

AGENDA
JEFFERSON COUNTY BOARD MEETING
TUESDAY August 8, 2017 7:00 p.m.
Jefferson County Courthouse
311 S. Center Avenue, Room 205
Jefferson, WI 53549

1. **CALL TO ORDER**
2. **ROLL CALL BY COUNTY CLERK**
3. **PLEDGE OF ALLEGIANCE**
4. **CERTIFICATION OF COMPLIANCE WITH OPEN MEETINGS LAW**
5. **APPROVAL OF THE AGENDA**
6. **APPROVAL OF MINUTES FROM JULY 11, 2017 COUNTY BOARD MEETING**
7. **COMMUNICATIONS**
 - a. Treasurer's Monthly Report (Addendum)
 - b. Appointment by County Board Chair – Mary Roberts to the Wisconsin River Rail Transit Commission (WRRTC) (Page 1)
 - c. Appointments by County Board Chair – Alyssa Spaanem to the Wisconsin County Utility Tax Association (WCUTA) (Page 2)
 - d. Thank you from Heidi Schwoch (Page 3)
 - e. Zoning Committee – Notice of Public Hearing, August 17, 2017 (Page 4-5)
8. **PUBLIC COMMENT**
9. **ANNUAL REPORTS**
 - a. Highway – Bill Kern
 - b. Fair Park – Fair Park Staff
 - c. Clerk of Courts – Carla Robinson
 - d. Finance – Marc DeVries
 - e. Veterans' Service – Yvonne Duesterhoeft

COMMITTEE REPORTS / RESOLUTIONS / ORDINANCES

10. **ECONOMIC DEVELOPMENT CONSORTIUM**
 - a. Resolution – Continuing the Intergovernmental Cooperation Agreement for the Jefferson County Economic Development Consortium (Page 6-10)
11. **FINANCE COMMITTEE**
 - a. Resolution – Disallowing claim of Elizabeth Weber (Page 11)
 - b. Resolution – Disallowing claim of Kristen Niebler (Page 12)
 - c. Resolution – Disallowing claim of AT&T (Page 13)
 - d. Resolution – Amending Resolution No. 85-79 regarding settling unpaid special assessments with other taxing jurisdictions (Page 14-15)

12. **HUMAN RESOURCES COMMITTEE**
 - a. Resolution – Creating a pool of part-time, non-benefited, Drug Task Force Sheriff's Deputies (Page 16-17)
13. **INFRASTRUCTURE COMMITTEE**
 - a. Resolution – Approving bids for concrete installation and sidewalk replacement at Human Services (Addendum)
14. **PLANNING AND ZONING COMMITTEE**
 - a. Report – Approval of Petitions (Page 18)
 - b. Ordinance – Amend Zoning Ordinance (Page 19-21)
 - c. Ordinance – Revising Section 11.10, Shoreland Provisions, of the Jefferson County Zoning Ordinance (Page 22-28)
15. **PROCLAMATIONS**
 - a. Child Support Awareness Month (Page 29)
 - b. Proclaiming the month of September as Juror Appreciation Month (Page 30)
16. **PUBLIC COMMENT** (General)
17. **ANNOUNCEMENTS**
18. **ADJOURN**

NEXT COUNTY BOARD MEETING
September 12, 2017 – 7:00 P.M. - RM 205



JEFFERSON COUNTY BOARD

Jefferson County Courthouse
311 S. Center Avenue, Room 204 A
Jefferson, WI 53549
Telephone (920) 674-8607


JIM SCHROEDER
County Board Chair

Board Rule 3.05(1)* Appointment to Standing Committee

I, Jim Schroeder, Chairman of the County Board of Supervisors, Jefferson County, Wisconsin, as the appointing authority for standing committees, hereby appoint Mary Roberts to the Wisconsin River Rail Transit Commission (WRRTC) to fill an unexpired term ending April 17, 2018.

Effective July 13, 2017.

Dated this 13th day of July, 2017.



Jim Schroeder



JEFFERSON COUNTY BOARD

Jefferson County Courthouse
311 S. Center Avenue, Room 204 A
Jefferson, WI 53549
Telephone (920) 674-8607

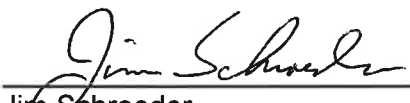
JIM SCHROEDER
County Board Chair

Board Rule 3.05(1)* Appointment to Standing Committee

I, Jim Schroeder, Chairman of the County Board of Supervisors, Jefferson County, Wisconsin, as the appointing authority for standing committees, hereby appoint Alyssa Spaanem to the Wisconsin County Utility Tax Association (WCUTA) to fill an unexpired term ending April 17, 2018.

Effective July 13, 2017.

Dated this 13th day of July, 2017.



Jim Schroeder

Dear Jefferson County Board,

I want to thank you for the resolution honoring my mother for her service on the board. She loved her time on the board and the chance to help people. It was very meaningful for me to receive this information.

Item 7e

NOTICE OF PUBLIC HEARING JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE

Steve Nass, Chair; Greg David, Vice-Chair; Don Reese, Secretary; Amy Rinard; George Jaeckel

SUBJECT: Map Amendments to the Jefferson County Zoning Ordinance and Requests for Conditional Use Permits

DATE: Thursday, August 17, 2017

TIME: 7:00 p.m. (*Courthouse doors will open at 6:30*)

PLACE: Room 205, Jefferson County Courthouse, 311 S. Center Ave., Jefferson, WI

1. **Call to Order**
2. **Roll Call**
3. **Certification of Compliance with Open Meetings Law Requirements**
4. **Approval of Agenda**
5. **Explanation of Public Hearing Process by Committee Chair**
6. **Public Hearing**

NOTICE IS HEREBY GIVEN that the Jefferson County Planning and Zoning Committee will conduct a public hearing at 7 p.m. on Thursday, August 17, in Room 205 of the Jefferson County Courthouse, Jefferson, Wisconsin. A hearing will be given to anyone interested in the proposals. **PETITIONERS, OR THEIR REPRESENTATIVES, SHALL BE PRESENT.** Matters to be heard are petitions to amend the official zoning map of Jefferson County and applications for conditional use permits. A map of the properties affected may be obtained from the Zoning Department. Individual files are available for viewing between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, excepting holidays. If you have questions regarding these matters, please contact Zoning at 920-674-7131.

FROM A-1, EXCLUSIVE AGRICULTURAL TO A-2, AGRICULTURAL/RURAL BUSINESS WITH CONDITIONAL USE

R3994A-17 & CU1924-17 – William Marty: Rezone in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance with conditional use oo. Agricultural Tourism to conduct farm-to-table dinners/pizza nights at **N5679 County Road Q** in the Town of Aztalan, on PIN 002-0714-2921-000 (17.21 Acres).

R3995A-17 & CU1925-17 – St Coletta of Wisconsin: Rezone in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance with conditional use e. Public and semi-public uses to bring the property into conformance. The site is at **N4637 County Road Y** in the Town of Jefferson, on PINs 014-0614-0142-000 (24.18 Ac) and that part of 014-0614-0143-002 (18.42 Acres) currently zoned A-1.

R3996A-17 & CU1926-17 – Tim Esser: Rezone in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance with conditional use jj. for Mini warehousing/personal storage warehousing on **Newville Road**, PIN 030-0813-2834-003 (4.297 Ac) in the Town of Waterloo.

FROM A-1, EXCLUSIVE AGRICULTURAL TO A-3, AGRICULTURAL/RURAL RESIDENTIAL

R3997A-17 – Daniel & Nancy Last: Rezone in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance to add 0.5 acre of PIN 032-0815-1544-000 (55.29 Ac) to the adjoining A-3 zoned lot on **Witte Lane** in the Town of Watertown.

R3998A-17 – Neal Loeb: Rezone in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance to create a 1-acre vacant lot on **High Road** in the Town of Watertown from PIN 032-0815-2043-000 (31.63 Acres).

