

**JEFFERSON COUNTY BOARD MINUTES
TUESDAY, DECEMBER 9, 2014, 7:00 P.M.**

Chair Jim Schroeder presiding.

County Clerk Barbara A. Frank called the roll with all supervisors present except Supervisors Counsell and Hartz who gave prior notice of their absence.

District 1.....	Richard C. Jones	District 2	Mike Kelly
District 3.....	Greg David	District 4	Augie Tietz
District 5....	James B. Braughler	District 6	Ron Buchanan
District 7.....	Dwayne C. Morris	District 8	Michael Wineke
District 9.....	Amy Rinard	District 10	Al C. Counsell
District 11.....	Donald Reese	District 12	Peter A. Hartz
District 13.....	Ed Morse	District 14	Kirk Lund
District 15.....	Steven J. Nass	District 16	Laura Payne
District 17.....	Russell Kutz	District 18	Jennifer Hanneman
District 19.....	Jim Schroeder	District 20	Jim Mode
District 21.....	John C. Kannard	District 22	Blane Poulson
District 23.....	George Jaeckel	District 24	Callie Edwards
District 25.....	Matthew Foelker	District 26	Carlton Zentner
District 27.....	Glen D. Borland	District 28	Dick Schultz
District 29.....	Paul Babcock	District 30 ...	Walt Christensen

County Administrator Wehmeier led the Pledge of Allegiance. A moment of silence was observed.

Wehmeier certified compliance with the Open Meetings Law.

Agenda was approved as revised on December 8, 2014.

Rinard, Chair of the Administration & Rules Committee, moved that the minutes of the October 28 and November 12, 2014, meetings be approved as presented. Seconded and carried.

Special Order of Business. David W. Pluymers, Southern Regional Director of Public Health, made a presentation of the 140 Review Award to the Jefferson County Health Department. Director/Health Officer Gail Scott and Diane Nelson, Public Health Program Manager, accepted the award.

Communications.

**GENERAL FINANCIAL CONDITION
JEFFERSON COUNTY, WISCONSIN
December 1, 2014**

Available Cash on Hand			
November 1, 2014	\$	93,427.62	
November Receipts		<u>6,574,597.07</u>	
Total Cash	\$		6,668,024.69
Disbursements			
General – November 2014	\$	5,610,422.91	
Payroll – November 2014		<u>1,219,344.42</u>	
Total Disbursements			<u>6,829,767.33</u>

Total Available Cash	\$	(161,742.64)
Cash on Hand		
(in banks) December 1, 2014	\$	724,864.67
Less Outstanding Checks		<u>886,607.31</u>
Total Available Cash	\$	(161,742.64)
Local Government Investment Pool -		
General	\$	17,466,564.92
Institutional Capital Management		16,206,381.73
Local Government Investment Pool -		
Clerk of Courts		25,945.31
Local Government Investment Pool -		
Farmland Preservation		227,730.87
Local Government Investment Pool -		
Parks/Liddle		81,513.53
Local Government Investment Pool -		
Highway Bond		<u>6,295,918.01</u>
	\$	40,304,054.37
2014 Interest - Super N.O.W. Acct.	\$	1,262.27
2014 Interest - L.G.I.P. - General Funds		19,316.55
2014 Interest - ICM		154,700.80
2014 Interest - L.G.I.P. - Parks/Carol Liddle Fund		68.12
2014 Interest - L.G.I.P. - Farmland Preservation		181.19
2014 Interest - L.G.I.P. - Clerk of Courts		20.21
2014 Interest - L.G.I.P. - Highway Bond		<u>3,139.27</u>
Total 2014 Interest	\$	178,688.41

JOHN E. JENSEN, JEFFERSON COUNTY TREASURER

Frank presented the following communications:

1. County Board Chair appointments, dated November 20, 2014, to the Task Force on County Operations and Organizations under § 59.54(8), Wisconsin Statutes, effective November 20, 2014: Supervisor Jennifer Hanneman, City of Jefferson, County Board; Supervisor George Jaeckel, Town of Koshkonong, County Board; Supervisor Russell Kutz, City of Jefferson, County Board; Supervisor Steven Nass, Town of Lake Mills, County Board; Ronald Krueger, City of Watertown, citizen; Timothy A. Smith, City of Fort Atkinson, citizen; Human Services Director Kathi Cauley, County employee; Parks Director Joseph Nehmer, City of Fort Atkinson, County employee; and District Attorney Susan Happ, elected official.
2. County Board Chair appointment, dated December 3, 2014, of Ron Buchanan to the Solid Waste/Air Quality Committee to fill an unexpired term ending April 19, 2016 (effective December 3, 2014).
3. Correspondence and attachments dated November 20, 2014, from Stephen Fischer, Sullivan, to the Jefferson County Board of Supervisors, Jefferson County Planning & Zoning and Zoning Administrator Rob Klotz regarding Ken and Sue Rheingans request for a zoning change to expand.
4. Notice of Public Hearing from the Jefferson County Planning

and Zoning Committee for a hearing to be held on December 18, 2014, at 7:00 p.m. in Room 205 of the Jefferson County Courthouse.

5. Press Release dated December 4, 2014, from Jefferson County Solid Waste/Air Quality Committee regarding Jefferson County having recycled three million pounds of electronic waste from 2010 through December 4, 2014, through its partnership with Universal Recycling Technologies headquartered in Janesville, Wisconsin.

Public Comment on Agenda Items. Buck Smith, Johnson Creek, spoke to the Board on what is happening in Wisconsin since the election of Governor Walker.

Rinard, Chair of the Administration & Rules Committee, introduced Ordinance No. 2014-30.

Executive Summary

The Jefferson County Board of Supervisors Rules of Order 2014 – 2016 do not set forth the procedure for electing officers for Jefferson County governing bodies unless the governing bodies are designated as a Committee, Board or Commission. The amendment to section 3.07(1) to the Rules of Order would establish a procedure for the election of officers for all County governing bodies such as the Land Information Council which is not regulated by the current Jefferson County Board of Supervisors Rules of Order.

There is no language in the Jefferson County Board of Supervisors Rules of Order 2014 – 2016 that addresses the public's opportunity to give public comment at meetings of County committees, boards, commissions, or other bodies or addressing the Committee Chair's authority to regulate public comment. Creating section 3.07(9) would require all meetings of County committees, boards, commissions, or other bodies to allow public comment and creating section 3.07(10) would give the Chair the ability to maintain reasonable control of public comments.

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

Section 1. Section 3.07(1) of the Board of Supervisors Rules of Order 2014 – 2016 is amended as follows:

3.07 RULES OF COMMITTEES, BOARDS, AND COMMISSIONS- AND OTHER BODIES.

(1) The committee, board, or commission or other body shall select its Chairperson, Vice-Chairperson and Secretary, except where committee organization is otherwise governed by law; after the County Board organizational meeting in April of even-numbered years. A Chairperson, Vice-Chairperson or Secretary may be removed by majority vote of the committee, board; ~~or commission-~~ or other body. [am. 03/11/08, Ord. 2007-43].

Section 2. Section 3.07 (9) of the Board of Supervisors Rules of Order 2014 – 2016 is created as follows:

(9) All agendas of County committees, boards, commissions and other bodies shall include the following language: "Members

of the public who wish to address the (committee) (board) (commission) (other body) on specific agenda items must register their request at this time.”

Section 3. Section 3.07(10) of the Board of Supervisors Rules of Order 2014 – 2016 is created as follows:

(10) The Committee Chair has the right to maintain reasonable control and impose reasonable time limitations on all public comments as set forth in Robert’s Rules of Order.”

Section 3. These ordinances shall be effective after passage and publication as provided by law.

Rinard moved for the adoption of Ordinance No. 2014-30.
Seconded.

Nass moved to suspend Board Rule 3.09 regarding laying over Ordinance No. 2014-30. Unanimous approval was given to suspend the rules.

Zentner moved to amend Ordinance No. 2014-30 as follows: (10) The Committee Chair has the right to maintain reasonable control and impose reasonable time limitations to a 10 minute minimum, if needed, on all public comments as set forth in Robert’s Rules of Order. Seconded.

Zentner revised his amendment to read as follows: (10) The Committee Chair has the right to maintain reasonable control and impose reasonable time limitations but not to exceed 10 minutes per person, if the speaker so needs, on all public comments as set forth in Robert’s Rules of Order. Seconded and failed.

Christensen moved to amend Ordinance No. 2014-30 as follows: (9) All agendas of County committees, boards, commissions and other bodies shall include the following language: “Members of the public who wish to address the (committee) (board) (commission) (other body) shall keep comments pertinent to the work of the committee on specific agenda items and must register their request at this time.” Seconded and carried.

Nass moved to refer Ordinance No. 2014-30 back to the Administration & Rules Committee. Seconded and carried.

Rinard introduced Ordinance No. 2014-31.
Executive Summary

Jefferson County currently does not have a formal written procedure or rule for filling a vacancy on the County Board of Supervisors. Because Jefferson County has been declared as a self-organized county, section 59.10 of the Wisconsin Statutes gives the Jefferson County Board the authority to determine the procedure for filling a vacancy in the event of the death, removal or resignation of a county board supervisor.

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

Section 1. Section 3.02(8) of the Board of Supervisors Rules of Order 2014-2016 is created as follows:

3.02(8). Vacancies. If a vacancy occurs on the board, the County Board Chairperson shall appoint a person who is a qualified elector and resident of the supervisory district to fill the vacan-

cy subject to confirmation by majority vote of the County Board of Supervisors. The successor shall serve for the unexpired portion of the term to which the person is appointed, unless the board orders a special election to fill the vacancy, in which case the person appointed shall serve until his or her successor is elected and qualified. A person so elected shall serve for the remainder of the unexpired term.

Section 2. This ordinance shall be effective after passage and publication as provided by law.

Rinard moved for the adoption of Ordinance No. 2014-31.
Seconded.

Rinard moved to suspend Board Rule 3.09 regarding laying over Ordinance No. 2014-31. Unanimous approval was given to suspend the rules.

Under Section 3.09 of the County Board Rules an amendment to the rules shall need a 2/3 vote to be adopted. Ordinance No. 2014-31 was adopted: Ayes 28 (Jones, Kelly, David, Tietz, Braughler, Buchanan, Morris, Wineke, Rinard, Reese, Morse, Lund, Nass, Payne, Kutz, Hanneman, Schroeder, Mode, Kannard, Poulson, Jaeckel, Edwards, Foelker, Zentner, Borland, Schultz, Babcock, Christensen), Noes 0, Absent 2 (Counsell, Hartz).

Tietz, County representative to the Jefferson County Economic Development Consortium, introduced Resolution No. 2014-56.

Executive Summary

Jefferson County was awarded an Environmental Protection Agency brownfields assessment grant for environmental investigations and remedial planning activities for hazardous substances sites. Following the grant award, Jefferson County published a request for proposals to determine the most cost-effective responsible bidder to provide environmental investigations and remedial planning activities. All proposals were reviewed by a working group created by the County Administrator consisting of members of the Jefferson County Economic Development Consortium and County staff. The working group has made a recommendation to contract with SCS Engineers finding that this consultant was the most cost-effective responsible bidder. This recommendation is endorsed by the County Administrator.

WHEREAS, the Environmental Protection Agency has awarded Jefferson County a brownfields assessment grant for environmental investigations and remedial planning activities for hazardous substances sites, and

WHEREAS, a Request for Proposals was published seeking a consultant to provide and perform certain environmental engineering services related to performing brownfield assessments, and

WHEREAS, a working group created by the County Administrator consisting of members of the Jefferson County Economic Development Consortium and County staff has reviewed the proposals and recommends SCS Engineers as the most cost-ef-

fective bidder to contract with and perform professional services. This recommendation is endorsed by the County Administrator.

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors finds that SCS Engineering is the most cost-effective responsible bidder.

BE IT FURTHER RESOLVED that the County Administrator is authorized to enter into a multi-year contract with SCS Engineers for an amount not to exceed \$169,300.00 for environmental investigations and remedial planning activities for hazardous substances sites.

Fiscal Note: The cost to Jefferson County in entering into this contract will not exceed \$169,300.00. This amount has been fully funded through a 2014 EPA grant. No tax levy dollars will be used.

Tietz moved that Resolution No. 2014-56 be adopted. Seconded and carried: Ayes 28 (Jones, Kelly, David, Tietz, Braugher, Buchanan, Morris, Wineke, Rinard, Reese, Morse, Lund, Nass, Payne, Kutz, Hanneman, Schroeder, Mode, Kannard, Poulson, Jaeckel, Edwards, Foelker, Zentner, Borland, Schultz, Babcock, Christensen), Noes 0, Absent 2 (Counsell, Hartz).

