

**Richland County  
Executive & Finance Standing Committee**

August 12, 2024

**NOTICE OF MEETING**

Please be advised that the Richland County Executive & Finance Standing Committee will convene on Tuesday, August 13, 2024 at 5 PM in the Richland County Board Room of the Courthouse at 181 West Seminary Street, Richland Center, WI 53581.

Information for attending the meeting virtually (if available) can be found at the following link:

<https://administrator.co.richland.wi.us/minutes/executive-and-finance-committee/>

If you have any trouble accessing the meeting, please contact MIS Director Barbara Scott at 608-649-5922 (phone) or [barbara.scott@co.richland.wi.us](mailto:barbara.scott@co.richland.wi.us) (email).

**Amended Agenda**

1. Call To Order
2. Roll Call
3. Verification Of Open Meetings Law Compliance
4. Approval Of Agenda
5. Approval Of Minutes From June 25<sup>th</sup> and July 9th, 2024 Meetings
6. Public Comment
7. Reports
  - A. Administrator's Report: UW Campus Update - County Treasurer Vacancy Update
8. Discussion: Update On The County Comprehensive Planning Process And Discussion Of County Data For Inclusion In The Plan
9. Resolution: Recognizing The Retirement Of Health & Human Services Employee
10. Discussion & Possible Action: Confirmation Of Ethics Board
11. Discussion & Possible Action: Provision Of Corporation Counsel Services Through Contracted Staff Or County Employee
12. Discussion & Possible Action: Leasing Of New Vehicle For The Ambulance Service
13. Discussion & Possible Action: Schedule Date For Next Committee On Committees Meeting
14. Discussion & Possible Action: Approval Of Ordinance Amendment To Remove Iowa County From The Tri-County Airport
15. Discussion: Original Intent Of The Joint Ambulance Committee And Current Functionality Of Committee
16. Closed Session: The Chair May Entertain A Motion To Enter Closed Session Pursuant To Wis. Stat, Sec 19.85(1)(C): Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility – Performance Review Of County Employee And Review Of Employee Grievance
17. Return To Open Session
18. Possible Action On Items From Closed Session
19. Appointments
20. Correspondence
21. Future Agenda Items
22. Adjourn

A quorum may be present from other Committees, Boards, or Commissions. No committee, board or commission will exercise any responsibilities, authority or duties except for the Executive & Finance Standing Committee.

Derek S. Kalish  
County Clerk

Richland County  
Executive & Finance Standing Committee

June 25, 2024

The Richland County Executive & Finance Standing Committee convened for a Special Meeting on Tuesday, June 25, 2024 in person at 4:00 PM in the County Boardroom of the Richland County Courthouse.

**Call To Order:** Committee Chair Williamson called the meeting to order at 4:00 PM.

**Roll Call:** Clerk Kalish conducted roll call. Committee members present: Williamson, Turk, Carrow, Manning, Couey, Rynes, and Glasbrenner. Committee member(s) absent: Gill & Frank.

**Verification Of Open Meetings Law Compliance:** Clerk Kalish confirmed the meeting had been properly noticed.

**Approval Of Agenda:** Motion by Manning second by Carrow to approve agenda. Motion carried and agenda declared approved.

**Closed Session: The Chair May Entertain A Motion To Enter Closed Session Pursuant To Wis. Stat, Sec 19.85(1)(F): Considering Financial, Medical, Social Or Personal Histories Or Disciplinary Data Of Specific Persons, Preliminary Consideration Of Specific Personnel Problems Or The Investigation Of Charges Against Specific Persons Except Where Par. (B) Applies Which, If Discussed In Public, Would Be Likely To Have A Substantial Adverse Effect Upon The Reputation Of Any Person Referred To In Such Histories Or Data, Or Involved In Such Problems Or Investigations – Consideration Of Conduct Of A Public Official:** Motion by Carrow second by Rynes to enter Closed Session pursuant to Wis. State, Sec 19.85(1)(F). Motion carried unanimously and committee entered into Closed Session at 4:01 PM.

Per advisement of Corporation Counsel Windle, Clerk Kalish leaves meeting before Closed Session portion begins.



Derek S. Kalish  
County Clerk

Richland County  
Executive & Finance Standing Committee

July 9, 2024

The Richland County Executive & Finance Standing Committee convened on July 9, 2024 in person and virtually at 5:00 PM in the County Boardroom of the Richland County Courthouse.

**Call To Order:** Committee Chair Williamson called the meeting to order at 5:00 PM.

**Roll Call:** Deputy Clerk Hege conducted roll call. Committee members present: Steve Carrow, Ken Rynes, Gary Manning, Mark Gill, Ingrid Glasbrenner, David Turk, Bob Frank, Steve Williamson, and Marc Couey. Committee member(s) absent: None.

**Verification Of Open Meetings Law Compliance:** Deputy Clerk Hege confirmed the meeting had been properly noticed.

**Approval Of Agenda:** Motion by Manning, second by Rynes to approve agenda. Committee Chair Williamson moved agenda item number 16: **Closed Session: The Chair May Entertain A Motion To Enter Closed Session Pursuant To Wis. Stat, Sec 19.85(1)(F): Considering Financial, Medical, Social Or Personal Histories Or Disciplinary Data Of Specific Persons, Preliminary Consideration Of Specific Personnel Problems Or The Investigation Of Charges Against Specific Persons Except Where Par. (B) Applies Which, If Discussed In Public, Would Be Likely To Have A Substantial Adverse Effect Upon The Reputation Of Any Person Referred To In Such Histories Or Data, Or Involved In Such Problems Or Investigations – Consideration Of Conduct Of Public Officials** to follow agenda item number 6: **Public Comment**. Committee voted unanimously to approve the agenda as amended.

**Approval Of Minutes From June 11, 2024:** Committee Chair Williamson asked if there were any corrections to the minutes from the June 11, 2024 meeting. Hearing none, Committee Chair Williamson declared them approved as published.

**Public Comment:** None

**Closed Session: The Chair May Entertain A Motion To Enter Closed Session Pursuant To Wis. Stat, Sec 19.85(1)(F): Considering Financial, Medical, Social Or Personal Histories Or Disciplinary Data Of Specific Persons, Preliminary Consideration Of Specific Personnel Problems Or The Investigation Of Charges Against Specific Persons Except Where Par. (B) Applies Which, If Discussed In Public, Would Be Likely To Have A Substantial Adverse Effect Upon The Reputation Of Any Person Referred To In Such Histories Or Data, Or Involved In Such Problems Or Investigations – Consideration Of Conduct Of Public Officials:** Motion by Manning, second by Glasbrenner to enter into closed session. Committee Chair Williamson called for a roll call vote to enter into closed session with a Aye vote being for going into closed session and a Nay vote being against going into closed session. Aye votes: Carrow, Rynes, Manning, Gill, Glasbrenner, Turk, Frank, Williamson, and Couey. Nay votes: None. With a unanimous Aye vote, the Executive & Finance Standing Committee entered into Closed Session Pursuant To Wis. Stat, Sec 19.85(1)(F) at 5:04 p.m.

*Per advisement of Corporation Counsel Windle, Deputy Clerk Hege left meeting before Closed Session portion begins.*

## Richland County Executive & Finance Standing Committee

**Return To Open Session:** Returned to Open Session at 6:07 p.m. Chair Williamson called for a brief recesses. Reconvened from recess at 6:13 p.m.

**Possible Action On Items From Closed Session:** No action taken.

**Reports:**

- A. Veterans Service Officer Quarterly Report:** County Veterans Services Officer, Karen Knock presented her reports to the committee. CVSO Knock also reported that the VSO Office received their annual grant money. No discussion.
- B. Administrator's Report: 2025 Budget Overview & Campus:** County Administrator, Candace Pesch reported on various items including: grant funds from the State of Wisconsin and application process update, visit from Venture Architects, County budget progress update, shared revenue update, wage study up date, campus update, and gave an update on the feasibility study being done one the campus.

**Resolution Approving Purchase Of 15 Desktop Computers:** Administrator Pesch gave a brief explanation of the resolution. Brief discussion ensued. Motion by Rynes to forward the resolution on to County Board for approval, second by Frank. Motion carried and the resolution approving purchase of 15 desktop computers was forwarded on to County Board.

**Resolution Approving The Purchase An Air Conditioner Unit For The Server Room:**

Administrator Pesch gave a brief explanation of the resolution. Brief discussion ensued. Motion by Carrow to forward the resolution on to County Board for approval, second by Couey. Motion carried and the resolution approving the purchase an air condition unit for the server room was forwarded on to County Board.

**Resolution of Support Calling for State Investment in Mental Health Funding:** Administrator Pesch gave a brief explanation of the resolution. Brief discussion ensued. Motion by Glasbrenner to forward the resolution on to County Board for approval, second by Manning. Motion carried and the resolution of support calling for state investment in mental health funding was forwarded on to County Board.

**Discussion & Possible Action: Repairs To West Bridge On UW Campus:** County Highway Commissioner, Joshua Elder gave background on the proposed repairs. Extensive discussion ensued Motion by Glasbrenner to move a resolution on to County Board for approval, second by Frank. Motion carried and a resolution regarding repairs to the west bridge on the UW Campus was forwarded on the County Board.

**Discussion & Possible Action: Approval Of Change Order For Radio Tower Project Bird Study:** Administrator Pesch gave an explanation of the proposed change order. Extensive discussion ensued. No action taken.

**Discussion & Possible Action: Provision Of Corporation Counsel Services Through Contracted Staff Or County Employee:** Administrator Pesch gave an explanation of the agenda item. Extensive discussion ensued. No action taken.

**Discussion & Possible Action - Committee Appointments: Southwest Wisconsin Regional Planning Commission, Board Of Adjustments, And Southwest Wisconsin Community Action Program:**



## Richland County Executive & Finance Standing Committee

Administrator Pesch gave an explanation of the need for various committee appointments including the need for a County Board supervisor to be appointed to the Southwest Wisconsin Regional Planning Commission, need for appointments to the Board of Adjustments, and the need for a change in appointment to the Southwest Wisconsin Community Action Program committee. Administrator Pesch recommended that the Committee on Committees convene to make these appointments. Brief discussion ensued.

**Discussion & Possible Action: Procedure To Fill Upcoming County Treasurer Vacancy:** County Board Supervisor David Turk gave an explanation of the need to fill the position of County Treasurer due to the resignation of current County Treasurer, Jeffry Even. Supervisor Rynes left meeting at 6:56 p.m. Extensive discussion ensued. Consensus from the committee was to advertise the position for two weeks.

**Correspondence:** None

**Future Agenda Items:**

Discussion & Possible Action: Confirmation of Ethics Board

Discussion & Possible Action: Provision Of Corporation Counsel Services Through Contracted Staff Or County Employee

Campus Update

Emergency Management Vehicle

**Adjourn:** Motion by Manning, second by Gill to adjourn. Motion carried and meeting adjourned at 6:59 p.m.



Myranda H. Hege  
Deputy County Clerk

## Public Participation Plan – 2024 Richland County Comprehensive Plan Update

What is the vision for Richland County's future? Who will inform this vision?

The update to Richland County's Comprehensive Plan will guide the next ten years of Richland County's development. Public Participation is integral to inform the issues and opportunities of the community and to create goals, strategies, and actions for inclusion in the Comprehensive Plan update. A variety of input options will be available during the process to ensure a broad base of opportunities for Townships, Villages, the City of Richland Center, and Richland County to provide input. We will ensure public participation follows all federal, state, and local guidelines and rules related to public gatherings and interactions. The following is a plan for providing opportunities to all Richland County units of government to participate in the update of the Comprehensive Plan.

The County is working with the Southwestern Wisconsin Regional Planning Commission on the comprehensive plan update. Richland County and Southwestern Wisconsin Regional Planning Commission will provide the following opportunities to all units of government within the county for participation in the update of the Comprehensive Plan:

- **Public meetings** - Four meetings for local government participation are scheduled. Each of the meetings will encourage local government discussions around specific topics to inform the final plan and future vision of Richland County.
  - Richland Center/Richland County meeting- August 23, 2024
    - Meeting topics: intergovernmental cooperation and economic development
  - Richland County Villages meeting- September 11, 2024
    - Meeting topics: intergovernmental cooperation and economic development
  - Richland Towns Associations meetings dates and topics:
    - August 28, 2024- quarterly meeting
    - September 11, 2024- intergovernmental cooperation
    - September 25, 2024- land use and economic development
- **Public Notice** - A class 1 public notice will be published 30 days prior to holding a public hearing to hear comments regarding the Draft Comprehensive Plan.

During the course of the Comprehensive Plan, the County, City, Villages, and Towns shall direct individuals who wish to be informed of the update to the Comprehensive Plan to SwwRPC.

During the 30-day notice, a draft of the plan will be made available for review through the Richland County clerk and the Brewer Public Library, as well as on the County's website.

- **Public Hearing** - A public hearing shall be held for residents and stakeholders to comment on the Draft Comprehensive Plan. The date of the public hearing will be publicized with advance notice. Following the public hearing of the Comprehensive Plan, the Executive and Finance Committees shall make a resolution to recommend to the County Board the adoption of the plan. The County Board shall adopt an ordinance to adopt the Comprehensive Plan as recommended by the Executive and Finance Committees.

In addition to the previous items, this plan highlights procedures to adopt the updated Comprehensive Plan.

- The Steering Committee shall review the Draft Comprehensive Plan and recommend edits and modifications.
- The Planning Commission shall review the Plan and recommend, by a majority vote, a resolution recommending that the County Council pass an ordinance to adopt the Draft Comprehensive Plan as required under Wis. Stat. 66.1001(4)(b). The Planning Commission may recommend edits and modifications to the Draft Comprehensive Plan.
- The County Board, by a majority vote, shall enact an ordinance as required under Wis. Stat. 66.1001 (4) (c) adopting the Comprehensive Plan. The County Board may, at its discretion approve modifications to the Draft Comprehensive Plan, as reviewed by the Executive and Finance Committees.
- Prior to adopting the Comprehensive Plan, the County Board shall hold a Public Hearing on the Draft Comprehensive Plan, as stated in Wis. Stat. 66.1001(4) (d). The hearing must be preceded by a Class 1 notice under ch.985.

The County shall make a hard copy of the Draft Comprehensive Plan available for review through the Richland County clerk and the Brewer Public Library, as well as on the County's website.

- At least 30 days before the public hearing is held the County shall provide written notice to all of the following, as stated in Wis. Stat. 66.1001 (4)(e) and (f):
  - An operator who has obtained, or made application for, a permit that is described under s. 295.12(3)d, within the County.
  - A person who has a marketable nonmetallic mineral deposit under s. 295.20 within the County.
  - Any other property owner or leaseholder within the County who has an interest in property pursuant to which the person may extract

- nonmetallic mineral resources, if the property owner or leaseholder requests in writing that the County provide the property owner or leaseholder notice of the hearing.
- Any person who has submitted a request to receive notice of any proposed ordinance that affects the allowable use of property owned by the person in the County.
  - An electronic copy of the Draft Comprehensive Plan, or notification on how to view/download a copy of the plan, will be disseminated to neighboring jurisdictions and appropriate governments, as stated in Wis. Stat. 66.1001 (4) (b), providing an opportunity to submit written comments. A copy, or notification on how to view/download a copy of the Draft Comprehensive Plan will be sent to:
    - The Clerk of the following local governmental units:
      - Richland County
      - City of Richland Center
      - All Villages of Richland County
      - All Townships of Richland County
      - Grant County
      - Iowa County
      - Sauk County
      - Crawford County
      - Vernon County
    - Executive Director of the Southwestern Wisconsin Regional Planning Commission.
    - Wisconsin Department of Administration
    - Brewer Public Library
  - Any written comments submitted to the County by the above-mentioned local government units, property owners, or members of the public, will be read into the minutes during the Public Hearing, evaluated, and incorporated as determined by County Council into the Comprehensive Plan. A summary of comments and subsequent action will be provided upon request.
  - An electronic copy, or notifications on how to view/download a copy, of the adopted plan and ordinance will be provided to the above-mentioned local government units and the Wisconsin Department of Administration as stated in Wis. Stat. 66.1001 (4)(c).

If any community member, property owner, or representative of the local government units mentioned above have questions regarding public participation or the Comprehensive Plan, they can contact Dan Hauck at SWWRPC, 608-342-1637 and [d.hauck@swwrpc.org](mailto:d.hauck@swwrpc.org).

Vote: Yes\_\_\_\_\_ No\_\_\_\_\_



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Adopted this \_\_\_\_ day of August, 2024.

Attest:

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Candace Pesch, County Administrator

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David Turk, County Board Chair

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# Scope of Work

The following scope of work will help the county accomplish two goals:

- “Inform decision-making and guide the county’s development over the next 10 to 20 years” (page 3 of the RFQ)
- Implement the county’s 2021-2024 Strategic Plan

We don’t recommend structuring the planning process around the nine planning elements found in WI Stats 66.1001. Our experience shows these elements are integral to a variety of public and private goals. They are not separable for the purposes of policy development. With this in mind, we will structure public engagement events to incorporate the nine elements, and also other topics not contemplated by state statute (public health, education, etc.). The final plan will identify how the elements were covered during the process, but will not be structured by element as was the 2006 Comprehensive Plan. This scope reflects our recommended process for data analysis and public engagement, and we anticipate this to be modified through negotiation with the county if awarded the contract.

