [s. 66.0404 Wis. Stats](#);

2. Respects the rights and interests of towns, neighboring property owners, and existing land uses on adjoining properties in the decision making process;

3. Recognizes the public necessity for telecommunication facilities and the numerous benefits and opportunities a robust wireless infrastructure make possible for county residents, including improved public safety, efficient production and distribution of goods and services, access to educational resources, and economic development opportunities;

4. Allows appropriate levels of service to be obtained throughout the County, including expansion to rural areas seeking access to personal communications and broadband internet services;

5. Minimizes the number of transmission towers throughout the County;

6. Encourages the joint use of new and existing telecommunication facilities as a preferred siting option;

7. Ensures that all telecommunication facilities, including towers, antennas, and ancillary facilities are located and designed to minimize the visual and environmental impact on the immediate surroundings and throughout the county; and

8. Avoids potential damage to adjacent properties from tower failure or ice falls through sound engineering and careful siting of structures.

9. Provides a public forum to assure a balance between public concerns and private interests in establishing commercial telecommunications and related facilities.

(b) New construction or substantial modification of communication towers.

1. Application Materials. In addition to materials required under [s. 10.101\(6\)](#), the landowner must provide, in a form acceptable to the zoning administrator, the following:

a. Application. Completed communications tower permit application form, that includes, at a minimum:

i. The name and business address of, and the contact individual for, the applicant.

ii. The location of the proposed or affected support structure.

iii. The location of the proposed mobile service facility.

b. Project narrative. A signed project narrative explaining the need for a new or modified communication tower. The narrative should also include the following information:

i. An explanation why the particular site was selected.

ii. For an application to construct a new tower, an explanation as to why the applicant chose the proposed location and why the applicant did not choose collocation. The narrative must include 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. For the purposes of this section, "economically burdensome" means that the cost of collocation exceeds the cost of construction of a new tower by 25 percent or more.

Search ring map. Applicants must submit a search ring map drawn to a measurable scale, showing the area in which the applicant seeks to locate their equipment. The map must show and include road names, municipal boundaries, all existing telecommunication facilities within 1 mile of the search ring, and any tall structure over 100' in height within the search ring. The map must document and assign an identification number to all existing towers within the designated radius and include a brief statement explaining why the tower is not viable for collocation. The zoning administrator may require that the map be

accompanied by a table providing additional data for each existing tower within 1 mile of the search ring, including but not limited to, the following: simple description of the tower, existing and maximum design height, registration number; owner's name and contact information; present percentage of use of the tower, available aperture at the requester's preferred height, type of communication technology being used.

c. Radio frequency propagation maps. Two radio frequency (RF) propagation plots depicting the carrier's current service (clearly highlighting the existing service area void), and the service to be gained by the proposed facility. These plots shall be prepared in accordance with accepted industry standards and shall be accompanied by a clear and simply written description by an RF engineer explaining the plots and how to read them.

d. Site plan. In addition to all of the information required under [s. 10.101\(6\)](#), site plans must include the following information:

i. Existing or proposed zoning and conditional use permit area and proposed or existing lease area

ii. Existing and/or proposed tower compound area depicting location and layout of existing and/or proposed tower and related facilities including distances to the lease and CUP area;

iii. Existing and/or proposed residences (if any) on both the subject property and neighboring properties within .5 mile of the subject property – distances should be shown to neighboring residences located within 1,500' per 100' of tower height;

e. Preliminary Design / Construction Plans. A description of the tower design and height. The description shall include:

i. A preliminary scaled elevation drawing of the proposed tower showing the location and elevation (feet Above Ground Level and Above Mean Sea Level) of each potential antenna array and any anticipated lighting. The drawing should also identify the proposed color and

surfacing of the tower and ancillary facilities;

ii. A statement indicating the anticipated design capacity of the tower in terms of the number and type of collocations it is designed to accommodate;

iii. Preliminary drawings showing the dimensions and design details for all tower facilities.

iv. Information regarding any anticipated or proposed lighting, including types and color of lights, and whether lighting is nighttime only or both day / night and any difference between time periods.

f. Notification to Other Carriers. Applicants shall provide written notification to other carriers licensed to provide wireless services in Dane County informing them of the intent to construct a new telecommunication tower. The zoning administrator shall maintain a list of licensed carriers, including contact information and a standard form that may be used to fulfill this requirement.

g. Notification to Nearby Airports. The applicant shall provide written notification to all operators and owners of airports located within 5 miles of the proposed site.

h. Aeronautic Hazards. The applicant shall provide copies of a determination of no hazard from the federal aviation administration, including any aeronautical study or other findings, if applicable.

i. Existing and Proposed Network Buildout. Written description, map, and attribute table documenting the applicant's existing network in Dane County. Describe and show on a map generally where gaps in service currently exist. Describe and show on a map the applicant's future plans for placement or construction of communication towers in Dane County and one mile surrounding the County's border in addition to the proposed tower that is the subject of the application.

j. Other information – Depending upon the proposal, the county Zoning & Land Regulation Committee may request additional information from the applicant prior to acting on a Conditional Use Permit application.

k. Fees. Application fees as required in Chapter 12.

(c) General standards.

a. Height. Height shall meet any applicable airport height limitation ordinances. No tower may be more than 195 feet in height unless a variance from this requirement is granted based on unique transmission condition problems which cannot be overcome by another location.

b. Setbacks. All structures must meet all front, side and rear setbacks provided by this ordinance and Chapter 11, Dane County Code.

(d) Standard Conditions. In addition to the conditions described in [s. 10.101\(7\)\(d\)](#), the town board and zoning committee must impose the following conditions on any tower constructed under this section.

a. New or substantially modified towers must be designed to support, without substantial modification, at least three users (the primary user and two collocation sites) for mounting of equipment supporting International Telecommunications Union "International Mobile Telecommunications-Advanced" systems (a/k/a "LTE / Long-term evolution").

b. The holder of the Conditional Use Permit shall, upon request, make required collocation sites available for the mounting of technologically compatible antenna arrays and equipment. Rates charged for collocation must conform to the prevailing market rate in the region and upon contractual provisions which are standard in the industry.

c. 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.

d. Financial surety bonds or other security instruments, as described in [s. 10.101\(7\)\(d\)2.b.x.](#), will be required.

(10) Domestic fowl and beekeeping.

(a) Purpose. The purpose and intent of this section is to provide a listing of standards that shall apply to the keeping of domestic fowl and bees in residential yards. The standards are designed to ensure that the keeping of fowl and insects is done in a responsible manner that protects the public health, safety, and welfare and avoids conflicts with neighboring uses.

(b) Fowl. The keeping of 8 domestic fowl in the yards of single family residences or duplexes located in any zoning district shall be a permitted use, if such use complies with the following:

1. Domestic fowl shall not be slaughtered on the premises.

2. Domestic fowl must have access to a covered enclosure.

3. Domestic fowl shall not be allowed to roam free and must be kept in a covered enclosure or fenced enclosure at all times.

4. Covered and fenced enclosures must be clean, dry and odor-free, and kept in a manner that will not disturb the use or

enjoyment of adjacent lots.

5. Roosters are prohibited.

(c) Bees. The keeping of honeybees in the yards of single family residences or duplexes located in any zoning district shall be a permitted use, if the use complies with the following:

1. Each residential lot shall be allowed to have at least 6 hives per lot. For residential lots over 10,000 square feet, no more than one hive per 1,600 square feet of lot area is permitted.

2. A supply of water shall be provided for all hives.

3. A flyway barrier at least six (6) feet in height shall shield any part of a property line that is within twenty-five (25) feet of a hive. The flyway barrier shall consist of a wall, fence, dense vegetation or a combination thereof and it shall be positioned to transect both legs of a triangle extending from an apex at the hive to each end point of the part of the property line to be shielded.

(d) Location of covered and fenced enclosures and hives.

1. Covered and fenced enclosures or hives shall be within the rear or side yard, and must be at least four (4) feet from any propertyline.

2. Covered and fenced enclosures or hives shall not be closer than 25 feet to any principal residence on an adjacent lot.

3. Covered and fenced enclosures or hives shall comply with setback requirements of Chapter 11.

4. All chicken enclosures, regardless of size, require a zoning permit.

(11) Farm residences.

(a) Application. Applicants must provide, in a form acceptable to the zoning administrator, the following information:

1. Written description of the farm operation. The description should include the following details:

a. Location of the farm.

b. Size of the farm operation in acres.

c. Crops grown and/or livestock raised.

d. Number of employees, if any, in addition to farm family members.

e. Summary of farm income derived from the farm operation.

2. Completed Internal Revenue Service form "Schedule F – Profit or Loss from Farming," or subsequent IRS form for reporting farm profit or loss, for the past 3 tax years.

3. Farm conservation plan obtained from the Land Conservation Division of the Dane County Land & Water Resources Department, detailing the types/location of crops grown, and any on-farm conservation measures (e.g., grass drainage swales, buffer strips, etc.).

4. Map/site plan with aerial photograph showing the farm ownership boundaries. The map should clearly identify the location of the proposed new Farm Residence and driveway access.

(b) Permit conditions.

1. Any approved conditional use permit for a farm residence shall expire on the sale of the property to an unrelated third party. Continued use of a farm residence after sale to an unrelated third party shall require approval of a new conditional use permit.

2. The Zoning Committee may revoke any Conditional Use Permit it finds in violation of this section. Continued use of residence with a revoked conditional use permit shall require approval of a rezone petition to a zoning district that allows nonfarm residential use.

3. The Zoning Committee shall require the recording of a notice document with the Register of Deeds on the subject property notifying current and future owners of the provisions of paragraph 1. and 2. of this section.

(12) Limited family business.

(a) A conditional use permit for a limited family business is designed to accommodate small family businesses without the necessity for relocation or rezoning while at the same time protecting the interests of adjacent property owners. Applicants for this conditional use permit should recognize that rezoning or relocation of the business may be necessary or may become necessary if the business is expanded. No limited family or rural business shall conflict with the purposes of the zoning district in which it is located.

(b) The use shall employ no more than one or one full-time equivalent, employee who is not a member of the family residing on the premises.

(c) Using applicable conditional use permit standards, the committee shall determine the percentage of the property that may be devoted to the business.

(d) The conditional use permit holder may be restricted to a service oriented business and thus prohibited from manufacturing or assembling products or selling products on the premises or any combination thereof.

(e) The conditional use permit may restrict the number and types of machinery and equipment the permit holder may be allowed to bring on the premises.

(f) Structures used in the business shall be considered to be residential accessory buildings and shall meet all requirements for such buildings. The design and size of the structures is subject to conditions set forth in the conditional use permit.

(g) Sanitary fixtures to serve the limited family business use may be installed, but must be removed upon expiration of the conditional use permit or abandonment of the limited family business.

(h) The conditional use permit shall automatically expire on sale of the property or the business to an unrelated third party.

(13) Limited farm business.

(a) Uses are limited to those listed as permitted uses in the LC or GC zoning districts, provided the use does not conflict with the overall purposes of the applicable zoning district.

(b) Area dedicated to the Limited farm business use must not exceed 10,000 square feet in indoor floor area.

(c) Limited farm businesses must be contained entirely within building(s) in existence prior to April 30, 2005.

(d) The landowner must maintain, restore or enhance the existing exterior character of the building(s).

(e) No Limited farm business shall employ more than 4 non-family employees.

(14) Manufactured home communities.

(a) Other regulations. Manufactured home communities are also subject to the provisions of chapter SPC 326, Wis. Admin. Code, or its successor. The more restrictive combination of regulations shall apply.

(b) Space size. Each space for the accommodation of a single manufactured home shall contain not less than 3,000 square feet of area.

(c) Spacing between manufactured homes and other buildings.

1. Except as exempted below, there shall be at least 20 feet of spacing between manufactured homes.

a. Exemptions. In manufactured home communities established on or before May 31, 1998, there shall be at least 10 feet of spacing between manufactured homes. Expansions of such communities after May 31, 1998, whether by increasing the land area of the community or by placing additional homes in the community, or both, shall comply with the 20 foot spacing standard.

2. Spacing between other manufactured homes and accessory buildings and structures shall not be less than five (5) feet.

(d) Road setbacks. Manufactured homes must meet all road setbacks described in [s. 10.102\(9\)](#).

(e) Off-street parking. Each space shall provide off-street parking as required in [s. 10.102\(8\)](#).

(f) Landscaping. Each space shall be landscaped with at least one fast growing tree of at least two (2) inches in diameter at ground level and two bushes or shrubs of at least three (3) feet in height. This requirement may be waived by the committee if, at the time of the application for a conditional use permit, a landscaping plan is submitted that utilizes topography, plantings of trees or shrubs and/or decorative fencing to provide a degree of privacy between spaces.

(g) Parks and recreation facilities. Each manufactured home community shall provide a park and recreation area of at least ½ acre for each 50 or fraction of 50 spaces in the community. The park and recreation area shall be located to provide easy access for all residents in the community. Additionally, the area shall be well drained to provide a clean and safe area for children to play and shall be equipped with a sufficient amount of playground equipment to accommodate the children living in the community.

(h) Interior roads and streets.

1. All interior roads and streets of a manufactured home community shall be paved in accordance with the paving standards of the town in which the community is located.

2. The landowner shall provide to Dane County a map drawn to scale of the community showing the location of all interior roads, adjacent or abutting roads and points of access. Spaces shall be clearly delineated and numbers assigned to each space in sequence beginning with number 1.

(i) Removal and replacement of manufactured homes. Manufactured homes may be removed and replaced in a manufactured home community provided that replacement is in compliance with the regulations of this Chapter and subsection applicable to the community.

(15) Mineral extraction.

(a) Application materials. In addition to materials required for all conditional use permits, applicants must provide, in a format acceptable to the zoning administrator, the following:

1. A legal description of the land for which the permit is requested.

a. This may be a lot in a Certified Survey Map, a lot (and block, if any) in a subdivision, or an exact "metes and bounds" description.

b. The description must include the size of the CUP area in acres or square feet.

2. Tax parcel number(s) of the lot(s) or parcel(s) where the conditional use is to be located. If the area proposed for the conditional use is a part of a larger parcel, applicant must provide the tax parcel number of the larger parcel.

3. A written statement containing the following information:

a. General description of the operation.

b. Existing use of the land.

c. Existing natural features including approximate depth to groundwater.

d. The types and quantities of materials that would be extracted.

e. Proposed dates to begin extraction, end extraction and complete reclamation.

f. Proposed hours and days of operation.

g. Geologic composition and depth to the mineral deposit.

h. Maximum proposed pit depth.

i. Identify all major proposed haul routes to the nearest Class A highway or truck route. Indicate traffic flow patterns.

j. Proposed phasing plan, if any (recommended for larger sites).

k. Types, quantities, and frequency of use of equipment to extract, process, and haul.

l. Whether and how frequently blasting, drilling, mining, crushing, screening, washing, refueling, fuel storage, asphalt batching or concrete mixing would be performed on site.

m. Whether excavation will occur below the water table and, if so, how ground water quality will be protected.

n. Any proposed temporary or permanent structures (e.g., scales, offices).

o. Any special measures that will be used for spill prevention and control, dust control, transportation, or environmental protection.

p. Proposed use after reclamation as consistent with Chapter 74.

4. Additional Site Plan Information. In addition to the submittal requirements described in [s. 10.101\(7\)\(b\)](#), applications for a mineral extraction conditional use permit shall include a Site Plan prepared by a qualified professional, drawn to a measurable scale large enough to show detail and at least 11" by 17" in size, showing the following information:

a. Boundaries of the permit area and of the extraction site.

b. Existing contour lines (not more than 10 foot intervals).

c. All residences within 1,000 feet of the property.

d. Specific location of proposed extraction area, staging area, equipment storage.

e. Proposed location and surfacing of driveways.

f. Proposed phasing plan, if any (recommended for larger sites).

- g. Proposed fencing of property, if any, and gating of driveways.
- h. Proposed location of stockpiles.
- i. Proposed location and type of screening berms and landscaping.
- j. Proposed temporary and permanent structures, including scales and offices.
- 5. Erosion control plan. An erosion control plan, drawn to scale by a professional engineer, meeting all applicable state and county requirements.
- 6. Reclamation plan. A reclamation plan prepared in accordance with this ordinance, Chapter 74, Dane County Code and Chapter NR 135, Wisconsin Administrative Code.
- (b) Conditions on mineral extraction conditional use permits. In addition to conditions required for all conditional use permits, the town board and zoning committee shall impose, at a minimum, the following conditions on any approved conditional use permit for mineral extraction.
 - 1. Topsoil, or appropriate topsoil substitute as approved in a reclamation plan under Chapter 74, Dane County Code, from the area of operation shall be saved and stored on site for reclamation of the area. Topsoil or approved topsoil substitute must be returned to the top layer of fill resulting from reclamation.
 - 2. The applicant shall submit an erosion control plan under Chapter 14, Dane County Code covering the entire CUP area for the duration of operations, and receive approval of an erosion control permit prior to commencing extraction operations.
 - 3. The Town and Committee will set an expiration date for the conditional use permit based on the quantity of material to be removed and the expected duration of mineral extraction activities.
 - a. Extensions. Due to uncertainty in estimating duration for mineral extraction, conditional use permit holders who have operated without violations, may have the duration of their permit extended for a period not to exceed five years, based on an administrative review by the zoning administrator, in consultation with the town board. No more than one such extension shall be granted over the lifespan of the conditional use permit, and all conditions shall remain the same as the original permit. Further extensions or any modifications of conditions shall require re-application and approval of a new conditional use permit.
 - 4. Reclamation shall meet all requirements of Chapter 74 of the Dane County Code of Ordinances. In addition, all reclamation plans must meet the following standards:
 - a. Final land uses after reclamation must be consistent with any applicable town comprehensive plan, the Dane County Comprehensive Plan and the Dane County Farmland Preservation Plan.
 - b. Final slopes shall not be graded more than 3:1 except in a quarry operation.
 - c. The area shall be covered with topsoil and seeded to prevent erosion.
 - d. The area shall be cleared of all debris and left in a workmanlike condition subject to the approval of Dane County
 - e. Highwalls shall be free from falling debris, be benched at the top, and certified by a civil engineer to be stable.
 - 5. The driveway accessing the subject site shall either be paved or covered with crushed asphalt for a minimum distance of 100 feet from the public right-of-way. The operator shall maintain the driveway in a dust free manner in accordance with local, state, and federal regulations, and shall clean any dust or mud tracked onto public roads.
 - 6. The access to the driveway shall have gates securely locked when the extraction site is not in operation. The site shall be signed "no trespassing."
 - 7. All surface and subsurface operations shall be setback a minimum of 20' from any property line that does not abut a public right of way.
 - 8. Excavations below the grade of an abutting public street or highway shall be set back from the street or highway a distance at least equal to the distance that is required for buildings or structures under [s. 10.102\(9\)](#). The committee and town board may require greater setbacks where necessary to avoid subsidence, or for consistency with Chapters 11, 14, 17 or 74, Dane County Code.
 - 9. The Town and Committee will assign hours of operation appropriate to the particular application. No operations of any kind shall take place on Sundays or legal holidays. The committee and town board may approve limited exceptions to normal hours of operations for projects associated with Wisconsin Department of Transportation or municipal road projects requiring night work. [Note: Typical hours of operation are from 6:00 a.m. to 6:00 p.m., Monday through Friday, and 8 a.m. to early afternoon on Saturday. If there are residences nearby, hours may be more limited (e.g., start at 7:00 a.m. with no Saturday hours).]
 - 10. There shall be a safety fence around the entire extraction area at all times. That safety fence shall be a minimum of 4 feet in height.
 - 11. Except for incidental removal associated with dust spraying or other routine operations under this permit, water shall not be pumped or otherwise removed from the site.
 - 12. The operator shall require all trucks and excavation equipment to have muffler systems that meet or exceed then current industry standards for noise abatement.
 - 13. The operator shall meet DNR standards for particulate emissions as described in [NR 415.075](#) and [NR 415.076](#), Wisconsin Administrative Code.
 - 14. Dane County and the Town shall be listed as additional named insureds on the operator's liability insurance policy, which shall be for a minimum of \$1,000,000 combined single limit coverage per occurrence. The operator shall furnish a copy of a Certificate of Insurance as evidence of coverage before operations commence. The liability insurance policy shall remain in effect until reclamation is complete.
 - 15. At their own initiative or at the applicant's request, the town board and zoning committee may set further reasonable restrictions on a mineral extraction operation , or prohibit any mineral extraction accessory use.
- (c) Additional conditions for particular circumstances. Where any of the following circumstances apply, the zoning committee and town board shall also impose the following conditions on any approved conditional use permit for mineral extraction:
 - 1. Blasting.
 - a. Blasting Schedule. Blasting shall occur between sunrise and sunset, as required by SPS 307. The zoning committee and town board may set further daily limits on hours when blasting may occur, to minimize impact on neighboring properties. Schedules for blasting need not conform to hours of operation for the overall mineral extraction project.
 - a. Notice of Blasting Events. Prior to any blasting event, notice shall be provided to nearby residents as described in SPS 307,

Wisconsin Administrative Code. In addition, operators will honor the requests of residents within 500' of the mineral extraction site to either receive or stop receiving such notices at anytime.

- b.** Other standards. All blasting on the site must conform with all requirements of SPS 307, Wisconsin Administrative Code, as amended from time to time, or its successor administrative code regulations.
- c.** Fly rock shall be contained within the permitted mineral extraction area.
- 2.** Fuel storage. All fuel storage must comply with ATCP 93, Wisconsin Administrative Code, including provisions for secondary spill containment.
- 3.** Mineral extraction at or near groundwater. All excavation equipment, plants, and vehicles shall be fueled, stored, serviced, and repaired on lands at least 3 feet above the highest water table elevation to prevent against groundwater contamination from leaks or spills.
- 4.** In the event that a mineral extraction operation will destroy an existing Public Land Survey Monument, witness monuments must be established in safe locations and a new Monument Record filed by a Professional Surveyor, prior to excavation and disturbance of the existing monument.

(16) Outdoor assembly events [as defined in [s. 10.004\(113\)](#)]

(a) The landowner shall file an event plan, approved by the zoning administrator, addressing, at a minimum the following issues:

- 1. the number of events proposed each year
- 2. the maximum expected attendance at each event
- 3. off-street parking, to meet standards in [s. 10.102\(8\)](#)
- 4. days and hours of operation
- 5. ingress and egress
- 6. sanitation
- 7. trash / recycling collection and disposal
- 8. proposed signage
- 9. other public safety issues

(b) Event plans must be filed with the following:

- 1. the zoning administrator,
- 2. town clerk,
- 3. servicing fire department,
- 4. emergency medical service provider,
- 5. Dane County Sheriff's Department and
- 6. any local law enforcement agency.

(c) Event plans for recurring or annual activities must be filed at least 30 days prior to the start of any activities in each calendar year.

(17) Salvage yards or junkyards

(a) Use. For purposes of this ordinance, any premises used for the storage, gathering, recycling or sale of junk, as defined in this chapter, is a salvage recycling center. A salvage recycling center need not have a commercial purpose.

1. Junk, as defined under this chapter, may be stored on any premises on which a permitted business enterprise is actually conducted, provided, that all such junk is actually used in the conduct of such permitted business enterprise, and that all such junk is at all times stored in an enclosed building on the premises, thereby securing it from public view.

2. Junk, as defined in this chapter, may be stored on any premises used chiefly for residential purposes, provided that it is stored solely for eventual use on the premises, and that all such junk is at all times stored in an enclosed building thereby securing it from public view.

(b) Location and boundaries.

1. No salvage yard or junkyard shall be located within one hundred (100) feet of the boundary of any residential district.

2. No salvage yard or junkyard with outdoor operations shall be located within the zone of contribution to a municipal well, as shown in the most current adopted version of the Dane County Water Quality Plan.

(c) License.

1. Before any premises may be used as a privately operated salvage yard or junkyard, it shall be licensed. Application for such license shall be made to the zoning administrator, setting forth the description of the premises, the nature of the business and the materials to be handled, the type of construction of any building to be used in connection with the business, the applicant's name or names, officers, if any, and address of each. The application shall be referred to the zoning committee which shall, within a reasonable time, hold a public hearing, notice of which shall be given by a class 2 notice under chapter 985, Wis. Stats. If, after such public hearing, the zoning committee finds that the premises are in conformity with the provisions of this ordinance, and that the site is suitable for the conduct of such business, the committee shall grant a license, and such license shall expire on July 1 of each year. Licenses may be renewed from year to year on authorization of the committee when inspection discloses that the business is being conducted in accordance with the provisions of this ordinance.

2. Revocation of license. Upon the complaint of any interested person, or on its own motion or after inspection discloses that the provisions of this ordinance are being violated, the zoning committee may hold a public hearing to determine whether a privately operated salvage yard or junkyard license shall be revoked, notice of such hearing to be given to all interested parties. After public hearing, the zoning committee may order the license revoked.

3. Should any town elect to license salvage yard or junkyards by adoption of an ordinance pursuant to the provisions of [s. 59.55\(5\), Wis. Stats.](#), and file a copy of such ordinance with the zoning department, then the provisions of paragraphs (a) and (b) above shall not apply, but no such license shall be issued by any town for such purpose unless the area is properly zoned and unless the zoning committee, after public hearing, determines that the site is suitable. When a salvage yard or junkyard is licensed by the town, then the responsibility of controlling such salvage yard or junkyard rests with the town.

(18) Small-scale farming.

(a) Small-scale farming is considered an accessory use to a permitted or conditional principal use and is subject to the following limitations:

(b) Except for domestic pets, domestic fowl and beekeeping, animal use shall not be permitted on parcels smaller than one acre. For parcels one acre or larger, animals shall be limited to one animal unit per acre.

(c) Accessory buildings, structures or cages housing livestock shall be at least 100 feet from any of the Residential, Rural Residential or Hamlet zoning districts.

(19) Solid waste disposal operations.

Solid waste disposal operations shall not be located within the zone of contribution for municipal wells, as shown in the most current adopted version of the Dane County Water Quality Plan.

(20) Temporary batch concrete and asphalt production.

(a) The zoning committee and town board shall set daily limits on hours for concrete and asphalt production, as necessary to minimize impact on neighboring properties. Schedules for concrete or asphalt production need not conform to hours of operation for the overall mineral extraction project.

(b) Operators of concrete or asphalt plants shall be responsible for any conditions placed on such operations.

(c) Asphalt production facilities must comply with all requirements, including spill containment, of Chapter ATCP 93, Wisconsin Administrative Code.

10.200. Zoning Districts**(1) Purpose.**

All lands located within the jurisdiction of this chapter are hereby divided into zoning districts in order to:

(a) achieve compatibility of land uses within each district

(b) implement the adopted goals, objectives and policies of the Dane County Comprehensive Plan, town comprehensive plans, and the Dane County Farmland Preservation Plan, and

(c) to achieve the other stated purposes of this chapter.

(2) Zoning Districts

(a) Sections 10.210 through 10.292 describe the zoning districts within the jurisdiction of this Chapter.

(b) In each zoning district, land uses are divided into permitted and conditional uses.

1. Unless specifically exempted, no development intended to accommodate a permitted use listed in the applicable zoning district may take place until the Zoning Administrator, or designee, has issued a zoning permit under [s. 10.101\(1\)](#).

2. No land use listed as a conditional use in the applicable zoning district may take place until the town board and zoning committee approve a conditional use permit under [s. 10.101\(7\)](#), or the board of adjustment overturns a denial of a conditional use permit under [s. 10.101\(7\)\(c\)4](#).

3. Land uses not listed as either permitted uses or conditional uses are considered to be prohibited in that zoning district.

(3) Table of Land Uses by Zoning District

The following tables provide a summary of permitted and conditional uses in each zoning district. Please refer to the specific section for each zoning district for detailed standards and requirements.

(4) Zoning Maps

(a) Base and overlay zoning districts established by this chapter are shown on the Official Zoning Map of Dane County, on file with the Zoning Administrator. Together with all explanatory materials thereon, the Official Zoning Map of Dane County is hereby made part of this chapter. Where the Official Zoning Map does not indicate a zoning district for a particular area, unless the Map is in error, that area is either within the corporate limits of a city or village, within an area subject to extraterritorial zoning, and/or not subject to any rules associated with a zoning district.

(5) Interpretation Of Zoning District Boundaries.

The following rules shall be used to determine the precise location of any zoning district boundary shown on the Official Zoning Map of Dane County:

(a) Zoning district boundaries shown as following or approximately following the limits of any city, village, town or County boundary shall be construed as following such limits.

(b) Zoning district boundaries shown as following or approximately following public streets or railroad lines shall be construed as following the centerline of such streets or railroad lines.

(c) Zoning district boundaries shown as following or approximately following platted lot lines, ordinary high water marks, or other property lines as shown on the Dane County parcel maps shall be construed as following such lines.

(d) Zoning district boundaries shown as following or approximately following the centerlines of streams, rivers, or other continuously flowing watercourses shall be construed as following the channel centerlines of such watercourses, and, in the event of a natural change in the location of such streams, rivers, or other watercourses, the zoning district boundary shall be construed as moving with the channel centerline.

(e) Zoning district boundaries shown as separated from any of the features listed in paragraphs (a) through (d) above shall be construed to be at such distances as shown on the Official Zoning Map

(f) Streets, highways, roads or alleys which are shown on the zoning district maps and which heretofore have been vacated, or which may be vacated hereafter, shall be in the same zoning district as the lots, pieces or parcels abutting both sides of the street,

highway, road or alley involved. If the lots, pieces or parcels abutting each side of the street, highway, road or alley were located in different zoning districts before the said street or alley was vacated, the centerline of the said vacated street or alley shall be the boundary line of the respective zoning districts.

(g) Where the exact location of a zoning district boundary, as shown on the Official Zoning Map, is uncertain, the boundary location shall be determined by the Zoning Administrator.

(h) The zoning administrator may determine the zoning of unzoned vacated lands, based on the zoning of lands to which the vacated lands are attached.

10.210. Natural Resource and Recreation Zoning Districts

10.211. NR-C (Natural Resource Conservation) Zoning District

(1) Purpose.

The purpose of the NR-C Natural Resource Conservation district is to protect, maintain, and enhance natural resource and open space areas. Limited permitted and conditional uses are offered, and regulation of these areas will serve to control erosion and promote the rural character and natural beauty of the County while seeking to assure protection of areas with significant topography, natural watersheds, ground and surface water, wildlife habitat, recreational sites, archeological sites, and other natural resource characteristics that contribute to the environmental quality of the County.

(2) Permitted uses

(a) Undeveloped natural resource and open space area.

(b) Hiking, fishing, trapping, hunting, swimming and boating.

(c) Outdoor passive recreation

(d) Propagation and raising of game animals, fowl and fish.

(e) The practice of silviculture, including the planting, thinning and harvesting of timber.

(f) The harvesting of any wild crops such as marsh hay, ferns, moss, berries, tree fruits and tree seeds, in a manner that is not injurious to the natural reproduction of such crops.

(g) Pasturing/grazing of livestock, limited to one (1) animal unit per each full acre.

(h) Uses permitted within a shoreland – or inland – wetland district under ss. 11.07 and 11.08, Dane County Code.

(i) Soil conservation, shoreland, wetland and ecological restoration practices under an approved permit and consistent with technical standards approved by the Director of the Land and Water Resources.

(j) Nonresidential buildings or structures accessory to any permitted use, provided any such building or structure is not located in a floodway, shoreland-wetland, or inland-wetland district.

(k) Invasive species control, when conducted according to best practices approved by the Director of Land and Water Resources or the Natural Resources Conservation Service.

(3) Conditional uses

(a) The establishment and development of public and private parks and recreation areas, primitive campgrounds, boat access sites, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game preserves and private wildlife habitat areas.

(b) Soil conservation, shoreland, wetland and ecological restoration practices, other than those listed as permitted uses above.

(c) The construction and maintenance of roads, railroads or utilities, provided that:

1. The facilities cannot as a practical matter be located outside the NR- C district; and

2. Any filling, excavating, ditching, draining, land disturbance or removal of vegetation that is to be done must be necessary for such construction or maintenance and must be done in a manner designed to minimize adverse impacts upon the natural and ecological resources of the site.

(4) Lot size requirements

(a) Minimum lot size. None.

(b) Maximum lot size. None.

(5) Setbacks and required yards

(a) Front yard. Any permitted structure must comply with road setbacks as described in [s. 10.102\(9\)](#). For parcels without road frontage, structures must be at least four feet from the lot line where primary access to the parcel is made.

(b) Side yard. Any permitted structures must be at least four feet from the side lot line.

(c) Rear yard. Any permitted structures must be at least four feet from the rear lot line.

(6) Lot coverage.

No building together with its accessory buildings shall occupy in excess of 10 percent (10%) of the area of a lot in the NR-C district.

10.212. RE (Recreational) Zoning District

(1) Purpose.

The purpose of the RE Recreational District is to allow for a mix of environmental conservation and both passive and active outdoor recreation activities. Permitted uses are those typically associated with public or private parks, golf courses and similar land uses that produce limited noise, traffic, light and other potential nuisances. Conditional uses include those uses, such as lighted athletic fields, outdoor concerts and commercial uses that have the potential to generate significant noise, traffic or other

impacts to neighboring properties.

(2) Permitted uses

- (a) Undeveloped natural resource and open space area.
- (b) Hiking, fishing, trapping, hunting, swimming and boating.
- (c) Outdoor passive recreation
- (d) Propagation and raising of game animals, fowl and fish.
- (e) The practice of silviculture, including the planting, thinning and harvesting of timber.
- (f) The harvesting of any wild crops such as marsh hay, ferns, moss, berries, tree fruits and tree seeds, in a manner that is not injurious to the natural reproduction of such crops.
- (g) Pasturing/grazing of domestic animals, limited to one (1) animal unit per each full acre.
- (h) Uses permitted within a shoreland or inland – wetland district under ss. 11.07 and 11.08, Dane County Code. Pasturing of livestock is subject to the animal unit limitation in sub. (e), above.
- (i) Soil conservation, shoreland, wetland and ecological restoration practices.
- (j) Nonresidential buildings or structures accessory to any permitted use, provided any such building or structure is not located in a floodway, shoreland-wetland, or inland-wetland district.
- (k) The establishment and development of public and private parks and recreation areas, primitive campgrounds, boat access sites, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game preserves and private wildlife habitat areas.
- (l) Agricultural uses
- (m) Community gardens
- (n) Outdoor active recreation, not lighted for nighttime activities
- (o) Outdoor passive recreation
- (p) Recreational accessory uses
- (q) Utility services associated with, and accessory to, a permitted or conditional use The construction and maintenance of roads, railroads, utilities, provided that:
 1. The facilities cannot as a practical matter be located outside the RE district; and
 2. Any filling, excavating, ditching, draining, land disturbance or removal of vegetation that is to be done must be necessary for such construction or maintenance and must be done in a manner designed to minimize adverse impacts upon the natural and ecological resources of the site.

(3) Conditional uses

- (a) Campgrounds
- (b) Caretaker's residence
- (c) Cemeteries
- (d) Indoor active recreation
- (e) Outdoor active recreation, lighted for nighttime activities
- (f) Outdoor assembly events
- (g) Outdoor entertainment

(4) Lot size requirements

- (a) Minimum lot size. All lots created in the RE-1 zoning district must be at least 15,000 square feet in area.
- (b) Maximum lot size. None.

(5) Setbacks and required yards.

- (a) Front yard. Any permitted structure must comply with road setbacks as described in [s. 10.102\(9\)](#). For parcels without road frontage, structures must be at least four feet from the lot line where primary access to the parcel is made.
- (b) Side yard. Any permitted structures must be at least four feet from the side lot line.
- (c) Rear yard. Any permitted structures must be at least four feet from the rear lot line.

(6) Lot coverage.

No building together with its accessory buildings shall occupy in excess of 15 percent (15%) of the area of a lot in the RE district.

10.220. Farmland Preservation Districts

(1) Provisions applicable to all Farmland Preservation Districts

- (a) Conditional Use Standards in Farmland Preservation Districts. In addition to the requirements of [s. 10.101\(7\)\(d\)](#), the zoning committee must find that the following standards are met before approving any conditional use permit in any Farmland Preservation zoning district.
 1. The use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district.
 2. The use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.
 3. The use is reasonably designed to minimize the conversion of land, at and around the site of the use, from agricultural use or open space use.
 4. The use does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.
 5. Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.
- (b) Rezones out of a Farmland Preservation Zoning District. The county board must find that the following standards are met

before approving any petition to rezone any land from a Farmland Preservation Zoning district to a non-Farmland Preservation zoning district:

1. The land is better suited for a use not allowed in the farmland preservation zoning district.
2. The rezoning is consistent with the current adopted version of the Dane County Comprehensive Plan.
3. The rezoning is substantially consistent with the current state- certified Dane County Farmland Preservation Plan.
4. The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

10.221. FP-1 (Small-lot Farmland Preservation) Zoning District

(1) Purpose.

The FP-1 district is designed to:

- (a) Provide for a modest range of agriculture and agricultural accessory uses, at scales consistent with the size of the parcel and compatible with neighboring land uses. The FP-1 district accommodates uses which are associated with production and harvesting of crops, livestock, animal products or plant materials. These uses may involve noise, dust, odors, heavy equipment, use of chemicals and long hours of operation.
- (b) Allow for incidental processing, packaging, storage, transportation, distribution or other activities intended to add value to agricultural products produced on the premises or to ready such products for market.
- (c) Preserve agricultural and open space uses on zoning lots between one (1) and thirty-five (35) acres in size.
- (d) Provide for additional economic opportunities for property owners that are generally compatible with agricultural use, such as the establishment of new small-scale farming operations, including market gardens, road-side farmstands, pick-your-own operations, or Community Supported Agriculture farms.
- (e) Preserve remnant parcels of productive agricultural land following development of adjoining property.
- (f) Meet the criteria for certification as a Farmland Preservation Zoning District under [s. 91.38, Wis. Stats.](#)

(2) Permitted uses.

The following are permitted uses in this district:

- (a) Agricultural uses.
- (b) Agricultural Accessory Uses, subject to the exceptions and limitations below.
 1. Exceptions.
 - a. Farm residences are not permitted in the FP-1 zoning district.
 - b. Uses listed as conditional uses below.
 2. Limitations.
 - a. Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibition of farm machinery and technology, agricultural association meetings and similar activities, must occur on ten or fewer days in a calendar year.
 - b. The seasonal storage of recreational equipment and motor vehicles owned by private individuals other than those residing on the premises, such storage to be in accessory farm buildings existing as of January 1, 2010. The storage of a dealer's inventory or the construction of any new buildings for storage is prohibited.
 - c. Sales of agricultural products produced on the farm.
 - d. Large animal boarding.
 - (c) Undeveloped natural resource and open space areas.
 - (d) Utility services associated with, and accessory to, a permitted or conditional use.
 - (e) A transportation, utility, communication, or other use that is:
 1. required under state or federal law to be located in a specific place, or;
 2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.
- (3) Conditional uses.
 - (a) Agricultural accessory uses. In addition to the other requirements of this ordinance, the following uses must meet the definition of an agricultural accessory use under [s. 10.004\(12\)](#).
 1. Agricultural entertainment activities or special events.
 2. Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities, occurring on more than ten days in a calendar year.
 3. Limited farm business.
 4. Sale of agricultural and dairy products not produced on the premises and incidental sale of non-alcoholic beverages and snacks.
 5. Sanitary facilities in an agricultural accessory building.
 - (b) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.
 - (c) Electric generating facilities, provided 100% of the production output of the facility is derived from renewable energy resources.
- (4) Lot size requirements.
 - (a) Minimum lot size. All lots created in the FP-1 zoning district must be at least one acre in area, excluding public rights-of-way.
 - (b) Maximum lot size. All lots created in the FP-1 zoning district must be smaller than 35 acres in area, excluding public rights-of-way.
 - (c) Minimum lot width. There is no minimum lot width in the FP-1 zoning district.

(5) Setbacks and required yards.

- (a) Front yard. Any permitted structure must comply with road setbacks as described in [s. 10.102\(9\)](#). For parcels without road frontage, structures must be at least 50 feet from the lot line where primary access to the parcel is made.

- (b) Side yard.
 - 1. Structures housing livestock must be at least:
 - a. 100 feet from the side lot line of any parcel in any of the Residential or Hamlet zoning districts,
 - b. 50 feet from the side lot line of any parcel in any of the Rural Residential zoning districts, or
 - c. At least 10 feet from any other side lot line.
 - 2. Accessory buildings not housing livestock must be at least 10 feet from any side lot line.
- (c) Rear yard.
 - 1. Structures housing livestock must be at least:
 - a. 100 feet from the rear lot line of any parcel in any of the Residential or Hamlet zoning districts,
 - b. 50 feet from the rear lot line of any parcel in any of the Rural Residential zoning districts, or
 - c. 10 feet from any other rear lot line.
 - 2. Accessory buildings not housing livestock must be at least 10 feet from any rear lot line.
- (6) Building height.
 - (a) Agricultural buildings. There is no limitation on height for agricultural buildings.
- (7) Lot coverage.
 - (a) Parcels 2 acres or less in area. No building together with its accessory buildings shall occupy in excess of 30 percent (30%) of the area of an interior lot or 35 percent (35%) of the area of a corner lot.
 - (b) Parcels over 2 acres in area. No limitation on lot coverage.
- (8) Other restrictions on buildings.
 - (a) Accessory buildings.
 - 1. There is no limitation on the number of accessory buildings in the FP-1 district, provided lot coverage standards are met.
 - 2. Accessory buildings may be constructed on property without a principal residence only if it is clearly related to a legitimate agricultural or agricultural accessory use.
 - 3. Sanitary facilities are prohibited in agricultural accessory buildings unless specifically authorized by conditional use permit.

10.222. FP-35 (General Farmland Preservation) Zoning District

- (1) Purpose.

The FP-35 General Farmland Preservation district is designed to:

 - (a) Provide for a wide range of agriculture and agricultural accessory uses, at various scales. The FP-35 district accommodates as permitted uses all activities typically associated with the primary production and harvesting of crops, livestock, animal products or plant materials. Such uses may involve noise, dust, odors, heavy equipment, use of chemicals and long hours of operation.
 - (b) Allow for incidental processing, packaging, storage, transportation, distribution or other activities intended to add value to agricultural products produced on the premises or to ready such products for market. Such uses are conditional as they may have the potential to pose conflicts with agricultural use due to: volumes or speed of vehicular traffic; residential density; proximity to incompatible uses; environmental impacts; or consumption of agriculturally productive lands.
 - (c) Allow for other incidental activities, compatible with agricultural use, to supplement farm family income and support the agricultural community.
 - (d) Preserve productive agricultural land for food and fiber production.
 - (e) Preserve productive farms by preventing land use conflicts between incompatible uses.
 - (f) Maintain a viable agricultural base to support agricultural processing and service industries.
 - (g) Reduce costs for providing services to scattered non-farm uses.
 - (h) Pace and shape urban growth.
 - (i) Meet the criteria for certification as a Farmland Preservation Zoning District under [s. 91.38](#), Wis. Stats.
- (2) Permitted uses.
 - (a) Agricultural Uses.
 - (b) Agricultural Accessory Uses, except those uses listed as conditional uses in subd.(3) below, and subject to the following limitations and standards.
 - 1. Any residence lawfully existing as of February 20, 2010, provided all of the following criteria are met:
 - a. the use remains residential,
 - b. the structure complies with all building height, setback, side yard and rear yard standards of this ordinance; and
 - c. for replacement residences, the structure must be located within 100 feet of the original residence, unless site-specific limitations or town residential siting standards in town plans adopted by the county board require a greater distance. Proposals for a replacement residence that would exceed the 100 foot limitation must be approved by the relevant town board and county zoning committee.
 - 2. Residential accessory buildings, home occupations, foster care for less than 5 children community living arrangements for less than 9 people or incidental room rental associated with either:
 - a. an existing residence permitted under 1. above, or
 - b. a farm residence approved by conditional use permit.
 - 3. Rental of existing or secondary residences located on a farm, but no longer utilized in the operation of the farm.
 - 4. Agricultural accessory buildings, including those with sanitary facilities.
 - 5. Agricultural entertainment activities or special events under 10 days per calendar year in the aggregate, including incidental preparation and sale of beverages and food.
 - 6. Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology,

agricultural association meetings and similar activities occurring on no more than ten days in a calendar year.

7. The seasonal storage of recreational equipment and motor vehicles owned by private individuals other than those residing on the premises, such storage to be in accessory farm buildings existing as of January 1, 2010. The storage of a dealer's inventory or the construction of any new buildings for storage is prohibited.

8. Sales of agricultural products produced on the farm.

9. Large animal boarding.

(c) Undeveloped natural resource and open space areas.

(d) Utility services associated with, and accessory to, a permitted or conditional use.

(e) A transportation, utility, communication, or other use that is:

1. required under state or federal law to be located in a specific place, or;

2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

(3) Conditional uses.

The following uses require a Conditional Use Permit in this district:

(a) Agricultural Accessory Uses: In addition to other requirements of this ordinance, the following uses must meet the definition of an agricultural accessory use under [s. 10.004\(12\)](#).

1. Agricultural entertainment activities or special events occurring 10 days or more per calendar year, in aggregate.

2. Airports, landing strips or heliports for private aircraft owned by the owner or operator of a farm.

3. Attached accessory dwelling units associated with a farm residence.

4. Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities, occurring on more than ten days in a calendar year.

5. Farm Residence, subject to [s. 10.103\(11\)](#).

6. Limited Farm Business, subject to [s. 10.103\(13\)](#).

7. Sale of agricultural and dairy products not produced on the premises and incidental sale of non-alcoholic beverages and snacks.

8. Secondary farm residence, subject to [s. 10.103\(11\)](#).

(b) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.

(c) Non-metallic mineral extraction operations that comply with [s. 91.46\(6\)](#), [Wis. Stats.](#), [s. 10.103\(15\)](#) and [Chapter 74](#).

(d) Asphalt plants or ready-mix concrete plants, that comply with [s. 91.46\(5\)](#), [Wis. Stats.](#), for production of material to be used in construction or maintenance of public roads, to be limited in time to project duration.

(e) Electric generating facilities, provided 100% of the production output of the facility is derived from renewable energy resources.

(4) Lot size requirements.

(a) Minimum lot size. All lots created in the FP-35 zoning district must be at least thirty-five (35) acres in area, excluding public rights-of-way.

(b) Maximum lot size. None.

(5) Minimum lot width. None.

(6) Setbacks.

(a) Front yard. Any permitted structure must comply with road setbacks as described in [s. 10.102\(9\)](#).

(b) Side yards. Any permitted structures must be set back from side property lines as follows:

1. Principal residential buildings must be at least 10 feet from any side lot line and a total of at least 25 feet from both side lot lines.

2. Structures housing livestock must be at least:

a. 100 feet from the side lot line of any parcel in any of the Residential or Hamlet zoning districts

b. 50 feet from the side lot line of any parcel in any of the Rural Residential zoning districts, or

c. At least 10 feet from any other side lot line.

3. Accessory buildings not housing livestock must be at least 10 feet from any side lot line.

(c) Rear yard. Any permitted structures must be set back from rear property lines as follows:

1. Principal residential buildings must be at least 50 feet from the rear lot line.

2. Uncovered decks or porches attached to a principal residence must be at least 38 feet from the rear lot line.

3. Structures housing livestock must be at least:

a. 100 feet from the rear lot line of any parcel in any of the Residential or Hamlet zoning districts,

b. 50 feet from the rear lot line of any parcel in any of the Rural Residential zoning districts, or

c. 10 feet from any other rear lot line.

4. Accessory buildings not housing livestock must be at least 10 feet from any rear lot line.

(7) Building height.

(a) Residential buildings.

1. Principal residential buildings shall not exceed a height of two and a half stories or 35 feet.

2. Residential accessory buildings shall not exceed a height of 35 feet.

(b) Agricultural buildings. There is no limitation on height for agricultural buildings.

(8) Lot coverage.

There is no limitation on lot coverage in the FP-35 district.

(9) Other restrictions on buildings.

1. Principal residential buildings. Except for secondary farm residences authorized by conditional use permit, no more than one

principal building is permitted per lot.

2. Accessory buildings.

- a.** There is no limitation on the number of accessory buildings in the FP-35 district.
- b.** Accessory buildings may be constructed on property without a principal residence only if it is clearly related to a legitimate agricultural or agricultural accessory use.
- c.** Sanitary fixtures are permitted in agricultural accessory buildings, however accessory buildings may not be used as living space.

10.223. FP-B (Farmland Preservation – Business) Zoning District

(1) Purpose.

The FP-B Farmland Preservation-Business District is designed to:

- (a)** Provide for a wide range of agriculture, agricultural accessory and agriculture-related uses, at various scales with the minimum lot area necessary to accommodate the use. The FP-B district accommodates uses which are commercial or industrial in nature; are associated with agricultural production; require a rural location due to extensive land area needs or proximity of agricultural resources; and do not require urban services.
 - 1.** In appearance and operation permitted uses in the FP-B district are often indistinguishable from a farm.
 - 2.** Conditional uses are more clearly commercial or industrial in nature, and may involve facilities or processes that require a remote location distant from incompatible uses, proximity to agricultural products or suppliers and/or access to utility services or major transportation infrastructure.
 - 3.** Examples of activities in the FP-B district may include, but are not limited to, agricultural support services, value-added, or related businesses such as implement dealers; veterinary clinics; farm machinery repair shops; agricultural supply sales, marketing, storage, and distribution centers; plant and tree nurseries; and facilities for the processing of natural agricultural products or by-products, including fruits, vegetables, silage, or animal proteins. Such activities are characterized by:
 - a.** Wholesale or retail sales, and outdoor storage/display of agriculture-related equipment, inputs, and products;
 - b.** Parking areas, outdoor lighting, and signage appropriate to the scale of use;
 - c.** Small, medium, or large utilitarian structures/facilities/workshops, appropriate to the scale of use;
 - d.** Low to moderate traffic volumes;
 - e.** Noises, odors, dust, or other potential nuisances associated with agriculture-related production or processing.
 - f.** Meet the requirements for certification as a Farmland Preservation Zoning District under s. 91.38, Wis. Stats.

(2) Permitted uses.

- (a)** Agricultural uses.
- (b)** Agricultural Accessory Uses, except those uses listed as conditional uses and subject to the limitations and standards below.
 - 1.** Any residence lawfully existing as of February 20, 2010, provided all of the following criteria are met:
 - a.** the use remains residential,
 - b.** the structure complies with all building height, setback, side yard and rear yard standards of this ordinance; and
 - c.** for replacement residences, the structure must be located within 100 feet of the original residence, unless site-specific limitations or town residential siting standards in town plans adopted by the county board require a greater distance. Proposals for a replacement residence that would exceed the 100 foot limitation must be approved by the relevant town board and county zoning committee.
 - 2.** Agricultural entertainment activities or special events under 10 days per calendar year in the aggregate, including incidental preparation and sale of beverages and food.
 - 3.** Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities occurring on no more than ten days in a calendar year.
 - 4.** The seasonal storage of recreational equipment and motor vehicles owned by private individuals other than those residing on the premises, such storage to be in accessory farm buildings existing as of January 1, 2010. The storage of a dealer's inventory or the construction of any new buildings for storage is prohibited
 - 5.** Residential accessory buildings, home occupations, foster care for less than 5 children community living arrangements for less than 9 people or incidental room rental associated with a farm residence approved by conditional use permit.
 - 6.** Sales of agricultural products produced on the farm.
 - 7.** Large animal boarding.
- (c)** Agriculture-related uses, except uses listed as conditional uses below, consistent with the purpose statement for the FP-B district.
- (d)** Undeveloped natural resources and open space areas
- (e)** Utility services associated with a farm or a permitted agricultural accessory use.
- (f)** A transportation, utility, communication, or other use that is:
 - 1.** required under state or federal law to be located in a specific place, or;
 - 2.** is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

(3) Conditional uses.

- (a)** Agricultural Accessory Uses: In addition to other requirements of this ordinance, the following uses must meet the definition of an agricultural accessory use under s. 10.004(12).
 - 1.** Agricultural entertainment activities or special events occurring 10 days or more per calendar year, in aggregate.
 - 2.** Airports, landing strips or heliports for private aircraft owned by the owner or operator of the farm or agriculture-related use on the premises.

3. Attached accessory dwelling units associated with a farm residence.
4. Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities, occurring on more than ten days in a calendar year.
5. Farm residence, subject to s. 10.103(11).
6. Limited farm business, subject to 10.103(13).
7. Sale of agricultural and dairy products not produced on the premises and incidental sale of non-alcoholic beverages and snacks.
8. Secondary farm residence, subject to s. 10.103(11).
- (b) Agriculture-related uses: In addition to the other requirements of this ordinance, the following uses must meet the definition of an agriculture-related use under s. 10.004(14).
 1. Bio-diesel and ethanol manufacturing;
 2. Biopower facilities for distribution, retail, or wholesalesales.
 3. Colony house.
 4. Commercial animal boarding for farm animals, and not including boarding for domestic pets.
 5. Composting facility.
 6. Dead stock hauling services;
 7. Manure processing facilities;
 8. Stock yards, livestock auction facilities;
- (c) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.
- (d) Non-metallic mineral extraction operations that comply with s. 91.46(6), Wis. Stats., s. 10.103(15) and Chapter 74. The application shall conform to the requirements of s. 10.103(15).
- (e) Asphalt plants or ready-mix concrete plants, that comply with s. 91.46(5), Wis. Stats., for production of material to be used in construction or maintenance of public roads, to be limited in time to project duration.
- (f) Electric generating facilities, provided 100% of the production output of the facility is derived from renewable energy resources.
- (4) Lot size requirements.
 - (a) Minimum lot size. All lots created in the FP-B zoning district must be at least 20,000 square feet in area, excluding public rights-of-way.
 - (b) Maximum lot size. None.
 - (c) Minimum lot width. All lots created in the FP-B zoning district must have a minimum lot width of 100 feet.
- (5) Setbacks.
 - (a) Front yard. Any permitted structure must comply with road setbacks as described in s. 10.102(9).
 - (b) Side yards. Any permitted structures must be set back from side property lines as follows:
 1. Principal residential buildings must be at least 10 feet from any side lot line and a total of at least 25 feet from both side lot lines.
 2. Structures housing livestock must be at least:
 - a. 100 feet from the side lot line of any parcel in any of the Residential or Hamlet zoning districts,
 - b. 50 feet from the side lot line of any parcel in any of the Rural Residential zoning districts, or
 - c. At least 10 feet from any other side lot line.
 3. Accessory buildings not housing livestock must be at least 10 feet from any side lot line.
 - (c) Rear yard. Any permitted structures must be set back from rear property lines as follows:
 1. Principal residential buildings must be at least 50 feet from the rear lot line.
 2. Uncovered decks or porches attached to a principal residence must be at least 38 feet from the rear lot line.
 3. Structures housing livestock must be at least:
 - a. 100 feet from the rear lot line of any parcel in any of the Residential or Hamlet zoning districts,
 - b. 50 feet from the rear lot line of any parcel in any of the Rural Residential zoning districts, or
 - c. 10 feet from any other rear lot line.
 4. Accessory buildings not housing livestock must be at least 10 feet from any rear lot line.
- (6) Building height.
 - (a) Residential buildings.
 1. Principal residential buildings shall not exceed a height of two and a half stories or 35 feet.
 2. Residential accessory buildings shall not exceed a height of 35 feet.
 - (b) Agricultural buildings. There is no limitation on height for agricultural buildings.
- (7) Lot coverage.

There is no limitation on lot coverage in the FP-B district.
- (8) Other restrictions on buildings.
 - (a) Accessory buildings.
 1. There is no limitation on the number of accessory buildings in the FP-35 district.
 2. Accessory buildings may be constructed on property without a principal residence only if it is clearly related to a legitimate agricultural or agricultural accessory use.
 3. Sanitary fixtures are permitted in agricultural accessory buildings, however accessory buildings may not be used as living space.

10.230. Rural Mixed-Use & Transitional Zoning Districts

10.231. AT-35 (Agriculture Transition, 35 acres) Zoning District

(1) Purpose.

The AT-35 Agriculture Transition district is designed to:

(a) Accommodate, for an unspecified period of time, a wide range of agriculture and agricultural accessory uses, at various scales in areas that are ultimately planned for either:

1. nonfarm urban or suburban development,
2. a long-term mixture of agricultural and residential uses, or
3. transition to a Farmland Preservation district.

(b) The district applies to such existing or proposed uses on properties located outside of mapped agricultural preservation areas as shown in the Dane County Farmland Preservation Plan.

(c) The AT-35 district accommodates as permitted uses all activities typically associated with the primary production and harvesting of crops, livestock, animal products or plant materials. Such uses may involve noise, dust, odors, heavy equipment, use of chemicals and long hours of operation.

(d) Allow for incidental processing, packaging, storage, transportation, distribution or other activities intended to add value to agricultural products produced on the premises or to ready such products for market. Such uses are conditional as they may have the potential to pose conflicts with agricultural use due to: volumes or speed of vehicular traffic; residential density; proximity to incompatible uses; environmental impacts; or consumption of agriculturally productive lands.

(e) Allow for other incidental activities, compatible with agricultural use, to supplement farm family income and support the agricultural community.

(f) Reduce costs for providing services to scattered non-farm uses.

(g) Pace and shape urban growth.

(2) Permitted uses

(a) Agricultural Uses.

(b) Agricultural Accessory Uses, except those uses listed as conditional uses in subd.(3) below, and subject to the following limitations and standards.

1. Any residence lawfully existing as of February 20, 2010, provided all of the following criteria are met:

- a. the use remains residential,
- b. the structure complies with all building height, setback, side yard and rear yard standards of this ordinance; and
- c. for replacement residences, the structure must be located within 100 feet of the original residence, unless site-specific limitations or town residential siting standards in town plans adopted by the county board require a greater distance. Proposals for a replacement residence that would exceed the 100 foot limitation must be approved by the relevant town board and county zoning committee.

2. Residential accessory buildings, home occupations, foster care for less than 5 children community living arrangements for less than 9 people or incidental room rental associated with either:

- a. an existing residence permitted under 1. above, or
 - b. a farm residence approved by conditional use permit.
3. Rental of existing or secondary residences located on a farm, but no longer utilized in the operation of the farm.
4. Agricultural entertainment activities or special events under 10 days per calendar year in the aggregate, including incidental preparation and sale of beverages and food.
5. Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities occurring on no more than ten days in a calendar year.
6. The seasonal storage of recreational equipment and motor vehicles owned by private individuals other than those residing on the premises, such storage to be in accessory farm buildings existing as of January 1, 2010. The storage of a dealer's inventory or the construction of any new buildings for storage is prohibited.
7. Sales of agricultural products produced on the farm.
8. Large animal boarding.

(c) Undeveloped natural resource and open space areas.

(d) Utility services associated with, and accessory to, a permitted or conditional use.

(e) A transportation, utility, communication, or other use that is:

1. required under state or federal law to be located in a specific place, or;
2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

(3) Conditional uses.