Poulson, Chair of the Fair Park Committee, introduced Resolution No. 2014-57.

Executive Summary

The Jefferson County Fair Park solicited bids for a 3-year exclusive signage marketing partnership agreement with a fermented malt beverage distributor. The bid from Miller/Ott Schweitzer Distributors, Inc. is being recommended for acceptance.

WHEREAS, the Fair Park Director published a request for proposals and advertised the opportunity for a Fair Park signage agreement for fermented malt beverage products, and

WHEREAS, Miller/Ott Schweitzer Distributors, Inc. has offered \$25,000 per year for a three-year contract on the terms and conditions set forth in the proposed agreement attached hereto, and

WHEREAS, the Fair Park Director and Fair Park Committee recommend entering into a signage agreement with Miller/Ott Schweitzer Distributors, Inc. on the terms and conditions proposed,

NOW, THEREFORE, BE IT RESOLVED that the Fair Park Director is authorized to execute a contract with Miller/Ott Schweitzer Distributors, Inc. in the amount of \$75,000 for an exclusive three-year signage agreement.

Fiscal Note: The County will receive \$25,000 per year for 3 years, which was the same as the 2012-2014 agreement with Miller/Ott Schweitzer Distributors, Inc.

Poulson moved that Resolution No. 2014-57 be adopted. Seconded.

Buchanan moved to refer Resolution No. 2014-57 back to the Fair Park Committee. Seconded and carried.

Jones, Chair of the Finance Committee, introduced Resolution No. 2014-58.

Executive Summary

Currently the County is self-insured for worker's compensation instead of having an outside insurance provider. Every three years the County must file a resolution to self-insure with the Department of Workforce Development. The County works with an insurance consultant to determine if there is cost savings to the County to stay self-insured. The estimated amount per year for the premium would be approximately \$620,295 or \$1,860,885 for three years. From 2011 through 2013 the County spent \$680,061 on claims, administration costs and excess premiums.

WHEREAS, Jefferson County is a qualified political subdivision of the State of Wisconsin, and

WHEREAS, the Wisconsin Worker's Compensation Act (Act) provides that an employer covered by the Act either insure its liability with worker's compensation insurance carriers authorized to do business in Wisconsin, or be exempted from insuring liabilities with a carrier by assuming the responsibility for its own worker's compensation risk and payment, and

WHEREAS, the State and its political subdivisions may self-insure worker's compensation without a special order from the Department of Workforce Development (Department) if they agree to report faithfully all compensable injuries and agree to comply with the Act and rules of the Department, and

WHEREAS, a resolution to self-insure must be filed with the Department every three years,

NOW, THEREFORE, BE IT RESOLVED that Jefferson County shall continue its self-insured worker's compensation program in compliance with Wisconsin Administrative Code DWD 80.60(3), and

BE IT FURTHER RESOLVED that:

- (1) The County Board shall provide for the continuation of the self-insured worker's compensation program that is currently in effect.
- (2) Barbara A. Frank, County Clerk, is authorized to forward a certified copy of this resolution to the Worker's Compensation Division, Wisconsin Department of Workforce Development.
- (3) The County Administrator is directed to sign a certified copy hereof in accordance with Wisconsin Administrative Code DWD 80.60 (3)(b).

Fiscal Note: The County has self-insured worker's compensation liability since 1981. The average annual cost of this program fluctuates each year. The County's cost was about 37% of conventional insurance when last priced by the County's insurance consultant in 2014.

Jones moved that Resolution No. 2014-58 be adopted. Seconded and carried: Ayes 28 (Jones, Kelly, David, Tietz, Braughler, Buchanan, Morris, Wineke, Rinard, Reese, Morse, Lund, Nass, Payne, Kutz, Hanneman, Schroeder, Mode, Kannard, Poulson, Jaeckel, Edwards, Foelker, Zentner, Borland, Schultz, Babcock, Christensen), Noes 0, Absent 2 (Counsell, Hartz).

Jones introduced Resolution No. 2014-59.

Executive Summary

Section 59.21 of the Wisconsin Statutes requires that specified county officers execute and file an official bond following election or appointment, or in the alternative, the County Board may provide a schedule or blanket bond that includes any or all of these officials. Resolution No. 2006-54 currently designates surety protection through multiple policies covering specific elected and appointed officials, including members of the Veterans Service Commission as well as county employees. These policies are reviewed by Jefferson County's consultant, T. E. Brennan Company. T. E. Brennan Company is recommending that the County rescind Resolution No. 2006-54 and pass a resolution authorizing a blanket employee dishonesty policy covering County employees and elected and appointed officials.

WHEREAS, On December 12th, 2006, the Jefferson County Board of Supervisors passed Resolution 2006-54 authorizing surety protection through multiple policies covering specific elected and appointed officials, including members of the Veterans Service Commission as well as county employees, and

WHEREAS, Jefferson County's consultant, T. E. Brennan and Company, is recommending that the County rescind its current resolution and pass a resolution authorizing replacement of the current individual bonds with a blanket employee dishonesty policy covering elected and appointed positions, including members of the Veterans Service Commission as well as County employees in an amount not less than \$250,000, and

WHEREAS, Wisconsin Statute section 59.21 requires that the County Treasurer execute and file an official bond in an amount of not less than \$500,000, and

WHEREAS, additional coverage may be required for elected and appointed positions responsible for handling funds in excess of the blanket policy amounts of \$250,000.

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby authorizes replacement of the current individual bonds with a blanket employee dishonesty policy covering all elected and appointed positions including members of the Veterans Service Commission as well as county employees, in an amount not less than \$250,000 with the County Administrator having authority to increase coverage for elected and appointed positions responsible for handling funds in excess of the blanket policy amount.

BE IT FURTHER RESOLVED that the County Treasurer be named individually for any required excess coverage up to a total bond amount of \$500,000.

Fiscal Note: For 2015 the estimated expenses for insuring County officials and employees as described above is \$9,200, which is an approximate cost savings of \$4,600 with this coverage change.

Jones moved that Resolution No. 2014-59 be adopted. Seconded and carried: Ayes 28 (Jones, Kelly, David, Tietz, Braugler,

Buchanan, Morris, Wineke, Rinard, Reese, Morse, Lund, Nass, Payne, Kutz, Hanneman, Schroeder, Mode, Kannard, Poulson, Jaeckel, Edwards, Foelker, Zentner, Borland, Schultz, Babcock, Christensen, Noes 0, Absent 2 (Counsell, Hartz.)

Jaeckel, Chair of the Highway Committee, introduced Resolution No. 2014-60.

Executive Summary

On November 11, 2014 the Highway Department received bids on five items of heavy equipment (loader backhoe, pad-foot soil compactor, smooth drum soil compactor, road widener, skid-steer loader). The Highway Department also received a quote for a replacement water truck that will be set-up and utilized for construction projects and winter maintenance anti-icing. The new equipment will replace five existing equipment items that average 17 years old, all existing items will be traded or auctioned off, except the skid-steer which will be retained for use by the Highway Department. A bid summary is included in an additional report for your review.

WHEREAS, the Jefferson County Highway Department is updating highway construction and maintenance equipment, and

WHEREAS, bids were solicited for a loader backhoe, soil compactor (2), skid-steer tractor, and road widener, and

WHEREAS, numerous used trucks were reviewed in the last twelve (12) months for replacement of the existing water tanker truck, and

WHEREAS, the recommended used truck will be configured for use on construction sites and for winter maintenance anti-icing,

NOW, THEREFORE, BE IT RESOLVED that the following equipment is approved for purchase by the Highway Department:

Brooks Tractor: 2015 Loader Backhoe, John Deer 410K	Net Bid = \$88,100
FABCO: 2015 Pad Foot Compactor, Cat CP74B	Net Bid = \$152,500
FABCO: 2015 Smooth Drum Compactor, Cat CS68B	Net Bid = \$122,250
FABCO: 2015 Road Widener, Weiler W530	Bid = \$204,000
Midstate Equip.: 2015 Skid Steer Loader, Bobcat T750	Bid = \$52,764
Osc Tank/Truck Sales: 2004 Kenworth T800, Tank	Quote = \$65,000

Fiscal Note: Money to come from the Highway Department Equipment Operations Cost Center 53241.

Jaeckel moved that Resolution No. 2014-60 be adopted. Seconded and carried: Ayes 28 (Jones, Kelly, David, Tietz, Braughler, Buchanan, Morris, Wineke, Rinard, Reese, Morse, Lund, Nass, Payne, Kutz, Hanneman, Schroeder, Mode, Kannard, Poulson, Jaeckel, Edwards, Foelker, Zentner, Borland, Schultz, Babcock, Christensen), Noes 0, Absent 2 (Counsell, Hartz).

Braughler, Chair of the Human Resources Committee, intro-

duced Ordinance No. 2014-32.

Executive Summary

Intake Workers at the Human Services Department who are regularly assigned on-call duties are required to work after regular work hours, including nights, weekends and holidays. Shifts could range from 12 hours to 36 or more hours. During this time, an employee is allowed to take rest or sleep time within the shift as time and work allows. This “down” time is paid at a lower rate of pay equal to 75% of the employee’s normal hourly wage. Therefore, employees are allowed to use banked compensatory time to provide the employee with additional time to equal their full hourly pay. This allows employees to have a paycheck equal to the amount as if all hours were paid at the regular rate of pay. If an employee does not have hours in his or her compensatory bank, the employee receives a decreased paycheck. If the Intake On-call Worker’s compensatory time would be paid out November 30 of each year, the employee would not immediately have a bank of hours to make up for their lower rate of pay during on-call hours. Therefore, the Human Services Director and the Human Resources Committee recommend that the Human Services Director have the authority to allow non-exempt, Intake On-call workers to carry over up to 80 hours of compensatory time into the following year, but not to exceed 240 hours at any one time.

The other section of Personnel Ordinance HR0360 is being amended to address bonus pay provided to Public Health Nurses and the WIC Project Director. The recommendation is to clarify and move this language from the “non-exempt” section to the appropriate “other exempt” section.

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

Section 1. Sections HR0360(A)(3)(c) and (B)(8)(b), Hours of Work, Overtime and Compensatory Time shall be amended as follows:

HR0360 HOURS OF WORK, OVERTIME AND COMPENSATORY TIME.

A. Exempt Employees

3. Other classified exempt employees are eligible to use and accumulate compensatory time in accordance with the provisions of this policy.

c. Any altered daily work schedule from the assigned 40 hours per week will be at the discretion of the employee’s department head, and may be granted if the needs of the department allow for such alteration. Public Health Nurses or the WIC Project Director assigned to work as Clinical Instructors for nursing students shall receive a bonus equal to one-dollar (\$1.00) for each hour spent by the employee with nursing students.

B. Non-exempt Employees

8. Shift Differentials and Premium Pay

b. Public Health. Full-time Public Health Technicians working in the jail receive seventy-five cents (\$.75) per hour in addition to their regular rate of pay. ~~Public Health Nurses or WIC~~

Project Director assigned to work as Clinical Instructors for nursing students shall receive a one-dollar (\$1.00) per hour premium, for all hours spent by the employee with the student nurse.

Section 2. Sections HR0360(B)(5)(d), Hours of Work, Overtime and Compensatory Time shall be amended, Section HR0360(B)(5)(e) shall be created and the remaining sections re-numbered (f-g) as follows:

HR0360 HOURS OF WORK, OVERTIME AND COMPENSATORY TIME.

B. Non-exempt Employees

5. When accrual of compensatory time is authorized, the following provisions shall apply:

d. The maximum amount of compensatory time which may be accumulated is 160 hours of overtime worked or 240 hours of compensatory time. ~~Any compensatory time not used by November 30 shall be paid on the next regular pay check in December.~~ An employee who has accrued the maximum number of hours of compensatory time may reduce the hours below the maximum by the use of time off and resume accrual of compensatory time. [am. ord. 2006-30, 3/13/06; am. 12/13/11, ord. 2011-21].

e. Any compensatory time not used by November 30 shall be paid on the next regular paycheck in December. On-call Intake Social Workers may request to carry over a maximum of 80 hours of compensatory time by November 30. The decision to authorize the carry over of compensatory time is at the discretion of the Human Services Director and in no case shall banked compensatory time exceed 240 hours.

Section 3. This ordinance shall be effective upon passage.

Fiscal Note: There is no fiscal impact.

Braugler moved that Ordinance No. 2014-32 be adopted. Seconded and carried: Ayes 28 (Jones, Kelly, David, Tietz, Braugler, Buchanan, Morris, Wineke, Rinard, Reese, Morse, Lund, Nass, Payne, Kutz, Hanneman, Schroeder, Mode, Kannard, Poulson, Jaeckel, Edwards, Foelker, Zentner, Borland, Schultz, Babcock, Christensen), Noes 0, Absent 2 (Counsell, Hartz).

