

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 June 18, 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 Vice Chair Ronald Benish.
2. Pledge of Allegiance.
3. Roll Call.
4. Approve the agenda for this June 18, 2019 meeting.
5. Approve the minutes of the May 21, 2019 meeting.
6. Special matters and announcements.
 - a) Committee Chair reports.
 - b) Child Support 2018 Annual Report.
 - c) Child Support Certificate of Excellence Award from the Bureau of Child Support.
 - b) Information from Hidden Valleys Inc.
7. Comments from the public.
8. Land use changes from the Towns:
 - Arena – 1-0619 Rezoning request by William Orth and Doug & Kathy Hafenbredl.
 - Linden – 2-0619 Rezoning request by Cindy & John Reynolds.
 - Moscow – 3-0619 Rezoning request by Robert Benson.
 - Ridgeway – 4-0619 Rezoning request by the Town of Ridgeway.
9. Power point presentation by the Jail Building Committee.
10. County Administrator's report.

11. Approve the Administrator's appointments of:

- Bill Grover to the Ethics Committee for a three-year term ending on June 1, 2022.
- Steve Holmgren to the Southwest Wisconsin Library System Board for a three-year term ending June 1, 2022.

Planning & Zoning Committee:

12. Ordinance No. 400.16A Iowa County Airport Overlay Zoning Ordinance.

13. Consider rescinding Ordinance No. 400.16 Iowa County Airport Overlay Zoning Ordinance.

14. Amendatory Ordinance No. 5-0619 Approving Recreational Residential Rental be Added as a Conditional Use Permit Option in the R-1 Single Family and AR-1 Agricultural Residential Zoning Districts.

15. Resolution No. 6-0619 Waiving the Permit Fee for the Zoning Permit Required to be Obtained by Scott Shearer to Replace the Lean Damaged by Ice and Snow Accumulation.

Public Works Committee:

16. Ordinance No. 800.07 Iowa County Tourist-Oriented Directional Signage.

17. Introduction of Ordinance No. 800.01A Tri-County Airport Operation Ordinance to be acted on at the July 16, 2019 Session of the Board.

Public Safety Committee:

18. Consider the proposed Iowa County Policy No. 426.1 Child Support Background Checks.

Executive Committee:

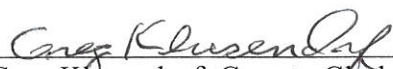
19. Resolution No. 7-0619 Recommending 2019 Budget Amendment to Transfer Funds from the Highway Fund Balance to the Highway Department Budget. (requires 2/3 vote)

Other:

20. Chair's report.

21. Mileage and Per Diem Report for this June 18, 2019 meeting.

22. Motion to adjourn to July 16, 2019.


Greg Klusendorf, County Clerk

Posted 6/13/2019

**PROCEEDINGS OF THE MAY 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, May 21, 2019 at 7:01 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. Judy Lindholm and Ronald Benish who were excused.

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

Sup. Nankee moved to approve the agenda for this May 21, 2019 meeting. Sup. Griffiths seconded the motion. Carried.

Aye-19 Nay-0

Sup. Storti moved to approve the minutes of the April 16, 2019 meeting. Sup. Haag seconded the motion. Carried.

Aye-19 Nay-0

Sup. Storti moved to adopt Resolution No. 1-0519 Commemorating Iowa County District Attorney Larry Nelson. Sup. Rolfsmeyer seconded the motion. Carried.

Aye-19 Nay-0

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.

Comments from the public:

- Nancy Tews spoke on the proposed new Law Enforcement Center. She wondered what had changed to have the approximate cost increase from \$18 to \$22 million from a year ago to an approximate cost of \$30 million today. She also felt the size of the jail is larger than needed.

Sup. Nankee moved to adopt Amendatory Ordinances 2-0519, 3-0519 and 4-0519 as a group. Sup. Leix seconded the motion. Carried.

Aye-19 Nay-0

Amendatory Ordinance No 2-0519 for a land use change to rezone 25.45 acres from B-2 Highway Business and A-1 Agricultural to all B-2 Highway Business in the Town of Clyde was adopted.

Amendatory Ordinance No. 3-0519 for a land use change to rezone 2.07 acres from A-1 Agricultural to AR-1 Agricultural Residential in the Town of Highland was adopted.

Amendatory Ordinance No. 4-0519 for a land use change 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 in the Town of Mifflin was adopted.

Highway Department Commissioner Craig Hardy gave a power point presentation on the department's Capital Improvement maintenance backlog.

Administrator Larry Bierke did not have a report for the Board.

Sup. Haag moved to 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.

Sup. Deal seconded the motion. Carried.

Aye-19 Nay-0

Planning & Zoning Committee:

Sup. Gollon moved to adopt Amendatory Ordinance No. 5-0519 Amending the Iowa County Zoning Ordinance that Establishes Standards for Residential Kennels and Commercial Kennels. Sup. Storti seconded the motion. Carried.

Aye-19 Nay-0

Sup. Peterson moved to adopt Resolution No. 6-0519 Waiving Floodplain Zoning and Shoreland Zoning Permit Fees for Cole Carley – Repair from Flood Damage. Sup. Leix seconded the motion. Carried.

Aye-19 Nay-0

Sup. Masters moved to introduce Ordinance No. 400.16 Iowa County Airport Overlay Zoning Ordinance to be acted on at the June 18, 2019 Session of the Board. Sup. Storti seconded the motion. Carried.

Aye-19 Nay-0

Public Works Committee:

Sup. Gollon moved to approve Iowa County Policy 1116 Encroachments, Work in Right of Way & Revocable Occupancy Permits. Sup. Leix seconded the motion. Carried.

Aye-19 Nay-0

Sup. Leix moved to introduce Ordinance No. 800.07 Iowa County Tourist-Oriented Directional Signage to be acted on at the June 18, 2019 Session of the Board. Sup. Masters seconded the motion. Carried.

Aye-19 Nay-0

General Government Committee:

Sup. Nankee moved to adopt Resolution No. 7-0519 Creating a Part-Time Project Grant Funded Position Within the Health Department. Sup. Davis seconded the motion. Carried.

Aye-19 Nay-0

Sup. Griffiths moved to approve Iowa County Policies 102, 211, 423, 424 and 709. Sup. Storti seconded the motion.

Concerning Policy 709 Fire and Safety Requirements, Chair Meyers stated most portable space heaters have two prong cords. Under 1. Portable Space Heaters he asked that f. be removed. If not by unanimous consent, then by motion.

Sup. Griffiths moved to remove Policy 709 from the original motion and to send it back to be changed. Sup. Paull seconded the motion. Carried.

Aye-17 Nay-2

Sups. Storti and Leix voted against the motion.

Sup. O'Brien moved to amend Policy 102 by:

- Under 4. Procedures, remove the "be" at the end of the first line.
- Under 4. Procedures, put a "Be" at the beginning of each sentence in A, B, F and G.
- Under 4. Procedures, in H, in the third line add a comma after "need", change the "an" after need to "and", add a comma after "future". At the end of the fourth line change "fund" to "funds".

Sup. Griffiths seconded the motion. Carried.

Aye-19 Nay-0

A vote on the original motion with the amendments of removing Policy 709 and the changes to Policy 102 was taken. Carried.

Aye-19 Nay-0

Executive Committee:

Sup. Haag moved to adopt Resolution No. 8-0519 Supporting Appointment for Iowa County District Attorney. Sup. Ray seconded the motion. Carried.

Aye-19 Nay-0

Sup. Griffiths moved to approve Iowa County Policy 320 Fraud Assessment and Response. Sup. Meek seconded the motion.

Sup. O'Brien asked to have two changes made to the policy by removing the possessive apostrophe from "Manager's" under B numbers 2 and 3.

Chair Meyers said those changes would be incorporated into the motion to approve. Motion carried.

Aye-19 Nay-0

Corporation Counsel Matthew Allen gave an update on the ATC line proceedings and asked if the Board would consider supporting testimony of the Driftless Area Land Conservancy witnesses.

Sup. Storti moved to have Corp Counsel file a letter in support of the testimony offered by the witnesses. Sup. Leix seconded the motion. Carried.

Aye-16 Nay-2 Abstention-1

Voting in favor: Sups. Richter, Deal, Storti, Nankee, Peterson, Davis, Ray, Haag, Griffiths, Forbes, Rolfsmeyer, Paull, O'Brien, Leix, Masters and Butteris.

Voting against: Sups. Gollon and Meek.

Chair Meyers abstained from voting.

Other:

Chair Meyers gave an update on the Opioid Litigation.

Chair Meyers did not have a report but informed the Board that he would not be able to attend the June 18th County Board meeting.

Mileage and Per Diem Report for this May 21, 2019 Session of the Board was presented.

19 Members 455 Miles \$1,017.97 Mileage and Per Diem

Sup. Haag moved to approve the report.

Sup. Deal seconded the motion. Carried.

Aye-19 Nay-0

Sup. Davis moved 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) Mike Wagner, Matthew Allen, Larry Bierke and Greg Klusendorf were asked to join the closed session. Sup. Haag seconded the motion. Carried.

Aye-19 Nay-0

Entered closed session at 8:20 p.m.

Sup. Ray moved to return to open session. Sup. Storti seconded the motion. Carried.

Aye-19 Nay-0

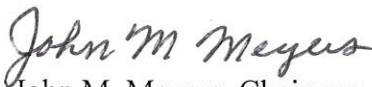
Entered open session at 8:59 p.m.

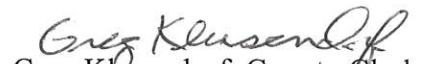
No action was taken in open session.

Sup. Gollon moved to adjourn to June 18, 2019. Sup. Deal seconded the motion. Carried.

Aye-19 Nay-0

Meeting adjourned at 8:59 p.m.


