

**Pursuant to Section 19.84, Wisconsin Statutes, notice is hereby given to the public that the
Iowa County Board of Supervisors will meet in**

**Regular Session
of the
IOWA COUNTY BOARD**

Tuesday May 21, 2019

7:00 p.m.

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.

Agenda

1. Call to order by Chairman John M. Meyers.
2. Pledge of Allegiance.
3. Roll Call.
4. Approve the agenda for this May 21, 2019 meeting.
5. Approve the minutes of the April 16, 2019 meeting.
6. Resolution No. 1-0519 Commemorating Iowa County District Attorney Larry Nelson.
7. Special matters and announcements.
 - a) Committee Chair reports.
 - b) Lower Wisconsin Riverway as a Ramsar Wetland of International Importance.
 - c) Falling Behind – Migration Changes & State Workforce. (set out)
8. Comments from the public.
9. Land use changes from the Towns:
 - Clyde – 2-0519 Rezoning request by Silver Star Properties and Powel Ridge LLC.
 - Highland – 3-0519 Rezoning request by Christine Speth and Black Acres Farms.
 - Mifflin – 4-0519 Rezoning request by Norbert & Bonnie Pluemer.
10. Presentation on the Highway Department Capital Improvement backlog by Commissioner Craig Hardy.
11. County Administrator's report.

12. Approve the Administrator's appointments of:

- Pat Reilly to the ADRC Board for a three-year term ending May 31, 2022.
- Dianne Evans to the ADRC Board for a three-year term ending May 31, 2022.
- Lori Fisher to the ADRC Board for a three-year term ending May 31, 2022.
- Mark Meives to the Airport Commission for a two-year term ending May 1, 2021.
- Richard Rolfsmeyer to the Pecatonica Rail Transit Commission for a three-year term ending May 1, 2022.
- Diane Halverson as a citizen member to the Traffic Safety Commission.

Planning & Zoning Committee:

13. Amendatory Ordinance No. 5-0519 Amending the Iowa County Zoning Ordinance that Establishes Standards for Residential Kennels and Commercial Kennels.
14. Resolution No. 6-0519 Waiving Floodplain Zoning and Shoreland Zoning Permit Fees for Cole Carley – Repair from Flood Damage.
15. Introduction of Ordinance No. 400.16 Iowa County Airport Overlay Zoning Ordinance.to be acted on at the June 18, 2019 Session of the Board.

Public Works Committee:

16. Consider Iowa County Policy 1116 Encroachments, Work in Right of Way & Revocable Occupancy Permits.
17. Introduction of Ordinance No. 800.07 Iowa County Tourist-Oriented Directional Signage to be acted on at the June 18, 2019 Session of the Board.

General Government Committee:

18. Consider Resolution No. 7-0519 Creating a Part-Time Project Grant Funded Position Within the Health Department.
19. Consider the proposed Iowa County Policies 102, 211, 423, 424 and 709.

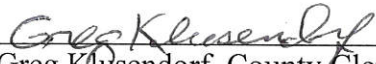
Executive Committee:

20. Resolution No. 8-0519 Supporting Appointment for Iowa County District Attorney.
21. Consider the proposed Iowa County Policy 320 Fraud Assessment and Response.
22. Update on the ATC line proceedings and consideration of supporting testimony of the Driftless Area Land Conservancy witnesses.

Other:

23. Opioid Litigation Update.
24. Chair's report.

25. Mileage and Per Diem Report for this May 21, 2019 meeting.
26. Motion to convene in closed session pursuant to section 19.85(l)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. (Discussion of specific properties as potential land purchases and possible options thereof)
27. Motion to return to open session.
28. Possible action on closed session item.
29. Motion to adjourn to June 18, 2019.



Greg Klusendorf, County Clerk

Posted 5/16/2019

**PROCEEDINGS OF THE APRIL SESSION OF
THE BOARD OF COUNTY SUPERVISORS
OF IOWA COUNTY, WISCONSIN**

The Board of Supervisors met in the Health and Human Services Center Community Room in the City of Dodgeville on Tuesday, April 16, 2019 at 7:00 p.m. and was called to order by the Honorable John M. Meyers, Chairman of the Board.

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

Roll call was taken. All members were present except Sups. David Gollon and Alex Ray who were excused. Sup. Daniel Nankee arrived after roll was taken.

Members present: Doug Richter, Stephen Deal, Mark Storti, Dan Nankee, Ron Benish, Curt Peterson, Joan Davis, Bruce Haag, James Griffiths, Tom Forbes, Richard Rolfsmeyer, John Meyers, Joseph Bruce Paull, Jeremy Meek, Judy Lindholm, Justin O'Brien, Donald Leix, Mel Masters and Kevin Butteris.

Sup. Storti moved to approve the agenda for this April 16, 2019 meeting. Sup. Benish seconded the motion. Carried.

Aye-18 Nay-0

Sup. Peterson moved to approve the minutes of the March 19, 2019 meeting. Sup. Griffiths seconded the motion. Carried.

Aye-18 Nay-0

Sup. Nankee entered the meeting at 7:03 p.m.

Special matters and announcements.

- a) Committee Chair reports.
- b) Register of Deeds 2018 Annual Report.
- c) Unified Community Services 2018 Annual Report.
- d) Hidden Valleys Magazine.
- e) 2018 Jail Inspection Report.
- f) 2019 WCA Annual Conference Information.

Comments from the public:

- Janet Brandt spoke in favor of the resolution supporting a nonpartisan procedure for redistricting.
- Bob Breslow spoke in favor of the resolution supporting a nonpartisan procedure for redistricting.
- Myra Enloe spoke in favor of the resolution supporting a nonpartisan procedure for redistricting.
- Allan Pikas spoke in favor of the resolution supporting a nonpartisan procedure for redistricting.
- Sup. Leix handed out a picture of electrical transmission lines that were put up near a solar field.

Sup. Leix moved to adopt Amendatory Ordinances 1-0419, 2-0419, 3-0419, 4-0419 and 5-0419 as a group. Sup. Davis seconded the motion. Carried.

Aye-19 Nay-0

Amendatory Ordinance No. 1-0419 is made to create two lots of 9.759 acres and 10.882 acres by rezoning from A-1 Agricultural to AR-1 Agricultural Residential, with 70.5 acres zoned with the AC-1

Agricultural Conservancy overlay to comply with residential density standards in the Town of Dodgeville was adopted.

Amendatory Ordinance No. 2-0419 is made to create two lots of 1.16 acres and 1 acre by rezoning from A-1 Agricultural to AR-1 Agricultural Residential, with the balance of each tax parcel zoned with the AC-1 Agricultural Conservancy overlay to comply with residential density standards in the Town of Mineral Point was adopted.

Amendatory Ordinance No. 3-0419 for a land use change to rezone 37.75 acres from A-1 Agricultural to AR-1 Agricultural Residential in the Town of Moscow was adopted.

Amendatory Ordinance No. 4-0419 is made to rezone 11.54 acres from A-1 Agricultural to AR-1 Agricultural Residential, with 40 acres zoned with the AC-1 Agricultural Conservancy overlay to comply with residential density standards in the Town of Pulaski was adopted.

Amendatory Ordinance No. 5-0419 for a land use change to rezone 6 acres from AR-1 Agricultural Residential to A-1 Agricultural to be consolidated with adjoining A-1 Agricultural land in the Town of Pulaski was adopted.

Administrator Larry Bierke gave a report to the Board.

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

- Cathy Palzkill to the Regional ADRC Board for a two-year term ending May 31, 2021.
- Tom Howard to the Iowa County Board of Health for a three-year term ending March 31, 2022
- Beverly Harris to the Iowa County Library Planning Board for a three-year term ending April 30, 2022.
- Keith Hurlbert to the Land Information Council for a three-year term ending on May 31, 2022.
- Jim Blabaum to the Land Information Council for a three-year term ending on May 31, 2022.
- Recommend Gerald Dorscheid and Scott Godfrey to the Governor's Office to serve on the Lower Wisconsin State Riverway Board for a three-year term ending on May 1, 2022.

Sup. Lindholm seconded the motion. Carried.

Aye-19 Nay-0

Jail Building Committee:

Eric Lawson and Jan Horsfall from Potter Lawson Architects gave a presentation on the Law Enforcement Center Schematic Design. Greg Callin and Dave Vandewater from Kraemer Brothers went over the possible projected costs of the Center based on the preliminary Schematic Design.

Sup. Benish moved to approve the Law Enforcement Center Schematic Design as presented. Sup. Davis seconded the motion. Carried.

Aye-17 Nay-2

Sups. Masters and Butteris voted against the motion.

Planning & Zoning Committee:

Sup. Storti moved to amend Amendatory Ordinance No. 1-0319 to change the Zoning District designation as presented. Sup. Benish seconded the motion. Carried.

Aye-19 Nay-0

General Government Committee:

Sup. Lindholm moved to reclassify the ADRC/Social Services Business Manager position to a Grade L on the Compensation Grid. Sup. Deal seconded the motion. Carried.

Aye-19 Nay-0

UW-Extension Community Educator Barry Hottmann gave a presentation on the Focus on Energy Solar Grant.

Sup. Benish moved to accept the grant from Focus on Energy and to adopt Resolution No. 6-0419 Recommending 2019 Budget Amendment for Solar Project in Capital Projects Fund. Sup. Haag seconded the motion. Carried.

Aye-14 Nay-5

Voting in favor: Sups. Storti, Benish, Davis, Haag, Griffiths, Forbes, Rolfsmeyer, Meyers Paull, Meek, Lindholm, O'Brien, Masters and Butteris.

Voting against: Sups. Richter, Deal, Nankee, Peterson and Leix.

Sup. Lindholm moved to adopt Resolution No. 7-0419 Creating a Nonpartisan Procedure for the Preparation of Legislative and Congressional Redistricting Plans. Sup. Rolfsmeyer seconded the motion. Carried.

Aye-17 Nay-1 Abstention-1

Sup. Leix voted against the motion.

Chair Meyers abstained from voting.

Other:

Sup. Peterson moved to adopt Resolution No. 8-0419 Recommending 2018 Budget Amendments for Various Departments. Sup. Nankee seconded the motion. Carried.

Aye-19 Nay-0

Sup. Griffiths moved to adopt Resolution No. 9-0419 Recommending Transfer of Funds from the Iowa County General Fund to Cover Expenditures in Excess of Budget for 2018. Sup. Meek seconded the motion. Carried.

Aye-19 Nay-0

Sup. Lindholm moved to adopt Resolution No. 10-0419 Carryover of Certain Accounts from 2018 to 2019. Sup. Deal seconded the motion. Carried.

Aye-19 Nay-0

Sup. Storti moved to adopt Resolution No. 11-0419 Transfer of Funds Between Funds for 2018. Sup. Butteris seconded motion. Carried.

Aye-19 Nay-0

Sup. Haag moved to adopt Resolution No. 12-0419 Transfer of Funds from the General Fund to the Capital Projects Fund in 2018. Sup. Leix seconded the motion. Carried.

Aye-19 Nay-0

Chair Meyers gave a report for the Board.

Mileage and Per Diem Report for this April 16, 2019 Session of the Board was presented.
19 Members 501 Miles \$1,043.04 Mileage and Per Diem

Sup. Haag moved to approve the report.

Sup. Meek seconded the motion. Carried.

Aye-19 Nay-0

Sup. Haag moved to convene in closed session pursuant to section 19.85(1)(c), Wisconsin Statutes, to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. (Bloomfield Administrator contract.) Allison Leitzinger, Matthew Allen, Larry Bierke and Greg Klusendorf were asked to attend the closed session. Sup. Meek seconded the motion. Carried.

Aye-19 Nay-0

The Board entered closed session at 9:15 p.m.

Sup. Storti moved to return to open session. Sup. O'Brien seconded the motion. Carried.

Aye-19 Nay-0

The Board returned to open session at 9:20 p.m.

Action was taken on the closed session item:

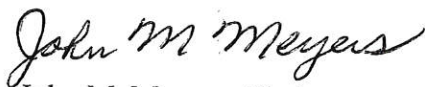
Sup. Storti moved to accept the contract for the Bloomfield Administrator as presented. Sup. Haag seconded the motion. Carried.

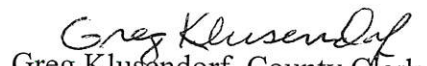
Aye-19 Nay-0

Sup. Forbes moved to adjourn to May 21, 2019. Sup. Haag seconded the motion. Carried.

Aye-19 Nay-0

Meeting adjourned at 9:21 p.m.


John M. Meyers, Chairman


Greg Klusendorf, County Clerk

Resolution No. 1-0519

COMMEMORATING DISTRICT ATTORNEY LARRY NELSON

WHEREAS, The Iowa County Board recently learned of the passing of District Attorney Larry Nelson; and

WHEREAS, Mr. Nelson was born and raised in Dodgeville, WI, attending Dodgeville High School and later moved to Mineral Point; and

WHEREAS, Mr. Nelson attended UW-Whitewater and graduated from UW-Madison with his law degree in 1988; and

WHEREAS, Mr. Nelson served the citizens of Iowa County since 1989 as Corporation Counsel, Assistant District Attorney, and as District Attorney; and

WHEREAS, Mr. Nelson dedicated his life and career to serving his community as a champion for criminal justice and as an advocate for victims of crime in Iowa County; and

WHEREAS, Mr. Nelson will be remembered as a well-informed and knowledgeable District Attorney who valued relationships and the impacts each case has on individuals involved; and

WHEREAS, Family, friends, and coworkers alike will miss Mr. Nelson and remember him most for his caring nature, enthusiasm for sports, and all things Wisconsin Badgers.

NOW THEREFORE BE IT RESOLVED, that the County Board of Iowa County express their profound feeling of loss and also their deep appreciation for all that Mr. Nelson did for Iowa County and its citizens.

BE IT FURTHER RESOLVED, that this resolution be recorded on the official minutes of the Iowa County Board of Supervisors and a copy thereof be framed and sent to the family of District Attorney Larry Eugene Nelson.

John M. Meyers, Chair
Iowa County Board of Supervisors

**Background information regarding the nomination of
the Lower Wisconsin Riverway for recognition as a
Ramsar *Wetland of International Importance***

April 30, 2019

The Wisconsin Wetland Association and the Wisconsin Ramsar Committee appreciate your interest in the nomination of the **Lower Wisconsin Riverway** as a Wetland of International Importance under the Ramsar Convention on Wetlands. Landowners include WDNR, the US DOI Bureau of Land Management, Ho-Chunk Nation, and private landowners who have asked that their land be included.

Wisconsin's *Wetland Gems*

In 2009, Wisconsin Wetlands Association designated 100 *Wetland Gems* in Wisconsin, including the Lower Wisconsin River. Goals of the program:

- raise the profile of and elevate public interest in wetlands
- increase public awareness of the importance and value of wetlands
- motivate Wisconsin families and citizens to explore and enjoy wetlands
- generate community pride about local wetland treasures
- catalyze community involvement in stewardship of local wetland treasures



Wisconsin Ramsar Committee

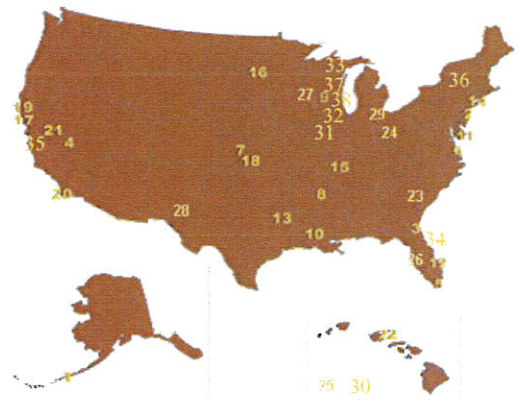
The Wisconsin Ramsar Committee seeks to bring international recognition of critically important wetlands in Wisconsin by nominating them to be designated Wetlands of International Significance.

- Comprised of professionals with statewide wetland expertise
- Selected twelve priority sites for nomination under Ramsar
- Lower Wisconsin River was identified as among the **top five** priority sites



Ramsar International Convention on Wetlands

- International Convention first signed in Ramsar, Iran in 1971. Entered into Force in 1975
- 170 parties, incl. U.S., Canada, Mexico
- Globally: 2331 designated sites covering more than 616.
- In the U.S.: 38 sites totaling nearly 4.6 million acres
- Five sites in Wisconsin:
 - Horicon Marsh
 - Upper Mississippi River Floodplain Wetlands
 - Kakagon/Bad River Sloughs
 - Door Peninsula Coastal Wetlands
 - Chiwaukee Illinois Beach Lake Plain



Ramsar Does:

- Encourage nations to promote wetlands conservation and list of Wetlands of International Importance ("Ramsar sites")
- Provide wise use guidelines, training opportunities, and access to financial resources

Ramsar Does Not:

- Impose restrictions on nations and landowners
- Affect sovereignty rights – site listing is voluntary and imposes no regulations
- Act as a regulating entity or a UN convention

Benefits of a Ramsar Designation

- Assistance with Grant Applications & Finding Requests (e.g., NAWCA Grants, Land and Water Conservation Fund, NFWF and Other Grants)
- Support for protection of site and surrounding areas
 - Acquisition of surrounding lands
 - Encourages watershed conservation partnerships
 - Ramsar designation helps in response to proposed development and other threats (mining, development, logging, road construction, etc.)
- Increase community/regional pride in site
- Increase community/regional awareness of importance of site

(Survey conducted by Royal C. Gardner & Kim Diana Connolly published Environmental Law Reporter, Feb. 2007)

Ramsar Criteria (applies globally)

1. Site contains representative, rare or unique **wetland types**
2. Site supports vulnerable, endangered, or **critically** endangered species
3. Site supports plant/animal populations important for **regional biodiversity**
4. Site supports plant/animal species at a critical stage in life cycles
5. Site regularly supports 20,000 or more **waterbirds**
6. Site regularly supports 1% of population of **waterbird** species/subspecies
7. Site supports significant proportion of **indigenous fish** species that are representative of wetland benefits/values
8. Site is an important source of food for **fish**, spawning ground, nursery and/or migration path
9. Site regularly supports 1% of population of species/ subspecies of **wetland-dependent, non-avian animal species**

Process for nominating a site for designation as a Wetland of International Significance

1. Prepare a letter describing how the proposed site meets the Ramsar criteria – *done*
2. Complete a “Ramsar Information Sheet” (RIS) – *done*
3. Prepare a map (following set guidelines) of the area being included for designation – *done*
4. Secure letters of support from local or state wildlife or natural resources agency (WDNR, *in process*), one member of Congress (*done: Senator Baldwin*) for the district or state in which site is located, all landowners within define site boundary (*done pending WDNR letter*). Additional letters of support from local communities, other organizations or individuals greatly contribute to the nomination process. (*letters of support from 9 local organizations provided*)

Wisconsin Wetlands Association’s Role

- Assist with setting up site nominating committees as needed
- Assist nominating committee with problem-solving by connecting with USNRC and its members
- Coordinate letters of support from federal legislator(s)
- Assist with recruiting other letters of support as needed
- Assist with generating public awareness and support for nomination if needed
- Provide examples of other nomination packets, as requested

WDNR’s Role in Lower Wisconsin River nomination

- Help to compile information and data for the Ramsar Information Sheet (RIS) – *done*
- Provide letter of support from head of the state natural resources agency – *in process*
- Suggested other communities, groups from which to recruit additional letters of support

Questions? Katie Beilfuss, Wisconsin Wetlands Association, 608-250-9971,
programs@wisconsinwetlands.org

About the Lower Wisconsin Riverway

- The Lower Wisconsin Riverway includes 48,446 acres of land located from the Prairie du Sac dam to the confluence with the Mississippi River.
- This 92-mile long river stretch harbors high species and natural community diversity and richness.
- The designated site includes land owned by WDNR, BLM, and Ho-Chunk Nation that falls within the Lower Wisconsin State Riverway boundary as well as one privately-owned parcel along the river whose owners want it included.
- The site consists primarily of the Wisconsin River, tributary streams, backwater wetlands, and floodplain habitats. It also includes adjacent upland habitats protective of ground and surface waters that are linked to the health of wetland plant-animal communities.
- Wetland habitats include extensive floodplain forest, marsh, sedge meadow, shrub carr, and low prairie. These floodplain wetlands are critical to maintaining a healthy river and support a variety of rare and sensitive species.
- Some well-known areas included in the proposed site include Avoca Prairie, Tower Hill State Park (Wyalusing State Park is included in the Upper Mississippi River Floodplain Wetlands Ramsar site).
- Recreation-based tourism is a growing part of the region's economy. For example, in recent decades, tourism associated with winter Bald Eagle watching along the river brings about 1,000 cars of visitors weekly and up to \$1.2 million annual into the economy of the Sauk City – Prairie du Sac area. Two of the many canoe liveries on the Lower Wisconsin had an annual average gross income of \$237,000 from serving 4,700 paddlers.
- The Ramsar Convention has defined nine criteria by which all Wetlands of International Importance around the world are evaluated. Nominations need to justify how the proposed site satisfies one or more of these criteria. The Lower Wisconsin River readily satisfies six of the nine criteria (see reverse for details).

The Lower Wisconsin River site satisfies six of the nine Ramsar Site criteria:

- **It harbors rare species and threatened ecological communities.**
The proposed site is home to 44 rare vascular plant species and 121 rare animal species, including the federally endangered Hine's emerald dragonfly, Higgin's eye pearly and Sheepnose mussels, and Whooping crane. Rare communities include hardwood swamp, wet prairie, and wet-mesic prairie.
- **It is critical to biological diversity.**
The proposed site includes high-quality examples of species and communities that have been identified as conservation priorities in the region, including 12 fish species, 25 breeding bird species, and 17 natural communities. Particularly important is the extent, continuity, and connectivity within and between populations and communities in this site.
- **It provides support during critical life cycle stage or in adverse conditions.**
The proposed site provides critical habitat for breeding for birds, insects, and more. It also provides key corridor and stopover habitat for birds and bats and refuge during major floods and droughts for eagles and other species.
- **It is home to significant and representative fish.**
The proposed site is one of the highest-quality large warm water river reaches remaining in the Midwestern US. It supports outstanding sport fisheries including smallmouth bass, walleye, channel catfish, bluegill, and northern pike.
- **It provides critical spawning grounds.**
Because of the extent of and diversity within the site, it offers abundant spawning habits and food resources for seasonal migrations of many fish species.
- **It is home to more than 1% of a non-avian population.**
The proposed site was chosen by the USFWS and WDNR for long-term monitoring and conservation of the federally endangered Higgins' eye pearly mussel because it provided essential habitat and is one of the few tributaries of the Mississippi River with a remaining population of this species.

Amendatory Ordinance No. 2-0519

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Silver Star Properties and Powel Ridge LLC;

For land in the SE ¼ of the SE ¼ of Section 6-T7N-R3E and N ½ of the NE ¼ of Section 7-T7N-R3E in the Town of Clyde; affecting tax parcels 006-0065, 006-0066.A, and 006-0067.

And, this petition is made to rezone 25.45 acres from B-2 Highway Business and A-1 Agricultural to all B-2 Highway Business;

Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Clyde** and the Town is recommending approval as it has been deemed to be consistent with the goals and intent of its adopted comprehensive plan,

Whereas a public hearing, designated as zoning hearing number **3021** was last held on **April 25, 2019** in accord with said notice, and said notice, and as a result of said hearing action has been taken by the Iowa County Planning & Zoning Committee to **approve** said petition with the condition that the associated certified survey map be duly recorded within 6 months.

Now therefore be it resolved that official county zoning map be amended as recommended by the Iowa County Planning and Zoning Committee.

Respectfully submitted by the Iowa County Planning & Zoning Committee.

I, the undersigned Iowa County Clerk, hereby certify that the above Amendatory Ordinance No. was _____ approved as recommended _____ approved with amendment _____ denied as recommended _____ denied or _____ rereferred to the Iowa County Planning & Zoning Committee by the Iowa County Board of Supervisors on **May 21, 2019**. The effective date of this ordinance shall be **May 21, 2019**.

