



July 28, 2014 – Walworth County Board of Supervisors
Special County Board Meeting

**Report of the County Clerk Regarding
Communications Received After the Agenda Mailing**

The following items were placed on Supervisors' desks and are attached to this cover sheet:

County Clerk

Kimberly S. Bushey
County Clerk

- Ordinance No. 875-07/14 – Amending Sections 74-131, 74-166, 74-174, 74-187, 74-218, 74-222, 74-248, 74-250, 74-259, 74-263 and 74-264 of the Walworth County Code of Ordinances Relating to Shoreland/Floodplain Ordinance – *Vote Required: Majority* (Recommended by the County Zoning Agency 7-0)
- Resolution No. 21-07/14 – Adopting Pay Ranges for CDEB Professional Employees for the 2014-2015 School Year – *Vote Required: Majority* (Recommended by the Human Resources Committee 5-0)
- Resolution No. 22-07/14 – Approving an Intergovernmental Agreement for Joint Dam Operation by and between Walworth County and the Lake Beulah Management District – *Vote Required: Majority* (The Public Works Committee will consider this item at a special meeting immediately prior to the July 28, 2014 Special County Board Meeting)
- *Walworth County Aging & Disability Resource Center News*, August 2014 – To be placed on file

These items were received after the agenda mailing before the meeting. Other items that were placed on the Supervisors' desks at the meeting are not included on this report. Please contact the County Clerk's office for information regarding those items.

ORDINANCE NO. 875 – 07/14

AMENDING SECTIONS 74-131, 74-166, 74-174, 74-187, 74-218, 74-222, 74-248,
74-250, 74-259, 74-263 and 74-264 OF THE
WALWORTH COUNTY CODE OF ORDINANCES RELATING TO
SHORELAND/FLOODPLAIN ORDINANCE

THE WALWORTH COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS
FOLLOWS:

1 PART I: That section 74-131 of the Walworth County Code of Ordinances is hereby amended
2 to read as follows (additions are underlined; deletions are shown in strike-through text):
3

4 “Sec. 74-131. Definitions
5

6 ...
7

8 *A zones:* Areas of potential flooding shown on a county's "flood insurance rate map" or "flood
9 hazard boundary map" which would be inundated by the regional flood as defined herein. These
10 areas may be numbered as ~~A0, A1 to A99~~, or be unnumbered A zones. The A zones may or may not
11 be reflective of flood profiles, depending on the availability of data for a given area.
12

12 ...

13 AH Zone – see area of shallow flooding

14 ...

15 AO Zone – see area of shallow flooding
16

17 Area of shallow flooding: A designated AO , AH , AR/AO, AR/AH, or VO zone on a community's
18 Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an
19 average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of
20 flooding is unpredictable, and where velocity flood may be evident. Such flooding is characterized
21 by ponding or sheet flow.
22

22 ...

23 *Development:* Any man-made change to improved or unimproved real estate, including but not
24 limited to construction of or additions or substantial improvements or repairs to buildings, other
25 structures, or accessory uses, subdivision layout and site plan preparation, storage of material or
26 equipment, mining, dredging, filling, grading, paving, excavation or drilling operations, or
27 disposition of materials; and the installation, repair or removal of public or private sewage disposal
28 systems or water supply facilities.
29

29 ...

30 Flood Storage District: That area of the floodplain where storage of floodwaters is calculated to
31 reduce the regional flood discharge. The district protects the flood storage areas and assures that any
32 development in the storage areas will not decrease the effective flood storage capacity which would
33 cause higher flood elevations.
34

34 ...

35 *Floodplain:* Land which has been or may be covered by flood water during the regional flood. It
36 includes the floodway, ~~and the floodfringe,~~ flood storage, shallow depth flooding and coastal
37 floodplain areas, and may include other designated floodplain areas for regulatory purposes
38

38 ...

39 ~~Floodway:~~ ~~Those floodlands, including the channel, required to carry and discharge the 100-year~~
40 ~~recurrence interval flood. Since development and fill are prohibited in the floodplain under the~~
41 ~~terms of this ordinance, the floodway is defined as that area subject to inundation by the ten-year~~

1 recurrence interval flood. The channel of a river or stream and those portions of the floodplain
2 adjoining the channel required to carry the regional flood discharge.

3 ...

4 Habitable structure: Any legal structure, or portion thereof, designed, used, intended and fit for
5 human habitation per Wis Statute 66.0413

6 ...

7 High flood damage potential: Potential damage as a result of flooding that is associated with any
8 danger to life or health or any significant economic loss to a structure or building and its contents.

9 ...

10 Increase in Regional Flood Height: A calculated upward rise in the regional flood elevation greater
11 than 0.00 foot, based on a comparison of existing conditions and proposed conditions which is
12 directly attributable to development in the floodplain but not attributable to manipulation of
13 mathematical variables such as roughness factors, expansion and contraction coefficients and
14 discharge.

15 ...

16 Maintenance: The act or process of restoring to original soundness, including redecorating,
17 refinishing, nonstructural repairs, or the replacement of existing fixtures, systems or equipment with
18 the equivalent fixtures, systems or structures.

19 ...

20 Nonconforming structure: Any lawful structure, by virtue of the use to which it is put, which does
21 not comply with the use provisions of this ordinance for the district in which it is located, such as but
22 not limited to, structures in the floodplain, wetland, right of way, or those structures lying on or
23 across a parcel line.

24 ...

25 Obstruction of flow: Any development which physically blocks the conveyance of flood waters such
26 that this development by itself or in conjunction with any future similar development will cause an
27 increase in regional flood height.

28 ...

29 Substantial damage: Damage of any origin sustained by a structure, whereby the cost of restoring
30 the structure to its pre-damaged condition would equal or exceed 50 percent of the equalized
31 assessed value of the structure before the damage occurred.

32 ...

33 Substantial improvement: Any repair, reconstruction, rehabilitation, addition or improvement of a
34 building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed value
35 of the structure before the improvement or repair is started. If the structure has sustained substantial
36 damage, any repairs are considered substantial improvement regardless of the work performed. The
37 term does not, however, include either any project for the improvement of a building required to
38 correct existing health, sanitary or safety code violations identified by the building official and that
39 are the minimum necessary to assure safe living conditions; or any alteration of a historic structure
40 provided that the alteration will not preclude the structure's continued designation as a historic
41 structure.

42 ...

43
44 **PART II: That section 74-166 of the Walworth County Code of Ordinances is hereby**
45 **amended to read as follows (additions are underlined; deletions are shown in strike-through**
46 **text):**

47
48 **“Sec. 74-166. Floodplain overlay regulations.**

- 49
50 (a) *Areas to be regulated.* This ordinance regulates all unincorporated areas that would be
51 covered by the regional flood or base flood as shown on the Flood Insurance Rate Map

1 (FIRM) or other maps approved by DNR.. Base flood elevations are derived from the
2 flood profiles in the flood insurance study (FIS) and are shown as AE, A1-30, and AH
3 Zones on the FIRM. Other regulatory zones are displayed as A and AO zones. Regional
4 flood elevations (RFE) may be derived from other studies. ~~Areas covered by the base~~
5 ~~flood are identified as A zones on the flood insurance rate map.~~ If more than one map or
6 revision is referenced, the most restrictive information shall apply.
7

8 (b) *Official maps and revisions.* The boundaries of the floodplain district are designated as
9 floodplains or as A, AE, AH, AO or A1 – 30 zones on the maps, based on the Flood
10 Insurance Study (FIS) listed below and revisions listed in section 74-264 (floodplain
11 appendix). Any change to the base flood elevations (BFE) in the flood insurance study (FIS)
12 or on the flood insurance rate map (FIRM) must be reviewed and approved by the DNR and
13 FEMA, through the letter of map change process before it is effective. No change to regional
14 flood elevations (RFE's) on non-FEMA maps shall be effective until approved by the DNR.
15 These maps and revisions are on file in the land use and resource management office,
16 Walworth County, Wisconsin. If more than one map or revision is referenced, the most
17 restrictive information shall apply.