The following uses require a Conditional Use Permit in this district:

(a) Agricultural Accessory Uses: In addition to other requirements of this ordinance, the following uses must meet the definition of an agricultural accessory use under [s. 10.004\(12\)](#).

1. Agricultural entertainment activities or special events occurring 10 days or more per calendar year, in aggregate.
2. Airports, landing strips or heliports for private aircraft owned by the owner or operator of a farm.
3. Attached accessory dwelling units associated with a farm residence.
4. Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities, occurring on more than ten days in a calendar year.
5. Farm Residence, subject to [s. 10.103\(11\)](#).
6. Limited Farm Business, subject to [s. 10.103\(13\)](#).
7. Sale of agricultural and dairy products not produced on the premises and incidental sale of non-alcoholic beverages and snacks.

8. Secondary farm residence, subject to [s. 10.103\(11\)](#).
 - (b) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.
 - (c) Non-metallic mineral extraction operations that comply with [s. 91.46\(6\)](#), [Wis. Stats.](#), [s. 10.103\(15\)](#) and [Chapter 74](#).
 - (d) Asphalt plants or ready-mix concrete plants, that comply with [s. 91.46\(5\)](#), [Wis. Stats.](#), for production of material to be used in construction or maintenance of public roads, to be limited in time to project duration.
 - (e) Electric generating facilities, provided 100% of the production output of the facility is derived from renewable energy resources.
- (4) Lot size requirements.
 - (a) Minimum lot size. All lots created in the AT-35 zoning district must be at least thirty-five (35) acres in area, excluding public rights-of-way.
 - (b) Maximum lot size. None.
 - (c) Minimum lot width. None.
- (5) Setbacks.
 - (a) Front yard. Any permitted structure must comply with road setbacks as described in [s. 10.102\(9\)](#).
 - (b) Side yards. Any permitted structures must be set back from side property lines as follows:
 1. Principal residential buildings must be at least 10 feet from any side lot line and a total of at least 25 feet from both side lot lines.
 2. Structures housing livestock must be at least:
 - a. 100 feet from the side lot line of any parcel in any of the Residential or Hamlet zoning districts
 - b. 50 feet from the side lot line of any parcel in any of the Rural Residential zoning districts, or
 - c. At least 10 feet from any other side lot line.
 - d. Accessory buildings not housing livestock must be at least 10 feet from any side lot line.
 - (c) Rear yard. Any permitted structures must be set back from rear property lines as follows:
 1. Principal residential buildings must be at least 50 feet from the rear lot line.
 2. Uncovered decks or porches attached to a principal residence must be at least 38 feet from the rear lot line.
 3. Structures housing livestock must be at least:
 - a. 50 feet from the rear lot line of any parcel in any of the Residential, Rural Residential or Hamlet zoning districts, or
 - b. 10 feet from any other rear lot line.
 4. Accessory buildings not housing livestock must be at least 10 feet from any rear lot line.
- (6) Building height.
 - (a) Residential buildings.
 1. Principal residential buildings shall not exceed a height of two and a half stories or 35 feet.
 2. Residential accessory buildings shall not exceed a height of 35 feet.
 - (b) Agricultural buildings. There is no limitation on height for agricultural buildings.
- (7) Lot coverage.

There is no limitation on lot coverage in the AT-35 district.
- (8) Other restrictions on buildings.
 - (a) Principal buildings. Except for secondary farm residences authorized by conditional use permit, no more than one principal building is permitted per lot.
 - (b) Accessory buildings.
 1. There is no limitation on the number of accessory buildings in the AT-35 district.
 2. Accessory buildings may be constructed on property without a principal residence only if it is clearly related to a legitimate agricultural or agricultural accessory use.
 3. Sanitary fixtures are permitted in agricultural accessory buildings, however accessory buildings may not be used as living space.

10.232. AT-B (Agriculture Transition – Business) Zoning District

- (1) Purpose.

The AT-B Agriculture Transition - Business District is designed to:

 - (a) Accommodate, for an unspecified period of time, agricultural, agriculture accessory and agriculture-related uses in areas ultimately planned for nonfarm urban or rural development. The district applies to such existing or proposed uses on properties located outside of mapped agricultural preservation areas as shown in the Dane County Farmland Preservation Plan.
 - (b) Provide for a wide range of agriculture, agricultural accessory and agriculture-related uses, at various scales with the minimum lot area necessary to accommodate the use. The AT-B district accommodates uses which are commercial or industrial in nature; are associated with agricultural production; require a rural location due to extensive land area needs or proximity of agricultural resources; and do not require urban services.
 - (c) In appearance and operation permitted uses in the AT-B district are often indistinguishable from a farm.
 - (d) Conditional uses are more clearly commercial or industrial in nature, and may involve facilities or processes that require a remote location distant from incompatible uses, proximity to agricultural products or suppliers and/or access to utility services or major transportation infrastructure.
 - (e) Examples of activities in the AT-B district may include, but are not limited to, agricultural support services, value-added, or related businesses such as implement dealers; veterinary clinics; farm machinery repair shops; agricultural supply sales, marketing, storage, and distribution centers; plant and tree nurseries; and facilities for the processing of natural agricultural products or by-products, including fruits, vegetables, silage, or animal proteins. Such activities are characterized by:

1. Wholesale or retail sales, and outdoor storage/display of agriculture- related equipment, inputs, and products;
 2. Parking areas, outdoor lighting, and signage appropriate to the scale of use;
 3. Small, medium, or large utilitarian structures/facilities/workshops, appropriate to the scale of use;
 4. Low to moderate traffic volumes;
 5. Noises, odors, dust, or other potential nuisances associated with agriculture-related production or processing.
- (2) Permitted uses.
- (a) Agricultural uses.
- (b) Agricultural Accessory Uses, except those uses listed as conditional uses and subject to the limitations and standards below.
1. Any residence lawfully existing as of February 20, 2010, provided all of the following criteria are met:
 - a. the use remains residential,
 - b. the structure complies with all building height, setback, side yard and rear yard standards of this ordinance; and
 - c. for replacement residences, the structure must be located within 100 feet of the original residence, unless site-specific limitations or town residential siting standards in town plans adopted by the county board require a greater distance. Proposals for a replacement residence that would exceed the 100 foot limitation must be approved by the relevant town board and county zoning committee.
 2. Agricultural entertainment activities or special events under 10 days per calendar year in the aggregate, including incidental preparation and sale of beverages and food.
 3. Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities occurring on no more than ten days in a calendar year.
 4. The seasonal storage of recreational equipment and motor vehicles owned by private individuals other than those residing on the premises, such storage to be in accessory farm buildings existing as of January 1, 2010. The storage of a dealer's inventory or the construction of any new buildings for storage is prohibited
 5. Residential accessory buildings, home occupations, foster care for less than 5 children community living arrangements for less than 9 people or incidental room rental associated with a farm residence approved by conditional use permit.
 6. Sales of agricultural products produced on the farm.
 7. Large animal boarding.
- (c) Agriculture-related uses, except uses listed as conditional uses below, consistent with the purpose statement for the FP-B district.
- (d) Undeveloped natural resources and open space areas
- (e) Utility services associated with a farm or a permitted agricultural accessory use.
- (f) A transportation, utility, communication, or other use that is:
1. required under state or federal law to be located in a specific place, or;
 2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.
- (3) Conditional uses.
- (a) Agricultural Accessory Uses: In addition to other requirements of this ordinance, the following uses must meet the definition of an agricultural accessory use under s. 10.004(12).
1. Agricultural entertainment activities or special events occurring 10 days or more per calendar year, in aggregate.
 2. Airports, landing strips or heliports for private aircraft owned by the owner or operator of the farm or agriculture-related use on the premises.
 3. Attached accessory dwelling units associated with a farm residence.
 4. Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities, occurring on more than ten days in a calendar year.
 5. Farm residence, subject to s. 10.103(11).
 6. Limited farm business, subject to s. 10.103(13).
 7. Sale of agricultural and dairy products not produced on the premises and incidental sale of non-alcoholic beverages and snacks.
 8. Secondary farm residence, subject to s. 10.103(11).
- (b) Agriculture-related uses: In addition to the other requirements of this ordinance, the following uses must meet the definition of an agriculture-related use under s. 10.004(14).
1. Bio-diesel and ethanol manufacturing;
 2. Biopower facilities for distribution, retail, or wholesalesales.
 3. Colony house.
 4. Commercial animal boarding for farm animals, and not including boarding for domestic pets.
 5. Composting facility.
 6. Dead stock hauling services;
 7. Manure processing facilities;
 8. Stock yards, livestock auction facilities;
- (c) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.
- (d) Non-metallic mineral extraction operations that comply with s. 91.46(6), Wis. Stats., s. 10.103(15) and Chapter 74. The application shall conform to the requirements of s. 10.103(15).
- (e) Asphalt plants or ready-mix concrete plants, that comply with s. 91.46(5), Wis. Stats., for production of material to be used in construction or maintenance of public roads, to be limited in time to project duration.
- (f) Electric generating facilities, provided 100% of the production output of the facility is derived from renewable energy resources.
- (4) Lot size requirements.

(a) Minimum lot size. All lots created in the AT-B zoning district must be at least 20,000 square feet in area, excluding public rights-of-way.

(b) Maximum lot size. None.

(c) Minimum lot width. All lots created in the AT-B zoning district must have a minimum lot width of 100 feet.

(5) Setbacks.

(a) Front yard. Any permitted structure must comply with road setbacks as described in s. 10.102(9).

(b) Side yards. Any permitted structures must be set back from side property lines as follows:

1. Principal residential buildings must be at least 10 feet from any side lot line and a total of at least 25 feet from both side lot lines.

2. Structures housing livestock must be at least:

a. 100 feet from the side lot line of any parcel in any of the Residential or Hamlet zoning districts,

b. 50 feet from the side lot line of any parcel in any of the Rural Residential zoning districts, or

c. At least 10 feet from any other side lot line.

3. Accessory buildings not housing livestock must be at least 10 feet from any side lot line.

(c) Rear yard. Any permitted structures must be set back from rear property lines as follows:

1. Principal residential buildings must be at least 50 feet from the rear lot line.

2. Uncovered decks or porches attached to a principal residence must be at least 38 feet from the rear lot line.

3. Structures housing livestock must be at least:

a. 100 feet from the rear lot line of any parcel in any of the Residential or Hamlet zoning districts,

b. 50 feet from the rear lot line of any parcel in any of the Rural Residential zoning districts, or

c. 10 feet from any other rear lot line.

4. Accessory buildings not housing livestock must be at least 10 feet from any rear lot line.

(6) Building height.

(a) Residential buildings.

1. Principal residential buildings shall not exceed a height of two and a half stories or 35 feet.

2. Residential accessory buildings shall not exceed a height of 35 feet.

(b) Agricultural buildings. There is no limitation on height for agricultural buildings.

(7) Lot coverage.

There is no limitation on lot coverage in the AT-B district.

(8) Other restrictions on buildings.

(a) Accessory buildings.

1. There is no limitation on the number of accessory buildings in the AT-B district.

2. Accessory buildings may be constructed on property without a principal residence only if it is clearly related to a legitimate agricultural or agricultural accessory use.

3. Sanitary fixtures are permitted in agricultural accessory buildings, however accessory buildings may not be used as living space.

10.233. RM-8 (Rural Mixed-Use, 8-16 acres) Zoning District

(1) Purpose.

The Rural Mixed-Use 8-acre (RM-8) district is designed to:

(a) Provide for a mix of agriculture, residential, utility, limited business and accessory uses consistent with and appropriate to a rural setting, on moderately sized parcels. The RM-8 district accommodates uses which are compatible with onsite and neighboring production agriculture, are typically found in a rural location and do not require urban services.

(b) Such uses typically generate traffic, noise or other impacts similar to those produced by either a farm operation or a single-family residence.

(2) Permitted uses.

(a) Agricultural uses. Livestock use must comply with Chapter NR 151, Subchapter II, Wisconsin Administrative Code.

(b) Agricultural Accessory Uses, except those uses listed as conditional uses in subd. (3) below, and subject to the following limitations and standards.

1. Agricultural entertainment activities or special events under 10 days per calendar year in the aggregate, including incidental preparation and sale of beverages and food.

2. Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities occurring on no more than five days in a calendar year.

3. The seasonal storage of recreational equipment and motor vehicles owned by private individuals other than those residing on the premises, such storage to be in accessory farm buildings existing as of January 1, 2010. The storage of a dealer's inventory or the construction of any new buildings for storage is prohibited.

(c) Undeveloped natural resources and open space areas

(d) Single family residential

(e) Residential accessory buildings

(f) Incidental room rental

(g) Foster homes for less than five children

- (h) Community living arrangements for fewer than 9 persons.
 - (i) Home occupations
 - (j) Utility services associated with, and accessory to, a permitted or conditional use
 - (k) A transportation, utility, communication, or other use that is:
 1. required under state or federal law to be located in a specific place, or;
 2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.
- (3) Conditional uses.
- (a) Agricultural entertainment activities or special events occurring 10 days or more per calendar year, in aggregate.
 - (b) Attached accessory dwelling units
 - (c) Community living arrangements for 9 or more persons.
 - (d) Domestic pet animal boarding.
 - (e) Electric generating facilities, provided 100% of the production output of the facility is derived from renewable energy resources.
 - (f) Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities, occurring on more than five days in a calendar year.
 - (g) Governmental, institutional, religious, or nonprofit community uses
 - (h) Large animal boarding
 - (i) Limited family business
 - (j) Migrant farm labor camps certified under s. 103.92, Wis. Stats.
 - (k) Recreational racetracks.
 - (l) Sanitary facilities in agricultural accessory buildings.
 - (m) Tourist or transient lodging
 - (n) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.
 - (o) Veterinary clinics.
- (4) Lot size requirements.
- (a) Minimum lot size. All lots created in the RM-8 zoning district must be at least 8 acres in area, excluding public rights-of-way.
 - (b) Maximum lot size. All lots created in the RM-8 zoning district must be smaller than 16 acres in area, excluding public rights-of-way.
 - (c) Minimum lot width. All lots created in the RM-8 zoning district must have a minimum lot width of 100 feet.
- (5) Setbacks and required yards.
- (a) Front yard. Any permitted structure must comply with road setbacks as described in s. 10.102(9).
 - (b) Side yards. Any permitted structures must be set back from side property lines as follows:
 1. Principal residential buildings must be at least 10 feet from any side lot line and a total of at least 25 feet from both side lot lines.
 2. Structures housing livestock must be at least:
 - a. 100 feet from the side lot line of any parcel in any of the Residential or Hamlet zoning districts, 50 feet from the side lot line of any parcel in the any of the Rural Residential zoning districts, or
 - b. 10 feet from any other side lot line.
 3. Accessory buildings not housing livestock must be at least 10 feet from any side lot line.
 - (c) Rear yard. Any permitted structures must be set back from rear property lines as follows:
 1. Principal residential buildings must be at least 50 feet from the rear lot line.
 2. Uncovered decks or porches attached to a principal residence must be at least 38 feet from the rear lot line.
 3. Structures housing livestock must be at least:
 - a. 100 feet from the rear lot line of any parcel in any of the Residential or Hamlet zoning districts,
 - b. 50 feet from the rear lot line of any parcel in any of the Rural Residential zoning districts, or
 - c. 10 feet from any other rear lot line.
 4. Accessory buildings not housing livestock must be at least 10 feet from any rear lot line.
- (6) Building height.
- (a) Residential buildings.
 1. Principal residential buildings shall not exceed a height of two and a half stories or 35 feet.
 2. Residential accessory buildings shall not exceed a height of 35 feet.
 - (b) Agricultural buildings. There is no limitation on height for agricultural buildings.
- (7) Lot coverage.
The total area of all buildings and structures must not exceed 10% of the total lot area, excluding public rights-of-way.
- (8) Other restrictions on buildings.
- (a) Principal buildings. No more than one principal building is permitted per lot.
 - (b) Accessory buildings.
 1. There is no limitation on the number of accessory buildings in the RM-8 district.
 2. Except for agricultural accessory buildings or for property maintenance sheds specifically approved by conditional use permit, accessory buildings may not be constructed on a property without a principal residence.
 3. Sanitary fixtures are not permitted in agricultural accessory buildings, unless specifically authorized by an approved conditional use permit. Accessory buildings may not be used as living space.

10.234. RM-16 (Rural Mixed-Use, 16-35 acres) Zoning District

(1) Purpose.

The Rural Mixed-Use 16-acre (RM-16) district is designed to:

- (a) Provide for a mix of agriculture, residential, utility, extractive, limited business and accessory uses consistent with and appropriate to a rural setting, on medium-to-large parcels.
- (b) The RM-16 district accommodates uses which may require larger setbacks, buffers, berms or other siting standards to minimize conflicts with neighboring production agriculture or residential use, are typically found in a rural location and do not require urban services.
- (c) Such uses may generate moderate truck traffic, noise, dust or odors.

(2) Permitted uses

- (a) Agricultural uses. Livestock use must comply with Chapter NR 151, Subchapter II, Wisconsin Administrative Code.
- (b) Agricultural Accessory Uses, except those uses listed as conditional uses in subd. (3) below, and subject to the following limitations and standards.
 - 1. Agricultural entertainment activities or special events under 10 days per calendar year in the aggregate, including incidental preparation and sale of beverages and food.
 - 2. Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities occurring on no more than five days in a calendar year.
 - 3. The seasonal storage of recreational equipment and motor vehicles owned by private individuals other than those residing on the premises, such storage to be in accessory farm buildings existing as of January 1, 2010. The storage of a dealer's inventory or the construction of any new buildings for storage is prohibited.
- (c) Undeveloped natural resources and open space areas
- (d) Single family residential
- (e) Residential accessory buildings
- (f) Incidental room rental
- (g) Foster homes for less than five children
- (h) Community living arrangements for fewer than 9 persons.
- (i) Home occupations
- (j) Utility services associated with, and accessory to, a permitted or conditional use
- (k) A transportation, utility, communication, or other use that is:
 - 1. required under state or federal law to be located in a specific place, or;
 - 2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.
- (3) Conditional uses
 - (a) Agricultural entertainment activities or special events exceeding 10 days per calendar year, in aggregate.
 - (b) Airports, landing strips or heliports for private aircraft owned by the landowner.
 - (c) Attached accessory dwelling units
 - (d) Community living arrangements for 9 or more persons
 - (e) Domestic pet animal boarding
 - (f) Electric generating facilities, provided 100% of the production output of the facility is derived from renewable energy resources.
 - (g) Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities, occurring on more than five days in a calendar year.
 - (h) Governmental, institutional, religious, or nonprofit community uses
 - (i) Large animal boarding
 - (j) Limited family business
 - (k) Migrant farm labor camps certified under s. 103.92, Wis. Stats.
 - (l) Mineral extraction.
 - (m) Recreational racetracks.
 - (n) Sanitary facilities in agricultural accessory buildings
 - (o) Temporary asphalt or concrete production.
 - (p) Tourist and transient lodging
 - (q) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.
 - (r) Veterinary clinics.

(4) Lot size requirements.

- (a) Minimum lot size. All lots created in the RM-16 zoning district must be at least 16 acres in area, excluding public rights-of-way.
- (b) Minimum lot width. All lots created in the RM-16 zoning district must have a minimum lot width of 100 feet.

(5) Setbacks and required yards.

- (a) Front yard. Any permitted structure must comply with road setbacks as described in s. 10.102(9).
- (b) Side yards. Any permitted structures must be set back from side property lines as follows:
 - 1. Principal residential buildings must be at least 10 feet from any side lot line and a total of at least 25 feet from both side lot lines.
 - 2. Structures housing livestock must be at least:
 - a. 100 feet from the side lot line of any parcel in any of the Residential zoning or Hamlet zoning districts,
 - b. 50 feet from the side lot line of any parcel in any of the Rural Residential zoning districts, or

- c. At least 10 feet from any other side lot line.
- 3. Accessory buildings not housing livestock must be at least 10 feet from any side lot line.
- (c) Rear yard. Any permitted structures must be set back from rear property lines as follows:
 - 1. Principal residential buildings must be at least 50 feet from the rear lot line.
 - 2. Uncovered decks or porches attached to a principal residence must be at least 38 feet from the rear lot line.
 - 3. Structures housing livestock must be at least:
 - a. 100 feet from the rear lot line of any parcel in any of the Residential or Hamlet zoning districts,
 - b. 50 feet from the rear lot line of any parcel in any of the Rural Residential zoning districts, or
 - c. 10 feet from any other rear lot line.
 - 4. Accessory buildings not housing livestock must be at least 10 feet from any rear lot line.

(6) Building height.

- (a) Residential buildings.
 - 1. Principal residential buildings shall not exceed a height of two and a half stories or 35 feet.
 - 2. Residential accessory buildings shall not exceed a height of 35 feet.
- (b) Agricultural buildings. There is no limitation on height for agricultural buildings.

(7) Lot coverage.

The total area of all buildings and structures must not exceed 10% of the total lot area, excluding public rights-of-way.

(8) Other restrictions on buildings.

- (a) Principal buildings. No more than one principal building is permitted per lot.
 - (b) Accessory buildings.
 - 1. There is no limitation on the number of accessory buildings in the RM-16 district.
 - 2. Except for agricultural accessory buildings, or for property maintenance sheds specifically approved by conditional use permit, accessory buildings may not be constructed on property without a principal residence.
 - 3. Sanitary fixtures are not permitted in agricultural accessory buildings, unless specifically authorized by an approved conditional use permit. Accessory buildings may not be used as living space.
- 10.235. AT-5 (Agriculture Transition – 5 Acres) Zoning District

(1) Applicability

The AT-5 (Agriculture Transition – 5 Acres) Zoning District shall apply and be limited only to lands previously zoned in the A-1 Agriculture District (s.10.12) under the previous Dane County Zoning Ordinance.

(2) Purpose.

- (a) The purpose of the AT-5 (Agriculture Transition – 5 Acres) district is to accommodate a mix of agricultural, open space, and residential uses in areas planned for future development, areas currently in agricultural or open space uses, or areas appropriate for long term preservation due to the presence of sensitive or unique environmental features.
- (b) This district applies only to lands in towns that historically did not adopt the county's farmland preservation zoning districts. These areas have a unique land use history and pattern of development over time, traditional reliance on intergovernmental planning agreements, and continuing growth pressures.
- (c) This district serves as a transitional zoning designation to accommodate the platting and development of lands as they convert from agriculture and open space uses to residential uses.
- (d) Town boards with AT-5 zoning and Dane County will periodically review the status of lands that have been platted and developed to consider other appropriate zoning classifications based on the resulting land use and size of the property.

(3) Permitted uses

- (a) Single family residential on lots of at least 25,000 square feet.
- (b) Residential accessory buildings.
- (c) Home occupations.
- (d) Foster care for less than 5 children.
- (e) Community living arrangements for less than 9 people.
- (f) Incidental room rental.
- (g) Agricultural uses on parcels of at least 5 acres in area. Livestock use must comply with Chapter NR 151, Subchapter II, Wisconsin Administrative Code.
- (h) Agricultural Accessory Uses, except those uses listed as conditional uses in subd. (4) below, and subject to the following limitations and standards. The minimum lot size shall be 5 acres.
 - 1. Agricultural accessory buildings. One agricultural accessory building may be constructed on a property without a principal residence.
 - 2. Agricultural entertainment activities or special events under 10 days per calendar year in the aggregate, including incidental preparation and sale of beverages and food.
 - 3. Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities under 10 days per calendar year in the aggregate.
 - 4. The seasonal storage of recreational equipment and motor vehicles owned by private individuals other than those residing on the premises, such storage to be in accessory farm buildings existing as of January 1, 2010. The storage of a dealer's inventory or the construction of any new buildings for storage is prohibited.
 - 5. Sales of agricultural products produced on the premises.
- (i) Undeveloped natural resource and open space areas.

- (j) Utility services associated with, and accessory to, a permitted or conditional use.
- (k) A transportation, utility, communication, or other use that is:
 1. required under state or federal law to be located in a specific place, or;
 2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.
- (4) Conditional uses.
 - (a) Attached accessory dwelling units.
 - (b) Cemeteries.
 - (c) Day care centers.
 - (d) Domestic pet animal boarding. A minimum lot size of 5 acres is required for this conditional use.
 - (e) Limited Family Business. A minimum lot size of 1 acre is required for this conditional use.
 - (f) Transient or tourist lodging.
 - (g) Agricultural Accessory Uses. In addition to other requirements of this ordinance, the following uses must meet the definition of an agricultural accessory use under s. 10.004(12), and must be on parcels of at least 5 acres in area.
 1. Agricultural entertainment activities or special events occurring 10 days or more per calendar year, in aggregate.
 2. Airports, landing strips or heliports for private aircraft owned by the owner or operator of a farm.
 3. Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities, occurring 10 days or more per calendar year, in aggregate.
 4. Limited farm business.
 5. Large animal boarding.
 6. Sale of agricultural and dairy products not produced on the premises and incidental sale of non-alcoholic beverages and snacks.
 7. Sanitary facilities in agricultural accessory buildings.
 - (h) Communication towers.
 - (i) Governmental, institutional, religious, or nonprofit community uses.
 - (j) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.
 - (k) Non-metallic mineral extraction operations that comply with s. 91.46(6), Wis. Stats., s. 10.103(15) and Chapter 74. A minimum lot size of 16 acres is required for this conditional use.
 - (l) Asphalt plants or ready-mix concrete plants, that comply with s. 91.46(5), Wis. Stats., for production of material to be used in construction or maintenance of public roads, to be limited in time to project duration. A minimum lot size of 16 acres is required for this conditional use.
 - (m) Electric generating facilities, provided 100% of the production output of the facility is derived from renewable energy resources. A minimum lot size of 1 acre is required for this conditional use.
 - (n) Native wildlife rehabilitation facilities.
- (5) Lot size requirements.

Minimum lot size requirements differ based on the land use as specified below and elsewhere in this section. Note: the maximum density of development is controlled by county and local town ordinances. The maximum density of development shall not exceed the more restrictive ordinance.

 - (a) Minimum lot size – residential or open space uses. The minimum lot size shall be at least 25,000 square feet in area, excluding public rights-of-way.
 - (b) Minimum lot size – renewable energy electric generating facilities, limited family businesses. The minimum lot size shall be at least 1 acre, excluding public rights-of-way.
 - (c) Minimum lot size – agricultural and agricultural accessory uses, seasonal storage of recreational equipment, domestic pet animal boarding, and sanitary facilities in agricultural accessory buildings. The minimum lot size shall be at least 5 acres, excluding public rights-of-way.
 - (d) Minimum lot size – Non-metallic mineral extraction operations, asphalt plants or ready-mix concrete plants, and large animal boarding. The minimum lot size shall be at least 16 acres, excluding public rights-of-way.
 - (e) Maximum lot size. None.
 - (f) Minimum lot width – Agricultural uses: 250 feet width at location of agricultural accessory building.
 - (g) Minimum lot width – Residential uses: 90 feet at building setbackline.
- (6) Setbacks.
 - (a) Front yard. Any permitted structure must comply with road setbacks as described in s. 10.102(9).
 - (b) Side yards.
 1. Except as exempted in 2 below, all principal and accessory buildings must be at least 10 feet from any one side lot line with a total of at least 25 feet from both side lot lines.
 2. Accessory buildings in the rear yard that are at least 10 feet from the principal residence must be at least:
 - a. 4 feet from any side lot line on lots 90 feet or more in width, or
 - b. 2.5 feet from any side lot line on lots less than 90 feet in width
 3. Structures housing livestock must be at least:
 - a. 100 feet from the side lot line of any parcel in any of the Residential or Hamlet zoning districts
 - b. 50 feet from the side lot line of any parcel in any of the Rural Residential zoning districts, or
 - c. At least 10 feet from any other side lot line.
 - (c) Rear yard. Any permitted structures must be set back from rear property lines as follows:
 1. Principal residential buildings must be at least 50 feet from the rear lot line.

2. Uncovered decks or porches attached to a principal residence must be at least 38 feet from the rear lot line.
3. Except as detailed in 4 and 5 below, accessory buildings must be at least 10 feet from the rear lot line.
4. Accessory buildings in the rear yard that are at least 10 feet from the principal residence must be at least:
 - a. 4 feet from any rear lot line on lots 90 feet or more in width, or
 - b. 2.5 feet from any rear lot line on lots less than 90 feet in width.
5. Structures housing livestock must be at least:
 - a. 100 feet from the rear lot line of any parcel in any of the Residential or Hamlet zoning districts
 - b. 50 feet from the rear lot line of any parcel in any of the Rural Residential zoning district, or
 - c. 10 feet from any other rear lot line.
- (7) Building height.
 - (a) Residential buildings.
 1. Principal residential buildings shall not exceed a height of two and a half stories or 35 feet.
 2. Residential accessory buildings shall not exceed a height of 16 feet.
 - (b) Agricultural buildings. There is no limitation on height for agricultural buildings.
- (8) Lot coverage.
 - (a) On parcels less than 2 acres in size, no building together with its accessory buildings shall occupy in excess of thirty percent (30%) of the area of an interior lot or thirty-five percent (35%) of the area of a corner lot.
 - (b) On parcels over 2 acres in size, no building together with its accessory buildings shall occupy in excess of ten percent (10%) of the area of a lot.
- (9) Other restrictions on buildings.
 - (a) Principal buildings. There shall be no more than one principal building permitted per lot.
 - (b) Accessory buildings.
 1. There is no limitation on the number of agricultural accessory buildings in the AT-5 district.
 2. One agricultural accessory building may be constructed on property without a principal residence only if it is clearly related to a legitimate agricultural or agricultural accessory use.
 3. Except as specifically approved by conditional use permit, accessory buildings cannot have sanitary facilities. Accessory buildings cannot be used for human habitation.

10.240. Rural Residential Zoning Districts

10.241. RR-1 (Rural Residential, 1 to 2 acres) Zoning District

- (1) Purpose.

The Rural Residential 1 district is designed to:

 - (a) Provide for single-family residential principal uses and a variety of accessory or ancillary uses, including small-scale farming, appropriate to a rural setting, on relatively small parcels. The RR-1 district accommodates uses which are compatible with both residential and farming practices, are typically found in a rural location and do not require urban services.
 - (b) Such uses typically generate traffic, noise or other impacts similar to those produced by a single-family residence.
- (2) Permitted uses
 - (a) Undeveloped natural resource and open space areas.
 - (b) Small-scale farming
 - (c) Single family residential
 - (d) Residential accessory buildings
 - (e) Home occupations
 - (f) Incidental room rental
 - (g) Foster homes for less than five children
 - (h) Community living arrangements for fewer than 9 persons.
 - (i) Utility services associated with, and accessory to, a permitted or conditional use
 - (j) A transportation, utility, communication, or other use that is:
 1. required under state or federal law to be located in a specific place, or;
 2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.
- (3) Conditional uses.
 - (a) Attached accessory dwelling units
 - (b) Limited family business
 - (c) Day care centers
 - (d) Community living arrangements for nine (9) or more persons.
 - (e) Governmental, institutional, religious, or nonprofit community uses
 - (f) Transient or Tourist Lodging
 - (g) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.
- (4) Lot size requirements.
 - (a) Minimum lot size. All lots created in the RR-1 zoning district must be at least 1 acre in area, excluding public rights-of-way.

(b) Maximum lot size. All lots created in the RR-1 zoning district must be smaller than 2 acres in area, excluding public rights-of-way.

(c) Minimum lot width. All lots created in the RR-1 zoning district must have a minimum lot width of 100 feet.

(5) Setbacks and required yards.

(a) Front yard. Any permitted structure must comply with road setbacks as described in s. 10.102(9).

(b) Side yard.

1. Permitted residences must be at least a total of 25 feet from both side lot lines, and not less than 10 feet from any one side lot line.

2. Accessory buildings housing livestock must be at least:

a. 50 feet from the side lot line of any parcel in any of the Residential, Rural Residential or Hamlet zoning districts, or

b. 10 feet from any other side lot line.

3. Accessory buildings not housing livestock must be at least 10 feet from any side lot line.

(c) Rear yard.

1. Permitted residences must be at least 50 feet from the rear lot line.

2. Uncovered decks and porches attached to a permitted residence must be at least 38 feet from the rear lot line.

3. Accessory buildings housing livestock, must be at least:

a. 50 feet from the rear lot line of any parcel in any of the Residential, Rural Residential or Hamlet zoning districts, or

b. 10 feet from any other rear lot line.

4. Accessory buildings not housing livestock must be at least 10 feet from the rear lot line.

(6) Building height.

(a) Residential buildings.

1. Principal residential buildings shall not exceed a height of two and a half stories or 35 feet.

2. Residential accessory buildings shall not exceed a height of 16 feet.

(b) Agricultural buildings. There is no limitation on height for agricultural buildings.

(7) Lot coverage.

The total area of all buildings and structures must not exceed 30% of the total lot area, or 35% for corner lots, excluding public rights-of-way.

10.242. RR-2 (Rural Residential, 2 to 4 acres) Zoning District

(1) Purpose.

The Rural Residential 2 district is designed to:

(a) Provide for single-family residential principal uses and a variety of accessory or ancillary uses, including small-scale farming, appropriate to a rural setting, on compact parcels. The RR-2 district accommodates uses which are compatible with both residential and farming practices, are typically found in a rural location and do not require urban services.

(b) Such uses typically generate traffic, noise or other impacts similar to those produced by a single-family residence.

(2) Permitted uses

(a) Undeveloped natural resource and open space areas.

(b) Small-scale farming

(c) Single family residential

(d) Residential accessory buildings

(e) Home occupations

(f) Foster homes for less than five children.

(g) Community living arrangements for fewer than 9 persons.

(h) Incidental room rental

(i) Utility services associated with, and accessory to, a permitted or conditional use

(j) A transportation, utility, communication, or other use that is:

1. required under state or federal law to be located in a specific place, or;

2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

(3) Conditional uses.

(a) Attached accessory dwelling units

(b) Animal use exceeding one animal unit per acre

(c) Limited family business

(d) Day Care Centers

(e) Community living arrangements for nine (9) or more persons.

(f) Governmental, institutional, religious, or nonprofit community uses

(g) Transient or Tourist Lodging

(h) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.

(4) Lot size requirements.

(a) Minimum lot size. All lots created in the RR-2 zoning district must be at least 2 acres in area, excluding public rights-of-way.

(b) Maximum lot size. All lots created in the RR-2 zoning district must be smaller than 4 acres in area, excluding public rights-of-way.

(c) Minimum lot width. All lots created in the RR-2 zoning district must have a minimum lot width of 100 feet.

(5) Setbacks and required yards.

(a) Front yard. Any permitted structure must comply with road setbacks as described in s. 10.102(9).

(b) Side yard.

1. Permitted residences must be at least a total of 25 feet from both side lot lines, and not less than 10 feet from any one side lot line.

2. Accessory buildings housing livestock must be at least:

a. 50 feet from the side lot line of any parcel in any of the Residential, Rural Residential or Hamlet zoning districts, or

b. 10 feet from any other side lot line.

3. Accessory buildings not housing livestock must be at least 10 feet from any side lot line.

(c) Rear yard.

1. Permitted residences must be at least 50 feet from the rear lot line.

2. Uncovered decks and porches attached to a permitted residence must be at least 38 feet from the rear lot line.

3. Accessory buildings housing livestock, must be at least:

a. 50 feet from the rear lot line of any parcel in any of the Residential, Rural Residential or Hamlet zoning districts, or

b. 10 feet from any other rear lot line.

4. Accessory buildings not housing livestock must be at least 10 feet from the rear lot line.

(6) Building height.

(a) Residential buildings.

1. Principal residential buildings shall not exceed a height of two and a half stories or 35 feet.

2. Residential accessory buildings shall not exceed a height of 35 feet.

(b) Agricultural buildings. There is no limitation on height for agricultural buildings.

(7) Lot coverage.

The total area of all buildings and structures must not exceed 10% of the total lot area, excluding public rights-of-way.

10.243. RR-4 (Rural Residential, 4 to 8 acres) Zoning District

(1) Purpose.

The Rural Residential 4 district is designed to:

(a) Provide for single-family residential principal uses and a variety of accessory or ancillary uses, including small-scale farming, appropriate to a rural setting, on moderately-sized parcels. The RR-4 district accommodates uses which are compatible with both residential and farming practices, are typically found in a rural location and do not require urban services.

(b) Such uses typically generate traffic, noise or other impacts similar to those produced by a single-family residence.

(2) Permitted uses

(a) Undeveloped natural resource and open space areas.

(b) Small-scale farming

(c) Single family residential

(d) Residential accessory buildings

(e) Home occupations

(f) Foster homes for less than five children

(g) Community living arrangements for fewer than 9 persons.

(h) Incidental room rental

(i) Utility services associated with, and accessory to, a permitted or conditional use

(j) A transportation, utility, communication, or other use that is:

1. required under state or federal law to be located in a specific place, or;

2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

(3) Conditional uses.

(a) Attached accessory dwelling units

(b) Animal use exceeding one animal unit per acre

(c) Limited family business

(d) Day Care Centers

(e) Community living arrangements for nine (9) or more persons.

(f) Governmental, institutional, religious, or nonprofit community uses

(g) Transient or Tourist Lodging

(h) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.

(4) Lot size requirements.

(a) Minimum lot size. All lots created in the RR-4 zoning district must be at least 4 acres in area, excluding public rights-of-way.

(b) Maximum lot size. All lots created in the RR-4 zoning district must be smaller than 8 acres in area, excluding public rights-of-way.

(c) Minimum lot width. All lots created in the RR-4 zoning district must have a minimum lot width of 100 feet.

(5) Setbacks and required yards.

(a) Front yard. Any permitted structure must comply with road setbacks as described in s. 10.102(9).

(b) Side yard.

1. Permitted residences must be at least a total of 25 feet from both side lot lines, and not less than 10 feet from any one side lot line.

2. Accessory buildings housing livestock must be at least:

a. 50 feet from the side lot line of any parcel in any of the Residential, Rural Residential or Hamlet zoning districts, or

b. 10 feet from any other side lot line.

3. Accessory buildings not housing livestock must be at least 10 feet from any side lot line.

(c) Rear yard.

1. Permitted residences must be at least 50 feet from the rear lot line.

2. Uncovered decks and porches attached to a permitted residence must be at least 38 feet from the rear lot line.

3. Accessory buildings housing livestock, must be at least:

a. 50 feet from the rear lot line of any parcel in any of the Residential, Rural Residential or Hamlet zoning districts, or

b. 10 feet from any other rear lot line.

4. Accessory buildings not housing livestock must be at least 10 feet from the rear lot line.

(6) Building height.

(a) Residential buildings.

1. Principal residential buildings shall not exceed a height of two and a half stories or 35 feet.

2. Residential accessory buildings shall not exceed a height of 35 feet.

(b) Agricultural buildings. There is no limitation on height for agricultural buildings.

(7) Lot coverage.

The total area of all buildings and structures must not exceed 10% of the total lot area, excluding public rights-of-way.

10.244. RR-8 (Rural Residential, 8 to 16 acres) Zoning District

(1) Purpose.

The Rural Residential 8 district is designed to:

(a) Provide for single-family residential principal uses and a variety of accessory or ancillary uses, including small-scale farming, appropriate to a rural setting, on relatively large residential parcels. The RR-8 district accommodates uses which are compatible with both residential and farming practices, are typically found in a rural location and do not require urban services.

(b) Such uses typically generate traffic, noise or other impacts similar to those produced by a single-family residence.

(2) Permitted uses.

(a) Undeveloped natural resource and open space areas.

(b) Small-scale farming

(c) Single family residential

(d) Residential accessory buildings

(e) Home occupations

(f) Foster homes for less than five children

(g) Community living arrangements for fewer than 9 persons.

(h) Incidental room rental

(i) Utility services associated with, and accessory to, a permitted or conditional use

(j) A transportation, utility, communication, or other use that is:

1. required under state or federal law to be located in a specific place, or;

2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

(3) Conditional uses.

(a) Attached accessory dwelling units

(b) Animal use exceeding one animal unit per acre

(c) Limited family business

(d) Day Care Centers

(e) Community living arrangements for nine (9) or more persons.

(f) Governmental, institutional, religious, or nonprofit community uses

(g) Property maintenance sheds.

(h) Transient or Tourist Lodging

(i) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.

(4) Lot size requirements.

(a) Minimum lot size. All lots created in the RR-8 zoning district must be at least 8 acres in area, excluding public rights-of-way.

(b) Maximum lot size. All lots created in the RR-8 zoning district must be smaller than 16 acres in area, excluding public rights-of-way.

(c) Minimum lot width. All lots created in the RR-8 zoning district must have a minimum lot width of 100 feet.

- (5) Setbacks and required yards.
 - (a) Front yard. Any permitted structure must comply with road setbacks as described in s. 10.102(9).
 - (b) Side yard.
 - 1. Permitted residences must be at least a total of 25 feet from both side lot lines, and not less than 10 feet from any one side lot line.
 - 2. Accessory buildings housing livestock must be at least:
 - a. 50 feet from the side lot line of any parcel in any of the Residential, Rural Residential or Hamlet zoning districts, or
 - b. 10 feet from any other side lot line.
 - 3. Accessory buildings not housing livestock must be at least 10 feet from any side lot line.
 - (c) Rear yard.
 - 1. Permitted residences must be at least 50 feet from the rear lot line.
 - 2. Uncovered decks and porches attached to a permitted residence must be at least 38 feet from the rear lot line.
 - 3. Accessory buildings housing livestock, must be at least:
 - a. 50 feet from the rear lot line of any parcel in any of the Residential, Rural Residential or Hamlet zoning districts, or
 - b. 10 feet from any other rear lot line.
 - 4. Accessory buildings not housing livestock must be at least 10 feet from the rear lot line.
- (6) Building height.
 - (a) Residential buildings.
 - 1. Principal residential buildings shall not exceed a height of two and a half stories or 35 feet.
 - 2. Residential accessory buildings shall not exceed a height of 35 feet.
 - (b) Agricultural buildings. There is no limitation on height for agricultural buildings.
- (7) Lot coverage.

The total area of all buildings and structures must not exceed 10% of the total lot area, excluding public rights-of-way.

10.250. Residential Zoning Districts

10.251. SFR-08 (Single-Family Residential, small lots) Zoning District

- (1) Purpose.

The Single Family Residential 08 district is designed to:

 - (a) Provide for single-family residential principal uses, compatible home occupations, and residential accessory buildings, appropriate to a compact neighborhood setting, on relatively small parcels. The SFR- 08 district accommodates uses which are compatible with residential uses, are typically found in a suburban or residential neighborhood and may or may not be on public sewer.
 - (b) Such uses typically generate traffic, noise or other impacts similar to those produced by a single-family residence.
- (2) Permitted uses.
 - (a) Undeveloped natural resource and open space areas.
 - (b) Agricultural uses, except as listed below, lawfully existing as of December 31, 2015.
 - 1. Exceptions. Livestock uses lawfully existing as of December 31, 2015, shall be considered a nonconforming use under s. 10.102(7)(b).
 - (c) Single family residential
 - (d) Residential accessory buildings up to 12 feet in height
 - (e) Domestic fowl and beekeeping
 - (f) Foster homes for less than five children
 - (g) Community living arrangements for fewer than 9 persons.
 - (h) Home occupations
 - (i) Incidental room rental
 - (j) Undeveloped natural resource and open space use.
 - (k) Utility services associated with, and accessory to, a permitted or conditional use
 - (l) A transportation, utility, communication, or other use that is:
 - 1. required under state or federal law to be located in a specific place, or;
 - 2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.
- (3) Conditional uses.
 - (a) Accessory buildings between 12 and 16 feet in height.
 - (b) Attached accessory dwelling units
 - (c) Community living arrangements for nine (9) or more persons.
 - (d) Day Care Centers
 - (e) Governmental, institutional, religious, or nonprofit community uses
 - (f) Transient or tourist lodging
 - (g) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.
- (4) Lot dimensions.
 - (a) Lots on public sewer.

1. Minimum lot size. All lots must be at least 8,000 square feet in area, excluding public rights-of-way.
2. Minimum lot width. All lots must be at least 60 feet wide.
- (b) Lots not on public sewer.
 1. Minimum lot size. All lots must be at least 20,000 square feet in area, excluding public rights-of-way.
 2. Minimum lot width. All lots must be at least 100 feet wide.
- (5) Setbacks and required yards.
 - (a) Front yard. Any permitted structure must comply with road setbacks as described in s. 10.102(9).
 - (b) Side yard.
 1. Except as exempted in 2 below, all principal and accessory buildings must be at least 10 feet from any one side lot line.
 2. Accessory buildings in the rear yard that are at least 10 feet from the principal residence must be at least:
 - a. 4 feet from any side lot line on lots 60 feet or more in width, or
 - b. 2.5 feet from any side lot line on lots less than 60 feet in width
 - (c) Rear yard.
 1. Permitted residences must be at least 50 feet from the rear lot line.
 2. Uncovered decks and porches attached to a permitted residence must be at least 38 feet from the rear lot line.
 3. Except as exempted in 4 below, accessory buildings must be at least 10 feet from the rear lot line.
 4. Accessory buildings in the rear yard that are at least 10 feet from the principal residence must be at least:
 - a. 4 feet from any rear lot line on lots 60 feet or more in width, or
 - b. 2.5 feet from any rear lot line on lots less than 60 feet in width.
- (6) Building height.
 - (a) Principal buildings. Residential buildings shall not exceed two and a half stories or 35 feet in height.
 - (b) Accessory buildings. Unless under an approved conditional use permit under s. 10.251(3)(a), residential accessory buildings shall not exceed 12 feet in height.
- (7) Lot coverage and building area.
 - (a) The total area of all buildings and structures must not exceed:
 1. Interior lots: 35% of the total lot area, excluding public rights-of-way.
 2. Corner lots: 40% of the total lot area, excluding public rights-of-way.

10.252. Accessory buildings cannot exceed 100% of the area of the footprint of the principal residence. SFR-1 (Single-Family Residential, 1 to 2 acres) Zoning District

- (1) Purpose.

The Single Family Residential 1 district is designed to:

 - (a) Provide for single-family residential principal uses, compatible home occupations, and residential accessory buildings, appropriate to a suburban or rural subdivision setting, on lot sizes of one to two acres. The SFR-1 district accommodates uses which are compatible with residential uses, are typically found in a suburban neighborhood.
 - (b) Such uses typically generate traffic, noise or other impacts similar to those produced by a single-family residence.
- (2) Permitted uses.
 - (a) Undeveloped natural resource and open space areas.
 - (b) Agricultural uses, except as listed below, lawfully existing as of December 31, 2015
 1. Exceptions. Livestock uses lawfully existing as of December 31, 2015, shall be considered a nonconforming use under s. 10.102(7)(b).
 - (c) Single family residential
 - (d) Residential accessory buildings
 - (e) Domestic fowl and beekeeping
 - (f) Home occupations
 - (g) Foster homes for less than five children
 - (h) Community living arrangements for fewer than 9 persons.
 - (i) Incidental room rental
 - (j) Utility services associated with, and accessory to, a permitted or conditional use
 - (k) A transportation, utility, communication, or other use that is:
 1. required under state or federal law to be located in a specific place, or;
 2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.
- (3) Conditional uses.
 - (a) Attached accessory dwelling units
 - (b) Day Care Centers
 - (c) Community living arrangements for nine (9) or more persons.
 - (d) Governmental, institutional, religious, or nonprofit community uses
 - (e) Transient or Tourist Lodging
 - (f) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.
- (4) Lot dimensions.
 - (a) Minimum lot size. All lots must be at least one acre in area, excluding public rights-of-way. Minimum lot width. All lots must be

at least 100 feet wide.

(5) Setbacks and required yards.

(a) Front yard. Any permitted structure must comply with road setbacks as described in s. 10.102(9).

(b) Side yard.

1. Except as exempted in 2 below, all principal and accessory buildings must be at least 10 feet from any one side lot line.

2. Accessory buildings in the rear yard that are at least 10 feet from the principal residence must be at least:

a. 4 feet from any side lot line on lots 60 feet or more in width, or

b. 2.5 feet from any side lot line on lots less than 60 feet in width

(c) Rear yard.

1. Permitted residences must be at least 50 feet from the rear lot line.

2. Uncovered decks and porches attached to a permitted residence must be at least 38 feet from the rear lot line.

3. Except as exempted in 4 below, accessory buildings must be at least 10 feet from the rear lot line.

4. Accessory buildings in the rear yard that are at least 10 feet from the principal residence must be at least:

a. 4 feet from any rear lot line on lots 60 feet or more in width, or

b. 2.5 feet from any rear lot line on lots less than 60 feet in width.

(6) Building height.

(a) Principal buildings. Residential buildings shall not exceed two and a half stories or 35 feet in height.

(b) Accessory buildings. Accessory buildings shall not exceed 16 feet in height.

(7) Lot coverage and building area.

(a) The total area of all buildings and structures must not exceed:

1. Interior lots: 35% of the total lot area, excluding public rights-of-way.

2. Corner lots: 40% of the total lot area, excluding public rights-of-way.

(b) Accessory buildings cannot exceed 100% of the area of the footprint of the principal building.

10.253. SFR-2 (Single-Family Residential, 2 to 4 acres) Zoning District

(1) Purpose.

The Single Family Residential 2 district is designed to:

(a) Provide for single-family residential principal uses, compatible home occupations, and residential accessory buildings, appropriate to a suburban or rural subdivision setting, on lot sizes of two to four acres. The SFR-2 district accommodates uses which are compatible with residential uses, are typically found in a suburban neighborhood.

(b) Such uses typically generate traffic, noise or other impacts similar to those produced by a single-family residence.

(2) Permitted uses.

(a) Undeveloped natural resource and open space areas.

(b) Agricultural uses, except as listed below, lawfully existing as of December 31, 2015.

1. Exceptions. Livestock uses lawfully existing as of December 31, 2015, shall be considered a nonconforming use under s. 10.102(7)(b).

(c) Single family residential

(d) Residential accessory buildings

(e) Domestic fowl and beekeeping

(f) Home occupations

(g) Foster homes for less than five children

(h) Community living arrangements for fewer than 9 persons.

(i) Incidental room rental

(j) Utility services associated with, and accessory to, a permitted or conditional use

(k) A transportation, utility, communication, or other use that is:

1. required under state or federal law to be located in a specific place, or;

2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

(3) Conditional uses.

(a) Attached accessory dwelling units

(b) Day Care Centers

(c) Community living arrangements for nine (9) or more persons.

(d) Governmental, institutional, religious, or nonprofit community uses

(e) Transient or Tourist Lodging

(f) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.

(4) Lot dimensions.

(a) Minimum lot size. All lots must be at least two acres in area, excluding public rights-of-way.

(b) Minimum lot width. All lots must be at least 100 feet wide.

(5) Setbacks and required yards.

(a) Front yard. Any permitted structure must comply with road setbacks as described in s. 10.102(9).

(b) Side yard.

1. Except as exempted in 2 below, all principal and accessory buildings must be at least 10 feet from any one side lot line.
2. Accessory buildings in the rear yard that are at least 10 feet from the principal residence must be at least:
 - a. 4 feet from any side lot line on lots 60 feet or more in width, or
 - b. 2.5 feet from any side lot line on lots less than 60 feet in width
- (c) Rear yard.
 1. Permitted residences must be at least 50 feet from the rear lot line.
 2. Uncovered decks and porches attached to a permitted residence must be at least 38 feet from the rear lot line.
 3. Except as exempted in 4 below, accessory buildings must be at least 10 feet from the rear lot line.
 4. Accessory buildings in the rear yard that are at least 10 feet from the principal residence must be at least:
 - a. 4 feet from any rear lot line on lots 60 feet or more in width, or
 - b. 2.5 feet from any rear lot line on lots less than 60 feet in width.

(6) Building height.

- (a) Principal buildings. Residential buildings shall not exceed two and a half stories or 35 feet in height.
- (b) Accessory buildings. Accessory buildings shall not exceed 16 feet in height.

(7) Lot coverage and building area.

- (a) The total area of all buildings and structures must not exceed:
 1. Interior lots: 35% of the total lot area, excluding public rights-of-way.
 2. Corner lots: 40% of the total lot area, excluding public rights-of-way.
- (b) Accessory buildings cannot exceed 100% of the area of the footprint of the principal building.

10.254. TFR-08 (Two-Family Residential) Zoning District

(1) Purpose.

The Two Family Residential 08 district is designed to:

- (a) Provide for single-family or duplex residential principal uses, compatible home occupations, and residential accessory buildings, appropriate to a compact neighborhood setting, on relatively small parcels. The TFR-08 district accommodates uses which are compatible with residential uses, are typically found in a suburban or residential neighborhood and may or may not be on public sewer.
- (b) Such uses typically generate traffic, noise or other impacts similar to those produced by a single-family residence.

(2) Permitted uses.

- (a) Undeveloped natural resource and open space areas.
- (b) Single family residential
- (c) Duplexes
- (d) Attached accessory dwelling units
- (e) Residential accessory buildings
- (f) Domestic fowl and beekeeping
- (g) Home occupations
- (h) Foster homes for less than five children
- (i) Community living arrangements for fewer than 9 persons.
- (j) Incidental room rental
- (k) Utility services associated with, and accessory to, a permitted or conditional use
- (l) A transportation, utility, communication, or other use that is:
 1. required under state or federal law to be located in a specific place, or;
 2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

(3) Conditional uses.

- (a) Accessory buildings between 12 and 16 feet in height.
- (b) Community living arrangements for nine (9) or more persons.
- (c) Day Care Centers
- (d) Detached accessory dwelling units
- (e) Governmental, institutional, religious, or nonprofit community uses
- (f) Transient or Tourist Lodging
- (g) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.

(4) Lot dimensions.

- (a) Lots on public sewer.
 1. Minimum lot size. All lots must be at least 8,000 square feet in area, excluding public rights-of-way.
 2. Minimum lot width. All lots must be at least 60 feet wide.
- (a) Lots not on public sewer.
 1. Minimum lot size. All lots must be at least 20,000 square feet in area, excluding public rights-of-way.
 2. Minimum lot width. All lots must be at least 100 feet wide.

(5) Setbacks and required yards.

- (a) Front yard. Any permitted structure must comply with road setbacks as described in s. 10.102(9).

(b) Side yard.

1. Except as exempted in 2 below, all principal and accessory buildings must be at least 10 feet from any one side lot line.
2. Accessory buildings in the rear yard that are at least 10 feet from the principal residence must be at least:
 - a. 4 feet from any side lot line on lots 60 feet or more in width, or
 - b. 2.5 feet from any side lot line on lots less than 60 feet in width

(c) Rear yard.

1. Permitted residences must be at least 25 feet from the rear lot line.
2. Uncovered decks and porches attached to a permitted residence must be at least 13 feet from the rear lot line.
3. Except as exempted in 4 below, accessory buildings must be at least 10 feet from the rear lot line.
4. Accessory buildings in the rear yard that are at least 10 feet from the principal residence must be at least:
 - a. 4 feet from any rear lot line on lots 60 feet or more in width, or
 - b. 2.5 feet from any rear lot line on lots less than 60 feet in width.

(6) Building height.

- (a) Principal buildings. Residential buildings shall not exceed two and a half stories or 35 feet in height.
- (b) Accessory buildings. Unless under an approved conditional use permit under s. 10.254(3)(a), accessory buildings shall not exceed 12 feet in height.

(7) Lot coverage and building area.

- (a) The total area of all buildings and structures must not exceed:
 1. Interior lots: 35% of the total lot area, excluding public rights-of-way.
 2. Corner lots: 40% of the total lot area, excluding public rights-of-way.
 - (b) Accessory buildings cannot exceed 100% of the area of the footprint of the principal building.
- 10.255. MFR-08 (Multi-Family Residential) Zoning District

(1) Purpose.

The Multi-Family Residential 08 district is designed to:

- (a) Provide for single-family, duplex or multifamily residential principal uses, compatible home occupations, and residential accessory buildings, appropriate to a compact neighborhood setting, on relatively small parcels. The MFR-08 district accommodates uses which are compatible with residential uses, are typically found in a relatively dense neighborhood and may or may not be on public sewer.
- (b) Such uses typically generate traffic, noise or other impacts similar to those produced by a multi-family residence.

(2) Permitted uses

- (a) Undeveloped natural resource and open space areas.
- (b) Single family residential
- (c) Attached or detached accessory dwelling units
- (d) Duplexes
- (e) Multiple family dwellings and condominiums
- (f) Residential accessory buildings
- (g) Foster homes for less than five children
- (h) Community living arrangements for any number of persons.
- (i) Incidental room rental
- (j) Transient or Tourist Lodging
- (k) Home occupations
- (l) Utility services associated with, and accessory to, a permitted or conditional use
- (m) A transportation, utility, communication, or other use that is:
 1. required under state or federal law to be located in a specific place, or;
 2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

(3) Conditional uses.

- (a) Accessory buildings between 12 and 16 feet in height.
- (b) Day Care Centers
- (c) Governmental, institutional, religious, or nonprofit community uses
- (d) Manufactured home communities, subject to s. 10.103(14)
- (e) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.

(4) Lot dimensions.

- (a) Lots on public sewer.
 1. Minimum lot size. All lots must be at least 8,000 square feet in area, excluding public rights-of-way.
 2. Minimum lot width. All lots must be at least 60 feet wide.
- (b) Lots not on public sewer.
 1. Minimum lot size. All lots must be at least 20,000 square feet in area, excluding public rights-of-way.
 2. Minimum lot width. All lots must be at least 100 feet wide.

(5) Setbacks and required yards.

- (a) Front yard.

1. Any permitted structure must comply with road setbacks as described in s. 10.102(9)
2. Multiple family dwelling buildings located in the interior of a complex shall provide a front yard of not less than 15 feet, each building shall be provided with its own front yard area irrespective of the yards required for other buildings.
- (b) Side yard.
 1. Except as exempted in 2 below, all principal and accessory buildings must be at least 10 feet from any one side lot line.
 2. Accessory buildings in the rear yard that are at least 10 feet from the principal residence must be at least:
 - a. 4 feet from any side lot line on lots 60 feet or more in width, or
 - b. 2.5 feet from any side lot line on lots less than 60 feet in width
- (c) Rear yard.
 1. Permitted residences must be at least 25 feet from the rear lot line.
 2. Uncovered decks and porches attached to a permitted residence must be at least 13 feet from the rear lot line.
 3. Except as exempted in 4 below, accessory buildings must be at least 10 feet from the rear lot line.
 4. Accessory buildings in the rear yard that are at least 10 feet from the principal residence must be at least:
 - a. 4 feet from any rear lot line on lots 60 feet or more in width, or
 - b. 2.5 feet from any rear lot line on lots less than 60 feet in width.
- (6) Building height.
 - (a) Principal buildings. Residential buildings shall not exceed two and a half stories or 35 feet in height.
 - (b) Accessory buildings. Unless under an approved conditional use permit under s. 10.255(3)(a), accessory buildings shall not exceed 12 feet in height.
- (7) Lot coverage and building area.
 - (a) The total area of all buildings and structures must not exceed:
 1. Interior lots: 35% of the total lot area, excluding public rights-of-way.
 2. Corner lots: 40% of the total lot area, excluding public rights-of-way.
 - (b) Accessory buildings cannot exceed 100% of the area of the footprint of the principal building.