R3999A-17 – Linda Wright/Myrtle E Klug Trust Property: Rezone in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance to create a 1.7-acre farm consolidation lot at **W3811 County Road B** in the Town of Farmington on PIN 008-0715-1613-000 (39.56 Acres).

R4000A-17- Linda Wright/Myrtle E Klug Trust Property: Rezone in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance to create a 1.7-acre vacant building site on **Coffee Road** from part of PIN 008-0715-1641-000 (40 Acres) in the Town of Farmington.

R4001A-17 – Linda Wright/Myrtle E Klug Trust Property: Rezone in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance to create a 1-acre vacant building site on **Hillside Lane** from part of PIN 008-0715-1613-000 (39.56 Acres) in the Town of Farmington.

R4002A-17 – Linda Wright/Myrtle E Klug Trust Property: Rezone in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance to create a 2.5-acre vacant building site on **Ranch Road** from PIN 008-0715-1022-000 (37.5 Acres) in the Town of Farmington.

NATURAL RESOURCE ZONE

R4003A-17 – Linda Wright/Myrtle E Klug Trust Property: Rezone in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance to create a 13.5-acre N zone on **Ranch Road** from PINs 008-0715-1022-000 (37.5 Acres) and 008-0715-1023-000 (37.9 Acres). This is in the Town of Farmington.

CONDITIONAL USE PERMIT APPLICATIONS

CU1927-17 – Steven and Catherine Buckwinkler: Conditional use in accordance with Sec. 11.04(f)1 Conditional Uses j. to allow an extensive onsite storage structure of 2,000 square feet in a Residential R-1 zone across from **W9633 Lake Drive** on PIN 028-0513-3022-049 (0.129 Acre), Town of Sumner.

CU1928-17 – Kevin Horack: Conditional use in accordance with Sec. 11.04(f)6 Conditional Uses a.3. An ATCP51 regulated livestock facility for more than 150 animal units and 11.05(d)2 to sanction 825 animal units (hogs) on the farm at **W3550 Saucer Dr** in the Town of Watertown, on PINs 032-0815-3431-000 (40 Acres) and 032-0815-3434-000 (40 Acres) in an A-1, Exclusive Agricultural zone.

A quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.

Individuals requiring special accommodations for attendance at the meeting should contact the County Administrator at 920-674-7101 24 hours prior to the meeting so that appropriate arrangements can be made.

A recording of the meeting will be available from the Zoning Department upon request.

Further information about Zoning can be found at www.jeffersoncountywi.gov

RESOLUTION NO. 2017-____

**Continuing the Intergovernmental Cooperation Agreement for the
Jefferson County Economic Development Consortium**

Executive Summary

The Jefferson County Board approved membership in the Jefferson County Economic Development Consortium (JCEDC) by Resolution No. 2003-28 adopted June 10, 2003. The Consortium includes Jefferson County, the cities of Fort Atkinson, Jefferson, Lake Mills, Waterloo, Watertown, Whitewater and the Villages of Cambridge and Johnson Creek and is governed by an Intergovernmental Cooperation Agreement. The cost of membership was initially established at \$1.00 per municipal or county resident in 2003 and this amendment increases this amount to \$1.50 per municipal or county resident. For the last 13 years, the JCEDC has only received rate increases that are in line with population increase in the County and member municipalities. Jefferson County and the member municipalities have already approved this new rate as part of each of their respective entities' 2017 Budgets. The majority of the entities have already paid their contribution to the JCEDC for 2017 at this new rate. The current agreement expires in 2017 and this resolution extends the agreement to 2021. The Jefferson County Economic Development Consortium met on June 29, 2017, and recommended forwarding this resolution to the County Board for approval.

WHEREAS, the Executive Summary is incorporated into this resolution, and

WHEREAS, the Jefferson County Board approved membership in the Jefferson County Economic Development Consortium by Resolution No. 2003-28 adopted June 10, 2003, and

WHEREAS, the Consortium includes Jefferson County, the cities of Fort Atkinson, Jefferson, Lake Mills, Waterloo, Watertown, Whitewater and the Villages of Cambridge and Johnson Creek, and

WHEREAS, the current Intergovernmental Cooperation Agreement expires in 2017 and the Jefferson County Economic Development Consortium recommends continuing the agreement for an additional 4 years, and

WHEREAS, continuing the agreement must be approved by Jefferson County as well as the governing bodies of the Jefferson County Economic Development Consortium members, and

WHEREAS, the Jefferson County Economic Development Consortium Board recommends continuing the attached Jefferson County Economic Development Consortium Intergovernmental Cooperation Agreement,

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby approves continuing the attached Jefferson County Economic Development Consortium Intergovernmental Cooperation Agreement and authorizes the County Administrator to execute the agreement on behalf of Jefferson County.

Fiscal Note: Jefferson County's funding obligation was approved by the County Board in the 2017 budget. As such there is no additional fiscal impact.



Ayes _____ Noes _____ Abstain _____ Absent _____ Vacant _____

Requested by

Economic Development Consortium

08-08-17

J. Blair Ward: 07-20-17; 07-26-17; Ben Wehmeier: 07-20-17; 07-26-17

REVIEWED: Administrator ; Corp. Counsel ; Finance Director 

INTERGOVERNMENTAL AGREEMENT
CONTINUING THE
JEFFERSON COUNTY ECONOMIC DEVELOPMENT CONSORTIUM

Revision Dated June 7, 2017

ARTICLE I. PURPOSE

The purpose of the Jefferson County Economic Development Consortium (JCEDC) is to foster and encourage responsible, economic development activities that result in job creation, retention, increased tax base and an improved sustainability and quality of life for the citizens of Jefferson County.

ARTICLE II. STATUTORY AUTHORITY

The JCEDC shall be a public intergovernmental enterprise organized under the authority of § 66.0301, Wis. Stats., and as the same may be amended from time to time.

ARTICLE III. MEMBERSHIP

- 3.1 The JCEDC shall be composed of the towns, villages, cities and county governments of Jefferson County, Wisconsin (municipalities) that choose to adopt this agreement and thereby enter into membership. The current membership consists of Jefferson County, the cities of Fort Atkinson, Jefferson, Lake Mills, Waterloo, Watertown, Whitewater and the Villages of Johnson Creek and Cambridge.
- 3.2 The charter member Jefferson County governments who ratify this agreement agree to maintain their membership in good standing for at least five years.
- 3.3 The JCEDC came into existence upon the adoption of this agreement by Jefferson County and a two-third (2/3) majority of the following: the cities of Fort Atkinson, Jefferson, Lake Mills, Watertown, Whitewater and the Village of Johnson Creek.

ARTICLE IV. JCEDC BOARD OF DIRECTORS

- 4.1 The Board of Directors (JCEDC Board) shall provide the overall policy direction of the JCEDC.
- 4.2 The Board's membership shall be determined by reference to Section 4.05. The Board shall consist of three Jefferson County representatives and one member appointed by each participating municipality.
- 4.3 The terms of the JCEDC Board members shall begin on May 1 of each year.
- 4.4 The terms of offices for the JCEDC Board shall remain staggered, so a majority of the JCEDC Board will not turnover in any given year.
- 4.5 Members of the JCEDC Board shall be appointed as follows:
 - a. The three Jefferson County representatives shall be appointed by the County Board chairperson and confirmed by majority vote of the County Board.
 - b. Each member municipality shall appoint one representative.

Note: The JCEDC Board members are appointed by the municipalities or the county they represent, the JCEDC Board cannot determine this.

- 4.6 The appointing bodies to the JCEDC Board shall endeavor to assemble a group of professionals who represent a cross-section of Jefferson County business and agricultural interests. Specifically, the composition of the JCEDC Board should include representatives from agri-business, banking/finance, real estate, chamber of commerce, small business/retail, manufacturing, tourism, utilities, a person knowledgeable of sustainable development and municipal or county representatives.
- 4.7 The JCEDC Board may invite various organizations and/or individuals (from professional areas such as those identified in 4.06 above), to join as advisory, non-voting members.
- 4.8 The JCEDC Board may by resolution adopted by a majority of the total JCEDC Board create such committees for such purposes and with such authority as the resolution may provide, and appoint such members of the JCEDC Board or others to serve on said committees.