Braugler introduced Resolution No. 2014-61.

Executive Summary

The Human Resources Committee has discussed the issue of pay compression within the Sheriff's Department, in particular, between Sergeant and Deputy pay. At the July 15, 2014 HR Committee meeting, Carlson Dettmann Associates presented its analysis of pay compression within the Sheriff's Department. The determination was that presently there is not a pay compression issue when evaluating annual salaries. However, with the pay raises established for 2014, 2015 and 2016 that were negotiated for deputies and detectives, wage compression between sergeants and deputies/detectives may occur if the current non-represented pay plan is not adjusted. Therefore, the County Administrator requests, and the HR Committee recommends, a one-time non-cumulative lump sum wage adjustment for non-represented, sworn employees at the rate of 0.96% of their regular base hourly earn-

ings. This one-time adjustment is equal to the adjustment provided to other non-represented (general municipal) employees in 2011, when these employees began contributing to the Wisconsin Retirement System (WRS).

WHEREAS, it has been a regular practice of Jefferson County to review and adjust wages for non-represented employees in order to maintain internal pay equity among county employees, and

WHEREAS, in 2011 a one-time, non-cumulative lump sum wage adjustment for non-represented (general municipal) employees (excluding Sheriff's Department sworn staff and elected officials) of 0.96% of the employees' regular base hourly earnings was provided to off-set newly mandated WRS employee contributions, and

WHEREAS, the Human Resources Committee recommends the same one time, non-cumulative lump sum wage adjustment for non-represented Sheriff's Department sworn staff at the rate of 0.96% of the employees' regular base hourly earnings in 2014, exclusive of shift differential, overtime or other premiums, payable with the final paycheck in 2014.

NOW, THERFORE, BE IT RESOLVED that the Board adopts the recommendation of the Human Resources Committee to make a one-time lump sum payment to non-represented Sheriff's Department Sworn employees of 0.96% as calculated above.

Fiscal Note: The estimated cost of this proposal is \$15,881.20. This is a budget amendment which requires a two-thirds vote of the entire membership of the County Board (20 votes of the 30 member County Board).

Braugler moved that Resolution No. 2014-61 be adopted: Seconded and carried: Ayes 28 (Jones, Kelly, David, Tietz, Braugler, Buchanan, Morris, Wineke, Rinard, Reese, Morse, Lund, Nass, Payne, Kutz, Hanneman, Schroeder, Mode, Kannard, Poulson, Jaekel, Edwards, Foelker, Zentner, Borland, Schultz, Babcock, Christensen), Noes 0, Absent 2 (Counsell, Hartz).

Mode, Chair of the Human Services Board, introduced Resolution No. 2014-62.

Executive Summary

Jefferson County Human Services Department is required by state statute to have a budget and contracts in place with State departments and providers by the end of each year. Jefferson County Human Services Department contracts with several different state agencies, consortiums and in excess of 100 professionals and care providers. The Human Services Director or the Administrative Services Manager is authorized to sign addendums or revisions to said contracts during the course of the year as necessary. The Director or Administrative Services Manager is authorized to sign all other contracts with state agencies, consortiums, and pursuant to § 46.23(6m)(c), Stats., all professional services/care provider contracts as approved by the Human Services Board throughout the year.

WHEREAS, the Jefferson County Human Services Department contracts with several different state agencies, consortiums and in excess of 100 professionals and care providers in fulfillment of its statutory duties, and

WHEREAS, the Social Services & Community Programs contracts with the Department of Health Services and the Department of Children and Families, and the Youth Aids Program contracts with the Department of Corrections must be authorized by the County Board, and

WHEREAS, the Human Services Board recommends approval of the Social Services & Community Programs contracts with the Department of Health Services in the anticipated amount of \$3,566,094, the Department of Children and Families in the anticipated amount of \$1,068,542, the AAA Older American Programs in the anticipated amount of \$354,199, the Department of Transportation in the anticipated amount of \$185,118, the Department of Health Services Division of Long Term Care in the anticipated amount of \$499,756 with anticipated federal funds of \$394,787 for the Aging and Disability Resource Center Grant, Wisconsin Home Energy Assistance Program in the anticipated amount \$194,235, and the Youth Aids contract with the Department of Corrections in the anticipated amount of \$734,521, and

WHEREAS, the consortium agreement requires Board approval for the State/Federal Income Maintenance Programs through Southern Consortium in the anticipated amount of \$1,421,602, and

WHEREAS, the Department contracts with numerous professional service providers and care providers, usually on an annual basis, as approved by the Human Services Board,

NOW, THEREFORE, BE IT RESOLVED that the Human Services Director or the Administrative Services Division Manager is authorized to execute the state contracts and consortium contract set forth above.

BE IT FURTHER RESOLVED that the Human Services Director or the Administrative Services Manager is authorized to sign addendums or revisions to said contracts during the course of the year as necessary.

BE IT FURTHER RESOLVED that the Director or Administrative Services Manager are authorized to sign all other contracts with state agencies, consortiums and pursuant to § 46.23(6m) (c), Stats., all professional services/care provider contracts as approved by the Human Services Board.

Fiscal Note: State law requires County Board approval of the state contracts set forth above. The contracts have not been reproduced because they total in excess of 100 pages. The contracts are standard state forms which are not subject to negotiation by individual counties. The state human services association, WCHSA, does negotiate the basic agreements on behalf of the counties. The professional/care provider contract list for 2015 is available in the County Clerk's office upon request or on the County's website at www.jeffersoncountywi.gov.

Mode moved that Resolution No. 2014-62 be adopted. Seconded and carried: Ayes 28 (Jones, Kelly, David, Tietz, Braughler, Buchanan, Morris, Wineke, Rinard, Reese, Morse, Lund, Nass, Payne, Kutz, Hanneman, Schroeder, Mode, Kannard, Poulson, Jaeckel, Edwards, Foelker, Zentner, Borland, Schultz, Babcock, Christensen), Noes 0, Absent 2 (Counsell, Hartz).

Nass, Chair of the Planning & Zoning Committee, introduced the following:

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, filed for public hearing held on October 16 and November 20, 2014, 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 R3753A-14, R3755A-14,
R3757A-14, R3758A-14, R3767A-14, R3769A-14, R3770A-14,
R3771A-14 AND R3766T-14**

DATED THIS TWENTY-FOURTH DAY OF NOVEMBER 2014

Donald Reese, Secretary

**THE PRIOR MONTH'S AMENDMENTS R3754A-14,
R3756A-14, R3759A-14, R3760A-14, R3761A-14, R3762A-14,
R3763A-14, R3764A-14, R3765A-14 ARE EFFECTIVE
UPON PASSAGE BY COUNTY BOARD, SUBJECT TO WIS.
STATS. 59.69(5).**

Nass moved that the report be adopted. Seconded and carried.

Nass introduced Ordinance No. 2014-33.

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

WHEREAS, Petitions R3753A-14, R3755A-14, R3757A-14 and R3758A-14 were referred to the Jefferson County Planning and Zoning Committee for public hearing on October 16, and Petitions R3767A-14, R3769A-14, R3770A-14, R3771A-14 were referred for public hearing on November 20, 2014, 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:

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

Rezone to create a 2.2935-acre farm consolidation lot around the home at N6534 CTH N. The site is on PIN 002-0714-1143-000 (30 acres) in the Town of Aztalan. This action is conditioned upon receipt and recording of a final certified survey map, including extraterritorial plat review if necessary. It is further conditioned

upon having a letter from the petitioner indicating that they will be creating a drive from the new fire number to the new home. (R3753A-14 – Dean & Susan Anderson)

Rezone 0.26 acre of PIN 020-0714-0712-000 (19.485 acres) at N6877 Hoopers Mill Lane to add it to the A-3 zoned lot at N6885 Hoopers Mill Lane. This is requested for a new shed site in the Town of Milford. Rezoning is conditioned upon either receipt and recording of a final certified survey map for the expanded lot or a deed transfer document for the additional area. (R3755A-14 – David Messmer/Edwin & Kathleen Messmer Trust property)

Rezone approximately 2.1 acres from PINs 030-0813-1412-002 (37.233 acres) and 030-0813-1413-002 (37.921 acres) to add it to an adjoining A-3 lot at W7877 Kowski Lane in the Town of Waterloo. This action is conditioned upon either receipt and recording of a final certified survey map for the expanded lot or deed transfer document for the additional area. (R3757A-14 – Joshua Davis/Carl & Bonnie Eggert property)

Rezone part of PINs 030-0813-2642-000 (33.867 acres) and 030-0813-2643-001 (2.698 acres) to create a 3-acre farm consolidation lot around the home at N7728 STH 89; to add approximately 1.2 acre to an existing A-3 zone at N7726 STH 89; and to create a 2-acre vacant lot, also on STH 89. The sites are in the Town of Waterloo. This will utilize 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 and upon receipt by Zoning of a soil test showing sites for installation of both initial and replacement private sewage systems for the vacant lot, and upon approval and recording of a final certified survey map for the proposal. (R3758A-14 – Burkhard Laas Trust & Jens Laas)

FROM RESIDENTIAL R-2 TO A-1, EXCLUSIVE AGRICULTURAL

Rezone approximately 0.5 acre of PIN 016-0514-0222-007 (1.5 acres) to allow its inclusion with an adjoining A-1 zoned property. The site is in the Town of Koshkonong, part of N2464 Rock River Road. Rezoning is conditioned upon recording of either a final certified survey map for the enlarged property or a deed transfer document. (R3767A-14 – Don Pettit/D&F Scott Trust property)

FROM A-1, EXCLUSIVE AGRICULTURAL TO A-3, AGRICULTURAL & RURAL RESIDENTIAL AND N, NATURAL RESOURCES

Create a 5-acre farm consolidation lot at N6689 Newville Road and create a 4-acre rural residential building site adjacent to it, both from PIN 018-0713-0911-000 (45 acres). Rezone 12.6 adjoining acres to Natural Resource from PINs 018-0713-0911-000 (45 acres) and 018-0713-0912-000 (40 acres). These sites are all in the Town of Lake Mills. Conditions of the action call for receipt by Zoning of a soil test for the vacant building site showing area for installation of both initial and replacement private sewage systems, road access approval and approval and recording of a final certified survey map for the lots. (R3769A-14 & R3770A-14 –

Michael Stade)

**FROM A-3, AGRICULTURAL & RURAL RESIDENTIAL TO A-1,
EXCLUSIVE AGRICULTURAL**

Rezone 0.48 acre of PIN 006-0716-3634-000 (24.609 acres) from A-3 to A-1 to allow a legal transfer to the adjoining property which is zoned A-1. The site is in the Town of Concord near W344 USH 18. Approval is conditioned upon recording of a deed transfer document.(R3771A-14 – HAF Golden Acres LLC/Richard & Jody Herr Trust)

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

Nass moved that Ordinance No. 2014-33 be adopted. Seconded and carried with Kannard and Jaeckel abstaining for possible conflict of interest.

Nass introduced Ordinance No. 2014-34.

Executive Summary

As a participant in the national Flood Insurance program, Jefferson County is required to periodically revise its floodplain ordinance and FIRM (Flood Insurance Rate Maps) maps to remain compliant with the FEMA and DNR floodplain program. This enables our citizens to purchase flood insurance, which is a requirement for any property issued a federally backed mortgage and located in a mapped floodplain. It also allows the County to pursue grants from the federal and state governments for our buy-out program.

The most recent adoption of our floodplain ordinance and maps had an effective date of June 1, 2009. The data supporting this flood study and mapping effort was completed before and during the flood event of 2008. As a result, DNR and FEMA decided to revise the work that had just been completed to incorporate new flood data and elevation that were attained during the 2008 event.

On March 26, 2013, the DNR in cooperation with FEMA hosted a Flood Risk Information Open House for Jefferson County residents and local officials. Jefferson County Zoning staff also participated. The proposed preliminary FIRM (Flood Insurance Rate Maps) maps and flood stage maps, Summary of Map Amendments (SOMA), and the Flood Insurance Study Report (FIS), were available for viewing, and DNR and County staff were available for comments or questions.

During the map adoption process, the County and affected property owners were given a chance to comment or appeal the maps. All appeals and comments were received by the Jefferson County Zoning Department and sent in to FEMA together on August 27, 2013. On December 17, 2013, FEMA responded to our comments and appeal of the preliminary maps, which was mainly related to inaccurate line work and matching up the floodplain lines to our 2 foot contours. No changes were accepted or made by FEMA.

On August 20, 2014, County Board Chair Jim Schroeder was notified that Jefferson County had received a letter of Final Determination, dated August 4, 2014, from FEMA, and that Jefferson County must adopt the updated FIRMS and FIS into their floodplain ordinance within six months. As part of this process the DNR also required adoption of new flood storage maps and adoption of the updated Model Floodplain Ordinance with Flood Storage Modifications effective January 1, 2012.