10.260. Hamlet Zoning Districts

(1) Principles of Traditional Neighborhood Design.

The Hamlet Design zoning districts are intended to accommodate existing or new developments, or redevelopments that have the following characteristics:

- (a) Compact and walkable. Neighborhoods should be compact enough to encourage development of pedestrian connections and destinations without excluding automobiles.
- (b) A hierarchy of interconnected streets. Streets and roads function as a connected network, dispersing traffic and offering a variety of pedestrian and vehicular routes to any destination while connecting and integrating the neighborhood with surrounding communities.
- (c) An identifiable neighborhood/community center and edges. A center that includes public spaces—such as a square, green or important street intersection—and public buildings—such as a library, church or community center, transit stop and retail businesses—provides a civic focus and informal place of gathering; and edges that promote neighborhood identity.
- (d) A variety of housing choices within the same neighborhood. The neighborhood includes a variety of dwelling types so that younger and older people, singles and families, of varying income levels may find places to live.
- (e) A diverse mix of activities (residences, shops, schools, workplaces and parks, etc.) occur in proximity. Many activities of daily living should occur within walking distance, allowing independence to those who do not drive and adding to neighborhood vitality.
- (f) A range of transportation options. Streets are designed to promote the safe and efficient use by walkers, bikers, drivers and transit rider
- (g) Pedestrian-friendly. Features such as safe, attractive and comfortable streets and public spaces promote walking as a viable option to auto trips.
- (h) Open spaces, greens, parks, accessible and convenient to all. Significant cultural and environmental features are incorporated into the design of the development for the use, benefit, and enjoyment of the entire community. A range of parks, from tot-lots and village greens to ballfields and community gardens, are distributed within neighborhoods.

10.261. HAM-R (Hamlet Residential) Zoning District

(1) Purpose.

The HAM-R district is intended to accommodate new or existing development, or redevelopment, on relatively small lots, with buildings close to the street. It includes a mix of single-family, two-family and multifamily residential and civic uses in compact blocks laid out in a traditional grid pattern. Many older residential neighborhoods typify the characteristics of a HAM-R district.

(2) Permitted uses.

- (a) Undeveloped natural resource and open space areas.
- (b) Single family residential
- (c) Duplexes
- (d) Attached accessory dwelling units
- (e) Residential accessory buildings
- (f) Foster homes for less than five children licensed under s. 48.62, Wis. Stats.
- (g) Home occupations
- (h) Domestic fowl and beekeeping

- (i) Incidental room rental.
 - (j) Community living arrangements for less than nine persons.
 - (k) Governmental, institutional, religious, or nonprofit community uses
 - (l) Utility services associated with, and accessory to, a permitted or conditional use
 - (m) Undeveloped natural resource and open space areas.
 - (n) A transportation, utility, communication, or other use that is:
 1. required under state or federal law to be located in a specific place, or;
 2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.
- (3) Conditional uses.
- (a) Detached accessory dwelling units.
 - (b) Multiple family dwellings and condominiums
 - (c) Day care centers
 - (d) Community living arrangements for more than nine persons.
 - (e) Institutional residential
 - (f) Principal buildings more than two and a half stories tall
 - (g) Accessory buildings between 12 and 16 feet in height.
 - (h) Limited family businesses
 - (i) Reduction of side lot setback to less than 10 feet total.
 - (j) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.
- (4) Lot dimensions.
- (a) Lots on public sewer.
 1. Minimum lot size. All new lots must be at least 5,000 square feet in area, excluding public rights-of-way.
 2. Maximum lot size. All new lots must be smaller than 10,000 square feet in area, excluding public rights of way.
 3. Minimum lot width. All new lots must be at least 50 feet wide.
 - (b) Lots not on public sewer.
 1. Minimum lot size. All new lots must be at least 20,000 square feet in area, excluding public rights-of-way.
 2. Maximum lot size. All new lots must be smaller than 40,000 square feet in area, excluding public rights-of-way.
 3. Minimum lot width. All new lots must be at least 100 feet wide.
- (5) Setbacks and required yards.
- (a) Front yard.
 1. For newly created lots, or existing lots lacking an existing pattern of development as described in 2., below, all new structures must be at least 20 feet from the right-of-way line.
 2. In lots or platted subdivisions created before (insert date) where a building line shall have been established by the construction of buildings on 30 percent of the lots in any one(1) block, such established setback line shall be the setback for that block, but in no event shall such setback be less than 5 feet.
 - (b) Side yard. Unless exempted by conditional use permit:
 1. All structures must be at least a total of 10 feet from both side lot lines.
 2. Structures may be built at a zero setback from one side lot line, provided the setback from the opposite side lot line is at least 10 feet.
 - (c) Rear yard.
 1. Permitted residences must be at least 16 feet from the rear lot line.
 2. Uncovered decks and porches attached to a permitted residence must be at least 8 feet from the rear lot line.
 3. Accessory buildings must be at least 6 feet from any rear lot line.
- (6) Building height.
- (a) Principal buildings. Unless authorized by conditional use permit, principal buildings shall not exceed 35 feet in height or two and one-half (2-1/2) stories, whichever is less.
 - (b) Accessory buildings. Unless authorized by conditional use permit, accessory buildings shall not exceed 12 feet in height.
- (7) Lot coverage.
- The total building footprint of residential buildings and residential accessory buildings shall not exceed 60 percent of the lot area.

10.262. HAM-M (Hamlet – Mixed-Use) Zoning District

(1) Purpose.

The HAM-M Hamlet-Mixed-Use District accommodates a variety of commercial activities in conjunction with civic open spaces and buildings. It is a denser, fully-mixed use part of a community. Within the HAM-M district, the predominant land and building use is commercial, but may include residential and workplace uses in deference to the purpose and character of local commercial activities. It is typically located along an important street. Many older traditional downtown or neighborhood commercial districts typify the characteristics of a HAM-M district.

(2) Permitted uses

- (a) Undeveloped natural resource and open space areas.
- (b) Single family residential

- (c) Duplexes
 - (d) Attached accessory dwelling units
 - (e) Residential accessory buildings
 - (f) Home occupations
 - (g) Foster homes for less than five children licensed under s. 48.62, Wis. Stats.
 - (h) Indoor Sales.
 - (i) Incidental room rental
 - (j) Community living arrangements for less than nine persons.
 - (k) Personal or Professional Service
 - (l) Office uses.
 - (m) Governmental, institutional, religious, or nonprofit community uses.
 - (n) Utility services associated with, and accessory to, a permitted or conditional use
 - (o) Transient or Tourist Lodging
 - (p) Active or passive recreational uses.
 - (q) A transportation, utility, communication, or other use that is:
 1. required under state or federal law to be located in a specific place, or;
 2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.
- (3) Conditional Uses.
- (a) Detached accessory dwelling units.
 - (b) Multiple family dwellings and condominiums
 - (c) Institutional Residential
 - (d) Automotive services.
 - (e) Indoor entertainment or assembly
 - (f) Outdoor entertainment
 - (g) Limited family business
 - (h) Principal commercial buildings which have more than four (4) stories, or more than 10,000 square feet of interior floor space devoted to business or commercial use.
 - (i) Residential accessory buildings between 12 and 16 feet in height.
 - (j) Reduction of side lot setback to less than 10 feet total.
 - (k) Commercial Indoor Lodging.
 - (l) Outdoor sales events
 - (m) Day care centers
 - (n) Community living arrangements for nine (9) or more persons.
 - (o) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.
- (4) Lot dimensions.
- (a) Lots on public sewer.
 1. Minimum lot size. All new lots must be at least 5,000 square feet in area, excluding public rights-of-way.
 2. Maximum lot size. All new lots must be smaller than 10,000 square feet in area, excluding public rights of way.
 3. Minimum lot width. All new lots must be at least 50 feet wide.
 - (b) Lots not on public sewer.
 4. Minimum lot size. All new lots must be at least 20,000 square feet in area, excluding public rights-of-way.
 5. Maximum lot size. All new lots must be smaller than one acre in area, excluding public rights-of-way.
 6. Minimum lot width. All new lots must be at least 100 feet wide.
- (5) Setbacks and required yards.
- (a) Front yard.
 1. For newly created lots, or existing lots lacking an existing pattern of development as described in 2., below, all new structures must be at least 20 feet from the right-of-way line.
 2. In lots or platted subdivisions created before (insert date) where a building line shall have been established by the construction of buildings on 30 percent of the lots in any one(1) block, such established setback line shall be the setback for that block, but in no event shall such setback be less than 5 feet.
 - (b) Side yard. Unless exempted by conditional use permit:
 1. All structures must be at least a total of 10 feet from both side lot lines.
 2. Structures may be built at a zero setback from one side lot line, provided the setback from the opposite side lot line is at least 10 feet.
 - (c) Rear yard.
 1. Permitted residences must be at least 16 feet from the rear lotline.
 2. Uncovered decks and porches attached to a permitted residence must be at least 8 feet from the rear lot line.
 3. Accessory buildings must be at least 6 feet from any rear lotline.
- (6) Building height and area limitations.
- (a) Commercial buildings. Unless authorized by conditional use permit, commercial buildings shall not exceed 10,000 square feet in total floor area and shall not exceed 70 feet in height or four and one-half (4 ½) stories, whichever is less.
 - (b) Residential buildings.

1. Principal buildings. Principal residential buildings shall not exceed 35 feet in height or two and one-half (2-1/2) stories, whichever is less.
2. Accessory residential buildings. Unless authorized by conditional use permit, residential accessory buildings shall not exceed 12 feet in height.

(7) Lot coverage.

The total building footprint of commercial buildings, residential buildings and residential accessory buildings shall not exceed 60 percent of the lot area.

10.270. Commercial Zoning Districts

(1) Provisions applicable to all Commercial Districts

- (a) Site plan. All petitions to rezone to any Commercial zoning district, and any application for a zoning permit or conditional use permit within an existing Commercial zoning district must be accompanied by an approved site plan as described in s. 10.101(6).
- (b) Off-street parking. Off-street parking shall be provided as required in s. 10.102(8).
- (c) Screening. For commercial uses within 100 feet of any residence, screening must be provided as required in s. 10.102(12).
- (d) Stormwater. The Zoning Administrator may not issue a zoning permit for any development in any commercial district until the Department of Land and Water Resources issues a Stormwater Management permit for the project under Chapter 14, Dane County Code.

10.271. LC (Limited Commercial) Zoning District

(1) Purpose.

(a) The Limited Commercial Zoning District is intended for small commercial uses that may need to locate in predominantly rural areas due to their often large service areas and their need for larger lot sizes. In appearance and operation, such uses are often similar to agricultural uses and are therefore more suitable to a rural area.

(b) Such uses include, but are not limited to, contractor, transportation, building trades and landscaping operations, which may have

1. Outdoor stockpiles of materials;
2. Storage and maintenance of large construction or transportation equipment;
3. Early morning activity, and;
4. Large, utilitarian buildings.

(c) Limited commercial uses:

1. Have no retail sales;
2. Do not create high traffic volume, and;
3. Have limited outdoor lighting and signage.

(2) Permitted Uses.

- (a) Agricultural accessory uses. Livestock is not permitted.
- (b) Agricultural uses. Livestock is not permitted.
- (c) Contractor, landscaping or building trade operations.
- (d) Indoor storage and repair.
- (e) Incidental Parking for employees, consistent with s. 10.102(8).
- (f) Office uses, the number on site employees is limited to no more than six (6).
- (g) Storage of no more than 12 total vehicles and pieces of construction equipment.
- (h) A transportation, utility, communication, or other use that is:
 1. required under state or federal law to be located in a specific place, or;
 2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.
- (i) Undeveloped natural resource and open space areas.
- (j) Utility services associated with, and accessory to, a permitted or conditional use.

(3) Conditional Uses.

- (a) Caretaker's residence.
- (b) Communication towers.
- (c) Governmental, institutional, religious, or nonprofit community uses
- (d) Light Industrial.
- (e) Outdoor Storage.
- (f) Storage of more than 12 total vehicles and pieces of construction equipment.
- (g) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.

(4) Building height and area limitations.

- (a) Buildings shall not exceed 35 feet in height or two and one-half stories, whichever is less.
- (5) Commercial buildings shall not exceed 10,000 square feet in total floor area. Lot dimensions.
- (c) Minimum lot area. Lots shall be not less than 20,000 square feet of lot area.
- (d) Maximum lot area. Lots shall not exceed 5 acres in area.
- (e) Minimum lot width. Lots must be at least 100 feet wide.

(6) Setbacks and required yards.

(a) Front yards. Construction equipment, vehicles, or material shall not be stored between the building setback line and the front lot line of any lot.

(b) Side yards. The minimum width for any side yard shall not be less than 10 feet for any building.

(c) Rear yards.

1. For buildings used for commercial purposes and residential accessory buildings the minimum rear yard shall be not less than 10 feet.

2. For residential buildings the minimum rear yard shall be not less than 25 feet.

(7) Lot coverage.

The total building footprint of commercial buildings, residential buildings and residential accessory buildings shall not exceed 35 percent of the lot area.

10.272. GC (General Commercial) Zoning District**(1) Purpose.**

(a) The General Commercial Zoning District is intended to accommodate retail, sales, service, lodging, and office uses, where: primary commercial activity occurs indoors; commercial uses are of moderate scale and intensity, and; uses are appropriate to a developed area. Outdoor sales are not permitted.

(b) Permitted uses are typically characterized by moderate traffic and parking requirements, with low or moderate noise, odors, vibrations, fumes or other potential direct external nuisances.

(c) Conditional uses include compatible commercial uses that have a somewhat higher amount of outdoor activity, operate outside of normal business hours, or taller or more massive buildings. As a district primarily devoted to commercial uses, residential uses are listed as conditional uses to make sure residential areas are designed for compatibility with nearby commercial areas, including provisions or designs, such as visual screening, or safe pedestrian access, to protect residents' safety and welfare.

(2) Permitted Uses.

(a) Agricultural uses. Livestock not permitted

(b) Agricultural accessory uses. Livestock not permitted.

(c) Contractor, landscaping or building trade operations.

(d) Day care centers

(e) Governmental, institutional, religious, or nonprofit community uses.

(f) Indoor entertainment or assembly

(g) Indoor sales

(h) Indoor storage and repair.

(i) Light industrial

(j) Office uses

(k) Personal or professional service

(l) Transient or tourist lodging

(m) A transportation, utility, communication, or other use that is:

1. required under state or federal law to be located in a specific place, or;

2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

(n) Undeveloped natural resource and open space areas.

(o) Utility services associated with, and accessory to, a permitted or conditional use.

(p) Veterinary clinics.

(3) Conditional Uses.

(a) Airport, landing strip or heliport.

(b) Animal boarding, domestic pets

(c) Cemeteries

(d) Commercial Indoor Lodging.

(e) Communication towers

(f) Drive-in establishment

(g) Marinas

(h) Off-site parking

(i) Outdoor active recreation

(j) Outdoor entertainment

(k) Outdoor Storage.

(l) Residential and associated accessory uses.

1. Any residential use in the GC district must meet all of the following criteria:

a. Comply with residential density standards of any applicable town comprehensive plan and the Dane County Comprehensive Plan

b. Have visual screening from adjacent commercial areas

c. Must provide appropriate parking, and internal pedestrian access for residents.

2. Residential uses may include:

a. Caretaker's residence

- b. Single family residential
 - c. Attached or detached accessory dwelling units
 - d. Two family residential
 - e. Multifamily residential
 - f. Mixed residential and commercial developments
 - g. Institutional Residential
 - h. Manufactured housing communities, subject to s. 10.103(14)
 - i. Rooming house.
 - (m) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.
 - (n) Vehicle repair or maintenance service
- (4) Building size and area limitations.
- (a) Commercial or mixed-use buildings: 4 stories maximum
 - (b) Residential dwelling: 2 stories or 35 feet maximum.
- (5) Lot dimensions.
- (a) Minimum lot area.
 - 1. Exclusive commercial use. There is no minimum lot area for purely commercial lots. However, lots must have sufficient room to accommodate sanitary, stormwater and parking for intended uses.
 - 2. Residential or mixed uses.
 - (a) Lots on public sewer. Lots must be at least 2,000 square feet in area per each residential apartment.
 - (b) Lots not on public sewer. Lots must be at least 5,000 square feet per residential apartment.
 - (b) Maximum lot area. None.
 - (c) Minimum lot width.
 - 1. Exclusive commercial use. There is no minimum lot width for purely commercial lots.
 - 2. Residential or mixed uses. Lots must be at least 60 feet wide.
- (6) Setbacks and required yards.
- (a) Side yards: 10 feet minimum
 - (b) Rear yards.
 - 1. Exclusive commercial use: 10 Feet minimum
 - 2. Residential or mixed use: 25 feet minimum
- (7) Lot coverage.
- The total area of all buildings and structures must not exceed 60% of the total lot area, excluding public rights-of-way.
- 10.273. HC (Heavy Commercial) Zoning District
- (1) Purpose.
- (a) The Heavy Commercial Zoning District is intended to accommodate retail, service, light industrial lodging, and office uses, where: primary commercial activity may occur either indoors or outdoors; commercial uses are of relatively large scale and intensity, and; uses are appropriate to a highly developed area.
 - (b) Permitted uses are typically characterized by relatively high traffic volumes and substantial parking requirements, with some potential for noise, odors, vibrations, fumes or other potential direct external nuisances.
 - (c) Conditional uses include commercial uses that have a somewhat higher amount of outdoor activity, or operate outside of normal business hours.
- (2) Permitted Uses.
- (a) Adult book stores, subject to s. 10.103(2).
 - (b) Agricultural uses. Livestock not permitted.
 - (c) Agricultural accessory uses. Livestock not permitted.
 - (d) Cemeteries
 - (e) Colony house.
 - (f) Contractor, landscaping or building trade operations.
 - (g) Day care centers
 - (h) Freight and bus terminals.
 - (i) Governmental, institutional, religious, or nonprofit community uses.
 - (j) Indoor entertainment or assembly
 - (k) Indoor sales
 - (l) Indoor storage and repair.
 - (m) Institutional residential
 - (n) Light industrial
 - (o) Off-site parking
 - (p) Office uses
 - (q) Outdoor sales, display or repair
 - (r) Outdoor storage
 - (s) Personal or professional service
 - (t) Personal storage facility
 - (u) Transient or tourist lodging

- (v) A transportation, utility, communication, or other use that is:
 1. required under state or federal law to be located in a specific place, or;
 2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.
- (w) Undeveloped natural resource and open space areas.
- (x) Utility services.
- (y) Vehicle repair or maintenance service
- (z) Veterinary clinics
- (aa) Warehousing and distribution facilities.

(3) Conditional Uses.

- (a) Airport, landing strip or heliport
- (b) Animal boarding, domestic pet
- (c) Animal boarding, large animal
- (d) Caretaker's residence
- (e) Commercial indoor lodging
- (f) Communication towers
- (g) Drive-in establishment
- (h) Electric generating facilities, provided 100% of the production output of the facility is derived from renewable energy resources
- (i) Marinas
- (j) Outdoor active recreation
- (k) Outdoor entertainment
- (l) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.

(4) Building size and area limitations.

- (a) Building height. Buildings shall not exceed a height of 50 feet, excluding tanks, storage bins, silos and towers.

(5) Lot dimensions.

- (a) Minimum lot area. There is no minimum lot area for lots in the HC district. However, lots must have sufficient area to accommodate sanitary, stormwater and parking for intended uses.
- (b) Maximum lot area. There is no maximum lot area for lots in the HC district.
- (c) Minimum lot width. There is no minimum lot width for lots in the HC district.

(6) Setbacks and required yards.

- (a) Side yards: 10 feet minimum
- (b) Rear yard: 10 Feet minimum

(7) Lot coverage.

The total area of all buildings and structures must not exceed 60% of the total lot area, excluding public rights-of-way.

10.280. Processing, Manufacturing and Industrial Zoning Districts

(1) Provisions applicable to all Processing, Manufacturing and Industrial Districts

- (a) Off-street parking. Off-street parking shall be provided as required in s. 10.102(8).
- (b) Screening. For commercial uses adjacent to any Residential, Rural Residential or Rural Mixed-Use district, screening must be provided as required in s. 10.102(12).
- (c) Stormwater. The Zoning Administrator may not issue a zoning permit for any development in any Processing, Manufacturing and Industrial district until the Department of Land and Water Resources issues a Stormwater Management permit for the project under Chapter 14, Dane County Code.

(2) Rezones to Processing, Manufacturing and Industrial Zoning Districts.

- (a) The county board may not approve a petition to rezone to the RI or MI zoning districts on lands that are wholly or partially within the zone of contribution to a municipal well, as shown in the most current adopted version of the Dane County Water Quality Plan
- (b) Where necessary to minimize impacts to neighboring properties, the zoning committee may recommend, and the county board may adopt, conditions on zoning petitions to any Processing, Manufacturing and Industrial zoning district that impose deeper setbacks, wider minimum lot widths, and/or wider side or rear yards than otherwise provided in this ordinance. Such conditions shall be based on the nature of the use and shall be adopted subject to the standards under s. 10.101(8)(d).

10.281. RI (Rural Industry) Zoning District

(1) Purpose.

- (a) The Rural Industry Zoning District is intended to accommodate industrial, processing and extractive uses, where:
 1. primary activity often occurs outdoors;
 2. uses require large land areas and separation from residential uses;
 3. uses do not require full urban services or create intensive electrical, water or other utility demand, and;
 4. uses are appropriate to a rural area.
- (b) Permitted uses are similar to those in the Limited Commercial district, and do not require special conditions or approvals to mitigate impacts to surrounding properties.

(c) Conditional uses have significant potential for runoff, pollution, noise, dust, odors, vibration, heavy vehicle traffic and other potential nuisances, and typically require conditions tailored to the particular use and setting to protect public safety or to mitigate impacts to the environment or to surrounding properties.

(2) Permitted Uses

- (a) Agricultural accessory uses, except farm residences
- (a) Agricultural uses
- (b) Incidental parking for employees, consistent with s. 10.102(8).
- (c) Indoor storage and repair.
- (d) Light industrial
- (e) Office uses, employees limited to 6 FTE.
- (f) Outdoor storage.
- (g) A transportation, utility, communication, or other use that is:
 1. required under state or federal law to be located in a specific place, or;
 2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.
- (h) Undeveloped natural resource and open space areas.
- (i) Utility services.

(3) Conditional Uses

- (a) Asphalt and concrete production
- (b) Caretaker's residence
- (c) Communication towers
- (d) Commercial processing or composting of organic by-products or wastes.
- (e) Demolition material disposal sites
- (f) Dumping grounds
- (g) Electric generating facilities, provided 100% of the production output of the facility is derived from renewable energy resources.
- (h) Incinerator sites
- (i) Mineral extraction operations
- (j) Outdoor sales, display, or repair.
- (k) Salvage yard or junkyards.
- (l) Slaughterhouses, meat processing plants
- (m) Solid waste disposal or recycling center
- (n) Stock yards, livestock auction facilities
- (o) Storage of explosive materials.
- (p) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above
- (q) Wastewater treatment facilities.

(4) Building size and area limitations.

Buildings shall not exceed 35 feet in height or two and one-half stories, whichever is less.

(5) Lot dimensions.

- (a) Minimum lot size. All lots created in the RI zoning district must be at least 16 acres in area, excluding public rights-of-way.
- (b) Minimum lot width. All lots created in the RI zoning district must have a minimum lot width of 100 feet.

(6) Setbacks and required yards.

- (a) Front yards. Construction equipment, vehicles, or material shall not be stored between the building setback line and the front lot line of any lot.
- (b) Side yards. The minimum width for any side yard shall not be less than 10 feet for any building.
- (c) Rear yards. Rear yards shall not be less than 25 feet from the property line.

(7) Lot coverage.

The total building footprint of commercial buildings, residential buildings and residential accessory buildings shall not exceed 35 percent of the lot area.

10.282. MI (Manufacturing and Industrial) Zoning District

(1) Purpose.

(a) The Manufacturing and Industrial Zoning District is intended to accommodate industrial, processing and extractive uses, where:

1. primary activity occurs either indoors or outdoors;
2. uses are intensive, and at relatively high densities and may produce a high volume of employee and freight traffic
3. uses require separation from residential uses;
4. uses may require full urban services or create intensive electrical, water or other utility demand, and;
5. uses are appropriate to an urbanized or industrial area.

(b) Permitted uses occur primarily indoors.

(c) Conditional uses often occur outdoors, and have unusual potential for runoff, pollution, noise, dust, odors, vibration, heavy vehicle traffic and other potential nuisances, and typically require conditions tailored to the particular use and setting to protect

public safety or to mitigate impacts to the environment or to surrounding properties.

(2) Permitted Uses

- (a)** Adult book stores, subject to s. 10.103(2)
- (b)** Adult entertainment, subject to the provisions of the Adult Entertainment Overlay District (AED).
- (c)** Agricultural accessory uses. Livestock not permitted.
- (d)** Agricultural uses. Livestock not permitted.
- (e)** Animal boarding, domestic pets
- (f)** Animal boarding, large animal.
- (g)** Fertilizer manufacturing plants
- (h)** Fertilizer mixing or blending plants.
- (i)** Freight and passenger bus terminals
- (j)** Governmental, institutional, religious, or nonprofit community uses.
- (k)** Drive-in establishments
- (l)** Electric generating facilities
- (m)** Heavy industrial uses.
- (n)** Indoor entertainment and assembly
- (o)** Indoor storage and repair
- (p)** Indoor sales.
- (q)** Light industrial uses.
- (r)** Marinas
- (s)** Off-site parking lot or garage
- (t)** Office uses.
- (u)** Outdoor active recreation
- (v)** Outdoor entertainment.
- (w)** Outdoor sales.
- (x)** Outdoor storage
- (y)** Personal or professional service
- (z)** Personal storage facilities
- (aa)** A transportation, utility, communication, or other use that is:
 - 1. required under state or federal law to be located in a specific place, or;
 - 2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.
- (bb)** Undeveloped natural resource and open space areas.
- (cc)** Utility services.
- (dd)** Vehicle repair or maintenance services
- (ee)** Veterinary clinics
- (ff)** Warehousing and distribution facilities.

(3) Conditional Uses

- (a)** Asphalt and concrete production
- (b)** Communication towers
- (c)** Commercial processing or composting of organic by-products or wastes.
- (d)** Demolition material disposal sites
- (e)** Dumping grounds
- (f)** Incinerator sites
- (g)** Mineral extraction operations
- (h)** Solid waste disposal operation or recycling centers
- (i)** Salvage recycling operations
- (j)** Stockyards, livestock auction facilities
- (k)** Storage of explosive materials.
- (l)** Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.

(4) Building size and area limitations.

- (a)** Building height. Buildings shall not exceed a height of 50 feet, excluding tanks, storage bins, silos and towers.

(5) Lot dimensions.

- (a)** Minimum lot area. There is no minimum lot area for lots in the MI district. However, lots must have sufficient room to accommodate sanitary, stormwater and parking for intended uses.
- (b)** Maximum lot area. There is no maximum lot area for lots in the MI district.
- (c)** Minimum lot width. There is no minimum lot width for lots in the MI district.

(6) Setbacks and required yards.

- (a)** Front yards. Construction equipment, vehicles, or material shall not be stored between the building setback line and the front lot line of any lot.
- (b)** Side yards. The minimum width for any side yard shall not be less than 10 feet for any building.
- (c)** Rear yards. Rear yards shall not be less than 10 feet from the property line.

10.290. Special Use Zoning Districts

10.291. PUD (Planned Unit Development) Zoning District

(1) Purpose.

The purpose of the PUD Planned Unit Development district is to promote improved development design by allowing greater flexibility and imagination in urban and rural development while ensuring substantial compliance with the intent of the zoning ordinance and adopted plans. The district allows variations in uses, structures, densities, setbacks and yard requirements, building heights, landscaping and other provisions for developments which are cohesively planned and implemented. In exchange for such flexibility, the project (hereinafter referred to as Planned Unit Development or PUD) must provide a higher level of design and functionality than normally required for other developments.

(2) Permitted uses.

The only uses permitted within each mapped PUD district shall be those lawful use(s) in place at the time of PUD district mapping plus those uses explicitly listed, depicted and described as permitted uses within that particular PUD district.

(3) Other standards.

Building height limit, Area, frontage and population density regulations; Lot coverage; Number of principal buildings per lot; Setback from road and front property line and front yard requirements; Side and rear yard requirements; Off-street parking; Screening and landscaping provisions; Sign regulations. Zoning limitations on or requirements for building height, lot area, lot frontage/width, housing unit or population density, number of buildings per lot, lot coverage, setbacks, yard areas, off-street parking and loading, screening or landscaping, and signage shall be specified for each particular PUD district. Such requirements shall be generally described as part of an approved General Development Plan (GDP) for each PUD and explicitly specified as part of an approved Specific Implementation Plan (SIP). Where they provide sufficient detail, such specifications shall supersede similar specifications found elsewhere in the zoning ordinance.

(4) Criteria for approval of PUDs.

Planned unit developments shall meet all of the following criteria to be approved:

- (a) The development shall be consistent with a town comprehensive plan approved by both the town and county.
- (b) The uses and their intensity, appearance, design and arrangement shall be compatible with the physical nature of the site and area, and shall not have a significant adverse impact on the natural environment.
- (c) The uses and their intensity, appearance, design and arrangement shall in no foreseeable manner diminish or impede the uses, values and normal and orderly development of surrounding properties.
- (d) The uses and their intensity, appearance, design and arrangement shall not create access issues, traffic or parking demand inconsistent with existing or anticipated transportation facilities.
- (e) The development shall include adequate provision for the continued preservation, maintenance and improvement of natural areas and open space.
- (f) The applicant shall provide evidence of financial feasibility and assurances that each phase can be completed in a manner which would not result in an adverse effect upon the community as a result of termination at that point.
- (g) The development shall comply with all other applicable ordinances.

(5) Planned unit development approval process.

There is a two step review and approval process for establishing a PUD district. The first step consists of submittal of a General Development Plan (GDP) that outlines the nature of the Planned Unit Development and provides information necessary for consideration and decision-making by the town and county. The second step involves submittal of a Specific Implementation Plan (SIP) which documents the detailed actions the applicant will take to implement the General Development Plan. No PUD zoning district can be established without an approved GDP and corresponding SIP(s). If approved by the zoning administrator, the applicant may combine steps for simple PUDs involving a small tract of land or proceed with both steps concurrently.

(a) General Development Plan (GDP).

1. Prior to submitting a formal application, the prospective applicant shall present the concept of the proposed PUD to, and consult with, representatives from the affected town, staff from the planning and development department, and the zoning committee regarding the project, required application materials, and the PUD review process. These representatives may comment on the concept, but their comments are not binding on the representatives nor indicative of their position on a formal application. The review by the town and the zoning committee may take place at a joint meeting.

2. The applicant shall submit to the zoning administrator a formal application for GDP review and approval, along with required application materials. The zoning administrator shall process such applications under the standard zoning map amendment procedure, plus additional procedures established herein. The applicant shall include twenty-five (25) copies of all required materials, along with the applicable fee provided for in chapter 12.

3. The zoning administrator shall determine whether the GDP submittal is complete in reference to the following required application materials:

- a. Name of the applicant, agent, property owner(s) and entity which intends to develop the land.
- b. A complete written legal description of the subject property.
- c. A map(s) of the subject property showing all lands for which the PUD is proposed, and all other lands within 1,000 feet of the subject property. Said map shall clearly indicate the current property owners and zoning of the subject property and all lands with 500 feet, the boundaries of all political jurisdiction(s) in the area and all lot dimensions of the subject property. The map shall be at a scale not less than one inch equals 800 feet.
- d. A general written description of the proposed PUD, including:
 - i. general project themes, images and design concepts;

- ii. general mix of dwelling unit types and land uses;
- iii. approximate development densities;
- iv. general treatment of natural features and provisions for open space preservation;
- v. general relationship to nearby properties and existing and planned streets, highways and other transportation improvements;
- vi. general relationship to the approved town land use plan; and
- vii. a general plan for phasing, including a planned timeline for submittal of one or more SIPs.
- e.** A description of why the applicant wishes to develop the project using PUD zoning. This description shall include justification for the proposed PUD, and shall indicate how the criteria in sub. 10.153(4) will be met.
- f.** A list of standard zoning provisions which will be met by the proposed PUD, standards which will not be met by the proposed PUD, standards which will be more than met by the proposed PUD, and the location(s) in which they apply. This list shall be organized in the following manner:
 - i. land use types and mix (list range of permitted uses);
 - ii. density and intensity of land uses (list range of dwelling units per acre, lot sizes, lot frontages/widths, setbacks and yard requirements, lot coverage, building heights, lot dimensions, number of units, and floor area ratios for non-residential uses);
 - iii. landscaping and screening;
 - iv. off-street parking and loading;
 - v. signage; and
 - vi. other applicable standards.
- g.** GDP map(s) at a minimum scale of 1 inch equals 100 feet (11" x 17" reduction shall also be provided) of the proposed project showing at least the following information:
 - i. land use layout and the location of major public streets and/or private drives;
 - ii. location of recreational and open space areas and facilities; and
 - iii. statistical data on lot sizes in the development, the approximate areas of large development lots and pads, and density/intensity of various parts of the development.
 - iv. A conceptual landscaping plan, noting approximate locations and types of existing and planned landscaping, screening and fencing.
 - v. A general signage plan, including approximate locations, types, heights, lighting and sign face areas.
 - vi. Evidence of financial capability pertaining to construction, maintenance and operation of all public and private improvements associated with the proposed development.
 - vii. Other maps or information requested by the town or county.
 - viii. In the case of a rural PUD, the GDP shall identify any areas proposed to be subject to conservancy easements, the nature of the conservancy easements to be imposed, and other features designed to protect the rural character of the area in which the PUD is proposed.
 - ix. After the GDP submittal is complete, the zoning administrator shall forward two copies of the submittal to the town clerk of the affected town and schedule the petition for zoning committee public hearing.
 - x. The affected town shall review and act on the proposed GDP. The town may approve the GDP with conditions that identify specific limits or elements the town requires to be included in the SIP.
 - xi. The zoning committee, after a public hearing and after receiving comments from the affected town, shall forward its recommendation on the proposed GDP to the county board. The GDP may be approved with conditions that identify specific limits or elements the county requires be included in the SIP. If the town board approves the GDP subject to conditions and such conditions are amended or deleted by the county, the GDP as approved by the county shall be submitted to the town board for approval of the county's conditions or denial of the GDP.
 - xii. The county board shall act on the GDP and, if the GDP is approved, shall establish through its approval a delayed effective date (DED) totaling at least 12 months within which one or more SIPs must be filed in order to effectuate the rezoning and establish the PUD on the zoning district map. Such timeframe may later be extended through an amendment to the approved GDP, which shall follow the same process as GDP approval. Failure to file an SIP(s) within the delayed effective date, or to extend said date, shall cause the rezoning to become null and void.
 - xiii. Approval of the GDP shall establish the basic right of use for the subject property in conformity with the approved plan, but approval of such plan shall not make permissible in any area of the PUD those uses proposed until an SIP is approved for that area. No development may occur within a PUD district which is inconsistent with an approved GDP.
- (b) Specific Implementation Plan (SIP).**
 1. The applicant may submit to the zoning administrator an application for one or more SIPs along with required application materials within the delayed effective date period as established through county board approval of the rezoning to PUD (GDP approval). If such SIP(s) has not been submitted by the Delayed Effective Date, the approved GDP shall be null and void for those portions of the subject property not yet covered by an approved SIP, and the zoning administrator shall approve no further SIPs for the property under the previously approved GDP. In the event all or part of a GDP is rendered null and void, the zoning on the property shall revert to the zoning category existing prior to the PUD rezoning.
 2. The zoning administrator shall determine whether the SIP submittal is complete in reference to the following required application materials
 3. Name of the applicant, agent, property owner(s) and entity which intend to develop the land.
 4. A complete written legal description of the SIP area.
 5. A map showing the relationship of the SIP area to the approved GDP area.
 6. A written description of the proposed SIP area within the PUD, including:
 - a. specific project themes, images and design features;
 - b. a specific list of permitted dwelling unit types and land uses;
 - c. specific development densities by dwelling units per acre, lot sizes, lot frontages/widths, setbacks and yard requirements, lot coverage, building heights, lot dimensions, number of units, and floor area ratios for non-residential uses;
 - d. specific treatment of natural features and provisions for open space preservation;

- e. specific relationship to the remainder of the PUD included in the approved GDP, nearby properties and existing and planned streets, highways and other transportation improvements; and
- f. a development schedule indicating project stages.
- g. A written description demonstrating the consistency of the proposed SIP with the approved GDP and the criteria in s. 10.291(4), and identifying any and all deviations between the approved GDP and the proposed SIP.
- h. An SIP map at a minimum scale of 1 inch equals 100 feet (11" x 17" reduction shall also be provided) of the proposed project showing at least the following information:
 - i. locations, sizes, dimensions and permitted uses of all lots and building sites (detailed lot layout/conceptual subdivision plan required for SIPs with multiple lots);
 - ii. locations, sizes and dimensions of all structures (minimum setbacks and yard areas);
 - iii. delineations of all water bodies, wetlands, floodplains, steep slopes and other sensitive environmental areas;
 - iv. locations, dimensions and surface type of all driveways, walkways, trails, parking and loading areas and roads;
 - v. detailed off-street parking lot and stall design;
 - vi. location of all public and private utilities;
 - vii. location, type and intensity of outdoor lighting;
 - viii. location of recreational and open space areas and facilities, specifically describing those that are to be reserved or dedicated for public use; and
 - ix. statistical data on lot sizes in the development, the exact areas of all development lots and pads, density/intensity of various parts of the development, floor area ratios, and lot coverage percentages.
- i. A detailed landscaping plan for the area included in the SIP, specifying the location, species, and installed and mature size of all existing and proposed trees, shrubs and fencing.
- j. A signage plan for the project, including the type, location, height, dimensions, lighting and sign face area of all proposed signs.
- k. An erosion control, drainage and stormwater management plan.
- l. Building elevations for all buildings, including building heights and materials.
- 7. After the SIP submittal is complete, it shall be forwarded to the town clerk of the affected town. The town may then forward any comments and recommendations on the proposed SIP to the zoning administrator within 60 days. Alternatively, at the sole discretion of the affected town, the town may forward its comments and recommendations to the zoning administrator prior to the zoning administrator's determination of SIP submittal completeness, in which case the 60 day review period is not required.
- 8. The planning and development director and zoning administrator shall review the submitted SIP with reference to the GDP approval, the evaluation criteria in s. 10.291(4), and town comments and recommendations. Within 50 days of receipt of a complete submittal (of within 10 days of such receipt in the event that the town offers comments and recommendations before the zoning administrator's determination of completeness is made), the director and zoning administrator shall determine whether the SIP is consistent with the approved GDP. Inconsistencies shall require an amendment to the GDP according to the procedure in sub. 10.291(5)(a). If generally consistent with the approved GDP and the evaluation criteria, the director and zoning administrator shall, within such timeframe, approve the SIP as submitted or with modifications necessary to achieve full consistency. If approved with modifications, the applicant shall submit modified SIP materials consistent with the approval before the issuance of zoning permits.
- 9. The approved SIP shall provide the basis for the issuance of all subsequent permits including, but not limited to, zoning permits, to allow development with the SIP area. Any portion of an approved SIP for which a zoning permit is not issued within three years of SIP approval shall expire, and a new SIP must be submitted and approved for that area before any development may occur.
- 10. As an alternative to SIP technical review by the zoning administrator, planning and development director and affected town, approval of the GDP may include detailed restrictive covenants specific to the PUD that establish a design review committee and design review process to review SIP submittals so as to ensure compliance with the GDP. All other requirements for the SIP per para. (b) above shall remain in effect if this option is approved by the town and county as part of the GDP.

10.292. UTR (Utility, Transportation and Right-of-Way) Zoning District

(1) Purpose

The UTR Utility, Transportation and Right-of-Way district is intended to provide for parcels intended for purely utilitarian, nonresidential uses with no principal structure. The UTR district is intended for parcels that due to their size, width, location, proximity to a roadway, division by municipal boundaries or other circumstance are unsuitable for most forms of residential, commercial or other structural development, yet lack significant natural resource features.

(2) Permitted uses.

- (a) Accessory uses and structures associated with a permitted principal use on parcels in common ownership that are either adjacent or on the opposite side of a public right-of-way.
- (b) Undeveloped natural resource use.
- (c) Community gardens.
- (d) Small-scale farming
- (e) Public or private roadways
- (f) Bicycle or hiking trails
- (g) Private driveways or onsite parking
- (h) Railroad, utility or access easements or rights-of-way
- (i) Stormwater facilities
- (j) Utility services.

(k) A transportation, utility, communication, or other use that is:

1. required under state or federal law to be located in a specific place, or;
2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

(l) Invasive species control activities.

(3) Conditional uses

- (a) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.
- (b) Storage structures, not to exceed 250 square feet.
- (c) Runways or take-off and landing areas associated with airports, landing strips or heliports.

(4) Building size and area limitations.

- (a) Building height. Buildings, as approved by conditional use permit, shall not exceed a height of 12 feet, excluding utility structures or communication towers.

(5) Lot dimensions.

- (a) Minimum lot area. There is no minimum lot area for lots in the UTR district.
- (b) Maximum lot area. There is no maximum lot area for lots in the UTR district.
- (c) Minimum lot width. There is no minimum lot width for lots in the UTR district.

(6) Setbacks and required yards.

(a) Front yards.

1. All structures must meet front yard setbacks as described in s. 10.102(9).
2. For parcels without road frontage, structures must be at least four feet from the lot line where primary access to the parcel is made.
3. Construction equipment, vehicles, or material shall not be stored between the building setback line and the front lot line of any lot.
- (b) Side yard. Any permitted structures must be at least four feet from the side lot line.
- (c) Rear yard. Any permitted structures must be at least four feet from the rear lot line.

10.300. Overlay Districts

10.301. AED (Adult Entertainment) Overlay District

(1) Statement of Purpose.

It is the purpose of this district to establish reasonable and uniform regulations of the use of property for adult entertainment establishments in order to prevent the adverse secondary effects associated with these businesses and thereby promote the health, safety, morals, and general welfare of the citizens of Dane County. It is not the intent or effect of this ordinance to restrict or deny access by adults to sexually oriented entertainment protected by the First Amendment, or to deny access by the exhibitors of sexually oriented entertainment to their intended market.

(2) Findings.

While the County Board recognizes that freedom of speech is among our most precious and highly protected rights, and wishes to act consistently with full protection of those rights, based on evidence concerning the adverse secondary effects of adult entertainment establishments on the community presented in hearings and in reports made available to the Board, and on findings incorporated in the cases of *City of Los Angeles v. Alameda Books, Inc.*, 535

U.S. 425 (2002); *Renton v. Playtime Theaters, Inc.*, 475 U.S. 41 (1986); *BBL, Inc. v. City of Angola*, 809 F.3d 317 (7th Cir. 2015); *Thirteen Mile Rd. Inc. v. Warren*, 626 F. Supp. 803, (E.D. Mich. 1985); *Alexander v. Minneapolis*, 713 F. Supp. 1296 (DC Minn. 1989); *7250 Corp. v. Board of County Comrs.*, 799 P.2d 917 (Col. 1990); *Chicago v. Scandia Books, Inc.*, 102 Ill App. 3d 292 (1st Dist. 1981); *Islip v. Caviglia*, 540 N.E.2d 215 (N.Y. 1989); *Dumas v. Dallas*, 648 F. Supp. 1061 (N.D. Tex. 1986); *International Eateries of America, Inc. v. Broward County*, 726 F. Supp. 1568 (S.D. Fla. 1989); *Walnut Properties, Inc. v. City Council of Long Beach*, 100 Cal. App. 3d 1018 (2d Dist. 1980); *S&G News, Inc. v. Southgate*, 638 F. Supp. 1060 (E.D. Mich. 1986); *U.S. Partners Financial Corp. v. Kansas City*, 707 F. Supp. 1090 (W.D. Mo. 1989); *City of Vallejo v. Adult Books*, 167 Cal. App. 3d xxx (1st Dist. 1985); *County of Cook v. Renaissance Arcade & Bookstore*, 122 Ill 2d 123 (1988); *Derusso v. City of Albany, NY*, 205 F. Supp. 2d 16 (N.D. N.Y. 2002); *Mom N Pops, Inc. v. City of Charlotte*, 979 F. Supp. 372 (W.D. N.C. 1997); *Venture I, Inc. v. Orange County, Tex.*, 947 F. Supp. 271 (E.D. Tex. 1996); *Community Visual Communications, Inc. v. City of San Antonio*, 148

F. Supp. 2d 764 (W.D. Tex. 2000); *Bronco's Entertainment, Ltd. v. Charter Tp. Of Van Buren*, 421 F.3d 440 (6th Cir. 2005); *Brandywine, Inc. v. City of Richmond, Kentucky*, 359 F.3d 830 (6th Cir. 2004); *Holmberg v. City of Ramsey*, 12 F.3d 1413 (8th Cir. 1994); *Woosterv. Entertainment One, Inc.*, 158 Ohio App. 3d 161 (2004); *Grand Brittain, Inc. v. City of Amarillo, Tex.*, 27 F.3d 1068 (5th Cir. 1994); *Tollis, Inc. v. City of County of San Diego*, 505 F.3d 935 (9th Cir. 2007); as well as finding from papers, articles, studies and information from other communities including, but not limited to, Fort Worth & Dallas, Texas; Palm Beach County, Florida; Garden Grove, California; Austin, Texas; Phoenix, Arizona; Indianapolis, Indiana; Houston, Texas; Tucson, Arizona; Whittier, California; Oklahoma City, Oklahoma; Amarillo, Texas; Beaumont, Texas, New York City (Times Square); Milford, Massachusetts, Seattle, Washington, and Los Angeles, California the Report of the Attorney General's Working Group on the Regulation of Sexually Oriented Businesses (June 6, 1989, State of Minnesota); "Sexually Oriented Businesses An Insider's View," by David Sherman, presented to the Ohio Senate Judiciary Committee on Civil Justice, December 3, 2002; "Secondary Effects of Sexually Oriented Businesses on Market Values" by Connie B. Cooper and Eric D. Kelly and "Crime Related Secondary Effects" by Richard McCleary, Texas City Attorneys Association, 2008; "Rural Hotspots: The Case of Adult Businesses," by Richard McCleary,

19 Criminal Justice Policy Review 153 (2008); and "Correlates of Current Transactional Sex among a Sample of Female Exotic Dancers in Baltimore, MD," 88 Journal of Urban Health: Bulletin of the New York Academy of Medicine 342 (2011); "Adult Businesses & Crime: Seeking A Better Understanding," Eric S. McCord and Richard Tewksbury, University of Louisville; "Do 'Off-Site' Adult Businesses Have Secondary Effects? Legal Doctrine, Social Theory, and Empirical Evidence," Richard McCleary and Alan C. Weinstein, 31 Law & Policy 218 (2009); "Do Peep Shows 'Cause' Crime? A Response to Linz, Paul, and Yao," Richard McCleary and James W. Meeker, 43 The Journal of Sex Research 194 (2006), the County of Dane, relying upon the experience of other local governments in this state and throughout the country, finds as follows:

- (a) That adult entertainment establishments may have an adverse secondary effect on the surrounding community because the sexual nature of the business may, regardless of the intentions of the proprietors, attract persons seeking prostitution or unlawful drugs, or who are inclined to be disorderly or disruptive;
- (b) Adult entertainment establishments are an intense commercial use which create a large volume of foot and automobile traffic in the vicinity of the establishment, which may require police and other municipal services which may not be readily available in towns, and which may conflict with the preservation of farmland by encouraging scattered commercial development;
- (c) Adult entertainment establishments have their peak activity at hours and days which are incompatible with residential uses, and have a larger customer volume than other entertainment establishments;
- (d) Because of the potential for negative impacts on property values, the peace and good order of the community and the welfare of individuals affected by adult entertainment establishments, it is necessary to minimize the secondary effects of adult entertainment;
- (e) It is the intent of this section to protect the health, safety and welfare of the citizens of Dane County and to further preserve the quality of life and to preserve the urban and rural characteristics of its neighborhoods. The intent of the Adult Entertainment Overlay District is to regulate the location of such establishments.

(3) Limitations.

Nothing in this section shall be construed to permit the regulation of any activities conducted in adult entertainment establishments which are entitled to protection under the First Amendment of the United States Constitution, including:

- (a) plays, operas, musicals or other dramatic works that are not obscene;
- (b) classes, seminars, or lectures which are held for a serious scientific or educational purpose and that are not obscene.
- (c) rental or sale of video cassettes, DVD videodiscs, or other electronic media for private viewing off the premises.

(4) Determination of obscenity.

Whether or not an activity is obscene shall be judged by consideration of the following factors:

- (a) whether the average person, applying contemporary community standards, would find that the activity taken as a whole appeals to prurient interest in sex;
- (b) whether the activity depicts or describes sexual conduct in a patently offensive way, as measured against community standards; and
- (c) whether the activity taken as a whole lacks serious literary, artistic, political or scientific value.

(5) Applicability.

The overlay district shall apply only to lands zoned M-I, Manufacturing and Industrial.

(6) Permitted Uses.

An adult entertainment establishment shall be a permitted use within the overlay district.

(7) Standards for siting of adult entertainment establishments.

Adult entertainment establishments shall meet all of the following requirements:

- (a) Location of any particular adult entertainment establishment must be not less than 1,000 feet from any church, synagogue, temple, mosque or any other place of worship, any residentially zoned district, park, school, playground, day care center, public library and any other adult book store or adult entertainment establishment.
 - 1. Measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as the part of the premises where adult entertainment is conducted, to the nearest property line of the premises of a use listed in sub (a). Presence of a City, County or other municipal boundary shall not affect the calculation and application of the distance requirements of sub (a).
 - (b) There shall be no display windows on the premises;
 - (c) The business may have only one (1) non-flashing business sign, and which shall be not larger than 4 feet by 4 feet;
 - (d) A one square foot sign shall be placed on each public entrance which shall state "Admittance to adults only" and may include other pertinent business information;
 - (e) The owner and operator of an adult entertainment establishment shall agree to comply with all Federal, State and Local laws and ordinances, including those regulating obscenity and alcoholic beverages, and shall further insure that minors are not allowed on the premises. Solicitation for purposes of prostitution shall be strictly prohibited; and
 - (f) There shall be no areas in the adult entertainment establishment in which entertainment is provided which are not fully visible from the main area of the establishment. No entertainment may occur in areas of the establishment which are set off by doors, curtains, screens, barriers, café or saloon doors or other obstructions.

(8) Severability.

The provisions of this ordinance shall be severable. The County Board finds that it would have enacted all the provisions of this ordinance on the basis of any one of the findings in section (1). HD (Historic) Overlay District

(9) Statement of purpose.

The purpose of the historic overlay district is to effect and accomplish the protection, enhancement and perpetuation of such sites and structures which represent or reflect elements of the county's cultural history, and to safeguard the county's historic and cultural heritage as embodied in such sites and structures, expanding upon such protection as is afforded by chapter 157, 1987 Wis. Stats.

(10) Designation.

No site may be designated which is not cataloged and no structure may be designated without the owner's written consent. The County of Dane is hereby deemed to have consented to the designation of all county-owned sites and structures which may hereafter be designated by the park commission with the approval of the county board.

(11) Indication.

Sites and structures which are designated shall be indicated by attaching the suffix "HD" to the zoning district in which the site or structure is located.

(12) Protection of historic sites.

No building or structure, whether or not a permit therefore is required under this ordinance, shall be erected on, and no use which involves soils disturbance shall be made of, any historic site except that with consent of the committee, an owner may remove, replace or add vegetation designed to preserve the site. There shall be a clear area extending 25 feet in all directions from any historic site except that on substandard lots where the clear area distance of 25 feet cannot reasonably be maintained, the clear area distance shall be reduced to a distance equal to twice the depth of any excavation intended to be constructed on the lot or 10 feet, whichever is greater, unless a more restrictive minimum distance is imposed by state statute in which case the statutory minimum shall apply.

(a) The committee is empowered to grant a waiver from the clear zone requirements above for any lot provided that the committee finds that the owner cannot otherwise make reasonable use of the lot for the zoning classification it bears and that the site is preserved intact. The committee shall seek the advice of the park commission when considering any waiver application.

(b) In no event shall a waiver under this section allow a structure to be located closer to an historic site than a distance equal to twice the depth of any excavation intended to be used for that part of the structure closest to the historic site, and in any event not closer than is permitted by statute.

(c) Replacement private onsite sewage treatment systems, and existing roads, including repairs thereto, may be located in clear areas.

(d) Where the designation of a particular parcel of land as an historic site under this ordinance results in a property owner being deprived of all, or substantially all, of the beneficial use of the property, compensation shall be paid as provided for by law.

(13) Protection of historic structures.

Historic structures may be modified, altered or changed only when necessary to protect the continued existence of the structure or, for other purposes, when done according to the standards outlined by the department of the interior for the restoration, rehabilitation and adaptive reuse of historic structures. The owner of an historic structure who or which has opened the structure to the public may erect and maintain supporting structures, including lighting, protective fences and fire protection systems, as may be necessary for the maintenance or ease of use of the site.

10.302. NR-I (Natural Resource Identification) Overlay District

(1) Purpose

The Natural Resource Buffer Overlay District (NR-I) is intended to:

(a) Minimize impacts to sensitive environmental features.

(b) Provide more detailed information about potential natural resources or other environmental features to aid in appropriate design and siting of development.

(c) Provide for appropriate review in areas of special concern as identified in adopted town and county comprehensive plans.

(d) Provide buffers and minimize ecological fragmentation of core resources in the NR-C (Conservation) Zoning district.

(2) Permitted and conditional uses

All permitted and conditional uses in the underlying district, provided development conforms to the performance standards described in (4) below.

(3) Additional application information.

Within the NR-I Natural Resources Identification Overlay District, any application for any zoning or conditional use permit must be accompanied by the following:

(a) A site plan meeting all the requirements of [s. 10.101\(6\)](#).

(b) If determined necessary by the zoning administrator, a Preliminary Review Letter from the Dane County Department of Land and Water Resources confirming that erosion control and stormwater management standards under Chapter 14 and/or Chapter 11, Dane County Code can be readily met.

(c) Other natural elements as specifically identified in applicable, adopted town/county comprehensive plans.

(4) Performance standards.

Prior to issuing a zoning permit for any development activity within the Natural Resource Buffer Overlay District, the zoning administrator, or his or her designee, must confirm that any development conforms to the approved site plan for the project.

10.303. TDR-S (Transfer of Development Rights Sending) Overlay District

(1) Statement of purpose.

The purposes of the TDR-S overlay district are to:

(a) Support Transfer of Development Rights, as follows:

1. establish a county-wide framework which allows a participating municipality to transfer development rights within or outside its jurisdiction;
 2. reduce spot development of rural land;
 3. encourage efficient transportation planning by reducing truly scattered development;
 4. encourage environmental preservation by enhancing openspace;
 5. preserve and enhance property rights;
 6. provide support and input into the agricultural community by encouraging the preservation of large intact agricultural areas in some locations and individual farms in other areas;
 7. direct development in rural areas away from areas planned for long- term agricultural use;
 8. provide a potential for compensation for individuals who do not want to develop their property or who live in communities which wish to restrict development;
 9. help Dane County and participating communities achieve the goals and objectives contained in adopted plans;
 10. facilitate purchase of development rights programs to protect high- priority natural or agricultural resources; and
 11. allow for towns, villages and cities to serve as a clearinghouse for development rights in accordance with adopted land use and comprehensive plans.
- (b) Protect property rights.** Nothing in this section is intended to restrict, curtail or abridge the rights of property owners to use their property as currently permitted under ordinance, to petition the county board to rezone property or to apply for conditional use permits under ss. 59.69, 91.46 or 91.48, Wis. Stats., or this ordinance. A development proposal which is consistent with adopted plans is not objectionable on the grounds that it is not being undertaken with transferred development rights.

(2) Areas affected.

This district is generally intended to apply to lands identified in adopted town and county comprehensive plans as suitable for:

- (a)** long-term or permanent agricultural, conservation or natural resource use;
- (b)** limited or no non-farm development; and
- (c)** sending areas for a transfer or purchase of development rights program.

(3) Applicable zoning districts.

The TDR-S Overlay district shall only apply in the FP-35 and NR-C zoning districts

(4) Permitted uses.**(a) All permitted uses in the underlying zoning district.****(b) Transfer of development rights consistent with, and at a ratio determined by, an adopted town and county comprehensive plan.**

1. Any transferred development rights must be accompanied by a recorded TDR agricultural conservation easement placed on the sending property.
2. The recorded easement must include a legal description of the sending property in accordance with adopted town and county comprehensive plan guidelines, must detail the number of rights transferred or sold, and must describe any receiving property or properties.
3. TDR agricultural conservation easements must list, at a minimum, the county and the town as parties with enforcement rights and must require, at a minimum, the county, the town and the landowner to agree to any amendment of the agricultural conservation easement in writing and after at least one public hearing held by the zoning committee. All such amendments shall be recorded.
4. No third parties with enforcement rights may be added without approval of the Town and the County.

(5) Conditional uses.

All conditional uses in the underlying zoning district.

(6) Area regulations.

All lots in the TDR-S overlay district must meet the minimum lot size of the underlying zoning district

10.304. TDR-R (Transfer of Development Rights Receiving) Overlay District

(1) Statement of purpose.

The purposes of the TDR-R overlay district are to:

- (a)** establish a county-wide framework which allows a participating municipality to transfer development rights within or outside its jurisdiction;
- (b)** encourage the clustering of rural development;
- (c)** encourage the efficient provision of services by clustering residential units;
- (d)** encourage efficient transportation planning by encouraging compact development;
- (e)** support planning of development in areas which have less impact on key sources;
- (f)** preserve and enhance property rights;
- (g)** encourage rural housing that is adequate and affordable for persons from a range of incomes;
- (h)** facilitate development in rural areas of towns already experiencing or seeking development;
- (i)** encourage the efficient use of land that has no history of, or is no longer suitable for, agriculture; and
- (j)** help Dane County and participating communities achieve the goals and objectives contained in adopted plans

(2) Areas affected.

This district is generally intended to apply to lands identified in adopted town and county comprehensive plans as suitable for:

- (a)** residential development at a density exceeding one dwelling unit per 35 acres; and
- (b)** receiving areas for a transfer of development rights program

(3) Applicable zoning districts.

The TDR-R Overlay district shall only apply in the Rural Mixed-Use, Rural Residential, Residential and Hamlet zoning districts.

(4) Applicability near incorporated municipalities.

(a) The county board may not rezone to the TDR-R overlay district any parcel wholly or partially within the extraterritorial plat review jurisdiction of an incorporated municipality, as defined in s. 236.02(5), Wis. Stats., unless consistent with an adopted town and county comprehensive plan.

