

NOTICE OF MEETING
SHEBOYGAN COUNTY BOARD OF SUPERVISORS

Sheboygan County Courthouse
615 North 6th Street, 5th Floor
Sheboygan WI

TUESDAY, February 16, 2016 at 6:00 P.M.

In compliance with Rule V under the Rules of Order of the Sheboygan County Board of Supervisors, as County Clerk of Sheboygan County, I herewith submit the following AGENDA.

AGENDA

CALL TO ORDER – Chairperson Roger L. Te Stroete

CERTIFICATION OF COMPLIANCE WITH OPEN MEETING LAW

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF JANUARY 19, 2016 JOURNAL

PRESENTATIONS – NONE

PUBLIC ADDRESSES

As of the preparation of this Agenda no one has requested to speak. County Board rules allow interested persons to register to speak until 5:00 pm on the Monday before the County Board Meeting.

LETTERS, COMMUNICATIONS AND ANNOUNCEMENTS

Items introduced under this heading are either referred to a Committee for action, or received for information. No action is taken at this meeting.

COUNTY ADMINISTRATOR'S REPORT

The County Administrator's Report is a summary of County activities for the previous month and planned for upcoming months.

<p style="text-align:center">*POSTED* 02.12.16 2:30 PM</p>

CONSIDERATION OF COMMITTEE REPORTS - EXECUTIVE COMMITTEE

Resolution No. 28 (2015/16) Re: Carryover of Unexpended 2015 Appropriations to 2016
Committee Recommendation: Adopt
Signed in Opposition: None

Resolution No. 29 (2015/16) Re: Amending 2016 Budget Based on Health Insurance
Committee Recommendation: Adopt
Signed in Opposition: None

CONSIDERATION OF COMMITTEE REPORTS - LAW COMMITTEE

Ordinance No. 13 (2015/16) Re: Establishing Speed Zone on County Road "KK" (Town of Wilson)
Committee Recommendation: Enact
Signed in Opposition: None

Ordinance No. 14 (2015/16) Re: Prohibiting Parking on Portion of County Road "O", City and Town of Sheboygan
Committee Recommendation: Enact
Signed in Opposition: None

RESOLUTIONS INTRODUCED

Items introduced under this heading are referred to a Committee for recommendation. No formal action is taken at this meeting unless noted.

Resolution No. 30 (2015/16) Re: Authorizing Funding for Final Phase of Health and Human Services Building Remodeling Project

Resolution No. 31 (2015/16) Re: Merging Aging Unit Advisory Committee and Aging & Disability Resource Center (ADRC) Governing Committee

Resolution No. 32 (2015/16) Re: Authorizing Expenditure of Not More than \$20,000 from the County Jail Fund

Resolution No. 33 (2015/16) Re: Approving Use of Fund Balance for Radio Replacement Program

Resolution No. 34 (2015/16) Re: Approving Sale of .44-acre Parcel from Taylor Park Complex to Adjacent Property Owners

ORDINANCES INTRODUCED

Items introduced under this heading are referred to a Committee for recommendation. No formal action is taken at this meeting unless noted.

Ordinance No. 15 (2015/16) Re: Repealing and Re-creating Chapter 71 – Subdivision Ordinance

ADJOURNMENT

Respectfully submitted this 12th day of February, 2016.



JON DOLSON, COUNTY CLERK

NOTES:

Reminder: Expense sheets for the period ending February 15, 2016 are due in the County Clerk's Office no later than **Tuesday, February 16, 2016.**

The Legislative Breakfast will be held on March 14, 2016 at 8:00 A.M. at the Fountain Park Family Restaurant.

The Legislative Breakfast is a monthly informational question and answer session between Sheboygan County's federal and state legislative delegation and Sheboygan County Supervisors and department heads. Because a majority of the Board or a Committee may attend, it is a meeting open to the public under the Open Meeting law even though there is no formal agenda, no action will be taken, and no minutes are being kept.

Persons with disabilities needing assistance to attend or participate are asked to notify the County Clerk's Office at 920.459.3003 prior to the meeting so that accommodations may be arranged.

**JOURNAL OF THE MEETING OF THE
SHEBOYGAN COUNTY BOARD OF SUPERVISORS**

January 19, 2016

Pursuant to Wis. Stat. § 59.11, the January 19, 2016 session of the Sheboygan County Board was called to order by Chairperson Roger L. Te Stroete at 6:00 p.m. Chairperson Te Stroete noted that the notice of meeting was posted on January 15, 2016 at 4:00 p.m. in compliance with the open meeting law. The meeting opened with the Pledge of Allegiance by all present.

The roll call was taken and recorded with 24 Supervisors present; Absent: 1, Supervisor Conrardy.

Supervisor Winkel moved for approval of the December 15, 2015 Journal, which was distributed to all supervisors prior to the meeting. The motion was seconded by Supervisor Glavan and carried on unanimous roll call vote of the board.

APPOINTMENTS

The Chairperson announced that the next order of business was the consideration of the appointments by the County Administrator of Thomas Doane and Tom Bigler to the **Eastern Shores Library System Board**.

Supervisor Goehring moved to concur with the appointments from the County Administrator. The motion was seconded by Supervisor Uraynar and carried on unanimous roll call vote of the board.

PRESENTATION

Dane Checolinski, SCEDC Director – "Someplace Better" Workforce Relocation Initiative

LETTERS AND COMMUNICATIONS

The Clerk presented a resolution from the Shawano County Board of Supervisors urging legislators to amend Wis. Stat. §43.12 relating to library payments. By Chairperson received for information.

The Clerk presented a resolution from the Iron County Board of Supervisors urging repeal of requirements of Act 55 related to shoreland zoning. By Chairperson received for information.

The Clerk presented a resolution from the Kewaunee County Board of Supervisors supporting a national marine sanctuary in Wisconsin's mid-lake region and inclusion of Kewaunee's coastal areas. By Chairperson received for information.

The Clerk presented a resolution from the Racine County Board of Supervisors opposing any legislation expanding the subpoena process. By Chairperson received for information.

The Clerk presented a resolution from the Outagamie County Board of Supervisors supporting proposed legislation regarding marriage and domestic partnership license fees and updates to required information. By Chairperson referred to the Finance Committee.

The Clerk presented a resolution from the Outagamie County Board of Supervisors opposing proposed legislation relating to the referral of cases of suspected child abuse. By Chairperson referred to the Health & Human Services Committee.

COUNTY ADMINISTRATOR'S REPORT

County Administrator Adam Payne thanked Dane Checolinski for his presentation and the good work of the Sheboygan County Economic Development Corporation. Mr. Payne gave brief updates on the Amsterdam Dunes Wetland Mitigation Bank and Preservation Area, Employee Compensation Study and Payroll Systems, and his recent appointment of a Courthouse Security Ad Hoc Committee. Mr. Payne thanked the Finance and HR Committees and staff for their work on the Employee Health Insurance change to WCA Health Trust, saving approximately \$1.1 million. Mr. Payne shared next month he will be giving the State of the County address.

MEMORIAL RESOLUTION

Resolution No. 27 (2015/16) Re: Honoring the Life of Former County Board Supervisor Adrian W. Van Dixhorn.

Pursuant to County Board Rule 2.13, this resolution was on the floor for immediate action and was unanimously adopted by the Board on a rising vote and a pause in its deliberations.

Chairperson Te Stroete and Vice Chairperson Wegner presented a signed copy of the resolution to Mr. Van Dixhorn's daughters, Brenda Nabak and Gloria Van Dixhorn.

COMMITTEE REPORTS

The Clerk read the report of the Executive Committee regarding **Resolution No. 23 (2015/16) Disallowance of Calkins Claim Against Sheboygan County** recommending adoption.

Supervisor Marthenze moved to adopt the resolution. The motion was seconded by Supervisor Goehring and carried on unanimous roll call vote of the board.

The Clerk read the report of the Executive Committee regarding **Resolution No. 24 (2015/16) Election to Withdraw from the Local Government Property Insurance Fund (LPGIF)** recommending adoption.

Supervisor Weggeman moved to adopt the resolution. Supervisor Marthenze seconded the motion which carried on unanimous roll call vote of the board.

The Clerk read the report of the Executive Committee regarding **Resolution No. 25 (2015/16) Authorizing the Issuance and Sale of \$3,265,000 General Obligation Refunding Bonds** recommending adoption.

Supervisor Weggeman moved to adopt the resolution. The motion was seconded by Supervisor Marthenze.

Supervisor Weggeman moved to amend the resolution by replacing the original resolution with the revised resolution presented. The motion was seconded by Supervisor Marthenze and carried on unanimous roll call vote of the board.

Resolution No. 25 was adopted as amended on unanimous roll call vote of the board.

The Clerk read the report of the Executive Committee regarding **Ordinance No. 12 (2015/16) Changing Supervisory District Boundaries to Reflect Annexation** recommending enactment.

Supervisor Goehring moved to enact the ordinance. Supervisor Glavan seconded the motion which carried on unanimous roll call vote of the board.

The Clerk read the report of the Law Committee regarding **Resolution No. 26 (2015/16) Supporting Rules for Packaging Liquid Nicotine** recommending filing with the clerk.

Supervisor Winkel moved to file the resolution with the clerk. The motion was seconded by Supervisor Epping and was defeated on roll call vote of the board of Ayes: 10, Supervisors Bauer, Bemis, Bosman, Damp, Epping, Hilbelink, Marthenze, Te Stroete, Weggeman, and Winkel; Noes: 14; Absent: 1, Supervisor Conrardy.

Supervisor Van Dixhorn moved to adopt the resolution. The motion was seconded by Supervisor Hoffmann.

Per Corporation Counsel, Carl Buesing advised the board needed to vote to suspend the rules to allow a motion to accept the consideration of the Van Dixhorn motion. Vote carried on Ayes: 16, Noes: 8, Supervisors Bauer, Bemis, Damp, Epping, Hilbelink, Marthenze, Te Stroete, and Winkel; Absent: 1, Supervisor Conrardy.

Resolution No. 26 was adopted on roll call vote of the board of Ayes: 16, Noes: 8, Supervisors Bauer, Bosman, Damp, Epping, Hilbelink, Marthenze, Weggeman, and Winkel; Absent: 1, Supervisor Conrardy.

(Vice-Chairperson Wegner presiding)

Pursuant to Rule IV of the Rules of Order, the following resolutions and ordinances were introduced by the Clerk and referred by the Vice-Chairperson as indicated:

Resolution No. 28 (2015/16) Re: Carryover of Unexpended 2015 Appropriations to 2016 referred to the Executive Committee.

Resolution No. 29 (2015/16) Re: Amending 2016 Budget Based on Health Insurance Change referred to the Executive Committee.

Ordinance No. 13 (2015/16) Re: Establishing Speed Zone on County Road "KK" (Town of Wilson) referred to the Law Committee.

Ordinance No. 14 (2015/16) Re: Prohibiting Parking on Portion of County Road "O", City and Town of Sheboygan referred to the Law Committee.

ADJOURNMENT

Supervisor Bemis moved to adjourn to 6:00 p.m. on Tuesday, February 16, 2016. Supervisor Winkel seconded the motion which carried on unanimous roll call vote of the board. The meeting was adjourned at 6:52 p.m.

1 SHEBOYGAN COUNTY RESOLUTION NO. 28 (2015/16)

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3 Re: Carryover of Unexpended 2015 Appropriations to 2016

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6 WHEREAS, the 2015 County Budget included appropriations for certain items which
7 were expected to be completed in 2015 but for a variety of reasons were not, and

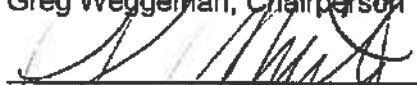
8
9 WHEREAS, the Finance Committee has asked each Department having a surplus and
10 with unexpended 2015 appropriations to justify carryover of the appropriation to 2016, and the
11 Committee has carefully reviewed each such request and recommends that the items on the
12 attached list be carried over to and authorized for expenditure in 2016, in the total amount of
13 \$1,359,812;

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15 NOW, THEREFORE, BE IT RESOLVED that the aforementioned expenditures be and
16 hereby are approved for carryover to and expenditure in 2016.

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19 Respectfully submitted this 19th day of January, 2016.

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22 FINANCE COMMITTEE

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26 Greg Weggeman, Chairperson

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29 George Marthenze, Vice-Chairperson

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32 Thomas Wegner, Secretary

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35 William C. Goehring

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38 Al Bosman

39 Opposed to Introduction:
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Carryover Requests

ACCOUNT NUMBERS	AMOUNT APPROVED	SUBTOTAL	PROJECT	JUSTIFICATION
		BY DEPT.		
116.533840	6,500.00		Maintenance Supplies - Runway De-icing	Runway De-icing - product not received by yearend
116.552125	12,000.00		Interdepartmental Repairs & Maintenance - Highway Department	Interdepartmental Highway Department - Funds needed to complete drainage project not completed by yearend.
Dept. Total	\$ 18,500.00			Airport
109.511105	\$ 47,400.00		Wages - Regular	To cover old & new sick payouts for two retirements occurring within the first quarter 2016. Lapse of time in filling vacant positions due to three retirements in 2015 and hiring new employees at a much lower rate of pay.
Dept. Total	\$ 47,400.00			Clerk of Courts
101.532145	38,000.00		Repair & Maintenance - Structural	Admin Building 1st Floor carpeting - three building projects delayed due to insufficient time to prepare bid specifications
101.533926	3,500.00		Non-Capitalized Equipment over \$500	Administration Building Entrance Security - installation pending upgrade @ LEC
103.532210	20,000.00		Maintenance of Equipment - Air Conditioning	Courthouse Air Conditioning - Installation of cabinet converters delayed due to insufficient manpower to obtain quotes
103.533926	6,750.00		Non-Capitalized Equipment over \$500	Courthouse Entrance Security - Upgrade of LEC cameras pending decision of higher quality system
103.533955	5,211.00		Contingency Funds	Courthouse contingency - annual carryover of remaining funds to cover unexpected equipment failures
104.532145	13,636.00		Repair & Maintenance - Structural	Detention Center Door & Feb maintenance - annual contract and Feb request for floor condition that is not adequate. Funds are needed to correct door control system problems.
104.532145	58,000.00		Repair & Maintenance - Structural	Detention Center Pod Flooring Phase 1 & Phase 2 - existing flac found to be incompatible with all possible replacements. Searching for less expensive vendor to remove glue.
104.532205	10,000.00		Maintenance of Equipment - Heat	Detention Center Garage Heater - installation delayed due to insufficient manpower to obtain quotes
105.533926	7,500.00		Non-Capitalized Equipment over \$500	IIHS Entrance Security/Phone Extension for ENS - Upgrade from analog to digital to improve imaging
198.565020	60,000.00		Machinery & Equipment - 20 years	IIHS Entrance Security/Phone Extension for ENS - Upgrade from analog to digital to improve imaging
Dept. Total	\$ 272,597.00			Courthouse 50 hp Boiler - Purchase orders have been issued but boiler not received by year-end. Building Services
164.533923	10,500.00		Noncap OITF&E >\$	Office furniture for three shift supervisors offices. These offices are part of phase III of the remodeling project. Want to wait until offices are ready to purchase the furniture.
164.533923	1,600.00		Noncap OITF&E >\$	Office furniture for shift commanders office. This office is part of phase III of the remodeling project. Want to wait until the office is ready to purchase the furniture.
196.566100	14,146.00		Communications Equipment	Video camera equipment for criminal investigation interview rooms. Originally part of combined dispatch project.
Dept. Total	\$ 26,246.00			Sheriff
143.533955	\$ 191,912.00		Contingency Funds	Unspent contingency funds
Dept. Total	\$ 191,912.00			Non-Departmental
Subtotal	\$ 556,655.00			General Fund
215.532115	\$ 23,331.00		Repair & Maintenance - Custodial	Custodial-line used for Security - The department budgeted \$24,000 in 2015 to address building security needs. Efforts were expended under that appropriation to replace a former contracted security service with deputized personnel in order to improve building safety. An agreement for that service was unable to be reached during the year but is expected to be executed with the Sheriff's Department in the first quarter of 2016. Through those discussions, a determination regarding the need to upgrade the building's panic alarm system to expand capacity within the department was also made. Costs and options for that upgrade were received in December. The department is subsequently requesting to apply unexpended funds from 2015 toward that purchase as a supplement to the planned deputized security presence.
Dept. Total	\$ 23,331.00			Health & Human Services
Subtotal	\$ 23,331.00			Special Revenue Fund

Carryover Requests

ACCOUNT NUMBERS	AMOUNT APPROVED	SUBTOTAL BY DEPT.	PROJECT	JUSTIFICATION
330.532145	28,200.00		Repairs & Maintenance - Structural	Structural maintenance - Boiler repairs will be necessary to avoid future fuel curtailments. A solution has been finalized and needs immediate action. Time, scope, and reauthorization of many projects contributed to the delay. Heating/cooling system repairs & maintenance - Boiler repairs will be necessary to avoid future fuel curtailments. A solution has been finalized and needs immediate action. Time, scope, and reauthorization of many projects contributed to the delay. Maintenance & Repairs - ongoing maintenance projects not completed due to scope and time as other projects and maintenance required attention. Seminars & Training & Travel - cross-connection control and backflow prevention course. Class was already full for the building services supervisor to attend and is offered again during 2016. Supplies and small equipment - mattresses and general patient care supplies Rocky Knoll
330.532205,	15,400.00		Maintenance of Equipment - Heat, Air Conditioning	
330.532210	16,400.00		Other Maintenance - General Repairs & Maintenance	
330.532402	1,860.00		Travel and Meals - Mileage - Employee, Meals - Employee, Lodging - Employee, Seminars and Training	
330.533205,	10,000.00		General Supplies - General	
533215, 533220,				
533245				
339.533505				
Dept. Total	\$ 71,860.00			
Subtotal	\$ 71,860.00			
423.533245	4,350.00		Seminars and Training	SQL Server Training for 3 IT staff members. This is valuable training for our staff and capitalizes on the fact that the City will be bringing a trainer to Sheboygan, so we save on travel costs. Cost of training is split 50/50 with City, as each will have 3 attendees. A date couldn't be secured in 2015, training will take place in 2016.
423.531105	25,000.00		Consulting	Architect's fees to draw up plans for IT area remodel which was postponed due to more pressing projects in both IT and Building Services
423.566000	69,166.00		Office Furniture & Equipment	Office furniture and equipment for IT area remodel which was temporarily postponed due to more pressing projects in both IT and Building Services
423.531105	10,700.00		Consulting	Consulting services to migrate archived emails out of old system to new system. Purchase Order has been issued but the process took longer than expected and will finish in January 2016.
Dept. Total	\$ 109,216.00			IT
444.531210	60,000.00		Engineering	Engineering - work not completed at yearend for projects
444.533480	127,000.00		Right of Way	Right of Way - for CTH OK project, right of way transactions not completed
440.567000	411,750.00		Vehicles	Vehicles - for trucks and equipment that was not ordered and received prior to yearend.
Dept. Total	\$ 598,750.00			Highway
Subtotal	\$ 707,966.00			Internal Service Fund
Grand Total	\$ 1,359,812.00			

1 SHEBOYGAN COUNTY RESOLUTION NO. 29 (2015/16)

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3 Re: Amending 2016 Budget Based on Health Insurance Change

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6 WHEREAS, the Sheboygan County Board approved its 2016 budget at its meeting on
7 November 3, 2015, and

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9 WHEREAS, the 2016 County Budget was premised on Sheboygan County continuing to
10 utilize the self-insurance program for employees' group health benefits that had been in place
11 under Wis. Stat. § 59.52(11) since the adoption of Resolution No. 30 (1989/90), and

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13 WHEREAS, through the adoption of Resolution No. 21 (2015/16) at its December Board
14 meeting, the County Board approved the County utilizing the Wisconsin Counties Association
15 Health Trust as the mechanism for its self-insurance program, and

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17 WHEREAS, the 2016 County Budget will need to be changed to reflect the December
18 2015 decision to move to the WCA Health Trust model;

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20 NOW, THEREFORE, BE IT RESOLVED that the 2016 County Budget as adopted on
21 November 3, 2015, be amended in the manner shown on Exhibit A as attached hereto and on
22 file with the County Clerk.

