

175th BOARD YEAR

LEGISLATIVE ITEMS RECEIVED FOR COMMITTEE REFERRAL

File No.	Rec/Ref:	To:	Title
175-O-001	05/06/20 05/07/20	LU	ORD: Year 2020 Amendment To The Comprehensive Development Plan For Waukesha County (2A – Phyllis Cramer, Section 9, T6N, R17E, Town Of Ottawa)
175-O-002	05/06/20 05/07/20	LU	ORD: Year 2020 Amendment To The Comprehensive Development Plan For Waukesha County (3A – Waukesha County Park And Planning Commission, Comprehensive Land Use Mapping, Town Of Vernon)
175-O-003	05/06/20 05/07/20	LU	ORD: Year 2020 Amendment To The Comprehensive Development Plan For Waukesha County (4A – Amy Hudson And James Derrick, Section 34, T6N, R19E, Town Of Waukesha)
175-O-004	05/06/20 05/07/20	LU	ORD: Year 2020 Amendment To The Comprehensive Development Plan For Waukesha County (4B – Waukesha County Park And Planning Commission, Comprehensive Land Use Mapping, Town Of Waukesha)
175-O-005	05/06/20 05/07/20	LU	ORD: Amend The Text Of The Town Of Delafield Zoning Code By Repealing And Recreating Certain Sections Of Chapter 17 And All Of Section 17.05 Relating To Conditional Use Provisions (RZ40)
175-O-006	05/06/20 05/07/20	LU	ORD: Amend The Text Of The Town Of Waukesha Zoning Code By Repealing And Recreating Various Sections Regarding Conditional Use Provisions (RZ63)
175-O-007	05/06/20 05/07/20	LU	ORD: Approve Easement To Sawall Development For The Construction, Maintenance And Repair Of A Parking Lot, Landscaping And Sanitary Sewer Lateral On Waukesha County Property Known As The Bugline Recreation Trail Corridor
175-O-008	05/06/20 05/07/20	LU FI	ORD: Amend The 2020 Budget To Accept Community Development Block Grant Coronavirus (CDBG-CV) Funds For The 2020 Program Year
175-O-009	05/06/20 05/07/20	LU FI	ORD: Authorize Acceptance Of And Appropriate Additional Wisconsin Department Of Corrections Windows To Work Grant Funds For Re-Entry Workforce Development Services In Waukesha, Ozaukee, And Washington Counties And Amend The 2020 Budget
175-A-001	05/06/20 05/07/20	EX	APPT: Mary Berg to the Health & Human Services Board
175-R-001	05/06/20 05/07/20	EX	RES: Support Of Rights Guaranteed By The Second Amendment To The U.S. Constitution And Art. 1 Sec 25 Of The Wisconsin Constitution
175-R-002	05/06/20 05/07/20	EX	RES: Resolution Supporting Creation Of A Nonpartisan Procedure For The Preparation Of Legislative And Congressional Redistricting Plans
175-O-013	05/06/20 05/07/20	EX	RES: Resolution To Conduct Countywide Advisory Referendum On Creation Of Nonpartisan Procedure For The Preparation Of Legislative And Congressional Redistricting Plans And Maps
175-R-004	05/06/20 05/07/20	EX	RES: Amend Waukesha County Board Of Supervisors' Operating Procedures And Rules By Amending The Text Of The Code Of Ordinances, Chapter 4
175-O-010	05/06/20 05/07/20	JU	ORD: Approve Fourth Amendment To Lease With New Cingular Wireless At The Health And Human Services Smokestack
175-O-011	05/06/20 05/07/20	HS FI	ORD: Modify The Department Of Health And Human Services 2020 Budget To Accept The Wi Department Of Justice Pretrial Pilot Sites Supplemental Grant Funding And Appropriate Additional Expenditures
175-O-012	05/06/20 05/07/20	FI	ORD: Authorizing The Sale Of \$18,000,000 General Obligation Promissory Notes, Series 2020A

YEAR 2020 AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT
PLAN FOR WAUKESHA COUNTY (2A – PHYLLIS CRAMER,
SECTION 9, T6N, R17E, TOWN OF OTTAWA)

1 WHEREAS, on February 24, 2009, the Waukesha County Board of Supervisors in Enrolled
2 Ordinance No 163-81, approved a Comprehensive Development Plan for Waukesha County; and
3

4 WHEREAS, said Comprehensive Development Plan for Waukesha County provides for annual
5 update and amendment procedures; and
6

7 WHEREAS, on February 20, 2020, the Waukesha County Park and Planning Commission held a
8 Public Hearing to receive testimony on proposed changes to the Comprehensive Development
9 Plan for Waukesha County; and
10

11 WHEREAS, the staff has identified in a “Staff Report and Recommendation” dated March 19,
12 2020, a summary of the Public Hearing comments and a Staff Recommendation for the proposed
13 change to the Comprehensive Development Plan for Waukesha County; and
14

15 WHEREAS, the “Staff Report and Recommendation” has been reviewed by the Waukesha
16 County Park and Planning Commission on March 19, 2020, and a recommendation was reported
17 to the Land Use, Parks and Environment Committee and the Waukesha County Board of
18 Supervisors as required in the Comprehensive Development Plan for Waukesha County.
19

20 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
21 that the following amendment is hereby approved to the Year 2035 Comprehensive
22 Development Plan for Waukesha County.
23

24 2. In the Town of Ottawa, the following request is being made:
25

- 26 A. *Phyllis B. Cramer*, W380 S2602 County Road Z, Dousman, WI 53118-9555, requests
27 property located in part of the SW ¼ of Section 9, T6N, R17E, Town of Ottawa (Tax
28 Key No. OTWT 1619.999.005), be amended from the Primary Environmental Corridor
29 category to the Farmland Preservation with Environmental Corridor Overlay category,
30 to complete a transfer of lands process.
31

32 BE IT FURTHER ORDAINED that a more detailed description and map of the aforementioned
33 amendment is on file in the office of the Waukesha County Department of Parks and Land Use.
34

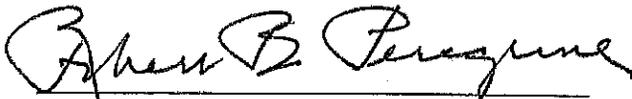
35 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
36 this Ordinance with the Town Clerk of Ottawa.

COMMISSION ACTION

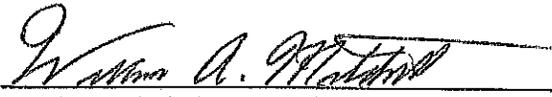
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance entitled "Year 2020 Amendment to the Comprehensive Development Plan for Waukesha County, (2A - Phyllis Cramer, Section 9, T6N, R17E, Town of Ottawa) hereby recommends approval.

PARK AND PLANNING COMMISSION

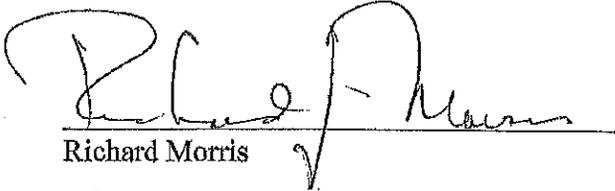
March 19, 2020



Robert Peregrine, Chairman



William Mitchell, Vice Chairman



Richard Morris

James Siepmann via teleconference

James Siepmann

Absent

William Masłowski

Absent

Thomas Michalski

Robert Hamilton via teleconference

Robert Hamilton

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION FOR A YEAR 2020 AMENDMENT TO THE
COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY
2(A) PHYLLIS CRAMER, TOWN OF OTTAWA

DATE: March 19, 2020

PUBLIC HEARING DATE:
Thursday, February 20, 2020, 1:00 p.m.

REQUEST:
2(A) Year 2020 amendment to the Comprehensive Development Plan.

Phyllis B. Cramer, W380 S2602 CTH Z, Dousman, WI, 53118-9555, requests property located in part of the SW ¼ of Section 9, T6N, R17E, Town of Ottawa (Tax Key No. OTWT 1619.999.005), be amended from the Primary Environmental Corridor category to the Farmland Preservation with Environmental Corridor Overlay category, to complete a transfer of adjacent lands process.

EXISTING LAND USE CATEGORY:
Primary Environmental Corridor (PEC).

PROPOSED LAND USE CATEGORY:
Farmland Preservation with Environmental Corridor Overlay category.

PUBLIC REACTION:
The petitioner indicated she would like to add a 3.5 acre property to the existing 147 acre farm.

TOWN ACTION:
The Town of Ottawa's Comprehensive Development Plan (CDP) is superseded by the Border Agreement with the Village of Dousman for the parcels involved in this transfer of adjacent lands. Therefore, no action was taken by the Town of Ottawa regarding this amendment request. The act of a land transfer is further listed as an exemption in the Border Agreement and therefore the lands remain in the Town of Ottawa.

STAFF ANALYSIS:
The subject 3.5 acre parcel is entirely wooded and designated as PEC. The 147 acre receiving parcel contains a residence and accessory buildings, wetland, a pond, hydric soils, steep slopes, PEC and Isolated Natural Resource Area. The sending parcel contains wetland, an unnamed navigable stream, hydric soils, steep slopes, and PEC. All three parcels are within the Dousman Sewer Service Area.

The 3.5 acre parcel was conveyed by the owner of the sending parcel in 2016 without consulting the Town of Ottawa. The Town has a conveyance ordinance whereby the Town Plan Commission must review and approve of all conveyances in the Town. The conveyance was subsequently approved by the Town in 2019 after being notified of the transfer of adjacent lands by the County Tax Listing office.

In order to have the land transfer comply with the County CDP, the County required the applicant to update the Farmland Preservation Plan through the CDP process and attach the 3.5 acre parcel to the larger 147 acre farm parcel, which is designated as Farmland Preservation on the CDP, through a new boundary description. Plan recommendations for PEC are that densities not exceed one dwelling unit per five acres. The merger of the 3.5 acres mitigates this issue.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be approved. The approval of the land transfer of the 3.5 acre parcel and attaching it to the 147 acre parcel while amending the CDP category resolves the tax listing, land use and zoning issues for these parcels while also updating the Farmland Preservation Plan component of the CDP. Therefore, the request complies with the purpose and intent of the Waukesha County Comprehensive Development Plan.