(b) If there are inconsistencies between the comprehensive plans of the town and the incorporated municipality with extraterritorial jurisdiction, prior to county board action the town and municipal governments must resolve the inconsistencies, following the dispute resolution process set forth in their respective comprehensive plans as required by s. 66.1001(2)(g), Wis. Stats.

(5) Permitted uses.

All permitted uses in the underlying zoning district, provided all of the following criteria are met:

(a) Each new dwelling unit is accompanied by transferred development rights from a parcel or parcels in the TDR-S overlay district consistent with, and at a ratio determined by, an adopted town and county comprehensive plan.

(b) All transferred development rights in (a) above are from TDR-S overlay districts within the same town as the proposed dwelling unit, unless inter-town transfers are expressly authorized in adopted town and county comprehensive plans for both the sending and receiving towns. The landowner records a notice document for each new dwelling unit that details the number of development rights transferred, describes the sending property or properties, and references the recorded document number of the TDR agricultural conservation easement required under s. 10.304(4)(b).

(c) Copies of any recorded notices and copies of recorded TDR agricultural conservation easements on the sending parcel or parcels in the TDR-S district, must be provided to the zoning administrator before zoning permits will be issued.

(6) Conditional uses.

All conditional uses in the underlying zoning district, provided all of the following criteria are met:

(a) Any application for a conditional use permit in the TDR-R overlay district that would increase the number of permanent dwelling units, except for those uses listed in paragraph (b) below, is accompanied by transferred development rights from a parcel or parcels in the TDR-S overlay district consistent with, and at a ratio determined by, an adopted town and county comprehensive plan

(b) Exceptions. The following conditional uses are not considered an increase in the number of permanent dwelling units and do not require a transferred development right:

1. community living arrangements;
2. attached accessory dwelling units;
3. long-term care facilities; and
4. nursing homes.

10.400. Changes and Amendments

The Dane County Board of Supervisors may from time to time alter, supplement or change by ordinance the boundaries or classification of districts designated in this ordinance, or any of the provisions of regulations imposed by this ordinance, as provided in s. 59.69(5)(e), Wis. Stats.

10.500. Roles, Responsibilities and Duties**(1) Zoning Administrator****(a) Authority**

The position of the zoning administrator shall have all authority, powers and duties as described in Chapters 33, 59, 87, 88, 236, 281

and 295, Wisconsin Statutes, and in Chapters 10, 11, 12, 13, 14, 17, 74 and 75, Dane County Code.

(b) Appointment

The zoning administrator shall hold his or her office under civil service, and vacancies in such office shall be filled by procedures

established by the Dane County Civil Service Ordinance. The county executive shall be the appointing authority for the position of zoning administrator.

(c) Powers and Duties.

The zoning administrator, or his or her designee, shall have the following powers and duties:

1. Receive applications, conduct inspections, and approve zoning permits under s. 10.101(1).
2. Provide accommodations for disabled persons under s. 10.102(1).
3. Require and review location surveys under s. 10.101(2).
4. Require, specify standards for, review and approve site plans under s. 10.101(6).
5. Conduct inspections to determine compliance with any provisions of this ordinance, other ordinances cited in (a) above, any permit standards or conditions and to investigate violations. The zoning administrator, or his or her designee, shall have the right to

enter upon premises affected by this ordinance at reasonable hours for the purpose of inspection.

6. Issue certificates of compliance under s. 10.101(5).
7. Receive and review applications for conditional use permits under s. 10.101(7).
8. Receive and review petitions to rezone under s. 10.101(8)
9. Investigate any violation of this ordinance or any of the ordinances cited in (a) above, and to use enforcement measures authorized under s. 10.101(4) as necessary to ensure compliance.
10. Maintain permanent and current records of this chapter, including but not limited to all maps, amendments, conditional use permits, zoning permits, site plans, variances, appeals, inspections, interpretations, applications and other official actions.
11. Advise applicants for development approvals on the provisions of this chapter and assist applicants, to the extent practical, in preparing required permit applications.
12. Receive, file and forward all applications for all procedures governed by this chapter to the designated official review and approval bodies, along with all appropriate technical information and/or reports to assist such bodies in making their decisions.
13. Make interpretations regarding the provisions of this chapter in a manner that is consistent with the purpose of this chapter, the applicable chapter section(s), and the comprehensive plan. An interpretation may be requested by the owner(s) of a property, the Zoning and Land Regulations Committee, the County Board, or an interpretation may be initiated by the Zoning Administrator. All interpretations are subject to appeal to the Board of Adjustment per the procedures in s. 10.101(9).
14. Provide primary staff support to the Zoning and Land Regulations Committee and the Board of Adjustment, including the scheduling of public hearings and other meetings and site visits and the recording of the actions, recommendations, and minutes of such bodies.
15. Perform all duties related to shoreland and wetland zoning assigned to the zoning administrator, under Chapter 11, Dane County Code, NR 115, Wis. Admin. Code and s. 59.692, Wis. Stats.
16. Perform all duties related to floodplain zoning assigned to the zoning administrator under Chapter 17, Dane County Code, NR 117, Wis. Admin. Code and ss. 59, 59.692, 59.694 and 87.30, Wis. Stats.
17. Perform all duties related to land division and condominium plat review and approval as specified in Chapter 75, Dane County Code.
18. Perform all duties related to mineral extraction reclamation plans assigned to the zoning administrator under Chapter 74, Dane County Code.
19. Perform all duties related to rural addressing and road naming under Chapter 76, Dane County Code.
20. Perform all duties related to height limitations near the Dane County Regional Airport under Chapter 78, Dane County Code.

(2) Zoning and Land Regulations Committee

(a) Authority.

The zoning and land regulations committee shall have all authority, powers and duties as described in Chapters 33, 59, 87, 88, 236, 281 and 295, Wisconsin Statutes, and in Chapters 7, 10, 11, 13, 14, 17, 74 and 75, Dane County Code.

(b) Appointment.

The county board chair shall appoint zoning and land regulations committee members pursuant to s. 7.12, Dane County Code.

(c) Powers and Duties

The zoning committee shall have the following powers and duties:

1. All powers and duties described in s.7.12, Dane County Code.
2. Conduct public hearings in accordance with s. 59.69(2)(e), Chapter 985, Wis. Stats. and Chapters 7 and 10, Dane County Code.
3. Review and decide on requests for conditional use permits, including associated site plans where required, following the procedures in s. 10.101(7).
4. Advise the County Board on appropriate amendments to the text of this chapter or to the Official Zoning Map, following procedures established under §59.69, Wis. Stats., and in ss. 10.101(8) and 10.400.
5. Establish rules and procedures for committee meetings and public hearings under Chapter 7, Dane County Code.
6. Perform all duties, related to land division review, including approval of subdivision plats assigned to the zoning committee under Chapter 75, Dane County Code.
7. Review and approve waivers for landscaping standards for manufactured home communities under s. 10.103(14)(f).
8. Review and issue annual licenses for salvage yards and junkyards under s. 10.103(17)(c).
9. Review and approve Planned Unit Development applications under s. 10.291.
10. Review and approve replacement of vegetation or clear zone waivers in the Historic Overlay district under s. 10.302(4).

(3) Town Government

(a) Authority.

Town boards of supervisors generally have powers as described in Chapter 60, ss. 59.69(5) and 59.69(5m), Wis. Stats.

(b) Powers and Duties

Town boards shall have the following powers and duties related to this ordinance:

1. Adoption of the county zoning ordinance under s. 59.69(5), Wis. Stats.
2. Withdrawal from county zoning under s. 59.69(5m), Wis. Stats.
3. Review, approval and denial of conditional use permits under s. 10.101(7)(c).
4. Review, objection and comment on rezoning petitions and ordinance amendments under s. 59.69(5), Wis. Stats.
5. Adoption of town comprehensive plans under ss. 66.1001, 60.23(33) and 62.23, Wis. Stats. and Chapter 82, Dane County code.
6. Receipt of agricultural entertainment, tourism or assembly plans under s. 10.103(3).
7. Receipt of outdoor assembly event plans under s. 10.103(16).

8. Licensing of salvage yards or junkyards under s. 10.103(17)(c).
9. Planned Unit Development review under s. 10.291.

(4) County Board of Supervisors

(a) Authority.

The Dane County Board of Supervisors generally has all powers and duties as described in Chapter 59, Wis. Stats. and Chapters 6, 7 and 10, Dane County Code.

(b) Powers and Duties

The county board of supervisors has the following specific powers and duties related to this ordinance.

1. The chair of the county board of supervisors appoints the Zoning and Land Regulations Committee, subject to Chapter 7, Dane County Code.
2. Review, approval or denial of rezone petitions and ordinance amendments under s. 59.69(5), Wis. Stats. and s. 10.400.
3. Adoption, review and amendment of the Dane County Comprehensive Plan under s. 66.1001, Wis. Stats. and Chapter 82, Dane County Code.
4. Adoption, review and amendment of the Dane County Farmland Preservation Plan under Chapter 91, Wis. Stats. and Chapter 82, Dane County Code.
5. Adoption of town comprehensive plans under s. 10.004(9) and Chapter 82, Dane County Code.
6. Approval of Planned Unit Development General Development and Specific Implementation Plans under s. 10.291(5).

(5) County Executive

(a) Authority

The Dane County Executive generally has all powers and duties as described in

[s. 59.17, Wis. Stats.](#)

(b) Powers and Duties

The county executive has the following specific powers and duties related to this ordinance:

1. Approval or veto of rezone petitions and ordinance amendments under ss. [10.101\(7\)](#), [10.400](#) and [s. 59.17\(6\), Wis. Stats.](#)
2. Appointment of zoning administrator and other administrative staff.

(6) Board of Adjustment

(a) Authority

The Board of Adjustment generally has all powers and duties as described in ss. [59.694](#), Wis. Stats.

(b) Powers and Duties

The Board of Adjustment has the following specific powers and duties related to this ordinance, and other land use ordinances of Dane County.

1. Hearing and deciding appeals of conditional use permit decisions under s. [10.101\(7\)\(c\)4](#).
2. Hearing and deciding appeals of administrative decisions under s. [10.101\(9\)](#) and Chapters 11, 14 and 17, Dane County Code.
3. Hearing and deciding variances under s. [10.101\(10\)](#) and Chapters 11, 14 and 17, Dane County Code.

10.600. Reserved for future use.

10.700. Reserved for future use.

Subchapter II: Sign Regulations

(1) Title.

This subchapter shall be known as "The Dane County Sign Ordinance."

(2) Purpose.

The purpose of this Ordinance is to regulate the number, location, size, type, illumination, and other physical characteristics of signs within Dane County in a manner that preserves the right of free speech and expression, and promotes public safety, preservation of scenic beauty, and the implementation of the desired overall character of the community and its constituent zoning districts.

(3) Applicability.

The requirements and provisions of this subchapter shall apply to all signs that are erected, relocated, structurally altered, maintained or reconstructed after the effective date of this Ordinance. It shall be unlawful and in violation for any person to erect, relocate, structurally alter, maintain, or reconstruct any sign; except in compliance with the requirements of this section.

(4) Severability.

Should any section, clause or provision of this subchapter be declared by the courts to be invalid, the same shall not affect the validity of this subchapter as a whole or any part thereof, other than the part so declared to be invalid.

(5) Substitution.

Any sign authorized by this Ordinance may contain a noncommercial message, subject to the same regulations applicable to such signs.

Definitions.

As used in this section, the following words shall have the definitions indicated:

(1) Sign.

Any object, device, display, structure or part thereof, situated outdoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images.

(2) Abandoned sign.

A sign is abandoned if a business advertised on that sign is no longer doing business at that location.

(3) Air dancer.

An inflatable object, with or without text, that moves and is designed to attract attention.

(4) Apartment complex sign.

A sign that provides identification for an apartment complex on which the sign is located.

(5) Appendage sign.

An additional sign mounted above or hung below the primary sign face.

(6) Auxiliary sign.

A sign mounted separately and apart from the primary sign

(7) Awning sign.

A sign painted or installed on an awning.

(8) Back-to-back sign.

Signs that are mounted back to back with the sign faces in opposing directions or on a 'v-shaped' frame with an internal angle of less than 40. 'V-shaped' frame signs with an internal angle larger than 40 shall be considered side-by-side signs.

(9) Billboard.

An off-premise advertising sign with a copy area greater than 96 square feet.

(10) Directional sign.

An on-premise auxiliary sign which provides direction for pedestrian or vehicular traffic, e.g., enter, exit, parking, or location of any place or area on the same premise.

(11) Double decked sign.

Billboards or directory signs which are mounted one above the other.

(12) Electronic message sign.

Any sign, which may or may not include text, where the sign face is electronically programmed and can be modified by electronic processes including television, plasma, and digital screens, holographic displays, multi-vision slatted signs, and other similar media.

(13) Feather flag or feather banner.

A sign shaped like a feather or is rectangular in shape designed to move, and that is not permanently attached to the ground.

(14) Graphic sign.

A sign which is an integral part of a building façade. The sign is painted directly on or otherwise permanently embedded in the façade.

(15) Ground.

The average elevation of the ground upon which the sign supports are placed, except when the sign supports rest upon a berm or other area elevated above the surrounding ground. In such cases, the average elevation of the base of such berm or other area shall be considered as the ground.

(16) Ground sign.

A freestanding sign mounted on supports or uprights and whose bottom edge is less than 8 feet above the ground. A monument sign is a type of ground sign and is a two-sided sign attached to a permanent foundation or decorative base and not attached or dependent on support from any building, pole, posts or similar uprights.

(17) Intersection.

The point at which the right-of-way lines meet or, for highway interchanges, the beginning and ending points of the on and off ramps. A "t" intersection shall be considered the same as a four-way intersection in the determination of the required distance of signs from said intersection.

(18) Logo.

An emblem, symbol or trademark identification placed on signs.

(19) Marquee sign.

A sign mounted on an overhanging canopy of a theater, auditorium, fairground, museum or other such use.

(20) Mobile sign

Signs attached to or painted on vehicles/trailers and parked in a position and location with the primary purpose of displaying the sign.

(21) Nit.

A measurement of visible light intensity used to specify brightness.

(22) Obscene.

Matter which appeals to a prurient interest in sex, as determined by contemporary community standards or portrays sexual conduct in a patently offensive way, lacking any artistic or scientific value.

(23) Off-premise advertising sign.

A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere other than upon the premises where the sign is displayed.

(24) On-premise advertising sign.

A sign which directs attention to a business, commodity, service or entertainment sold, offered or conducted on the same premises that the sign is located.

(25) Private property protection sign.

A sign posted on private property in order to deny entry to the general public, pursuant to s. 943.13, Wis. Stats. Projecting sign. An on-premise sign advertising sign, other than a wall sign which is attached to and projects out from a wall or a building.

(26) Pylon sign.

A freestanding sign erected upon one or more pylons or posts the bottom edge of which is greater than eight feet above ground level.

(27) Road classification.

The system of classifying roads, according to the following:

- (a)** Class A – All federal and state highways and designated county highways
- (b)** Class B – All county highways except those designated as class A
- (c)** Class C – All town roads

(28) Side-by-side signs.

Two or more signs mounted adjacently on the same structure. Signs mounted on a 'v-shaped' frame that has an internal angle larger than 40 shall be considered side-by-side signs.

(29) Sign area.

The total area which may be used for display of advertising, message, announcement, etc.

(30) Sign face.

Sign prepared with the background as part of the face.

(31) Temporary signs.

Signs which are installed for a limited time period for any purpose. A permanently mounted sign shall not be considered as temporary even though the message displayed is subject to periodic changes.

(32) Trim.

A separate border or framing around the copy area of a sign.

(33) V-shaped frame.

A sign support structure which will accommodate two signs in a back-to-back position with one end of each sign mounted on a common support with the other sign. The other ends of the signs are mounted on separate, individual supports.

(34) Vehicle sign.

Vehicles with signs mounted or painted on them parked off-premise for the purpose of advertising rather than transportation.

(35) Vision clearance triangle.

An unoccupied triangular space at an intersection. The triangle is formed by connecting the point where each right-of-way line intersects and two points located at a distance equal to the right-of-way setback distance along each right-of-way line.

(36) Wall sign.

A sign mounted on and parallel to a building wall or other vertical building surface. Signs on the sides of a service station pump island roof structure shall be considered wall signs.

Standards and Requirements for Signs in All Zoning Districts

(1) Prohibited signs.

The following signs are prohibited in any zoning district:

- (a) Abandoned signs.
- (b) Electronic message signs, except as provided in this section.
- (c) Double-decker signs
- (d) Graphic signs.
- (e) Inflatable signs.
- (f) Air dancers.
- (g) Feather flags.
- (h) Mobile signs.
- (i) Portable signs.
- (j) Noise making, steam emitting, or odor emitting signs.
- (k) Obscene signs.
- (l) Roof signs.
- (m) Signs that block ingress or egress. Any sign that is placed or maintained so as to interfere with free ingress to or egress from any door, window, fire escape or parking lot.
- (n) Signs that employ any parts or elements that revolve, rotate, whirl, spin, flash or otherwise make use of mechanical, human or electronic derived motion, to attract attention.
- (o) Signs that imitate or resemble any official traffic sign, signal or device.
- (p) Signs on street trees.
- (q) Signs on utility poles, electrical boxes, traffic control devices, or other public utilities.

(2) Computation and Rules of Measurement.

(a) Measurement of sign area. For purposes of determining compliance with the sign area requirements of this ordinance, sign area shall be calculated as follows:

- 1. Measurement of a ground or pylon sign shall be of the sign face excluding the necessary supports or uprights on which the sign is placed.
- 2. Sign faces. Where a sign has 2 faces, the area of all faces shall be included in determining the area of the sign, except where 2 such faces are placed back to back. The area of the sign shall be taken as the area of one face if the 2 faces are of equal area, or as the area of the larger face if the 2 faces are of unequal area. No sign shall have more than 2 faces.
- 3. For wall signs, measurement will be of the sign copy area only.

(3) Copy area.

The copy area of signs which have a face, border or trim shall consist of the entire surface area of the sign on which copy could be placed. Copy area of a sign whose message is applied to a background which provides no face, border or trim shall be the area of the smallest rectangle which can encompass emblems and other elements of the sign message.

(4) Location standards for all signs.

- (a) View blockage. No sign shall be placed in a way that blocks any part of a driver's or pedestrian's vision of the road, road intersection, crosswalk, vision clearance triangle, authorized traffic sign or device, or any other public transportation mechanism.
- (b) Driveway blockage. No sign may block or interfere with the visibility for ingress or egress of a driveway. All signs, except auxiliary signs, if within 20 feet of driveway ingress or egress, shall provide a minimum of 6 feet of clearance between ground level and the bottom edge of the sign.
- (c) Vision triangle. No sign shall be located within a vision clearance triangle.
- (d) Road right-of-way setback requirements.
 - 1. No sign shall be located within a road right-of-way.
 - 2. All signs shall be setback not less than 5 feet from the right-of-way line, the property line, or permanent highway easement, whichever is greater.
- (e) Side and rear yard setback requirements. All signs shall be setback not less than 5 feet from any side or rear yard, the right-of-way line, property line, or permanent highway easement, whichever is greater.
- (f) Billboards may not be located within 300 feet of existing on-premise sign or other billboard signs.
- (g) Off-premise sign may not be installed within the limits of a curve.
- (h) Projecting signs may not be located directly over a public or private street, drive or parking area.
- (i) Off-Premise signs may not be located within 300 feet of on-premise advertising signs.
- (j) On-Premise Advertising Signs shall be mounted flush against the dwelling or building in which the business is located.
- (k) Buildings which contain multiple businesses shall share the maximum wall sign allowance by dividing the maximum area by the number of proposed businesses. All business may be afforded a maximum wall sign of 20 square feet, if greater than the maximum wall sign limit for the building.
- (l) No sign shall be installed on a roof. No sign may be located within a permanently protected green space area or mapped wetland area.

(5) Design Standards

(a) No sign shall use any word, phrase, symbol, shape, form or character in such manner as to interfere with moving traffic, including signs which incorporate typical street-type or traffic control-type sign designs and colors. No sign may be installed at any

location where by reason of its position, wording, illumination, size, shape or color it may obstruct, impair, obscure, interfere with the view of, or be confused with, any official traffic control sign, signal or device.

(b) Signs, as permitted, shall be professionally designed, constructed and installed.

(c) Graphics. The lettering on a sign shall be clearly legible and in scale with the sign surface upon which it is placed.

(d) Materials. Signs shall be constructed of materials which are of appropriate quality and durability.

(e) Smooth sign face. No nails, tacks or wires shall be permitted to protrude from the front of the sign.

(f) Illumination. All externally illuminated signs shall comply with the following standards.

1. Light, number and direction. Signs that are illuminated from an external source shall have a maximum of 4 external lights directed at only the copy area from a downward angle attached to the top of the sign or sign structure. No externally illuminated sign shall be up-lit or utilize light directed from the ground towards the copy area.

2. Glare. Light sources shall be effectively shielded to prevent beams or rays of light from being directed at any portion of a road or right-of-way that are of such intensity or brilliance as to cause glare or impair the vision of the driver of a motor vehicle, or that otherwise interfere with any driver's operation of a motor vehicle.

3. All light sources to illuminate signs, internal or external, shall be shielded from all adjacent buildings and rights-of-way. Light sources shall not be of such brightness so as to cause glare hazardous to the motoring public or adjacent buildings.

4. No sign shall use flashing, moving, reflecting, or changing light sources. Illuminated signs or lighting devices shall employ only a light of constant intensity.

(g) Electronic message sign design. Changing copy and electronic message signs must meet the following requirements.

1. On-premises ground and pylon signs shall be the only type of sign that may incorporate electronic message components to the sign's copy area.

2. Electronic message boards are prohibited on the exterior walls of buildings.

3. The electronic message shall not be changed more than once every 6 seconds.

4. Malfunction. In the event of a malfunction in any portion of the electronic message sign, the sign shall be turned off upon malfunction until the malfunction is corrected.

5. Nits. Electronic message sign copy areas shall not exceed a maximum illumination of 5000 nits during daylight hours and 500 nits between dusk to dawn as measured from the sign's face at maximum brightness.

6. Dimming. All electronic message signs shall be equipped with and shall use photosensitive mechanisms to automatically adjust sign brightness and contrast based on ambient light conditions.

(6) Maintenance

(a) All signs within the jurisdiction of this ordinance shall remain in a state of proper maintenance. Proper maintenance shall be the absence of loose materials including peeling paint, paper or other material, prevention of excessive rust, the prevention of excessive vibration or shaking and the maintenance of the original structural integrity of the sign, frame and other supports, its mounting and all components thereof.

(b) Signs found to be in violation of the provisions of this section shall be repaired or removed.

Signs Allowed Without a Permit.

(1) Exempt Signs.

The following are exempt from all provisions of this ordinance.

(a) Address, numbers and dwelling unit nameplates.

(b) Directional signs.

(c) Gravestones, symbols or monuments in cemeteries or monument sales lots.

(d) Murals which are a design or representation painted on the exterior surface of a structure that do not advertise a business, product, service or activity.

(e) Signs accessory to juvenile activities, such as a child's lemonade stand or temporary play-related sidewalk markings.

(f) Scoreboards and signs on fences and other structures accessory to athletic fields.

(g) Signage which is an integral part of the original construction of vending or similar machines.

(h) Signs required by other codes, public safety, health and welfare, of specifications required by other code or required by this ordinance.

(i) Flag or emblem of any nation, organization of nations, or other governmental or municipal agencies or unit.

(j) Signs posted and owned by a municipality, the State of Wisconsin or a Federal Agency.

(k) Displays within the confines of a building. Traffic control devices.

(2) The following signs are permitted without requirement for a permit, subject to any listed standards.

(a) On-Premise Advertising signs located in all agricultural districts provided that such signs have a maximum size of 32 feet.

(b) Signs in commercial districts where the parcel's use includes a drive-through is permitted to have up to 2 ground signs per drive through lane that relate to the drive-through facility, such as menu order board signs or information signs. The drive-through signs may have a maximum height of 8 feet and a maximum area of 32 square feet per drive-through use.

(c) Auxiliary signs posted pursuant to Wis. Stat. § 346.55 shall have a maximum size of 32 square feet, shall be erected to a height not to exceed 6 feet, with no more than 2 signs per parking lot. Such signs shall be located on the parking lot of the business advertised on the sign.

(d) Private property protection signs.

(e) Private property protection signs shall have a maximum size of 1.5 square feet.

(f) Service station island signs.

1. Automobile service stations shall be permitted incidental signs and/or symbols at fuel pumps and service station islands only.

2. The maximum total area of signage at each service island (includes fuel pumps) shall not exceed 3 square feet.

(3) Temporary signs.

(a) Number. One sign is allowed per parcel. For on premise advertising signs in agricultural districts, there shall not be more than one sign per row of crop.

(b) Maximum size shall be 32 square feet.

(c) Setback requirements.

1. Must meet requirements of s. 10.802(d) for on-premises ground signs.

2. Must be outside of Vision Clearance Triangle.

(d) Illumination. No temporary signs shall be illuminated or have the potential to be illuminated.

(e) Flashing/moving lights. Signs may not contain flashing lights or moving parts.

(f) Display period. Signs are limited to a period of 60 days two times per year. The 60-day periods shall not run concurrently.

(g) Inflatable signs/objects, air dancers, or feather flags shall be prohibited as temporary signs.

Signs allowed with a permit.

The following signs may be permitted in certain zoning districts as shown in the following Table 1 subject to the approval of a zoning permit and the sign design limitations applicable to each type of sign.

(1) Table 1: Signs Permitted with a Permit by Zoning District

Zoning district category	Zoning District	On-Premises					Off- Premises
		Wall signs	Projecting & Marquee signs	Ground signs < 8' off ground	Pylon signs (> 8' off ground)	Electronic message signs*	Billboards
Natural Resource & Recreational	NR-C						
	RE	X	X	X	X		
Farmland Preservation	FP-1						
	FP-35			X			
	FP-B	X	X	X	X		
Rural Mixed Use & Transitional	AT-35			X			
	AT-B			X	X		
	RM-8			X			
	RM-16			X			
Rural Residential	RR-1						
	RR-2						
	RR-4						
	RR-8						
Residential	SFR- 08						
	SFR-1						
	TFR- 08						
	MFR- 08			X			
Hamlet	HAM- R						
	HAM- M	X	X	X			
Commercial	LC	X		X			
	GC	X	X	X	X	X	
	HC	X	X	X	X	X	X

Processing, Manufacturing & Industrial	RI	X	X	X	X	X	
	MI	X	X	X	X	X	X
Special Use	PUD	Determined as part of site plan review by Z.A.					

* On-premises ground and pylon signs, are the only types of signs that may incorporate electronic message components to the sign's copy area.

(2) Auxiliary signs.

Auxiliary signs are allowed in all Zoning Districts.

(3) Awning signs.

Awning signs are treated the same as Wall signs.

(4) On-premise ground signs.

On-premise ground signs are subject to the area and placement regulations of the following Table 2 and the design standards of this section.

(a) Table 2: Dimension and Location Standards for On-Premise Ground Signs

Use	Zoning District	Number Permitted	0-45 mph		46+ mph		Minimum Setbacks (ft.)	
		Per road frontage	Max area sq. ft.	Max height ft.	Max area sq. ft.	Max height ft.	From lot line	From residential district
Natural Resource & Recreational	RE	1	32	10	32	16	5	25
Farmland Preservation	FP-35	1*	32	6	32	10	5	25
	FP-B	1*	32	10	64	16	5	25
Rural Mixed Use & Transitional	AT-35	1*	32	6	64	10	5	25
	AT-B	1*	32	10	64	16	5	25
	RM-8	1*	32	10	32	16	5	25
	RM-16	1*	32	10	32	16	5	25
Residential	MFR- 08	1	32	8	32	12	5	25
Hamlet	HAM- M	1	32	8	64	12	5	25
Commercial	LC	1	32	8	64	12	5	25
	GC	1	32	12	64	16	5	25
	HC	1	32	12	64	16	5	50
Processing, Manufacturing & Industrial	RI	1	32	12	64	16	5	100
	MI	1	32	12	64	16	5	100

* Crop signs shall have a maximum size of 3 square feet and be erected to a height not to exceed 10 feet. There shall not be more than one sign per row of crop.

(b) Monument base required. It is encouraged that ground signs in the county shall be low-level monument ground signs.

(5) On-premise pylon signs.

On-premise pylon signs are subject to the area and placement regulations of the following Table 3.

(a) Table 3: Dimension and Location Standards for On-Premise Pylon Signs

Use	Zoning District	Number Permitted	Maximum Area (sq. ft.)		Maximum Height (ft.)		Minimum Setbacks	
		Per parcel	0-45 mph	46+ mph	0-45 mph	46+ mph	From lot line	From residential district
Recreational	RE	1	100	200	25	50	5	25
Farmland Preservation	FP-B	1	100	200	25	50	5	25
Rural Mixed Use & Transitional	AT-B	1	100	200	25	50	5	25
Commercial	GC	1	100	200	25	50	5	25
	HC	1	100	300	35	50	5	50
Processing, Manufacturing & Industrial	RI	1	100	300	35	50	5	100
	MI	1	100	300	35	50	5	100

(6) On-premise wall signs.

Wall signs are subject to the design standards of the following Table 4.

(a) Table 4: Dimension and Location Standards for Wall Signs

27. Table 7. Dimension and Location Standards for Wall Signs

Use	Zoning District	Maximum Area (sq. ft.)		Maximum Height (sq. ft.)		Number of Signs Permitted per Building		
						Number of road frontages on zoning lot		
		0-45 mph	46+ mph	0-45 mph	46+ mph*	1	2**	3**
Farmland Preservation	FP-B	100	300	20	50	2	3	4
Rural Mixed Use & Transitional	AT-B	100	300	20	50	2	3	4
Hamlet	HAM- M	100	300	20	50	2	3	4
Commercial	LC, GC, HC	100	300	20	50	2	3	4
Processing, Manufacturing & Industrial	RI, MI	100	300	20	50	2	3	4
Special Use	PUD	Determined as part of site plan review by Z.A.						
*	For buildings 6 stories or more in height, a wall sign may also be located within 20 feet of the top of the building.							
**	The maximum size and height of signs on zoning lots with 2 or more road frontages shall be determined by reference to the nearest adjacent road.							

In no event shall there be more than two wall signs on any one side of the building. Wall signs shall be located only on the building containing the business advertised on the sign.

(b) Design standards.

1. Wall Signs. Wall signs shall not project more than 1 foot from the building wall to which it is attached and shall be set back from the end of the building, or party wall line for a distance of at least 3 feet and shall not project above the building wall. Wall signs may be internally or externally illuminated only in the GC, HC and MI zoning districts.

2. Projecting signs shall have a maximum size of 100 square feet and be installed to a height not to exceed 15 feet. Such signs shall be located on the building containing the business advertised on the sign. Projecting signs shall not extend more than 3 feet from the face of a building and the lowest portion of such signs shall not be less than 8 feet above the finished grade of a sidewalk or other pedestrian way.
3. Marquee signs shall have a maximum size of 300 square feet and be erected to a height not to exceed 20 feet, with no more than 3 sides. Such signs shall be located on the building containing the business advertised on the sign.

(7) Billboards.

Billboards shall meet all of the following requirements:

- (a) Total sign copy area shall not exceed 300 square feet in area.
- (b) Shall be erected to a height not to exceed 35 feet above the centerline of the adjacent highway at the location of the sign.
- (c) Shall meet all setback requirements for the district in which they are located.
- (d) Minimum separation of 1,000 feet from all other billboards.
- (e) Intersection regulation: a billboard whose bottom edge is less than 8 feet above the centerline elevation of adjacent roads shall maintain distance from road intersection as follows:
 - 1. 100 feet where the road speed is 0 to 45 mph and
 - 2. 200 feet where the road speed is 46+ mph.
- (f) A billboard whose bottom edge is 8 feet or higher above the centerline elevation of adjacent roads may be located up to the vision triangle line.

Nonconforming Signs and Use

(1) Nonconforming signs.

Signs existing prior to the effective date of this ordinance which do not conform to the provisions of the ordinance shall be nonconforming signs.

- (a) Nonconforming signs shall not be rebuilt, altered or moved to a new location without being brought into compliance with the requirements of this ordinance.
- (b) Routine maintenance of a sign is permitted unless the cost exceeds 50% of the current value of the sign, if the maintenance cost is more than 50% of the value of the sign said sign shall be considered rebuilt.

(2) Signs advertising a nonconforming use.

Signs advertising a nonconforming use may be continued but such signs shall not expand in number, copy area, height or illumination. New signs may be erected only upon the complete removal of all nonconforming signs.

(3) New copy.

Replacement of new skin (printed or painted surface of copy face), must contain the same message. A different message will be considered a new sign, and as such, it must meet current code requirements.

(4) Change of use.

Nonconforming signs shall be brought into compliance or removed when the principal use of the premises is changed to a different use.

Administration.

(1) Variances.

(a) Variances from the requirements of this subchapter may be granted by the Board of Adjustment (BOA) upon application to and payment of a fee to the zoning administrator. Variances are limited as specified in this section.

- 1. Variances may be granted from the maximums of height or area (but not both) for all signs regulated by this ordinance, except as limited by this section.
- 2. Variances to maximum of height or area may not exceed maximums specified in this chapter by more than 20%.
- 3. Variances may not be granted to maximum height, to maximum area or to minimum separation requirements for off-premise advertising signs.

(b) Variance Standards. Unnecessary hardship must be found as distinguished from a mere inconvenience. The finding of a hardship shall take into consideration the particular physical surroundings, shape or topographical conditions of the specific property involved.

- 1. The conditions upon which the application for a variance is based would not be applicable generally to other property similarly situated.
 - 2. The purpose of the variance is not based exclusively upon a desire for economic or other material gain by the applicant or owner.
 - 3. The alleged hardship or difficulty is caused by this ordinance and has not been created by any person presently having an interest in the property.
 - 4. The granting of the variance will not be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
 - 5. The proposed variance will not impair an adequate supply of light and air to adjacent property, endanger the public safety or substantially diminish or impair property values within the neighborhood.
- (c) Conditions on variances. The committee may impose such conditions or restrictions upon the sign and premises benefited by a variance as may be necessary to comply with the above standards to reduce or minimize the injurious effect of such variance upon other property in the neighborhood and to better carry out the general intent of this ordinance.

(2) Applications and Permits

(a) Application form. The applicant must fill out an application form including a site plan showing all of the following:

1. Lot. The location and dimensions of the property's boundarylines;
2. Buildings. The location of all the buildings and structures on the lot;
3. Existing signage. The location, dimensions, and description of all existing signage on the property;
4. Proposed signage. The sign design and layout proposed, including total area of the sign(s), sign height, character and materials.
5. Illumination. For illuminated signs, the method of illumination, the number and type of lamps and lens material and the statement that the illumination of each sign will comply with the provisions of Section 10.802(4)(f).
6. Elevations. Elevations and specifications for proposed signs, including proposed landscaping for ground signs. If a sign is proposed to be on a wall, then the entire wall that such sign will be attached to must be depicted showing the location of the sign on said wall.
7. Construction details. Details and specifications for construction, erection and attachment as may be required by the Zoning Administrator;
8. The name of the sign contractor or company responsible for construction of the sign;
9. Other information. All other information deemed pertinent by the Zoning Administrator or designee thereof.

(b) The Zoning Administrator shall issue a suitable identification tag with each sign permit. The identification tag shall be placed on the sign or on a support column in a location that is easily visible from the road or proximity of the sign.

(c) Fees are established in Chapter 12 of the Dane County Code of Ordinances.

(3) Penalties

(a) Failure to obtain a zoning permit for a sign shall follow the violations and penalties rules and procedures as defined in Section 10.101(4)

[EXPLANATION: *This amendment repeals the existing zoning ordinance and reenacts a comprehensive revision thereto pursuant to Wis. Stat. §59.69(5)(d).*

A document that highlights all new or changed language from the previous Zoning Ordinance is attached hereto for reference.]

Zoning & Land Regulation Committee recommends adoption of 2018 OA-020. Motion carried by a voice vote.

AWARD OF CONTRACTS

Sub. 1, 2018 RES-439

AWARD OF CONTRACT FOR MEDICAL DIRECTOR for the PUBLIC SAFETY COMMUNICATIONS DEPARTMENT

The 2019 budget included \$30,000 to provide for the medical direction and oversight of the Priority Medical Dispatch System in the Department of Public Safety Communications.

The department issued RFP #118089. After review of the responses, the department recommends the contract be awarded to Madison Emergency Physicians.

NOW, THEREFORE, BE IT RESOLVED, that Purchase of Service agreement be awarded to Madison Emergency Physicians, for the period of January 1, 2019 through December 31, 2019, in the annual amount of \$30,000.00 to provide the service contained in the contract with the option of four (4) possible one-year renewals by addendum.

BE IT FURTHER RESOLVED the County Executive and the County Clerk are hereby authorized and directed to sign the agreement on behalf of Dane County.

Public Protection & Judiciary recommend adoption of 2018 RES-439. Motion carried by a voice vote.

2018 RES-440

AWARDING A COLLECTIVE BARGAINING AGREEMENT TO THE DANE COUNTY WISCONSIN PROFESSIONAL POLICE ASSOCIATION-SUPERVISORY LAW ENFORCEMENT UNIT

The County has reached a tentative agreement with the Dane County WPPA Supervisory Law Enforcement Unit on a successor agreement that will run through December 7, 2019. The current agreement expired on December 8, 2018. The County employs approximately 46 full time equivalent employees in this bargaining unit.

The agreed upon principle economic items include a wage increase and an attendance incentive. The wage increase and other economic items agreed to are within the County's budgetary constraints. All negotiated changes are highlighted in the attached summary.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors approves the terms and conditions of a successor agreement between Dane County and the Dane County Supervisory Law Enforcement Unit for the period of December 9, 2018 through December 7, 2019, with the attached negotiated changes; and

BE IT FINALLY RESOLVED that County officials take appropriate action to implement this resolution.

Personnel & Finance Committee recommends adoption of 2018 RES-440. Motion carried by a voice vote.

2018 RES-451

AWARD OF CONTRACT FOR ALBION SALT STORAGE BUILDING

The Department of Public Works, Highway and Transportation reports the receipt of bids for Albion Salt Storage Building, 1015 County Hwy A, Edgerton, WI, bid #318008.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

Kenneth F. Sullivan Co. Inc.
1314 Emil Street
Madison, WI 53713

Total: \$1,202,000.00

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to Sullivan Design Build.

There are sufficient funds available for this project.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Kenneth F. Sullivan Co. Inc. in the amount of \$1,202,000.00; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-451. Motion carried by a voice vote.

RESOLUTIONS

2018 RES-311

AUTHORIZING LEOPOLD LEASE FOR JOINING FORCES FOR FAMILIES PROGRAM – DCDHS - CYF DIVISION

Dane County Department of Human Services is involved in a program of providing more localized services in the communities identified as needing those services most. One such program is the Joining Forces for Families (JFF) Program. The Joining Forces for Families program is renewing office space in a building owned by the Fiduciary Real Estate Development, Inc. and managed by the Fairways. This space is located at 3301 Leopold Way #112, Fitchburg, Wisconsin. This resolution is to pay for the monthly rental payment of \$250 per month to cover costs related to occupying this space during the lease term of twelve months (01/01/19 - 12/31/19).

The negotiated rental rate for the designated JFF space is below market at \$250 per month for each 2 bedroom/office space unit. The total rate for the term period is \$3,000. All utilities except electricity and telephone will be paid by landlord.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with the Fairways / Fiduciary Real Estate Development, Inc. for 2019; and

BE IT FURTHER RESOLVED that the Dane County Clerk and County Executive are hereby authorized to execute the described lease on behalf of Dane County.

Health & Human Needs, Public Works & Transportation and Personnel & Finance recommend adoption of 2018 RES-311. Motion carried by a voice vote.

2018 RES-312

AUTHORIZING LEOPOLD LEASE FOR EARLY CHILDHOOD INITIATIVE PROGRAM – DCDHS - CYF DIVISION

Dane County Department of Human Services is involved in a program of providing more localized services in the communities identified as needing those services most. One such program is the Early Childhood Initiative (ECI) Program. The Early Childhood Initiative program is renewing office space in a building owned by the Fairways / Fiduciary Real Estate Development, Inc. and this

space is located at 3301 Leopold Way #108, Fitchburg, Wisconsin. This resolution is to pay for the monthly rental payment of \$565 per month to cover costs related to occupying this space during the lease term of 01/01/19 - 12/31/19.

The negotiated rental rate for the designated ECI space is presently at below market at \$565 per month for each 2 bedroom/office space unit. The total rate for the term period is \$6,780. All utilities except electricity and telephone will be paid by landlord.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with the Fairways / Fiduciary Real Estate Development, Inc. for 2019; and

BE IT FURTHER RESOLVED that the Dane County Clerk and County Executive are hereby authorized to execute the described lease on behalf of Dane County.

Health & Human Needs, Public Works & Transportation and Personnel & Finance recommend adoption of 2018 RES-312. Motion carried by a voice vote.

2018 RES-414

APPROVAL OF FIFTH AMENDMENT OF OPERATING AGREEMENT AND TERMINAL BUILDING LEASE OF DELTA AIRLINES, INC.

Delta Airlines, Inc. ("Airline") presently conducts operations at the Dane County Regional Airport pursuant to the Scheduled Airline Operating Agreement and Terminal Building Lease of Delta Airlines, Inc. (the "Lease Agreement"), which expires December 31, 2018. Dane County and Airline have agreed to amend the Lease Agreement to extend its term for two additional years, until December 31, 2020. Other than the extended expiration date, all terms of the Lease Agreement, as previously amended, shall remain unchanged.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are hereby authorized to execute on behalf of Dane County a Fifth Amendment of Operating Agreement and Terminal Building Lease of Delta Airlines, Inc., as set forth above.

Airport Commission, Public Works & Transportation and Personnel & Finance Committee recommends adoption of 2018 RES-414. Motion carried by a voice vote.

2018 RES-433

APPROVAL OF THIRD AMENDMENT OF OPERATING AGREEMENT AND TERMINAL BUILDING LEASE OF UNITED AIRLINES, INC. - DANE COUNTY REGIONAL AIRPORT-

United Airlines, Inc. ("United") presently conducts operations at the Dane County Regional Airport pursuant to the Scheduled Airline Operating Agreement and Terminal Building Lease of United Airlines, Inc. (the "Lease Agreement"), which expires December 31, 2018. Dane County and United have agreed to amend the Lease Agreement to extend its term for two additional years, until December 31, 2020. Other than the extended expiration date, all terms of the Lease Agreement, as previously amended, shall remain unchanged.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are hereby authorized to execute on behalf of Dane County a Third Amendment of Operating Agreement And Terminal Building Lease of United Airlines, Inc., as set forth above.

Airport Commission and Public Works & Transportation and Personnel & Finance Committees recommends adoption of 2018 RES-433. Motion carried by a voice vote.

2018 RES-450

CONTRACT CHANGE ORDER #13 TO CONTRACT FOR BIOFerm USA, Inc. FOR BIOGAS CLEANING EQUIPMENT FOR PIPELINE INJECTION (PHASE III)

The Department of Public Works, Highway and Transportation, Solid Waste, awarded a contract to BIOFerm USA, Inc. for Biogas Cleaning Equipment for Pipeline Injection (Phase III), 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) bid #316039.

The following change is requested: Change Order #13 - Decrease \$25,078.36 for removal of Gasboy interface from ANGI scope of work. Gasboy interface was not customizable to off-loading station application.

NOW, THEREFORE, BE IT RESOLVED that Change Order #13 for a total decrease of \$25,078.36 be approved to the Contract for BIOFerm USA, Inc. for the above listed changes; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Change Order.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-450. Motion carried by a voice vote.

2018 RES-465

CONFIRMING THE APPOINTMENT OF ELI GOODMAN AS DEPUTY MEDICAL EXAMINER

A candidate has been selected to serve as a Deputy Medical Examiner. An employment agreement setting forth the terms and conditions of employment have been negotiated with Eli Goodman, MD. The appointment requires confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the County Executive is hereby authorized to execute on the behalf of Dane County the attached agreement with Eli Goodman to serve as Deputy Medical Examiner with a beginning base salary of \$187,000.00.

Public Protection & Judiciary and Personnel & Finance recommend adoption of 2018 RES-465. Motion carried by a voice vote.

2018 RES-467

AN INITIAL RESOLUTION AUTHORIZING GENERAL OBLIGATION BONDS AND PROMISSORY NOTES

WHEREAS, the County Board of Supervisors (the "County Board") of Dane County, Wisconsin (the "County") hereby finds and determines that it is necessary, desirable and in the best interest of the County to issue, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds and/or promissory notes in an amount of not to exceed \$99,000,000 for public purposes consisting of (a) paying the cost of various items included in the County's Capital Budget including but not limited to: general government; public safety; human services; conservation and economic development; culture and recreation; and public works projects, as listed with estimated project costs below and (b) paying professional fees and expenses in connection with the issuance of the general obligation bonds and/or promissory notes (collectively, the "Project"):

General Government	Amount	Term
County Board Furniture and Space Remodel	\$ 685,000	5
Room 201 Microphones	5,000	5
County Clerk Software/Hardware Upgrade	7,000	5
CFS Card Access System	20,000	5
Affordable Housing Development Fund	6,000,000	10
Automation Projects	350,000	5
Info Mgt. Computer Equipment	175,000	5
Cyber Security Improvements	400,000	5
Data Storage Upgrade	150,000	5
Info Mgt. Disaster Recovery Site	350,000	5
Fiber Network Connections	150,000	5
Network Infrastructure Upgrade	200,000	5
Website Redesign	145,000	5
BPNN Rooftop HVAC Unit Replace	160,000	5
CCB 4th Floor Improvements	950,000	10
CCB Automation Controls	230,900	5
CCB Exterior Joint Replacement	651,200	10
CCB Floor Cleaning Machine	20,700	5
CCB Locker Room Expansion	273,500	10
CCB MPD Central Duct Cleaning	44,400	5
CCB Pan Ceiling Replacement	85,200	5
CCB Planter/Retaining Wall	94,700	5
CCB Remote Drop System	133,200	5
Child Support Office Remodel	45,000	10
County Clerk Election Room Upgrade	50,000	10
Northport Window Replacement	120,000	10
Facilities Mgt. Vehicle Replacement	30,000	5
TOTAL	<u>\$11,525,800</u>	
Public Safety Amount Term		
Courthouse Duress Alarm	\$ 75,000	5
Courthouse Heat Exchanger	15,000	5
Courthouse Remote Drop System	150,000	5
Courthouse Roof Replacement	800,000	10
District Atty Office Remodel	60,000	10
PSB Shower Replacement	115,000	10
Pretrial Services Space Renovation	325,000	10
Morgue Equipment	41,000	5

M.E. Radio Equipment Replacement	35,000	5
M.E. Tablets	50,900	5
D.A. Computer Equipment	45,000	5
D.A. Investigator Equipment	25,800	5
Sheriff AED Replacement	23,600	5
Sheriff Air Boat	84,600	5
Training Center Alarm and Fire Panel	13,300	5
Ballistic Helmets	10,000	5
Body Armor	21,000	5
Cellebrite Forensic Software	57,000	5
Sheriff Computer Software and Hardware	60,000	5
Evidence Room Project	28,000	5
Sheriff Work Stations	15,000	5
MDC and Radar Units	141,000	5
Precinct Chair Replacement	9,800	5
Rescue Shields	33,300	5
Rifle Replacement Program	5,000	5
Sheriff Training Vehicle Radio System	16,000	5
Sheriff Vehicle and Equipment Replacement	458,000	5
CAD and Related Systems Replace	100,000	5
Dispatch Furniture Replacement	35,000	5
PSC Headset Replacements	5,000	5
PSC Computer Workstations	10,000	5
PSC Security Improvements	50,000	5
Ambulance Replacement	270,000	10
EMS Defibrillator Replacement	100,000	5
Sandbagging Machine	44,000	5
Water Pumps	20,000	5
WIPP Barriers	14,000	5
Juvenile Detention Expansion	3,960,000	20
Shelter Home Asphalt Shingle Roof	<u>20,000</u>	5
TOTAL	<u>\$7,341,300</u>	

Human Services Amount Term

B.P. President Care Equipment/Improvement	\$ 63,800	5
B.P. Serving Kitchens	96,800	5
B.P. Vehicle Replacement	36,000	5
Job Center Lobby Security	25,000	5
Job Center Cubicles	1,300,800	10
H.S. Tractor with Salter	19,400	5
H.S. Vehicle Replacement	<u>27,000</u>	5
TOTAL	<u>\$1,568,800</u>	

Conservation and ED Amount Term

Re-Monumentation Project	\$ 200,000	5
Fly Dane Digital Terrain and Ort	20,000	5
BIO Gas Spare Parts	1,000,000	5
Air Compressor-Solid Waste	10,000	5
End Loader-Solid Waste	380,000	5
Entrance Gate and Sign-Solid Waste	75,000	5
Entrance Road Asphalt Overlay-Solid Waste	30,000	5
Fuel Island Upgrade-Solid Waste	20,000	5
Gas Extraction System	250,000	10
Low Boy Trailer Deck Overhaul-Solid Waste	25,000	5
Maintenance Shop-Solid Waste	400,000	10
Mini Excavator-Solid Waste	175,000	5
Passenger Vehicle-Solid Waste	70,000	5
Landfill Phase 12 Construction	75,000	5
Portable Generator-Solid Waste	35,000	5
Sandbagging Machine-Solid Waste	35,000	5
Shop Alarms-Solid Waste	10,000	5
Skid Steer Trailer-Solid Waste	15,000	5
Utility Vehicles-Solid Waste	40,000	5
Aquatic Plant Harvesters	440,000	10
Barge Crane	50,000	10
Flood Grant Program	1,000,000	10
Yahara Clean Implementation	1,000,000	10

Yahara River Flow Enhancement	3,000,000	10
Buoys and Lights	7,500	5
Carp Removal and Sediment Reduction	100,000	5
Dane County CRP	750,000	10
Door Creek Restoration	200,000	10
Lake Mgmt. Repair Parts Inv.	25,000	5
Legacy Sediment Removal	2,500,000	10
Manure Water Treatment	200,000	5
Lake Monitoring Equipment	7,000	5
Stormwater Controls	1,000,000	10
Streambank Protection	500,000	10
Sugar River Restoration	75,000	10
Tenney Breakwall Analysis	200,000	10
Water Partnership Grant Program	10,000	5
TOTAL	\$13,929,500	

Culture and Recreation Amount Term

Lake Farm/Lussier Renewable Energy	\$ 435,000	10
Silverwood AG Demo Projects	19,000	5
Tenney Dam Elevation	300,000	10
Parks Vehicle and Equipment Replacement	616,000	10
Accessible Shorefishing Improvements	100,000	5
Capital Trail Rehab	900,000	10
McCarthy Park Improvements	60,000	10
New Property Stabilization	100,000	10
Park Improvement Projects	300,000	10
Picnic Tables/Grills/Camp Fixtures	20,000	5
Wisconsin River Trail Crossing	40,000	5
Conservation Fund	9,000,000	20
Emergency Generators-Zoo	32,000	5
Zoo Gate 9 (WINGRA) Replacement	20,000	5
Zoo Improvements	80,000	10
Zoo Operating Equipment	64,000	5
Zoo Paving Projects	24,000	10
Zoo Roof Replacement	162,000	10
Office Chairs and Tables-Extension	22,400	5
Teaching Garden Greenhouse	20,500	5
AEC Strategic Design/Action Pl.	100,000	10
AEC Audio/Visual Equipment	435,000	10
AEC Center Improvements	250,000	10
Coliseum Wayfinding	35,000	5
Expo Predesign and Stormwater	250,000	10
TOTAL	\$13,384,900	

Public Works Projects Amount Term

CTH A - Deer Creek Bridge	\$ 30,000	10
CTH A (USH 51 to East Co Line)	1,000,000	10
CTH AB - Monona Dr-Stoughton Rd	1,600,000	10
CTH B - CTH N to Tower Dr	1,300,000	10
CTH B - Tower Dr to CTH W	825,000	10
CTH BB - Damascus to Buss	34,000	10
CTH D - McKee Rd to Greenway Cr	8,000,000	10
CTH DM - Morrisonville to NCL	850,000	10
CTH F - Peculiar Bridge	30,000	10
CTH FF - WCOL to CTH F	385,000	10
CTH JJ - CTH J to STH	78 810,000	10
CTH MM - Wolfe St to Spring St	900,000	10
CTH M - Valley View to Cross Cou	1,550,000	10
CTH N - McCarthy Bridge	150,000	10
CTH P - CTH K to USH 12	2,684,300	10
CTH S - P to Timber	2,450,000	10
CTH S - Timber Ln to Pleasant VW	1,250,000	10
CTH W - Church to CTH B	200,000	10
Albion Storage Building	500,000	10
CNG Defueler/Refueler	160,000	10
CNG Fueling Station	1,500,000	10
East District Garage Cell Booster	30,000	5
Emergency Repair/Replacement-Highway	50,000	5

High Capacity Portable Pump-Highway	120,000	5
Fish Hatchery Basement Floor	15,000	5
Fish Hatchery Parking Lot	800,000	10
Message Boards	81,000	10
Mt Horeb Garage Roof Repairs	55,000	10
Mt Horeb Sewer Connection	100,000	10
Other Equipment-Highway	37,000	10
Park Mowers-Highway	41,000	10
Portable 4 Post Hylift	50,000	10
Fish Hatchery Roof Repair/Tuckpointing	54,000	10
Sandbags	24,000	10
Trailers-Highway	29,400	10
Tri Axle Trucks	1,360,000	10
Truck Upgrades/Repurpose	128,200	10
Terminal Modernization Project	<u>20,000,000</u>	10
TOTAL	<u>\$49,182,900</u>	

Project Total: \$96,933,200

WHEREAS, the County Board finds and determines that the Project is within the County's power to undertake and serves a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes; and

WHEREAS, counties are authorized by the provisions of Chapter 67, Wisconsin Statutes to borrow money and to issue general obligation bonds and promissory notes for such public purposes.

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

Section 1. Authorization of 2019 Obligations. For the purpose of financing the Project, there shall be borrowed pursuant to Chapter 67 of the Wisconsin Statutes, the principal sum not to exceed \$99,000,000. The County expects to issue general obligation promissory notes to finance all projects described above with a term of 10 years or less and the County expects to issue general obligation bonds to finance the projects described above with a term of 20 years (collectively, the "2019 Obligations").

The County is authorized to proceed with the Project in advance of borrowing pursuant to Section 29.52(11) of the Dane County Ordinance and the Controller is authorized to issue checks for capital items above.

Section 2. Sale of the 2019 Obligations. The County Board hereby authorizes and directs that the 2019 Obligations be offered for public sale. At a subsequent meeting, the County Board shall consider such bids for the 2019 Obligations as may have been received and take action thereon.

Section 3. Official Notice of Sale. The Controller (in consultation with the County's municipal advisor, Ehlers & Associates, Inc. ("Ehlers")) is hereby authorized and directed to cause the sale of the 2019 Obligations to be publicized at such times and in such manner as the Controller may determine and to cause copies of a complete Notice of Sale and other pertinent data to be forwarded to interested bidders as the Controller (in consultation with Ehlers) may determine.

Section 4. Official Statement. The Controller (in consultation with Ehlers) shall also cause an Official Statement to be prepared and distributed. The appropriate County officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this Resolution.

Section 5. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Personnel & Finance recommend adoption of 2018 RES-467. Roll call requested.

Ayes: 33 - Bayrd, Bollig, Chenoweth, Clausius, Corrigan, Downing, Erickson, Kiefer, Kolar, Krause, Levin, Miles, McCarville, Nelson, Ripp, Ritt, Rusk, Schauer, Veldran, Wegleitner, Stubbs, Kilmer, Young, Kuhn, Eicher, Chawla, Danner, Peters, Schwellenbach, Buckingham, Knoll, Nguyen-Hilfiger and Ratcliff

Excused: 4 - Dye, Pertl, Salov and Jones

Motion prevailed.

ITEMS REQUIRING TWO-THIRDS MAJORITY FOR PASSAGE

2018 RES-408

AMENDED AGREEMENT FOR THE RECONSTRUCTION OF CTH N IN THE CITY OF STOUGHTON

Dane County and the City of Stoughton previously entered into "Agreement for the Reconstruction of CTH N in the City of Stoughton" which was fully executed on April 17, 2018. This amendment increases Dane County's total obligations from \$352,255.75 to \$376,755.75, and increases City of Stoughton's total obligations from \$229,220.75 to \$243,220.75.

Funding for the design and construction of the project is to be accomplished in accordance with past policies of cost sharing on similar CTH projects.

After making the following transfer, the Department has funds available to cover the total project costs and to receive reimbursement from the City.

NOW THEREFORE BE IT RESOLVED that the following fund transfer be made to increase the expense and revenue construction budget:

Expense Budget:

HWCONCAP-57253, CTH N	\$30,000
HWCONCAP-59073, CTH CC	\$(16,000)

Revenue Budget:

HWCONCAP-80272, Stoughton Revenue	\$14,000
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NOW THEREFORE BE IT RESOLVED that the County Executive and the County Clerk be authorized and directed to execute this cost sharing agreement on behalf of Dane County, with the City of Stoughton.

BE IT FINALLY RESOVED that any unexpended funds as of December 31, 2018, in the above mentioned accounts be carried forward to 2019 .

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-408. Motion carried by a voice vote.

2018 RES-448

AMENDED AGREEMENT FOR THE CONSTRUCTION OF TRAFFIC SIGNALS AT THE INTERSECTIONS OF CTH V/RIVER ROAD AND CTH V/MORRISONVILLE ROAD WITH THE VILLAGE OF DEFOREST

The Dane County Department of Public Works, Highway & Transportation and representatives of the Village of Deforest previously entered into "Agreement for the Construction of Traffic Signals at the Intersections of CTH V/River Road and CTH V/Morrisonville Road with the Village of Deforest" which was fully executed on April 12, 2017. This amendment increases Dane County's total obligations to \$347,941.30.

Funding for the design and construction of the project is to be accomplished in accordance with past policies of cost sharing on similar CTH projects.

After making the following transfer, the department has funds available in account HWCONCAP-57260 to cover the signal costs. The County's maximum share is \$347,941.30.

NOW THEREFORE BE IT RESOLVED that the following fund transfer be made to increase construction budget:

Expense Budget:

HWCONCAP-57260, CTH V	\$24,365
HWCONCAP-59073, CTH CC	\$(24,365)

NOW THEREFORE BE IT RESOLVED that the County Executive and the County Clerk be authorized and directed to execute this cost sharing agreement on behalf of Dane County, with the Village of Deforest.

BE IT FINALLY RESOVED that any unexpended funds as of December 31, 2018, in the above mentioned accounts be carried forward to 2019 .

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-448. Motion carried by a voice vote.