## Task 1: Summary of Existing Plans

Our staff will spend the initial phase of the project reviewing all relevant county and municipal plans to identify goals or projects that will help achieve the goals noted above. This will include a review of the plans listed on page 4 of the RFP and any relevant plans noted in the *Description of Similar Projects* section of this proposal. We will also review other relevant plans such the County’s Aging Plan and Community Health Improvement Plan.

Deliverable: A summary of goals, actions, and actionable data for use in developing subsequent tasks.

REVISED SCOPE: No revision.

## Task 2: Data and GIS Analysis

Prior to commencing data and GIS work, we will provide the Rules & Strategic Planning Committee with a list of data and maps we believe to be informative and actionable. This will draw from databases developed during our previous projects in Richland County. Our preferred data sources include the US Census, WI Department of Revenue, US Department of Labor, and county GIS data on land use changes. Once the Committee and our staff identify relevant data, we will begin compiling data and analyzing trends.

Deliverable: A packet of data and maps, along with summaries of significant findings or trends, presented to the Committee for use in community engagement tasks outlined below.

REVISED SCOPE: No revision.

## Task 3: Community Engagement

We propose several public engagement events to maximize public input and draw on our previous work in the county.

### Public Engagement

The people of Richland County sit at the top of the county’s Organizational chart. Out of respect for this structure, we propose to hold two or three public meetings that will be open to any resident or property-owner. The content will be informed by the Rules & Strategic Planning Committee once the data analysis is complete, and we currently envision it to include discussions around the county’s role in development, governance, communicating with the public, and leveraging partnerships for effective service-delivery.

**REVISED SCOPE:** No further public engagement is proposed. We will synthesize public engagement from other planning projects in the county as they relate to county operations or partnerships. In lieu of public engagement, we propose facilitating a county conversation on how best to use the county's Economic Development funding. We will present a variety of options for funding programs or operations that are used in other counties, and facilitate a workshop to identify priority investments of this county funding.

**Deliverable:** Summary report of public opinions, visions, and goals for the county. This process will also help the county implement the following Strategic Plan Tactics:

- Create additional and modern methods to communicate events and initiatives, and to generate direct input from the community.
- Evaluate and support broadband expansion throughout the county.

## **Municipal Input**

We proposed one meeting between county and municipal leadership to focus on improving communication between these entities, and developing opportunities for increased coordination and collaboration. This meeting will be designed find areas of overlapping services, service gaps, and unexplored partnerships.

**REVISED SCOPE:** We proposed two meetings with municipalities.

- One meeting to capture the on-going vision and partnership opportunities between Richland County and Richland Center. The county meets regularly with the City, and this one additional meeting will document the vision and intention of both parties, inclusive of key operational and capital projects that will be explored to further improve cooperation.
- One or two meetings between Richland County and the remaining four municipalities in the county (Boaz, Cazenovia, Viola, and Lone Rock). Less coordination and intentional discussion has occurred between these entities, and this engagement will include a facilitated analysis of opportunities for partnerships, as well as the core areas for finding common needs and opportunities.

**Deliverable:** Summary report of potential partnerships and collaborative initiatives to help the county and municipalities increase the volume or quality of service delivery and preserve precious resources such as tax revenue and staff hours.

## **Strategic Plan Implementation:**

- Create additional and modern methods to communicate events and initiatives, and to generate direct input from the community.
- Evaluate joint procurement of materials and equipment whenever found to be in the interest of the County.
- Evaluate joint contracting for capital projects to find savings resulting from reduced mobilization fees, increased competitive bidding, etc.
- Explore opportunities to share or contract staffing services.
- Evaluate and support broadband expansion throughout the county.
- Prioritize new home construction, and development of incentives or programs to attract developers using a balanced approach.
- Identify priority areas in the county for future industrial, commercial, or residential development.
- Identify future land uses for county or municipal-owned land informed by economic opportunities and environmental constraints.
- Capitalize on the county's natural beauty and recreational opportunities through the investment and marketing of county parks, campgrounds, and recreational opportunities.

## Township Engagement

The county has significant opportunity to partner with townships on service delivery and capital improvement planning. It is also in their interest to get input from townships when developing a Future Land Use map. To accomplish this, we propose attending one quarterly towns meeting to get input on the Comprehensive Planning process and define the shared decision-making process for land use decisions. We also believe there's value in a second meeting with towns to identify areas for increased collaboration and shared services.

**REVISED SCOPE:** No changes. In addition to the topics noted above, we will also complete a Future Land Use Map as required by state statute and review potential zoning changes that can help the county and towns meet their mutual goals. This may include analysis of housing-related regulations around short-term rentals, accessory dwelling units, modular homes, and land subdivision restrictions.

**Deliverable:** Summary report of the process for making land use decisions, and an identification of areas for potential partnerships and collaborative initiatives.

### Strategic Plan Implementation:

- Evaluate joint procurement of materials and equipment whenever found to be in the interest of the County.
- Evaluate joint contracting for capital projects to find savings resulting from reduced mobilization fees, increased competitive bidding, etc.
- Explore opportunities to share or contract staffing services.
- Evaluate and support broadband expansion throughout the county.
- Identify priority areas in the county for future industrial, commercial, or residential development.
- Identify future land uses for county or municipal-owned land informed by economic opportunities and environmental constraints.
- Capitalize on the county's natural beauty and recreational opportunities through the investment and marketing of county parks, campgrounds, and recreational opportunities.

## Task 4: Plan Development

The final Richland County Comprehensive Plan will incorporate all of the information gathered during the tasks above, and be incorporated into an aesthetically-pleasing, accessible document that the county can use for day-to-day or annual decision-making. Examples of our plans can be found in by following the links in other sections of this proposal.

**REVISED SCOPE:** No revision of this element. Prior to plan adoption, we will offer the opportunity for departments, towns, and municipalities to review the Comprehensive Plan to ensure it is consistent with their local plans. This will occur either during or immediately preceding the 30-day public comment period.

# Schedule

The project schedule below varies slightly from the schedule proposed in the RFQ. We’re seeking additional time to allow us time to work with the county and finalize the public engagement scope of work, and also meet existing project commitments. In order to permit the county to move forward with decisions that require input from this process, we will provide interim reports following each portion of the project.

A revised completion date is provided based on the revised scope of work and timeline.

<u>Activity</u>	<u>Original Completion Date</u>	<u>Revised Completion Date</u>
Notice to Proceed	March 22, 2023	April 4, 2024
Summary of Existing Plans	July 31, 2023	June 14, 2024
Data and Mapping	October 31, 2023	July 31, 2024
Public Engagement	May 31, 2024	July-August, 2024
Plan Adoption	August 31, 2024	November 19, 2024

### Recommended Data and Maps

- Housing sale value and assessment value from WI Department of Revenue
- Adjusted Gross Income tax data from WI Department of Revenue
- ATV/UTV Route Maps
- Existing and future land use maps (a requirement)
- Farm consolidation data
- Median household income vs median household price
- Childcare affordability data
- Dependency ratio trends
- Drinking water quality data

<b>Richland County Comprehensive Plan Timeline</b>	
Date	Meeting
July 9	Executive and Finance Committee Meeting
August 21 (Tentative)	Richland Center/County Meeting
August 28	Plan Draft Outline
September 11 (Tentative)	Villages Meeting
September 11	Townships Meeting
September 25	Townships Meeting
September 30	Draft Plan Written
November 15	Plan Written
December 17	Plan Adoption

## RESOLUTION NO. 24 - XX

Resolution Recognizing The Retirement Of An Employee Of The Health And Human Services Department.

WHEREAS, Ms. Becky Dalberg was hired on August 1, 1985 in the Richland County Child Support Department before transitioning to an Economic Support Specialist in the Economic Support Unit of Health and Human Services on October 24, 2005.

WHEREAS the Richland County Board wants to express its sincere appreciation to Ms. Becky Dalberg for over 39 years of dedicated service to Richland County, and

NOW THEREFORE BE IT RESOLVED, by the Richland County Board of Supervisors that the County Board hereby expresses its sincere appreciation to Ms. Becky Dalberg for 39 years of dedicated service to Richland County, and

BE IT FURTHER RESOLVED that the County Board wishes Ms. Becky Dalberg a long and happy retirement, and

BE IT FURTHER RESOLVED, that the County Clerk shall send a copy of this Resolution to: Ms. Becky Dalberg at her residence.

VOTE ON FOREGOING RESOLUTION

AYES\_\_\_\_\_ NOES\_\_\_\_\_

RESOLUTION \_\_\_\_\_

DEREK S. KALISH  
COUNTY CLERK

DATED: AUGUST 20, 2024

RESOLUTION OFFERED BY THE EXECUTIVE &  
FINANCE STANDING COMMITTEE  
(13 AUGUST 2024)

FOR                  AGAINST

STEVE CARROW  
KEN RYNES  
GARY MANNING  
MARK GILL  
INGRID GLASBRENNER  
DAVID TURK  
BOB FRANK  
STEVE WILLIAMSON

## **ORDINANCE 23 - 6**

An Ordinance Creating A Code Of Ethics And Repealing Ordinances No. 06-28, 07-7, 10-8.

The Richland County Board of Supervisors does ordain as follows:

### **1. Repeal of Prior Ordinances**

Ordinance Nos. 06-28, 07-7, and 10-8 concerning the establishment of a code of ethics are repealed.

### **2. Authority**

This ordinance is established pursuant to Wis. Stat. § 19.59(1m)-(8).

### **3. Purpose of Code of Ethics**

The purpose of the code of ethics is as follows:

- a. The proper operation of representative government requires that county officials (*defined in section 3*) be independent, impartial, and responsible to the people; that government decisions and policies be made through the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established an Ethics Code for all Richland County officials. The purpose of this code is to assist county officials in avoiding conflicts between their personal interest and their public responsibilities in order to improve standards of public service and promote and strengthen the faith and confidence of the people of Richland County in their county public officials and to provide for disclosure by county officials of substantial financial interests in matters affecting the county. The provisions and purpose of this code and such rules and regulations as may be established are hereby declared to be in the best interests of Richland County.
- b. The County Board hereby reaffirms that each county official occupies a position of public trust that requires adherence to a high standard of conduct. Any effort to realize substantial personal gain through official conduct is a violation of that trust. This code of ethics does not prevent any county public official from accepting other employment or following any pursuit which in no way interferes with the full and faithful discharge of their duties to this county. The County Board further recognizes that in a representative democracy, the representatives are drawn from society and, therefore, cannot and should not be without all personal and economic interest in the decisions and policies of government; that citizens who serve as county officials retain their rights as citizens to interests of a personal or economic nature; that standards of ethical conduct for county officials need to distinguish between those minor and inconsequential conflicts that are unavoidable in a free society, and those conflicts which are substantial and material; and that county officials may need to engage in employment, professional or business activities, or maintain investments, in order to support themselves or their families and to maintain a continuity of professional, business or investment activity, and are free to do so as long as those activities do not conflict with the specific provisions of this code.

### **4. Positions Covered**

This ordinance shall apply to all County officials, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions, department heads, and other County employees.



## 5. The Ethics Board

The Ethics Board shall carry out this ordinance, and shall be a committee of the County Board which has been assigned the duties of the Ethics Board.

## 6. General Provisions

The following are subjects covered by the Ethics Code:

### a. Closed Sessions

No County official may disclose any information discussed, debated or acted upon in a closed session of the County Board or its bodies (i.e., committees, boards, commissions).

### b. Contracts

An official may not enter into a contract with the County or form a contract or contracts with Richland County involving the receipts or disbursements of more than \$15,000 in any year. Additionally, an official may be subject to this ordinance if they hold 10% or greater interest in an organization which enters into a contract/s with the County.

### c. Financial Interest

A financial interest is any interest which yields, directly or indirectly, a monetary or other material benefit to a County official or a member of their immediate family, or to an organization with which an official is associated. An organization is defined as *any corporation, partnership, proprietorship, firm, enterprise, franchise, association, trust or other legal entity other than an individual or body politic.* A County official who has a financial interest in a matter pending before a body shall disclose the nature of the interest and may not discuss the matter unless invited by the body. A County official may not vote on a matter in which they have a financial interest.

### d. Gifts

A gift or thing of value is any money or property, favor, service, payment, advance forbearance, loan or promise of future employment, but does not include such things as compensation and expenses paid by the State or County, fees, honorariums and expenses, unsolicited advertising or promotional material such as pens, pencils, notepads, calendars, informational or educational materials of unexceptional value, plaques, other advertising giveaways or any other thing which is not likely to influence the judgment of individuals covered by this code.

A County official shall not accept, from any person or organization directly or indirectly, a gift or anything of value without full payment, if it could reasonably be expected to influence their vote, governmental actions or judgments or is provided to such official because of their position or office and could reasonably be considered as a reward for any governmental action or inaction.

### e. Nepotism

Refer to the Employee Handbook. The provisions of nepotism in the Employee Handbook shall apply to County Board members with respect to supervision of the County Administrator.

### f. Privileged Information

Privileged information is any written or oral material related to County government which has not become part of the body of public information and which is designated by statute, court decision, lawful orders, ordinances, resolution or custom as privileged.

An official shall not knowingly disclose or permit the disclosure of privileged information to any person not lawfully authorized to receive such privileged information. An official shall not use privileged information to advance their personal financial interest or that of their immediate family. An official's immediate family is their spouse, children, stepchildren, parents, stepparents, or other legal relation who contributes more than one-half of the support of the official or receives that level of support from the official.

g. Public Property

An official shall not use County-owned property unless authorized by their supervisor.

h. Social Media

Refer to Social Media Policy.

**7. Advisory Opinions**

The Ethics Board shall issue advisory opinions with the assistance of the Corporation Counsel. Any individual may apply in writing to the Ethics Board for an advisory opinion and shall be guided by any opinion rendered. The applicant shall present their interpretation of the facts at issue before the advisory opinion is rendered. All requests for opinion and opinions rendered shall be in writing. Records of the Ethics Board's opinions, opinion requests and investigations of violations shall be closed to public inspection, as required by Ch. 19, Wis. Stats. However, such records may be made public with the consent of the applicant.

**8. Complaint Procedure**

- a. The Corporation Counsel or County Clerk shall accept from any individual a verified written complaint which states the name of the official alleged to have committed a violation of this Code and sets forth the material facts involved in the allegation. The Corporation Counsel or County Clerk shall forward a copy of the complaint to the accused official and the Ethics Board within ten days of its receipt. If no action on the verified complaint is taken by the Ethics Board within 60 days, the complaint shall be dismissed.
- b. Complaints shall include:
  - i. The name of the alleged offender
  - ii. The approximate date of the alleged offense, if applicable
  - iii. The nature of the alleged offense
  - iv. Any supporting facts known to the complaining party
  - v. The date on which the complaint is being submitted
- c. Following the receipt of a verified complaint, the Ethics Board may make preliminary investigations with respect to alleged violation of the Ethics Code. A preliminary investigation shall not be initiated unless the accused official is notified in writing. The notice shall state the exact nature and purpose of the investigation, the individual's specific action or activities to be investigated, and a statement of such person's due process rights. If the Ethics Board finds probable cause to believe the allegations contained in the complaint, the complaint shall be referred to a fact-finding hearing.

- d. The Ethics Board may investigate any complaint properly filed. no action will be taken against the subject of such an investigation if the complaint was filed more than one year after the alleged violation of the Ethics Code."
- e. The Ethics Board may hold, and an individual against whom a complaint has been made and where the complaint has been referred to the Ethics Board may request, a hearing before the Ethics Board. The Ethics Board shall keep a record of the hearing and have the power to compel the attendance of witnesses and to issue subpoenas as granted to other boards and commissions under Wis. Stat. § 885.01. The Ethics Board may also administer oaths.

Within 10 business days of the conclusion of the hearing, the Ethics Board shall file its written findings and recommendations signed by all participating Board members, together with findings of fact and conclusions of law, concerning the propriety of the conduct of the official. If the Ethics Board determines that no violation of the Code of Ethics has occurred, it shall dismiss the complaint, and if requested to do so by the accused, issue a public statement.

No recommendation of the Ethics Board becomes effective until 20 business days after it is issued, while an application for rehearing or rehearing before the Board is pending, or after the Board has announced its final determination on rehearing. Appeals may be requested to the full County Board.

## 9. **Enforcement**

Violation of any provisions of this code should raise conscientious questions for the official concerned as to whether voluntary resignation or other action is indicated to promote the best interests of Richland County. If the Ethics Board finds that clear, satisfactory and convincing evidence exists for believing the allegations of the complaint, Ethics Board shall refer its findings and recommendation to the County Board. The Ethics Board may recommend that:

- a. The County Board order the individual to conform his or her conduct to the Ethics Code or recommend that they be censured, suspended, removed from office, or be issued a private or public reprimand. In the case of an employee the Board may also recommend denial of merit increase, suspension without pay, discharge, or other appropriate disciplinary action.
- b. If Wis. Stat. § 19.59 (1) has been violated, the Ethics Board may also refer the matter to the District Attorney to commence enforcement.