Respectfully submitted,

Sandy Scherer

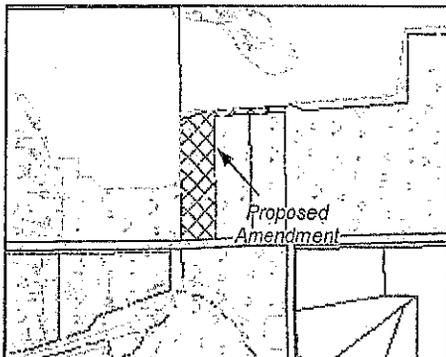
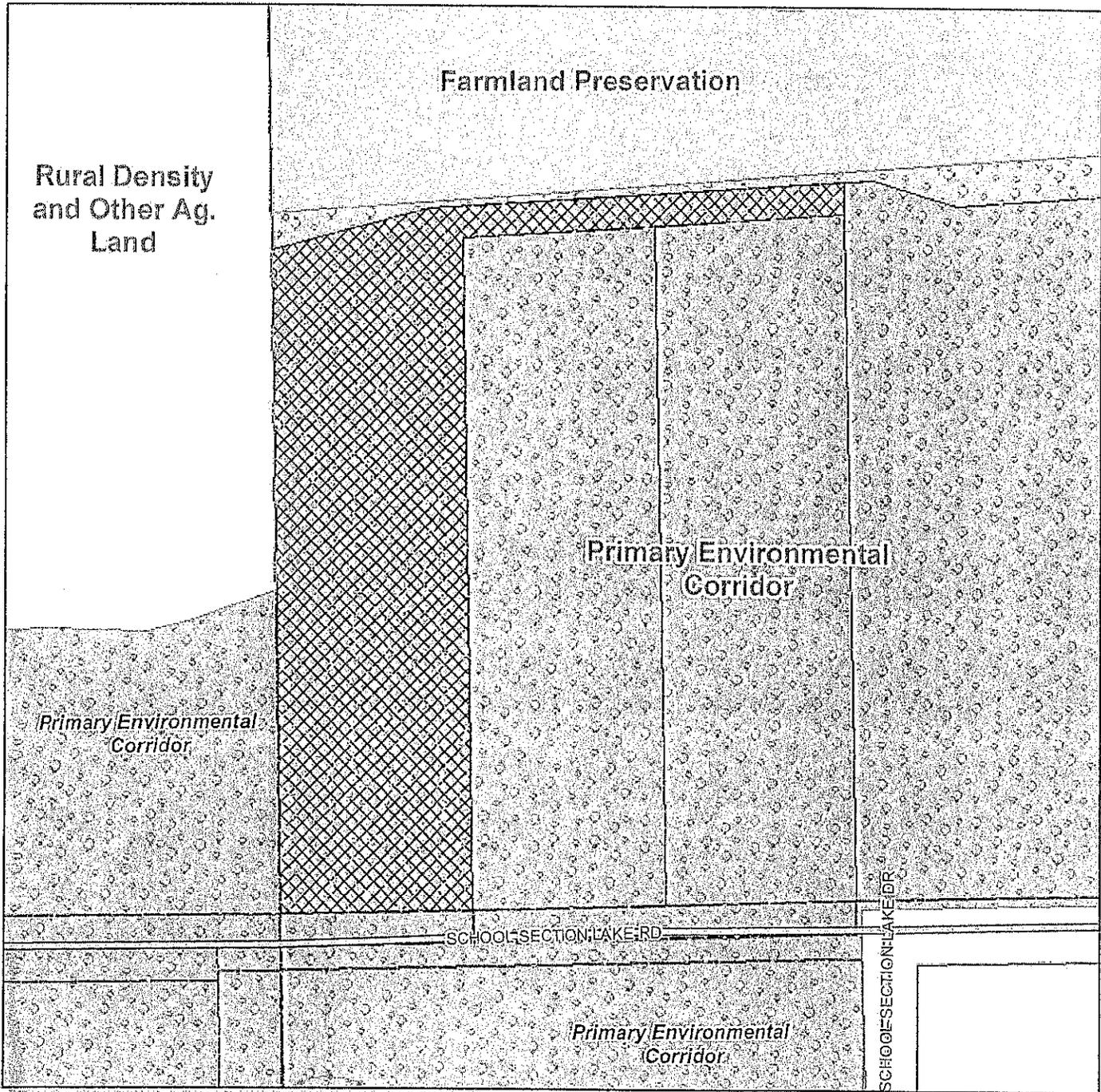
Sandy Scherer
Senior Planner

Attachment: Map

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DEVELOPMENT PLAN AMENDMENT

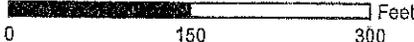
PART OF SECTION 9,
TOWN OF OTTAWA



 COUNTY DEVELOPMENT PLAN AMENDMENT FROM PRIMARY ENVIRONMENTAL CORRIDOR TO FARMLAND PRESERVATION WITH ENVIRONMENTAL CORRIDOR OVERLAY
 ENVIRONMENTAL CORRIDOR OVERLAY

PETITIONER.....2A Phyllis B. Cramer
 DATE OF PARK & PLANNING COMMISSION MEETING03/19/20
 AREA OF CHANGE..... 3.5 ACRES

1 inch = 150 feet



Prepared by the Waukesha County Department of Parks and Land Use

Referred on: 05/07/20

File Number: 175-O-001

Referred to: LU 5

YEAR 2020 AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT PLAN FOR
WAUKESHA COUNTY (3A – WAUKESHA COUNTY PARK AND PLANNING
COMMISSION, COMPREHENSIVE LAND USE MAPPING, TOWN OF VERNON)

1 WHEREAS, on February 24, 2009, the Waukesha County Board of Supervisors in Enrolled
2 Ordinance No 163-81, approved a Comprehensive Development Plan for Waukesha County; and
3

4 WHEREAS, said Comprehensive Development Plan for Waukesha County provides for annual
5 update and amendment procedures; and
6

7 WHEREAS, on February 20, 2020, the Waukesha County Park and Planning Commission held a
8 Public Hearing to receive testimony on proposed changes to the Comprehensive Development
9 Plan for Waukesha County; and
10

11 WHEREAS, the staff has identified in a “Staff Report and Recommendation” dated March 19,
12 2020, a summary of the Public Hearing comments and a Staff Recommendation for the proposed
13 change to the Comprehensive Development Plan for Waukesha County; and
14

15 WHEREAS, the “Staff Report and Recommendation” has been reviewed by the Waukesha
16 County Park and Planning Commission on March 19, 2020, and a recommendation was reported
17 to the Land Use, Parks and Environment Committee and the Waukesha County Board of
18 Supervisors as required in the Comprehensive Development Plan for Waukesha County.
19

20 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
21 that the following amendment is hereby **approved** to the Year 2035 Comprehensive
22 Development Plan for Waukesha County.
23

24 3. In the Town of Vernon, the following request is being made:
25

- 26 A. *The Waukesha County Park and Planning Commission*, 515 West Moreland Blvd.,
27 Waukesha, WI 53188, requests comprehensive amendments to the land use plan
28 mapping for various properties within the Town of Vernon. The proposed amendments
29 are being brought forward in response to recent amendments adopted by the town
30 relative to the Town of Vernon Comprehensive Plan.
31

32 BE IT FURTHER ORDAINED that a more detailed description and map of the aforementioned
33 amendment is on file in the office of the Waukesha County Department of Parks and Land Use.
34

35 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
36 this Ordinance with the Town Clerk of Vernon.

COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance entitled "Year 2020 Amendment to the Comprehensive Development Plan for Waukesha County, (3A – Waukesha County Park and Planning Commission/Comprehensive Land Use Mapping, Town of Vernon) hereby recommends approval.

PARK AND PLANNING COMMISSION

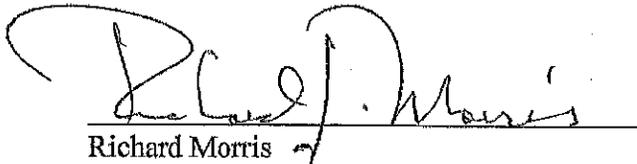
March 19, 2020



Robert Peregrine, Chairman



William Mitchell, Vice Chairman



Richard Morris

James Siepmann via teleconference

James Siepmann

Absent

William Maslowski

Absent

Thomas Michalski

Robert Hamilton via teleconference

Robert Hamilton

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION FOR A YEAR 2020 AMENDMENT TO THE
COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY
(3A-WAUKESHA COUNTY PARK AND PLANNING COMMISSION,
TOWN OF VERNON

DATE: March 19, 2020

PUBLIC HEARING DATE:
Thursday, February 20, 2020, 1:00 p.m.

REQUEST:
3 (A) Year 2020 amendment to the Comprehensive Development Plan.

The Waukesha County Park and Planning Commission, 515 West Moreland Blvd., Waukesha, WI 53188, requests comprehensive amendments to the land use plan mapping for various properties within the Town of Vernon. The proposed amendments are being brought forward in response to recent amendments adopted by the town relative to the Town of Vernon Comprehensive Plan.

EXISTING LAND USE CATEGORY
Multiple.

PROPOSED LAND USE CATEGORY
Multiple.

PUBLIC REACTION
None.

TOWN PLAN COMMISSION ACTION
At their meeting of June 12, 2019, the Town of Vernon Plan Commission unanimously recommended approval of parallel amendments to their town land use plan.

TOWN BOARD ACTION
The Town of Vernon Board unanimously approved the related town plan amendments at their August 1, 2019, meeting.

STAFF ANALYSIS:
The Town of Vernon initiated an effort to update its land use plan mapping last year. The town chose to focus this first phase of map updates on areas in the relative vicinity of the Village of Big Bend. The town expressed a desire to be competitive to the Village of Big Bend in being able to offer comparable densities to what the village would allow in near-boundary areas. In addition, the town felt that a number of properties that are well located near major highways and the I-43/S.T.H. 164 interchange area had potential for either mixed or commercial uses. The town consulted with county planning staff and relied upon the recently completed county business park study to jointly identify properties that might have commercial or mixed use potential. In addition, town and county staff worked together to identify other changes to bring plan category consistency to neighborhoods.

The areas of change are identified with sub-areas being outlined in black and labeled numerically. A corresponding list of all affected parcels is provided on Exhibit "A".

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be approved. The proposed map changes modernize the land use designations for numerous properties in the northeast part of Vernon. The map changes bring consistency to plan designations in various neighborhoods and allow for economic development opportunities, with a number of well-located properties along major highways being designated for mixed or commercial use.