2018 RES-459

FUNDING RAMP STUDY

The Dane County Department of Public Works, Highway & Transportation has determined that it needs to determine costs needed to repair the Dane County Ramp. An engineering study is estimated to cost \$150,000.

After making the following transfer, the department has funds available in account CPPUBPR-58192 for the study.

NOW THEREFORE BE IT RESOLVED that the following funds transfer be made:

Increase Budget:	
CPPUBPR-58192 Ramp Renovation	\$150,000
CPPUBPR-84974 Borrowing Proceeds	\$150,000

Decrease Budget:	
HWFLTFAC-57283 Madison Parking Lot	\$150,000
HWFLTFAC-84974 Borrowing Proceeds	\$150,000

BE IT FINALLY RESOLVED that any unexpended funds as of December 31, 2019, in the above mentioned accounts be carried forward to 2020 .

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-459. Motion carried by a voice vote.

ADJOURNMENT

Moved by Supervisor Chenoweth, seconded by Supervisor Schauer to adjourn to Thursday, February 7, 2019 or at the call of the chair. Motion carried by a voice vote. Subsequent to adjournment, Chair Corrigan referred the following matters:

- 2018 RES-486 - Approving Memorandum of Understanding Between Dane County and the City of Madison for County Occupancy of Vacant City Space in the City County Building. Submitted by Supervisors Nelson, Ratcliff, Ripp and Schauer. Referred to PUBLIC WORKS and PERSONNEL & FINANCE.
- 2018 RES-487 - Authorizing the Purchase of Land Along Token Creek. Submitted by Supervisors Eicher, Ripp and Schauer. Referred to PARKS, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-488 - Amending the Budget for Climate Action Plan (CAP) Modeling. Submitted by Supervisor Corrigan. Referred to EXECUTIVE and PERSONNEL & FINANCE.
- 2018 RES-493 - Urging Expungement Reform in the State of Wisconsin. Submitted by Supervisors Chawla, Stubbs, Bayrd, Bollig, Buckingham, Chenoweth, Corrigan, Danner, Downing, Eicher, Erickson, Kilmer, Knoll, Kolar, Krause, Kuhn, Levin, McCarville, Miles, Nelson, Nguyen-Hilfiger, Peters, Ratcliff, Ritt, Rusk, Schauer, Schwellenbach, Veldran, Wegleitner and Young. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-494 - Authorizing Awards to Honor Leisl Blockstein. Submitted by Supervisors Chawla, Bayrd, Bollig, Buckingham, Chenoweth, Danner, Downing, Eicher, Erickson, Kilmer, Knoll, Kolar, Krause, Kuhn, Levin, McCarville, Miles, Nelson, Nguyen-Hilfiger, Peters, Rusk, Schauer, Schwellenbach and Stubbs. Referred to CULTURAL AFFAIRS, EXECUTIVE and PERSONNEL & FINANCE.
- 2018 RES-495 - Authorizing Reclassification of an AODA Program Specialist Position to a Behavioral Health Program Specialist in the DCDHS - ACS Division. Submitted by Supervisors Kuhn, Buckingham, Eicher, Veldran and Young. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.
- 2018 RES-496 - Award of Contract for Heat Pump Replacement at the Lyman Anderson Center. Submitted by Supervisors Nelson, Rip and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-498 - Alliant Energy Center Redevelopment Committee. Submitted by Supervisors Corrigan, Nelson, Ratcliff, Ripp and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION.
- 2018 RES-499 - County Executive Appointments. Submitted by Supervisor Corrigan. Referred to EXECUTIVE.
- 2018 RES-502 - Urging Legislative Action to Ban Wildlife Animal Killing Contests. Submitted by Supervisors Ritt and Chawla. Referred to EXECUTIVE.
- 2018 RES-505 - urging Legislative Action to Close the Dark Stores Tax Loophole. Submitted by Supervisors Miles, Buckingham, Chawla, Kolar, Krause, McCarville, Nelson, Ratcliff, Ritt and Schwellenbach. Referred to EXECUTIVE.
- 2018 OA-032 - Amending Chapter 24, Regarding Consumer Price Index Adjustments and Alliant Energy Center Contracts. Submitted Supervisor Miles . Referred to PERSONNEL & FINANCE.
- 2018 RES-464 - Authorizing the Tax Deeding of Tax Delinquent Properties. Submitted by Supervisors Clausius. Referred to PERSONNEL & FINANCE.
- 2018 RES-509 - Contract Change Order # 5 for TRC Environmental Corporation for Construction Quality Assurance Representative. Submitted by Supervisor Nelson. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-510 - Contract Change Order # 6 for RG Huston for Phase 9, Cell 2 Liner and Stage 4 Final Cap Construction. Submitted by Supervisor Nelson. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-511 - Contract Change Order # 7 for R.G. Huston for Phase 9, Cell 2 Liner and Stage 4 Final CAP Construction. Submitted by Supervisor Nelson. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.

- 2018 RES-513 - Contract Change Order # 16 for BioFerm USA, Inc. for BioGas Cleaning Equipment for Pipeline Injection (Phase II). Submitted by Supervisors Nelson. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-514 - Contract Change Order # 9 for Joe Daniels for BioGas Facility Construction. Submitted by Supervisor Nelson. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-515 - Contract Change Order # 10 for Joe Daniels for BioGas Facility Construction. Submitted by Supervisor Nelson. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-516 - Abolishing a Facilities Project Manager Position and Re-creating a Painter Position. Submitted by Supervisor Miles. Referred to PERSONNEL & FINANCE.
- 2018 RES-519 - Authorizing Acceptance of Grants from the WDNR Targeted Runoff Management & Notice of Discharge Grant Programs. Submitted by Supervisor Ritt. Referred to ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-520 - Authorizing Acceptance of Grant Funding to Purchase Vehicles and Equipment for the Dane County Narcotics Task Force. Submitted by Supervisors McCarville. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-523 - Authorizing the Purchase of Land for the Lower Yahara River Trail and Door Creek Wildlife Area. Submitted by Supervisors Ratcliff. Referred to PARKS, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-524 - Authorizing Lease Renewal to Greater Wisconsin Agency on Aging Resources, Inc. for Space at the Job Center - DCDHS - EA Division. Submitted by Supervisors Kuhn. Referred to PUBLIC WORKS & TRANSPORTATION, HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.
- 2018 RES-525 - Approval of Lease to State of WI for Space at Job Center - DCDHS - EA Division. Submitted by Supervisors Kuhn. Referred to PUBLIC WORKS & TRANSPORTATION, HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.
- 2018 RES-526 - Extending Lease between Dane County and Briarpatch for Property at 1738 Roth Street in the City of Madison. Submitted by Supervisors Miles. Referred to PUBLIC WORKS & TRANSPORTATION, HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.
- 2018 RES-527 - County Executive Appointments. Submitted by Supervisor Corrigan. Referred to EXECUTIVE.
- 2018 RES-528 - Confirming the Appointment of Shawn Tessmann as the Director of the Dane County Department of Human Services. Submitted by Supervisor Corrigan. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.

2018 COUNTY BOARD PROCEEDINGS

FEBRUARY 21, 2019 7:00 P.M. SESSION

The Dane County Board of Supervisors met pursuant to statute. Chair Corrigan called the meeting to order. County Clerk McDonnell called the roll:

Supervisor Kuhn offered an inspirational message and led the Pledge of Allegiance.

SPECIAL MATTERS AND ANNOUNCEMENTS

2018 RES-546

MEMORIAL TO LARRY W. GLEASMAN

WHEREAS Larry W. Gleasman, of the City of Madison, passed away on January 2, 2019 at the age of 79; and

WHEREAS Larry served as a member of this County Board from 1980 to 1986, representing the old District 5 which included much of downtown Madison and the University of Wisconsin area; Larry served on many committees including as chair of the Human Resources Committee, and as a member of the Judiciary Committee; he was a member of many boards and commissions, including the Legislative Liaison committee, the United Services Board, and the City-County Commission on Sexual Assault; and

WHEREAS Larry was passionate about quality human services overall, but in particular for those with Intellectual and emotional disabilities; he took an active role in the development of the children's mental health system, and was part of a fact-finding trip with human services staff and supervisors to Ventura, California – a community considered a leader in children's mental health services; this visit and Dane County efforts eventually resulted in Children Come First, which to this day is a premier initiative that provides wraparound care coordination for children and youth ages 0-19 with diagnosed mental health concerns; and

WHEREAS upon leaving the County Board, Larry moved to Williamson Street where he purchased a building in the heart of the neighborhood and opened "Grampa's Gun Shop", retiring from active business in 2012; additionally Larry – a fierce defender of property rights - was hired by the Greater Madison Board of Realtors and worked as their Government Affairs Director throughout the 1990's; and

WHEREAS Larry was born in Rockford Illinois on October 18th, 1939, the only child of Bob and Marion Gleasman; he attended the University of Northern Illinois and later Milton College in Milton before moving to Madison in the mid-1960s; and Larry is remembered as a gregarious, trustworthy, and honest man who enjoyed and respected people and lively political discourse.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby pays its respects to our departed colleague and extends its sympathies to his family and to his many friends, and we join them in mourning the loss of our former colleague who gave so unselfishly to our community.

Moved by Supervisor Ripp, seconded by Supervisor Rusk to adopt the Special Resolution. Motion carried by a voice vote.

2018 RES-548

RECOGNIZING FEBRUARY 2019 AS BLACK HISTORY MONTH

WHEREAS, Black History Month provides a deliberate opportunity to reflect on the common humanity underlying all people and to raise awareness and foster respect for the heritage and contributions of people of African descent; and

WHEREAS, this year marks 400 years since the arrival of enslaved Africans in Virginia. The existence of Africans in North America can be traced back to 1525, and through 1866 the Trans-Atlantic Slave Trade is estimated to have ensnared more than 12 million African people, with an estimated 10 million surviving the unconscionable Middle Passage, landing in North America, the Caribbean, and South America; and

WHEREAS, Wisconsin history first references African descendants in a speech given in 1725 by a chief of the Illinois Indians, in which he said "a negro belonging to Monsieur de Boisbriant" at Green Bay; and

WHEREAS, the United States has recognized black history annually since February 12, 1926, first as "Negro History Week" and later as "Black History Month," by noted Harvard scholar and historian Dr. Carter G. Woodson, celebrating the ethnic and racial diversity that enriches and strengthens our nation; and

WHEREAS, both enslaved and free people of African descent have participated in every aspect of America's effort to secure, protect, and advance the cause of freedom and civil rights and have stories that are an inspiration to all citizens, that reflect the triumph of the human spirit and offer the hopes of everyday people to rise above both prejudice and circumstance and to build lives of dignity; and

WHEREAS, people of African descent or African Americans have made measurable differences in their respective industries; in Dane County, many have made their mark, including, but not limited to:

Milele Chikasa Anana — Publisher, UMOJA Magazine, a monthly journal of positive, encouraging news about African American people and opportunities in Madison, a civil rights activist, business leader, and former city of Madison affirmative action officer, and the first African American elected to the Madison school board;

Dr. Reuben Anthony – President/CEO of Urban League of Greater Madison;

Reverend Joseph Baring - pastor of St. Paul AME Church and the AME's district director of social action;

Lisa Peyton Caire — Founded the Foundation for Black Women's Wellness, a Wisconsin-based nonprofit organization committed to eliminating health disparities and other barriers impacting the lives of African American women and girls;

James "Jim" Caldwell – Beloit native, NFL coach (Indianapolis Colts from 2009-2011 leading the team to the playoffs four times, Detroit Lions 2014-2017);

Dawn Crim – Secretary of the Wisconsin Department of Safety and Professional Services and member of the Edgewood Board of Trustees and Madison Foundation Board of Trustees;

Clifton Lareece Gaines - former professional basketball player, who played at Madison West High School, and is current assistant coach at Eastern Kentucky University;

Dr. Alex Gee — Pastor, author, pioneered the Nehemiah Center for Urban Leadership Development, developing and mobilizing emerging African American leaders;

Dr. Richard Harris – President/CEO Genesis Social Services and author of Growing Up Black in South Madison;

Judge Paul Higginbotham – Former Judge of the Wisconsin Court of Appeals, first and only African American to serve on the court;

Linda Hoskins – 52 years as a long-time community activist, former President of NAACP, Founder of Bridge Lake Point Neighborhood Association;

Frances Huntley-Cooper – Wisconsin's first and only African American mayor elected to office; served as mayor of Fitchburg, WI;

Gregg Jones – President, Dane County NAACP;

Gloria Ladson-Billings - American pedagogical theorist and teacher educator on the faculty of the University of Wisconsin–Madison School of Education, and current Assistant Vice Chancellor of Academic Affairs, known for her work in the fields of culturally relevant pedagogy and critical race theory;

Vanessa McDowell – First African American President/CEO of the YWCA Madison;

District Attorney Ismael Ozanne – First African American District Attorney in Wisconsin, currently serving as Dane County's District Attorney;

Vel Phillips – First Black Wisconsin Secretary of State;

Dr. Floyd Rose – President of 100 Black Men, President of the Wisconsin Supplier Development Council;

Carolyn Stanford Taylor — Wisconsin's first African American State Superintendent of the Department of Public Instruction; and

WHEREAS, the list of people of African descent or African Americans of note who have a Wisconsin connection is long and impressive, including Lucien H. Palmer, Le Roy J. Simmons, George Edwin Taylor, Dr. Daniel Hale Williams, Violette Neatly Anderson, the Oshkosh 94, Eric Von, Arthur Jones, Reggie Jackson, Milele Coggs, Colin Kaepernick, Gerard Randall, James Causey, Curtiss Harris, Satchel Paige, Condoleezza Rice, Reuben Harpole Jr., Mark Wade Sr., Chandra Cooper, Kevin Newell, Rev. Greg Lewis, Marques Johnson, Marcia Anderson, Lt. Governor Mandela Barnes, and Phil Cockcroft; and

WHEREAS, while acknowledging the work of these leaders, it is equally critical to appreciate, both past and present, the long list of contributions of our fellow residents, Black History Month gives Wisconsinites an occasion to recognize the significant influence people of African heritage have made, and continue to make, in the areas of medicine, art, politics, human rights, education, sports, and economic development.

NOW, THEREFORE, BE IT RESOLVED the Dane County Board of Supervisors recognizes February 2019 as Black History Month and extends appreciation to the above-named persons for their contributions to Dane County, the state of Wisconsin, the country, and their fellow residents.

Moved by Supervisor Stubbs, seconded by Supervisor Kuhn to adopt the Special Resolution. Motion carried by a voice vote.

3. Farewell Remarks - Supervisors Dye and Pertl

4. Election of First Vice Chair

Supervisor Ritt nominated Supervisor Nelson for First Vice-Chair.

Supervisor Downing nominated Supervisor Veldran for First Vice-Chair.

Chair Corrigan close the nominations and ballots were distributed. Supervisor Nelson was elected First Vice-Chair.

5. Election of Second Vice Chair

Supervisor Young nominated Supervisor Eicher to be Second Vice-Chair. As there were no other nominations, Supervisor Eicher was elected Second Vice-Chair by unanimous consent.

APPROVAL OF PAYMENTS

The Controller's Office has examined the following bills which have been incurred in the operation of our County Departments. Inasmuch as the claims which cover the items purchased have been found reasonable and proper, we recommend that they be allowed by the Dane County Board.

1.Arjohuntleigh Inc.-Carendo Lift-Badger Prairie.....	\$12,190.61
2.Baycom Inc.-Arbitrators-Sheriff	\$17,904.00
3.Berry, Town of-Hellenbrand Culvert Bridge Aid-Highway	\$18,930.00
4.Big Switch Networks-Big Switch Implementation-Information Management	\$19,987.50
5.Camosy Construction-East Highway G Construction-Highway	\$28,631.00
6.Canopy Center Inc.-2019 Casa Payment-Clerk of Courts	\$18,627.00
7.Centerplate Inc.-Exact Science Reimbursement Per Mark Clarke-Alliant Energy Center	\$10,836.80
8.Dane Co Sheriff-December Process Service Fees-Child Support	\$15,443.98
9.Dane Co Sheriff-November Process Service Fees-Child Support	\$21,937.53
10 Dane County Narcotics Task Force- 4th Quarter HIDTA Lease-Sheriff	\$49,417.58
11.Deforest, Village of-Hwy V Traffic Signals-Highway	\$17,941.30
12.Electroline Data Communications Inc.-Citrix Services-Information Management.....	\$27,000.00
13.Electroline Data Communications Inc.-ADC SDX 14030 FIPS for Netscal-Information Mngmnt.....	\$310,530.04
14.Evologic Inc.-Landfill Workstation PC-Public Works	\$22,906.49
15.GCS Software Inc.-2019 Maintenance-Treasurer	\$63,712.00
16.Granicus LLC-Legislative Tracking Software-Board	\$43,937.30
17.Hill Electric Inc.-November-December 2018 Siren Repair-Emergency Management.....	\$27,486.10
18.Liberty Tire Services LLC-Landfill Tire Recycling-Public Works	\$12,871.00
19.Madison, City of-2018 Marketing Assistance-Highway.....	\$19,300.00
20.Madison, City of-2019 Flat Rate Communications Services-Sheriff	\$17,654.65
21.Madison, City of-4th Quarter HIDTA Overtime Reimbursement-Sheriff	\$15,893.41
22.Madison, City of-4th Quarter Street Light & Signal Billing-Highway	\$18,107.28
23.Madison, City of-Bryne Award Overtime Reimbursement-Sheriff	\$11,275.89
24.Madrep-2019 Support Pledge-Executive.....	\$15,000.00
25.Maly Roofing Company-Final for Northport Roof-Administration	\$14,217.50
26.Motorola-Mobile Radios-Sheriff	\$19,773.18
27.Pine River Group-Wood Posts-Highway	\$10,662.40
28.Pine River Group-Wood Posts-Highway	\$11,156.48
29.Quality Roofing Inc.-Fish Hatchery Rd Highway Roof Repairs-Highway	\$88,202.75
30.Scully Oil Company Inc.-Motor Fuel-Airport	\$11,493.08
31.Sustainable Energy Economics-Modeling OECC-Executive Office.....	\$30,000.00
32.Sweeney, Alan-Cost Share Payment-Land & Water	\$13,861.34
33.Sweeney, John D-Cost Share Payment-Land & Water	\$13,861.33
34.The Detroit Salt Company-Road Salt-Highway	\$30,947.01
35.The Detroit Salt Company-Road Salt-Highway	\$43,907.93
36.The Detroit Salt Company-Road Salt-Highway	\$25,610.91
37.The Detroit Salt Company-Road Salt-Highway	\$44,358.71
38.The Detroit Salt Company-Road Salt-Highway	\$52,214.45
39.Universal Truck Equipment Inc.-Equipment Repair/Parts-Highway.....	\$17,316.64
40.UW Madison Tandem Press-Art Exhibits-Airport.....	\$14,533.43
41.Waunakee, Village of-Waunakee Full Scale Exercise-Emergency Management.....	\$12,069.68
42.WI Dept. of Transportation-STH 69 & USH 151 Project-Highway	\$79,171.08
43.WI DNR-4th Quarter Recycling & License Fee-Public Works	\$364,380.15
44.Wisconsin Counties Association-2019 Dues-Board	\$42,231.00
45.Yahara Materials Inc.-Crushed Aggregate for County P-Highway	\$29,541.36
Subtotal.....	\$1,807,031.87

	02/21/2019
46.Achilles Shield Inc.-Security Assessment-Information Management.....	\$37,554.41
47.Acoustic Technology Inc.-Siren Monitoring-Emergency Management	\$16,313.00
48.Arjohuntleigh Inc.-Equipment ARJO Performance-Badger Prairie	\$31,651.08
49.Cantata Health Llc-Annual Software Update-Badger Prairie	\$10,692.00
50.CEDP Inc.-2018 Bridge Inspections-Highway	\$52,196.00
51.Centerplate Inc.-Catering Organic Vegetable Production-Extension.....	\$10,954.86
52.Community Groundworks-Community Garden Support-Extension	\$25,000.00
53.Concrete & Mason Restoration Llc-CCB Deck Structure-Administration.....	\$97,887.92
54.Cross Plains, Village of-CTH P Construction-Highway.....	\$47,097.92
55.Cryotech Deicing Technology-Runway Deicer-Airport	\$36,847.65
56.Cryotech Deicing Technology-Runway Deicer-Airport	\$19,969.36
57.Cryotech Deicing Technology-Runway Deicer-Airport	\$19,933.20
58.Cryotech Deicing Technology-Runway Deicer-Airport	\$19,901.56
59.Cryotech Deicing Technology-Runway Deicer-Airport	\$19,969.36
60.Cryotech Deicing Technology-Runway Deicer-Airport	\$19,960.32
61.Dell Marketing Llc-50 Dell 7290 Laptops-Human Services	\$42,115.00
62.Dorschner Associates-ATIP Renovation-Administration	\$19,488.75
63.ESRI Inc.-Yearly Maintenance-Information Management	\$83,168.00
64.Homburg Contractors Inc.-Removal & Replacement Lighting-Alliant Energy Center	\$15,619.51
65.Interstate Billing-Kayser Ford Repair Billings-Sheriff.....	\$11,640.81
66.JFTCO Inc.-2017 Used Cat Dozer-Land & Water	\$101,200.00
67.Madison, City of-Advanced Hazmat-Emergency Management	\$23,800.00
68.Marco Technologies Llc-Voicemail Server Upgrades-Information Management	\$14,593.50
69.Mercury Marine-Boat Motors-Sheriff	\$35,646.74
70.Relyco Inc.-Final Phase 10 Liner Construction-Public Works	\$21,900.79
71.Reserve Account-Postage-Printing & Services	\$50,000.00
72.Scheidt & Bachman USA Inc.-Ticket Spitter Repair/Parts-Airport	\$12,420.49
73.Scully Oil Company In.c-Landfill Motor Fuel-Public Works.....	\$17,465.25
74.Scully Oil Company Inc.-Motor Fuel-Airport	\$17,129.25
75.The Sandbagger Llc-2 Sandbagger's-Emergency Management.....	\$35,996.00
76.WI Dept. of Health Services-February Bed Count-Badger Prairie	\$20,400.00
77.WI Dept. of Military Affairs-Sandbags-Emergency Management.....	\$25,000.00
Total	\$2,820,544.60

Moved by Supervisor Miles, seconded by Supervisor Nelson, to adopt the above amended payments. Motion carried by a voice vote.

APPROVAL OF COUNTY BOARD MINUTES

Moved by Supervisor Kilmer, seconded by Supervisor McCarville, to approve the minutes of the County Board meeting of January 17, 2019. Motion carried by a voice vote.

CONSENT CALENDAR

All items on the consent calendar were approved on a voice vote. (The text and committee recommendations for each of the items follow.)

2018 RES-285

AUTHORIZING AN ADDENDUM TO INTERGOVERNMENTAL AGREEMENT - MAMSWAP

Resolution 104, 13-14 authorized an intergovernmental agreement to fund a position responsible for stormwater information, education and outreach coordination for the Madison Area Municipal Stormwater Partnership (MAMSWAP).

The agreement expires on December 31, 2018.

Dane County and the members of MAMSWAP would like to extend the agreement until December 31, 2019 to allow the completion of an evaluation of the Information and Outreach Program's effectiveness. The data would be used to draft a new five-year agreement to continue the program required under their state permits. The Wisconsin Department of Natural Resources has granted permission to the one-year extension.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive is hereby authorized to execute the described intergovernmental agreement; and

BE IT FINALLY RESOLVED that except as amended, all terms of the Agreement shall remain in full force and effect.

Environment, Agriculture & Natural Resources and Personnel & Finance recommend adoption of 2018 RES-285. Motion carried by a voice vote.

2018 RES-460

AUTHORIZING RUSSETT RD LEASE FOR JOINING FORCES FOR FAMILIES / EARLY CHILDHOOD INITIATIVE PROGRAMS
DCDHS - CYF DIVISION

Dane County Department of Human Services is involved in a program of providing more localized services in the communities identified as needing those services most. Two such programs are the Joining Forces for Families (JFF) Program and the Early Childhood Initiative (ECI). Joining Forces for Families (Apartment #1) and the Early Childhood Initiative (Apartments #2 and #3) are renewing a lease on office space in a building owned by Rey Anthony Clarke and Lora Garrett. This office is located at 5810 Russett Rd, Apartments #1, 2, & 3, Madison, Wisconsin. This resolution is to pay for the monthly rental payment of \$2,475 per month to cover costs related to occupying all three apartments/offices during the lease term of twelve months (01/01/19 to 12/31/19). There is a one year automatic extension written into the lease.

The space will be utilized by a Dane County Community social worker, other JFF partners and the Early Childhood Initiative. The total rate for the term period is \$29,700. All utilities except electricity and gas for the hot water heaters will be paid by landlord.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with Rey Anthony Clarke and Lora Garrett, for 2019; and

BE IT FURTHER RESOLVED that the Dane County Clerk and County Executive are hereby authorized to execute the described lease on behalf of Dane County.

Public Works & Transportation, Health & Human Needs and Personnel & Finance Committees recommend adoption of 2018 RES-460. Motion carried by a voice vote.

2018 RES-471

2018 PARC & RIDE BICYCLE TRAIL GRANT AWARDS

The PARC & Ride Bicycle Trail Grant Program was included in the 2018 County Budget to build on the Partners for Recreation and Conservation (PARC) grant program by providing matching grants to communities interested in expanding regional trail interconnectivity throughout Dane County. PARC & Ride grants are intended to match local dollars and are sponsored by local units of government. The proposed grant awards total \$500,000 in County funds for the following four eligible projects:

Sponsor	Project Title	Project Cost	PARC Grant Award
Village of Cambridge	CamRock/Glacial Drumlin Trail Connector - N/S connection between CamRock, Village of Cambridge and Glacial Drumlin State Trail	\$418,500	\$209,250
Village of Cottage Grove	Main Street Community Trail - N/S connection between Glacial Drumlin State Trail and McCarthy County Park	\$365,000	\$182,500
Village of Windsor	Wolf Hollow Bicycle/Pedestrian Bridge, Bull Run Multi-use Path, and Wayfinding Signage - N/S connection between Upper Yahara River Trail and Token Creek County Park	\$163,200	\$81,600
Village of Shorewood Hills	Blackhawk Path Extension - University Avenue trail connection between Marshall Court and University Bay Drive	\$211,996	\$26,650

The PARC & Ride grant awards are contingent on the County and project sponsor entering into a grant agreement that will specify the program requirements and applicable grant conditions for each project. Project sponsors may charge user fees for trails, however all residents of Dane County must be charged equally.

NOW, THEREFORE, BE IT RESOLVED, that the PARC & Ride grants are approved by the Dane County Board and the Dane County Executive. The County will pay up to the grant amount based on 50% of actual project expenses.

BE IT FURTHER RESOLVED, that the Dane County Clerk and Dane County Executive are authorized to execute documents necessary to effectuate the grant award, which may include grant agreements and management agreements.

BE IT FINALLY RESOLVED, that the Land & Water Resources Department Director, Parks Property Planner are authorized to approve reimbursement documentation for grant projects and the Controller is authorized to issue checks necessary to effectuate the projects authorized through the grant awards.

Park Commission, Environment, Agriculture & Natural Resources and Personnel & Finance Committee recommend adoption of 2018 RES-471. Motion carried by a voice vote.

2018 RES-476

AUTHORIZING EXECUTION OF AN AIR SERVICE PROMOTION AND MARKETING AGREEMENT WITH UNITED AIRLINES, INC. - DANE COUNTY REGIONAL AIRPORT

On March 31, 2019, United Airlines, Inc. ("United"), will begin offering once daily non-stop round trip air service between Dane County Regional Airport ("DCRA") and Los Angeles International Airport ("LAX"). LAX is not currently served from DCRA by non-stop scheduled airline service, and United's new direct LAX flights qualify for support under DCRA's Community Air Service Support Program. DCRA proposes providing up to \$100,000 for advertising and marketing during the critical start-up phase of United's new LAX flights. Additionally, DCRA will provide a waiver of landing fees for United's direct flights arriving from LAX for twenty-four months after initiation of the nonstop service.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are authorized to execute on behalf of Dane County an Air Service Promotion and Marketing Agreement providing promotional and marketing assistance and landing fee waivers to United Airlines, Inc. in support its newly initiated non-stop round trip passenger air service between Dane County Regional Airport and Los Angeles International Airport, as set forth above.

Airport Commission, Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-476. Motion carried by a voice vote.

2018 RES-477

CONTRACT CHANGE ORDER #8 TO CONTRACT FOR JOE DANIELS FOR BIOGAS FACILITY CONSTRUCTION

The Department of Public Works, Highway and Transportation, Solid Waste, awarded a contract to Joe Daniels for Biogas Facility Construction, 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) Bid #317049.

The following change is requested: Change Order #8 - Increase \$24,555.79 for additional undercut of subgrade soil.

NOW, THEREFORE, BE IT RESOLVED that Change Order #8 for a total increase of \$24,555.79 be approved to the Contract Joe Daniels for the above listed changes; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-477. Motion carried by a voice vote.

2018 RES-479

AWARDING CONTRACT FOR ZOO VETERINARY SERVICES

The Henry Vilas Zoo contracts for veterinary care for its zoo animals. The county issued RFP #118072 to identify a qualified provider. Based on the results of the RFP, Zoo staff recommend awarding a contract to the University of Wisconsin, School of Veterinary Medicine.

Under the agreement, the Veterinary School will expand the number of hours that a vet is available to care for zoo animals. The Veterinary School will provide these services at no cost. The county will only be billed for lab tests, consumable supplies and medications used in the care of the animals.

THEREFORE BE IT RESOLVED that the contract for veterinary services be awarded to the University of Wisconsin School of Veterinary Medicine for an initial term of five years and that the County Executive and County Clerk are authorized to execute the contract.

Henry Vilas Zoo Commission, Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-479. Motion carried by a voice vote.

2018 RES-486

APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN DANE COUNTY AND THE CITY OF MADISON FOR COUNTY OCCUPANCY OF VACANT CITY SPACE IN CITY COUNTY BUILDING

Dane County is undertaking a remodeling of the space occupied by Printing and Services in the ground floor of the City County Building. The City of Madison has vacant space on the fifth floor of the City County Building that can accommodate a portion of the Printing and Services operation during the remodeling. By using this space, the county can save approximately \$26,000 on the remodeling project.

City and County staff negotiated a Memorandum of Understanding (MOU) which provides for the County to rent 800 square feet of City space for a period of at a rate of \$1.25 per square foot per month beginning February 15, 2019.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Clerk and the County Executive are hereby authorized to execute the described Memorandum of Understanding on behalf of the County of Dane.

Public Works & Transportation recommend adoption of 2018 RES-486. Motion carried by a voice vote.

2018 RES-498

ALLIANT ENERGY CENTER REDEVELOPMENT COMMITTEE

The Alliant Energy Center Master Plan Oversight Committee has completed its work on a master plan for the 164-acre campus. The plan is the culmination of a multi-phase planning process to develop an approach to keep the county-owned Alliant Energy Center self-supporting while enhancing its current role as a world-class destination for a variety of events. The goal is to make the AEC a catalyst for growth and economic vitality for the entire area.

The plan identifies several phases for the development of the campus and relies on both public and private investment. In addition to continuing the incremental improvements to the Coliseum, the plan envisions expansion of the Exhibition Hall, new parking, landscaping, storm water improvements, and a new entry drive in Phase 1. At the same time, a new major conference hotel would anchor private development on the site.

Exhaustive research and extensive stakeholder input indicate an initial public investment of \$90 million would stimulate more than \$205 million in private investment in the campus alone — creating 1,400 new jobs and generating nearly \$3 million in annual local property, sales and room taxes. Those benefits would compound over the long run, with an estimated 95 percent return on the original public investment over 30 years. The public-private investment is expected to nearly double the Alliant Energy Center's net operating revenues and position it to continue to be self-supporting.

This scale of investment would not happen all at once, but would unfold over time as partnerships are formed and resources are made available. As a first step, the 2019 Dane County budget includes funding for pre-design work for expansion of the Exhibition Hall as well as analysis on storm water control on the Alliant Energy Center campus. Additionally, the budget includes funding for a consultant to provide project management support.

While the multi-year robust planning process provides a road map for transforming the Alliant Energy Center to serve the community for generations to come, the county now must turn to the work of prioritizing recommendations and making choices for the next steps. Weighty issues, including governance and financing, must be addressed. As the planning phase has ended and the Master Plan Oversight Committee has completed its work, it is now time to put in place a redevelopment committee to shepherd the next steps of this major county initiative.

NOW, THEREFORE, BE IT RESOLVED the Dane County Board of Supervisors establishes the Alliant Energy Center Redevelopment Committee, comprised of the following:

- The director of the Alliant Energy Center;
- Two members appointed by the Dane County Executive;
- Two members of the County Board, appointed by the County Board Chair;
- The Madison Common Council alder who represents the area;
- A designee of the Mayor of Madison;
- A resident of the neighborhood, appointed by the County Board Chair;
- The CEO of the Greater Madison Convention and Visitors Bureau;
- A member appointed by the Greater Madison Convention and Visitors Bureau;
- A member appointed by the Greater Madison Chamber of Commerce;
- A member appointed by the Madison Area Sports Commission; and
- A member of the Public Works and Transportation Committee who is appointed by the committee chair.

BE IT FURTHER RESOLVED that committee members who are elected officials will have terms coterminous with their city or county term, while other members will serve until replaced by the appointing authority.

BE IT FURTHER RESOLVED that the duties of the committee will include addressing financing and governance issues associated with campus redevelopment as well as review of public and private investment in the Alliant Energy Center.

BE IT FINALLY RESOLVED that the County Board Office will work with the Alliant Energy Center staff and the project management consultant to provide support to the committee regarding agendas and minutes.

Public Works & Transportation Committee recommends adoption of 2018 RES-498. Motion carried by a voice vote.

REPORTS ON ZONING PETITIONS**PETITION 11367 - ZONING CHANGE IN THE TOWN OF PRIMROSE - ZONING ORD. AMDT. 11367**

Petition by Katherine Spring to change zoning from A-1EX Agriculture District and RH-3 Rural Homes District to A-2 Agriculture District on property located at 997 Norland Road, Section 17, Town of Primrose.

Zoning & Land Regulation Committee recommends Petition 11367 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and Zoning Ord. Amdt. be adopted. Motion carried by a voice vote.

PETITION 11371 - ZONING CHANGE IN THE TOWN OF MIDDLETON - ZONING ORD. AMDT. 11371

Petition 11371 by Marianne Gardner to change zoning from A-1 Agriculture District to R-3 Residence District on property located at 8461 Airport Road, Section 4, Town of Middleton.

Zoning & Land Regulation Committee recommends Petition 11371 be granted and Zoning Ord. Amdt. 11371 be adopted. Motion carried by a voice vote.

PETITION 11372 - ZONING CHANGE IN THE TOWN OF PERRY - ZONING ORD. AMDT. 11372

Petition 11372 by Duane A Iverson Revocable Living Trust, to change zoning from A-1EX Agriculture District to RH-1 Rural Homes District and A-4 Agriculture District on property located at 1429 STH 78, Section 4, Town of Perry.

Zoning & Land Regulation Committee recommend Petition 11372 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11372 be adopted. Motion carried by a voice vote.

Deed Restriction:

1. A deed notice shall be recorded on the property indicating that the housing density units have been exhausted (tax parcel #0506-043-9500-4).

PETITION 11373 - ZONING CHANGE IN THE TOWN OF PLEASANT SPRINGS - ZONING ORD. AMDT. 11373

Petition 11373 by Ronald A Lund to change zoning from A-1EX Agriculture District to RH-1 Rural Homes District on property located 900 feet east of Rinden Road, Section 2, Town of Pleasant Springs.

Zoning & Land Regulation Committee recommends Petition 11373 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11373 be adopted. Motion carried by a voice vote.

PETITION 11374 - ZONING CHANGE IN THE TOWN OF PRIMROSE - ZONING ORD. AMDT. 11374

Petition 11374 by Andrew A. Haag to change zoning from A-1EX Agriculture District to RH-3 Rural Homes District on property located at 9018 Britt Valley Road, Section 8, Town of Primrose.

Zoning & Land Regulation Committee recommends Petition 11374 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11374 be adopted. Motion carried by a voice vote.

PETITION 11375 - ZONING CHANGE IN THE TOWN OF YORK - ZONING ORD. AMDT. 11375

Petition 11375 by Mark McNamee to change zoning from RH-3 Rural Homes District to RH-1 Rural Homes District, RH-3 Rural Homes District and C-2 Commercial District to RH-2 Rural Homes District.

Zoning & Land Regulation Committee recommends Petition 11375 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11375 be adopted. Motion carried by a voice vote.

Deed Restriction:

1. A deed restriction shall be recorded on the property prohibiting the 3 parcels from being separately sold or conveyed.

PETITION 11376 - ZONING CHANGE IN THE TOWN OF DUNKIRK - ZONING ORD. AMDT. 11376

Petition 11376 by D & J Alme Partnership to change zoning from A-1EX Agriculture District to A-2 (4) Agriculture District on property located at 2394 Leslie Road, Section 21, Town of Dunkirk.

Zoning & Land Regulation Committee recommends Petition 11376 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11376 be adopted. Motion carried by a voice vote.

PETITION 11377 - ZONING CHANGE IN THE TOWN OF CROSS PLAINS - ZONING ORD. AMDT. 11377

Petition by Larry Thiemann to change zoning from A-1EX Agriculture District and A-2 Agriculture District to R-1A Residence District on property located at 8187 W. Mineral Point Road, Section 26, Town of Cross Plains.

Zoning & Land Regulation Committee recommends Petition 11377 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11377 be adopted. Motion carried by a voice vote.

PETITION 11380 - ZONING CHANGE IN THE TOWN OF COTTAGE GROVE - ZONING ORD. AMDT. 11380

Petition by Windsor Quarry LLC, to change zoning from A-1EX Agriculture District TO A-3 Agriculture District on property located at 3973 Vilas Hope Road, Section 18, Town of Cottage Grove.

Zoning & Land Regulation Committee recommends Petition 11380 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11380 be adopted. Motion carried by a voice vote.

ORDINANCES

2018 OA-010

AMENDING CHAPTER 15 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING MEMBERS OF THE HUMAN SERVICES BOARD

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 15.15(1) is amended to read as follows:

15.15 HUMAN SERVICES BOARD. (1) The human services board shall consist of seven (7) nine (9) members. Three (3) to four (4) of the board's members shall be county board supervisors. One supervisor member shall also be a member of the health and human needs committee and one shall also be a member of the public protection and judiciary committee. One member shall be a member of the area agency on aging board at the time of appointment to the human services board. At least one member shall be either an individual, or a family member of an individual, who receives or has received human services. The remainder of the board's members shall be consumers of services or citizens-at-large. Members shall be chosen on the basis of recognized ability and demonstrated interest in human services. No public or private provider of services may be appointed.

[EXPLANATION: This amendment changes the number of county board supervisors who may serve on the Human Services Board.]

Health & Human Needs Committee recommends adoption of 2018 OA-010. Human Services Board and Executive Committee recommend adoption of 2018 OA-010 as amended.

Moved by Supervisor Bayrd, seconded by Supervisor Schauer to adopt 2018 OA-010 as amended by Health & Human Needs and Executive Committee. Motion carried by a voice vote.

2018 OA-031

AMENDING CHAPTER 18 OF THE DANE COUNTY CODE OF ORDINANCES, MAKING THE EXECUTIVE DEPUTY AIRPORT DIRECTOR A CONTRACT POSITION

7The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Subsection 18.05(1)(j) is created to read as follows:

(1) All employees shall be selected and hold their positions under the terms specified in this ordinance, except the following:

(j) An Executive Deputy Airport Director, who shall be appointed for a term not to exceed five (5) years, and whose conditions of employment shall be set forth in a written employment contract.

[EXPLANATION: This amendment removes the position of Executive Deputy Airport Director from the civil service ordinance and makes it into a contract position.]

Airport Commission, Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 OA-031. Motion carried by a voice vote.

ITEMS REQUIRING A TWO THIRDS MAJORITY FOR PASSAGE

2018 RES-443

AUTHORIZING AN AGREEMENT TO ACCEPT GRANT FUNDING FOR THE PURCHASE OF NIGHT VISION EQUIPMENT

The Homeland Security (HS) – Wisconsin Emergency Management (WEM)/Homeland Security ALERT Grant Program is providing funding, in the amount of \$20,000 to the Sheriff's Office, to purchase night vision equipment; Grant Number 2017-HSW-02A-11466, funding is available December 17, 2018 through May 31, 2019.

Grant funding will provide for the purchase of night vision equipment for use by the Sheriff's Office in a variety of situations that are beyond ordinary law enforcement capabilities. Examples of applications for night vision equipment include searches for individuals in low light conditions, search and rescue efforts, and evidence recovery.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is authorized to accept \$20,000 from the Wisconsin Department of Military Affairs, Homeland Security/HS ALERT to purchase night vision equipment, and on behalf of the County of Dane, the County Executive is authorized to execute an agreement embodying the above provisions; and

BE IT FURTHER RESOLVED that \$20,000 is appropriated as additional revenue in the Sheriff's Office, Field Services Division (SHRFFLD 80725) and is credited to the General Fund; and

BE IT FURTHER RESOLVED that \$20,000 is transferred from the General Fund to Sheriff's Office, Field Services Division (SHRFFLD 22653); and

BE IT FINALLY RESOLVED that all unexpended funds and unrecognized revenues from the above referenced budget account lines are carried forward from the 2018 budget to the 2019 budget period.

Public Protection & Judiciary Committee recommends adoption of 2018 RES-443. Motion carried by a voice vote.

2018 RES-449

AMENDED AGREEMENT FOR THE DESIGN, RECONSTRUCTION AND JURISDICTIONAL TRANSFER OF CTH MN IN THE VILLAGE OF MCFARLAND

The Dane County Department of Public Works, Highway & Transportation and representatives of the Village of McFarland previously entered into "Agreement for the Design, Reconstruction and Jurisdictional Transfer of CTH MN in the Village of McFarland" which was fully executed on April 12, 2018. This amendment increases Dane County's total obligations by \$6,000.

Funding for the design and construction of the project is to be accomplished in accordance with past policies of cost sharing on similar CTH projects.

After making the following transfer, the department has funds available in account HWCONCAP-57164 for the project. The County's maximum share is \$610,000

NOW THEREFORE BE IT RESOLVED that the following fund transfer be made to increase construction budget:

Expense Budget:

HWCONCAP-57164, CTH MN \$6,000

HWCONCAP-59038, CTH MN \$(6,000)

NOW THEREFORE BE IT RESOLVED that the County Executive and the County Clerk be authorized and directed to execute this cost sharing agreement on behalf of Dane County, with the Village of McFarland

BE IT FINALLY RESOLVED that any unexpended funds as of December 31, 2018, in the above mentioned accounts be carried forward to 2019 .

Public Works & Transportation Committee recommends adoption of 2018 RES-449. Motion carried by a voice vote.

2018 RES-461

ACCEPTING STATE OF WISCONSIN GRANT FUNDS AND AMENDING 2018 CONTRACT WITH SOAR CASE MANAGEMENT SERVICES, INC. DCDHS – ACS DIVISION

The Department of Health Services has awarded funds from the Quality Improvement Grant for Crisis Intervention Programs. The grant will allow for a Peer Specialist to be assigned to every person who leaves Winnebago Mental Health Institute (WMHI) with

court-ordered conditions for continued treatment due to a mental health commitment or a settlement agreement. A Peer Specialist is an individual who is in recovery from a mental health condition and has been trained and certified by the state. A Peer Specialist engages and encourages peers in recovery from mental health condition and establishes supportive relationships that promote recovery. The goal of assigning a Peer Specialist to work with this group of individuals is to decrease the number of individuals who are involuntarily returned to WMHI for inpatient care.

While the number of emergency detentions is decreasing, the number of people involuntarily returning to WMHI while under court-ordered conditions for continued treatment is increasing. In 2017, 490 individuals were placed under an emergency detention and 126 were returned to WMHI involuntarily for violating some part of their court ordered treatment conditions. Through June 2018, 219 individuals were placed under an emergency detention and 70 were returned to WMHI involuntarily.

The grant funds total \$20,000 for the last quarter of calendar year of 2018. With these funds, Dane County Department of Human Services seeks to amend the existing contract with SOAR Case Management Services, Inc. to employ the Peer Specialist that will work with this project. SOAR currently employs Peer Specialists for other purposes. The current grant expands this existing pool. If this initiative leads to successful outcomes, defined as a 25% reduction in the number of involuntary returns to the institute, the state may award an additional \$5,000 to Dane County in 2019.

NOW, THEREFORE, BE IT RESOLVED, that the following revenue account be credited to the General Fund and transferred from the general fund to the following expenditure account in the Department of Human Services:

Revenue Account Number	Account Title	Amount
ACFMHLTH 80830	Mental Health Block Grant	\$20,000
Expenditure Account Number	Account Title	Amount
ACFCLSOR AMSRAA	Recovery Dane Project Grant	\$20,000

NOW, THEREFORE, BE IT FINALLY RESOLVED that monies remaining in this budget lines at the close of 2018 shall be carried forward into the 2019 budget.

Health & Human Needs Committee recommends adoption of 2018 RES-461. Motion carried by a voice vote.

2018 RES-469

AUTHORIZING RECLASSIFICATION OF A CLERK I-II POSITION TO AN ADMINISTRATIVE ASSISTANT I-II IN THE HUMAN SERVICES DEPARTMENT, CHILDREN YOUTH AND FAMILIES (CYF) DIVISION

The Department Human Services CYF Division has a Clerk I-II position #3115, which we request be reclassified to an Administrative Assistant I-II. This position will be supervised by the CYF Division Administrator

This change is needed to provide administrative support to the CYF Administrator and CYF 1Human Managers (Staff Development Manager; Community Programs Manager; Alternate Care and Mental Health Manager; Child Protective Services Manager and Youth Justice Manager). Assignments involve research and developing documents for the CYF Administrator for a broad spectrum of sensitive/emerging issues to present to the community, the courts and other partners. The CYF Division has also expanded in staff size, organizational structure and client needs. This position will be responsible for a wide variety of special projects, data gathering and other projects as assigned by the CYF Administrator depending on the changing needs of and demands on the CYF Division. The new hire will prepare and manage correspondence, reports and documents, handle incoming mail, take and distribute minutes of meetings, maintain schedules and calendars, implement and maintain office and filing systems, collate information from various sources, maintain databases, serve as a central point for disseminating inter-departmental communication, and coordinate the flow of information externally and internally.

This position will perform highly responsible and confidential administrative support and clerical lead duties and related work as required. Representing Human Services in a courteous and professional manner is extremely important. The Department of Administration/Employee Relations Division has recommended approval of this request.

NOW, THEREFORE BE IT RESOLVED that the Dane County Board of Supervisors does hereby support and authorize reclassification of the Clerk I-II (G7) position (Position No. 3115) in the Human Services Department to an Administrative Assistant I-II (G16) position, commensurate with the department's request and approval by the Dane County Human Resources Director and Department of Administration Director.

Health & Human Needs Committee recommends adoption of 2018 RES-469. Motion carried by a voice vote.

2018 RES-470

AUTHORIZING A POLICE SERVICE CONTRACT WITH THE VILLAGE OF DANE AND THE TOWN OF WESTPORT

The Village of Dane and the Town of Westport, located in Dane County, Wisconsin, have requested the Dane County Sheriff's Office provide police service, above and beyond service already provided, within boundaries of said Village and Town, and have agreed to compensate Dane County for the cost of assigning one certified sworn law enforcement officer, to perform such police service.

The Village of Dane and the Town of Westport currently contract with the Dane County Sheriff's Office for additional police service whereby, Dane County is compensated for the cost of providing this police service with existing Sheriff's Office Deputy sworn staff on an overtime basis (Contract #13411 and #11380). The Village of Dane and the Town of Westport wish to terminate the existing police service Contracts #13411 and #11380 and replace these contracts with a combined police service agreement that compensates Dane County for the actual cost of providing one Dane County Sheriff's Office Deputy to provide police service to both the Village and the Town.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Sheriff, Dane County Executive, and Dane County Clerk are authorized to enter into a contract for police service with the Village of Dane and the Town of Westport and on behalf of the County of Dane, the County Clerk and County Executive are authorized to execute an agreement embodying the above provisions; and

BE IT FURTHER RESOLVED that a Deputy Sheriff I-II position, 1.0 FTE, is created within the Dane County Sheriff's Office contingent upon continual agreement with the Village of Dane and the Town of Westport; and

BE IT FURTHER RESOLVED that \$133,000 is appropriated as additional revenue for Sheriff Office, Field Services Division, Interagency Revenue – Dane Westport (SHRFFLD-NEW) for the new combined agreement and is credited to the General Fund; and the following revenue account lines are decreased to reflect termination of Contracts #13411 and #11380 as follows:

SHRFFLD 80588 Interagency Revenue – Dane	(\$75,500)
SHRFFLD 80568 Interagency Revenue – Westport	<u>(\$50,400)</u>
	(\$125,900)

BE IT FINALLY RESOLVED that \$87,500 is transferred from the General Fund to the following Sheriff's Office personnel services budget account lines to fund the Deputy Sheriff I-II position:

SHRFFLD 10009 Salaries and Wages	\$51,800
SHRFFLD 10099 Retirement Fund	\$6,000
SHRFFLD 10108 Social Security	\$4,000
SHRFFLD 10117 Health	\$21,000
SHRFFLD 10153 Dental	\$1,700
SHRFFLD 10171 Disability Insurance	\$100
SHRFFLD 10180 Life Insurance	\$100
SHRFFLD 10189 Workers Comp	\$2,000
SHRFFLD 10234 Uniforms	\$1,100
SHRFFLD 10130 Health – PEHP	\$150
SHRFFLD 10250 Salary Savings	<u>(\$1,050)</u>
Total	\$87,500

And the following operating budget account lines are decreased for the termination of Contracts #13411 and #11380:

SHRFFLD 10034 Overtime Inter-Agency	(\$91,070)
SHRFFLD 10099 Retirement Fund	(\$11,600)
SHRFFLD 10108 Social Security	(\$7,000)
SHRFFLD 10189 Workers Comp	<u>(\$2,180)</u>
Total	(\$111,850)

Public Protection & Judiciary Committee recommends adoption of 2018 RES-470. Motion carried by a voice vote.

2018 RES-472

ABOLISHING A DEPUTY AIRPORT DIRECTOR POSITION AND RE-CREATING AN EXECUTIVE DEPUTY AIRPORT DIRECTOR POSITION

The Airport has a Deputy Airport Director position that it would like to reorganize to an Executive Deputy Airport Director position. An Ordinance Amendment has been drafted to make this a contract manager position.

Position #2503 as a 1.0 FTE Deputy Airport Director for Finance and Administration would be abolished and Position #2503 would be re-created as a 1.0 FTE Executive Deputy Airport Director.

This request requires County Board approval.

THEREFORE, BE IT RESOLVED that the position Deputy Airport Director for Finance and Administration be abolished and position number 2503 be re-created as a 1.0 FTE Executive Deputy Airport Director as described above.

Airport Commission and Public Works & Transportation Committee recommend adoption of 2018 RES-472. Motion carried by a voice vote.

2018 RES-478

AMENDING THE 2019 OPERATING BUDGET FOR A WISCONSIN DEPARTMENT OF JUSTICE GRANT TO ADDRESS DISPROPORTIONATE MINORITY CONTACT – DCDHS CYF DIVISION

For the last decade, Dane County has researched and recognized the racial inequity between youth of color and white youth--as well as adults--in their corresponding justice systems. The 2009 Disproportionate Minority Contact Solutions Workgroup Report, and the 2009 Task Force on Racial Disparities in the Adult Criminal Justice System, were dedicated to crafting solutions to address inequities.

Each report yielded policy and procedural changes, as well as movement into justice paradigm shifts - highlighted by Dane County's commitment to restorative justice models in both the youth and adult systems.

Recent youth justice incidents have heightened the community's awareness and request for change in the overall system. Dane County youth justice stakeholders have provided local, county, and state parties with data that confirms an ongoing racial equity gap, even while overall arrest numbers have declined.

As the Dane County community works on crafting current policy and procedural changes, it is imperative to focus on system improvements, as well as local solutions. The State of Wisconsin Department of Justice has awarded the Dane County Department of Human Services \$83,120 to address disproportionate minority contact with two approaches:

1. Systems approach--gathering of all youth justice stakeholders to craft recommendations around the current youth justice problems, including racial inequity and high utilization of multiple systems by a small number of youth.
2. Police and community trust building: local police departments will partner with local leaders of color and community members in an effort to address existing barriers and build community trust.

NOW THEREFORE BE IT RESOLVED that a new revenue account 53000 85165 "DOJ-Disproportionate Minority Contact" shall be established under the Department of Human Services budget for \$83,120 and that expense account 53000 30662 "DOJ-Disproportionate Minority Contact Consulting Expense" shall also be increased by \$83,120.

BE IT FINALLY RESOLVED that the Department of Human Services make a report for review by the Criminal Justice Council - Racial Disparities Subcommittee in July 2019 and a final report to the Subcommittee at grant period closure.

Public Protection & Judiciary and Health & Human Needs Committee recommends adoption of 2018 RES-478. Motion carried by a voice vote.

2019 RES-488

AMENDING THE BUDGET FOR CLIMATE ACTION PLAN (CAP) MODELING

The Dane County Office of Energy and Climate Change (OECC) has convened a Council on Climate Change consisting of 37 organizations that represent a diverse mix of stakeholder perspectives and County leaders to help Dane County Develop a Climate Action Plan.

The OECC has also convened 10 advisory working groups made up of experts in a wide variety of substantive areas including renewable energy, transportation and land use, Agriculture/Forestry/Food, buildings and water. These working groups are helping the OECC and the Climate Council identify policies, programs and projects that will reduce greenhouse gas emissions and populate the CAP.

In order to develop a CAP that is based on sound science and evidence, that lays out a comprehensive list of policies, programs and projects that will put Dane County on a path to deep decarbonization, and that makes Dane County a national leader in the effort to address climate change, the OECC has also contracted with world class modelers to model the various policies, programs and projects to be included in the CAP.

OECC has contracted with Sustainable Energy Economics which developed and holds the proprietary ownership of the Framework for Analysis of Climate-Energy-Technology Systems (FACETS) model. The FACETS model is an extremely powerful sector model that Sustainable Energy Economics is amending with transportation sector data and gives Dane County the opportunity to perform uniquely specific and deep analysis to Dane County climate mitigation actions.

The OECC applied for and was recently awarded a grant of \$25,000 from the McKnight Foundation in Minneapolis, to provide matching funds to Dane County to help cover the cost of the modeling work being performed. This resolution is intended to amend the OECC budget to receive the Carolyn Foundation grant of \$25,000.

BE IT RESOLVED that the Office of Energy and Climate Change 2019 budget be amended to add account OECC NEW "McKnight Foundation Grant Revenue" in the amount of \$25,000 and that expenditure account OECC 30283 "Climate Change Modeling" be increased by \$20,000, account OECC 10072 "LTE Expense" be increased by \$4,645 and account OECC 10108 "Social Security" be increased by \$355.

Personnel & Finance and Executive Committees recommend adoption of 2018 RES-488. Motion carried by a voice vote.

2018 RES-495

AUTHORIZING RECLASSIFICATION OF AN AODA PROGRAM SPECIALIST POSITION TO A BEHAVIORAL HEALTH PROGRAM SPECIALIST IN THE DCDHS - ACS DIVISION

The Department of Human Services - ACS Division has an AODA Program Specialist position #2260, which we request be reclassified to a Behavioral Health Program Specialist. This position will be supervised by the Behavioral Health Program Manager. This position is currently vacant. The Department of Administration – Employee Relations has recommended approval of this request.

The Department of Human Services is experiencing a growth in the funding, number of contracts, and complexity of programs in the behavioral health area over the last few years. These programs work with populations that are attempting to recover from both a mental illness and a substance use disorder. There is an increased demand for programs that specifically treat individuals with opioid use disorder, an increased need for more alternative sanction programs, and the increased scrutiny of the population that requires inpatient psychiatric care. There is a clear connection between mental illnesses and substance use disorders. The National Institute on Drug Abuse reports multiple national population surveys show that about half of those who experience a mental illness during their lives will also experience a substance use disorder and vice versa. Other studies show that approximately 25% of those diagnosed with a serious mental illness also have a substance use disorder. A Program Specialist in the behavioral health area will help address all of these demands and will help keep this system responsive to the needs of those we serve.

The reclassified position will be responsible for the management of purchase of service contracts for behavioral health programs, coordinating and conducting utilization review activities, managing a coordinated system of care for those with behavioral health needs, and educating the community about the activities of the behavioral health system.

NOW, THEREFORE BE IT RESOLVED that the Dane County Board of Supervisors does hereby support and authorize reclassification of the Alcohol and Other Drug Abuse Program Specialist (P10) position (Position No. 2260) in the Human Services Department to a Behavioral Health Program Specialist (P10) position, commensurate with the Department's request and approval of the Department of Administration – Employee Relations Division.

NOW, THEREFORE BE IT FINALLY RESOLVED that Position No. 2260, which has been vacant for more than six months, is authorized to be filled pursuant to Dane County Ordinance 29.52(15), which requires the Personnel and Finance Committee and the County Executive to approve filling positions that are vacant for longer than six months.

Health & Human Needs Committee recommends adoption of 2018 RES-495. Motion carried by a voice vote.

SPECIAL ORDER OF BUSINESS

2018 RPT-482

TOWN OF BLOOMING GROVE ADOPTION OF THE COMPREHENSIVE REVISION TO CHAPTER 10, DANE COUNTY ZONING ORDINANCE

TOWN OF BLOOMING GROVE RESOLUTION - NO. 2019-02

To adopt the Comprehensively Revised Dane County Zoning Ordinance

The Town Board of the Town of Blooming Grove, Dane County, Wisconsin does hereby adopt and resolve as follows:

WHEREAS, the Town of Blooming Grove desires to promote the health, safety, convenience and general welfare of the residents of the Town and to encourage planned and orderly land use and development, and

WHEREAS, the County Board of Dane County, Wisconsin has adopted a comprehensive revision of a zoning ordinance for the physical development and zoning of territory within Dane County, and

WHEREAS, the Town of Blooming Grove does not have its own zoning ordinance and therefore is subject to the Dane County zoning ordinance, and

WHEREAS, the Dane County Zoning Ordinance shall become effective in the Town of Blooming Grove upon approval of the ordinance by the Town Board.

NOW THEREFORE BE IT RESOLVED, that pursuant to Section 59.69(5)(c), Wisconsin Statutes, the Town Board of the Town of Blooming Grove hereby approves and adopts the Dane County Zoning Ordinance as described in Dane County Zoning Ordinance Amendment 2018-0A-20 and shall take all required actions to make the Dane County Zoning Ordinance applicable within the Town of Blooming Grove.