Greg Klusendorf
Iowa County Clerk

Date: _____



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

Courthouse - 222 N. Iowa St. - Dodgeville, WI 53533
Telephone: (608) 935-0398 Fax: (608) 930-1205 Mobile: (608) 553-7575
e-mail: scott.godfrey@iowacounty.org

Planning & Zoning Committee Recommendation Summary

Public Hearing Held on April 25, 2019

Zoning Hearing 3021

Recommendation: **Approval**

Applicant(s): Silver Star Properties & Powel Ridge LLC

Town of Clyde

Site Description: part of the SE/SE of S6-T7N-R3E & N1/2-NE S7-T7N-R3E also affecting tax parcels 006-0065, 0066.A, 0067

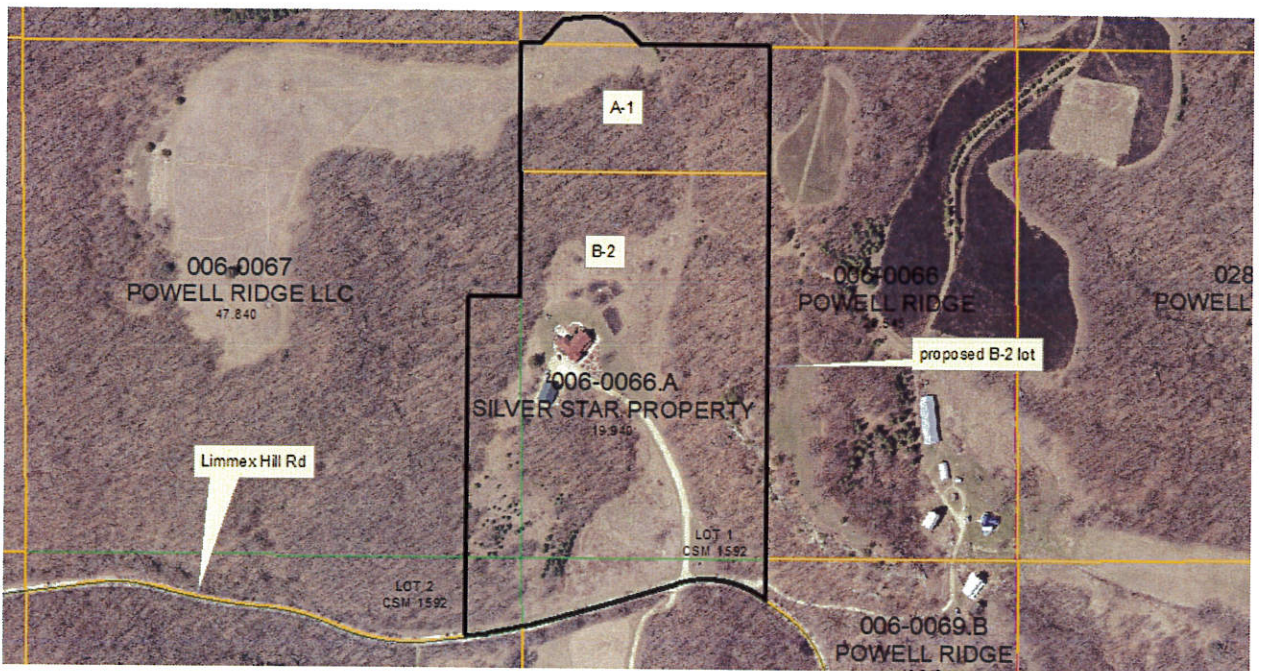
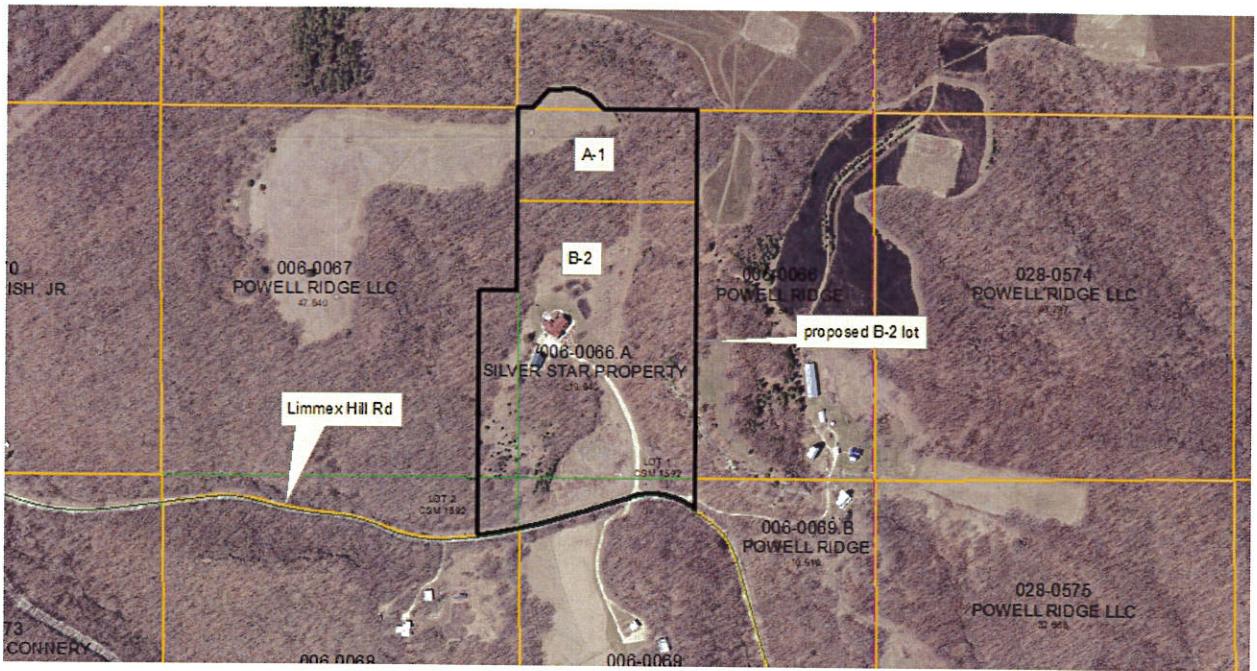
Petition Summary: This is a request to enlarge a B-2 Hwy Bus lot to 25.45 acres by adding land currently zoned A-1 Ag.

Comments/Recommendations

1. The existing B-2 lot was approved in 2016 per ZH 2800 with a Bed & Breakfast operation, art sales, alcohol sales and café approved by CUP.
2. If approved, the new B-2 lot uses must be approved by CUP. The existing uses are being requested on the new lot.
3. The preliminary certified survey map has been submitted for review.

Town Recommendation: The Town of Clyde feels the proposal is consistent with its comprehensive plan and recommends approval of both the zoning change and CUP.

Staff Recommendation: Staff recommends approval of the zoning change with the condition that the associated certified survey map is duly recorded within 6 months of the County Board approving the zoning change.



Amendatory Ordinance No. 3-0519

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by the Christine Speth and Black Acres Farms;

For land in the NE1/4 of the SE ¼ of Section 35-T7N-R1E in the Town of Highland; affecting tax parcel 012-1056.

And, this petition is made to rezone 2.07 acres from A-1 Agricultural to AR-1 Agricultural Residential;

Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Highland** and the Town is recommending approval as it has been deemed to be consistent with the goals and intent of its adopted comprehensive plan,

Whereas a public hearing, designated as zoning hearing number **3015** was last held on **April 25, 2019** in accord with said notice, and said notice, and as a result of said hearing action has been taken by the Iowa County Planning & Zoning Committee to **approve** said petition with the condition that the associated certified survey map be duly recorded within 6 months.

Now therefore be it resolved that official county zoning map be amended as recommended by the Iowa County Planning and Zoning Committee.

Respectfully submitted by the Iowa County Planning & Zoning Committee.

I, the undersigned Iowa County Clerk, hereby certify that the above Amendatory Ordinance No. was _____ approved as recommended _____ approved with amendment _____ denied as recommended _____ denied or _____ rereferred to the Iowa County Planning & Zoning Committee by the Iowa County Board of Supervisors on **May 21, 2019**. The effective date of this ordinance shall be **May 21, 2019**.

Greg Klusendorf
Iowa County Clerk

Date: _____



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

Courthouse - 222 N. Iowa St. - Dodgeville, WI 53533

Telephone: (608) 935-0398 Fax: (608) 930-1205 Mobile: (608) 553-7575

e-mail: scott.godfrey@iowacounty.org

Planning & Zoning Committee Recommendation Summary

Public Hearing Held on April 25, 2019

Zoning Hearing 3015

Recommendation: **Approval**

Applicant(s): Christine Speth & Black Acres Farms

Town of Highland

Site Description: part of the NE/SE of S35-T7N-R1E also affecting tax parcel 012-1056

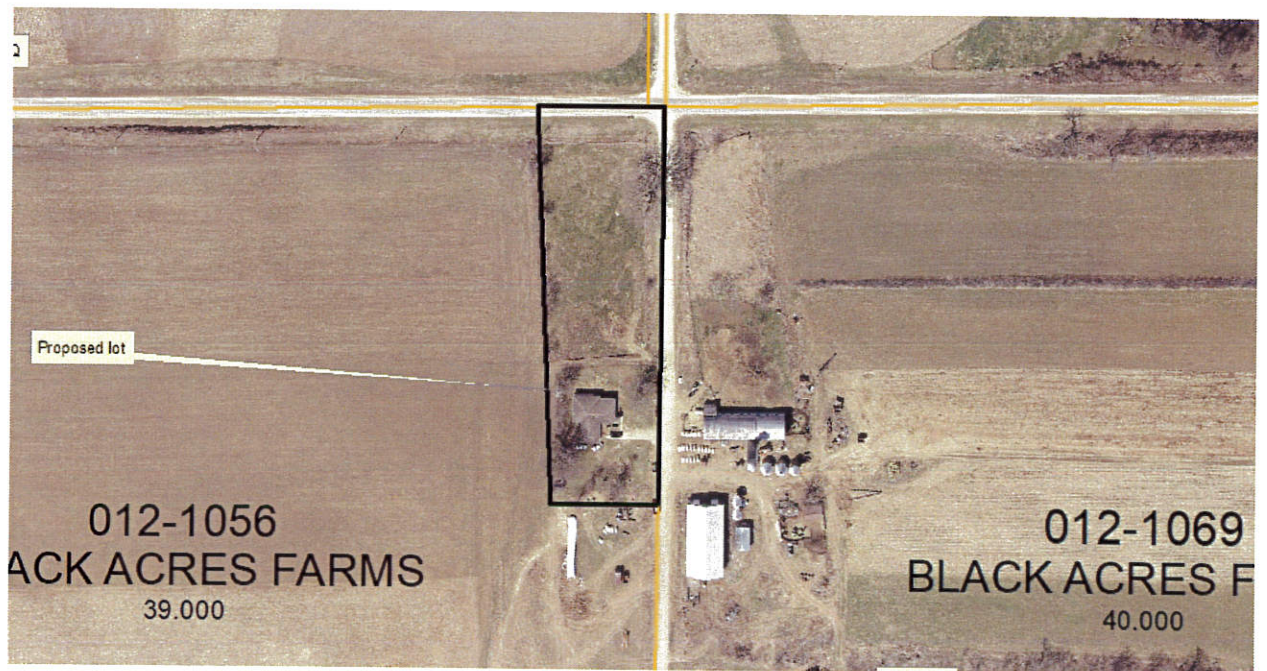
Petition Summary: This is a request to create a residential lot of 2.07 acres by rezoning from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations

1. The applicant proposes to create a residential lot by dividing the existing residence from the farm on a lot of 2.07 acres. Since this is under the minimum 40-acre lot size for the current A-1 Ag district, the AR-1 Ag Res district is being requested.
2. If approved, the lot would be eligible for one single family residence, accessory structures and limited ag uses.
3. The preliminary certified survey map has not been submitted for formal review.

Town Recommendation: The Town of Highland is recommending approval of the zoning change.

Staff Recommendation: Staff recommends approval with the conditions that the associated certified survey map is duly recorded within 6 months of the County Board approving the zoning change.



Amendatory Ordinance No. 4-0519

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Norbert and Bonnie Pluemer;

For land in the NW1/4 of the NE1/4 of Section 9-T4N-R1E in the Town of Mifflin;
affecting tax parcel 016-0761,

And, this petition is made to rezone 4.787 acres from A-1 Agricultural to R-1 Single Family Residential, with the balance of the tax parcel zoned with the AC-1 Agricultural Conservancy overlay to comply with residential density standards;

Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Mifflin** and the Town is recommending approval as it has been deemed to be consistent with the goals and intent of its adopted comprehensive plan,

Whereas a public hearing, designated as zoning hearing number **3022** was last held on **April 25, 2019** in accord with said notice, and said notice, and as a result of said hearing action has been taken by the Iowa County Planning & Zoning Committee to **approve** said petition with the condition that the associated certified survey map be duly recorded within 6 months.

Now therefore be it resolved that official county zoning map be amended as recommended by the Iowa County Planning and Zoning Committee.

Respectfully submitted by the Iowa County Planning & Zoning Committee.

I, the undersigned Iowa County Clerk, hereby certify that the above Amendatory Ordinance No. was _____ approved as recommended _____ approved with amendment _____ denied as recommended _____ denied or _____ rereferred to the Iowa County Planning & Zoning Committee by the Iowa County Board of Supervisors on **May 21, 2019**. The effective date of this ordinance shall be **May 21, 2019**.

Greg Klusendorf
Iowa County Clerk

Date: _____



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

Courthouse - 222 N. Iowa St. - Dodgeville, WI 53533

Telephone: (608) 935-0398 Fax: (608) 930-1205 Mobile: (608) 553-7575

e-mail: scott.godfrey@iowacounty.org

Planning & Zoning Committee Recommendation Summary

Public Hearing Held on April 25, 2019

Zoning Hearing 3022

Recommendation: **Approval**

Applicant(s): Norbert & Bonnie Pluemer

Town of Mifflin

Site Description: part of the NW/NE of S9-T4N-R1E also affecting tax parcel 016-0761

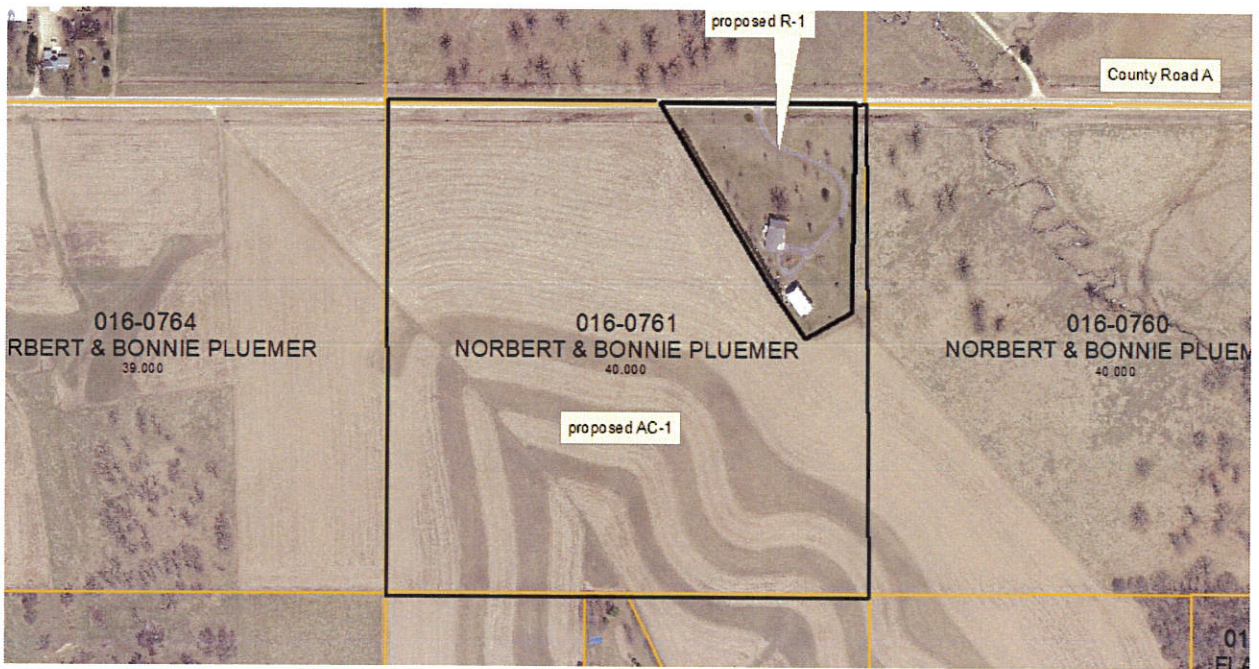
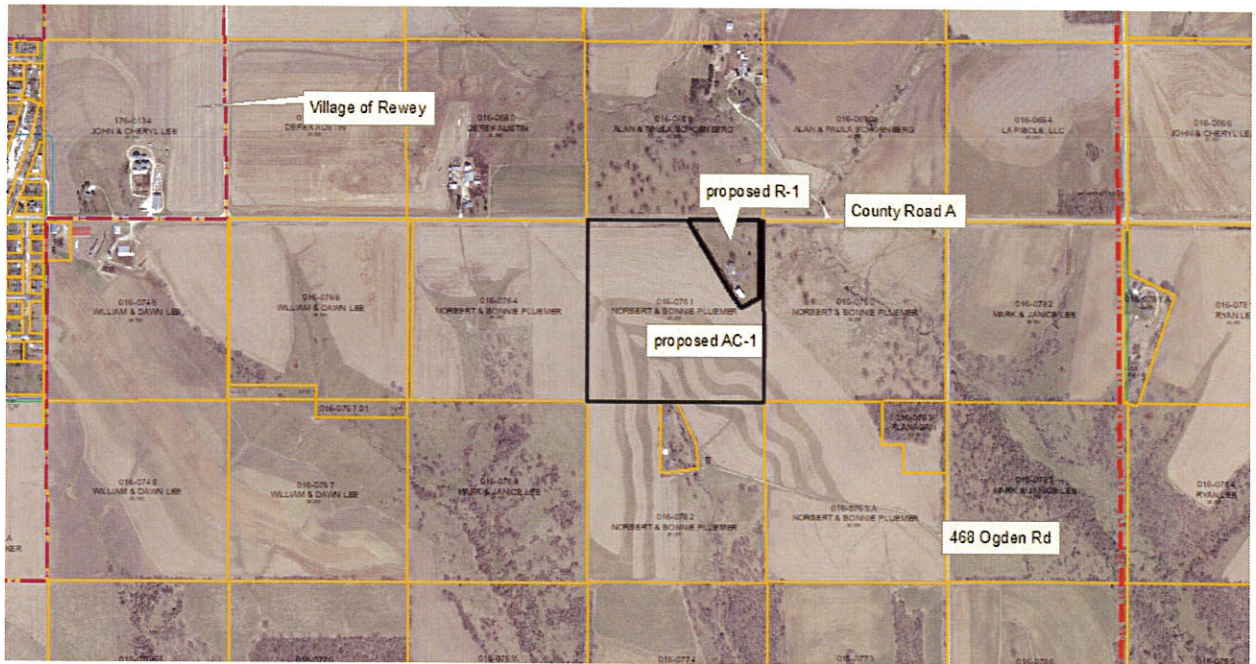
Petition Summary: This is a request to create a 4.787-acre lot by zoning from A-1 Ag to R-1 Single Family Residence.

Comments/Recommendations

1. The existing A-1 district has a minimum 40-acre lot size, therefore the proposed 4.787-acre lot is being proposed to be R-1 SF Res.
2. If approved, the R-1 lot would be eligible for one single family residence and accessory structures. The proposed lot has a house and shed on it.
3. The preliminary certified survey map has not yet been submitted for formal review.

Town Recommendation: The Town of Mifflin feels the proposal is consistent with its comprehensive plan and recommends approval provided the balance of tax parcel 016-0761 is zoned with the AC-1 overlay to comply with its density standard.

Staff Recommendation: Staff recommends approval with the condition that the associated certified survey map is duly recorded within 6 months of the County Board approving the zoning change.



Amendatory Ordinance No. 5-0519

To the Honorable Iowa County Board of Supervisors:

Whereas, the Iowa County Planning & Zoning Committee has been considering revisions to the Iowa County Zoning Ordinance that establish standards for residential kennels and commercial kennels;

Whereas, the Committee has provided opportunity all fourteen Towns under county general zoning to review and comment;

Whereas, after holding several working meetings, the Committee held 2 public hearings with the last on April 25, 2019 on proposed revisions to said ordinance and took action to recommend adoption by the Iowa County Board of Supervisors;

Now Therefore Be It Resolved that the Iowa County Zoning Ordinance be revised as shown in Appendix A.

Respectfully submitted by the Iowa County Planning & Zoning Committee.

I, the undersigned Iowa County Clerk, hereby certify that this Amendatory Ordinance was _____ approved as recommended: _____ approved with amendment: _____ denied as recommended; _____ rereferred to the Iowa County Planning & Zoning Committee by the Iowa County Board of Supervisors on **May 21, 2019**. The effective date of this ordinance shall be **May 21, 2019**.

Greg Klusendorf
Iowa County Clerk

Date: _____

Appendix A

I. Revise Section 13.0 Definitions to include:

Commercial Kennel

Includes animal shelters, commercial kennel services, pet resorts or hotels, dog training centers, doggie day cares, animal rescue shelters, and principal uses where animals are bred for sale to other persons or entities. This use may include training, boarding, grooming, sales of food, sales of supplies, and other customary uses. All such uses may be defined or limited by conditional use permit. Does not include a residential kennel as defined in this Ordinance.

Use standards:

- a) The animals shall be securely detained on the applicant's property, whether by fencing, leash, restraint, or other humane means.
- b) Each animal shall be provided with an indoor containment area
- c) No excessive barking, cries, howling, or other noise shall be permitted. The term "excessive barking, cries, howling or other noise" includes but is not limited to the creation of any noise by a dog or cat that can be heard at the property line by any person and that occurs continuously or incessantly for a period of ten continuous minutes or intermittently for thirty minutes or more, except in instances where it can be demonstrated that such noise was associated with a person trespassing or threatening to trespass upon the private property where the kennel is situated or in instances where the animals are being teased or provoked.
- d) There shall be adequate exercise space for each animal
- e) Outdoor dog runs or exercise pens shall have the following setbacks:
 - i. located at least 20 feet from a lot line
 - ii. located at least 200 feet from an existing legal residence or other structure occupied at least 51% of the time on adjacent property – this setback may be reduced if the adjacent property owner agrees in writing
- f) All pens, yards, structures or areas where animals are kept shall be maintained in a nuisance free manner. Droppings and manure shall be removed and disposed of properly so not to attract insects or rodents, become unsightly or cause objectionable odors.
- g) The lot or parcel size shall be considered as to whether adequate in size for the proposed use and its proximity to adjacent legal uses for potential negative impacts.
- h) Within any farmland preservation zoning district, such uses shall be subject to the following limitations:
 - Be conducted by the owners or operators of the farm and employ not more than four additional persons
 - Require no buildings, structures, or improvements other than a preexisting farm residence, an agricultural accessory structure, or both
 - Not impair the current or future agricultural use of the farm or of the other farmland within the farmland preservation district

Residential Kennel

Includes the breeding and/or rearing, of between 3 and 6 dogs or cats combined owned by the owner of the affected property, in association with the residential or agricultural principal use of the land and related buildings or structures. A litter of pups or kittens, kept for less than 6 months from birth shall not contribute to the number limit, provided there is not more than a single litter per year per species, not animal, on the premises. This use may not include training, boarding, grooming, sales of food, or sales of supplies. Does not include commercial kennels as defined in this Ordinance.

Exceeding the animal number limits may be considered by conditional use permit provided all use standards listed below are complied with.

Use standards:

- a) All dogs and cats must be licensed by the appropriate town if the town maintains a licensing requirement, and regardless, the use shall be subject to all applicable town, county, and state regulations.
- b) The animals shall be securely detained on the applicant's property, whether by fencing, leash, restraint, or other humane means.
- c) Outdoor dog runs or exercise pens shall have the following setbacks:
 - i. located at least 20 feet from a lot line
 - ii. located at least 200 feet from an existing legal residence or other structure occupied at least 51% of the time on adjacent property – this setback may be reduced if the adjacent property owner agrees in writing
- d) No excessive barking, cries, howling, or other noise shall be permitted. The term "excessive barking, cries, howling or other noise" includes but is not limited to the creation of any noise by a dog or cat that can be heard at the property line by any person and that occurs continuously or incessantly for a period of ten continuous minutes or intermittently for thirty minutes or more, except in instances where it can be demonstrated that such noise was associated with a person trespassing or threatening to trespass upon the private property where the kennel is situated or in instances where the animals are being teased or provoked.
- e) All pens, yards, structures or areas where animals are kept shall be maintained in a nuisance free manner. Droppings and manure shall be removed and disposed of properly so not to attract insects or rodents, become unsightly or cause objectionable odors.
- f) The lot or parcel size shall be considered as to whether adequate in size for the proposed use and its proximity to adjacent legal uses for potential negative impacts.
- i) The limit of dogs or cats can be limited where a conditional use permit is required if the limitation is to mitigate potential negative impacts to adjacent legal land uses or due to the subject lot or parcel size.
- j) Within any farmland preservation zoning district, such uses shall be subject to the following limitations:
 - Be conducted by the owners or operators of the farm and employ not more than four additional persons
 - Require no buildings, structures, or improvements other than a preexisting farm residence, an agricultural accessory structure, or both
 - Not impair the current or future agricultural use of the farm or of the other farmland within the farmland preservation district

II. Revise Section 3.0 Zoning Districts to:

1. Provide for a Commercial Kennel as a Conditional Use Permit option in the A-1 Agricultural, AR-1 Agricultural Residential, AB-1 Agricultural Business, RB-1 Recreational Business, and B-2 Highway Business zoning district.