Respectfully submitted,

Jason Fruth

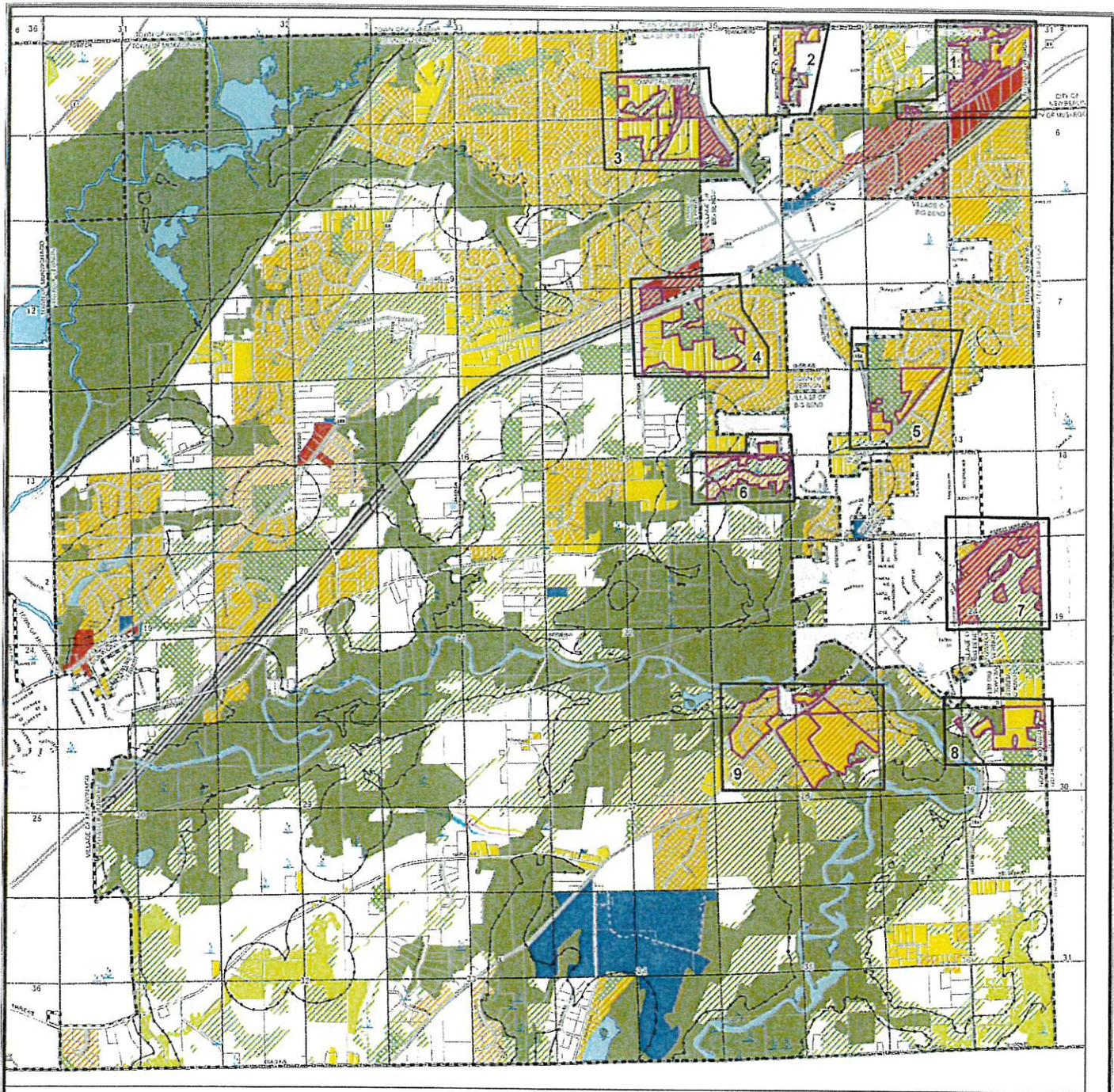
Jason Fruth
Planning and Zoning Manager

Attachment: Exhibit "A"
Map

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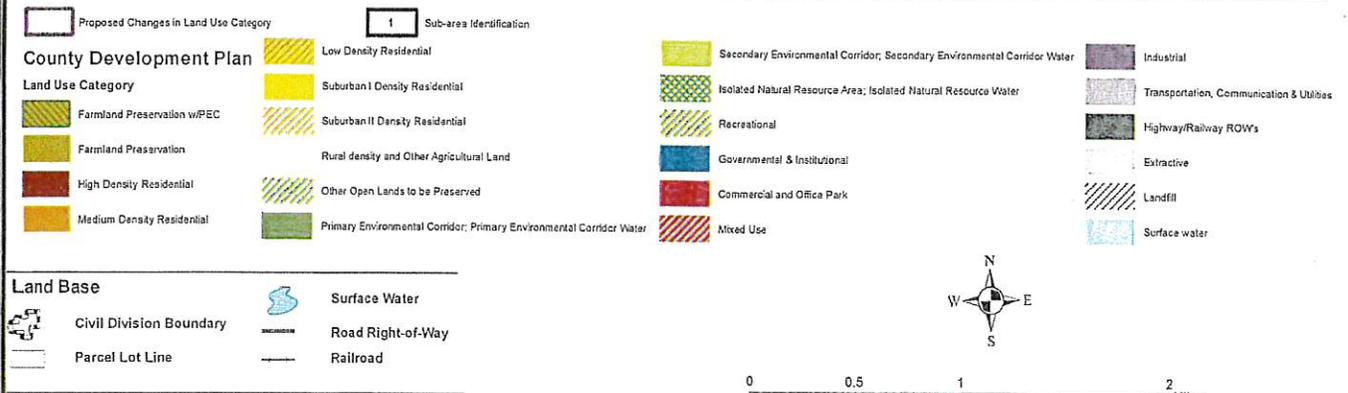
EXHIBIT "A"

Proposed Comprehensive Map Changes, Town of Vernon						
Area No.	Location	Nearest Road	Tax Key(s)	Existing LUP	Proposed LUP	Area of Change
1	NE 1/4 of Section 1	N of CTH ES and E of CTH U	VNT 2017999, VNT 2017998, VNT 2017997, VNT 2017996	Rural Density and Other Ag.	LDR	35.92
1	NE 1/4 of Section 1	N of CTH ES and E of CTH U	VNT 2017996, VNT 2017982, VNT 2017983, VNT 2017989, VNT 2019784, VNT 2017985, VNT 2017986, VNT 2017988, VNT 2017987	Rural Density and Other Ag.	Mixed Use	30.65
1	NW 1/4 of Section 1	W of CTH U and N of CTH ES	VNT 2018999007	Rural Density and Other Ag.	Mixed Use	1.65
2	NE 1/4 of Section 2	Big Bend Road	VNT 2021998, VNT 2021999003, VNT 2021999001, VNT 2021999002, VNT 2021999, VNT 2021990, VNT 2021997, VNT 2021995, VNT 2021994, VNT 2021993, VNT 2021992	Rural Density and Other Ag.	LDR	27.65
3	E 1/2 of Section 3	Skyline Ave	VNT 2028999001, VNT 2028999003, VNT 2028999004, VNT 2028999, VNT 2025991008, VNT 2025991007, VNT 2025991005, VNT 2025991006, VNT 2025991004, VNT 2025991003, VNT 2025991002, VNT 2028995001, VNT 2028995002, VNT 2028998003, VNT 2028998002, VNT 2028998004, VNT 2028998	Rural Density and Other Ag.	SDR I	96.76
3	NE 1/4 of Section 3	N of Skyline Ave	VNT 2025991005	SDR I	Mixed Use	14.33
3	SW 1/4 of Section 2	S of Skyline Ave and west of Hwy 164	VNT 2023999001, VNT 2023999002, VNT 2023999003	LDR	Mixed Use	17.31
4	SE 1/4 of Section 10	N of I-43 and S of CTH ES	VNT 2056997, VNT 2056996, VNT 2056995, VNT 2056994, VNT 2056993	Rural Density and Other Ag.	Mixed Use	8.78
4	SE 1/4 of Section 10 and SW 1/4 of Section 11	W of Evergreen, N of Cheryl Ave and S of I-43	VNT 2059992, VNT 2059993, VNT 2059994, VNT 2059995, VNT 2059996, VNT 2059997, VNT 2056964, VNT 2056965, VNT 2056966, VNT 2056967, VNT 2056968, VNT 2056969, VNT 2056982, VNT 2056983, VNT 2056984, VNT 2056986, VNT 2056987, VNT 2056988, VNT 2056989, VNT 2056990, VNT 2056998, VNT 2056998002, VNT 2056999, VNT 20569065001, VNT 20569065002	Rural Density and Other Ag.	SDR I	76.79
5	NW 1/4 of Section 13	W of CTH U and E of Hwy 164	VNT 2066994001, VNT 2066992001, VNT 2066992, VNT 2066991, VNT 2066990, VNT 2066989008, VNT 2066989, VNT 2066988, VNT 2066988001, VNT 2066995001, VNT 2066995, VNT 2066996001	SDR I	LDR	36.79
6	NW 1/4 of Section 14	Artesian Ave and Scenic Dr	VNT 2070997006	Rural Density and Other Ag.	SDR I	5.02
6	SW 1/4 of Section 14	S of Artesian Ave	VNT 2071999, VNT 2071997, VNT 2071996, VNT 2071995004, VNT 2071995003, VNT 2071995002, VNT 2071995007, VNT 2071995009, VNT 2071995008, VNT 2071995005, VNT 2071995006	Rural Density and Other Ag.	SDR II	35.18
7	NE 1/4 of Section 24 and SE 1/4 Section 13	South of Janesville Rd	VNT 2109985, VNT 2068994, VNT 2109997, VNT 2109998	SDR I	Mixed Use	81.6
8	NE 1/4 and NW 1/4 and SW 1/4 of Section 25	S of Henneberry Dr and Hwy 164	VNT 2113999, VNT 2113982, VNT 2113997001, VNT 2114998	Rural Density and Other Ag.	SDR I	41.81
9	SE 1/4 of Section 23 and NE 1/4 and NW 1/4 of Section 26	NW and S of Rural Home Cemetery	VNT 2117999, VNT 2108998, VNT 2108998001	Rural Density and Other Ag.	LDR	59.73
9	SW 1/4 of Section 23 and NW 1/4 of Section 26	River Bend Heights	VNT 2121010, VNT 2121011, VNT 2121012, VNT 2121013, VNT 2121014, VNT 2121015, VNT 2121016, VNT 2121017, VNT 2121018, VNT 2121019, VNT 2121020, VNT 2121021, VNT 2121022, VNT 2121023, VNT 2121024, VNT 2121025, VNT 2121032, VNT 2121031, VNT 2121033, VNT 2121030, VNT 2121034, VNT 2121035, VNT 2121001, VNT 2121002, VNT 2121003, VNT 2121004, VNT 2121005, VNT 2121006, VNT 2121007, VNT 2121008, VNT 2121009, VNT 2108989, VNT 2117997001, VNT 2117997002	Rural Density and Other Ag.	LDR	91.17
Total						661.14

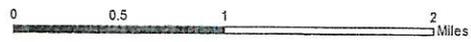


WAUKESHA COUNTY LAND USE PLAN-TOWN OF VERNON

Request 3A, Proposed 2020 Land Use Plan Amendments



Waukesha County Shoreland Zoning Jurisdictional Limits⁴



YEAR 2020 AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT PLAN FOR
WAUKESHA COUNTY (4A – AMY HUDSON AND JAMES DERRICK,
SECTION 34, T6N, R19E, TOWN OF WAUKESHA)

1 WHEREAS, on February 24, 2009, the Waukesha County Board of Supervisors in Enrolled
2 Ordinance No 163-81, approved a Comprehensive Development Plan for Waukesha County; and
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4 WHEREAS, said Comprehensive Development Plan for Waukesha County provides for annual
5 update and amendment procedures; and
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7 WHEREAS, on February 20, 2020, the Waukesha County Park and Planning Commission held a
8 Public Hearing to receive testimony on proposed changes to the Comprehensive Development
9 Plan for Waukesha County; and
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11 WHEREAS, the staff has identified in a “Staff Report and Recommendation” dated March 19,
12 2020, a summary of the Public Hearing comments and a Staff Recommendation for the proposed
13 change to the Comprehensive Development Plan for Waukesha County; and
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15 WHEREAS, the “Staff Report and Recommendation” has been reviewed by the Waukesha
16 County Park and Planning Commission on March 19, 2020, and a recommendation was reported
17 to the Land Use, Parks and Environment Committee and the Waukesha County Board of
18 Supervisors as required in the Comprehensive Development Plan for Waukesha County.
19

20 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
21 that the following amendment is hereby **conditionally approved** to the Year 2035
22 Comprehensive Development Plan for Waukesha County.
23

24 4. In the Town of Waukesha, the following requests are being made:
25

- 26 A. *Amy Hudson and James Derrick*, 6508 W. Lincoln Avenue, West Allis, WI 53219-
27 2045, request property located in part of the SE ¼ of Section 34, T6N, R19E, Town of
28 Waukesha (Tax Key No. WAKT 1432.998.004), be amended from the Suburban I
29 Density Residential (1.5 to 2.9 acres of area per dwelling unit) category to the Mixed
30 Use category, to allow for a self- storage facility. The Other Open Lands to be
31 Preserved areas on the property will remain unchanged.
32

33 The request is approved subject to the following condition:
34

- 35 1. Allowable mixed uses are residential and commercial uses.
36

37 BE IT FURTHER ORDAINED that a more detailed description and map of the aforementioned
38 amendment is on file in the office of the Waukesha County Department of Parks and Land Use.
39

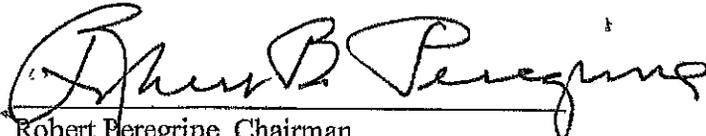
40 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
41 this Ordinance with the Town Clerk of Waukesha.

COMMISSION ACTION

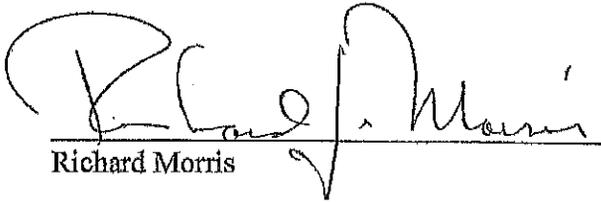
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance entitled "Year 2020 Amendment to the Comprehensive Development Plan for Waukesha County, (4A – Amy Hudson/James Derrick, Section 34, T6N, R19E, Town of Waukesha) hereby recommends conditional approval.

PARK AND PLANNING COMMISSION

March 19, 2020


Robert Peregrine, Chairman


William Mitchell, Vice Chairman


Richard Morris

James Siepmann via teleconference

James Siepmann

Absent

William Maslowski

Absent

Thomas Michalski

Robert Hamilton via teleconference

Robert Hamilton

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION FOR A YEAR 2020 AMENDMENT TO THE
COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY
(4A-AMY HUDSON/JAMES DERRICK, TOWN OF WAUKESHA)

DATE: March 19, 2020

PUBLIC HEARING DATE:

Thursday, February 20, 2020, 1:00 p.m.