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24 BE IT FURTHER RESOLVED that the Finance Department is authorized and directed to
25 publish any Class 1 Notice which may be required pursuant to Wis. Stat. § 65.90(5) as a result
26 of this Resolution.


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29 Respectfully submitted this 19th day of January, 2016.

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32 FINANCE COMMITTEE

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36 Gregory Weggeman, Chairperson

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39 Thomas Wegner, Secretary

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42 George Marthenze, Vice Chairperson

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45 Al Bosman

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48 William C. Goehring

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Opposed to Introduction:

Exhibit A

Account Adjustments to reflect utilization of Wisconsin Counties Association Health Trust

Employee Insurances - Health		As Approved on 11/3/15	Increase (decrease)	Adjusted Budget
Revenues				
454425	Service	1,676,046.00	58,662.00	1,734,708.00
466105	Insurance Reimbursement	222,634.00	(222,634.00)	-
466125	Misc Reimbursement (Cobra)	149,292.00	(149,292.00)	-
471100	Health Insurance	9,290,004.00	325,150.00	9,615,154.00
Expenses				
512120	Health Insurance	8,469,010.00	(8,469,010.00)	-
512120.130	Health Insurance-WCA premiums		11,349,862.00	11,349,862.00
512123	Prescription Insurance	2,591,367.00	(2,591,367.00)	-
512167	Health Plan Incentive	600.00	(600.00)	-
531202.123	Wellness Services - Miscellaneous	470,023.00	(470,023.00)	-
531465.123	Administration Fees	773,971.00	(773,971.00)	-
533475	Assessment Fees	70,544.00	(68,544.00)	2,000.00
534105	Rental of Building	60,486.00	(60,486.00)	-

Exhibit A, continued

Department	Business Unit	Description	Current Budget Balance	Proposed Budget with Adjustment for 3.5% premium increase	Budget Adjustment increase Acet #551105- Health Insurance	Budget Adjustment Increase Acet #411100- Property Tax Levy
185	111	Medical Examiner	\$ 15,776.00	\$ 16,328.16	\$ 552.16	\$ 552.16
173	172	Veterans' Services	\$ 28,490.00	\$ 29,487.15	\$ 997.15	\$ 997.15
181	168	Treasurer	\$ 91,594.00	\$ 94,799.79	\$ 3,205.79	\$ 3,205.79
182	149	Register of Deeds	\$ 91,594.00	\$ 94,799.79	\$ 3,205.79	\$ 3,205.79
185	139	Finance	\$ 202,937.00	\$ 210,039.80	\$ 7,102.80	\$ 7,102.80
186	117	County Board	\$ 5,157.00	\$ 5,337.50	\$ 180.50	\$ 180.50
187	116	County Airport	\$ 47,328.00	\$ 48,984.48	\$ 1,656.48	\$ 1,656.48
190	137	Family Court Commission Admini	\$ 47,328.00	\$ 48,984.48	\$ 1,656.48	\$ 1,656.48
191	108	Clerk of Courts Administration	\$ 85,237.00	\$ 88,220.30	\$ 2,983.30	\$ 2,983.30
191	109	Clerk of Courts Court Services	\$ 233,578.00	\$ 241,753.23	\$ 8,175.23	\$ 8,175.23
191	110	Register in Probate	\$ 31,552.00	\$ 32,656.32	\$ 1,104.32	\$ 1,104.32
192	134	District Attorney Administrati	\$ 88,532.00	\$ 91,630.62	\$ 3,098.62	\$ 3,098.62
192	136	Legal Services	\$ 26,038.00	\$ 26,949.33	\$ 911.33	\$ 911.33
192	1033	Victim Witness	\$ 53,685.00	\$ 55,563.98	\$ 1,878.98	\$ 1,878.98
193	1093	County Administrator	\$ 20,933.00	\$ 21,665.66	\$ 732.66	\$ 732.66
194	169	UW Extension Administration	\$ 47,328.00	\$ 48,984.48	\$ 1,656.48	\$ 1,656.48
195	125	Boat Landings	\$ 3,156.00	\$ 3,266.46	\$ 110.46	\$ 110.46
195	132	Planning & Zoning	\$ 108,112.00	\$ 111,895.92	\$ 3,783.92	\$ 3,783.92
195	1053	Non Motorized Transp't Pilot	\$ 5,522.00	\$ 5,715.27	\$ 193.27	\$ 193.27
195	1063	Conservation Adm	\$ 44,266.00	\$ 45,815.31	\$ 1,549.31	\$ 1,549.31
196	151	Clerical Non-Grant	\$ 86,954.00	\$ 89,997.39	\$ 3,043.39	\$ 3,043.39
196	152	Communication Center	\$ 378,857.00	\$ 392,117.00	\$ 13,260.00	\$ 13,260.00
196	153	Criminal Invest. Non-Grant	\$ 141,984.00	\$ 146,953.44	\$ 4,969.44	\$ 4,969.44
196	154	Detention Center	\$ 736,513.00	\$ 762,290.96	\$ 25,777.96	\$ 25,777.96
196	156	Electronic Monitoring Program	\$ 47,328.00	\$ 48,984.48	\$ 1,656.48	\$ 1,656.48
196	159	Juvenile Detention	\$ 15,776.00	\$ 16,328.16	\$ 552.16	\$ 552.16
196	162	Motor Vehicle	\$ 6,357.00	\$ 6,579.50	\$ 222.50	\$ 222.50
196	163	Patrol Service	\$ 647,282.00	\$ 669,935.87	\$ 22,653.87	\$ 22,653.87
196	164	Sheriff Administrative	\$ 31,552.00	\$ 32,656.32	\$ 1,104.32	\$ 1,104.32
196	165	Sheriff Court Services	\$ 116,789.00	\$ 120,876.62	\$ 4,087.62	\$ 4,087.62
196	166	Sheriff Training	\$ 22,133.00	\$ 22,907.66	\$ 774.66	\$ 774.66
196	1009	EMPG - Clerical	\$ 1,420.00	\$ 1,469.70	\$ 49.70	\$ 49.70
196	1010	EPCRA - Clerical	\$ 158.00	\$ 163.53	\$ 5.53	\$ 5.53
196	1011	EMPG - Emergency Services	\$ 7,888.00	\$ 8,164.08	\$ 276.08	\$ 276.08
196	1012	EPCRA - Emergency Services	\$ 7,888.00	\$ 8,164.08	\$ 276.08	\$ 276.08
196	1059	Sheriff - Accounting	\$ 31,552.00	\$ 32,656.32	\$ 1,104.32	\$ 1,104.32
196	1096	Radio Communications	\$ 6,357.00	\$ 6,579.50	\$ 222.50	\$ 222.50
196	1101	Dive Team	\$ 191.00	\$ 197.69	\$ 6.69	\$ 6.69
197	118	County Clerk Administration	\$ 36,331.00	\$ 37,602.59	\$ 1,271.59	\$ 1,271.59
198	103	Court House	\$ 139,155.00	\$ 144,025.43	\$ 4,870.43	\$ 4,870.43
198	101	Administration Building	\$ 28,490.00	\$ 29,487.15	\$ 997.15	\$ 997.15
198	102	ADRC Building	\$ 6,357.00	\$ 6,579.50	\$ 222.50	\$ 222.50
198	104	Detention Center	\$ 53,685.00	\$ 55,563.98	\$ 1,878.98	\$ 1,878.98
198	105	Human Services Building	\$ 56,980.00	\$ 58,974.30	\$ 1,994.30	\$ 1,994.30
198	106	Law Enforcement Center	\$ 22,133.00	\$ 22,907.66	\$ 774.66	\$ 774.66
199	146	Personnel Administration	\$ 74,546.00	\$ 77,155.11	\$ 2,609.11	\$ 2,609.11
200	2001	AODA Block Grant - BH	\$ 17,341.00	\$ 17,947.94	\$ 606.94	\$ 606.94
200	2002	Birth to Thrive	\$ 7,888.00	\$ 8,164.08	\$ 276.08	\$ 276.08
200	2007	Elder Abuse Direct Service	\$ 1,735.00	\$ 1,795.73	\$ 60.73	\$ 60.73
200	2010	Elder Abuse Direct Service	\$ 10,101.00	\$ 10,454.54	\$ 353.54	\$ 353.54
200	2011	Family Support - LT Support	\$ 2,051.00	\$ 2,122.79	\$ 71.79	\$ 71.79
200	2015	Intoxicated Driver	\$ 11,990.00	\$ 12,409.65	\$ 419.65	\$ 419.65
200	2017	LTS2 Comm. Aids-Comm. Prog.	\$ 34,884.00	\$ 36,104.94	\$ 1,220.94	\$ 1,220.94
200	2019	Outpt. Comm. Aids CP - BH	\$ 93,635.00	\$ 96,912.23	\$ 3,277.23	\$ 3,277.23
200	2021	TASC Comm. Aids-Comm. Prog.	\$ 78,307.00	\$ 81,047.75	\$ 2,740.75	\$ 2,740.75
200	2027	Children's Long Term Support	\$ 35,023.00	\$ 36,248.81	\$ 1,225.81	\$ 1,225.81
200	2031	Aging & Dis. Res. Ctr - ADRC	\$ 142,927.00	\$ 147,929.45	\$ 5,002.45	\$ 5,002.45
200	2032	Comprehensive Comm Serv Adults	\$ 70,489.00	\$ 72,956.12	\$ 2,467.12	\$ 2,467.12
200	2046	Crisis Intervention	\$ 1,109.00	\$ 1,147.82	\$ 38.82	\$ 38.82
200	2048	Comprehensive Comm Svs - Child	\$ 18,931.00	\$ 19,593.59	\$ 662.59	\$ 662.59
200	2050	Child & Family Svs Support	\$ 21,929.00	\$ 22,696.52	\$ 767.52	\$ 767.52
200	2053	Outpatient/Crisis On Call	\$ 13,047.00	\$ 13,503.65	\$ 456.65	\$ 456.65
200	2054	C&F Resource Unit Intake	\$ 2,997.00	\$ 3,101.90	\$ 104.90	\$ 104.90
210	212	Financial Administration	\$ 80,639.00	\$ 83,463.37	\$ 2,822.37	\$ 2,822.37
210	213	General Management	\$ 15,776.00	\$ 16,328.16	\$ 552.16	\$ 552.16
210	214	Program Management	\$ 47,328.00	\$ 48,984.48	\$ 1,656.48	\$ 1,656.48
210	215	Secretarial Services	\$ 164,117.00	\$ 169,861.10	\$ 5,744.10	\$ 5,744.10
220	2211	Meal Site Services	\$ 32,211.00	\$ 33,338.39	\$ 1,127.39	\$ 1,127.39

Exhibit A, continued

Department	Business Unit	Description	Current Budget Balance	Proposed Budget with Adjustment for 3.5% premium increase	Budget Adjustment increase Acct #551105- Health Insurance	Budget Adjustment increase Acct #411100- Property Tax Levy
220	2215	Information & Referral IMB	\$ 19,435.00	\$ 20,115.23	\$ 680.23	\$ 680.23
220	2224	Home Delivered Meal Program	\$ 8,997.00	\$ 9,311.90	\$ 314.90	\$ 314.90
220	2251	Benefit Specialist	\$ 4,448.00	\$ 4,603.68	\$ 155.68	\$ 155.68
220	2255	Transportation	\$ 316.00	\$ 327.06	\$ 11.06	\$ 11.06
220	2256	Caregivers Support Program	\$ 7,888.00	\$ 8,164.08	\$ 276.08	\$ 276.08
230	237	Licensing & Inspection	\$ 30,652.00	\$ 31,724.82	\$ 1,072.82	\$ 1,072.82
230	2301	Childhood Lead Prevention	\$ 2,559.00	\$ 2,648.57	\$ 89.57	\$ 89.57
230	2306	Immunization Supplement	\$ 4,198.00	\$ 4,344.93	\$ 146.93	\$ 146.93
230	2308	MCH - O-S	\$ 2,840.00	\$ 2,939.40	\$ 99.40	\$ 99.40
230	2313	MA - Tuberculosis Other Servs.	\$ 27,801.00	\$ 28,774.04	\$ 973.04	\$ 973.04
230	2318	Comm. Assess. / Prevention	\$ 39,581.00	\$ 40,966.34	\$ 1,385.34	\$ 1,385.34
230	2320	Refugee Health	\$ 1,425.00	\$ 1,474.88	\$ 49.88	\$ 49.88
230	2321	Women, Infant, & Children	\$ 58,293.00	\$ 60,333.26	\$ 2,040.26	\$ 2,040.26
230	2329	Emergency Preparedness	\$ 15,060.00	\$ 15,587.10	\$ 527.10	\$ 527.10
230	2334	Public Health Community Health	\$ 61,540.00	\$ 63,693.90	\$ 2,153.90	\$ 2,153.90
230	2340	PH Services - Env Health	\$ 2,844.00	\$ 2,943.54	\$ 99.54	\$ 99.54
230	2341	PH Services - CDC	\$ 27,815.00	\$ 28,788.53	\$ 973.53	\$ 973.53
230	2346	Pub Health/Child & Family Prog	\$ 19,058.00	\$ 19,725.03	\$ 667.03	\$ 667.03
250	2501	Coordinated Services Team	\$ 23,664.00	\$ 24,492.24	\$ 828.24	\$ 828.24
250	2503	CA - After Hours - CPS	\$ 2,840.00	\$ 2,939.40	\$ 99.40	\$ 99.40
250	2511	CA - CPS - CM	\$ 194,027.00	\$ 200,817.95	\$ 6,790.95	\$ 6,790.95
250	2515	CA - Intake/Initial Assess CPS	\$ 123,379.00	\$ 127,697.27	\$ 4,318.27	\$ 4,318.27
250	2516	CA - Intake/Initial Assess IJ	\$ 57,546.00	\$ 59,560.11	\$ 2,014.11	\$ 2,014.11
250	2521	CA - Wraparound CPS - CM	\$ 5,995.00	\$ 6,204.83	\$ 209.83	\$ 209.83
250	2531	IJ Other CM - ISP	\$ 191.00	\$ 197.69	\$ 6.69	\$ 6.69
250	2541	Kinship Care - Assessment	\$ 4,417.00	\$ 4,571.60	\$ 154.60	\$ 154.60
250	2561	CY&FA - CM	\$ 114,469.00	\$ 118,475.42	\$ 4,006.42	\$ 4,006.42
250	2565	CY&FA - STRIVE IS CM	\$ 43,255.00	\$ 44,773.07	\$ 1,518.07	\$ 1,518.07
250	2569	CY&FA - Wraparound IS CM	\$ 5,995.00	\$ 6,204.83	\$ 209.83	\$ 209.83
250	2571	Youth Aids AQDA - CM	\$ 14,987.00	\$ 15,511.55	\$ 524.55	\$ 524.55
250	2585	Foster Parent Training	\$ 2,997.00	\$ 3,101.90	\$ 104.90	\$ 104.90
260	2602	Child Care Eligibility	\$ 7,073.00	\$ 7,320.56	\$ 247.56	\$ 247.56
260	2609	Income Maint. - Operations	\$ 308,772.00	\$ 317,509.02	\$ 10,737.02	\$ 10,737.02
260	2632	CC Admin & Certification	\$ 17,007.00	\$ 17,602.25	\$ 595.25	\$ 595.25
260	2635	WHEAP - Operations	\$ 25,390.00	\$ 26,278.65	\$ 888.65	\$ 888.65
260	2699	Child Support IV-D	\$ 163,268.00	\$ 168,982.38	\$ 5,714.38	\$ 5,714.38
320	322	Life Enrichment	\$ 63,104.00	\$ 65,312.64	\$ 2,208.64	\$ 2,208.64
320	325	Dietary - RK	\$ 120,836.00	\$ 125,065.26	\$ 4,229.26	\$ 4,229.26
320	326	General Administration - RK	\$ 85,137.00	\$ 88,220.30	\$ 2,983.30	\$ 2,983.30
320	330	Building Services	\$ 50,623.00	\$ 52,394.81	\$ 1,771.81	\$ 1,771.81
320	331	Health Information Services	\$ 19,071.00	\$ 19,738.49	\$ 667.49	\$ 667.49
320	333	Other Unit Nursing - RK	\$ 1,182,477.00	\$ 1,223,863.70	\$ 41,386.70	\$ 41,386.70
320	340	Environmental Services	\$ 91,746.00	\$ 94,957.11	\$ 3,211.11	\$ 3,211.11
420	423	Operations	\$ 69,461.00	\$ 71,892.00	\$ 2,431.00	\$ 2,431.00
420	425	Cowler	\$ 2,384.00	\$ 2,467.44	\$ 83.44	\$ 83.44
420	426	Printing - IT Department	\$ 15,776.00	\$ 16,328.16	\$ 552.16	\$ 552.16
1082	112	Chapters S1-S5	\$ 6,626.00	\$ 6,857.91	\$ 231.91	\$ 231.91
1082	114	Corporation Counsel Child Supp	\$ 9,150.00	\$ 9,470.25	\$ 320.25	\$ 320.25
440,441,444,450,4-9000	440	Incidental Labor Cost (Highway combined)	\$ 1,238,733.00	\$ 1,281,571.16	\$ 43,338.16	\$ 43,338.16
			\$ 9,290,004.00	\$ 9,615,154.00	\$ 325,150.00	\$ 325,150.00

Department	Business Unit	Description	General Ledger Object Account	Current Budget Balance	Proposed Budget with Adjustment for 3.5% premium increase	Budget Adjustment increase (decrease)
1074	143	Non Departmental	411100-Property tax Levy	\$ (3,120,630.00)	\$ (3,445,780.00)	\$ (325,150.00)
1074	143	Non Departmental	533955-Contingency	\$ 449,333.00	\$ 124,183.00	\$ (325,150.00)

Exhibit A, continued

Resulting 2016 Health Insurance Budget

WCA/GHT Budget for 2016

Health Insurance

	<u>2016 Budget</u>	<u>2016 Budget with WCA</u>
<i>Revenue</i>		
Health Care Services (employee contributions)	1,676,046	1,734,708
Rent Revenue	30,243	30,243
Other Misc. Revenue		
Insurance Reimbursements (credits)	222,634	-
Misc. Reimbursements (Cobra)	149,292	-
Employee Fitness	85,193	85,193
Total General Revenue	2,163,408	1,850,144
Interdepartmental Revenue		
Insurance & Employee Related	9,290,004	9,615,154
Total Revenue	11,453,412	11,465,298
<i>Expense</i>		
Benefits		
WCA Premium Charges	-	11,349,862
Health Insurance Claims	8,469,010	-
Prescription Claims	2,591,367	-
Fitness Membership	154,888	154,888
Health Plan Incentive	600	
Purchased Services		
Consulting	36,000	36,000
Wellness	470,023	-
Administration Fees	773,971	-
General Operating		
Assessment Fees	70,544	2,000
Special events	5,000	5,000
Contingency		
Fixed Charges		
Clinic Rental	60,486	-
Interdepartmental Charges		
Reimbursement of HR employee wages	33,825	33,825
Total Expense	12,665,714	11,581,575
Use of Unrestricted Net Position (Fund Balance)	(1,212,302)	(116,277)

FISCAL NOTE
January 2016

Resolution No. 29 (2015/16) RE: Amending 2016 Budget Based on Health Insurance Change

This resolution provides the budget adjustments which incorporate the prior approvals to increase Health Insurance premiums by 3.5% and to participate in the Wisconsin County's Association Group Health Trust.

Funding:

Exhibit A of the resolution provides the details of reducing the current 2016 Health Insurance Budget use of fund balance by \$1,096,025 and the use of \$325,150 of contingency funds to cover the additional departmental expenses.