2. Provide for a Residential Kennel as a Permitted Principal Use in the A-1 Agricultural district on lots of 40 or more acres
3. Provide for a Residential Kennel as a Conditional Use Permit option in the A-1 Agricultural district on lots of less than 40 acres, and in the AR-1 Agricultural Residential, R-1 Single Family Residential, RH-1 Rural Hamlet, and R-2 Multi-Family Residential districts.

6-0519

AGENDA ITEM COVER SHEET

Title: Resolution to waive permit fees for Cole Carley

☒ Original

☐ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

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

A landowner requested the permit fees under floodplain and shoreland zoning be waived for the repairs to damage caused by the Summer 2018 flooding along Black Earth Creek. The repairs will consist of streambank stabilization and a possible diversion berm, all of which must comply with floodplain zoning and shoreland zoning standards. The project is also subject to WDNR permitting and approval.

RECOMMENDATIONS (IF ANY):

Waive the floodplain and shoreland zoning permit fees

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

resolution

FISCAL IMPACT:

\$300.00

LEGAL REVIEW PERFORMED:

☐ Yes

☒ No

PUBLICATION REQUIRED:

☐ Yes

☒ No

PRESENTATION?:

☐ Yes

☒ No

How much time is needed? _____

COMPLETED BY: Scott Godfrey

DEPT: Planning & Development

2/3 VOTE REQUIRED:

☐ Yes

☒ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE: April 25, 2019

AGENDA ITEM # 13

COMMITTEE ACTION:

Recommend waiving permit fees

Resolution No. 6-0519

**RESOLUTION TO WAIVE FLOODPLAIN ZONING AND SHORELAND ZONING
PERMIT FEES FOR COLE CARLEY – REPAIR FROM FLOOD DAMAGE**

WHEREAS, flood events in the Summer of 2018 caused the Black Earth Creek to overtop and cause damage to the property of Cole Carley in the Town of Arena; and

WHEREAS, the proposed repair of the damage requires permitting as the property is subject to State and Federal floodplain and shoreland zoning standards that Iowa County is mandated to enforce by statute; and

WHEREAS, the fee established by the Iowa County Board of Supervisors for each permit is \$150; and

WHEREAS, the Iowa County Planning & Zoning Committee took action on April 25, 2019 to approve Mr. Carley's request to waive both permit fees for the repairs from this specific event; and

NOW, THEREFORE, BE IT RESOLVED by the Iowa County Board of Supervisors to waive the permit fees for the floodplain zoning permit and shoreland zoning permit required to be obtained by Mr. Cole Carley in association with repairing flood damage to his property

Resolution respectfully submitted by the Iowa County Planning & Zoning Committee.

Adopted by the Iowa County Board of Supervisors this ____ day of _____, 2019.

AGENDA ITEM COVER SHEET

Title: Introduction of the revised Ordinance No. 400.16

☒ Original

☐ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

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

This is a proposed ordinance that combines the Iowa County Airport Height Limitation Ordinance and Iowa County Airport Zoning Ordinance. The ordinance was proposed by the Iowa County Airport Commission during multiple public meetings after which two public hearings were held by the Iowa County Planning & Zoning Committee.

RECOMMENDATIONS (IF ANY):

Rescind the existing Ordinance No. 400.16 and replace with this revised version

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

copy of the proposed ordinance

FISCAL IMPACT:

Administration will incur costs that there will be a separate consideration of fees to be set by resolution.

LEGAL REVIEW PERFORMED:

☐ Yes

☒ No

PUBLICATION REQUIRED:

☒ Yes

☐ No

PRESENTATION?:

☐ Yes

☒ No

How much time is needed? _____

COMPLETED BY: Scott Godfrey

DEPT: Planning & Development

2/3 VOTE REQUIRED:

☐ Yes

☒ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE: April 25, 2019

AGENDA ITEM # 17

COMMITTEE ACTION:

Recommend adoption

Ordinance No. 400.16

Iowa County Airport Overlay Zoning Ordinance

Iowa County, Wisconsin

**Copies are available at the
Office of Planning & Development**

222 N. Iowa Street

Dodgeville, WI 53533

(608) 935-0398

www.iowacounty.org

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SECTION 1.0 PURPOSE. It is the purpose of this ordinance to regulate the use of property and to regulate and restrict the height of structures in the vicinity of the Iowa County Airport in order to promote public health, safety, and general welfare, to protect airport users, to increase safety in the use of the airport and to protect persons and property within the airport affected area and zoning districts while concurrently respecting historic and traditional usage of said areas. As an overlay ordinance, it applies additional review, conditions and/or restrictions to its jurisdiction area while retaining the existing base zoning classification as administered by the political unit with jurisdiction, ie. County, City, Village or Township.

SECTION 2.0 STATUTORY AUTHORIZATION. This ordinance, designed to protect the approaches, airspace and hazard areas of the Iowa County Airport is adopted pursuant to Ch. 114 WI Stats and Sections 59.03, 59.04, and 59.69..

SECTION 3.0 JURISDICTION. The jurisdiction of this ordinance shall extend over all lands and waters within three (3) statute miles from the property lines of the Iowa County Airport as shown on the Iowa County Airport Zoning District Map (see Appendix A), including both unincorporated and incorporated areas.

SECTION 4.0 SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

SECTION 5.0 DEFINITIONS. Word used in the present tense includes the future, words in the singular number include the plural number and words in the plural number include the singular. The word "shall" is mandatory, not permissive. All distances, unless otherwise specified, shall be measured horizontally.

1. "Administrator". The Iowa County Office of Planning and Development.
2. "Alteration". Any construction, which would result in a change in height or lateral dimensions of an existing structure or object.
3. "Airport Management". The Iowa County Airport Manager with oversight by the Iowa County Airport Commission.
4. "Airport." The Iowa County Airport located in Sections 22, 23, 26 and 27, Township 5 North, Range 2 East, Iowa County, Wisconsin or as otherwise described by recorded deed.
5. "Airport Affected Area." The area located within three (3) statute miles of the Iowa County Airport property boundaries..
6. "Airport Hazard." Any structure or object, whether man-made or natural, or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off at the airport or is otherwise hazardous to such landing and taking off.
7. "Board of Adjustment." The zoning board of appeals created pursuant to Ch. 114.136(4) WI Stats with the powers provided by law to hear appeals and grant variances from the terms of this ordinance.
8. "Building." Any structure having a roof supported by columns or walls used or intended to be used for the shelter or enclosures of persons, animals, equipment, machinery or materials.
9. "Church." A building used wholly or in part for the practice of a religion by a congregation of fifty (50) or more persons.
10. "Commission." The Iowa County Airport Commission.
11. "Committee." The Iowa Planning and Zoning Committee.

12. "Construction." The erection or alteration of any structure or objects either of permanent or temporary character.
13. "Day Care Facility." A building used wholly or in part for the licensed care of children, whom at least six (6) are not related by blood or marriage to the care giver(s).
14. "Development." Any manmade change to improved or unimproved real estate, including but not limited to construction of or additions to buildings, other structures, or accessory uses, the placement of mobile homes, mining, dredging, filling, grading, paving, excavation or drilling operations, deposition of materials.
15. "Growth." Natural vegetation including trees, shrubs, and foliage with the exception of farm crops that are cut at least once each year.
16. "Lot." A land area with a boundary description designated in a subdivision plat, certified survey map, or described in a conveyance, recorded in the Iowa County Register of Deeds.
17. "Nonconforming Structure." A structure that legally existed at the time of adoption or revision of this ordinance but does not comply with the provisions of this ordinance.
18. "Nonconforming Use." A use of land that legally existed at the time of adoption or revision of this ordinance but does not comply with the provisions of this ordinance.
19. "Person." Any individual, firm, partnership, corporation, company, association, joint stock association or body politic and includes any spouse, partner, trustee, receiver, assignee, or other similar representative thereof.
20. "Preexisting permitted use." see Nonconforming Use.
21. "Retirement Home." A building used as a place of residence for the elderly in which there are at least three (3) separate living units that may or may not share common areas, such as dining and recreational facilities.
22. "Runway." A portion of the airport having a surface specifically developed and maintained for the taxiing, landing and taking off of aircraft.
23. "School." A building used as a public or private educational institution for children between the ages of four and eighteen, more commonly referred to as an elementary, secondary or high school. This definition exempts the home schooling, meaning the schooling of children within a private home versus a public or private institution.
24. "Structure." Any object or construction, excluding fills and fences, or any production or piece of work artificially built or composed of parts joined together in some definite manner having form, shape and utility built or placed by man.
25. "Subdivision." For the purpose of this ordinance, a subdivision shall be the division of a lot, parcel or tract by the owner thereof, or his agent, for the purpose of transfer of ownership or building development where the act of division creates three (3) or more parcels or building sites of five (5) acres each or less in area or where the act of division creates three (3) or more parcels or building sites of five (5) acres each or less in area by successive division within a five-year period.
26. "Telecommunication Tower." For the purpose of this ordinance, the definition within the Telecommunications Tower, Antenna and Facilities Siting Ordinance of Iowa County shall apply. Amateur radio towers are not included, provided any tower is no taller than 90 feet and is located at least 100% of its height to any property line.
27. "Tree." Any objects of natural growth, except farm crops which are cut once a year, and except shrubs and foliage which do not grow to a height of more than twenty (20) feet.
28. "Variance." A departure from the terms of this ordinance as applied to a specific building, structure or parcel of land, granted by the Board of Adjustment upon the applicant

proving unnecessary hardship that permits the construction, alteration, remodeling or use of land that deviates from the requirements of this ordinance.

SECTION 6.0 GENERAL PROVISIONS.

1. Jurisdiction. The provisions of this ordinance shall apply to all those lands and waters within three (3) miles of the Iowa County Airport as indicated on the Iowa County Airport Zoning District Map (see Appendix A). Notwithstanding any other provision of this ordinance, no use may be made of land or water within any district established herein that would endanger the safe landing, taking off and maneuvering of aircraft within the vicinity of the Iowa County Airport, or would be injurious to the health, safety and welfare of persons using the airport facilities, including:
 - a) Creating electrical or electronic interference to navigational signals, and radio or radar communication between the airport and aircraft or air traffic control systems;
 - b) Installing or using slashing or flashing lights, illuminated advertising, illuminated business signs or any illumination that would create a hazard to pilots because of the difficulty distinguishing between airport lights and the non-airport illumination, or that results in glare in pilot's eyes to an extent that it impairs visibility;
 - c) Emitting or discharging smoke so as to interfere with the safe avigation of aircraft using the airport.
2. Persons constructing, purchasing or leasing any land or structures within three miles of the Iowa County Airport are advised that such land and structures, including dwellings, are within in the vicinity of the airport. The airport, by its customary and normal operations, may cause noise or interfere with the unrestricted use and quiet enjoyment of property.
3. Use Restrictions. Notwithstanding any other provisions of this ordinance, no use may be made of land or water within any district established by this ordinance in such a manner as to create electrical or electronic interference with navigational signals or radio or radar communication between the airport and aircraft. No illuminated structures are allowed that would be hazardous for pilot navigation. No structure or use of land that causes the emission of smoke that may be a pilot navigation hazard or otherwise be detrimental or injurious to the health, safety and welfare of the public in use of the airport is allowed unless specifically approved by airport management. All uses must comply with any underlying zoning regulations.
4. Height Limitations. No structure, tree or growth shall be erected, altered, allowed to grow or be maintained within any zoning district established by this ordinance to a height that exceeds the limitations established on the Height Limitation Zoning Map dated Sept. 19, 2007 as prepared by the Wisconsin Bureau of Aeronautics as shown in Appendix B.
A clearer, more legible map can be obtained from the Iowa County Office of Planning and Development.

The height limitation restrictions shall not apply to objects which are less than thirty-five (35) feet in height above the ground level at the object site within one-half mile of the airport boundary, or to structures less than fifty (50) feet in height above ground within the area beginning one-half mile from the airport boundary and extending to three miles from the airport boundary.

5. Conflict with Other Regulations. Whenever the provisions of this ordinance are inconsistent with on another or when the provisions of this ordinance conflict with provisions found in other adopted ordinances or regulations, the more restrictive provision shall govern unless the terms of the provisions specify otherwise.

SECTION 7.0 Airport Zones. The jurisdiction of this ordinance, as defined by Section 3.0, is divided into zones as shown on the map entitled "Iowa County Airport Zoning District Map" adopted as part of this ordinance. When a district line divides a lot of record existing prior to the effective date of this ordinance in such a manner that a use is not permitted in the most restrictive district of such lot, but is permitted on that portion of such lot in the lesser restrictive district, then a permitted use may be developed only on that portion of the lot where it is permitted. The zones described below are illustrated on the Iowa County Airport Zoning District Map (see Appendix A) as follows:

- Zone 1 Red outlined area
- Zone 2 Yellow outlined area
- Zone 3 Light Blue outlined area
- Zone 4 Green outlined area
- Zone 5 Dark Blue outlined area

A clearer, more legible map can be obtained from the Iowa County Office of Planning and Development.

1) Zone 1. This is primarily surface area (ground) that is vital for airport operations. Runways, taxiways and ground immediately adjacent are included in this zone. No buildings shall be allowed in this area for safety reasons. Most, if not all, of this zone is land owned by the airport.

a) Permitted Uses.

1. Aircraft hangers, air terminals, and airport administration and maintenance buildings
2. Runways, taxiways, aprons, and related lighting and air support apparatus
3. Airport security, rescue, and firefighting buildings and facilities
4. Aircraft repair and maintenance buildings and facilities
5. Fuel storage facilities and pumps
6. Commercial uses directly related to airport operations
7. Public gatherings in conjunction with an airport related activity sponsored or approved by the airport management
8. Air cargo facilities
9. Agricultural uses as approved by airport management
10. Municipal emergency response facilities

b) Prohibited Uses.

1. Any buildings or structures other than that necessary for airport operations.
2. Any use that may cause a navigational hazard, such as smoke, dust, lighting, etc.
3. Any new development where there would be a density of one hundred (100) or more persons per acre, either as employees, patrons, visitors, owners or occupants.
4. Places of public or semi-public assembly with a capacity of 100 or more persons.

2) Zone 2. This is an area adjacent to Zone 1 and is a transitional zone because aircraft are transitioning into a flight or landing pattern over this land area. This zone includes an extended approach sub-zone, which is an extension from the approaches at the runways.

Those uses permitted by the underlying general zoning jurisdiction are allowed except for those uses specifically prohibited in this section. Zone 2 is divided into two sub-zones: Sub-zone A and Sub-zone B.

a) The following uses shall be prohibited in the Sub-zone A:

1. Residential development on lots less than twenty (20) acres
2. Residential, commercial or mixed-use subdivisions
3. Commercial development on lots less than twenty (20) acres
4. Any new development where there would be a density of one hundred (100) or more persons per acre, either as employees, patrons, visitors, owners or occupants.
5. Wildlife ponds, not including storm water or erosion-control structures if designed for less than a 48-hour detention period
6. Hunting preserves, hunting clubs and trapshooting or similar facilities; wildlife sanctuaries, game preserves and including aviaries that would cause a navigation hazard.
7. Any use that may cause a navigational hazard, such as smoke, dust, lighting, etc.
8. Hospitals and clinics
9. Churches or similar places of worship
10. Schools
11. Landfills
12. Retirement homes
13. Day care facilities
14. Telecommunication towers
15. Theatres
16. Amphitheatres
17. Stadiums
18. Hatcheries
19. Flying of model aircraft or drones at more than 20 feet above ground grade by a noncommercial operator
20. Launching of model rockets or airborne fireworks
21. Any other construction that would encourage the concentration of bird (avian) populations that would cause a navigational hazard.
22. Campgrounds

b) The following uses shall be prohibited in the Sub-zone B:

1. Residential development on lots less than ten (10) acres

2. Residential, commercial or mixed-use subdivisions
3. Commercial development on lots less than ten (10) acres
4. Any new development where there would be a density of one hundred (100) or more persons per acre, either as employees, patrons, visitors, owners or occupants.
5. Wildlife ponds, not including storm water or erosion-control structures if designed for less than a 48-hour detention period
6. Hunting preserves, hunting clubs and trapshooting or similar facilities; wildlife sanctuaries, game preserves and including aviaries that would cause a navigation hazard.
7. Any use that may cause a navigational hazard, such as smoke, dust, lighting, etc.
8. Hospitals and clinics
9. Churches or similar places of worship
10. Schools
11. Landfills
12. Retirement homes
13. Day care facilities
14. Telecommunication towers
15. Theatres
16. Amphitheatres
17. Stadiums
18. Hatcheries
19. Flying of model aircraft or drones at more than 20 feet above ground grade, except when done by a commercial licensed operator
20. Launching of model rockets or airborne fireworks more than 20 feet above ground grade
21. Any other construction that would encourage the concentration of bird (avian) populations that would cause a navigational hazard.
22. Campgrounds.

3.) Zone 3. This is an area extending approximately one mile outward from the airport runways as shown on the Iowa County Airport Zoning District Map (see Appendix A). This zone does not reduce any part of Zone 2. This is an area where there will be primarily moderate to high noise from aircraft as they are near approach and take-off patterns.

a) The following uses shall be prohibited in this zone:

1. Residential, commercial or mixed-use subdivisions.
2. Hospitals and clinics.
3. Schools.
4. Churches or similar places of worship.
5. Hunting preserves, hunt clubs and trapshooting or similar facilities that would cause a navigation hazard.
6. Day care facilities.
7. Retirement homes.
8. Any use that may cause a navigational hazard, such as smoke, dust, lighting, etc.
9. Landfills.
10. Telecommunication towers.
11. Stadiums.
12. Campgrounds.
13. Wildlife ponds, not including storm water or erosion-control structures if designed for less than a 48-hour detention period

- 4.) Zone 4. This is an area adjacent to Zone 3 extending out to roughly two miles from the airport runways as shown on the Iowa County Airport Zoning District Map (see Appendix A). This is an area where there will be primarily moderate noise from aircraft, but not subject to significant safety issues as aircraft are in an established flight pattern over these areas.

a) The following uses shall be prohibited:

1. Hospitals and clinics
2. Schools
3. Churches or similar places of worship
4. Hunting preserves, hunt clubs and trapshooting or similar facilities that would cause a navigation hazard
5. Day care facilities.
6. Retirement homes
7. Any use that may cause a navigational hazard, such as smoke, dust, lighting, etc.
8. Landfills
9. Stadiums.
10. Campgrounds
11. Wildlife ponds, not including storm water or erosion-control structures if designed for less than a 48-hour detention period

- 5.) Zone 5. This is the area from Zone 4 outward to the 3-mile radius (Airport Affected Area) as shown on the Iowa County Airport Zoning District Map (see Appendix A). This area will be subject to low noises and safety concerns. Therefore, development will primarily have to follow height limits.

a) The following uses shall be prohibited:

1. Any structure that exceeds the height limitations established in Section 6.0(5) of this ordinance
2. Any use that may cause a navigational hazard, such as smoke, dust, lighting, etc.
3. Wildlife ponds, not including storm water or erosion-control structures if designed for less than a 48-hour detention period

- 6.) Zone 6 – Height Limitation Overlay District, This district is established to protect the approaches to the airport from incompatible land uses by establishing height limitations as shown on the Height Limitation Zoning Map dated September 19, 2007 as prepared by the Wisconsin Bureau of Aeronautics shown in Appendix B. This district overlays all other districts and only impacts the use of land by establishing maximum height of structures and growth.

SECTION 8.0 ADMINISTRATION. It shall be the duty of the Iowa County Office of Planning & Development to administer and enforce this ordinance.

- 1) Permits. No structure or development shall hereafter be constructed, erected, enlarged or installed in any district created by this ordinance until the owner or their agent shall have secured a permit from the Administrator. Forms for application of permits shall be

supplied by the Administrator and a record of all permits issued shall be kept on file within the Office of Planning & Development.

Within the incorporated limits of the Village of Linden and the City of Mineral Point, application for a permit under this ordinance shall only be required if the proposed structure is to be 50 feet high or higher. Any structure less than 50 feet in height, regardless of the square footage of the structure, are exempt from the need of a permit under this ordinance. However, the use of said structure is still subject to the provisions of this ordinance.

- 2) Permit Procedure. Upon receipt of a completed application, the Administrator shall determine if the proposed project is consistent with the provisions of this ordinance and, if it is, shall issue the permit. If it is not, the Administrator shall deny the permit in writing stating the reason or reasons of denial. The Administrator may request input from any underlying jurisdiction that may have approval authority over the project.
- 3) After-the-Fact Permits. In the event that construction or development has begun prior to the issuance of a permit required under this ordinance, the owner or their agent shall seek an after-the-fact permit. The Administrator is authorized to issue a Cease Work Order until a permit is issued. An after-the-fact permit shall only be issued if the proposed development complies with all provisions of this Ordinance.
- 4) Fees. The Iowa County Board of Supervisors shall establish permit fees and after-the-fact permit fees by resolution.

SECTION 9.0 NONCONFORMING USES.

- 1) The lawful use of land, buildings and structures existing at the time of the adoption or amendment of this Ordinance may be continued, although such use, building or structure does not conform to the provisions of this Ordinance. The expansion or enlargement of a nonconforming use, building or structure shall be in conformity with this Ordinance.
- 2) The destruction of Existing Uses. The owner of any preexisting permitted use, building, structure, tree or plant which, as a result of fire, explosion or other casualty is destroyed, shall be allowed to rebuild, reconstruct or rehabilitate the same preexisting permitted use of the same parcel, provided the following requirements are met:
 - a) All required permits are obtained prior to rebuilding, reconstruction or rehabilitation.
 - b) The preexisting permitted use complies with the height limitation imposed by this ordinance.
 - c) The rebuilt or reconstructed structure or building does not exceed the three-dimensional footprint original preexisting structure or building.
 - d) The rehabilitated use does not exceed the scale, scope and extent of the original preexisting use.
- 3) Expansion of Preexisting Permitted Uses. Any preexisting legal uses, as described in this ordinance, may be expanded, altered or otherwise enlarged as long as the following requirements are met:
 - a) All required permits are obtained prior to commencement of work.
 - b) The expansion, alteration or enlarging meets the requirements of height limitation.

- c) The expansion, alteration or enlargement in no way increases or creates any hazard within the airspace required for the flight of aircraft in landing or takeoff or creates or increases any potential hazard to persons assembled within the preexisting permitted use.
- 4) The governing body of the owner of the airport may remove such nonconforming use or acquire the necessary air right over the same by purchase or exercise of the right of eminent domain in the manner provided by Ch. 32 Wis. Stats.

SECTION 10.0 AMENDMENTS AND APPEALS.

The Board of Supervisors may consider amendments to this ordinance only after at least one public hearing has been held by the Committee after review and recommendation has been made by the Commission. Requests for amendment can be made by anyone affected by the provisions of this ordinance, the Commission, the Committee, the Board of any affected municipality or Town or any County Board Supervisor.

Appeals to the provisions of or decisions made under this ordinance can be made to the Commission. Such requests shall be made in writing to the Administrator who, within ten (10) days, shall forward said request to the Commission with or without commentary. Appeals can only be considered for the following reasons:

1. When the provisions of this ordinance create a hardship. Hardship shall not include self-created conditions and must be caused by the implementation of this ordinance or amendment thereto.
2. When the provisions of this ordinance are unclear as to meaning or intent.
3. When a circumstance arises that is not clearly addressed by the provisions of this ordinance.

An appeal to the decision of the Commission shall be made to the Iowa County Board of Adjustment on forms provided by the Administrator. Appeals to the Board of Adjustment may be taken by any person aggrieved or by an officer, department, board or bureau of Iowa County affected by the Commission decision. Such appeal shall be taken within a reasonable time, as provided by the rules of the Board of Adjustment, by filing with the Administrator and the Board of Adjustment a notice of appeal specifying the ground thereof. The Administrator shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the action appealed from was taken.

An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Administrator shall certify to the Board of Adjustment after notice of appeal shall have been filed that by reason of facts stated in the certification a stay would cause imminent peril to life or property. In such case, the proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the Board of Adjustment or by a court of record on application on notice to the Administrator and on due cause shown.

The Board of Adjustment shall fix a reasonable time for the hearings of the appeal, file public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearings, any party may appear in person or by agent or by attorney.

SECTION 11.0 PENALTIES.

