

This following meeting will have a videoconferencing/teleconferencing option. As such, it is possible that a quorum of board members may be in attendance via electronic means and not physically present. In accordance with Wisconsin law, the meeting will remain open to the public. The public may attend in person at the location noted on the agenda. The public is encouraged to attend via electronic means. **If anyone would like to speak at the meeting, County Board Rules require they contact the County Clerk's Office in advance to register. 608.935.0399.**

IOWA COUNTY BOARD MEETING

Tuesday, July 20, 2021

7:00 p.m.

Conference Call 1-312-626-6799

Zoom meeting ID: 843 2160 0413

<https://us02web.zoom.us/j/84321600413>

Health and Human Services Center - Community Room

303 West Chapel St., Dodgeville, WI 53533

For information regarding access for the disabled, please call 935-0399.

Healthy and Safe Place to Live, Work and Play – Iowa County

The Mission of Iowa County Government is to protect and promote the health and safety, economic well being, and environmental quality of our county by providing essential services in a fiscally responsible manner.

1. Call to order by Chair John M. Meyers
2. Pledge of Allegiance.
3. Roll Call.
4. Approve the agenda for this July 20, 2021 meeting.
5. Approve the minutes of the June 15, 2021 meeting.
6. Special matters and announcements.
 - a) Committee Chair reports.
 - b) Tari Engels, Register in Probate and Kanndie Basting, Register in Probate successor.
7. Comments from the public.
8. Update on Badger Hollow Solar Farm – Dan Litchfield.
9. Land use changes from the Towns:
 - Linden – 1-0721 Rezoning request by Randy & Patricia Davis and Susan Deronne Trust.
 - Linden – 2-0721 Rezoning request by Tyler & Erica Jenson.
 - Clyde – 3-0721 Rezoning request by Paul Haviland and Regina Fischer.
 - Iowa County – 4-0721 Revise the Iowa County Comprehensive Plan.

Public Works Committee

10. Highway Access Control Ordinance #800.02

11. Approval of Blackhawk Lake Operations Agreement & Resolution No. 5-0721 Dam Funding Resolution

Executive Committee

12. Resolution No. 6-0721 Recommending Transfer of Funds from the Iowa County General Fund Balance to Bloomfield Fund Balance.

13. Resolution No. 7-0721 Establishing A Public-Private Partnership with Reedsburg Utility Commission.

14. Resolution No. 8-0721 Establishing A Public-Private Partnership with MHTC.

15. Proposed revision(s) to Rule XVI on page 5 of Board Rules.

16. Establish a Redistricting Committee.

17. County Administrator's report.

18. Chair's report.

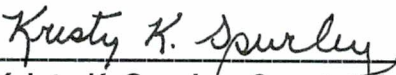
19. Mileage and Per Diem Report for the July 20, 2021 meeting.

20. Motion to go into closed session pursuant to State Statute 19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. (Receive update and advice regarding the ATC/Cardinal-Hickory Creek Lawsuit).

21. Motion to return to open session.

22. Possible action on any of the closed session items.

23. Motion to adjourn to August 17, 2021.


Kristy K. Spurley, County Clerk

Posted 7/15/2021 @ 1:00 pm

You may attend via videoconference by downloading the free Zoom program to your computer at <https://zoom.us/download> At the date and time of the meeting, you log on through the Zoom program and enter the Meeting ID from the above agenda. You may also attend via conference call by dialing the phone number listed on the agenda above.

PROCEEDINGS OF THE JUNE SESSION OF
THE BOARD OF COUNTY SUPERVISORS
OF IOWA COUNTY, WISCONSIN

The meeting was held in person and via electronic videoconferencing/teleconferencing.

The Board of Supervisors met in the Health and Human Services Center Community Room in the City of Dodgeville on Tuesday, June 15, 2021 at 7:04 p.m. and was called to order by the Honorable John M. Meyers, Chair of the Board.

The Board, in unison, led the reciting of the Pledge of Allegiance to the flag.

Roll call:

Members attending in person: Stephen Deal, Susan Storti, Daniel Nankee, Ronald Benish, David Gollon, Curt Peterson, Bruce Haag, Britan Grimmer, Mike Peterson, Richard Rolfsmeyer(7:15 pm), John Meyers, Kimberly Alan, Judy Lindholm, Justin O'Brien, Don Leix, Mel Masters and Kevin Butteris. Sup. Davis appeared remotely. Sup. Richter was absent. Sup. Meek and Sup. Ray were excused.

Approval of Agenda: Sup. Storti moved to approve the agenda. Sup. Grimmer seconded. Motion carried.

Aye- 17 Nay-0

Approval of Minutes: Sup. Alan moved to approve the minutes. Sup. Benish seconded. Motion carried.

Aye -18 Nay-0

Presentation by Dave Vandewater, representative for Kraemer Brothers on the construction of the Law Enforcement Center.

Vicki Stangel, Chairperson of the Iowa County Library Committee reported on the 2020 Library Services and requested modifications to the Iowa County Library Plan to include an increase to the In-County libraries for next year.

Special matters and announcements.

- a) Committee Chair reports.
- b) Forward Analytics (set out)
- c) SW Regional Planning Commission Newsletter (set out)

Comments from the public.

- * Gloria Belken and Richard Jenkins spoke about the Upland Turbine Wind project.
- * Alan Jewell spoke about freedom of speech.
- * Jean Luecke spoke about freedom of speech and the Wind project.
- * Carol Anderson was a volunteer for the COVID vaccination clinics and wanted the board to know how well organized they were and was very complimentary of the hard working employees/volunteers.

Sup. Storti moved to adopt Amendatory Ordinances 1-0621 thru 16-0621 as a group. Sup. Masters seconded the motion. Carried.

Aye-17

Nay-0

Abstain-Gollon

Amendatory Ordinance No. 1-0621 for a land use change to rezone 1.58 acres from B-2 Highway Business to AR-1 Agricultural Residential in the Town of Arena was adopted.

Amendatory Ordinance No. 2-0621 for a land use change to rezone 27.238 acres from A-1 Agricultural and AR-1 Agricultural Residential to all AR-1 Agricultural Residential in the Town of Brigham was adopted.

Amendatory Ordinance No. 3-0621 to rezone approximately 63 acres from C-1 Conservancy to to A-1 Agricultural in the Town of Clyde was adopted.

Amendatory Ordinance No. 4-0621 for a land use change to rezone 10.02 acres from AB-1 Agricultural Business to RB-1 Recreational Business in the Town of Dodgeville was adopted.

Amendatory Ordinance No. 5-0621 for a land use change to rezone 42.75 acres from A-1 Agricultural and R-1 Single Family Residential to all R-1 Single Family Residential in the Town of Dodgeville was adopted.

Amendatory Ordinance No. 6-0621 for a land use change to rezone 3.59 acres from A-1 Agricultural to AR-1 Agricultural Residential in the Town of Dodgeville was adopted.

Amendatory Ordinance No. 7-0621 for a land use change to rezone 35.01 acres with the AC-1 Agricultural Conservancy overly district in the Town of Dodgeville was adopted.

Amendatory Ordinance No. 8-0621 for a land use change to rezone 3.16 acres from A-1 Agricultural to AR-1 Agricultural Residential and approximately 78.84 acres with the AC-1 Agricultural Conservancy overly district in the Town of Eden was adopted.

Amendatory Ordinance No. 9-0621 for a land use change to rezone 12.5 acres from A-1 Agricultural to AR-1 Agricultural Residential in the Town of Eden was adopted.

Amendatory Ordinance No. 10-0621 for land use change to rezone 7.848 acres from A-1 Agricultural to AR-1 Agricultural Residential and 24.348 acres from A-1 Agricultural and AR-1 Agricultural Residential to AR-1 Agricultural Residential in the Town Highland was adopted.

Amendatory Ordinance No. 11-0621 for land use change to rezone 5.06 acres from A-1 Agricultural to AR-1 Agricultural Residential in the Town of Highland was adopted.

Amendatory Ordinance No. 12-0621 for land use change to rezone 1.0 acre from A-1 Agricultural to AR-1 Agricultural Residential in the Town of Linden was adopted.

Amendatory Ordinance No. 13-0621 for land use change to rezone 20.38 acres from A-1 Agricultural to AR-1 Agricultural Residential and the balance of approximately 33.8 acres with the AC-1 Agricultural Conservancy overlay district in the Town of Mifflin was adopted.

Amendatory Ordinance No. 14-0621 for land use change to rezone 2.0 acres from A-1 Agricultural to AR-1 Agricultural Residential and 38.2 acres from A-1 Agricultural to C-1 Conservancy in the Town of Mineral Point was adopted.

Amendatory Ordinance No. 15-0621 for land use change to rezone 25.0 acres from A-1 Agricultural to AR-1 Agricultural Residential in the Town of Ridgeway was adopted.

Amendatory Ordinance No. 16-0621 for land used change to rezone 5.68 acres from A-1 Agricultural to AR-1 Agricultural Residential in the Town of Ridgeway was adopted.

Executive Committee

Sup. Gollon moved to approve Resolution No. 17-0621 Establishing A Public-Private Partnership with MHTC. Sup. Lindholm seconded the motion. Motion carried.

Aye-18 Nay-0

Sup. Haag moved to approve Resolution No. 18-0621 Establishing A Public-Private Partnership with Reedsburg Utility Commission. Sup. Storti seconded the motion. Motion carried.

Aye-18 Nay-0

Sup. Deal moved to approve the 2022-2026 Capital Improvement Plan. Sup. Storti seconded the motion. Motion carried

Aye-18 Nay-0

Sup. Nankee moved to approve Resolution No. 19-0621 Recommending 2020 Budget Amendments for Various Departments. Sup. M. Peterson seconded the motion. Motion carried.

Aye-18 Nay-0

Sup. O'Brien moved to approve Resolution No. 20-0621 Recommending Transfer of Funds from the Iowa County General Fund to Cover Expenditures in Excess of Budget for 2020. Sup. Lindholm seconded the motion. Motion carried.

Aye-18 Nay-0

Sup. Benish moved to approve Resolution No. 21-0621 Recommending Carryover of Certain Accounts from 2020 to 2021. Sup. M. Peterson seconded the motion. Motion carried.

Aye-18 Nay-0

Public Works Committee

Sup. Grimmer moved to approve amendment to Ordinance 600.18B ATV-UTV Route Ordinance.

Sup. Lindholm seconded the motion. Motion carried.

Aye-18 Nay-0

Sup. Gollon moved to approve the revision to Policy #1116 Encroachment and Revocable Occupancy Permit Policy for Livestock Crossings. Sup. Storti seconded the motion. Discusion-Sup. O'Brien spoke in reference to some grammar corrections. Sup. Gollon called for the vote.

Aye-18 Nay-0

Vote on original motion:

Aye-18 Nay-0

Motion carried.

Sup. Grimmer moved to approve the Administrator's appointments of:

- * Diane Smith to the Mineral Point Library Board for a three year term expiring on May 1, 2023.
- * William Ladewig to the Ethics Board for a three year term expiring on June 1, 2024.
- * William Britt to the ADRC Board for a three year term expiring on May 31, 2024.
- * Susan Schroeder to the ADRC Board for a three year term expiring on May 31, 2024.
- * George Swamp to the ADRC Board for a three year term expiring on May 31, 2023.
- * Mark Meives to the Iowa County Airport Commission for a two year term expiring on May 1, 2023.
- * Kate Franzmann to the Barneveld Public Library Board for a three year term expiring on May 1, 2024.
- * Terri Liebmann to the Barneveld Public Library Board for a three year term expiring on May 1, 2023.

Sup. M. Peterson seconded the motion. Motion carried.

Aye-18 Nay-0

Discussion on the availability of paper agendas. Motion by Sup. Benish to have paper agendas/packets available for meetings. Sup. Masters seconded the motion. Motion carried.

Aye-18 Nay-0

Sup Deal left the meeting at 8:56 pm.

County Administrator Larry Bierke gave a report to the board.

Chair Meyers gave a report to the Board.

Mileage and Per Diem Report for this June 15, 2021 Session of the Board was presented.

18 Members 447 Miles \$980.32 and Per Diem

Sup. Grimmer moved to approve. Sup. Storti seconded. Motion carried.

Aye-17 Nay-0

Motion by Sup. Haag to convene in closed session pursuant to section 19.85(1)(g). Wisconsin Statutes, Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Receive update and advice regarding both ATC/PSC, BARD Lawsuit, Opioid Lawsuit and Bloomfield Citation update). Sup. Storti seconded. Motion carried.

Aye-17 Nay-0

Entered closed session at 9:08 p.m. with Administrator Bierke, Corp. Counsel Morzenti and Atty Frank Jablonski.

Sup. Benish moved to return to open session. Sup. Storti seconded. Motion carried.

Aye-17 Nay-0

Entered open session at 9:59 p.m.

Action from closed session: None

Sup. Benish moved to adjourn to July 20, 2021. Sup. Storti seconded. Motion carried.

Aye-17

Nay-0

Meeting adjourned at 10:00 p.m.

A handwritten signature in cursive script, reading "John M. Meyers".

John M. Meyers, Chair

A handwritten signature in cursive script, reading "Kristy K. Spurley".

Kristy K. Spurley, County Clerk

AGENDA ITEM COVER SHEET

Title: Highway Access Control Ordinance #800.02

☐ Original

☒ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

DESCRIPTION OF AGENDA ITEM (Please provide detailed information, including deadline):

Discuss and review proposed changes to the Highway Access Control Ordinance to define pre-existing use driveway types and the level of allowed usage and restoration of them related to County Highway improvement projects.

RECOMMENDATIONS (IF ANY):

Review and discuss issues with ordinance versus state statute 86.05. Recommend to approve and forward to the County Board for amendment of the Ordinance.

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

Proposed Edited copy of the Ordinance.

FISCAL IMPACT:

NONE as written.