18 (1) Walworth County Community Number 550462. Flood insurance rate map
19 (FIRM), panel numbers ~~55127C0009D~~, 55127C0009E, ~~55127C0017D~~, 55127C0017E,
20 55127C0019D, 55127C0019E, ~~55127C0028D~~, 55127C0028E, ~~55127C0029D~~,
21 55217C0029E, 55127C0033D, ~~55127C0036D~~, 55127C0036E, ~~55127C0037D~~,
22 55127C37E. ~~55127C0039D~~, 55127C0039E, 55127C0041D, 55127C0065D,
23 55127C0068D, 55127C0069D, 55127C0070D, 55127C0079D, 55127C0085D,
24 55127C0086D, 55127C0087D, 55127C0088D, 55127C0089D, 55127C0091D,
25 55127C0092D, 55127C0093D, 55127C0094D, 55127C0111D, 55127C0112D,
26 55127C0115D, 55127C0116D, 55127C0118D, ~~55127C0144D~~, 55127C0144E,
27 55127C0152D, 55127C0154D, 55127C0160D, 55127C0162D, 55127C0163D,
28 55127C0164D, 55127C0166D, 55127C0167D. 55127C0168D, 55127C0169D,
29 55127C0179D, 55127C0180D, 55127C0181D, 55127C0182D, 55127C0183D,
30 55127C0184D, 55127C0190D, 55127C0193D, 55127C0194D, 55127C0195D,
31 55127C0201D, 55127C0202D, 55127C0205D, 55127C0206D, 55127C0207D,
32 55127C0210D, 55127C0213D, 55127C0215D, 55127C0219D, 55127C0220D,
33 55127C0226D, 55127C0227D, 55127C0228D, 55127C0229D, 55127C0231D,
34 55127C0233D, 55127C0236D, 55127C0237D, 55127C0238D, 55127C0239D,
35 55127C0241D, 55127C0245D, 55127C0257E, 55127C0259E, 55127C0270E,
36 55127C0275D, 55127C0276E, 55127C0277E, 55127C0278E, 55127C0279E,
37 55127C0280D, 55127C0281D, 55127C0282D, 55127C0283E, 55127C0284E,
38 55127C0285D, 55127C0300D, 55127C0301D, 55127C0302E, 55127C0303E,
39 55127C0304E, 55127C0305D, 55127C0308D, 55127C0310D, 55127C0312D,
40 55127C0316D, 55127C0317D, 55127C0327D, 55127C0329D, 55127C0330D,
41 55127C0331D, 55127C0332D, 55127C0333D, 55127C0334D, 55127C0336D,
42 55127C0337D, 55127C0345D, 55127C0355D, 55127C0360D, 55127C0361D,
43 55127C0362D, 55127C0363D, 55127C0364D, 55127C0366D, 55127C0368D,
44 55127C0385D, 55127C0425D, 55127C0460D, 55127C0477D. The above listed
45 panels with a suffix of D have an effective date of ~~dated~~ October 2, 2009 and those

1 panels listed with a suffix of E have an effective date of September 3, 2014; with
2 corresponding profiles that are based on the flood insurance study (FIS) dated October
3 2, 2009, Volume number 55127CV000A September 3, 2014, Volume number
4 55127CV000B.. Approved by DNR and FEMA.

5 (2) 100-year dam failure floodplain analysis and assignment of the hazard rating for:

6 (see 74-264 Appendix)

7 (a) the Lake Beulah Dam, Field File No. 64.05, Walworth County.

8 (b) Whitewater Lake Dam, Field File No. 64.20, Walworth County.

9 (c) Rice Lake Dam, Field File No. 64.29, Walworth County. Approved by:

10 The DNR and FEMA

11 (3) Floodplain study appendix: All DNR and FEMA approved floodplain maps, flood
12 profiles, floodway data tables, regional or base flood elevations and other information
13 located in the appendix, section 74-264 of this ordinance.

14 (4) County zoning maps described in section 74-177

15
16 (c) *Primary purpose and intent.* The floodplain overlay district is hereby created pursuant to
17 the mandates of Wisconsin Statute § 87.30 and NFIP regulations for the purpose of
18 regulating all areas that would be covered by regional flood or base flood where serious
19 flood damage may occur. The Floodplain Overlay District is one district that covers the
20 floodway, floodfringe, flood storage and general floodplain areas.

21 The purpose of these regulations is to provide for sound floodplain management by
22 preventing development and structures in the floodplain of Walworth County so as to:

23 (1) Protect life, health, safety, general welfare, and property;

24 (2) Minimize expenditures of public funds for flood control projects;

25 (3) Minimize rescue and relief efforts undertaken at the expense of the taxpayers;

26 (4) Minimize business interruptions and other economic disruptions;

27 (5) Minimize flood damage;

28 (6) Minimize the occurrence of future flood blight areas in the floodplain;

29 (7) Prevent the victimization on unwary land and homebuyers;

30 (8) Prevent increases in flood heights that could increase flood damage and result in
31 conflicts between property owners;

32 (9) Support public information in accordance with NR 116.20 (5).

33
34 (d) *Prohibited uses. (except where permitted as a conditional use)*

35 (1) Dumping;

36 (2) Filling;

37 (3) Excavating (~~except wetland restorations~~);

38 (4) Any new private sewage system or public sewage system;

39 (5) Any wastewater treatment ponds or facilities, except those permitted under s. NR
40 110.15(3)(b), Wis., Adm. Code.

41 (6) Solid or hazardous waste disposal sites;

42 (7) Wells which are used to obtain water for ultimate human consumption;

43 (8) Storage of materials which are buoyant, flammable, explosive, injurious to
44 property, water quality or human, animal, plant, fish or other aquatic life;

1 (9) All structures; including but not limited to residential, accessory, agricultural,
2 commercial, recreational, manufactured homes, retaining walls, decks, etc. which is
3 any manmade object with form, shape and utility, either permanently or temporarily
4 attached to, placed upon or set into the ground, stream bed or lake bed, including, but
5 not limited to roofed and walled buildings, gas or liquid storage tanks ~~bridges, dams~~
6 ~~and culverts~~;

7 (10) Basement of any enclosed area of a building having its floor sub-grade, i.e.,
8 below ground level, on all sides;

9 (11) Crawlways or Crawl space of an enclosed area below the first usable floor of a
10 building, generally less than five feet in height, used for access to plumbing and
11 electrical utilities;

12 (12) Additions to floodplain structures;

13 (13) Public assembly structures;

14 (14) Parking and loading areas;

15 (15) Mobile homes and mobile home parks;

16 (16) Camping units and campgrounds;

17 (17) Permanent sheltering and restricted confinement of animals;

18 (18) Mineral extraction;

19 (19) Repairs or alterations that equal or exceed 50 percent of the equalized assessed
20 value of any use shall not be permitted except as provided for in division 4 of this
21 ordinance;

22 (20) Replacement of flood damaged nonconforming structures.

23
24 (e) *Permitted uses.* The following uses are permitted uses provided they are permitted in the
25 zoning district and further provided it is not prohibited by any other ordinance. All floodplain
26 uses permitted under this section shall use, as a flood protection elevation, a height
27 corresponding to two feet above the flood profile for the particular area. No use shall obstruct
28 flow or increase regional flood height due to floodplain storage area lost.

29 (1) Functionally water-dependent uses that comply with and/or receives permit
30 approval from the department of natural resources, under chapters 30 and 31 of
31 Wisconsin Statutes, such as docks, piers, wharves, culverts, ditches, canals, dams,
32 bridges, bulkheads, navigational aids, flowage areas, river crossings of utility
33 transmission lines and pipelines, public water measuring and control facilities, utility
34 poles, towers, and underground conduit for transmitting electricity, telephone, cable
35 television, natural gas, municipal water supply and sanitary sewerage systems and
36 similar products and services, subject to obtaining amendments to the floodplain lines,
37 water surface profiles, BFE's established in the FIS, or other data from the officially
38 adopted FIRM, or other floodplain zoning maps or the floodplain zoning ordinance are
39 made according to Div. 12.

40 (2) Non-structural agricultural uses in any agricultural district such as; farming,
41 outdoor plant nurseries, horticulture, viticulture and wild crop harvesting, provided
42 there is no filling or excavating. Breakaway fencing is permitted.

43 (3) A wetland restoration or enhancement project conducted by or as part of a
44 governmental project if the sole purpose of a project is wetland restoration or
45 enhancement and the impact of the project has no (0.00) increase in the flood stage. If

1 the intent of the project is to restore a wetland area by the installation of best
2 management practices, the applicant must demonstrate that the project restores or
3 improves functional values including increasing flood and storm water storage,
4 maintaining groundwater recharge-discharge, enhanced fisheries and wildlife habitat,
5 improved filtration or storage of sediments, nutrients, and toxins, improved shoreline
6 protection against erosion, and any additional wetland functional values. A licensed
7 engineer in the State of Wisconsin shall certify the effect of a wetland project upon the
8 floodplain model or potential increase in the flood stage on neighboring property. Any
9 damages occurring from wetland restoration will be the responsibility of the
10 applicant(s). This is not a mitigation policy, allowing filling of wetlands, but a
11 restoration policy. If a wetland restoration or enhancement project will have an effect
12 upon the floodplain model or increase flooding on neighboring property then the
13 procedure for conditional use review and floodstage hydrologic analysis shall be
14 followed.

15 (4) Nonstructural recreational uses provided there is no fill, excavating, or structures,
16 such as golf courses, archery ranges, picnic grounds, parks, wildlife and nature
17 preserves, game farms, fish hatcheries, shooting, trap and skeet activities, hunting and
18 fishing areas.

19 (5) Public utilities if adequate floodproofing measures are provided to the flood
20 protection elevation and construction does not obstruct flow which would block the
21 conveyance of floodwaters by itself or with other development increasing regional
22 flood height or increase regional flood height due to floodplain storage area lost,
23 which equals or exceeds ~~0.01~~ 0.00 foot.

24 (6) Replacement sewage system, if there is no practicable alternative to locate the
25 system outside of the floodplain. Sewage systems shall comply with SPS 383
26 Wisconsin Administrative Code Comm-83 and floodproofing measures shall be
27 provided to the flood protection elevation.

28 (7) Floodplain areas may be utilized to meet required yards or open space.

29 (8) The construction, reconstruction, maintenance and repair of state highways and
30 bridges by the department of transportation is exempt when Wis. Stats. § 30.2022,
31 applies, however, the state must comply with the National Flood Insurance Program
32 regulations.