REQUEST:

4 (A) Year 2020 amendment to the Comprehensive Development Plan.

Amy Hudson and James Derrick, 6508 W. Lincoln Avenue, West Allis, WI 53219-2045, request property located in part of the SE ¼ of Section 34, T6N, R19E, Town of Waukesha (Tax Key No. WAKT 1432.998.004), be amended from the Suburban I Density Residential (1.5 to 2.9 acres of area per dwelling unit) category to the Mixed Use category, to allow for a self- storage facility. The Other Open Lands to be Preserved areas on the property will remain unchanged.

EXISTING LAND USE CATEGORY

Suburban I Density Residential.

PROPOSED LAND USE CATEGORY

Mixed Use.

PUBLIC REACTION

None.

TOWN ACTION

No town action was required as the town plan identifies the property in the Commercial category.

STAFF ANALYSIS:

The subject property contains approximately 700' of frontage on STH 164 and has frontage on Townline Road. Uses to the west are residential with agricultural uses to the south. The Village of Big Bend has planned commercial uses to the southeast. A home based landscaping type business is located to the north.

The petitioner is proposing a Mixed Use designation and would like to construct a mini-warehouse storage facility on the property. The Mixed Use category would provide options for either residential or commercial use, which would provide the property owners with flexibility should the proposal for a storage business not materialize. The town has long had this property planned and zoned for commercial use.

The proposed concept plan for the storage business (see Exhibit A) shows that the existing north/south treeline would be preserved and storage buildings would be developed to the east of the treeline, preserving separation from residential uses to the west. Stormwater would be located to the south of the buildings and north of a mapped wetland area.

The petitioner has also applied for rezoning with both the town and county to change the zoning of the property from the B-2 Local Business District and the A-1 Agricultural District, respectively, to the B-3 General Business District. If the plan amendment request is approved and the pending rezoning is also approved, site plan approval would be required prior to a mini-storage facility being authorized.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **conditionally approved** subject to the following condition:

1. Allowable mixed uses are residential and commercial uses.

Respectfully submitted,

Jason Fruth

Jason Fruth
Planning and Zoning Manager

Attachment: Exhibit A, Map

N:\PRKANDLU\Planning and Zoning\Waukesha County Land Development Plan\STAFF REPORT AND RECOMMENDATION\2020\4A Hudson_Derrick wkt.doc

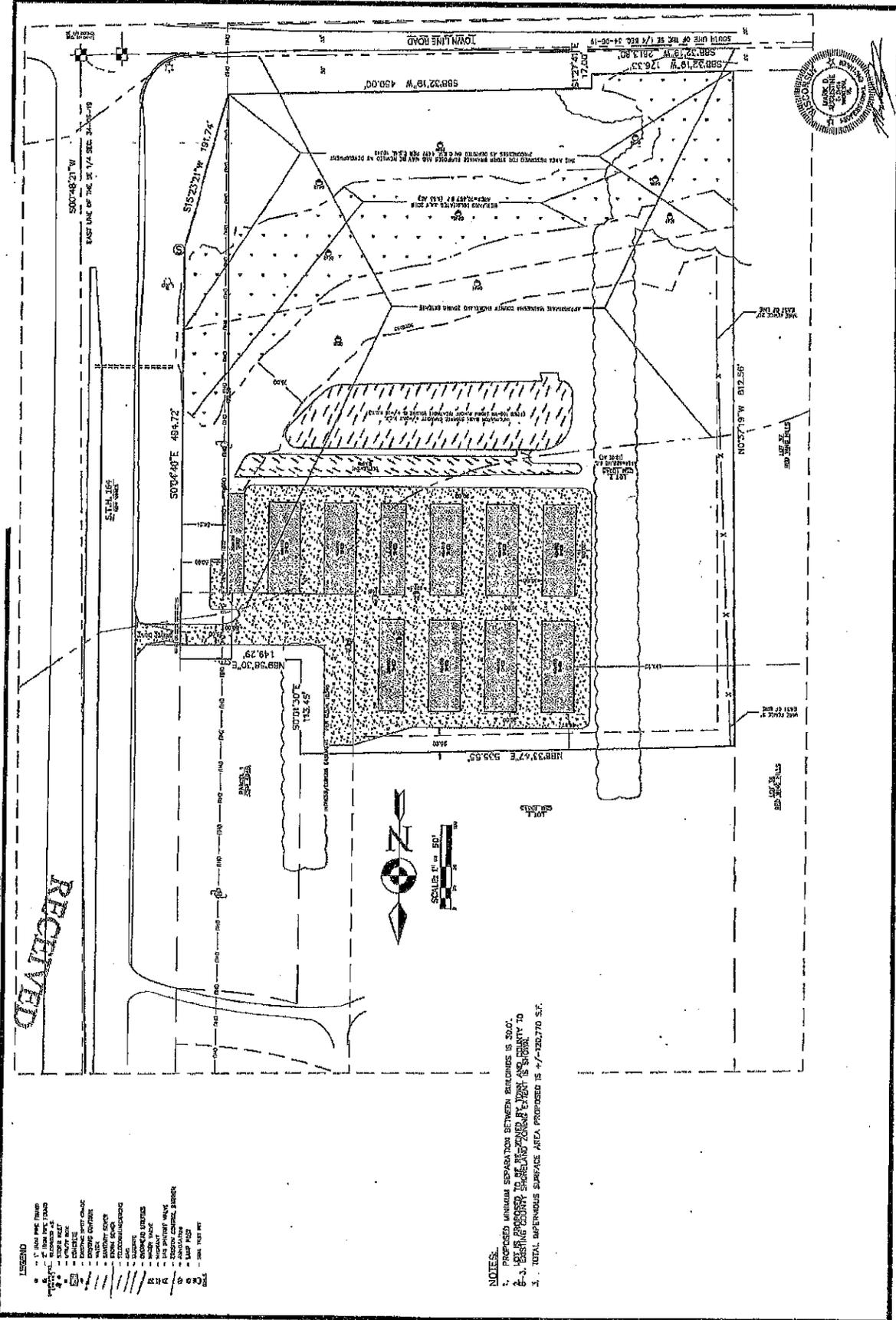
EXHIBIT "A"

LAND MARK
ENGINEERING SCIENCES, INC.
 119 COOLIDGE AVE., SUITE 100, WAUKESHA, WI 53186
 PHONE: 414-715-7759

LAYOUT MAP
 DERRICK SELF-STORAGE UNITS
 HWY 164
 WAUKESHA, WI 53189

PROJECT /	28725.00
DATE	8-18-2006
DRAWN BY	JWA
CHECKED BY	JWA
SCALE	AS SHOWN
SHEET NUMBER	3

C-1

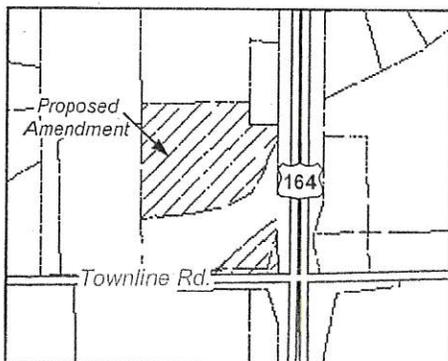
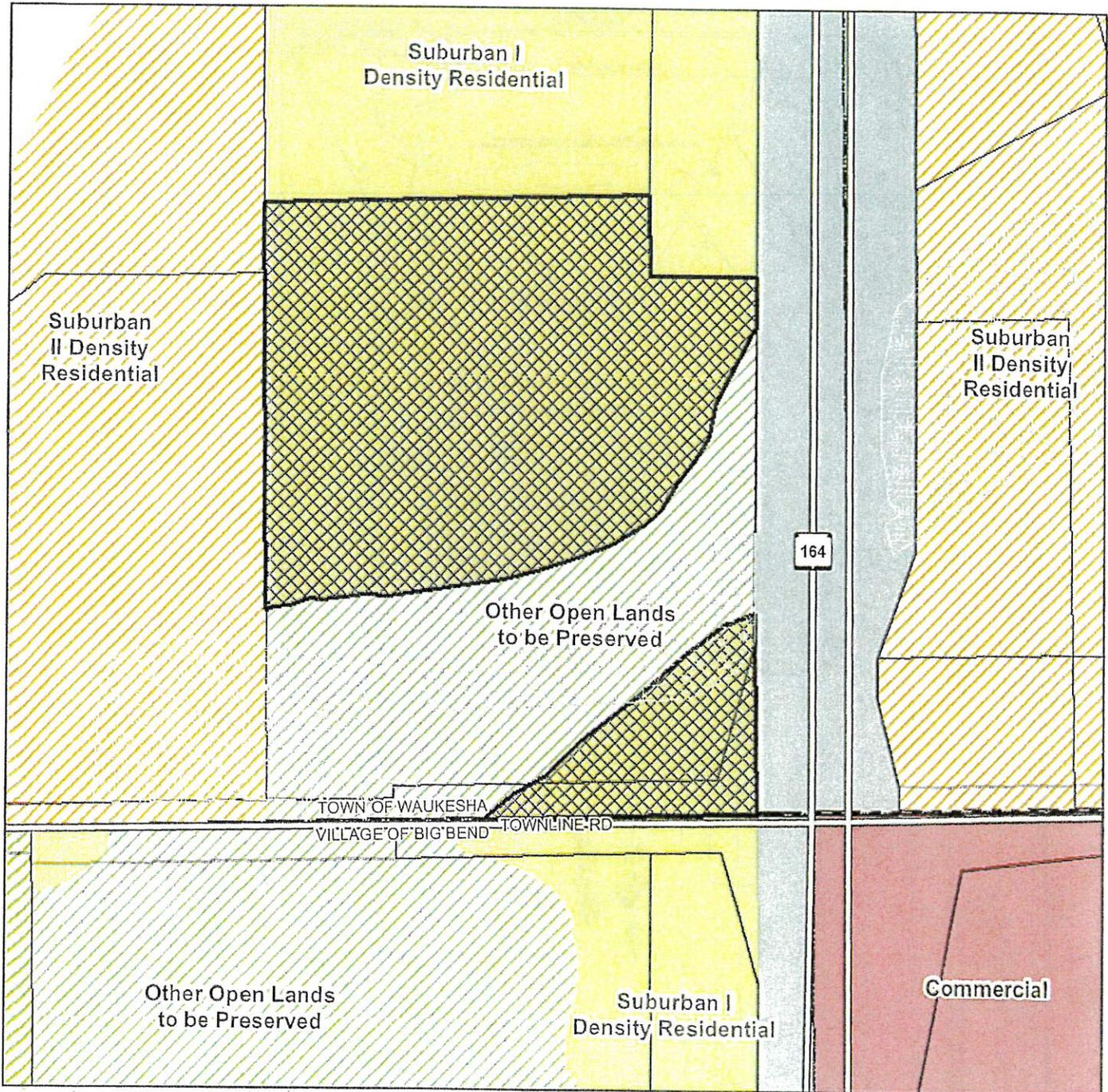


RECEIVED
 JAN 14 2020
 DEPT OF PARKS & LAND USE

- NOTES:**
1. PROPOSED MINIMUM SEPARATION BETWEEN BUILDINGS IS 30.0'.
 2. ALL BUILDINGS SHALL BE CONSTRUCTED TO MEET ALL CITY OF WAUKESHA ORDINANCES AND REGULATIONS.
 3. TOTAL IMPERVIOUS SURFACE AREA PROPOSED IS 47,120.770 SF.