Respectfully Submitted,



Wendy A. Charbon, Finance Director
January 15, 2016

SHEBOYGAN COUNTY ORDINANCE NO. 13 (2015/16)

Re: Establishing Speed Zone on County Road "KK" (Town of Wilson)

WHEREAS, pursuant to Wis. Stat. § 349.11, in the interest of safety, the Transportation Committee recommends that to maintain a reasonable and safe speed zone, the present speed zone on a portion of County Road "KK" be amended as hereinafter specified.

NOW, THEREFORE, the County Board of Supervisors of the County of Sheboygan does ordain as follows:

Section 1. Changing Speed Zone. The provisions of Section 20.03(13)(b) of the County Code of Ordinances are hereby amended to add a new Subparagraph 4 to read as follows:

- 4. Forty-five miles per hour for all vehicles from Stahl Road south to County Road "V."

Section 2. Effective Date. The herein Ordinance shall take effect upon adoption by the County Board, approval of the Department of Transportation, publication, and installation of appropriate signage.

Respectfully submitted this 19th day of January, 2016.

TRANSPORTATION COMMITTEE

Richard C. Bemis, Chairperson

Charles W. Conrardy, Secretary

Mark S. Winkel, Vice-Chairperson

James P. Glavan

Jacob Van Dixhorn

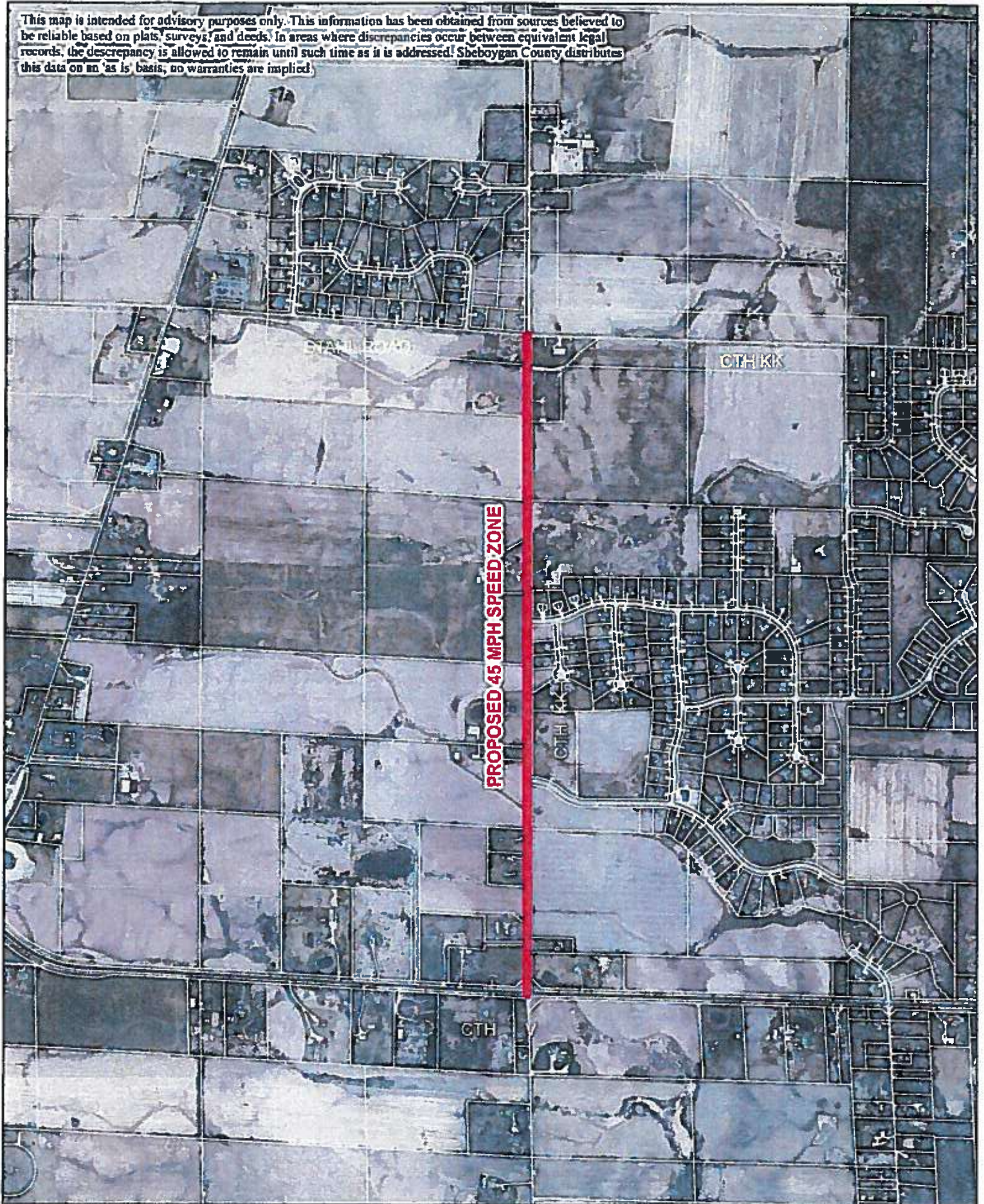
Opposed to Introduction:

Countersigned by:

Roger L. Te Stroete, Chairperson

(See reverse side for location map.)

This map is intended for advisory purposes only. This information has been obtained from sources believed to be reliable based on plats, surveys, and deeds. In areas where discrepancies occur between equivalent legal records, the discrepancy is allowed to remain until such time as it is addressed! Sheboygan County distributes this data on an 'as is' basis, no warranties are implied.



PROPOSED 45 MPH SPEED ZONE CTH KK

11/25/2018
Source: Sheboygan County Planning & Conservation Department
G:\Departments\Planning\Mapdocs\Public Project PDFs*File Name*

0 500 1,000'



FISCAL NOTE
January 2016

Ordinance No. 13 (2015/16) RE: Establish Speed Zone on County Road "KK" (Town of Wilson)

Ordinance No. 14 (2015/16) Re: Prohibiting Parking on Portion of County Road "O," City and Town of Sheboygan

Funding:

No additional funding is required.

Respectfully Submitted,



Wendy A. Charon, Finance Director
January 15, 2016

SHEBOYGAN COUNTY ORDINANCE NO. 14 (2015/16)

Re: Prohibiting Parking on Portion of County Road "O," City and Town of Sheboygan

WHEREAS, safety considerations and effective traffic movement require that additional parking restrictions be enacted on a portion of County Road "O" in the City of Sheboygan and the Town of Sheboygan;

NOW, THEREFORE, the County Board of Supervisors of the County of Sheboygan does ordain as follows:

Section 1. Prohibiting Parking. Section 21.08 of the Sheboygan County Code of Ordinances is hereby amended to add new Subparagraphs (s) and (t) to read as follows:

(s) On the north and south sides of County Road "O," west of Taylor Drive for a distance of 1,100 feet in the City of Sheboygan.

(t) On the north and south side of County Road "O" at its intersection with Rangeline Road east for 12,200 feet in the Town of Sheboygan.

Section 2. Effective Date. The herein Ordinance shall take effect upon enactment, and installation of appropriate signage.

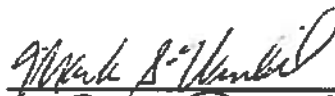
Respectfully submitted this 19th day of January, 2016.

TRANSPORTATION COMMITTEE



Richard C. Bemis, Chairperson

Charles W. Conrardy, Secretary



Mark S. Winkel, Vice-Chairperson



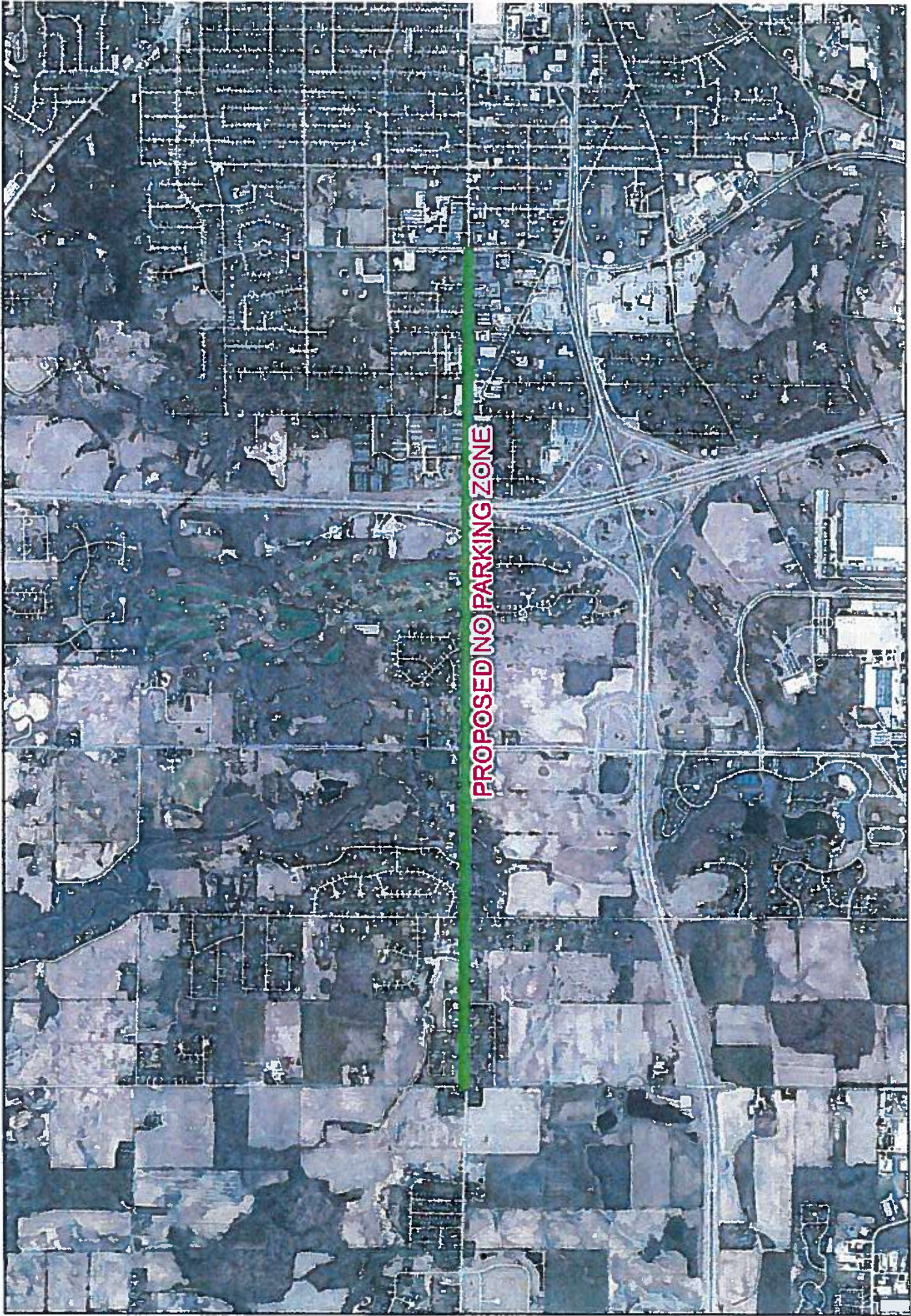
James P. Glavan



Jacob Van Dixhorn

Opposed to Introduction:

(See reverse side for location map.)



PROPOSED NO PARKING ZONE
CTH "O" (SUPERIOR AVE.), RANGELINE ROAD TO TAYLOR DRIVE

**Sheboygan
County,
Wisconsin**



FISCAL NOTE
January 2016


Ordinance No. 13 (2015/16) RE: Establish Speed Zone on County Road "KK" (Town of Wilson)

Ordinance No. 14 (2015/16) Re: Prohibiting Parking on Portion of County Road "O," City and Town of Sheboygan

Funding:

No additional funding is required.

Respectfully Submitted,



Wendy A. Charon, Finance Director
January 15, 2016

1 SHEBOYGAN COUNTY RESOLUTION NO. 30 (2015/16)
2

3 Re: **Authorizing Funding for Final Phase of Health and Human Services**
4 **Building Remodeling Project**
5
6

7 **WHEREAS**, the 2012 Health and Human Services Building remodeling plans called for a
8 three-phase approach to include a new lobby, a new billing office, and the establishment of new
9 administrative offices, and
10

11 **WHEREAS**, the first two phases of that remodeling have since been completed, while
12 the establishment and remodeling of administrative offices to house the Director and Manager
13 of Business and Administrative Support Services remains as an uncompleted phase, and
14

15 **WHEREAS**, the establishment of centrally-located administrative offices will improve
16 workflow efficiencies as well as promote accessibility to administrative operations for
17 Department staff and the public alike, and
18

19 **WHEREAS**, an estimate of expenses to complete the necessary remodeling as
20 prepared by Bray Associates Architects totals \$118,070, and
21

22 **WHEREAS**, through prudent fiscal and program management, the Department is
23 projecting approximately \$1.8 Million in positive variance for the Health and Human Services
24 Fund related to its 2015 budget year, and
25

26 **WHEREAS**, under the Finance Committee's Fund Balance Policy as adopted on
27 December 10, 2014, of the approximately \$1.8 Million in year-end Fund Balance in the Health
28 and Human Services Fund, only \$500,000 will remain assigned to the Fund after the year-end
29 books are closed, and the balance will be transferred to the General Fund, and
30

31 **WHEREAS**, the best interests of the County be would be served if an additional
32 \$118,070 would be held in the Health and Human Services Fund to be used by the Health and
33 Human Services Department to complete the administrative office phase of the project rather
34 than being transferred to the General Fund;
35

36 **NOW, THEREFORE, BE IT RESOLVED** that the Finance Director is instructed to assign
37 to the Health and Human Services Fund the sum of \$618,070, rather than \$500,000 as would
38 otherwise be the case under the Fund Balance Policy when the books are closed for 2015.
39
40
41

(The rest of this page intentionally left blank.)

42 **BE IT FURTHER RESOLVED** that the Health and Human Services Department is
43 authorized and directed to spend \$118,070 from its Health and Human Services Fund to pay for
44 and complete the administrative office phase in the Health and Human Services Building
45 remodeling project.

46
47
48 Respectfully submitted this 16th day of February, 2016.

51 **HEALTH & HUMAN SERVICES COMMITTEE***

52
53
54 _____
55 Vernon C. Koch, Chairperson

56
57 _____
58 Brian C. Hoffmann, Vice-Chairperson

59
60 _____
61 Jacob Van Dixhorn, Secretary

62
63 _____
64 James Baumgart

65
66 _____
67 Henry Nelson

68
69 _____
70 Roger R. Otten

71
72 Opposed to Introduction:
73
74 _____
75
76 _____
77

78 *County Board members signing only
79
80
81
82
83
84
85
86
87

FISCAL NOTE
February 2016

Resolution No. 30 (2015/16) RE: Authorizing Funding for Final Phase of Health and Human Services Building Remodeling Project

This resolution is requesting use of fund balance to complete the third and last phase of the remodeling project approved through the Five Year Capital Plan in 2014.

Funding:

As of the preliminary close for Fiscal Year 2015, Health & Human Services is representing a positive net change to fund balance that is more than adequate to support the request of retaining \$118,070 to use toward the completion of the remodeling.

Respectfully Submitted,



Wendy A. Charmon, Finance Director
February 12, 2016

SHEBOYGAN COUNTY RESOLUTION NO. 31 (2015/16)

Re: Merging Aging Unit Advisory Committee and Aging & Disability Resource Center (ADRC) Governing Committee

WHEREAS, Wis. Stat. § 46.82(4) requires counties to establish commissions on aging to support the county's aging unit services, and

WHEREAS, in fulfillment of that requirement, Sheboygan County has established such a commission on aging which it has denominated as the "Aging Unit Advisory Committee," and

WHEREAS, Wis. Stat. § 46.283 allows counties to provide services to the elderly through an aging and disability resource center model which requires a governing board to oversee the resource center operations, and

WHEREAS, by the adoption of Resolution No. 30 (2004/05), the Sheboygan County Board approved the Aging & Disability Resource Center (ADRC) model and established such a resource center for Sheboygan County, together with an ADRC Governing Board, and

WHEREAS, the duties of the two entities overlap and create inefficiencies and potential confusion, and it is in the best interests of Sheboygan County that the ADRC Governing Board be designated as the Aging and Disability Advisory Committee under Wis. Stat. § 46.82(4) and that the current "Aging Unit Advisory Committee" be dissolved as a stand-alone entity.

NOW, THEREFORE, BE IT RESOLVED that the Sheboygan County Board of Supervisors hereby designates that the Sheboygan County ADRC Governing Board be designated as and serve as the Aging and Disability Advisory Committee as required under Wis. Stat. § 46.82(4) and that the current Aging Unit Advisory Committee is dissolved.

Respectfully submitted this 16th day of February, 2016.

HEALTH & HUMAN SERVICES COMMITTEE*

Vernon C. Koch, Chairperson

Brian C. Hoffmann, Vice-Chairperson

Jacob Van Dixhorn, Secretary

James Baumgart

Henry Nelson

Roger R. Otten

Opposed to Introduction:

*County Board members signing only

FISCAL NOTE
February 2016

Resolution No. 31 (2015/16) RE: Merging Aging Unit Advisory Committee and Aging & Disability Resource Center (ADRC) Governing Committee

Ordinance No. 15 (2015/16) Re: Repealing and Re-creating Chapter 71 – Subdivision Ordinance

Funding:

No additional funding is required.

Respectfully Submitted,



Wendy A. Charnon, Finance Director
February 12, 2016

1 **SHEBOYGAN COUNTY RESOLUTION NO. 32 (2015/16)**

2
3 **Re: Authorizing Expenditure of Not More Than \$20,000.00 From the County**
4 **Jail Fund**

5
6
7 **WHEREAS**, Wis. Stat. § 302.46 provides for the imposition of a jail surcharge in certain
8 circumstances when a court imposes a fine or forfeiture for violation of statute law or municipal or
9 county ordinances, and

10
11 **WHEREAS**, the proceeds of the jail surcharge are to be placed in a separate correctional
12 county jail fund pursuant to Wis. Stat. § 59.25(3)(g), and

13
14 **WHEREAS**, as of December 2015, the balance in the County Jail Fund was \$198,468, and
15 the use of these funds is limited by Wis. Stat. § 302.46 to "construction, remodeling, repair, or
16 improvement of county jails," and

17
18 **WHEREAS**, to maintain and improve jail operations and infrastructure, commissary service
19 kiosk data cabling expenditures not to exceed \$20,000.00 should be made out of the County Jail
20 Fund:

21
22 **NOW, THEREFORE, BE IT RESOLVED** that, pursuant to Wis. Stat. §§ 59.25(3)(b) and (g),
23 expenditure of not to exceed \$20,000.00 is hereby authorized for the specific item described above,
24 and the Finance Department is directed to transfer such amounts to the 2016 Capital Outlay or
25 Supply Budget.

26
27
28 Respectfully submitted this 16th day of February, 2016.

29
30
31 **LAW COMMITTEE**

32
33
34
35 _____
36 Thomas V. Epping, Chairperson

37 _____
38 Vernon Koch, Vice-Chairperson

39 _____
40 Mark S. Winkel, Secretary

41 _____
42 Steven Bauer

43 _____
44 Fay Uraynar

45
46 Opposed to Introduction:

FISCAL NOTE
February 2016

**Resolution No. 32 (2015/16) RE: Authorizing Expenditures of Not More Than
\$20,000.00 From the County Jail Fund**

This resolution is requesting approval to utilize no more than \$20,000 of the County Jail Fund on kiosk data cabling for improved operation.

Funding:

Preliminary balance of the County Jail Fund at 12/31/15 is \$195,105. Of this balance, \$74,000 was approved for use in the 2016 budget, \$50,000 for inmate health care and \$24,000 for 3 clothes dryers.

A remaining balance of \$121,105 is available to support this resolution.