Violations may be pursued by either the issuance of a citation, referral to the Iowa County Corporation Counsel as a formal complaint or both as authorized by Ordinance No. 2-695-1995.

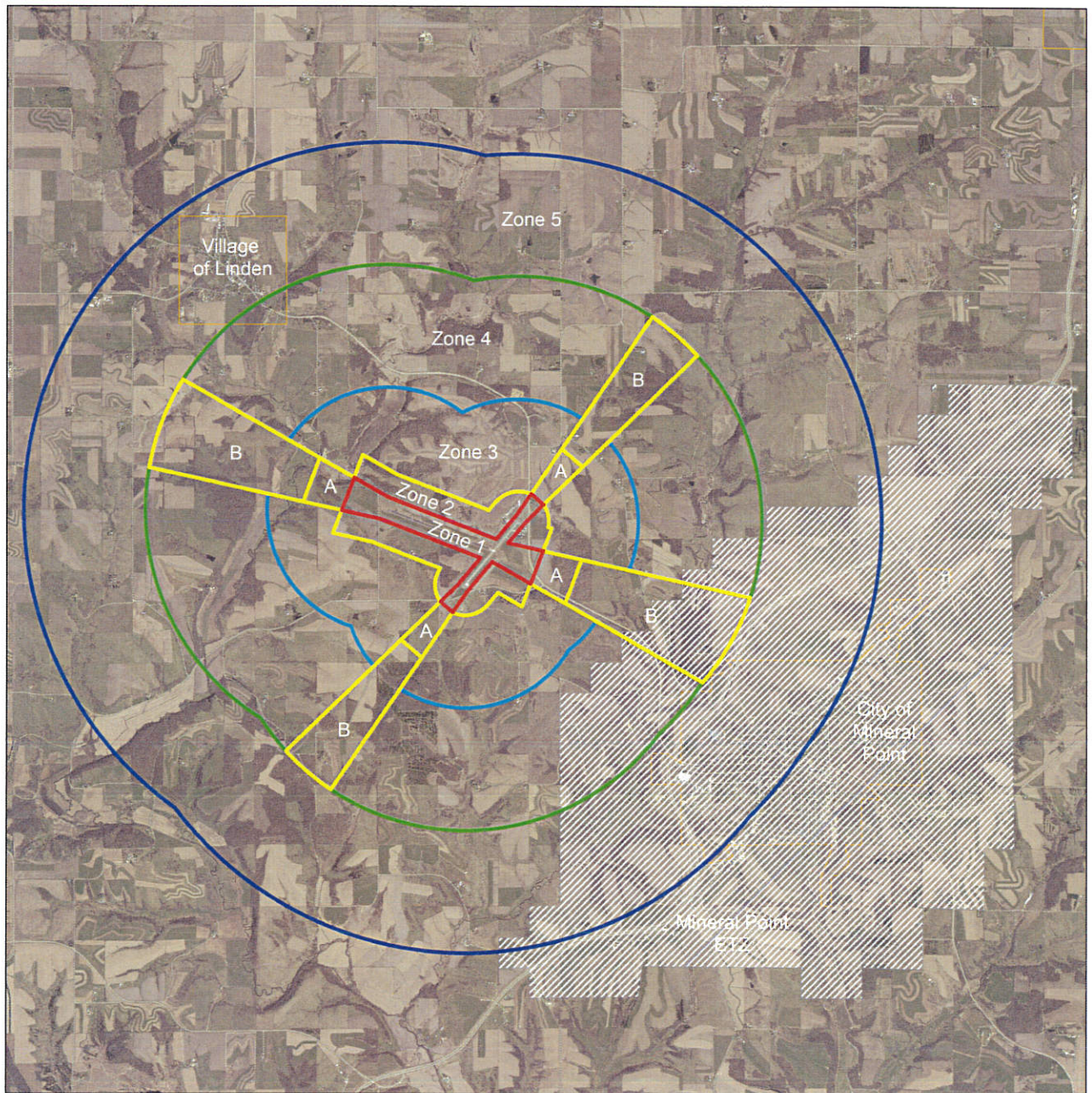
In the case of a formal complaint, any person, firm, or corporation who fails to comply with the provisions of this Ordinance shall, upon conviction thereof, forfeit no less than Ten Dollars (\$10.00) nor more than Two Hundred Dollars (\$200.00) and costs of prosecution for each violation. Each day a violation exists or continues shall constitute a separate offense.

In the case where a citation is issued, the payment of the forfeiture shall not constitute compliance nor shall said payment bar the issuance of further citations, provided the violation remains.

SECTION 12.0 EFFECTIVE DATE.

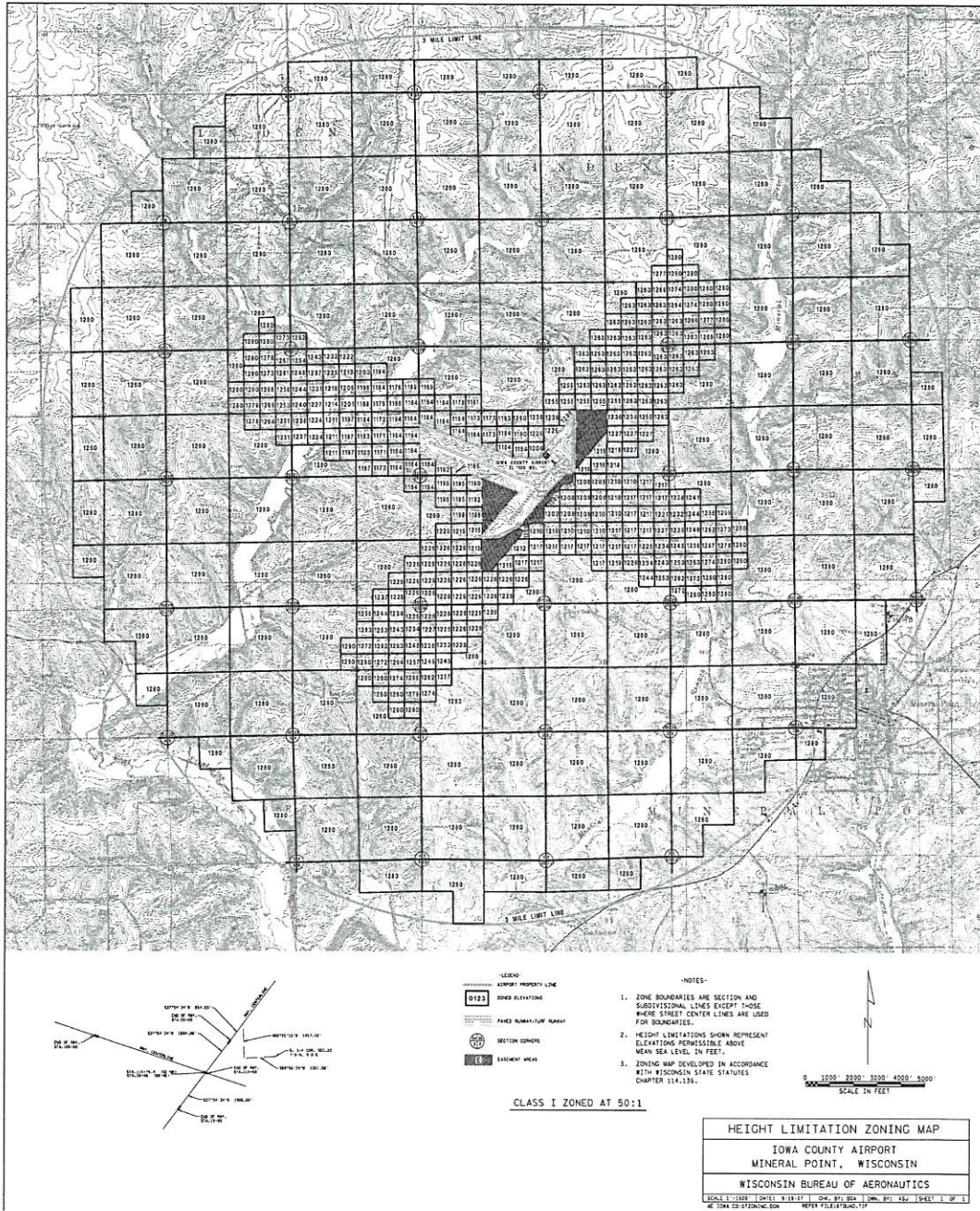
This Ordinance and the regulations contained herein shall become effective and declared in force after concurrence and publication by the Iowa County Board of Supervisors.

Appendix A: Iowa County Airport Zoning District Map



Located in parts of T4N-R2E, T4N-R3E, T5N-R2E, T5N-R3E
Created by the Iowa County Office of Planning & Development, 2016

Appendix B





Encroachments, Work in Right of Way, & Revocable Occupancy Permits

Date Originated: 1/28/2019

Date of Modifications:

Policy Number: 1116

1. PURPOSE:

This Policy is established to explain the Highway Department's responsibility to protect the public road right of way from encroachments. This policy is established to preserve and protect the public right of way from encroachments by adjacent private landowners or neighboring properties. By adoption of this policy the Department is required to disallow or deny new encroachments, to actively pursue new encroachment violations for removal, to issue orders for removal of encroachments identified as being unsafe to the travelling public, or to issue permits for encroachments not posing an immediate safety hazard to the public but which existed prior to the adoption of this policy.

2. ORGANIZATIONS AFFECTED:

All citizens and residents of Iowa County living adjacent to the public right of way of the county trunk highway system. Employees of the Iowa County Highway Department.

3. POLICY:

The Department shall work to identify all encroachments which existed prior to the adoption of this policy. The listing of those encroachments by property description, tax parcel, or address shall be attached to this policy as an addendum when completed by the Department. Then, the Department shall work to identify, remove, and preclude all future encroachments. With regards to new encroachments; the Department shall investigate all notices or complaints of encroachment, notify landowners when their activities encroach upon the public right of way, and work to remove all encroachments from the public right of way to the fullest extent possible for the preservation and protection of its' use for the public good. With regards to existing encroachments, the Department shall work to remove all existing encroachments from the Clear Zone, shall work to remove all encroachments within the right of way if they pose an immediate safety hazard to the travelling public, or may issue a Revocable Occupancy permit for any pre-existing encroachments which are allowed to remain within right of way.

4. REFERENCES:

Wisconsin Administrative Code TRANS 200 Erection of Signs on Public Highways and Handicapped Parking Signage; Wisconsin State Statute Chapters 23.0 Conservation, 32.0 Eminent Domain, 83.0 County Trunk Highways, 86.0 Miscellaneous Highway Provisions, 90.0 Fences, 196.0 Regulating Utilities, and 349.0 Vehicles – Powers of Local and State Authorities. Iowa County Ordinance 300.05 Highway Access for Special Events, 400.01 Zoning Ordinance, 600.18B All-terrain and Utility Terrain

Vehicle Route Ordinance and 800.02 Highway Access Ordinance. Section 8.0; Code of Federal Regulations 23 Subpart 665 known as the Manual on Uniform Traffic Control Devices. Iowa County Policy Manual Policy #1102 Fence Damage, #1103 Mailbox Damage, #1104 Mailbox Installation Guide, and #1106 Utility Accommodation Policy.

5. PROCEDURES:

The highway right of way shall be preserved and protected for the safe use of the travelling public and for providing access to citizens and residents. The Department shall manage and regulate encroachments in accordance with state statutes with a goal of removal therefrom.

A. An encroachment is an intrusion onto, over, or under the rights or property of another. In general, an encroachment with regards to this policy is an intrusion by property of a private party onto the right of way of the public. An encroachment may be a fence, stand, sign, object, building, driveway, mailbox, utility, or other structure or use.

B. The Clear Zone is defined within the Wisconsin Department of Transportation Facilities Development Manual CH 11-15 and illustrated in Attachments 1.9, 1.10, and 1.11. It is defined as the roadside border area which is made available for safe use by errant vehicles.

The Clear Zone starts at the edge of the paved surface (travelled way) and consists of the shoulders, auxiliary lanes, recoverable slopes, and any traversable but non-recoverable slope with a clear run-out beyond the toe of the slope. Clear Zones should not contain any critical features, objects of non-breakaway design, or non-traversable slopes; with exception to guardrail protection devices. For the purposes of this policy, all objects within the Clear Zone shall be either removed, redesigned to be traversable, relocated outside of the right of way, or made to be break-away. In some cases, an encroachment may be allowed to remain within the Clear Zone and right of way if shielded or guarded by a barrier. Costs for installation of barriers for shielding private encroachments shall be borne by the property owner of the encroachment, unless the guardrail pre-existed this policy date. In most instances, the Department will work to remove all encroachments within the Clear Zone, and most encroachments from the highway right of way.

Residents who want to erect or install objects along the right of way shall abide by the zoning regulations in effect at the location with regards to locations, setbacks, and requirements for placement. Encroachments which exist in the right of way are categorized as being either of a break-away or non-breakaway design. A breakaway design object is engineered to break apart or collapse when hit by an errant vehicle or other object; thereby allowing the vehicle or object to pass through or past the object. Non-breakaway objects are those which are fixed in design, and do not allow a vehicle or object to pass by or continue in its' path. Non-breakaway objects shall be discouraged from being erected within the county highway right of way, and shall not be allowed within the highway Clear Zone as defined above. Non-breakaway objects allowed to remain on the right of way by Revocable Occupancy Permit may require shielding by barrier or guardrail. Breakaway design objects may be allowed to exist within the right of way and Clear Zone, when allowed by the Department by permit. Objects allowed to remain indefinitely within the right of way by the Department shall be issued either an Adopt-a-Highway Permit, Highway Access Permit,

Private Utility Permit, Revocable Occupancy Permit, Tourist Oriented Directional Signage Permit, Work in Right of way Permit, or Utility Permit.

Fences. Fences and other structures are required to be located outside of the public right of way. Wisconsin State Statute 86.03 states that no person shall build or reconstruct any fence within the public right of way. Residents may reconstruct fences along the right of way without a permit as long as erected beyond or at the right of way limits. Residents should contact the Highway Department to locate the right of way along their parcels prior to reconstructing or erecting fences. See Policy#1102 regarding Damages to Fences.

Obstruction of Highway Embankment, Highway, Ditch, or Cultivation. No materials of any kind shall be left on the highway not closed to public travel in piles or rows by anyone. No person shall injure any highway by obstructing or diverting any creek or watercourse or by dragging logs or timber or any other act. No person shall plow, cultivate, or work any lands such that to interfere with or obstruct any drainage in any public highway ditch. No person shall operate any farm or other machinery on, over, along, or across any public highway in such a manner as to cause damage to said highway. No person shall willfully or maliciously make any ditch, depression, embankment, or place any obstruction in any public highway intended or calculated to impede or incommode the use of the highway, or place any obstruction in any ditch utilized to drain any highway.

Trees, Shrubs, and Landscaping. Trees, shrubs, and other landscaping planters or features are not to be installed on county trunk highway right of way. Specifically, trees and landscaping planters or features are a hazard to travelling motorists as those items are not breakaway or traversable. In locations of private residences, it is recognized that landowners want to provide privacy and screening by addition of landscaping. Any shrubs, bushes, hedges, or landscaping shall be installed off of the right of way. Trees shall be installed off of right of way, and preferably such that the drip line of the tree is also behind the right of way line. Often trees are planted too close to the right of way, necessitating the Department to trim mature trees back to the trunk as a result of overhangs onto the highway, thereby limiting their effectiveness as ornamental or being naturally aesthetic. Flower beds and similar features may be allowed on the right of way by Work in Right of Way Permit as long as maintained in a neat and orderly appearance by the landowner. The growth height of the plantings shall not exceed 18 inches. The feature is planted beyond the highway ditch line or Clear Zone or within 10 feet or less of the owner's land; whichever is most restrictive, the feature is not built up, depressed, or raised from the surrounding topography, and the plantings are small in size so as to be breakaway or traversable by an errant motor vehicle.

Signs. Signs shall not be installed within any County Trunk Highway right of way in accordance with Wisconsin State Statutes 83, 86, and 349, Wisconsin Administrative Code Trans 200, and Ordinance 400.02 County Zoning Ordinance. Some signs recognizing businesses are allowed within county highway right of way as described in Ordinance #XX Tourist Oriented Directional Signage, Policy #1117 Adopt-a-Highway Signs, and Ordinance 600.18B All-Terrain Vehicle and Utility-Terrain Vehicle route signage all of which shall be installed by the Highway Department. Signs marking private

utility installations on Highway Right of Way shall be placed and maintained by the owners of the utility through either a Private Utility Agreement and Work in Right of Way Permit or a Utility Permit in compliance with Policy #1106 Utility Accommodation Policy in accordance with the Agreement. Public Utilities in right of way shall be allowed to install signs and markers immediately adjacent to their utility for the purposes of marking the location thereof, in accordance with Policy #1106 Utility Accommodation Policy. Signs within county trunk highway right of way within the limits of villages or cities shall be regulated by the city or village, unless regulations do not exist in which case they shall be subject to this policy.

Mailboxes. Mailboxes are allowed within the county highway right of way for provision of service to residents. Mailbox installation guidance is governed and provided by the United States Postal Service. All mailboxes and posts shall be of a breakaway design, so as to not present a safety issue to the travelling public. No mailbox shall be allowed within the Clear Zone of any county trunk highway which is not of a breakaway design. Mailboxes shall not be set in or on concrete or masonry posts. Mailboxes shall be of the size governed by the Postal Service. Mailbox posts shall be of 4x4 wooden or 2 inch steel posts or smaller in size per the installation guidelines. In instances of multiple mailboxes placed at a single location, the posts and mailbox attachment devices shall be designed to be breakaway. See policy #1102 Mailbox Damage and #1103 Mailbox Installation Guidelines. Newspaper collection boxes shall be mounted adjacent to mailboxes and shall be of similar construction or type.

Driveway Accesses and Related Appurtenances. All driveway accesses that connect directly to a county trunk highway must receive a permit from the Iowa County Highway Department prior to their installation per Ordinance 800.02. Existing use driveways are grandfathered for usage in accordance with the Highway Access Ordinance. Driveway approach and culvert connections to the county trunk highway system shall be designed to be traversable in accordance with the ordinance. Rural concrete driveway approaches within the public right of way must be located beyond the edge of the roadway shoulder. Temporary Driveways, or those lasting less than 1 year; shall be constructed under a Work in Right of Way Permit, but the construction requirements shall meet those of the Highway Access Ordinance.

Retaining Walls or Private Culvert Headwall Structures. Headwalls for culverts, or retaining walls may pose potential hazards to the travelling public and may hinder highway maintenance and snow removal. No private culvert headwalls or retaining walls shall be allowed within the public right of way. Slopes parallel or perpendicular to the travel way shall be constructed to be traversable for errant vehicles. Setbacks are required for structures along the county trunk highway per the County Zoning Ordinance.

In general, the Department shall work to deny, disallow, preclude, restrict, and/or remove all new encroachments from the highway right of way; other than those as identified below. When encroachments are identified the Department shall mail notices to property owners of the encroachment notifying them of violations. If removal is warranted, the Department will provide a

timeframe for corrective actions to remove the encroachment. If the encroachment is allowed to remain (for pre-existing encroachments only), the Department will provide the permit process and conditions of allowance regarding the object or encroachment.

Some encroachments are allowable in the public right of way for the purpose of providing services to the citizens, residents, and public. Examples of these encroachments include mailboxes, utilities, driveways, flower beds, and similar objects. The Department shall determine what encroachments are allowable and shall manage their type, size, kind, location, and construction through various permitting processes. The Department utilizes the following permit processes to manage encroachments:

- A. **Adopt-a-Highway Permit** – regulates and allows private parties to adopt portions of county trunk highway right of way to volunteer for the purposes of cleanup and litter removal. Signage is installed at each end of the adopted segment to recognize the volunteer group or organization who is performing the service. The members of the organization perform these tasks within highway right of way. The organization may not be associated with a partisan or political group. See the County Adopt-a-Highway Policy.
- B. **Driveway or Highway Access Permit** – regulates driveway location, size, construction, and other criteria along county trunk highways. The Department shall regulate Highway Access or Driveway locations and placement through Ordinance #800.02 Highway Access Ordinance. Mailboxes are allowed as a part of the driveway access permit and for the provision of service by the postal service. New driveway access mailboxes shall meet the postal service guidelines or be issued encroachment violation notices to be in compliance. Pre-existing mailboxes with non-breakaway designs shall be sent notices of encroachment violations, so landowners are notified of risks or hazards to motorists and liability for those hazards and will be left to the landowner to correct or not.
- C. **Revocable Occupancy Permit** – regulates allowance of pre-existing encroachments within the right of way. Revocable occupancy permits shall be regulated by this policy. In some situations existing features or objects will be allowed to remain within the right of way and out of the clear zone if the objects removal or relocation would cause a hardship on the landowner.
- D. **Tourist Oriented Directional Signage (TODS) Permit** – regulates directional signage for private businesses which are not located on the county trunk highway where the signs are located. TODS signage is regulated under County Ordinance.
- E. **Utility Permit or Private Utility Agreement** – regulates public and private utility placements into, on, or along the highway right of way. The Department shall regulate utilities in right of way through Policy #1106 Utility Accommodation Policy and Policy #1118 Utility Accommodation Policy Supplemental Conditions. Private utility installations shall not be placed within the right of way without a Private Utility Agreement executed by the party making the request and either a Utility Permit or a

Work in Right of Way Permit depending on the nature of the work. A Work in Right of Way Permit is intended for short duration or temporary installations.

- F. **Work in Right of Way Permit** – regulates placement of encroachment activity by private individuals. Work in right of way permits shall be regulated by this policy and are issued primarily for routine or annual short duration or temporary installations.
- G. No other buildings, structures, objects, or encroachments shall be allowed within the county highway right of way.

If an item is identified which existed within the right of way prior to the adoption of this policy, the Department may determine to allow the encroachment to remain; unless it is of a non-breakaway design and lies within the Clear Zone as established by the Wisconsin Department of Transportation Facilities Development Manual CH 11.0. If the Department makes a determination to allow a pre-existing encroachment to remain; either a Work-in-Right-of-Way Permit or Revocable Occupancy Permit shall be issued to document its' location and notify the owner of the County's right to have it removed in accordance with Wisconsin State Statute 86.04 - Highway Encroachments. For the safety of the travelling public, whether existing or new; no fixed or non-breakaway objects will be allowed to remain within the Clear Zone of the county trunk highway unless it is shielded or guarded.

When an existing non-breakaway design item has been identified as being within the highway Clear Zone, the Department shall issue a notice of removal of the encroachment to the owner along with an order for removal within thirty (30) days. If the item is not removed within the time allowed, the Department shall remove the object and charge any costs for the removal to the responsible party per state statute. If the non-breakaway item is a building which resided prior to the adoption of this policy; the Department may issue a revocable occupancy permit and allow the building to remain for example in instances where there is no accident history and the building is within compliance of the Zoning Ordinance. When an existing non-breakaway design item is identified as being within the right of way, but out of the Clear Zone; the Department may do the following:

- A. **Issue a Revocable Occupancy Permit.** A Revocable Occupancy Permit is a permit which notifies a landowner of an encroachment onto the public right of way. The permit identifies the encroachment, its' location, and the reason the encroachment may remain. The permit will stipulate the situations where the encroachment may remain, and specify the conditions of its removal. In addition, the permit officially notifies the landowner and future property owners of their responsibility for the removal of the encroachment under certain circumstances. The permit is tied to the tax parcel by deed description of the right of way portions occupied and recorded with the Registrar of Deeds Office, so as to remain an encumbrance on the owner of the property. The permit also clarifies the encroachment is allowed to remain (permitted) and maybe required to be removed by the Department at any time.
- B. **Issue a Work in Right of Way Permit.** A work in right of way permit is for a temporary or short term duration encroachment or for a private utility placement request. Landowners requesting a private utility installation on county trunk highway right of way shall file either

a Work in Right-of-Way Permit or a Utility Permit as an intent of installation, provide a plan depicting and describing the type and purpose for the utility installation, and sign a Private Utility Agreement before the installation will be allowed. A sample Private Utility Agreement is attached hereto this policy.

- C. **Issue a Notice of Encroachment.** When an encroachment object is identified within the right of way, the Department shall issue a notice of encroachment to the adjoining landowner along with an order for removal within thirty (30) days. If after thirty days, the notice has expired; the Department may remove and dispose of the encroachment, restore the disturbed area, and charge the owner of the land for any costs incurred by the Department in the act of the removal.