DATED: MARCH 21, 2023  
PASSED: MARCH 21, 2023  
PUBLISHED: MARCH 30, 2023

ORDINANCE OFFERED BY THE RULES &  
STRATEGIC PLANNING STANDING COMMITTEE  
(03 JANUARY 2023)

MARTY BREWER, CHAIR  
RICHLAND COUNTY BOARD OF SUPERVISORS

ATTEST:

DEREK S. KALISH  
RICHLAND COUNTY CLERK

	FOR	AGAINST
MARTY BREWER	X	
SHAUN MURPHY-LOPEZ	X	
CHAD COSGROVE	X	
DANIELLE RUDERSDORF	X	
INGRID GLASBRENNER	X	
LINDA GENTES	X	
DONALD SEEP	X	
BOB FRANK	X	
JULIE FLEMING	X	

## RESOLUTION NO. 24 - XX

Resolution Declaring The Executive And Finance Committee As The Ethics Board Under Ordinance 23-6.

WHEREAS in March of 2023, the Richland County Board of Supervisors adopted a new ethics ordinance (Ord. #23-6), which created a body known as the Ethics Board, and

WHEREAS in March of 2024, the Board adopted news Rules, which included an updated Committee Structure Appendix, which did not identify which body would serve as the Ethics Board, and

WHEREAS the Executive and Finance Committee has been determined to be the most appropriate body to serve as the Ethics Board,

NOW THEREFORE BE IT RESOLVED by the Richland County Board of Supervisors that the Executive and Finance Committee shall serve as the Ethics Board under Ordinance #23-6, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

VOTE ON FOREGOING RESOLUTION

AYES\_\_\_\_\_ NOES\_\_\_\_\_

RESOLUTION OFFERED BY THE EXECUTIVE &  
FINANCE STANDING COMMITTEE  
(13 AUGUST 2024)

RESOLUTION \_\_\_\_\_

FOR      AGAINST

DEREK S. KALISH  
COUNTY CLERK

DATED: AUGUST 20, 2024

STEVE CARROW  
KEN RYNES  
GARY MANNING  
MARK GILL  
INGRID GLASBRENNER  
DAVID TURK  
BOB FRANK  
STEVE WILLIAMSON

## ORDINANCE NO. #06-21

An Ordinance Regulating The Use Of Land And Restrict The Height Of Structures And Growth Within The Designated Vicinity Of The Tri-County Regional Airport.

The Richland County Board of Supervisors does hereby ordain as follows:

## ZONING ORDINANCE FOR THE TRI-COUNTY REGIONAL AIRPORT

## Section 1 Statutory Authorization and Purpose.

(1) This Chapter is adopted pursuant to Wis. Stat. ch 114 and §§ 59.03, 59.04, 59.69, and 66.0301.

(2) The purpose of this ordinance is to regulate the use of property and restrict the height of structures and growth within the designated vicinity of the Tri-County Regional Airport to protect and promote the health, safety, convenience, general welfare, and safety of the public and property in connection with the use and operation of the Airport. This ordinance is intended to implement the Airport Master Plan and comply with state and federal regulations pertaining to aviation. Iowa, Richland and Sauk County each declare in adopting this ordinance that the Tri-County Regional Airport is an essential public facility.

## Section 2 Definitions.

As used in this ordinance, unless the context otherwise requires:

(1) AIRPORT. The Tri-County Regional Airport located in Section 31, Town 9N, Range 3E, Sauk County, Wisconsin, and owned jointly by Sauk, Iowa and Richland counties.

(2) AIRPORT HAZARD. Any structure or object whether natural or man-made, or use of land that obstructs the air space required for the flight of aircraft in landing or taking off, or is otherwise hazardous to such landing or taking off, or to persons using such land, structure or object.

(3) AIRPORT MASTER PLAN. The master plan for the Airport, also known as the Airport Layout Plan, that provides for the plan for future operations at the Airport, and was adopted by the Tri-County Airport Commission on March 14, 2002 and by the Federal Aviation Administration on December 19, 2001, including any amendments thereto.

(4) ALTERATION. Any construction, reconstruction, renovation or remodeling that would result in the change of height or lateral dimensions of an existing structure.

(5) BOARD OF APPEALS. The zoning board of appeals created pursuant to Wis. Stat. § 114.136 with the powers provided by Wis. Stat. § 62.23(7)(e) and other powers provided by law to hear appeals and grant variances from the terms of this ordinance.

(6) COMMISSION. The Tri-County Airport Commission, a commission created by Iowa, Richland and Sauk counties for the purpose of operating, maintaining and improving the Tri-County Regional Airport.

(7) CONSTRUCTION. The erection or alteration of any structure.

(8) DEVELOPMENT. Any man-made change to real estate including but not limited to construction of, or addition to, buildings, construction of structures, the placement of mobile homes or other movable structures, mining, dredging, filling, grading, paving, excavating, drilling operations and disposal of materials.

(9) GROWTH. Natural vegetation including trees, shrubs, and foliage with the exception of farm crops that are cut at least once each year.

(10) HEIGHT. The distance measured from the surface of the ground to the highest point of any structure or growth.

(11) LOT OF RECORD. A land area designated in a subdivision plat, certified survey map, or described in a conveyance, recorded in the county register of deeds of the county in which the property is located, that complied with zoning regulations in existence when the property was originally divided and/or recorded but which no longer complies with the current minimum land area standards with the applicable zoning district.

(12) MANAGER. The manager of the Tri-County Regional Airport.

(13) NONCONFORMING USE. Any structure, growth or use of land that does not comport with existing land use regulations contained in this chapter, but that was in compliance with previous land use regulations and that existed at the time of adoption of this chapter.

(14) PRIMARY ZONING ORDINANCE. The general zoning ordinance in effect in any area subject to this ordinance.

(15) PRINCIPAL USE. The primary purpose for which a structure or property is utilized and which is permitted by all applicable laws and regulations.

(16) RUNWAY. The portion of the airport having a surface specifically developed, designated and maintained for the landing and take off of aircraft.

(17) STRUCTURE. Any man-made object with form, shape and utility that is either permanently or temporarily constructed, installed or placed on or into the ground.

(18) VARIANCE. A departure from the terms of this ordinance as applied to a specific building, structure or parcel of land, granted by the Board of Appeals upon the applicant proving unnecessary hardship, that permits the construction, alteration, remodeling or use of land that deviates from the requirements of this chapter.

(19) ZONING ADMINISTRATOR. The zoning administrator of Iowa, Richland or Sauk county, depending upon where the parcel of property subject to the terms of this ordinance is located. The zoning administrators of Iowa, Richland and Sauk counties are each responsible for administering and enforcing the terms of this ordinance in their respective counties.



### Section 3 General Provision.

(1) Notwithstanding any other provision of this chapter, no use may be made of land or water within any district established herein that would endanger the safe landing, taking off and maneuvering of aircraft within the vicinity of the Airport, or would be injurious to the health, safety and welfare of person using the Airport facilities, including:

(a) Creating electrical or electronic interference to navigational signals, and radio or radar communication between the airport and aircraft or air traffic control systems;

(b) Installing or using slashing or flashing lights, illuminated advertising, illuminated business signs or any illumination that would create a hazard to pilots because of the difficulty distinguishing between airport lights and the non-airport illumination, or that results in glare in pilot's eyes to an extent that it impairs visibility;

(c) Emitting or discharging smoke so as to interfere with the safe aviation of aircraft using the Airport.

(2) Persons constructing, purchasing or leasing any land or structures within One (1) mile of the Airport are advised that such land and structures, including dwellings, are situated in the vicinity of the Airport. The Airport, by its customary and normal operations, may cause noise or interfere with the unrestricted use and quiet enjoyment of the property.

### Section 4 Airport Zones.

All airport zones established by this chapter are shown on the map entitled "Airport Zoning District Map" maintained on file at the Airport and Offices of the Zoning Administrator. Zone One (1) shall be the most restrictive zone and Zone Five (5) is the least restrictive zone.

### Section 5 Height Limitation Zones.

All height zones established by this chapter are shown on the map entitled "Tri-County Airport Height Limitation Zone Map" that is maintained on file at the Airport and Offices of the Zoning Administrator.

### Section 6 District Boundaries.

(1) District boundary lines are the centerlines of highways, roads, or other paved right of way, section lines, tract lines, division lines, lot lines, or such other designated line indicated on the Airport Zoning District Map.

(2) When a district line divides a parcel or lot of record in a manner that places that parcel in two different districts, the more restrictive district requirements apply unless the proposed use or development that does not comply with the more restrictive district may be entirely contained on the portion of the parcel that is in the lesser restrictive district, and provided that:

(a) The use is permitted by the primary zoning applicable to that district; and,

(b) The use complies with all setback requirements; and,

(c) A site plan, drawn to scale, shows the location of the use and the district line on the lot or parcel, and such plan is submitted to the Zoning administrator and reviewed and approved pursuant to the procedures provided in this Chapter; and,

(3) Any use of property that is not permitted by the primary zoning ordinance, this chapter, and any federal or state aviation regulations is deemed to be prohibited. Where there is a question regarding whether a particular use is permitted or prohibited, the Commission, on its own initiative or at the request of a property owner, may conduct a study to determine what zone, if any, is appropriate for the proposed use and which conditions, if any, shall apply.

### Section 7 Conflict With Other Zoning District.

The provisions of this chapter operate as an overlay zoning district for land subject to the primary zoning. Whenever there is a conflict between the primary zoning and the overlay zoning provided by this chapter, the more restrictive provisions shall apply.

**Section 8 Severability.** In any case in which the provision of this Ordinance, although generally reasonable, is held by a court to interfere with the use or enjoyment of a particular structure or parcel of land to such an extent, or to be so onerous in their application to such a structure or parcel of land, as to constitute a taking or deprivation of that property in violation of the constitution of this state or the constitution of the United States, such holding shall not affect the application of this Ordinance as to other structures and parcels of land, and to this end the provisions of this Ordinance are declared to be severable. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than parts so declared to be unconstitutional or invalid.

### Section 9 Airport Runway District (Zone 1).

(1) Purpose. The runway district is established to encompass land areas that due to the operation of aircraft will be exposed to excessive noise, are in close



proximity to the airport runways and crash hazare area of the airport. The runway district is established to implement the recommendations of the Airport Master Plan, to protect the runway and approaches of the airport from incompatible land uses, to preserve the airport's ability to serve its present and future air transportation needs. Expansions, alterations or enlargements are not subject to zoning regulations of the primary municipality except for building requirements. Any expansion or enlargement of runways must be approved by the Federal Aviation Administration and Wisconsin Department of Transportation, Bureau of Aeronautics.

(2) Permitted uses and structures. Any uses and structures that are directly related to, and necessary for the functional operation of the Airport, and that are consistent with the Airport Master Plan, as amended, and approved by both the Commission and the Offices of the Zoning Administrator.

(3) Prohibited uses.

(a) Any construction, expansion, alteration or enlargement to any building or structure within this district is prohibited except for those uses and buildings necessary for the functional operation of the airport.

(b) Any use or structure that would create electrical interference with navigational signals or radio communications between the airport and aircraft; create confusion in identifying airport lights; result in glare in the eyes of pilots using the airport; impair visibility in the vicinity of the airport or otherwise endangers or interferes with the landing, take off, or maneuvering of aircraft including but not limited to smoke, dust, lighting, etc.

(4) Dimensional Requirements.

(a) Height Limitations. No structure or growth shall exceed the height permitted by this ordinance and as shown on the Tri-County Airport Height Limitation Zone Map.

(b) Setback Requirements. The location of any structure shall comply with Federal Aviation Administration design standards and/or the requirements of the primary zoning ordinance, whichever is more restrictive.

#### **Section 10 High Impact Runway Approach and Departure District (Zone 2).**

(1) Purpose. The high impact runway approach and departure district is established in order to set forth requirements in areas that are directly within the flight pattern of aircraft approaching and departing the Airport's runways. This district includes the area identified as Zone 2 on the Airport Zoning District Map.

(2) Permitted Uses. Those uses permitted by the primary zoning district of the primary zoning ordinance except for those uses specifically prohibited by this section.

(3) Prohibited Uses.

- (a) Single or multifamily residential development
- (b) Hospitals
- (c) Churches
- (d) Schools
- (e) Theaters and amphitheaters
- (f) Stadiums
- (g) Campgrounds
- (h) Retirement/nursing homes
- (i) Wildlife ponds
- (j) Licensed group day care facilities

(k) Any other construction or land use that would encourage the concentration of bird (avian) populations except that customary and reasonable agricultural practices that inadvertently result in a concentration of birds are not prohibited.

(l) Any use or structure that may be susceptible to being adversely affected by loud and extension noise or would interfere in the use or operation of the airport.

(m) Any use or structure that would create electrical interference with navigational signals or radio communications between the airport and aircraft; create confusion in identifying airport lights; result in glare in the eyes or pilots using the airport; impair visibility in the vicinity of the airport or otherwise endangers or interferes with the landing, take off, or maneuvering of aircraft including but not limited to smoke, dust, lighting, etc.

(n) For uses not listed as prohibited uses, the number of employees during typical operating conditions shall not exceed 1 employee per 500 square feet without written approval by the Zoning Administrator and the Commission.

(4) Dimensional Requirements.

(a) Height limitations. No structure or growth shall exceed the height permitted by this ordinance and indicated on the Tri-County Airport Height Limitation Zone Map.

(b) Setback requirements. Setbacks shall comply with the requirements of the district of the primary zoning ordinance.

(c) Minimum area requirements. The minimum lot area provisions of the district of the primary zoning ordinance shall apply to all areas within Zone 2. Any lot which meets the definition of a lot of record under the zoning district of the primary zoning ordinance shall be considered legally buildable even though the lot may not meet the current minimum lot area requirements, and provided the lot is in separate ownership from abutting lands, and the proposed development meets the use restrictions provided in this chapter.



## **Section 11 Moderate Impact Runway Approach and Departure District (Zone 3).**

(1) Purpose. The moderate impact runway approach and departure district is established in order to set forth the land use requirements in areas that are within the flight pattern of aircraft approaching and departing the Airport's runways. This district includes the area identified as Zone 3 on the Airport Zoning Map.

(2) Permitted Uses. Those uses permitted by the primary zoning ordinance except for those uses specifically prohibited by this section.

(3) Prohibited Uses. The following uses are prohibited within Zone 3:

- (a) Prohibited Uses. The following uses are prohibited within Zone 3:
- (b) Churches
- (c) Schools
- (d) Theaters and amphitheaters
- (e) Stadiums
- (f) Campgrounds
- (g) Retirement/nursing homes
- (h) Licensed group day care facilities
- (i) Any other construction or land use that would encourage the concentration of bird (avian) populations except that customary and reasonable agricultural practices that inadvertently result in a concentration of birds are not prohibited.

(j) Any use or structure that would create electrical interference with navigational signals or radio communications between the airport and aircraft; create confusion in identifying airport lights; result in glare in the eyes of pilots using the airport; impair visibility in the vicinity of the airport or otherwise endangers or interferes with the landing, take off, or maneuvering of aircraft including but not limited to smoke, dust, lighting, etc.

(4) Dimensional Requirements.

(a) Height Limitations. No structure or growth shall exceed the height permitted by this ordinance and as shown on the Tri-County Airport Height Limitation Zone Map.

(b) Setback Requirements. The setback requirements of the primary zoning ordinances shall apply.

(c) Minimum Area Regulations. The minimum lot area provisions of the primary zoning ordinance shall apply to all areas within Zone 3. Any lot which meets the definition of a lot of record under the primary zoning ordinance shall be considered legally buildable even though the lot may not meet the current minimum lot area requirements, provided that the lot is in separate ownership from abutting land, and further provided that the proposed development meets the use restrictions provided in this chapter.

## **Section 12 Noise Control Overlay District (Zone 4).**

(1) Purpose. The Noise Control Overlay District is established to minimize the conflict between allowed uses and the noise generated in this zone due to aviation activities, overflights and use of the Airport as shown on the Airport Zoning District Map.

(a) Permitted Uses. All uses shall conform with the provisions of this ordinance as well as meet the primary zoning ordinance.

(b) Prohibited Uses. Any use or structure that would create electrical interference with navigational signals or radio communications between the airport and aircraft; create confusion in identifying airport lights; result in glare in the eyes of pilots using the airport; impair visibility in the vicinity of the airport or otherwise endangers or interferes with the landing, take off, or maneuvering of aircraft including but not limited to smoke, dust, lighting, etc.

(c) Dimensional Requirements.

1. Height Limitations. No structure or growth shall exceed the height permitted by this ordinance and as shown on the official Height Limitation Map.

2. Setback Requirements. The setback requirements shall meet the setback requirements of the primary zoning ordinance.

3. Minimum Area Regulations. The lot area requirements shall meet the requirements of the primary zoning ordinance.

## **Section 13 Height Limitation Overlay District (Zone 5).**

(1) Purpose. The Height Limitation Overlay District is established to protect the approaches to the airport from incompatible land uses by establishing height limitations as shown on Tri-County Airport Height Limitation Zone Map.

(a) Permitted Uses. All uses shall conform with the provisions of this ordinance as well as the primary zoning ordinance.