ARTICLE V. MEETINGS

- 5.1 The JCEDC Board will establish and publish a regular meeting schedule.
- 5.2 All meetings of the JCEDC Board will be properly noticed according to law.
- 5.3 Special meetings of the JCEDC Board may be called at the request of the Chairperson or Secretary or any two board members. The place of the meeting will be at the principal office of the JCEDC, unless otherwise agreed upon by the Chairperson and the Secretary.
- 5.4 A majority of the total-voting members of the JCEDC Board shall constitute a quorum for the transaction of business at any meeting. A member shall be present to vote.
- 5.5 The chairperson, and in his/her absence, the vice-chairperson, and in their absence any board member chosen by a majority of the members present shall call the meeting of the JCEDC Board to order and shall act as chairperson of the meeting.
- 5.6 A JCEDC Board director may resign at any time by filing a written resignation with the Secretary. A JCEDC Board director may be removed by affirmative vote of a majority of the total JCEDC Board for any reason deemed sufficient by such JCEDC Board.
- 5.7 Vacancies shall be filled for the remainder of the unexpired term by the appointing authority that appointed the previous incumbent.

ARTICLE VI. ANNUAL MEETING

- 6.1 The Annual Meeting of the JCEDC Board shall be held in May of each year on a date, time and place to be determined by the JCEDC Board.
- 6.2 At its annual meeting, the JCEDC Board shall elect a chairperson, vice-chairperson, secretary and treasurer.
- 6.3 The JCEDC Board shall establish the duties of the chairperson, vice-chairperson, secretary and treasurer.

ARTICLE VII. STAFF

- 7.1 Jefferson County shall employ all JCEDC staff.
- 7.2 Day to day operational supervision of JCEDC staff shall rest with Jefferson County.
- 7.3 Jefferson County Human Resource practices and policies shall be applicable in all respects to employment of staff, except the hiring procedure for the director. The County will advertise the director's position. Thereafter, the JCEDC Board will screen the applicants and participate in the interview process with the Jefferson County Administrator. At the end of the interview process, the JCEDC Board will recommend up to five finalists. The County Administrator and the JCEDC Board chairperson shall conduct finalist interviews. Appointment of a finalist by the County Administrator shall be subject to County Board approval.

ARTICLE VIII. FINANCES

- 8.1 The JCEDC Board shall prepare an annual budget with the assistance of staff. Jefferson County's policies and procedures shall apply for meals, lodging, mileage, travel and other reimbursable expenses.
- 8.2 The JCEDC Board will present its proposed budget in a timely manner to all member municipalities and Jefferson County before it is adopted by the JCEDC Board.
- 8.3 Funding for the fiscal years 2017 through 2021 shall be established as \$1.50 per county resident payable from Jefferson County, plus \$1.50 per municipal resident payable from each participating municipality. The population number used to calculate contributions shall be the most recent State of Wisconsin Department of Administration population estimate provided to the governing body prior to adoption of its annual budget.
- 8.4 The JCEDC shall not be limited to public funding from its member municipalities and Jefferson County. The JCEDC Board may authorize staff to pursue additional revenue through program revenue and public and/or private gifts and grants.
- 8.5 Jefferson County shall act as the fiscal agent for the JCEDC.
- 8.6 Each municipality and county shall be responsible in the proportion of its contribution to the consortium as a whole for any other cost of the consortium not specifically set forth herein, including but not limited to employment costs incurred by Jefferson County as a result of unemployment compensation to staff upon termination of the consortium.
- 8.7 All funds due from a municipality shall be paid to the County by a member municipality by January 31 of the year for which such funds are budgeted. The County shall hold all funds for the benefit of JCEDC in a separate account. Unspent funds in said account shall not lapse to the general fund, but shall be carried over to the next fiscal year or otherwise distributed as set forth herein.

ARTICLE IX. GENERAL POWERS

- 9.1 The JCEDC Board may recommend action to the County with regard to direction of staff, contracts or general program purposes.
- 9.2 The JCEDC Board shall not borrow money or authorize the borrowing of any funds on behalf of the JCEDC. The JCEDC Board may, however, enter into contracts in the ordinary course of its business and in pursuit of its stated goals and purpose. Examples of its permitted contracting powers would be equipment leases or equipment purchases. Under no circumstance shall the JCEDC Board enter into contracts that cause it to exceed its annual budget.

ARTICLE X. SEVERABILITY

If any section, paragraph, sentence, clause, phrase or any part of this agreement, including amendments, is declared to be unconstitutional or void, or if for any reason is declared to be invalid or of no effect, the remaining sections, paragraphs, sentences, clauses, phrases or parts thereof shall be in no manner affected thereby, but shall remain in full force and effect.

ARTICLE XI. AMENDMENTS

All or any portion of this agreement may be amended by a resolution passed by the affirmative vote of at least 2/3 of the total JCEDC Board membership and a majority of the member municipalities and Jefferson County.

ARTICLE XII. DISSOLUTION & WITHDRAWAL

- 12.1 No member may withdraw prior to January 1, 2019. Any member may withdraw from the consortium effective January 1 of 2019 or January 1 of any succeeding year thereafter. Written notice shall be submitted a minimum of 13 months prior to the effective date of withdrawal.
- 12.2 Any member withdrawing from the consortium is responsible for obligations incurred during the period it was a member.
- 12.3 The consortium may be dissolved by an affirmative vote of a two-third (2/3) majority of the total board membership establishing a date of dissolution, which shall be at least one year after the date of the affirmative vote.
- 12.4 In the event of dissolution, any assets remaining after payment of all obligations shall be distributed among existing members in proportion to their contributions, as determined by the JCEDC Board. In the event obligations exceed assets, members shall pay pro rata such sums as may be necessary to retire the obligation.

RESOLUTION NO. 2017-__

Disallowing claim of Elizabeth Weber

Executive Summary

A claim has been made against Jefferson County for damages. Settlement is currently being negotiated between the claimant and the County's insurance carrier, Wisconsin Municipal Mutual Insurance Company (WMMIC). Because no formal settlement has been reached, WMMIC is recommending that the County formally deny this claim to reduce the time period for the claimant to file legal action from 3 years to 6 months in the event the parties are not able to settle without legal action. This resolution formally denies the claim filed against Jefferson County and directs the Corporation Counsel to give the claimant notice of disallowance. The Finance Committee met on July 13, 2017, and recommended forwarding this resolution to the County Board to disallow the claim.

WHEREAS, the above Executive Summary is incorporated into this resolution, and

WHEREAS, the following claim was filed against Jefferson County as follows:

<u>Claimant</u>	<u>Date of Loss</u>	<u>Claim Filed</u>	<u>Description</u>	<u>Alleged Damages</u>
Elizabeth Weber	4/20/17	5/23/17	A detective from the Jefferson County Drug Task Force stopped his vehicle on the shoulder of the road near the intersection of CTH N and CTH M to assist at a traffic accident when his unattended vehicle allegedly rolled into a white Chevrolet Cruz automobile owned by Elizabeth Weber causing damage to Ms. Weber's vehicle.	\$510.94




WHEREAS, said damage is alleged to be the result of negligence of Jefferson County, its agents, officials, officers or employees, and

WHEREAS, Jefferson County's insurance carrier, Wisconsin Municipal Mutual Insurance Company, recommends formally denying this claim to reduce the time period for the claimant to file legal action from three years to six months in the event the parties are not able to settle without legal action,

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby disallows said claim and directs the Corporation Counsel to give the claimant notice of disallowance.

Fiscal Note: This matter has been referred to Wisconsin Municipal Mutual Insurance Company (WMMIC) and will be resolved in accordance with the terms of the County's policy.