This resolution shall take effect on the date of filing with the Dane County Clerk, along with a certified copy of this resolution, a copy of the Dane County Ordinance Amendment 2018-0A-20, and associated zoning map of the Town of Blooming Grove (both attached as Exhibit A).

This resolution was unanimously adopted at a meeting of the Town Board of the Town of Blooming Grove, Dane County, Wisconsin, on February 13, 2019.

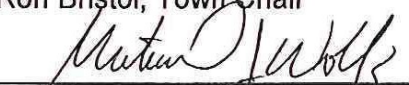
ATTESTED BY:



Ron Bristol, Town Chair

2/13/19

Date



Michael Wolf, Town Clerk/Treasurer

2/13/19

Date

RECEIVED
FEB 14 2019
DANE COUNTY CLERK

A certified copy of Resolution 2019-02 was filed with the Dane County Clerk on February 14, 2019. Copies of Resolution 2019-02 were posted in the Town of Blooming Grove at the Town Hall at 1880 S. Stoughton Rd, Madison, Wisconsin, and the Town's website, by the Town Clerk on February 14, 2019.

2018 RPT-483

TOWN OF COTTAGE GROVE ADOPTION OF THE COMPREHENSIVE REVISION TO CHAPTER 10,
DANE COUNTY ZONING ORDINANCE

TOWN OF COTTAGE GROVE TOWN BOARD RESOLUTION NO. 2019-01
RESOLUTION TO ADOPT THE COMPREHENSIVELY REVISED DANE COUNTY ZONING ORDINANCE

The Town Board of the Town of Cottage Grove, Dane County, Wisconsin do adopt and resolve as follows:

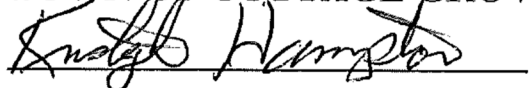
1. The Town of Cottage Grove desires to promote the health, safety; convenience and general welfare of the residents of the Town and to encourage planned and orderly land use and development.
2. The County Board of Dane County, Wisconsin has adopted a comprehensive revision of a zoning ordinance for the physical development and zoning of territory within Dane County.
3. The Dane County Zoning Ordinance may become effective in the Town of Cottage Grove upon approval of the ordinance by the Town Board.

NOW THEREFORE, be it resolved that:

Pursuant to Section 59.69(5)(c), Wisconsin Statutes, the Town Board of Cottage Grove hereby approves and adopts the Dane County Zoning Ordinance as described in Dane County Ordinance Amendment 2018-0A-20 and shall take all required actions to make the Dane County Zoning Ordinance applicable within the Town of Cottage Grove.

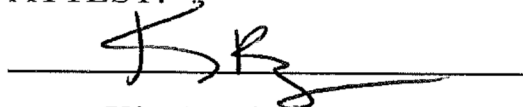
This resolution shall take effect on the date of filing with the Dane County Clerk a certified copy of this resolution, together with a copy of the Dane County ordinance amendment 2018-0A-20, and associated zoning map for the Town of Cottage Grove (both attached as Exhibit A).

This resolution was duly considered and adopted by the Cottage Grove Town Board pursuant to a vote of 5 for and 0 against and 0 abstentions on this 4th day of February, 2019.

TOWN OF COTTAGE GROVE


Kristopher Hampton, Town Chair

ATTEST:



Kim Banigan, Town Clerk

A certified copy of Resolution 2019-01 was filed with the Dane County Clerk on 2/4/2019. Copies of Resolution 2019-01 were posted in the Town of Cottage Grove at the Town Hall and Town Website by the Town Clerk on 2/4/2019.

ADJOURNMENT

Moved by Supervisor Nelson, seconded by Supervisor Kolar, to adjourn to Thursday, March 7, 2019 at 7:00 pm or at the call of the Chair. Motion carried at by voice vote at 8:20 pm. Subsequent to adjournment, Chair Corrigan referred the following matters:

- 2018 OA-033 - Amending Chapter 82, Incorporating Amendments to the Town of Middleton Comprehensive Plan Into the Dane County Comprehensive Plan. Submitted by Supervisors Peters, Bollig, Clausius, Kolar, Nelson and Schauer. Referred to ZONING & LAND REGULATION COMMITTEE.
- 2018 RES-530 - Change Order # 2 to the Agreement for Mead & Hunt, Inc. for Jail Consolidation-Architectural/Engineering Design Services at the Public Safety Building. Submitted by Supervisor Nelson. Referred to PUBLIC PROTECTION & JUDICIARY, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-534 - Contract Amendment for Evologic. Submitted by Supervisors Nelson, Ratcliff and Ripp. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-535 - Contract Change Order # 11 for Joe Daniels for BioGas Facility Construction. Submitted by Supervisors Nelson, Ratcliff, Ripp and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-536 - Addendum of Contract for Rental Equipment and Associated Services. Submitted by Supervisors Nelson, Ratcliff, Ripp and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-537 - Amending the 2019 Operating Budget to Fund Land Records Back Indexing. Submitted by Supervisors Bollig, Clausius, Kolar, McCarville, Peters and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-539 - Agreement for the Reconstruction and Jurisdictional Transfer of CTH MS/University Avenue, From Cayuga Street to 450 Feet West of Park Street in the City of Middleton. Submitted by Supervisors Nelson, Ratcliff, Ripp and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-540 - Authorizing the Reclassification of a Child Support Investigator Position to a Paralegal 1 Position in the Dane County Child Support Agency. Submitted by Supervisors McCarville, Bayrd, Danner, Nguyen-Hilfiger and Rusk. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-541 - Acceptance of a WI Department of Natural Resources Grant for the Resurfacing of the Capital City State Trail. Submitted by Supervisors Ritt, Chawla, Downing, Jones and Levin. Referred to PARKS, ENVIRONMENT AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-543 - Authorization to Apply for and Accept a 2019 Stare of Wisconsin DNR Lake Planning Grants (AIS Rapid Response). Submitted by Supervisors Ritt, Chawla, Downing, Jones and Levin. Referred to ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-544 - Authorizing Execution of a Memorandum of Understanding Between the City of Madison Library and The Dane County library Service for Dream Bus Extension Services. Submitted by Supervisors Ratcliff, Chawla, Danner, Kilmer and Kolar. Referred to PERSONNEL & FINANCE.
- 2018 RES-545 - Approving Agreements and Purchases Supporting an Affordable Housing Project at 202 Cottage Grove Road in the City of Madison. Submitted by Supervisors Miles, Bayrd, Chawla, Erickson and Kuhn. Referred to PERSONNEL & FINANCE.
- 2018 RES-549 - Authorizing an Intergovernmental Agreement for Medical Examiner Services with Rock County. Submitted by Supervisors McCarville, Bayrd, Danner and Nguyen-Hilfiger. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-551 - Award of Contract for ATIP Office Remodel at the Dane County Courthouse. Submitted by Supervisors Nelson, Ratcliff, Ripp and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-552 - Award of Contract for Offtake of Renewable Natural Gas (RNG) from Landfill BioGas for Transportation Fuel. Submitted by Supervisors Nelson, Ratcliff, Ripp and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-553 - Reclassify Clerk III Position to a Confidential Administrative Assistant II Position in the Sheriff's Office. Submitted by Supervisors McCarville, Bayrd, Danner and Nguyen-Hilfiger. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-560 - Establishing New Contract with Public Consulting Group, Inc. (PCG) for a Behavioral Health Feasibility Study DCDHS - ACS Division. Submitted by Supervisor Kuhn. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.

2018 - 2019 COUNTY BOARD PROCEEDINGS**MARCH 7, 2019 7:00 P.M. SESSION**

The Dane County Board of Supervisors met pursuant to statute. Chair Dye called the meeting to order. County Clerk McDonnell called the roll:

PRESENT: Bayrd, Bollig, Chenoweth, Corrigan, Downing, Erickson, Kiefer, Krause, Levin, Miles, Mccarville, Nelson, Ripp, Ritt, Rusk, Salov, Veldran, Wegleitner, Stubbs, Jones, Kilmer, Young, Eicher, Chawla, Danner, Peters, Schwellenbach, Buckingham, Knoll, Nguyen-Hilfiger and Ratcliff

REPORTED ABSENCE: Clausius, Schauer and Kuhn

Supervisor Levin offered an inspirational message and led the Pledge of Allegiance.

SPECIAL MATTERS AND ANNOUNCEMENTS

2018 RES 572

MEMORIAL TO JACK MARTZ

WHEREAS Jack Dennis Martz, of the City of Fitchburg, passed away on October 14, 2018 at the age of 76; and

WHEREAS in addition to serving on the Fitchburg City Council for six years, Jack served as a member of this County Board from 2002 to 2012, representing the old District 33 in Fitchburg; Jack had broad knowledge of county government, having served as a member of six standing committees in his decade on the Board, including the Health and Human Needs Committee, the Public Works and Transportation Committee, the Environment, Agriculture, and Natural Resources Committee, the Public Protection and Judiciary Committee, the Personnel and Finance Committee, and the Executive Committee;

WHEREAS Jack was also a member of many boards and commissions, including the Information Resources Management Committee, Land Conservation, University Extension, the Public Safety Communications Center Board, the Board of Health, the Emergency Medical Services Commission, and the Task Force on Chronic Wasting Disease; and

WHEREAS Jack was born in Milwaukee, Wisconsin on December 18th, 1941; and after graduating from Washington High School, he served four years in the U.S. Navy aboard the USS Cascade as a machinery repairman during the Vietnam Era, then served a four-year machinist apprenticeship at the Falk Corporation; Jack then began his career for the State of Wisconsin in the Department of Industry, Labor, and Human Relations (DILHR) in the apprenticeship office in Sheboygan until 1977, when he was promoted to the Deputy Administrator and moved to Fitchburg; in 1991, Jack proudly served as the Director of the Bureau of Insurance Programs for the Workers Compensation Division; and

WHEREAS Jack is remembered as a kind and outgoing man with a positive outlook, always ready with a story or joke, who also took his role as a public servant seriously.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby pays its respects to our departed colleague and extends its sympathies to his wife of 51 years, Marilyn, his daughter Sandy and Susie, and son Brian and their families, and to his many friends, and we join them in mourning the loss of our former colleague who gave so unselfishly to our community.

Moved by Supervisor Ripp, seconded by Supervisor Salov to adopt the Special Resolution. Motion carried by a voice vote.

Engage Dane Presentation**APPROVAL OF PAYMENTS**

The Controller's Office has examined the following bills which have been incurred in the operation of our County Departments. Inasmuch as the claims which cover the items purchased have been found reasonable and proper, we recommend that they be allowed by the Dane County Board.

1. Brooks Tractor Inc.-Used 2014 Hitachi Excavator-Public Works	\$79,500.00
2. Custom Manufacturing Inc.-McCarthy Park Pedestrian Bridge-Land & Water	\$43,130.00
3. Payne & Dolan Inc.-Final Retainage CCT Repaving Project-Land & Water	\$47,508.30
4. Pulsepoint Foundation-Annual License Fee-Emergency Management	\$13,000.00
5. Ricoh USA Inc.-Nov-Jan CLICS-Printing & Services	\$10,009.29
Subtotal	\$193,147.59
6. A & J Mobility-Van Conversion-Human Services	\$20,301.00
7. Baycom Inc.-Arbitrators-Sheriff	\$12,116.00

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8. Besse Medical Supply-Vivitrol-Human Services	\$20,158.60
9. CDW Government-Isilon 2 Nodes-Airport	\$88,747.15
10. CDW Government-Isilon 2 Nodes-Airport	\$14,373.76
11. Cryotech Deicing Technology-Runway Deicer-Airport	\$19,960.32
12. Cryotech Deicing Technology-Runway Deicer-Airport	\$19,973.88
13. Cryotech Deicing Technology-Runway Deicer-Airport	\$39,965.84
14. Cryotech Deicing Technology-Runway Deicer-Airport	\$39,925.16
15. Dell Marketing LLC-Dell Switches Maintenance Renewal-Information Management	\$15,677.14
16. Faulks Bros Construction Inc.-Runway Sand-Airport	\$35,156.48
17. Kiesler Police Supply-Ammunition-Sheriff	\$17,770.04
18. Lakeside International LLC-Equipment Repairs/Parts-Highway	\$19,847.06
19. Lexipol LLC-Law Enforcement Custody Manual-Sheriff	\$32,860.00
20. M-B Companies Inc.-Wafers and Broom Cores-Airport	\$31,832.64
21. Madison, City of-MUFN User Fees-Information Management	\$57,600.00
22. Madison, City of-CTH M Project-Highway	\$1,748,685.46
23. Madison, City of-CTH M Project-Highway	\$933,139.78
24. Madison, City of-CTH M Project-Highway	\$1,521,718.53
25. Motorola Solutions Inc.-Motorola Radios-Sheriff	\$13,948.41
26. Oliver Packaging and Equipment Company-Meal Packaging System-Human Services	\$16,507.00
27. Overhead Door Company of Madison Inc.-Mt Horeb Overhead Doors-Highway	\$20,750.00
28. Schilling Supply Company-Floor Scrubber-Administration	\$20,599.75
29. Scully Oil Company Inc.-Motor Fuel-Airport	\$17,902.77
30. Scully Oil Company Inc.-Motor Fuel-Airport	\$18,729.46
31. The Detroit Salt Company-Road Salt-Highway	\$12,726.27
32. The Detroit Salt Company-Road Salt-Highway	\$19,213.38
33. The Detroit Salt Company-Road Salt-Highway	\$35,201.67
34. The Detroit Salt Company-Road Salt-Highway	\$55,616.41
35. The Detroit Salt Company-Road Salt-Highway	\$35,103.23
36. The Detroit Salt Company-Road Salt-Highway	\$58,095.34
37. The Detroit Salt Company-Road Salt-Highway	\$49,907.25
38. The Detroit Salt Company-Road Salt-Highway	\$41,167.71
39. The Detroit Salt Company-Road Salt-Highway	\$52,019.01
40. The Detroit Salt Company-Road Salt-Highway	\$15,561.97
41. TJS Auto & Collision Center Inc.-2016 Ford F550-Highway	\$37,074.50
42. WI Dept. of Administration-Record Center & Presort Services-Administration	\$12,690.13
Total	\$5,415,770.69

Moved by Supervisor Chenoweth, seconded by Supervisor Nelson, to adopt the above amended payments. Motion carried by a voice vote.

CLAIMS RECOMMENDED FOR DENIAL

Moved by Supervisor McCarville, seconded by Supervisor Krause, to deny the following claims:

Claim Of Diane Blumer, against Dane County for alleged tire and rim damage from break in road.
 Claim Of Town Of Springfield, against Dane County for high traffic on their roads after flooding close CTH Q.
 Claim Of Michael Thompkins, against Dane County Jail for missing dentures.
 Todd R Korb Of Hupy & Abraham On Behalf Of Brandon Olson Flowers, against Dane County Jail for alleged excess of force used against him while in jail.
 Claim Of Bradley Strachoviak, against Dane County Highway, regarding allegations of our snow plow throwing snow causing damage to claimant's vehicle.

APPROVAL OF COUNTY BOARD MINUTES

Moved by Supervisor McCarville, seconded by Supervisor Miles, to approve the Minutes of the County Board Meeting of February 21, 2019. Motion carried by a voice vote.

CONSENT CALENDAR

All items on the consent calendar were approved on a voice vote. (The text and committee recommendations for each of the items follow.)

2018 OA 029

AMENDING CHAPTER 2 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING ISSUANCE OF CITATIONS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 2.02 is amended to read as follows:

2.02 ORDINANCES AFFECTED. Citations may be issued in the enforcement of the following chapters or sections of the Dane County Ordinances:

- (1) Chapter 10, County Zoning.
- (3) Chapter 53, County Parks.
- (4) Chapter 54, Alliant Energy Center.
- (5) Chapter 61, Nonresident Solicitors.
- (5m) Section 62.60, Fee For Use Of The Dane County Tenney Park Lock.
- (6) Chapter 71, Regulation of Icebound Inland Waters.
- (7) Chapter 47, Animal Control.
- (8) Chapter 46, Private Sewage System Ordinance and Health Ordinance.
- (9) Chapter 59, Regulation of Large Assemblies.
- (10) Chapter 34, Public Peace and Order.
- (11) Chapter 67, Dane County Regional Airport Regulations.
- (12) Chapter 70, Dane County Parking Ramp
- (13) Chapter 11, Shoreland, Shoreland-Wetland and Inland-Wetland Regulations.
- (14) Chapter 39, Alcohol Beverage Control.
- (15) Chapter 37, Alarm Regulation.
- (16) Chapter 48, Miscellaneous Health Provisions Ordinance.
- (17) Chapter 32, Statutory Offenses.
- (18) Chapter 80, Regulations for Lawn Fertilizer Application and Sale.
- (19) Chapter 14, ~~Manure Management~~, Erosion Control and Stormwater Management.
- (20) Chapter 17, Floodplain Zoning.
- (21) Chapter 78, Height and Use Limitations Applicable in the Vicinity of the Dane County Regional Airport.
- (22) Chapter 49, Agriculture Performance Standards and Manure Management.

ARTICLE 3. Section 2.03 is amended to read as follows:

(L) Chapter 14, ~~Manure Management~~, Erosion Control and Stormwater Management: Land and Water Resources Department Director.

(p) Chapter 49, Agriculture Performance Standards and Manure Management: Land and Water Resources Department Director. ARTICLE 4. Section 2.06 is amended to read as follows:

(3)	Ch. 14, Subch. 1, Various manure storage and utilization violations	150.00
	except 14.18, 14.19, and 14.20.	
(3a)	14.18 Stored pumpable liquid manure winter permit	
	violations, first offense	150.00
(3b)	14.18 Stored pumpable liquid manure winter permit	
	violations, second offense	300.00
(3c)	14.18 Stored pumpable liquid manure winter permit	
	violations, third offense	600.00
(3d)	14.19 Record keeping requirement violations,	
	first offense	150.00
(3e)	14.19 Record keeping requirement violations,	
	second offense	300.00
(3f)	14.19 Record keeping requirement violations,	
	third offense	600.00
(3g)	14.20 Unlawful application of stored pumpable liquid manure,	
	first offense	150.00
(3h)	14.20 Unlawful application of stored pumpable liquid manure,	
	second offense	300.00
(3i)	14.20 Unlawful application of stored pumpable liquid manure,	
	Third offense	600.00
(287a)	49.23(7) Violation of Chapter 49, first offense	250.00
(287b)	49.23(7) Violation of Chapter 49, subsequent offense	500.00

[EXPLANATION: This amendment removes the bond requirements for the manure management provisions formerly in Chapter 14 and adds bond requirements for newly created Chapter 49.]

Environment, Agriculture and Natural Resources recommends adoption of 2018 OA-029. Motion carried by a voice vote.

2018 OA 030

AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, INCORPORATING AMENDMENTS TO THE TOWN OF VERONA COMPREHENSIVE PLAN INTO THE DANE COUNTY COMPREHENSIVE PLAN

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 82.55(29) is amended to read as follows:

82.55 INCORPORATION OF TOWN PLANS. The following town plans are incorporated into the Dane County Comprehensive Plan: (29) Town of Verona Comprehensive Plan, including including the Cross Country Neighborhood Plan and all amendments adopted by the county board of supervisors as of ~~June 24, 2015~~. [County Clerk to insert effective date of this amendment.]

[EXPLANATION: This amendment adopts amendments to the Town of Verona Comprehensive Plan and incorporates them into the Dane County Comprehensive Plan.]

Zoning & Land Regulation Committee recommends adoption of 2018 OA-030. Motion carried by a voice vote.

2018 OA 032

AMENDING CHAPTER 25 THE DANE COUNTY CODE OF ORDINANCES, REGARDING CONSUMER PRICE INDEX
ADJUSTMENTS AND ALLIANT ENERGY CENTER CONTRACTS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 25.08(16) is amended to read as follows:

(16) The various price levels set forth in this chapter which establish the procedures required for purchasing goods and services shall be adjusted once every year, in accordance with changes in the Consumer Price Index-United States All Urban Consumers – All Items – ~~Milwaukee-Racine Area Urban Consumers~~ Midwest Region. Such adjustments shall be computed as follows: (CPI Index for ~~the first half~~ November of the most recent year ~~divided~~ by CPI Index for ~~the first half~~ November of 2016 ~~times~~ the price levels rounded to the nearest thousand ~~equals~~ adjusted price level.) The Controller shall distribute to the committee and department heads an announcement of each change in the price levels.

ARTICLE 3. Section 25.08(18)(g) is created to read as follows:

(g) Alliant Energy Center Events. Notwithstanding other provisions of this section regarding procurement of goods and services, the Alliant Energy Center is not required to obtain quotes or issue sealed bids for goods or services necessary to support an event provided that costs for such goods and services are fully reimbursed under a contract for the event.

[EXPLANATION: This amendment corrects the terminology regarding consumer price index adjustments and exempts Alliant Energy Center contracts for procurement of goods and services for events from the requirements for quotes and sealed bids.]

Personnel & Finance Committee recommends adoption of 2018 OA-032. Motion carried by a voice vote.

2018 RES-464

AUTHORIZING THE TAX DEEDING OF TAX DELINQUENT PROPERTIES

Pursuant to its authority in section 74.57 of the Wisconsin Statutes, the Dane County Treasurer has issued tax certificates including the below enumerated tax parcels:

Parcel No.	Municipality	Parcel Address
0606-282-9830-4	TOWN OF BLUE MOUNDS	NA
0906-224-9060-0	TOWN OF MAZOMANIE	10116 COUNTY HIGHWAY Y
0508-223-8845-8	TOWN OF MONTROSE	7062 FRENCHTOWN RD
061131228051	TOWN OF PLEASANT SPRINGS	3165 DUNCAN RD
0607-011-0145-7	TOWN OF SPRINGDALE	NA
0811-144-8390-1	TOWN OF SUN PRAIRIE	5615 TWIN LANE RD
0811-144-8400-8	TOWN OF SUN PRAIRIE	NA
0608-062-9300-7	TOWN OF VERONA	NA
0809-051-5536-8	VILLAGE OF WAUNAKEE	806 N DIVISION ST
0910-311-6223-4	VILLAGE OF WINDSOR	6591 LINDEN CIR 53598
0608-011-0322-1	CITY OF MADISON	6113 RAYMOND RD
0708-251-0111-9	CITY OF MADISON	6302 ODANA RD
0708-331-2301-4	CITY OF MADISON	9432 LOST PINE TRL
0709-242-1410-2	CITY OF MADISON	155 E WILSON ST 204
0709-261-0412-9	CITY OF MADISON	932 CLARENCE CT
0709-282-1902-5	CITY OF MADISON	3340 GREGORY ST

0709-314-0225-3	CITY OF MADISON	5218 DORSETT DR
0710-054-0209-6	CITY OF MADISON	29 LANSING ST
0710-062-0516-8	CITY OF MADISON	1714 MICHIGAN CT
0710-194-0508-6	CITY OF MADISON	2202 LAKE POINT DR
0809-251-0524-2	CITY OF MADISON	1538 DELAWARE BLVD
0809-264-0307-5	CITY OF MADISON	707 NORTHPORT DR
0810-314-0624-3	CITY OF MADISON	2314 COOLIDGE ST
0810-314-1924-6	CITY OF MADISON	2509 MOLAND ST
0810-342-0527-0	CITY OF MADISON	1313 WAYRIDGE DR
0708-014-6643-5	CITY OF MIDDLETON	2925 MARINA DR
0708-121-1256-4	CITY OF MIDDLETON	2405 ALLEN BLVD
0811-064-9580-6	CITY OF SUN PRAIRIE	818 W MAIN ST

For each of the above enumerated parcels, greater than two years have elapsed since issuance of the tax certificate, and legal notice has been provided to all parties entitled thereto in accordance with sections 74.59, 75.07, and 75.12 of the Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors orders the Dane County Treasurer to seek the execution of a tax deed on the above enumerated parcels in accordance with section 75.14(1) of the Wisconsin Statutes.

Personnel & Finance recommend adoption of 2018 RES-464. Motion carried by a voice vote.

2018 RES 487

AUTHORIZING THE PURCHASE OF LAND ALONG TOKEN CREEK

The Land & Water Resources Department recommends the acquisition of approximately 25.1 acres from the William Graff and Evelyn M. Graff Revocable Living Trust in the Town of Burke. The southern portion of the parcel is made up of wetlands and contains two ponds and approximately 1650 feet of meandering two bank frontage on Token Creek. In addition to the water resources, the parcel contains approximately 6 acres of agricultural land which has been farmed, approximately 2.5 acres of upland with improvements and five acres of woods.

Token Creek is the sole cold water trout fishery in northeastern Dane County. The 27 square mile watershed provides nearly half of the base flow of water for Lake Mendota. The County, along with other governmental units and nonprofit organizations, has actively worked on water quality and habitat improvements to protect and enhance this resource.

The Graff parcel adjoins 54 acres to the east that were purchased by the County in 2017, and is consistent with the Token Creek County Park and Natural Resource Area Master Plan. The parcel offers opportunities for water resource and habitat management and for passive recreation including fishing and hiking to the public.

The purchase price for the approximately 25.1 acre Graff parcel has been established at \$500,000. Funds for the purchase are available in the Conservation Fund. The debt issued to support this expenditure will have a term of 20 years.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of approximately 25.1 acres from the William Graff and Evelyn M. Graff Revocable Living Trust dated February 6, 2007 for \$500,000 according to Wis. Stats Chapter 27.03(3); and

BE IT FURTHER RESOLVED, that the Dane County Land & Water Resources Department Director and Real Estate Coordinator are authorized to administer the closing and the transfer of the above-mentioned property to Dane County, and the Controller is authorized to issue checks necessary to effectuate the transaction.

Park Commission, Environment, Agriculture & Natural Resources and Personnel & Finance Committees recommend adoption of 2018 RES-487. Motion carried by a voice vote.

2018 RES-499

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed. 8

Aging and Disability Resource Center Board

Donna Bryant 7176 Tree Lane, Madison 53717(Ph: 608-833-1902, Email: donnacbryant@gmail.com) to be appointed to replace Mary Pike. Donna is currently also on the Aging Committee for the City of Madison. She was the first benefit specialist for the state of Wisconsin in the 1970's and the second benefit specialist in Grant County. This term will expire 9/1/21.

Carol Lorenz 5477 Westshire Circle, Waunakee 53597 (Ph: 920-650-0873, Email: gardengirl.carol@gmail.com) to be appointed to replace Sally Spaeni. Ms. Lorenz has 30 years of experience practicing law in Wisconsin. She has also been on many boards including school district, Girl Scouts, Women's Center, Sheriff's Commission, Court Commissioner, County Pro Bono Elderly Program, AARP Tax aide the past 7 years, American Red Cross disaster relief caseworker and supervisor. This term will expire 9/1/21.

Chan Stroman 6809 Colony Dr, Madison 53717 (Ph: 608-658-6547, Email: cstroman@landlordcounsel.com) to be appointed to replace Myra Josephson. Ms. Stroman has extensive experience on public and nonprofit boards and commissions, including as a current commissioner of the City of Madison Disability Rights Commission since 2016 and past member and chair of City of Madison Public Safety Review Committee, past member of Madison Metropolitan Planning Organization Policy Board, and past board member and officer of The Road Home Dane County, the United Way of Dane County Foundation Board, and other nonprofit organizations, and alumna of Leadership Greater Madison. Personal experience with ADRC and with systems, services and supports as family member of a person with a developmental disability. This term will expire 9/1/21.

Area Agency on Aging

Donald Ashbaugh 5719 Merlin St, Fitchburg 53711 (Ph: 608-332-9840, Email: ctmadison2015@gmail.com) to be appointed to replace Peg Martin. Mr. Ashbaugh has for the past four years owned and operated Caring Transitions of Madison. They help seniors downsize, relocate, and dispose of their household goods. Since 2018 he has served on the Fitchburg Commission on Aging Well. Don has been an active part of his community and volunteered in many projects. He has his Auctioneer license and gets ongoing professional training provided by his franchisor, CEU classes associated with maintaining my Certified Relocation and Transition Specialist Certification. This term will expire 4/19/22.

Board of Health Madison and Dane County

Dr. Jerry Halverson, 5710 Pembroke Dr. Fitchburg 53711 to be reappointed. This term will expire 04/11/21.

Lezli Redmond, 3414 Valley Ridge Rd, Middleton 53562 to be reappointed. This term will expire 04/18/21.

City County Homeless Issues Committee

Victor Banks, 2418 Winnebago St, Madison 53704 (Ph: 608-622-7260, Email: vtbanks@yahoo.com) to be appointed. Mr. Banks has been homeless on and off over a 20 year period and is in stable housing now for the past 10 years. He has a B.S. in human services. He is currently retired but has experience in marketing, research, and community service. This term will expire 9/1/21.

Environmental Council

Lakshmi Sridharan, 326 Cheyenne Trail, Madison 53705 to be reappointed. This term will expire 1/31/22.

Equal Opportunity Commission

Ottis Harris, 6213 Lomax Lane, Madison 53711 (Ph: 608-520-0626, Email: Otis.l.harris@gmail.com) to be appointed to replace Shahanna Baldon. Mr. Harris works as Office Manager at UW-Madison. He is a native of Madison. He has received multi-cultural training and on the job training working with children, youth and families from low income communities. He has established programming that serves at-risk youth, a model he has shared with partners in Milwaukee and New Haven, CT. This term will expire 9/20/21.

Jose Rea, 625 N. Frances St, Madison 53703 (Ph: 608-520-1238, Email: joserea@icloud.com) to be appointed to replace Angel Cartagena. Jose was referred to the commission by Supervisor Kilmer. He is currently working as an Outreach Specialist. He interned with State Rep. Brostoff, was an advisor to the vice chancellor for UWM on LGBT issues, he ran for Madison City Council district 14 in 2016, and has been a community activist for over 8 years. Jose organized the Madison resistance march and defend DACA rally. This term will expire 4/17/21. 7

Henry Vilas Zoo Commission

Dr. Michael Petersen, 1869 Bjoin Dr, Stoughton 53589 (Ph: 608-575-5216, Email: mikepetersen@charter.net) to be appointed to replace Andrea Brunzell-Parks. Dr. Petersen is a Veterinarian practicing for 38 years and has owned and managed a vet hospital in Stoughton. He has been the primary veterinarian at the Henry Vilas Zoo for the past 29 years and developed the current program of Veterinary Care for the zoo. He is also the treasurer for the Town of Dunn Kegonsa Sanitary District and has experience implementing budgets. Ronda Schwetz has referred Dr. Peterson to the Commission. This term will expire 4/11/20.

Housing Authority

Christopher Laurent, 824 Timber Ridge Dr, Oregon 53575 (Ph: 503-869-6544, Email: claurent@cinnare.com) to be appointed to replace William Perkins. Mr. Laurent was referred by Rob Dicke. He is the president of Cinnare Solutions. He has 20+ years of affordable housing development, financing and production. Led WHEDA's LIHTC program from 2001-03; was the director of tax legislation and policy at the National Council of State Housing Agencies in Washington; has led several affordable housing development firms efforts in Wisconsin. This term will expire 04/09/24.

Library Board

Liz Winter(formerly Dannenbaum), 4313 Major Ave, Madison 53716 to be reappointed. This term will expire 1/31/22.

Specialized Transportation Commission

Diane Harless, 1441 Williamson St, Madison 53703 (Ph: 608-345-7620, Email: dianeharless@gmail.com) to be appointed to replace Carl Durocher as a low income representative. Diane was referred to the commission by Jane Betzig. This term will expire 04/18/21.

South Central Library Board

Gary Poulson, 637 Charles Lane, Madison 53711 (Ph: 608-698-0914, Email: garypoulson@gmail.com) to be appointed to replace Robert Seltzer. Gary served on the Madison Public Library Board from 1997-2000. He has also been on the South Central Library Board in the 111 past. This term will expire 12/31/21.

Theresa Walske, 313 South Main St, Deerfield 53531 (Ph: 608-287-6755, Email: 114.lindntm@hotmail.com) to be appointed to replace Jennifer Harrington. Ms. Walske is a Policy Analyst for the State Department of Health. She has worked for the State of Wisconsin for more than 20 years. She has experience in policy development, budgeting, and grant writing. This term will expire 12/31/21.

2018 RES 502

URGING LEGISLATIVE ACTION TO BAN WILDLIFE ANIMAL KILLING CONTESTS

Moondog Madness and other Wisconsin-based organizations hold contests that are recreational hunts of targeted predators. The contests promote calling, hounding, and shining of predators such as coyotes, bobcats, foxes and other species in order to shoot and kill them indiscriminately.

Predators are an integral part of the ecosystem and play a critical role in maintaining a healthy balance of plants and animals in the ecosystem by preying on species such as rabbits, mice and other rodents. The indiscriminate killing of these predators, even when done legally, does not serve any legitimate wildlife management purpose and instead upsets the natural balance of the state's parks and public lands, and violates the North American Model of Conservation and the Public Trust Doctrine.

Wildlife killing contests appear to encourage the wanton taking of life by its attendees that is contrary to the treatment of all creatures in a humane and respectful manner. Killing contests do not reflect the values of humane treatment of animals.

Currently, Wisconsin statutes allow the use of hounds in these killing contests.

Residents and visitors use the extensive public lands throughout Wisconsin for hiking, dog walking, bird watching, seasonal game hunting, horseback riding, and other outdoor activities compatible with maintenance of a healthy ecosystem. The activities of killing contest attendees pose a threat to their safety and well-being,

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors urges the Wisconsin Legislature to develop and support changes to statutes to ban any and all future wildlife animal killing contests.

BE IT FINALLY RESOLVED that a copy of this resolution will be forwarded to the Dane County legislative delegation, Governor Tony Evers, and Department of Natural Resources Secretary Preston D. Cole, as well as to the Wisconsin Counties Association for inclusion in their legislative agenda.

Executive Committee recommends adoption of 2018 RES-502. Motion carried by a voice vote.

2018 RES 505

URGING LEGISLATIVE ACTION TO CLOSE THE DARK STORES TAX LOOPHOLE

Sixty percent or more of voters approved a ballot measure in 23 counties, cities and villages last fall saying lawmakers should close the dark store loophole. In Dane County, almost 91 percent of voters supported closure of this commercial tax loophole.

'Dark store' refers to the practice of commercial taxpayers appealing their property tax assessments and, in many cases, owing less in taxes as a result. Commercial properties that are considered vacant, or dark, when they are assessed for tax value are said to use the "dark store" approach, where vacant building is assessed less for property taxes than one occupied by a business. Closing the loophole would effectively prevent valuation of ongoing commercial retail properties from being valued as though such properties were vacant.

Allowing the loophole allows an inequitable tax shift from commercial real estate to residential properties with the burden of taxes is shifted to local homeowners in the community. Residential properties made up about 68 percent of the approximately \$11 billion in gross property taxes paid in 2017 while commercial properties paid around 22 percent, according to Wisconsin Department of Revenue data.

Local governments in Wisconsin are limited in how much property taxes they can collect annually and how much they can depend on the property tax to pay for services like police, fire and road maintenance.

Last year two bills that would have closed the dark store loophole failed in the state Legislature despite bipartisan support.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors, based upon the overwhelming results of the November 6, 2018 "Dark Stores" advisory referendum, urges the Wisconsin State Legislature and Governor Evers to adopt legislation to close the Dark Stores loophole.

BE IT FINALLY RESOLVED that a copy of this resolution will be forwarded to the Dane County legislative delegation, Governor Tony Evers, and Department of Revenue Secretary Peter Barca, as well as to the Wisconsin Counties Association for inclusion in their legislative agenda.

Executive Committee recommends adoption of 2018 RES-505. Motion carried by a voice vote.

2018 RES 513

CONTRACT CHANGE ORDER #16 FOR BIOFERM USA, INC. FOR BIOGAS CLEANING EQUIPMENT FOR PIPELINE INJECTION (PHASE III)

The Department of Public Works, Highway and Transportation, Waste and Renewables, awarded a contract to BIOFerm USA, Inc. for Biogas Cleaning Equipment for Pipeline Injection (Phase III), 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) bid #316039

The following change is requested: Change Order #16 - Increase \$26,054.78 for additional flare equipment and programming that is required for system integration.

NOW, THEREFORE, BE IT RESOLVED that Change Order #16 for a total increase of \$26,054.78 be approved to the Contract for BIOFerm USA, Inc. for the above listed changes; and

BE IT FINALLY RESOLVED that the Department of Waste and Renewables be directed to ensure complete performance of the Change Order.

Public Works & Transportation and Personnel & Finance Committee recommends adoption of 2018 RES-513. Motion carried by a voice vote.

2018 RES 514

CONTRACT CHANGE ORDER #9 FOR JOE DANIELS FOR BIOGAS FACILITY CONSTRUCTION

The Department of Public Works, Highway and Transportation, Waste and Renewables, awarded a contract to Joe Daniels for Biogas Facility Construction, 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) Bid #317049.

The following change is requested: Change Order #9 - Increase \$26,206.75 for additional labor and material due to revisions made to ANR slab, flare control panel and boiler building.

NOW, THEREFORE, BE IT RESOLVED that Change Order #9 for a total increase of \$26,206.75 be approved to the Contract Joe Daniels for the above listed changes; and

BE IT FURTHER RESOLVED that the Department of Waste and Renewables be directed to ensure complete performance of the Contract.

Public Works & Transportation and Personnel & Finance Committee recommends adoption of 2018 RES-514. Motion carried by a voice vote.

2018 RES 515

CONTRACT CHANGE ORDER #10 FOR JOE DANIELS FOR BIOGAS FACILITY CONSTRUCTION

The Department of Public Works, Highway and Transportation, Waste and Renewables, awarded a contract to Joe Daniels for Biogas Facility Construction, 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) Bid #317049.

The following change is requested: Change Order #10 - Increase \$191,247.54 for contract extension and impacts to general conditions.

NOW, THEREFORE, BE IT RESOLVED that Change Order #10 for a total increase of \$191,247.54 be approved to the Contract Joe Daniels for the above listed changes; and

BE IT FINALLY RESOLVED that the Department of Waste and Renewables be directed to ensure complete performance of the Contract.

Public Works & Transportation and Personnel & Finance Committee recommends adoption of 2018 RES-515. Motion carried by a voice vote.

2018 RES 523

AUTHORIZING THE PURCHASE OF LAND FOR THE LOWER YAHARA RIVER TRAIL AND DOOR CREEK WILDLIFE AREA

The Land & Water Resources Department recommends the acquisition of approximately .23 acres from LUL, LLC in the Town of Pleasant Springs for the Lower Yahara River Trail and Door Creek Wildlife Area. The Lower Yahara River Trail will run along Lake Kegonsa and connect Fish Camp County Park to Lake Kegonsa State Park. Planning for the Lower Yahara River Trail has been underway for quite some time and is anticipated to be a popular recreation and commuter trail.

The parcel contains frontage on Fairview Street on the east and is bordered on the west by Door Creek Wetlands Wildlife Area. This parcel would provide an access point for the Trail and the Wildlife Area, allowing the Trail to bypass designated wetland and connect directly to the road. A small parking area and a kiosk with trail and wildlife area information would be planned for the parcel. The owner has also agreed to provide a Temporary Limited Construction Easement on its ownership to the south for a staging area once construction begins.

The purchase price for the approximately .23 acre LUL, LLC parcel has been established at \$55,000. Funds for the purchase are available in the Conservation Fund. The debt issued to support this expenditure will have a term of 20 years.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of approximately .23 acres from LUL, LLC for \$55,000 plus miscellaneous costs according to Wis. Stats Chapter 27.03(3); and

BE IT FURTHER RESOLVED, that the Dane County Land & Water Resources Department Director and Real Estate Coordinator are authorized to administer the closing and the transfer of the above-mentioned property to Dane County, and the Controller is authorized to issue checks necessary to effectuate the transaction.

Park Commission, Environment, Agriculture & Natural Resources and Personnel & Finance Committees recommend adoption of 2018 RES-523. Motion carried by a voice vote.

2018 RES 527

COUNTY EXECUTIVE APPOINTMENTS

The County Executive has appointed the following persons to the designated commissions, committees and boards. These appointments require confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the appointments set forth below are confirmed.

Airport Commission

Angela Thomas, 38 Terrace Chase, Sun Prairie 53590 (ph.: 608-358-9124 Email: angela.c.thomas@gmail.com) to be appointed to replace Don Esposito representing Eastern Dane County. Ms. Thomas was referred to the Airport Commission by Mayor Paul Esser. She is a licensed Certified Public Accountant with the State of Wisconsin. She has experience in implementing processes and controls to mitigate risk and drive regulatory compliance. Additionally, she serves on two other boards, the Literacy Network and the Wisconsin Institute of Certified Public Accountants. She has been a Civil Air Patrol member since 1994 and her desire to travel has kept her close to the airport for years. This term will expire 6/08/21.

Board of Adjustment

Mary Haley, 2878 Golden Circle, Stoughton 53589 (Ph: 608-873-5389, Email: thosmary@yahoo.com) to be appointed to replace Bill Olson as Alternate #2. Ms. Haley was referred to the Board of Adjustment by the Dane County Planning & Development Department and has served on the Board of Adjustment in the past. This term will expire 6/30/19.

Al Long, 2967 Sam Miles Rd Stoughton 53589 to be reappointed. This term will expire 6/30/21.

Ed Minihan, 2379 Keenan Rd, McFarland 53558 to be reappointed. This term will expire 6/30/21.

Human Services Board

Sarah Valencia, 213 Weald Bridge Rd, Cottage Grove 53527 (ph: 608-658-5425 Email: sarah.e.valencia@gmail.com) to be appointed to replace Karen Vieth. Ms. Valencia was referred to the Human Services Board by Supervisor Ratcliff. She is currently employed at UnityPoint Health Meriter as Director, Population Health; VP UW Health ACO. She is an innovative, customer oriented administrator with over 13 years of experience in healthcare, human services, and community agencies in Dane County. She has a strong background in process improvement, new program development, and management principles and practices. Additionally, she is a dedicated educator for students seeking a Masters of Social Work degree at the University of Wisconsin, Madison. This term will expire 4/18/20.

Youth Commission

Aram Donabedian, 1829 Jenifer St, Madison 53704 to be reappointed. This term will expire 4/17/20.

Kema Williams, 10 Corona Ct, Madison 53719 to be reappointed. This term will expire 4/17/20.

Executive Committee recommends adoption of 2018 RES-527. Motion carried by a voice vote.

2018 RES 528

CONFIRMING THE APPOINTMENT OF SHAWN TESSMANN AS THE DIRECTOR OF THE DANE COUNTY DEPARTMENT OF HUMAN SERVICES

The current director of the Department of Human Services, Lynn Green, is retiring after 46 years of service. The County Executive's Office conducted a national search for candidates to lead the Dane County Department of Human Services and the County Executive has selected Shawn Tessmann as the next Director of the Department of Human Services.

An Employee Service Agreement for Shawn Tessmann to serve as the Director of the Department of Human Services has been negotiated. The agreement sets forth the terms and conditions of employment. The appointment requires confirmation by the County Board.

NOW, THEREFORE, BE IT RESOLVED that the County Executive is authorized to execute on the behalf of Dane County the attached agreement with Shawn Tessmann to serve as the Director of the Department of Human Services with a salary of \$145,000, subject to any cost of living adjustments granted to unrepresented managerial employees.

Health & Human Needs and Personnel & Finance Committee recommends adoption of 2018 RES-528. Motion carried by a voice vote.

REPORTS ON ZONING PETITIONS

PETITION 11382 - ZONING CHANGE IN THE TOWN OF ALBION - ZONING ORD. AMDT. 11382

Petition 11382 by Roger W Hermanson to change zoning from FP 35 Farmland Preservation to RR 2 Rural Residential District on property located at 127 CTH N, Section 31, Town of Albion.

Zoning & Land Regulation Committee recommend Petition 11382 be granted and includes the condition that a certified survey map and be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11382 be adopted. Motion carried by a voice vote.

PETITION 11384 - ZONING CHANGE IN THE TOWN OF PRIMROSE - ZONING ORD. AMDT. 11384

Petition 11384 by Marsha M. Ralston Edlinger to change zoning from A 1EX Agriculture District to RH 1 Rural Homes District on property located at 8428 Grindle Road, Section 14, Town of Primrose.

Zoning & Land Regulation Committee recommends Petition 11384 be granted and includes the condition that a certified survey map be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11384 be adopted. Motion carried by a voice vote.

PETITION 11385 - ZONING CHANGE IN THE TOWN OF MEDINA - ZONING ORD. AMDT. 11385

Petition 11385 by Brent A Brattlie to change zoning from A 1EX Agriculture District TO A 2 (2) Agriculture District on property located at 1394 W. Medina Road, Section 31, Town of Medina.

Zoning & Land Regulation Committee recommends Petition 11385 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. be adopted. Motion carried by a voice vote.

Deed Restriction:

1. A deed restriction shall be recorded on the A-2(2) parcel limiting the keeping of livestock to the town of Medina Animal Unit Restrictions.

PETITION 11386 - ZONING CHANGE IN THE TOWN OF DUNN - ZONING ORD. AMDT. 11386

Petition 11386 by R & R Farms Inc., to change zoning from A 1EX Agriculture District to RH 1 Rural Homes District on property located South of 2181 USH 51, Section 23, Town of Dunn.

Zoning & Land Regulation Committee recommends Petition 11386 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11386 be adopted. Motion carried by a voice vote.

Deed Restriction:

1. A deed restriction shall be recorded on the remaining farmland owned by the applicant indicating that all development rights have been exhausted and prohibiting additional land divisions for residential development on the property (tax parcels 0610-233-8660-2, 0610-233-9600-2, 0610-233-9000-8).

PETITION 11387 - ZONING CHANGE IN THE TOWN OF PLEASANT SPRINGS - ZONING ORD. AMDT. 11387

Petition 11387 by Tom & Donna Sayre Farms LLC., to change zoning from A 1EX Agriculture District to RH 1 Rural Homes District on property located South of 3046 Kinney Road, Section 2, Town of Pleasant Springs.

Zoning & Land Regulation Committee recommends Petition 11387 be granted and includes the condition that a certified survey map and the Conditions and Deed Restrictions below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11387 be adopted. Motion carried by a voice vote.

Conditions:

1. The CSM shall show the designated area of home placement.
2. Development shall meet RH-1 zoning district conditions.
3. Development shall follow grading plan as listed on site plan drawing dated 12/19/2018, drawing # 5196e-18 to include drainage and proposed location of the home.

Deed Restriction:

1. A deed restriction shall be recorded on the remaining A-1EX zoned lands of the sending farm property in sections 3 and 10 of the town prohibiting non-farm development (tax parcels 061103392300 and 061110285001).

PETITION 11388 - ZONING CHANGE IN THE TOWN OF MEDINA - ZONING ORD. AMDT. 11388

Petition 11388 by Edgar Markwardt to change zoning from A 1 Agriculture District TO A 2 Agriculture District on property located East of 1583 Berlin Road, Section 6, Town of Medina.

Zoning & Land Regulation Committee recommend Petition 11388 be granted and includes the condition that a certified survey map and the Deed Restriction below be submitted and/or recorded within 90 days and Zoning Ord. Amdt. 11388 be adopted. Motion carried by a voice vote.

Deed Restriction:

1. A deed restriction shall be recorded on the A-2 parcel prohibiting division of the property (tax parcels 0812-062-9250-5, 0812-063-8500-3, and 0812-063-9000-6).
2. A deed restriction shall be recorded on the A-2 parcel limiting the keeping of livestock to the town of Medina Animal Unit Restrictions.

ORDINANCES

Sub. 2, 2018 OA-028

AMENDING CHAPTER 14 AND CREATING CHAPTER 49 OF THE DANE COUNTY CODE OF ORDINANCES, AGRICULTURAL PERFORMANCE STANDARDS AND MANURE MANAGEMENT

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Chapter 14, Subchapter I "MANURE STORAGE AND UTILIZATION", ss.14.001 - 14.27 is rescinded in its entirety.

ARTICLE 3. Chapter 49 is created to read as follows:

**CHAPTER 49
AGRICULTURAL PERFORMANCE STANDARDS AND
MANURE MANAGEMENT**

**SUBCHAPTER I
GENERAL PROVISIONS**

- 49.01 Authority.
- 49.02 Jurisdiction.
- 49.03 Purpose, findings and declaration of policy.
- 49.04 Severability.

SUBCHAPTER II

DEFINITIONS

- 49.05 Purpose.
- 49.06 Word usage.
- 49.07 Definitions.

SUBCHAPTER III AGRICULTURAL PERFORMANCE STANDARDS AND PROHIBITIONS

- 49.08 Performance standards and prohibitions.
- 49.09 Standards.
- 49.10 Cost share required.

SUBCHAPTER IV MANURE STORAGE FACILITY PERMIT, USE AND SPECIFICATIONS

- 49.11 Application for issuance of permits.
- 49.12 Manure storage facility plan requirements.
- 49.13 Review of application.
- 49.14 Permit conditions.
- 49.15 Permit revocation.
- 49.16 Certificate of use.

SUBCHAPTER V WINTER SPREADING PERMIT

- 49.17 Permit requirement.
- 49.18 Winter spreading plan components.
- 49.19 Limitations to application of manure to frozen, snow-covered, or ice-covered ground.
- 49.20 Permit conditions.

SUBCHAPTER VI PROCEDURES AND ADMINISTRATION

- 49.21 Administration.
- 49.22 Variances.
- 49.23 Enforcement.
- 49.24 Appeals.
- 49.25 Fees.

SUBCHAPTER I GENERAL PROVISIONS

49.01 AUTHORITY. This ordinance is adopted under authority granted by ss. 33.455 and 92.16, Wis. Stats., and s. ATCP 50.56, Wis. Adm. Code.

49.02 JURISDICTION. This ordinance applies to the entire geographical area of Dane County.

49.03 PURPOSE, FINDINGS AND DECLARATION OF POLICY. (1) The purpose of this ordinance is to provide for proper and safe storage, handling, and land application of manure and to reduce the delivery of manure, other waste materials, fertilizers, and sediment to surface waters and groundwater through the use of conservation practices and implementation of state performance standards and prohibitions for agriculture. The Dane County Board of Supervisors finds that polluted surface runoff and leachate from improperly designed or maintained manure storage facilities, feed storage facilities, unconfined manure piles, animal lots, milking centers, and agricultural practices causing excessive tillage and land applications of manure and fertilizers have resulted in the delivery of sediment, manure, other waste materials, and nutrients to surface waters and groundwater within Dane County. The board recognizes the importance of protecting our ground and surface water resources and finds that proper management of agricultural practices contributes to the protection of ground and surface waters; public health; plant, animal, and aquatic life; and the property tax base of Dane County. The board finds that adherence to agricultural performance standards in chs. NR 151 and ATCP 50, Wis. Adm. Code, by the county landowners is necessary to protect these interests.

(2) Compliance with this ordinance requires that individuals follow the procedures contained herein, receive a permit from the department before beginning ~~regulated~~ activities that require a permit, and comply with the requirements of this ordinance and the permit.

49.04 SEVERABILITY. (1) **JUDGEMENT OF ORDINANCE PROVISIONS.** If a court of competent jurisdiction adjudges any section, provision or portion of this chapter to be invalid, the judgement shall not affect any other provision of this chapter not specifically included in the judgement.

(2) **JUDGEMENT OF ORDINANCE APPLICATION.** If a court of competent jurisdiction adjudges invalid the application of any portion of this chapter to a particular property, building, use, or structure, the judgement shall not affect the application of the provision to any other property, building, use, or structure not specifically included in the judgement.

(3) **JUDGEMENT OF PERMIT.** If a court of competent jurisdiction adjudges as invalid any requirement or limitation contained in a permit given under this chapter, it shall be presumed that the permit would not have been granted without the requirement or limitation, and therefore, the permit shall also be invalid.

SUBCHAPTER II DEFINITIONS

49.05 PURPOSE. To define words, terms, and phrases contained in this chapter that are essential to the understanding, administration, and enforcement of this chapter.

49.06 WORD USAGE. For the purposes of this chapter, certain words and terms are used as follows:

- (1) Words used in the present tense include the future.
- (2) Words in the singular include the plural.
- (3) Words in the plural include the singular.
- (4) The word "shall" is mandatory and not permissive.

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

- (1) *"Adequate sod or self-sustaining vegetative cover"* means maintenance of sufficient vegetation types and densities that provide 70% coverage such that the physical integrity of the streambank or lakeshore is preserved. Self-sustaining vegetative cover includes grasses, forbs, sedges and duff layers of fallen leaves, and woody debris.
- (2) *"Agricultural lands"* means lands in agricultural use as provided under s. 91.01(2), Wis. Stats.
- (3) *"Applicant"* means any person who applies for a permit under this ordinance.
- (4) *"Best management practices (BMPs)"* mean structural or nonstructural measures, practices, techniques, or devices employed to avoid or minimize soil, sediment, or other pollutants from being carried in runoff to waters of the state.
- (5) *"Concentrated flow channel"* means a natural channel or constructed channel that has been shaped or graded to required dimensions and established in perennial vegetation for the stable conveyance of runoff. This definition may include but is not limited to non-vegetated channels caused by ephemeral erosion including intermittent streams, drainage ditches, and drainage ends identified on the NRCS soil survey. Some drainage ditches are identified on the Dane County Web page at: <https://dcimapapps.countyofdane.com/lwrvviewer/>
- (6) *"Department"* means the Dane County Land & Water Resources Department.
- (7) *"Certificate of use"* means an authorization provided by the Department to an agricultural producer allowing them to continue to utilize an unpermitted waste storage facility or permitted facilities that have exceeded the 20 year lifespan.
- (8) *"Committee"* means the Land Conservation Committee as designated by the county board pursuant to s. 7.20(2), Dane County Ordinance, and s. 92.06, Wis. Stats.
- (9) *"Crop producer"* means an owner or operator of an operation engaged in crop related agricultural practices specified in Wis. Stat. s. 281.16(1)(b).
- (9) *"Direct conduit to groundwater"* means wells, sinkholes, swallets, fractured bedrock at the surface, mine shafts, non-metallic mines, tile inlets discharging to groundwater, quarries, cenotes, or depressional groundwater recharge areas over shallow fractured bedrock.
- (10) *"Direct runoff"* means any of the following:
 - (a) Runoff of stored manure, including manure leachate, that discharges a significant amount of pollutants to surface waters of the state or to a direct conduit to ground water.
 - (b) Runoff from a feedlot that can be predicted to discharge a significant amount of pollutants to surface waters of the state or a direct conduit to groundwater.
 - (c) Discharge of a significant amount of leachate from stored manure or feed to waters of the state.
 - (d) Construction of a manure storage facility in permeable soils or over fractured bedrock without a liner designed in accordance with NRCS Standard 313.
- (11) *"Effective incorporation"* means mixing manure with soil, or subsurface placement of nutrients by such means as injection, disc, sweep, plow or other tillage/infiltration method such that manure will not run off the field or drain to subsurface tiles during application.
- (12) *"Feedlot"* means a barnyard, exercise area, or other outdoor area where livestock are concentrated for feeding or other purposes and self-sustaining vegetative cover is not maintained. "Feedlot" does not include a winter grazing area or a bare soil area such as a cattle lane or a supplemental feeding area located within a pasture, provided that the bare soil area is not a significant source of pollution to waters of the state as determined by predictive models for manure runoff utilized by the department.
- (13) *"Idle storage facility"* means a facility where manure has not been added or removed for a period of 24 months.
- (14) *"Land application"* means the physical transfer of manure from any animal confinement area or manure storage facility to fields for purposes of fertilization or disposal.
- ~~(15)~~ *"Landowner"* means a person who owns a parcel of land. ~~any of the following:~~
- ~~(16)~~ A person who owns a parcel of land.
- ~~(17)~~ ~~(15)~~ A person who rents, controls, or uses a parcel of land for agricultural purposes.
- ~~(18)~~ ~~(16)~~ "Livestock" means all domestic animals, including deer, elk, or any fenced-in animals.
- ~~(19)~~ ~~(17)~~ "Livestock operation" means a feedlot or other facility or a pasture where animals are fed, confined, maintained, or stabled.
- ~~(20)~~ ~~(18)~~ "Manure" means livestock excreta and includes the following when intermingled with excreta in normal farming operations: debris including bedding, water, soil, hair, and feathers; processing derivatives including separated sand, separated manure solids, precipitated manure sludges, supernatants, digested liquids, composted biosolids, and process wastewater; and runoff collected from barnyards, animal lots, and feed storage areas.
- ~~(21)~~ ~~(19)~~ "Manure storage facility" means an impoundment made by constructing an embankment or excavating a pit or dugout or by fabricating a structure to contain manure, process wastewater, or other animal or agricultural waste.
- ~~(22)~~ ~~(20)~~ "Manure storage facility, existing" means a facility that was constructed prior to October 1, 2002.
- ~~(23)~~ ~~(21)~~ "Manure storage facility, substantially altered" means a change initiated by an landowner and operator that results in a relocation of a manure structure or facility or significant changes to the size, depth or configuration of a manure structure or facility

including:

(a) Replacement of a liner, or any interception of the liner as a result of changes in the management system of the manure storage structure.

(b) An increase in the volumetric capacity or area of a structure or facility by greater than 20%.

(c) A change in a structure or facility related to a change in livestock management from one species of livestock to another, such as cattle to poultry.

~~(24)(22)~~ "Manure storage facility, unpermitted" means a facility that was constructed without a permit issued by Dane County Land & Water Resources Department under this ordinance.

~~(25)(23)~~ "Margin of safety level" means the level in a liquid manure storage or containment facility that is vertically one foot below the lowest point of the top of the manure storage facility or structure.

~~(26)(24)~~ "Natural Resources Conservation Service (NRCS)" means an agency of the United States Department of Agriculture (USDA) which, for purposes of this chapter, provides the agency and the department with technical assistance and information on the design criteria, size, shape, engineering strength, and other necessary technical data for the proper and safe installation of a manure storage facility.

~~(27)(25)~~ "Navigable waters and navigable drainage ways" means any body of water that is navigable under the laws of the state as defined s. 281.31(2)(d), Wis. Stats.

~~(28)(26)~~ "Nutrient management plan" means a plan that ~~balances the nutrient needs of a crop with the nutrients available from legume crops, manure, fertilizer, or other sources.~~

~~The requirements for a nutrient management plan are as established meets the definition in s. ATCP 50.04(3), Wis. Adm. Code.~~

~~(27)~~ "Nutrients" means plant nutrients derived from commercial fertilizers, manure, organic wastes, soil reserves, legumes, or other sources.

~~(29)(28)~~ "Operator" means a person who rents, controls or uses a parcel of land for agricultural purposes.

~~(30)(29)~~ "Ordinary high water mark" means the point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, or other easily recognized characteristic. Where the bank or shore at any particular place is of such character that it is difficult or impossible to ascertain where the point of ordinary high-water mark is, recourse may be had to the opposite bank of a stream or to other places on the shore of a lake or flowage to determine whether a given stage of water is above or below the ordinary high-water mark.