John M. Meyers, Chairman


Greg Klusendorf, County Clerk

IOWA COUNTY CHILD SUPPORT 2018 ANNUAL REPORT

The Iowa County Child Support Agency has a caseload of approximately 900 cases. For 2018, we had a staff of two full-time employees.

TOTAL EXPENDED: \$163,881.35
TOTAL REVENUE: \$189,966.11
+ \$26,084.76

TOTAL IV-D COLLECTIONS FOR 2018: \$1,977,313.00
TOTAL COLLECTIONS FOR 2018: \$2,693,507.00
COLLECTIONS RECEIVED FROM STATE AND FEDERAL TAX INTERCEPT: \$91,921.86

The Iowa County Child Support Agency received a Certificate of Excellence Award from the Bureau of Child Support for meeting and/or exceeding performance standards for 2018. This is the highest honor an agency can receive and Iowa County was one of only seventeen (17) agencies to be recognized for this achievement. For 2018, the child support agency was 8th in the State for our collection rate of child support and 4th in the state for our collection rate of arrears.

Child Support Performance Rates for Fiscal Year 2018

COLLECTION RATE ON CURRENT CHILD SUPPORT:

STATEWIDE AVERAGE: 74.71%

Iowa County CSA: 82.73%

COLLECTION RATE ON CHILD SUPPORT ARREARS:

STATEWIDE AVERAGE: 69.61%

Iowa County CSA: 84.04%

PATERNITY ESTABLISHMENT RATE:

STATEWIDE AVERAGE: 102.61%

Iowa County CSA: 110.84%

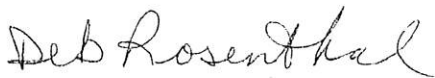
COURT ORDER RATE:

STATEWIDE AVERAGE: 86.84%

Iowa County CSA: 91.17%

I would like to thank the efforts of the Corporation Counsel, the Sheriff's Department, the Family Court Commissioner, the Clerk of Court's office and the Court for their continuing cooperation with the Child Support Program. It is because of this collaborative relationship that our agency is better able to ensure that parents provide financial and medical support for their children.

Respectfully Submitted on April 30, 2019



DEB ROSENTHAL, DIRECTOR



P.O. Box 7935
Madison, WI 53708-8916

RECEIVED

MAY 06 2019

Iowa Co Child Support

Governor Tony Evers
Secretary Emilie Amundson

Division of Family and Economic Security
Bureau of Child Support

April 29, 2019

Debra Rosenthal, Director
Iowa County Child Support Agency
222 N Iowa St
Dodgeville, WI 53533

Dear Ms. Rosenthal:

Congratulations to the Iowa County Child Support Agency for receiving the **Federal Fiscal Year 2018 Certificate of Excellence Award**.

The Iowa County Child Support Agency demonstrated excellence in all four-performance measures: Paternity Establishment, Court Order Establishment, Current Support Collections and Arrears Case Reductions. The benchmarks used were:

- Paternity Establishment Rate: 90% or greater
- Court Order Establishment Rate: 80% or greater
- Collection Rate on Current Support: 80% or greater
- Arrears Case Collections Rate: 80% or greater

Your agency was one of seventeen child support agencies honored with this award during the 2019 BCS Directors' Dialogue on April 11.

Congratulations on this exceptional accomplishment. On behalf of Wisconsin's children, thank you for a job well done!

Sincerely,

A handwritten signature in black ink, appearing to read "AS" or "Small", written over a horizontal line.

André Small
Director

cc: John Meyers, County Chairperson
Larry Bierke, County Administrator
Jamie Doeseckle, BRO Regional CS Coordinator



608-562-6450 / hv@mwt.net.

HIDDEN VALLEYS INC.

Dear County Board,

Thanks to the ongoing support of the county board, I'm pleased to report that 2018 proved to be another strong year for tourism in Iowa County. In today's highly competitive travel market, destinations that maintain or increase funding for their destination ultimately seize market share, while those that cut programs suffer immediate revenue shortfalls.

In Wisconsin and **Iowa County**, we have a strong tourism economy supported by effective marketing under the brand of fun. I'd like to share just a few success stories and highlights from the past year at both the state and local level.

\$59.5 million – Total business sales in **Iowa County**, an increase of **3.48%** from 2017.

427 – The numbers of jobs supported by visitors to **Iowa County** last year. Largely comprised of small businesses, travel and hospitality jobs can't be outsourced or exported.

\$3.5 million – The amount visitors to **Iowa County** generated in state and local taxes during 2018. Iowa County saw in **.89%** increase in room tax revenue.

\$74 Million – The net economic impact of 56 projects that received funding from the state's \$1.1 million Joint Effort Marketing (JEM) grant program in fiscal year 2018.

Please don't hesitate to contact me if you have any questions about tourism in our region. It continues to be my great pleasure to serve our community and promote tourism to our area and grow our local economy.

Best regards,

Joe Fisher

President Hidden Valleys / Ron Benish, Hidden Valleys Iowa County Representative

Your host for Southwest Wisconsin

Hidden Valleys, Inc. of Southwestern Wisconsin promotes Southwest Wisconsin as the regional tourist destination to support tourism and economic development throughout the Hidden Valleys region.

Total Tourism Impacts																
Wisconsin and Counties - Ranked by Visitor Spending (2018)																
	County	Direct Visitor Spending			Total Business Sales			Employment			Total Labor Income			State and Local Taxes		
		Millions		%	Millions		%	Total		%	Millions		%	Millions		%
		2017	2018	Change	2017	2018	Change	2017	2018	Change	2017	2018	Change	2017	2018	Change
	Wisconsin	\$12,701.1	\$13,318.6	4.86%	\$20,607.4	\$21,571.6	4.68%	195,811	199,073	1.67%	\$5,394.7	\$5,526.0	2.43%	\$1,540.9	\$1,581.6	2.64%
37	Monroe	\$80.3	\$85.5	6.47%	\$126.6	\$133.8	5.73%	1,151	1,169	1.55%	\$26.6	\$27.1	2.05%	\$9.7	\$10.0	3.57%
40	Juneau	\$72.6	\$70.9	-2.28%	\$102.0	\$101.6	-0.34%	800	777	-2.92%	\$15.6	\$14.9	-4.51%	\$7.7	\$7.5	-3.68%
43	Grant	\$49.9	\$55.3	10.81%	\$88.9	\$96.1	8.06%	864	956	10.71%	\$21.5	\$23.0	6.94%	\$5.4	\$6.3	17.99%
47	Green	\$44.6	\$46.4	3.92%	\$76.7	\$79.9	4.17%	789	803	1.78%	\$19.0	\$19.3	1.61%	\$5.3	\$5.4	2.00%
49	Crawford	\$43.6	\$42.7	-2.12%	\$64.0	\$64.0	-0.03%	691	668	-3.27%	\$12.1	\$12.1	-0.27%	\$5.6	\$5.4	-3.64%
50	Vernon	\$36.5	\$40.1	10.04%	\$58.1	\$62.8	8.01%	506	531	4.95%	\$11.2	\$11.5	2.57%	\$4.1	\$4.3	6.54%
52	Iowa	\$36.2	\$37.2	2.88%	\$57.5	\$59.5	3.48%	424	427	0.60%	\$11.3	\$11.3	0.22%	\$3.5	\$3.5	0.89%
64	Richland	\$19.9	\$22.5	13.18%	\$33.8	\$37.1	9.61%	313	334	6.75%	\$6.6	\$6.9	4.10%	\$2.3	\$2.5	9.09%
67	Lafayette	\$13.4	\$14.7	10.06%	\$23.2	\$25.0	7.75%	233	247	5.92%	\$3.4	\$3.7	7.20%	\$1.7	\$1.8	6.83%

HV counties ranked

Amendatory Ordinance No. 1-0619

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by William Orth and Doug & Kathy Hafenbredl;

For land in the NE ¼ of the NE ¼ of Section 17-T8N-R5E in the Town of Arena; affecting tax parcels 002-0227.

And, this petition is made to rezone 5.0 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 Arena** 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 **3030** was last held on **May 23, 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 **June 18, 2019**. The effective date of this ordinance shall be **June 18, 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 May 23, 2019

Zoning Hearing 3030

Recommendation: **Approval**

Applicant(s): William Orth and Doug & Kathy Hafenbredl

Town of Arena

Site Description: part of the NE/NE of S17-T8N-R5E also affecting tax parcel 002-0227

Petition Summary: This This is a request to create a 5-acre AR-1 Ag Res lot by rezoning from A-1 Ag

Comments/Recommendations

1. The existing A-1 zoning requires a minimum 40-acre lot size, so the AR-1 district is being requested for the proposed 5-acre lot.
2. If approved, the lot uses would be eligible for one single family residence, accessory structures and limited ag uses, including up to 3 livestock type animals.
3. The preliminary certified survey map has not yet been submitted for formal review.

Town Recommendation: The Town of Arena feels the proposal is consistent with its comprehensive plan and recommends approval.

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. 2-0619

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Cindy and John Reynolds;

For land in the NE1/4 of the SW1/4 of Section 29-T6N-R2E in the Town of Linden; affecting tax parcel 014-0273,

And, this petition is made to rezone 2.187 acres from AR-1 Agricultural Residential to AB-1 Agricultural Business;

Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Linden** 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 **3032** was last held on **May 23, 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.