DEVELOPMENT PLAN AMENDMENT

PART OF SECTION 34,
TOWN OF WAUKESHA



 COUNTY DEVELOPMENT PLAN AMENDMENT FROM SUBURBAN I DENSITY RESIDENTIAL TO MIXED USE

 WETLANDS

PETITIONER.....4A Amy Hudson
 DATE OF PARK & PLANNING COMMISSION MEETING03/19/20
 AREA OF CHANGE..... 12 ACRES

1 inch = 200 feet



Prepared by the Waukesha County Department of Parks and Land Use

File Number: 175-O-003

Referred to: LU 6

Referred on: 05/07/20

YEAR 2020 AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT PLAN FOR
WAUKESHA COUNTY (4B – WAUKESHA COUNTY PARK AND PLANNING
COMMISSION, COMPREHENSIVE LAND USE MAPPING, TOWN OF WAUKESHA)

1 WHEREAS, on February 24, 2009, the Waukesha County Board of Supervisors in Enrolled
2 Ordinance No 163-81, approved a Comprehensive Development Plan for Waukesha County; and
3

4 WHEREAS, said Comprehensive Development Plan for Waukesha County provides for annual
5 update and amendment procedures; and
6

7 WHEREAS, on February 20, 2020, the Waukesha County Park and Planning Commission held a
8 Public Hearing to receive testimony on proposed changes to the Comprehensive Development
9 Plan for Waukesha County; and
10

11 WHEREAS, the staff has identified in a “Staff Report and Recommendation” dated March 19,
12 2020, a summary of the Public Hearing comments and a Staff Recommendation for the proposed
13 change to the Comprehensive Development Plan for Waukesha County; and
14

15 WHEREAS, the “Staff Report and Recommendation” has been reviewed by the Waukesha
16 County Park and Planning Commission on March 19, 2020, and a recommendation was reported
17 to the Land Use, Parks and Environment Committee and the Waukesha County Board of
18 Supervisors as required in the Comprehensive Development Plan for Waukesha County.
19

20 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
21 that the following amendment is hereby approved to the Year 2035 Comprehensive
22 Development Plan for Waukesha County.
23

24 4. In the Town of Waukesha, the following requests are being made:
25

- 26 B. *The Waukesha County Park and Planning Commission*, 515 West Moreland Blvd.,
27 Waukesha, WI 53188, requests comprehensive amendments to the land use plan
28 mapping for various properties within the Town of Waukesha. The proposed
29 amendments are being brought forward in response to recent amendments made to the
30 Town of Waukesha Comprehensive Plan.
31

32 BE IT FURTHER ORDAINED that a more detailed description and map of the aforementioned
33 amendment is on file in the office of the Waukesha County Department of Parks and Land Use.
34

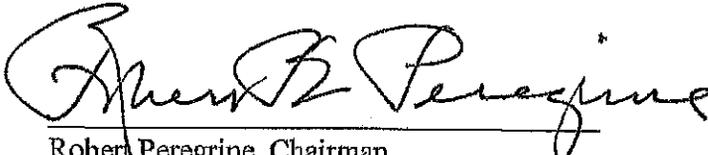
35 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
36 this Ordinance with the Town Clerk of Waukesha.

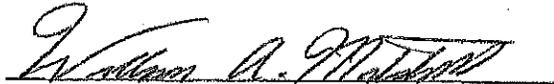
COMMISSION ACTION

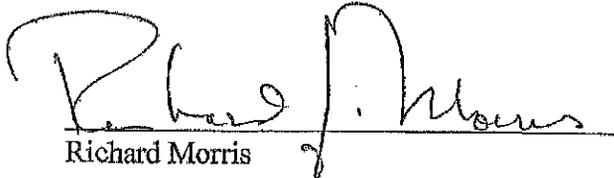
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance entitled "Year 2020 Amendment to the Comprehensive Development Plan for Waukesha County, (4B – Waukesha County Park and Planning Commission/Comprehensive Land Use Mapping, Town of Waukesha) hereby recommends approval.

PARK AND PLANNING COMMISSION

March 19, 2020


Robert Peregrine, Chairman


William Mitchell, Vice Chairman


Richard Morris

James Siepmann via teleconference

James Siepmann

Absent

William Maslowski

Absent

Thomas Michalski

Robert Hamilton via teleconference

Robert Hamilton

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION FOR A YEAR 2020 AMENDMENT TO THE
COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY
(4B-WAUKESHA COUNTY PARK AND PLANNING COMMISSION,
TOWN OF WAUKESHA

DATE: March 19, 2020

PUBLIC HEARING DATE:
Thursday, February 20, 2020, 1:00 p.m.

REQUEST:
4 (B) Year 2020 amendment to the Comprehensive Development Plan.

The Waukesha County Park and Planning Commission, 515 West Moreland Blvd., Waukesha, WI 53188, requests comprehensive amendments to the land use plan mapping for various properties within the Town of Waukesha. The proposed amendments are being brought forward in response to recent amendments made to the Town of Waukesha Comprehensive Plan.

EXISTING LAND USE CATEGORY
Various.

PROPOSED LAND USE CATEGORY
Commercial and Mixed Use.

PUBLIC REACTION
None.

TOWN PLAN COMMISSION ACTION
At their December 12, 2019 meeting, the Town of Waukesha Plan Commission approved parallel amendments to the Town of Waukesha Comprehensive Plan.

TOWN BOARD ACTION
The Town of Waukesha Board approved the related amendments to the town plan at their December 12, 2019 meeting.

STAFF ANALYSIS:
The Town of Waukesha recently completed an exercise to make updates to the text and map components of the town comprehensive plan. The town views these amendments as an interim update of the plan and anticipates a more comprehensive revision in the future. Town and county staff worked together to analyze the town's proposed category changes for properties and then considered the appropriateness of recommending similar changes to the county plan mapping. The recently completed county business park study was also used to analyze properties having commercial or mixed use development potential. The plan designation for part or all of eight parcels are proposed to be amended. The attached map shows the location of the parcels with each sub-area of change identified uniquely. The affected parcels are predominantly located along S.T.H. 164, 59 or the West Bypass alignment. A corresponding table is provided as Exhibit A which provides property and category change details.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. The proposed plan amendments update plan designations of properties located along major transportation infrastructure to match the town plan and to provide economic development opportunities for well-located parcels.

Respectfully submitted,

Jason Fruth

Jason Fruth
Planning and Zoning Manager

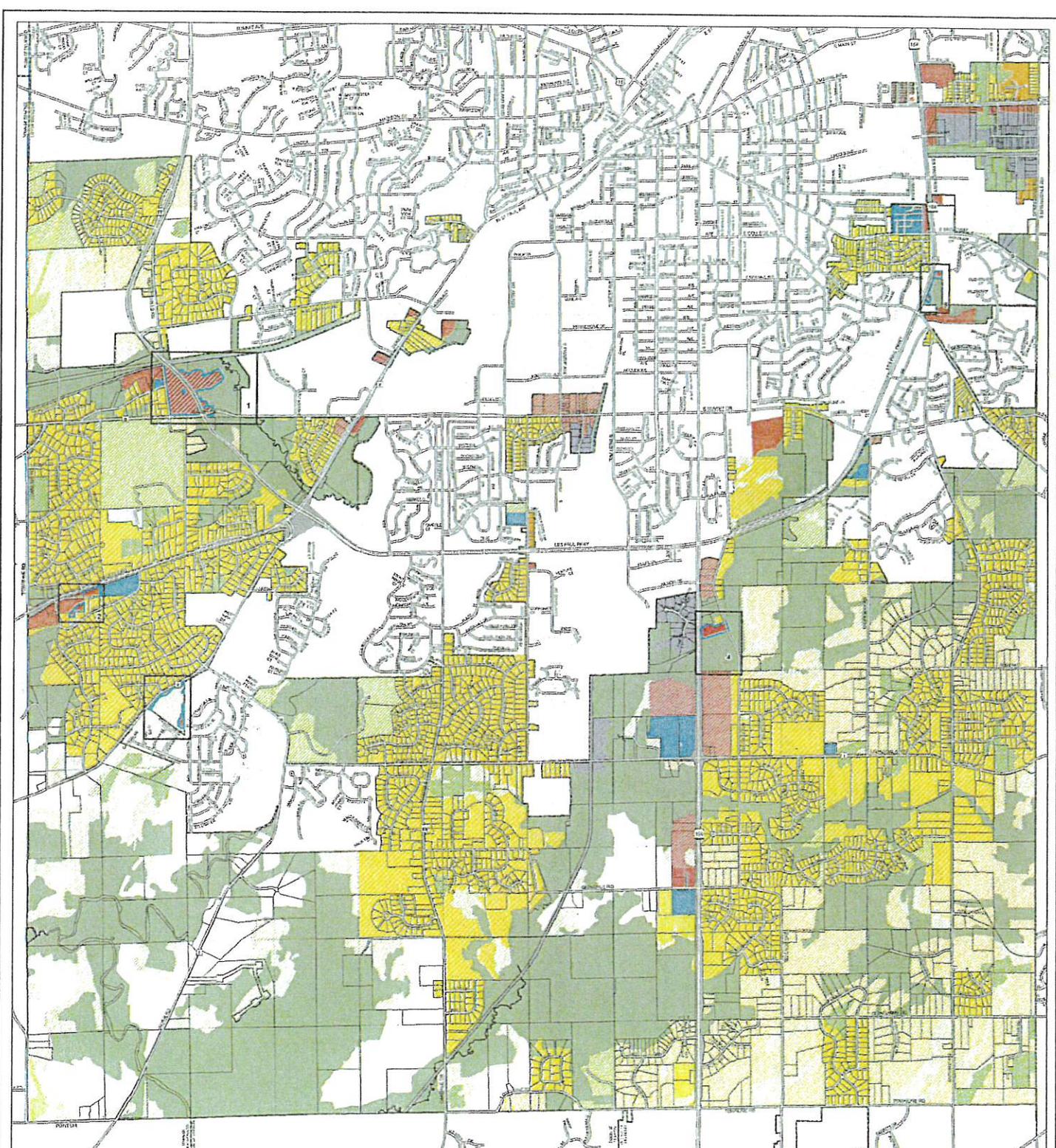
Attachment: Exhibit A
Map

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EXHIBIT "A"

Proposed Comprehensive Map Changes, Town of Waukesha						
Area no.	Location	Nearest Road	Taxkey	Existing LUP	Proposed LUP	Area of Change
1	SE 1/4 of Section 7; SW 1/4 of Section 8	E of CTH TT and N of CTH D	WAKT1327998	LDR	Mixed Use	28.2 acres
2	SW 1/4 of Section 18	S of STH 59	WAKT1367997	LDR	Commercial	1 acre
2	SW 1/4 of Section 18	S of STH 59	WAKT1367996	LDR	Commercial	1.01 acres
2	SW 1/4 of Section 18	S of STH 59	WAKT1367995 (east part)	LDR	Commercial	0.8 acres
2	NW 1/4 of Section 19	S of STH 59 and E of Green County Road	WAKT1370994 (south part)	LDR	Commercial	2.18 acres
3	SE 1/4 of Section 19	SE of CTH X (Saylesville Road)	WAKT1372999	Rural and Other open lands	Mixed Use and Other open lands	3.7 acres
4	NW 1/4 of Section 23	E of STH 164	WAKT1386996002 (NW part)	LDR	Commercial	8 acres
5	NE 1/4, SE 1/4, SW 1/4, and NW 1/4 of Section 12	NE of CTH Y and E of STH 164/59 intersection	WAKT1342979001	LDR	Commercial	3.7 acres

\\www.waukesha-county.gov\files\Dept\PRK\NDLU\Planning and Zoning\Waukesha County Land Development Plan\Amendment Electronic Materials\2021\Waukesha



WAUKESHA COUNTY LAND USE PLAN-TOWN OF WAUKESHA

Request 4B, Proposed 2020 Land Use Plan Amendments

<p> Proposed Changes in Land Use Category</p> <p>County Development Plan Land Use Category</p>		<p> Sub-area Identification</p>	
<ul style="list-style-type: none"> Farmland Preservation w/PEC Farmland Preservation High Density Residential Medium Density Residential Low Density Residential Suburban I Density Residential 	<ul style="list-style-type: none"> Suburban II Density Residential Rural density and Other Agricultural Land Other Open Lands to be Preserved Primary Environmental Corridor Secondary Environmental Corridor Isolated Natural Resource Area 	<ul style="list-style-type: none"> Recreational Governmental & Institutional Commercial and Office Park Mixed Use Industrial Transportation, Communication & Utilities 	<ul style="list-style-type: none"> Highway/Railway ROWs Extractive Landfill Surface water
<p>Land Base</p> <ul style="list-style-type: none"> Civil Division Boundary Parcel Lot Line Waukesha County Shoreland Zoning Jurisdictional Limits* 		<ul style="list-style-type: none"> Surface Water Road Right-of-Way Railroad 	