33
34 (f) *Conditional uses.* Uses not prohibited or those uses listed below are conditional uses
35 provided the use is also permitted in the zoning district and the applicant can meet the
36 requirements and conditions of 74-187

37 (1) Wetland restoration projects: The applicant must demonstrate that the project
38 restores or improves functional values, by the installation of best management
39 practices, including increasing flood and storm water storage, maintaining
40 groundwater recharge-discharge, enhanced fisheries and wildlife habitat, improved
41 filtration or storage of sediments, nutrients, and toxins, improved shoreline protection
42 against erosion and any additional wetland functional values. Any damages occurring
43 from wetland restoration will be the responsibility of the applicant(s). Legal
44 arrangements must be made with all affected landowners prior to construction by

1 applicant(s). This is not a mitigation policy, allowing filling of wetlands, but a
2 restoration policy.

3 (2) Water course alterations subject to written notification to all adjacent
4 municipalities, the department of natural resources and FEMA regional offices. The
5 applicant is further required to secure all necessary state and federal permits. The flood
6 carrying capacity of any altered or relocated watercourse shall be maintained. As soon
7 as is practicable, but not later than six months after the date of the watercourse
8 alteration or relocation and pursuant to Division 12, the applicant shall provide the
9 zoning administrator with the appropriate technical or scientific data in accordance
10 with NFIP guidelines that shall be used to revise the FIRM, risk premium rates and
11 floodplain management regulations. The applicant shall apply for a Letter of Map
12 Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved
13 by FEMA and the DNR through the LOMC process. as required. The zoning
14 administrator shall notify FEMA of such technical or scientific data.

15 (3) Maintenance of existing driveway located in the floodplain, that was legally
16 installed prior to the adoption of floodplain maps, if emergency services can be
17 provided during the regional flood.

18 (4) For nonconforming structures that are damaged or destroyed by a nonflood
19 disaster, the repair or reconstruction of any such nonconforming structure may be
20 permitted in the footprint and envelope by the committee in compliance with 74-187
21 in order to restore it after the nonflood disaster, provided that the nonconforming
22 structure will meet all the minimum requirements under applicable FEMA regulations
23 (44 CFR Part 60), or the regulations promulgated thereunder.

24 (5) Nonconforming historic structure, not designed for human habitation, on the
25 historic registry may be altered if the alteration will not preclude the structures
26 continued designation as a historic structure, if flood resistant materials are used and if
27 construction practices and floodproofing methods are used.

28 (6) Low flood hazard potential structures such as Industrial, Commercial and Park
29 loading areas, parking areas, boat ramps, and airport landing strips provided the use is
30 permitted in the zoning district, the structure has low flood damage potential, the
31 structure is associated with permanent open space uses or are functionally dependent
32 on a waterfront location and the structure will not obstruct flow or cause any increase
33 in the regional flood height, based on the officially adopted FIRM or other adopted
34 map.

35 (7) Flood Storage District development may only be permitted by the committee if
36 compatible with the Land Use Plan and the zoning district, is contiguous to other lands
37 lying outside the floodplain, streets servicing the property shall be located outside the
38 floodplain. and if an equal volume of storage, as defined by the ground surface and the
39 regional flood elevation, shall be provided in the immediate area of the proposed
40 development to compensate for the volume of storage which is lost, The development
41 shall not affect the conveyance capacity by causing an obstruction to flow or storage
42 capacity of the floodplains, such that it causes any increase in the regional flood height
43 or discharge. Excavation below the groundwater table is not considered as providing
44 an equal volume of storage. If compensatory storage cannot be provided, the area may
45 not be developed. Any structure or building used for human habitation (seasonal or
46 permanent) which is to be erected in a flood storage district which is to be erected,
47 constructed, reconstructed, structurally altered or moved into the flood storage district
48 shall be placed on fill with the finished surface of the lowest floor, excluding basement

1 or crawlway, at or above the flood protection elevation. Fill shall be at least one foot
2 above the regional flood elevation and shall extend at such elevation at least 15 feet
3 beyond the limits of any structure or building erected thereon and dryland access shall
4 be provided. If any such structure or building has a basement or crawlway, the surface
5 of the floor of the basement or crawlway shall be at or above the regional flood
6 elevation and shall be floodproofed to the flood protection elevation in accordance
7 with NR116.16. No variance may be granted to allow any floor below the regional
8 flood elevation.

9 (8) Any structure or improvement not prohibited in this floodplain overlay district are
10 conditional uses requiring review and approval by the committee.

11
12 (g) Discrepancies. Discrepancies between boundaries on the official floodplain zoning map
13 and actual field conditions shall be resolved using the criteria in sub (a) and (b) below. If a
14 significant difference exists, the map shall be amended according to Section 74-259
15 Amendments. The zoning administrator can rely on a boundary derived from a profile
16 elevation to grant or deny a zoning permit, whether or not a map amendment is required.
17 When the flood profiles are based on established base flood elevations from a FIRM, FEMA
18 must approve any map amendment or revision pursuant to Section 74-259 Amendments.

19 (1) If flood profiles exist, the map scale and the profile elevations shall determine the
20 district boundary. The regional or base flood elevations shall govern if there are
21 any discrepancies.

22 (2) Where flood profiles do not exist for projects, the location of the boundary shall
23 be determined by the map scale.

24
25 (h) All hydraulic and hydrologic studies shall be completed under the direct supervision of a
26 professional engineer registered in the State. The study contractor shall be responsible for the
27 technical adequacy of the study. All studies shall be reviewed and approved by the DNR.

28 (1) Zone A floodplains:

29 a. Hydrology

30 i. The appropriate method shall be based on the standards in ch. NR
31 116.07(3), Wis. Admin. Code, *Hydrologic Analysis: Determination of*
32 *Regional Flood Discharge.*

33 b. Hydraulic modeling

34 The regional flood elevation shall be based on the standards in ch. NR
35 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional*
36 *Flood Elevation* and the following:

37 i. determination of the required limits of the hydraulic model shall be
38 based on detailed study information for downstream structures (dam, bridge,
39 culvert) to determine adequate starting WSEL for the study.

40 ii. channel sections must be surveyed.

41 iii. minimum four foot contour data in the overbanks shall be used for
42 the development of cross section overbank and floodplain mapping.

43 iv. a maximum distance of 500 feet between cross sections is allowed
44 in developed areas with additional intermediate cross sections required at
45 transitions in channel bottom slope including a survey of the channel at each
46 location.

47 v. the most current version of HEC_RAS shall be used.

48 vi. a survey of bridge and culvert openings and the top of road is
49 required at each structure.

1 vii. additional cross sections are required at the downstream and
2 upstream limits of the proposed development and any necessary intermediate
3 locations based on the length of the reach if greater than 500 feet.

4 viii. standard accepted engineering practices shall be used when
5 assigning parameters for the base model such as flow, Manning's N values,
6 expansion and contraction coefficients or effective flow limits. The base
7 model shall be calibrated to past flooding data such as high water marks to
8 determine the reasonableness of the model results. If no historical data is
9 available, adequate justification shall be provided for any parameters outside
10 standard accepted engineering practices.

11 ix. the model must extend past the upstream limit of the difference in
12 the existing and proposed flood profiles in order to provide a tie-in to existing
13 studies. The height difference between the proposed flood profile and the
14 existing study profiles shall be no more than 0.00 feet.

15 c. Mapping

16 A work map of the reach studied shall be provided, showing all cross section
17 locations, floodway/floodplain limits based on best available topographic
18 data, geographic limits of the proposed development and whether the
19 proposed development is located in the floodway.

20 i. If the proposed development is located outside of the floodway, then
21 it is determined to have no impact on the regional flood elevation.

22 ii. If any part of the proposed development is in the floodway, it must
23 be added to the base model to show the difference between existing and
24 proposed conditions. The study must ensure that all coefficients remain the
25 same as in the existing model, unless adequate justification based on standard
26 accepted engineering practices is provided.

27 (2) Zone AE Floodplains

28 a. Hydrology

29 If the proposed hydrology will change the existing study, the appropriate
30 method to be used shall be based on ch. NR 116.07(3), Wis. Admin. Code,
31 *Hydrologic Analysis: Determination of Regional Flood Discharge.*

32 b. Hydraulic model

33 The regional flood elevation shall be based on the standards in ch. NR
34 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional*
35 *Flood Elevation* and the following:

36 i. Duplicate Effective Model

37 The effective model shall be reproduced to ensure correct transference of the
38 model data and to allow integration of the revised data to provide a
39 continuous FIS model upstream and downstream of the revised reach. If data
40 from the effective model is available, models shall be generated that duplicate
41 the FIS profiles and the elevations shown in the Floodway Data Table in the
42 FIS report to within 0.1 foot.

43 ii. Corrected Effective Model.

44 The Corrected Effective Model shall not include any man-made physical
45 changes since the effective model date, but shall import the model into the
46 most current version of HEC-RAS for Department review.

47 iii. Existing (Pre-Project Conditions) Model.

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

1 iv. Revised (Post-Project Conditions) Model.

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

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

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

15 c. Mapping

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

18 i. Consistency between the revised hydraulic models, the revised
19 floodplain and floodway delineations, the revised flood profiles, topographic
20 work map, annotated FIRMs and/or Flood Boundary Floodway Maps
21 (FBFMs), construction plans, bridge plans.