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 **June 18, 2019**. The effective date of this ordinance shall be **June 18, 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 May 23, 2019

Zoning Hearing 3032

Recommendation: **Approval**

Applicant(s): Cindy & John Reynolds

Town of Linden

Site Description: part of the NE/SW of S29-T6N-R2E also affecting tax parcel 014-0273

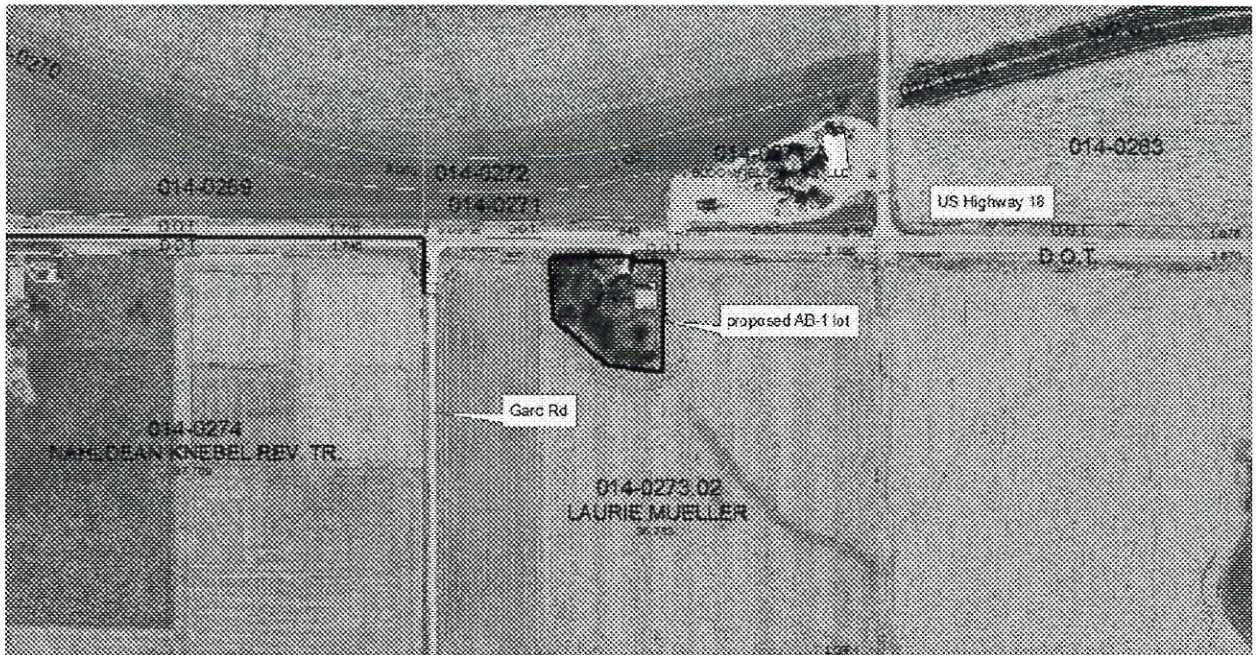
Petition Summary: This is a request to rezone an existing 2.187-acre AR-1 Ag Res lot to AB-1 Ag Bus in order to request a conditional use permit for a Commercial Livestock Operation.

Comments/Recommendations

1. The applicants are proposing a number of cattle on the 2.187 acres that could only be considered if the lot were zoned AB-1 Ag Bus with a CUP for a Commercial Livestock Operation. The lot was zoned AR-1 Ag Res in Feb. of 2019.
2. If approved, the AB-1 district would allow cropping as a permitted use.

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

Staff Recommendation: Staff recommends approval of the zoning change



Amendatory Ordinance No. 3-0619

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by the Robert Benson;

For land in the SW1/4 of the NE ¼ of Section 27-T5N-R5E in the Town of Moscow;
affecting tax parcel 020-0244.C.

**And, this petition is made to rezone 6.101 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 Moscow** 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 **3023** 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 **June 18, 2019**. The effective date of this ordinance shall be **June 18, 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 3023

Recommendation: **Approval**

Applicant(s): Robert Benson

Site Description: part of the SW/NE of S27-T5N-R5E also affecting tax parcel 020-0244.C

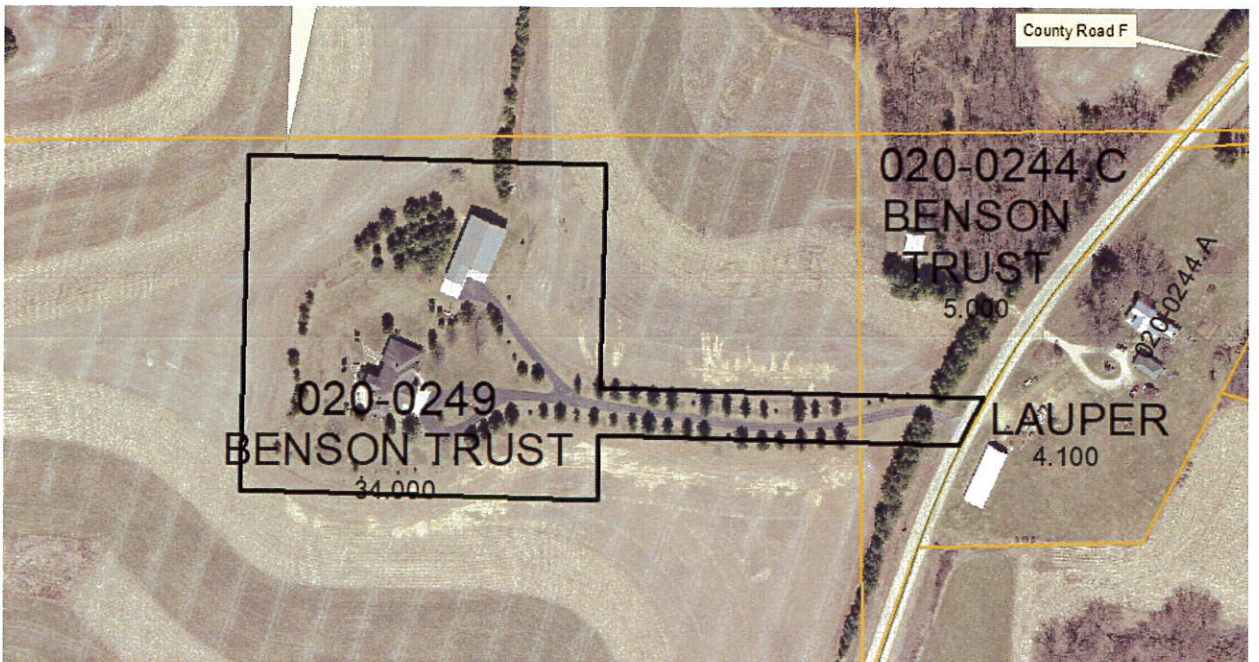
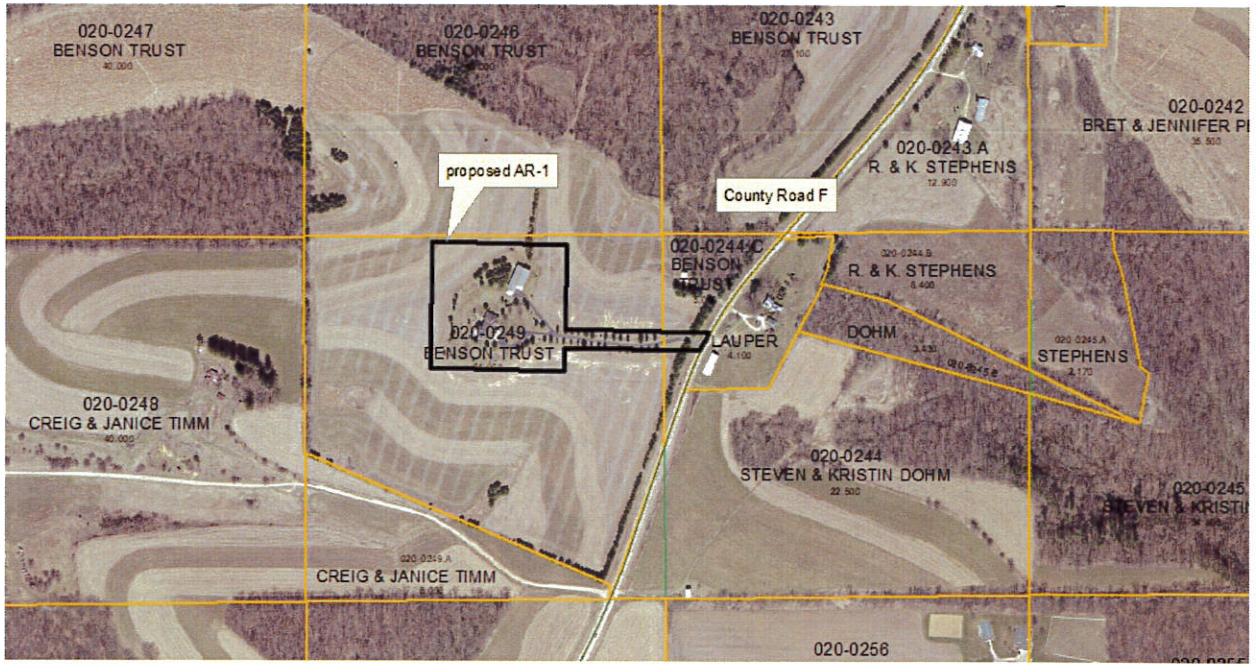
Petition Summary: This is a request to create a residential lot of 6.101 acres by rezoning from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations

1. The applicant proposes to create a residential lot by dividing the existing residence from the farm on a lot of 6.101 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, including up to 3 livestock type animal units. There is an existing residence on the proposed lot.
3. The preliminary certified survey map has been submitted for formal review.

Town Recommendation: The Town of Moscow recommends approval.

Staff Recommendation: Staff recommends approval with the conditions that the Town of Moscow ultimately approves without condition and that the associated certified survey map is duly recorded within 6 months of the County Board approving the zoning change.



Amendatory Ordinance No. 4-0619

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by the Town of Ridgeway;

For land in the SW1/4 of the SE ¼ of Section 15-T6N-R4E in the Town of Ridgeway;
affecting tax parcel 024-0421.04.