(b) Prohibited Uses. Any use or structure that would create electrical interference with navigational signals or radio communications between the airport and aircraft; create confusion in identifying airport lights; result in glare in the eyes of pilots using the airport; impair visibility in the vicinity of the airport or otherwise endangers or interferes with the landing, take off, or maneuvering of aircraft including but not limited to smoke, dust, lighting, etc.

(c) Dimensional Requirements

1. Height regulations. No structure or growth shall exceed the height permitted by this ordinance as shown on the Tri-County Airport Height Limitation Zone Map.



2. Setback Requirements. The setback requirements shall meet the requirements of the primary zoning ordinance.

3. Minimum area regulations. The lot area requirements shall meet the requirements of the primary zoning ordinance.

#### **Section 14 Nonconforming Use.**

(1) The regulations prescribed in this ordinance shall not be construed to require the removal, lowering, change or alteration of any legal nonconforming use, or otherwise interfere with the continuance of any legal nonconforming use, except as otherwise provided by this section.

(2) When a nonconforming use, building, structure or tree is destroyed by fire, explosion, act of God or the public enemy, it may be restored so long as it complies with the primary zoning requirements and the height limitations imposed by this chapter as verified by a signed statement from the Zoning administrator prior to any such rebuilding, reconstructing or rehabilitation.

(3) Nonconforming uses described in this chapter, except for uses located in Zone 1, may be expanded, altered or otherwise enlarged provided the following conditions are met:

(a) The expansion, alteration or enlargement meets the requirements of the height limitations under this ordinance and a statement showing such compliance is signed by the Zoning Administrator prior to the expansion, alteration or enlargement.

(b) The expansion or alteration in no way creates new, or increase prior existing conditions, that would create electrical interference with navigational signals or radio communications between the airport and aircraft; create confusion in identifying airport lights; result in glare in the eyes of pilots using the airport; impair visibility in the vicinity of the airport or otherwise endanger or interferes with the landing, take off, or maneuvering of aircraft including but not limited to smoke, dust, lighting, etc.

(c) The expansion, alteration or enlargement complies with any more restrictive primary zoning requirements, or state and federal laws or regulations.

(4) Changes. Nothing contained herein shall require any change in the construction, alteration or intended use of any structure, if the construction or alteration of such structure, was commenced prior to the effective date of this ordinance, provided such construction proceeds in a diligent manner as determined by similar building projects.

(5) Nothing in this section shall interfere with, or prevent the removal of, nonconforming uses by purchase or the use of eminent domain.

#### **Section 15 Administration.**

(1) It shall be the duty of the Zoning Administrator to administer and enforce this chapter. Applications for permits shall be made to the Zoning Administrator of the county in which the proposed use is located, upon an application form furnished by that Zoning Administrator and shall normally be processed within twenty (20) days. Upon receipt by the Zoning Administrator, a copy shall be transmitted to the Chairperson of the Commission and Airport Manager for comment. The Chairperson and Manager shall provide comments to the Zoning Administrator within ten (10) days of receipt. Such applications shall be processed within the prescribed twenty (20) day review period unless Federal Aviation Administration approval under FAR Part 77 is requested by the applicant or the Commission, in which case the Zoning Administrator's action may await determination by the Federal Aviation Administration. Each Zoning Administrator shall cooperate to provide a clear and consistent interpretation and implementation of this Chapter.

#### **Section 16 Permits**

(1) No structure or development shall hereafter be constructed, erected, enlarged or installed in any district created by Section 9 through 13 of this ordinance, except for structures that are less than 200 square feet in area and less than 35 feet in height, until the owner or their agent shall have applied in writing for a permit therefore in the manner set forth in Section 17 and obtained such permit from the Zoning Administrator. Forms for application of land use permits shall be supplied by the Zoning Administrator and a record of all permits issued shall be kept on file within the office of the Zoning Administrator.

(2) The Zoning Administrator shall either approve or disapprove the application for development based upon land use recommendations provided by the Commission Chairperson or Manager of the Airport, and the provisions, standards and requirements contained in this ordinance. The application for such permit shall indicate the use for which the permit is desired, and shall describe and locate the use with sufficient particularity to permit the Zoning Administrator to determine whether such use would conform to the regulations of this ordinance.

(3) If the proposed development is approved by the Zoning administrator and meets the building requirements of the affected municipality, a building permit may be issued by the municipality. If the proposed development is not approved, no building permit shall be issued.

(4) Said permit shall be posted in a prominent place on the premises prior to and during the period of construction, erection, installation or establishments.



## Section 17 Permit Procedure.

- (1) All applications for land use permits for construction, reconstruction, expansion or conversion of a use in District Zones 1 through 5 shall be accompanied by a site plan drawn to scale, which shows:
- (a) The location; actual shape and dimensions of the lot to be built upon;
  - (b) The exact size and location of the structure on the lot;
  - (c) The existing or intended use of the structure;
  - (d) The maximum number of occupants the structure is intended to contain;
  - (e) The distances between the nearest point of the structure and the centerline of the road;
  - (f) The height of the proposed structure;
  - (g) The ground elevation of the site, except for structures that are less than 35 feet above ground level at the object site within one-half (1/2) mile of the airport boundary, or to structures less than 50 feet in height above the ground level within the area beginning one-half (1/2) mile from the airport boundary and extending to one (1) mile from the airport boundary, or to structures less than 100 feet in height above the ground level within the area beginning one (1) mile from the airport boundary and extending to three (3) miles from the airport boundary;
  - (h) Any other information deemed necessary by the Zoning administrator to ensure conformance with the provisions of this ordinance.
- (2) The Zoning Administrator shall review the site plan and the accompanying material for conformance to this section and shall coordinate additional review as may be appropriate. The Zoning Administrator shall send a copy of the site plan and the accompanying material to any underlying jurisdiction that may have approval authority for their input.
- (3) An applicant who wishes to change an approved site plan must obtain the approval of the Zoning Administrator. If the proposed changes result in a revised site plan substantially similar to the approved plan, the Zoning Administrator may approve the site plan changes. If the proposed changes are not substantially similar to the approved plan, such changes shall require the submission of a new and separate land use permit application.

## Section 18 Board of Appeals.

- (1) There is hereby created a Board of Appeals pursuant to Wis. Stat. § 114.136 (4) and § 62.23 (7)(e) consisting of five members and three alternates as follows:
- (a) One individual from Iowa County, two individuals from Richland County and two individuals from Sauk County, who shall also be members of that County's Board of Adjustment, but who shall not own property that is subject to the terms of this ordinance.
  - (b) Three alternate members, one each from Iowa, Richland and Sauk counties, who shall have the same qualifications as subparagraph (a) above.
  - (c) Members of the Board of Appeals shall serve three (3) year terms. However, their membership shall terminate if they cease to meet the qualifications contained in (a) above.
- (2) The Board of Appeals shall be constituted and have the powers provided for in Wis. Stat. § 62.23(7)(e) as well as the following:
- (a) Any person aggrieved or affected by a decision or action of the Zoning Administrator may appeal such decision or action to the Board of Appeals. The Commission may be an aggrieved person.
  - (b) The Board of Appeals may, in passing upon appeals, grant a variance from the terms of this ordinance. An individual seeking a variance shall file an appeal with the Zoning administrator which shall promptly forward the appeal to the Board. Upon receipt, the Board shall conduct an investigation and public hearing to consider the appeal. The Board may grant a variance from the terms of this ordinance, provided that the variance is not contrary to the public interest, and:
    - 1. The applicant proves that owing to special conditions unique to the property, a literal enforcement of this ordinance would result in unnecessary hardship as defined by law, that such relief will do substantial justice, and the granting of a variance would be in accordance with the intent of this ordinance. No variance shall be granted that would create a hazard to the safe, customary and normal operation of aircraft using the Airport.
    - 2. The Board of Appeals may condition the grant of any variance upon prior compliance with any reasonable condition, which the Board in its discretion, deems necessary or appropriate under the circumstances, including, but not limited to, the obstruction lighting of objects for which a variance is granted.
- (3) Any appeal taken pursuant to this section shall be in conformity with the procedure established by § 62.23 (7) (e) Stats.

## Section 19. Penalties.

- (1) The provisions of this ordinance shall be enforced by the County Zoning Administrator in which the property is located with the assistance of the corporation counsel for the county in which the violation occurs.
- (a) Violation of this ordinance, or of any regulation, order, or ruling promulgated hereunder, shall constitute an airport hazard and such hazard may be enjoined, abated or removed.
  - (b) Each day a violation continues shall constitute a separate offense.



(c) Any action commenced to enforce the provisions of this ordinance action shall be prosecuted in the circuit court of the county in which the violation or airport hazard is wholly or partially located.

(c) Any person, form or corporation found guilty fo violating any provision(s) of this ordinance shall, upon conviction thereof, forfeit not less than \$100.00 nor more than \$500.00 for each such offense, together with the costs of prosecution. Each day of a violation of this ordinance shall be considered a separate offense.

(2) The provisions of this ordinance shall be enforced by the corporation counsel for the county in which the violation occurs. The ordinance may be enforced by legal and/or equitable remedies.

**Section 20 Fees.**

Fees for the administration of this ordinance shall be established by the Tri-County Airport Commission with approval of boards of supervisors of the three county owners. It is intended that the fees should cover the reasonable costs of administering this ordinance.

**Section 21 Effective Date.**

This ordinance shall take effect upon passage and publication by all three counties; Iowa, Richland and Sauk.

Dated: July 18, 2006  
 Passed: July 18, 2006  
 Published:

ORDINANCE OFFERED BY THE ZONING  
 COMMITTEE

Ann M. Greenheck, Chairman  
 Richland County Board of Sueprvisors

ATTEST:  
 Victor V. Vlasak  
 Richland County Clerk

	FOR	AGAINST
Bruce E. Wunnicke	X	
Carol Clausius	X	
Marilyn Marshall	X	
Richard Rasmussen	X	





9. PENALTIES. The enforcement of this Ordinance and all other laws and ordinances relating to building shall be by means of the withholding of building permits, imposition of forfeitures and injunctive relief. Forfeitures shall not be less than \$25.00 nor more than \$1,000.00 for each day of noncompliance.

10. Supervision of the administration of this Ordinance shall be by the Zoning Administrator. Violations of this Ordinance shall be prosecuted by the Corporation Counsel at the direction of the Zoning Committee.

11. EFFECTIVE DATE. This Ordinance shall be in full force and effect upon its passage and publication.

Dated: December 12, 2006  
Passed: December 12, 2006  
Published: December 28, 2006

ORDINANCE OFFERED BY THE ZONING COMMITTEE

FOR AGAINST

Ann M. Greenheck, Chairman  
Richland County Board of Supervisors

Betty Havlik	X
Carol Clausius	X
Marilyn Marshall	X
Bruce E. Wunnicke	X
Richard Rasmussen	X

ATTEST:  
Victor V. Vlasak  
Richland County Clerk

#### ORDINANCE NO. 06-41

An Ordinance Establishing Fees Under The Zoning Ordinance For The Tri-County Regional Airport.

The Richland County Board of Supervisors does hereby ordain as follows:

1. Some months ago, the County Board adopted a Zoning Ordinance for the Tri-County Regional Airport and it is provided in section 20 of that Ordinance that the fees for the administration of the Ordinance shall first be approved by each County which is a member of the Tri-County Airport Commission by that County's County Board and then the proposed fees shall be reviewed and approved by the Tri-County Airport Commission.

2. Administrative fees under section 20 of the Zoning Ordinance for the Tri-County Regional Airport relating to land in Richland County are hereby established as the same fees set forth in IV E of Richland County Zoning Ordinance No. 5.

3. This Ordinance shall be effective immediately upon its adoption by the Tri-County Airport Commission.

Dated: December 12, 2006  
Passed: December 12, 2006  
Published: December 28, 2006

ORDINANCE OFFERED BY THE ZONING COMMITTEE

FOR AGAINST

Ann M. Greenheck, Chairman  
Richland County Board of Supervisors

Betty Havlik	X
Carol Clausius	X
Marilyn Marshall	X
Bruce E. Wunnicke	X
Richard Rasmussen	X

ATTEST:  
Victor V. Vlasak  
Richland County Clerk

#### ORDINANCE NO. 07-1

Amendment #234 To Richland County Comprehensive Zoning Ordinance No. 5 Relating To The Goldmann Farms, LLC Parcel In The Town of Buena Vista.

The Richland County Board of Supervisors does hereby ordain as follows:

1. The County Board, having considered the following factors, hereby finds that the following rezoning is in the best interests of the citizens of Richland County:

- Adequate public facilities to serve the development are present or will be provided.
- Provision of these facilities will not be an unreasonable burden to local government.
- The land to be rezoned is suitable for development and development will not cause unreasonable water or air pollution, soil erosion or adverse effects on rare or irreplaceable natural areas.
- Non-farm development will be directed to non-agricultural soils or less productive soils.
- Non-farm development will be directed to areas where it will cause minimum disruption of established farm operations or damage to environmentally sensitive areas.
- Non-farm development will be encouraged to locate so as to leave a maximum amount of farmland in farmable size parcels.
- Non-farm residential development will be directed to existing platted subdivisions and sanitary districts.

2. Richland County Comprehensive Zoning Ordinance No. 5, which was adopted by the Richland County Board of Supervisors on May 20, 2003, as amended to date, is hereby further amended as follows:

That the official maps designating district boundaries, as adopted by Richland County Ordinance 1985 No. 1 (also known as Amendment No. 1 to the Richland County Comprehensive Zoning Ordinance No. 3), which was adopted on March 19, 1985, are hereby amended as follows:

That the following-described real estate in the Town of Buena Vista is hereby rezoned from the General Agricultural and Forestry District to the Single Family Residential District (R-2):



## ORDINANCE NO. 83 - 3

OPERATION OF TRI-COUNTY AIRPORT40.01 INTRODUCTION(1) Purpose.

The County Board of Iowa, Richland and Sauk County have agreed to jointly own and operate that Airport known as the "Tri-County Airport," located in the Township of Spring Green, Sauk County, and have established an Airport Commission to operate the Airport. The purpose of this Ordinance is to establish operational policies and regulations governing the affairs of the Commission and traffic on and use of Airport facilities.

(2) Intent.

This Ordinance shall prevail over any previous or conflicting ordinances, resolutions or actions by any board or supervisors, agents, or representatives of Iowa, Richland or Sauk Counties; provided, however, that at all times each County shall continue to have the right, at any time, to withdraw from the joint operation of the Airport and to relinquish its interest in the Airport, pursuant to s. 114.151 of the Wisconsin Statutes. No fees, charges, or regulations shall become effective, nor shall any act, contract, lease or other activity of the Commission be binding on any County, except as the same shall be expressly authorized by this Ordinance.

(3) Authority.

This Ordinance is adopted pursuant to the powers contained in ss. 114.11 to 114.151, Wis. Stats.

(4) Severability.

If any provision or clause of this Ordinance, or the application thereof to any person or circumstance, is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

(5) Adoption of Ordinance and Amendments, When Effective.

This Ordinance, and any amendments hereto, shall not become effective unless adopted by the Board of Supervisors for each member County, or until such date as may be specified in any such Ordinance or amendment, the last date governing.

40.02 WORDS AND PHRASES DEFINED.

As used in this Ordinance and/or for enforcement purposes, the definitions contained in s. 114.002, Stats., shall apply and the following words and phrases shall have the designated meanings unless a different meaning is expressly provided or the context clearly indicates a different meaning; the singular shall include the plural and the plural shall include the singular:

- (1) "AIRPORT" means the Tri-County Airport, including the lands, runways, and other facilities owned and used by Iowa, Richland and Sauk Counties for Airport purposes located in Section 31, Township 9 North, Range 3 East, together with such other lands and facilities as may be used in connection therewith for Airport purposes.
- (2) "COMMISSION" means the Tri-County Airport Commission, established by the Iowa County, Richland County, and Sauk County Board of Supervisors, pursuant to s. 114.14(2), Wis. Stats.
- (3) "COUNTY" or "COUNTIES" means Iowa County, Richland County, Sauk County, or any combination thereof.
- (4) "FIXED-BASE OPERATOR" or "FBO" means any person conducting any aeronautical business on the Airport.
- (5) "HANGAR" means a building designed or used primarily for the housing or storage of aircraft.
- (6) "MANAGER" means a person employed or designated by the Commission under s. 40.03(1)A.3.(c).
- (7) "OWNER" means Iowa, Richland and Sauk Counties.



- (8) "OPERATOR" means any person conducting or sponsoring any event, activity or operation at the Tri-County Airport which involves the exercising of any special right or privilege at the Airport or requires the virtually exclusive use of any area at the Airport; however, this definition shall not include general aviation users and other members of the public utilizing the facilities of the Airport, in a manner consistent with this Ordinance and with the right of other general aviation users and members of the public to equal and uniform use of public areas of the Airport.
- (9) "PERSON" means any individual, firm, partnership, corporation, association or group and all bodies politic or corporate.
- (10) "VEHICLE" means every device in, upon, or by which any person or property is or may be transported or drawn. This definition includes but is not limited to the following: An automobile, tractor, truck, semitractor, bicycle, snowmobile, motorcycle, moped.