DRAFT



www.iowacounty.org

NOTICE: Request for Removal of an Encroachment from County Trunk Highway Right-of-Way

This letter shall serve notice of a voluntary opportunity of a responsible party; landowner or occupant, to remove an encroachment placed by them upon lands maintained by the Iowa County Highway Department pursuant to Wisconsin State Statute §86.04. The type and kind of encroachment is identified in the content below. Please make the action necessary to remove the encroachment listed herein within a reasonable timeframe (30 days of the date of this letter by statute). After the deadline of 30 days, the Department may pursue fines and further action against this encroachment within the Iowa County court system. If you need clarification of the issue related to the encroachment, please contact the Highway Department at the address and phone numbers referenced below. If you need assistance with or in accomplishing the action of removal of this encroachment, please contact Craig Hardy at (608) 935-3381 extension 605. Upon completion of the removal of the encroachment, please notify Randy Sudmeier at (608) 935-3381 extension 606.

As of today's date _____, this letter shall serve notice upon _____,
landowner of record or occupant of a parcel of land located at _____, of a right-of-way
encroachment onto property maintained by the Iowa County Highway Department determined to be _____
feet to the N / S / E / W of the centerline of County Trunk Highway (CTH) _____, in the township
of _____, section number _____. The Iowa County Highway Department hereby
requests removal of the following encroachment _____, from
the right-of-way of the above referenced county highway. The Highway Department by Policy #1116 requests a
course of action from the person served in the notice above to correct the encroachment as listed. If the
Highway Department does not receive notification of a course of action within 30 (thirty) days of the date of this
letter; the Department may pursue legal action and consultation to accomplish the same, and by state statutes
§86.04; be allowed to impose fines as well as the costs associated with the removal of these objects by the
Highway Department to the landowner or occupant causing such encroachment.

Respectfully Submitted,

Issuance of order by: _____.

Craig E Hardy; PE/RLS
Iowa County Highway Commissioner

Date: _____.

Cc: Iowa County Corporation Counsel.

Document Number

REVOCABLE OCCUPANCY PERMIT

Wisconsin Department of Transportation
Ch. 84 Wis. Stats.
Exempt from fee: s.77.25(12) Wis. Stats.
DT1551 98 (Replaces RE6035)

Occupant Name and Address
Agency Name and Address
Highway
County
City

Encroachment Location

Encroachment Description

This space is reserved for recording data

Return to

Parcel Identification Number/Tax Key Number

The use and occupancy of Highway right of way under this permit is conditioned upon the Occupant's compliance with these provisions:

1. This permit only authorizes the described encroachment to remain temporarily within the H. right of way by feet, however, if the described encroachment is damaged from any cause whatsoever, to the extent that repair costs would be equal to or greater than 50% of the assessed or estimated value of the described encroachment at the time of said occurrence, then it cannot be repaired, re-erected and/or replaced anywhere within the existing highway right of way.
2. In the event that the Agency deems it necessary to revoke this permit on the basis of a need to expand capacity or improve safety, the Agency reserves the right to give notice regarding the removal of the described encroachment. The Agency may terminate this permit upon (30) days written notice to the Occupant. The Occupant shall remove the described encroachment maintained under this permit within the time specified in the notice.
3. If the Agency determines that the installation or use of the described encroachment authorized under this permit increases the difficulty of highway maintenance, creates conditions adverse to the best interest of the highway users, the general public, or presents a threat to highway safety, then the occupant, upon notification by the Agency shall promptly remove the encroachment from the highway right of way.

4. Failure by the Occupant to comply with the provisions of this permit is cause for the Agency to terminate this permit and to require the Occupant to take immediate action to clear the right of way to a safe condition.
5. Issuance of this permit shall not be construed as a waiver of the occupant's obligation to comply with any more restrictive requirements imposed by local ordinance.

(Signature)

(Print Name)

(Title)

(Date)

State of Wisconsin)
) ss.
_____ County)

On the above date, this instrument was acknowledged before me by the
named person(s).

(Signature, Notary Public, State of Wisconsin)

(Print or Type Name, Notary Public, State of Wisconsin)

(Date Commission Expires)

APPLICATION - AUTHORITY TO ERECT TOURIST ORIENTED DIRECTIONAL SIGNS ON THE COUNTY TRUNK HIGHWAY SYSTEM

Submit one copy of application to Iowa County Highway Department. Permit Fee \$500 per sign.

1. Name, address, and location of Attraction:

Attraction Name: _____.

Address: _____.

Contact Name: _____.

Phone #: _____.

Email: _____.

2. Type of Attraction (See TODS Ordinance Section 2.1 B and G).

Type: _____.

Facilities available: _____.

Hours/Days of operation: _____.

Quantity of Annual Visitors: _____.

3. Sign 1 Placement request:

Sign located on CTH : _____ At intersection with : _____.

Side of roadway where sign to be located: N / S / E / W .

Sign Wording: _ _ _ _ _ .

(Maximum of 2 Lines of Text with 24 spaces/characters/letters per line).

4. Sign 2 Placement request:

Sign located on CTH : _____ At intersection with : _____.

Side of roadway where sign to be located: N / S / E / W .

Sign Wording: _ _ _ _ _ .

(Maximum of 2 Lines of Text with 24 spaces/characters/letters per line).

I apply for authority to have guidance signs erected and maintained on my behalf at the location(s) listed in this application. I understand, certify, and agree that I will comply with the regulations under which these signs may be erected. I agree to pay the installation, erection, materials, and maintenance costs associated with the signs. I acknowledge if I deny to pay the costs associated or the attraction I am applying for ceases to exist; the signs will be removed by the Highway Department and the permit repealed.

Applicant Signature: _____.

Date of Permit: _____.

Payment received date: _____.

Approved by: _____.

Email: HIGHWAY@IOWACOUNTY.ORG

Ordinance No. 800.07

**IOWA COUNTY
TOURIST-ORIENTED DIRECTIONAL SIGNAGE**

SECTION 1.0: INTRODUCTION

1.1 NAME

This Ordinance shall be called the Iowa County Tourist-oriented Directional Signage Ordinance.

1.2 INTENT

Following due consideration of the tourism recreational and economic value to connect travelling motorist with various tourist destination opportunities, this ordinance has been created pursuant to County Board authority under Wis. Stat. §§ 86.196 (3), 86.19, 346.41 and Wisconsin Administrative Code TRANS 200.

1.3 DEFINITIONS

- A. Tourist-oriented Directional sign has the meaning specified within Wis. Stat. § 86.196 (1) (a).
- B. Tourist-related business, service, or activity has the meaning specified within Wis. Stat. § 86.196 (1) (b).
- C. Urban Areas has the meaning specified within Wis. Stat. § 86.196 (1) (c).

1.4 SEVERABILITY

The provisions of this Ordinance shall be deemed severable and it is expressly declared that Iowa County would have passed the other provisions of this Ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this Ordinance or the application to any person or circumstance is held invalid, the remainder of this Ordinance and the application of such provisions to other persons and circumstances shall not be deemed affected.

1.5 SAVING CLAUSE

This Ordinance shall in no way be deemed to supplant or otherwise invalidate any provision of state statutes relating to the subject matter hereof. Any person entrusted with the enforcement of this Ordinance may, in the exercise of his or her discretion, proceed

under applicable state statutes.

SECTION 2.0: TOURIST-ORIENTED DIRECTIONAL SIGNAGE

2.1 ELIGIBILITY

All requests for new Tourist-oriented Directional Signage shall come from a business, service, activity group, or organization. The business, service, activity group, or organization shall meet the following criteria:

- A. This Ordinance shall pertain only to requests for signage installation within the Iowa County Trunk Highway Right of way. All other signage shall be governed by the Iowa County Zoning Ordinance Chapter 8.0 Signs.
- B. Only where such institution or business is located removed from the County Trunk Highway may such directional signage be erected. No signs shall be erected on a highway whereby the business or institution residing has an address for said highway.
- C. The business, service, institution, activity group, or organization shall meet the definition of a tourism-related entity in accordance with Wis. Stat. § 86.196 (1) (b) herein to be referred to as a tourist-oriented business. Generally, the tourist-oriented business shall qualify for a TODS sign under the following five categories:
 - i. Gas – open at least 12 hours per day, 7 days per week, with restrooms and drinking water available to the public.
 - ii. Food – Open 5 days per week, open at least between 10AM and 7PM with at least 50% of gross receipts from food and non-alcoholic beverages.
 - iii. Lodging – Hotels, motels, resorts, boarding houses, or bed and breakfast establishments, must have parking accommodations.
 - iv. Camping – Campgrounds with restrooms and drinking water available to the public.
 - v. Religion, Education, and Entertainment – Any place of religious worship, public entertainment or instruction.
 - a. Religious – Any place of religious worship.
 - b. Scientific Experiment – Any place of any scientific experiment for the furtherance of agriculture, art, or other science.
 - c. Tourist Attractions – Open at least 8 hours per day, 5 days per week, for at least 3 consecutive months of the year, with public restrooms, and drinking water, and attracting a minimum number of visitors for a tourist attraction set by the Wisconsin Department of Transportation (Examples: Antique shops, Amusement parks, Bait shops, etc.).
- D. The tourist-oriented business must be within 5 miles of the proposed signage location.
- E. No more than two (2) County Trunk Highway intersections shall be marked for any one business or destination.
- F. The tourist-oriented business must not have direct access to the portion of County

Trunk Highway the signage resides on.

- G. Signage requests within any city or village shall meet the requirements of the city or village. Where the city or village does not have an ordinance or requirements, all tourist-oriented directional signage will be prohibited.
- H. Under Tourist attraction eligibility the business shall have the primary purpose of providing amusement, historical, cultural, or leisure activities to the public. If meeting that requirement, the following institution, business, or location types shall be considered as conditionally approved to apply for a tourist oriented directional sign:
 - i. Hotel, motel, and cabin, resort, or cottage if for rent < 30 days.
 - ii. Campground or Recreational Vehicle park.
 - iii. Airport, museum, zoo, or other amusements.
 - iv. Athletic facility, horseback riding, or shooting ranges.
 - v. Ski trail, nature trail, conservation area, or other if open to public.
 - vi. Churches, schools, theaters, religious camps, or youth camps.
 - vii. Marinas, boat landings, recycling stations, or exhibition areas.
 - viii. Supper clubs, Country clubs, or restaurants; if open to the public.
 - ix. Experimental stations – agricultural, art, or other sciences.
- I. The following institution, business, or location shall be considered as non-compliant for tourist oriented directional signage by statute or administrative code:
 - i. Parks, cemeteries, hatcheries, and fisheries.
 - ii. Government offices, post offices, and tourist bureaus.
 - iii. Plumbers, electricians, builders, contractors, painters, or material suppliers, and home improvements.
 - iv. Landscapers, nurseries, and tree services
 - v. Auto Body Repair, Detailers, Dealers, or rentals.
 - vi. Other businesses, locations, or destinations not meeting the criteria under A thru G listed above.

2.2 SIGNAGE

- A. Such signage may only be erected where deemed appropriate by the Highway Department. Signage for any one business shall not be erected at more than two locations.
- B. All guidance signs erected on any public highway shall be of a type, size, and design as approved by the Highway Department. No flashing, illuminated, or reflecting signs or installation shall be permitted. Signs shall be of the sizes illustrated in Administrative Code Trans 200 Appendix C.
- C. No signs shall be erected, placed, maintained, or permitted on any official traffic control device.
- D. No sign shall be erected which resembles any official traffic control device or railroad sign or signal.
- E. No guidance sign shall be erected which resembles, regulates, or imitates any stop sign, stop condition, or traffic signal.
- F. No guidance sign may be erected until the location and manner of erection is approved and a permit is issued. The Highway Department shall order, install, and erect all signs at the locations agreed to on the permit.
- G. All guidance signs and their supports shall be maintained in good condition by the

highway department. The sponsor or permittee of the sign shall be responsible for all costs of maintenance. Signs or installations not properly maintained shall be removed by the Highway Department.

- H. Signs erected for the purposes of marking, locating, or identifying any underground or buried utility lines, pipes, conduits, cables, or other services for the transmission of electric power, communications, liquids, or gaseous fuels shall be allowed and regulated by the issuance of a Utility Permit for public utilities or a Work in Right of Way Permit and Private Utility Agreement for any private utilities under Policy #1106 Utility Accommodation Policy and Policy #1117 Utility Accommodation Policy Supplemental Conditions, in lieu of this ordinance.

SECTION 3.0: ENFORCEMENT AND PENALTIES

This ordinance shall be enforced by any officer employed by the Iowa County Sheriff Department or any other law enforcement official as set forth in Wisconsin Statute § 23.33(12). The Department shall create and provide a permit process for management of signs, sign locations, and installations. The permit requestor shall pay a fee of \$500 / sign location, which shall cover the costs for the sign, installation, and maintenance for a ten year period from the date on the permit.

3.1 PENALTIES

The penalty for violating any provision of § 2.2 of this ordinance or § 2.3(A) (1) or (2), (D), or (E) shall result in a forfeiture of not more than \$250.00, plus court costs.

SECTION 4.0: EFFECTIVE DATE

This Ordinance and subsequent amendments to it shall be effective on the date after publication. Ordinance No. XXXX was adopted by the Iowa County Board of Supervisors on _____?



IOWA COUNTY **HEART** COALITION
Healthy Aging in Rural Towns

Iowa County General Government Committee
May 9, 2019



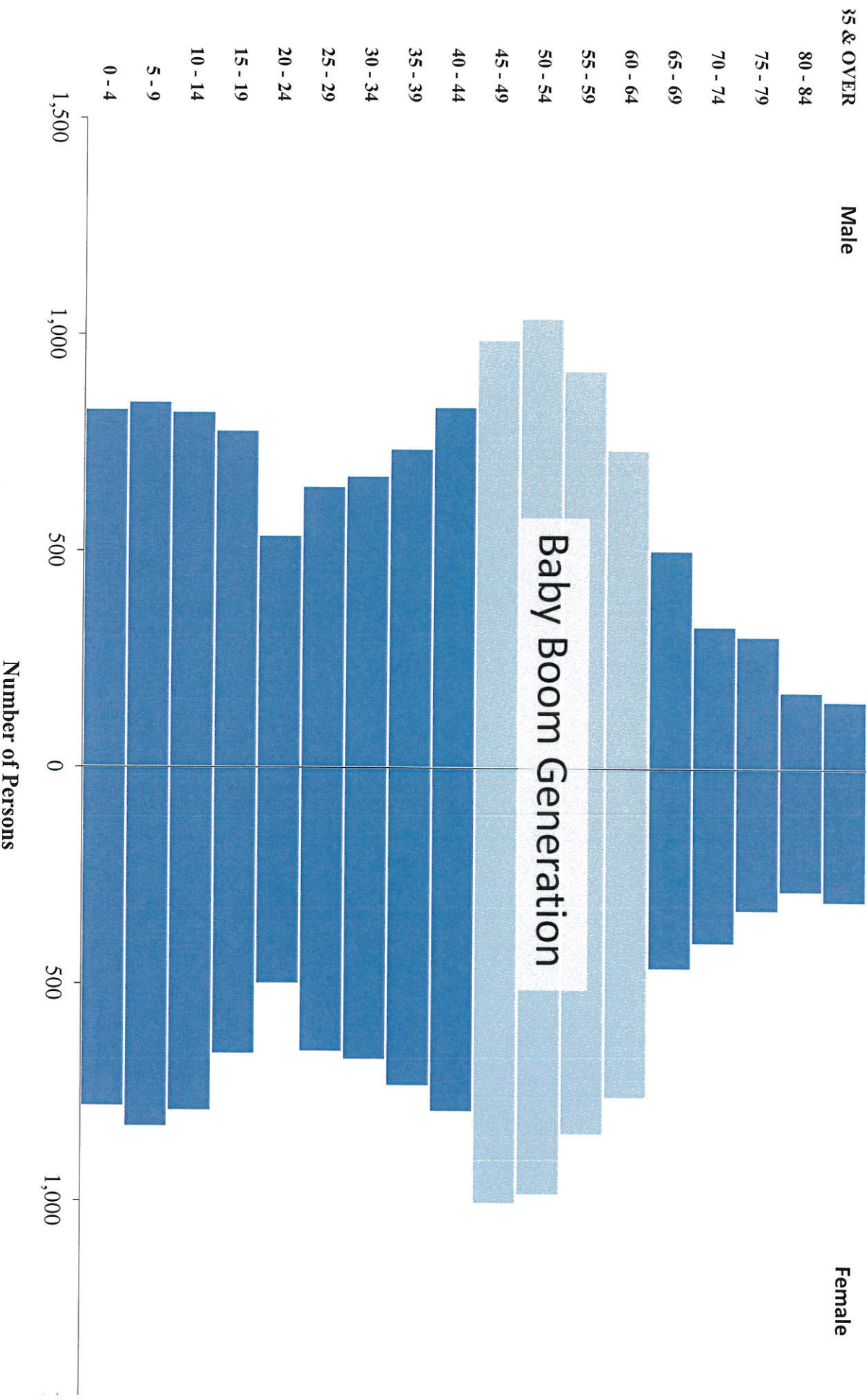
Why “aging” is an issue in Iowa County

- 18% are 65 & older
- 8% live in poverty
- 11% live alone
- 1,114 have a disability
- 84 are raising grandchildren
- Extremely limited access to public transportation outside of Dodgeville
- Only 6 of 15 cities/villages have grocery stores