22 ii. Certified topographic map of suitable scale, contour interval, and a
23 planimetric map showing the applicable items. If a digital version of the map
24 is available, it may be submitted in order that the FIRM may be more easily
25 revised.

26 iii. Annotated FIRM panel showing the revised 1% and 0.2% annual
27 chance floodplains and floodway boundaries.

28 iv. If an annotated FIRM and/or FBFM and digital mapping data (GIS
29 or CADD) are used then all supporting documentation or metadata must be
30 included with the data submission along with the Universal Transverse
31 Mercator (UTM) projection and State Plane Coordinate System in accordance
32 with FEMA mapping specifications.

33 v. The revised floodplain boundaries shall tie into the effective
34 floodplain boundaries.

35 vi. All cross sections from the effective model shall be labeled in
36 accordance with the effective map and a cross section lookup table shall be
37 included to relate to the model input numbering scheme.

38 vii. Both the current and proposed floodways shall be shown on the
39 map.

40 viii. The stream centerline, or profile baseline used to measure stream
41 distances in the model shall be visible on the map.

42
43
44 **PART III: That section 74-174 of the Walworth County Code of Ordinances is hereby**
45 **amended to read as follows (additions are underlined; deletions are shown in strike-through**
46 **text):**

47
48 **“Sec. 74-174. Penalties.**

49
50 Any person, firm, or corporation who fails to comply with the provisions of this ordinance, except
51 floodplain, or any order of the county zoning administrator issued in accordance with this ordinance

1 shall, upon conviction thereof, forfeit not less than one hundred dollars (\$100.00) nor more than one
2 thousand dollars (\$1000.00) and costs of prosecution for each violation and in default of payment of
3 such forfeiture and costs shall be imprisoned in the county jail until payment thereof, but not
4 exceeding 30 days. Each day a violation exists or continues shall constitute a separate offense. Every
5 violation of this ordinance is a public nuisance and the creation thereof may be enjoined and the
6 maintenance thereof may be enforced pursuant to Wis. Stat. § 59.69(11).

7
8 Any person, firm, or corporation who fails to comply with the floodplain provisions of this
9 ordinance or any order of the county zoning administrator issued in accordance with this ordinance
10 shall, upon conviction thereof, forfeit not more than fifty dollars (\$50.00) and costs of prosecution
11 for each violation and in default of payment of such forfeiture and costs shall be imprisoned in the
12 county jail until payment thereof, but not exceeding 30 days. Each day a violation exists or continues
13 shall constitute a separate offense. Every violation of this ordinance is a public nuisance and the
14 creation thereof may be enjoined and the maintenance thereof may be enforced pursuant to Wis.
15 Stat. § 87.30.

16
17
18 **PART IV: That section 74-187 of the Walworth County Code of Ordinances is hereby**
19 **amended to read as follows (additions are underlined; deletions are shown in strike-through**
20 **text):**

21
22 **“Sec. 74-187. Shoreland and Floodplain uses.**

23
24 In approving or disapproving a conditional use in the floodplain, the committee shall deny any
25 permit if it is determined (Hydraulic and Hydrologic Analyses) that the proposed request will
26 obstruct flow or storage capacity of the floodplains, ~~or~~ such that it causes an increase in the
27 regional flood height 0.04 0.00 foot or more, based on the officially adopted FIRM or other adopted
28 map, whichever is more restrictive. No floodplain use shall obstruct flow, defined as use which
29 blocks the conveyance of floodwaters by itself or with other use, increasing regional flood height or
30 increase regional flood height due to floodplain storage area lost, which equals or exceeds ~~0.04~~ 0.00
31 foot. The committee shall consider the purpose and intent of this ordinance and such evidence as a
32 cross-section elevation view of the proposal, perpendicular to the watercourse, showing if the
33 proposed use will obstruct flow or any analysis calculating the effects of this proposal on regional
34 flood height. Any structure shall have their lowest floor and their heating, electrical, ventilation,
35 plumbing, air conditioning equipment and other vital utility facilities constructed at or above the
36 flood protection elevation an elevation of the 100-year recurrence interval floodplain. Certification
37 of floodproofing shall be made to the zoning administrator and shall consist of a plan or document
38 certified by a registered engineer that the floodproofing measures are consistent with the flood
39 pressures, depths, velocities, uplift and impact forces and other regional flood factors associated with
40 the 100-year recurrence interval flood.

41
42 Wetland restoration projects shall also provide evidence that no material is deposited in a navigable
43 channel unless a permit is issued by the department of natural resources pursuant to Wis. Stats. ch.
44 30, and a permit pursuant to sec. 404 of the Federal Water Pollution Control Act, Amendments of
45 1972, 33 U.S.C. 1344 has been issued, if applicable, and the other requirements of this section are
46 met. Any fill or material will be protected against erosion and shall not include any solid or
47 hazardous material. A project to restore a wetland area by the installation of best management
48 practices, the applicant must demonstrate that the project restores or improves functional values
49 including increasing flood and storm water storage, maintaining groundwater recharge-discharge,
50 enhanced fisheries and wildlife habitat, improved filtration or storage of sediments, nutrients, and
51 toxins, improved shoreline protection against erosion and any additional wetland functional values.

1 Any damages occurring from wetland restoration will be the responsibility of the applicant(s). Legal
2 arrangements must be made with all affected landowners prior to construction by applicant(s). This
3 is not a mitigation policy, allowing filling of wetlands, but a restoration policy.
4

5 Water course alterations subject to written notification to all adjacent municipalities, the Department
6 of Natural Resources and FEMA regional offices. The applicant is further required to secure all
7 necessary state and federal permits. The flood carrying capacity of any altered or relocated
8 watercourse shall be maintained. As soon as is practicable, but not later than six months after the
9 date of the watercourse alteration or relocation, and pursuant to Division 12, the applicant shall
10 provide the zoning administrator with the appropriate technical or scientific data in accordance with
11 NFIP guidelines for a Letter of Map Revision (LOMR) from FEMA. that shall be used to revise the
12 FIRM, risk premium rates and floodplain management regulations as required. The zoning
13 administrator shall notify FEMA of such technical or scientific data. Any such alternations must be
14 reviewed and approved by FEMA and the DNR through the LOMC process.
15

16 Nonconforming structures that are damaged or destroyed by a nonflood disaster shall also comply
17 with the following: limit the repair or reconstruction of any such structure to the footprint and
18 envelope of the structure. If a compliant location exists, the structure should be moved to the
19 compliant location to the greatest extent possible. The structure must not obstruct flow of flood
20 waters or cause any increase in flood levels during the occurrence of the regional flood. Contiguous
21 dryland access must be provided. The structure must be anchored to resist flotation, collapse, and
22 lateral movement. The structure shall be floodproofed, by means other than fill, to an elevation at or
23 above the 100 year recurrence interval floodplain. Floodproofing measures, by means other than
24 filling, shall be designed to withstand flood pressures, depths, velocities, uplift and impact forces
25 and other regional flood factors, protect structures to the flood protection elevation, anchor
26 structures to foundations to resist flotation and lateral movement, and insure that structural walls and
27 floors are watertight to the flood protection elevation, and the interior remains completely dry during
28 flooding without human intervention. Floodproofing measures could include reinforcing walls and
29 floors to resist rupture or collapse caused by water pressure or adding mass or weight to prevent
30 flotation, placing essential utilities above the flood protection elevation, installing surface or
31 subsurface drainage systems to relieve foundation wall and basement floor pressures, constructing
32 water supply wells and waste treatment systems to prevent the entry of flood waters, or putting
33 cutoff valves on sewer lines or eliminating gravity flow basement drains.
34

35 Nonconforming historic structure, not designed for human habitation, shall also comply with the
36 following: A non-conforming historic structure on the historic registry may be altered if the
37 alteration will not preclude the structures continued designation as a historic structure, if flood
38 resistant materials are used, if construction practices and floodproofing methods, other than filling,
39 are used. Floodproofing measures, by means other than filling, shall be designed to withstand flood
40 pressures, depths, velocities, uplift and impact forces and other regional flood factors, protect
41 structures to the flood protection elevation, anchor structures to foundations to resist flotation and
42 lateral movement, and insure that structural walls and floors are watertight to the flood protection
43 elevation, and the interior remains completely dry during flooding without human intervention.
44 Floodproofing measures could include reinforcing walls and floors to resist rupture or collapse
45 caused by water pressure or adding mass or weight to prevent flotation, placing essential utilities
46 above the flood protection elevation, installing surface or subsurface drainage systems to relieve
47 foundation wall and basement floor pressures, constructing water supply wells and waste treatment
48 systems to prevent the entry of flood waters, or putting cutoff valves on sewer lines or eliminating
49 gravity flow basement drains.
50

1 Low flood hazard potential structures such as Industrial, Commercial and Park loading areas,
2 parking areas, boat ramps, and airport landing strips provided the use is permitted in the zoning
3 district, the structure has low flood damage potential, the structure is associated with permanent
4 open space uses or are functionally dependent on a waterfront location and the structure will not
5 obstruct flow of flood waters or cause any increase in flood elevations upstream or downstream
6 based on a cross-section elevation view of the proposal, perpendicular to the watercourse, showing if
7 the proposed development will obstruct flow or an analysis calculating the effects of this proposal on
8 regional flood height.