Ayes _____ Noes _____ Abstain _____ Absent _____ Vacant _____
 Requested by Finance Committee
 J. Blair Ward: 06-29-17

REVIEWED: Administrator: ; Corp. Counsel: ; Finance Director: 

08-08-17

RESOLUTION NO. 2017-__

Disallowing claim of Kristen Niebler

Executive Summary

A claim has been made against Jefferson County for damages. The claim has been reviewed by the County's insurance carrier, WMMIC, and was recommended for disallowance based on the finding that the County is not legally responsible for the alleged damages. This resolution formally denies said claim filed against Jefferson County and directs the Corporation Counsel to give the claimants notice of disallowance. The Finance Committee met on July 13, 2017, and recommended forwarding this resolution to the County Board to disallow the claim.

WHEREAS, the above Executive Summary is incorporated into this resolution, and

WHEREAS, the following claim was filed against Jefferson County as follows:

<u>Claimant</u>	<u>Date of Loss</u>	<u>Claim Filed</u>	<u>Description</u>	<u>Alleged Damages</u>
Kristen Niebler	6/6/17	6/6/17	Kristen Niebler's 2011 Dodge Caravan Grand R/T van was traveling south on Highway G when at the intersection of Highway J she alleges that a rock was thrown from the lawn mower of a Jefferson County Highway Department employee causing chipped paint damage to her vehicle	\$333.80

WHEREAS, the Jefferson County Highway Department had mower guards in place at the time this incident is alleged to have occurred, and

WHEREAS, said damage is alleged to be the result of negligence of Jefferson County, its agents, officials, officers or employees, and

WHEREAS, Jefferson County's insurance carrier, Wisconsin Municipal Mutual Insurance Company, recommends disallowance of the claim on the basis that the County is not legally responsible for the alleged damage.

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby disallows said claim and directs the Corporation Counsel to give the claimant notice of disallowance.




Fiscal Note: This matter has been referred to Wisconsin Municipal Mutual Insurance Company (WMMIC) and will be resolved in accordance with the terms of the County's policy.

Ayes _____ Noes _____ Abstain _____ Absent _____ Vacant _____

Requested by Finance Committee

J. Blair Ward: 06-16-17; 06-19-17

08-08-17

REVIEWED: Administrator: ; Corp. Counsel:  Finance Director: 

RESOLUTION NO. 2017-__

Disallowing claim of AT&T

Executive Summary

A claim has been made against Jefferson County for damages. The claim has been reviewed by the County's insurance carrier, Wisconsin Municipal Mutual Insurance Company (WMMIC), and was recommended for disallowance based on the finding that the County is not legally responsible for the alleged damages. This resolution formally denies said claim filed against Jefferson County and directs the Corporation Counsel to give the claimant notice of disallowance. The Finance Committee met on July 13, 2017, and recommended forwarding this resolution to the County Board to disallow the claim.

WHEREAS, the above Executive Summary is incorporated into this resolution, and

WHEREAS, the following claim was filed against Jefferson County as follows:

<u>Claimant</u>	<u>Date of Loss</u>	<u>Claim Filed</u>	<u>Description</u>	<u>Alleged Damages</u>
AT&T	3/28/17	6/13/17	AT&T alleges that the Jefferson County Highway Department damaged a cable owned by AT&T while replacing a pole near 7418 County Highway 106 west of County Road J	\$6,227.04

WHEREAS, said damage is alleged to be the result of negligence of Jefferson County, its agents, officials, officers or employees, and

WHEREAS, the Jefferson County Highway Department denies the allegations of AT&T, and

WHEREAS, Jefferson County's insurance carrier, Wisconsin Municipal Mutual Insurance Company, recommends disallowance of the claim on the basis that the County is not legally responsible for the alleged damage.


NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby disallows said claim and directs the Corporation Counsel to give the claimant notice of disallowance.

Fiscal Note: This matter has been referred to Wisconsin Municipal Mutual Insurance Company (WMMIC) and will be resolved in accordance with the terms of the County's policy.

Ayes _____ Noes _____ Abstain _____ Absent _____ Vacant _____

Requested by Finance Committee
J. Blair Ward: 06-20-17

08-08-17

REVIEWED: Administrator: ; Corp. Counsel: ; Finance Director: 

RESOLUTION NO. 2017-__

**Amending Resolution No. 85-79 regarding settling unpaid
special assessments with other taxing jurisdictions**

Executive Summary

Effective December 15, 2013, the Wisconsin State Legislature amended section 66.0413, Wisconsin Statutes. The new law makes municipalities responsible for costs associated with razing a structure in their jurisdiction. When a municipality makes the decision to raze a building, it cannot automatically pass the cost on to the County as a special tax as it could under the prior law. Razing costs must now be designated as a special assessment which gives counties the option of reimbursing a municipality for razing costs when property taxes are not paid. Jefferson County Board Resolution No. 85-79 adopted February 11, 1986, provides that Jefferson County will settle with municipal taxing jurisdictions for unpaid special assessments using county funds, but does not place any limitation on the amount payable by the County to municipalities. This resolution amends Resolution No. 85-79 by placing limitations on payments by the County to municipalities of \$10,000 per tax parcel and excludes payments to municipalities for costs associated with razing buildings. The Finance Committee met on July 13, 2017, and recommended forwarding this resolution to the County Board for approval.

WHEREAS, the Executive Summary is hereby incorporated by reference into this resolution, and

WHEREAS, Resolution No. 85-79, adopted February 11, 1986, provides that Jefferson County will settle with other taxing jurisdictions for unpaid special assessments using county funds, and

WHEREAS, the vast majority of special assessments or special charges do not aggregate to more than \$10,000 per parcel, and

WHEREAS, some special assessments, particularly in tax incremental finance districts, may exceed \$10,000 per parcel, and

WHEREAS, unlimited settlement by the County may expose the County to risk of loss where the amount advanced for settlement of unpaid special assessments or special charges may not be realized through tax foreclosure, and

WHEREAS, the Finance Committee recommends that Resolution No. 85-79 be amended to provide a limit on the amount that the County will pay to settle unpaid special assessments or special charges not to exceed \$10,000 per tax parcel and exclude costs associated with razing buildings.

NOW, THEREFORE, BE IT RESOLVED that Jefferson County Resolution No. 85-79 is hereby amended to provide that the County will settle with municipalities in full for unpaid special assessments or special charges, excluding costs associated with razing buildings, not to exceed a total of \$10,000 per tax parcel.

Fiscal Note: This resolution will implement legislation which allows counties to exclude payments to municipalities for unpaid special assessments associated with razing buildings. This will limit the County's financial risk and could result in a cost savings to Jefferson County.

Ayes _____ Noes _____ Abstain _____ Absent _____ Vacant _____

Requested by
Finance Committee

08-08-17

J. Blair Ward: 06-06-17; 07-20-17; 07-26-17

REVIEWED: Administrator ; Corp. Counsel ; Finance Director 

RESOLUTION NO. 2017-____

Creating a pool of part-time, non-benefited, Drug Task Force Sheriff's Deputies

Executive Summary

The Jefferson County Drug Task Force is a multi-jurisdictional, multiple agency Task Force. The localized Task Force is comprised of ten Jefferson County Law Enforcement agencies and the Jefferson County District Attorney's Office. A detective sergeant from the Jefferson County Sheriff's Office is assigned as the Project Director/Lead Officer for the day-to-day operations of the task force. The remainder of the unit is comprised of two full-time Sheriff's Office detectives, full-time detectives from the Fort Atkinson Police Department and the Watertown Police Department, a part-time officer from the Jefferson Police Department, and a limited-term employee funded by the other member agencies.

The Task Force continues to focus on combatting the growing problem of the sale and use of opioids, heroin and methamphetamine within Jefferson County. The number of heroin overdoses has increased dramatically and continues to rise each year. The Sheriff is requesting additional part-time deputies dedicated to the Drug Task Force to respond to this growing problem. The part-time deputies will perform a variety of Drug Task Force-related assignments, including initiating and assisting with drug-related investigations, seizing vehicles and other assets involved in drug trading and conducting educational presentations to schools and civic groups. The part-time pool Drug Task Force deputies will be fully reimbursed by Drug Task Force member agencies and have no County tax-levy impact.