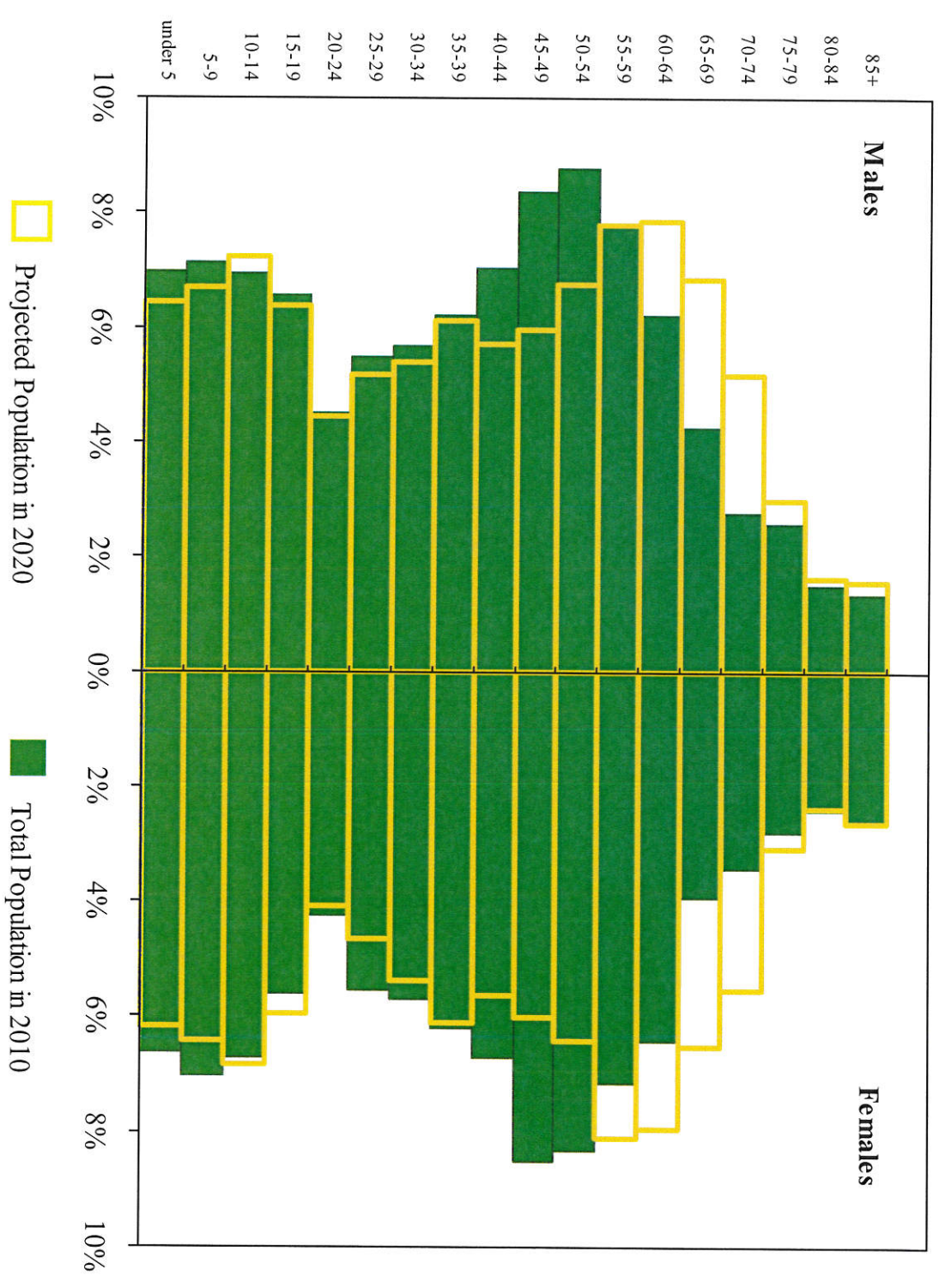


Population by Sex & Age, 2010

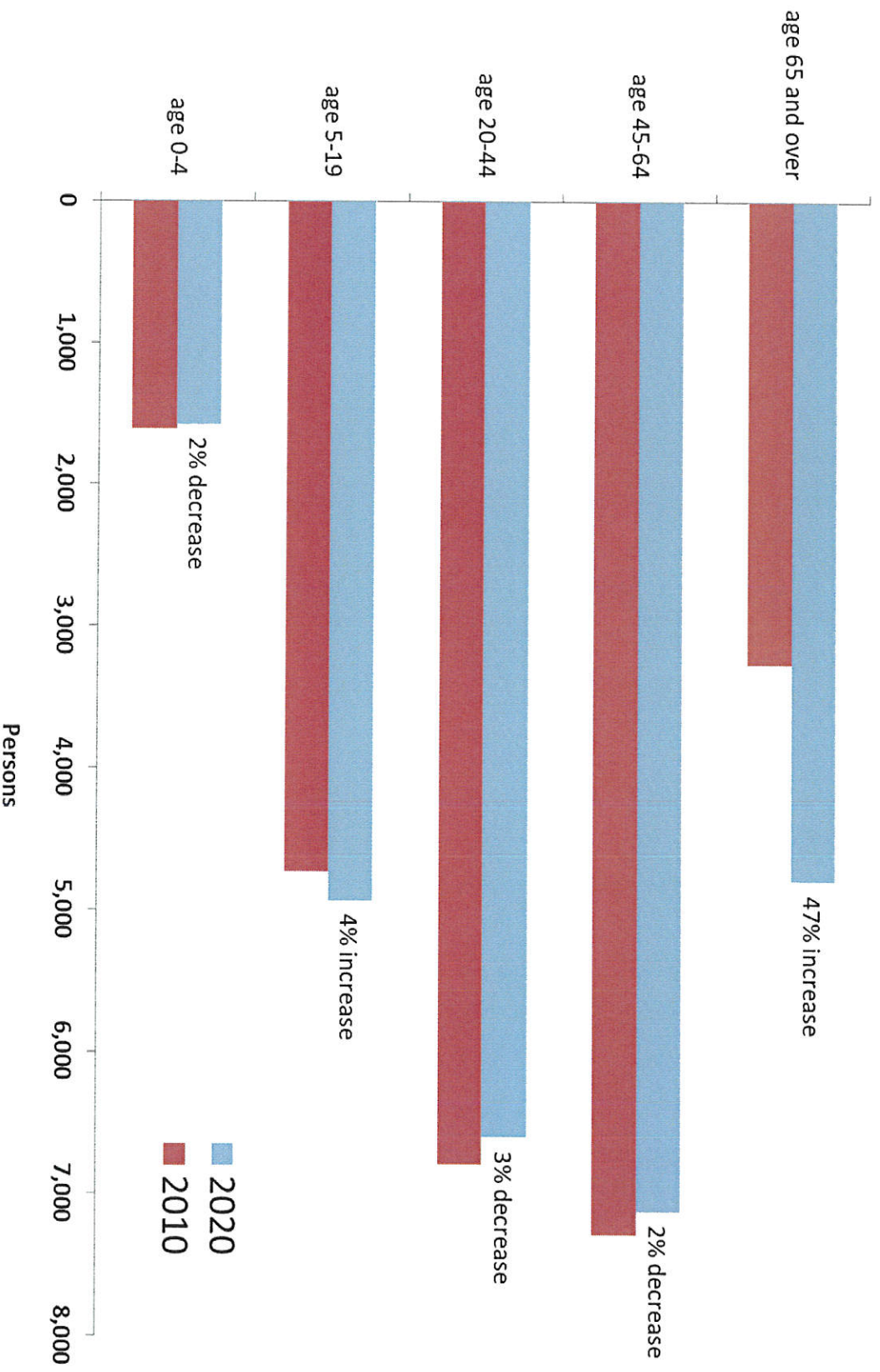
Iowa County



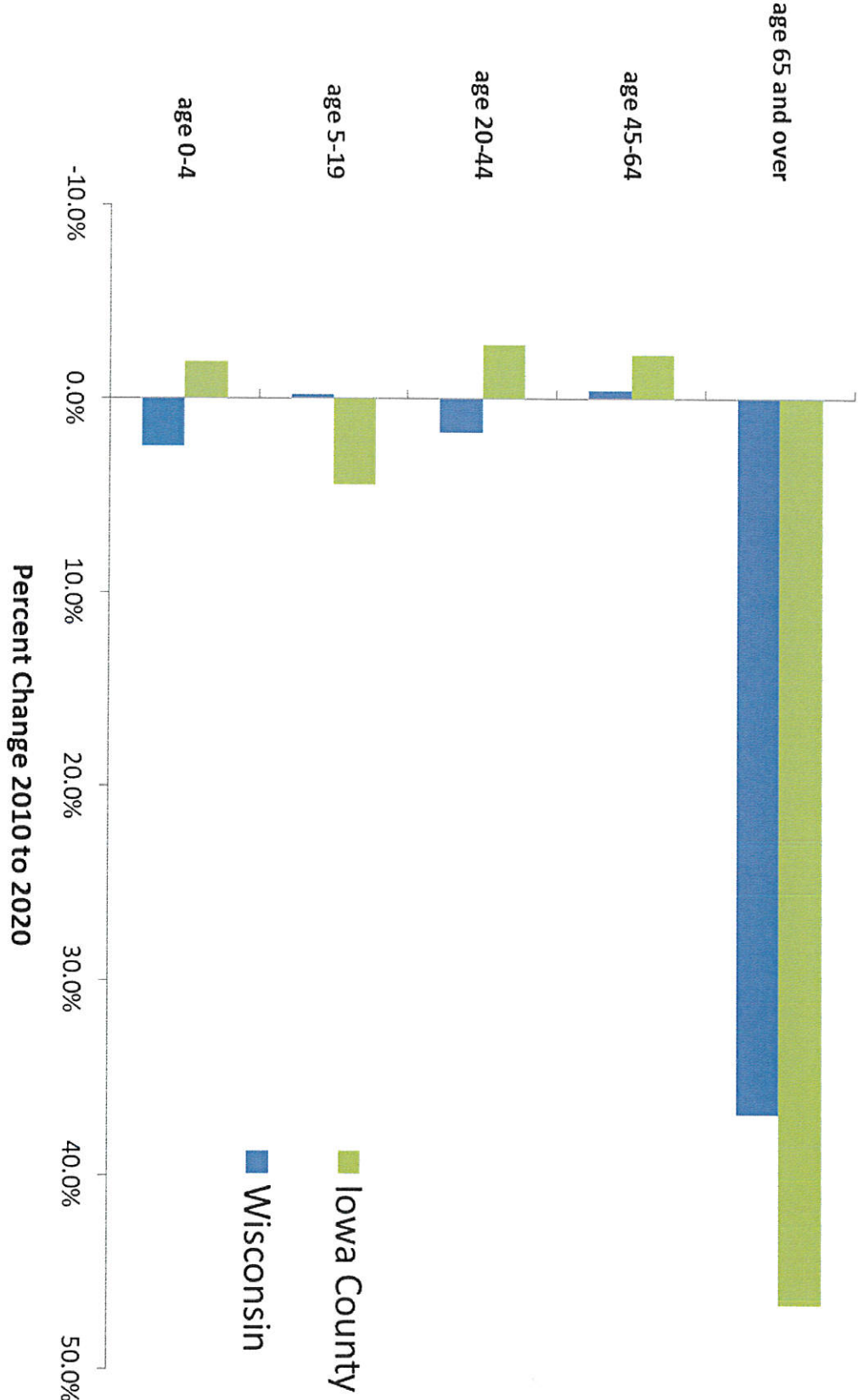
Iowa County Population by Age & Sex, 2010 & 2020



Change in Selected Age Groups, 2010 to 2020 Iowa County



Percent Change in Selected Age Groups, 2010 to 2020 Iowa County & Wisconsin



What is the goal of HeART?

*Older adults will have
the support they need
to thrive
in their home communities.*



HeART is a 2-Phase Project

- 1) Intensive planning to assure that strategies align with community needs and that coalitions are gaining strength.
- 2) Implementing action plans made in Phase 1 related to strengthening support networks for older adults & their caregivers.



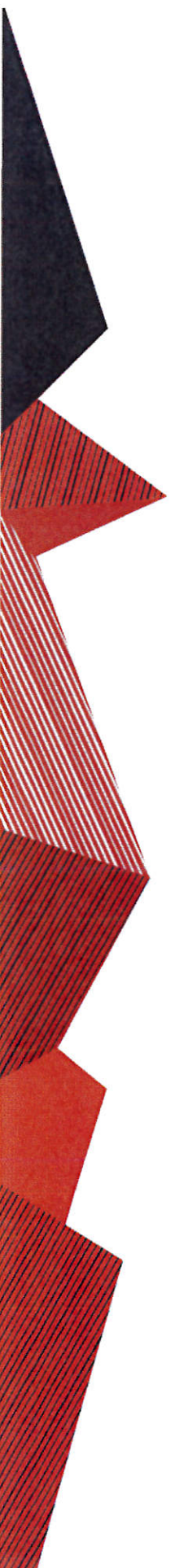
HeART Partners



CENTER FOR AGING RESEARCH AND EDUCATION
CARE at the UW-Madison School of Nursing



Margaret A. Cargill
PHILANTHROPIES



Project sites in 2018-2019

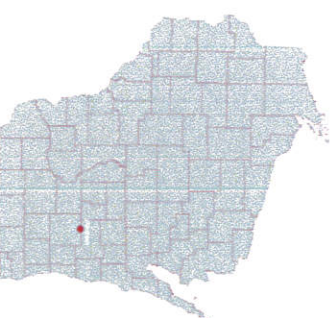
IOWA COUNTY HEART
COALITION



BUILDING A HEALTHIER
LANGLADE COUNTY



WAUPUN COMMUNITY
COALITION ON AGING



What did we do?

- Built coalition
- Assessed needs & assets
- Identified strategies to address gaps



HeART Coalition Membership

- Iowa County Health Department
- Dodgeville Public Library
- UW-Madison Division of Extension
- ADRC of Southwest Wisconsin
- Iowa County Caregivers Support Program
- Iowa County Dementia Care Program
- Iowa County Elder Abuse Program
- Upland Hills Health
- Iowa County Dept of Social Services
- Agrace Hospice & Palliative Care
- Independent Living Resources
- Iowa County Board of Supervisors
- Iowa County Emergency Management
- SWCAP Foster Grandparents Program
- SUN
- Residents including retirees



Project Objectives

- Increase awareness of resources for older adults
- Develop new services & programs for older adults that address identified gaps
- Develop & promote engaging events & programs for older adults that foster reciprocity, social engagement, dignity & meaningful activities
- Implement & promote resources that help people remain resilient & supportive as family caregivers



Iowa County's Strategies to Meet Objectives

- **Increase awareness of resources for older adults**
 - Online resource hub for older adults & caregivers
 - Tool for emergency response providers to make referrals to ADRC
- **Develop new services & programs for older adults that address identified gaps**
 - AARP Safe Driving classes
 - Safer pedestrian crossings
 - Priority parking & drop-off spots
 - "Senior Perks" @ public events (discounts, easy drop-off/parking, accessible seating, accessible restrooms, etc.)
 - Better promotion of transportation resources
 - Improve access to prescription drug drop-off sites

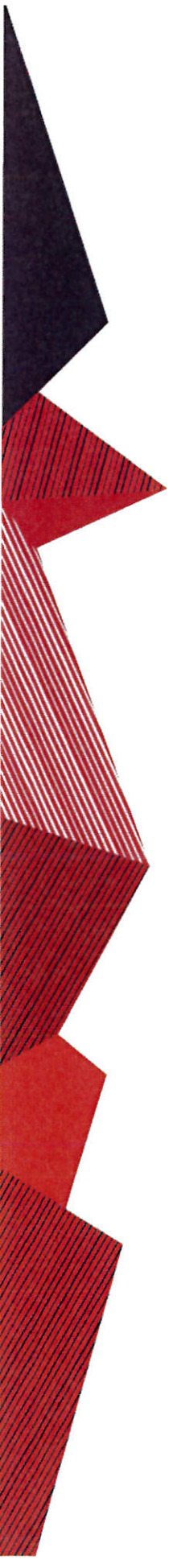


Iowa County's Strategies to Meet Objectives (cont.)

- **Develop & promote engaging events & programs for older adults that foster reciprocity, social engagement, dignity & meaningful activities**
 - Encourage schools, community groups & businesses to consider making their events "senior-friendly"
 - Place benches in strategic areas (drop-off entrances)
 - Host social, wellness & intergenerational programs
 - Increase volunteerism among older adults
- **Implement & promote resources that help people remain resilient & supportive as family caregivers**
 - More family caregiver support groups
 - Create "Caregiver Corner" in local publications
 - Create & place Memory Care Packets in libraries for loan
 - More training for caregivers
 - Promote resources to family caregivers



<https://care.nursing.wisc.edu/heart/>



Request – HeART Community Coordinator

- Half-time
- Housed in Health Department
- Fully grant funded for about 2-2 ½ yrs
- Designed to enhance & extend existing programs/resources AND implement new efforts with HeART Coalition

Minimum Qualifications

- High School Diploma or equivalent required.
- Minimum of three (3) years work experience in healthcare, social work, education or community outreach required.
- Preference for an Associates or Bachelor's degree in health education or closely related field.



7-0519

AGENDA ITEM COVER SHEET

Title: New Health Department Position - Community Coordinator/Educator

☒ Original

☐ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

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

A new grant to strengthen supports for older adults and family caregivers has been awarded to the Iowa County HeART Coalition. The funding is for projects that will help older adults in Iowa County remain at home and be socially engaged in their communities for as long as possible. The \$149,628 Margaret A. Cargill Foundation grant will support phase two of a 2018 initiative called Healthy Aging in Rural Towns (HeART). A portion of Iowa County's new HeART funding (\$80,640) will be used to hire a coordinator to develop outreach and volunteer infrastructure and support other phase-two strategies. The Iowa County Health Department is the fiscal agent for the grant. The HeART coordinator position will be supervised by the Health Department Director/Health Officer and will be funded by the grant through September 2021.

RECOMMENDATIONS (IF ANY):

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

Job description; Media Release; Logo

FISCAL IMPACT:

This position will be 100% funded by the HeART grant for a 20 hour per week position through September 2021.

LEGAL REVIEW PERFORMED: ☐ Yes ☒ No

PUBLICATION REQUIRED: ☐ Yes ☐ No

STAFF PRESENTATION?: ☒ Yes ☐ No

How much time is needed? 15 mins

COMPLETED BY: Sue Matye

DEPT: Health Department

2/3 VOTE REQUIRED: ☐ Yes ☐ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE:

AGENDA ITEM #

COMMITTEE ACTION:

RESOLUTION NO. 7-0519

**RESOLUTION TO CREATE A PART-TIME PROJECT GRANT FUNDED
POSITION WITHIN THE HEALTH DEPARTMENT**

THE HONORABLE IOWA COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Iowa County Health Department has been awarded \$80,640 under the Healthy Aging in Rural Towns (HeART) grant sponsored by the Margaret A. Cargill Foundation and coordinated by the University of Wisconsin Madison School of Nursing; and

WHEREAS, the General Government Committee recommend and support creating the position of Community Coordinator/Educator; and

WHEREAS, the funding for this position and all associated costs will be covered under the grant; and

WHEREAS, the Iowa County Health Department requests one part-time (20 hrs. /wk.) Community Coordinator/Educator (project) position; and

WHEREAS, the position is considered a project funded position through September 30, 2021.

NOW THEREFORE, BE IT RESOLVED, by the Iowa County Board of Supervisors that the part-time Community Coordinator/Educator project position be added to the Iowa County Department of Public Health effective as soon as possible upon approval of this Resolution.

BE IT FURTHER RESOLVED, that the funding for this part-time project position will be paid by the Healthy Aging in Rural Towns (HeART) grant as approved and appropriated in the Iowa County Health Department Budget.

Respectfully submitted by the Iowa County General Government Committee:

May 2019

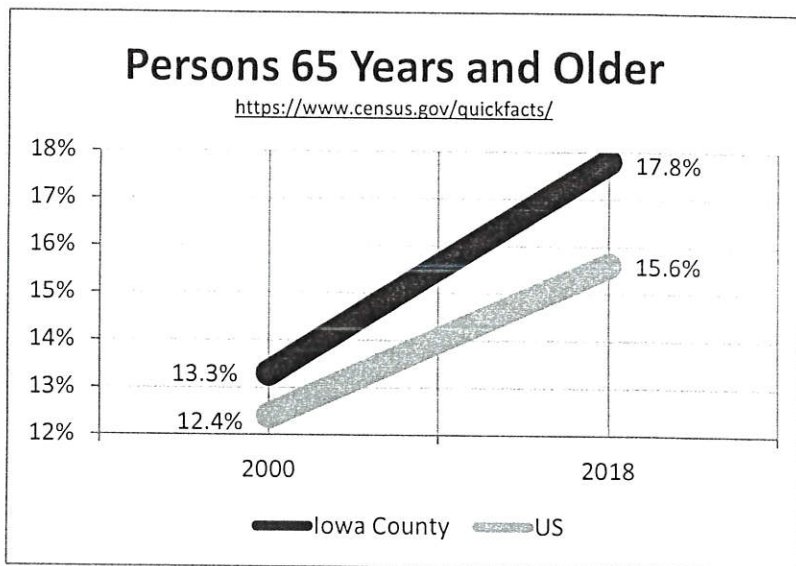
New Iowa County Initiatives Will Help Residents Stay in Their Homes as They Age

The Iowa County HeART Coalition will initiate strategies over the next two-and-half years to strengthen supports for older adults who want to remain in their homes and engage with their communities.

The efforts are part of a larger collaborative called Healthy Aging in Rural Towns (HeART). Collaborators include the UW–Madison School of Nursing, the Wisconsin Office of Rural Health, and two other Wisconsin coalitions—the Building a Healthier Langlade County Coalition and the Waupun Community Coalition on Aging. The HeART collaborative is made possible through a grant from Margaret A. Cargill Philanthropies.

"We all benefit if we can help older adults stay mobile, engaged and living in our communities," said Dr. Barbara J. Bowers, Professor and Associate Dean for Research and Sponsored Programs at the School of Nursing. Bowers is an educator and researcher in care of older adults. "This project addresses gaps in support systems for the growing proportion of older adults and their caregivers living in rural communities."

The growth of older populations is a nationwide trend expected to continue at least through 2030. The US Census has established that rural communities such as those in Iowa County are aging at a rate that exceeds that of urban settings. However, while needs for particular services and supports increase as people age, rural communities generally have fewer resources available compared to urban settings. This challenge is echoed in the results of a 2018 assessment conducted by the Iowa County coalition as part of the HeART project.



More than 330 Iowa County adults and family caregivers participated in the assessment. "Safe and friendly communities in which to grow old—that's the aim of the Iowa County HeART Coalition," said Sue Matye, coalition lead and Director of the Iowa County Health Department. "We heard loud and clear that older adults want to remain active and serve a purpose in their communities. We also learned older adults and family caregivers are often unsure of what resources are available and where to look for them."

The need for a "Resource Hub" of information was apparent. To help people find resources they need, the HeART coalitions plan to compile information about support services and make it available through a web site. The web site will feature a searchable directory of local services, such as transportation, lawn

care, home repair, home delivery, personal care, volunteer programs and opportunities to engage with the community. Assistance will be available in places frequented by older adults, such as libraries, the health department, and social service agencies, to help people become familiar with the directory.

A community coordinator will be hired to help organize the coalition's efforts.

The recently completed community assessment also found that many older adults would get out and socialize more if public places were easier and safer to maneuver. They cited places that could use priority parking spots, pick-up and drop-off areas, chairs or benches for resting, accessible bathrooms, and other accommodations for people with limited mobility. Older adult survey respondents said they wanted easier access to school sporting events, stores, churches, entertainment venues, clinics and hospital. To encourage older people to engage with their community, the coalition plans to initiate a "Senior Perks" program. Participating organizations will offer senior discounts, ample easy seating and other senior-and-mobility friendly amenities.

Of caregiver respondents, 68 percent said they have visited or used information about caregiving from the Aging and Disability Resource Center (ADRC). However, 60 percent of respondents said they are sometimes overwhelmed by their responsibilities. To address this need, the coalition will partner with topic experts at the ADRC, the Health Department, the Respite Care Association of Wisconsin (RCAW), the School of Nursing and other agencies. For example, the ADRC and Health Department sponsor a caregiver support group; the UW-Madison School of Nursing and ADRC offer Dementia Friendly Toolkits; and the RCAW offers online modules about caregiving skills to people who would like to provide a break for family caregivers. Modules include disability basics, client care, medication administration, interaction suggestions, free time activities and others.

If you would like to be involved in any of these efforts, please contact Sue Matye, Director, Health Officer, Iowa County Health Department, Sue.matye@iowacounty.org, 608.930.9870. To learn more, visit the HeART web page at <https://care.nursing.wisc.edu/heart/>.

The members of the Iowa County HeART Coalition are:

- Sue Matye, Iowa Co. Health Department
- Kari Bennett, Iowa Co. Health Department
- Ann Thompson, Iowa Co. Health Department
- Michelle Hendricks, Upland Hills Health
- Lisa Schnedler, Upland Hills Health
- Valerie Hiltbrand, ADRC of Southwest WI
- Shelley Reukauf, ADRC, Caregivers Support Program
- Janet Butteris, ADRC, Elder Abuse Program
- Pamela Kul-Berg, ADRC, Dementia Care Program
- Beth Beyler, Iowa County Dept. of Social Services
- Bruce Paull, Iowa County Board of Supervisors
- Vickie Stangel, Dodgeville Public Library
- Molly Dean, Agrace Hospice & Palliative Care
- Deanna Truedson McKillips, Agrace Hospice & Palliative Care
- Sue Husom, Agrace Hospice & Palliative Care
- Cecile McManus, Seniors United for Nutrition Program

- Ricki Bishop, Independent Living Resources
- Barry Hottmann, UW Extension
- Ruth Schriefer, UW Extension
- Faye Glonek, Iowa County
- Terri DeVoss, Iowa County
- Elsie Jane Murphy, Iowa County
- Phyl Erickson, Iowa County
- Lois Nankee, Iowa County
- Linda Larsen, Iowa County
- June Meudt, Dodgeville
- Andrea Sigg, Hollandale
- Cindy Deckert, SWCAP Foster Grandparents Program
- Keith Hurlbert, Iowa County Emergency Management

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IOWA COUNTY POSITION DESCRIPTION

JOB TITLE: Community Coordinator/Public Health Educator

DEPARTMENT / SECTION: Public Health

DATE REVIEWED: 05/2019

TITLE OF IMMEDIATE SUPERVISOR: Public Health Director

GRADE:

JOB SUMMARY: THE HeART PROJECT

The goal of the Healthy Aging in Rural Towns “HeART” project is to strengthen community supports for older adults so they can live independently and well for as long as possible. This will include increasing awareness of existing supports and services for older adults and their caregivers and developing additional supports and services where needed.

TASK NO.	DESCRIPTION	FREQUENCY	BAND/ GRADE
1	Establish systematic, sustainable connections across agencies and service providers that have a need to network with each other.		
2	Develop and/or maintain a sustainable online directory of local resources for aging in place.		
3	Promote the online directory and other efforts through presentations, advertisements, publicity.		
4	Coordinate trainings and network opportunities for older adults, caregiver groups, volunteers, and other stakeholders.		
5	Conduct a community awareness campaign about local needs and assets related to aging-in-place and caregiver issues. Promote the benefits of becoming an age-friendly community. Replicate successful models for increasing awareness, such as those in the World Health Organization’s Global strategy and action plan on aging and health.		
6	Build relationships with people, organizations and businesses that have a stake in the wellbeing of older adults and caregivers in the community.		
7	Develop training partnerships with local libraries, hospital, faith-based organizations, UW Extension, technical colleges, UW, Aging and Disability Resources Centers (ADRC), emergency responders, etc.		
8	Work with project staff at UW-Madison to track project activities and evaluate whether efforts are meeting goals.		
9	Requires regular and dependable attendance.		
	<u>Additional Duties and Responsibilities:</u>		
	Performs other duties as requested by the Director for this position.		

	<u>Demonstrated Experience and Skills Required.</u> • Ability to maintain a web site using WordPress or similar web site development program • Ability to create and maintain a database using Excel • Experience and/or training developing and executing promotional and informational campaigns, including writing media releases, advertisements and newsletters; working with news media, serving as a media spokesperson; tailoring and delivering presentations to various audiences • Experience using MS Word to write reports, correspondence • Experience using MS Word, Publisher, and/or Adobe Creative Suite to design promotional flyers • Experience using MS PowerPoint to prepare and deliver presentations • Ability to give clear and engaging presentations to diverse audiences • Confidence engaging people and organizations that may be able to provide support toward the implementation of HeART strategies • Excellent communication skills, with an emphasis on patience, empathy, respect and clarity • Ability to build and maintain positive working relationships • Ability to prioritize and manage e-mail, phone and written correspondence with project beneficiaries, partners, stakeholders, various community audiences, and funders • Experience planning, promoting and executing events: Ability to convene a planning committee; meet deadlines; stay within a budget; schedule space, technology, speakers and catering; keep people informed; accommodate attendees' needs; track outcomes. • Ability to prioritize tasks and manage multiple short- and long-term projects according to a timeline and to keep them on track to meet objectives. • Experience assembling a collaborative planning committee in which each member contributes to the success of the project		
	<u>Minimum Qualifications</u> • High School Diploma or equivalent required. • Minimum of three (3) years work experience in healthcare, social work, education or community outreach required. • Preference for an Associates or Bachelor's degree in health education or closely related field.		
	<u>Conditions of Employment</u> • Valid driver's license and access to a private vehicle for work related duties that meets county insurance requirements. • Applicants must pass background checks, and pre-placement drug and alcohol testing. This position description has been prepared to assist in defining job responsibilities and skills needed for compliance with the Americans with Disabilities Act. It is not intended as a complete list of job duties,		

	responsibilities, or essential functions, is not exhaustive and may be supplemented as necessary. This description is not intended to limit or modify the right of any supervisor to assign, direct, and control the work of employees under supervision. The county retains and reserves any or all rights to change, modify, amend, add to or delete, from any section of this document as it deems, in its judgement, to be proper.		
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DATE: _____	EMPLOYEE SIGNATURE: _____
DATE: _____	DEPARTMENT HEAD SIGNATURE: _____
DATE: _____	COUNTY ADMINISTRATOR APPROVAL: _____

AGENDA ITEM COVER SHEET

Title: Proposed County Policies

☒ Original

☐ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

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

This agenda Item asks that the General Government review and consider the following proposed Iowa County Policies:

102 - Establishing the role for County Board members. This will help board members who take office understand what their duties as a County Supervisor are and what they should be focusing on.

211 Office, Building, and Exterior Space Allocation - delegates certain authorities to the County Administrator for assigning offices. Any expenses necessary to accomplish a change of offices would further require County Board approval via the annual County Budget.

423 ADA Accommodations - The policy pulls requirements from state and federal law forward and adopts them in an easy to read local policy. Further assigns the Employee Relations Department with responsibility of implementing the policy.

424 Anonymous Hotline Policy - Establishes County procedures for a tip line for the public and employees to anonymously call and leave concerns with a 3rd party. Concerns could be anything unlawful or concerns of employee theft or harassment.

~~708 Housekeeping Policy - This policy addresses staff responsibilities for maintaining work/office spaces and decreasing the potential for hazards and injuries.~~

709 Fire and Safety Requirements - This policy addresses certain fire risks in our buildings and establishes performance rules for fire extinguishers and reporting concerns.

RECOMMENDATIONS (IF ANY):

Please review and consider the attached policies.

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

Policies 102, 211, 423, 424, 708, and 709 are attached.

FISCAL IMPACT:

None.

LEGAL REVIEW PERFORMED:

☐ Yes

☒ No

PUBLICATION REQUIRED:

☐ Yes

☒ No

STAFF PRESENTATION?:

☐ Yes

☒ No

How much time is needed? _____



COUNTY BOARD OF SUPERVISORS ROLES AND RESPONSIBILITIES

Date Originated: 6/1/16
Date of Modifications: 6/15/16, 6/15/19
Policy Number: **102**

1. PURPOSE:

To describe the role and responsibilities of the Iowa County Board of Supervisors.