LEGAL REVIEW PERFORMED:

☒ Yes

☐ No

PUBLICATION REQUIRED:

☐ Yes

☒ No

PRESENTATION?:

☒ Yes

☐ No

How much time is needed? 10 + Minutes

COMPLETED BY: CRH

DEPT: HWY

2/3 VOTE REQUIRED:

☐ Yes

☒ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE: 06-28-21

AGENDA ITEM # 9

COMMITTEE ACTION:

IOWA COUNTY

HIGHWAY ACCESS CONTROL ORDINANCE

Adopted on 02/16/2010
Adopted as amended 08/18/2015
Adopted as Amended 12/18/2018
Adopted as Amended 09-09-2019

Highway Access Control

Section 1 Title and Purpose

(a) Title

This ordinance shall be known, cited and referred to as:
THE IOWA COUNTY HIGHWAY ACCESS CONTROL ORDINANCE.

(b) Purpose

This Ordinance shall be established to create uniform, concise, and consistent guidance for the control of ingress/egress access to/from the County Trunk Highway System.

Section 2 Authorization, Jurisdiction and Severability

(a) Statutory Authorization

This ordinance is established by the provisions set forth in Section 86.07(2) of the State of Wisconsin Statutes and Chapter TRANS205 and TRANS231 of the Wisconsin Administrative Code.

(b) Jurisdiction

This Ordinance shall have jurisdiction over all existing or proposed accesses to County Highways within Iowa County. Standards set forth by this Ordinance apply only within the right-of-way of County Highways. Townships regulate construction of driveways beyond the right of way line. Landowners should contact their township clerk to determine what additional requirements may exist in the respective townships.

(c) Severability

Should any section, clause, provision or portion of this Ordinance be adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 3 Definitions

For the purpose of simplicity, the following terms shall be applied as indicated throughout this ordinance.

(a) **General**

- (1) The present tense includes the future tense and the singular tense includes the plural.
- (2) The word “shall” is mandatory; the word “may/should” is permissive.
- (3) The words “used” or “occupied” also mean intended, designed or arranged to be used or occupied.
- (4) The word “person” includes any individual, firm, association, joint stock association, organization, partnership, limited, trust, body politic, governmental agency, company, corporation and includes any trustee, receiver, assignee, or other representative thereof.
- (5) All distances unless otherwise stated shall be measured in the horizontal direction.

(b) **Definitions**

ACCESS – Driveway or road access point for any motorized/non-motorized Vehicle, except for State of Wisconsin funded snowmobile trails.

ACCESS PERMIT – A permit from the Iowa County Highway and Transportation Department granting access onto a CTH.

ADT – Average Daily Traffic generated on a given road or highway.

ALTER, MODIFY, RECONSTRUCT – To change the slope, location, length, width, access point, to completely remove and rebuild in whole or in part, or to conduct any similar activity with regard to an access.

COUNTY HIGHWAY – Any segment of a road under the jurisdictional maintenance authority of the Iowa County Highway Department.

DRIVEWAY – Any access built in accordance with and to the standards of this Ordinance for motorized/non-motorized vehicles to one or more parcels.

HIGH HAZARD POTENTIAL – shall be a phrase utilized for driveway access locations which contribute to traffic accidents or accident history as a

result of its physical location and restrictions in visibility due to terrain, highway construction, or other geographical features. May also be utilized for driveway access locations which do not meet adequate stopping sight distance criteria for visibility.

HIGHWAY COMMISSIONER – Iowa County Highway Commissioner or his/her designee

LANDOWNER – shall be the person(s) whom have legal possession of or legal access to; via an easement or other legal document, the land abutting, adjoining, and contiguous to the County highway Right-of-Way.

LIMITED ACCESS HIGHWAY – Highways (or segments of highways) on which access is provided with entrance and exit ramps (US Hwy 151).

NON-CONFORMING ACCESS – An access which existed prior to the adoption of this Ordinance as a point of entry to the County Trunk Highway but does not comply with the definitions of Pre-existing Use Access or Driveway. An access

PARCEL – The area of land within the property lines of a given piece of property.

PRE-EXISTING USE ACCESS – An access which existed prior to the adoption of this Ordinance and is a defined point of entry/exit to/from the County Trunk Highway as designated by at least two or all of the following:

- A. The location has an existing in place and maintained County approved Fire Number sign;
- B. Identified by having a defined driveway bed, sideslope, and culvert;
- C. Identified by having the existing asphalt surface paving notch bump outs;
- D. Identified as being notably visible on the County GIS 1968 Black and White Aerial photos.
- E. Or having a previously issued driveway permit application issued and installed under an earlier version of this Ordinance.

ROAD – Any road, street, alley, expressway, highway, avenue, parkway,

lane, drive, boulevard, circle, bypass or other pathways intended for the use of motorized/non-motorized vehicles to obtain access to more than two parcels.

ROUTINE MAINTENANCE – Regular or customary maintenance activity for an access point, to include; for example, snow removal, mowing, and addition/grading of gravel for gravel driveways or road access points so long as the slope, location, length, width, or type of surface material of the driveway or access point is not substantially altered.

RURAL Highway – Any County Highway with a 55 M.P.H. speed limit.

SEMI-URBAN Highway– Any County Highway outside of the municipal boundaries of a city or village with a speed limit below 55 M.P.H.

URBAN Highway – Any County Highway within the municipal boundaries of a city, village, or township with a speed limit below 36 M.P.H.

Section 4 Permit Required

No access subject to this Ordinance shall be installed, altered, changed, replaced or extended until an application for an access permit has been approved by the Iowa County Highway Commissioner or his/her designee. Application forms and information can be obtained from the Iowa County Highway Department.

Section 5 Regulations

a) Non-Conforming Access

An access that existed prior to the adoption or amendment of this Ordinance; which has not been previously permitted under this Ordinance or does not fit the definition of a Driveway or a Pre-existing Use Access as defined in Section 3. A non-conforming access location is identified as not having a defined driveway access point. The presence or existence of a gate in the

fence line at a point in question is not justification in itself of being a Pre-existing Use Access.

A Pre-existing Use and Non-conforming access may be continued to be used although it does not meet the standards of this Ordinance. However, other than routine maintenance; any act to alter, modify or reconstruct the access; replace a culvert; reshape the approaches or drive itself; or a change in the nature of its use or the parcel's use shall require full compliance with this Ordinance. It is the responsibility of the applicant to provide adequate evidence of a Non-conforming Access or Pre-existing Use access to the Highway Commissioner.

The County will restore driveways along and as a result of Highway Improvement projects in the following manner:

- (1) A previously permitted driveway access will be restored, to the standards of this ordinance, to a substantially similar level of improvement as that which existed prior to the performance of the highway improvement project
- (2) A "Pre-existing Use Access" will be matched into the highway improvement in like / similar surface materials at the existing level of improvement width, grade, and construction between the right of way line and the improvement (IE the County will not be required to improve the drive to the standards of this Ordinance).
- (3) A "Non-Conforming Access" driveway or property entrance shall be vacated, and it shall be the responsibility of the Non-conforming Access driveway or property entrance landowner to apply for a Highway Access permit. In this situation, if no permit application is filed or the permit application is denied, the Non-Conforming Access driveway or property entrance may be determined by the Highway Commissioner to be vacated. It is the responsibility of the landowner of a "Vacated Access" driveway or property entrance to apply for a Highway Access permit to restore, alter, modify, or reconstruct highway access.

When a Non-conforming or Pre-existing Use access is identified as causing damage to the highway or shoulder, the lack of maintenance thereof causes drainage issues or obstructions to the county right-of-way, or the lack of maintenance thereof is leading to erosion of surface materials and deposits onto the county highway; the Highway Commissioner may deem the access

as deficient and issue a written Notice of Deficiency and Order for Remediation. In cases of excessive surface erosion onto the highway system, the Highway Commissioner may order the landowner to pave the access portion within the right-of-way. Any access improved in response to a Notice of Deficiency and Order for Remediation shall comply with these Ordinance requirements and be required to obtain a permit.

When a Non-Conforming or Pre-existing Use access creates a high hazard potential; either due to accident history or sight visibility concerns, the Highway Commissioner is hereby authorized to declare it closed provided a new access can be provided that will serve the same purpose of the existing, in a location that is deemed a lower hazard potential. The landowner shall relocate said access to be in compliance with these Ordinance requirements, and obtain a permit. In any case, a high hazard potential access shall be encouraged to be discontinued as soon as practicable.

b) Vacated access

If the Highway Commissioner considers the use of a Pre-existing Use access to have been discontinued to the point where it is not being properly maintained, the Highway Commissioner shall notify the owner that the access is to be brought into proper condition or it will be considered vacated.

If the Highway Commissioner considers the use of a Non-conforming Access is causing damage to the Roadway or Highway infrastructure; the Commissioner shall notify the owner that the access is non-conforming, considered vacated, and its' use shall be immediately ceased by the owner.

The Notice from the Highway Commissioner shall identify what issues or concerns have led to the determination of the access to be considered vacated. For an access determination of Vacated; the landowner will be required to obtain a permit and be subject to the regulations of this Ordinance as a request for new access, including relocation if necessary. For Driveways considered as and Notice Provided as Vacated; any further usage thereof shall be ceased immediately. And, the access will no longer be considered a Non-Conforming or Pre-Existing Use access.

c) Access to Highway

1. Entrance upon or departure from a County Highway shall be prohibited except at Pre-existing Use accesses, Non-Conforming accesses, or permitted locations specifically designated by this section. No Non-conforming or Pre-existing Use access shall be improved; no new road or access shall be opened into or connected with any County Highway, and no previously permitted access shall be converted from one type of use access to another type of use access without an access permit in accordance with this Ordinance.
2. Access permits onto a County Highway shall only be granted to a landowner as defined in Section 3 of this Ordinance.
3. The permit applicant shall state the purposes for the type of access to be requested as one of the following, which shall set forth the requirements for construction or improvement;
 - a. TYPE A – AGRICULTURAL RESIDENTIAL OR RESIDENTIAL – access to one or two agricultural-residential or residential parcels. Agricultural-residential zoned properties which are also utilized as an agricultural equipment access point should be applied for as a Type B agricultural/field access.
 - b. TYPE B – AGRICULTURAL/FIELD – access for the primary purpose of agricultural equipment access to/from agricultural or horticultural field parcels or homesteads.
 - c. TYPE C – COMMERCIAL – access to residential parcels with 3 to 20 units or less or commercial/industrial land-use zoning with 25,000 square feet or less of improvements
 - d. TYPE D – INDUSTRIAL – access to residential parcels of 20+ units and commercial or industrial parcels with 25,000 square feet or more of improvements.

d) Access Spacing and Frequency

- (1) No more than six (6) accesses for agricultural use shall be allowed along the same side of a County Highway within a linear mile for any single property owner.
- (2) Only one access for residential use shall be allowed per a given residence. In the event where a second access for a U-shaped driveway is proposed, the minimum access spacing listed in (6) shall be met.
- (3) When a landowner requests an access to be installed within the minimum horizontal spacing distance from the property line as measured at the Highway centerline to be less than :

300 feet for a Rural County Highway
150 feet for a Semi-urban County Highway
100 feet for an urban County Highway.

- a. If reasonably possible given other site considerations including topography and the required sight and stopping distances; highway driveway accesses shall be shared at the property line with an adjacent parcel. In the instance of installing a shared access drive, each driveway shall require a permit and shall meet the requirements of Section (f) Design Standards of this Ordinance with exception to Existing Driveways as defined in Section 5 (a).
 - b. If an applicant does not request a shared property line access and the width of the parcel is less than the minimum horizontal spacing distance listed above, such that a highway access cannot be installed and meet the offset distances listed above; the access shall be placed to be in compliance with the required sight and stopping distances while maintaining the largest horizontal spacing distance possible given the constraints of the width of the parcel.
 - c. Otherwise, the access location shall meet the horizontal spacing dimensions listed above and be situated where topography sight and stopping distance criteria can be met.
- (4) The number of accesses for commercial and/or industrial use shall be commensurate with the demonstrated need and suitable for the anticipated traffic conditions.
- (5) When there is an option between granting an access to more than one road for a given property, the road with the lowest average daily traffic and hazard potential shall be favored.
- (6) The minimum horizontal distance between accesses along the same side of a County Highway as measured at the centerline shall be:
- 300 feet for a Rural County Highway
150 feet for a Semi-urban County Highway
100 feet for an Urban County Highway
- (7) The minimum distance that an access shall be from the intersection of a public road with a County Highway, as measured to the centerline of the intersecting public roads, shall be:
- 600 feet for a Rural County Highway
450 feet for Semi-urban County Highway
250 feet for an Urban County Highway

Where possible, roads should not be staggered, creating “T” intersections, but connect with another road on the other side of the highway.

- (8) Safety shall not be interfered with due to access locations near hills, curves, or other locations; which may not be in clear and apparent view of on-coming traffic.

e) Paved Apron

Access onto a County Highway may require a paved apron within the right-of-way of the County Highway, at the owner’s expense, in instances when usage or drainage warrants as may be determined by the County Highway Commissioner.

f) Design Standards

Accesses within the County Highway right-of-way must comply with the following design standards:

- (1) CULVERTS, when required, must be at least 30 feet in length plus apron end walls, placed at a depth of at least 1 foot under the surface of the access, be a minimum of 15 inches (38.1 cm) or equivalent in diameter or as large as determined necessary for adequate drainage by the County Highway Commissioner, be at least 10 feet (3.048 m) from the end of the nearest culvert, and be constructed of corrugated metal or concrete, with apron end walls. Polyethylene, Polypropylene, or Plastic pipe and/or apron end walls shall not be allowed.
- (2) ACCESS HEIGHT at the point of the culvert shall be equal to or lower than the level of the outside edge of the County Highway shoulder.
- (3) SLOPES to the side of the access shall not be steeper than 4 to 1 (25 percent desirable) or that of the embankment of the existing County Highway, whichever is less.
- (4) RETAINING WALLS, STONE WALLS, ETC. shall not be allowed on driveways within right-of-way.
- (5) ANY PAVEMENT surface or combination of base coarse aggregate, asphalt, or concrete shall be a minimum thickness as specified in (12). Any pavement of access shall consist of asphalt or be similar in material to the adjoining County Highway surface (concrete shall only be allowed if the adjoining County Highway surface is concrete) to a minimum distance of 5 feet from the outside edge of the existing paved portion of the highway.