Respectfully Submitted,



Wendy A. Charnon, Finance Director
February 12, 2016

1 SHEBOYGAN COUNTY RESOLUTION NO. 33 (2015/16)

2
3 Re: **Approving Use of Fund Balance for Radio Replacement Program**

4
5
6 **WHEREAS**, through the adoption of Resolution No. 29 (2013/14), the County Board
7 approved a program to underwrite part of the cost of new radios to local governments as a
8 component of the emergency radio replacement project, and

9
10 **WHEREAS**, it was contemplated that the system infrastructure component of the
11 emergency radio system replacement would be paid for through bonding, but there was never a
12 determination as to the funding source for the underwriting component,

13
14 **WHEREAS**, up to the present, the focus has been on the system infrastructure
15 component and the new radios, while ordered, have not yet been paid for, and

16
17 **WHEREAS**, in order to implement the radio replacement portion of the project, including
18 the underwriting component provided for in Resolution No. 29 (2013/14), the Sheriff's
19 Department is requesting that the sum of \$1,809,558 from the Undesignated Fund Balance be
20 used for this purpose;

21
22 **NOW, THEREFORE, BE IT RESOLVED** that the Finance Director is authorized and
23 directed to track and assign the sum of \$1,810,000 from the Undesignated Fund Balance to the
24 Sheriff in order to fulfill the financial requirements of the radio replacement portion of the project.

25
26
27 Respectfully submitted this 16th day of February, 2016.

28
29
30 **LAW COMMITTEE**

31
32
33
34 _____
35 Thomas V. Epping, Chairperson

36 _____
37 Vernon Koch, Vice-Chairperson

38 _____
39 Mark S. Winkel, Secretary

40 _____
41 Steven Bauer

42 _____
43 Fay Uraynar

44 Opposed to Introduction:

FISCAL NOTE
February 2016

Resolution No. 33 (2015/16) RE: Approving Use of Fund Balance for Radio Replacement Program

This resolution is establishing the funding for approved Resolution No 29 (2013/14) – Underwriting Part of the Cost of New Radios to Local Governments as Part of the Emergency Radio System Replacement Project. This resolution directs the provisions of the County’s funding to be 70% of the cost for new replacement subscriber radios for law enforcement, fire and EMS personnel and 100% for the volunteer fire departments and volunteer EMS personnel. This resolution also provides an option for local governments to repay the 30% cost of the radios over a 5 year period with an interest rate equal to Sheboygan County’s last borrowing rate.

Funding:

The funding for the subscriber radios was not part of the Five Year Capital Plan, and thus not part of the bonded funds. Implementation of the Radio project is scheduled to be fully functional by June 2016. In order to realize this implementation, the funding support for the radios would require use of undesignated fund balance from the General Fund. Use of \$1,810,000 of undesignated fund balance will not bring the balance of undesignated fund balance below the minimum threshold established by the Fund Balance Policy.

Respectfully Submitted,



Wendy A. Charnon, Finance Director
February 12, 2016

1 SHEBOYGAN COUNTY RESOLUTION NO. 34 (2015/16)

2
3 Re: Approving Sale of .44-acre Parcel from Taylor Park Complex to Adjacent
4 Property Owners
5

6 WHEREAS, through the adoption of Resolution No. 45 (2009/10), April 13, 2010, the County
7 Board approved the sale of certain property heretofore owned by Sheboygan County adjacent to the
8 south and west of Taylor Park to third parties, and
9

10 WHEREAS, these third parties and assigns are in the process of developing the property that
11 they purchased from Sheboygan County to include five 16-unit apartment buildings with a total
12 expenditure in excess of \$5.3 Million, and
13

14 WHEREAS, the proposed development would become more viable if it had access to the
15 property over a small portion of the County's Taylor Park complex comprised of approximately .44 acres
16 in the area shown on the map, a copy of which is on file with the County Clerk, and
17

18 WHEREAS, the developers have made a request to the County at the January 19, 2016,
19 Property Committee meeting to acquire this .44-acre parcel from the County, and
20

21 WHEREAS, the Property Committee has reviewed the proposal from the developer and has
22 concluded that the conveyance of this portion of the Taylor Park complex to support the development
23 would serve the public interest while at the same time would not adversely impact the integrity of the
24 Taylor Park complex;
25

26 NOW, THEREFORE, BE IT RESOLVED that the County Administrator is authorized and directed
27 to convey the above-described parcel to the developers upon such terms and conditions as the County
28 Administrator determines are most advantageous to the County, but for consideration of value not less
29 than \$11,500.00.
30

31 BE IT FURTHER RESOLVED that any proceeds from the conveyance shall be applied to the
32 Building Services Department budget for use in improving Taylor Park.
33

34 BE IT FURTHER RESOLVED that the County Board Chairperson and the County Clerk are
35 directed to sign on behalf of Sheboygan County any documents necessary to complete the conveyance.
36

37 Respectfully submitted this 16th day of February, 2016.
38

39 PROPERTY COMMITTEE

40
41
42
43 _____
44 James P. Glavan, Chairperson

Thomas V. Epping, Vice-Chairperson

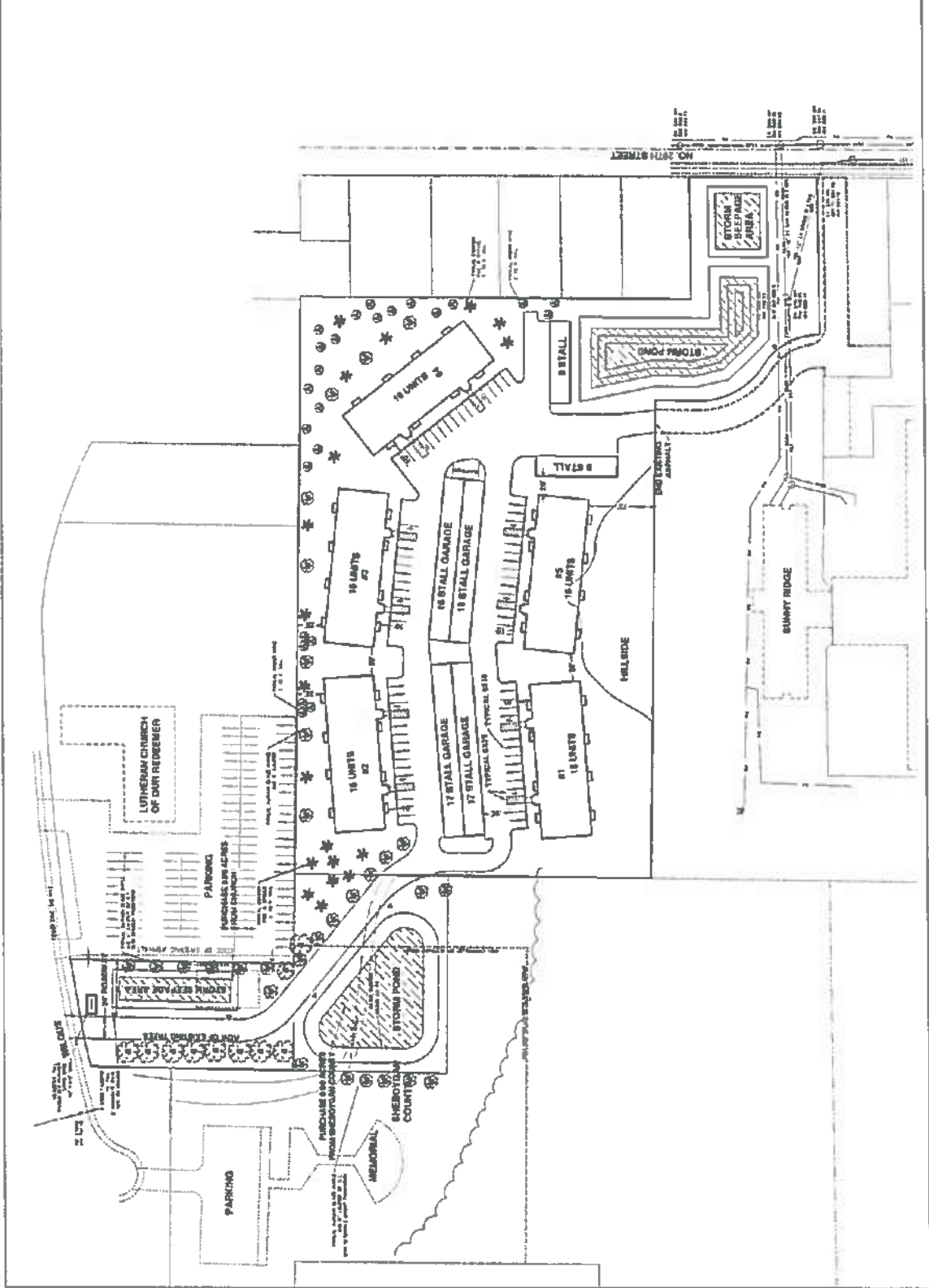
45
46 _____
47 Robert Ziegelbauer

Brian Hilbelink

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49 _____
50 Henry Nelson

51 Opposed to Introduction:
52
53 _____
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55

CLIENT CONEFF COMPANIES 15 UNIT APARTMENTS - SHEBOYGAN		DRAWN BY DATE	
PROJECT NO. SHEET NO.		APPROVED BY DATE	
SCALE 1" = 10'		DATE	
NO. DATE BY		DATE	



DRAFT

FISCAL NOTE
February 2016

**Resolution No. 34 (2015/16) RE: Approving Sale of .44-acre Parcel from Taylor Park
Complex to Adjacent Property Owners**

This resolution gives authorization to the County Administrator to proceed with the sale of the .44-acre parcel and sets an expectation of consideration of value not less than \$11,500.

Funding:

There is no funding required for this resolution.

Respectfully Submitted,



Wendy A. Charmon, Finance Director
February 12, 2016

1 **SHEBOYGAN COUNTY ORDINANCE NO. 15 (2015/16)**

2
3 **Re: Repealing and Re-creating Chapter 71 – Subdivision Ordinance**

4
5
6 **WHEREAS**, Sheboygan County is required to revise certain portions of its Subdivision Ordinance
7 to comply with statutory and administrative code requirements, and

8
9 **WHEREAS**, the Planning and Conservation Department has been working with a “stakeholder”
10 group to come into compliance with the statutory and administrative requirements while at the same time
11 balancing private property rights against the public intent of promoting planned and orderly land use and
12 development, and

13
14 **WHEREAS**, the Planning, Resources, Agriculture, and Extension Committee, pursuant to Wis.
15 Stat. §§ 236.45(4), held a public hearing regarding the proposed changes to the County Subdivision
16 Ordinance on February 9, 2016;

17
18 **NOW, THEREFORE**, the County Board of Supervisors of the County of Sheboygan does ordain
19 as follows:

20
21 Section 1. **Repealing and Re-creating Chapter 71.** Chapter 71 of the Sheboygan
22 County Code of Ordinances is hereby repealed and re-created as follows:

23
24 **CHAPTER 71**
25 **SUBDIVISION ORDINANCE**

26
27 71.01 **AUTHORITY.** This Ordinance is adopted under the authority granted by Wis. Stat. §§ 59.692,
28 59.70, 66.0103, 236.45, 281.31, and 703.27 and amendments thereto; and, pursuant to this
29 authority, the County Board of Supervisors of Sheboygan County does ordain as follows.

30
31 71.02 **TITLE.** This Ordinance shall be entitled, **SUBDIVISION ORDINANCE, SHEBOYGAN COUNTY,**
32 **WISCONSIN** (Chapter 71, Sheboygan County Code of Ordinances).

33
34 71.03 **PURPOSE.** It is the purpose of this Ordinance to promote the following objectives:

- 35
36 (1) to protect the public health, safety, convenience, and general welfare of Sheboygan
37 County, Wisconsin;
38 (2) to encourage planned and orderly land use and development;
39 (3) to promote property values and the property tax base;
40 (4) to permit the careful planning and efficient maintenance of highway systems;
41 (5) to promote the provision of adequate transportation, water, sewerage, health, education,
42 recreation, and other public facilities;
43 (6) to recognize the needs of agriculture, forestry, industry, and commerce in future growth;
44 (7) to encourage uses of land and other natural resources which are in accordance with their
45 character and adaptability;
46 (8) to preserve wetlands;
47 (9) to conserve soil, water, and forest resources;
48 (10) to reduce erosion damage and sedimentation of surface waters;
49 (11) to provide for proper ingress and egress; and
50 (12) to facilitate the implementation of the Sheboygan County Comprehensive Plan.

51
52 71.04 **SEVERABILITY AND NON-LIABILITY.** If any section, provision, or portion of this Ordinance is
53 adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this
54 Ordinance shall not be affected thereby. The County does not guarantee, warrant, or represent

55 that only those areas designated as floodplains will be subject to period inundation, that those
56 areas identified as erosion hazard areas will erode at a rate equal to or greater than present
57 computations would predict, and that those soils determined to be unsuited for specific uses are
58 the only unsuited soils within the County and thereby asserts that there is no liability on the part of
59 the Board of Supervisors, its agencies, or employees for sanitation problems, structural damages,
60 or other losses that may occur as a result of reliance upon and conformance with this Ordinance.

61
62 71.05 REPEAL. All other Ordinances or parts of Ordinances of the County inconsistent or conflicting
63 with this Ordinance, to the extent of inconsistency or conflict only, are hereby repealed.

64
65 71.06 ABROGATION AND GREATER RESTRICTIONS. It is not intended by the Ordinance to repeal,
66 abrogate, annul, impair, or interfere with any existing easement, covenants, deed restrictions,
67 agreements, rules, regulations, or permits previously adopted or issued pursuant to law.
68 However, where this Ordinance imposes greater restrictions, the provisions of this Ordinance
69 shall govern.

70
71 71.07 EFFECTIVE DATE. This Ordinance shall be effective after adoption by the County Board of
72 Supervisors and publication and posting as required by law.

73
74 71.08 JURISDICTION AND APPLICABILITY OF ORDINANCE.

75
76 (1) UNINCORPORATED AREAS. Except as otherwise provided herein, the provisions of
77 this Ordinance shall apply in all unincorporated areas of Sheboygan County, except that
78 sales or exchange of parcels between owners of adjoining properties are exempt from
79 this Ordinance, provided the following conditions apply and the provisions of Section
80 71.09 are adhered to:

- 81
82 (a) additional lots are not thereby created;
83
84 (b) the parcels resulting are not reduced below the minimum sizes required by these
85 regulations or applicable laws and ordinances; and
86
87 (c) the deed or other instrument of conveyance shall include the following specific
88 language immediately after the legal description, with appropriate choices made
89 at each italicized reference:

90
91 *Grantee(s), by recording this [Deed/document], agree(s) that the*
92 *above-described premises shall merge with the property*
93 *he/she/it/they own(s) adjacent to the above-described property*
94 *and shall hereafter be considered as one. All future descriptions*
95 *will describe the premises as one unit in order to comply with*
96 *Section 71.08(1)(c) of the Sheboygan County Subdivision*
97 *Ordinance.*

- 98
99 (d) the italicized language in (c) above will not be considered non-compliant
100 if the language cites a prior version of Section 71.08(1)(c)

101
102 (2) INCORPORATED AREAS:

- 103
104 (a) The provisions of this Ordinance shall apply in all incorporated areas which have,
105 under Wis. Stat. § 66.0301, entered into an agreement with Sheboygan County
106 for the cooperative exercise of the authority to approve plats of subdivisions.
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- (b) Plans of subdivisions located in all other incorporated municipalities shall be submitted to the Department as provided by Wis. Stat. § 236.12(2)(b) for the purpose of determining whether the Department has any objection to the plat. The basis for a departmental objection to said plat shall be if it conflicts with parks, parkways, expressways, major highways, airports, drainage channels, schools, or other planned public development. In the event of a departmental objection, the procedure required under Wis. Stat. § 236.12(3) shall be followed.
 - (3) **CERTIFIED SURVEY MAPS.** Any land division that creates less than five (5) parcels of land consisting of lots or outlots within a five- (5-) year period shall be accomplished through a certified survey map pursuant to Wis. Stat. § 236.34 and Sections 71.15 and 71.18 of this Ordinance.
 - (4) **STATE SUBDIVISION PLATS.** Any land division that creates five (5) or more parcels of land consisting of lots or outlots of one and one half (1-1/2) acres each or less in area within five (5) years shall be accomplished through a state subdivision plat pursuant to Wis. Stat. ch. 236 and Sections 71.15 and 71.17 of this Ordinance. This section applies to the aforementioned creation of lots or outlot from the same parcel, whether platted or unplatted. For purposes of determining when a State Subdivision Plat is required, all contiguous land under the State ownership including the same form of ownership, whether platted or unplatted, is considered to be one (1) parcel.
 - (5) **COUNTY PLATS.** Any land division that creates five (5) or more lots or outlots of which no more than four (4) are one and one half (1-1/2) acres or less in area within five (5) years shall be accomplished through a County Plat pursuant to Wis. Stat. ch. 236 and Sections 71.15 and 71.19 of this Ordinance.
 - (6) **REPLATS.** The legal dividing of a large block, lot, or outlot within a recorded subdivision plat which changes the exterior boundaries of said block, lot, or outlot, shall be accomplished through a replat pursuant to Wis. Stat. ch. 236 and Sections 71.15 and 71.20 of this Ordinance.
 - (7) **CONSERVATION SUBDIVISIONS.** The legal dividing of a parcel or parcels by a subdivider or subdivider's agent into a conservation subdivision as defined in Section 71.26 shall be accomplished through a conservation subdivision plat pursuant to Sections 71.15 and 71.21 of this Ordinance.
 - (8) **EXCLUSIONS.** This Ordinance does not apply to the following:
 - (a) Transfers of interest in land by will or pursuant to court order. Attorneys are encouraged to confer with the Department before such transfers of interest to avoid the creation of non-compliant lots.
 - (b) Leases for a term not to exceed ten (10) years, mortgages, or easements involving five (5) parcels or less.
 - (c) A division of land resulting in parcels more than forty (40) acres in area, exclusive of road right-of-way.
 - (d) Cemetery plats pursuant to Wis. Stat. § 157.07 and assessor's plats pursuant to Wis. Stat. § 70.27.
 - (e) Condominium plats created under Wis. Stat. ch. 703.

- 162 (f) Any conveyance of land to a governmental agency, public entity, or public utility,
163 and any land conveyance within a pre-planned business park, shall not be
164 considered a division of land for purposes of computing the number of parcels
165 but shall be accomplished by a certified survey map or subdivision plat as
166 hereinafter defined.
167 (g) Transportation project plats.
168
169 (9) NAVIGABLE WATERWAYS. Parcels which are bisected by a navigable waterway, for
170 the purposes and provisions of this Ordinance as they apply to subsequent land
171 divisions, shall be considered one parcel. Those parcels bisected by an existing public
172 road or railroad right-of-way shall be considered to be effectively divided into separate
173 lots.
174
175 (10) CONTIGUOUS PARCELS. For the purposes of this Ordinance, parcels shall be
176 considered one (1) if they meet all of the following standards, even if they were acquired
177 at different times or from different persons, and even if they have separate tax
178 identification numbers:
179
180 (a) the tracts of land are contiguous;
181
182 (b) the tracts of land are under the same ownership, including the same form of
183 ownership; and
184
185 (c) the tracts of land are unplatted.
186
187 (11) SHEBOYGAN COUNTY COORDINATE MONUMENTATION SYSTEM. Any land
188 division resulting in a subdivision or, where required, a certified survey map, shall utilize
189 the Sheboygan County Coordinate Monumentation System.

190
191 71.09 MERGERS.