**And, this petition is made to rezone 3.53 acres from B-3 Heavy Business to C-1
Conservancy;**

Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Ridgeway** 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 **3028** was last held on **May 23, 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 **June 18, 2019**. The effective date of this ordinance shall be **June 18, 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 May 23, 2019

Zoning Hearing 3028

Recommendation: **Approval**

Applicant(s): Town of Ridgeway

Site Description: part of the SW/SE of S15-T6N-R4E also affecting tax parcel 024-0421.04

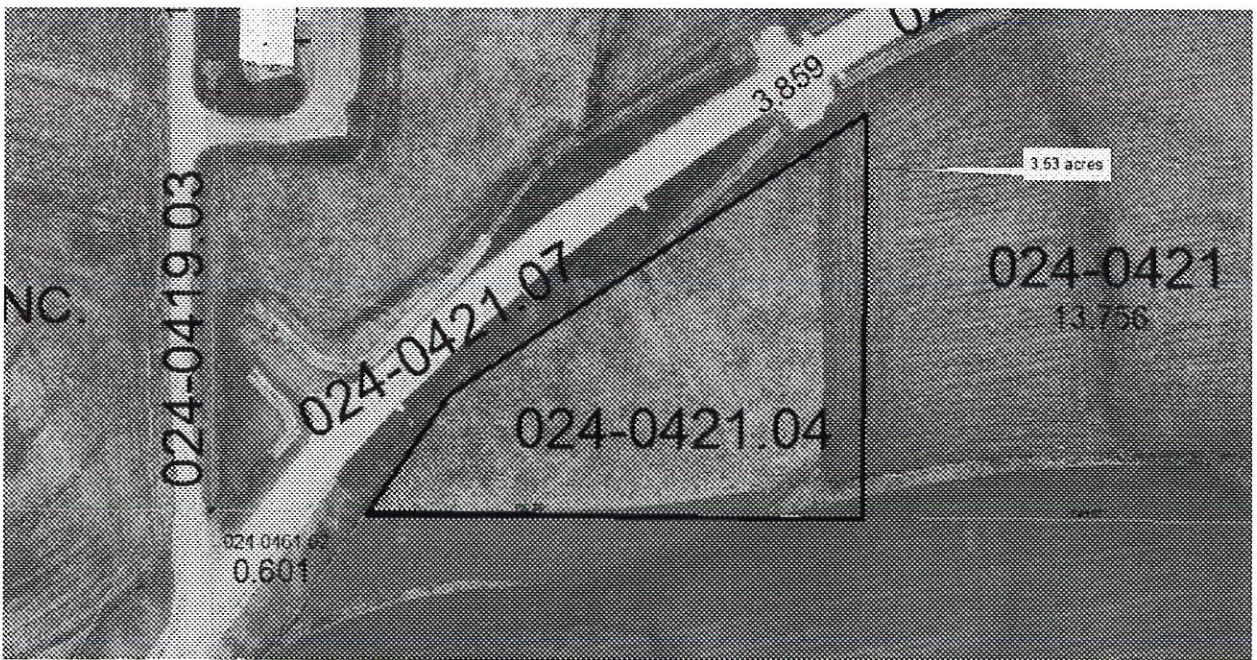
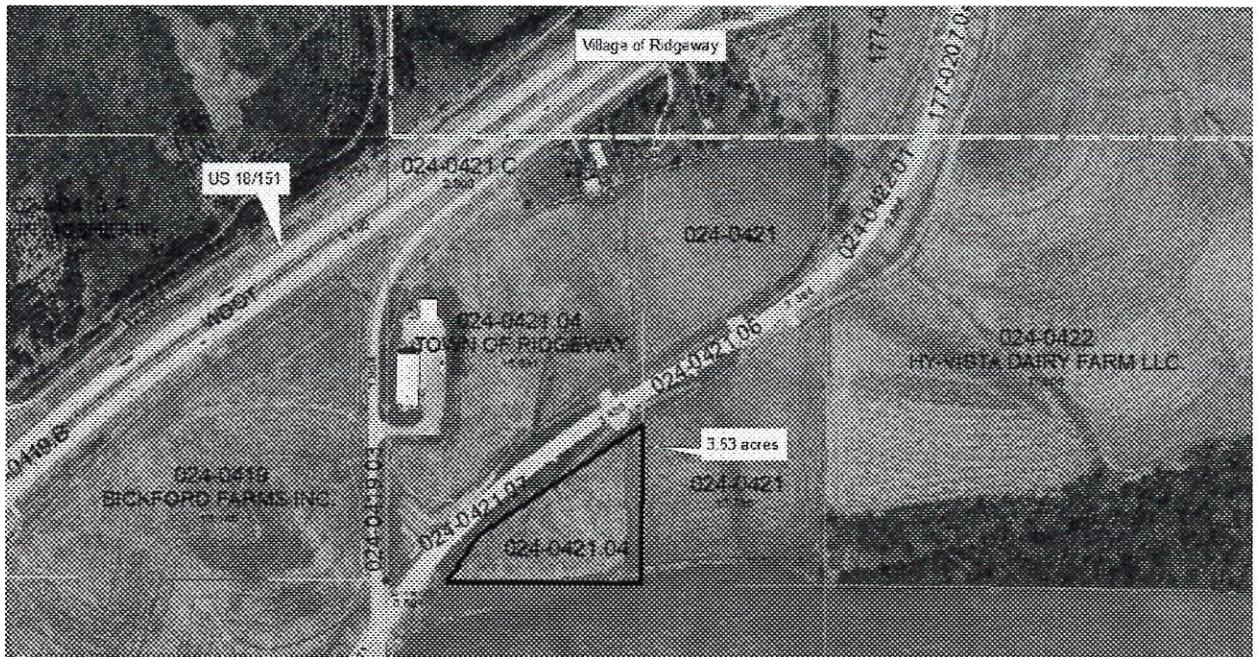
Petition Summary: This is a request to rezone 3.53 acres from B-3 Hvy Bus to C-1 Conservancy.

Comments/Recommendations

1. The US 18/151 interchange project caused the creation of this 3.53-acre lot when the WDOT acquired ROW that divided the Town's original B-3 lot. Since the Town has no plans to develop this lot, the C-1 district is being requested.
2. If approved, open space uses including cropping would be allowed.
3. The preliminary certified survey map has not been submitted for formal review.

Town Recommendation: The Town of Ridgeway feels the request is consistent with its comprehensive plan.

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.



AGENDA ITEM COVER SHEET

Title: Introduction of the revised Ordinance No. 400.16A

☒ 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. 400.16A

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.

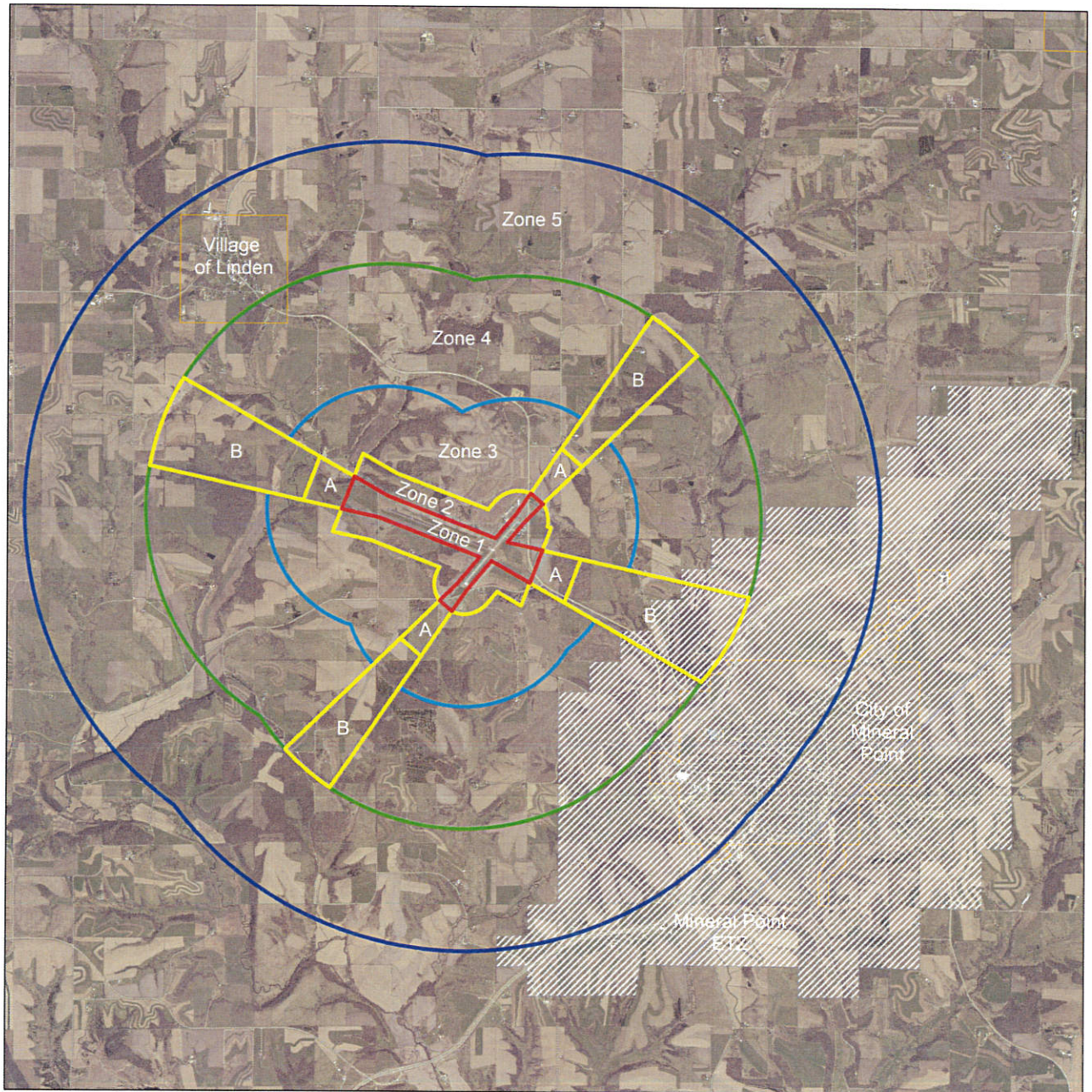
In the case of a formal complaint, any person, firm, or corporation who fails to comply with the provisions of this Ordinance shall, upon conviction thereof, forfeit no less than Ten Dollars (\$10.00) nor more than Two Hundred Dollars (\$200.00) and costs of prosecution for each violation. Each day a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