- (6) ANY PAVEMENT in the right-of-way, whether new, resurface, or replacement may be required to be replaced at the owner's expense when it causes a safety or drainage problem, as deemed necessary by the Highway Commissioner.
- (7) CROWNING of access shall be provided with a minimum pitch of 2 percent towards the side of the access. Ditches may have to be created along the driveway to accommodate runoff from the driveway entrance to control and preclude runoff entry onto the county highway.
- (8) CURB AND GUTTER shall not be allowed within the County Highway right-of-way for private accesses; except for type C or D accesses as approved on a case by case basis.
- (9) ANGLE of a driveway shall be as close to 90 degrees with the center-line of the County Highway as possible, but not less than 75 degrees.
- (10) FACING ACCESS on opposite sides of a County Highway shall be located directly opposite each other whenever possible.
- (11) SHARED ACCESS is encouraged to minimize the number of access points and interruption of traffic flow.
- (12) TYPE OF DRIVEWAY ACCESS being requested shall be specified by the landowner/applicant based on the following criterion:
 - 1. TYPE "A" ACCESS: PRIVATE DRIVEWAYS with access to one or two zoned agricultural-residential or residential parcels must have a minimum driveway width of 12 ft. (3.6575 m) as measured at the right-of-way line and a return radius of 20 feet (6.096 m). The driveway surface shall be a minimum of 12-inches of thickness. Owner shall determine the thickness of desired paved surface, if so desired at the location. The paved surface may be asphalt, concrete, or other non-porous materials in compliance with this ordinance. For concrete surface driveways, a minimum of 6-inches of base coarse shall be installed as a sub-material. For asphaltic pavement surfaces, a minimum of 8-inches of ¾-inch or 1-1/4 –inch crushed aggregate base coarse shall be installed under the asphaltic surface. For unpaved entrances, there shall be a minimum of 6-inches of nominal 3-inch to 6-inch breaker run and 6 inches of ¾-inch or 1-1/4-inch dense crushed aggregate base coarse. Sand or existing bedrock may

be utilized to meet the breaker run requirements specified herein, if part of the natural geology of the location(see drawing attached hereto).

- b. Type “B” ACCESS standards (see diagram attached hereto) must be used for agricultural equipment access parcels or field entrances to agricultural parcels or agricultural-residential parcels or homestead access, must have a minimum driveway width of 16 ft. (4.8767m or greater) as measured at the right-of-way line, and a return radius as illustrated in the drawings attached hereto for Type B driveways. Owner shall determine overall thickness of base coarse based upon the size of equipment utilizing the access, it is recommended to follow the NRCS and FHWA guidance on base coarse design for agricultural equipment. As a minimum, the drive shall consist of 12-inches of nominal 6-inch breaker run and 8-inches of nominal $\frac{3}{4}$ -inch crushed aggregate base coarse or 1-1/4-inch crushed dense aggregate base coarse within the right-of-way. Sand or existing bedrock may be utilized to meet the breaker run requirements specified herein, if part of the natural geology of the location.
- c. TYPE “C” ACCESS standards (see diagram attached hereto) must be used for residential parcels with 3-20 units and commercial or industrial parcels with up to 25,000 square feet of improvements (2,322.5 sq. m), must have a minimum driveway width of 22 ft. or more (6.705m or greater), and radii as illustrated in the drawings attached hereto for Type C driveways. As a minimum non-paved accesses shall consist of 6-inches of nominal 6-inch breaker run and 8-inches of nominal $\frac{3}{4}$ -inch or 1-1/4-inch dense base coarse aggregate. Accesses which contribute 101 ingress/egress uses per day or more shall have a paved surface. . BYPASS LANE may be required where the ADT of the County Highway the access enters onto is 2500 or more for type C access.
- d. TYPE “D” ACCESS standards (see diagram attached hereto) must be used for residential parcels with over 20 units and commercial or industrial parcels over 25,000 square feet of improvements (2,322.5 sq. m), must have a minimum driveway width of 22 ft. or more (6.705m or greater), and return radii as illustrated in the drawings attached hereto for

Type D driveways. As a minimum non-paved accesses shall consist of 6-inches of nominal 6-inch breaker run and 8-inches of nominal $\frac{3}{4}$ -inch or 1-1/4-inch dense base coarse aggregate. Accesses which contribute to 101 ingress/egress uses or more shall have a paved surface. BYPASS LANE is required where the ADT of the County Highway the access enters onto is 1000 or more for type D access.

- (13) TURNAROUNDS should be provided on the property so that vehicles do not back out onto a County Highway.
- (14) EXISTING CTH PROPERTY including road surfaces, curbs, shoulders, slopes, ditches and vegetation shall be restored to its original condition.
- (15) VISION CORNERS must be free of all obstructions at each access point in accordance with the applicable Vision Corner diagram attached hereto. Driveway vision corners are to be measured from a point 3.5 feet (1.0668 meter) above the driveway surface at the center of the proposed access, 15 feet (4.572 meter) back from the edge of the pavement of the County Highway, to two points 4.5 feet (1.3716 meter) above the surface of the center of the nearest on-coming lane of the County Highway in each direction, at a distance of "D" from the point where the County Highway meets the center of the proposed access. The "D" = Distance Table shall correspond to the posted speed limit of the County Highway in the vicinity of the access. If the posted speed limit of the County Highway is not given in the attached Vision Corner diagram D = Distance Table, the next highest speed limit shall be used. Signalized intersections at an access shall need to meet the standards provided for driveways, in addition to review and approval by the Highway Commissioner.

Section 6 Administration and Enforcement

(a) Administration

The Highway Commissioner is hereby authorized to administer this ordinance.

Applications for permits shall be made to the County Highway Commissioner or his/her designee who shall review the proposed development or construction and shall either grant or deny the proposed

access based upon the provisions, standards, and requirements of this ordinance, within fifteen (15) working days. A working day shall be determined as those days in which the County Highway Department performs its' daily operations.

(b) Interpretation

All restrictions on the use of land are restricted to the objects, growth, and use of land within the right-of-way of the Iowa County Highways.

Whenever it is questionable as to whether or not an object or a part of an object is within the jurisdiction of this ordinance, the entire object shall be considered to be entirely within.

(c) Permits for Driveways and Obstructions such as Fences, Shrubs, Etc., On Highway Access

No structure, object, excavation nor growth shall be constructed, reconstructed, altered, placed, installed, or planted within the right-of-way of a County Highway until an access permit has been issued by the Highway Commissioner. Any proposed placement of an object, structure, or growth shall be clearly noted on the access permit application and shall be limited to items such as mail boxes, fire number posts, culverts, apron end walls, delineators, reflectors, and items specifically required for construction of an access. No objects which are of a non-breakaway design shall be allowed within the clear zone of the County Trunk Highway, as defined by the Wisconsin Department of Transportation Facilities Development Manual Chapter 11.0. Said permit shall be placed in clear view as near to the point of proposed construction or access as possible.

An access permit shall expire one year from the date of issuance. All construction must be completed within this time with the final approval inspection made by the Highway Commissioner. The Highway Commissioner may extend approval of an access permit once for a maximum of an additional six (6) months.

The permit recipient shall be liable for all materials, labor and other costs connected with the construction of the access within the highway right-of-way. The County shall not be liable for any damage or injury which results from the construction of an access. Iowa County shall not be responsible for any maintenance of a private access/access culvert including the removal of snow, ice, or sleet from the access.

Temporary driveways. A temporary driveway may be installed under the issuance of a one-time per property Work-in-Right-of-Way permit; however, the temporary driveway must be removed within one year of the date of the issuance of the Work-in-Right-of-Way permit. The removal of the driveway must restore the right-of-way to its' pre-existing condition. And any temporary driveway constructed shall meet the requirements of this ordinance with exception to the centerline-to-centerline driveway spacing requirements listed in Section 5 (d) (6) listed herein.

(d) Hazard Marking and Lighting

Any access location during construction within the right-of-way shall be provided with adequate hazard marking and lighting to prevent possible accidents. The hazard marking and lighting shall be the responsibility of the owner of the parcel to which the access will enter. Driveway markers may be installed at access points to aid in entry during low visibility timeframes. Any markers utilized shall be designed as a breakaway type when struck by a vehicle.

Lighting for delineation of driveways shall not be allowed within the right of way. Owners may install lighting of low intensity along their driveways on private property; off of highway right of way in accordance with any zoning requirements.

Wisconsin State Statute 346.41 (3) precludes the use of any red or amber reflector within the highway right of way. Landowners shall be allowed to install blue reflectors to illuminate private entrances at night or during poor visibility to facilitate entry. Reflectors, if installed on the right-of-way; shall be located within ten (10) feet of the right-of-way line and along the driveway. Reflectors installed on right-of-way shall be retroreflective in compliance with the Manual of Uniform Traffic Control Devices and 3 inches in diameter. Reflectors shall be allowed in a vertical arrangement of one to three. The top of the top reflector shall be mounted at a height of four (4) feet above the near edge of the driveway surface it is installed to delineate.

(f) Appeals

Any person aggrieved by any decision made in the administration of this ordinance may appeal to the Iowa County Public Works Committee. Appeals shall be filed within thirty (30) calendar days following the

administrative decision by the Highway Commissioner. Appeals shall be filed in writing with the Highway Commissioner. The appeal shall specify the legal description or tax parcel ID number of the parcel, access location in question, and the reason given for the appeal.

The Public Works Committee shall make a decision on the appeal within sixty (60) calendar days from the day the appeal was filed. The decision of the Public Works Committee shall be made by the majority present.

(g) Violations and Penalties

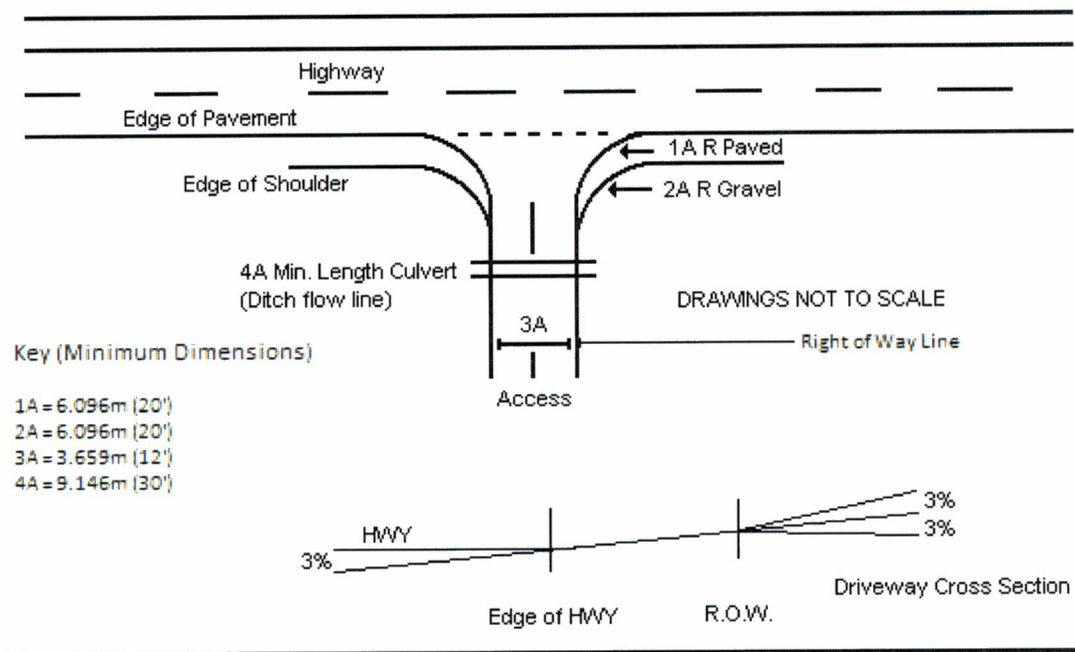
- 1) Violations may be pursued by either the issuance of a citation, referral to the District Attorney's Office as a formal complaint or both as authorized by this Ordinance.
- 2) Any construction which is in violation of this Ordinance or occurs without a permit therefore; shall immediately cease upon written order or the placement of a notification of violation at the site by Iowa County or the Highway Commissioner, and construction may not resume until the order is released by the County or the Highway Commissioner.
- 3) Violations of this Ordinance shall be prosecuted by Iowa County Corporation Counsel upon referral from the Highway Commissioner.
- 4) Any person who fails to comply with the provisions of this ordinance, or with any order of Iowa County or the Highway Commissioner issued in accordance with this ordinance, may be subject to a forfeiture of not less than \$10.00 nor more than \$200.00 plus court costs for each violation. The issuance of a citation by Iowa County shall not be deemed as waiver of further enforcement action, and payment of this citation shall not be deemed as compliance. Each violation and each day in which a violation continues to exist shall constitute a separate offense.
- 5) After the fact fees: The following fees apply for construction of a driveway begun before a required permit is secured:
 - a. First Offense – Triple the regular fee
 - b. Second Offense - Quadruple the regular fee
 - c. Third Offense - Quadruple the regular fee plus a citation.

Each offense is exonerated if, after 36 months, there have been no subsequent offenses by the property owner. These fees pertain to the property owner regardless whether the effected property is the

same from one offense to another; and regardless of who may have installed the driveway.