#### 40.03 TRI-COUNTY AIRPORT COMMISSION

##### (1) Organization, Meetings, Compensation.

A. Organization. The Tri-County Airport Commission, consisting of three members and created by action of the Iowa, Richland and Sauk County Boards in accordance with s. 114.14(2) of the Wisconsin Statutes, shall have complete and exclusive control and management of the Tri-County Airport, subject to the limitations hereinafter contained and the powers of the respective County Boards, hereinafter enumerated or reserved to said County Boards by Chapter 114 of the Wisconsin Statutes. The Commission shall be organized as follows:

##### 1. Terms and Selection of Members.

- (a) Each County shall be represented by one Commissioner, appointed for a term of six years by the County Board Chairman and confirmed by the full County Board. In the event a vacancy arises during the term of a Commissioner, the County which appointed that Commissioner will appoint a successor to complete the original term in the same manner as the original Commissioner was appointed.
- (b) If a Commissioner is unable or unavailable to act for any extended period of time, the Chairman represented by that Commissioner may, upon request of the Commissioner, appoint a temporary replacement for not more than six months. In the event of the unavailability of a Commissioner, or temporary designee, to represent the interest of a County under circumstances requiring immediate action by the Commission, the Chairman of that County's Board of Supervisors shall have all the authority that such Commissioner, or designee, would have under like circumstances.

##### 2. Officers. In January of every even-numbered year, the Commission shall elect the following officers:

- (a) A Chairman, who shall be the chief presiding officer at all meetings of the Commission, have the necessary authority to act for the Commission in times of emergency and when appropriate to expedite measures resolved upon by the Commission or to enforce this Ordinance or the regulations of the Commission; the Chairman shall countersign all orders, vouchers and contracts on behalf of the Commission.
- (b) A Vice-Chairman, who shall act for the Chairman in the absence or disability of the Chairman and for the Secretary, in the absence or disability of the Secretary.
- (c) A Secretary, who shall keep an accurate record of all of the proceedings and transactions of the Commission, report the same to each member County, and sign all orders, vouchers and contracts on behalf of the Commission.

##### 3. Administrative and Staff Assistance. The Commission shall be expected to meet as many of its needs in operating the Airport as possible through the voluntary services of those individuals most interested in and actively using the Airport, but the following administrative and staff assistance shall also be made available to the Commission:

- (a) The Iowa County Clerk shall manage the keeping of the accounts of the Commission. All monies appropriated for, earned by or made available to the Commission shall be deposited with the



Iowa County Treasurer in a special fund and paid out only on order of the Commission, signed by the Secretary and countersigned by the Chairman of the Commission; the Iowa County Clerk shall also act as legal custodian of all original and official documents submitted to or on behalf of the Commission.

- (b) The Chairman of each County shall be available for consultation by the Commission and shall arrange for provision of appropriate legal, financial and administrative or technical services as may be required by the Commission and available through regular County officers or employees.
- (c) The Commission may employ a manager and engage such other services as it may deem necessary; however, no person hired or engaged by or on behalf of the Commission shall be deemed an employee of any County, nor of Iowa, Richland and Sauk Counties, collectively, unless so authorized specifically by each County Board of Supervisors. No agreement or contract for services on behalf of the Commission shall be valid unless in writing, and any financial obligations arising thereunder shall be binding only to the extent of unexpended appropriations and other cash reserves held by the Commission, itself.
- (b) No person shall engage in the activity of storing, transporting, or dispensing of aviation fuels to the general public except an FBO authorized to do so, in accordance with s. 40.04(2)C. of this Ordinance.

2. No person shall engage in crop dusting or the aerial application of noxious substances, in any form and for any purpose whatsoever, except those persons authorized to do so by written agreement, authorized in accordance with this Ordinance, specifically providing:

- (a) for compliance with all applicable federal, state and local regulations with respect to all aspects of the transportation, storage, handling and application of such crop dusting or other noxious substances; and
- (b) a detailed description of the area of the Airport to be used, the times of such use, and such other provisions as may be deemed necessary to safeguard the public and protect the interests of the Airport and other users.

#### C. Airport Layout Plan.

The Commission shall develop and maintain in current form an Airport Layout Plan, which shall be in the form of a graphic diagram or map of the Airport, together with such additional descriptive material as may be deemed appropriate by the Commission to depict the various land use areas established on the Airport, existing development and such regulations or restrictions as may be applicable thereto and in a form which permits clear graphic representation. Copies of the Airport Layout Plan shall be posted in a public area at the Airport, maintained with the official records of the Commission, and provided to the Office of the County Clerk of each County, so that the Owner, general public, taxpayers and other persons especially interested in the affairs of the Airport may be better informed of the same.

#### 2. Regulation of Activities at the Airport.

The Commission shall have all powers necessary to ensure the safe and orderly operation of the Airport, insofar as consistent with the provisions of this Ordinance. The Commission may make such orders and adopt such regulations in the exercise of their powers as they may deem necessary; such orders and regulations may be effective immediately upon adoption by the Commission, but the Commission shall insofar as practicable prepare and present to the Owner appropriate amendments to this Ordinance reflecting such additional regulations so that each County Board and members of the public may more easily be informed. The following regulations, as well as any additional regulations adopted by the Commission as aforesaid, shall govern all activities at the Airport.

##### A. General Traffic and Land Use Regulations.

In order to carry out the purposes and provisions of this Ordinance, promote harmonious and beneficial development and use of the Airport, and to ensure the safety of aircraft, aircraft passengers and the general public, it shall be unlawful and a violation of this Ordinance for any person, firm, business organization or other association of persons to do or cause to be done any of the following on the Airport:



1. To enter in person or to operate or park any vehicle in or upon any runway, taxiway, ramp, tie-down area, cultivated lands, or any other area fenced or posted by signs prohibiting entrance thereon, contrary to such signs or applicable regulations.
2. To travel afoot beyond specifically designated pedestrian areas, unless for the purpose of embarking in or disembarking from an aircraft, or unless specifically authorized by the Manager of the Airport.
3. To operate any vehicle in excess of posted speed limits or contrary to any sign, visible marking or barrier established to regulate vehicle traffic.
4. To park any vehicle outside of designated areas or contrary to posted signs, visible markings or other barriers.
5. To enter into any area or engage in any activity contrary to posted signs, visible markings or other barriers established in accordance with this Ordinance.

#### B. Aircraft.

The following regulations shall apply to the operation of all aircraft on the Airport, in addition to such other regulations, restrictions and requirements arising under other provisions of this Ordinance; no activity on or use of the Airport shall be exempted from any regulation solely because conducted from or in an aircraft unless so specifically provided.

1. Aircraft ground access to the Airport shall not be allowed, except under emergency conditions or when the aircraft has been dismantled or transported on another vehicle and is brought onto the Airport in a manner consistent with regulations established under this Ordinance.
2. Aircraft shall not be parked in any area except those specifically designated for aircraft parking.
3. No person shall operate or suffer, cause or permit the operation of an aircraft upon any runway, taxiway or apron at the Airport which is in excess of the designated maximum load-bearing capacity of said taxiway, runway or apron. Such designation shall be either by an official FAA "Notice to Airmen" (NOTAM), a filing in the official Federal Aviation Administration master record or, where appropriate, by posted sign or visible marking or other barrier.

#### C. Commercial Activities.

In order to encourage the development of adequate aeronautical services and facilities, foster the economic health and orderly development of commercial aeronautical operators at the Airport while ensuring the public or equal and uniform use of and opportunity to benefit from the Airport, the following regulations shall apply to all commercial activity on the Airport:

1. No person shall engage in any business or commercial activity, whatsoever, on the Airport except under the terms and conditions prescribed in a written agreement between such person or person's employer and the Commission, and provided further that the written agreement shall have been approved by the Owner, at least as to form, as part of this Ordinance, except in transit use of public areas.
2. Any Fixed Base Operator (FBO) conducting any aeronautical business on the Airport shall meet applicable minimum standards approved by the Owner as part of this Ordinance and obtain a written lease from the Commission in a form approved as part of this Ordinance, which lease shall describe the premises of the Airport to be devoted to the use of the Fixed Base Operator and contain:
  - (a) a description of the specific service(s) to be engaged in by the FBO; and
  - (b) the minimum requirements applicable to such service(s), as adopted and attached as part of this Ordinance; and
  - (c) provisions required by s. 40.04(3)A. of this Ordinance.

#### D. Building Restrictions.

1. No building shall be constructed or structurally altered on the Airport unless specifically authorized under the terms of a written lease signed by the Commission in accordance with the provisions of this Ordinance.



2. All buildings shall conform to applicable state and local codes, Airport regulations and lease provisions. Building plans shall be subject to the approval of the Commission, the Wisconsin Department of Industry, Labor, and Human Relations, Wisconsin Division of Aeronautics, the Federal Aviation Administration, and such other federal, state or local agencies having jurisdiction under current law.

(3) Reservation of Rights; Minimum Liability Insurance and Indemnification Provisions; Other Mandatory Lease Clauses.

- A. Reservation of Rights. The following rights shall be reserved to the Commission in the operation of the Airport and no agreement, of any form entered into at any time, shall impair, hinder or interfere with the exercise of these rights:

1. To further develop or improve the landing area of the Airport as the Commission sees fit. If the physical development of the Airport requires the relocation of any lessee or other private party to an agreement with the Commission, the Commission shall, if possible, provide a comparable location and may assume responsibility for the relocation of all buildings.
2. To maintain and keep in repair the landing area of the Airport and all publicly-owned facilities of the Airport, together with the right to direct and control all activities of all persons maintaining property on the Airport, in this regard.
3. To enter into any agreement between itself and the United States, or between itself and the State of Wisconsin, relative to the operation or maintenance of the Airport, or related facilities, the execution of which has been or may be required as a condition precedent to the expenditure of federal or State funds for the development of the Airport and any agreement with any person for rights in the use of the Airport shall be subordinate to such agreements with the United States or State of Wisconsin.
4. To take any action it considers necessary to protect the aerial approaches of the Airport against obstruction, and to prevent any person from erecting, or permitting to be erected, any building or other structure on the Airport which, in the opinion of the Commission, would limit the usefulness of the Airport or constitute a hazard to aircraft.
5. To lease the landing area or any part thereof to the United States government for military use during time of war or national emergency, and if such lease is executed, the provisions of any instrument or agreement with any person, insofar as they are inconsistent with the provisions of the lease to the Government, shall be suspended.
6. To suspend or terminate, without liability to any party insofar as permissible under federal or Wisconsin law, all operations at the Airport by the Commission or any person, notwithstanding the provisions of any separate agreement, for any reason deemed sufficient by the Commission, including but not limited to the following:
  - (a) Any hazardous or unsafe condition.
  - (b) Any threat to the present or future interests of the Airport or of the Owner.
  - (c) If it appears that insufficient Commission funds exist to permit the continuation of operations in a reasonable and safe manner.
  - (d) If the Owner or any County determines to rescind the authority of the Commission or to withdraw from the Commission.

B. Required Indemnification and Minimum Liability Insurance Provisions.

1. Policy. In entering into any leases or agreements of any kind, whatsoever, the Commission shall never become or allow itself, the Owner nor any County to be liable or a surety for any event, activity or operation or the exercise of any privilege or right, except insofar as the same may be directly related to the Commission's active discharge of its responsibilities to control and manage the Airport consistent with the provisions of this Ordinance.
2. Required Indemnification Provisions. Any lease or agreement of any kind, whatsoever, entered into by the Commission with regard to the conduct of any event, activity or operation or the exercise of any privilege or right, except insofar as may be directly related to the Commission's discharge of its responsibilities to control and manage the Airport consistent with the



provisions of this Ordinance, shall contain a provision that the person entering into the lease or agreement with the Commission shall indemnify and hold the Commission, the Owner and the Counties harmless from any and all claims, suits, settlements, judgements, costs, damages, expenses and all other liabilities which may accrue against, be charged to or recovered from the Commission, the Owner, or the Counties by reason or on account of any injury, harm, damage or violation of law arising from the event, activity, operation, or exercise of privilege or right under the lease or agreement, except when caused by the negligence of the Commission, Owner or Counties.

Any lessee or permittee shall carry appropriate contractual liability insurance to provide the necessary financial backing for this hold harmless agreement. In the absence of the availability of appropriate contractual liability insurance, other appropriate insuring techniques, deemed acceptable by the Commission, may be used to accomplish the same end of providing the necessary financial backing for this hold harmless agreement.

3. Minimum Limits of Liability Insurance. In addition to any provision of this Ordinance specifying required minimum levels and forms of insurance applicable, the Commission may require additional forms and higher levels of insurance for any event, activity, or operation or the exercise of any privilege or right at the Airport; any lease or agreement shall specify the forms and levels of liability insurance applicable thereto, insofar as practicable, and any lessee or permittee shall file with the Commission a proper certificate of insurance, or upon request, copies of required policies.

Any lease or agreement shall contain provisions requiring that the Commission be notified not less than ten days prior to any change in existing coverages and, further, that said lease or agreement shall be subject to cancellation and termination by the Commission, in the event said insurance coverages are terminated, altered or changed in any manner contrary to this Ordinance or the applicable lease or agreement, at the sole discretion of the Commission, without notice, and without penalty.

Any insurance coverages and limits required by this Ordinance are deemed to constitute minimum levels of coverage. At all times it shall be the entire and complete responsibility of any lessee or permittee to ascertain any carry sufficient limits and proper coverages to adequately protect against all exposures to potential loss resulting from the operations and activities which pertain to any lease or agreement for use of the Airport.

The specified minimum limits of insurance shall be subject to review by the Commission, if in its judgment the Commission determines that adjustments are necessary for the protection of the Commission or Counties. Amendments may be made to any lease or agreement specifying other, additional coverages and/or minimum limits to be required.

#### Comprehensive General Liability

To Include:	Amount of Coverage (as applicable to all forms indicated):
Premises/Operations	
Products/Completed Operations	
Contractual Liability Coverage	Not less than \$500,000 combined single limit or \$500,000 each person (B.I.) \$500,000 each accident (B.I.) \$500,000 each accident (P.D.)

#### Aircraft Liability

To Include:	Amount of Coverage:
Standard form of coverage	Not less than \$5000,000 combined single limit or \$500,000 each person (B.I.) \$500,000 each accident (B.I.) \$500,000 each accident (P.D.)

#### Automobile Liability

	Amount of Coverage:
All vehicles and trailers used, whether owned, non-owned or hired	Not less than \$500,000 combined limit or \$500,000 per person (B.I.) \$500,000 each accident (B.I.) \$500,000 each accident (P.D.)



Hangar-Keeper's Liability

## Amount of Coverage:

## To Include:

Standard form of coverage

Not less than \$500,000 combined  
single limit or  
\$500,000 each person (B.I.)  
\$500,000 each accident (B.I.)  
\$500,000 each accident (P.D.)

Hangar-Keeper's Legal Liability

## To Include:

Standard form of coverage

## Amount of Coverage:

To equal full value of all aircraft  
in hangar-keeper's care, custody,  
or control

Worker's Compensation

Statutory form and limits

C. Other Mandatory Lease Clauses:

1. Each lease for ground space at the Airport entered into by the Commission shall include such of the following clauses as are required from time to time, by the State and Federal Governments:
  - (a) Non-discrimination clauses.
  - (b) Affirmative action assurances.
  - (c) Non-exclusive rights clauses.
  - (d) Other mandated language.
2. The most current amendment or form of such mandatory lease clauses shall be included in each lease at the time of execution.

40.05 FEES, CHARGES AND RENTS.(1) State of Policy.

It shall be the policy of the Commission to establish and maintain fees, charges and rents whereby the Airport will be as self-sufficient as possible, so that the Airport may continue to serve in the best possible manner those public purposes dependent upon it without exceeding the limited County and other public taxpayer dollars available. Consistent with this policy, all fees, charges and rents shall be subject to periodic review and adjustment, so that the Airport may recover from each user, where possible, a reasonable percentage of its proportionate share of the cost of providing, maintaining, operating and administering the facilities benefiting each such user. Each lease or other written agreement requiring the payment of fees, charges or rents to the Commission shall specify a procedure by which the same may be reviewed and adjusted upon such terms as shall be set forth therein.

(2) Fuel Flowage Fee.

The Commission shall receive a fuel flowage fee of 4¢ per gallon for all fuel delivered to any person engaged in the activity of storing, transporting or dispensing of such fuels to the general public.

(3) Miscellaneous Charges.

The amounts of any fees, charges and/or rents payable to the Commission shall be specified in any lease or agreement, of any kind whatsoever, entered into by the Commission, in accordance with this Ordinance.

40.06 PENALTIES AND ENFORCEMENT.

Any person who shall violate any provision of this Ordinance, each occurrence or day during which such violation exists constituting a separate offense, shall be subject to the following penalties and actions in enforcement of this Ordinance:

- (1) A cash forfeiture to be paid to the Commission of not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00), plus court costs, for each such violation;
- (2) An action for an injunction and/or damages, to be brought by counsel for the Commission in appropriate cases, to prevent continuing violations, remedy conditions arising from violations, and/or to require violators to



compensate the Commission or other persons who have previously acted to remedy conditions arising from violations of this Ordinance; and

- (3) Debarment from any right, privilege or interest in continued use of the Airport, at the discretion of and for such period of time as may be deemed appropriate by the Commission.