- 192
193 (1) FORM REQUIRED. Where a merger is sought for any lot combination within an
194 unincorporated area within Sheboygan County, a Request to Merge form is required to
195 be submitted to the Department. The form can be obtained from the Department, and will
196 allow the County to perform a review so as to ensure the lots meet the requirements
197 listed below. This document itself does not merge the lots for legal or tax purposes, but
198 will verify that the lots have the ability to merged in compliance with the County
199 requirements. The Department will transmit a copy of the form after it has completed its
200 review, to the landowner or landowner's agent, and to the town in which the proposed lot
201 combination is located.
202
203 (2) REQUIREMENTS. In order for lots to be merged, the following requirements must be
204 met:
205
206 (a) the lots must be contiguous;
207
208 (b) the lots must be under the same ownership, including the same form of
209 ownership;
210
211 (c) the lots must lie within the same tax district(s); and
212
213 (d). the instrument recorded with the Register of Deeds used to merge the lots must
214 reference the parcel identification numbers for each lot.
215

- 216 71.10 COMPLIANCE WITH ORDINANCES, STATUTES, REGULATIONS, AND PLANS. Any person
 217 dividing land which results in a subdivision shall prepare a plat of the subdivision, or any person
 218 dividing land which results in a land division shall prepare a certified survey map, in accordance
 219 with the requirements of this Ordinance and:
 220
- 221 (1) the provisions of Wis. Stat. ch. 236;
 - 222
 - 223 (2) the rules of the Department of Professional Services, contained in Wis. Admin. Code Ch.
 224 SPS 383 and SPS 385 for subdivisions not served by public sewer;
 - 225
 - 226 (3) the rules of the Division of Highways, Department of Transportation, contained in Wis.
 227 Admin. Code Ch. TRANS 233 for subdivisions which abut a state highway or connecting
 228 highway;
 - 229
 - 230 (4) the provisions of Chapter 26, Sheboygan County Code of Ordinances, regarding
 231 driveways on County roads;
 - 232
 - 233 (5) the rules of the Department of Natural Resources contained in Wis. Admin. Code Chs.
 234 NR 115 and NR 116 for Wisconsin Shoreland-Wetland Management and Floodplain
 235 Management programs;
 - 236
 - 237 (6) all other applicable County Ordinances and regulations;
 - 238
 - 239 (7) local and County comprehensive plans or comprehensive plan components;
 - 240
 - 241 (8) the official map of any municipality or governmental unit having jurisdiction;
 - 242
 - 243 (9) the rules and by-laws of the Department of Safety and Professional Services; and
 - 244
 - 245 (10) the rules of the Department of Natural Resources contained in Wis. Admin. Code Ch. NR
 246 216 regarding stormwater management and erosion control.
 - 247
- 248 71.11 VIOLATIONS. It shall be unlawful to divide, convey, record, or monument any land in violation of
 249 this Ordinance or the Wisconsin Statutes. The County may institute appropriate action or
 250 proceedings to enjoin violations of this Ordinance.
 251
- 252 71.12 PENALTIES. Any person failing to comply with the provisions of this Ordinance shall, upon
 253 conviction thereof, forfeit to Sheboygan County a penalty of not more than Five Hundred Dollars
 254 (\$500.00), plus the cost of prosecution for each violation, and in default of payment of such
 255 forfeiture and costs shall be imprisoned in the County jail until payment thereof but not exceeding
 256 thirty (30) days. Each day a violation exists or continues shall constitute a separate offense.
 257 Compliance therewith may also be enforced by injunctive order at the suit of the County.
 258
- 259 71.13 VARIANCES AND APPEALS.
- 260
 - 261 (1) Where the Committee finds that it would be inappropriate to apply literally these
 262 regulations, it may waive or modify the regulations so that substantial justice may be
 263 done and the public interest served, provided that such violation will not have the effect of
 264 nullifying the intent and purpose of this Ordinance or be in conflict with State statutes and
 265 administrative codes. Any person seeking a variance by the Committee under this
 266 Section shall submit to the Department a non-refundable fee according to the fee
 267 schedule on file in the Department for variance requests.
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- (2) To grant a variance from this Ordinance, an applicant must convincingly demonstrate that:
 - (a) literal enforcement of the provisions of the Ordinance will result in unnecessary hardship on the applicant;
 - (b) the hardship is due to special conditions unique to the property; and
 - (c) it is not contrary to the public interest.
 - (3) In so acting, the Committee may require such conditions as will, in its judgment, secure substantially the objectives and standards of this Ordinance. A simple majority vote of the Committee shall be required to grant any modification or variance and such actions shall be entered in the minutes of the Committee setting forth the reasons for the request and the reasons in the judgment of the Committee which justify the variance.
 - (4) Any owner or owner's agent aggrieved by a modification, order, requirement, interpretation, or determination made by the Committee may appeal such decision within thirty (30) days to the Sheboygan County Board of Adjustments, pursuant to Chapter 76 of the Sheboygan County Code of Ordinances and Wis. Stat. § 59.694.
 - (5) Any owner or owner's agent aggrieved by an objection to a plat or a failure to approve a plat may appeal therefrom, as provided in Wis. Stat. § 236.13(5) within thirty (30) days of notification of the rejection of the plat.

294 71.14 DEPARTMENTAL REVIEW.

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- (1) **CERTIFIED SURVEY MAPS.** The subdivider shall submit a fee to the Department according to the fee schedule on file in the Department for certified survey map review prior to receiving Department approval to assist in defraying the costs of necessary inspections and for review of the map.
 - (2) **PRELIMINARY PLATS.** The subdivider or subdivider's agent shall submit a fee to the Department according to the fee schedule on file in the Department for preliminary plat review prior to receiving Department approval thereof to assist in defraying the costs of necessary inspections and for the review of the preliminary plat, only while the Department acts in the capacity of "approving agency."
 - (3) **FINAL PLATS.** The subdivider or subdivider's agent shall submit a fee to the Department according to the fee schedule on file in the Department for final plat review prior to receiving Department approval thereof to assist in defraying the costs of necessary inspections and for the review of the final plat, only while the Department acts in the capacity of "approving agency."
 - (4) **COUNTY PLATS AND REPLATS.** The subdivider or subdivider's agent shall submit a fee to the Department according to the fee schedule on file in the Department for County plat review or replat review prior to receiving Department approval thereof to assist in defraying the costs of necessary inspections and for the review of the County plat or replat.
 - (5) **CONSERVATION SUBDIVISION PLATS.** The subdivider or subdivider's agent shall submit a fee to the Department according to the fee schedule on file in the Department for conservation subdivision plat review which shall be fifty percent (50%) of the cost of

322 the review fee for a final subdivision plat prior to receiving Department approval to assist
323 in defraying the costs of necessary inspections and for review of the plat.
324

325 71.15 REVIEW AND APPROVAL PROCEDURES.
326

327 (1) PRE-APPLICATION. The Department recommends but does not require that prior to the
328 submission of a preliminary plat or certified survey map, the subdivider consult informally
329 with the professional staff of Department's Conservation Division, the town, and all
330 affected utilities for assistance and advice regarding site suitabilities, such as potential
331 soil erosion and sedimentation problems and general requirements. A sketch plan of the
332 proposed subdivision or land division drawn on a topographic survey map should be
333 submitted. The sketch plan should identify property boundaries, proposed roads, lots,
334 and any proposed dedications; slopes exceeding fifteen percent (15%); general
335 conditions, including wetlands, floodplains, erosion hazard areas, drainageways, rock
336 outcroppings, and vegetation; proposed filling, grading, lagooning, or dredging; and a
337 sketch of all contiguous property owned or controlled by the subdivider.
338

339 (2) CERTIFIED SURVEY MAP PROCEDURE.
340

341 (a) No person shall divide any land located within unincorporated areas of
342 Sheboygan County which shall result in a land division as defined under Sections
343 71.18(1) and 71.26 of this Ordinance or which divides a block, lot, or outlot within
344 a recorded subdivision plat without changing the boundaries of said block, lot, or
345 outlot without first filing for approval by the Department and subsequently
346 recording with the Sheboygan County Register of Deeds a certified survey map
347 which complies fully with Wis. Stat. § 236.34 and with all applicable requirements
348 contained in this Ordinance.
349

350 (b) Prior to the submittal of the final certified survey map with any required
351 signatures, the subdivider or subdivider's agent is encouraged to submit an
352 unsigned copy of the certified survey map either by hand-delivery, fax, or e-mail
353 to the Department.
354

355 (c) The final certified survey map, together with at least two (2) copies, shall be
356 submitted to the Department by the subdivider or the subdivider's agent. The
357 Department shall within thirty (30) working days from the date of filing of the map
358 unless the time is extended by agreement with the subdivider, approve, approve
359 conditionally, or reject the certified survey map based on a determination of
360 conformance with the provisions of this Ordinance, the County Sanitary, County
361 Shoreland, and County Floodplain Ordinances, and any other applicable local or
362 State codes and statutes. If the map is rejected, the reasons shall be stated in
363 written form and submitted to the subdivider or the subdivider's agent. If the map
364 is approved, the Department shall so certify on the face of the original map and
365 return the map to the subdivider or the subdivider's agent.
366

367 (d) Whenever a certified survey map has been rejected by the applicable town board
368 for failure to conform with any locally-adopted ordinance, such rejection,
369 described in writing, shall be deemed to constitute an automatic rejection by the
370 Department unless specifically ruled otherwise by agreement with the Town
371 Board and the subdivider.
372

373 (e) One (1) copy of all certified survey maps abutting or adjoining County roads shall
374 be submitted by the Department to the County Surveyor/Highway Engineer for
375 review and comment. Within five (5) working days, the County

376 Surveyor/Highway Engineer shall notify the Department of any recommendations
377 or objections.

378
379 (f) The certified survey map must be recorded with the Sheboygan County Register
380 of Deeds within thirty-six (36) months of the first signature or twelve (12) months
381 of the last signature for the required certificates.

382
383 (g) All certificates required by Wis. Stat. §§ 236.10 and 236.21(2) must be affixed on
384 the document. The Department shall not approve such land divisions until
385 approval of the applicable governmental entity(ies) has been obtained.

386
387 1. Language for the owner's certificate shall take the exact form of that
388 language expressed in Wis. Stat. § 236.21(2)(a), except the term
389 "dedicated" shall be removed when the certified survey map includes no
390 public dedications. The owner's certificate shall still be included as part
391 of the certified survey map and signed in accordance with Wis. Stat. ch.
392 236, regardless of whether or not a dedication is taking place.

393
394 2. When a dedication is taking place, including the granting of an easement
395 or easements for any purpose, the surveyor's certificate and Town
396 certificate must include the term "dedicated."

397
398 3. A mortgagee's certificate is required when a dedication, including the
399 granting of an easement or easements for any purpose, is taking place
400 and the property is secured by a mortgage.

401
402 (3) PRELIMINARY PLAT PROCEDURE.

403
404 (a) Prior to submitting a final plat for approval, the subdivider shall prepare and
405 submit a preliminary plat for Department, applicable town board, and applicable
406 city or village having extraterritorial jurisdiction approval. It shall be clearly
407 marked "preliminary plat" and shall be in sufficient detail to determine whether
408 the final plat will meet layout requirements. An electronic copy or four (4) copies
409 of the plat capable of legible reproduction, one (1) copy of all on-site soil test
410 data, and all other plans and specifications required in this Ordinance must be
411 submitted, to the Department. The Department shall, within two (2) days,
412 transmit one (1) copy of the plat to the Department's Conservation Division for its
413 review and recommendations pursuant to Section 71.17(1) of this Ordinance.
414 The Department shall transmit one (1) copy of all plats abutting or adjoining
415 County roads to the County Surveyor/Highway Engineer for review and
416 recommendations.

417
418 (b) Also, the subdivider or subdivider's agent shall prepare and submit an electronic
419 copy or a copy of the preliminary plat that is capable of legible reproduction to the
420 Wisconsin Department of Administration for redistribution of two (2) copies each
421 to those State "plat objecting authorities" pursuant to Wis. Stat. §§ 236.11 and
422 236.12. After reviewing and coordinating the objecting authority's reviews,
423 Department of Administration certifies 'no objection' on the document.

424
425 (c) Those agencies classified as "approving authorities" shall, within ninety (90) days
426 of the date of filing the plat, take action to approve, approve conditionally, or
427 reject the preliminary plat and shall state in writing any conditions of approval or
428 reasons for rejection unless the time is extended by agreement with the
429 subdivider based on its determination of conformance with the provisions of this

430 and other relevant local ordinances. Failure of the approving authorities or their
431 agents to act within ninety (90) days of the date of filing or agreed extension
432 thereof constitutes an approval of the preliminary plat by that authority. It is the
433 responsibility of the subdivider to consult with the town and the applicable city or
434 village regarding requirements for submission of the preliminary plat. "Approving
435 authorities" for preliminary plats are as follows:
436
437 1. the Department;
438
439 2. the Town Board of the municipality in which the proposed subdivision is
440 located;
441
442 3. the applicable adjoining cities or villages holding extraterritorial
443 jurisdiction over the area in which the proposed subdivision is located.
444
445 (d) Those agencies classified as "objecting authorities" shall within twenty (20) days
446 of the date of receiving their copies of the preliminary plat notify the subdivider
447 and all agencies having the authority to object of any objections. If there are no
448 objections, they shall so certify on the face of the copy of the plat and shall return
449 it to the Wisconsin Department of Administration. If an "objecting authority" fails
450 to act within twenty (20) days, it shall be deemed to have no objection to the plat.
451 "Objecting authorities" for preliminary plats are as follows:
452
453 1. Wisconsin Department of Administration;
454
455 2. Wisconsin Department of Transportation;
456
457 (e) Additionally, the Department of Administration may transmit electronic or copies
458 capable of legible reproduction of the preliminary plat to any or all of the following
459 "advisory authorities." All recommendations of "advisory authorities" shall be
460 communicated in a like manner as "objecting authorities" within twenty (20) days
461 from the date the preliminary plat is filed. "Advisory authorities" are as follows:
462
463 1. Wisconsin Department of Natural Resources;
464
465 2. affected public or private utilities.
466
467 (f) Approval or conditional approval of a preliminary plat shall not constitute
468 automatic approval of the final plat except that if the final plat is submitted within
469 thirty-six (36) months of the last required approval of the preliminary plat and
470 conforms substantially to the preliminary plat as approved including any
471 conditions of that approval and to any local plans and ordinances adopted as
472 authorized by law as indicated in Wis. Stat. § 236.11(1)(b), the final plat is
473 entitled to approval.
474
475 (g) The Department reserves the right to require all subdivision plats as defined in
476 this Ordinance to undergo the review process set forth in this Section regardless
477 of statutory exemption.
478
479 (h) Plats that are not being processed under Wis. Stat. § 236.12(2) may be reviewed
480 under this Ordinance on the basis of any material that is capable of clearly legible
481 reproduction or of an electronic version. Electronic versions of plats may only be
482 submitted for review purposes and cannot be used for the recording of the plat.
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(4) FINAL PLAT PROCEDURE.

- (a) A final plat prepared by a land surveyor registered in the State of Wisconsin is required for all subdivisions. It shall comply in all respects with this Ordinance and the standards and specifications of Wis. Stat. § 236.20, and that Section is hereby adopted by reference.
- (b) The subdivider shall prepare a final plat in accordance with this Ordinance and applicable state statutes and administrative codes for transmittal to the Department within thirty-six (36) months of preliminary plat approval unless the time limitations be specifically waived by the Department. If the final plat is not submitted within thirty-six (36) months of the last required approval of the preliminary plat, any "approving authority" may refuse to approve the final plat. The final plat may, if permitted by the approving authorities, constitute only that portion of the approved preliminary plat which the subdivider proposes to record at that time.
- (c) An electronic copy or four (4) copies of the plat must be submitted to the Department for review. Electronic versions are suitable only for review and not for recording with the Register of Deeds. The Department shall, within sixty (60) days from the date received, approve or reject such plat unless the time is extended by agreement with the subdivider. If the plat is rejected, the reasons shall be submitted in written form to the Wisconsin Department of Administration and the subdivider. Failure of the Department to act within sixty (60) days, the time having not been extended and no unsatisfied objections having been filed, the plat shall be deemed approved, and, upon demand, a certificate to that effect shall be made on the face of the plat by the authority which has failed to act.
- (d) Also, the subdivider shall also prepare and submit an electronic copy or hard copies of the final plat to the Wisconsin Department of Administration for redistribution of two (2) copies each to those State "approving authorities" and "objecting authorities" pursuant to Wis. Stat. §§ 236.10, 236.11, and 236.12. The Wisconsin Department of Administration and all other applicable "objecting authorities" shall, within twenty (20) days of the date of receiving their copies of the final plat, notify the subdivider or subdivider's agent and all agencies having authority to object of any objections based upon failure of the final plat to comply with the statutes or rules that its examination under Wis. Stat. § 236.12(2) is authorized to cover. If there are no objections, they shall so certify on the face of the copy of the plat and return that copy to the Department of Administration. If any agency fails to act within twenty (20) days from the date of receipt of copies of the plat, and the Wisconsin Department of Administration fails to act within thirty (30) days from the date on which it received the copy of the final plat, it shall be deemed to have no objections to the plat and, upon demand, the Wisconsin Department of Administration shall so certify on the face of the final plat.
- (e) All certificates must be present as defined in Wis. Stat. § 236.10. The Department shall not approve the final plat until approval of the applicable governmental entity(ies) and owners has been obtained.

(5) COUNTY PLAT PROCEDURE. Any division of a parcel or parcels into five (5) or more lots within a five- (5-) year period of which at least one (1) lot is over one and one-half (1-1/2) acres in area requires a County plat to be submitted by a Wisconsin Professional Land Surveyor. The County plat shall be prepared in accordance with Wis. Stat.

538 § 236.15 relating to monumentation, Wis. Stat. § 236.16 relating to lake and stream shore
539 plats, Wis. Stat. § 236.20 relating to mapping and engineering information, and Wis. Stat.
540 § 236.21 relating to required certificates. The County plat shall follow the procedures in
541 Sections 71.15 and 71.16 of this Ordinance. The Department shall, within sixty (60) days
542 from the date received, approve or reject such County plat unless the time is extended by
543 agreement with the subdivider.
544

545 (6) **REPLAT PROCEDURE.** When a replat of a recorded subdivision or part thereof is
546 proposed so the boundaries are to be changed or areas to be dedicated to the public are
547 to be altered, the subdivider or subdivider's agent shall initiate court action in which the
548 subdivision is located to vacate the original plat or the specific part thereof. The replat
549 shall be prepared and submitted as provided in Sections 71.16 and 71.20 of this
550 Ordinance. Both the title of the replat and the title of the original plat shall appear in the
551 surveyor's certification. The Department shall, within sixty (60) days from the date
552 received, approve or reject such replat unless the time is extended by agreement with the
553 subdivider.
554

555 (7) **CONSERVATION SUBDIVISION PROCEDURE.** Whenever a land division which meets
556 the parameters of a conservation subdivision as defined in Section 71.26 of this
557 Ordinance is proposed, a conservation subdivision plat shall be prepared and submitted
558 as provided in Sections 71.15 and 71.16 of this Ordinance. If the plat does not meet the
559 requirements of a subdivision as defined in Wis. Stat. § 236.02(12), no state level review
560 is required. The Department shall, within sixty (60) days from the date received, approve
561 or reject such conservation subdivision plat unless the time is extended by agreement
562 with the subdivider.
563

564 71.16 LAND DIVISIONS.

565
566 (1) **IMPROVEMENTS.** Prior to the approval of final plats or certified survey maps, the
567 subdivider or the subdivider's agent shall furnish and install any of the following
568 improvements in accordance with the standards and specifications hereinafter identified
569 as being required by the Department, the town board, and any municipality having
570 extraterritorial plat approval jurisdiction. The required improvements are to be furnished
571 and installed at the sole expense of the subdivider.
572

573 In lieu of causing the immediate construction of the required improvements, the
574 subdivider shall enter into a contract requiring the filing of a performance bond or letter of
575 credit with Sheboygan County, the town board, or municipality agreeing and ensuring that
576 the subdivider will cause construction of the required improvements within a time period
577 specified. The penal amount of the bond or value of other acceptable surety shall equal
578 at least one hundred ten percent (110%) but not more than one hundred twenty percent
579 (120%) of the estimated costs of the improvements.
580

581 (a) **Survey Monuments.** The subdivider shall install survey monuments placed in
582 accordance with the requirements of Wis. Stat. § 236.15. Pursuant to Wis. Stat.
583 § 236.15(1)(h), the governing body of the city, village, or town which is required
584 to approve the subdivision under Wis. Stat. § 236.10 may waive the placing of
585 monuments for a reasonable time on condition that the subdivider executes a
586 surety bond to ensure that the subdivider will place the monuments within the
587 time required. When monuments fall within a street on a plat or certified survey
588 map, the monument shall be placed in the sideline of the street (at the
589 right-of-way).
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591 (b) **Private Sewage Disposal Facilities.**

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1. When public sewer facilities, in the opinion of the Department and the local municipality, are neither presently available nor likely to become available within a reasonable time period, private on-site sewage disposal systems may be constructed to serve the individual lots in the subdivision.