TYPE “A” RESIDENTIAL ACCESS

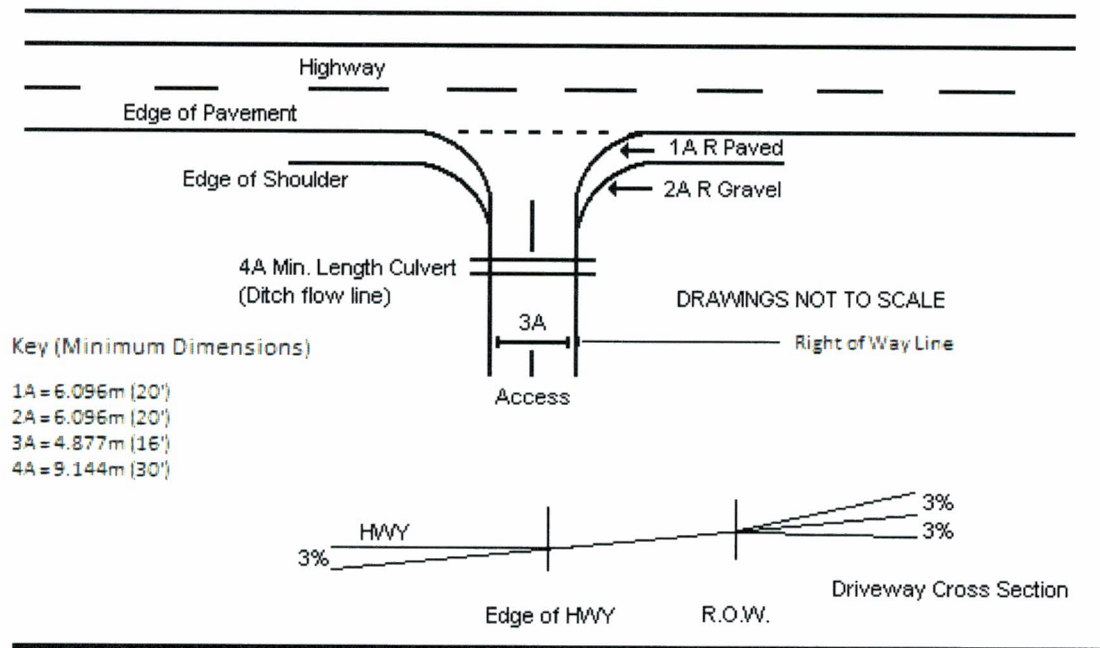
Access Design Standards



For Access Described in Section 5 f. (12a)

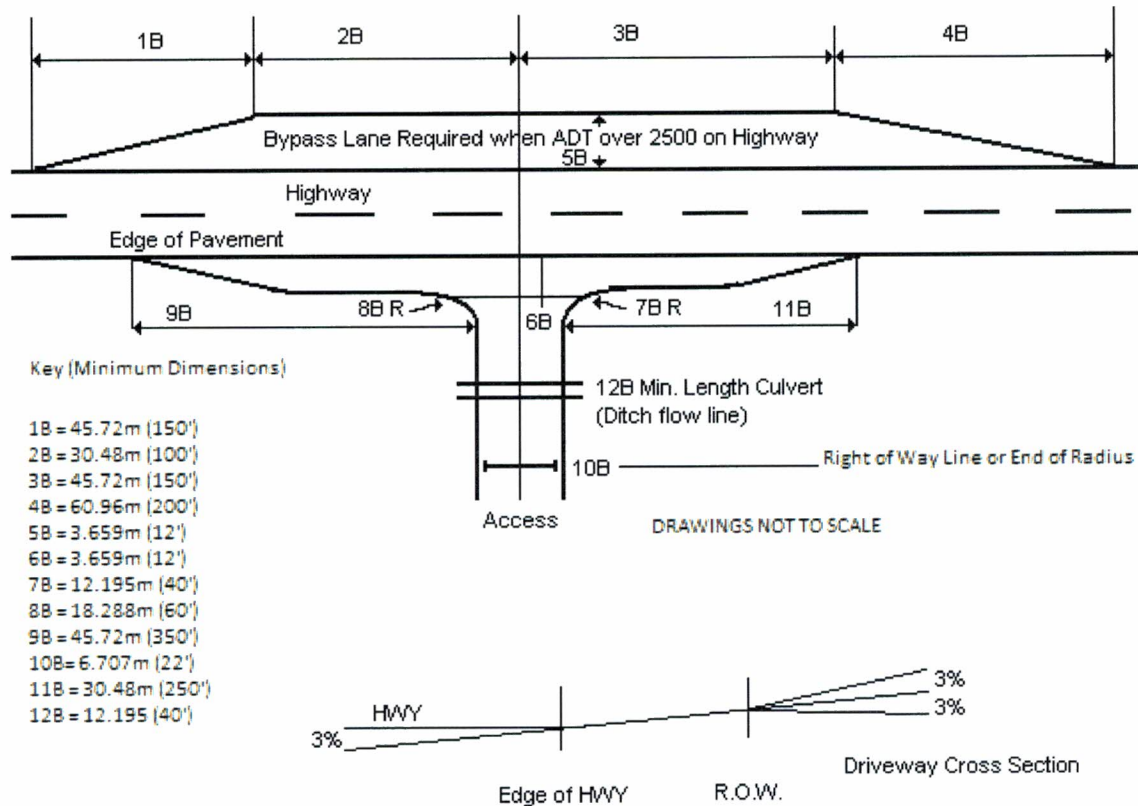
TYPE “B” AGRICULTURAL FIELD ACCESS

Access Design Standards



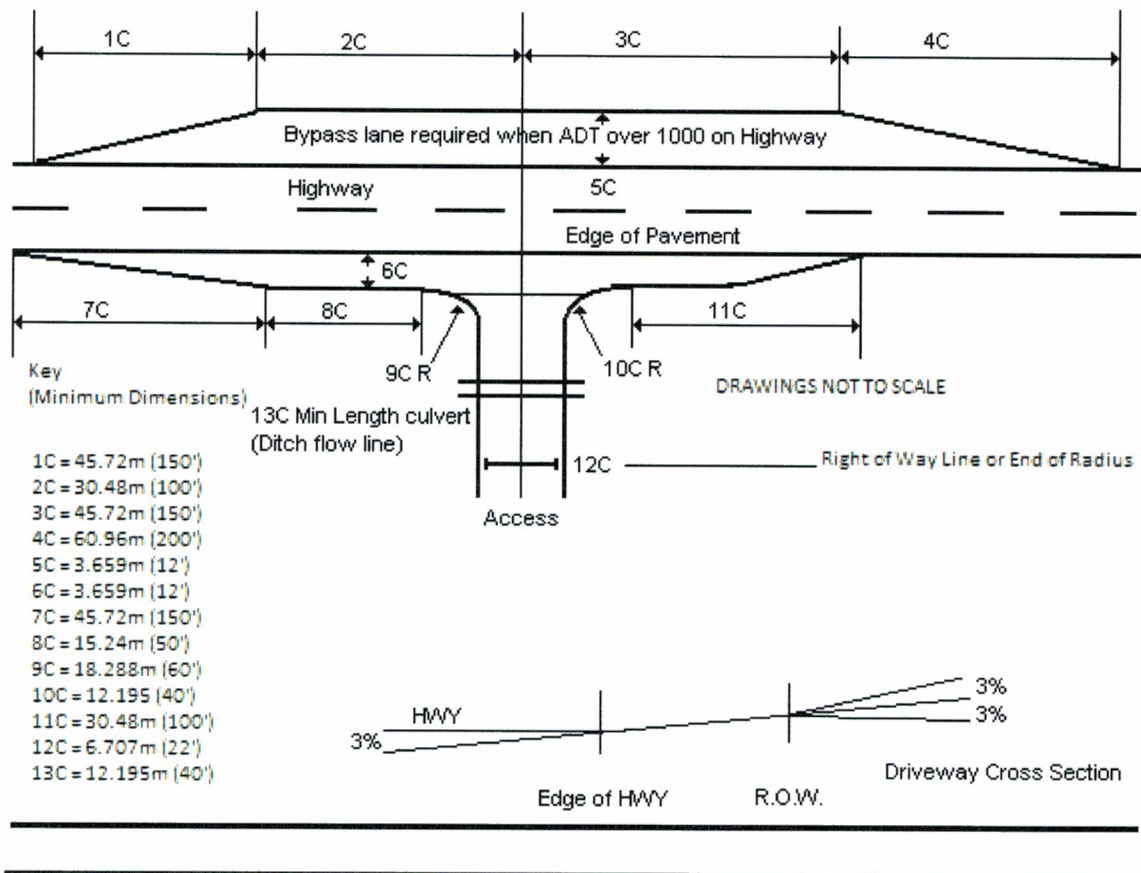
For Access Described in Section 5 f. (12b)

TYPE “C” COMMERCIAL ACCESS



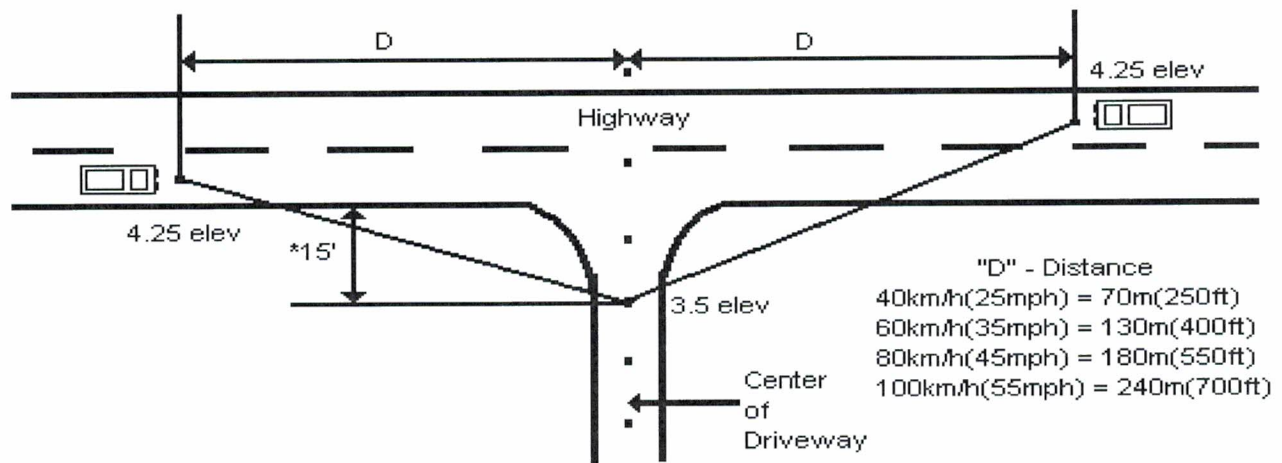
For Access Described in Section 5 f. (12c)

TYPE "D" INDUSTRIAL ACCESS



For Access Described in Section 5 f. (12d)

VISION CORNER DIAGRAM



DRAWINGS NOT TO SCALE

For Access Described in Section 5 f. (15)

AGENDA ITEM COVER SHEET

Title: Approval of Blackhawk Lake Operations Agreement /Dam Fund Resolution

☒ Original

☐ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

DESCRIPTION OF AGENDA ITEM (Please provide detailed information, including deadline):

The agreement between Iowa County and the Cobb-Highland Recreation Commission for the operation of Blackhawk Lake Recreation Area has been updated to address deficiencies from the 2015 Agreement. A resolution to create a fund for the Blackhawk Lake dams was created to establish a mechanism for cooperative contributions by both parties. Both the Commission and the Land Conservation Committee negotiated and approved the documents.

RECOMMENDATIONS (IF ANY):

The Land Conservation Committee recommends approval.

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

Blackhawk Lake Operations Agreement; Resolution Establishing a Fund to Repair or Replace the Dams at Blackhawk Lake

FISCAL IMPACT:

Up to \$40,000 per year from the Capital Improvements Fund, not to exceed a total of \$300,000

LEGAL REVIEW PERFORMED:

☒ Yes

☐ No

PUBLICATION REQUIRED:

☐ Yes

☒ No

STAFF PRESENTATION?:

☐ Yes

☒ No

How much time is needed? _____

COMPLETED BY: Katie Abbott

DEPT: Land Conservation

2/3 VOTE REQUIRED:

☐ Yes

☒ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE:

AGENDA ITEM #

COMMITTEE ACTION:

BLACKHAWK LAKE OPERATIONS AGREEMENT

This Operations Agreement (hereinafter "Agreement") is made by and between Iowa County, a municipal corporation (hereinafter "County"), the Iowa County Land Conservation Committee (formerly known as the Iowa County Land Conservation Commission and hereinafter "LCC"), and the Cobb-Highland Recreation Commission (hereinafter "Commission"), collectively referred to as the "Parties."

RECITALS

WHEREAS, the Cobb-Highland Recreation Commission, duly organized under s. 66.30, Wis. Stats., was formed in 1966 for the purpose of purchasing land for the Blackhawk Lake recreational project which developed from the Otter Creek watershed project. The Commission, since duly organized, was empowered to borrow money, purchase lands and assume operational control of the recreational facility through the Villages of Cobb and Highland;

WHEREAS, the Commission followed through on said project and did by letters dated July 30, 1976, request the State of Wisconsin to assume their interest and obligation with respect to the Blackhawk Lake project due to the Commission's inability to meet loan repayment demands on the project's borrowed purchase money;

WHEREAS, the State of Wisconsin agreed to assume said liability and control in 1977 contingent upon an agreement with Iowa County and the Iowa County Soil & Water Conservation District, now known as the LCC, as follows:

1. The State would retire FHA revenue bond indebtedness of \$450,000;
2. The State would receive title to the Commission park acreage of approximately 380 acres;
3. The Iowa County LCC would agree by easement to assume full operational responsibility and control of the park under a condition that the LCC would repay all State and Federal monies expended for land acquisition and development of the facility if the LCC ever failed to continue to operate the Blackhawk Lake Recreation Area; and
4. The LCC would continue to assume responsibility for maintenance of the dams;

WHEREAS, this State proposal was accepted by the Commission and the Village of Cobb in February 1978, and by the LCC and the Village of Highland in March 1978. The State, through the Department of Natural Resources (DNR), granted the County and LCC the Easement described above on December 13, 1979, which Easement is recorded in Volume 343 of Records, Page 76, Iowa County Register of Deeds;

WHEREAS operational control and authority over the Blackhawk Lake Recreation Area was previously defined in an operations agreement entered into by the Parties on July 9, 1986; and on October 14, 2015, an updated operations agreement was signed by the Parties;

WHEREAS the Parties wish to now amend and replace the 1986 and 2015 agreements; and

WHEREAS, the Cobb-Highland Recreation Commission continues to be duly organized under s. 66.0301, Wis. Stats., the current statute authorizing Intergovernmental Cooperation; and the County, LCC, and Commission continue to have the authority to enter into this agreement under s. 66.0301, Wis. Stats.;