Dated: July 19, 1983  
Passed: July 19, 1983  
Published: July 28, 1983

ORDINANCE OFFERED BY THE RICHLAND  
COUNTY REPRESENTATIVE TO THE  
TRI-COUNTY AIRPORT COMMISSION

ATTEST: Bernal W. Coy, County Clerk  
of Richland County

Edgar Boeing

Signed: Merlyn Merry, Chairman  
Richland County Board of  
Supervisors

#### ORDINANCE NO. 2005-4

An Ordinance Amending Ordinance No. 83-3 Entitled "Operation Of The Tri-County Airport".

The Richland County Board of Supervisors does hereby ordain as follows:

1. That Ordinance No. 83-3 entitled "Operation Of The Tri-County Airport", was adopted by the County Board on July 19, 1983, as amended to date, is hereby amended as follows:
2. Section 4.03 (3) B 3 is amended by adding the following after the section entitled "**Hangar-Keepers Legal Liability**":

**"Tenants of Commission-owned hangars.**

Tenants must maintain, at their expense, general liability insurance which shall be in full force and effect during the term of any Lease, with a per-occurrence policy limit of not less than \$1,000,000.00. This insurance shall be issued by a company licensed to do business in the State of Wisconsin and the Commission shall be named as an additional insured on the policy."

3. This Ordinance shall be in full force and effect upon the adoption of a like Ordinance by the County Boards of Sauk and Iowa Counties.

Dated: February 15, 2005  
Passed: February 15, 2005  
Published: February 24, 2005

ORDINANCE OFFERED BY THE COUNTY  
BOARD SUPERVISOR MEMBERS OF THE  
TRI-COUNTY AIRPORT COMMISSION

Ann M. Greenheck, Chairman  
Richland County Board of Supervisors

FOR AGAINST

Tom Gorman

X

ATTEST:  
Victor V. Vlasak  
Richland County Clerk



## ORDINANCE NO. 94-15

An Ordinance Regulating The Height Of Structures And Trees In The Vicinity Of The Tri-County Regional Airport, Lone Rock, Sauk County, Wisconsin.

The Richland County Board of Supervisors does hereby ordain as follows:

- Section I      Definitions. As used in this ordinance, unless the context otherwise requires.
- (a) "Airport" means the Tri-County Regional Airport located in Section 31, Town 9N, Range 3E, Sauk County, Wisconsin.
  - (b) "Airport hazard" means any structure or object of natural growth, which obstructs the air space required for the flight of aircraft in landing or taking off at an airport or is otherwise hazardous to such landing or taking off.
  - (c) "Non-conforming use" means any structure or tree which does not conform to a regulation prescribed in this ordinance or any amendment thereto, as of the effective date of such regulation.
  - (d) "Person" means any individual, firm partnership, corporation, company, association, joint stock association, or body politic, and includes any trustee, receiver, assignee or other similar representative thereof.
  - (e) "Structure" means any object constructed or installed by man.
  - (f) "Trees" do not include shrubs, bushes or plants which do not grow to a height of more than twenty feet.
  - (g) "Runway" means a level portion of an airport having a surface specially developed and maintained for the landing and take-off of aircraft.
- Section II      Zones. All zones established by this section are as shown on the Map dated November 30, 1993, entitled "Height Limitation Zoning Map, Tri-County Regional Airport, Lone Rock, Wisconsin", which is attached hereto and adopted as part of this ordinance; a copy of said Map is on file in the office of the Richland County Zoning Administrator.
- Section III    Height Limitation Zones. Except as otherwise provided in this ordinance, no structure shall be constructed, altered, located or permitted to remain after such construction, alternation or location, and no trees shall be allowed to grow, to a height in excess of the height limit indicated on the map referred to in Section II hereof.
- Section IV    Exceptions. The restrictions contained in Section III shall not apply to the following:
- (a) objects which are less than thirty-five (35) feet in height above ground level at the object site within one-half mile of the airport boundary; or to structures less than fifty (50) feet in height above ground within the area beginning one-half mile from the airport boundary and extending to one mile from the airport boundary; or to structures less than one hundred (100) feet in height above the ground within the area beginning one mile from the airport boundary and extending to three miles from the airport boundary; and
  - (b) structures that are constructed, altered or located within fifty (50) feet of a pre-existing object permitted under this ordinance (including non-conforming uses) which are not higher than such permitted object.
- Section V      Non-conforming Uses.
- (a) Not retroactive. The regulations prescribed in Sections II or III of this ordinance shall not be construed to require the removal, lowering or other change or alternation of any non-conforming use, or otherwise interfere with the continuance of any non-conforming use, except as otherwise provided by Section VII(b).



(b) Changes. Nothing herein contained shall require any change in the construction, alternation or intended use of any structure, if the construction or alteration of such was begun prior to the effective date of this ordinance, and if such is diligently prosecuted.

(c) Removal. This section shall not interfere with the removal of non-conforming uses by purchase or the use of eminent domain.

#### Section VI

Administration. It shall be the duty of the Sauk County Zoning Administrator to administer and enforce the regulations prescribed herein. Further, it shall be the duty of the Zoning Administrators of Richland and Iowa Counties to cooperate in the administration and enforcement of this ordinance as herein provided. Applications for permits and variances shall be made to the Zoning Administrator of the county in which the proposed use is located upon a uniform form furnished by him or her. Such zoning administrator shall forthwith transmit a copy of such application to the Sauk County Zoning Administrator who shall thereafter process said application. A copy of said application shall forthwith be transmitted by the Sauk County Zoning Administrator to the Chairperson of the Tri-County Airport Commission who shall forthwith convene a meeting of said commission to consider such application. The Commission shall act upon such application within fifteen (15) days by recommending to the Sauk County Zoning Administrator that such application be granted or denied and giving its reasons therefore, unless Federal Aviation approval under FAR Part 77 is requested by the applicant or the commission, in which case the commission's recommendation may await determination by the Federal Aviation Administration. The Sauk County Zoning Administrator shall act upon an application within ten (10) days of receipt of the Airport Commission's recommendation to grant or deny such application. There shall be no charge for applications or permits.

#### Section VII

Permits.

(a) Future uses. No structures shall hereafter be constructed, erected or installed, or be permitted to remain in any zone created by Section II of this ordinance until the owner or his agent shall have applied in writing for a permit therefore in the manner set forth above and obtained such permit from the Sauk County Zoning Administrator, except structures less than thirty-five (35) feet in height above the ground and within one-half mile of the airport boundary and structures less than fifty (50) feet in height above the ground within the area beginning one-half mile from the airport boundary and extending to one mile from the airport boundary, and structures less than one hundred (100) feet in height above the ground within the area beginning one mile from the airport boundary and extending to three miles from the airport boundary. Said permit shall be posted in a prominent place on the premises prior to and during the period of construction, erection, installation or establishment. Application for such permit shall indicate the use for which the permit is desired, and shall describe and locate the use with sufficient particularity to permit the Zoning Administrator to determine whether such use would conform to the regulations herein prescribed. If such determination is in the affirmative, the Zoning Administrator shall issue the permit applied for. In making such determination, the Zoning Administrator may rely upon findings made by the Airport Commission in its recommendation.

(b) Existing Uses. Before any non-conforming structure may be replaced altered or rebuilt, a permit shall be applied for and secured in the manner prescribed by paragraph (a) authorizing such change, replacement or repair. No such permit shall be denied if the structure will not become a greater hazard to air navigation than it was on the effective date of this ordinance, or than it was when the application for permit was made.

#### Section VIII

Board of Appeals. There is hereby created a Board of Appeals, consisting of three members, none of whom are active airport commission members, one from each sponsor county, appointed by each respective County Board Chairperson, subject to con-



firmation by each respective County Board for terms of three years, excepting that of those first appointed. One shall serve for one year; one or two years and one for three years. The said members of said Board of Appeals shall receive the said sum as established by each County Board for each meeting attendance by them.

Section IX Appeals and Review.

- (a) Variances. Upon appeal in special cases the Board of Appeals may, after investigation and public hearing, grant such variance from the terms of this ordinance as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of this ordinance would result in unnecessary hardship, and such relief will do substantial Justice and be in accord with the spirit of this ordinance, and does not create a hazard to the safe, normal operation of aircraft. The Board of Appeals may condition its grant of variance upon prior compliance with any reasonable condition which in its discretion it deems necessary or appropriate under the circumstances of the variance granted, including, but not limited to, the obstruction lighting of objects for which a variance is granted.
- (b) Aggrieved Person. Any person aggrieved or affected by any decision of action of the Sauk County Zoning Administrator made in his administration of this ordinance, including the Tri-County Airport Commission, may appeal such decision of action to the Board of Appeals.
- (c) Procedures. Any appeal taken pursuant to this section shall be in conformity with the procedures established by Section 62.23(7)(e) of the Statutes.

Section X Penalties. Any person violating any of the provisions of this ordinance shall, upon conviction, forfeit not less than twenty-five dollars (\$25.00) nor more than two hundred fifty dollars (\$250.00) for such offense, together with the costs of prosecution, and in default of payment of such forfeiture and costs of prosecution, shall be imprisoned in the county jail until said forfeiture and cost are paid, but not to exceed thirty days for each violation. Each day that a violation continues to exist shall constitute a separate offense.

Section XI Severability. If any of the provisions of this ordinance or the application thereof to any persons or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section XII Effect. This ordinance shall take effect and be in force upon passage and publication in each of the Counties of Sauk, Iowa and Richland.

Section XIII This Ordinance shall supersede and take precedence over any provision to the contrary in Richland County Comprehensive Zoning Ordinance No. 3, which was adopted by the Richland County Board of Supervisors on June 19, 1984, as amended to date.

Dated: December 13, 1994  
Passed: December 13, 1994  
Published: December 22, 1994

ORDINANCE OFFERED BY THE  
COUNTY BOARD SUPERVISOR MEMBER OF  
THE TRI-COUNTY AIRPORT COMMISSION

Ann M. Greenheck, Chairman  
Richland County Board of Supervisors

FOR AGAINST

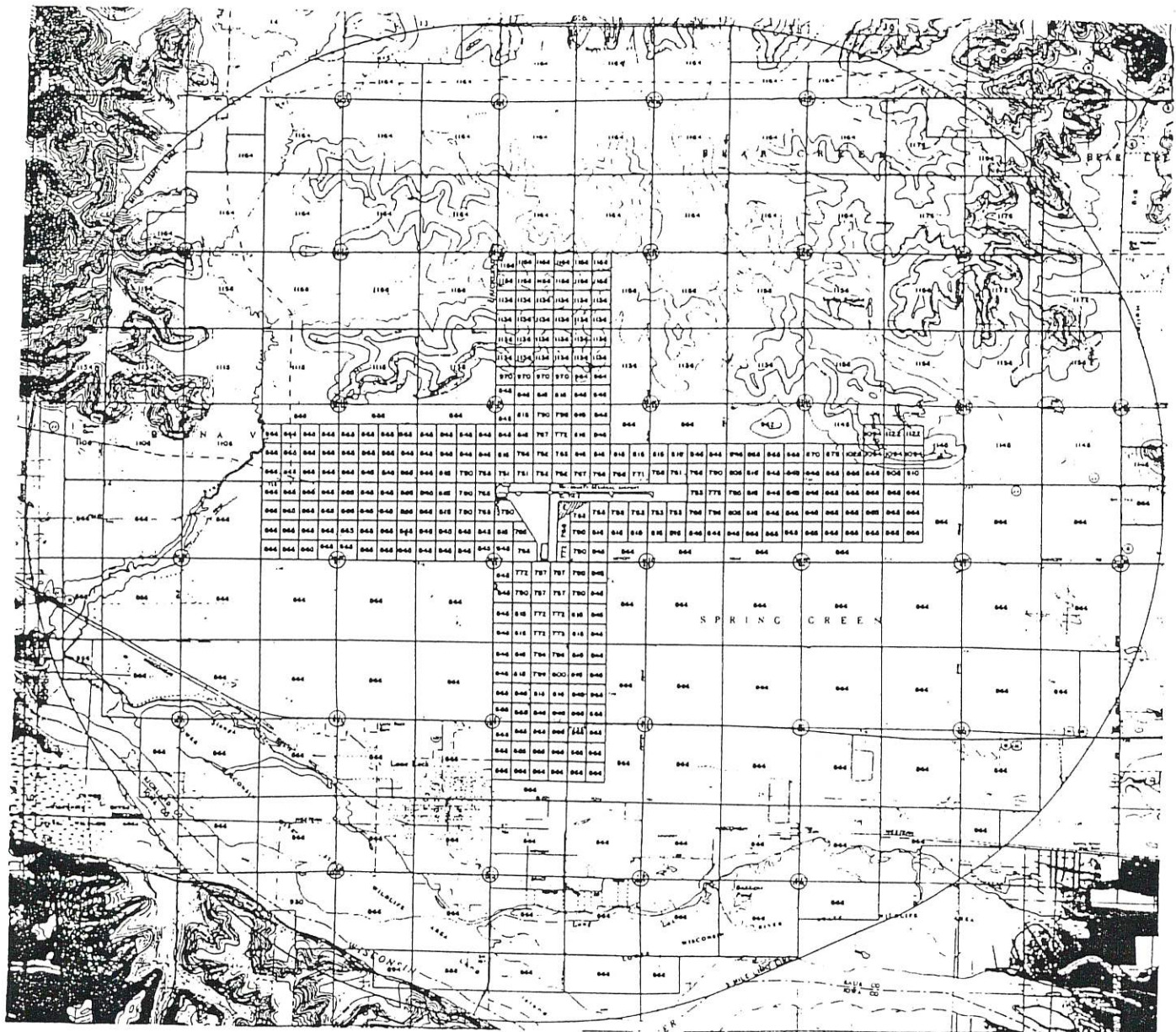
Edgar Boeing

X

ATTEST:  
Victor V. Vlasak  
Richland County Clerk



# HEIGHT LIMITATION ZONING MAP



Dated: November 30, 1993



0123

HEIGHT LIMITATION ZONING MAP

TRI COUNTY REGIONAL AIRPORT

LOWER ROCK, WISCONSIN

PREPARED BY: [Name]

DATE: [Date]



TRI-COUNTY AIRPORT

## Lone Rock, Wisconsin

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

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

**SECTION I - DEFINITION OF WORDS AND PHRASES**

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

**SECTION III - AIRPORT COMMISSION AND MANAGER**A. Commission Organization.

- 1. The Commission shall consist of seven members, six of whom shall be supervisors appointed by the chairperson of the Sauk, Iowa, and Richland county boards (two from each county), subject to approval of the respective county boards. The seventh member shall be a regular airport user when appointed.
- 2. The terms of the county board supervisor members shall be determined by the county boards appointing each member. Upon approval of the Commission and the county boards of the Owner, the airport user Commission member shall serve a term of three (3) years.
- 3. The compensation of the county board supervisor members shall be determined by the county boards appointing each member.
- 4. The Commission shall elect one supervisor member to serve as chairperson and one supervisor member to serve as secretary. The secretary shall keep an accurate record of all Commission proceedings and transactions and shall provide minutes detailing those proceedings and transactions to the Sauk, Iowa, and Richland county clerks.
- 5. Commission member votes shall be weighted as follows: Sauk County - twenty-four-and-one-half percent (24½%) each, Iowa County twelve-and-one-half percent (12½%) each, Richland County twelve-and-one-half-percent (12½%) each and Airport user one percent (1.0%).
- 6. The airport user Commission member, subject to Commission guidance, shall actively promote and support the Airport and communicate Airport information with and from current and potential airport users and others.

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

- 1. The Commission shall have jurisdiction for the construction, improvement, equipment, maintenance, and operation of the Airport.
- 2. The Commission shall recommend regulations and fees or charges for the use of the Airport consistent with this ordinance. Such regulations, fees, and charges



will be effective when approved by the Owner.

3. Sauk County shall hire an Airport Manager for the Airport and set the compensation, benefits, expense reimbursements to be paid. The Airport Manager shall be a Sauk County employee. Sauk County, with assistance of the Commission, shall establish performance review standards for the Airport Manager and Sauk County shall conduct review standards for the Airport Manager and Sauk County shall conduct annual performance reviews of the Manager with input from the Commission. The Commission shall reimburse Sauk County for the salary, employee benefits, and expenses paid by Sauk County to or on behalf of the Manager.
4. The Commission may hire and fix the compensation of independent contractors as necessary, including an independent contractor to perform essential Airport management functions during a temporary absence of the Airport Manager.
5. The Commission may contract with the United States, State of Wisconsin or other governmental and non-governmental entities when necessary to fulfill its responsibilities for the construction, improvement, equipment, maintenance, or operation of the Airport.
6. The Commission, subject to approval of Owner, may contract with private parties for a term not to exceed five (5) years for the operation of the Airport, including all necessary arrangements for the improvement, equipment, and successful operation of the Airport.
7. The Commission shall procure and maintain in full force and effect insurance in forms and levels sufficient to protect the Owner, the Commission, individual members of the Commission, Airport employees and the Airport from any liability arising from the operation of the Airport.
8. The Commission shall, in cooperation with the Sauk County Finance Department, establish an airport accounting system of sufficient detail to enable the Commission to accurately establish rates and charges, eliminate inefficient operation and maintenance practices, and accomplish sound financial planning.
9. The Commission shall, in cooperation with the Manager and Sauk County Finance Department, prepare and submit an annual report to the Owner. The report shall include current information on aircraft operations, based aircraft, airport expenditures and revenues, along with comparative figures for the past year, and projects for the coming year, and include other information deemed pertinent.
10. The Commission shall prepare and submit to the Owner an annual budget setting forth anticipated revenues and expenditures, including capital improvements.
11. The Commission shall prepare and submit for adoption by the Owner an ordinance establishing minimum requirements for the conduct of aeronautical services on the Airport and an ordinance regulating vehicle and pedestrian traffic on the Airport.
12. The Commission shall approve and utilize standard leases and agreements for the various types of airport activities and land uses authorized in this ordinance.
13. The Commission shall make studies and conduct surveys as appropriate to assist in improving the operation of the Airport. It shall cooperate with the Wisconsin Bureau of Aeronautics and the Federal Aviation Administration in airport and system planning functions and other activities.
14. The Commission shall cooperate with, and receive the cooperation of, all departments of the Owner providing services or assistance to the airport.
15. The Sauk County Corporation Counsel shall serve as legal counsel for the Commission. The Commission may engage other non-legal professional services when necessary for the Airport.