~~(31)(30)~~ "Pasture" means land on which livestock graze or otherwise seek feed in a manner that maintains the vegetative cover over the grazing area. Pasture may include limited areas of bare soil such as cattle lanes and supplemental feeding areas provided the bare soil areas are not significant sources of pollution to waters of the state.

~~(32)(31)~~ "Permit" means the signed, written statement issued by the department under this ordinance authorizing the applicant to construct, install, substantially alter, or close, a manure storage facility, and/or the application of livestock waste on frozen or snow-covered ground.

~~(33)(32)~~ "Permitted facility" means a facility that was permitted under this ordinance.

~~(34)(33)~~ "Permittee" means any person to whom a permit is issued under this ordinance.

~~(35)(34)~~ "Person" means any individual, owner, operator, corporation, limited liability company, partnership, association, municipality, interstate agency, state agency, or federal agency.

~~(36)(35)~~ "Phosphorus index" means the State's agricultural land management planning tool for assessing the potential of a cropped or grazed field to contribute phosphorus to surface waters.

~~(37)(36)~~ "Pollutant" means any dredged, spoil, solid waste, incinerator residue, sewage, garbage, refuse, oil, sewage sludge, munitions, chemical wastes, biological materials, radioactive substance, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.

~~(38)(37)~~ "Pollution" includes contaminating or rendering unclean or impure the waters of the state, or making the same injurious to public health, harmful for commercial or recreational use, or deleterious to fish, bird, animal or plant life.

~~(39)(38)~~ "Process wastewater" means wastewater from the production area directly or indirectly used in the operation of animal feeding operation that results from any or all of the following:

(a) Spillage or overflow from animal or poultry watering systems.

(b) Washing, cleaning, or flushing pens, barns, manure pits, or other animal feeding operation facilities.

(c) Direct contact swimming, washing, or spray cooling of animals or dust control.

(d) Water that comes into contact with any raw materials or animal byproducts including manure, feed, milk, eggs, or bedding.

~~(40)(39)~~ "Runoff" means storm water or precipitation including rain, snow, ice melt or similar water that flows across the land surface via sheet or channelized flow.

~~(41)(40)~~ "Safety devices" means constructed measures designed to protect humans and livestock from hazards associated with a manure storage facility.

~~(42)(41)~~ "Site that is susceptible to groundwater contamination" means any one of the following:

(a) An area within 250 feet of a private well.

(b) An area within 1000 feet of a municipal well.

(c) An area within 300 feet upslope or 100 feet downslope of a direct conduit to groundwater.

(d) A channel that flows to a direct conduit to groundwater.

(e) An area where the soil depth to groundwater or bedrock is less than 2 feet.

(f) An area where the soil does not exhibit one of the following soil characteristics:

1. At least a 2-foot soil layer with 40% fines or greater above groundwater and bedrock.

2. At least a 3-foot soil layer with 20% fines or greater above groundwater and bedrock.

3. At least a 5-foot soil layer with 10% fines, or greater above groundwater and bedrock.

~~(43)(42)~~ "Surface waters" means all natural and artificial named and unnamed lakes and all naturally flowing streams within the boundaries of the state, but not including cooling lakes, farm ponds and facilities constructed for the treatment of wastewaters.

~~(44)(43)~~ "Technical guide" means the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Technical Guide as adopted by the agency, including subsequent amendments or additions.

~~(45)~~(44) *“Tolerable soil loss” or “T”* means the maximum rate of erosion, in tons per acre per year, allowable for particular soils and site conditions that will maintain soil productivity.

~~(46)~~(45) *“Top of the channel”* means an edge, or point on the landscape landward from the ordinary high water mark of a surface water of the state, where the slope of the land begins to be less than 12% continually for at least 50 feet. If the slope of the land is 12% or less continually for the initial 50 feet landward from the ordinary high water mark, the top of the channel is the ordinary high water mark.

~~(47)~~(46) *“Unconfined manure pile”* means a quantity of manure that is at least 175 cubic feet in volume and which covers the ground surface to a depth of at least 2 inches and is not confined within a manure storage facility, livestock housing facility or barnyard runoff control facility or covered or contained in a manner that prevents storm water access and direct runoff to surface water or leaching of pollutants to groundwater.

~~(48)~~(47) *“Waste transfer system”* means all components including tanks, pipes, pumps, conduits, valves, gutters, flow channels, and any other component designed to convey manure, contaminated runoff, and milking center wastes into or out of buildings, retention basins, or storage facilities.

~~(49)~~(48) *“Water Quality Management Area (WQMA)”* means land that includes any of the following: an area within 1,000 feet up-gradient of the ordinary high water mark of a navigable lake, pond, or flowage; an area within 300 feet up-gradient of the high water mark of a navigable river or; an area that is susceptible to groundwater contamination, or has the potential to be a direct conduit for pollutants to reach groundwater.

~~(50)~~(49) *“Waters of the state”* mean those portions of Lake Michigan and Lake Superior within the boundaries of Wisconsin, all lakes, bays, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, water courses, drainage systems and other surface water or groundwater, natural or artificial, public or private within the state or under its jurisdiction, except those waters which are entirely confined and retained completely upon the property of a person.

~~(51)~~(50) *“Winter grazing area”* means a cropland or pasture where livestock feed on dormant vegetation or crop residue, with or without supplementary feed, during the period of October 1 to April 30.

SUBCHAPTER III AGRICULTURAL PERFORMANCE STANDARDS AND PROHIBITIONS

49.08 PERFORMANCE STANDARDS AND PROHIBITIONS.

(1) SHEET, RILL, AND WIND EROSION. All pastures and land where crops or feed are grown shall be managed to achieve a soil erosion rate equal to or less than the tolerable soil loss (T) rate established for that soil.

(2) TILLAGE SETBACK. To prevent tillage operations from destroying stream banks and depositing soil directly in surface waters, crop producers shall not conduct a tillage operation that negatively impacts stream bank integrity or deposits soil directly in surface waters.

(a) No tillage operations may be conducted within 5 feet of the top of the channel of surface waters. Tillage setbacks greater than 5 feet but no more than 20 feet may be required to meet this standard. Determinations for tillage setbacks are established in s. ATCP 50.04 (4)(b)2, Wis. Adm. Code.

(b) Crop producers shall maintain the area within the tillage setback required under sub.

(a) in adequate sod or self-sustaining vegetative cover that provides a minimum of 70% coverage.

Note: Conservation practices such as but not limited to critical area stabilization, grade stabilization, shoreland protection may be installed to stabilize the bank and protect its integrity. Enrollment in federal set aside programs such as CREP can also be used to achieve compliance.

(c) This standard does not apply to grassed waterways installed as conservation practices.

(3) PHOSPHORUS INDEX. All cropland, pastures, and winter grazing areas shall meet the Wisconsin Phosphorus Index (PI) established in s. NR 151.04, Wis. Admin. Code, including where the PI applies, the methods for calculating the PI, and acceptable PI runoff levels.

Note: A nutrient management plan meeting s. ATCP 50.04 (3), Wis. Admin. Code, may be used to demonstrate compliance with this standard.

(4) NUTRIENT MANAGEMENT. All crop and livestock producers that apply manure or other nutrients directly or through contract to agricultural fields shall comply with this section.

(a) This performance standard does not apply to industrial waste and byproducts regulated under ch. NR 214, Wis. Adm. Code, municipal sludge regulated under ch. NR 204, Wis. Adm. Code, and septage regulated under ch. NR 113, Wis. Adm. Code.

(b) Nutrient management plans are required on pastures unless exempt as established in s. ATCP 50.04(3)(b), Wis. Adm. Code.

(c) Manure, commercial fertilizer, and other nutrients shall be applied in conformance with a nutrient management plan as established in s. ATCP 50.04(3), Wis. Adm. Code.

1. The plan shall be designed to limit or reduce the discharge of nutrients to waters of the state for the purpose of complying with state water quality standards and groundwater standards.

2. Plans for croplands in watersheds that contain impaired surface waters or in watersheds that contain outstanding or exceptional resource waters shall meet the following criteria:

unless otherwise provided in this subsection, the plan shall be designed to manage soil nutrient concentrations so as to maintain or reduce delivery of nutrients contributing to the impairment of impaired surface waters and to outstanding or exceptional resource waters.

3. An updated plan shall be submitted to the department annually by June 1 to ensure the plan meets requirements of this section.

(d) The plan may allow for an increase in soil nutrient concentrations at a site, consistent with s. ATCP 50.04(3)(f), Wis. Admin. Code, if necessary to meet crop demands.

(5) CLEAN WATER DIVERSION. (a) All livestock producers within a water quality management area shall comply with this section.

(b) Runoff shall be diverted away from feedlots, manure storage areas and barnyard areas within water quality management areas except that a diversion to protect a private well under s. NR 151.015 (18)(a), Wis. Adm. Code, is required only when the feedlot, manure storage area, or barnyard area is located upslope from the private well.

(6) MANURE MANAGEMENT PROHIBITIONS. All livestock operations shall comply with this section as follows:

- (a)** No overflow of manure storage structures.
- (b)** No unconfined manure piles within a water quality management area.
- (c)** No direct runoff from a feedlot or stored manure to waters of the state.
- (d)** No unlimited access by livestock to waters of the state in a location where high concentrations of animals prevent the maintenance of adequate sod or self-sustaining vegetative cover. This prohibition does not apply to properly designed, installed and maintained livestock or farm equipment crossings.

(7) PROCESS WASTEWATER HANDLING. All livestock producers shall comply with this section.

- (a)** No significant discharge of process wastewater to waters of the state.
- (b)** The following factors will be considered when determining whether a discharge of process wastewater is a significant discharge to waters of the state:

- 1. Volume and frequency of the discharge.
- 2. Location of the source relative to receiving waters.
- 3. Means of process wastewater conveyance to waters of the state.
- 4. Slope, vegetation, rainfall, and other factors affecting the likelihood of process wastewater discharge to waters of the state.
- 5. Available evidence of discharge to a surface water of the state or to a direct conduit to groundwater.
- 6. Whether the process wastewater is discharged to a site that is defined as a site that is susceptible to groundwater contamination.
- 7. Other factors relevant to the impact of the discharge on water quality standards of the receiving water or to groundwater standards.

(8) MANURE STORAGE FACILITIES. All livestock producers building new manure storage facilities, substantially altering manure storage facilities, or choosing to close their manure storage facilities shall comply with this section.

(a) New construction and substantial alterations.

- 1. New or substantially altered manure storage facilities shall be designed, constructed, and maintained to minimize the risk of structural failure of the facility and to minimize leakage of the facility in order to comply with groundwater standards and NRCS technical standard 313.
- 2. The levels of materials in the storage facility may not exceed the margin of safety level.
- 3. Storage facilities that are constructed or significantly altered on or after January 1, 2011, shall be designed and operated to contain the additional volume of runoff and direct precipitation entering the facility as a result of a 25-year, 24-hour storm.
- 4. A new manure storage facility means a facility constructed after October 1, 2002.
- 5. A substantially altered manure storage facility is a manure storage facility that is substantially altered after October 1, 2002.

(b) Closure. 1. "Conditions for closure." Idle storage facilities shall be closed in a manner that will prevent future contamination of groundwater and surface waters in accordance with NRCS technical standard 360.

2. "Conditions for retention." The landowner or operator may retain the facility for a longer period of time by making a written request to the department to retain the facility once every two years until the facility is brought into use and by demonstrating to the county the following conditions are met:

- a. The facility is designed, constructed and maintained in accordance with this chapter.
- b. The facility is designed to store manure for a period of time longer than 24 months.
- c. Retention of the facility is warranted based on anticipated future use.

(c) Existing facilities. 1. Manure storage facilities in existence as of October 1, 2002, that pose an imminent threat to public health, fish and aquatic life, or groundwater, shall be upgraded, replaced, or closed in accordance with this section.

2. Levels of materials in storage facilities may not exceed the margin of safety level.

(9) SAFETY DEVICES. The following safety devices are required on all manure storage facilities in Dane County whether or not a permit has been issued under this ordinance:

(a) A fence around the manure storage facility is required unless the manure storage facility has vertical walls 5 feet above the ground surface or the manure storage facility has a cover that will support foot traffic. Fences shall be a minimum of 48 inches above grade and shall not allow the passage of a larger than 6-inch sphere between any fence or gate member or meets s.49.09(2).. All fence openings shall have gates that can be shut and securely fastened.

(b) A grate or cover for any opening in the waste transfer system that is larger than 6 inches in diameter. Grates and covers must be designed to withstand all load requirements. A fence around a waste transfer system may be used in lieu of a grate or cover if the fence meets the criteria contained in sub (a).

(c) Safety stops, gates, or both shall be installed at push-off ramps and load out areas of impoundments and structures to prevent accidental entry of tractors and other equipment.

(d) Manure storage facilities and their components shall have signs at all access points to warn of the danger of entry.

49.09 STANDARDS. (1) STANDARDS FOR EVALUATING SHEET, RILL, AND WIND EROSION. The standards for evaluating sheet, rill, and wind erosion shall be Revised Universal Soil Loss Equation 2 (RUSLE2). Note: RUSLE2 is available at https://www.nrcs.usda.gov/wps/portal/nrcs/detail/wi/technical/cp/?cid=nrcs142p2_020801. Equivalent methodology may be used as approved by the department.

(2) STANDARDS FOR DESIGN AND CONSTRUCTION OF MANURE STORAGE FACILITIES. The standards for design and construction of manure storage facilities shall be the current standards in the NRCS Technical Guide, including 313 Waste Storage Facility, 634 Manure Transfer, 635 Vegetated Treatment Area, 632 Waste Separation Facility, and 629 Waste Treatment and any amendments to these standards.

(3) STANDARDS FOR NUTRIENT MANAGEMENT. The standards for management of manure and nutrients applied to cropland and pastures shall be the current standards in the NRCS Technical Guide, including 590 Nutrient Management and any amendments.

(4) STANDARDS FOR PHOSPHORUS INDEX (PI). The standard for meeting the PI on croplands, pastures, or winter grazing areas shall be based on the calculation utilized by the current SNAP Plus nutrient management planning model.

Note: SNAP Plus is available at <https://snapplus.wisc.edu/>.

(5) STANDARDS FOR CLOSURE OF MANURE STORAGE FACILITY. The standards for closure of an unused manure storage

facility shall be the current standards in the NRCS Technical Guide, including 360 Waste Facility Closure and any amendments.

(6) STANDARDS FOR DETERMINATION OF SIGNIFICANT DISCHARGE AND DIRECT RUNOFF. The standards for determination of direct runoff shall be the Barnyard Runoff Evaluation Tool (BERT), BARNY, VTA spreadsheet or an equivalent predictive model for manure, feed leachate, milk house waste or other process wastewater runoff.

Note: Available models can be found at

https://www.nrcs.usda.gov/wps/portal/nrcs/detail/wi/technical/engineering/?cid=nrcs142p2_025422. Equivalent methodology may be used as approved by the department.

(7) STANDARDS FOR THE DETERMINATION OF ADEQUATE SOD OR SELF-SUSTAINING VEGETATIVE COVER. Standards for determination of adequate sod or self-sustaining vegetative cover shall be the standards outlined in the NRCS Technical Guide 528 Prescribed Grazing or vegetative measurement by grid sample shall show at least 70 percent living plant material cover.

(8) SUBSEQUENT MODIFICATION OF STANDARDS. The standards of the NRCS Technical Guide are adopted and by reference made a part of this section as if fully set forth herein. Any future amendment, revision or modification of the standards standards are available at the department.

(9) ADDITIONAL STANDARDS. Standards not identified in this section may be utilized to meet the requirements of this ordinance with prior approval from the department. Variances may be requested in accordance with s.49.225.

49.10 COST SHARE REQUIRED. An landowner or operator of an agricultural facility or practice that is in existence before October 1, 2002, may not be required to comply with the performance standards, prohibitions, conservation practices or technical standards under this subchapter unless cost-sharing is made available to the landowner or operator to the extent that cost-sharing is required by state law. A determination that cost-sharing is available to meet the performance standards, prohibitions, conservation practices or technical standards under this subsection will be determined in accordance with s. NR 151.09 or NR 151.095, Wis. Adm. Code, when funding is provided under ch. 281.65, Wis. Stats., and will be determined in accordance with ch. ATP 50, Wis. Adm. Code, when funds are from any other source.

SUBCHAPTER IV MANURE STORAGE FACILITY PERMIT, USE, AND SPECIFICATIONS

49.11 APPLICATION FOR ISSUANCE OF PERMITS. (1) PERMIT REQUIRED. (a) No person may do any of the following without obtaining a permit in accordance with this section:

1. Construct a ~~new~~ manure storage facility or substantially alter an ~~existing~~ manure storage facility, including the construction or substantial alteration of waste transfer systems connected to a manure storage facility.
2. Upgrade, repair or replace a manure storage facility that has been identified as posing an imminent threat to public health, fish and aquatic life, or groundwater.
3. Close an ~~existing~~ manure storage facility, including conversion of its use, regardless of, whether the facility must be closed in accordance with s. 49.08(8)(c).

(2) EXCEPTION TO PERMIT REQUIREMENT. (a) Emergency repairs such as repairing a broken pipe or equipment, leaking dikes, or the removal of stoppages may be performed without a permit. Any repairs performed as a result of the facility failing, overtopping or repairs intercepting the liner or substantially altering the original design or construction of a facility shall be reported, in writing, within one day of the emergency to the department.

1. The department will make a determination whether the repairs made were reasonably necessary to respond to the existing emergency. The department is authorized to enter upon lands where a repair has been made to a facility to make this determination.
2. A permit shall be required for any work deemed to constitute additional alteration or repair to the facility in excess of that reasonably necessary to respond to the emergency. The department's determination shall be rendered within 5 business days of the reporting. Work done without a proper permit shall constitute noncompliance with the ordinance. The passage of this ordinance is not to be construed as a requirement that livestock operations construct manure storage facilities but rather that facilities that are constructed be required to obtain the appropriate permits and approvals.

(b) Manure storage facilities that are 1,000 gallons or less in total volume may be constructed without a permit. These facilities are required to meet the NRCS Standard 313-Waste Storage Facility, and 634-Manure Transfer. This exemption applies only if the manure storage facility is not connected to another manure storage facility or facilities with a cumulative volume of more than 1,000 gallons.

(3) PERMIT DURATION. Permits for manure storage facilities shall be valid for 20 years.

(4) PERMIT EXPIRATION. ~~Prior to the time the permit expires the~~ The landowner may choose to either obtain a certificate of use in accordance with s. 49.16 or close the facility in accordance with s.49.12(3).

(a) To obtain a certificate of use, the to the expiration date, the manure storage facility may shall be evaluated by a professional engineer in the last year of the permit to assess the manure storage facility's structural condition and compliance with the standards listed in this ordinance.

1. If the department determines, based on the engineering evaluation, that the facility meets the intent of the standards listed in this ordinance, a certificate of use will be issued for the facility.

2. If the department determines, based on the engineering evaluation, that repairs are required, a certificate of use will not be issued until the required repairs are made to the manure storage facility or a schedule of repairs is agreed upon by the landowner or operator and the department. The evaluation shall be used by the department to determine if repairs are required

(b) prior to issuance of certificate of use. If no evaluation is performed or if the landowner or operator does not want to implement the repairs to bring the manure storage facility into compliance with this chapter, the manure storage facility shall be closed in compliance with s.49.12(3) prior to the expiration date of the permit.

(5) PERMIT Modification. Changes to a manure storage facility that fall under the activities identified in s. 49.11(1) during the 20 year permit duration may require a new permit or may be performed under a permit modification. Prior to making any changes the landowner or operator shall submit an application to the department following the requirements in s. 49.12. The department shall

make a determination whether the activities proposed in the application require an new permit or can be performed under a permit modification. A permit modification does not alter the expiration date of the original permit.

49.12 MANURE STORAGE FACILITY PLAN REQUIREMENTS. Each application for a manure storage permit under this section shall include the completion of the county permit application and a detailed manure storage facility construction plan.

(1) MANURE STORAGE FACILITY PLAN REQUIREMENTS. Manure storage structures, and any additions to such structures, shall maintain the following setbacks pursuant to s. ATCP 51.12, Wis. Adm. Code, and additional setbacks set forth in s. 49.09(2), herein.

(a) SETBACKS FROM PROPERTY LINES AND ROAD RIGHTS-OF-WAY. Manure storage structures shall be setback 350 feet from any property line or road right-of-way, however, the setback from the property line or road right-of-way may be reduced if the new manure storage facility is located no closer than an existing manure storage facility that is in use. For purposes of measuring this setback, property line is defined as the outermost boundary of a property under common ownership as described on a deed recorded with the Dane County Register of Deeds and the manure storage facility measurement will be from the inside top of the liner of the structure. Setbacks do not apply to manure transfer facilities.

(b) EXPANSION. Manure storage structures located within a setback area may be expanded provided the area to be expanded meets required setbacks.

(2) MANURE STORAGE CONSTRUCTION PLAN REQUIREMENTS. A complete permit application for a new or modified manure storage facility shall meet or exceed the minimum established limits and specific criteria within NRCS Technical Standard 313 for Waste Storage, and additional Technical Standards, including, but not limited to, 342 Critical Area Planting, 382 Fence, 558 Roof Runoff Structure, 590 Nutrient Management, and 634 Manure transfer as applicable. The plan shall include all of the following:

(a) Number, type, and size of animals for which storage is provided and the duration for which storage is to be provided.

(b) Type of bedding to be used in the operation and all aspects of handling and recovery of this bedding material.

(c) Site plan of the facility and its location in relation to the following:

1. "Residences." The location of any residential buildings other than that of the landowner of the premises, or owned by the landowner of the premises but occupied by his/her family, agent or employee within 500 feet of the facility shall be identified.

2. "Property Lines." The location of any property lines within 500 feet of the facility shall be identified.

3. "Wells." The location of any wells within 500 feet of the facility shall be identified.

4. "Utilities." The location of all utilities within 500 feet of the facility shall be identified.

5. "State and federal highways, county and town roads, and public streets designated as roadways." The location of any roadway within 500 feet of the facility shall be identified.

6. "Navigable waters and navigable drainage ways." The location of any navigable water and drainage ways within 500 feet of the facility shall be identified.

7. "Floodplains and other water bodies." The location of floodplains and other waterways within 500 feet of the facility shall be identified.

(d) North arrow, scale of the drawing, legal description of the proposed facility parcel, and location, description and elevation of a temporary benchmark.

(e) Structural details including, but not limited to, dimensions, cross-sections, concrete thickness, reinforcing steel location and design loading details when other than NRCS pre-qualified designs and drawings are used.

(f) Construction and material specifications including, but not limited to, applicable specifications for earth fill, excavation, concrete, reinforcing steel, timber and pipes.

(g) Soil test pit locations, elevations, and soil descriptions to a depth as required for the planned structure according to the NRCS Technical Standard 313.

(h) Elevation of groundwater, bedrock or seasonally saturated conditions if encountered in the soil profile and the date of any such determinations.

(i) Provisions for adequate drainage and control of runoff to prevent pollution of surface water and groundwater.

(j) Time schedule for construction of the facility.

(k) Details and plans for the method and structures used in transferring manure into and from the facility.

(l) Plan to control erosion during the construction or modification of the facility.

(m) Plans that address the safety requirements of the facility as needed.

(n) Emergency response plan identifying the names and phone numbers of individuals or others to be notified in the event of any leaks, spills or other system failures that could discharge manure.

(o) Certification by a professional engineer registered in the State of Wisconsin, or an engineering practitioner certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) or the NRCS that the plans meet technical and ordinance standards.

(p) Operation and maintenance plan for the manure storage facility signed by the landowner or operator that identifies the basics of operation, the manure removal interval, the use of agitation pads, and required repairs to berms and roads that are a necessary part of the facility function and meets all other requirements of NRCS Technical Standards 313 and 634.

(q) Nutrient management plan that complies with s. ATCP 50.04, Wis. Adm. Code. The nutrient management plan must be prepared by a nutrient management planner qualified under s. ATCP 50.04 (3), Wis. Adm. Code, submitted and approved prior to issuance of the permit.

(r) Any other additional information required by the department to protect water quality and determine compliance with this section.

(3) MANURE STORAGE FACILITY CLOSURE APPLICATION REQUIREMENTS. A complete permit application for waste-manure storage facility closure shall meet all standards as outlined in NRCS Technical Standard 360 and shall specify:

(a) Provisions to remove and properly dispose of all accumulated wastes in the manure storage facility.

(b) Provisions to remove any concrete or synthetic liner, or properly use pieces of the concrete or synthetic liner as clean fill at the site.

(c) Provisions to remove and properly dispose of any soil contaminated with waste from the manure storage facility.

(d) Provisions to remove any soils, to the depth of significant manure contamination or 2 feet, whichever is less, from the bottom and sides of a manure storage facility without a constructed liner.

- (e) Provision to remove or permanently plug the waste transfer system serving the manure storage facility.
- (f) Provisions to cover all disturbed area with topsoil, seeding the areas with a grass or native plant mixture, and mulching the seeded area. This section does not apply if an alternative use of the site is authorized under a manure storage waste facility closure plan approved by the ~~county department~~ as part of the permit.
- (g) Any other additional information required by the department to protect water quality and determine compliance with this section.

49.13 REVIEW OF APPLICATION. The department shall receive and review all permit applications. The department shall determine if the proposed manure storage facility and ~~n~~Nutrient ~~m~~Management ~~p~~Plan, if applicable, meets required standards set forth in s. 49.12. Within 30 calendar days after receiving the completed application and fee, the department shall inform the applicant, in writing, whether the permit application is approved and issue the permit or shall inform the applicant, in writing, of the reasons for disapproval. If additional information is required, the department shall notify the permit applicant. The department has 30 calendar days to approve or deny the permit application, in writing, from receipt of the requested additional information. If the department fails to approve or deny the permit application in writing within 30 calendar days of the receipt of the permit application or additional information, as appropriate, the application shall be deemed approved and the applicant may proceed as if a permit had been issued.

49.14 PERMIT CONDITIONS. All permits issued under this subchapter shall be issued subject to the following conditions and requirements:

- (1) Manure storage facility design, construction, operations, management, utilization, and closure activities shall be carried out in accordance with the manure facility plan and applicable standards specified in s. 49.12.
- (2) The permittee shall give 5 ~~working~~ calendar days' notice to the department before starting any construction or closure activity authorized by the permit.
- (3) The permittee, engineer and contractor shall participate in a pre-construction conference with county staff before initiating construction of a new facility to outline the requirements and responsibilities of all of the involved parties.
- (4) Written approval from the department must be obtained prior to ~~any~~ modifications to the permitted plans.
- (5) The permittee and ~~design engineer or consultant, and the contractor~~ shall certify, in writing, that a manure storage ~~new~~ facility was installed as planned. This certification shall include an as-built survey and as-built drawings signed and stamped by the engineer depicting the as-built survey and any changes to the construction plan in red.
- (6) The department shall provide onsite inspection and verification for all construction projects conducted under a permit issued under this chapter. To receive final verification, a manure storage facility must be fully constructed as designed including the marking of the maximum operating level and implementation of all safety devices.
- (7) No permitted manure storage facilities may receive manure until the county provides final verification.
- (8) Construction activities authorized by permit must be completed and certified within 2 years from the date of issuance, after which any additional construction activities will require a new manure storage permit application to be submitted and approved.

49.15 PERMIT REVOCATION. The department may revoke the permit issued under this subchapter if the holder of the permit has misrepresented any material fact in the permit application or manure storage facility plan, or if the holder of the permit violates any of the conditions of the permit.

49.16 CERTIFICATE OF USE. (1) CERTIFICATE REQUIREMENT. No person may operate or use a manure storage facility, or any portion of a manure storage facility, ~~that was~~ constructed without a permit issued by the ~~d~~Department or has an expired permit unless the person has a valid certificate of use for the manure storage facility or that portion of the manure storage facility that is being operated or used.

(2) OPERATING REQUIREMENTS. The operator of a manure storage facility is in compliance with the certificate of use if the person does all of the following:

- (a) Updates and follows an annual nutrient management plan that complies with requirements in this ordinance, and covers all manure land applied from the manure storage facility covered by the certificate of use.
 - (b) Provides a nutrient management plan annually to the department by June 1 to document compliance with ordinance requirements.
 - (c) ~~O~~Properly operates the manure storage facility in accordance with performance standards in s. 49.08(8) and consistent with the recommended operating methods as defined by the NRCS Technical Guide, Agricultural Waste Management Field Handbook, and Engineering Field Handbook.
 - (d) ~~M~~Properly maintains the manure storage facility free from visible and serious damage, erosion, or deformities that would impair the manure storage facility's safety or function as determined by the NRCS Technical Guide, Agricultural Waste Management Field Handbook, and Engineering Field Handbook.
 - (e) ~~M~~Properly maintains the safety devices for a manure storage facility.
 - (f) Provides the department proof of compliance with the requirements in subs (c) and (d) upon request and submits to periodic inspections of the manure storage facility with advance notice from the department.
 - (g) Develops and implements a plan for closure of the manure storage facility within 2 years of when the landowner or operator ceases use of the manure storage facility or when closure is required based on conditions specified in this ordinance.
- (3) CERTIFICATE REVOCATION.** The department may revoke a certificate of use if there is a misrepresentation of any material fact in the permit application, a misrepresentation of any material fact in the manure storage facility plan, a misrepresentation of any material fact in the ~~animal waste~~ nutrient management plan, a failure to comply with the nutrient management plan requirements, a failure to provide the department with a copy of the nutrient management plan upon request, or for multiple or repeat violations of this ordinance. The department will immediately provide written notice of the revocation and the reason for the revocation.

SUBCHAPTER V WINTER SPREADING PERMIT

49.17 PERMIT REQUIREMENT. (1) No person may apply manure on frozen, snow-covered, or ice-covered ground without first obtaining a winter spreading permit issued under this subchapter. Said permit shall be issued after review and approval of a winter manure spreading plan meeting the requirements of this Subchapter. The permit shall remain in effect for a period of 4 years unless revoked by the department pursuant to s. 49.23(4).

49.18 WINTER MANURE SPREADING PLAN COMPONENTS. (1) WINTER MANURE SPREADING PLAN. The winter manure spreading application plan ~~must shall~~ be updated and submitted to the department annually no later than October 15 prior to the winter during which the permittee intends to apply manure in order to validate the permit for that year. These requirements do not apply to manure deposited through winter gleaning or pasturing of plant residue. At a minimum, a winter manure ~~application spreading plan must shall~~ include the following components:

- (a) Capacity of storage for each manure type generated on the farm.
- (b) Quantity of manure anticipated to be spread during periods of frozen or snow-covered soil, or the amount generated in 14 days, whichever is greater.
- (c) Capacity for stacking manure that is $\geq 16\%$ solids without permanent storage., Refer to NRCS Technical Guide-Standard 313 or 318 to locate potential stacking sites.
- (d) Aerial maps showing township, range, section and landowner, field boundaries, identification numbers, acreage, soil types, and areas not spreadable because of prohibitions.
- (e) Fields/location of planned manure applications as well as previous year's crop and planned crop.
- (f) ~~IA~~ Identified method(s) for tracking applications that includes dates, field/locations, and the rates of manure application.
- (g) ~~EA~~ Emergency response procedure(s) that ~~identifies~~ include contacts, steps to be taken to contain and clean up the manure, and the documentation to be recorded in the event of a discharge event.

49.19 LIMITATIONS TO APPLICATION OF MANURE TO FROZEN, SNOW-COVERED, OR ICE-COVERED GROUND. (1) **Manure shall not be applied in the following areas:**

- (a) Within a water quality management area (WQMA),
- (b) In waterways or other areas of concentrated flow,
- (c) During active snow-melt where water is flowing.
- (2) Do not exceed the phosphorus removal of the following growing season's' crop. Liquid manure applications shall not exceed 7,000 gallons per acre. All winter manure applications shall not exceed 60 lbs. P2O5 per acre in a winter season.
- (3) Do not apply to fields with a slope $>6\%$ unless the plan documents there are no other fields available and, at least two of the following practices are implemented:
 - (a) Field has contour buffer strips or is contour strip cropped,
 - (b) All crop residue is left on the field and no fall tillage is conducted. This practice is not an option where residue is removed as silage or for bedding,
 - (c) Apply manure in intermittent strips on no more than 50% of the field,
 - (d) Apply manure to no more than 25% of the field during each application, waiting a minimum of 14 days between applications,
 - (e) Reduce manure application rates not to exceed 3,500 gallons/acre, or 30 pounds of P2O5, whichever is less,
- (4) Do not apply nutrients to fields where concentrated flow channels are present unless at least two of the following practices are implemented:
 - (a) Practices available under s. 49.19(3)(a) through (e),
 - (b) No manure application within 200 feet of all concentrated flow channels,
 - (c) Fall tillage is on the contour and slopes are lower than 6% .

49.20 PERMIT CONDITIONS. (1) Record Keeping Requirements. The permittee shall maintain an accurate record of the date, location and rate of application for every application of manure on land subject to the winter spreading permit. This record will be retained for a period of one year following the date of application. All manure application records shall be made available to the department ~~immediately~~ upon request.

SUBCHAPTER VI PROCEDURES AND ADMINISTRATION

49.21 ADMINISTRATION. (1) DELEGATION OF AUTHORITY. The County of Dane hereby designates its Land and Water Resources Department to administer and enforce this chapter.

(2) ADMINISTRATIVE DUTIES. In the administration and enforcement of this ordinance, the department shall:

- (a) Inventory and ensure landowner compliance with agricultural performance standards and prohibitions in s. 49.08 and s. 49.09.
- (b) Review manure storage facility and winter spreading permit applications, and issue permits and certificates of use, in accordance with this chapter.
- (c) Keep an accurate record of all permit applications, manure storage facility plans, permits issued, certificates of use issued, inspections made and other official actions.
- (d) Review the nutrient management plan prepared for the manure storage facility.
- (e) Review designs of best management practices and conduct inspections during construction and implementation to ensure that they are constructed and maintained according to technical standards, design specifications, and the operation and maintenance plan.
- (f) Investigate complaints relating to compliance with the ordinance.
- (g) Perform other duties as specified in this ordinance.

(3) INSPECTION AUTHORITY. The department is authorized to enter upon any lands affected by this chapter to inspect the land, and request records to determine compliance with this chapter including inspection of sites prior to or after the issuance of a permit or certificate, and sites with unpermitted storage facilities. If permission cannot be received from the applicant or permittee, entry by the department shall request a special inspection warrant pursuant to s. 66.0119 Wis. Stats.

Refusal to grant permission to enter lands subject to a permit under this ordinance shall be grounds for denial of or revocation of the permit.

(4) ENFORCEMENT. The department shall enforce this chapter as set forth in s. 49.23.

49.22 VARIANCES. (1) A permit applicant may request a variance from the requirements under ss. 49.12 or 49.18 if the applicant demonstrates and county conservationist agrees that all of the following conditions are present:

- (a)** Enforcement of the standards set forth in this ordinance will result in unnecessary hardship to the landowner.
- (b)** The hardship is due to exceptional physical conditions unique to the property.
- (c)** Granting the variance will not adversely affect the public health, safety or welfare, nor be contrary to the spirit, purpose and intent of this ordinance.
- (2)** If all of the conditions set forth in sub. (1) are met, a variance may only be granted to the minimum extent necessary to afford relief from unnecessary hardship, with primary consideration to water quality and impact to downstream conditions.
- (3)** A person aggrieved by a variance determination may appeal that decision to the committee pursuant to s. 49.24.
- (4)** No variance from the standards in s. 49.09 may be granted by the department unless the applicant or department receives a written justification from the NRCS or other qualified engineering authority.
- (5)** No variance from the performance standards in s. 49.08 may be granted unless the landowner or operator complies with the requirements for variances specified in s. NR 151.097, Wis. Adm. Code, and receives approval from the Wisconsin Department of Natural Resources and the department.
- (a)** Requests for such a variance shall be made in writing to the department.
- (b)** The department shall forward the variance request to the Wisconsin Department of Natural Resources within 10 days of receiving the request.
- (c)** The request for variance from the standards in 49.08 shall include documentation of the following:
 - 1. Compliance with the performance standard or technical standard is not feasible due to site conditions.
 - 2. The landowner or operator will implement best management practices or other corrective measures that ensure a level of pollution control that will achieve a level of water quality protection comparable to that afforded by the performance standards in ch. NR 151, Wis. Adm. Code,
 - 3. The landowner or operator or their agents or assigns did not create the conditions for which the variance is requested.

49.23 ENFORCEMENT. (1) PROCEDURES. The department may do the following:

- (a)** Provide voluntary cost sharing to secure compliance.
- (b)** Follow the procedures in s. NR 151.09, Wis. Adm. Code, to implement and enforce the cropland performance standards and the procedures in s. NR 151.095, Wis. Adm. Code, to implement and enforce the livestock performance standards.
- (c)** Pursue any other action or remedy authorized under this ordinance.
- (2) INVESTIGATION AND NOTICE OF VIOLATION.** Department staff are responsible for conducting the necessary inspection and investigation to ensure compliance with this chapter and documenting the presence of violations by completing and sending a Notice of Violation (NOV) to the landowner.
- (3) ENFORCEMENT OF VIOLATIONS. (a)** Violations of a permit, certificate, compliance determination, or other approval issued under this chapter, or any condition or approved plan associated with such permit or other approval, shall be deemed a violation of this chapter and shall constitute grounds for revocation of the permit, certificate, compliance determination, or other approval as well as fines, forfeitures, and any other available remedies. A permit, certificate, compliance determination, or other approval may be revoked only by action of the body that initially granted it following procedures required for its initial issuance to the extent practical. The decision of the appropriate body shall be furnished to the permit, certificate, or compliance determination holder in writing, stating the reasons thereof.
- (b)** A permit, certificate, compliance determination, or other approval issued in violation of this chapter, other ordinances of the Dane County Code of Ordinances, the Wisconsin Administrative Code, or Wisconsin Statutes, gives the permit holder no vested right to continue the activity authorized by the permit, certificate, compliance determination, or other approval and is considered voidable.
- (4) STOP WORK ORDER. (a)** Whenever the department finds any noncompliance with the provisions of this ordinance, the department shall attempt to communicate with the landowner, operator or other person performing the work to obtain immediate and voluntary compliance if such person is readily available. If the landowner, operator or other person performing the work is not readily available, that person refuses to voluntarily comply immediately or the noncompliance presents an immediate danger or will cause or threatens to cause bodily injury or damage to off-site property including, but not limited to, off-site runoff, the department shall post in a conspicuous place on the premises, a stop work order which shall cause all activity not necessary to correct the noncompliance to cease until noncompliance is corrected.
- (b)** The stop work order shall provide the following information:
 - 1. date of issuance;
 - 2. town and section number or equivalent information within a municipality;
 - 3. reason for posting; and
 - 4. signature of inspector posting the order.
- (c)** Unauthorized removal of a stop work order from the premises shall be a violation of this ordinance.
- (5) NOTIFICATION.** In addition to posting a stop work order, the department shall provide notification to the landowner, operator, contractor or other person by personal service, written notice by certified mail, electronic mail, or facsimile transmission.
- (a)** The permittee, landowner, operator, contractor or other person shall have 24 hours from time of notification by the department to correct any noncompliance with the plan when notification is by either personal communication of noncompliance to the landowner, operator, contractor, person or their respective agents, or written notice sent by certified mail to the landowner or operator.
- (b)** If notice is not provided under sub (a), the permittee and landowner, operator or other person shall have 72 hours to correct any noncompliance with the plan when notification is by posting notice in a conspicuous place on the site or sending notice by facsimile transmission to the landowner, operator, contractor or other person.
- (c)** If the noncompliance is not corrected within the time periods specified in subs. (a) or (b), the permittee, landowner, operator or

other person authorize the department to take any action, to perform any work, or commence any operations necessary to correct noncompliance on the subject property where notice of noncompliance has been issued to bring the property into compliance with plan requirements. The permittee, landowner,

(d) If the permittee has filed an appeal under s. 49.24 (2)(a) prior to the expiration of the time for compliance under sub (a), the department may take action, perform work or correct conditions only to the extent necessary to protect against an imminent hazard or condition that will cause or threatens to cause personal injury or damage to off-site property.

(6) UNLAWFUL. Any manure storage facility erected, moved or structurally altered or any use established in violation of the provisions of this chapter by any person, firm, association, corporation, including building contractors or their agents, shall be an unlawful structure or use.

(7) FORFEITURES. Any person, firm, company, or corporation that violates, disobeys, omits, neglects, or refuses to comply with; or who resists the enforcement of any of the provisions of this chapter; shall be subject to a fine of not less than \$50 or more than \$500 together with the costs of action. Any person found guilty of violating this chapter who has previously been convicted of a violation of the same ordinance, shall be subject to a fine of not less than twice the established forfeiture for each such offense, together with the costs of action. Each day a violation exists or continues constitutes a separate offense.

(8) INJUNCTIVE RELIEF. Compliance with this ordinance may be enforced by injunctive order at suit of the county. The Dane County corporation counsel may bring an action to enforce this chapter and seek any remedy, legal or equitable. It shall not be necessary to prosecute for forfeiture before resorting to injunctive proceedings.

49.24 APPEALS. (1) AUTHORITY. The committee shall hear and decide appeals where it is alleged that there is error in any order, requirement, decision or determination by department staff in administering this ordinance.

(2) PROCEDURE. (a) Any person aggrieved by any decision of the department pursuant to this ordinance may appeal to the committee. Such appeal shall be submitted to the committee in writing within 60 days after receiving the written decision of the department. Notice of Appeal setting forth the specific grounds for the appeal shall be filed with the department. The department shall forthwith transmit to the committee the Notice of Appeal.

(b) The committee shall fix a reasonable time for the hearing of the appeal and publish a class 1 notice under ch. 985, Wis. Stats., as well as give due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or attorney.

(c) The committee may, in conformity with the provisions of this ordinance, reverse or affirm, wholly or partly, or modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and shall have all the powers of the officer from whom the appeal is taken.

49.25 FEES. All fees under this ordinance are established pursuant to a fee schedule adopted by the Committee. Copies of the current fee schedule are kept on file at the department. Any permit fee is payable upon submission of a permit application.

ARTICLE 4. NON-CODE PROVISION. The effective date of this ordinance shall be July 1, 2019.

[EXPLANATION: The manure management portion of Chapter 14 is rescinded and a new Chapter 49 is created entitled Agricultural Performance Standards and Manure Management. The updated ordinance is consistent with current state administrative codes and federal technical standards and incorporates recommendations from the Healthy Farms Healthy Lakes Task Force.]

Lakes & Watershed Commission, Environment, Agriculture & Natural Resources, Land Conservation and Personnel & Finance Committees recommend adoption of Sub. 2, 2018 OA-028. Motion carried by a voice vote.

RESOLUTIONS

2018 RES 420

URGING ALLOCATION OF SPACE FOR SPIRITUAL CONTEMPLATION IN THE CONSOLIDATED DANE COUNTY JAIL

In 2017, Dane County approved the consolidation of its three jail facilities into a single building.

The consultants Mead and Hunt are currently designing a consolidated jail. The consolidated jail will have almost 100 fewer beds than three existing facilities. It will also include space for medical services, youthful inmate housing, and programs and activities.

There has been recent discussion of the importance of communal services/activities for those who are incarcerated, to meet their psychological, social and emotional needs. It is important for the consolidated jail to have a space available for personal growth programs or other group activities, e.g. tutoring, religious gatherings, mutual support groups, group study, parenting, etc., and the design of such a space should take into account the desire to be inclusive. The space shall be decorated and maintained in a manner that does not favor one group or use over any other.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors recognizes the right of people who are incarcerated to have equitable access to attend personal growth programs including: communal spiritual services/activities according to their respective traditions and practices in compliance with federal guidelines, tutoring, recovery groups, support groups, parenting, anger management, etc. and hereby urge the Sheriff work with his office and relevant consultants, along with Mead and Hunt, to ensure that space for personal growth programs is included in the design and construction of the consolidated jail.

Public Works & Transportation recommended approval of Sub. 1, 2018 RES-420. Public Protection & Judiciary Committee recommends adoption of Sub. 2, 2018 RES-420, as amended. Question before the Board is adoption of Sub. 2, 2018 RES-420, as amended. Motion carried by a voice vote.

2018 RES 530

CHANGE ORDER #2 TO THE AGREEMENT FOR MEAD & HUNT, INC. FOR JAIL CONSOLIDATION ARCHITECTURAL / ENGINEERING DESIGN SERVICES AT THE PUBLIC SAFETY BUILDING

The Department of Public Works, Highway and Transportation awarded a Professional Services Agreement to Mead & Hunt, Inc. for Jail Consolidation - Architectural / Engineering Design Services at the Public Safety Building, Proposal No. 318003.

After years of study and debate, Dane County included in the 2018 budget a project to consolidate its three jail facilities. The county specified that the design provide space for programming, as well as for appropriate care for incarcerated individuals with mental health concerns in the least restrictive environment possible, and the use of solitary confinement only as a last resort. The plan, known as Option 3 Phase I, called for the construction of four floors on top of the current Public Safety Building, and would have resulted in a consolidated facility with 91 fewer beds than the current jail capacity.

Structural analysis revealed that the current structure could not accommodate the additional four floors and the firm Mead & Hunt, Inc. were charged with drafting a plan to build the same program components in Option 3, Phase I in the parking lot behind the Public Safety Building on Wilson Street. Mead & Hunt have completed that work and indicate that the cost for this approach would be approximately \$150 million. As a result, the county will reconsider alternatives to deliver the same program of services.

The following change is requested: Change Order #2 - Increase \$186,000.00 for additional consulting and design services related to the alternate facility locations & configurations.

The additional scope of services specifies that Mead & Hunt study three alternative design options:

1) CCB & PSB Renovations & Greenfield Site Option

- a. Full Renovation of the 6th and 7th floors of the City County Building (CCB) for housing Maximum and Medium Level inmates.
- b. Partial Renovation of the Public Safety Building (PSB) to house medical and mental health inmates and services.
- c. This option will structurally investigate if any additional floors/space can be added to the top of the existing PSB.
- d. Create a new facility on a greenfield site owned by the County for housing Huber Work Release Minimum Security Level Inmates. Vacate Ferris Huber Center (FHC).
- e. The cost estimate will include the costs to rehouse inmates during construction at a jail outside of the County. This cost will be provided by the County.
- f. Identify the classification and number of beds for the jail system.

2) PSB Renovation & Greenfield Site Option

- a. Partial Renovation of the Public Safety Building (PSB) to house Huber Work Release Minimum Security Level Inmates. Vacate FHC.
- b. Create a new facility on a greenfield site owned by the County for housing Maximum and Medium Level inmates including medical and mental health housing and services. Vacate 6th and 7th floors of the City County Building (CCB).

3) All Greenfield Site Option

- a. Build a single consolidated jail (minimum, medium, maximum, medical and mental health and Huber Work Release Housing) on a county owned or purchased Greenfield site. Repurpose or sell the PSB, vacate 6th and 7th floors of the CCB and vacate the Ferris Huber Center.
- b. Analyze adding a new sally port at the existing Courthouse.
- c. Estimated value from sale of PSB to be provided by the County for this design study.
- d. Estimated cost for transportation of inmates to and from Courthouse to be provided by the County / DCSO.

NOW, THEREFORE, BE IT RESOLVED that Change Order #2 for a total increase of \$186,000.00 be approved to the Agreement for Mead & Hunt, Inc. for the above listed changes; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Agreement.

BE IT FINALLY RESOLVED that the Mead & Hunt report be presented to the Public Protection and Judiciary Committee and the Public Works and Transportation Committee for review and subsequent recommendation on next steps.

Public Protection & Judiciary, Public Works & Transportation and Personnel & Finance recommend adoption of 2018 RES-530. Motion carried by a voice vote.

ITEMS REQUIRING A TWO THIRDS MAJORITY FOR PASSAGE

2018 RES 496

AWARD OF CONTRACT FOR HEAT PUMP REPLACEMENT AT THE LYMAN ANDERSON CENTER

The Department of Public Works, Highway and Transportation reports the receipt of bids for Fen Oak Heat Pump Replacement, bid #318015 (Rebid).

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

General Heating and Air Conditioning, Inc.
3002 Perry Street
Madison, WI 53713

Total: \$334,200.00 including alternate Bids 1 & 2. Alternate Bid 1: \$13,900.00
Alternate Bid 2: \$7,100.00

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to General Heating and Air Conditioning, Inc. The bid amount exceeds the project budget. This resolution reallocates funds from other capital accounts to provide the required funding.

The term of the borrowing used to support this project will be 10 years.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to General Heating and Air Conditioning, Inc. in the amount of \$334,200.00; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that account CPFACMGT 58040 "Fen Oak Heat Pump" be increased by \$135,183 and account CPFACMGT 57437 "Fen Oak Roof" be decreased by \$25,588, account CPFACMGT 58039 "Fen Oak Cooling Tower" be decreased by \$17,553 and account CPFACMGT 58041 "Fen Oak Parking Lot" be decreased by \$92,042; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-496. Motion carried by a voice vote.

2018 RES 509

CONTRACT CHANGE ORDER #5 FOR TRC ENVIRONMENTAL CORPORATION FOR CONSTRUCTION QUALITY ASSURANCE REPRESENTATIVE

The Department of Public Works, Highway and Transportation, Waste and Renewables, awarded a contract to TRC Environmental Corporation for Construction Quality Assurance, 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) RFP #317053.

The following change is requested: Change Order #5 – Increase \$34,965.25 as additional work and services beyond the original contract is needed. Required for additional engineering services and construction quality assurance.

NOW, THEREFORE, BE IT RESOLVED that account SWRODFLD/58681 "Stage IV Closure" be increased by \$34,965.25, and account SWRODFLD/57359 "Earthwork GPS System" be decreased by \$34,965.25; and

BE IT FURTHER RESOLVED that Change Order #5 for a maximum total increase of \$34,965.25 be approved to the Contract for TRC Environmental Corporation for the above listed changes; and

BE IT FINALLY RESOLVED that the Department of Waste and Renewables be directed to ensure complete performance of the Contract.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-509. Motion carried by a voice vote.

2018 RES 510

CONTRACT CHANGE ORDER #6 FOR R.G. HUSTON FOR PHASE 9, CELL 2 LINER AND STAGE 4 FINAL CAP CONSTRUCTION

The Department of Public Works, Highway and Transportation, Waste and Renewables, awarded a contract to R.G. Huston for Phase 9, Cell 2 Liner and Stage 4 Final Cap Construction, 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) Bid #317040.

The following change is requested: Change Order #6 - Increase \$100,000.00 for bonus payment. R.G Huston met project deadline as stated in contract.

NOW, THEREFORE, BE IT RESOLVED that account SWRODFLD/58681 "Stage IV Closure" be increased by \$100,000.00, and account SWRODFLD/57221 "Compactor" be decreased by \$100,000.00; and

BE IT FURTHER RESOLVED that Change Order #6 for a total increase of \$100,000.00 be approved to the Contract for R.G. Huston for the above listed changes; and

BE IT FINALLY RESOLVED that the Department of Waste and Renewables be directed to ensure complete performance of the Contract.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-510. Motion carried by a voice vote.

2018 RES 511

CONTRACT CHANGE ORDER #7 FOR R.G. HUSTON FOR PHASE 9, CELL 2 LINER AND STAGE 4 FINAL CAP CONSTRUCTION

The Department of Public Works, Highway and Transportation, Waste and Renewables, awarded a contract to R.G. Huston for Phase 9, Cell 2 Liner and Stage 4 Final Cap Construction, 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) Bid #317040.

The following change is requested: Change Order #7 - Increase \$199,810.14 for additional materials and labor due to additional work outside of contract.

NOW, THEREFORE, BE IT RESOLVED that account SWRODFLD/58681 "Stage IV Closure" be increased by \$199,810.14, and account SWRODFLD/57221 "Compactor" be decreased by \$181,498.67 and account SWRODFLD/57359 "Earthwork GPS System" be decreased by \$18,311.47; and

BE IT FURTHER RESOLVED that Change Order #7 for a total increase of \$199,810.14 be approved to the Contract for R.G. Huston for the above listed changes; and

BE IT FINALLY RESOLVED that the Department of Waste and Renewables be directed to ensure complete performance of the Contract.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-511. Motion carried by a voice vote.

2018 RES 516

ABOLISHING A FACILITIES PROJECT MANAGER POSITION AND RE CREATING A PAINTER POSITION

Facilities Management has a vacant Facilities Project Manager position that it would like to change to a Painter position in order to properly maintain the appearance of County buildings.

Position #1986 – Facilities Project Manager 1.0 FTE would be abolished and Position #1986 would be re-created as a 1.0 FTE Painter.

This request requires County Board approval.

THEREFORE, BE IT RESOLVED, that the position Facility Project Manager be abolished and position number #1986 be re-created as a 1.0 FTE Painter as described above.

Personnel & Finance Committee recommends adoption of 2018 RES-516. Motion carried by a voice vote.

AUTHORIZING ACCEPTANCE OF GRANTS FROM THE WDNR TARGETED RUNOFF MANAGEMENT & NOTICE OF DISCHARGE GRANT PROGRAMS

Dane County Land & Water Resources - Land Conservation Division has secured 2 cost-share grants from the Wisconsin Department of Natural Resources – Targeted Runoff Management (TRM) & Notice of Discharge Grant Programs. The purpose of these grants is to replace flood-damaged Best Management Practices previously cost-shared on Vermont Creek and German Valley Creek Middle.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby accept cost-share grants in the amounts of \$2,730 and \$1,554 from the Wisconsin Department of Natural Resources.

BE IT FURTHER RESOLVED that the County Board of Supervisors and the Dane County Executive hereby authorize the Director of Land & Water Resources to sign and submit the grant agreement, submit reimbursement claims along with necessary supporting documentation within 6 months of project completion, submit signed documents and take necessary action to undertake, direct and complete approved projects.

BE IT FINALLY RESOLVED that revenue account LWRCONSV 81762 and expense account LWRCONSV 22552 "Targeted Resource" be increased by \$4,284. These funds shall be carried forward until expended.

Environment, Agriculture & Natural Resources and Personnel & Finance recommend adoption of 2018 RES-519. Motion carried by a voice vote.

SPECIAL ORDER OF BUSINESS

2018 RPT 516

TOWN OF ALBION ADOPTION OF THE COMPREHENSIVE REVISION TO CHAPTER 10,
DANE COUNTY ZONING ORDINANCE

**TOWN OF ALBION
DANE COUNTY, WISCONSIN RESOLUTION NO. 2019-02
Resolution to Adopt the Comprehensively Revised Dane County Zoning Ordinance**

The Town Board of the Town of Albion, Dane County, Wisconsin do adopt and resolve as follows:

1. The Town of Albion desires to promote the health, safety, convenience and general welfare of the residents of the Town and to encourage planned and orderly land use and development.
2. The County Board of Dane County, Wisconsin has adopted a comprehensive revision of a zoning ordinance for the physical development and zoning of territory within Dane County.
3. The Dane County Zoning Ordinance may become effective in the Town of Albion upon approval of the ordinance by the Town Board.

NOW THEREFORE, be it resolved that:

Pursuant to Section 59.69(5)(c), Wisconsin Statutes, the Town Board of Albion hereby approves and adopts the Dane County Zoning Ordinance as described in Dane County Ordinance Amendment 2018- 0A-20 and shall take all required actions to make the Dane County Zoning Ordinance applicable within the Town of Albion.

This resolution shall take effect on the date of filing with the Dane County Clerk a certified copy of this resolution, together with a copy of the Dane County ordinance amendment 2018-0A-20, and associated zoning map for the Town of Albion (both attached as Exhibit A).

Dated: February 5, 2019



Robert L Venske, Town Chair



Julie Hanewall, Town Clerk

A certified copy of Resolution 2019-02 was filed with the Dane County Clerk on February 5, 2019. Copies of Resolution 2019-02 were posted in the Town of Albion at the Town Hall and Town Website by the Town Clerk on February 6, 2019.

**Town of Albion
County of Dane**


620 Albion Rd Edgerton, WI 53534

Phone: 608-884-8974 Fax: 608-884-2130

CERTIFICATION OF RESOLUTION

I, Julie Hanewall, Town of Albion Clerk, certify that the attached is a true and correct copy of Resolution No. 2019-02, "Resolution to Adopt the Comprehensively Revised Dane County Zoning Ordinance." The Town of Albion Board passed this resolution on February 5, 2019

Signed and dated this 5th day of February, 2019.


Julie Hanewall
Town of Albion Clerk

2018 RPT-537

**TOWN OF PRIMROSE ADOPTION OF THE COMPREHENSIVE REVISION TO CHAPTER 10,
DANE COUNTY ZONING ORDINANCE**

Town of Primrose
Dane County, Wisconsin
Resolution No. 2019-01

Resolution to Adopt the Comprehensively Revised Dane County Zoning Ordinance

The Town Board of the Town of Primrose, Dane County, Wisconsin do adopt and resolve as follows:

1. The Town of Primrose desires to promote the health, safety, convenience and general welfare of the residents of the Town and to encourage planned and orderly land use and development.
2. The County Board of Dane County, Wisconsin has adopted a comprehensive revision of a zoning ordinance for the physical development and zoning of territory within Dane County.
3. The Dane County Zoning Ordinance may become effective in the Town of Primrose upon approval of the ordinance by the Town Board.

NOW THEREFORE, be it resolved that:

Pursuant to Section 59.69(5)(c), Wisconsin Statutes, the Town Board of Primrose hereby approves and adopts the Dane County Zoning Ordinance as described in Dane County Ordinance Amendment 2018-OA-20 and shall take all required actions to make the Dane County Zoning Ordinance applicable within the Town of Primrose. This resolution shall take effect on the date of filing with the Dane County Clerk a certified copy of this resolution, together with a copy of the Dane County ordinance amendment 2018-OA-20 and associated zoning map for the Town of Primrose (both attached as Exhibit A).

Dated: March 4th, 2019


Dale Judd, Town Chair


Ruth Hansen, Town Clerk

A certified copy of Resolution 2019-01 was filed with the Dane County Clerk on March 5th, 2019.

Copies of Resolution 2019-01 were posted in the Town of Primrose at the Town Hall, on the Town website, on three posting boards, and in local newspapers by the Town Clerk on the 14th day of February, 2019.


Town of Primrose

Dane County, Wisconsin

CERTIFICATION OF RESOLUTION

I, Ruth Hansen, Town of Primrose Clerk, certify that the attached is a true and correct copy of Resolution No. 2019-01, "Resolution to Adopt the Comprehensively Revised Dane County Zoning Ordinance." The Town of Primrose Board passed this resolution on March 4, 2019.

Signed and dated this 4th day of March, 2019.