NOW, THEREFORE, County, the LCC, and the Commission hereby enter into this Agreement, which supersedes and replaces all prior operations agreements between the Parties with respect to the Blackhawk Lake Recreation Area, and agree as follows:

1. Unless delegated to the Commission by Ordinance, Resolution, or under this Agreement, all powers concerning the operation, improvement, management and control of the Blackhawk Lake Recreation Area shall vest in Iowa County. The County may direct any or all such powers to be exercised by its agents, employees, committees or duly appointed commissions, including the LCC, as the County Board of Supervisors in their sole discretion determines appropriate.
2. Unless otherwise amended or directed by Ordinance or Resolution of the Iowa County Board of Supervisors, day-to-day operation and management of the facility shall now be undertaken by the Commission. Said day-to-day control shall be designed to ensure the uninterrupted use and continuation of the facility as a park and recreational facility for the general public. Unless otherwise agreed to by the Parties, the Commission shall assume without limitation among its operating powers the right and duty to maintain buildings, grounds, and equipment of the park. It shall supervise the public's use of the park and maintain order and cleanliness in the park. It shall ensure that landscapes and vegetation remain natural and unaltered by prohibiting cropping or grazing on park lands. The responsibility for road repair, maintenance, and construction shall be shared by the Parties and shall be described and governed by a separate Memorandum of Understanding (MOU), authorized by the terms of this agreement, which is approved and signed by the Iowa County Highway Commissioner and Blackhawk Lake Recreation Area Manager.
3. The Commission agrees to indemnify and hold harmless the County, the LCC and the State of Wisconsin Department of Natural Resources for any and all claims and related costs incurred by virtue of any claim made resulting from the use, operation, occupancy, management or maintenance of the Blackhawk Lake Recreation Area. The Commission further agrees to maintain a policy or policies of general public liability insurance indemnifying the Commission, the County, the LCC and the State of Wisconsin Department of Natural Resources for any and all liability with respect to ownership and operation of the park. The Commission shall provide proof of such coverage to County and the LCC upon execution of this Agreement and annually thereafter, and such coverage shall include:

A. Contractual liability coverage.

- B. Liability coverage for bodily injury liability and property damage liability in the amount of at least \$1,000,000.00 combined limits.
4. The County through its departments and committees, including the LCC, shall be solely responsible for maintenance and repair of the dams holding Blackhawk Lake. However, Iowa County shall establish a dam repair or replacement fund, and the Commission will contribute at least \$1,000.00 annually to the fund to ensure sufficient funding is available should significant maintenance, repair, or replacement of the dams be required in the future. The terms and conditions of the dam repair or replace fund will be governed by separate agreement, instrument, resolution, or ordinance; but only expenses that are jointly authorized by both the County and Commission shall be paid from said fund.
 5. The Commission may in its discretion or as otherwise directed by the County charge user fees to the general public; and the Commission may also conduct retail, fund-raising and other revenue generating activities within the Blackhawk Lake Recreation Area, unless otherwise prohibited by law, regulation, ordinance, or resolution. All fees and revenues collected by the Commission shall be maintained in a special account in the Commission's name designated for the purpose of holding all such generated revenue. Revenues so generated may be expended by the Commission as necessary and appropriate for maintaining the facility but in no case may monies be extended in excess of funds available in said account. The County may in its discretion contribute to said account to provide revenues for operation or improvement of the facility. The Commission shall be responsible and shall pay first from available revenues repayment of aids in lieu of taxes paid by the State on properties included in the Blackhawk Lake Recreation Area.
 6. Each year at such time as is designated by the County or the LCC, the Commission shall prepare and file a written annual report with the LCC and the County indicating the status of operations at the facility. Said report shall include all information concerning the collection and disbursement of revenues including total receipts, the amount of money expended, the nature and purpose of the expenditures, and the person, business, corporation or group to whom the monies were paid. Said report shall also indicate the current status of the revenue account and amounts of accrued and unpaid expenses. The Commission shall undergo a financial audit annually and shall provide copies of the audit results to the LCC. Iowa County reserves the right to inspect financial records of the Commission upon request, and the Commission shall cooperate fully with any such request.
 7. The Commission shall not borrow more than a cumulative total of \$10,000.00 for any purpose related to the Blackhawk Lake Recreation Area without first obtaining approval of the County Board of Supervisors. The Commission shall obtain the appropriate and necessary zoning, building, or sanitary permits, as required, prior to constructing,

modifying, removing, or replacing any buildings, structures, or performing any other improvements to real property in the Blackhawk Lake Recreation Area. Except in the case of road construction, maintenance or improvement which will be governed by separate MOU, the Commission shall obtain written approval from the County and LCC prior to performing any such improvement to real property in the Blackhawk Lake Recreation Area in excess of \$10,000.

This agreement, for mutual considerations set forth above, is signed and sealed this ____ day of _____, 2021.

Iowa County, a municipal corporation
By:

Iowa County Land Conservation Committee
By:

County Clerk

Authorized Agent

Iowa County Board Chairman

Cobb-Highland Recreation Commission
By:

Authorized Agent

IOWA COUNTY BOARD OF SUPERVISORS
RESOLUTION 5-0721
RESOLUTION ESTABLISHING A FUND
TO REPAIR OR REPLACE THE DAMS AT BLACKHAWK LAKE

WHEREAS, Iowa County, a municipal corporation (hereinafter "County"), the Iowa County Land Conservation Committee (hereinafter "I-CC"), and the Cobb-Highland Recreation Commission (hereinafter "Commission"), collectively referred to as the "Parties," have properly entered into an Intergovernmental Cooperation Agreement pursuant to Wisconsin Statutes 96.0301 , designating responsibilities for the continued operation of the Blackhawk Lake Recreation Area; and

WHEREAS, the County through its departments and committees, including the I-CC, are solely responsible for maintenance and repair of the dams holding Blackhawk Lake; and

WHEREAS, the proper repair or potential replacement of the dams holding Blackhawk Lake are critical to the safety of Blackhawk Lake Recreation Area guests and the neighboring communities as well as to the continued successful operation of the Blackhawk Lake Recreation Area; and

WHEREAS, the financial costs to repair or replace the dams holding Blackhawk Lake could be significant and are difficult to predict and readily ascertain; and

WHEREAS, the Iowa County Board finds it necessary to establish a dedicated fund to ensure financial resources are dedicated and readily available to pay for any necessary repairs, maintenance, or potential replacement of the dams holding Blackhawk Lake; and

NOW THEREFORE, BE IT RESOLVED, by the Iowa County Board of Supervisors as follows:

1. The Iowa County Board hereby directs the County Administrator to establish a Blackhawk Lake Dam Repair or Replacement Fund, consistent with the terms contained in the 2021 Blackhawk Lake Operations Agreement as signed and agreed to by the Parties.
2. Said fund shall be dedicated solely to costs directly associated with the repair or replacement of the dams holding Blackhawk Lake. Only expenses that are jointly authorized by both the County and the Commission shall be paid from said fund.
3. The Commission will contribute at least \$1 ,000.00 annually to said dam repair or replacement fund. The County hereby agrees to match "3 to 1" any contributions by the Commission to the said dam repair or replacement fund, up to a maximum annual matching contribution by the County of \$40,000.

4. Upon the said Blackhawk Lake dam repair or replacement fund attaining a balance of \$300,000, contributions by the Commission, and by the County, shall be suspended. The dam repair or replacement fund will continue to generate revenue and receive contributions through grants, donations, bequests, investments, and other appropriate activities.
5. Should the Parties determine that modifications or adjustments to the terms and conditions of the Blackhawk Lake dam repair and replacement fund are required, the changes shall be made by mutual written agreement of both Parties. Should the Parties determine in the future that there is no longer a need for the said dam repair or replacement fund, the fund may be dissolved by mutual written agreement of the Parties, and the remaining fund balance will be equitably distributed according to the percentages of contribution by each Party as agreed to by the Parties.

NOW BE IT FURTHER RESOLVED, by the Iowa County Board of Supervisors that: It is understood that the Blackhawk Lake dam repair or replacement fund is of great importance to the safe and continued operation of the Blackhawk Lake Recreation Area, and that by establishing the "Blackhawk Lake Dam Repair or Replacement Fund" the Parties are committing resources necessary to ensure the successful operation of the Blackhawk Lake Recreation Area now and into the future.

The above and foregoing Resolution was duly adopted by the Iowa County Board of Supervisors this _____ day of July, 2021.

John M. Meyers, Iowa County Board Chair

ATTEST:

Kristy K. Spurley, County Clerk

AGENDA ITEM COVER SHEET

Title: Resolution- Recommending Transfer of Funds from General Fund Balance

☒ Original

☐ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

DESCRIPTION OF AGENDA ITEM (Please provide detailed information, including deadline):

Resolution Recommending Transfer of Funds in 2021 from the Iowa County General Fund Balance to the Bloomfield Fund Balance

RECOMMENDATIONS (IF ANY):

Approve the transfer of \$1,162,404.40 from the General Fund Balance to Bloomfield Fund Balance

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

Resolution Recommending Transfer of Funds in 2021 from the Iowa County General Fund Balance to the Bloomfield Fund Balance, Bloomfield Fund Balance 2015-2019, Working Capital Prior to the Recommended Transfer, Working Capital After the Recommended Transfer

FISCAL IMPACT:

Reduction of \$1,162,404.40 to General Fund Balance

LEGAL REVIEW PERFORMED:

☐ Yes

☒ No

PUBLICATION REQUIRED:

☒ Yes

☐ No

PRESENTATION?:

☒ Yes

☐ No

How much time is needed? 10 minutes

COMPLETED BY: Jamie Gould

DEPT: Finance Department

2/3 VOTE REQUIRED:

☒ Yes

☐ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE:

AGENDA ITEM #

COMMITTEE ACTION:

RESOLUTION NO. 6-0721

Resolution Recommending Transfer of Funds in 2021 from the Iowa County General Fund Balance to the Bloomfield Fund Balance

TO THE HONORABLE IOWA COUNTY BOARD OF SUPERVISORS

WHEREAS, the Bloomfield Healthcare and Rehabilitation Center has been operating at a loss for many years; and

WHEREAS, the consecutive operating losses have created a deficit in the Bloomfield Fund Balance; and

WHEREAS, at the end of calendar year 2019, the audited Bloomfield Fund Balance was negative \$1,162,404.40; and

THEREFORE, BE IT RESOLVED THAT, the Executive Committee does hereby recommend to the Iowa County Board of Supervisors a transfer of funds from the Iowa County General Fund Balance to cover the deficit in the Bloomfield Fund Balance in the following 2021 account:

Bloomfield Fund Balance

610.00.34203.00000.000

\$ 1,162,404.40

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT: The Iowa County Board of Supervisors adopts the recommendations of the Executive Committee and approves the transfer of funds from the General Fund balance to cover the deficit in the Bloomfield Fund Balance at the end of calendar year 2019. The Board further directs the County Clerk to publish this Resolution pursuant to Wisconsin State Statute number 65.90 (5)(a) for the statutory requirement:

Respectfully submitted by the Iowa County Executive Committee

The above and foregoing Resolution was duly adopted by the Iowa County Board of Supervisors this ____ day of July, 2021.

John M. Meyers, Iowa County Board Chair

ATTEST:

Kristy K. Spurley, County Clerk

Iowa County - Working Capital Calculations
Working Capital Calculations Prior to the Recommended General Fund Balance Transfer to Bloomfield
2021 Adopted Budget

Calculation Step # in Working Capital Policy	<u>2021 -Budget - Expenditures - by Fund</u>	<u>2021 Budget</u>
	Total General Fund Expenditures	10,783,325.00
	Total Debt Service Fund Expenditures	3,563,438.00
	Total Special Revenue Fund Expenditures	6,456,632.00
	Total Capital Projects Fund Expenditures	1,717,030.00
	Total Enterprise Fund Expenditures	13,717,050.00
1	Total Expenditures for all Funds - 2021 Budget	<u>36,237,475.00</u>
2 & 3	Minimum Working Capital Level - 20% of Total Expenditures - 2021 Approved Budget	7,247,495.00
4-6 - see addendum A	Prior Year's Unaudited unreserved, undesignated Fund Balance - 12/31/20	
	General Fund - unassigned	11,295,852.06
	Sales Tax	
	Special Revenue Fund	
	Enterprise Fund - Bloomfield - unassigned	-
	Enterprise Fund - Highway - unassigned	9,657,708.29
	Capital Projects Fund	
	Balance Prior to 2021 Adjustments	<u>20,953,560.35</u>
	Adjustments: Less Amount Applied to 2021 Budget:	
	Applied from Highway Dept. Fund Balance (2021 Adopted Budget)	(225,194.00)
	Applied from the General Fund - Transferred to Finance Dept & County Clerk Dept.	(106,600.07)
	Applied from Highway Dept. Fund Balance (Resolution 7-0521)	(500,000.00)
	Applied from the General Fund - Transferred to Highway Dept. County Road Construction Account	(500,000.00)
	Adjusted Total of the Prior Year's Audited unreserved, undesignated Fund Balance at the end of the prior year	<u>19,621,766.28</u>
8	Subtract Minimum Working Capital Level - 20% from Prior Year's audited unreserved, undesignated fund balance. See step 9 in the policy	12,374,271.28
10	Upper Limit of Working Capital Level - 25% of Total Expenditures - 2021 Adopted Budget	9,059,368.75
10. a.	Subtract Upper Limit of Working Capital Level - 25% from Prior Year's audited unreserved, undesignated fund balance. See step 9 in the policy - this includes the Enterprise Funds Unassigned Fund Balance	<u>10,562,397.53</u>
	Working Capital Level Percentage to total 2021 Adopted Budget	<u>54.15%</u>

Comparison of General Fund Unassigned Fund Balance less General Fund Balance applied to 2021 only:

Subtract Upper Limit of Working Capital Level - 25% from Prior Year's unaudited unreserved, undesignated fund balance for <u>only</u> the General Fund Unassigned Fund Balance less General Fund Balance Applied to 2021.	(1,629,883.24)
Percentage of General Fund Unassigned Fund Balance Less General Fund Balance Applied to 2021 to the total 2021 Adopted Budget	<u>29.50%</u>