1 AMEND THE TEXT OF THE TOWN OF DELAFIELD ZONING CODE BY REPEALING
2 AND RECREATING CERTAIN SECTIONS OF CHAPTER 17 AND ALL OF SECTION
3 17.05 RELATING TO CONDITIONAL USE PROVISIONS (RZ40)
4
5

6 WHEREAS, after proper notice was given, a public hearing was held and the subject matter of
7 this Ordinance was approved by the Delafield Town Board on March 26, 2019; and
8

9 WHEREAS, the matter was referred to and considered by the Waukesha County Park and
10 Planning Commission, which recommended approval and reported that recommendation to the
11 Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors,
12 as required by Section 60.62, Wis. Stats.
13

14 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
15 that the text of the Town of Delafield Zoning Code, adopted by the Town of Delafield on July
16 20, 1988, is hereby amended to repeal and recreate certain sections of Chapter 17 and all of
17 Section 17.05 relating to conditional use provisions, more specifically described in the "Staff
18 Report and Recommendation" on file in the office of the Waukesha County Department of Parks
19 and Land Use and made a part of this Ordinance by reference RZ40, is hereby approved.
20

21 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
22 this Ordinance with the Town Clerk of Delafield.
23

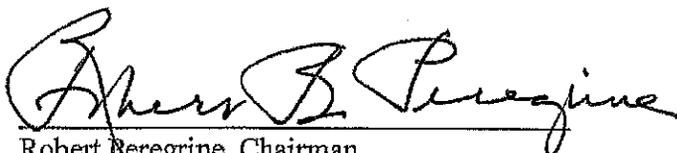
24 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
25 approval and publication.

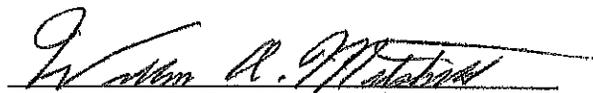
COMMISSION ACTION

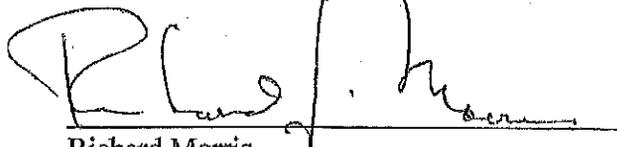
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Delafield Zoning Code hereby recommends **approval** of **RZ40 (Text Amendment/Town of Delafield Board)** in accordance with the attached "Staff Report and Recommendation".

PARK AND PLANNING COMMISSION

March 19, 2020


Robert Peregrine, Chairman


William Mitchell, Vice Chairman


Richard Morris

James Siepmann via teleconference

James Siepmann

Absent

William Maslowski

Absent

Thomas Michalski

Robert Hamilton via teleconference

Robert Hamilton

division ordinance which allows for subdivision development without conserved open space if lots of five acres or more are provided. This is a major shift in policy for the town and the town may wish to monitor whether they are satisfied with the results from an open space and natural resource preservation standpoint.

More detailed standards for review have been prepared to comply with legal requirements and standard conditions of approval have been provided ahead of the detailed standards for each individual use.

County staff did share a number of recommendations with the town and the town made several changes in response with regards to clarifying jurisdictional responsibility with regards to quarries, review of manure management plans and change of ownership rules for commercial planned unit developments. County staff also recommended that the town analyze their existing open space requirements for commercial PUDs and business park uses. County staff shared that the town's open space thresholds are quite high compared to other local and county codes. For instance, the town's M-1 open space requirement is 60%, while the county's is 30%. The town business park district requires 75% open space while the county's equivalent district requires 35% open space. The town responded that they are analyzing open space as part of a separate ongoing effort to create a mixed use zoning district.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. The proposed amendments modernize the town's conditional use provisions in accordance with recent law changes. The removal of conditional use types that are no longer likely or compatible with the town's setting, makes code administration more efficient. In addition, the creation of standardized general conditions and more detailed specific use review standards should make conditional use reviews easier for all involved parties.

Respectfully submitted,

Jason Fruth

Jason Fruth
Planning and Zoning Manager

JF:kb

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1 AMEND THE TEXT OF THE TOWN OF WAUKESHA ZONING CODE BY
2 REPEALING AND RECREATING VARIOUS SECTIONS REGARDING
3 CONDITIONAL USE PROVISIONS (RZ63)
4
5

6 WHEREAS, after proper notice was given, a public hearing was held and the subject matter of
7 this Ordinance was approved by the Waukesha Town Board on January 9, 2020; and
8

9 WHEREAS, the matter was referred to and considered by the Waukesha County Park and
10 Planning Commission, which recommended approval and reported that recommendation to the
11 Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors,
12 as required by Section 60.62, Wis. Stats.
13

14 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
15 that the text of the Town of Waukesha Zoning Code, adopted by the Town of Waukesha on
16 February 2, 2019, is hereby amended by repealing and recreating various sections relating to
17 conditional use provisions, more specifically described in the "Staff Report and
18 Recommendation" on file in the office of the Waukesha County Department of Parks and Land
19 Use and made a part of this Ordinance by reference RZ63, is hereby approved.
20

21 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
22 this Ordinance with the Town Clerk of Waukesha.
23

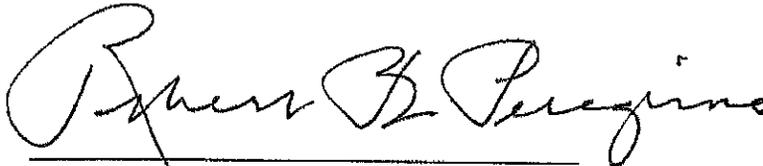
24 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
25 approval and publication.

COMMISSION ACTION

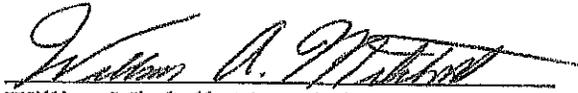
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Waukesha Zoning Code hereby recommends approval of **RZ63 (Text Amendment/Town of Waukesha Board)** in accordance with the attached "Staff Report and Recommendation".

PARK AND PLANNING COMMISSION

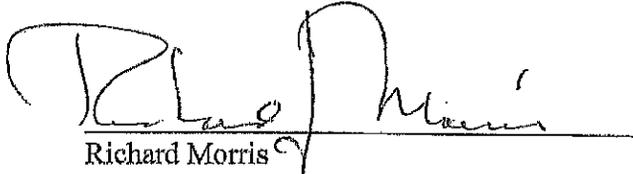
March 19, 2020



Robert Peregrine, Chairman



William Mitchell, Vice Chairman



Richard Morris

James Siepmann via teleconference

James Siepmann

Absent

William Maslowski

Absent

Thomas Michalski

Robert Hamilton via teleconference

Robert Hamilton

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION
TEXT AMENDMENT

DATE: March 19, 2020

FILE NO.: RZ63

PETITIONER: Town of Waukesha Board
W250 S3567 Center Road
Waukesha, WI 53189

NATURE OF REQUEST:

Repeal and recreate various sections of the Town of Waukesha Zoning Code, relating to conditional use provisions.

PUBLIC HEARING DATE:

January 9, 2020

PUBLIC REACTION:

There were no public comments at the January 9, 2020 hearing continuation.

TOWN PLAN COMMISSION:

At their January 9, 2020 meeting, the Town of Waukesha Plan Commission unanimously recommended approval of the proposed amendments to the Town Board.

TOWN BOARD ACTION:

At their January 9, 2020 meeting, the Town of Waukesha Board approved the proposed amendments with a unanimous vote.

Note: The amendments are available for viewing on the Planning and Zoning Division webpage at www.waukeshacounty.gov/landandparks/planning-and-zoning/zoning-ordinances - click "Draft County/Town Ordinances" tab, then "Town of Waukesha Conditional Use Ordinance (2020-01)".

OTHER CONSIDERATIONS:

Similar to many of the other towns in the county, the Town of Waukesha is proposing to take action to respond to recent statutory changes relative to administration of conditional use (CU) provisions. A few months ago, the town advanced an ordinance to temporarily repeal its conditional use types. However, the town asked that action on that request be tabled and the town has now advanced an alternative ordinance that would preserve a number of the existing conditional use types while also adding modernized language to the general requirements. The town will likely bring forward additional amendments in the future for existing CU types that currently lack sufficient standards.

The changes clarify that any proposed use type not listed as an available conditional use cannot be considered without an ordinance amendment. Provisions have also been added to clarify that any existing conditional use that is no longer a specified CU type can seek amendments pursuant to the CU language that was in place immediately prior to the repeal of the CU type. Senior housing is being maintained as a CU option within the R-3 District, however, the use will become permitted by right within the B-1, B-2 and B-3 districts.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division staff that this request be **approved**. The proposed amendments update conditional use standards to be responsive to recent law changes while also preserving many of the most often sought conditional use types which allows for new applications to be considered as the town continues working on other related planned language improvements.

Respectfully submitted,

Jason Fruth

Jason Fruth
Planning Manager

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1 APPROVE EASEMENT TO SAWALL DEVELOPMENT FOR THE CONSTRUCTION,
2 MAINTENANCE AND REPAIR OF A PARKING LOT, LANDSCAPING AND
3 SANITARY SEWER LATERAL ON WAUKESHA COUNTY PROPERTY
4 KNOWN AS THE BUGLINE RECREATION TRAIL CORRIDOR
5
6

7 WHEREAS, Sawall Development has requested permission for an Easement to construct,
8 maintain and repair a parking lot, landscaping and the sanitary sewer lateral connection for a
9 development located on a portion of Waukesha County Property known as the Bugline
10 Recreational Trail Corridor located in a part of the Northeast ¼ of the Northwest ¼ of Section
11 26, Town 8 North, Range 19 East, in the Village of Sussex, Waukesha County, Wisconsin; and
12

13 WHEREAS, it is deemed desirable to grant the Easement as Sawall Development will install and
14 maintain a safe connection from the parking lot to the Bugline Recreational Trail to improve
15 public pedestrian and non-motorized access to the trail; and
16

17 WHEREAS, it is necessary to provide an Easement from Waukesha County to Sawall
18 Development for the purposes of constructing, maintaining and repairing the parking lot,
19 landscaping and sanitary sewer lateral on County-owned lands.
20

21 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
22 that Waukesha County's grant of an Easement to Sawall Development, which will be recorded in
23 the Office of the Register of Deeds, is hereby approved.
24

25 BE IT FURTHER ORDAINED that the Director of Parks and Land Use may execute the
26 Easement on behalf of Waukesha County, together with any other documents necessary to
27 accomplish the intended transaction.

Document Number

Document Name

This EASEMENT, made between WAUKESHA COUNTY,

and Sawall Development

Grantor,

Grantee.

PROPERTY DESCRIPTION:

See attached Exhibit A.

CONDITIONS IMPOSED:

FOR AND IN CONSIDERATION of a sum of One Hundred Dollars (\$100.00) and other good and valuable consideration to be paid, WAUKESHA COUNTY, WISCONSIN, a Municipal Corporation and Owner, does hereby permit Sawall Development ("Grantee"), its successors, assigns and agents, the right, permission, and authority to construct, repair and maintain a parking lot, landscaping and sanitary sewer lateral located within the Easement area known as the Bugline Recreation Trail Corridor located in a part of the Northeast ¼ of the Northwest ¼ of Section 26, Town 8 North, Range 19 East, in the Village of Sussex, Waukesha County, Wisconsin.

Name and Return Address

Waukesha County
c/o Department of Parks & Land Use
515 W. Moreland Blvd., AC-230
Waukesha, WI 53188

SUXV 0245 962 003

Parcel Identification Number (PIN)

The location of the Easement with respect to the premises of Waukesha County as shown on the plan attached hereto as Exhibit A, which is incorporated by reference and made a part hereof.