 Ruth Hansen
 Town of Primrose Clerk

ADJOURNMENT

Moved by Supervisor Chenoweth, seconded by Supervisor Nelson to adjourn the meeting to March 21, 2019, at 7:00 pm or at the call of the Chair. Motion carried by a voice vote. Subsequent to adjournment, Chair Corrigan referred the following matters:

- 2018 RES-561 - Authorizing Reallocation of Proceeds from the Sale of County Property to Purchase Equipment in Emergency Management Department. Submitted by Supervisors Rusk, Bayrd, Danner, Krause, McCarville, Nguyen-Hilfiger and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-575 - Extending John Bauman's Employee Service Agreement as Juvenile Court Administrator. Submitted by Supervisors McCarville, Bayrd, Danner, Krause, Nguyen-Hilfiger, Rusk and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-576 - Contract Change Order # 2 - Job Center Restroom Expansion - Contractor Dorschner Associates, Inc. Submitted by Supervisors Nelson, and Ratcliff. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-578 - Contract Addendum for Evologic. Submitted by Supervisors Nelson, Ratcliff and Ripp. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-579 - Award of Contract for Mendota County Park Retaining Wall Replacement. Submitted by Supervisors Nelson, Eicher, Ratcliff and Ripp. Referred to PARKS, PUBLIC WORKS & TRANSPORTATION, ENVIRONMENT AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-581 - Confirming the Appointment of Gene Meyers as the Executive Deputy Airport Director. Submitted by Supervisors Rusk, McCarville, Bollig and Peters. Referred to AIRPORT, PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-583 - Accepting State of Wisconsin Grant Funds and Establishing New Contract with Wellpath LLC. Submitted by Supervisors Kuhn, Buckingham, Eicher, Kilmer, Salov, Veldran and Young. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.
- 2018 RES-584 - Creating a New Position to Provide Economic Support Services for the Park Edge/Park Ridge (PEPR) Neighborhood Employment Center DCDHS - EAWS Division. Submitted by Supervisors Kuhn, Buckingham, Eicher, Kilmer, Salov, Veldran and Young. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.
- 2018 RES-585 - Authorizing Lease Renewal with Community Development Authority of the City of Madison for Space at 2300 S. Park Street (Village on Park) - DCDHS - CYF Division. Submitted by Supervisors Kuhn, Buckingham, Eicher, Kilmer, Salov, Veldran and Young. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.
- 2018 RES-586 - Award of Contract for RFP 118062 - Offtake of RNG from Landfill BioGas for Transportation Fuel. Submitted by Supervisors Nelson, Ratcliff and Ripp. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-587 - Approving Agreements and Purchases Supporting an Affordable Housing Project at 7945 Tree Lane in the City of Madison. Submitted by Supervisors Bayrd, Corrigan, Danner, Eicher, Nguyen-Hilfiger and Wegleitner. Referred to PERSONNEL & FINANCE.
- 2018 RES-588 - Accepting Child Welfare Grant Funds and Creating a Revenue Line. Submitted by Supervisors Kuhn, Buckingham, Eicher, Kilmer, Salov, Veldran and Young. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.

- 2018 RES-589 - Accepting Revenue from the Wisconsin Department of Health Services Authorizing New Positions for Childrens' Long Term Support (CLTS). Submitted by Supervisors Kuhn, Buckingham, Eicher, Kilmer, Salov, Veldran and Young. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.
- 2018 RES-590 - Confirming the Appointment of Carrie Springer as the Dane County Legislative Lobbyist. Submitted by Supervisors Miles and Levin. Referred to EXECUTIVE and PERSONNEL & FINANCE.
- 2018 RES-591 - Amending the 2019 Operating Budget to Create a Contract Lobbyist Line Item. Submitted by Supervisor Miles. Referred to EXECUTIVE and PERSONNEL & FINANCE.

2018 - 2019 COUNTY BOARD PROCEEDINGS**MARCH 21, 2019 7:00 P.M. SESSION**

The Dane County Board of Supervisors met pursuant to statute. Chair Dye called the meeting to order. County Clerk McDonnell called the roll:

PRESENT: 32 - Bayrd, Bollig, Chenoweth, Clausius, Corrigan, Downing, Erickson, Kiefer, Krause, Levin, Miles, Nelson, Ripp, Ritt, Rusk, Salov, Schauer, Veldran, Wegleitner, Jones, Kilmer, Young, Kuhn, Eicher, Chawla, Danner, Peters, Schwellenbach, Buckingham, Knoll, Nguyen-Hilfiger and Ratcliff

REPORTED ABSENT: 2 - Mccarville and Stubbs

Supervisor Levin offered an inspirational message and led the Pledge of Allegiance.

SPECIAL MATTERS**2018 RES-580****RECOGNIZING THE RESPONSE TO THE PARADIGM SHOOTING**

WHEREAS, on September 19, 2018 an active shooter opened fire at Paradigm, a software company in Middleton, Wisconsin; four employees of Paradigm were injured in the shooting, and the shooter was killed in an exchange of gunfire with Middleton Police and Dane County Sheriff's Deputies;

WHEREAS, Middleton Police Officers and Dane County Sheriff's Deputies rushed into the Paradigm building and, due to the fast-acting, brave work of everyone involved, this incident was under control in a matter of minutes, preventing many more injuries and additional deaths; and

WHEREAS, the Dane County Board of Supervisors would like to recognize all of the City of Middleton Police Officers, Dane County Sheriff Deputies, WI DNR Warden, emergency personnel, and the employees of Paradigm who were critical in stopping the shooter from injuring or killing others, including:

Primary Responders

Dep. Garrett Page
 Dep. Brooke Gagner
 Det. Steve Wegner
 Dep. Dave Lambrecht
 Dep. Matthew Earll
 Dep. Tim Hancock
 Lt. Kurt Pierce
 Sgt. Tom Sankey
 Dep. Brian Tuescher
 Dep. Steve Mueller
 Dep. Brian Harter
 Dep. Roger Finch
 Dep. Michael Reese
 Dep. Steve Day
 Dep. Jim Hodges
 Dep. Matt Flynn
 Dep. Michelle Vick
 Dep. Brian Smith
 Dep. Leslie Fox
 Dep. Michael Butler
 Dep. Linda Hilgers
 Dep. Mike Doeden
 Dep. Nate Alwin

Middleton Police

Capt. Troy Hellenbrand
 Det. Sgt. Darrin Zimmerman
 Sgt. Terry Hanson
 Officer Tyler Loether
 Officer Rich O'Connor
 Det. Patty Faust

Det. Dave Haslow
 Officer Julie Carbon
 Officer Tom Wilson
 Officer David Kasdorf
 Cpt Steven Britt

Special Teams

Lt. Dave Karls
 Lt. Alecia Rauch
 Lt. Ira Simpson
 Lt. Chuck Immel
 Det. Brent Baverstock
 Dep. Mike Mohr
 Dep. Chad Lauritsen
 Det. George Mayerhofer
 Det. Jason Wiest
 Dep. Brian Shunk

Investigative Support

Lt. Kerry Porter
 Sgt. Dennis Sieren
 Det. Leslie Keith
 Det. Jenn Niebuhr
 Det. Dritan Lazami
 Det. Brian Lukens
 Dep. Scott Lehmann
 Dep. Greg Leatherberry
 Det. Brian Frisch
 Det. William Hendrickson
 Det. Cheryl Patty
 Det. Tim Blanke
 Det. Jason Walters

Det. Clint Seltzner
 Det. Todd Doshier
 Det. Coy Bethel

Command Post

Chief Chuck Foulke
 Capt. Jan Tetzlaff
 Dep. Josalyn Longley
 Chief Deputy Jeff Hook
 Capt. Tim Schuetz
 Capt. Chris Nygaard
 Capt. Dave Dohnal

Middleton Police Department Dispatchers

Danielle Kimball
 Wendy McKnight

Community Services Director

Mark Walther

Dane County Dispatcher

Dawn VanDeurzen

DNR Warden

Ryan Caputo

WHEREAS, Paradigm and its employees acted decisively and with bravery on September 19, 2018, including rendering aid to wounded co-workers until paramedics arrived; and

WHEREAS, in the days and months that have followed, Paradigm and its staff have labored to provide a supportive environment for the community as a whole to heal.

NOW THEREFORE BE IN RESOLVED that the Dane County Board of Supervisors honors the Middleton Police Officers, Dane County Sheriff's Deputies, emergency responders, and everyone involved for their bravery and quick reaction to the shooting.

BE IT FURTHER RESOLVED, that the Dane County Board of Supervisors shares their thoughts with those injured in the shooting, the employees of Paradigm, and emergency personnel who will forever be impacted by this event.

BE IT FURTHER RESOLVED, that the Dane County Board of Supervisors acknowledges and respects the support that Paradigm has provided its' employees and the courage of those employees in a moment of panic and fright.

BE IT FINALLY RESOLVED that the Dane County Board of Supervisors presents a copy of this resolution to Middleton Police Chief Charles Foulke, Dane County Sheriff Dave Mahoney, and Nathan Herbst, CEO of Paradigm, as a token of appreciation and esteem in which they are held by this Board.

Moved by Supervisor Nelson, seconded by Supervisor Peters, to adopt the Special Resolution. Motion carried by a voice vote.

PRESENTATION OF 25 YEAR CERTIFICATES

Dane County Board Chair Sharon Corrigan

SIXTY-SEVEN County Employees reached 25 years of service with Dane County in 2018. The following ELEVEN employees and their department heads are here tonight to receive their award:

Department: Juvenile Court
Department Head: John Bauman
Employee: Ann Marshall

Department: Sheriff Office
Department Head: Sheriff Mahoney
Employees: Jay Linley, Juan Mejia, Gwen Ruppert, and Teresa Ward

Department: Human Services
Department Head: Lynn Green
Employees: Kristen Barge, Debbra Edwards, Barbra Haynes, Erik Nielsen, and Nicole Sanders

Department: Public Works - Highway
Department Head: Jerry Mandli
Employee: Dick Loeper

The following employees were unable to attend tonight's ceremony:

The following employees were unable to attend tonight's ceremony: **DEPARTMENT**

AIRPORT-MAINTENANCE	BRENT	ANDERSON
YOUTH JUSTICE	KRISTEN	BARGE
SHERIFF-FIELD SERVICES	GARTH	BLAKE
SHERIFF-SUPPORT SERVICES	JAMES	BRIGHAM
CYF ADMINISTRATION	JUDY	COATS
LAND INFORMATION OFFICE	TIMOTHY	CONFARE
INFORMATION MANAGEMENT	STEVEN	CRIPPS
SHERIFF-FIELD SERVICES	STEVEN	DAY
SHERIFF-SECURITY SERVICES	MICHELLE	DEFOREST
SHERIFF-SUPPORT SERVICES	KIMBERLY	DERSE
SHERIFF-ADMIN	DAVID	DOHNAL
BP-HEALTH CARE CENTER	DEBBRA	EDWARDS
SHERIFF-SECURITY SERVICES	DENIS	EHRLER
BOARD OF HEALTH-ADMINISTRATION	SHANE	ELSINGER

SHERIFF-FIELD SERVICES	ROGER	FINCH
BP-HEALTH CARE CENTER	TAMMY	FULLER
CY&F CW DIRECT SVC SUPPORT	MARIANNE	GENTER
COURT COMMISSIONER CENTER	DEBORA	GORDON
BP-HEALTH CARE CENTER	JANICE	HAAS
SHERIFF-SUPPORT SERVICES	DAVID	HAFEMAN
SHERIFF-SUPPORT SERVICES	WILLIAM	HARRIS
ELIGIBILITY	BARBARA	HAYNES
YOUTH JUSTICE	DAO	HERR
SHERIFF-SUPPORT SERVICES	SHARON	HUPPERT
DETENTION	ANDREW	JONES
SHERIFF-FIELD SERVICES	JAMES	KELLEY
AIRPORT-MAINTENANCE	GREGORY	KERKENBUSH
AIRPORT-LANDING AREA	STEPHANIE	KIRCHNER
CONTROLLER	JOSEPH	KROLL
SHERIFF-SUPPORT SERVICES	SCOTT	KUNTZ
HIGHWAY-PERSONNEL SERVICES	PAUL	KUNZ
SHERIFF-ADMIN	CHRISTOPHER	LARSH
SHERIFF-SUPPORT SERVICES	DAWN	LEATHERBERRY
SHERIFF-SUPPORT SERVICES	JAY	LINLEY
HIGHWAY-PERSONNEL SERVICES	RICHARD	LOEPER
PARKS OPERATIONS	DARREN	MARSH
ADMIN & RECEPTION CENTER	ANN	MARSHALL
SHERIFF-FIELD SERVICES	JUAN	MEJIA
BOARD OF HEALTH-ADMINISTRATION	JAMES	MEYERHOFER
HIGHWAY-PERSONNEL SERVICES	KURTIS	MEYERS
SHERIFF-SUPPORT SERVICES	CHARLES	MILLER
BP-HEALTH CARE CENTER	ELKE	MUELLER
SHERIFF-FIELD SERVICES	VINCENT	MURPHY
SHERIFF-SECURITY SERVICES	PEGGY	MURPHY
FAMILY COURT COUNSELING	ANN	NELSON
YOUTH JUSTICE	ERIK	NIELSEN
BOARD OF HEALTH-ADMINISTRATION	BHIM	NIMGADE
SHERIFF-FIELD SERVICES	MARK	OLSON
YOUTH JUSTICE	HONG	PHAM
SHERIFF-SUPPORT SERVICES	PAUL	PICKAR
SHERIFF-SUPPORT SERVICES	TIM	RICHTER
BOARD OF HEALTH-ADMINISTRATION	KATHERINE	ROZNOWSKI
SHERIFF-FIELD SERVICES	GWEN	RUPPERT
CHILD PROTECTIVE SERVICES	NICOLE	SANDERS
SHERIFF-FIELD SERVICES	THOMAS	SANKEY
ADULT SVC-ADMINISTRATION	ROBIN	SMITH
BOARD OF HEALTH-ADMINISTRATION	JOANNE	SORENSEN
SHERIFF-SUPPORT SERVICES	BERNARD	STEIN
VICTIM WITNESS	JILL	SWEENEY
YOUTH JUSTICE	SANDRA	TROHA
SHERIFF-SUPPORT SERVICES	RONALD	VOSBERG
GENERAL COURT SUPPORT	AMY	WAGNER
SHERIFF-SUPPORT SERVICES	CHARLES	WALLACE
SHERIFF-SUPPORT SERVICES	TERESA	WARD

GENERAL COURT SUPPORT	KAREN	WENGER
BOARD OF HEALTH-ADMINISTRATION	RICHARD	WENTA
SHERIFF-SECURITY SERVICES	DAVID	ZAJICEK

2018 RES-608

CONGRATULATING DANE COUNTY HUMAN SERVICES DIRECTOR LYNN GREEN ON HER RETIREMENT

WHEREAS Lynn Green began her career as a Social Worker for the Dane County Department of Human Services in 1972, became the Administrator for the Division of Children, Youth, and Families in 2000, and ultimately the Director of DHS since 2002; and

WHEREAS in her over 46-year career with Dane County, Lynn has dedicated herself to the department and the residents of Dane County by working tirelessly to provide the highest quality of service to our most vulnerable residents; and

WHEREAS Lynn's accomplishments include overseeing the Children Come First initiative, Joining Forces for Families, Early Childhood Initiative programs and school-based mental health initiative, and the transition to Family Care; and

WHEREAS in her extensive career, which has spanned 23 separate County Boards and every Dane County Executive, Lynn has overseen 17 Human Services Department budgets; and

WHEREAS Lynn is hereby commended for not only her leadership and work building relationships in the community, with staff, and at all levels of government, but also for her commitment to the Department of Human Services and Dane County.

WHEREAS, after years of dedicated service, assistance, professionalism, and commitment Lynn Green has decided to retire from Dane County service.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors extends its appreciation to Lynn for her leadership and service to the residents and communities of Dane County who have benefited from her contributions, and wishes her a long and active retirement.

BE IT FINALLY RESOLVED that a copy of this resolution be presented to Lynn Green as a token of the high esteem in which she is held by this Board and all residents of Dane County.

Moved by Supervisor Kuhn, seconded by Supervisor Levin, to adopt the Special Resolution. Motion carried by a voice vote.

APPROVAL OF PAYMENTS

The Controller's Office has examined the following bills which have been incurred in the operation of our County Departments. Inasmuch as the claims which cover the items purchased have been found reasonable and proper, we recommend that they be allowed by the Dane County Board.

1. Consolidated Electrical Distributors INC-Led Lighting Upgrade-Badger Prairie	\$17,198.39
2. JFTCO INC.-Used 60KW Generator for the Landfill-Public Works	\$15,200.00
3. Lakeside International LLC-Equipment Repair/Parts-Highway	\$13,805.53
4. Madison Ticket Agency-Alan Jackson Box Office Services-Alliant Energy Center	\$28,261.75
5. WI Dept. of Health-March Bed Assessment-Badger Prairie	\$20,400.00
Subtotal	\$94,865.67
6. Barnes Green Energy-Sheriff Freeway Truck-Administration Sustainability	\$13,495.00
7. Cryotech Deicing Technology-Runway Deicer-Airport	\$39,952.28
8. Dane County Sheriff-February Process Fees-Child Support	\$11,996.92
9. Dell Marketing LP-24 Dell Monitors-Information Management	\$36,047.50
10. Fearings Audio Video Security-Portable Laser Projectors-Alliant Energy Center	\$57,209.00
11. Harris Corporation-Symphony Parts-Public Safety	\$23,562.00
12. Highway Construction Products Inc.-Steel Plate Beam Guards-Highway	\$12,538.37
13. Integral Building Systems Inc.-Install Fiber to Courthouse-Information Management	\$21,556.00
14. Integral Building Systems Inc.-Install Fiber to PSB Mitel Room-Information Management	\$26,644.00
15. Integral Building Systems Inc.-Phase II 911 IT Room-Information Management	\$14,513.00
16. Interstate Billing Service Inc.-Kayser Repair Billing-Sheriff	\$14,036.58
17. Monroe Truck Equipment Inc.-Anti/De-icing System-Highway	\$44,198.00
18. Payne & Dolan Inc.-Emergency Interstate Repairs-Highway	\$104,749.45
19. Reed Business Information-Database Subscription Access-Airport	\$18,900.00
20. Reserve Account-Postage Meter Refill-Printing & Services	\$50,000.00
21. Streichers Inc.-Ammunition-Sheriff.....	\$17,421.90
22. The Detroit Salt Company-Road Salt-Highway	\$36,665.80
23. UW Hospitals & Clinics-October-December Salary & Fringes-Administration	\$23,284.96

	3/7/2019
24. WI Dept. of Administration-Record Center & Presort Services-Administration	\$10,111.12
25. WI State Law Library-Final Law Library Contract Payment-Clerk of Courts	\$49,220.00
26. Zoefitg LTD-Terminal Seating-Airport	\$100,834.00
Total	\$821,801.55

Personnel & Finance recommend adoption of the above amended payments. Motion carried by a voice vote.

CLAIMS

Moved by Supervisor Rusk, seconded by Supervisor Krause, to deny the following claims:

AMCO Company, against Dane County, regarding a slip and fall in a parking lot.

Motion carried by a voice vote.

APPROVAL OF MINUTES

Moved by Supervisor Ritt, seconded by Supervisor Kilmer; to approve the Minutes of the County Board meeting of March 7, 2019. Motion carried by a voice vote.

CONSENT CALENDAR

All items on the consent calendar were approved on a voice vote. The text and committee recommendations for each of the items follow.

2018 RES-493

URGING EXPUNGEMENT REFORM IN THE STATE OF WISCONSIN

An estimated 1.4 million individuals in Wisconsin have criminal records. An individual's ability to secure housing and employment is significantly impeded by a criminal history record, which may not be entirely accurate and complete. Overly strict expungement laws hamper the ability of individuals, especially those of color, to pursue happiness and contribute meaningfully to their community.

Current law does not allow expungement requests and orders after sentencing or case closure and does not allow for expungement for acquittals or dismissed charges. The Wisconsin Policy Forum determined in its June 2018 report "A Fresh Start: Wisconsin's Atypical Expungement Law and Options for Reform" that "Wisconsin appears to have a stricter expungement law than all of its neighboring states except Iowa".

NOW, THEREFORE, BE IT RESOLVED, Dane County supports expanding Wisconsin's expungement law by allowing a person, regardless of age, to request expungement after completion of their sentence, as well as for acquittals, dismissed charges, closed cases and civil conviction.

BE IT FURTHER RESOLVED, Dane County supports expanding Wisconsin's expungement law to expanding the types of felonies eligible for expungement to put Wisconsin in line with the neighboring states of Illinois, Indiana, Michigan, and Minnesota.

BE IT FURTHER RESOLVED, Dane County supports removing expunged records from both the Wisconsin Circuit Court Access website and the Wisconsin Department of Justice's paper and online criminal history databases.

BE IT FINALLY RESOLVED, Dane County urges the Wisconsin Legislature to develop and support the passage of expungement policies and practices as outlined in this resolution and that a copy of this resolution will be forwarded to the Dane County legislative delegation, Governor Tony Evers, and to the Wisconsin Counties Association for inclusion in their legislative agenda.

Public Protection & Judiciary and Personnel & Finance Committees recommend adoption of 2018 RES-493. Motion carried by a voice vote.

2018 RES-524

AUTHORIZING LEASE RENEWAL TO GREATER WISCONSIN AGENCY ON AGING RESOURCES, INC. FOR SPACE AT JOB CENTER - DCDHS – EA DIVISION

The Department of Human Services has leased out space at the Job Center building at 1801-1821 Aberg Avenue since 1993. DHS has been leasing approximately 255 square feet of designated office space and shared common area at 1819 Aberg Avenue to the Greater Wisconsin Agency on Aging Resources, Inc (GWAAR) since 2015. The original lease contained an expiration date of March 31, 2017 with additional options to renew for consecutive two year and one period terms. The current two year renewal at an annual rate of \$6,739.20 expires on March 31, 2019.

GWAAR desires to continue to occupy its current space and wishes to exercise its final renewal option for one additional one year term at a 4% increased rental rate. This lease renewal would begin on April 1, 2019 and expire on March 31, 2020 with an increased annual rental rate of \$7,008.76 to be paid in twelve (12) installments of \$584.06. All other terms and condition of the original lease remain in full force and effect.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the continued occupancy by GWAAR on the terms and conditions outlined above, and

BE IT FINALLY RESOLVED, that the Dane County Clerk and County Executive are hereby authorized to execute the Lease Addendum on behalf of the County of Dane.

Health & Human Needs, Public Works & Transportation and Personnel & Finance recommend adoption of 2018 RES-524. Motion carried by a voice vote.

2018 RES-525

APPROVAL OF LEASE TO STATE OF WISCONSIN FOR SPACE AT JOB CENTER – DCDHS – EA DIVISION

Dane County and the State of Wisconsin, Department of Workforce Development (DWD) have had a mutually beneficial partnership, having collocated and operated a joint Job Center at 1801- 1821 Aberg Avenue since 1993. The current lease with DWD expires on February 28, 2019 and DWD desires to continue to locate some of their agencies within the building for an additional three years, to March 1, 2022.

A new lease has been presented to the County for 17,067 square feet of office space at an initial annual rental rate of \$296,453.79 which is a 1.3% increase over the current rental rate. An annual increase of 1.5% shall apply to each subsequent year of the initial term.

After the initial three (3) year term, DWD shall have the option to renew for two (2) successive three (3) year periods from and after March 1, 2022. Annual increases of 1.5% shall apply to each year of the renewal terms according to the schedule included in the lease until the last renewal expires on February 28, 2028.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the continued occupancy by DWD on the terms and conditions outlined above, and

BE IT FINALLY RESOLVED, that the Dane County Clerk and County Executive are hereby authorized to execute the Lease on behalf of the County of Dane.

Health & Human Needs, Public Works & Transportation and Personnel & Finance recommend adoption of 2018 RES-525. Motion carried by a voice vote.

2018 RES-526

EXTENDING LEASE BETWEEN DANE COUNTY AND BRIARPATCH FOR PROPERTY AT 1738 ROTH STREET IN THE CITY OF MADISON

Since January of 2016, Dane County has leased a rooming house at 1738 Roth Street in Madison to Briarpatch. Briarpatch has been providing housing and case management services at the site to homeless young adults under a five-year grant from the U.S. Department of Housing and Urban Development. The initial grant period ends March 31, 2019 as does the current property lease. Briarpatch has received a six month extension of the HUD grant and is pursuing a longer-term renewal of the grant.

This Addendum will extend the property lease until September 30, 2019 to allow the program to continue under the grant extension while Briarpatch seeks the long-term renewal of the grant. If Briarpatch is successful in its pursuit of a longer-term grant renewal, the lease will be extended at that time.

THEREFORE BE IT RESOLVED that the County Board approves the Addendum to the lease for 1738 Roth Street to extend the lease from March 31, 2019 to September 30, 2019 and the County Executive and County Clerk are authorized to execute the Addendum.

Health & Human Needs, Public Works & Transportation and Personnel & Finance recommend adoption of 2018 RES-526. Motion carried by a voice vote.

2018 RES-534

CONTRACT AMENDMENT FOR EVOLOGIC

The Department of Waste & Renewables awarded a contract to EvoLogic for a biogas facility SCADA system at Dane County Landfill Site No. 2 (Contract #13392).

The following change is requested: Contract Amendment to increase contract amount by \$17,658.00 to provide a cellular fire alarm system to meet NFPA 72 code requirements.

NOW, THEREFORE, BE IT RESOLVED that Contract Amendment for a total increase of \$17,658.00 be approved to the Contract for EvoLogic for the above listed changes; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract Amendment; and

BE IT FINALLY RESOLVED that the Department of Waste & Renewables be directed to ensure complete performance of the Contract Amendment.

Public Works & Transportation and Personnel & Finance Committee recommends adoption of 2018 RES-534. Motion carried by a voice vote.

2018 RES-535

CONTRACT CHANGE ORDER #11 FOR JOE DANIELS FOR BIOGAS FACILITY CONSTRUCTION

The Department of Public Works, Highway and Transportation, Waste and Renewables, awarded a contract to Joe Daniels for Biogas Facility Construction, 7102 U.S. Highway 12, Madison, WI (Rodefild Landfill) Bid #317049.

The following change is requested: Change Order #11 - Increase \$32,787.50 for south service road rebuild. Additional work outside of contract. Required to rebuild south service road after ANR's pipeline installation.

NOW, THEREFORE, BE IT RESOLVED that Change Order #11 for a total increase of \$32,787.50 be approved to the Contract Joe Daniels for the above listed changes; and

BE IT FINALLY RESOLVED that the Department of Waste and Renewables be directed to ensure complete performance of the Contract.

Public Works & Transportation and Personnel & Finance recommend adoption of 2018 RES-535. Motion carried by a voice vote.

2018 RES-536

ADDENDUM OF CONTRACT FOR RENTAL EQUIPMENT AND ASSOCIATED SERVICES

The Alliant Energy Center relies heavily on rental equipment to meet the setup needs of events being held on its campus, as well as to maintain its grounds. Due to the high acquisition cost of some of the equipment, it is more cost effective to rent it. Purchase of Service Agreement #13138 was awarded to Sunbelt Rentals, Inc. of Fort Mill, South Carolina effective July 1, 2017 to provide rental equipment and associated services.

The Master Agreement was for one year with four one-year options and a \$40,000 maximum annual cost. Based on the results of the first two years of the contract, the Alliant Energy Center wishes to extend the contract through June 30, 2020. With the increase in events and the needs of the events, particularly the Reebok CrossFit Games, as well as the availability of other departments to utilize the contract, the annual contract maximum needs to be increased to \$125,000.

NOW THEREFORE BE IT RESOLVED, that the contract addendum with Sunbelt Rentals, Inc., 2341 Deerfield Drive, Fort Mill, South Carolina, 29715 is hereby approved.

BE IT FINALLY RESOLVED, that the County Executive and County Clerk are authorized to sign the addendum.

Public Works & Transportation and Personnel & Finance Committees recommend adoption of 2018 RES-536. Motion carried by a voice vote.

2018 RES-545

APPROVING AGREEMENTS AND PURCHASES SUPPORTING AN AFFORDABLE HOUSING PROJECT AT 202 COTTAGE GROVE ROAD IN THE CITY OF MADISON

As part of the 2018 awards for the Affordable Housing Development fund, the County awarded funding of \$591,346 to MSP Real Estate, Inc. for the proposed The Grove Apartments to be constructed at 202 Cottage Grove Road in the City of Madison. The proposed development will have a total of 112 units, 95 of which will be income restricted to those earning 30-60% of area median income. Of the 95 affordable units, 23 will be targeted to persons re-entering the community from incarceration, veterans, and/or individuals experiencing homelessness or at-risk of becoming homeless in need of supportive services.

The project has received funding from the City of Madison and was awarded low income housing tax credits by WHEDA. As part of the funding, the county will purchase a commercial condominium unit on the first floor that will be leased back to the developer or its affiliate, The Grove Apartments Madison, LLC.

THEREFORE BE IT RESOLVED that the County Board authorizes the purchase of a condominium unit to be developed by MSP Real Estate, Inc., and

BE IT FUTHER RESOLVED that the County Board authorizes the lease of the condominium unit to The Grove Apartments Madison, LLC, or its affiliate, and the County Executive and County Clerk are authorized to execute the leases;

BE IT FINALLY RESOLVED that the County Real Estate staff are authorized to execute documents necessary to purchase the condominium unit, and the Controller is authorized to make payments necessary for this purchase.

Personnel & Finance Committee recommends adoption of 2018 RES-545. Motion carried by a voice vote.

Mark Hammond, representing MSP Real Estate, West Allis, WI, registered as available for information.

2018 RES-549

AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT FOR MEDICAL EXAMINER SERVICES WITH ROCK COUNTY

The Dane County Medical Examiner's Office has been providing autopsy and forensic services to Rock County since 2011. In 2017 Dane County entered into an agreement with Rock County for Administrative, Oversight and Autopsy services for 2017 and 2018. The current agreement expired December 31, 2018. Rock and Dane Counties have negotiated a successor agreement with the same services to be provided, specifically outlined in the new IGA but generally the Dane County Medical Examiner's Office will medical examiner services, office oversight and management, and autopsy medicine services to Rock County. This resolution approves the terms of that agreement.

The initial term of the agreement will begin on January 1, 2019 and run through December 31, 2020. The agreement includes an option to renew the agreement for an additional term by mutual agreement of the parties. During this time, the Dane County Chief Medical Examiner and Deputy Medical Examiner will serve as the Rock County Medical Examiner and Deputy Medical Examiner. The Medical Examiner's Director of Operations, or his designee will oversee and manage the day to day operations of the Rock County Medical Examiner's Department and staff.

The agreement includes individual case review for each Rock County death investigation and provides for a projected number of autopsies to be performed on an annual basis. The autopsy medicine and case review oversight will generate approximately \$263,680.00 in 2019 and \$271,312.00 in 2020 to include transportation services in each year. The agreement allows for negotiation to take place based on the actual number of autopsies conducted if the actual number varies significantly from the projections.

The administrative services provided by the Director of Operations will average 12 hours per week for the term of the agreement. The agreement fully reimburses the Director's time and generates \$46,420 in 2019 and \$48,049 in 2020.

The County Executive's proposed 2019 Budget includes the budget adjustments necessary to implement this agreement.

NOW, THEREFORE BE IT RESOLVED that the Dane County Board of Supervisors approves the Intergovernmental Agreement with Rock County to provide Medical Examiner services beginning on January 1, 2019; and

BE IT FINALLY RESOLVED that the Intergovernmental Agreement for Medical Examiner Services with Rock County be awarded to Dane County for 2019-2020 and that the Dane County Executive and County Clerk are authorized to execute the contract.

Public Protection & Judiciary and Personnel & Finance Committees recommend adoption of 2018 RES-549. Motion carried by a voice vote.

2018 RES-551

AWARD OF CONTRACT FOR ATIP OFFICE REMODEL AT THE DANE COUNTY COURTHOUSE

The Department of Public Works, Highway and Transportation reports the receipt of bids for ATIP Office Remodel at the Dane County Courthouse, bid #318057.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

J.H. Findorff & Son, Inc.
300 S. Bedford Street
Madison, WI 53703

Total: \$234,213.00

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to J.H. Findorff & Son, Inc.

There are sufficient funds available for this project. The term of the borrowing used to support this project will be 10 years.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to J.H. Findorff & Son, Inc. in the amount of \$234,213.00; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FURTHER RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of the Contract; and

BE IT FINALLY RESOLVED that the Public Works & Transportation Committee shall approve all change orders to the Contract, subject to submission of change orders to the County Board for approval where the sum involves \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Public Works & Transportation and Personnel & Finance Committee recommends adoption of 2018 RES-551. Motion carried by a voice vote.

2018 RES-552

AWARD OF CONTRACT FOR OFFTAKE OF RENEWABLE NATURAL GAS (RNG) FROM LANDFILL BIOGAS FOR TRANSPORTATION FUEL

The Department of Waste & Renewables reports the receipt of proposals for Offtake of RNG from landfill biogas for transportation fuel, Proposal # 118062.

Dane County has purchased biogas purification equipment to upgrade landfill gas to renewable natural gas (RNG) and inject into ANR's pipeline. In order to generate revenue on the environmental attributes, it requires a third-party dispenser and marketer. Through RFP 118062 selection process and subsequent interviews, Blue Source and Kwik Trip have partnered together to dispense the RNG for use as transportation fuel. After the RNG is dispensed, it will be given a Renewable Identification Number (RIN) and sold to Obligated Parties to generate revenue. The contract term between Dane County and Blue Source is 5 years.

A complete tabulation is on file at the Department of Waste & Renewables office. The most qualified proposer is:

Blue Source LLC
2825 East Cottonwood Parkway, Suite 400
Cottonwood Heights, UT 84121

Total: 10% Net RIN Proceeds

The Waste & Renewables staff finds the amount to be reasonable and recommends the contract be awarded to Blue Source.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Blue Source in the amount of 10% Net RIN Proceeds; and

BE IT FURTHER RESOLVED that the County Executive and the County Clerk be authorized and directed to sign the Contract; and

BE IT FINALLY RESOLVED that the Department of Waste & Renewables be directed to ensure complete performance of the Contract.

Public Works & Transportation and Personnel & Finance committees recommend adoption of 2018 RES-552. Motion carried by a voice vote.

RESOLUTIONS

2018 RES-544

AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MADISON LIBRARY AND THE DANE COUNTY LIBRARY SERVICE FOR DREAM BUS EXTENSION SERVICES

Over 3 years (2019-2021), Dane County Library Service (DCLS) will provide mobile library service to the Madison neighborhoods of Park Edge/Park Ridge, Allied Drive, Leopold School, Vera Court/Kennedy Heights, and Reindahl Park. DCLS will provide weekly 2- hour service using the Dream Bus, a gift from the Goodman Foundation. 75% of the funding for the project will come from Madison Public Library to reimburse DCLS for the service; 25% of the funding has been allocated to DCLS to explore additional ways to serve the other areas of the County with the new vehicle.

The DCLS has negotiated a Memorandum of Understanding with the City of Madison and other related parties which provides for reimbursement for the City's share of the program costs.

NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors approves the Memorandum of Understanding between the City of Madison, Madison Public Library, Madison Public Library Foundation and the Dane County Library Board, and the County Executive and County Clerk are hereby authorized to execute this Memorandum of Understanding.

Personnel & Finance Committee recommends adoption of 2018 RES-544. Motion carried by a voice vote.

ITEMS REQUIRING TWO-THIRDS MAJORITY FOR PASSAGE

2018 RES-494

AUTHORIZING AWARDS TO HONOR LIESL BLOCKSTEIN

In 1987 the Dane County Board of Supervisors and the Cultural Affairs Commission established the Blockstein Trust and provided for annual awards to honor the late Liesl Blockstein. At the time of her death, Liesl Blockstein served as a Dane County Board Supervisor and member of the Cultural Affairs Commission. The small awards have been issued to recognize individuals for their work in community arts service. Those receiving the awards were given the honor of directing a small payment to a non-profit of their choice.

Liesl Blockstein was a self-described "professional volunteer" and served on The Madison Jewish Community Council, The League of Women Voters, and United Way of Dane County. She was a founder of Jewish Social Services, The Womens Political Caucus, and The Westside Coalition for the aging. She was named as an Outstanding Woman in Government by the Wisconsin Jaycee Women and as Woman of the Year by B'nai B'rith women. Governor Anthony S. Earl proclaimed September 11, 1983 as LIESL BLOCKSTEIN DAY in Wisconsin, in recognition of "her efforts in maintaining and promoting Wisconsin's progressive political traditions."

The awards process established by resolution in 1987 was later modified in 1995. As times have changed, the Cultural Affairs Commission seeks to modify the process again. Awards from the fund have not been explicitly made in a number of years. The balance of the fund is approximately \$8,300.

Under the new process, awards will be made as part of the Arts and Cultural Affairs Commission's semi-annual grant process. The grant application would include information about Liesl Blockstein's legacy. Grant applicants would be given the opportunity to show how their proposed project furthers the call for civic and political involvement.

THEREFORE BE IT RESOLVED that the balance of the Blockstein Trust as of December 31, 2018 be transferred to an expenditure account CULAFF NEW "Blockstein Grant Expense" in the budget of the Office of Cultural Affairs to allow for awards through the semi-annual Cultural Affairs grant program, and

BE IT FURTHER RESOLVED that the Office of Cultural Affairs be authorized to solicit donations to augment the balance in the fund and that to the extent revenues are realized in account CULAFF NEW "Blockstein Donation Revenues" expenditures are authorized from the Blockstein Grant Expense account.

BE IT FINALLY RESOLVED that the balance in the Blockstein Grant Expense account be carried forward at the end of each fiscal year.

Executive and Personnel & Finance Committees recommend adoption of 2018 RES-494. Motion carried by a voice vote.

2018 RES-520

AUTHORIZING ACCEPTANCE OF GRANT FUNDING TO PURCHASE VEHICLES AND EQUIPMENT FOR THE DANE COUNTY NARCOTICS TASK FORCE

The Wisconsin Department of Justice, Division of Law Enforcement Services, Training and Standards Bureau is providing funding to the Dane County Narcotics Task Force (DCNTF) for the purchase of vehicles and equipment to support the Dane County Drug Offender Interdiction Program. The Drug Offender Interdiction Grant (2019-DT-01-14921) will provide \$50,000 for the purchase of vehicles and equipment for the DCNTF, funding is available January 11, 2019 through December 31, 2019.

The DCNTF is a multi-jurisdictional law enforcement collaboration consisting of Madison Police Department, Dane County Sheriff's Office, and University of Wisconsin-Madison Police Department personnel that work in conjunction with state and federal agencies county-wide, to identify, disrupt, and dismantle drug trafficking organizations. Funding of \$50,000 for the purchase of vehicles and equipment will strengthen the ability of the DCNTF to combat the opioid crisis including enforcement efforts targeted towards criminal organizations known for supplying heroin and fentanyl.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is hereby authorized to accept \$50,00 from the Wisconsin Department of Justice, Grant Number 2019-DT-01-14921, for the purchase of vehicles and equipment for the DCNTF; and

BE IT FURTHER RESOLVED that \$50,000 is appropriated as additional revenue in the Sheriff's Office, Field Services Division, DCNTF Drug Interdiction Revenue (SHRFFLD NEW) budget account line and is credited to the General Fund; and

BE IT FURTHER RESOLVED that \$50,000 is transferred from the General Fund to Sheriff's Office, Field Services Division, DCNTF Drug Interdiction Vehicles & Equipment (SHRFFLD NEW) budget account line; and

BE IT FURTHER RESOLVED that on behalf of the County of Dane, the County Executive is authorized to execute an agreement embodying the above provisions.

Public Protection & Judiciary and Personnel & Finance Committees recommend adoption of 2018 RES-520. Motion carried by a voice vote.

2018 RES-537

AMENDING THE 2019 OPERATING BUDGET TO FUND 4 LAND RECORDS BACK INDEXING

The Register of Deeds Office has their current land records software system with Fidlar Technologies. Fidlar Technologies has provided the software for the Register of Deeds Office since approximately 1994.

Funds in the 2019 operating budget were allocated for a Register of Deeds Office contract with Fidlar Technologies for server hosting in the amount of \$46,200. The Register of Deeds has decided to maintain the images with servers in house with county Information Management. Therefore, the Register of Deeds seeks to reallocate these funds and employ Fidlar Technology to back index historic land records.

NOW, THEREFORE, BE IT RESOLVED that account REGDEEDS 32345 "Server Hosting Contract" be decreased by \$46,200 and account REGDEEDS NEW "Back Indexing Contract" be created with an appropriation of \$46,200.

Zoning & Land Regulation and Personnel & Finance Committees recommend adoption of 2018 RES-537. Motion carried by a voice vote.

2018 RES-540

AUTHORIZING THE RECLASSIFICATION OF A CHILD SUPPORT INVESTIGATOR POSITION TO A PARALEGAL I POSITION IN THE DANE COUNTY CHILD SUPPORT AGENCY

The Office of the Corporation Counsel has requested that vacant Position No. 1603 be reclassified from a Child Support Investigator, G17 to a Paralegal I, G17 in its Child Support Agency ("CSA").

The request is based upon two significant needs. First, with the onset of mandatory electronic filing at the courthouse, the CSA is currently modernizing its practices, and reemphasizing the agency's dedication to providing exemplary services on behalf of Dane County's families. The new paralegal position will provide training to the clerical support staff on the legal processes and documents required to enforce child support orders.

Second, the CSA has identified a need for additional assistance in its legal support clerical team. The new paralegal position will serve as a lead team member who will back up the legal support clerical team when the need arises. The paralegal will also monitor the workflow of the legal support team to ensure that the CSA adheres to the strict regulatory timelines that it must follow. After conducting a review and analysis of the request, the Department of Administration – Employee Relations recommended approval.

Further, reclassifying position no. 1603 to a Paralegal I will have no fiscal impact on the department or the CSA's budget. The Position is currently vacant and classified as a Child Support Investigator, G17. Reclassifying Position No. 1603 to a Paralegal I will not result in a budget increase since it will remain a G17.

NOW, THEREFORE BE IT RESOLVED that the Dane County Board of Supervisors does hereby authorize the reclassification of the Child Support Investigator (G17) position (Position No. 1603) in the Office of the Corporation Counsel, Child Support Agency to a Paralegal I (G17) position, commensurate with the Office of the Corporation Counsel's request and approval of the Department of Administration – Employee Relations Division.

Public Protection & Judiciary and Personnel & Finance Committees recommend adoption of 2018 RES-540. Motion carried by a voice vote.

2018 RES-543

AUTHORIZATION TO APPLY FOR AND ACCEPT A 2019 STATE OF WISCONSIN DNR LAKE PLANNING GRANTS (AIS Rapid Response)

The Land & Water Resources Department secured \$4,600 in funding from the Wisconsin Department of Natural Resources per Resolution 2018 RES-125 for eradication of Yellow Floating Heart and Yellow Iris in the Town of Dane. Both species pose threats to native plants and are very aggressive.

WHEREAS, the department is interested in obtaining \$5,400 in additional cost-share funds from the Wisconsin Department of Natural Resources Lake Planning grant program.

NOW, THEREFORE, BE IT RESOLVED, Dane County will comply with all local, state, and federal rules, regulations and ordinances relating to this project and the cost-share agreement;

BE IT FURTHER RESOLVED, that the County Board of Supervisors and County Executive hereby authorize the Water Resources Planner and Director of Dane County Land & Water Resources or his or her designee to sign and submit the grant application, grant agreement, reports and the grant reimbursement request to the WDNR.

BE IT FINALLY RESOLVED, that revenue account LWRADMIN 80057 and expense account LWRADMIN 20129 APM & AIS Planning Grant shall be increased by \$5,400. All Funds shall be carried forward until realized and expended.

Environment, Agriculture & Natural Resources and Personnel & Finance Committees recommend adoption of 2018 RES-543. Motion carried by a voice vote.

2018 RES-553

RECLASSIFY CLERK III POSITION TO A CONFIDENTIAL ADMINISTRATIVE ASSISTANT II POSITION IN THE SHERIFF'S OFFICE

The Sheriff's Office has a vacant Clerk III, G13, EG 720 position to reclassify to an Administrative Assistant II, G17, Confidential position. This vacancy, resulting from a retirement, has provided an opportunity to assess and prioritize the increased responsibilities of the Clerk III vacant position.

The Sheriff's Office commitment to the community is a top priority and public events have increased significantly. This position acts as a liaison between the Sheriff and the public and is the main point of contact for scheduling all meetings, appointments, public appearances, and other events for the Sheriff. These public appearances require considerable preparation, coordination, accuracy, and communication with multiple parties. This increased role will allow the position to build trust between the community and law enforcement.

The demand and responsibilities of this position have increased substantially. This position has absorbed a myriad of various complex administrative duties that require strict confidentiality. This position is responsible for maintaining, organizing, and monitoring all employee evaluations, personnel files, and confidential background files, reports, and medical information for current, potential, and previous employees.

This position will also be utilized to document interactions between the Sheriff, Chief, and Executive Captain with Dane County Deputy Sheriff's Association (DCDSA) and the Wisconsin Professional Police Association (WPPA). They will assume the role of transcribing notes from bargaining sessions, typing and processing grievance responses, and documenting meetings between the Sheriff, Chief, Captain, DCDSA, and WPPA. In addition to the above responsibilities requiring strict confidentiality, this additional role will require the same.

Position #573 – Clerk III, G13, EG 720, 1.0 FTE will be reclassified to an Administrative Assistant II, G17, Confidential, 1.0 FTE position.

NOW THEREFORE BE IT FINALLY RESOLVED that the Sheriff's Office, Administrative Services, Position #573 -- Clerk III, G13, EG 720, 1.0 FTE is reclassified to Position #573 -- Administrative Assistant II, G17, Confidential, 1.0 FTE, as described above.

Public Protection & Judiciary and Personnel & Finance recommend adoption of 2018 RES-553. Motion carried by a voice vote.

2018 RES-560

ESTABLISHING NEW CONTRACT WITH PUBLIC CONSULTING GROUP, INC. (PCG) FOR A BEHAVIORAL HEALTH FEASIBILITY STUDY DCDHS – ACS DIVISION

The Dane County Department of Human Services has selected the Public Consulting Group, Inc. (PCG) to conduct a review of the current mental health and substance use (known together as behavioral health) services provided by both public and private funders, identify the needs, gaps, and possible solutions to address the issues identified by this review. PCG was selected on the merits of their response to a request for proposals issued through Dane County's competitive bid process.

Through this contract, PCG is charged with gathering information through focus groups and interviews from stakeholders who are directing and providing behavioral health services. PCG will also gather data from various publicly and privately funded service systems around the country that represent best practices as supported by research in behavioral health. An assessment of the

feasibility of a mental health crisis restoration facility or other needed crisis responses will be included in this review. Based on this information, PCG will present findings and make recommendations to improve the delivery of behavioral health services in Dane County.

NOW, THEREFORE, BE IT RESOLVED, that \$140,000 in funding available in the 2018 Operating Budget in line ACFACCCS AMFSAA "Mental Health Feasibility Study" be carried forward to fiscal year 2019 the following expenditure account:

Expenditure Account Number Account Title Amount 460000 30662 Behavioral Health Feasibility Study \$140,000

BE IT FURTHER RESOLVED that the following contract be approved and that the County Executive and the County Clerk are hereby authorized and directed to sign the agreement on behalf of Dane County.

Vendor Amount Public Consulting Group, Inc. \$140,000

Health & Human Needs and Personnel & Finance Committees recommend adoption of 2018 RES-560. Motion carried by a voice vote.

SUCH OTHER BUSINESS AS THE COUNTY BOARD IS AUTHORIZED TO CONDUCT BY LAW

ORDERING A SPECIAL ELECTION FOR DANE COUNTY SUPERVISOR – DISTRICT 1, 17, AND 33

The Dane County Board of Supervisors hereby orders that a special election be held for the office of Dane County Supervisor – Districts 1, 17, and 33.

District 1 was made vacant on February 22 by Supervisor Mary Kolar.

District 17 was made vacant on January 29, 2019 by Supervisor Jeff Pertl.

District 33 was made vacant on January 29, 2019 by Supervisor Jenni Dye.

The duly elected supervisors shall serve for the remainder of the term ending on April 20, 2020.

The special election will be held on Tuesday, June 4, 2019. If there are three or more candidates, a special primary will be held on Tuesday, May 7, 2019. Nomination papers for this office may be circulated beginning Friday, March 22, 2019 and the deadline for filing nomination papers is 5 p.m. on Tuesday, April 9. Candidates are required to gather a minimum of 50 and a maximum of 200 valid signatures.

District 1 encompasses wards 43, 47, and 50-54 in downtown Madison <https://board.countyofdane.com/Districts/Map/1>

District 17 is comprised of wards 10-12 and 15-17 on the East Side of Madison <https://board.countyofdane.com/Districts/Map/17>

District 33 wards 7-8 and 12-19 in the City of Fitchburg <https://board.countyofdane.com/Districts/Map/33>.

Moved by Supervisor Schauer, seconded by Supervisor Ritt, to adopt the Action Item. Motion carried by a voice vote.

2018 RPT-539

TOWN OF VIENNA ADOPTION OF THE COMPREHENSIVE REVISION TO CHAPTER 10,
DANE COUNTY ZONING ORDINANCE

**Town Vienna
Resolution 3-4-19**

A Resolution to Adopt Revised Dane County Zoning Ordinance

WHEREAS, the Town of Vienna desires to promote the health, safety, convenience and general welfare of the resident of the Town and to encourage planned and orderly land use and development; and


WHEREAS, the County Board of Dane County, Wisconsin has adopted a comprehensive revision of a zoning ordinance for the physical development and zoning of territory within Dane County; and

WHEREAS, the Dane County Zoning Ordinance may become effective in the Town of Vienna upon approval of the ordinance by the Town Board; and

NOW THEREFORE BE IT RESOLVED that pursuant to Section 59.69(5) (c) Wisconsin Statutes, the Town Board of Vienna hereby approves and adopts the Dane County Zoning Ordinance as described in Dane County Ordinance Amendment 2018-OA-20 and shall take all the required actions to make the Dane County Zoning Ordinance applicable with the Town of Vienna.

This resolution shall take effect on the date of filing with the Dane County Clerk a certified copy of this resolution, together with a copy of the Dane County ordinance amendment 2018-OA-20, and associated zoning map for the Town of Vienna.

Adopted this 4th day of MARCH by the Town of Vienna Board by a vote of 4 ayes and 0 nays.



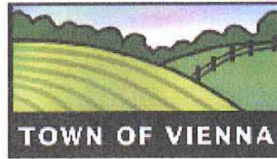
Lonnie Breggeman, Town Chairman

Attest: Kathleen Clark

Kathleen Clark, Town Clerk

Town Board

Lonnie Breggeman, Chair
Steve Ruegsegger
Karen Ingalls
Gary Endres
Ron Rupp



7161 County Road I
DeForest, WI 53532
Office: (608) 846-3800 Fax: (608) 846-3829
www.vienna-wis.com

Kathleen Clark
Clerk
tovclerk@centurytel.net

Nicole Roessler
Treasurer
tovtreas@centurytel.net

Wendy Stoeckler
Deputy Clerk/Deputy Treasurer
tovdep@centurytel.net

CERTIFICATION OF RESOLUTION

I, Kathleen Clark, Town of Vienna Clerk, certify that the attached is a true and correct copy of Resolution No. 3-4-19, "Resolution to Adopt the Comprehensively Revised Dane County Zoning Ordinance." The Town of Vienna Board passed this resolution on March 4, 2019.

Signed and dated this 4TH day of MARCH, 2019.

Signature: Kathleen Clark
Kathleen Clark, Town of Vienna Clerk

2018 RPT - 541

TOWN OF OREGON ADOPTION OF THE COMPREHENSIVE REVISION TO CHAPTER 10.
DANE COUNTY ZONING ORDINANCE

TOWN OF OREGON
 DANE COUNTY, WISCONSIN
 RESOLUTION NO. 01-2019

Resolution to Adopt the Comprehensively Revised Dane County Zoning Ordinance

The Town Board of the Town of Oregon, Dane County, Wisconsin do adopt and resolve as follows:

1. The Town of Oregon desires to promote the health, safety, convenience and general welfare of the residents of the Town and to encourage planned and orderly land use and development.
2. The County Board of Dane County, Wisconsin has adopted a comprehensive revision of a zoning ordinance for the physical development and zoning of territory within Dane County.
3. The Dane County Zoning Ordinance may become effective in the Town of Oregon upon approval of the ordinance by the Town Board.

NOW THEREFORE, be it resolved that:

Pursuant to Section 59.65(5)(c), Wisconsin Statutes, the Town Board of Oregon hereby approves and adopts the Dane County Zoning Ordinance as described in Dane County Ordinance Amendment 2018-OA-20 and shall take all required actions to make the Dane County Zoning Ordinance applicable within the Town of Oregon.

This resolution shall take effect on the date of filing with the Dane County Clerk a certified copy of this resolution, together with a copy of the Dane County ordinance amendment 2018-OA-20, and associated zoning map for the Town of Oregon (both attached as Exhibit A).

Dated: March 5, 2019

(signature)

Wayne Ace, Town Chair

(signature)

Denise R. Arnold, Town Clerk

A certified copy of Resolution No. 01-2019 was filed with the Dane County Clerk on 3/6/2019. Copies of Resolution No. 01-2019 were posted in the Town of Oregon at the Town Hall and Town Website by the Town Clerk on 3/6/19.



Town of Oregon

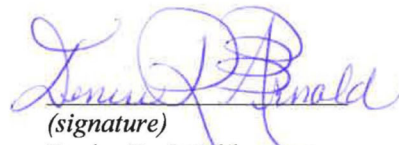
1138 Union Road
Oregon, WI 53575
Phone (608) 835-3200
Fax (608) 835-2235
Web Site: www.town.oregon.wi.us

Wayne L. Ace, Chairperson
Phil Van Kampen, Supervisor
Arlen Christensen, Supervisor
Fred Clark Jr., Supervisor
Steve Root, Supervisor
Denise R. Arnold, Clerk
Jennifer Hanson, Treasurer
Andrew R. Blomstrom, Assessor
Kurt Maher, Constable

CERTIFICATION OF RESOLUTION

I, Denise R. Arnold, Town of Oregon Clerk, certify that the attached is a true and correct copy of Resolution No. 01-2019, "Resolution to Adopt the Comprehensively Revised Dane County Zoning Ordinance." The Town of Oregon Board passed this resolution on March 5, 2019.

Signed and dated this 5th day of March 2019.


(signature)
Denise R. Arnold
Town of Oregon Clerk

2018 RPT-543

TOWN OF RUTLAND ADOPTION OF THE COMPREHENSIVE REVISION TO CHAPTER 10,
DANE COUNTY ZONING ORDINANCE

TOWN OF RUTLAND
DANE COUNTY, WISCONSIN
RESOLUTION NO. 2019-3-1

Resolution to Adopt the Comprehensively Revised Dane County Zoning Ordinance

The Town Board of the Town of Rutland, Dane County, Wisconsin do adopt and resolve as follows:

1. The Town of Rutland desires to promote the health, safety, convenience and general welfare of the residents of the Town and to encourage planned and orderly land use and development.
2. The County Board of Dane County, Wisconsin has adopted a comprehensive revision of a zoning ordinance for the physical development and zoning of territory within Dane County.
3. The Dane County Zoning Ordinance may become effective in the Town of Rutland upon approval of the ordinance by the Town Board.

NOW THEREFORE, be it resolved that:

Pursuant to Section 59.69(5)(c), Wisconsin Statutes, the Town Board of Rutland hereby approves and adopts the Dane County Zoning Ordinance as described in Dane County Ordinance Amendment 2018-OA-20 and shall take all required actions to make the Dane County Zoning Ordinance applicable within the Town of Rutland.

This resolution shall take effect on the date of filing with the Dane County Clerk a certified copy of this resolution, together with a copy of the Dane County ordinance amendment 2018-OA-20, and associated zoning map for the Town of Rutland (both attached as Exhibit A).

Dated: March 5, 2019



Mark Porter, Town Chair



Dawn George, Town Clerk

A certified copy of Resolution No. 2019-3-1 was filed with the Dane County Clerk on 3/6/2019.
Copies of Resolution 2019-3-1 were posted in the Town of Rutland at the Town Hall and Town Website by the Town Clerk on 3/7/2019.

Town of Rutland

CERTIFICATION OF RESOLUTION

I, Dawn George, Town of Rutland Clerk, certify that the attached is a true and correct copy of Resolution No. 2019-3-1. "Resolution to Adopt the Comprehensively Revised Dane County Zoning Ordinance." The Town of Rutland Board passed this resolution on March 5, 2019.

Signed and dated this 5th day of March 5, 2019.



Dawn George

Town of Rutland Clerk

ADJOURNMENT

Moved by Supervisor Chenoweth, seconded by Supervisor Miles, to adjourn the meeting to 7:00 pm, May 2, 2019, or at the call of the Chair. Motion carried unanimously by a voice vote at 8:21 pm. Subsequent to adjournment, Chair Corrigan made the following referrals:

- 2018 RES-582 - Authorizing a Purchase of Services Agreement with Operation Fresh Start, Inc. Submitted by Supervisors Ripp, Eicher, Ritt and Chawla. Referred to PARKS, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-599 - Contract Change Order # 5 to Contract for Eco-Resource Consulting, Inc. for Construction of the Badger Prairie Health Care Center Regrading and Prairie Restoration. Submitted by Supervisors Nelson, Ripp and Schauer. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-600 - Authorizing Acceptance of a Wisconsin Department of Justice Byrne Memorial Justice Assistance Program, Dane County Narcotics Task Force Grant. Submitted by Supervisors McCarville, Bayrd, Danner, Krause, Nguyen-Hilfiger, Rusk and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-601 - Authorizing the Carry Forward of Funding and Amending the 2019 Operating Budget for Dane County Extension. Submitted by Supervisor Stubbs. Referred to ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PERSONNEL & FINANCE.
- 2018 RES-603 - Accepting Exercise Grant Award 2019 City of Madison Exercise. Submitted by Supervisors McCarville, Bayrd, Danner, Krause, Nguyen-Hilfiger, Rusk and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-605 - Authorizing Contract for Law Enforcement Staff Scheduling Software Annual Maintenance Fee. Submitted by Supervisor McCarville, Bayrd, Danner, Krause, Nguyen-Hilfiger, Rusk and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and
- 2018 RES-606 - Authorizing a Contract for Dane County Jail Security Service Surveillance System Upgrade. Submitted by Supervisors McCarville, Bayrd, Danner, Krause, Nguyen-Hilfiger, Rusk and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.
- 2018 RES-609 - Authorizing a Four Month Space Agreement for Dane County Extension Financial Education Center at the Village on Park. Submitted by Supervisor Stubbs. Referred to PUBLIC WORKS & TRANSPORTATION and PERSONNEL & FINANCE.
- 2018 RES-613 - Authorizing a Contract for Jail Security System Maintenance and Repair Service. Submitted by Supervisors McCarville, Bayrd, Danner, Krause, Nguyen-Hilfiger, Rusk and Schwellenbach. Referred to PUBLIC PROTECTION & JUDICIARY and PERSONNEL & FINANCE.