Iowa County - Working Capital Calculations
Working Capital Calculations After the Recommended General Fund Balance Transfer to Bloomfield
2021 Adopted Budget

Calculation Step # in
Working Capital Policy

	<u>2021 -Budget - Expenditures - by Fund</u>	<u>2021 Budget</u>
	Total General Fund Expenditures	10,783,325.00
	Total Debt Service Fund Expenditures	3,563,438.00
	Total Special Revenue Fund Expenditures	6,456,632.00
	Total Capital Projects Fund Expenditures	1,717,030.00
	Total Enterprise Fund Expenditures	13,717,050.00
1	Total Expenditures for all Funds - 2021 Budget	<u>36,237,475.00</u>
2 & 3	Minimum Working Capital Level - 20% of Total Expenditures - 2021 Approved Budget	7,247,495.00
4-6 - see addendum A	Prior Year's Unaudited unreserved, undesignated Fund Balance - 12/31/20	
	General Fund - unassigned	11,295,852.06
	Sales Tax	
	Special Revenue Fund	
	Enterprise Fund - Bloomfield - unassigned	-
	Enterprise Fund - Highway - unassigned	9,657,708.29
	Capital Projects Fund	
	Balance Prior to 2021 Adjustments	<u>20,953,560.35</u>
	Adjustments: Less Amount Applied to 2021 Budget:	
	Applied from Highway Dept. Fund Balance (2021 Adopted Budget)	(225,194.00)
	Applied from the General Fund - Transferred to Finance Dept & County Clerk Dept.	(106,600.07)
	Applied from Highway Dept. Fund Balance (Resolution 7-0521)	(500,000.00)
	Applied from the General Fund - Transferred to Highway Dept. County Road Construction Account	(500,000.00)
	Applied from the General Fund - Transferred to Bloomfield Fund Balance	(1,162,404.40)
	Adjusted Total of the Prior Year's Audited unreserved, undesignated Fund Balance at the end of the prior year	<u>18,459,361.88</u>
8	Subtract Minimum Working Capital Level - 20% from Prior Year's audited unreserved, undesignated fund balance. See step 9 in the policy	11,211,866.88
10	Upper Limit of Working Capital Level - 25% of Total Expenditures - 2021 Adopted Budget	9,059,368.75
10. a.	Subtract Upper Limit of Working Capital Level - 25% from Prior Year's audited unreserved, undesignated fund balance. See step 9 in the policy - this includes the Enterprise Funds Unassigned Fund Balance	9,399,993.13
	Working Capital Level Percentage to total 2021 Adopted Budget	<u>50.94%</u>

Comparison of General Fund Unassigned Fund Balance less General Fund Balance applied to 2021 only:

Subtract Upper Limit of Working Capital Level - 25% from Prior Year's unaudited unreserved, undesignated fund balance for <u>only</u> the General Fund Unassigned Fund Balance less General Fund Balance Applied to 2021.	(467,478.84)
Percentage of General Fund Unassigned Fund Balance Less General Fund Balance Applied to 2021 to the total 2021 Adopted Budget	<u>26.29%</u>

RESOLUTION NO. 7-0721

**RESOLUTION SUPPORTING PUBLIC SERVICE COMMISSION OF WISCONSIN
BROADBAND GRANT APPLICATION AND MATCHING FUNDS COMMITMENT FOR
BROADBAND PROJECT**

WHEREAS, the Iowa County Board of Supervisors has declared that the economic activity and public benefits likely to occur as a result of the development and deployment of a reliable, affordable, high-speed broadband network throughout Iowa County constitutes a valid public purpose; and

WHEREAS, Iowa County, a certified Broadband Forward! Community, seeks to promote the development of high-speed broadband services to unserved and underserved areas within its boundaries and believes that cooperation with private-sector partners is necessary for the development of a county-wide broadband network that meets the needs of the County, its residents, and its businesses; and

WHEREAS, on June 15, 2021, Iowa County entered into a Memorandum of Understanding with the City of Reedsburg, acting by and through the Reedsburg Utility Commission ("RUC"), establishing a public-private partnership ("PPP") to facilitate the deployment of affordable, reliable, high-speed broadband internet service in parts of Iowa County ("MOU"); and

WHEREAS, attached as Exhibit A is the Preliminary Broadband Expansion Plan of the broadband project (the "Project") that RUC and Iowa County staff have developed to further Iowa County's goal of improving broadband access throughout the County; and

WHEREAS, pursuant to the MOU and in furtherance of the Project, RUC, with Iowa County as its public partner, have been preparing an application to submit to the Public Service Commission of Wisconsin ("PSCW") to obtain a \$2,500,000 broadband grant under the American Rescue Plan Act (ARPA) ("Grant Application") for a \$5,000,000 project; and

WHEREAS, the Grant Application requires that PPP partners make a commitment of matching funds for their proposed broadband project.

NOW THEREFORE, BE IT RESOLVED by the Iowa County Board of Supervisors that Iowa County's commitment of matching funds to support the Grant Application shall be realized as follows: In the Grant Application, Iowa County's share of the matching contribution will be one-tenth (10 percent) of the total project cost, in an amount not to exceed \$500,000 for the County, which will be allocated as follows:

1. RUC is committed to have "LightSpeed" gigabit broadband service available to as many customers as possible within the preliminary service area described in Exhibit A no later than December 31, 2024. If this is accomplished, Iowa County agrees to contribute up to \$500,000 to this project upon its successful completion.

2. Iowa County also agrees to provide an in-kind contribution to RUC of the use of the County-owned 48-strand fiber "river crossing" as long as RUC is providing "LightSpeed" high-speed broadband internet service to customers in Iowa County.
3. Iowa County and RUC both agree to provide and share with each other, on a timely basis, the necessary reporting information required to justify and use, or be reimbursed by, the ARPA funding or any other funding source.
4. Additional terms and conditions between the parties will be included in a separate Broadband Expansion Plan Agreement, to be developed and executed after the successful awarding of the ARPA grant.

BE IT FURTHER RESOLVED that the Iowa County Administrator is hereby authorized to review, modify, and approve any further Grant Application revisions necessary to complete the Grant Application so that it may be timely filed with the PSCW.

Respectfully submitted by the Executive Committee.

Adopted by the Iowa County Board of Supervisors this ___ day of _____, 2021.

John M. Meyers, Chairman
Iowa County Board of Supervisors

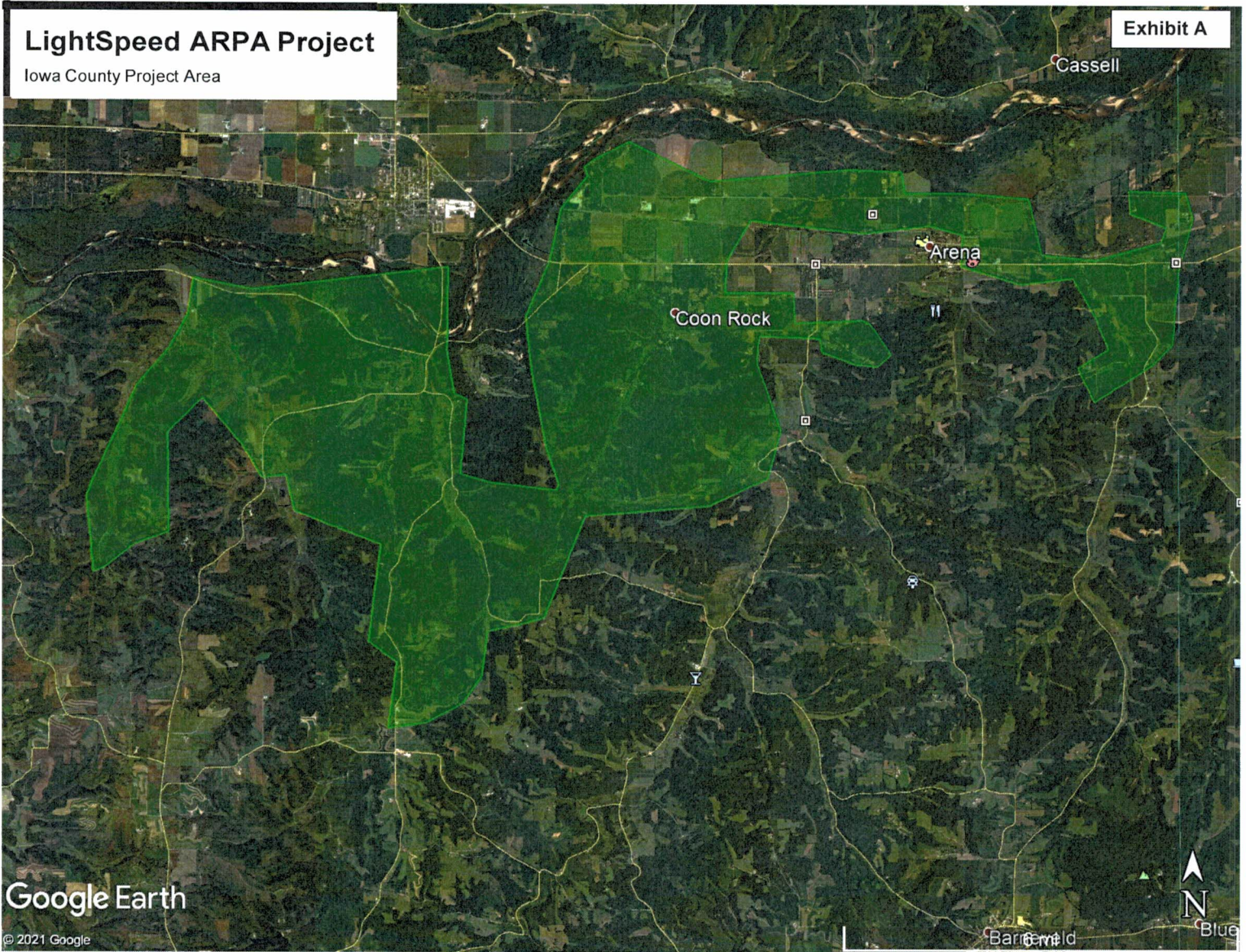
Attest:

Kristy K. Spurley, Clerk
Iowa County

LightSpeed ARPA Project

Iowa County Project Area

Exhibit A



Google Earth

© 2021 Google

RESOLUTION NO. 8-0721

RESOLUTION SUPPORTING PUBLIC SERVICE COMMISSION OF WISCONSIN BROADBAND GRANT APPLICATION AND MATCHING FUNDS COMMITMENT FOR BROADBAND PROJECT

WHEREAS, the Iowa County Board of Supervisors has declared that the economic activity and public benefits likely to occur as a result of the development and deployment of a reliable, affordable, high-speed broadband network throughout Iowa County constitutes a valid public purpose; and

WHEREAS, Iowa County, a certified Broadband Forward! Community, seeks to promote the development of high-speed broadband services to unserved and underserved areas within its boundaries and believes that cooperation with private-sector partners is necessary for the development of a county-wide broadband network that meets the needs of the County, its residents, and its businesses; and

WHEREAS, on June 15, 2021, Iowa County entered into a Memorandum of Understanding with Mount Horeb Telephone Company, LLC, doing business as MHTC, establishing a public-private partnership ("PPP") to facilitate the deployment of affordable, reliable, high-speed internet service throughout Iowa County ("MOU"); and

WHEREAS, attached as Exhibit A is the Preliminary Broadband Expansion Plan of the broadband project (the "Project") that MHTC and Iowa County staff have developed to further Iowa County's goal of improving broadband access throughout the County; and

WHEREAS, the Grant Application requires that PPP partners make a commitment of matching funds for their proposed broadband project; and

WHEREAS, pursuant to the MOU and in furtherance of the Project, MHTC, with Iowa County as its public partner, have been preparing an application to submit to the Public Service Commission of Wisconsin ("PSCW"); and

WHEREAS, MHTC estimates that the Project will cost \$1,220,810 ("Estimated Project Cost"). MHTC shall request 50% of the Estimated Project Cost in its application to the Grant Program. The County agrees to be responsible for 25% of the actual cost of the Project or \$305,202.50 (the "County Maximum Contribution"), whichever is less. Provided the grant award is not less than the full amount requested in the grant application, MHTC agrees to be responsible for 25% of the actual cost of the Project *plus* the difference between the County Maximum Contribution and 25% of the cost of the Project *plus* all costs and expenses that exceed the Estimated Project Cost *plus* any difference between the amount requested in the grant application and the amount actually awarded.

NOW THEREFORE, BE IT RESOLVED by the Iowa County Board of Supervisors that Iowa County's commitment of matching funds to support the Grant Application shall be realized as follows:

1. In the Grant Application, Iowa County's share of the matching contribution will be one-quarter (25 percent) of the total project cost, in an amount not to exceed \$305,202.50 for the County.
2. Iowa County shall pay to MHTC the amount described above within 30 days of all the following conditions being met:
 - a. MHTC is awarded a grant for the Project from the ARPA Grant Program;
 - b. MHTC completes construction of the Project by the 2024 calendar year; and
 - c. MHTC provides to the County a statement from a person authorized by MHTC to do so that the Project, as installed, has been successfully tested, that the Project is capable of providing speeds of up to 1 gigabyte, and the Project is available to offer service to any and all locations in the Project area.
3. Iowa County and MHTC both agree to provide and share with each other, on a timely basis, the necessary reporting information required to justify and use, or be reimbursed by, the ARPA funding or any other funding source.
4. Additional terms and conditions between the parties will be included in a separate Broadband Expansion Plan Agreement, to be developed and executed after the successful awarding of the ARPA grant.

BE IT FURTHER RESOLVED that the Iowa County Administrator is hereby authorized to review, modify, and approve any further Grant Application revisions necessary to complete the Grant Application so that it may be timely filed with the PSCW.

Respectfully submitted by the Executive Committee.

Adopted by the Iowa County Board of Supervisors this ___ day of _____, 2021.