On July 18, 2017, the Human Resources Committee reviewed the request from the Sheriff and is recommending to the County Board of Supervisors the creation of a pool of part-time Drug Task Force deputies.

WHEREAS, the above Executive Summary is incorporated into this resolution, and

WHEREAS, with the significant increase in the sale, use and addiction of opiates and heroin in Jefferson County, current staffing levels in the Drug Task Force unit at the Sheriff's Office cannot effectively address the problem as needed, and

WHEREAS, to meet the need to combat the opiate epidemic and ultimately provide protection for Jefferson County citizens, the Sheriff requests, and the Human Resources Committee recommends, creation of a pool of part-time, non-benefited, Deputies to be assigned to the Drug Task Force Unit at the Sheriff's Office, and

WHEREAS, full funding is available through an agreement with participating agencies of the Jefferson County Drug Task Force.

NOW, THEREFORE, BE IT RESOLVED that the 2017 County Budget setting forth position allocations and funding at the Sheriff's Office be and is hereby amended to create a pool of part-time, non-benefited, Deputy positions assigned to the Drug Task Force Unit at the Sheriff's Office, to become effective upon passage.




Fiscal Note: The cost of wages and benefits for the pool of part-time, non-benefited, Drug Task Force Deputies will vary on the number of hours assigned and is fully funded through participating agencies of the Jefferson County Drug Task Force; therefore, no County tax-levy is required for these positions. An estimated additional 2,080 part-time hours are needed annually (780 hours for the remainder of 2017). This action will require a budget amendment that increases both revenue and expenditure appropriations by \$15,443. County Board approval requires a two-thirds vote of the entire membership of the County Board (20 votes of the 30 member County Board).

Ayes _____ Noes _____ Abstain _____ Absent _____ Vacant _____

Requested by
Human Resources Committee

08-08-17

Terri M. Palm: 07-13-17; 07-20-17; 07-24-17

REVIEWED: Administrator ; Corp. Counsel ; Finance Director 

**REPORT
TO THE HONORABLE MEMBERS OF THE JEFFERSON COUNTY
BOARD OF SUPERVISORS**

The Jefferson County Planning and Zoning Committee, having considered petitions to amend the official zoning map of Jefferson County and the text of the Jefferson County Zoning Ordinance, filed for public hearing held on July 20, 2017, as required by law pursuant to Wisconsin Statutes, notice thereof having been given, and being duly advised of the wishes of the town boards and persons in the areas affected, hereby makes the following recommendations:

**APPROVAL OF PETITIONS R3978A-17, R3979A-17, R3980A-17,
R3981A-17, R3982A-17, R3983A-17, R3984A-17, R3985A-17, R3986A-17,
R3987A-17, R3988A-17, R3989A-17, R3990A-17, R3991A-17, R3992A-17
AND TEXT AMENDMENT R3993T-17**

DATED THIS 24th DAY OF JULY 2017

Donald Reese, Secretary

**THE PRIOR MONTH'S AMENDMENTS R3965A-17, R3969A-17, R3971A-17,
R3972A-17, R3973A-17, R3974A-17, R3975A-17, R3976A-17 AND R3977A-17
ARE EFFECTIVE UPON PASSAGE BY COUNTY BOARD, SUBJECT TO WIS.
STATS. 59.69(5).**

ORDINANCE NO. 2017-__

Amend Zoning Ordinance

WHEREAS, the Jefferson County Board of Supervisors has heretofore been petitioned to amend the official zoning map of Jefferson County, and

WHEREAS, Petitions R3978A-17, R3979A-17, R3980A-17, R3981A-17, R3982A-17, R3983A-17, R3984A-17, R3985A-17, R3986A-17, R3987A-17, R3988A-17, R3989A-17, R3990A-17, R3991A-17 and R3992A-17 were referred to the Jefferson County Planning and Zoning Committee for public hearing on July 20, 2017, and

WHEREAS, the proposed amendments have been given due consideration by the Board of Supervisors in open session,

NOW, THEREFORE, BE IT ORDAINED that the Jefferson County Board of Supervisors does amend the official zoning map of Jefferson County as follows:

Rezone 0.51 acre of PIN 014-0615-0212-007 (10.55 acres) to add it to an adjoining A-2 zone near **W3092 US Highway 18** in the Town of Jefferson. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance. This action is conditioned upon approval and recording of a final certified survey map for the property. R3978A-17 – Ronald Ulsberger

Create a 1-acre building site on **Piper Road** from part of PIN 004-0515-2244-001 (5.289 acres) in the Town of Cold Spring in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. This utilizes the last available A-3 zone for the property; therefore rezoning is conditioned upon recording of an affidavit acknowledging that fact. It is further conditioned upon road access approval, receipt of a suitable soil test for the lot, and approval and recording of a final certified survey map for the lot, including extraterritorial plat review if necessary. R3979A-17 – Brian Allen

Rezone a 1.1581-acre lot on **Rockvale Road** on PIN 012-0816-2733-000 (35.19 acres) by consolidation of parcels of record from 012-0816-2732-000 (35.31 acres). This is in the Town of Ixonia and is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. This utilizes the last available A-3 zone for the property; rezoning is conditioned upon recording of an affidavit acknowledging that fact. It is further conditioned upon road access approval, receipt of a suitable soil test and approval and recording of a final certified survey map for the lot. R3980A-17 – Curtis Pernat

Create a 3-acre farm consolidation lot at **N7543 County Road O**, a 1-acre lot around the home at **N7533 County Road O** and a 1-acre vacant lot adjacent. These lots are proposed from PIN 030-0813-3124-000 (40 acres) in the Town of Waterloo, in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. This utilizes the last available A-3 zone for the property; rezoning is conditioned upon recording of an affidavit acknowledging that fact. It is further

conditioned upon modification of the farm consolidation lot to include the existing private on-site waste treatment system, upon road access approval, receipt of a suitable soil test for the vacant lot, and approval and recording of a final certified survey map for the lots. R3981A-17 – Ronald & Lori Draeger

Create a 6-acre building site on **County Road E** from part of PIN 032-0815-1444-000 (40.816 acres) in the Town of Watertown, in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. This utilizes the last available A-3 zone for the property; rezoning is conditioned upon recording of an affidavit acknowledging that fact. It is also conditioned upon road access approval, receipt of a suitable soil test and approval and recording of a final certified survey map for the lot, including extraterritorial plat review if necessary. R3982A-17 – Rodney Johnson

Rezone to create a 2.5-acre lot around the buildings at **N8937 County Road E**, a 1.3-acre building site and a 2-acre building site adjacent. The proposal is in the Town of Watertown, on PIN 032-0815-1133-003 (12.27 acres), and is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Rezoning is conditioned upon road access approval, receipt of suitable soil tests for the vacant lots and approval and recording of a final certified survey map, including extraterritorial plat review if necessary. R3983A-17 – Ryan & Meliza Ritacca

Create a 2-acre building site with existing farm buildings on **Rome Oak Hill Road** in the Town of Sullivan from part of PIN 026-0616-2821-000 (24.11 acres). This is in accordance with Sec. 11.04(f) 8 of the Jefferson County Zoning Ordinance. Approval is conditioned upon receipt of a suitable soil test and approval and recording of a final certified survey map. R3984A-17 – Dan Marks/Richwood Ranch LLC

Create a 2-acre farm consolidation lot at **N3281 Rome Oak Hill Road**, one 4-acre and one 2-acre vacant lot, all from part of PINs 026-0616-2824-000 (34.31 acres) and 026-0616-2821-000 (24.11 acres) in the Town of Sullivan. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. This utilizes the last available A-3 zone for the property; rezoning is conditioned upon recording of an affidavit acknowledging that fact. It is further conditioned upon road access approval, receipt of suitable soil tests for the vacant lots and approval and recording of a final certified survey map. R3985A-17 – Dan Marks/Richwood Ranch LLC