C. Limitations on Commission Authority. The exercise of authority by the Commission under Subsection B above shall be subject to all of the following conditions:

1. The Commission shall preserve public access and use the Airport and the public may in no case be deprived of equal and uniform use of the Airport.
2. The Commission is not a subunit of Owner and no act, contract, lease, or any activity of the Commission shall be or become binding on or deemed an act of Owner unless specifically authorized by Owner, and then only to the extent specifically authorized.
3. The Commission is a governmental body. The Commission and its members shall comply with all laws applicable to governmental bodies and public officials. No member of the Commission may vote on the question of his or her selection as Manager nor on any question as to his or her compensation.

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



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

#### SECTION IV - AIRPORT OPERATION POLICIES

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

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

Tobacco smoking, e-cigarette use, alcohol consumption, and illegal use of drugs is prohibited on Airport grounds.

#### SECTION V - AIRPORT OWNERSHIP AND FUNDING

- A. Airport Ownership. Subject to all other provisions pertaining to ownership interests contained within this section and Section VII, ownership interest in all Airport assets shall be apportioned between the member counties as follows: Sauk County forty-nine percent (49%), Iowa county twenty-five-and-one-half percent (25½%) and Richland County twenty-five-and-one-half percent (25½%).
- B. Airport Funding.
  1. County Appropriations. All moneys appropriated for the construction, improvement, equipment, maintenance or operation of the Airport, as managed by the Commission, or earned by the Airport or made available for its ocnstruction, improvement, equipment, maintenance or operation in any manner whatsoever, shall be deposited with the treasurer of Sauk County, where it shall be kept in a special fund and paid out only on order of the Commission, drawn and signed by the secretary and countersigned by the chairperson of the Commission.
    - a. Annual Operating Expenses. The county board of each county Owner shall appropriate on an annual basis the monetary amount requested by the commission for annual operating expenses in the upcoming year in the following proportions: Sauk County forty-nine percent (49%), Iowa County twenty-five-and-one-half percent (25½%) and Richland County twenty-five-and-one-half percent (25½%).



- b. Capital Expenditures. In addition to the appropriation for annual operating expenses, the county board of each member county shall appropriate on an annual basis an amount designated by the Commission to be set aside in an Airport capital expenditures account, which shall be reserved for future maintenance and construction projects exceeding \$5000.00 in total cost and with a life expectancy of not less than five (5) years.
- 2. Any private monetary contributions to the Airport shall be applied to the Airport capital expenditures account unless otherwise specifically designated by the contributor at the time the contribution is made.
- 3. Failure to Fund. Failure of a county Owner to fully fund the Airport as required by Paragraph 1 of this section shall be deemed a material breach of a member county's financial obligations to the Airport. Upon such a breach, the non-breaching counties may, by resolution passed by the county boards of both non-breaching counties, expel the breaching member county from the Airport. In the event of expulsion, the expelled county's assets in the airport shall be forfeited in equal shares to the remaining member counties. The remaining member counties shall assume liability for all state or federal funds previously spent or committed to the Airport on a cost-share basis.

#### SECTION VI - COOPERATION

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

#### SECTION VII - NOTICES

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

#### SECTION VIII - WITHDRAWAL AND DISSOLUTION

##### A. Withdrawal.

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

##### B. Dissolution.

- 1. Procedure For Dissolution. The Airport and Commission may be dissolved upon mutual agreement and resolution by the county board of all members of the Airport or if the county boards of a least two member counties resolve to withdraw from and relinquish their interest in the joint operation and control of the Airport.
- 2. Action Upon Dissolution. Upon action triggering dissolution of the Airport, a meeting of the Commission or its remaining members shall be called to determine whether the Airport shall continue to operate, and if not, to adopt a plan for closure and liquidation.



- a. Continued Operation Upon Dissolution. If a single member county chooses to continue operations at the Airport, all assets and liabilities of the Airport shall be transferred to that operating county, and the Commission shall be dissolved. Each withdrawing county shall remit by December 1 all unpaid appropriations for the calendar year in which dissolution occurs. Each withdrawing county also shall remain liable for any appropriation obligation incurred prior to withdrawal for future Airport projects but only for the amount obligated as of July 1. The operating county shall assume liability for all state or federal funds previously spent or committed to the Airport.
- b. Closure of Airport. In the event the decision is made to close the Airport, notice shall be given to all tenants of the Airport in accordance with the terms of their lease agreements. Upon closure, the assets of the Airport shall first be used for the payment of debts and obligations of the Airport. Remaining assets, if any, shall be distributed to the then-existing member counties of the Airport in ratio to past contributions by each member. Unless otherwise agreed upon or dictated by contract, member counties at the time of dissolution shall share equally all outstanding liability for state or federal funds previously spent or committed to the Airport on a cost-share basis.

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

#### SECTION IX - SUPERSEDING EFFECT

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

#### SECTION X - SEVERABILITY

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

#### SECTION XI - EFFECTIVE DATE

This Ordinance shall be effective immediately upon the adoption of an identical Ordinance by the County Board of Sauk and Iowa County.

Dated: August 20, 2019  
Passed: August 20, 2019  
Published: August 29, 2019

ORDINANCE OFFERED BY THE COUNTY BOARD  
SUPERVISOR MEMBER OF THE TRI-COUNTY  
AIRPORT COMMISSION

Jeanetta Kirkpatrick, Chairman  
Richland County Board of Supervisors

FOR AGAINST

Buford E. Marshall. Jr. X

ATTEST:  
Victor V. Vlasak  
Richland County Clerk

**ORDINANCE NO. 2024-\_\_**

**Ordinance Amendment to remove Iowa County from the Tri-County  
~~Airport~~Airport.**

**Ordinance Amendment offered by Tri-County ~~Airport~~Airport Commission**

**BACKGROUND:** The Tri-County ~~Airport~~Airport, located in Spring Green, has historically been owned and operated by Sauk, Iowa and Richland Counties. Iowa County has withdrawn from support and operation of the Tri-County ~~Airport~~Airport. The ordinances that govern the operation of the ~~airport~~Airport need to be amended to reflect the withdrawal of Iowa County. The changes set forth below have been approved by the Federal Aviation Administration and the Wisconsin Bureau of Aeronautics as part of the process to remove Iowa County from any State and Federal obligations to the Tri County ~~Airport~~Airport.

**NOW, THEREFORE, THE RICHLAND COUNTY BOARD OF  
SUPERVISORS DOES ORDAIN AS FOLLOWS:**

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. The Ordinance Establishing ~~Airport~~Airport Operation Policies and Land Use within the Boundaries of the Tri-County ~~Airport~~Airport, passed by the Richland County Board of Supervisors on August 20, 2019, and which specifically supersedes all other authorities with respect to the matters addressed, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

**The Preamble** shall be amended to read:

“Pursuant to Wis. Stats. §§ 114.11 through 114.151, this ordinance is for the purpose of establishing ~~airport~~Airport operation policies and land use within the boundaries of the Tri-County ~~Airport~~Airport.”

**SECTION I – DEFINITIONS AND USES OF WORDS AND PHRASES**

For the purposes of this ordinance, certain words and terms are used as follows:

- (1) Words used in the present tense include the future.
- (2) Words in the singular include the plural.
- (3) Words in the plural include the singular.
- (4) The word "shall" is mandatory and not permissive.

For the purposes of this ordinance, certain words and terms are defined as follows:



~~Airport~~Airport means the Tri-County ~~Airport~~Airport located at E2525 County Road JJ, Spring Green, Wisconsin 53588.

~~Commission~~ means the Tri-County ~~Airport~~Airport Commission as established by the ~~owner~~Owner, under Wis. Stats. § 114.14, which has jurisdiction for the construction, improvement, equipment, maintenance, and operation of the ~~airport~~Airport as set forth in Section 6.024.

~~Corporate hangar~~ means a building housing one or more aircraft for the personal or business use of the hangar ~~owner~~Owner or lessee, and wherein no commercial activities are allowed.

~~Fixed-base operator~~ means any person, firm, corporation, or association conducting any aeronautical business on the ~~airport~~Airport.

~~Hangar~~ means a building designed or used primarily for the housing or storage of aircraft.

~~Manager~~ means the person employed by the Commission as set forth in Section 6.024.

~~Multiple t-hangar~~ means a building composed of partitioned, nested units designed to house no more than one aircraft in each unit and having single door openings for each unit.

~~Owner~~Owner means Sauk, ~~Iowa~~, and Richland Counties.

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## **SECTION II – LAND USE**

In order to regulate the development and use of the ~~airport~~Airport, the ~~airport~~Airport shall keep and update an ~~Airport~~Airport Layout Plan, as required.

## **SECTION III - ~~AIRPORT~~AIRPORT COMMISSION AND MANAGER**

### **(1) Commission organization.**

- (a) The Tri-County ~~Airport~~Airport Commission shall consist of seven members, six of whom shall be supervisors appointed by the chairperson of the Sauk, ~~Iowa~~, and Richland County Boards ~~(two from each county)~~ four from Sauk County and two from Richland County, subject to approval of the respective county boards. The seventh member shall be a regular ~~airport~~Airport user when appointed.
- (b) The terms of the county board supervisor members shall be determined by the county boards appointing each member. Upon approval of the Commission and the county boards of the ~~Owner~~Owner, the ~~airport~~Airport user Commission member shall serve a term of three (3) years.
- (c) The compensation of the county board supervisor members shall be determined by the county boards appointing each member.
- (d) The Commission shall elect one supervisor member to serve as chairperson and one supervisor member to serve as secretary. The secretary shall keep an accurate record of all Commission proceedings and transactions and shall provide minutes detailing those proceedings and transactions to the Sauk, ~~Iowa~~, and Richland County Clerks.

- (e) ~~Commission member votes shall be weighted as follows: Sauk County — 24.5 percent each, Iowa County — 212.5 percent each, Richland County — 212.5 percent each and airportAirport user one percent.~~
- (f) ~~e~~ The airportAirport user Commission member, subject to Commission guidance, shall actively promote and support the airportAirport and communicate airportAirport information with and from current and potential airportAirport users and others.
- (2) *Commission authority and duties.* Subject to the limitations in SubSection (3) ~~6.023(3)~~ below:
- (a) The Commission shall have jurisdiction for the construction, improvement, equipment, maintenance, and operation of the airportAirport.
  - (b) The Commission shall recommend regulations and fees or charges for the use of the airportAirport consistent with this ordinance. Such regulations, fees, and charges will be effective when approved by the Qowner.
  - (c) Sauk County shall hire a Tri-County AirportAirport Manager for the airportAirport and set the compensation, benefits, expense reimbursements to be paid. The AirportAirport Manager shall be a Sauk County employee. Sauk County, with assistance of the Commission, shall establish performance review standards for the AirportAirport Manager and Sauk County shall conduct annual performance reviews of the Manager with input from the Commission. The Commission shall reimburse Sauk County for the salary, employee benefits, and expenses paid by Sauk County to or on behalf of the Manager.
  - (d) The Commission may hire and fix the compensation of independent contractors as necessary, including an independent contractor to perform essential airportAirport management functions during a temporary absence of the AirportAirport Manager.
  - (e) The Commission may contract with the United States, State of Wisconsin or other governmental and non-governmental entities when necessary to fulfill its responsibilities for the construction, improvement, equipment, maintenance, or operation of the airportAirport.
  - (f) The Commission, subject to approval of ownerOwner, may contract with private parties for a term not to exceed five years for the operation of the airportAirport, including all necessary arrangements for the improvement, equipment, and successful operation of the airportAirport.
  - (g) The Commission shall procure and maintain in full force and effect insurance in forms and levels sufficient to protect the ownerOwner, the Commission, individual members of the Commission, airportAirport employees and the airportAirport from any liability arising from the operation of the airportAirport.
  - (h) The Commission shall, in cooperation with the Sauk County Accounting Department, establish an airportAirport accounting system of sufficient detail to enable the Commission to accurately recommend rates and charges, eliminate inefficient operation and maintenance practices, and accomplish sound financial planning.

- (i) The Commission shall, in cooperation with the manager and Sauk County Accounting Department, prepare and submit an annual report to the ~~owner~~Owner. The report shall include current information on aircraft operations, based aircraft, ~~airport~~Airport expenditures and revenues, along with comparative figures for the past year, and projects for the coming year, and include other information deemed pertinent.
  - (j) The Commission shall prepare and submit to the ~~owner~~Owner an annual budget setting forth anticipated revenues and expenditures, including capital improvements.
  - (k) The Commission shall prepare and submit for adoption by the ~~owner~~Owner an ordinance establishing minimum requirements for the conduct of aeronautical services on the ~~airport~~Airport and an ordinance regulating vehicle and pedestrian traffic on the ~~airport~~Airport. Current and future ordinances submitted by the Commission and approved by the ~~owner~~Owner are incorporated by reference and shall be deemed part of this Agreement as if set forth fully herein.
  - (l) The Commission shall approve and utilize standard leases and agreements for the various types of ~~airport~~Airport activities and land uses authorized in this ordinance.
  - (m) The Commission shall make studies and conduct surveys as appropriate to assist in improving the operation of the ~~airport~~Airport. It shall cooperate with the Wisconsin Bureau of Aeronautics and the Federal Aviation Administration in ~~airport~~Airport and system planning functions and other activities.
  - (n) The Commission shall cooperate with, and receive the cooperation of, all departments of the ~~owner~~Owner providing services or assistance to the ~~airport~~Airport.
  - (o) The Sauk County Corporation Counsel shall serve as legal counsel for the Commission. The Commission may engage other non-legal professional services when necessary for the ~~airport~~Airport.
- (3) *Limitations on Commission authority.* The exercise of authority by the Commission under ~~SubS~~section 6.024(2) above shall be subject to all of the following conditions:
- (a) The Commission shall preserve public access and use of the ~~airport~~Airport and the public may in no case be deprived of equal and uniform use of the ~~airport~~Airport.
  - (b) The Commission is not a subunit of ~~O~~owner and no act, contract, lease, or any activity of the Commission shall be or become binding on or deemed an act of ~~O~~owner unless specifically authorized by ~~owner~~Owner, and then only to the extent specifically authorized.
  - (c) The Commission is a governmental body. The Commission and its members shall comply with all laws applicable to governmental bodies and public officials. No member of the Commission may vote on the question of his or her selection as manager nor on any question as to his or her compensation.
- (4) *Manager authority and duties.* The ~~Airport~~Airport Manager shall have the following authority and duties:

- (a) The manager, under the supervision of the Commission, shall have the duty of administering and enforcing all ~~airport~~Airport ordinances, leases and agreements, and rules and regulations. The manager shall have authority to sign leases and other documents that have been approved by the Commission.
- (b) The manager, under the supervision of the Commission, shall be responsible for day-to-day operations at the ~~airport~~Airport and shall have the authority to make Commission-budgeted expenditures of \$10,000.00 or less per item without further pre-authorization by the Commission.
- (c) The manager shall meet with the Commission at the ~~airport~~Airport at least once each calendar quarter to inspect the ~~airport~~Airport facilities, review ~~airport~~Airport operations and financial matters, and discuss proposed ~~airport~~Airport development and other business.
- (d) The manager shall provide a written report to the Sauk, ~~Iowa~~, and Richland County Boards on no less than a quarterly basis.
- (e) The manager shall, in cooperation with the Commission and the Sauk County ~~Finance~~ Accounting Department, prepare and submit an annual report to the ~~owner~~Owner. The report shall include current information on aircraft operations, based aircraft, ~~airport~~Airport expenditures and revenues, along with comparative figures for the past year, and projects for the coming year, and include other information deemed pertinent.
- (f) The Manager shall have such other duties and responsibilities as may be specified in the ~~Airport~~Airport Manager job description.

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**Sec. 6.025. ECTION IV – ~~Operation policies.~~ AIRPORT OPERATION POLICIES**

The ~~Tri-County~~ ~~Airport~~Airport Commission, in carrying out its duties and responsibilities, shall adhere to the following policies:

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

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Commission; Wisconsin Department of Industry, Labor, and Human Relations; Wisconsin Bureau of Aeronautics; and the Federal Aviation Administration.