Grantee shall construct, maintain and repair, at Grantees sole expense, the parking lot, lawn, landscaping and sanitary sewer lateral as shown on the plan and attached hereto as Exhibit B, in accordance with standard industry practice and as approved by Waukesha County. Snow and ice may not be stored on any Waukesha County Property.

Grantee shall not (a) trim, cut down or remove trees or brush on Waukesha County's property, or (b) install any fencing, fixtures, signs or gates on Waukesha County's property (other than expressly authorized herein) unless it obtains prior written approval from the Waukesha County Department of Parks and Land Use.

Grantee and his successors, assigns and agents shall install and maintain a safe connection, hereafter known as the Permitted Trail Access, from the parking lot to the Bugline Recreation Trail with signage at the intersection of the Bugline Recreation Trail, the install will Trail and the Permitted Trail Access, subject to the written approval of the Waukesha County Department of Parks and Land Use. The signage shall inform trail users of the upcoming intersection, while maintaining unimpeded traffic flow on the Bugline Recreation Trail.

Grantee and his successors, assigns and agents agree that the Bugline Recreation Trail shall remain open, to the extent possible, for public use during construction, repair, maintenance, or related activities described in the Easement. Grantee agrees that if closure of the Bugline Recreation Trail is required, a minimum of 14-day advanced notice will be provided to and approved by the County and Grantee will provide an approved detour route and map and post necessary signage for Bugline Recreation Trail users.

Grantee and his agents shall have the right to enter the lands covered by the Easement for the purposes of exercising the rights acquired and obligations assumed herein, but Grantee shall promptly and fully restore the premises of Waukesha County to the condition existing prior to the entry by Grantee or his agents, and said restoration shall be accomplished as per Waukesha County specifications. The restoration shall not apply to any trees which may be permitted to be removed pursuant to the rights granted herein. Grantee shall be liable for prompt restitution for any damage, if any, to vegetation, trail improvements, signs, entrance gates, park improvements and any other fixtures owned by Waukesha County and caused by the acts of Grantee, his agents, employees, invitees or guests.

This Easement shall run with the land, and may not be revoked prior to the end of the Term except for cause upon written notice by Waukesha County. "Cause" hereunder shall mean the uncured breach of any term of this Easement or any conduct by Grantee or Grantee's successors in interest blocking or otherwise interfering with the public's use of the Bugline Recreation Trail which continues to exist five (5) or more days after receipt of written notice of the breach or interference.

Grantee must maintain the Permitted Trail Access in a safe condition for the purposes intended and so as to not cause harm or injury to the public. Waukesha County is not responsible for maintenance of the Permitted Trail Access as part of the Bugline Recreation Trail.

Waukesha County reserves the right to utilize its land and Easement Area for all purposes, including future trail improvements, signage, pavement and grading.

Grantee, its successors, assigns and agents will defend, indemnify and hold harmless Waukesha County and all of its departments, agencies, boards, officers, employees and agents from any and all liability, loss, damages, expenses and costs, including attorney fees and expenses, that they may suffer or incur as the result of any injury (including death) or damage to person or property which results from any action or omission, negligent or otherwise, of Grantee, his successors, assigns, agents, invitees and guests, in connection with the grant of this Easement, any and all work of any type which Grantee, his successors and assigns and any of their agents, invitees and/or guests perform or should perform upon the lands subject to this Easement, and their use of the Waukesha County lands covered by this Easement.

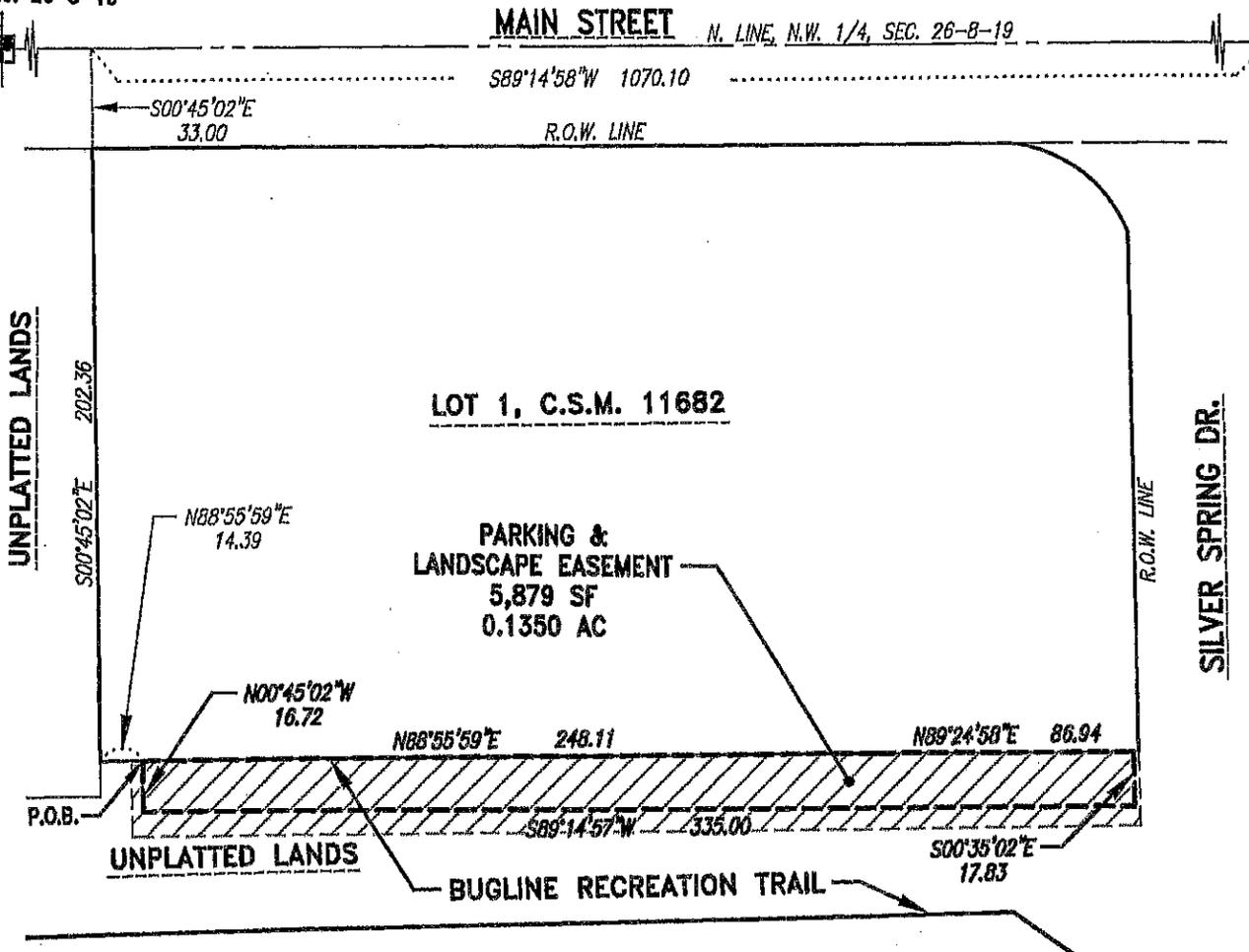
The Grantee and his successors, assigns and agents shall, at all times during the Term of this Easement, keep in force and effect insurance policies as outlined below, issued by a company or companies authorized to do business in the State of Wisconsin and satisfactory to Waukesha County. Such insurance shall be primary. Upon execution of this Easement, Grantee shall furnish Waukesha County with a certificate of insurance which references this Easement demonstrating the required coverages. Waukesha County shall be given thirty (30) days advance notice of cancellation, nonrenewal, or material reduction of coverages, scope or limits during the term of this Easement. Grantee shall maintain Homeowner's liability insurance covering liability for Grantee's liabilities associated with this Easement and personal automobile liability insurance covering Grantee's automobiles utilized in connection with this grant of Easement. Grantee shall require the following insurance from any contractors it retains to construct or maintain the Permitted Trail associated with this grant of this Easement: 1) Commercial General Liability Insurance- Policy shall be written to provide coverage for, but not limited to, the following: premises operations, personal injury, blanket contractual coverage, independent contractors coverage. Waukesha County, its boards, commission, agencies, officers, employees and representatives shall be named as additional insured and so stated on the certificate of insurance. Limits of liability not less than \$1,000,000 each occurrence and aggregate; 2) Automobile Liability Insurance- Business automobile policy covering all owned, hired and non-owned private passenger autos and commercial vehicles. Limit of liability not less than \$500,000 combined single limit.

EXHIBIT "A"

PARKING & LANDSCAPE EASEMENT

P.O.C.
N.E. CORNER
NW 1/4,
SEC. 26-8-19

N.W. CORNER
NW 1/4,
SEC. 26-8-19



4100 N. CALHOUN ROAD
Suite 300
Brookfield, WI 53005
Phone: (262) 790-1490
Fax: (262) 790-1491



H:\C900\97A\16038-02\Survey\ESJF-EXHIBITS\885DEX01_Parking-Ac-TLE.dwg

EXHIBIT "A" CONTINUED

PARKING AND LANDSCAPE EASEMENT

LEGAL DESCRIPTION:

A Parking and Landscape Easement located on, over and across Unplatted Lands, known as the Bugline Recreation Trail, owned by Waukesha County, located in a part of the Northeast 1/4 of the Northwest 1/4 of Section 26, Town 8 North, Range 19 East, in the Village of Sussex, Waukesha County, Wisconsin, being more particularly bounded and described as follows:

Commencing at the Northeast Corner of the said Northwest 1/4 Section; Thence South 89°14'58" West along the North line of the Northwest 1/4 of said Section, 1070.10 feet to a point; Thence South 00°45'02" East, 33.00 feet to the Northwest corner of Lot 1, Certified Survey Map No. 11682, also being the South Right-of-Way line of "Main Street"; Thence continuing South 00°45'02" East along the West line of said Lot 1, 202.36 feet to the Southwest corner of said Lot 1; Thence North 88°55'59" East along the South line of said Lot 1, 14.39 feet to the point of beginning of lands hereinafter described;

Thence continuing North 88°55'59" East along said South line, 248.11 feet to a point; Thence North 89°24'58" East along said South line, 86.94 feet to a point; Thence South 00°35'02" East, 17.83 feet to a point; Thence South 89°14'57" West, 335.00 feet to a point; Thence North 00°45'02" West, 16.72 feet to the point of beginning of this description.

Said Easement contains 5,879 Square Feet (or 0.1350 Acres) of land, more or less.

Date: 9/13/2019



Deborah L. Joers, P.L.S.
Professional Land Surveyor, S-2132
TRIO ENGINEERING, LLC
4100 N. Calhoun Road, Suite 300
Brookfield, WI 53005
Phone: (262)790-1480 Fax: (262)790-1481

MAMMOTH LOFTS

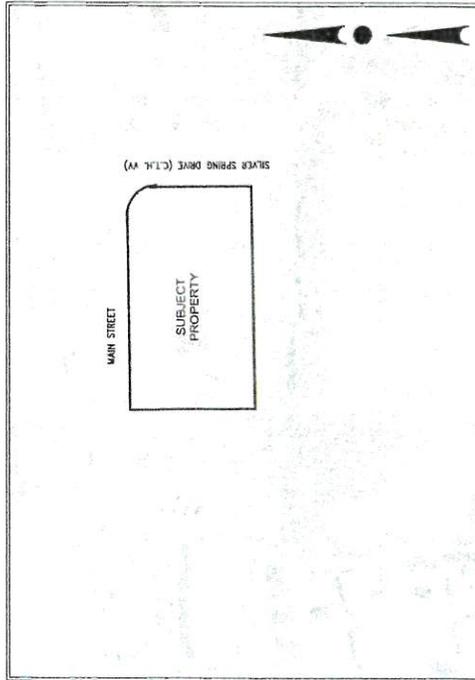
PROPOSED SITE DEVELOPMENT PLANS

SWC OF MAIN ST. & SILVER SPRING DR.