Rezone to create a 31.5-acre Natural Resource zone from part of PINs 026-0616-2824-000 (34.31 acres) and 026-0616-2842-001 (30 acres) on **Rome Oak Hill Road** in the Town of Sullivan. This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance. This action requires road access approval if this zone is to be sold separately from adjoining land, and approval and recording of a final certified survey map for the lot. R3986A-17 – Dan Marks/Richwood Ranch LLC

Create a 1-acre farm consolidation lot at **N3698 Rome Oak Hill Road** and two, 3-acre vacant building sites adjacent, from PINs 026-0616-1744-000 (40 acres) and 026-0616-2011-001 (20 acres). The sites are in the Town of Sullivan, and in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. This utilizes the last available A-3 zone for the property; rezoning is conditioned upon recording of an affidavit acknowledging that fact. Also, it is

conditioned upon receipt of suitable soil tests for the vacant lots and approval and recording of a final certified survey map. The barn which currently exists must be removed because it is located over proposed lot lines. R3987A-17 – Pete Gross/Land Hunter LLC

Rezone to create a 14-acre Natural Resource zone from part of PINs 026-0616-1744-000 (40 acres), 026-0616-2011-004 (0.2 acre) and 026-0616-2122-002 (0.28 acre) in the Town of Sullivan. The property is on **Rome Oak Hill Road**; this is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance. Rezoning is conditioned upon approval and recording of a final certified survey map for the lot. R3988A-17 – Pete Gross/Land Hunter LLC

Create two, 2-acre vacant building sites on **Rome Oak Hill Road** in the Town of Sullivan from part of PIN 026-0616-2011-001 (20 acres). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Rezoning is conditioned upon road access approval, receipt of suitable soil tests and approval and recording of a final certified survey map. R3989A-17 – Pete Gross/Land Hunter LLC

Rezone 15 acres for a Natural Resource zone on **Rome Oak Hill Road**, Town of Sullivan, from PINs 026-0616-2011-001 (20 acres). This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance. Action is conditioned upon road access approval if it is to be sold separately from adjoining land and & approval and recording of final certified survey map for the lot. R3990A-17 – Pete Gross/Land Hunter LLC

Create a 3.2-acre building site on **Carlin Trail** in the Town of Palmyra from PIN 024-0516-2424-000 (32 acres). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Rezoning is conditioned upon road access approval, receipt of a suitable soil test and approval and recording of a final certified survey map for the lot, including extraterritorial plat review if necessary. This will nullify the previous approval of Zoning Amendment R3964A-17 on this property. R3991A-17 –Paul Holt/ Bernard Gilbert property

Create a 4.1-acre A-2 zone on **Carlin Trail** from PIN 024-0516-2424-000 (32 acres) in the Town of Palmyra. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance. This action is conditioned upon road access approval and approval and recording of the final certified survey map, including extraterritorial plat review if necessary. R3992A-17 – Paul Holt/Bernard Gilbert property

The above rezonings shall be null and void and of no affect one year from date of County Board approval unless all applicable conditions have been completed by that date.

Ayes _____ Noes _____ Abstain _____ Absent _____ Vacant _____

Requested by
Planning & Zoning Committee

08-08-17

Deb Magritz: 07-27-17

REVIEWED: Administrator ; Corp. Counsel ; Finance Director 

ORDINANCE NO. 2017-___

**Revising Section 11.10, Shoreland Provisions,
of the Jefferson County Zoning Ordinance**

Executive Summary

The Jefferson County Planning & Zoning Department has completed amendments to the County shoreland regulations as required by State Administrative Rule – Natural Resources Chapter 115 (NR115) and the State of Wisconsin. These amendments are the result of two acts passed by the state legislature shortly after Jefferson County’s repeal and recreation of Section 11.10, Shoreland Provisions, of the Jefferson County Zoning Ordinance, which was passed by the County Board on March 8, 2016. Recently enacted Wisconsin Acts 167 and 391 amended state statutes requiring minor changes to NR115, which subsequently changed the State Model Shoreland Ordinance.

The attached text amendment, when passed by County Board, will bring Jefferson County’s ordinance back into compliance with current regulations. This is required by the Department of Natural Resources.

The County Planning & Zoning Department, with support from the Planning & Zoning Committee, recommends enacting this text amendment to incorporate all of the revisions and law changes to date. The most recent changes include how water navigability and ordinary high-water mark determinations are made; how public utility facilities are defined; updates to the substandard lot section; changes to boathouse regulations and existing exempt structures; modifications to reduce principle structure setbacks; activities allowed within a vegetative buffer zone; maintenance, repair, replacement or vertical expansion of non-conforming structures including those authorized by a variance; and a definition change to impervious surface.

A public hearing was held on the text amendment on July 20, 2017. The Planning & Zoning Committee met on July 24, 2017, and recommended forwarding this ordinance to the County Board.

THE COUNTY BOARD OF SUPERVISORS OF JEFFERSON COUNTY DOES
HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 11.10(b)1.c. (Shoreland Provisions) of the Jefferson County Zoning Ordinance is amended as follows:

c. The provisions of this chapter apply to regulation of the use and development of unincorporated shoreland areas. ~~Unless~~ ~~Not~~ specifically exempted by law, all cities, villages, towns, counties and, when s. 13.48 (13), Stats., applies, state agencies, ~~that~~ are required to

comply with, and obtain all necessary permits under local shoreland ordinances. The construction, reconstruction, maintenance or repair of state highways and bridges carried out under the direction and supervision of the Wisconsin Department of Transportation is not subject to local shoreland zoning ordinances if s. 30.2022 (1), Stats., applies (NR 115.02). Shoreland zoning requirements in annexed or incorporated areas are provided in s. 61.353 and s. 62.233, Stats.

Section 2. Section 11.10(b)2 (Shoreland Provisions) of the Jefferson County Zoning Ordinance is amended as follows:

2. DETERMINATIONS OF NAVIGABILITY AND ORDINARY HIGH-WATER MARK. Determinations of navigability and ordinary high-water mark location shall initially be made by the zoning administrator. When questions arise, the zoning administrator shall contact the appropriate office of the Department for a final determination of navigability or ordinary high-water mark. The County may work with surveyors with regard to s. 59.692(1h).

Section 3. Sections 11.10(b)6.g. and 11.10(b)6.g.1. (Shoreland Provisions) of the Jefferson County Zoning Ordinance are created as follows:

g. [s. 59.692(7), Stats.] The construction and maintenance of a facility is considered to satisfy the requirements of a shoreland zoning ordinance if:

1. The department has issued all required permits or approvals authorizing the construction or maintenance under ch. 30, 31, 281 or 283.

A “facility” means any property or equipment of a public utility, as defined in s. 196.01(5), or a cooperative association organized under ch. 185 for the purpose of producing or furnishing heat, light or power to its members only, that is used for the transmission, delivery or furnishing of natural gas, heat, light or power.

Section 4. Sections 11.10(e)4. and a. through c. (Shoreland Provisions) of the Jefferson County Zoning Ordinance are amended as follows:

4. ~~SUBSTANDARD LOTS. [NR 115.05(1)(a)3.] The intent of this provision is to allow lots that were legally created that currently do not meet the minimum lot width and area requirements to be considered a building site provided all ordinance requirements can be met. Substandard lots that have been reconfigured by a certified survey map or consolidated into one legal description with the register of deeds, which result in a larger (closer to conforming) lot should be allowed to be utilized as a building site. Additionally, lots that have a legal description for each substandard lot on record with the Register of Deeds but have one tax parcel number assigned by the Real Property Lister or Assessor for taxing/assessing purposes should be considered separate building sites and should not be considered consolidated. Lots that have had development over the lot lines should be combined with a legal description and recorded with a new deed prior to new development occurring. A legally created lot or parcel that met minimum area and minimum average width requirements when created, but does not meet current lot size requirements, may be used as a building site if all of the following apply:~~

a. ~~The substandard lot or parcel was never reconfigured or combined with another lot or parcel by plat, survey, or consolidation by the owner into one property tax parcel.~~

~~b. The substandard lot or parcel has never been developed with one or more of its structures placed partly upon an adjacent lot or parcel.~~

~~e. The substandard lot or parcel is developed to comply with all other ordinance requirements.~~

4. SUBSTANDARD LOTS [NR115.05(1)(A)3]. A legally created lot or parcel that met minimum area and minimum average width requirements when created, but does not meet current lot size requirements, may be used as a building site if all of the following apply:

a. The substandard lot or parcel was never reconfigured or combined with another lot or parcel by plat, survey or consolidation by the owner into one property tax parcel.

b. The substandard lot or parcel has never been developed with one or more of its structures placed partly upon an adjacent lot or parcel.

c. The substandard lot or parcel is developed to comply with all other ordinance requirements.