We have received the final maps which have an effective date of February 4, 2015.

In order to complete the ordinance and map adoption process within the six months and meet the effective date of the maps, the Zoning Department will be holding a public hearing on November 20, 2014, with the Zoning Committee making its recommendation on November 24, 2014, and forwarding this ordinance and map adoption request to the County Board for action at its December 9th meeting. This has to be done in December because there is no meeting in January and the process has to be completed by February 4, 2015. Note: Approval of the 16 towns is not required for the adoption of the Floodplain Ordinance or maps.

The main changes to the Floodplain Ordinance are the inclusion of regulation of flood storage areas. This is part of the mapped floodplain where there is naturally occurring flood storage capacity in the local watershed which was used in the calculations of the flood study. The regulation of flood storage also includes a new set of maps depicting where these regulations will apply. The other main change to the FIRM maps is the fact that the 1% chance flood (100 year) has increased in elevation by just under a foot in the Lake Koshkonong/Rock River corridor.

The Zoning Department has hard copies of the final FIRM maps and has also placed links to them on the Zoning's website or at <http://bit.ly/Z3buQY>.

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

Section 1. Jefferson County's Floodplain Ordinance adopted September 13, 2005 (Ord. 2005-24), and last amended March 8, 2011, is hereby repealed and recreated as follows:

14.1.0 STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE, TITLE AND GENERAL PROVISIONS

14.1.1 STATUTORY AUTHORIZATION

This ordinance is adopted pursuant to the authorization in ss. 61.35 and 62.23, for villages and cities; 59.69, 59.692, and 59.694 for counties; and the requirements in s. 87.30, Stats.

14.1.2 FINDING OF FACT

Uncontrolled development and use of the floodplains and rivers of this municipality would impair the public health, safety, convenience, general welfare and tax base.

14.1.3 STATEMENT OF PURPOSE

This ordinance is intended to regulate floodplain development to:

- (1) Protect life, health and property;
- (2) Minimize expenditures of public funds for flood control projects;
- (3) Minimize rescue and relief efforts undertaken at the expense of the taxpayers;
- (4) Minimize business interruptions and other economic disruptions;
- (5) Minimize damage to public facilities in the floodplain;
- (6) Minimize the occurrence of future flood blight areas in the floodplain;
- (7) Discourage the victimization of unwary land and homebuyers;
- (8) Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and
- (9) Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.

14.1.4 TITLE

This ordinance shall be known as the Floodplain Zoning Ordinance for Jefferson County Wisconsin.

14.1.5 GENERAL PROVISIONS

(1) **AREAS TO BE REGULATED**

This ordinance regulates all areas that would be covered by the regional flood or base flood as shown on the Flood Insurance Rate Map (FIRM) or other maps approved by DNR. Base flood elevations are derived from the flood profiles in the Flood Insurance Study (FIS) and are shown as AE, A1-30, and AH Zones on the FIRM. Other regulatory zones are displayed as A and AO zones. Regional Flood Elevations (RFE) may be derived from other studies. If more than one map or revision is referenced, the most restrictive information shall apply.

(2) **OFFICIAL MAPS & REVISIONS**

The boundaries of all floodplain districts are designated as A, AE, AH, AO or A1-30 on the maps based on the Flood Insurance Study (FIS) listed below. Any change to the base flood elevations (BFE) or any changes to the boundaries of the floodplain or floodway in the FIS or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA through the Letter of Map Change process (see s. 14.8.0 *Amendments*) before it is effective. No changes to RFE's on non-FEMA maps shall be effective until approved by the DNR. These maps and revisions are on file in the office of the Jefferson County Planning and Zoning Department, Jefferson County. If more than one map or revision is referenced, the most restrictive information shall apply.

(a) OFFICIAL MAPS: Based on the FIS: (<http://store.msc.fema.gov> **to access the FEMA Map Store**)

1. Flood Insurance Rate Map (FIRM), panel numbers, 55055C0019E, 55055C0066E, 55055C0092E, 55055C0195E, 55055C0210E, 55055C0305E, 55055C0310E, 55055C0407E, 55055C0430E, 55055C0435E, 55055C0460E, dated 06/02/2009.
2. Panel numbers 55055C0017F, 55055C0028F, 55055C0029F, 55055C0033F, 55055C0034F, 55055C0036F, 55055C0037F, 55055C0040F, 55055C0041F, 55055C0042F, 55055C0043F, 55055C0044F, 55055C0053F, 55055C0055F, 55055C0061F, 55055C0063F, 55055C0065F, 55055C0067F, 55055C0068F, 55055C0069F, 55055C0079F, 55055C0083F, 55055C0086F, 55055C0087F, 55055C0088F, 55055C0089F, 55055C0091F, 55055C0093F, 55055C0094F, 55055C0104F, 55055C0108F, 55055C0111F, 55055C0112F, 55055C0113F, 55055C0114F, 55055C0116F, 55055C0118F, 55055C0134F, 55055C0135F, 55055C0142F, 55055C0144F, 55055C0153F, 55055C0154F, 55055C0155F, 55055C0156F, 55055C0157F, 55055C0158F, 55055C0159F, 55055C0161F, 55055C0162F, 55055C0163F, 55055C0167F, 55055C0170F, 55055C0176F, 55055C0177F, 55055C0178F, 55055C0179F, 55055C0181F, 55055C0182F, 55055C0183F, 55055C0184F, 55055C0186F, 55055C0187F, 55055C0188F, 55055C0189F, 55055C0191F, 55055C0193F, 55055C0205F, 55055C0207F, 55055C0215F, 55055C0220F, 55055C0226F, 55055C0227F, 55055C0228F, 55055C0229F, 55055C0231F, 55055C0233F, 55055C0239F, 55055C0240F,

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55055C0343F, 55055C0345F,
55055C0351F, 55055C0352F,
55055C0353F, 55055C0354F,
55055C0356F, 55055C0363F,
55055C0364F, 55055C0365F,
55055C0368F, 55055C0370F,
55055C0382F, 55055C0401F,
55055C0402F, 55055C0406F,
55055C0432F, 55055C0434F,
55055C0451F, 55055C0452F,
55055C0453F, 55055C0454F,
55055C0476F, 55055C0477F,
dated 02/04/2015, with corresponding
profiles that are based on the Flood
Insurance Study (FIS) 55055CV001B
and 55025CV002B, dated 02/04/2015.
Approved by: The DNR and FEMA

(b) OFFICIAL MAPS: Based on other studies. Any maps referenced in this section must be approved by the DNR and be more restrictive than those based on the FIS at the site of the proposed development.

1. Lake Ripley floodplain delineation prepared for the Lake Ripley Management District, dated October 3, 2008, prepared by Montgomery Associates.
2. Deer Creek floodplain analysis for Jason Dey property, dated September 4, 2008, prepared by Montgomery Associates.
3. Rock Creek floodplain analysis for the Hooper's Dam Mill Building, dated October 15, 2007, prepared by RSV Engineering,

Inc.

4. Carlin Dam Analysis for reconstruction of Carlin Dam, dated November 26, 2008, prepared by STS.
 5. STH 26 Watertown Bypass and Frontage Road for the Wisconsin Department of Transportation Project 1390-04-02, dated October 29, 2008, prepared by the Wisconsin Department of Transportation. [am. 04/21/09, Ord. 2009-1]
 6. Carlin Dam (Upper Spring Lake) a) Floodway map dated 11/19/09 and titled "Carlin Dam – Condition 1. Dam In-Place, Dam Failure Inundation Map"; b) Flood profile dated 09/17/09 and titled "Scuppernong Plan: 1) Condition 1. Scuppernong Carlin Dam", and c) Floodway data table dated 11/19/09 and titled "Carlin Dam – Condition 1. Dam In-Place, Dam Failure Inundation Map. HEC-RAS Standard Output Table"
 7. Dam Failure Analysis and Assessment – Blue Spring Lake, dated June 5, 2012, prepared by General Engineering Co. (GEC)
 8. Town of Palmyra on Spring Creek for S&R Egg Farms, dated 09/02/2011, prepared by Hayes Engineering Co. S.C.
 9. Golden Lake LOMR with modified BFE dated 4-12-10, effective 9/3/10 (Case #10-05-0806P)
 10. Jefferson County Flood Storage Map, Panel number 1-13, dated February 4, 2015
 11. Whitewater Dam Failure Analysis-Old Stone Mill Hydraulic Shadow, dated November 11, 2013
- Approved by: The DNR

(3) ESTABLISHMENT OF FLOODPLAIN ZONING DISTRICTS

The regional floodplain areas are divided into four districts as follows:

- (a) The Floodway District (FW), is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters and are contained within AE Zones as shown on the FIRM.
- (b) The Floodfringe District (FF) is that portion between the regional flood limits and the floodway and displayed as AE Zones on the FIRM.
- (c) The General Floodplain District (GFP) is those areas that may be covered by floodwater during the regional flood and does not have a BFE or floodway boundary determined, including A, AH

and AO zones on the FIRM.

- (d) The Flood Storage District (FSD) is that area of the floodplain where storage of floodwaters is calculated to reduce the regional flood discharge.

(4) LOCATING FLOODPLAIN BOUNDARIES

Discrepancies between boundaries on the official floodplain zoning map and actual field conditions shall be resolved using the criteria in subd (a) or (b) below. If a significant difference exists, the map shall be amended according to s. 14.8.0 *Amendments*. The zoning administrator can rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The zoning administrator shall be responsible for documenting actual pre-development field conditions and the basis upon which the district boundary was determined and for initiating any map amendments required under this section. Disputes between the zoning administrator and an applicant over the district boundary line shall be settled according to s. 14.7.3(3) and the criteria in (a) and (b) below. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must approve any map amendment or revision pursuant to s. 14.8.0 *Amendments*.

- (a) If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.
- (b) Where flood profiles do not exist for projects, the location of the boundary shall be determined by the map scale.

(5) REMOVAL OF LANDS FROM FLOODPLAIN

Compliance with the provisions of this ordinance shall not be grounds for removing land from the floodplain unless it is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to s. 14.8.0 *Amendments*.

(6) COMPLIANCE

Any development or use within the areas regulated by this ordinance shall be in compliance with the terms of this ordinance, and other applicable local, state, and federal regulations.

(7) MUNICIPALITIES AND STATE AGENCIES REGULATED

Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply if s. 13.48(13),

Stats., applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation are exempt when s. 30.2022, Stats., applies.

(8) ABROGATION AND GREATER RESTRICTIONS

(a) This ordinance supersedes all the provisions of any municipal zoning ordinance enacted under ss. 59.69, 59.692 or 59.694 for counties; s. 62.23 for cities; s. 61.35 for villages; or s. 87.30, Stats., which relate to floodplains. A more restrictive ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.

(b) This ordinance is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. If this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.

(9) INTERPRETATION

In their interpretation and application, the provisions of this ordinance are the minimum requirements liberally construed in favor of the governing body and are not a limitation on or repeal of any other powers granted by the Wisconsin Statutes. If a provision of this ordinance, required by ch. NR 116, Wis. Adm. Code, is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of this ordinance or in effect on the date of the most recent text amendment to this ordinance.

(10) WARNING AND DISCLAIMER OF LIABILITY

The flood protection standards in this ordinance are based on engineering experience and research. Larger floods may occur or the flood height may be increased by man made or natural causes. This ordinance does not imply or guarantee that non-floodplain areas or permitted floodplain uses will be free from flooding and flood damages. This ordinance does not create liability on the part of, or a cause of action against, the municipality or any officer or employee thereof for any flood damage that may result from reliance on this ordinance.

(11) SEVERABILITY

Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

(12) ANNEXED AREAS FOR CITIES AND VILLAGES

The Jefferson County floodplain zoning provisions in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and en-

forces an ordinance which meets the requirements of ch. NR 116, Wis. Adm. Code and 44 CFR 59-72, *National Flood Insurance Program* (NFIP). These annexed lands are described on the municipality's official zoning map. County floodplain zoning provisions are incorporated by reference for the purpose of administering this section and are on file in the office of the municipal zoning administrator. All plats or maps of annexation shall show the regional flood elevation and the floodway location.

14.2.0 GENERAL STANDARDS APPLICABLE TO ALL FLOODPLAIN DISTRICTS

The community shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall be designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads; be constructed with flood-resistant materials; be constructed to minimize flood damages and to ensure that utility and mechanical equipment is designed and/or located so as to prevent water from entering or accumulating within the equipment during conditions of flooding.