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

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**Sec. 6.026. Ownership and funding. ECTION V – AIRPORT OWNERSHIP AND FUNDING**

- (1) ~~Airport~~Airport ~~owner~~Ownership. Subject to all other provisions pertaining to ~~owner~~Ownership interests contained within this section and Section ~~6.028 VII~~, ~~owner~~Ownership interest in all ~~airport~~Airport assets shall be apportioned between the member counties as follows: Sauk County — ~~49 65~~ percent, ~~Iowa County — 25.5 percent~~, and Richland County — ~~25.5 35~~ percent.
- (2) ~~Airport~~Airport funding.
  - (a) *County appropriations.* All moneys appropriated for the construction, improvement, equipment, maintenance, or operation of the ~~airport~~Airport as managed by the Commission, or earned by the ~~A~~airport or made available for its construction, improvement, equipment, maintenance, or operation in any manner whatsoever, shall be deposited with the Treasurer of Sauk County, where it shall be kept in a special fund and paid out only on order of the Commission, drawn and signed by the secretary and countersigned by the chairperson of the Commission.
    1. *Annual operating expenses.* The county board of each county ~~owner~~Owner shall appropriate on an annual basis the monetary amount requested by the Commission for annual operating expenses in the upcoming year in the following proportions: Sauk County — ~~49 65~~ percent, ~~Iowa County — 25.5 percent~~, and Richland County — ~~25.5 35~~ percent.
    2. *Capital expenditures.* In addition to the appropriation for annual operating expenses, the county board of each member county shall appropriate on an annual basis ~~the an~~ amount designated by the Commission to be set aside in for addition to the an ~~airport~~Airport capital expenditures account in the upcoming year in the following proportions: Sauk County — ~~49 70~~ percent, ~~Iowa County — 25.5 percent~~, and Richland County — ~~25.5 30~~ percent, which shall be reserved for future maintenance and construction projects exceeding \$5,000.00 in total cost and with a life expectancy of not less than five ~~(5)~~ years.

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- (b) Any private monetary contributions to the ~~airport~~Airport shall be applied to the ~~airport~~Airport capital expenditures account unless otherwise specifically designated by the contributor at the time the contribution is made.
- (c) *Failure to fund.* Failure of a county ~~owner~~Owner to fully fund the ~~airport~~Airport as required by paragraph (a)~~1~~ of this section shall be deemed a material breach of a member county's financial obligations to the ~~airport~~Airport. Upon such a breach, the non-breaching counties may, by resolution passed by the county boards of both non-breaching counties, expel the breaching member county from the ~~airport~~Airport. In the event of expulsion, the expelled county's assets in the ~~airport~~Airport shall be forfeited in equal shares to the remaining member counties. ~~The remaining member counties shall assume liability for all state or federal funds previously spent or committed to the Airport on a cost share basis.~~ The expelled member county shall remain liable for all state or federal funds previously spent or committed to the ~~airport~~Airport on a cost-share basis.

~~Sec. 6.027. Cooperation.~~**SECTION VI - COOPERATION**

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

~~Sec. 6.028. Notices.~~**SECTION VII - NOTICES**

The county clerks of the ~~owner~~Owner counties shall be the designated points of contact for any written notices or reports required under this ordinance.

~~Sec. 6.029. Withdrawal and dissolution.~~**SECTION VIII – WITHDRAWAL AND DISSOLUTION**

- (1) *Withdrawal.*
  - (a) *Authority for withdrawal.* As permitted by Wis. Stats. § 114.151, the county board of any participating member county of the ~~airport~~Airport may by resolution withdraw from and relinquish its interest in the joint operation and control of the ~~airport~~Airport.
  - (b) *Procedure for withdrawal.* If a member county wishes to withdraw from the ~~airport~~Airport, it shall provide written notice to each member county of its intent to do so by no later than July 1. Upon receipt of this notice, the other member counties will have 60 days in which to file a corresponding notice of intent to withdraw from the ~~airport~~Airport. Any withdrawal must be formalized by action of the withdrawing county's board by no later than October 1 in the calendar year notice of intent to withdraw is given, and the withdrawal shall have an effective date of January 1 of the next calendar year.
  - (c) *Rights and liabilities upon withdrawal.* A withdrawing county shall remit by December 1 all unpaid appropriations for the calendar year in which notice of

intent to withdraw is given. A withdrawing county shall remain liable for and shall remit timely payment of any appropriation obligation incurred prior to withdrawal for future ~~airport~~Airport projects but only for the amount obligated as of July 1. A withdrawing county shall relinquish all current and future interests in and claims related to the ~~airport~~Airport. The remaining member counties shall assume liability for all state or federal funds previously spent or committed to the ~~airport~~Airport on a cost-share basis.

- (d) *Continued operations.* In the event of withdrawal by a member county, membership of the withdrawing county on the Commission shall cease on the effective date of withdrawal. The ~~airport~~Airport shall not be dissolved upon the withdrawal of a single member county but shall continue to operate in accordance with the provisions of the ~~Airport~~Airport Operation Ordinance and any other ordinances adopted by the ~~owner~~Owner pertaining to operations at the ~~airport~~Airport, which shall be subject to revision, as necessary, with approval of the county boards of the remaining members of the ~~airport~~Airport.

(2) *Dissolution.*

- (a) *Procedure for dissolution.* The ~~airport~~Airport and Commission may be dissolved upon mutual agreement and resolution by the county board of all members of the ~~airport~~Airport or if the county boards of ~~at least two~~ either member counties resolve to withdraw from and relinquish their interest in the joint operation and control of the ~~airport~~Airport.
- (b) *Action upon dissolution.* Upon action triggering dissolution of the ~~airport~~Airport, a meeting of the Commission or its remaining members shall be called to determine whether the ~~airport~~Airport shall continue to operate, and if not, to adopt a plan for closure and liquidation.
1. *Continued operation upon dissolution.* If a single member county chooses to continue operations at the ~~airport~~Airport, all assets and liabilities of the ~~airport~~Airport shall be transferred to that operating county, and the Commission shall be dissolved. Each withdrawing county shall remit by December 1 all unpaid appropriations for the calendar year in which dissolution occurs. Each withdrawing county also shall remain liable for any appropriation obligation incurred prior to withdrawal for future ~~airport~~Airport projects but only for the amount obligated as of July 1. The operating county shall assume liability for all state or federal funds previously spent or committed to the ~~airport~~Airport.
  2. *Closure of ~~airport~~Airport.* In the event the decision is made to close the ~~airport~~Airport, notice shall be given to all tenants of the ~~airport~~Airport in accordance with the terms of their lease agreements. Upon closure, the assets of the ~~airport~~Airport shall first be used for the payment of debts and obligations of the ~~airport~~Airport. Remaining assets, if any, shall be distributed to the then-existing member counties of the ~~airport~~Airport in ratio to past contributions by each member. Unless otherwise agreed upon or dictated by contract, member counties at the time of dissolution shall share equally all outstanding liability for state or federal funds spent or committed to the ~~airport~~Airport prior to July 1, 2019 on a cost-share basis.

Unless otherwise agreed upon or dictated by contract, member counties at the time of dissolution shall share all outstanding liability for state or federal funds previously spent or committed to the ~~airport~~Airport after June 30, 2019 on a cost-share basis in the following proportions: Sauk County — ~~49~~ 65 percent, Iowa — ~~25.5~~ percent, and Richland County — ~~25.5~~ 35 percent.

- (3) *Cooperation required.* In the event of withdrawal from or dissolution of the ~~airport~~Airport, all member counties agree to cooperate in the drafting and execution of any documentation necessary to effectuate the withdrawal or dissolution.

~~Sec. 6.030. Superseding effect.~~ **SECTION IX – SUPERSEDING EFFECT**

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

~~Sec. 6.031. Severability.~~ **SECTION X - SEVERABILITY**

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

**SECTION XI – EFFECTIVE DATE**

This Ordinance shall be effective immediately upon the adoption of an identical Ordinance by the County Board of Sauk and Iowa County.

Approved for presentation to the County Board by the Tri County ~~Airport~~Airport Commission this \_\_\_\_ day of \_\_\_\_\_, 2024.

Consent Agenda Item: [ ☐ ] YES [ ☒ ] NO

Fiscal Impact: [ ☐ ] None [ ☐ ] Budgeted Expenditure [ ☐ ] Not Budgeted

Vote Required: Majority = X 2/3 Majority = \_\_\_\_\_ ¾ Majority = \_\_\_\_\_

The County Board has the legal authority to adopt: Yes X No \_\_\_\_\_ as reviewed by the Corporation Counsel, \_\_\_\_\_, Date: \_\_\_\_\_.

Offered and passage moved by:

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\_\_\_\_\_ ☐ Aye   ☐ Nay   ☐ Abstain   ☐ Absent  
Dennis Polivka

\_\_\_\_\_ ☐ Aye   ☐ Nay   ☐ Abstain   ☐ Absent  
Gaile Burchill

\_\_\_\_\_ ☐ Aye   ☐ Nay   ☐ Abstain   ☐ Absent  
Steve Williamson

\_\_\_\_\_ ☐ Aye   ☐ Nay   ☐ Abstain   ☐ Absent  
Marty Brewer

\_\_\_\_\_ ☐ Aye   ☐ Nay   ☐ Abstain   ☐ Absent  
Richard Valtierra

Fiscal Note:

MIS Note:



No. 1 (also known as Amendment No. 1 to the Richland County Comprehensive Zoning Ordinance No. 3), which was adopted on March 19, 1985, are hereby amended as follows:

That the following-described real estate in the Town of Eagle consisting of 5.98 acres is hereby rezoned from the General Agricultural and Forestry District to the Agricultural and Residential District:

The following-described real estate situated in Richland County, State of Wisconsin:

PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWN 9 NORTH, RANGE 1 EAST, TOWN OF ORION, RICHLAND COUNTY, WISCONSIN, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 1, T9N, R1E, THENCE N00°00'49"E ON THE EAST LINE OF THE NORTHEAST QUARTER, 520.24'; THENCE N90°00'00"W, 320.82' TO THE POINT OF BEGINNING; THENCE S48°30'43"W, 156.86'; THENCE S48°39'39"W, 311.55'; THENCE S60°28'00"W, 60.56'; THENCE N80°58'01"W, 31.20'; THENCE S54°25'19"W, 175.56' TO A POINT ON THE NORTHERLY RIGHT-OF-WAY USH 14; THENCE CONTINUING ON THE NORTHERLY RIGHT-OF-WAY N44°12'44"W, 71.44'; THENCE N47°30'11"W, 125.28'; THENCE N56°01'53"W, 101.12'; THENCE N47°30'11"W, 199.86'; THENCE N33°45'57"W, 174.17'; THENCE N00°29'28"W, 75.33' TO THE LAST POINT ON THE NORTHERLY RIGHT-OF-WAY OF USH 14; THENCE N51°52'00"E, 167.90'; THENCE S45°58'12"E, 483.13'; THENCE N74°40'18"E, 77.48'; THENCE N55°10'46"E, 239.50'; THENCE S 69°56'10"E, 150.34'; THENCE S 63°42'09"E, 80.30'; THENCE S32°56'10"E, 17.51' TO THE POINT OF BEGINNING, and

3. This Ordinance shall be effective on December 9, 2014.

Dated: December 9, 2014

Passed: December 9, 2014

Published: December 25, 2014

ORDINANCE OFFERED BY THE ZONING AND  
LAND INFORMATION COMMITTEE

	FOR	AGAINST
Jeanetta Kirkpatrick, Chairman		
Richland County Board of Supervisors	Virginia Wiedenfeld	X
	James Lewis	X
ATTEST:	Richard Rasmussen	X
Victor V. Vlasak	Gaylord L. Deets	X
Richland County Clerk	Larry Sebranek	X
	Marilyn Marshall	X
	Gary A. Peters	X

Resolution No. 14-149 Making Changes In How Ambulance Service Is Provided By The County was read by County Clerk Vlasak. Motion by Turk, second by Van Vliet that Resolution No. 14-149 be adopted. Motion by Clary, second by Van Vliet that the resolution be amended to state that members of the Joint Ambulance Committee shall be paid mileage and per diem for attendance at "committee" meetings. Motion carried. Motion carried and resolution, as amended, declared adopted.

#### **RESOLUTION NO. 14 – 149 (Amended)**

A Resolution Making Changes In How Ambulance Service Is Provided By The County.

WHEREAS the County Ambulance Service currently provides ambulance service to 13 towns, 2 villages, and the City of Richland Center and much study and many meetings have taken place with these municipal units as to how the County will provide ambulance service in the future, and

WHEREAS the Rules and Resolutions Committee is now presenting a Resolution to the County Board providing for significant interim changes in the way the County will provide 911 advance emergency medical technician-level service for 2015, with the anticipation that permanent changes will be accomplished by the end of 2015.

NOW, THEREFORE, BE IT RESOLVED by the Richland County Board of Supervisors that there is created a 19-member Joint Ambulance Committee whose members shall consist of the following:

1. One member from each of the 13 towns to which the County provides ambulance service to any of its citizens;
2. One member from each of the Villages of Boaz and Yuba;
3. One member of the City Council of the City of Richland Center and the Mayor;
4. Two County Board Supervisors, and

BE IT FURTHER RESOLVED that the County Board shall approve the appointment of all members to the Joint Ambulance Committee after receiving nominations from each participating municipal unit and members of the Committee shall be paid the same mileage and per diem paid to County Board Supervisors for attendance at committee meetings, and

BE IT FURTHER RESOLVED that a non-lapsing fund entitled the Ambulance Service Fund is created into which all funds received from the participating municipalities for ambulance service shall be deposited and all expenditures from this Fund shall be approved by the Joint Ambulance Committee, excluding the payment of member's per diem and mileage for attendance at meetings of the Joint Ambulance Committee, and

BE IT FURTHER RESOLVED that approval is granted for the County to enter into such contract with each participating municipal unit as is approved by the Joint Ambulance Committee and the County Clerk is hereby authorized to sign such contracts on behalf of the County, and

BE IT FURTHER RESOLVED that the Committee Structure Resolution is hereby amended as follows:

1. Delete paragraph F under the heading "EMERGENCY MANAGEMENT COMMITTEE" in which the following is stated "Supervise the operation of the County Ambulance Service";
2. Add the following after the material for "HOUSING AUTHORITY":

#### JOINT AMBULANCE COMMITTEE

1. 19 members, consisting of 1 from each of the 13 participating towns, 1 each from the Village of Boaz and the Village of Yuba, 1 from the City Council of the City of Richland Center and the Mayor and 2 County Board Supervisors;
2. Supervise the operation of the County Ambulance Service, and



BE IT FURTHER RESOLVED that 4 full-time advanced emergency medical technician positions are created in the County Ambulance Service Department at a Grade 7 in the County's Job Classification and Salary Plan (probationary rate: \$10.92 per hour/after probation rate: \$11.42 per hour) and the job description for these positions which is on file in the County Clerk's office is approved, and

BE IT FURTHER RESOLVED that this Resolution shall be effective on January 1, 2015.

RESOLUTION OFFERED BY THE RULES AND  
RESOLUTIONS COMMITTEE AND ETHICS BOARD

FOR AGAINST

Fred Clary	X
David J. Turk	X
Richard Rasmussen	X
Lewis G. Van Vliet	X

Resolution No. 14-150 Relating To Richland County's Participation In A State Program Providing Specialized Transportation Assistance was presented to the Board. Motion by Seep, second by Wiedenfeld that Resolution No. 14-150 be adopted. Motion carried and resolution declared adopted.

**RESOLUTION NO. 14 - 150**

A Resolution Relating To Richland County's Participation In A State Program Providing Specialized Transportation Assistance.

WHEREAS Wisconsin Statutes, section 85.21 authorizes the Wisconsin Department of Transportation to make grants to the counties of Wisconsin for the purpose of assisting them in providing specialized transportation services to the elderly and the disabled, and

WHEREAS each grant must be matched with a local share of not less than 20% of the amount of the grant and the Wisconsin Department of Transportation has allocated \$68,117 to Richland County for this program for 2015, so that, with an approximately 23% (\$15,711.17) matching contribution to be paid by Richland County for 2015, the total would be \$83,828.17, and

WHEREAS the County Board considers that the provision of specialized transportation services would improve the maintenance of human dignity and self-sufficiency of the elderly and the disabled.

NOW, THEREFORE, BE IT RESOLVED by the Richland County Board of Supervisors that the Richland County Department of Health and Human Services and its Director are hereby authorized to prepare and submit to the Wisconsin Department of Transportation an application for assistance during 2015 under Wisconsin Statutes, section 85.21 in accordance with the requirements issued by that Department and the County Board also authorizes the obligation of County funds in the amount needed in order to provide the required local match, and

BE IT FURTHER RESOLVED that a sum of not less than \$15,711.17 of the amount budgeted for transportation funds for the Department of Health and Human Services, Transportation Account in the 2015 Richland County budget shall be used as the approximately 23% matching County cost share portion of this program for specialized transportation assistance, which County contribution will enable Richland County to