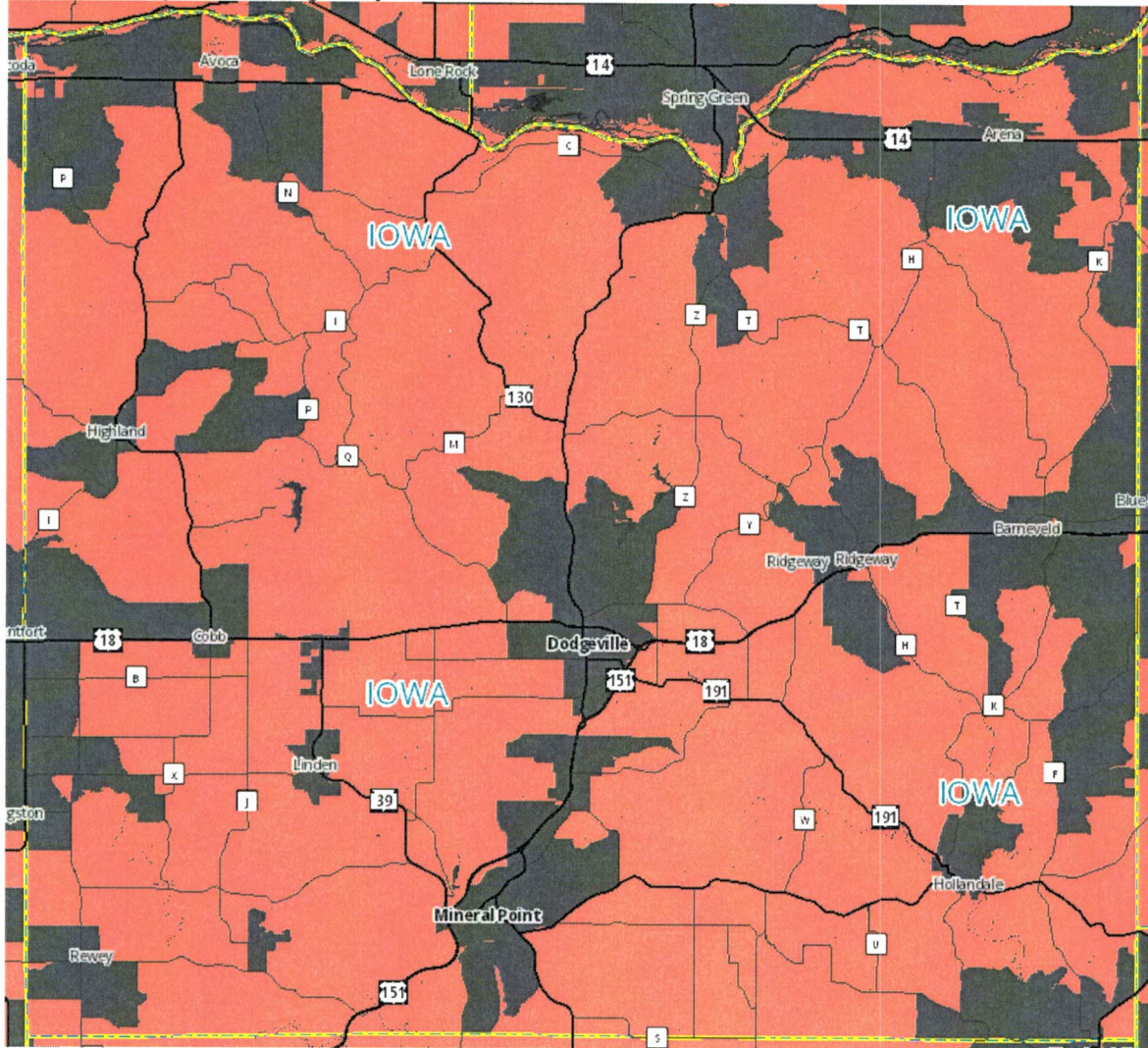
John M. Meyers, Chairman
Iowa County Board of Supervisors

Attest:

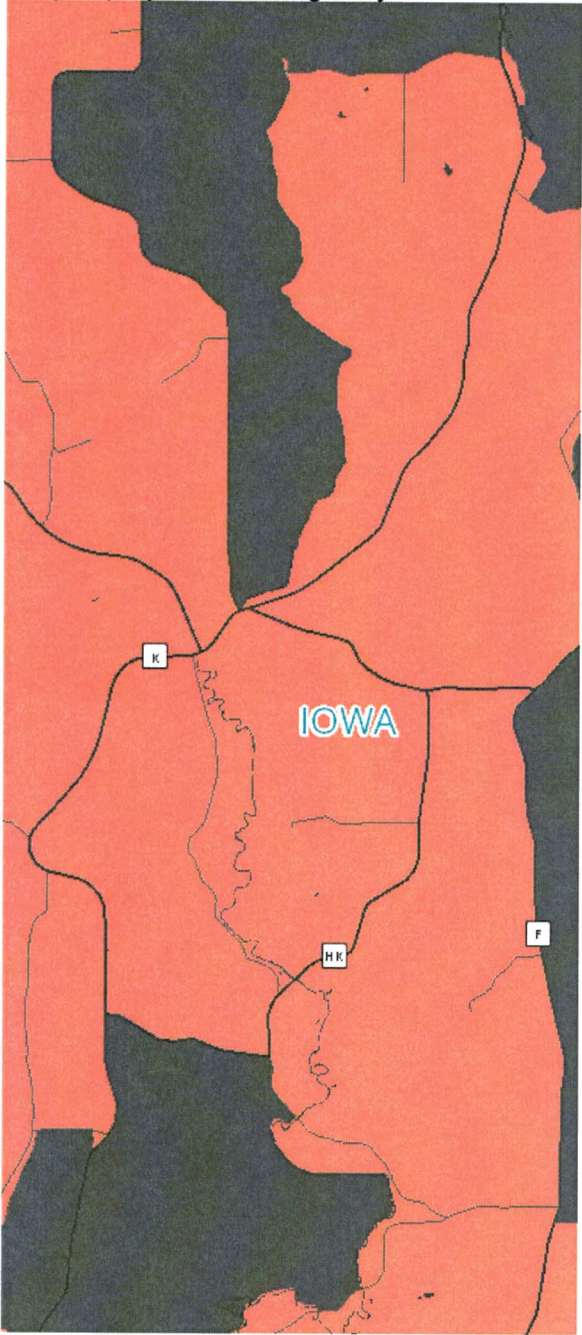
Kristy K. Spurley, Clerk
Iowa County

Exhibit A

Iowa County ARPA eligibility



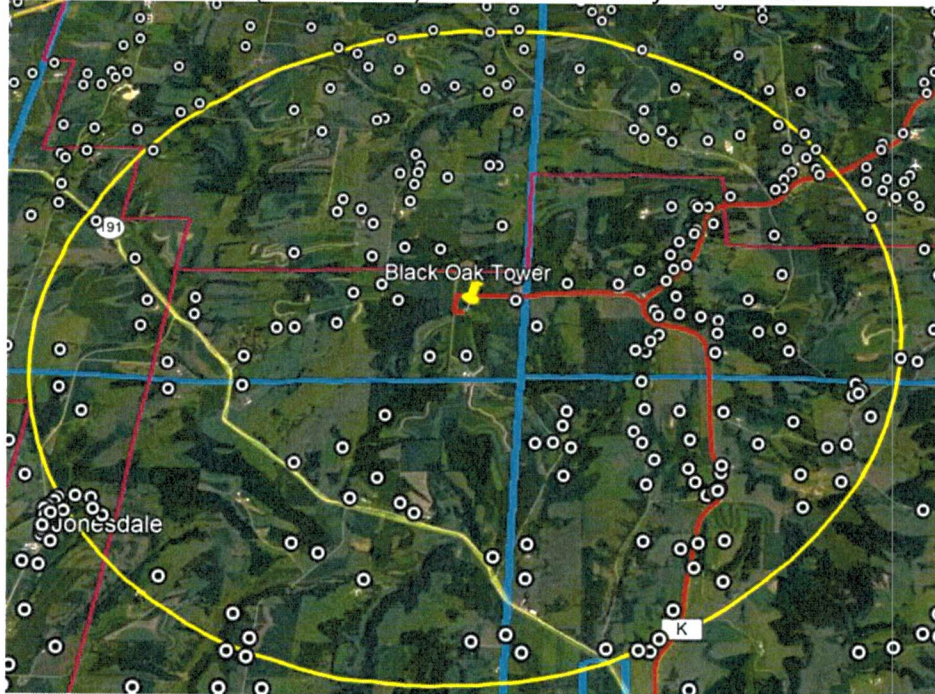
Hwy K project area eligibility



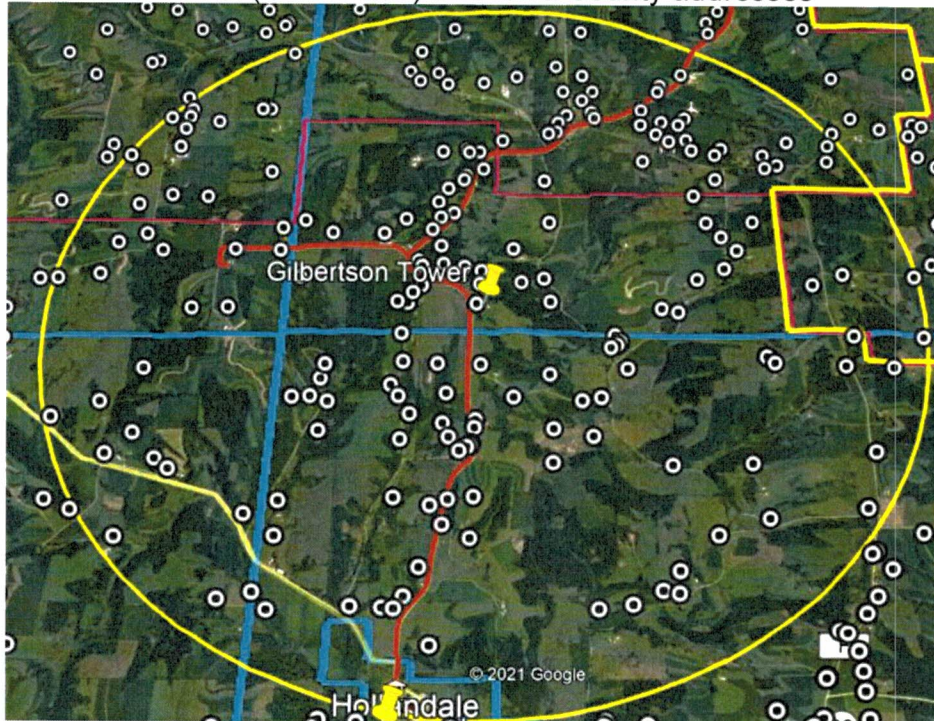
Hwy K proposed fiber route (in red)



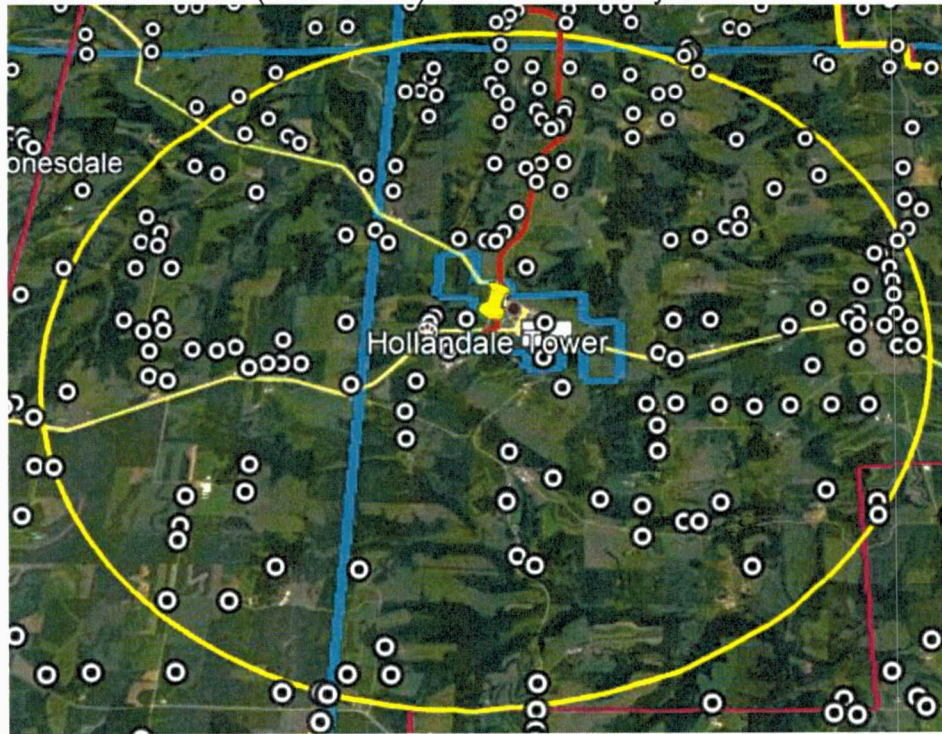
Black Oak Tower (3 mi radius) with Iowa County addresses



Gilbertson Tower (3 mi radius) with Iowa County addresses



Hollandale Tower (3 mi radius) with Iowa County addresses



Ordinance No. 100.01

IOWA COUNTY BOARD RULES

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- Rule I – County Board of Supervisors
- Rule II – Parliamentary Procedure
- Rule III – Home Rule
- Rule IV – Organization of County Government
- Rule V – Form of County Government

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- Rule VI – Organizational Meeting
- Rule VII – Officers
- Rule VIII – Rules of the Board
- Rule IX – Suspension of Board Rules
- Rule X – Board Rule Change
- Rule XI – Time and Place of Meetings
- Rule XII – Special Meeting

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- Rule XIII – County Board Meeting Agenda
- Rule XIV – Attendance
- Rule XV – Quorum

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- Rule XVI – Public Participation
- Rule XVII – Open Meetings
- Rule XVIII – Closed Session
- Rule XIX – County Board Vacancy
- Rule XX – Parliamentarian and Legal Advisor
- Rule XXI - Definitions

The Iowa County Board of Supervisors created and adopted the Iowa County Board Rules on March 19, 2013, amended them on January 17, 2006, repealed and replaced them on October 20, 2015 with Ordinance No. 100.01: Iowa County Board Rules and amended them on February 21, 2017 with Ordinance No. 100.01A.