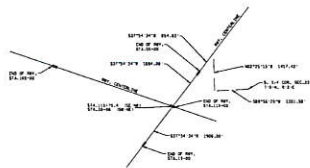
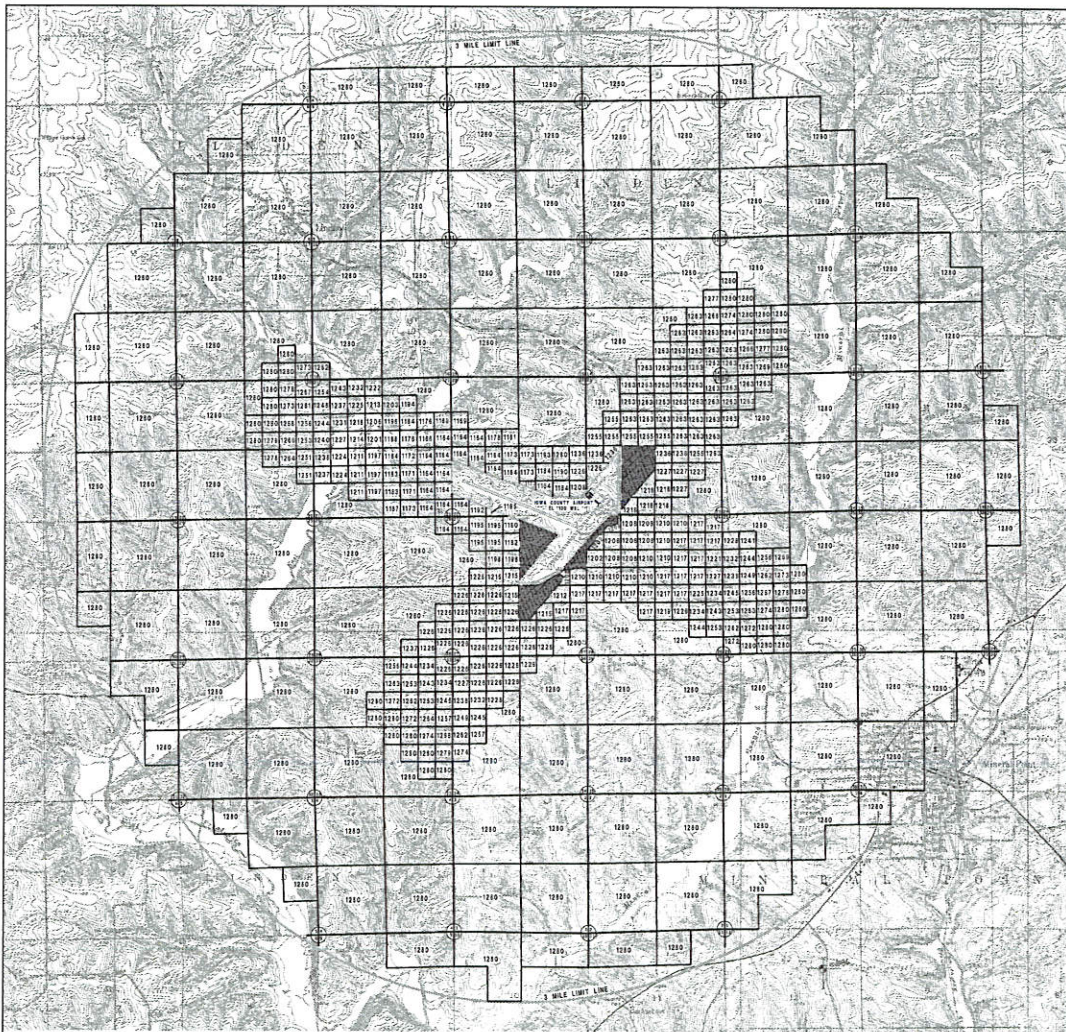
This Ordinance and the regulations contained herein shall become effective and declared in force after concurrence and publication by the Iowa County Board of Supervisors.

Appendix A: Iowa County Airport Zoning District Map

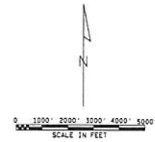


Located in parts of T4N-R2E, T4N-R3E, T5N-R2E, T5N-R3E
Created by the Iowa County Office of Planning & Development, 2016

Appendix B



- NOTES:**
1. ZONE BOUNDARIES ARE SECTION AND SUBSECTIONAL LINES EXCEPT THOSE WHERE STREET CENTER LINES ARE USED FOR BOUNDARIES.
 2. HEIGHT LIMITATIONS SHOWN REPRESENT ELEVATIONS PERMISSIBLE ABOVE MEAN SEA LEVEL, IN FEET.
 3. ZONING MAP DEVELOPED IN ACCORDANCE WITH WISCONSIN STATE STATUTES CHAPTER 114.135.



CLASS I ZONED AT 50:1

HEIGHT LIMITATION ZONING MAP
IOWA COUNTY AIRPORT
MINERAL POINT, WISCONSIN
WISCONSIN BUREAU OF AERONAUTICS
SCALE 1"=1000' (GRAPHIC) 1"=1000' (GRAPHIC) 1"=1000' (GRAPHIC) 1"=1000' (GRAPHIC) 1"=1000' (GRAPHIC)

Amendatory Ordinance No. 5-0619

To the Honorable Iowa County Board of Supervisors:

Whereas, the Iowa County Zoning Ordinance currently establishes standards for short-term residential rental uses in the A-1 Agricultural and RH-1 Rural Hamlet zoning districts to allow a viable alternate use of farm houses and a lodging alternative within hamlets;

Whereas, increasing popularity of short-term residential rental uses has resulted in many owners of homes in different zoning districts wishing to participate in this use;

Whereas, at the request of the Town of Wyoming, the Iowa County Planning & Zoning Committee distributed a proposal to include standards for short-term residential rental in the R-1 Single Family Residential and AR-1 Agricultural Residential zoning districts to all fourteen towns for input;

Whereas, the Iowa County Planning & Zoning Committee held a public hearing on May 23, 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 Recreational Residential Rental be added as a Conditional Use Permit option in the R-1 Single Family and AR-1 Agricultural Residential zoning districts.

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 **June 18, 2019**. The effective date of this ordinance shall be **June 18, 2019**.

Greg Klusendorf
Iowa County Clerk

Date: _____

6-0619

AGENDA ITEM COVER SHEET

Title: Resolution to waive permit fee for Scott Shearer

☒ Original

☐ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

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

Scott Shearer requested a fee waiver for the required zoning permit to replace a partially collapsed lean on an accessory shed caused by excessive snow and ice accumulation.

RECOMMENDATIONS (IF ANY):

Waive the permit fee.

ANY ATTACHMENTS? (Only 1 copy is needed)

☐ Yes

☒ No

If yes, please list below:

FISCAL IMPACT:

\$150.00

LEGAL REVIEW PERFORMED:

☐ Yes

☒ No

PUBLICATION REQUIRED:

☐ Yes

☒ No

PRESENTATION?:

☐ Yes

☒ No

How much time is needed? _____

COMPLETED BY: Scott A. Godfrey

DEPT: Planning & Development

2/3 VOTE REQUIRED:

☐ Yes

☒ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE:

AGENDA ITEM #

COMMITTEE ACTION:

Resolution Number: 6-0619

Whereas, heavy snow and ice accumulation caused the partial collapse of a lean on an accessory structure owned by Scott Shearer;

Whereas, the replacement of the lean require a zoning permit under Section 2.3 of the Iowa County Zoning Ordinance;

Whereas, the fee established by the Iowa County Board of Supervisors for said permit is \$150;

Whereas, the Iowa County Planning & Zoning Committee took action on May 23, 2019 to approve Mr. Shearer's request to waive the permit fee from this specific event;

Now Therefore Be It Resolved by the Iowa County Board of Supervisors to waive the permit fee for the zoning permit required to be obtained by Mr. Shearer to replace the lean damaged by ice and snow accumulation.

Adopted this _____ day of _____, 2019

John Meyers
Iowa County Chairman

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 _____?

800.01A

AGENDA ITEM COVER SHEET

Title: Draft Tri-county Airport Agreement review

☐ Original

☒ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

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

Review a Draft Agreement regarding maintenance and operations for the Tri-county Airport in Lone Rock between Iowa, Richland, and Sauk counties.

RECOMMENDATIONS (IF ANY):

Motion to approve and forward to the County Board for consideration

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

Revised Draft of the agreement to be distributed at the meeting.

FISCAL IMPACT:

Re-draft of an existing operation and maintenance agreement. Annual implication with the budget process.

LEGAL REVIEW PERFORMED:

☒ Yes

☐ No

PUBLICATION REQUIRED:

☐ Yes

☒ No

PRESENTATION?:

☒ Yes

☐ No

How much time is needed? 10 minutes

COMPLETED BY: CRH

DEPT: Highway

2/3 VOTE REQUIRED:

☐ Yes

☒ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE: 06-05-2019

AGENDA ITEM # 8

COMMITTEE ACTION:

Motion to approve and forward to the County Board for consideration by Masters/Storti.