9
10 Flood Storage District development may only be permitted by the committee if compatible with the
11 Land Use Plan and the zoning district, is contiguous to other lands lying outside the floodplain,
12 streets servicing the property shall be located outside the floodplain. and if an equal volume of
13 storage, as defined by the ground surface and the regional flood elevation, shall be provided in the
14 immediate area of the proposed development to compensate for the volume of storage which is lost.
15 The development shall not affect the conveyance capacity by causing an obstruction to flow or
16 storage capacity of the floodplains, such that it causes any increase in the regional flood height or
17 discharge. Excavation below the groundwater table is not considered as providing an equal volume
18 of storage. If compensatory storage cannot be provided, the area may not be developed. Any
19 structure or building used for human habitation (seasonal or permanent) which is to be erected in a
20 flood storage district which is to be erected, constructed, reconstructed, structurally altered or moved
21 into the flood storage district shall be placed on fill with the finished surface of the lowest floor,
22 excluding basement or crawlway, at or above the flood protection elevation. Fill shall be at least one
23 foot above the regional flood elevation and shall extend at such elevation at least 15 feet beyond the
24 limits of any structure or building erected thereon and dryland access shall be provided. If any such
25 structure or building has a basement or crawlway, the surface of the floor of the basement or
26 crawlway shall be at or above the regional flood elevation and shall be floodproofed to the flood
27 protection elevation in accordance with NR116.16. No variance may be granted to allow any floor
28 below the regional flood elevation.

29
30 Floodplain uses not prohibited in section 74-166 are conditional uses and shall also comply,
31 provided the use is also permitted in the zoning district and the use shall be floodproofed by means
32 other than filling to an elevation at or above the 100 year recurrence interval flood.

33
34 The committee shall request a review of each such floodplain use by the Wisconsin Department of
35 Natural Resources and await their recommendations before taking final action, but not to exceed 60
36 days. A copy of the committee's decision on such application shall be forwarded by the zoning
37 administrator to the department within ten days of each decision.

38
39 Shoreland special vegetation removal plan allowing greater vegetation removal than that permitted
40 for the view/access corridor in section 74-167 shall require a conditional use permit after public
41 hearing by the committee. Applicant shall include a survey of the lot providing the following
42 information: location of parking, topography of the land, existing vegetation, proposed cutting, and
43 proposed replanting. .

44
45
46 **PART V: That section 74-218 of the Walworth County Code of Ordinances is hereby**
47 **amended to read as follows (additions are underlined; deletions are shown in strike-through**
48 **text):**

49
50 **“Sec. 74-218. Existing nonconforming uses and structures.**

51

1 The lawful nonconforming use of a structure, land, or water existing at the time of the
2 adoption or amendment of this ordinance may be continued although the use does not conform with
3 the provisions of this ordinance (for floodplain nonconforming requirements see 74-222), except
4 that:

- 5 (1) Only that portion of the land or water in actual use may be so
6 continued and the nonconforming use may not be extended, enlarged,
7 substituted or moved.
8
- 9 (2) Total lifetime structural repairs or alterations to a nonconforming
10 structure shall not exceed 50 percent of the municipality's assessed
11 value of the structure over the life of the structure established upon
12 application for the first zoning permit for any addition and/or
13 alteration identifying a legal nonconforming use, unless it is
14 permanently changed to conform to the use provisions of this
15 ordinance.
16
- 17 (3) Substitution of new equipment may be permitted by the board of
18 adjustment if such equipment will reduce the incompatibility of the
19 nonconforming use or structure with the neighboring uses.
20
- 21 (4) Modifications and alterations permitted under the provisions of this
22 ordinance to nonconforming structures or floodlands shall be
23 floodproofed.
24
- 25 (5) If such nonconforming use is discontinued or terminated for a period
26 of 12 months, any future use of the structure, land or water shall
27 conform to the provisions of this ordinance.
28
- 29 (6) When a principal nonconforming structure is damaged ~~by fire,~~
30 ~~explosion, flood or other calamity~~ to the extent of more than 50
31 percent of its current assessed value, it shall not be restored except so
32 as to comply with the provisions of this ordinance or except as
33 provided in ~~section 74-198~~ section 74-187.
34
- 35 (7) Once a nonconforming use or structure has been changed or altered
36 so as to comply with the provisions of this ordinance, it shall not
37 revert back to a nonconforming use or structure. Once the board of
38 adjustment has permitted the substitution of a more restrictive
39 nonconforming use for an existing nonconforming use, the
40 substituted use shall lose its status as a legal nonconforming use and
41 become subject to all the conditions required by the board.
42
- 43 (8) A current file of all nonconforming uses and structures shall be
44 maintained by the zoning administrator listing the following:

1 Property location, use of the structure, land or water; and assessed
2 value of the structure.

- 3
4 (9) The maintenance and repair of nonconforming boathouses which are
5 located beyond the ordinary high-water mark of any navigable waters
6 shall comply with the requirements of Wis. Stats. § 30.121.
7

8
9 **PART VI: That section 74-222 of the Walworth County Code of Ordinances is hereby**
10 **amended to read as follows (additions are underlined; deletions are shown in strike-through**
11 **text):**

12
13 **“Sec. 74-222. Nonconforming structures located within the floodplain.**

14 The existing lawful use of a structure in the floodplain may continue subject to the
15 following conditions:

- 16 (1) No modifications or additions to a nonconforming use or structure shall be
17 permitted unless it complies with this ordinance. The words "modification" and
18 "addition" include, but are not limited to, any alteration, addition, modification,
19 structural repair, rebuilding or replacement of any such existing use, structure or
20 accessory structure or use.
- 21 (2) ~~Ordinary maintenance repairs are~~ is not considered an ~~extension~~, modification ~~or~~
22 ~~addition~~ and ~~may include~~ painting, decorating, paneling and the replacement of
23 ~~doors, windows~~ and other nonstructural components and the maintenance, repair
24 or replacement of existing private sewage or water supply systems or connections
25 to public utilities. ~~Ordinary maintenance and repairs are not included in the 50~~
26 ~~percent calculation.~~ Any costs associated with the repair of a damaged structure
27 are not considered maintenance.
- 28 (3) The construction of a permeable landing and stairs as the minimum relief
29 necessary, not to exceed 200 sq. ft., to provide safe ingress and egress adjacent to
30 the exterior wall of a principal structure is permitted and is not an extension,
31 modification or addition. A roof/eave, in compliance with this ordinance, may
32 extend over a portion of the landing/stairs in order to provide safe ingress and
33 egress
- 34 (4) No modification/alteration to any nonconforming structure or use, which over the
35 life of the structure would equal or exceed 50 percent of the municipality's
36 equalized assessed value of the structure established upon application for the first
37 zoning permit for any modification, alteration or repair, shall be allowed unless the
38 entire structure is permanently changed to a conforming structure in a conforming
39 location. Contiguous dryland access must be provided for residential and
40 commercial uses.
- 41 (5) No modifications or additions shall be allowed to any nonconforming structure in
42 a flood storage area unless the standards outlined in 74-166(7) and 74-187 are met.
- 43 (6) No maintenance to any nonconforming structure or any structure with a
44 nonconforming use, the cost of which would equal or exceed 50% of its present
45 equalized assessed value, shall be allowed unless the entire structure is

1 permanently changed to a conforming structure with a conforming use in
2 compliance with the applicable requirements of this ordinance. Contiguous dry
3 land access must be provided for residential and commercial uses.

- 4 (7) The zoning administrator shall keep a record of all zoning permit applications
5 establishing a record of all nonconforming structures or uses, their equalized
6 assessed value established upon application for the first zoning permit, the cost of
7 all modifications or alterations which have been permitted and the percentage in
8 relation to the 50 percent allowed.
- 9 (8) If such nonconforming structure or use is discontinued for 12 consecutive months,
10 it is no longer permitted and any future use of the property, and any structure or
11 building thereon, shall conform to the applicable requirements of this ordinance.
- 12 (9) If any nonconforming structure or use is destroyed or substantially damaged by a
13 flood disaster, it cannot be replaced, reconstructed or rebuilt unless the use and the
14 structure meet the current ordinance requirements. A structure is considered
15 substantially damaged if the total cost to restore the structure to its pre-damaged
16 condition equals or exceeds 50 percent of the structure's established equalized
17 assessed value.
- 18 (10) If on a per event basis the total value of the work being done under (4), (5),
19 and (6) equals or exceeds 50% of the present equalized assessed value the work
20 shall not be permitted unless the entire structure is permanently changed to a
21 conforming structure with a conforming use in compliance with the applicable
22 requirements of this ordinance. Contiguous dry land access must be provided for
23 residential and commercial uses.
- 24 (11) A nonconforming historic structure may be altered in accordance with section
25 74-166(f)(4) if the alteration will not preclude the structures continued designation
26 as a historic structure.