However, cluster or other common sewage collection and disposal systems may be designed by the subdivider and may be installed with the express consent of the Department and the state agencies having jurisdiction.

All private sewage disposal systems and site suitabilities therefor shall conform to the requirements of Wis. Admin. Code Ch. SPS 383 and SPS 385 and to the requirements of the Sheboygan County Sanitary Ordinance; each document is hereby adopted by reference and incorporated herein as though fully set out.

2. In order to determine whether the proposed lots are conducive to a private on-site wastewater treatment system (POWTS), a soil test performed by a registered soil tester must be completed and submitted to the Department prior to any plat or certified survey map approval. In lieu of this requirement, if the lots being created are not intended to become building sites, the subdivider may have a covenant placed on the plat or certified survey map stating the following:

No soil tests have been conducted on Lot [insert lot number]. Pursuant to Section 71.16(1)(b)2 of the Sheboygan County Subdivision Ordinance, the lot(s) created herein are not intended to become building sites. No on-site sewage disposal system shall be installed on said Lot without the express consent of the Sheboygan County Planning and Conservation Department.

- (2) **RESTRICTIONS FOR PUBLIC BENEFIT.** Any restrictions placed on platted land by covenant, grant of easement, or in any other manner which were required by the Department, town board, or public utility, or which name Sheboygan County, the town, or public utility as grantee, promise, or beneficiary, vest in Sheboygan County, the town, or public utility the right to enforce the restriction at law or in equity against anyone who has or acquires an interest in land subject to the restriction. Such restrictions shall include obligations to pay maintenance assessments for commonly-held open space property, shore protection works, erosion control measures, and other improvements. The restriction may be released or waived in writing by Sheboygan County, the town, or the public utility having the right of enforcement.

- (3) **LANDS BETWEEN MEANDER LINES AND WATER'S EDGE.** The lands lying between the meander line established in accordance with Wis. Stat. § 236.20(2)(g) and the water's edge and any otherwise unplattable lands which lie between a proposed land division and the water's edge shall be included as part of lots, outlots, or public dedications in any plat or certified survey map abutting a lake or stream. This requirement applies not only to lands proposed to be divided but also to all lands under option to the subdivider or in which he holds any interest and which are contiguous to the lands proposed to be subdivided and which abut a lake or stream. Any final plat or certified survey map which

645 includes lots or outlots that extend to the water's edge must include the following
646 statement:

*Any land below the ordinary high water mark of a lake or a
649 navigable stream is subject to the public trust in navigable waters
650 that is established under article IX, section 1 of the State
651 constitution.*

652
653 (4) LAND SUITABILITY.

654
655 (a) No land shall be divided or subdivided for use which is determined to be
656 unsuitable by the Department because of flooding or potential flooding, wetlands,
657 soil or rock limitations, inadequate drainage, severe erosion potential,
658 unfavorable topography, inadequate water supply or sewage disposal
659 capabilities, incompatible surrounding land use, or any other condition likely to be
660 harmful to the health, safety, or welfare of the future residents or users of the
661 area, or likely to be harmful to the community or the County.

662
663 (b) Except as provided herein, the Department shall determine such unsuitability at
664 the time the preliminary plat or certified survey map is considered for approval.
665 The subdivider shall furnish such maps and data as may be necessary to make a
666 determination of land suitability. In addition to the data required to be submitted
667 with the preliminary plat or certified survey map, the subdivider may be required
668 to submit some or all of the following additional information for development
669 located in an area where flooding or potential flooding may be a hazard:

670
671 1. Two (2) copies of an aerial photograph or two (2) maps prepared by a
672 professional land surveyor or professional engineer which accurately
673 locate the proposed development with respect to floodplain zoning
674 district limits if present, channel or stream fill limits and elevations, and
675 floodproofing measures taken or proposed to be taken.

676
677 2. If the floodplain is studied, it should be located and shown; if it is a Zone
678 A, a qualified engineer must determine the floodplain elevation,
679 floodway/floodfringe, boundary, and/or the impact on the floodplain that
680 would result from any of the proposed development.

681
682 (5) UTILITY EASEMENTS.

683
684 (a) Perpetual, unobstructed easements centered on rear lot lines of subdivisions and
685 land divisions shall be provided for utilities (private and municipal) where
686 necessary; such easements shall be at least twelve (12) feet wide and shall be
687 designated as "Utility Easement" on the plat or certified survey map. Proper
688 coordination shall be established between the subdivider and the applicable
689 utility companies for the establishment of utility easements along adjoining
690 properties.

691
692 (b) Where topographical or other conditions are such as to make impractical the
693 inclusion of utilities within the rear lot line, perpetual, unobstructed easements at
694 least twelve (12) feet wide shall be provided alongside lot lines and shall be
695 designated as "Utility Easement" on the plat or certified survey map.

696
697 (c) The use or purpose and grantee of the utility easements should be indicated.
698

699 (6) ROAD DISCONTINUANCES. If any portion of a platted right-of-way is to be vacated or
700 discontinued for the purposes of dividing the land contained within the right-of-way, the
701 resolution number with which the town board has discontinued the right-of-way must
702 appear on the face of the plat or certified survey map. Road discontinuances and
703 vacations must be notarized and recorded with the Sheboygan County Register of Deeds
704 prior to approval of the plat or certified survey map.
705

706 71.17 STATE SUBDIVISIONS.
707

708 (1) PRELIMINARY PLAT. A preliminary plat shall be prepared for all subdivisions and shall
709 be based upon a survey by a Wisconsin professional land surveyor. The plat shall be
710 submitted at a scale of not more than 100 feet to 1 inch, shall conform to any standards
711 and specifications set forth in Wis. Stat. ch. 236, and shall utilize the Sheboygan County
712 Coordinate Monumentation System.
713

714 (a) It shall show correctly on its face the following information:
715

- 716 1. Title of the proposed subdivision.
- 717 2. Location of the proposed subdivision by government lot, quarter section,
718 section, township, range, and county.
- 719 3. Date, scale, and north point.
- 720 4. Name and address of the owner, subdivider, and land surveyor preparing
721 the plat.
- 722 5. Entire area contiguous to the proposed plat owned or controlled by the
723 subdivider even though only a portion of said area is proposed for
724 immediate development. The Department may waive this requirement
725 where it is unnecessary to fulfill the purposes and intent of this
726 Ordinance and undue hardship would result from strict application
727 thereof.
- 728 6. Exact length and bearing of the exterior boundaries of the proposed
729 subdivision referenced to a corner established in the Sheboygan County
730 Coordinate Monumentation System, and the total acreage encompassed
731 thereby.
- 732 7. Location and names of any adjacent subdivisions, parks, and cemeteries
733 and owners of record of abutting unplatted lands.
- 734 8. Location, right-of-way width, and names of any existing or proposed
735 streets, alleys, or other public ways, easements, railroad rights-of-way,
736 and utility rights-of-way, and all section or quarter section lines within the
737 exterior boundaries of the plat or immediately adjacent thereto.
- 738 9. Location of existing property lines, structures, drives, streams, and
739 watercourses, lakes, wetlands, rock outcrops, wooded areas, and other
740 similar significant features within the parcel being subdivided.
- 741 10. Ordinary high water mark and floodplain elevations of adjoining lakes,
742 ponds, streams, and flowages. An ordinary high water mark shown on a
743 plat may be determined by the Wisconsin Department of Natural
744 Resources.
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Resources or may be shown as 'approximate' on the plat. If the ordinary high water mark is approximated, the location shall be a point on the bank to which the presence and action of the water is so continuous as to leave a distinct mark. Such approximate ordinary high water marks must be labeled "for reference only."

11. Type, width, and elevation of any existing street pavements within the exterior boundaries of the plat or immediately adjacent thereto with any legally established centerline elevations.
 12. Contours within the exterior boundaries of the plat and extending to the centerline of adjacent public streets at vertical intervals of not more than two (2) feet.
 13. Location and approximate dimensions of any sites to be dedicated or reserved for parks, open space, drainage ways, trails, schools, or other public uses. All land that is dedicated to the public on a plat, including roads, must clearly be marked "Dedicated to the Public."
 14. Approximate dimensions of all lots, and proposed lot and block numbers.
 15. Existing and proposed land use and zoning included within and immediately adjacent to the proposed subdivision.
 16. Soil test reports identifying the location of a treatment-type septic system for each identified lot within the plat, conducted in accordance with Wis. Admin. Code Ch. SPS 385.
 17. Floodplain, shoreland, wetland, and erosion hazard boundaries pursuant to the County Shoreland and Floodplain Ordinances and any proposed lake and stream access.
 18. Surface drainage pattern mapping and indication of direction and established peak volume of soil drainage pattern.
 19. Plans for all soil conservation and erosion control measures such as gutters, ditches, catch basins, storm sewers, culverts, open channels, sediment traps or basins, terraces, water diversions, and similar practices, keyed to locations on the preliminary plat, if required by the Department.
 20. All existing buildings and structures.
 21. Where the Department finds that it requires additional information relative to a particular problem presented by a proposed development to review the preliminary plat, it shall have the authority to request such information from the subdivider.
- (b) The requirements set forth in Section 71.16 herein shall be followed in addition to those requirements set forth in this Section.
- (c) In subdivisions along the Lake Michigan shoreline, erosion hazard setback lines shall be determined for all erodible bluffs, ravines, dunes, and beaches. In applying these provisions, the Department may require the subdivider to submit a

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report prepared by a register professional engineer stating that the site is or can be made suitable for the proposed development. Factors to be described and analyzed include:

1. projected wave-induced erosion based upon recession rates and wave energy calculations;
2. geologic conditions including the soils and stratigraphy of the site and an analysis of the stability of the materials present;
3. ground and surface water conditions and variations including changes that will be caused by the proposed development;
4. plans and specifications for bluff and shoreline stabilization measures and for measures to protect against wave erosion, the estimated life of such measures, their costs and maintenance required, and the effect on nearby properties and the shoreland and lake environment
5. methods to be used to control surface erosion and stormwater runoff during and after construction;
6. the elevation of the one hundred- (100-) year flood and wave run-up where the site is subject to flooding; and
7. other pertinent data to determine the site suitability of the proposed use and location.

(d) Drainage Easements.

1. Where a subdivision is traversed by a stream, channel, watercourse, or drainageway there shall be provided a stormwater drainage easement or right-of-way conforming substantially to the lines of such watercourse and of such width and/or construction as will be adequate for the purpose. The location, width, alignment, and improvement of such drainageway or easement shall be consistent with the stormwater management and erosion control plans required in Section 71.17(1)(m) of this Ordinance. Wherever possible, it is desirable that parallel streets or parkways be employed in connection therewith and that stormwater drainage be maintained by open (seeded or sodded) waterways of adequate size and grade to hydraulically accommodated maximum potential volumes of flow, subject to review and approval by the Department.
2. Whenever topography or other conditions are such as to make impractical the inclusion of drainage facilities within road rights-of-way, then perpetual, unobstructed easements at least fifteen (15) feet wide or as expressly recommended by the Department for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Such drainage easements shall be so designated on the final plat followed by reference to the permitted use or uses or any prohibitions expressly required by the Department. Drainage easements shall be carried from the road to a natural watercourse or to other drainage facilities. When a proposed drainage

860 system will carry water across private land outside the subdivision,
861 appropriate drainage rights must be secured and indicated on the plat.
862

863 (e) Street Sections. When permanent street sections have been approved by the
864 unit of government having jurisdiction, the subdivider shall finish and grade all
865 shoulders and ditches and install all necessary culverts and other storm and
866 surface water drainage structures or systems to effect positive drainage away
867 from buildings and service facilities and to prevent erosion and sedimentation in
868 accordance with plans and standard specifications approved by the Department
869 and the town board. The arrangements, character, extent, width, grade, and
870 location of all streets shall conform to all applicable plans, official maps, or
871 highway width maps adopted by the applicable local unit(s) of government and
872 the County and shall be related to and complementary with existing and planned
873 streets, topographic conditions, existing natural features, prospective utilities,
874 public convenience and safety, and proposed land uses to be served by such
875 streets. The right-of-way width and building setback requirements of all limited
876 access expressways, highways, and county road routes shall be determined by
877 the Department upon the recommendation of the Wisconsin Department of
878 Transportation or the Sheboygan County Transportation Department, whichever
879 is appropriate. All town roads shall comply with the minimum design standards
880 of Wis. Stat. § 82.50.
881

882 (f) Grading and Surfacing. The subdivider shall grade the right-of-way of all streets
883 proposed to be dedicated in accordance with plans and standard specifications
884 approved by the Sheboygan County Transportation Department and the town
885 board. After the installation of all utility and stormwater drainage improvements,
886 the subdivider shall surface all roadways and streets proposed to be dedicated in
887 accordance with plans, standard specifications, and scheduling approved by the
888 Sheboygan County Transportation Department and the town board.
889

890 (g) Dedication of Lands. Whenever a parcel of land to be divided as a subdivision
891 contains all, or in part, a street, highway, drainageway, other public way, or public
892 access to navigable lakes or streams which has been designated in a
893 comprehensive plan as defined in this Ordinance, or an official map adopted
894 under Wis. Stat. § 62.23, such public way or access shall be made a part of the
895 plat and dedicated by the subdivider in the location and dimensions indicated
896 unless otherwise provided herein. Whenever the public way being dedicated for
897 right-of-way purposes is classified as a County Road as defined in Chapter 26 of
898 this Code, the following language shall be placed on the map:
899

900 *As owner, the road dedication herein is to be held in trust by the*
901 *town, it being expressly intended that this restriction shall*
902 *constitute a restriction for the benefit of the public according to*
903 *Wis. Stat. § 236.293 and shall be enforceable by the Sheboygan*
904 *County Transportation Department.*
905

906 (h) Reservation of Lands. Whenever a parcel of land to be divided as a subdivision
907 contains all, or in part, a site for a park or open space use, or a school or other
908 public site which has been designated in a comprehensive plan as defined in this
909 Ordinance or an official map adopted under Wis. Stat. § 62.23, such area shall
910 be made a part of the plat. The subdivider shall reserve such proposed public
911 lands for a period not to exceed three (3) years unless extended by mutual
912 agreement for acquisition by the public agency having jurisdiction.
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- (i) Floodplains and Wetlands. Whenever a tract of land to be subdivided includes any part of identified floodplains or wetlands as defined in Chapter 72 of this Code, such floodplains and wetlands shall be identified on and be made a part of the plat. Floodplains and wetlands included within a subdivision plat shall be included within lots or outlots or reserved for acquisition or, if approved by the Department, shall be reserved in perpetuity for the recreational use of the future residents of the land to be divided.
 - (j) Lake and Stream Access. All subdivisions abutting a navigable lake or stream shall, pursuant to provisions of Wis. Stat. § 236.16(3) and this Ordinance, provide public access of at least sixty- (60-) feet wide to the water's edge, such public access being connected to existing public roads at not more than one-half (1/2) mile intervals as measured along the lake or stream shore except when greater intervals and wider access is agreed to by the Department of Natural Resources, the Department of Administration, and the Department and excluding shore areas where adequate accessible public parks or open space, streets, or roads on either side of a stream are provided. This requirement does not require any local unit of government to improve land provided for public access.
 - (k) Public Sewage Disposal Facilities. When public sewer facilities are available, the subdivider shall make adequate sanitary sewerage service available to each lot within the subdivision. The subdivider shall assume the cost of installing all sanitary sewers, sewer laterals, and sewer appurtenances within the proposed subdivision unless the town in which the proposed subdivision lies has an agreement with the subdivider stating otherwise. Such construction may include, where necessary, sanitary pumping stations, sanitary pressure mains, and sanitary interceptor mains, the cost of which shall be prorated on the basis of percent of service area within the subdivision. Where a town sanitary district has been created pursuant to Wis. Stat. §§ 60.71 or 60.72 for the purpose of providing and constructing sanitary sewers, plans and standard specifications shall be subject to review and approval by the governing authority.
 - (l) Water Supply Facilities. When public water supply and distribution facilities, in the opinion of the Department and the local municipality, are available to the subdivision, the subdivider shall cause such facilities to be installed in such a manner as to make adequate water service available to each lot within the subdivision. The size, type, and installation of all public water supply facilities proposed to be constructed shall be in accordance with plans and standard specifications approved by the local municipality. The subdivider shall assume the cost of installing all water mains, water laterals, and water system appurtenances within the proposed subdivision, unless the town in which the proposed subdivision lies has an agreement with the subdivider stating otherwise. When a town sanitary district has been created pursuant to Wis. Stat. §§ 60.71 or 60.72 for the purpose of providing and constructing a system of water works, all plans and standard specifications shall be subject to approval by the town sanitary district commission. In the absence of public water supply and distribution facilities, private wells and water supply systems may be constructed to service the individual lots in the subdivision. All such private wells and water supply systems shall conform to the requirements of Wis. Admin. Code Chs. NR 812, SPS 382, and SPS 383, which are hereby adopted by reference and incorporated herein as though fully set out.
 - (m) Stormwater Management and Erosion Control Facilities. The subdivider shall construct stormwater management and erosion control facilities which are

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adequate to serve the subdivision and which do not adversely affect adjacent lands outside of the subdivision as established in Section 71.17(1)(m). The Department shall require the subdivider to provide stormwater management and erosion control plans at the time the preliminary plat is submitted to the Department. In subdivisions or land divisions along the Lake Michigan shoreline, the Department may require the subdivider to install shoreline protection measures such as seawalls, bulkheads, revetments, groins, breakwaters, subsurface dewatering, and other bluff stabilization measures. Plans required under this Section shall be submitted to the Department which shall transmit them, where appropriate, to the Department, Department of Natural Resources, and/or Corps of Engineers for review and comment. Specifications and guidelines contained in Chapter 75, Erosion Control and Stormwater Management Ordinance, shall provide the primary framework for any design plans required under this Section. The Department may allow stormwater runoff that would be discharged in volumes or at rates in excess of those otherwise allowed by Chapter 75 to be discharged into drainage facilities off the development site if all the following conditions are met:

1. it is not practicable to completely manage runoff on the site in a manner set forth in this Ordinance;
2. the off-site drainage facilities and channels leading to them are designed, constructed, and maintained in accordance with the requirements of this Ordinance;
3. where oversized drainage facilities are deemed necessary by the Department, town, or town sanitary district to serve tributary drainage areas lying outside of the subdivision, the costs of these facilities shall be prorated on the basis of percent of service area lying within the subdivision; and
4. adverse environmental impacts on and off the site of development will be minimized.

(n) Other Utilities. All new electric distribution lines except those of fifteen thousand (15,000) volts or more, telephone lines from which individual lots are served, fiber optics, and cable lines within all newly-platted subdivisions and land divisions shall be installed underground unless the Department determines that the location, topography, soil, stands of trees, or other physical barriers would make underground installation unreasonable or impractical or that the lots to be served by said facilities would be best served directly from existing overhead facilities. Associated equipment and facilities which are appurtenant to underground electric and communications systems, including but not limited to, substations, pad-mounted transformers, switches, and above-ground pedestal-mounted terminal boxes may be located above ground.