Ordinance No. 800.01A

AIRPORT OPERATION ORDINANCE

TRI-COUNTY AIRPORT

Lone Rock, Wisconsin

AN ORDINANCE Establishing Airport Operation Policies and Land Use within the Boundaries of the Tri-County Airport.

The county boards of Sauk, Iowa, and Richland Counties do, under the authority of Wis. Stat. §§ 114.11 through 114.151, ordain as follows:

SECTION I – DEFINITION OF WORDS AND PHRASES.

- A. "Airport" means the Tri-County Airport located at E2525 County Road JJ, Spring Green, Wisconsin 53588.
- B. "Commission" means the Tri-County Airport Commission as established by the Owner, under Wis. Stat. § 114.14, which has jurisdiction for the construction, improvement, equipment, maintenance, and operation of the airport as set forth in SECTION III.
- C. "Corporate Hangar" means a building housing one or more aircraft for the personal or business use of the hangar owner or lessee, and wherein no commercial activities are allowed.
- D. "Fixed-Base Operator" means any person, firm, corporation, or association conducting any aeronautical business on the airport.
- E. "Hangar" means a building designed or used primarily for the housing or storage of aircraft.
- F. "Manager" means the person employed by the Commission as set forth in SECTION III.
- G. "Multiple T-Hangar" means a building composed of partitioned, nested units designed to house no more than one aircraft in each unit and having single door openings for each unit.
- H. "Owner" means Sauk, Iowa, and Richland Counties.

SECTION II – AIRPORT LAND USE. In order to regulate the development and use of the Airport, the Airport shall keep and update an Airport Layout Plan, as required.

SECTION III – AIRPORT COMMISSION AND MANAGER

A. Commission Organization.

1. The Commission shall consist of seven members, six of whom shall be supervisors appointed by the chairperson of the Sauk, Iowa, and Richland county boards (two from each county), subject to approval of the respective county boards. The seventh member shall be a regular airport user when appointed.
2. The terms of the county board supervisor members shall be determined by the county

boards appointing each member. Upon approval of the Commission and the county boards of the Owner, the airport user Commission member shall serve a term of three (3) years.

3. The compensation of the county board supervisor members shall be determined by the county boards appointing each member.
4. The Commission shall elect one supervisor member to serve as chairperson and one supervisor member to serve as secretary. The secretary shall keep an accurate record of all Commission proceedings and transactions and shall provide minutes detailing those proceedings and transactions to the Sauk, Iowa, and Richland county clerks.
5. Commission member votes shall be weighted as follows: Sauk County – twenty-four-and-one-half percent (24.5%) each, Iowa County twelve-and-one-half percent (12.5%) each, Richland County twelve-and-one-half-percent (12.5%) each and Airport user one percent (1.0%).
6. The airport user Commission member, subject to Commission guidance, shall actively promote and support the Airport and communicate Airport information with and from current and potential airport users and others.

B. Commission Authority and Duties. Subject to the limitations in Subsection C below:

1. The Commission shall have jurisdiction for the construction, improvement, equipment, maintenance, and operation of the Airport.
2. The Commission shall recommend regulations and fees or charges for the use of the Airport consistent with this ordinance. Such regulations, fees, and charges will be effective when approved by the Owner.
3. Sauk County shall hire an Airport Manager for the Airport and set the compensation, benefits, expense reimbursements to be paid. The Airport Manager shall be a Sauk County employee. Sauk County, with assistance of the Commission, shall establish performance review standards for the Airport Manager and Sauk County shall conduct annual performance reviews of the Manager with input from the Commission. The Commission shall reimburse Sauk County for the salary, employee benefits, and expenses paid by Sauk County to or on behalf of the Manager.
4. The Commission may hire and fix the compensation of independent contractors as necessary, including an independent contractor to perform essential Airport management functions during a temporary absence of the Airport Manager
5. The Commission may contract with the United States, State of Wisconsin or other governmental and non-governmental entities when necessary to fulfill its responsibilities for the construction, improvement, equipment, maintenance, or operation of the Airport.
6. The Commission, subject to approval of Owner, may contract with private parties for a term not to exceed five (5) years for the operation of the Airport, including all necessary arrangements for the improvement, equipment, and successful operation of the Airport.
7. The Commission shall procure and maintain in full force and effect insurance in forms and levels sufficient to protect the Owner, the Commission, individual members of the Commission, Airport employees and the Airport from any liability arising from the

operation of the Airport.

8. The Commission shall, in cooperation with the Sauk County Finance Department, establish an airport accounting system of sufficient detail to enable the Commission to accurately ~~establish~~ recommend rates and charges, eliminate inefficient operation and maintenance practices, and accomplish sound financial planning.
 9. The Commission shall, in cooperation with the Manager and Sauk County Finance Department, prepare and submit an annual report to the Owner. The report shall include current information on aircraft operations, based aircraft, airport expenditures and revenues, along with comparative figures for the past year, and projects for the coming year, and include other information deemed pertinent.
 10. The Commission shall prepare and submit to the Owner an annual budget setting forth anticipated revenues and expenditures, including capital improvements.
 11. The Commission shall prepare and submit for adoption by the Owner an ordinance establishing minimum requirements for the conduct of aeronautical services on the Airport and an ordinance regulating vehicle and pedestrian traffic on the Airport. Current and future ordinances submitted by the Commission and approved by the Owner are incorporated by reference and shall be deemed part of this Agreement as if set forth fully herein.
 12. The Commission shall approve and utilize standard leases and agreements for the various types of airport activities and land uses authorized in this ordinance.
 13. The Commission shall make studies and conduct surveys as appropriate to assist in improving the operation of the Airport. It shall cooperate with the Wisconsin Bureau of Aeronautics and the Federal Aviation Administration in airport and system planning functions and other activities.
 14. The Commission shall cooperate with, and receive the cooperation of, all departments of the Owner providing services or assistance to the airport.
 15. The Sauk County Corporation Counsel shall serve as legal counsel for the Commission. The Commission may engage other non-legal professional services when necessary for the Airport.
- C. Limitations on Commission Authority. The exercise of authority by the Commission under Subsection B above shall be subject to all of the following conditions:
1. The Commission shall preserve public access and use of the Airport and the public may in no case be deprived of equal and uniform use of the Airport.
 2. The Commission is not a subunit of Owner and no act, contract, lease, or any activity of the Commission shall be or become binding on or deemed an act of Owner unless specifically authorized by Owner, and then only to the extent specifically authorized.
 3. The Commission is a governmental body. The Commission and its members shall comply with all laws applicable to governmental bodies and public officials. No member of the Commission may vote on the question of his or her selection as Manager nor on any question as to his or her compensation.

D. Manager Authority and Duties. The Airport Manager shall have the following authority and duties:

1. The Manager, under the supervision of the Commission, shall have the duty of administering and enforcing all airport ordinances, leases and agreements, and rules and regulations. The Manager shall have authority to sign leases and other documents that have been approved by the Commission.
2. The Manager, under the supervision of the Commission, shall be responsible for day-to-day operations at the Airport and shall have the authority to make Commission-budgeted expenditures of \$10,000 or less per item without further pre-authorization by the Commission.
3. The Manager shall meet with the Commission at the Airport at least once each calendar quarter to inspect the Airport facilities, review Airport operations and financial matters, and discuss proposed Airport development and other business.
4. The Manager shall provide a written report to the Sauk, Iowa, and Richland County Boards on no less than a quarterly basis.
5. The Manager shall, in cooperation with the Commission and Sauk County Finance Department, prepare and submit an annual report to the Owner. The report shall include current information on aircraft operations, based aircraft, airport expenditures and revenues, along with comparative figures for the past year, and projects for the coming year, and include other information deemed pertinent.
6. The Manager shall have such other duties and responsibilities as may be specified in the Airport Manager job description.

SECTION IV – AIRPORT OPERATION POLICIES

The Commission, in carrying out its duties and responsibilities, shall adhere to the following policies:

- A. The Commission shall encourage the development of the Airport, especially in those areas where substantial building costs are incurred by lessees, by approving long- term leases which provide for the reexamination and readjustment of rates and charges at specified periods of time during the term of the lease.
- B. The Commission may provide utility service infrastructure up to a lessee's property line. The lessee shall bear such costs on his leased property.
- C. No person shall engage in any business or commercial activity whatsoever on Airport property unless specifically authorized in writing by the Commission. Lessees shall be selected on the basis of their qualifications, financial capabilities, and services offered; and not solely by bid basis. In determining the use of public building space, first consideration shall be given to public necessity and convenience. The Commission will provide the Wisconsin Bureau of Aeronautics with a complete copy of each current lease and agreement, if required by law.
- D. Buildings to be constructed by lessees shall conform to all state and local building codes, and the building plans shall be subject to the approval of the Commission; Wisconsin Department of Industry, Labor, and Human Relations; Wisconsin Bureau of Aeronautics; and the Federal Aviation Administration.

- E. Only the Airport Manager or designees thereof, with Commission authorization, may engage in the activity of storing, transporting, or dispensing of aviation fuels to the general public. Aircraft owners and operators may fuel their own aircraft.
- F. Aircraft ground access to the Airport property shall not be allowed, except from an approved Airport Industrial Park as depicted on the Airport Layout Plan.
- G. Tobacco smoking, e-cigarette use, alcohol consumption, and illegal use of drugs is prohibited on Airport grounds. All persons shall comply with all applicable federal, state, and FAA statutes, rules, and regulations while on Airport grounds.