27 ~~When a legal nonconforming structure is damaged or destroyed by a flood disaster to~~
28 ~~the extent of more than 50 percent of its equalized assessed value, it shall not be restored~~
29 ~~except so as to comply with the provisions of this ordinance.~~

30 When a legal nonconforming principal structure is substantially damaged or
31 destroyed by a non-flood disaster, to the extent of more than 50 percent of its equalized
32 assessed value, the repair or reconstruction of any such principal nonconforming building
33 may be permitted in order to restore it to the size and use in effect prior to the damage event
34 it may be restored, provided the use is also permitted in the zoning district, after obtaining
35 conditional use approval from the committee. Such committee shall not be allowed to grant
36 conditional use approval if there is a code compliant location or if the restoration exceeds the
37 footprint and envelope of the damaged structure prior to said structure being damaged.
38 Contiguous dryland access must be provided for residential and commercial uses. Any
39 nonconforming structure located in a floodplain shall not be restored unless the entire
40 structure is floodproofed, by means other than fill, to an elevation equal to or exceeding the
41 100-year recurrence interval floodplain, shall be anchored, shall be constructed with methods
42 and materials resistant to flood damage, shall be constructed with electrical, heating,
43 ventilation, plumbing and air conditioning equipment and other service facilities that are
44 designed and/or elevated so as to prevent water from entering or accumulating within the

1 components during conditions of flooding, and obtain, review and utilize any flood data
2 available from a federal, state or other source. Certification of floodproofing shall be made to
3 the zoning administrator and shall consist of a plan or document certified by a registered
4 engineer that the floodproofing measures are consistent with the flood pressures, depths,
5 velocities, uplift and impact forces and other regional flood factors associated with the 100-
6 year recurrence interval flood.

7
8 **PART VII: That section 74-248 of the Walworth County Code of Ordinances is hereby**
9 **amended to read as follows (additions are underlined; deletions are shown in strike-through**
10 **text):**

11
12 **“Sec. 74-248. Zoning permit.**

13
14 Applications for a zoning permit shall be made to the zoning administrator on forms
15 furnished by the administrator and shall include the following where pertinent and necessary for
16 proper review.

17 (1) Names and addresses of the applicant, owner of the site, architect, professional
18 engineer, and contractor.

19 (2) Description of the subject site by lot, block and recorded subdivision or by metes
20 and bounds; address of the subject site; type of structure; existing and proposed
21 operation or use of the structure or site; number of employees; and the zoning district
22 within which the subject site lies.

23 (3) Plat of survey prepared by a registered land surveyor in the state or other map
24 drawn to scale and approved by the county zoning administrator showing the location,
25 boundaries, dimensions, uses, and size of the following: subject site; existing and
26 proposed structures; existing and proposed easements, streets, and other public ways;
27 off-street parking, loading areas, and driveways; existing highway access restrictions;
28 ordinary high water mark, channel, floodway, floodplain (using NGVD or NAVD),
29 and shoreland boundaries; and existing and proposed street, side and rear yards. In
30 addition, the plat of survey shall show type, slope, boundaries of soils shown on the
31 operational soil survey maps prepared by the USDA Soil Conservation Service for the
32 Southeastern Wisconsin Regional Planning Commission.

33 (4) Additional information as may be required by applicable statutes, applicable
34 administrative codes, the committee or the county zoning administrator.

35 (5) Fee receipt in an amount specified in section 74-252 of this ordinance.

36 (6) Zoning permit shall be granted or denied in writing by the zoning administrator
37 within 30 days of application and the applicant shall post such permit in a conspicuous
38 place at the site. The permit shall expire within 24 months after the issuance of the
39 permit if the structure for which a permit is issued is not substantially completed, and
40 the applicant shall re-apply for a zoning permit before re-commencing work on the
41 structure. Any permit issued in conflict with the provisions of this ordinance shall be
42 null and void.

43
44 No zoning permit shall be required for essential services, residential fences per section 74-232, and
45 an accessory structure 100 square foot or less in size (except planned campground developments)

1 but shall still be required to maintain the setback and use requirements of the ordinance including,
2 but not limited to, section 74-166.

3
4 **PART VIII: That section 74-250 of the Walworth County Code of Ordinances is hereby**
5 **amended to read as follows (additions are underlined; deletions are shown in strike-through**
6 **text):**

7
8 **“Sec. 74-250. Floodplain certificate of compliance.**

9
10 No land shall be occupied or used, and no building shall be, altered, added to, modified,
11 repaired, rebuilt, replaced, shall be occupied or until a floodplain certificate of compliance is issued
12 by the zoning administrator, subject to the following provisions:

13 (1) The floodplain certificate of compliance shall show that the building or premises or
14 part thereof, and the proposed use, conform to the floodplain provisions of this
15 ordinance.

16 (2) Application for such certificate shall be consistent with the application for a zoning
17 permit.

18 (3) If all floodplain ordinance provisions are met, the certificate of compliance shall be
19 issued within ten days after written notification that the permitted work is completed;
20 ~~of a completed request.~~

21 (4) The applicant shall submit a certification signed by a registered professional
22 engineer or registered land surveyor that the lowest floor and floodproofing elevations
23 are in compliance with the ordinance. Floodproofing measures also require
24 certification by a registered professional engineer or registered architect that
25 floodproofing measures, by means other than filling, were designed to:

26 a. Withstand flood pressures, depths, velocities, uplift and impact forces and
27 other regional flood factors;

28 b. Protect structures to the flood protection elevation;

29 c. Anchor structures to foundations to resist flotation and lateral movements;
30 and,

31 d. Insure that structural walls and floors are watertight to the flood protection
32 elevation, and the interior remains completely dry during flooding without
33 human intervention.

34 e. Floodproofing measures could include reinforcing walls and floors to resist
35 rupture or collapse caused by water pressure or adding mass or weight to
36 prevent flotation, placing essential utilities above the flood protection
37 elevation, installing surface or subsurface drainage systems to relieve
38 foundation wall and basement floor pressures, constructing water supply wells
39 and waste treatment systems to prevent the entry of flood waters, or putting
40 cutoff valves on sewer lines or eliminating gravity flow basement drains.

41
42 **PART IX: That section 74-259 of the Walworth County Code of Ordinances is hereby**
43 **amended to read as follows (additions are underlined; deletions are shown in strike-through**
44 **text):**

45
46 **“Sec. 74-259. Floodplain boundary changes limited.**

1
2 The county board shall not permit changes to the floodplain boundaries that are inconsistent
3 with the purpose and intent of this ordinance. Any change to the base flood elevations in the flood
4 insurance study (FIS) or on the flood insurance rate map (FIRM) must be reviewed and approved by
5 the DNR and FEMA before it is effective. No changes to regional flood elevations (RFE's) on non-
6 FEMA maps shall be effective until approved by the DNR. These maps and revisions are on file in
7 the office of the county land use and resource management department. If more than one map or
8 revision is referenced, the most restrictive information shall apply. The county board may change or
9 supplement the floodplain zoning district boundaries and this ordinance in the manner provided by
10 law. Actions which require an amendment include, but are not limited to, the following:

11 (1) Any change to the official floodplain zoning map, including the floodway line or
12 boundary of any floodplain area.

13 (2) Correction of discrepancies between the water surface profiles and floodplain
14 zoning maps.

15 (3) Any upgrade to a floodplain zoning ordinance text required by s. NR116.05, Wis.
16 Adm. Code, or otherwise required by law, or for changes by the municipality.

17 (4) All channel relocations and changes to the maps to alter floodway lines or to
18 remove an area from the floodplain that is based on a base flood elevation from a
19 FIRM requires prior approval by FEMA.

20 (5) In the Floodplain Storage District, When fill would remove flood storage volume,
21 an equal volume of storage, as defined by the ground surface and the regional flood
22 elevation, shall be provided and mapped to compensate for the volume of storage
23 which is lost (compensatory storage).

24 a. Excavation below the groundwater table is not considered as providing an
25 equal volume of storage.

26 b. No fill in the floodplain storage district shall cause any increase in the
27 regional flood height due to floodplain storage area lost.

28 c. No area may be removed from the flood storage district unless it can be
29 shown that the area has been filled to the flood protection elevation, is contiguous to
30 other lands lying outside the floodplain and contiguous dryland access shall be
31 provided for development.

32
33 If compensatory storage cannot be provided, no fill is permitted.

34
35 **PART X: That section 74-263 of the Walworth County Code of Ordinances is hereby**
36 **amended to read as follows (additions are underlined; deletions are shown in strike-through**
37 **text):**

38
39 **“Sec. 74-263. Definitions.**

40 ...

41 *A zones* means areas of potential flooding shown on a county's "flood insurance rate map" or "flood
42 hazard boundary map" which would be inundated by the regional flood as defined herein. These
43 areas may be numbered as ~~A0, A1 to A99~~, or be unnumbered A zones. The A zones may or may not
44 be reflective of flood profiles, depending on the availability of data for a given area.

45 ...

46 AH Zone – see area of shallow flooding

1 ...

2 AO Zone – see area of shallow flooding

3

4 Area of shallow flooding means a designated AO , AH , AR/AO, AR/AH, or VO zone on a
5 community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of
6 flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the
7 path of flooding is unpredictable, and where velocity flood may be evident. Such flooding is
8 characterized by ponding or sheet flow.

9 ...

10 Development means any man-made change to improved or unimproved real estate, including but not
11 limited to construction of or additions or substantial improvements or repairs to buildings, other
12 structures, or accessory uses, subdivision layout and site plan preparation, storage of material or
13 equipment, mining, dredging, filling, grading, paving, excavation or drilling operations, or
14 disposition of materials; and the installation, repair or removal of public or private sewage disposal
15 systems or water supply facilities.