Subdivisions shall be reviewed for compliance with the above standards. All subdivision proposals (including manufactured home parks) shall include regional flood elevation and floodway data for any development that meets the subdivision definition of this ordinance and all other requirements in s. 14.7.1(2). Adequate drainage shall be provided to reduce exposure to flood hazards and all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damages.

14.2.1 HYDRAULIC AND HYDROLOGIC ANALYSES

- (1) No floodplain development shall:
 - (a) Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, causing any increase in the regional flood height; or
 - (b) Cause any increase in the regional flood height due to floodplain storage area lost.
- (2) The zoning administrator shall deny permits if it is determined the proposed development will obstruct flow or cause any increase in the regional flood height, based on the officially adopted FIRM or other adopted map, unless the provisions of s. 14.8.0 *Amendments* are met.

14.2.2 WATERCOURSE ALTERATIONS

No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the local offi-

cial has notified in writing all adjacent municipalities, the Department and FEMA regional offices, and required the applicant to secure all necessary state and federal permits. The standards of s. 14.2.1 must be met and the flood carrying capacity of any altered or relocated watercourse shall be maintained.

As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation and pursuant to s. 14.8.0 *Amendments*, the community shall apply for a Letter of Map Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the DNR through the LOMC process.

14.2.3 CHAPTER 30, 31, WIS. STATS., DEVELOPMENT

Development which requires a permit from the Department, under chs. 30 and 31, Stats., such as docks, piers, wharves, bridges, culverts, dams and navigational aids, may be allowed if the necessary permits are obtained and amendments to the floodplain zoning ordinance are made according to s. 14.8.0 *Amendments*.

14.2.4 PUBLIC OR PRIVATE CAMPGROUNDS

Public or private campgrounds shall have a low flood damage potential and shall meet the following provisions:

- (1) The campground is approved by the Department of Health Services;
- (2) A land use permit for the campground is issued by the zoning administrator;
- (3) The character of the river system and the campground elevation are such that a 72-hour warning of an impending flood can be given to all campground occupants;
- (4) There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the municipal emergency government coordinator and the chief law enforcement official which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation;
- (5) This agreement shall be for no more than one calendar year, at which time the agreement shall be reviewed and updated - by the officials identified in sub. (4) - to remain in compliance with all applicable regulations, including those of the state Department of Health Services and all other applicable regulations;
- (6) Only camping units that are fully licensed, if required,

- and ready for highway use are allowed;
- (7) The camping units shall not occupy any site in the campground for more than 180 consecutive days, at which time the camping unit must be removed from the floodplain for a minimum of 24 hours;
 - (8) All camping units that remain on site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which is kept on file at the campground. Such authorization shall allow placement of a camping unit for a period not to exceed 180 days and shall ensure compliance with all the provisions of this section;
 - (9) The municipality shall monitor the limited authorizations issued by the campground operator to assure compliance with the terms of this section;
 - (10) All camping units that remain in place for more than 180 consecutive days must meet the applicable requirements in either s. 14.3.0, 14.4.0 or 14.5.0 for the floodplain district in which the structure is located;
 - (11) The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued; and
 - (12) I service facilities, including but not limited to refuse collection, electrical service, gas lines, propane tanks, sewage systems and wells shall be properly anchored and placed at or floodproofed to the flood protection elevation.

14.3.0 FLOODWAY DISTRICT (FW)

14.3.1 APPLICABILITY

This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to s. 14.5.1(4).

14.3.2 PERMITTED USES

The following open space uses are allowed in the Floodway District and the floodway areas of the General Floodplain District, if:

- they are not prohibited by any other ordinance;
 - they meet the standards in s. 14.3.3 and 14.3.4; and
 - all permits or certificates have been issued according to s. 14.7.1.
- (1) Agricultural uses, such as: farming, outdoor plant nurseries, horticulture, viticulture and wild crop harvesting.
 - (2) Nonstructural industrial and commercial uses, such as loading areas, parking areas and airport landing strips.
 - (3) Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds,

boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap and skeet activities, hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of s. 14.3.3(4).

- (4) Uses or structures accessory to open space uses, or classified as historic structures that comply with ss. 14.3.3 and 14.3.4.
- (5) Extraction of sand, gravel or other materials that comply with s. 14.3.3(4).
- (6) Functionally water dependent uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with chs. 30 and 31, Stats.
- (7) Public utilities, streets and bridges that comply with s. 14.3.3(3).

14.3.3 STANDARDS FOR DEVELOPMENTS IN THE FLOODWAY

(1) GENERAL

- (a) Any development in the floodway shall comply with s. 14.2.0 and have a low flood damage potential.
- (b) Applicants shall provide the following data to determine the effects of the proposal according to s. 14.2.1 and 14.7.1 (2)(c):
 1. A cross section elevation view of the proposal, perpendicular to the watercourse, showing if the proposed development will obstruct flow; or
 2. An analysis calculating the effects of this proposal on regional flood height.
- (c) The zoning administrator shall deny the permit application if the project will cause any increase in the flood elevations upstream or downstream, based on the data submitted for subd. (b) above.

(2) STRUCTURES

Structures accessory to permanent open space uses or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:

- (a) Not designed for human habitation, does not have a high flood damage potential and is constructed to minimize flood damage;
- (b) Shall have a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the bottom of all such openings being no higher than one foot above grade. The openings shall be equipped with screens, louvers, or other coverings or devices provided

that they permit the automatic entry and exit of floodwaters.

- (c) Must be anchored to resist flotation, collapse, and lateral movement;
 - (d) Mechanical and utility equipment must be elevated or flood proofed to or above the flood protection elevation; and
 - (e) It must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.
- (3) **PUBLIC UTILITIES, STREETS AND BRIDGES**
Public utilities, streets and bridges may be allowed by permit, if:
- (a) Adequate floodproofing measures are provided to the flood protection elevation; and
 - (b) Construction meets the development standards of s. 14.2.1.
- (4) **FILLS OR DEPOSITION OF MATERIALS**
Fills or deposition of materials may be allowed by permit, if:
- (a) The requirements of s. 14.2.1 are met;
 - (b) No material is deposited in navigable waters unless a permit is issued by the Department pursuant to ch. 30, Stats., and a permit pursuant to s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344 has been issued, if applicable, and all other requirements have been met;
 - (c) The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulkheading; and
 - (d) The fill is not classified as a solid or hazardous material.

14.3.4 PROHIBITED USES

All uses not listed as permitted uses in s. 14.3.2 are prohibited, including the following uses:

- (1) Habitable structures, structures with high flood damage potential, or those not associated with permanent open space uses;
- (2) Storing materials that are buoyant, flammable, explosive, injurious to property, water quality, or human, animal, plant, fish or other aquatic life;
- (3) Uses not in harmony with or detrimental to uses permitted in the adjoining districts;
- (4) Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and ch. SPS 383, Wis. Adm. Code;
- (5) Any public or private wells which are used to obtain

potable water, except those for recreational areas that meet the requirements of local ordinances and chs. NR 811 and NR 812, Wis. Adm. Code;

(6) Any solid or hazardous waste disposal sites;

(7) Any wastewater treatment ponds or facilities, except those permitted under s. NR 110.15(3)(b), Wis. Adm. Code; and

(8) Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied;

(9) Any accessory residential structures.

14.4.0 FLOODFRINGE DISTRICT (FF)

14.4.1 APPLICABILITY

This section applies to all floodfringe areas shown on the floodplain zoning maps and those identified pursuant to s.14.5.4.

14.4.2 PERMITTED USES

Any structure, land use, or development is allowed in the Floodfringe District if the standards in s. 14.4.3 are met, the use is not prohibited by this or any other ordinance or regulation and all permits or certificates specified in s. 14.7.1 have been issued.

14.4.3 STANDARDS FOR DEVELOPMENT IN THE FLOODFRINGE

S. 2.1 shall apply in addition to the following requirements according to the use requested. Any existing structure in the floodfringe must meet the requirements of s. 14.6.0 *Nonconforming Uses*;

(1) **RESIDENTIAL USES**

Any structure, including a manufactured home, which is to be newly constructed or moved into the floodfringe, shall meet or exceed the following standards. Any existing structure in the floodfringe must meet the requirements of s. 14.6.0 *Nonconforming Uses*;

(a) The elevation of the lowest floor shall be at or above the flood protection elevation on fill unless the requirements of s. 14.4.3 (1)(b) can be met. The fill shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure.

(b) The basement or crawlway floor may be placed at the regional flood elevation if it is dry flood-proofed to the flood protection elevation. No basement or crawlway floor is allowed below the regional flood elevation;

(c) Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in subd. (d).

(d) In developments where existing street or sewer

line elevations make compliance with subd. (c) impractical, the municipality may permit new development and substantial improvements where roads are below the regional flood elevation, if:

1. The municipality has written assurance from police, fire and emergency services that rescue and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or
2. The municipality has a DNR-approved emergency evacuation plan.

(2) ACCESSORY STRUCTURES OR USES

Accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.

(3) COMMERCIAL USES

Any commercial structure which is erected, altered or moved into the floodfringe shall meet the requirements of s. 14.4.3(1). Subject to the requirements of s. 14.4.3(5), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

(4) MANUFACTURING AND INDUSTRIAL USES

Any manufacturing or industrial structure which is erected, altered or moved into the floodfringe shall have the lowest floor elevated to or above the flood protection elevation or meet the flood-proofing standards in s. 14.7.5. Subject to the requirements of s. 14.4.3(5), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

(5) STORAGE OF MATERIALS

Materials that are buoyant, flammable, explosive, or injurious to property, water quality or human, animal, plant, fish or aquatic life shall be stored at or above the flood protection elevation or floodproofed in compliance with s. 14.7.5. Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.

(6) PUBLIC UTILITIES, STREETS AND BRIDGES

All utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans; and

- (a) When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or repair of such facilities shall only be permitted if they are de-

- signed to comply with s. 14.7.5.
- (b) Minor roads or non-essential utilities may be constructed at lower elevations if they are designed to withstand flood forces to the regional flood elevation.
- (7) SEWAGE SYSTEMS
All sewage disposal systems shall be designed to minimize or eliminate infiltration of flood water into the system, pursuant to s. 14.7.5(3), to the flood protection elevation and meet the provisions of all local ordinances and ch. SPS 383, Wis. Adm. Code.
 - (8) WELLS
All wells shall be designed to minimize or eliminate infiltration of flood waters into the system, pursuant to s. 14.7.5(3), to the flood protection elevation and shall meet the provisions of chs. NR 811 and NR 812, Wis. Adm. Code.
 - (9) SOLID WASTE DISPOSAL SITES
Disposal of solid or hazardous waste is prohibited in floodfringe areas.
 - (10) DEPOSITION OF MATERIALS
Any deposited material must meet all the provisions of this ordinance.
 - (11) MANUFACTURED HOMES
 - (a) Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage, and prepare, secure approval and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.
 - (b) In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:
 - 1. have the lowest floor elevated to the flood protection elevation; and
 - 2. be anchored so they do not float, collapse or move laterally during a flood
 - (c) Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the floodfringe in s. 14.4.3(1).
 - (12) MOBILE RECREATIONAL VEHICLES
All mobile recreational vehicles that are on site for 180 consecutive days or more or are not fully licensed and ready for highway use shall meet

the elevation and anchoring requirements in s. 14.4.3 (11)(b) and (c). A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.

14.5.0 OTHER FLOODPLAIN DISTRICTS

Other floodplain districts may be established under the ordinance and reflected on the floodplain zoning map. These districts may include general floodplain districts and flood storage districts.

14.5.1 GENERAL FLOODPLAIN DISTRICT (GFP)

(1) APPLICABILITY

The provisions for this district shall apply to all floodplains mapped as A, AO or AH zones.

(2) PERMITTED USES

Pursuant to s. 14.5.4, it shall be determined whether the proposed use is located within the floodway or floodfringe.

Those uses permitted in the Floodway (s. 14.3.2) and Floodfringe (s. 14.4.2) Districts are allowed within the General Floodplain District, according to the standards of s. 14.5.1(3), provided that all permits or certificates required under s. 14.7.1 have been issued.

(3) STANDARDS FOR DEVELOPMENT

S. 14.3.0 applies to floodway areas, s. 14.4.0 applies to floodfringe areas. The rest of this ordinance applies to either district.

(a) In AO/AH Zones the structure's lowest floor must meet one of the conditions listed below which ever is higher:

1. at or above the flood protection elevation; or
2. two (2) feet above the highest adjacent grade around the structure; or
3. the depth as shown on the FIRM.

(b) In AO/AH zones, provide plans showing adequate drainage paths to guide floodwaters around structures.

(4) DETERMINING FLOODWAY AND FLOODFRINGE LIMITS

Upon receiving an application for development within the general floodplain district, the zoning administrator shall:

(a) Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along

with a legal description of the property, fill limits and elevations, building floor elevations and flood proofing measures; and the flood zone as shown on the FIRM.