1. ORGANIZATIONS AFFECTED:

This policy applies to the County Board and to all Iowa County departments, boards, commissions and the general public.

2. POLICY:

It is the role of a County Board Supervisor to individually contribute to a collaborative effort to set strategic mission goals and make broad policy decisions that support the strategic mission and advance the priorities of the County. Examples of such activities include, but are not limited to:

1. Taking part in the activities of the Board and serving on one or more Standing Committees or Special Committees, Boards and Commissions enumerated in policy 101, as appointed by the Appointment of Committees;
2. Participating in the process of debate and voting on proposed ordinances, resolutions and motions in County Board and Committee meetings;
3. Providing oversight and advice in the management of the County regarding delivery of County services while refraining from the delivery, management or administration of daily operations of the County;
4. Being responsive to the needs of their constituency through effective communication;
5. Establishing priorities for the delivery of County services through the annual budget and tax levy; and
6. Strategic planning

Service as a County Board Supervisor is an honor and a trust which compels the office holder to serve the public through use of his or her judgment for the benefit of the public, and binds him or her to uphold the Constitution of the United States, the Constitution of the State of Wisconsin, and to carry out impartially the laws of the Nation, State and County.

County Supervisors, being representatives drawn from society at large, are recognized to hold different views, values, and loyalties that may result in personal conflict. Personal integrity, courtesy and a willingness to work toward consensus on commonly accepted goals are essential traits as we acknowledge the County Board of Supervisors' influence and authority comes from collective action and not from individual action.

3. REFERENCES:

Wisconsin Statute 59.51

Iowa County Ordinance 100.01

4. PROCEDURES:

It shall be the role of a County Board of Supervisors to be:

- A. Dedicated to the democratic ideals of honesty, openness and accountability in all matters involving County government.
- B. Willing to accept responsibility for decision-making that can affect many.
- C. Understand the County's mission, priorities, challenges, needs and demographics.
- D. Understand the difference between governance and management and accept that their role is to set policy while management carries out policy.
- E. Understand the importance of distinguishing between personal opinions and County Board positions when communicating with the public and the media, exert a good faith effort to communicate the full truth about County matters and avoid structuring information to achieve a personal advantage.
- F. Good listeners and willing to speak to issues, but also recognize when discussion must conclude and a decision must be made.
- G. Committed to building community partnerships.
- H. Actively practice and support stewardship of the County's fiscal and natural resources by supporting public policy for the best use of land, water and air consistent with the public interests, community need an a vision for the future and adopt fiscal polices that promote the most effective, efficient and ethical use of public fund.
- I. Perform duties with fairness and impartiality to build public confidence in government.
- J. Support the principle of equal employment and oppose discrimination in all County operations.
- K. Strive to seek and consider citizen input.
- L. Strive for excellence through continuous learning, seek opportunities to acquire skills and knowledge, and dedicate the time necessary to adequately attend the assignments and duties of this office.



OFFICE, BUILDING AND EXTERIOR SPACE ALLOCATION

Date Originated: 6/1/16
Date of Modifications: 6/15/16, 6/15/19
Policy Number: 211

1. PURPOSE:

The purpose of this policy is to ensure that space resources are assigned appropriately and used efficiently to accomplish the work of the County.

1. ORGANIZATIONS AFFECTED:

This policy applies to all Iowa County Employees and Elected Officials.

2. POLICY:

The County Administrator shall have the authority to assign office, building and exterior space to all departments.

These guidelines are to be considered when making office space allocations and reallocation decisions.

- A. All employees will be provided with a suitable working environment for the type of work they perform.
- B. Office space will be provided to Departments to support their mission and functional needs.
- C. Office space, like all space, is County property that will be allocated to a given Department, as available, in a manner that best advances County priorities. No Department or employee "owns" the space they have been allocated.
- D. Office space, like all County space resources, should be deployed in the most efficient and effective manner to best serve Iowa County.
- E. Each department should manage its office space needs within the space that has been allocated to the department at any given time.

Environment Services will keep an up to date Blueprint of all County facilities indicating office spaces that are assigned and not assigned.

3. REFERENCES:

4. PROCEDURES:

Departments requesting new or additional office space shall provide a written request to the County Administrator.



ADA ACCOMODATIONS

Date Originated: 01/28/2019
Date of Modifications:
Policy Number: 423

1. PURPOSE:

To provide equal employment opportunities to all qualified individuals including those with disabilities.

2. ORGANIZATION AFFECTED:

This policy applies to all Iowa County employees, including board members, volunteers and elected officials part-time, temporary and contracted employees.

3. POLICY:

Iowa County's policy is to fully comply with the reasonable accommodations requirements of the American's with Disabilities Act. Under the law, employers must provide reasonable accommodations to qualified employees or applicants with disabilities, unless to do so would cause undue hardship. Iowa County is committed to providing reasonable accommodations to its employees and applicants for employment in order to assure that individuals with disabilities enjoy full access to equal employment opportunity with Iowa County. Iowa County provides reasonable accommodations when:

- A. A qualified applicant with a disability needs an accommodation in order to be considered for a job;
- B. A qualified employee with a disability needs an accommodation to enable him or her to perform the essential functions of the job or to gain access to the workplace; and
- C. A qualified employee with a disability needs an accommodation to enjoy equal benefits and privileges of employment.
- D. Iowa County will process request for reasonable accommodation and where appropriate, provide reasonable accommodations in a prompt, fair, and efficient manner.
- E. Employee Relations is responsible for implementing this policy, including resolution of reasonable accommodations, and undue hardship issues.

4. REFERENCES:

Americans with Disabilities Act
ADA Amendments Act
Policy 401 Employee Handbook
The Wisconsin Fair Employment Act

5. PROCEDURES:

A. Request for Reasonable Accommodation.

- a. The employee will inform his or her supervisors or Employee Relations of the need for an accommodation either orally or in writing.
- b. To enable Iowa County to keep accurate records regarding request for accommodation, employees seeking a reasonable accommodation must follow up on oral request by completing a written request and submitting it to the Employee Relations Office.
- c. For applicants seeking a reasonable accommodation, the Employee Relations Department requests a written document to be submitted. If an individual with a disability requires assistance with this requirement, the staff member receiving the request will provide that assistance.
- d. While written confirmation should be made as soon as possible following the request, it is not a requirement for the request itself. Iowa County will begin processing the request as soon as it is made, whether or not the confirmation has been provided.
- e. A written confirmation is not required if an individual needs a reasonable accommodation on a repeated basis (i.e., the assistance of sign language interpreters or readers). The written form is required only for the first request although appropriate notice must be given each time the accommodation is needed.

B. Medical Documentation

- a. Employee Relations may request medical documentation of the individual's functional limitations to support the request. Any medical documentation must be collected and maintained on separate forms and in separate, locked files.
- b. The individual may authorize Employee Relations to contact his or her health care provider.
- c. All medical information is treated as confidential and is not maintained in the general personnel files.

C. Process – Current Employees

- a. The reasonable accommodation process is overseen by Employee Relations. Reasonable accommodations are identified through dialogue between Employee Relations and the person requesting an accommodation.
- b. When a qualified individual with a disability has requested an accommodation, Employee Relations will, in consultation with the individual:
 - i. Discuss the purpose and essential functions of the particular job involved. Completion of a step-by-step job analysis may be necessary.
 - ii. Determine the precise job-related limitation.

- iii. Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job.
 - iv. Select and implement the accommodation that is the most appropriate for both the individual and the employer. While an individual's preference will be given consideration, the County is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.
- c. Employee Relations will work with the employee to obtain technical assistance, as needed.
 - d. The Employee Relations Department will provide a decision to the employee within a reasonable amount of time.
 - e. If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the business, the employee and Employee Relations Director will work together to determine appropriate resolution, if possible.

D. Appeals

- a. Employees or applicants who are dissatisfied with the decision(s) pertaining to their accommodation request may file an appeal to the County Administrator, within a reasonable period of time, for a final decision.
- b. If the individual believes the decision is based on discriminatory and/or retaliatory reasons, then he or she may file a complaint internally through the County Administrator.



Anonymous Hotline Policy

Date Originated: 01/10/2019
Date of Modifications:
Policy Number: 424

1. PURPOSE:

Iowa County is committed to the highest possible standards of ethical, moral and legal business conduct. In conjunction with this commitment and Iowa County's commitment to open communication, this aims to provide an avenue for employees to raise concerns and reassurance that they will be protected from reprisals or victimization for whistleblowing in good faith. However, if an employee feels that their anonymity is not required then they should follow our existing grievance procedure.

2. ORGANIZATIONS AFFECTED:

This policy applies to all Iowa County employees, including board members, volunteers and elected officials part-time, temporary and contracted employees.

3. POLICY:

This policy is intended to cover concerns that could have an impact on Iowa County, such as actions that:

- May lead to incorrect financial reporting;
- Are unlawful;
- Are not in line with Iowa County Ethics Ordinances, Employment Handbook, policies and other applicable laws.
- Otherwise amount to improper conduct.

Regular business matters that do not require anonymity should be directed to the employee's supervisor and are not addressed by this policy.

Safeguards:

A. Harassment

Harassment of individuals submitting hotline reports will not be tolerated.

B. Confidentiality

Every effort will be made to protect the reporter's identity by our hotline vendor. Please note that the information provided in a hotline report may be the basis of an internal and/or external investigation by Iowa County into the issues reported. It is possible that as a result of the information provided in a report the reporter's identity may become known to Iowa County during the course of an investigation.

C. Anonymous Allegations

This policy allows employees to remain anonymous at their option. Concerns expressed anonymously will be investigated, but consideration will be given to:

- The seriousness of the issues raised;
- The credibility of the concerns; and
- The likelihood of confirming the allegation from attributable sources.

D. Malicious Allegations

Malicious allegations may result in disciplinary action.

4. REFERENCES:

Policy 401 Employee Handbook

5. PROCEDURES:

A. Reporting

The whistleblowing procedures is intended to be used for serious and sensitive issues. Serious concerns relating to financial reporting, unethical or illegal conduct, should be reported in either of the following ways:

1. Website
2. Toll-Free Telephone
3. E-mail
4. Fax

Reporters to the hotline will have the ability to remain anonymous if they chose. Please note that the information provided by you may be the basis of an internal and/or external investigation into the issue you are reporting and your anonymity will be protected to the extent possible by law. However, your identity may become known during the course of the investigation because of the information you provided. Reports are submitted by Lighthouse to Iowa County or its designee, and may or may not be investigated at the sole discretion of Iowa County.

Employment-related concerns should continue to be reported through your normal channels such as your immediate supervisor or Employee Relations Department.

B. Timing

The earlier a concern is expressed, the easier it is for Iowa County to take action.

C. Evidence

Although you are not expected to prove the truth of an allegation, the employee submitting a report needs to demonstrate in their hotline report that there are sufficient grounds for concerns.

D. Handling of Report

The action taken will depend on the nature of the concern. The Employee Relations Department or designee of Iowa County receives a copy of each report and follow-up reports on actions taken by Iowa County.

- I. Initial Inquires: Initial inquires will be made to determine whether an investigation is appropriate, and the form that it should take. Some concerns may be resolved by agreed upon actions without the need for an investigation.
- II. Feedback to Reporter: Whether reported directly to Iowa County or through the hotline, the individual submitting a report will be given the opportunity to receive follow-up on their concerns:
 - i. Acknowledging that the concern was received;

- ii. Indicating how the matter will be dealt with;
 - iii. Giving an estimate of the time that it will take for a final response;
 - iv. Telling them whether initial inquiries have been made;
 - v. Telling them whether further investigations will follow.
- III. Further Information: The amount of contact between the individual submitting a report and the body investigating the concern will depend on the nature of the issue, the clarity of information provided, and whether the employee remains accessible for follow-up. Further information may be sought from the reporter.
- IV. Outcome of an investigation: At the discretion of Iowa County and subject to legal and other constraints, the reporter may be entitled to receive a conclusion outcome report of the investigation.

DRAFT



Fire and Safety Requirements

Date Originated: 02/01/2019

Date of Modifications:

Policy Number: 709

PURPOSE:

This policy outlines the requirements all employees must follow when working in County facilities to maintain a safe working environment. It also includes the procedure for reporting a fire or other safety concerns.

ORGANIZATIONS AFFECTED:

Bloomfield Healthcare and Rehabilitation Center
Iowa County Courthouse
Iowa County Sheriff Department/Jail
Iowa County Health and Human Services Departments
Iowa County Airport
Iowa County Highway Department
Iowa County Land Conservation Department

POLICY:

Iowa County must be maintained in a manner to protect the safety of our employees and our investment in infrastructure.

REFERENCES: Policy 703 (Meeting Room Use Policy), Policy 705 (Means of Egress Policy), Smoking Ordinance 600.26, DSPS (Department of Safety and Professional Services)

REQUIREMENTS OF ALL WORK SPACES:

Fire prevention

1. Portable Space Heaters
 - a. Portable electric style space heaters are allowed within County facilities.
 - b. All portable Space Heaters must be UL Listed.
 - c. Space heaters in use must be at least 36" away from any combustible material (Paper, wood, plastic, and clothing).
 - d. Must be plugged directly into an outlet. The employee using the electrical heater is responsible for unplugging the unit when room is unoccupied (not just turned off).
 - e. Placement of heater must be on floor.
 - f. All heaters must have three prong cords.

Fire Extinguisher Use

Most fire extinguishers within the County are Type ABC extinguishers (extinguishes paper, wood, cloth, combustible liquids, and electrical). Exceptions maybe in Kitchen areas (Bloomfield) and shop areas (Highway). Consult your supervisor for additional training or attend trainings offered throughout the County.

Helpful Hints:

Fire Extinguisher Use

1. Remember **P.A.S.S.**: Pull, Aim, Squeeze, Sweep
 - a. **Pull**: Pull the pin
 - b. **Aim**: Aim at base of fire
 - c. **Squeeze**: Squeeze trigger
 - d. **Sweep**: Sweep side to side at base of fire
2. Only use fire extinguisher if fire is small.
3. Empty extinguisher completely when attempting to put a fire out, even if you think fire is out.
4. Know where fire extinguishers are located in your area
5. Participate in all fire drills.

Inspection of work spaces: Department spaces will be inspected on these safety requirements on a yearly basis. Inspections will be performed by the Safety Committee or designee assigned.

Training: Training on fire safety, fire extinguisher use, and fire drills will be performed on an annual basis.

Additional training and inspections are to be performed based on Federal, State, and Local requirements for your individual operation/facility.

Any questions, concerns related to this policy should be directed to your supervisor and the Iowa County Safety Committee.

- g. All heaters must have an automatic turn off feature if knocked over.
- 2. Electric Heating Blankets
 - a. Electric Throw Blankets are not recommended, but can be used within County facilities.
 - b. Must be UL Listed.
 - c. Cords must not have any kinks, wires showing, or damaged wires.
 - d. Blankets must be equipped with an automatic shut off or timer.
 - e. Employees using this item must follow manufactures recommendations.
 - f. Must be plugged directly into an outlet. The employee using the blanket is responsible for unplugging the unit when room is unoccupied (not just turned off).
- 3. There can be nothing stored higher than 24 inches below the ceiling in a non-sprinklered building or 18 inches below the sprinkler head in a sprinklered building.
- 4. The required width of corridors/hallways/stairwells must be keep clear at all times. Storage is not allowed in any stairwells, corridor/hallway, electrical, mechanical, or boiler room.
- 5. Waste is not allowed to accumulate within any County facility. Waste can only be stored in proper containers and removed by housekeeping or authorized personnel. All waste that needs shredding must be stored in totes provided. If a tote is needed please contact maintenance.
- 6. Extension cords/Power strips
 - a. All Extension cords, multi-plugs, or power strips must be UL Listed and only used in a temporary use situation (Christmas/Holiday exception below). When not in use, appliance needs to be unplugged. If a situation occurs to where an extension cord is needed in more of a permanent situation, please contact maintenance to install an outlet.
 - b. Caution should be taken to make sure the Extension cord is not a trip hazard.
 - c. All Extension cords shall be three wire type with ground prong intact.
 - d. Multi-plugs/power strips/extension cords cannot be piggybacked and must plug directly into an outlet.
 - e. Extension cords shall be maintained in good condition without splices, deterioration or damage. All damaged extension cords are to be removed and discarded.
 - f. Power strips used in a permanent situation can be used for computer equipment only.
- 7. Fire and smoke doors may not be wedged open.
- 8. Fire extinguishers and electrical panels cannot be blocked; they must be accessible at all times (at least 36" of clearance at all times). All fire extinguishers shall be serviced and tagged annually. Environmental Services and/or assigned building Department Head is responsible for assigning staff to check the fire extinguishers monthly for the following things:
 - a. Pull pin is in place.
 - b. Break away plastic strap is in place
 - c. Arrow is in the Green (not overcharged or under charged)
 - d. Fire extinguisher is in proper place
 - e. Tag is on fire extinguisher and has been signed for each month
- 9. Use of candles, Incent burners, smoking devices, and/or open flamed burning devices are not allowed within any County facility.
- 10. Christmas/Holidays:

- a. No live trees or wreaths are permitted in county facilities
 - b. One string of lights and one extension cord or two strings of lights piggybacked is allowed per outlet. All lights must be UL listed
 - c. All Christmas decorations are to be fire resistant.
 - d. All exterior lighting is to be plugged into a GFI outlet.
11. Safety Data sheets shall be kept in designated areas and updated annually or whenever new items are identified.
12. NO SMOKING allowed in any county building or County owned vehicles. Designated smoking areas are to be at least 25' away from any Iowa County building entrance (Per Ordinance No. 600.26)
13. Appliances: Coffee makers with automatic shutoffs and small refrigerators are allowed in individual work areas. Appliances such as toasters, toaster ovens, and microwave ovens are not allowed in any individual work area. These items are to be used only in established food preparation/break room area. Those that use these appliances are responsible for properly cleaned and maintaining them at all times.

Procedures

HOW TO REPORT A FIRE OR OTHER SAFETY CONCERN

Any fire or immediate safety concern should be reported by calling 911. Follow your Emergency Evacuation Procedure provided for your department/facility.

Helpful Hits:

1. Remember **R.A.C.E.**: Rescue, Alarm, Confine/Contain, and Extinguish/Evacuate
 - a. **Rescue:** Rescue yourself and those in immediate area of fire (if Possible). Remember you are #1. If fire is too intense, leave fire for those that are trained to fight fires.
 - b. **Alarm:** As soon as you are away from immediate danger, alarm others of danger, pull fire alarm box (if available), and call 9-1-1.
 - c. **Confine/Contain:** Closing doors on your way out will help slow the fire down and help contain the fire until fire department arrives.
 - d. **Extinguish/Evacuate:** If fire is small extinguish fire if can. If large fire, evacuate facility as quickly as you can and call 9-1-1.
2. Lower the risks of fire:
 - a. Always comply with safety regulations within your work spaces. Know where you would go to evacuate the facility if a fire occurs. Identify at least two different routes. Know where your nearest fire extinguisher is located.
 - b. Watch for frayed cords, damaged equipment, and overloaded circuits. Report all concerns to Environmental Services as soon as possible if found.
 - c. Inspect equipment regularly for safety concerns.
 - d. Keep your work space clean, neat, and combustible free.

RESOLUTION NO. 8-0519

SUPPORTING APPOINTMENT FOR IOWA COUNTY DISTRICT ATTORNEY

WHEREAS, Iowa County is currently without a District Attorney; and

WHEREAS, Iowa County has an Assistant District Attorney that has served Iowa County for 8 years, maintaining strict professional standards; and

WHEREAS, Assistant District Attorney Matthew Allen has gained the respect of the Iowa County Board through his use of common sense problem solving, intelligent analysis, and accurate advisement; and

WHEREAS, Assistant District Attorney Matthew Allen has the support of the Iowa County Board and the District Attorney's office staff.

NOW THEREFORE, BE IT RESOLVED that the Iowa County Board hereby recommends and requests that Governor Tony Evers appoint Assistant District Attorney Matthew Allen as the Iowa County District Attorney.

Adopted this ____ day of _____, 2019

AGENDA ITEM COVER SHEET

Title: Proposed Policy 320 Fraud Assessment and Response

☒ Original

☐ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

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

Please review and consider the attached policy on how Iowa County works to prevent Fraud and what staff will do when Fraud is suspected or reported.

RECOMMENDATIONS (IF ANY):

Review and suggest modifications.

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

Policy 320

FISCAL IMPACT:

None

LEGAL REVIEW PERFORMED:

☐ Yes

☒ No

PUBLICATION REQUIRED:

☐ Yes

☒ No

STAFF PRESENTATION?:

☐ Yes

☒ No

How much time is needed? _____

COMPLETED BY: Larry Bierke

DEPT: County Administrator

2/3 VOTE REQUIRED:

☐ Yes

☒ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE:

AGENDA ITEM #

COMMITTEE ACTION:



Fraud Assessment and Response Policy

Date Originated: 04.01.19

Date of Modifications:

Policy Number: 320

1. **PURPOSE:** To identify responsibilities, establish procedures and controls to aid in the prevention, detection, reporting and investigation of possible cases of fraud involving Iowa County governmental operations, resources, and/or finances.
2. **ORGANIZATIONS AFFECTED:** This policy applies to any actual or suspected fraud involving a County employee (including management), a consultant, a vendor, contractor, outside agency, elected Official or Supervisor, or any person conducting business with the County.
3. **POLICY:**
 - A. **Definitions:** For the purposes of this policy "fraud" means:
 1. Forgery or alteration of any document or account
 2. Forgery or alteration of a check, bank draft or any other financial document
 3. Misappropriation of funds, securities, supplies or other assets.
 4. Impropriety in the handling or reporting of money or financial transactions.
 5. Profiteering as a result of insider knowledge of County activities.
 6. Accepting or seeking anything of material value from consultants, contractors, vendors or persons providing services or materials to the County for personal benefit.
 7. Disclosing confidential and/or proprietary information to outside parties.
 8. Destruction, removal or inappropriate use of records, furniture, fixtures and equipment.
 9. Any claim or reimbursement of expenses that are not made for the exclusive benefit of the County.
 10. Any computer related activity involving the alteration, destruction, forgery or manipulation of data for fraudulent purposes, or
 11. Any similar or related irregularity.
 - B. **Fraud Prevention Steps:** All employees have the responsibility for reporting fraud or dishonest behavior. County supervisor or management staff are held to a higher standard and expected to educate themselves on the potential opportunities that exist in their areas of supervision.
 1. It shall be the manager's responsibility to ensure that processes have effective monitoring of control procedures as a preventative measure.
 2. Manager's must utilize duty segregation to limit opportunities for fraudulent activities to occur.
 3. Manager's must educate themselves on weaknesses and opportunities for fraud to occur and implement specific processes to limit the opportunity.
 - C. **Fraud Reporting:** It is the responsibility of every employee to immediately report suspected fraud or other dishonest conduct. Reporting protocol for suspected fraud is as follows:

Within a department
Involving any Elected Official
Involving a department head
Involving the County Administrator
Vendor/Contractor

Report to Department Head and County Administrator
Report to County Administrator and County Board Chair
Report to County Administrator and County Board Chair
Report to the County Board Chair
Report to County Administrator

Management is to remind their staff quarterly about the availability of the 424 Anonymous Hotline Policy, and the hotline that is available for someone to remain anonymous.

424 Anonymous Hotline Policy: Iowa County will maintain a fraud hotline whereby any caller may call in and leave a message alerting management to the potential of fraud. The messages shall be documented word for word and distributed to the designated parties identified above. All callers will be given the option to leave a name and contact phone number if they wish, but it will be completely optional. It shall be the responsibility of individuals noted above to determine if the fraud or potential of fraud identified warrants an investigation and to what extent.

Any reprisal against an employee or other reporting individual because that individual, in good faith, reported a violation is strictly forbidden.

- D. Investigative Procedures: The County Administrator has the primary responsibility for coordinating the investigation of reported fraudulent and dishonest activity and the associated interaction with law enforcement and other parties to the investigation. In cases involving the County Administrator, the County Board Chair shall have this responsibility.
1. Once a report of fraud is deemed to warrant an investigation, an investigation will be conducted by the County Administrator and those other staff that he/she entrusts to complete the investigation. The County Administrator may involve agencies or consultants from outside the Iowa County government structure and are hereby authorized to utilize funds necessary to complete the investigation.
 2. Upon completion of the investigation, an incident report must be shared with the County Board of Supervisors. The incident report shall include a description of the subject or fraud reported, the investigation process, and an outline of the outcomes of the investigation. The report shall also identify any County resources (dollars or time) utilized to complete the investigation.
 3. All investigative documents, involvement, and investigative process shall be kept strictly confidential to the fullest extent provided by law.
- E. Iowa County has no tolerance for dishonesty or fraudulent activities. Participating in fraudulent activity is a reflection of those involved as individuals and as employees of Iowa County. Iowa County holds our employees to a higher standard and will consider instances of fraudulent activity as an egregious act subject to elevated disciplinary action.