16 ...

17 Flood Storage District is that area of the floodplain where storage of floodwaters is calculated to
18 reduce the regional flood discharge. The district protects the flood storage areas and assures that any
19 development in the storage areas will not decrease the effective flood storage capacity which would
20 cause higher flood elevations.

21 ...

22 Floodplain means that land which has been or may be covered by flood water during the regional
23 flood. The floodplain includes the floodway, and the floodfringe, flood storage, shallow depth
24 flooding, flood storage and coastal floodplain areas, and may include other designated floodplain
25 areas for regulatory purposes.

26 ...

27 Floodway means a designated portion of the floodlands that will safely convey the regulatory flood
28 discharge with small, acceptable upstream and downstream stage increases, limited in Wisconsin to
29 0.1 foot unless special legal measures are provided. The floodway which includes the channel, is that
30 portion of the floodlands not suited for human habitation. All fill, structures, and other development
31 that would impair floodwater conveyance by adversely increasing flood stages or velocities or would
32 itself be subject to flood damage should be prohibited in the floodway. The channel of a river or
33 stream and those portions of the floodplain adjoining the channel required to carry the regional flood
34 discharge.

35 ...

36 Habitable structure means any legal structure, or portion thereof, designed, used, intended and fit for
37 human habitation per Wis Statute 66.0413

38 ...

39 High flood damage potential means potential damage as a result of flooding that is associated with
40 any danger to life or health or any significant economic loss to a structure or building and its
41 contents.

42 ...

43 Increase in Regional Flood Height means a calculated upward rise in the regional flood elevation
44 greater than 0.00 foot, based on a comparison of existing conditions and proposed conditions which
45 is directly attributable to development in the floodplain but not attributable to manipulation of
46 mathematical variables such as roughness factors, expansion and contraction coefficients and
47 discharge.

48 ...

49 Maintenance means the act or process of restoring to original soundness, including redecorating,
50 refinishing, nonstructural repairs, or the replacement of existing fixtures, systems or equipment with
51 the equivalent fixtures, systems or structures.

1 ...

2 *Nonconforming structure* means any lawful structure, by virtue of the use to which it is put, which
3 does not comply with the use provisions of this ordinance for the district in which it is located, such
4 as but not limited to, structures in the floodplain, wetland, right of way, or those structures lying on
5 or across a parcel line.

6 ...

7 *Obstruction of flow* means any development which physically blocks the conveyance of flood waters
8 such that this development by itself or in conjunction with any future similar development will
9 cause an increase in regional flood height.

10 ...

11 *Substantial damage* means damage of any origin sustained by a structure, whereby the cost of
12 restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the
13 equalized assessed value of the structure before the damage occurred.

14
15 *Substantial improvement* means any repair, reconstruction, rehabilitation, addition or improvement
16 of a building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed
17 value of the structure before the improvement or repair is started. If the structure has sustained
18 substantial damage, any repairs are considered substantial improvement regardless of the work
19 performed. The term does not, however, include either any project for the improvement of a
20 building required to correct existing health, sanitary or safety code violations identified by the
21 building official and that are the minimum necessary to assure safe living conditions; or any
22 alteration of a historic structure provided that the alteration will not preclude the structure's
23 continued designation as a historic structure.

24 ...

25
26 **PART XI: That section 74-264 of the Walworth County Code of Ordinances is hereby**
27 **amended to read as follows (additions are underlined; deletions are shown in strike-through**
28 **text):**

29
30 **Note: This section is rescinded in its entirety and replaced with the following:**

31
32 **“Sec. 74-264. Floodplain appendix.**

33
34 FINAL SUMMARY OF MAP ACTIONS

Community: WALWORTH COUNTY	Community No: 550462
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35
36 1. LOMCs Incorporated

37 The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition,
38 these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMR	08-05-4045P	9/11/2009	Calkins Property	55046202115B	55127CO266E

39 2. LOMCs Not Incorporated

40 The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels
41 because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s)
42 involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain
43 in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day

1 after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of
 2 the previous LOMCs.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel/Tax Key No.	New Panel
LOMA	02-05-4411A	09/18/2002	LAKE DELAVAN HIGHLANDS, LOTS <u>53</u> & 54; 4217 ASH STREET	5504620110B	55127C0285D
LOMA	09-05-3282A	06/04/2009	PORTION OF SECTION 22, T2N, R16E, 3552 HIGHWAY 50	F D 2200003	55127C0305D
LOMA	10-05-5552A	08/05/2010	LOTS 8 AND 9, BLOCK 7 SOUTH SHORE MANOR; 4325 EAST DRIVE	FSS 00088	55127C0305D
LOMA	11-05-096A	02/03/2011	LOT 23, BLOCK 2, SOUTH SHORE MANOR	FSS 00045	55127C0305D
LOMA	11-05-4252A	3/22/2011	LOT 1, Certified Survey Map No. 4121 – W8880 County Trk Hwy X	55127VO280D	55127CO278E
LOMA	11-05-1402A	4/21/2011	Lots 8 & 9, Block 2, South Shore Manor – 4410 East Drive	55127C0305D	55127C0303E
LOMA	11-05-7873A	9/15/2011	Lots 17 through 19, Block 1, South Shore Manor 4411 East Drive	55127CO285D 55127CO305D	55127CO284E 55127CO303E

3 **3. LOMCs Superseded**

4 The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM
 5 panels because they are being superseded by new detailed flood hazard information or the information
 6 available was not sufficient to make a determination. The reason each is being superseded is noted below.
 7 These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination will be Superseded
			NO CASES RECORDED	

- 8 1) Insufficient information available to make a determination.
 9 2) Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
 10 3) Lowest Ground Elevation is below the proposed Base Flood Elevation.
 11 4) Revised hydrologic and hydraulic analyses.
 12 5) Revised topographic information.

13 **4LOMC's To Be Redetermined**

14 The LOMC's in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity
 15 of the determination in the previously issued LOMC. For LOMC's issued for multiple lots or structures where the
 16 determination for one or more of the lots or structures has changed, the LOMC cannot be revalidated through this
 17 administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed
 18 below and issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination will be Superseded

			NO CASES RECORDED	
--	--	--	----------------------	--

1 5. Dam List

Dam Key Seq No	Field File No	Official Name	Popular Name	Owner Organization
5811		BASIN 1		LAKE PRAIRIE DEVELOPMENT ASSOCIATION
5810		BASIN 2		LAKE PRAIRIE DEVELOPMENT ASSOCIATION
5666		BLOOMFIELD WETLAND RESTORATION	BLOOMFIELD WETLAND RESTORATION	WISCONSIN DEPARTMENT OF NATURAL RESOURCES
648	64.24	BORG	LAKE DELAVAN	TOWN OF DELAVAN
1528	64.14	CEDAR GROVE	SAMUEL W. BLOCK	JOHN FRIEDBERG
314	64.02	DELAVAN	COMUS LAKE	CITY OF DELAVAN
3332	64.35	DELAVAN EROSION CONTROL	CITY OF DELAVAN	CITY OF DELAVAN
911	64.36	DROSTER,ELMER		SUGAR CREEK PRESERVE, LLC
1525	64.04	EAST TROY	TRENT TUBE MANUFACTURING	VILLAGE OF EAST TROY
2288	64	FOX,G.GEORGE	GEORGE FOX	
3045	64	FRIES,ELMER		
436	64.3	GRETHE		MCL CONSTRUCTION CORPORATION
1526	64.1	HILBOURN	H.B.AUSTIN	
316	64.21	HONEY LAKE	SUGAR CREEK	HONEY LAKE PROTECTION
5610		JACKLEY DAM #1		WDNR
5611		JACKLEY DAM #2		WDNR
5612		JACKLEY DAM #3		WDNR
900	64.31	KETTLE MORRAINE ESTATES CORP		MICHAEL PAUTZ
646	64.05	LAKE BEULAH		WALWORTH CO/LAKE BEULAH MD/PRIV.
3413	64.18	LAKE COMO	TOWN OF GENEVA	TOWN OF GENEVA
3209	64.32	LAKE COMUS WEST	CITY OF DELAVAN	CITY OF DELAVAN
85	64.11	LAKE GENEVA		LAKE GENEVA LEVEL CORP.
1531	64.23	LAKE TOMBEAU	NIPPERSINK MANOR RESORT	LAKE BENEDICT/LAKE TOMBEAU MGT. DIST.
210	64.15	LAUDERDALE LAKES	CONCRETE & RISER SPILLWAYS	LAUDERDALE LAKE MANAGEMENT DIST.
3208	64.27	MORRISSEY	EDWARD TONYAN	EDWARD & HANNAH

				TOYAN TRUST
2289	<u>64</u>	MOTL, LAURENCE	L.MOTL	
211	64.16	OLD PAPER MILL		CITY OF WHITEWATER
212	64.17	OLD STONE MILL		CITY OF WHITEWATER
647	64.22	PABST	POND DAM	ROBERT BLOUIN ESTATE
1530	64.22	PABST DIVERSION	ROBERT BLOVIN	ROBERT BLOUIN
1529	64.19	PELL LAKE	WARREN SMADBECK	WARREN SMADBECK
1534	64.28	POTIERS LAKE	RAY L. HEATH	RAY L HEATH
1532	64.25	POWERS LAKE	TOWN OF BLOOMFIELD	TOWN OF BLOOMFIELD
794	64.29	RICE LAKE	LOWER WHITEWATER	WI DNR - PARK MANAGER
2290	<u>64</u>	ROUBIK, CHARLES J.	FRED HOLM	
1533	64.26	TURTLE LAKE	TOWN OF RICHMOND	TOWN OF RICHMOND
5710	64.34	TURTLE VALLEY CENTRAL PHASE	TURTLE VALLEY CENTRAL PHASE	WI DNR
5662	64.33	TURTLE VALLEY PHASE III	TURTLE VALLEY PHASE III	WI DNR
711	<u>64</u>	VAL SAUER		EF WONDERLIC & ASSOCIATE
315	64.2	WHITEWATER LAKE		WALWORTH COUNTY

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PART XII: That this ordinance shall become effective, upon passage and publication on September 3, 2014.