- (b) Require the applicant to furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries.
 1. A Hydrologic and Hydraulic Study as specified in s. 14.7.1(2)(c).
 2. Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information;
 3. Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.

14.5.2 FLOOD STORAGE DISTRICT

The flood storage district delineates that portion of the floodplain where storage of floodwaters has been taken into account and is relied upon to reduce the regional flood discharge. The district protects the flood storage areas and assures that any development in the storage areas will not decrease the effective flood storage capacity which would cause higher flood elevations.

(1) APPLICABILITY

The provisions of this section apply to all areas within the Flood Storage District (FSD), as shown on the official floodplain zoning maps.

(2) PERMITTED USES

Any use or development which occurs in a flood storage district must meet the applicable requirements in s. 14.4.3.

(3) STANDARDS FOR DEVELOPMENT IN FLOOD STORAGE DISTRICTS

(a) Development in a flood storage district shall not cause an increase equal or greater than 0.00 of a foot in the height of the regional flood.

(b) No development shall be allowed which removes flood storage volume unless an equal volume of storage as defined by the pre-development ground surface and the regional flood elevation shall be provided in the immediate area of the proposed development to compensate for the volume of storage which is lost,

(compensatory storage). Excavation below the groundwater table is not considered to provide an equal volume of storage.

- (c) If compensatory storage cannot be provided, the area may not be developed unless the entire area zoned as flood storage district – on this waterway – is rezoned to the floodfringe district. This must include a revision to the floodplain study and map done for the waterway to revert to the higher regional flood discharge calculated without floodplain storage, as per s.14.8.0 Amendments of this ordinance.
- (d) No area may be removed from the flood storage district unless it can be shown that the area has been filled to the flood protection elevation and is contiguous to other lands lying outside of the floodplain.

14.6.0 NONCONFORMING USES

14.6.1 GENERAL

(1) APPLICABILITY

If these standards conform with s. 59.69(10), Stats., for counties or s. 62.23(7)(h), Stats., for cities and villages, they shall apply to all modifications or additions to any nonconforming use or structure and to the use of any structure or premises which was lawful before the passage of this ordinance or any amendment thereto.

- (2) The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this ordinance may continue subject to the following conditions:

- (a) No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this ordinance. The words “modification” and “addition” include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use. Maintenance is not considered a modification; this includes painting, decorating, paneling and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities. Any costs associated with the repair of a damaged structure are not considered maintenance.

The construction of a deck that does not exceed 200 square feet and that is adjacent to the exterior wall of a principal structure is not an extension, modification or addition. The roof of the structure may extend over a portion of the deck

in order to provide safe ingress and egress to the principal structure.

- (b) If a nonconforming use or the use of a nonconforming structure is discontinued for 12 consecutive months, it is no longer permitted and any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this ordinance;
- (c) The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure's total current value those modifications represent;
- (d) No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 14.4.3(1). The costs of elevating the lowest floor of a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50% provisions of this paragraph;
- (e) No maintenance to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 14.4.3(1).
- (f) If on a per event basis the total value of the work being done under (d) and (e) equals or exceeds 50% of the present equalized assessed value the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 14.4.3(1).

- (g) Except as provided in subd. (h), if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed or rebuilt unless the use and the structure meet the current ordinance requirements. A structure is considered substantially damaged if the total cost to restore the structure to its pre-damaged condition equals or exceeds 50% of the structure's present equalized assessed value.
- (h) For nonconforming buildings that are substantially damaged or destroyed by a nonflood disaster, the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the minimum federal code requirements below are met and all required permits have been granted prior to the start of construction.
 - 1. Residential Structures
 - a. Shall have the lowest floor, including basement, elevated to or above the base flood elevation using fill, pilings, columns, posts or perimeter walls. Perimeter walls must meet the requirements of s. 14.7.5(2).
 - b. Shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy and shall be constructed with methods and materials resistant to flood damage.
 - c. Shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
 - d. In A Zones, obtain, review and utilize any flood data available from a federal, state or other source.
 - e. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in s. 14.5.3(1).
 - f. In AO Zones, shall have adequate drainage paths around structures on slopes to guide floodwaters around

- and away from the structure.
2. Nonresidential Structures
 - a. Shall meet the requirements of s. 14.6.1(2)(h)1a-f.
 - b. Shall either have the lowest floor, including basement, elevated to or above the regional flood elevation; or, together with attendant utility and sanitary facilities, shall meet the standards in s. 14.7.5(1) or (2).
 - c. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in s. 14.5.3(1).
 - (3) A nonconforming historic structure may be altered if the alteration will not preclude the structure's continued designation as a historic structure, the alteration will comply with s. 14.3.3(1), flood resistant materials are used, and construction practices and floodproofing methods that comply with s. 14.7.5 are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of s. 14.6.1(2)(h)1 if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.

14.6.2 FLOODWAY DISTRICT

- (1) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in the Floodway District, unless such modification or addition:
 - (a) Has been granted a permit or variance which meets all ordinance requirements;
 - (b) Meets the requirements of s. 14.6.1;
 - (c) Shall not increase the obstruction to flood flows or regional flood height;
 - (d) Any addition to the existing structure shall be floodproofed, pursuant to s. 14.7.5, by means other than the use of fill, to the flood protection elevation; and
 - (e) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
 1. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed

- area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
 - 2. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
 - 3. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
 - 4. The use must be limited to parking, building access or limited storage.
- (2) No new on site sewage disposal system, or addition to an existing on site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing on site sewage disposal system in a floodway area shall meet the applicable requirements of all municipal ordinances, s. 14.7.5(3) and ch. SPS 383, Wis. Adm. Code.
- (3) No new well or modification to an existing well used to obtain potable water shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing well in the Floodway District shall meet the applicable requirements of all municipal ordinances, s. 14.7.5(3) and chs. NR 811 and NR 812, Wis. Adm. Code.

14.6.3 FLOODFRINGE DISTRICT

- (1) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the municipality, and meets the requirements of s. 14.4.3 except where s. 14.6.3(2) is applicable.
- (2) Where compliance with the provisions of subd. (1) would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the Board of Adjustment/Appeals, using the procedures established in s. 14.7.3, may grant a variance from those provisions of subd. (1) for modifications or additions using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if:
- (a) No floor is allowed below the regional flood elevation for residential or commercial structures;
 - (b) Human lives are not endangered;
 - (c) Public facilities, such as water or sewer, shall not be installed;

- (d) Flood depths shall not exceed two feet;
 - (e) Flood velocities shall not exceed two feet per second; and
 - (f) The structure shall not be used for storage of materials as described in s. 14.4.3(5).
- (3) All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system shall meet all the applicable provisions of all local ordinances, 14.7.5(3) and ch. SPS 383, Wis. Adm. Code.
- (4) All new wells, or addition to, replacement, repair or maintenance of a well shall meet the applicable provisions of this ordinance, s. 14.7.5(3) and ch. NR 811 and NR 812, Wis. Adm. Code.

14.6.4 FLOOD STORAGE DISTRICT

No modifications or additions shall be allowed to any nonconforming structure in a flood storage area unless the standards outlined in 14.5.2(3) are met.

14.7.0 ADMINISTRATION

Where a zoning administrator, planning agency or a board of adjustment/appeals has already been appointed to administer a zoning ordinance adopted under ss. 59.69, 59.692 or 62.23(7), Stats., these officials shall also administer this ordinance.

14.7.1 ZONING ADMINISTRATOR

(1) **DUTIES AND POWERS**

The zoning administrator is authorized to administer this ordinance and shall have the following duties and powers:

- (a) Advise applicants of the ordinance provisions, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications.
- (b) Issue permits and inspect properties for compliance with provisions of this ordinance and issue certificates of compliance where appropriate.
- (c) Inspect and assess all damaged floodplain structures to determine if substantial damage to the structures has occurred.
- (d) Keep records of all official actions such as:
 1. All permits issued, inspections made, and work approved;
 2. Documentation of certified lowest floor and regional flood elevations;
 3. Floodproofing certificates.
 4. Water surface profiles, floodplain zoning maps and ordinances, nonconforming uses and structures including changes, appeals, variances and amendments.
 5. All substantial damage assessment reports

for floodplain structures.

6. List of nonconforming structures and uses. .
 - (e) Submit copies of the following items to the Department Regional office:
 1. Within 10 days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments;
 2. Copies of case by case analyses and other required information including an annual summary of floodplain zoning actions taken.
 3. Copies of substantial damage assessments performed and all related correspondence concerning the assessments.
 - (f) Investigate, prepare reports, and report violations of this ordinance to the municipal zoning agency and attorney for prosecution. Copies of the reports shall also be sent to the Department Regional office.
 - (g) Submit copies of amendments to the FEMA Regional office.
- (2) LAND USE PERMIT

A land use permit shall be obtained before any new development; repair, modification or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated. Application to the zoning administrator shall include:

(a) GENERAL INFORMATION

1. Name and address of the applicant, property owner and contractor;
2. Legal description, proposed use, and whether it is new construction or a modification;

(b) SITE DEVELOPMENT PLAN

A site plan drawn to scale shall be submitted with the permit application form and shall contain:

1. Location, dimensions, area and elevation of the lot;
2. Location of the ordinary highwater mark of any abutting navigable waterways;
3. Location of any structures with distances measured from the lot lines and street center lines;
4. Location of any existing or proposed on site sewage systems or private water supply systems;
5. Location and elevation of existing or future access roads;

6. Location of floodplain and floodway limits as determined from the official floodplain zoning maps;
7. The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study – either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD);
8. Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of s. 14.3.0 or 14.4.0 are met; and
9. Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to s. 14.2.1. This may include any of the information noted in s. 14.3.3(1).

(c) HYDRAULIC AND HYDROLOGIC STUDIES TO ANALYZE DEVELOPMENT

All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the State. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the Department.

1. Zone A floodplains:
 - a. Hydrology
 - i. The appropriate method shall be based on the standards in ch. NR 116.07(3), Wis. Admin. Code, *Hydrologic Analysis: Determination of Regional Flood Discharge*.
 - b. Hydraulic modeling

The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:

 - i. determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting WSEL for the study.
 - ii. channel sections must be surveyed.
 - iii. minimum four foot contour data in

- the overbanks shall be used for the development of cross section overbank and floodplain mapping.
- iv. a maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.
 - v. the most current version of HEC-RAS shall be used.
 - vi. a survey of bridge and culvert openings and the top of road is required at each structure.
 - vii. additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.
 - viii. standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high water marks to determine the reasonableness of the model results. If no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.
 - ix. the model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.
- c. Mapping
- A work map of the reach studied shall be provided, showing all cross section locations, floodway/floodplain limits based on best available topographic

data, geographic limits of the proposed development and whether the proposed development is located in the floodway.

- i. If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.
 - ii. If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.
2. Zone AE Floodplains
- a. Hydrology
If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on ch. NR 116.07(3), Wis. Admin. Code, *Hydrologic Analysis: Determination of Regional Flood Discharge*.
 - b. Hydraulic model
The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:
 - i. Duplicate Effective Model
The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.
 - ii. Corrected Effective Model.
The Corrected Effective Model shall not include any man-made physical changes since the effective model date, but shall import

the model into the most current version of HEC-RAS for Department review.

iii. Existing (Pre-Project Conditions) Model.

The Existing Model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post-Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model.

iv. Revised (Post-Project Conditions) Model.

The Revised (Post-Project Conditions) Model shall incorporate the Existing Model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.

v. All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.

vi. Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and topwidths computed by the revised models matching those in the effective models upstream and downstream of the revised reach as required. The Effective Model shall not be truncated.

c. Mapping

Maps and associated engineering data shall be submitted to the Department for review which meet the following conditions:

i. Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles,

- topographic work map, annotated FIRMs and/or Flood Boundary Floodway Maps (FBFMs), construction plans, bridge plans.
- ii. Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable items. If a digital version of the map is available, it may be submitted in order that the FIRM may be more easily revised.
 - iii. Annotated FIRM panel showing the revised 1% and 0.2% annual chance floodplains and floodway boundaries.
 - iv. If an annotated FIRM and/or FBFM and digital mapping data (GIS or CADD) are used then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) projection and State Plane Coordinate System in accordance with FEMA mapping specifications.
 - v. The revised floodplain boundaries shall tie into the effective floodplain boundaries.
 - vi. All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.
 - vii. Both the current and proposed floodways shall be shown on the map.
 - viii. The stream centerline, or profile baseline used to measure stream distances in the model shall be visible on the map.

(d) EXPIRATION

All permits issued under the authority of this ordinance shall expire no more than 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause.