Note: The intent of this provision is to allow lots that were legally created that currently do not meet the minimum lot width and area requirements to be considered a building site provided all ordinance requirements can be met. Substandard lots that have been reconfigured by a certified survey map or consolidated into one legal description with the Register of Deeds, which result in a larger (closer to conforming) lot should be allowed to be utilized as a building site. Additionally, lots that have a legal description for each substandard lot on record with the Register of Deeds, but have one tax parcel number assigned by the Real Property Lister or Assessor for taxing assessing purposes, should be considered separate building sites and should not be considered consolidated. Lots that have had development over the lot lines should be combined with a legal description and recorded with a new deed prior to new development occurring.

Section 5. Section 11.10(f)1.a. (Shoreland Provisions) of the Jefferson County Zoning Ordinance is amended as follows:

a. EXEMPT STRUCTURES [NR 115.05(1)(b)1m and s. 59.692(1k)(a)6, Wis. Stats.]
All of the following structures are exempt from the shoreland setback standards in subd. 11.10(f)1:

Section 6. Sections 11.10(f)1.a.1.e. and 1. through 3. (Shoreland Provisions) of the Jefferson County Zoning Ordinance are amended as follows:

~~e. Roof slope may not be less than 2:12 (rise to run). Boathouse roofs shall not be designed or used as decks, observation platforms or for other similar uses.~~

e. The roof of a boathouse may be used as a deck provided that:

(1) The boathouse has a flat roof.

(2) The roof has no side walls or screens.

(3) The roof has a railing that meets the Department of Safety and Professional Services standards.

Section 7. Section 11.10(f)1.a.8. (Shoreland Provisions) of the Jefferson County Zoning Ordinance is created as follows:

8. Devices or systems used to treat runoff from impervious surfaces.

Section 8. Section 11.10(f)1.b. (Shoreland Provisions) of the Jefferson County Zoning Ordinance is created as follows:

b. EXISTING EXEMPT STRUCTURES. [s. 59.692(1k)(a)2m(bm), Stats.] Existing exempt structures may be maintained, repaired, replaced, restored, rebuilt and remodeled provided the activity does not expand the footprint and does not go beyond the three-dimensional building envelope of the existing structure. Counties may allow expansion of a structure beyond the existing footprint if the expansion is necessary to comply with applicable state or federal requirements.

Note: Section 59.692(1k)(a)2m, Stats., prohibits counties from requiring any approval or imposing any fee or mitigation requirement for the activities specified in section 11.10(f)(2). However, it is important to note that property owners may be required to obtain permits or approval and counties may impose fees under ordinances adopted pursuant to other statutory requirements, such as floodplain zoning, general zoning, sanitary codes, building codes or stormwater erosion control.

Section 9. Section 11.10(f)2 (Shoreland Provisions) of the Jefferson County Zoning Ordinance is amended as follows:

~~2. REDUCED PRINCIPAL STRUCTURE SETBACK. [NR 115.05(1)(b)1 & s. 59.692(1d)(a)] Existing development pattern means that principal structures exist within 250 feet of the proposed principal structure in both directions along the shoreline. Where there is an existing development pattern, the shoreland setback for a proposed principal structure may be reduced to the average shoreland setback of the principal structure on each adjacent lot of the proposed principal structure. The shoreland setback may not be reduced to less than 35 feet from the ordinary high water mark of any navigable waters.~~

2. REDUCED PRINCIPAL STRUCTURE SETBACK. [s.59.692(1n), Stats.] A setback less than the 75' required setback from the ordinary high water mark shall be permitted for a proposed principal structure and shall be determined as follows:

a. Where there are existing principal structures in both directions, the setback shall equal the average of the distances the two existing principal structures are set back from the ordinary high water mark provided all of the following are met:

1. Both of the existing principal structures are located on an adjacent lot to the proposed principal structure.

2. Both of the existing principal structures are located within 250' of the proposed principal structure and are the closest structure.

3. Both of the existing principal structures are located less than 75' from the ordinary high water mark.

4. The average setback shall not be reduced to less than 35' from the ordinary high water mark of any navigable water.

b. Where there is an existing principal structure in only one direction, the setback shall equal the average of 75 feet and the distance that the existing structure is set back from the ordinary high-water mark provided all of the following are met:

1. The existing principal structure is located on the adjacent lot to the proposed principal structure.

2. The existing principal structure is located within 250' of the proposed principal structure and is the closest structure.

3. The existing principal structure is located less than 75' from the ordinary high water mark.

4. The average setback shall not be reduced to less than 35' from the ordinary high water mark of any navigable water.

Section 10. Section 11.10(g)2 and a. through f. (Shoreland Provisions) of the Jefferson County Zoning Ordinance are amended as follows:

2. ESTABLISHMENT OF ACTIVITIES ALLOWED WITHIN A VEGETATIVE BUFFER ZONE. [NR 115.05(1)(c)2.] To protect water quality, fish and wildlife habitat and natural scenic beauty, and to promote preservation and restoration of native vegetation, the county ordinance shall designate land that extends from the ordinary high water mark to a minimum of 35 feet inland as a vegetative buffer zone and prohibit removal of vegetation in the vegetative buffer zone except as follows:

a. The county may allow routine maintenance of vegetation.

~~b. The county may allow removal of trees and shrubs in the vegetative buffer zone to create access and viewing corridors. Per s. 59.692(1f)(b), Stats., the viewing corridor may be up to 35 feet wide for every 100 feet of shoreline frontage. The viewing corridor may run contiguously for the entire maximum width or shoreline frontage owned. For lots with less than 100 feet of shoreline frontage at the OHWM, the maximum width of the view and access corridor may not exceed thirty five (35) percent of the lot width at the OHWM. Example, if a property has 199 feet of shoreline frontage, the viewing corridor may be up to 35 feet wide. If a property has 200 feet of frontage, the viewing corridor may be up to 70 feet wide.~~

~~c. When the property owner applies for a Zoning and Land Use Permit on a parcel which includes land within 75 feet of the OHWM, a separate Zoning and Land Use Permit shall identify the location of the access and viewing corridor for that property.~~

~~d. The county may allow removal of trees and shrubs in the vegetative buffer zone on a parcel with 10 or more acres of forested land consistent with "generally accepted forestry management practices" as defined in s. NR 1.25 (2) (b), and described in Department publication "Wisconsin Forest Management Guidelines" (publication FR-226), provided that vegetation removal will be consistent with these practices.~~

~~e. The county may allow removal of vegetation within the vegetative buffer zone to manage exotic or invasive species, vegetation that must be removed to control disease, is dead or dying, or vegetation creating an imminent safety hazard, provided that any vegetation removed be replaced by replanting in the same area as soon as practicable.~~

~~f. The county may authorize by land use permit additional vegetation management activities in the vegetative buffer zone. The land use permit issued under this subd. par. shall require that all management activities comply with detailed plans according to Section 11.10(1) that are approved by the county and designed to control erosion by limiting sedimentation into the waterbody, to improve the plant community by replanting in the same area, and to maintain and monitor the newly restored area. The permit also shall require an enforceable restriction to preserve the newly restored area.~~