Summaries of DALC/WWF Expert Testimony Submitted in PSC Docket No. 5-CE-146 (Cardinal Hickory Creek Project)

Witness	Area of Expertise	Occupation/Experience	Highlights of Testimony
Kerinia Cusick	Engineering, solar, and energy storage	President of Center for Renewables Integration	- Applicants have not demonstrated that the CHC project is the highest priority energy options that is both cost effective and technically feasible - Applicants did not sufficiently address non-transmission alternatives (e.g. solar, storage, and existing demand response) combined with existing transmission infrastructure in determining need for the project - Bottlenecks in transmission of electricity can be eliminated by adding new transmission lines, reducing load, or adding local power generation - Proper application of technologies like solar energy, energy storage, power flow electronics, load control, and energy efficiency on existing lower voltage transmission lines can reduce load on the lines locally so that the existing lines are no longer a transmission bottleneck, thereby eliminating the need for new transmission lines - Provided examples of Alternative Transmission Solutions and storage solutions that have been utilized/approved in other jurisdictions - The reliability argument in favor of the CHC line did not account for reductions in projected load growth since 2011 or the addition of recent large-scale solar projects in Wisconsin (500 MW already approved plus other projects in the queue); therefore, the PSC should re-evaluate the need based on those changes

Jon Wellinghoff	Energy regulation and non-transmission alternatives	CEO of Grid Policy and former Chair and Commissioner of Federal Energy Regulatory Commission ("FERC")	- Applicants failed to conduct a legally sufficient analysis of project options that would allow a comparison of the CHC project to Alternative Transmission Solutions composed of feasible high priority energy resources that are optimized for cost effectiveness as required by Wisconsin law and FERC regulations - Alternative Transmission Solutions include congressionally-defined Advanced Transmission Technologies that can increase the capacity, efficiency, or reliability of an existing or new transmission facility - If evaluated properly, a Non-Transmission Alternative can be eligible for regional rate base cost recovery, but Applicants failed to do so in this case - Applicants did not conduct their Non-Transmission Alternative analysis in a comparable fashion because they started with a \$92.5 million limit on those alternatives - Applicants failed to consider some of the most cost effective technology for improving existing reliability, overestimated costs of solar technology, ignored and overestimated the cost of commercial and residential demand response technology, and did not consider energy efficiency options beyond LED bulbs in their analysis - Due to those shortfalls, applicants should be required to resubmit an Alternative Transmission Solution that includes Advanced Transmission Technologies - Until that is done, the PSC does not have a sufficient record to conclude that the CHC project is the highest priority energy option that is cost effective and technically feasible
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Mihir Desu	Energy storage and clean energy electrical systems, benefit-cost assessments and cost-effectiveness evaluation of Alternative Transmission Solutions	Director of Strategen, a company focused on market development of a decarbonized electrical system	- Energy markets are rapidly changing due to technological advances; construction of new traditional transmission and distribution infrastructure are therefore not the most cost-effective approach to meeting electric system needs - Provided examples of cost-effective Alternative Transmission Solutions in other jurisdictions - Costs of Alternative Transmission Solutions have declined exponentially and are expected to continue declining, and such solutions can be deployed in a modular manner to minimize the risk of overbuilding - Applicants proposed the CHC line based on a quantitative benefit-cost assessment of four courses of action: (1) no action other than reliability upgrades of existing system, (2) construction of the CHC line (3) construction of a low voltage transmission line instead of the CHC line, and (4) development of a Non-Transmission Alternative instead of the CHC line - Applicants assessed each of the four alternatives under eight projected future circumstances - In their analysis, Applicants accounted for five potential areas of benefit savings, but their cost analysis was skewed in favor of the CHC project because the Non-Transmission Alternative was not developed in a way that would have allowed for rate base cost recovery under FERC guidelines - The production cost model used by Applicants to model energy savings overestimates savings generated by the CHC line and does not reflect dynamic changes in today's energy markets because the future projections assumed construction of the CHC line, which discounts other potential renewable resources being built if the CHC line is not constructed - The model used by Applicants does not account for additional solar generation projects approved in Wisconsin, making their projections unreliable - As submitted, the Applicant's cost-benefit analysis is flawed and unreliable because it overstates the energy savings of the CHC line and overstates the costs of the Non-Transmission Alternative
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			- The PSC should require the Applicants to remodel the CHC project using a capacity expansion model to more accurately account for both investments and operational costs - Even if the Applicants' analysis is not viewed as flawed, the energy savings from construction of the CHC line as projected are small enough that small changes in the assumptions underlying the analysis could result in negative net benefits - Modular additions to the electrical system would provide greater potential for savings with smaller downside in comparison to construction of the CHC line - Applicants did not conduct a needs assessment specific to the CHC line to show a capacity, reliability, or energy need for development of the CHC line (it was based on a whole portfolio of MISO projects identified in 2011, and the market has since changed) - Alternatives to the CHC line would maintain an adequate and reliable electrical system - It is unreasonable to assume, as the Applicants did, that nonrenewable energy resources will not be added if the CHC line is not constructed - Although the CHC line would allow for increased wind energy generation, it also would allow for increased fossil fuel generation; more renewable energy sources would likely be built in Wisconsin if the CHC line is not constructed
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Rao Konidena	Energy load forecasting, storage and distribution	CEO of Rakon Energy, former engineer and policy advisor for MISO	- The CHC project is not needed to address an identified reliability issue - For specific “max gen” market emergency events of reliability concern, MISO has recommended improved operational management and forecasting, but not the construction of new large transmission projects - There would not be any reliability concerns if the projected in-service date of the CHC line was delayed for several years - The CHC line was proposed as part of MISO’s regional Multi Value Projects (“MVP”) portfolio approved by FERC in 2011; MISO has never reviewed the CHC line as a standalone project, nor has it analyzed what effect not building the CHC line would have on the MVP portfolio - Recent energy generation retirements have not increased the threat of energy reliability problems in Wisconsin - The CHC line is not needed to increase transfer capacity between Iowa and Wisconsin, as this could be satisfied with other transmission system improvements and redispatch of generation, which has not been modeled by the Applicants - Applicants likely overstate the importance of the CHC line in increasing competitiveness of the wholesale electricity market - The applicants understated the amount of new utility scale solar in Wisconsin, which will improve transmission flows on existing lines - The PSC should deny the application as submitted and require Applicants to include the latest utility scale solar projects and projected future solar development in their economic models
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Terrance Ingram	Wildlife conservation, with emphasis on bald eagles and other migratory bird species	Owner of Apple Creek Apiaries, Apple Creek Farm Supply, Eagleland Environmental Consultants; President/Director of Eagle Nature Foundation	- Construction of CHC line and towers will have significant adverse impacts on bald eagles and other migratory birds, including destruction of nesting and feeding habit during construction and bird collisions post-construction - The proposed routing of the CHC line cuts perpendicularly across the north-south migration path of migratory bird species - Proposed routing and design of the line does not successfully minimize these impacts - Impacts would be less severe if the transmission line crossed the Mississippi near Dubuque or further south based on bird populations; collisions and electrocutions could be eliminated if the line ran underground - Applicants' Endangered Resource Review was inadequate with regard to right-of-way and adequacy of buffer zones from active eagle nests - The CHC line would add to other environmental stressors already impacting bird species along the proposed route - The PSC's Draft Environmental Impact Study was not sufficiently detailed regarding adverse impacts on bird and plant species; there should be repeated field studies carried out by qualified field biologists with species-specific specialization
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George Meyer	Wildlife conservation	Executive Director for the Wisconsin Wildlife Federation; former attorney for Wisconsin DNR, administrator of DNR Division of Enforcement, and Secretary of DNR	- The Driftless Area through which the CHC line would run is a unique landscape with valuable water resources, habitat for a number of endangered and threatened species, bird and wetland areas, and recreational/tourism resources - The proposed CHC route would impact between 137 and 163 streams and cross the Upper Mississippi River Wildlife and Fish Refuge - The CHC route would impact multiple threatened and endangered species of pollinators/insects, fish/aquatic species, amphibians, reptiles, mammals, and birds - The CHC would affect between 32 and 36 wetlands and 29 archaeological and historic resources, plus federal and state parks, trails, recreational, and conservation areas - The CHC line and towers will have a significant impact on the view/scenic value of the Driftless Area that will affect the tourist economy - Construction and operation of the CHC line would have a short-term and long-term impact on land and water resources, likely damaging environmental quality and fish and wildlife habitat in the areas occupied and adjacent to the line - In addition to direct habitat damage, transmission line construction will increase likely encroachment of invasive species - Even if the project is "permissible" under DNR standards, permissible activities may still have significant direct or cumulative adverse effects on the environment - Violation of water and wetland regulatory permit conditions are infrequently prosecuted due to staff resource limitations - Mr. Meyer concurred with comments made by several conservation professionals with regard to the PSC's Draft Environmental Impact Statement
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Curt Meine	Wildlife conservation, environmental history, and Driftless Area resources	PH.D. in land resources, self-employed consulting conservation biologist, senior fellow at Aldo Leopold Foundation and Center for Humans and Nature, adjunct associate professor at UW-Madison	- CHC line and towers will have under adverse impacts on historical, ecological, recreational, scenic and aesthetic resources of the Driftless Area - CHC line and towers will unreasonably interfere with existing land use and development plans in the Driftless Area - Proposed mitigation measures are inadequate and do not meaningfully minimize the environmental impacts of the proposed line - The Draft Environmental Impact Statement lacks adequate and verifiable information needed to support an informed decision on the CHC line and fails to meaningfully discuss cumulative impacts of the CHC line project - Describes the location and unique topographical/geographical features of the Driftless Area - The Driftless Area is an evolving cultural landscape that is tied to the natural landscape, with a historical role in the evolution of community-based conservation principles and land stewardship - The CHC line and towers would alter the historical and cultural character of the Driftless Area landscape, included recreational and conservation areas - The Driftless Area is a hub for innovative, place-based development guided by a commitment to land stewardship and sustainability - With respect to land use, many local communities have concerns with aesthetic and environmental impacts on natural and scenic areas, as well as agricultural operations, soil and water quality, and biological diversity - Applicants' mitigation measures are too vague/qualified, and there is insufficient discussion of cumulative effects of the proposed line - Other local transmission line projects have shown adverse aesthetic impacts; other effects are difficult to monitor/quantify - The Draft EIS is insufficient with regard to consideration of the CHC projects impacts on biological diversity, cultural and historic resources, scenic and aesthetic values, and potential groundwater impacts - There are other options available to conserve and develop clean and sustainable energy to serve the Driftless Area
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Donald Waller	Ecology, botany, and conservation	Professor of Botany & Environmental Studies, UW-Madison	- The CHC line would intersect important natural and semi-natural habitats, create hazards/obstacles to movement of native species, and accelerate the spread of invasive species - Routing, design, and minimization efforts are not sufficient to avoid undue adverse environmental impacts - The Upper Mississippi River National Wildlife and Fish Refuge would be threatened as a migratory flyway and aquatic habitat - Clearing for and maintenance of right-of-way would adversely impact natural areas and landscapes in the Driftless Area - Ecological impacts would extend to unique ecological communities beyond the existing and proposed right-of-ways - Details particular groups of species/organisms at risk (e.g. whooping crane, grassland birds, prairie plants, etc.) - Applicants should have given more consideration to other alternative routes above or below the Driftless Area and to Non-Transmission Alternatives to minimize environmental impacts - Construction of the line would eliminate 186+ acres of forested habitat, but the ecological impact would extend to adjacent areas - Construction of the line would eliminate 200+ acres of grassland habitat and further affect 303.5 acres of grassland already in an existing right-of-way - Continued maintenance of the 150-foot right-of-way would have ongoing ecological impacts on these resources, and existing right-of-way proposed for use would need to be widened/extended - It is difficult to project the severity and duration of these adverse effects, but they are not hypothetical - The CHC line would adversely impact migratory and resident bird populations due to disruption of habitat and navigation and collisions/electrocutions; it is difficult to estimate the duration of these impacts - Herpitle species would be adversely, impacted by the CHC corridor, although additional surveys would need to be done to fully assess these impacts - Applicant's Endangered Resource Review was inadequate due to absence of detailed, species-specific field observations and vagueness of proposed follow-up actions
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			- Adverse environmental impacts of the proposed line can be partially reduced and mitigated, but only to a limited extent - Ecological impacts would extend beyond the boundaries of the CHC line corridor, and impacts at least 1 km from the line would be expected, although additional studies would be required to confirm this impact - The Applicant's revegetation plan is a good-faith effort to meet legal requirements but would not fully or adequately restore the habitats to near-natural conditions - Supports other biological experts' comments on the Draft Environmental Impact Statement
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Opioid Litigation Update

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Thank you for your groundbreaking work in battling this Country's Opioid catastrophe. We are honored to represent you and your County. Your work and participation in this case will make a profound difference and will undoubtedly save lives in your community. This memo provides a summary and brief update on the National Opioid Litigation.

The National Opioid Litigation, MDL 2804, continues to move at a rapid pace with weekly discovery disputes, discovery hearings with Judge Polster and Special Master David Cohen, the recent disclosure of plaintiffs' experts and reports, and on-going settlement negotiations involving Judge Polster and Special Master Francis McGovern. In addition, MDL 2804 continues to coordinate with the litigating States through its settlement committee and Special Master Cathy Yanni.

As the confidential settlement discussions continue, we are preparing for the first MDL trial in Cleveland, Ohio. The current litigation schedule includes the following deadlines:

- **March 25, 2019** – Plaintiffs shall serve expert reports and, for each expert, provide three proposed deposition dates between April 9 and April 26, 2019.
 - Plaintiffs disclosed more than 20 experts and experts' depositions are in process.
- **May 10, 2019** – Defendants shall serve expert reports and, for each expert, provide three proposed deposition dates between May 20 and June 7, 2019.
 - Defendants represent they intend to disclose nearly 100 defense experts.
- **June 28, 2019** – Deadline for Daubert and dispositive motions.
- **July 31, 2019** – Deadline for responses to Daubert and dispositive motions.
- **August 16, 2019** – Deadline for replies in support of Daubert and dispositive motions.
- **September 5, 2019** – Hearing on Daubert and dispositive motions, if necessary.
- **September 25, 2019** – All trial materials due.
- **October 15, 2019** – Final Pretrial hearing.
- **October 21, 2019** – Trial, 1st Bellwethers: Cuyahoga County, Ohio and Summit County, Ohio

Recent Litigation Developments

As you may recall, Federal District Judge Daniel Polster organized the national litigation along two tracks – a settlement track and a litigation track. Though Judge Polster continues to strongly encourage and facilitate settlement, he also created the litigation track to influence settlement.

Motions for dismissal have been filed and fully briefed for all litigation track cases as set forth in Case Management Order No. 1. Defendants filed lengthy motions challenging every claim. In Case Track One, the Court denied almost all of the defendants' motions, which was a significant positive

development for our case. Case Track Two will focus on the claims alleged by Cabell County, West Virginia and the City of Huntington, West Virginia. The parties are currently negotiating the parameters of Case Track Two and expect Cabell County and the City of Huntington's amended complaints to be filed on or around May 15, 2019, followed by additional briefing on motions to dismiss and Case Track Two specific discovery. Case Track Three will not be set up until later this year and will be either the State of Alabama; County of Monroe, Michigan; Broward County, Florida; or the City of Chicago, Illinois. The Court also recently directed the parties to submit briefing addressing the viability of statutory and/or common law claims for public nuisance in each State and territory where any MDL plaintiff is located to assist with settlement negotiations and to help the Court better understand the State-specific variations in law.

The cases for the two "bellwether" or representative plaintiffs in Case Track One are Summit County, Ohio, and Cuyahoga County, Ohio, which are set for trial on October 21, 2019. We continue to proceed with extensive "discovery" in connection with preparing those two cases (as well as any later cases) for trial. This has included reviewing tens of millions of pages of documents and taking hundreds of depositions (sworn verbal testimony under oath). We also served detailed reports from more than 20 of the most qualified national experts that support the specific allegations we made in the complaints for Summit County, Ohio and Cuyahoga County, Ohio.

Defendants have made multiple attempts to extend the current schedule and move the trial, all of which have been denied by Judge Polster. For example, defendants filed an Emergency Motion seeking delay in the timeline for depositions and discovery relating to experts—including a delay in Daubert motions until early October. Judge Polster denied the motion, noting that he has previously accommodated the Defendants' request for delay:

The Court thus granted, for nearly every deadline, at least a 45-day extension, and in every case, the parties' jointly proposed date. This included a postponement of the trial from September 3 to October 21, 2019 (48 days). Defendants now complain that "the schedule is compressed to the point of being unworkable and fundamentally unfair;" however, this is the schedule Defendants proposed at the end of January, and nothing significant has changed since then. If anything, the case is simpler as the Track One case now involves only two plaintiffs rather than four.

Polster went on to state:

Defendants' proposal for an extension of expert discovery deadlines would have the Court approve an October 15, 2019 deadline for submitting Daubert and dispositive motions (a 109-day extension of the current deadline, and a mere 6 days prior to the current trial date). Defendants have not even suggested what the Court should do about the remaining deadlines on the schedule (i.e. responses to *Daubert* and dispositive motions, replies, the hearing on *Daubert* and dispositive motions, and the trial itself). The Court can only conclude that Defendants are proposing an indefinite postponement of the trial. No Court would take such a proposal seriously.

Defendants, however, have continued to renew their attempts to delay a trial. Most recently, Judge Polster denied defendants' most recent motion and suggested some impatience with defendants'

repeated attempt to move the deadlines, stating:

Defendants spend significant time bemoaning the deadlines imposed by the Court's current Case Management Order No. 8 ("CMO-8"). See, e.g., Doc. #: 1580 at 1 ("the untenable schedule in CMO 8."); id. at 4 ("the unworkable CMO 8 deadlines"); id. at 9 ("the deadlines imposed by CMO 8—including the late 2019 trial date—are unworkable"). The Court has already addressed these concerns in a recent order and will not do so again. See Doc. #: 1560 at 2 ("this is the schedule Defendants proposed at the end of January, and nothing significant has changed since then.").

Judge Polster clearly intends to try this case this year and that there is no basis for delay. Opioid MDL documents are now available at the website nationalprescriptionopiatemdl.com should you be interested in reviewing any orders, transcripts, or briefs. We will continue to keep you updated.

Background on the Litigation

Prescription opioids are powerful pain-reducing medications that have both benefits as well as potentially serious risks, including addiction, physical dependency, neonatal opioid withdrawal symptoms (NOMS), overdose, and death. Opioids include OxyContin, Fentanyl, Percodan, Percocet, Morphine Sulfate and other similar drugs. These medications can help manage pain when prescribed for the right condition and when used properly for their approved indications.

The FDA approved opioids to manage pain severe enough to require daily, around the clock treatment for which alternative treatments are not adequate. Examples of medical conditions for which opioids might be used: severe bodily injury or trauma, short-term surgical recovery, cancer pain or cancer treatment pain, and end of life or hospice care.

As summarized below, plaintiffs contend that for many years defendants, including pharmaceutical manufacturers and distributors, acted in a manner that caused or contributed to opioid abuse.

Some important data-points regarding opioid abuse and the opioid catastrophe include:

- Opioids are the most prescribed class of drugs in the United States; they generated \$11 billion in revenue for drug companies in 2014 alone.
- Every day in America, more than 1000 people are treated in emergency rooms for injuries from opioids.
- In 2015 alone, more than 33,000 people died from opioid overdoses. It is estimated that opioids kill 100 Americans per day.

Recent articles/studies conclude this number may significantly underestimate the number of deaths. A few comparisons:

- Opioid-related deaths in the US have quadrupled since 1999, less than 20 years.
- The opioid death rate far outpaces the number of deaths from cocaine and heroin combined. In fact, in many states, opioids are the leading accidental cause of death.
- In many states the annual number of opioid pills prescribed can exceed by 2 or 3 times or more the number of people in the state.
- 3 million additional Americans are addicted per year.
- In the entire Vietnam War, 58,000 US soldiers died.
- In 1972, the peak year of automobile deaths in the US, 55,000 American died.

- A 2013 CDC study estimated that aggregate annual societal costs exceed \$78 billion, including to taxpayers. No doubt that is higher today.

Plaintiffs contend that, for profit, and in disregard of human suffering, defendants, including manufacturers and distributors of opioids, caused a public health crisis of substantial proportion. This was allegedly done through a systematic scheme of marketing, and not as the result of medical necessity or scientific breakthrough. The defendants caused the unnecessary and regrettable addiction of millions to opioids.

More specifically, plaintiffs allege that defendants falsely and misleadingly, and contrary to the language of their drugs' labels:

- (1) downplayed the serious risk of addiction;
- (2) promoted the concept of "pseudo-addiction" and thus advocated that the signs of addiction should be treated with more opioids;
- (3) exaggerated the effectiveness of screening tools in preventing addiction;
- (4) claimed that opioid dependence and withdrawal are easily managed;
- (5) denied the risks of higher opioid dosages; and
- (6) exaggerated the effectiveness of "abuse-deterrent" opioid formulations to prevent abuse and addiction.

Conversely, defendants also falsely touted the benefits of long-term opioid use, including the supposed ability of opioids to improve function and quality of life, even though there was no good evidence to support Defendants' claims.

Allegedly defendants disseminated these common messages to reverse the popular and medical understanding of opioids. They sent these messages directly, through their sales representatives, and in speaker groups led by physicians who defendants recruited for their support of defendants' marketing messages.

Defendants also worked through third parties they controlled by: (a) funding, assisting, encouraging, and directing doctors, known as "key opinion leaders" ("KOLs") and (b) funding, assisting, directing, and encouraging seemingly neutral and credible professional societies and patient advocacy groups (or "Front Groups"). Defendants then allegedly worked together with those KOLs and Front Groups to taint the sources that doctors, and patients relied on for ostensibly "neutral" guidance, such as treatment guidelines, Continuing Medical Education ("CME") programs, medical conferences and seminars, and scientific articles. Thus, working individually and collectively, and through these Front Groups and KOLs, defendants sought to persuade doctors and patients that what they had long known – that opioids are addictive drugs, unsafe in most circumstances for long-term use – was untrue, and quite the opposite, that the compassionate treatment of pain required opioids.

Ultimately, in the United States, pain itself began to be treated as a medical condition or disease – patients are asked to score their pain on a scale from 1-10. As a result, thousands of unnecessary and/or inappropriate opioid prescriptions followed.

The manufacturer defendants in Case Track One include:

1. Purdue Pharma
2. Mallinckrodt
3. Johnson & Johnson/Janssen
4. Actavis/Allergan

5. Teva/Cephalon
6. Endo/Par Pharmaceuticals
7. Insys

The core allegations against the manufacturer defendants include the following. Opioids are highly addictive and generally have only been approved by the FDA for treatment of chronic (long-term) pain in limited circumstances, namely for cancer pain or end of life (hospice) care. Defendants engaged in an aggressive deceptive marketing campaign to increase prescriptions for chronic use not approved by the FDA which successfully nearly quadrupled sales of opioids between 1999 and 2014. To cause drastically increased sales, manufacturers worked with their sales representatives, doctors they paid, and front organizations they funded to alter the scientific information available to the prescribing medical community

The principal opioid distributors in the United States and in Case Track One are AmerisourceBergen, Cardinal Health and McKesson Corp.

The core allegation against the distributor defendants is that distributors violated their legal obligations and industry standards to detect and prevent "diversion" of opioids. While violating those duties, distributors delivered billions of dollars in opioids into communities, often in amounts far exceeding the population in the communities.

Sources of the Distributors' Obligations include:

- Federal Controlled Substances Act
- DEA Regulations
- DEA Interpretation Letters
- State Controlled Substance Laws
- Industry Guidelines and Standards

We have alleged federal RICO claims against manufacturers and distributors under the Federal Racketeering and Undue Influence Statute; 18 U.S.C. Sec. 1961 et seq. (RICO). Specifically, we allege that defendants engaged primarily in illegal enterprises that falsely and misleadingly marketed opioids and misled the federal and state regulators into believing that defendants were fulfilling their legal duties to control the flow of opioids to the proper recipients.

The alleged result: Defendants conducted and participated in the conduct of the RICO Enterprise through a pattern of racketeering activity as defined in 18 U.S.C. §1961(B), including mail fraud (18 U.S.C. §1341) and wire fraud (18 U.S.C. §1343); and 18 U.S.C. §1961(D) by the felonious manufacture, importation, receiving, concealment, buying selling, or otherwise dealing in a controlled substance (as defined in section 102 of the Controlled Substance Act).