(3) CERTIFICATE OF COMPLIANCE

No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt or replaced shall be oc-

cupied until a certificate of compliance is issued by the zoning administrator, except where no permit is required, subject to the following provisions:

- (a) The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this ordinance;
- (b) Application for such certificate shall be concurrent with the application for a permit;
- (c) If all ordinance provisions are met, the certificate of compliance shall be issued within 10 days after written notification that the permitted work is completed;
- (d) The applicant shall submit a certification signed by a registered professional engineer, architect or land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a registered professional engineer or architect that the requirements of s. 14.7.5 are met.

(4) **OTHER PERMITS**

Prior to obtaining a floodplain development permit the applicant must secure all necessary permits from federal, state, and local agencies, including but not limited to those required by the U.S. Army Corps of Engineers under s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344.

14.7.2 ZONING AGENCY

- (1) The Jefferson County Planning and Zoning Committee shall:
 - (a) oversee the functions of the office of the zoning administrator; and
 - (b) review and advise the governing body on all proposed amendments to this ordinance, maps and text.
- (2) The Jefferson County Planning and Zoning Committee shall not:
 - (a) grant variances to the terms of the ordinance in place of action by the Board of Adjustment/ Appeals; or
 - (b) amend the text or zoning maps in place of official action by the governing body.

14.7.3 BOARD OF ADJUSTMENT/APPEALS

The Board of Adjustment/Appeals, created under s. 59.694, Stats., for counties or s. 62.23(7)(e), Stats., for cities or villages, is hereby authorized or shall be appointed to act for the purposes of this ordinance. The Board shall exercise the powers conferred by Wisconsin Statutes and adopt rules for the conduct of business. The

zoning administrator shall not be the secretary of the Board.

(1) POWERS AND DUTIES

The Board of Adjustment/Appeals shall:

- (a) Appeals Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this ordinance;
- (b) Boundary Disputes Hear and decide disputes concerning the district boundaries shown on the official floodplain zoning map; and
- (c) Variances Hear and decide, upon appeal, variances from the ordinance standards.

(2) APPEALS TO THE BOARD

(a) Appeals to the board may be taken by any person aggrieved, or by any officer or department of the municipality affected by any decision of the zoning administrator or other administrative officer. Such appeal shall be taken within 30 days unless otherwise provided by the rules of the board, by filing with the official whose decision is in question, and with the board, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the board all records regarding the matter appealed.

(b) NOTICE AND HEARING FOR APPEALS INCLUDING VARIANCES

1. Notice The board shall:

- a. Fix a reasonable time for the hearing;
- b. Publish adequate notice pursuant to Wisconsin Statutes, specifying the date, time, place and subject of the hearing; and
- c. Assure that notice shall be mailed to the parties in interest and the Department Regional office at least 10 days in advance of the hearing.

2. Hearing Any party may appear in person or by agent. The board shall:

- a. Resolve boundary disputes according to s. 14.7.3(3);
- b. Decide variance applications according to s. 14.7.3(4); and
- c. Decide appeals of permit denials according to s. 14.7.4.

(c) DECISION: The final decision regarding the appeal or variance application shall:

- 1. Be made within a reasonable time;
- 2. Be sent to the Department Regional office

within 10 days of the decision;

3. Be a written determination signed by the chairman or secretary of the Board;
4. State the specific facts which are the basis for the Board's decision;
5. Either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application; and
6. Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the Board proceedings.

(3) BOUNDARY DISPUTES

The following procedure shall be used by the Board in hearing disputes concerning floodplain district boundaries:

- a) If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary. If none exist, other evidence may be examined;
- (b) The person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the Board; and
- (c) If the boundary is incorrectly mapped, the Board should inform the zoning committee or the person contesting the boundary location to petition the governing body for a map amendment according to s. 14.8.0 Amendments.

(4) VARIANCE

- (a) The Board may, upon appeal, grant a variance from the standards of this ordinance if an applicant convincingly demonstrates that:
 1. Literal enforcement of the ordinance will cause unnecessary hardship;
 2. The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises. In such case the ordinance or map must be amended;
 3. The variance is not contrary to the public interest; and
 4. The variance is consistent with the purpose of this ordinance in s. 14.1.3.
- (b) In addition to the criteria in subd. (a), to qualify for a variance under FEMA regulations, the following criteria must be met:

1. The variance shall not cause any increase in the regional flood elevation;
 2. Variances can only be granted for lots that are less than one-half acre and are contiguous to existing structures constructed below the RFE; and
 3. Variances shall only be granted upon a showing of good and sufficient cause, shall be the minimum relief necessary, shall not cause increased risks to public safety or nuisances, shall not increase costs for rescue and relief efforts and shall not be contrary to the purpose of the ordinance.
- (c) A variance shall not:
1. Grant, extend or increase any use prohibited in the zoning district;
 2. Be granted for a hardship based solely on an economic gain or loss;
 3. Be granted for a hardship which is self created.
 4. Damage the rights or property values of other persons in the area;
 5. Allow actions without the *amendments* to this ordinance or map(s) required in s. 14.8.0 Amendments; and
 6. Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.
- (d) When a floodplain variance is granted the Board shall notify the applicant in writing that it may increase risks to life and property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage. A copy shall be maintained with the variance record.

14.7.4 TO REVIEW APPEALS OF PERMIT DENIALS

- (1) The Zoning Agency (s. 14.7.2) or Board shall review all data related to the appeal. This may include:
 - (a) Permit application data listed in s. 14.7.1(2);
 - (b) Floodway/floodfringe determination data in s. 14.5.1(4);
 - (c) Data listed in s. 14.3.3(1)(b) where the applicant has not submitted this information to the zoning administrator; and
 - (d) Other data submitted with the application, or submitted to the Board with the appeal.
- (2) For appeals of all denied permits the Board shall:
 - (a) Follow the procedures of s. 14.7.3;
 - (b) Consider zoning agency recommendations; and
 - (c) Either uphold the denial or grant the appeal.
- (3) For appeals concerning increases in regional flood

elevation the Board shall:

- (a) Uphold the denial where the Board agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements of s. 14.8.0 *Amendments*; and
- (b) Grant the appeal where the Board agrees that the data properly demonstrates that the project does not cause an increase provided no other reasons for denial exist.

14.7.5 FLOODPROOFING STANDARDS FOR NONCONFORMING STRUCTURES OR USES

- (1) No permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to the flood protection elevation and submits a FEMA Floodproofing Certificate.
- (2) For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:
 - (a) certified by a registered professional engineer or architect; or
 - (b) meets or exceeds the following standards:
 - 1. a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - 2. the bottom of all openings shall be no higher than one foot above grade; and
 - 3. openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- (3) Floodproofing measures shall be designed, as appropriate, to:
 - (a) Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;
 - (b) Protect structures to the flood protection elevation;
 - (c) Anchor structures to foundations to resist flotation and lateral movement;
 - (d) Minimize or eliminate infiltration of flood waters; and
 - (e) Minimize or eliminate discharges into flood waters.

14.7.6 PUBLIC INFORMATION

- (1) Place marks on structures to show the depth of inundation during the regional flood.
- (2) All maps, engineering data and regulations shall be available and widely distributed.
- (3) Real estate transfers should show what floodplain district any real property is in.

14.8.0 AMENDMENTS

Obstructions or increases may only be permitted if amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with s. 14.8.1.

- (1) In AE Zones with a mapped floodway, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with s. 14.8.1. Any such alterations must be reviewed and approved by FEMA and the DNR.
- (2) In A Zones increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain maps, floodway lines, and water surface profiles, in accordance with s. 14.8.1.

14.8.1 GENERAL

The governing body shall change or supplement the floodplain zoning district boundaries and this ordinance in the manner outlined in s. 14.8.2 below. Actions which require an amendment to the ordinance and/ or submittal of a Letter of Map Change (LOMC) include, but are not limited to, the following:

- (1) Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height;
- (2) Any change to the floodplain boundaries and/or watercourse alterations on the FIRM;
- (3) Any changes to any other officially adopted floodplain maps listed in 14.1.5 (2)(b);
- (4) Any floodplain fill which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain;
- (5) Correction of discrepancies between the water surface profiles and floodplain maps;
- (6) Any upgrade to a floodplain zoning ordinance text required by s. NR 116.05, Wis. Adm. Code, or otherwise required by law, or for changes by the municipality; and
- (7) All channel relocations and changes to the maps to alter floodway lines or to remove an area from the

floodway or the floodfringe that is based on a base flood elevation from a FIRM requires prior approval by FEMA.

14.8.2 PROCEDURES

Ordinance amendments may be made upon petition of any party according to the provisions of s. 62.23, Stats., for cities and villages, or 59.69, Stats., for counties. The petitions shall include all data required by ss. 14.5.1(4) and 14.7.1(2). The Land Use Permit shall not be issued until a Letter of Map Revision is issued by FEMA for the proposed changes.

- (1) The proposed amendment shall be referred to the zoning agency for a public hearing and recommendation to the governing body. The amendment and notice of public hearing shall be submitted to the Department Regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of s. 62.23, Stats., for cities and villages or s. 59.69, Stats., for counties.
- (2) No amendments shall become effective until reviewed and approved by the Department.
- (3) All persons petitioning for a map amendment that obstructs flow causing any increase in the regional flood height, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.

14.9.0 ENFORCEMENT AND PENALTIES

Any violation of the provisions of this ordinance by any person shall be unlawful and shall be referred to the municipal attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a penalty of not less than \$25.00 and not more than \$50.00 (50 dollars), together with a taxable cost of such action. Each day of continued violation shall constitute a separate offense. Every violation of this ordinance is a public nuisance and the creation may be enjoined and the maintenance may be abated by action at suit of the municipality, the state, or any citizen thereof pursuant to s. 87.30, Stats.

14.10.0 DEFINITIONS

Unless specifically defined, words and phrases in this ordinance shall have their common law meaning and shall be applied in accordance with their common usage. Words used in the present tense include the future, the singular number includes the plural and the plural number includes the singular. The word "may" is permissive, "shall" is mandatory and is not discretionary.

1. A ZONES – Those areas shown on the Official Floodplain Zoning Map which would be inundated by

- the regional flood. These areas may be numbered or unnumbered A Zones. The A Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.
2. AH ZONE – See “AREA OF SHALLOW FLOODING”.
 3. AO ZONE – See “AREA OF SHALLOW FLOODING”.
 4. ACCESSORY STRUCTURE OR USE – A facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building.
 5. ALTERATION – An enhancement, upgrading or substantial change or modifications other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning and other systems within a structure.
 6. AREA OF SHALLOW FLOODING – A designated AO, AH, AR/AO, AR/AH, or VO zone on a community’s Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flood may be evident. Such flooding is characterized by ponding or sheet flow.
 7. BASE FLOOD – Means the flood having a one percent chance of being equaled or exceeded in any given year, as published by FEMA as part of a FIS and depicted on a FIRM.
 8. BASEMENT – Any enclosed area of a building having its floor sub-grade, i.e., below ground level, on all sides.
 9. BUILDING – See STRUCTURE.
 10. BULKHEAD LINE – A geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the Department pursuant to s. 30.11, Stats., and which allows limited filling between this bulkhead line and the original ordinary highwater mark, except where such filling is prohibited by the floodway provisions of this ordinance.
 11. CAMPGROUND – Any parcel of land which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by 4 or more camping units, or which is advertised or represented as a camping area.
 12. CAMPING UNIT – Any portable device, no more than 400 square feet in area, used as a temporary shelter, including but not limited to a camping trailer, motor home, bus, van, pick-up truck, or tent that is

- fully licensed, if required, and ready for highway use.
13. CERTIFICATE OF COMPLIANCE – A certification that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this ordinance.
 14. CHANNEL – A natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.
 15. CRAWLWAYS or CRAWL SPACE – An enclosed area below the first usable floor of a building, generally less than five feet in height, used for access to plumbing and electrical utilities.
 16. DECK – An unenclosed exterior structure that has no roof or sides, but has a permeable floor which allows the infiltration of precipitation.
 17. DEPARTMENT – The Wisconsin Department of Natural Resources.
 18. DEVELOPMENT – Any artificial change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.
 19. DRYLAND ACCESS – A vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and wide enough for wheeled rescue and relief vehicles.
 20. ENCROACHMENT – Any fill, structure, equipment, use or development in the floodway.
 21. FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) – The federal agency that administers the National Flood Insurance Program.
 22. FLOOD INSURANCE RATE MAP (FIRM) – A map of a community on which the Federal Insurance Administration has delineated both the floodplain and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency.
 23. FLOOD or FLOODING – A general and temporary

condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:

- The overflow or rise of inland waters;
 - The rapid accumulation or runoff of surface waters from any source;
 - The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior; or
 - The sudden increase caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event.
24. FLOOD FREQUENCY – The probability of a flood occurrence which is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average once in a specified number of years or as a percent (%) chance of occurring in any given year.
 25. FLOODFRINGE – That portion of the floodplain outside of the floodway which is covered by flood waters during the regional flood and associated with standing water rather than flowing water.
 26. FLOOD HAZARD BOUNDARY MAP – A map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a Flood Insurance Study and a Flood Insurance Rate Map.
 27. FLOOD INSURANCE STUDY – A technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A Zones. Flood Insurance Rate Maps, that accompany the Flood Insurance Study, form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.
 28. FLOODPLAIN – Land which has been or may be covered by flood water during the regional flood. It includes the floodway and the floodfringe, and may include other designated floodplain areas for regulatory purposes.