SECTION V – AIRPORT OWNERSHIP AND FUNDING

- A. Airport Ownership. Subject to all other provisions pertaining to ownership interests contained within this section and Section VII, ownership interest in all Airport assets shall be apportioned between the member counties as follows: Sauk County forty-nine percent (49%), Iowa County twenty-five-and-one-half percent (25.5%) and Richland County twenty-five-and-one-half percent (25.5%).
- B. Airport Funding.
 - 1. County Appropriations. All moneys appropriated for the construction, improvement, equipment, maintenance or operation of the Airport, as managed by the Commission, or earned by the Airport or made available for its construction, improvement, equipment, maintenance or operation in any manner whatsoever, shall be deposited with the Treasurer of Sauk County, where it shall be kept in a special fund and paid out only on order of the Commission, drawn and signed by the secretary and countersigned by the chairperson of the Commission.
 - a. Annual Operating Expenses. The county board of each county Owner shall appropriate on an annual basis the monetary amount requested by the Commission for annual operating expenses in the upcoming year in the following proportions: Sauk County forty-nine percent (49%), Iowa County twenty-five-and-one-half percent (25.5%) and Richland County twenty-five-and-one-half percent (25.5%).
 - b. Capital Expenditures. In addition to the appropriation for annual operating expenses, the county board of each member county shall appropriate on an annual basis an amount designated by the Commission to be set aside in an Airport capital expenditures account, which shall be reserved for future maintenance and construction projects exceeding \$5000.00 in total cost and with a life expectancy of not less than five (5) years.
 - 2. Any private monetary contributions to the Airport shall be applied to the Airport capital expenditures account unless otherwise specifically designated by the contributor at the time the contribution is made.
 - 3. Failure to Fund. Failure of a county Owner to fully fund the Airport as required by Paragraph 1 of this section shall be deemed a material breach of a member county's financial obligations to the Airport. Upon such a breach, the non-breaching counties may, by resolution passed by the county boards of both non-breaching counties, expel the breaching member county from the Airport. In the event of expulsion, the expelled

county's assets in the Airport shall be forfeited in equal shares to the remaining member counties. The remaining member counties shall assume liability for all state or federal funds previously spent or committed to the Airport on a cost-share basis.

SECTION VI – COOPERATION

Owner counties shall, in a timely and constructive manner, cooperate to resolve drainage and other issues related to but outside of the physical boundaries of the Airport property that significantly impact the operation or viability of the Airport.

SECTION VII – NOTICES

The County Clerks of the Owner counties shall be the designated points of contact for any written notices or reports required under this ordinance.

SECTION VIII – WITHDRAWAL AND DISSOLUTION

A. Withdrawal.

1. Authority for Withdrawal. As permitted by Wis. Stat. § 114.151, the county board of any participating member county of the Airport may by resolution withdraw from and relinquish its interest in the joint operation and control of the Airport.
2. Procedure for Withdrawal. If a member county wishes to withdraw from the Airport, it shall provide written notice to each member county of its intent to do so by no later than July 1. Upon receipt of this notice, the other member counties will have 60 days in which to file a corresponding notice of intent to withdraw from the Airport. Any withdrawal must be formalized by action of the withdrawing county's board by no later than October 1 in the calendar year notice of intent to withdraw is given, and the withdrawal shall have an effective date of January 1 of the next calendar year.
3. Rights and Liabilities Upon Withdrawal. A withdrawing county shall remit by December 1 all unpaid appropriations for the calendar year in which notice of intent to withdraw is given. A withdrawing county shall remain liable for and shall remit timely payment of any appropriation obligation incurred prior to withdrawal for future Airport projects but only for the amount obligated as of July 1. A withdrawing county shall relinquish all current and future interests in and claims related to the Airport. The remaining member counties shall assume liability for all state or federal funds previously spent or committed to the Airport on a cost-share basis.
4. Continued Operations. In the event of withdrawal by a member county, membership of the withdrawing county on the Commission shall cease on the effective date of withdrawal. The Airport shall not be dissolved upon the withdrawal of a single member county but shall continue to operate in accordance with the provisions of the Airport Operation Ordinance and any other ordinances adopted by the Owner pertaining to operations at the Airport, which shall be subject to revision, as necessary, with approval of the county boards of the remaining members of the Airport.

B. Dissolution.

1. Procedure For Dissolution. The Airport and Commission may be dissolved upon mutual agreement and resolution by the county board of all members of the Airport or if the county

boards of at least two member counties resolve to withdraw from and relinquish their interest in the joint operation and control of the Airport.

2. Action Upon Dissolution. Upon action triggering dissolution of the Airport, a meeting of the Commission or its remaining members shall be called to determine whether the Airport shall continue to operate, and if not, to adopt a plan for closure and liquidation.
 - a. Continued Operation Upon Dissolution. If a single member county chooses to continue operations at the Airport, all assets and liabilities of the Airport shall be transferred to that operating county, and the Commission shall be dissolved. Each withdrawing county shall remit by December 1 all unpaid appropriations for the calendar year in which dissolution occurs. Each withdrawing county also shall remain liable for any appropriation obligation incurred prior to withdrawal for future Airport projects but only for the amount obligated as of July 1. The operating county shall assume liability for all state or federal funds previously spent or committed to the Airport.
 - b. Closure of Airport. In the event the decision is made to close the Airport, notice shall be given to all tenants of the Airport in accordance with the terms of their lease agreements. Upon closure, the assets of the Airport shall first be used for the payment of debts and obligations of the Airport. Remaining assets, if any, shall be distributed to the then-existing member counties of the Airport in ratio to past contributions by each member. Unless otherwise agreed upon or dictated by contract, member counties at the time of dissolution shall share equally all outstanding liability for state or federal funds spent or committed to the Airport prior to July 1, 2019 on a cost-share basis. Unless otherwise agreed upon or dictated by contract, member counties at the time of dissolution shall share all outstanding liability for state or federal funds spent or committed to the Airport after June 30, 2019 on a cost-share basis in the following proportions: Sauk County forty-nine percent (49%), Iowa County twenty-five-and-one-half percent (25.5%) and Richland County twenty-five-and-one-half percent (25.5%).

- C. Cooperation Required. In the event of withdrawal from or dissolution of the Airport, all member counties agree to cooperate in the drafting and execution of any documentation necessary to effectuate the withdrawal or dissolution.

SECTION IX – SUPERSEDING EFFECT

Owner expressly intends, without reservation, this ordinance to supersede upon adoption any prior ordinance, agreement or understanding of Owner with respect to the matters addressed.

SECTION X – SEVERABILITY

The several provisions of this ordinance shall be deemed severable, and it is expressly declared that the Owner would have passed the other provisions of this ordinance, irrespective of whether or not one or more provisions may be declared invalid. And, if any provision of this ordinance or the application or circumstances is held invalid, the remainder of the ordinance and the application shall not be affected.

AGENDA ITEM COVER SHEET

Title: Policy 426.1 Child Support Background Checks

☒ Original

☐ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

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

The Public Safety Standing Committee has reviewed the attached proposed policy at their meeting on June 4th, 2019. The policy addresses the federal requirements for child support agency staff to ensure they have background checks completed every 10 years on all department staff and before hire on all new staff. Please review the attached policy for consideration.

RECOMMENDATIONS (IF ANY):

The Public Safety Committee is recommending approval of the attached policy.

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

Attached is a complete copy of the policy.

FISCAL IMPACT:

Minor costs for background check completion.

LEGAL REVIEW PERFORMED:

☐ Yes

☒ No

PUBLICATION REQUIRED:

☐ Yes

☒ No

STAFF PRESENTATION?:

☐ Yes

☒ No

How much time is needed? _____

COMPLETED BY: Deb Rosenthal

DEPT: Child Support

2/3 VOTE REQUIRED:

☐ Yes

☒ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE:

AGENDA ITEM #

COMMITTEE ACTION:



Child Support Background Check

Date Originated: 6/18/2019
Date of Modifications:
Policy Number: **426.1**

1. **PURPOSE:** This policy outlines the requirements for a personnel security program for child support staff and other personnel who access to Federal Tax Information (FTI)
2. **ORGANIZATIONS AFFECTED:** This policy applies to all employees of the Iowa County Child Support Agency
3. **POLICY:** Before permitting access to Federal Tax Information (FTI) and, at least, every 10 years thereafter, the CSA or an agency designated under Wis. Stats. s. 66.05015 must complete an IRS Pub.1075 compliant background investigation and apply the identified favorable adjudication standards to make the suitability determination required by IRS Pub.1075.

Currently Employed Subjects:

1. Initial IRS Pub. 1075 compliant background investigations for current subjects must be conducted and completed by September 30, 2019, which is twelve months after the effective date of 2017 Wisconsin Act 154 (October 1, 2018). The FBI fingerprint criminal background checks component of a required IRS Pub.1075 compliant background investigation may begin on the publication date of Child Support Bulletin (CSB) 18-11, released December 6th, 2018.
2. Subsequent IRS Pub.1075 compliant background investigations for subjects must be initiated at least every 9 years and 6 months from the completion date of the previous IRS Pub.1075 compliant background investigation. The CSA or an agency designated under Wis. Stat. s.6605015 shall be responsible for monitoring when a subsequent IRS Pub.1075 compliant background investigation is due for subjects.

New Subjects:

In recognition of the transition period that CSAs will need to implement the "Background Investigation Process," any new subject hired after October 1, 2018, will be considered a current subject in terms of the required timeline; therefore, their background investigation must also be completed no later than September 30, 2019. However, when a CSA has established their "Background Investigation Process," and it is fully functional, then new subjects hired after that date, will need to be successfully adjudicated before they are granted access to FTI. Favorably adjudicated background investigations must be completed before submitting the Request for Access to FTI.