RULE I: COUNTY BOARD OF SUPERVISORS

The governing body of Iowa County shall be known as the Iowa County Board of Supervisors or the Iowa County Board, hereinafter referred to as the Board and its members as Supervisors. Members of the County Board shall be elected with powers authorized by Article IV, Section 22 of the Wisconsin Constitution and specified in Chapter 59 of the Wisconsin Statutes.

RULE II: PARLIAMENTARY PROCEDURE

Except as modified by these Rules and in all matters not specifically provided for, Rules of Parliamentary Procedure in the latest edition of *Robert's Rules of Order* shall govern County Board meetings in all cases where applicable.

RULE III: HOME RULE

To give the County the greatest measure of self-government under Administrative Home Rule authority granted to Counties by Wis. Stat. § 59.03(1), this ordinance shall be liberally construed in favor of the rights, powers, and privileges of the County to exercise any organizational or administrative power.

RULE IV: ORGANIZATION OF COUNTY GOVERNMENT

In 1995, Iowa County adopted Ordinance No. 5-1195 to incorporate the "self-organized counties" legislation (current Wis. Stat. § 59.10(1)) which provides the county with options to:

- a) Be flexible in setting board member compensation, including the ability to pay fixed salaries and to pay for additional board or committee meetings in excess of current statutory limits based on population; and
- b) Exercise the right to fill board vacancies by other means, such as by nomination from the board floor and/or the ability to schedule special elections before vacated terms expire.

RULE V: FORM OF COUNTY GOVERNMENT

Iowa County has adopted the County Administrator form of government pursuant to Wis. Stat. § 59.18 and Resolution No. 12-1106. The County Administrator, under supervision of, and in support of the policies and objectives of the Board, shall be responsible for all administrative and management functions of Iowa County Government that are not vested by law in boards, commissions, or in other elected officers pursuant to Chapter 59 of Wisconsin Statutes. The County Administrator serves at the pleasure of the Board of Supervisors and is considered an at-will employee subject to a simple majority vote to appoint or remove.

RULE VI: ORGANIZATIONAL MEETING

The first meeting of the newly elected Board of Supervisors will be an Organizational Meeting. The meeting will be held the third (3rd) Tuesday in April in even numbered years. The County Clerk shall preside at the Organizational Meeting until election of a chair.

RULE VII: OFFICERS

At the first meeting after each regular election at which Supervisors are elected for full terms, the biennial organizational meeting, the Board shall elect a Chair. The Board at the time of the election of the Chair shall also elect a member Vice-Chair and second Vice-Chair, for the same term, which in case of the absence or disability of the Chair shall perform the Chair's duties.

RULE VIII: RULES OF THE BOARD

The Rules of the Board are adopted during the Organizational Meeting in even numbered years.

RULE IX: SUSPENSION OF BOARD RULES

The Rules may be suspended by two-thirds (2/3) vote of the Supervisors present.

RULE X: BOARD RULE CHANGE

Rules of the Board may be amended but not during the meeting at which the amendment is introduced. All proposed rule changes shall be referred to the Corporation Counsel for review. All rule changes require a vote of two-thirds of the Supervisors present.

RULE XI: TIME AND PLACE OF MEETINGS

The County Board shall meet on the following dates:

- a) The third (3rd) Tuesday in April in the even numbered years shall be the Organizational Meeting.
- b) The Annual Meeting shall be the Tuesday after the second Monday of November in each year, unless such meeting is adjourned in accordance with Wis. Stat. § 59.11(1).
- c) The third (3rd) Tuesday in each month unless otherwise designated by a majority vote of the board shall be the regularly scheduled meeting; if needed.

Meetings shall be held in the Community Room of the Health and Human Services Building in the City of Dodgeville or at another location as designated by a majority vote of the County Board.

Time of the meetings shall be determined by a majority vote of the County Board.

RULE XII: SPECIAL MEETING

The County Board may cancel, postpone or set Special Meetings, except those expressly required by law, upon the written request of a majority of the Supervisors. The request must specify the time and date of the meeting and must be delivered to the

County Clerk at least forty-eight (48) hours prior to the meeting. The request shall list the reason(s) for canceling, postponing, or setting of the Special Meeting. In case of an emergency such as a natural disaster, the County Clerk shall notify each Supervisor by e-mail, mail, or telephone of the date and time of the meeting, and the Chair, 1st Vice Chair, or 2nd Vice Chair may call a Special Meeting. The calling of the meeting must be in writing, specify the date, time and place, and be delivered to the County Clerk at least twenty-four (24) hours before the meeting. The County Clerk shall prepare an agenda and notify each Supervisor by e-mail, mail, or telephone of the time and date of the meeting.

RULE XIII: COUNTY BOARD MEETING AGENDA

The form and content of the meeting agenda shall be the responsibility of the Chair with the assistance of the County Administrator. An Agenda shall include the following: a) Call to Order; b) Pledge of Allegiance; c) Roll Call; d) Approval of Agenda and Minutes from Previous Meeting; e) Public Comments; f) Reports from Committee Chairs; g) Ordinances and Resolutions forwarded from Committees; and h) any other items as determined by the Chair and/or Committees.

In order to provide advance notice to the Board of Supervisors and the citizens of Iowa County, items to be included on the agenda shall be in the office of the County Clerk no later than the prior Thursday at noon for a Tuesday meeting. If the meeting date is changed, adequate time to prepare and circulate the agenda and attachments is needed.

Individuals or groups requesting to place an item on the agenda of the County Board must first appear before the appropriate County Board Committee or County Board Chair.

RULE XIV: ATTENDANCE

Attendance at all County Board meetings by Supervisors is mandatory pursuant to Wis. Stat. § 59.11(4). Absences may be excused solely by the County Board Chair, but notification to the County Clerk is acceptable subject to the Chair's approval.

Committee and County Board members may attend meetings via teleconference or videoconference, however their attendance may not be counted unless it is approved by the Committee Chair or County Board Chair respectively. It is understood that attending via electronic means is better than not attending at all, however it is preferred that physical attendance occur.

RULE XV: QUORUM

A majority of Supervisors or Committee members shall constitute a quorum. The Chair of the Iowa County Board shall be an ex-officio member of all committees, commissions, and boards created by the Iowa County Board and may meet, deliberate, make motions, and vote in their meetings while acting as an ex-officio member. The Chair of the Iowa County Board, while acting as an ex-officio member, may be counted

in determining the number required for a quorum or whether a quorum is present and may cast the deciding vote in the event of a tie vote. The Chair may not vote unless a committee member is absent. The Chair of the Iowa County Board may, at his or her discretion, delegate this ex officio status to another Board Supervisor in the event the Chair is unable to attend a meeting.

RULE XVI: PUBLIC PARTICIPATION

The public may address members of the Board at the portion of the agenda listed as "Comments from the Public." Guidelines for public participation include the following:

- a) The topic may pertain to any item they wish to present with the exception of political candidate endorsement.
- b) The individuals identify themselves and, if representing a group, identify that group.
- c) State clearly and concisely the issue, limiting comments to a maximum of TWO (2) MINUTES. Written material may be provided. It is not necessary to read an entire document.
- d) Limit group representation by appointing a speaker(s) to present an issue.
- e) Any members of the public wishing to address the Board must make their intentions noted prior to the meeting beginning. In the event a member of the public attends the meeting electronically, it is their responsibility to contact the County Clerk prior to the meeting to denote their intentions to speak. Iowa County residents will receive preferential treatment.

RULE XVII: OPEN MEETINGS

All meetings of the Board of Supervisors, committees, boards and commissions shall be held in public buildings reasonably accessible to members of the public and shall be "open meetings" as provided in Wis. Stat. § 19.83 of Wisconsin Statutes.

RULE XVIII: CLOSED SESSION

The Board of Supervisors or any committee, board or commission following proper notice may convene in closed session as authorized by Wis. Stat. § 19.85. All discussion during a closed session is confidential and cannot be shared.

RULE XIX: COUNTY BOARD VACANCY

In the event of a vacancy on the County Board, the County Board Chair in consultation with members of the Executive Committee shall identify potential nominees. The County Board Chair shall present to the Supervisors for approval a person who is a qualified elector and resident of that supervisory district to fill the vacancy for the unexpired portion of the term. If the County Board does not approve the appointment, any member of the County Board, at the same meeting, may offer nominations to fill the vacancy subject to the approval of the County Board. Any person appointed to the County Board under this paragraph shall take Office upon being approved by the County Board and sworn in by the Chair or County Clerk.

RULE XX: PARLAMENTARIAN AND LEGAL ADVISOR

The Corporation Counsel or his/her designee shall attend Board meetings and serve as parliamentarian and legal advisor to the Board of Supervisors.

RULE XXI: DEFINITIONS

The following definitions are applicable to the Iowa County Board Rules and their application:

- (1) **Adjourned Meeting** – a meeting in continuation of the session of a regularly scheduled or special meeting at which the County Board or its committee(s) was unable to complete its work and which is scheduled for purposes of completing that work in advance of the next regularly scheduled meeting.
- (2) **Adjournment** – the act of an assembly which terminates a meeting. The adjournment of a regularly scheduled meeting ordinarily ends the session. However, if another meeting to continue the same business has been set for a definite time (i.e. an adjourned meeting), then the session continues at the call of the adjourned meeting.
- (3) **Agency** – an executive body with the authority to implement and administer particular legislation.
- (4) **Board** – a body of elected or appointed persons whose operation is determined by responsibilities and powers delegated to it or conferred on it by authority outside itself.
- (5) **Cluster** – a group of committees, boards, or commissions which are interrelated in scope or function and which share some form of commonality.
- (6) **Commission** – a body of persons consisting of elected officials and members of the public who are acting under lawful authority to perform a specified public service.
- (7) **Committee** – a body of persons elected or appointed to consider, investigate, and/or take action on identified specific matters or subjects.
- (8) **Committee of the Whole** – a meeting of the full assembly to allow detailed consideration of a matter under conditions similar to those of a committee meeting. The results of votes taken in a Committee of the Whole are not final decisions of the body but instead have the status of recommendations which the assembly is given the opportunity to consider further and which it votes on finally under its regular rules.
- (9) **Department** – a principal branch or division of County governmental operations.
- (10) **Majority** – majority means at least one more than half, and unless otherwise specified, shall mean more than half of the votes cast by persons entitled to vote, excluding abstentions, providing a quorum is met.
- (11) **Motion** – a formal proposal, made by the member of an assembly during a meeting, that the assembly take a certain action.
- (12) **Ordinance** – legislation enacted by the Iowa County Board which regulates or prohibits certain types of conduct or action on the part of those subject to Iowa County jurisdiction. Unless indicated otherwise in the body of an ordinance or otherwise required by law, every ordinance passed by the Iowa County Board shall be effective on the day after the date of its publication. A newly proposed ordinance may not be passed at the County Board meeting at which it is

introduced. An existing ordinance may be amended at the County Board meeting at which the amendment is introduced unless multiple readings are required by law or are otherwise requested by the committee forwarding the proposed amendment to the Board.

- (13) **Policy** – the general principles by which a government is guided in its management of public affairs.
- (14) **Recess** – a short intermission or break within a meeting that does not end the meeting, and after which the proceedings are immediately resumed at the point where they were interrupted.
- (15) **Regularly Scheduled Meeting** – a meeting regularly scheduled at a particular interval for purposes of conducting the ordinary business of the County. Unless noticed otherwise, the regularly scheduled meeting of the Iowa County Board shall occur on the third Tuesday of each month. Each regularly scheduled meeting of the County Board or its committees shall constitute a new and separate session.
- (16) **Resolution** – a formal, written determination or expression of the Iowa County Board's policy or position on a particular subject matter. The Board may pass resolutions to express its consensus on matters of public policy, including but not limited to: social issues, legal rights, court opinions, and actions taken by the State or Federal government. The Iowa County Board also may pass resolutions for internal, administrative purposes and as otherwise authorized or prescribed by law. Unless indicated otherwise in the body of a resolution, every resolution passed by the Iowa County Board shall be effective immediately upon passage and shall remain in full force and effect until amended or rescinded by further action of the Board.
- (17) **Session** – a continued meeting or a series of connected meetings devoted to a single order of business, agenda, or announced purpose.
- (18) **Special Committee** – a committee of Board members appointed, as the need arises, to carry out a specified task, at the completion of which the special committee automatically ceases to exist.
- (19) **Special Meeting** – a meeting held at a time different from a regularly scheduled meeting and convened for purposes of either (1) considering one or more items of specified business that may arise between regularly scheduled meetings and that require action before the next regularly scheduled meeting, or (2) dedicating an entire session to one or more particular items of business.
- (20) **Standing Committee** – a committee that is constituted to perform a continuing function and which remains in existence permanently for the purposes of carrying out that identified function.
- (21) **Subcommittee** – a group of members of a committee appointed for a particular function by that committee who are responsible to and report to that committee.
- (22) **Subsidiary Motion** – a motion that is applied to a pending motion to aid in treating or disposing of the pending motion without expressly adopting or rejecting it.
- (23) **Term of Member** – the preferred term of a member of a commission, committee, work group, board, or other deliberative body under the Iowa County Board shall be six years in length unless prescribed otherwise by the Iowa County Board Rules, by resolution, or by other governing law.

- (24) **Term of Elected County Board Supervisor** – the term of an elected County Board Supervisor, shall be a period of two years beginning on the third Tuesday in April of even-numbered years.
- (25) **Walking Quorum** – a series of gatherings or communications among separate groups of members of a governmental body, each less than quorum size, who agree, tacitly or explicitly, to act uniformly in sufficient numbers to reach a quorum. Walking quorums are prohibited by Wisconsin's Open Meetings Law.
- (26) **Work Group** – a group of people, which may include elected and non-elected members, that works together temporarily on a specific task to provide recommendations for action to the individual or body that formed the group.

Ordinance and amendment drafted by the Iowa County Corporation Counsel.