(l) As a further condition of approval, the Department may require the subdivider to install any public improvements reasonably necessary or that the subdivider executes a performance bond or letter of credit to ensure that he or she will make those improvements within a reasonable time. The amount of security shall not be more than one hundred twenty percent (120%) of the estimated total cost of the improvements and it may not be required for more than fourteen (14) months after the improvements are 'substantially completed.' Thereafter, any withheld

1021 security may not be more than the cost to finish the uncompleted improvements
1022 plus ten percent (10%) of the total cost of the already completed improvements.
1023

1024 (2) FINAL PLAT. A final plat prepared by a Wisconsin professional land surveyor is required
1025 for all subdivisions. It shall comply in all respects with this Ordinance and the standards
1026 and specifications of Wis. Stat. § 236.20 and that Section is hereby adopted by
1027 reference. The final plat shall have one- (1-) inch margins on all sides. Where the
1028 Department finds that it requires additional information or plat data relative to a particular
1029 problem presented by a proposed development to review the final plat, it shall have the
1030 authority to request such information from the subdivider.
1031

1032 71.18 CERTIFIED SURVEY MAPS.
1033

1034 (1) A certified survey map prepared by a Wisconsin professional land surveyor is required for
1035 all land divisions where the act of division creates:
1036

1037 (a) less than five (5) lots or outlots of forty (40) acres each or less in area, or
1038

1039 (b) less than five (5) lots or outlots of forty (40) acres each or less in area by
1040 successive divisions from the same parcel within a period of five (5) years.
1041

1042 All area calculations are to be exclusive of any dedications, right-of-way easements, or
1043 reservations. Every certified survey map shall comply in all respects with this Ordinance
1044 and the standards and specifications of Wis. Stat. § 236.34, and that Section is hereby
1045 adopted by reference.
1046

1047 (2) Soil and site evaluations conducted in accordance with Wis. Admin. Code Ch. SPS 385
1048 and the County Sanitary Ordinance are required if the lots being created will be served by
1049 on-site private sewage disposal systems, except that such tests may be waived by the
1050 Department if:
1051

1052 (a) the lots being created are already served by an acceptable on-site sewage
1053 disposal system, off-site common sewage disposal system, or municipal
1054 sewerage system. To verify that the system is acceptable, an inspection
1055 completed by a licensed pumper or plumber must have been performed within
1056 twelve (12) months prior to approval of the certified survey map to the
1057 Department and the report detailing the inspection must have been submitted to
1058 the Department. If the existing system is determined to be failing, steps must be
1059 taken with the Department to ensure funds are available for replacement of the
1060 system; or
1061

1062 (b) the lots being created are intended for uses other than residential and for which
1063 acceptable sewage disposal facilities plan have been filed with the Department;
1064 or
1065

1066 (c) the lots are being created for land conveyance purposes only. In this instance,
1067 upon the certified survey map, the subdivider shall have prominently placed a
1068 restrictive covenant prescribed by the Department and consisting of the following
1069 language:
1070

1071 *No soil tests have been conducted on Lot [fill in lot numbers].*
1072 *Pursuant to Section 71.16(1)(b)2 of the Sheboygan County*
1073 *Subdivision Ordinance. This lot creation is for conveyance*
1074 *purposes only. No on-site sewage disposal system shall be*

installed on said lot(s) without the express consent of the Sheboygan County Planning and Conservation Department.

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- (3) The map shall be prepared in accordance with Wis. Stat. §§ 236.20(2)(a), (b), (c), (e), (f), (g), (h), (i), (j), (k), and (l) and (3)(b), (d), and (e) at a scale of not more than 500 feet to 1 inch. The map, with minimally two (2) copies for filing with the Department, shall be prepared on durable white media that is 8-1/2" wide x 14" long. An area 3" x 3" in size must be left blank on the first page or the last page to be used for recording information when the document is recorded with the Register of Deeds. It shall include on its face in addition to the information required by Wis. Stat. § 236.34 the following:
- (a) name of the owner;
 - (b) date of survey;
 - (c) graphic scale;
 - (d) all existing buildings and other developed features on the parcel;
 - (e) locations, rights-of-way, easements, and names of adjoining streets, highways, railroads, utilities, parks, cemeteries, subdivisions, as well as navigable ponds, streams, lakes, flowages, and all wetlands as mapped on the most current version of the Wisconsin Wetland Inventory Map or as determined in the field by a qualified wetland delineator where such delineation report has received concurrence by the Wisconsin Department of Natural Resources when or where required;
 - (f) size of the lots being created in square feet and acres;
 - (g) any applicable use or access restrictions and covenants;
 - (h) all floodplain, shoreland, wetland, or erosion hazard boundaries lying at a vertical distance of two (2) feet above the elevation of the one hundred- (100-) year recurrence interval flood;
 - (i) distances and bearings referenced to a line and a corner of the Sheboygan County Coordinate Monumentation System;
 - (j) surveyor's certification of compliance with all provisions of this Ordinance and other applicable laws;
 - (k) owner's and mortgagee's certification prepared in accordance with Wis. Stat. § 236.21(2). When no streets or public ways are being dedicated, the owner's certificate is still required, with only the language regarding the dedication as stated in Wis. Stat. § 236.21(2) omitted. Owner's and mortgagee's certificates are required when easements, for any purpose, are being granted; and
 - (l) where the Department finds that it requires additional information relative to a particular problem presented by a proposed development to review the certified survey map, it shall have the authority to request such information from the subdivider.

- 1127 (4) A certified survey map can be used to dedicate land to the public and grant easements
 1128 when it includes signed owner's and mortgagee's certificates and has been approved by
 1129 the local unit of government in which the certified survey map is located.
 1130
- 1131 (5) The requirements set forth in Section 71.16 of this Ordinance.
 1132
- 1133 71.19 COUNTY PLATS.
 1134
- 1135 (1) Pursuant to Wis. Stat. § 236.45(2), a County plat prepared by a Wisconsin professional
 1136 land surveyor is required for all land divisions meeting the threshold of a County plat as
 1137 defined in Section 71.26 of this Ordinance. It shall comply in all respects with Sections
 1138 71.16 and 71.18 of this Ordinance and the following:
 1139
- 1140 (a) Wis. Stat. § 236.15 regarding monumentation;
 1141
- 1142 (b) Wis. Stat. § 236.16(3) regarding public access to navigable waters; and
 1143
- 1144 (c) Wis. Stat. 236.20 regarding final plats.
 1145
- 1146 (2) The plat must have a name unique within Sheboygan County.
 1147
- 1148 (3) The recordable plat must be on 22" x 30" durable white media with a nonfading black
 1149 image. An electronic version may be submitted to the Department for review purposes
 1150 only.
 1151
- 1152 (4) State level review is not required for County plats.
 1153
- 1154 71.20 REPLATS. A subdivider or subdivider's agent performing a replat as defined in Wis. Stat.
 1155 § 236.02(11) must comply with the platting requirements of Wis. Stat. Ch. 236 relating to new
 1156 subdivision plats and Sections 71.16 and 71.17 of this Ordinance relating to state subdivision
 1157 plats.
 1158
- 1159 71.21 CONSERVATION SUBDIVISIONS. A subdivider or subdivider's agent performing a conservation
 1160 subdivision plat as defined in Section 71.24 of this Ordinance must comply with the platting
 1161 requirements of Wis. Stat. ch 236 relating to new subdivision plats and Sections 71.16 and 71.17
 1162 of this Ordinance relating to state subdivision plats.
 1163
- 1164 71.22 DESIGN STANDARDS.
 1165
- 1166 (1) APPLICABILITY. The requirements in this Section shall be followed by the subdivider or
 1167 subdivider's agent whenever a land division as defined in Section 71.26 of this Ordinance
 1168 takes place.
 1169
- 1170 (2) ROAD FRONTAGE.
 1171
- 1172 (a) Each lot within the subdivision or land division shall have a minimum of sixty-six
 1173 (66) feet of frontage on a public street. The minimum width shall extend to the
 1174 rear property line. Wetlands or other encumbrances at the road are to be
 1175 excluded in calculating the frontage width. Where the Committee, pursuant to
 1176 Section 71.13 "Variances and Appeals," approves access to any lot by a private
 1177 road, lane, or drive, the said way shall have a minimum cleared right-of-way
 1178 access of fifty (50) feet and shall be continuous to a public street or acceptable
 1179 private street. Further, upon approval thereof, the seller or land divider shall
 1180 place an affidavit on the face of the certified survey map or plat stating:

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The land divider and future assignees who acquire ownership of this (these) land parcel(s) hold Sheboygan County and the town harmless from problems of access to and from the public road and the building site(s).

- (b) Resultant lots created by subdivision or land division on private drives platted before the most recent adoption of this Ordinance are exempt from the requirement set forth in Section 71.22(2).
- (c) Cul-de-sac lots shall provide a minimum of forty (40) feet of frontage on a public street.

(3) MINIMUM LOT AREAS AND WIDTHS.

- (a) Residential lots for single-family residences, where served by public sewer, shall conform to the most restrictive provisions of local zoning, building, or subdivision ordinances or the County Shoreland and Floodplain Ordinances. Where such ordinances do not apply, such lots shall have a minimum average lot width not less than fifty (50) feet wide nor less than six thousand (6,000) square feet in area.
- (b) Residential lots for single-family residences not served by public sewer shall have adequate area of suitable soil to allow for the installation of a private on-site wastewater treatment system that is sized appropriately for the proposed use in compliance with Wis. Admin. Code Ch. SPS 383 and the County Sanitary Ordinance.
- (c) Any portion of a lot having a width of less than thirty (30) feet shall not be considered in determining the minimum lot area. Any easement or combination of adjacent easements which is greater than twenty (20) feet wide shall not be considered in determining minimum lot area, and the minimum lot area shall not be divided by any easement, unless approved in writing by the Department and, when applicable, the Department of Safety and Professional Services.
- (d) A minimum lot width of one hundred (100) feet and lot area of twenty thousand (20,000) square feet is required by this Ordinance for unsewered lots with private water supplies to provide adequate room for the necessary separation distances from on-site sewage disposal systems in accordance with Wis. Admin. Code Ch. SPS 383 and the County Sanitary Ordinance.

71.23 DESIGN GUIDELINES. The following standards should be used when the local municipality having authority has not adopted an ordinance which includes relevant design guidelines.

(1) STREETS.

- (a) Proposed streets shall be extended to the boundary lines of the tract being subdivided unless prevented by topography or other physical conditions.
- (b) The number of streets converging at one (1) intersection should be reduced to a minimum, preferably not more than two (2).
- (c) The number of intersections along arterial streets should be held to a minimum.

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- (d) Street jogs with centerline offsets of less than one hundred fifty (150) feet should be avoided.
 - (e) Where possible, lot lines should be perpendicular to the street line and to the tangent at the lot corner of curved streets.
 - (f) A tangent at least one hundred (100) feet long should be introduced between reverse curves on arterial and collector streets.
 - (g) Streets should be laid out so as to intersect as nearly as possible at right angles and no street should intersect any other street at less than seventy-five (75) degrees.
 - (h) All street rights-of-way shall be of the width specified by comprehensive plans, comprehensive plan components, or official maps, if any, of the County, town, or municipality having extraterritorial jurisdiction.
 - (i) The minimum right-of-way width should be as specified below:
 - 1. Local Roads: 66 feet
 - 2. Collectors: 80 feet
 - 3. Arterials: 120 feet
 - (j) The use of cul-de-sacs should be limited to portions of developments which, due to unusual topographical, environmental, or other particular conditions, may better be served by cul-de-sacs than by continuous streets.
 - (k) Cul-de-sac streets designed as permanent installations should not exceed one thousand (1,000) feet in length. All permanent cul-de-sac streets should terminate in a circular turnaround having a minimum radius for the outside curve of sixty (60) feet with a forty-five- (45-) foot minimum pavement radius.
 - (l) Dead-end streets other than cul-de-sacs should only be permitted if it appears on the official municipal street map. When so authorized, a suitable turnaround should be provided, and appropriate arrangements shall be made for those parts of temporary turnarounds outside the right-of-way to revert to the abutting property owners when the street is extended.
 - (m) In commercial and industrial districts, alleys, or other definite and assured provisions should be made for off-street loading and service access consistent with and adequate for the uses proposed. The right-of-way width of alleys should not be less than twenty-four (24) feet.
 - (n) Street names.
 - 1. The Department may disapprove the name of any new street which has already been used elsewhere in the County or, because of similarity, may cause confusion.
 - 2. Any street which is the reasonable continuation of the existing street shall bear the same name. If the topography or other features of a reasonably permanent nature are such as to render the continuation of

1289 the actual roadway not reasonably possible and where such
1290 nomenclature is apt to produce confusion, the street shall not carry the
1291 same name as the street to which it may be geometrically aligned.
1292

1293 (o) The subdivider should incorporate a bicycle and pedestrian transportation
1294 network into the subdivision and may defer to the Department for best practices
1295 and tools for doing so.
1296

1297 (p) An easement fifteen (15) feet in width should be provided to facilitate bicycle and
1298 pedestrian connections to possible future subdivisions.
1299

1300 (2) BLOCKS.

1301
1302 (a) The length, width, and shape of blocks should be suited to the planned use of the
1303 land, zoning requirements, needs for convenient access, control, and safety of
1304 street traffic, and the limitations and opportunities of topography.
1305

1306 (b) Blocks should have sufficient width to provide for two (2) tiers of lots of
1307 appropriate depth except where otherwise required to separate residential
1308 development from traffic, public parks, railroad rights-of-way, bulkhead lines,
1309 shorelines of waterways, corporate boundaries, or except as may be necessary
1310 due to extreme topography.
1311

1312 (3) LOTS.

1313 (a) The size, shape, and orientation of lots should be appropriate for the location of
1314 the subdivision and for the type of development and use contemplated.
1315

1316 (b) Side lot lines should generally be at right angles to straight street lines or radial to
1317 curved street lines on which the lots face. Lot lines should follow municipal
1318 boundaries rather than cross them.
1319

1320 (c) Double frontage and reverse frontage lots are discouraged except where
1321 necessary to provide separation of residential development from traffic or to
1322 overcome specific disadvantages of topography and orientation.
1323

1324
1325 71.24 CONSERVATION SUBDIVISIONS. It is the intent of this Section to permit the use of
1326 non-traditional residential subdivision design that would cluster the residential parcels and
1327 preserve open space and agricultural land by the use of restrictive covenants, deed restrictions,
1328 or other binding criteria. In doing so, the overall density is maintained without sprawling the home
1329 sites over a large area.
1330

1331 (1) APPLICABILITY. Conservation subdivisions shall be allowed on all residential zoned
1332 lands with the approval of the town in which the proposed subdivision lies and the
1333 Department.
1334

1335 (2) ADMINISTRATION. For all design standards and plat requirements not identified in this
1336 section, those requirements set forth in all other relevant Sections of this Ordinance and
1337 the applicable State statutes, State administrative code, and local zoning and land use
1338 ordinances shall be adhered to. The Department may waive certain requirements as
1339 designated in other Sections of this Ordinance upon written request of the subdivider or
1340 subdivider's agent, provided the requirements are not otherwise statutorily mandated.
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1342 (3) DESIGN STANDARDS.

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- (a) Open Space. Permanent open space shall be designated as part of the development. The minimum required open space is fifty percent (50%) of the gross acreage.
 1. The uses within the open space shall be accessible to all residents of the development. These uses may also be available to the general public provided the proper approvals are received. The required open space shall be undivided and restricted in perpetuity from future development.
 2. Shared open space shall be accessible either by direct frontage or access easement to all lots within the development.
 3. Road rights-of-way shall not be counted towards the minimum open space.
 4. No more than fifty percent (50%) of the required open space may consist of water bodies, ponds, floodplain, or wetlands.
 5. Open space shall be contiguous.
 - (b) Roads. Road right-of-way widths may be reduced to the minimum applicable width required by Wis. Stat. Ch. 82.
 1. The developed area shall have sidewalks on at least one side of the road for all roadways.
 2. Bicycle lanes or equivalent should be installed on both sides of the street for collector roadways.
 - (c) Lots.
 1. The minimum lot size for unsewered lots is six thousand (6,000) square feet with a minimum average width of fifty (50) feet. The minimum lot size for lots served by municipal sewer service is four thousand five hundred (4,500) square feet with a minimum average width of fifty (50) feet unless more restrictive requirements set forth in the County Shoreland Ordinance, Sanitary Ordinance, or Floodplain Ordinance apply.
 2. All lots must have at least fifty (50) feet of frontage on a public road.
 3. Blocks should maintain a length of three hundred (300) to six hundred (600) feet.
- (4) RESIDENTIAL CLUSTER SITING STANDARDS.
- (a) All residential lots and dwellings shall be grouped into residential clusters. Each residential cluster shall contain no more than twenty (20) dwelling units and no less than five (5) dwelling units.
 - (b) Residential clusters shall be located to minimize negative impacts on the natural, scenic, and cultural resources of the site and conflicts between incompatible uses. The subdivision should be designed around existing hedgerows and

- 1397 treelines between fields or meadows and should minimize impacts on large
1398 woodlands. Scenic views and vistas should be left unblocked for uninterrupted
1399 panoramas, particularly as seen from public thoroughfares. Siting construction
1400 on prominent hilltops should be avoided by taking advantage of lower
1401 topographic features. Sites of historic, archaeological, or cultural value should be
1402 preserved. Design should protect rural roadside character and improve public
1403 safety. Common areas and streets should be landscaped with native species
1404 shade trees, shrubs, or plants with high wildlife conservation value.
1405
1406 (c) A thirty- (30-) foot native vegetative buffer shall be maintained around open water
1407 areas unless a specific common beach or grassed area is identified.
1408
1409 (5) OWNERSHIP AND MAINTENANCE OF OPEN SPACE AND COMMON FACILITIES.
1410
1411 (a) The designated common open space and common facilities may be owned and
1412 managed by one or a combination of the following:
1413
1414 1. A homeowners' association. Membership in the association is
1415 mandatory for all purchasers of homes in the development and their
1416 successors.
1417
1418 2. A condominium association. Membership in the association is
1419 mandatory for all purchasers of homes in the development and their
1420 successors.
1421
1422 3. A non-profit conservation association.
1423
1424 4. An individual. An individual may hold fee title to the land while a
1425 non-profit conservation organization or other qualified organization holds
1426 a conservation easement prescribing the acceptable uses for the
1427 common open space.
1428
1429 5. Restrictive covenant. The location, size, use, and provisions for control
1430 of the shared open space shall be described in a restrictive covenant.
1431 The restrictive covenant shall run with the land, be permanent, and
1432 become part of the deed to each lot within the development.
1433
1434 6. The County or town may accept a fee title dedication or the dedication of
1435 a conservation easement to the common open space. The County or
1436 town may accept the common open space provided the County or town
1437 agrees to and has access to maintain the common open space.
1438
1439 (b) Maintenance Plan. Every conservation subdivision must include a plan that
1440 provides evidence of a means to properly manage the common open space in
1441 perpetuity and evidence of the long-term means to properly manage and
1442 maintain all common facilities, including any stormwater facilities. The plan shall
1443 be approved by the County prior to final plat approval.
1444
1445 (6) FEES. The review fees charged shall be fifty percent (50%) of the fee for final plat review
1446 according to the fee schedule on file in the Planning and Conservation Department.
1447
1448 (7) REVIEW AND APPROVAL PROCEDURES.
1449

- 1450 (a) Timeframe. The Department shall have sixty (60) days to approve, approve
- 1451 conditionally, or reject the conservation subdivision plat.
- 1452
- 1453 (b) Open Space. Conservation easements, deed restrictions, or restrictive
- 1454 covenants, as required by the Department for the establishment of the
- 1455 permanent open space shall be submitted with the final conservation subdivision
- 1456 plat and shall be filed for recording with the final conservation subdivision
- 1457 plat.
- 1458 (c) Ownership. The legal instruments clarifying the ownership of the open space
- 1459 shall be submitted with the final conservation subdivision plat and shall be filed
- 1460 for recording with the final conservation subdivision plat.
- 1461

71.25 PLANS, MAINTENANCE, AND INSPECTION.

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- 1463
- 1464 (1) PLANS. The following plans and accompanying construction specifications may be
- 1465 required by the Department:
- 1466
- 1467 (a) Street plans and profiles showing existing and proposed grades, elevations, and
- 1468 cross-sections of required improvements.
- 1469
- 1470 (b) Stormwater management and erosion control plans showing those structures
- 1471 required to slow or control the rate of runoff water and those grading, excavating,
- 1472 and site management practices that will prevent erosion and sedimentation.
- 1473
- 1474 (c) Sanitary sewer plans and profiles showing the locations, grades, elevations,
- 1475 sizes, and materials of required facilities.
- 1476
- 1477 (d) Water main plans and profiles showing the location, sizes, elevations, and
- 1478 materials of required facilities.
- 1479
- 1480 (e) Planting plans showing the locations, age, caliper, species, and time of planting
- 1481 of any required grasses, shrubs, and other vegetation.
- 1482
- 1483 (f) Additional special plans or information as required.
- 1484
- 1485 (2) MAINTENANCE. The installed system(s) required by this Ordinance shall be maintained
- 1486 by the owner except that the County or town may accept certain systems for County or
- 1487 town maintenance. The selection of critical areas and/or structures to be maintained by
- 1488 the County or town shall be expressly approved by the governing body thereof. All areas
- 1489 and/or structures to be maintained by the County or town must be dedicated to the
- 1490 County or town by plat or separate instrument and accepted by the governing body
- 1491 therefor. The County shall take corrective action should the owner fail to properly
- 1492 maintain the system(s). In the event of such failure, the Department shall give such
- 1493 owner written notice of the nature of the existing defects and the corrective action
- 1494 necessary. Should the owner fail, within thirty (30) days from the date of the notice, to
- 1495 commence corrective action to the satisfaction of the Department, the County may
- 1496 complete or cause the corrective action to be completed, the cost of which shall become
- 1497 a lien on the real property of the owner until paid.
- 1498
- 1499 (3) INSPECTION. The subdivider shall notify the approving authorities having jurisdiction to
- 1500 provide for adequate inspection to review and approve all completed work prior to release
- 1501 of any sureties and to ensure compliance with the enacted requirements. The
- 1502 Department shall have access to premises and structures during reasonable hours to
- 1503 make those inspections as deemed necessary to ensure compliance with this Ordinance.