PASSED and ADOPTED by the Walworth County Board of Supervisors this 28th day of July, 2014.

Nancy Russell
County Board Chair

Kimberly S. Bushey
Attest: County Clerk

County Board Meeting Date: July 28, 2014

Action Required: Majority Vote X Two-thirds Vote _____ Other _____

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

David A. Bretl 7/24/14 *N. Andersen* 7/25/14
 David A. Bretl Date Nicole Andersen Date
 County Administrator/Corporation Counsel Deputy County Administrator - Finance

If unsigned, exceptions shall be so noted by the County Administrator.

CDEB PROFESSIONAL EMPLOYEES

<u>Job Class</u>	<u>New Tables</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>	<u>Step 8</u>	<u>Step 9</u>	<u>Step 10</u>	<u>Step 11</u>	<u>Step 12</u>	<u>Step 13</u>
Teacher	G01-/G01+	25.1106 38167.00	25.6744 39024.00	26.2521 39902.00	26.8429 40800.00	27.4468 41718.00								
Speech Correctionist	G02-/G02+	25.6744 39024.00	26.2521 39902.00	26.8429 40800.00	27.4468 41718.00	28.0653 42658.00	28.6955 43616.00	29.3416 44598.00	30.0029 45603.00	30.6772 46628.00				
	G03-/G03+	26.2521 39902.00	26.8429 40800.00	27.4468 41718.00	28.0653 42658.00	28.6955 43616.00	29.3416 44598.00	30.0029 45603.00	30.6772 46628.00	31.3674 47677.00	32.0732 48750.00	33.5325 50968.00		
	G04-/G04+	26.8429 40800.00	27.4468 41718.00	28.0653 42658.00	28.6955 43616.00	29.3416 44598.00	30.0029 45603.00	30.6772 46628.00	31.3674 47677.00	32.0732 48750.00	32.7950 49847.00	34.2865 52114.00		
	G05-/G05+	27.4468 41718.00	28.0653 42658.00	28.6955 43616.00	29.3416 44598.00	30.0029 45603.00	30.6772 46628.00	31.3674 47677.00	32.0732 48750.00	32.7950 49847.00	33.5325 50968.00	35.0595 53289.00	35.8549 54498.00	
	G06-/G06+	28.0653 42658.00	28.6955 43616.00	29.3416 44598.00	30.0029 45603.00	30.6772 46628.00	31.3674 47677.00	32.0732 48750.00	32.7950 49847.00	33.5325 50968.00	34.2865 52114.00	35.8470 54486.00	36.6549 55714.00	37.6267 57191.00
	G07-/G07+	28.6956 43616.00	29.3416 44598.00	30.0029 45603.00	30.6772 46628.00	31.3674 47677.00	32.0732 48750.00	32.7950 49847.00	33.5325 50968.00	34.2865 52114.00	35.0595 53289.00	36.6549 55714.00	37.4800 56968.00	39.5787 60158.00
	G08-/G08+	29.3416 44598.00	30.0029 45603.00	30.6772 46628.00	31.3674 47677.00	32.0732 48750.00	32.7950 49847.00	33.5325 50968.00	34.2865 52114.00	35.0595 53289.00	35.8470 54486.00	37.4800 56968.00	38.3221 58248.00	40.6820 61835.00
	G09-/G09+	30.0029 45603.00	30.6772 46628.00	31.3674 47677.00	32.0732 48750.00	32.7950 49847.00	33.5325 50968.00	34.2865 52114.00	35.0595 53289.00	35.8470 54486.00	36.6549 55714.00	38.3221 58248.00	39.1840 59558.00	41.8144 63556.00
	G10-/G10+						34.2865 52114.00	35.0595 53289.00	35.8470 54486.00	36.6549 55714.00	37.4800 56968.00	39.1840 59558.00	40.0657 60898.00	42.9762 65322.00
	G11-/G11+						35.0595 53289.00	35.8470 54486.00	36.6549 55714.00	37.4800 56968.00	38.3221 58248.00	40.0657 60898.00	40.9670 62268.00	44.1710 67138.00
	G12-/G12+						35.8470 54486.00	36.6549 55714.00	37.4800 56968.00	38.3221 58248.00	39.1840 59558.00	40.9670 62268.00	41.8893 63670.00	45.3999 69006.00
	G13-/G13+						36.6549 55714.00	37.4800 56968.00	38.3221 58248.00	39.1840 59558.00	40.0657 60898.00	41.8893 63670.00	42.8322 65103.00	46.6638 70927.00

Rates are based on a 2% increase on annual salary rounded to nearest dollar.

DRAFT

Resolution No. 22-07/14

**Approving an Intergovernmental Agreement for Joint Dam Operation By and Between
Walworth County and the Lake Beulah Management District**

1 Moved/Sponsored by: Public Works Committee
2

3 **WHEREAS**, in 2011 the County and Wisconsin Department of Natural Resources (WDNR)
4 jointly determined the Lake Beulah dam spillway and associated bridge on CTH J were in need
5 of substantial rehabilitation/replacement; and
6

7 **WHEREAS**, the Walworth County Board authorized County participation in the WDNR
8 Municipal Grant Program to reconstruct the spillway structure portion of the Lake Beulah Dam
9 on CTH J (County Board Resolution No. 52-09/11); and
10

11 **WHEREAS**, the WDNR subsequently awarded a grant under ch. NR 335, Wis. Adm. Code to
12 the County with the state funding share of the project to be limited as follows: up to 50 percent
13 (50%) of the first \$400,000 of eligible costs, and up to 25 percent (25%) of the next \$800,000 of
14 total eligible costs; and
15

16 **WHEREAS**, the County has developed plans and specifications for the Lake Beulah dam
17 spillway replacement on CTH J in cooperation with the Lake Beulah Management District and
18 such plans and specifications have been approved by the WDNR (Project WP-IP-SE-2013-65-
19 01888 dated July 16, 2014); and
20

21 **WHEREAS**, the County solicited public bids due July 22, 2014 for the construction of the
22 WDNR approved spillway replacement project but no bids were received by the County for this
23 work; and
24

25 **WHEREAS**, the County and Lake Beulah Management District are desirous of approving an
26 intergovernmental agreement that will specify the terms and conditions of the future operating
27 of the Lake Beulah Dam after it is constructed, which due to the lack of bids received, will
28 necessarily be delayed until 2015;
29

30 **NOW, THEREFORE, BE IT RESOLVED** that the Walworth County Board of Supervisors
31 authorizes the proper County officials to execute the Intergovernmental Cooperation Agreement
32 for Joint Operation of the CTH J Lake Beulah Dam by and between Walworth County and the
33 Lake Beulah Management District.
34

35 **BE IT FURTHER RESOLVED** that such authority is contingent upon the Public Works
36 Committee awarding a construction contract for the dam replacement and further contingent
37 upon the approval of the Director of Central Services Lake Beulah Dam Emergency Action
38 (EAP) and the Inspection, Operation and Maintenance (IOM) Plans prior to dam reconstruction.

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Nancy Russell
County Board Chair

Kimberly S. Bushey
County Clerk

County Board Meeting Date: July 28, 2014

Action Required: Majority Vote X Two-thirds Vote _____ Other _____

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

_____ David A. Bretl Date County Administrator/Corporation Counsel	_____ Nicole Andersen Date Deputy County Administrator - Finance
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If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 22-07/14

- I. **Title:** Approving an Intergovernmental Agreement for Joint Dam Operation By and Between Walworth County and the Lake Beulah Management District.
- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to authorize the execution of the Intergovernmental Cooperation Agreement for Joint Dam Operation between Walworth County and the Lake Beulah Management District.
- III. **Budget and Fiscal Impact:** The County has previously budgeted for replacement of the dam. It is unknown whether the dam contemplated by this agreement will cost more or less than the amount budgeted. Approval of a bid and award of a contract shall be subject to normal budget ordinances.
- IV. **Referred to the following standing committees for consideration and date of referral:**

Committee: Public Works

Meeting Date: July 28, 2014

Vote: _____

County Board Meeting Date: July 28, 2014

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

David A. Bretl Date
County Administrator/Corporation Counsel

Nicole Andersen Date
Deputy County Administrator - Finance