~~Note: Section 59.692(1f)(a) prohibits counties from requiring a property owner to establish a vegetative buffer zone on previously developed land or expand an existing vegetative buffer zone. However, as part of a county's shoreland mitigation standards [Section 11.10(1)], the establishment or expansion of the vegetative buffer may remain an option.~~

b. The county may allow removal of trees and shrubs in the vegetative buffer zone to create access and viewing corridors. Pursuant to s. 59.692(1f)(b), Stats., the viewing corridor may be 35 feet wide for every 100 feet of shoreline frontage. The viewing corridor may run contiguously for the entire maximum width of shoreline frontage owned.

c. The county may allow removal of trees and shrubs in the vegetative buffer zone on a parcel with 10 or more acres of forested land consistent with "generally accepted forestry management practices" as defined in NR 1.25 (2) (b), Wis. Adm. Code, and described in Department publication "Wisconsin Forest Management Guidelines" (publication FR-226), provided that vegetation removal be consistent with these practices.

d. The county may allow removal of vegetation within the vegetative buffer zone to manage exotic or invasive species, damaged vegetation, vegetation that must be removed to control disease, or vegetation creating an imminent safety hazard, provided that any vegetation removed be replaced by replanting in the same area as soon as practicable.

e. The county may authorize by permit additional vegetation management activities in the vegetative buffer zone. The permit issued under this paragraph shall require that all management activities comply with detailed plans approved by the county and designed to control erosion by limiting sedimentation into the waterbody; improve the plant community by replanting in the same area; and maintain and monitor the newly restored area. The permit also shall require an enforceable restriction to preserve the newly restored area.

Section 11. Section 11.10(k)2 (Shoreland Provisions) of the Jefferson County Zoning Ordinance is amended as follows:

2. MAINTENANCE, REPAIR, REPLACEMENT OR VERTICAL EXPANSION OF NONCONFORMING STRUCTURES. [s. 59.692(1k)(a)1.b. and d., Wis. Stats.] An existing structure that was lawfully placed when constructed but that does not comply with the required shoreland setback may be maintained, repaired, replaced, restored, rebuilt or remodeled if the activity does not expand the footprint of the nonconforming structure. Further, an existing structure that was lawfully placed when constructed but that does not comply with the required shoreland setback may be vertically expanded unless the vertical expansion would extend more than 35 feet above grade level. Counties may allow expansion of a structure beyond the existing footprint if the expansion is necessary to comply with applicable state or federal requirements.

Note: Section 59.692(1k)(a)2, 4 and (b)1.b. and d. prohibit counties from requiring any approval or imposing any fee or mitigation requirement for the activities specified in section 11.10(k)2. However, it is important to note that property owners may be required to obtain permits or approvals and counties may impose fees under ordinances adopted pursuant to other statutory requirements, such as floodplain zoning, general zoning, sanitary codes, building codes, or even stormwater erosion control.

Note: NR115.05(1)(b)1.m. lists structures that are exempt from the shoreland setback. These structures are considered conforming structures and are not considered nonconforming

structures. Structures that were granted variances or illegally constructed structures are not considered nonconforming structures.

Section 12. Section 11.10(k)6 (Shoreland Provisions) of the Jefferson County Zoning Ordinance is created as follows:

6. MAINTENANCE, REPAIR, REPLACEMENT OR VERTICAL EXPANSION OF STRUCTURES THAT WERE AUTHORIZED BY VARIANCE. [s. 59.692(1k)(a)2. and (a)4.] A structure of which any part has been authorized to be located within the shoreland setback area by a variance granted before July 13, 2015 may be maintained, repaired, replaced, restored, rebuilt or remodeled if the activity does not expand the footprint of the authorized structure. Additionally, the structure may be vertically expanded unless the vertical expansion would extend more than 35 feet above grade level. Counties may allow expansion of a structure beyond the existing footprint if the expansion is necessary to comply with applicable state or federal requirements.

Note: Section 59.692(1k)(a)2. Prohibits counties from requiring any approval or imposing any fee or mitigation requirement for the activities specified in section 12. However, it is important to note that property owners may be required to obtain permits or approvals and counties may impose fees under ordinances adopted pursuant to other statutory requirements, such as floodplain zoning, general zoning, sanitary codes, building codes, or stormwater erosion control.

Section 13. Section 11.10(r)2.n. (Shoreland Provisions) of the Jefferson County Zoning Ordinance is amended as follows:

n. "Impervious surface" [NR 115.03(4g)] means an area that releases as runoff all or a majority of the precipitation that falls on it. "Impervious surface" excludes frozen soil but includes rooftops, sidewalks, driveways, parking lots, and streets unless specifically designed, constructed, and maintained to be pervious. Roadways as defined in s. 340.01(54), Wis. Stats. or sidewalks as defined in s. 340.01(58), Wis. Stats. are not considered impervious surfaces.

Section 13. This ordinance shall be effective after passage and publication as provided by law.

Ayes_____ Noes_____ Abstain_____ Absent_____ Vacant_____

Requested by
Planning & Zoning Committee

08-08-17

Rob Klotz: 05-05-17; 05-19-17; J. Blair Ward: 07-19-17

REVIEWED: Administrator ; Corp. Counsel ; Finance Director 

PROCLAMATION

Child Support Awareness Month

WHEREAS, the State of Wisconsin recognizes children as its greatest resource, and

WHEREAS, children's well-being, economic security and success in life are enhanced by parents who provide financial and emotional support, and

WHEREAS, Wisconsin's Child Support Program ensures that parents take responsibility for the care and well-being of their children, supporting the involvement of parents in their children's lives and providing services to both custodial and noncustodial parents, and

WHEREAS, child support agencies in Wisconsin collected more than \$658 million in child support in 2016, and

WHEREAS, sustaining the Child Support Program is an effective investment in Wisconsin's future because the Child Support Program increases self-sufficiency, reduces child poverty and has a positive effect on children's well-being, and

WHEREAS, increased public awareness of the importance of providing children with the support they need and the services offered by the Child Support Program through its county and tribal-child support agencies benefits Wisconsin's children and families,




NOW, THEREFORE, the Jefferson County Board of Supervisors does hereby proclaim August as Child Support Awareness Month and commends this observance to all citizens.

Ayes _____ Noes _____ Abstain _____ Absent _____ Vacant _____

Requested by
Finance Committee

08-08-17

Stacey Jensen: 07-05-17; J. Blair Ward: 07-18-17

REVIEWED: Administrator ; Corp. Counsel ; Finance Director 

PROCLAMATION

Proclaiming the month of September as Juror Appreciation Month

WHEREAS, the right to have a trial by a fair and representative jury is an essential safeguard protected by both the United States and Wisconsin Constitutions, and

WHEREAS, service as a juror in the Jefferson County Circuit Court is, along with voting, one of the most important responsibilities of citizenship, and

WHEREAS, the Wisconsin State Court system, partnering with the State Bar of Wisconsin, has established September as Juror Appreciation Month, a time to publicly recognize the contribution of those who are summoned and serve.

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby proclaims the month of September as Juror Appreciation Month and supports the goals of:

- Educating the public about jury duty and the importance of jury service, and
- Applauding the efforts of jurors who fulfill their civic duty, and
- Ensuring that all jurors are treated with respect and that their service is not unduly burdensome.

BE IT FURTHER RESOLVED that the Jefferson County Board of Supervisors extends its sincere thanks and appreciation to all employers who pay employees their normal wages while they serve as jurors, preventing financial hardship and fostering community strength.

BE IT FURTHER RESOLVED that the Jefferson County Board of Supervisors honors the service and commitment of citizens who perform jury duty, who by participating in the judicial process, aid those elected to serve the citizens of Jefferson County by preserving the rule of law and maintaining the foundation for a free society.



Fiscal Note: Adoption of this proclamation will have no fiscal impact.

Ayes _____ Noes _____ Abstain _____ Absent _____ Vacant _____

Requested by
Administration & Rules Committee

08-08-17

J. Blair Ward: 07-20-17; 07-21-17; 07-24-17

REVIEWED: Administrator ; Corp. Counsel ; Finance Director 