4. **REFERENCES:**
Policy 426, Wisconsin State Statutes 11 and 66.0515, and IRS publication 1075

5. PROCEDURES:

The IRS requires Minimum Protection Standards (MPS) to include two barriers or more between the FTI and those not authorized FTI access. By complying with the MPS standards, CSAs can assure that any individual who is not authorized FTI access and is co-located in the CSA will not have access to FTI. Therefore, providing a CSA maintains MPS those without FTI access will not need to participate in the background investigation process.

A. Each CSA will need a Background Check Coordinator, who is a CSA designated individual that facilitates the background investigation process. The Background Check Coordinator will serve as a point of contact for BCS for future communication. The coordination of the background investigation process may involve multiple people: Human Resources, Legal, etc. The Background Check Coordinator will likely not complete all the tasks involved in the process they will help facilitate the process to ensure that the process is completed. Once it has been determined that the subject/individual will have access to FTI, then all information necessary to conduct the Pub.1075 compliant background investigation must be obtained from the subject or potential subject as detailed in the steps below.

1. Obtain Federal Bureau of Investigations (FBI) and Department of Justice (DOJ) background checks by submitting fingerprints to DOJ and the FBI via the vendor (currently FieldPrint). The Background Check Coordinator will provide necessary fingerprint submission information to the subject or potential subject for whom the Pub.1075 compliant background investigation is being conducted.

2. Check with local law enforcement agencies for any non-Wisconsin jurisdictions in which the subject or potential subject has lived, worked, or attended school within five years from the date of the Pub.1075 compliant background investigation by utilizing processes appropriate to the candidate's circumstances.

3. Determine eligibility to work in the United States.

a) For new employees only, validate the candidate's eligibility to work legally in the United States (e.g., a United States citizen or foreign citizen with the necessary authorization). This will include:

i) Completion of USCIS Form I-9.

ii) Within three (3) days of completion of Form I-9, process the newly hired employee through E-Verify.

b) For new contractors or subcontractors, the contracting agency will be required to provide documentation validating the candidate's eligibility to work legally in the United States.

B. Suitability Determination

The IRS does not identify the specific background check favorability standards to which agencies must adhere. The Wisconsin Fair Employment Act (Wisconsin §111.31) does not allow discrimination based on arrests, convictions, or pending charges unless a substantial relationship exists between a conviction, pending charge, and the duties of the job. As outlined below, CSAs should consider a

multitude of factors when assessing returned results. A subject shall be determined suitable to have FTI access if all of the following inquiries are favorably adjudicated by the Background Check Coordinator and/or Human Resource representative, according to the related favorable adjudication standards:

1. FBI criminal background check.

a) A subject's FBI criminal background check will be favorably adjudicated if the subject has no criminal history substantially related to the position for which they are being considered, as determined pursuant to Wis. Stat. § 111.335.

b) A subject may not be discriminated against on the basis of a pending charge and/or conviction record unless there is a substantial relationship between the circumstances of the pending charge and/or conviction and the duties and responsibilities that the position requires.

c) The purpose of the substantial relationship test is to assess whether the subject's tendencies and inclinations to behave in a certain way within a particular context are likely to reappear later in a related context, based on the traits revealed in the test.

2. In determining whether a substantial relationship exists, the following factors can be considered, along with other factors relevant to a specific position:

i. The Position:

1. The nature and scope of public or client contact required by the position. The nature and scope of the position's discretionary authority and degree of independence in judgment relating to decisions or actions that affect the public or clients.
2. The extent to which acceptable job performance requires public or client trust or confidence.
3. The amount and type of supervision received in the position.
4. The amount and type of supervision provided by the position to subordinate staff, if any.
5. The sensitive nature of the data or records maintained.
6. Whether the position includes fiduciary responsibilities.
7. Whether the position is one that the Legislature has determined that certain offense(s) bar the subject from employment.
8. The nature and scope of the position, including key access to facilities, access to cash, or access to vulnerable populations.

ii. The Offense:

1. Whether intent is an element of the offense.
2. Whether the elements of the offense are substantially related to the job duties.

3. Whether the circumstances of the pending charge or conviction arose out of an employment situation.
4. Whether the offense is one that under Federal or State law is a bar to employment for the specific job.
5. The statutory elements of the offense.

iii. The Person:

1. The age of the person at the time of the offense.
2. How recent the offense occurred.
3. Whether there are patterns or reoccurrences of offense(s).
4. Whether the person completed a rehabilitation program.
5. The seriousness and nature of the violation in relation to the duties and responsibilities of the position.

3. Check with local law enforcement agencies for any identified arrests.

a) For subjects who have lived, worked, or attended school **only** in Wisconsin for the past five years, information obtained through the WI-DOJ criminal background check will be considered, along with information obtained from the FBI background check and any supplemental information obtained by the Background Check Coordinator and/or Human Resource representative in determining whether there is a substantial relationship between the circumstances of a pending charge and/or conviction and the duties and responsibilities of the position.

b) For subjects who have lived, worked or attended school in states **other than** Wisconsin during the past five years, the Background Check Coordinator and/or Human Resource representative must check with local law enforcement agencies that are the equivalent of DOJ, in each state where the candidate has lived, worked or attended school or obtain that information from a third party vendor. Information obtained about arrests with pending charges or convictions in other states will be considered along with information obtained from the FBI background check and any supplemental information obtained by the Background Check Coordinator and/or Human Resource Personnel in determining whether there is a substantial relationship between the circumstances of a pending charge and/or conviction and the duties and responsibilities of the position.

c) Only information about arrests related to currently pending charges and/or convictions may be considered.

4. This applies only to new employee's eligibility to work legally in the United States.

a) Determination that the individual is a United States citizen; or

b) Determination that the individual is legally eligible to work in the United States.

C. Providing Background Investigation Results to a Subject

1. The Background Check Coordinator or Human Resource representative, if requested, will provide the subject for whom a Pub.1075 compliant background investigation is conducted with all information required by law about the results of a component of the background investigation. Under the Fair Credit Reporting Act an employer must provide a candidate against whom they intend to take adverse action with a copy of their report.
2. The Background Check Coordinator, or Human Resource representative, will provide the subject for whom a Pub.1075 compliant background investigation is conducted with timely information about challenge or appeal rights available for each component of the investigation that may preclude the Background Check Coordinator and/or Human Resource representative from determining that the subject is suitable to access FTI.

7-0619

AGENDA ITEM COVER SHEET

Title: Budget transfer for Highway Winter and Preventative Maintenance expenses

☒ Original

☐ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

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

Resolution defining transfers due to winter storm response expenses and culvert / road failure issues requiring additional funding to correct deficiencies. Discussion of Department activities, priorities, funding, and expenses related to winter and preventative maintenance projects.

RECOMMENDATIONS (IF ANY):

Discussion of source of funding, recommend to approve and move to the Executive Committee or County Board for consideration and approval.

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

DRAFT Resolution

FISCAL IMPACT:

\$450,000 transfer from the Highway Fund Balance

LEGAL REVIEW PERFORMED:

☐ Yes

☒ No

PUBLICATION REQUIRED:

☒ Yes

☐ No

PRESENTATION?:

☒ Yes

☐ No

How much time is needed? 10 minutes

COMPLETED BY: CRH

DEPT: Highway

2/3 VOTE REQUIRED:

☒ Yes

☐ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE: 06-05-2019

AGENDA ITEM # 10

COMMITTEE ACTION:

Motion for approval

Resolution No. 7-0619

Recommendation of 2019 Budget Amendment to Transfer Funds from the Highway Fund Balance to the Highway Department Budget

WHEREAS, the Iowa County Board of Supervisors approved the 2019 Budget at the November 13, 2018 County Board meeting and approved Resolution 7-1118 approving the Iowa County budgets and funds for the fiscal year beginning January 1, 2019 and ending December 31, 2019; and

WHEREAS, in the event that the current Highway Department Winter Maintenance budget is at 75% of anticipated expenses of \$875,000+/- through May of 2019 as a result of the harsh January-April winter weather; and

WHEREAS, the average annual winter maintenance expense for October – December runs around \$450,000; which will leave the Highway Department with an anticipated shortfall of \$150,000 for winter maintenance activities and expenses for 2019; and

WHEREAS, from the development of the GIS collector application and GIS data mapping of county infrastructure assets in particular related to culverts, the Department identified of the 1900 culverts on the county system in excess of 22% (400+/1900) are rated in poor condition in need of replacement; and

WHEREAS, as a result of the heavy Fall 2018 and Spring 2019 rains the county has been experiencing a number of these aforementioned culverts causing localized road failure issues due to condition and are necessitating replacement to maintain the roads in passable conditions; and

WHEREAS, the department typically deals with 5 to 8 of these such replacements on an annual basis worth approximately \$40,000 within the Routine Maintenance account, but has currently identified up to 48 locations in need of repair amounting to estimated \$275,000 in repair costs; and

WHEREAS, these changes will increase the overall budget of the department by \$425,000;

NOW, THEREFORE, BE IT RESOLVED the Iowa County Board of Supervisors adopts the recommendation of the Public Works Committee to transfer from the Iowa County Highway Department Fund Balance to the Highway Department 2019 Budget for an increase to the Preventative Maintenance and Winter Maintenance accounts in the amount of \$425,000 per the following list of accounts:

<u>Fund Balance</u>	<u>Amount</u>	<u>EXPENSE</u>	<u>Amount of (Increase)</u>
Highway Fund Balance:	\$425,000.00	710.70.53312.00000.xxx County Highway Winter Maintenance	\$150,000.00
		710.70.53315.00000.xxx County Highway Preventative Maintenance	\$275,000.00
		Total Highway Department Expense	<u>\$425,000.00</u>

BE IT FURTHER RESOLVED the Iowa County Board of Supervisors directs the County Clerk to publish this budget transfer pursuant to Wisconsin State Statute number 65.90 (5) (a) per the statutory requirement.