29. FLOODPLAIN ISLAND – A natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.
30. FLOODPLAIN MANAGEMENT – Policy and procedures to insure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.
31. FLOOD PROFILE – A graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.
32. FLOODPROOFING – Any combination of structural provisions, changes or adjustments to properties and structures, water and sanitary facilities and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.
33. FLOOD PROTECTION ELEVATION – An elevation of two feet of freeboard above the water surface profile elevation designated for the regional flood. (Also see: FREEBOARD.)
34. FLOOD STORAGE – Those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.
35. FLOODWAY – The channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.
36. FREEBOARD – A safety factor expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of watershed urbanization, loss of flood storage areas due to development and aggregation of the river or stream bed.
37. HABITABLE STRUCTURE – Any structure or portion thereof used or designed for human habitation.
38. HEARING NOTICE – Publication or posting meeting the requirements of Ch. 985, Stats. For appeals, a Class 1 notice, published once at least one week (7 days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least a week (7 days) before the hearing. Local ordinances or bylaws may require additional notice, exceeding these minimums.
39. HIGH FLOOD DAMAGE POTENTIAL – Damage that could result from flooding that includes any danger to life or health or any significant economic loss

- to a structure or building and its contents.
40. HIGHEST ADJACENT GRADE – The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
 41. HISTORIC STRUCTURE – Any structure that is either:
 - Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
 - Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior; or by the Secretary of the Interior in states without approved programs.
 42. INCREASE IN REGIONAL FLOOD HEIGHT – A calculated upward rise in the regional flood elevation greater than 0.00 foot, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.
 43. LAND USE – Any nonstructural use made of unimproved or improved real estate. (Also see DEVELOPMENT.)
 44. LOWEST ADJACENT GRADE – Elevation of the lowest ground surface that touches any of the exterior walls of a building.
 45. LOWEST FLOOR – The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR 60.3.
 46. MAINTENANCE – The act or process of restoring to

- original soundness, including redecorating, refinishing, non structural repairs, or the replacement of existing fixtures, systems or equipment with equivalent fixtures, systems or structures.
47. MANUFACTURED HOME – A structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term “manufactured home” includes a mobile home but does not include a “mobile recreational vehicle.”
 48. MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION – A parcel (or contiguous parcels) of land, divided into two or more manufactured home lots for rent or sale.
 49. MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION, EXISTING – A parcel of land, divided into two or more manufactured home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of this ordinance. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads.
 50. MOBILE/MANUFACTURED HOME PARK, EXPANSION TO EXISTING – The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation of utilities, construction of streets and either final site grading, or the pouring of concrete pads.
 51. MOBILE RECREATIONAL VEHICLE – A vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of “mobile recreational vehicles.”
 52. MODEL, CORRECTED EFFECTIVE – A hydraulic engineering model that corrects any errors that occur in the Duplicate Effective Model, adds any additional cross sections to the Duplicate Effective Model, or incorporates more detailed topographic information than that used in the current effective model.
 53. MODEL, DUPLICATE EFFECTIVE – A copy of the

- hydraulic analysis used in the effective FIS and referred to as the effective model.
54. MODEL, EFFECTIVE – The hydraulic engineering model that was used to produce the current effective Flood Insurance Study.
 55. MODEL, EXISTING (PRE-PROJECT) – A modification of the Duplicate Effective Model or Corrected Effective Model to reflect any man made modifications that have occurred within the floodplain since the date of the effective model but prior to the construction of the project for which the revision is being requested. If no modification has occurred since the date of the effective model, then this model would be identical to the Corrected Effective Model or Duplicate Effective Model.
 56. MODEL, REVISED (POST-PROJECT) – A modification of the Existing or Pre-Project Conditions Model, Duplicate Effective Model or Corrected Effective Model to reflect revised or post-project conditions.
 57. MUNICIPALITY or MUNICIPAL – The county, city or village governmental units enacting, administering and enforcing this zoning ordinance.
 58. NAVD or NORTH AMERICAN VERTICAL DATUM – Elevations referenced to mean sea level datum, 1988 adjustment.
 59. NGVD or NATIONAL GEODETIC VERTICAL DATUM – Elevations referenced to mean sea level datum, 1929 adjustment.
 60. NEW CONSTRUCTION – For floodplain management purposes, “new construction” means structures for which the start of construction commenced on or after the effective date of floodplain zoning regulations adopted by this community and includes any subsequent improvements to such structures. For the purpose of determining flood insurance rates, it includes any structures for which the “start of construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.
 61. NONCONFORMING STRUCTURE – An existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this ordinance for the area of the floodplain which it occupies. (For example, an existing residential structure in the floodfringe district is a conforming use. However, if the lowest floor is lower than the flood protection elevation, the structure is nonconforming.)
 62. NONCONFORMING USE – An existing lawful use or accessory use of a structure or building which is not

- in conformity with the provisions of this ordinance for the area of the floodplain which it occupies. (Such as a residence in the floodway.)
63. OBSTRUCTION TO FLOW – Any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.
 64. OFFICIAL FLOODPLAIN ZONING MAP – That map, adopted and made part of this ordinance, as described in s. 14.1.5(2), which has been approved by the Department and FEMA.
 65. OPEN SPACE USE – Those uses having a relatively low flood damage potential and not involving structures.
 66. ORDINARY HIGHWATER MARK – The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.
 67. PERSON – An individual, or group of individuals, corporation, partnership, association, municipality or state agency.
 68. PRIVATE SEWAGE SYSTEM – A sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same parcel as the structure. It also means an alternative sewage system approved by the Department of Safety and Professional Services, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure.
 69. PUBLIC UTILITIES – Those utilities using underground or overhead transmission lines such as electric, telephone and telegraph, and distribution and collection systems such as water, sanitary sewer and storm sewer.
 70. REASONABLY SAFE FROM FLOODING – Means base flood waters will not inundate the land or damage structures to be removed from the floodplain and that any subsurface waters related to the base flood will not damage existing or proposed buildings.
 71. REGIONAL FLOOD – A flood determined to be representative of large floods known to have occurred in Wisconsin. A regional flood is a flood with a one percent chance of being equaled or exceeded in any given year, and if depicted on the FIRM, the RFE is equivalent to the BFE.

72. **START OF CONSTRUCTION** – The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
73. **STRUCTURE** – Any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lake bed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.
74. **SUBDIVISION** – Has the meaning given in s. 236.02(12), Wis. Stats.
75. **SUBSTANTIAL DAMAGE** – Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the equalized assessed value of the structure before the damage occurred.
76. **SUBSTANTIAL IMPROVEMENT** – Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the work performed. The term does not, however, include either any project for the improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions; or any alteration of a historic structure provided that the

- alteration will not preclude the structure's continued designation as a historic structure.
77. UNNECESSARY HARDSHIP – Where special conditions affecting a particular property, which were not self created, have made strict conformity with restrictions governing areas, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of the ordinance.
 78. VARIANCE – An authorization by the board of adjustment or appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards (not uses) contained in the floodplain zoning ordinance.
 79. VIOLATION – The failure of a structure or other development to be fully compliant with the floodplain zoning ordinance. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.
 80. WATERSHED – The entire region contributing runoff or surface water to a watercourse or body of water.
 81. WATER SURFACE PROFILE – A graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.
 82. WELL – means an excavation opening in the ground made by digging, boring, drilling, driving or other methods, to obtain groundwater regardless of its intended use.
 83. ZONING ADMINISTRATOR – For the purposes of this ordinance, the Director of Planning and Zoning, or designee, is the Zoning Administrator.

Section 2. This ordinance shall be effective on February 4, 2015.

Nass moved that Ordinance No. 2014-34 be adopted. Seconded and carried.

Nass introduced Resolution No. 2014-63.

Executive Summary

Orthophotography (aerial photography) is used by many county departments on a regular basis to carry out county business. Up to date orthophotography used in conjunction with the county geographic information system (GIS) saves staff time and provides the Planning and Zoning Committee, other county board committees, local municipalities and the general public with information. The City of Watertown had requested the Land Information Office include the area in and around the city in Dodge County

(Area B) in the request for proposal for digital orthophotography acquisition which will be paid for by the City of Watertown. The Land Information Office has evaluated the proposals determined that the proposal submitted by The Sanborn Map Company is not the lowest cost, but is categorically more comprehensive and complete than the lowest cost proposal.

WHEREAS, a request for proposal to acquire orthophotography in the spring of 2015 was published on October 16, 2014, and

WHEREAS, ten proposals were submitted to provide orthophotography services to Jefferson County in the spring of 2015, and

WHEREAS, the responses to the County's Requests for Proposal are as follows:

<u>Company Name</u>	<u>City State</u>	<u>Areas A & B</u>	<u>Area A</u>
Williams Aerial and Mapping, Inc.	South Bend, Indiana	\$34,000	\$31,000
The Sanborn Map Company, Inc.	Colorado Springs, Colorado	\$36,628	\$34,278
Kucera International Inc.	Willoughby, Ohio	\$45,200	\$42,000
Mapping Resource Group	Flagler Beach, Florida	\$47,700	\$40,545
Geophex, Ltd	Raleigh, North Carolina	\$48,754	\$45,319
Aerial Surveys International, LLC	Watkins, Colorado	\$48,810	\$44,245
KBM, Inc.	Grand Forks, North Dakota	\$50,905	\$36,505
ControlCam, LLC	Jacksonville, Florida	\$53,900	\$49,564
Surdex Corporation	Chesterfield, Missouri	\$60,220	\$55,560
Ayers/Quantum	Madison, Wisconsin	\$67,500	\$62,500

AND WHEREAS, the Planning and Zoning Committee agrees with the determination that The Sanborn Map Company proposal is categorically more comprehensive and complete than the lowest cost proposal, and

WHEREAS, Areas A & B include Jefferson County and the Dodge County portions of the City of Watertown and surrounding area. Area A includes Jefferson County only.

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors does hereby authorize the Land Information Office to contract with The Sanborn Map Company of Colorado Springs, Colorado, for \$36,628.

Fiscal Note: The contract total for Area A of \$34,278 is funded in the 2015 budget through the non-tax levy Land Records Modernization account, number 1303.521219. The \$2,350 to fund the additional Area B will be funded by the City of Watertown.

Nass moved that Resolution No. 2014-63 be adopted. Sec-
 onded and carried: Ayes 28 (Jones, Kelly, David, Tietz, Braughler, Buchanan, Morris, Wineke, Rinard, Reese, Morse, Lund, Nass,

Payne, Kutz, Hanneman, Schroeder, Mode, Kannard, Poulson, Jaeckel, Edwards, Foelker, Zentner, Borland, Schultz, Babcock, Christensen), Noes 0, Absent 2 (Counsell, Hartz).

Wehmeier, County Administrator, introduced the Medical Examiner appointment.

On January 14, 2014, through Ordinance No. 2013-21, Jefferson County created the appointed office of Medical Examiner effective January 5, 2015, and by virtue of the authority vested in me by section 59.18(2)(b) of the Wisconsin Statutes I do hereby appoint Nicol Wayd to serve as the Jefferson County Medical Examiner.

Braugler moved to confirm. Seconded and carried.

Wehmeier introduced the following appointment:

TO THE JEFFERSON COUNTY BOARD OF SUPERVISORS:
MEMBERS OF THE BOARD:

By virtue of the authority vested in me under Section 59.18 of the Wisconsin Statutes, I do hereby appoint and request your confirmation of the following individual as a member of the designated Commission:

Sheriff's Civil Service Commission:

Lee Leverton, Lake Mills, Wisconsin, to fill an unexpired term ending January 1, 2018.

Buchanan moved to confirm. Seconded and carried.

Public Comment – General. Steve Nass, Lake Mills, voiced his support on County Board meetings being broadcast.

Supplemental information presented at the December 9, 2014, Jefferson County Board meeting will be available at the County Clerk's office upon request or on the County's website at www.jeffersoncountywi.gov.

There being no further business, Buchanan moved that the Board adjourn. Seconded and carried at 8:25 p.m.