1504 If the Department is refused entry after presentation of proper identification, it may
1505 procure a special inspection warrant in accordance with Wis. Stat. ch. 968, except in
1506 cases of emergency.
1507

1508 71.26 **DEFINITIONS.** For the purposes of this Ordinance, the following definitions shall be used.
1509 Words used in the present tense include the future; the singular number includes the plural
1510 number; and the plural number includes the singular number. The word "shall" is mandatory and
1511 not directory.
1512

1513 **ACCESS.** A way or means of approach, by easement, permit, license, or other lawful or
1514 ownership rights for the use of land, to provide vehicular or pedestrian traffic physical ingress to
1515 and egress from a property.
1516

1517 **BLOCK.** A tract of land bounded by streets or by a combination of one (1) or more streets and
1518 public parks, cemeteries, railroad rights-of-way, bulkhead lines, or shorelines of waterways, or
1519 corporate boundary lines.
1520

1521 **BUILDING.** Any structure having a roof supported by columns or walls.
1522

1523 **CERTIFIED SURVEY MAP.** A map of a land division prepared in accordance with Wis. Stat.
1524 § 236.34 and in full compliance with the applicable provisions of this Ordinance where the act of
1525 division results in less than five (5) lots of forty (40) acres each or less in area by one (1) division
1526 or successive divisions from the same parcel within a period of five (5) years. All area
1527 calculations are to be exclusive of any dedications, right-of-way easements, or reservations.
1528

1529 **COMMITTEE.** The County Board Committee which oversees the Planning and Conservation
1530 Department created by the County Board of Supervisors pursuant to Wis. Stat. § 59.97.
1531

1532 **COMMON OPEN SPACE.** A parcel or parcels of land or an area of water or a combination of
1533 land and water within the site designated for a conservation subdivision and designed and
1534 intended for the use or enjoyment of residents of the conservation subdivision. Common open
1535 space may contain such complementary structures and improvements as are necessary and
1536 appropriate for the benefit and enjoyment of residents of the conservation subdivision.
1537

1538 **COMMON OWNERSHIP.** Ownership of land by the same person or persons. (For example, a
1539 parcel owned by John Smith is considered to be in common ownership with a parcel owned by
1540 John & Mary Smith, husband and wife. A parcel owned by John Smith is not considered to be in
1541 common ownership with a corporate, LLC, partnership, estate, or trust in which John Smith has
1542 an interest.)
1543

1544 **COMPREHENSIVE PLAN.** A plan, also called a master plan or elements thereof, for guiding and
1545 shaping the growth or development of Sheboygan County or of a community or area in
1546 Sheboygan County which has been adopted by Sheboygan County or a governmental unit of
1547 Sheboygan County and whose preparation is authorized by the Wisconsin Statutes.
1548

1549 **CONDOMINIUM.** A form of real property ownership under which a declaration of condominium
1550 has been recorded pursuant to Wis. Stat. Ch. 703.
1551

1552 **CONSERVATION SUBDIVISION.** A form of residential development that concentrates buildings
1553 or lots on a part of the site to allow the remaining land to be used for common open space,
1554 recreation, and preservation of environmentally sensitive features.
1555

1556 **CONTIGUOUS.** A parcel not being divided by a public road or railroad. Parcels are not
1557 contiguous if they meet only at a single point.

1558
1559 **COUNTY PLAT.** A map of a land division prepared in the same manner as required in Wis. Stat.
1560 ch. 236, except that all reviews are completed at the local level in accordance with the terms of
1561 this Chapter where:
1562
1563 (1) the act of division creates five (5) or more lots, of which at least one (1) lot is one and one
1564 half (1-1/2) acres or more in area, or
1565
1566 (2) five (5) or more lots, of which at least one (1) lot is one and one half (1-1/2) acres or more
1567 in area are created by successive divisions from the same parcel within a period of five
1568 (5) years
1569
1570 All area calculations are to be exclusive of any dedications, right-of-way easements, or
1571 reservations.
1572
1573 **COUNTY ROAD.** All county roads, highways, and bridges located within the unincorporated
1574 areas of the County of Sheboygan and over which this County has jurisdiction. This includes all
1575 lands within the right-of-way, whether paved or unpaved.
1576
1577 **DEPARTMENT.** The Sheboygan County Planning and Conservation Department employing a
1578 full-time professional planner and his or her duly appointed professional staff charged with the
1579 duties of administering this Ordinance and other zoning and planning legislation.
1580
1581 **EASEMENT.** A non-possessory interest in land owned by another to use the land for a specific
1582 purpose or purposes.
1583
1584 **EXTRATERRITORIAL PLAT APPROVAL JURISDICTION.** The unincorporated area within
1585 three (3) miles of the corporate limits of a first-, second-, or third-class city, or within one and
1586 one-half (1-1/2) miles of a fourth-class city or village if such cities or villages have enacted a
1587 subdivision control ordinance or official map and have not opted out of extraterritorial plat
1588 jurisdiction.
1589
1590 **FLOODPLAIN.** Land which has been or may be covered by flood water during the regional flood.
1591 It includes the floodway and the floodfringe and may include other designated floodplain areas for
1592 regulatory purposes.
1593
1594 **LAND DIVISION.** The process of creating one (1) or more lots of forty (40) acres each or less in
1595 area exclusive of road right-of-way from one (1) or more existing parcels. All area calculations
1596 are to be exclusive of any dedications, right-of-way easements, or reservations.
1597
1598 **LOT.** An area of land having frontage of a public street or private street existing before the
1599 adoption of the current version of this Ordinance and sufficient in size to meet width, frontage,
1600 area, and yard requirements set forth in this Chapter.
1601
1602 **MINIMUM AVERAGE LOT WIDTH.** The sum of the length of the front and rear lot line divided by
1603 two (2). In the case of irregularly-shaped lots having four (4) or more sides, "average lot width" is
1604 the sum of the length of two (2) lines, drawn perpendicular to one (1) side line at the widest and
1605 narrowest portions of the lot, divided by two (2).
1606
1607 **OFFICIAL MAP.** A map indicating the location, width, extent of the existing and proposed
1608 streets, highways, parkways, parks, and playgrounds adopted by the municipalities in Sheboygan
1609 County in accordance with Wis. Stat. § 62.23(6).
1610

1611 **OUTLOT.** A parcel of land other than a lot or block so designated on a plat or certified survey
1612 map but not presently deemed either of standard lot size or suitability. An outlot may not be used
1613 as a building site unless it comes into compliance with the restrictions that resulted in its
1614 assuming an outlot status. An outlot may be either redivided into lots or combined with one (1) or
1615 more other adjacent outlots or lots in adjacent subdivisions or land divisions in the future for the
1616 purpose of potentially creating buildable lots. An outlot may be conveyed regardless of whether it
1617 may be used as a building site. Outlots are considered synonymous with lots for the purposes of
1618 computing the maximum number of lots that may be permitted on a certified survey map or
1619 County plat.

1620
1621 **PARCEL.** All contiguous, unplatted land under a common ownership.

1622
1623 **PERSON.** An individual, group of individuals, partnership, firm, corporation, association, state,
1624 county, city, village, township, sanitary district, or other governmental corporation.

1625
1626 **PLAT.** A map of a subdivision, including state subdivision plats, County plats, replats, and
1627 conservation subdivision plats.

1628
1629 **PRELIMINARY PLAT.** A map showing the salient features of a proposed subdivision submitted
1630 to an approving authority for purposes or preliminary consideration.

1631
1632 **REGIONAL FLOOD.** A flood determined to be representative of large floods known to have
1633 occurred in Wisconsin. A regional flood is a flood with a one percent (1%) chance of being
1634 equaled or exceeded in any given year.

1635
1636 **REPLAT.** The process of changing or the map or plat which changes the boundaries of a
1637 recorded subdivision plat or part thereof. The legal dividing of a large block, lot, or outlot within a
1638 recorded subdivision plat without changing the exterior boundaries of said block, lot, or outlot is
1639 not a replat.

1640
1641 **SHEBOYGAN COUNTY COORDINATE MONUMENTATION SYSTEM.** The Sheboygan County
1642 Coordinate Grid, monumented by the Sheboygan County Geodetic Matrix of 1992 with
1643 subsequent revisions and additions by the Sheboygan County Surveyor, having the following
1644 parameters:

1645
1646 Projectiontransverse mercator
1647 UnitsU.S. survey feet
1648 Central Meridian (CM).....87°33'00"
1649 Scale factor at CM.....1.00000000
1650 Latitude of grid origin.....43°16'00"
1651 False easting262000.00 survey feet (79857.760 meters)
1652 False northing.....0.00 survey feet (0.00 meters)
1653 Design elevation.....182.88 meters (see below)
1654 Geoidal separation-34.02 meters
1655 Vertical datumNGVD 1929
1656 Spheroidmodified GRS 80
1657 Semi-major axis.....6378285.48 meters
1658 Semi-minor axis.....6356900.7941403 meters
1659 Flattening inverse298.26416538669
1660

1661 **SHORELANDS.** Those lands established to be within the jurisdiction of the Shoreland and
1662 Floodplain Ordinances for Sheboygan County as follows:
1663

- 1664 (1) lands within one thousand (1,000) feet of the ordinary high water mark of navigable lakes,
 1665 ponds, and flowages.
 1666
 1667 (2) lands within three hundred (300) feet of the ordinary high water mark of navigable rivers,
 1668 streams, and intermittent streams or to the landward side of the floodplain if that distance
 1669 is greater.
 1670
 1671 (3) the shorelands of all lakes, ponds, flowages, marshes, wetlands, rivers, streams, and
 1672 creeks as shown on the "Shoreland Zoning Map, Sheboygan County, Wisconsin."
 1673

1674 **SOIL TESTS.** Soil borings or soil and site evaluations conducted as provided by the Sanitary
 1675 Ordinance for Sheboygan County, and Wis. Admin. Code Ch. SPS 385.
 1676

1677 **STREETS.** A dedicated and accepted public right-of-way for vehicular or pedestrian and
 1678 vehicular traffic. Also known as a "public road" or "public access."
 1679

- 1680 (1) Arterial Streets. Roadways which provide for rapid movement of concentrated volumes
 1681 of traffic over relatively long distances between activity areas (i.e., freeways,
 1682 expressways). Arterials connect collector roadways.
 1683
 1684 (2) Collector Streets. Roadways which provide for moderate-speed movements within large
 1685 areas. The primary function is to carry traffic from local roads to arterials. Collectors
 1686 provide for movement both within and between developed areas.
 1687
 1688 (3) Local Streets. Roadways designed for low speeds and volumes which provide access
 1689 from low-traffic-generating areas to collector and arterial streets. Used primarily for
 1690 access to abutting properties.
 1691
 1692 (4) Private Roads. Local roadways which have not been dedicated to and accepted by the
 1693 municipality in which they are located but which provides adequate access for emergency
 1694 vehicles.
 1695
 1696 (5) Marginal Access Streets (Frontage Streets). Minor streets auxiliary to and located on the
 1697 side of an arterial street for control of access and for service to the abutting development.
 1698
 1699 (6) Alleys. Public or private rights-of-way which provide secondary access to lots, blocks, or
 1700 parcels of land.
 1701
 1702 (7) Cul-de-sacs. Streets closed at one (1) end with a turnaround provided.
 1703
 1704 (8) Dead-ends. Streets closed at one (1) end without a turnaround.
 1705

1706 **SUBDIVIDER.** Any person or person's agent dividing or proposing to divide land resulting in a
 1707 subdivision, land division, or replat.
 1708

1709 **SUBDIVISION.** A division of a parcel of land by the owner thereof or the owner's agent for the
 1710 purpose of transfer of ownership or building development where the act of division creates:
 1711

- 1712 (1) five (5) or more lots of one and one-half (1-1/2) acres each or less in area; or
 1713
 1714 (2) five (5) or more lots of one and one-half (1-1/2) acres each or less in area by successive
 1715 divisions from the same parcel within a period of five (5) years.
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All area calculations are to be exclusive of any dedications, right-of-way easements, or reservations.

SURETY BOND. A bond guaranteeing performance of a contract or obligation through forfeiture of the bond if said contract or obligation is unfulfilled by the subdivider.

UNNECESSARY HARDSHIP. That circumstance where special conditions which were not self-created affect a particular property and make strict conformity with restrictions set forth in this Ordinance unnecessarily burdensome or unreasonable in light of the purpose of this Ordinance.

UTILITY EASEMENT. An easement to place, replace, maintain, or remove utility facilities.

WETLANDS. Those areas where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which have soils indicative of wet conditions.

ZONE A. 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.

Section 2. **Effective Date.** The herein Ordinance shall take effect upon enactment.

Respectfully submitted this 16th day of February, 2016.

PLANNING, RESOURCES, AGRICULTURE, AND EXTENSION COMMITTEE*

Keith Abler, Chairperson

Fran Damp, Vice-Chairperson

Libby Ogea, Secretary

James Baumgart

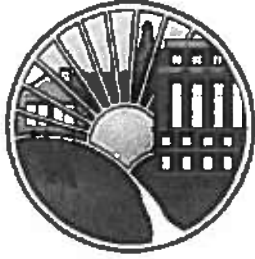
Edward J. Procek

Opposed to Introduction:

*County Board members signing only

Countersigned by:

Roger Te Stroete, Chairperson



Sheboygan County

Planning & Conservation Department

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Director

Aaron C. Brault

Memo

TO: Planning, Resources, Agriculture, and Extension Committee Members

FROM: Emily Stewart 

DATE: December 21, 2015

RE: Subdivision Ordinance Update

In the spring of 2014, the Department initiated the process of updating the Sheboygan County Subdivision Ordinance, which governs land divisions in all unincorporated areas of the County and was last re-written in 1998. Area professionals with experience in land division were invited to join a stakeholders' group, which included surveyors, real estate attorneys, and members of local government, among others. Once a committee was formed, meetings were held between April and December of 2014.

At these meetings, staff presented its recommended updates. Sometimes, these were a result of legislative changes and had to be incorporated into the new Ordinance, but they were typically ideas that County staff, State of Wisconsin staff, or others have had to streamline the Ordinance. The group was then asked for its thoughts on each subsection; generally, they came to a consensus as to whether certain changes should be made or omitted from the Ordinance update.

Once these changes were incorporated into a draft update, the stakeholders' group held a final meeting, at which the new version was discussed before it was sent to corporation counsel for review. In December of 2015, the legal review was completed, and the Department is presenting to you its updated Subdivision Ordinance. A summary list of the more major changes is enclosed as well.

Since the updated Subdivision Ordinance is a reflection of the experience provided by the stakeholders' group, the Department would like to thank its members:

- Kevin Struck – UW-Extension Sheboygan County
- Ed Harvey – Sheboygan County Transportation Department
- John DuMez – Compsite Surveying & Mapping
- William Freel – Miller Engineers & Scientists
- Matt Kapellen – Pleasant View Realty
- Ted Scharl – Droppers & Scharl Realty
- Rick Hillmann – Continental Surveying Services
- Attorney Ed Ritger – Ritger Law Office
- Attorney Richard Wirtz – Andrews & Wirtz Law Office LLC
- Attorney Michael Bauer – Hopp Neumann Humke LLP
- Gary Hesselink – Town of Lima
- Bob Werner – Werner Homes
- Dirk Zylman – Town of Mosel
- Dennis Van Sluys – D&H Land Surveys LLC

Summary of Subdivision Ordinance Updates

A working version of the Subdivision Ordinance with changes highlighted in red can be found on the Planning & Conservation Department's page of the Sheboygan County website (please note that the numbering convention is different than the bullet points in this list).

- **Sec. 71.08(3) – (7).** New subsections for Certified Survey Maps (CSM) and each type of plat were created. Definitions taken from the state, sample ordinances, or other counties' ordinances because some are new definitions.
- **Sec. 71.08(9).** Per WI Supreme Court case FAS, LLC v. Town of Bass Lake and WI Act 358, navigable waterways no longer divide parcels.
- **Sec. 71.08(10).** This new language defines contiguity and provides clarification to determine when a CSM is needed, which is important since the Ordinance views 'parcels' differently than lots for taxing purposes.
- **Sec. 71.09.** A section discussing mergers was added, stating the prerequisites for lots to be merged. The referenced Request to Merge form would provide clarity and allow staff to ensure the lots can be merged before an incorrect document is already recorded.
- **The requirement for the Stewardship fee has been removed.** Per 2005 WI Act 477, counties are no longer permitted to collect impact fees.
- **Sec. 71.15(2).** This requires the signature of the owner(s) on all CSMs. Currently, owners' certificates are not statutorily required.
- **Sec. 71.15(5) and (7).** This specifically identifies the processes for County Plats and Conservation Subdivisions. The section on County Plats is particularly important since they are a combination of County, Town, and certain State requirements (such as public access). Conservation Subdivisions are given a shorter review time for County, but the County cannot reduce review times for State.
- **Sec. 71.16(6).** Requires information regarding the discontinuance or vacation of a roadway to be placed on the CSM or plat.
- **Sec. 71.22 and 71.23.** Per State statutes, the County cannot require certain improvements, such as the length of blocks. The old Ordinance attempted to do this. The new version identifies two sections – one that describes design standards that the County does have jurisdiction over, such as survey monumentation, and one that describes design guidelines, which the County does not have jurisdiction over. Discussing design guidelines was still considered important since sometimes, towns may not have any design requirements, so this offers a set of 'best practices' for the developer to follow.
- **Sec. 71.22(2).** The requirement that new lots have 66' of frontage on a public roadway was maintained, but new lots on existing private drives have been grandfathered.
- **Sec. 71.24.** This section on Conservation Subdivisions encourages a different form of development (one in which land is preserved, open space is accessible to residents and the public, and lots are smaller). Shorter review times and lower review fees by the County are offered as incentives.

FISCAL NOTE
February 2016

Resolution No. 31 (2015/16) RE: Merging Aging Unit Advisory Committee and Aging & Disability Resource Center (ADRC) Governing Committee

Ordinance No. 15 (2015/16) Re: Repealing and Re-creating Chapter 71 – Subdivision Ordinance

Funding:

No additional funding is required.

Respectfully Submitted,



Wendy A. Chamon, Finance Director
February 12, 2016