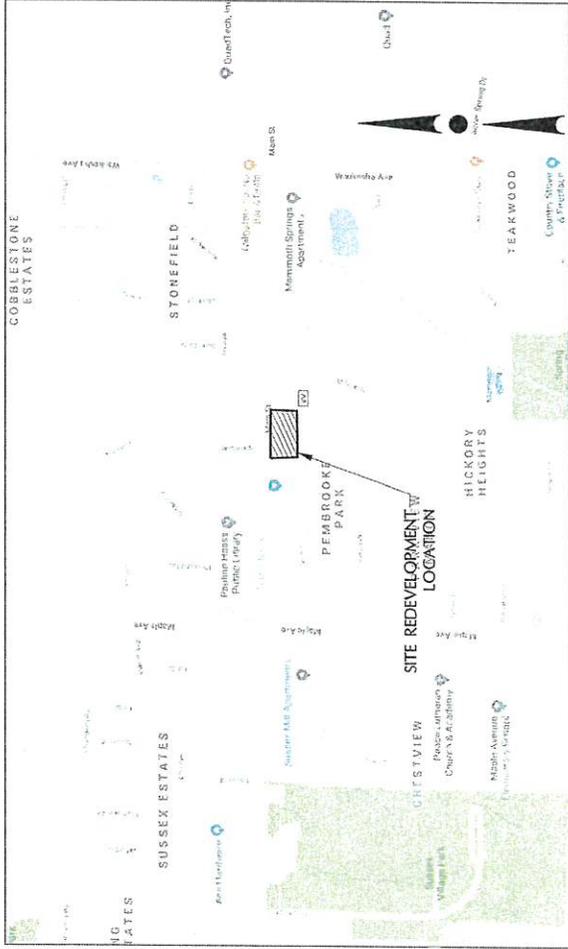
VILLAGE OF SUSSEX, WISCONSIN

GENERAL NOTES

1. THE LATEST EDITIONS OF THE FOLLOWING DOCUMENTS AND ANY SUPPLEMENTS HERETO, SHALL GOVERN ALL CONSTRUCTION ITEMS ON THIS PLAN UNLESS OTHERWISE NOTED.
 - STANDARD SPECIFICATIONS FOR PAVEMENT AND WATER CONSTRUCTION IN WISCONSIN (ENCL. C1000)
 - THE WISCONSIN S.D.E. STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION, LATEST EDITION
 - MUNICIPAL ENGINEERING STANDARDS FOR DEVELOPMENT, LATEST EDITION
 - VILLAGE OF SUSSEX STANDARDS & REQUIREMENTS FOR DEVELOPMENT, LATEST EDITION.
2. THE CONTRACTOR SHALL TAKE ALL MEASURES NECESSARY TO MINIMIZE EROSION, WATER POLLUTION AND SILTATION CAUSED BY CONSTRUCTION ACTIVITIES. EROSION CONTROL MEASURES SHALL BE IN ACCORDANCE WITH WISCONSIN DEPARTMENT OF NATURAL RESOURCES TECHNICAL STANDARDS. EROSION CONTROL MEASURES SHALL BE IN ACCORDANCE WITH WISCONSIN DEPARTMENT OF NATURAL RESOURCES TECHNICAL STANDARDS.
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4. EROSION CONTROL PLAN: THE CONTRACTOR IS RESPONSIBLE FOR PROPERLY IMPLEMENTING ALL EROSION CONTROL MEASURES AS ILLUSTRATED ON THE APPROVED PLAN. THE VILLAGE ENGINEER RESERVES THE RIGHT TO REQUIRE ANY ADDITIONAL EROSION CONTROL MEASURES AS DEMAND DURING THE COURSE OF CONSTRUCTION.
5. THE CONTRACTOR SHALL FIELD VERIFY HORIZONTAL CONTROL, BY REFERENCING SHOWN COORDINATES TO KNOWN PROPERTY LINES, NEAREST TO THE LOCATION, ELEVATION AND SIDE OF EXISTING UTILITIES, AND VERY FLOOR, CURB OR PAVEMENT ELEVATIONS WHERE MATCHING INTO EXISTING WORK. THE CONTRACTOR SHALL FIELD VERIFY HORIZONTAL CONTROL, BY REFERENCING SHOWN COORDINATES TO KNOWN PROPERTY LINES, NEAREST TO THE LOCATION, ELEVATION AND SIDE OF EXISTING UTILITIES, AND VERY FLOOR, CURB OR PAVEMENT ELEVATIONS WHERE MATCHING INTO EXISTING WORK. THE CONTRACTOR SHALL FIELD VERIFY HORIZONTAL CONTROL, BY REFERENCING SHOWN COORDINATES TO KNOWN PROPERTY LINES, NEAREST TO THE LOCATION, ELEVATION AND SIDE OF EXISTING UTILITIES, AND VERY FLOOR, CURB OR PAVEMENT ELEVATIONS WHERE MATCHING INTO EXISTING WORK.
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7. PROPERTY OWNERS SHALL BE CAREFULLY PROTECTED UNTIL THEY HAVE BEEN REFERENCED BY A PROFESSIONAL LAND SURVEYOR. PROPERTY OWNERS SHALL BE CAREFULLY PROTECTED UNTIL THEY HAVE BEEN REFERENCED BY A PROFESSIONAL LAND SURVEYOR. PROPERTY OWNERS SHALL BE CAREFULLY PROTECTED UNTIL THEY HAVE BEEN REFERENCED BY A PROFESSIONAL LAND SURVEYOR.
8. WORK SHALL BE NOTICED 48 HOURS IN ADVANCE OF PERFORMING ANY CONSTRUCTION.
9. ALL TRENCHING SHALL BE PERFORMED ACCORDING TO OSHA STANDARDS.
10. ALL ITEMS SHALL INCLUDE ALL THE NECESSARY MATERIALS AND LABOR TO COMPLETE THE ITEM IN PLACE.
11. THE CONTRACTOR SHALL CLEAN ALL ADJACENT STREETS OF ANY SEDIMENT OR DEBRIS DAILY (OR AS ORDERED BY ENGINEER) AS REQUIRED BY MUNICIPAL ORDINANCE.
12. THE CONTRACTOR SHALL PROVIDE TRAFFIC CONTROL AND ADVANCE WARNING SIGNAGE ALONG SILVER SPRING DR. & HICKORY DR. DURING CONSTRUCTION. TRAFFIC CONTROL MUST BE IN ACCORDANCE WITH MUTCD STANDARDS.



AERIAL SITE PHOTO
NOT TO SCALE



SITE VICINITY MAP
NOT TO SCALE

SITE CIVIL ENGINEER
STEFAN PERRY SMITH ARCHITECTS INC.
4100 N. CALHOUN ROAD, SUITE 300
MILWAUKEE, WI 53202
PHONE: 262-762-1460

DEVELOPER
SMALL DEVELOPMENT
4375 PLENUM HOLLOW COURT
MILWAUKEE, WI 53202
TEL: 262-297-4444

ARCHITECT
STEFAN PERRY SMITH ARCHITECTS INC.
4100 N. CALHOUN ROAD, SUITE 300
MILWAUKEE, WI 53202
TEL: 414-277-2700



VILLAGE OF SUSSEX, WISCONSIN
100000000000000

PROJECT: MAMMOTH LOFTS VILLAGE OF SUSSEX, WISCONSIN PREPARED FOR: SMALL DEVELOPMENT 4375 PLENUM HOLLOW COURT BROOKFIELD, WI 53005	
REVISION HISTORY	DATE: FEBRUARY 18, 2020
DATE	JOB NUMBER: 16036-02
DESCRIPTION:	COVER SHEET
SHEET	T1

CIVIL	DESCRIPTION
T1.0	COVER SHEET AND DEVELOPMENT PLAN
C1.0	PROPOSED SITE PLAN
C2.0	PROPOSED GRADING PLAN
C2.1	EROSION CONTROL PLAN
C4.0-4.1	CONSTRUCTION DETAILS
C4.2	PROJECT SPECIFICATIONS

1 AMEND THE 2020 BUDGET TO ACCEPT COMMUNITY DEVELOPMENT BLOCK
2 GRANT CORONAVIRUS (CDBG-CV) FUNDS FOR THE 2020 PROGRAM YEAR
3
4

5 WHEREAS, the U.S. Department of Housing and Urban Development (HUD) has qualified
6 Waukesha County as an entitlement Urban County, and along with participating counties and
7 municipalities is eligible to receive federal funding to provide benefits primarily to low and
8 moderate income households as well as to meet specific community needs through the
9 Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME)
10 programs; and
11

12 WHEREAS, Waukesha County, as the grantee, has been authorized by the Waukesha County
13 Board of Supervisors to participate and accept funding; and
14

15 WHEREAS, the Parks and Land Use Department 2020 Modified Budget includes HUD funding
16 at \$1,464,022 for the CDBG program; and
17

18 WHEREAS, HUD has issued a special allocation of Community Development Block Grant
19 funds to be used to prevent, prepare for, and respond to the coronavirus (COVID-19), authorized
20 by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136,
21 which was signed by President Trump on March 27, 2020, to respond to the growing effects of
22 this historic public health crisis; and
23

24 WHEREAS, Waukesha County, as the grantee, has been allocated \$861,236 in CDBG-CV
25 funds; and
26

27 WHEREAS, subgrantees, participating counties and municipalities will enter into subgrantee
28 agreements with Waukesha County to use HUD funds mainly designated to benefit low and
29 moderate income (at-risk) persons and specific needs of participating jurisdictions.
30

31 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
32 that that the Community Development program administration is authorized to accept the 2020
33 HUD funding for the CDBG-CV program of \$861,236.
34

35 BE IT FURTHER ORDAINED that the 2020 Community Development program budget be
36 modified by appropriating operating expenditures of \$861,236 for the CDBG-CV program.
37

38 BE IT FURTHER ORDAINED that the Community Development program be authorized to
39 execute agreements or appropriate amendments to existing subgrantee agreements which are
40 deemed reasonable and appropriate by the County Executive and the Community Development
41 Block Grant Board.
42

FISCAL NOTE

AMEND THE 2020 BUDGET TO ACCEPT COMMUNITY DEVELOPMENT BLOCK GRANT CORONAVIRUS (CDBG-CV) FUNDS FOR THE 2020 PROGRAM YEAR

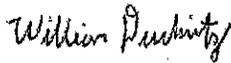
This ordinance authorizes Parks and Land Use - Community Development Fund - Community Development Block Grant (CDBG) program to accept and appropriate an additional \$861,236 of additional U.S. Department of Housing and Urban Development (HUD) funding into the 2020 PLU - CDBG program budget to be used to prevent, prepare for, and respond to the coronavirus (COVID-19), authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, to respond to the growing effects of the historic public health pandemic crisis.

The 2020 Parks and Land Use Department adopted Budget included HUD funding of \$1,405,009 for the CDBG program. HUD awarded the CDBG program \$1,464,022, which was \$59,013 higher than the adopted budget. This was appropriated by enrolled ordinance 174-99. This ordinance will bring the CDBG total 2020 modified budget to \$2,325,258.

The department plans to use the CARES funds in the following categories:

Eviction Prevention/Rent Assistance	\$300,000
Homeless Services	\$150,000
Food and Meals	\$100,000
Small Business Relief	\$250,000
Medical	\$ 61,236
Total	\$861,236

This ordinance results in no direct tax levy impact.



William Duckwitz
Budget Management Specialist
5/6/2020
CD Je 2020-00004206

1 AUTHORIZE ACCEPTANCE OF AND APPROPRIATE ADDITIONAL WISCONSIN
2 DEPARTMENT OF CORRECTIONS WINDOWS TO WORK GRANT FUNDS FOR RE-
3 ENTRY WORKFORCE DEVELOPMENT SERVICES IN WAUKESHA, OZAUKEE,
4 AND WASHINGTON COUNTIES AND AMEND THE 2020 BUDGET
5
6

7 WHEREAS, the Wisconsin Department of Corrections (DOC) created a workforce development
8 re-entry program titled Windows to Work to help offenders successfully transition from
9 incarceration back to their communities; and
10

11 WHEREAS, the Windows to Work program uses evidence-based curriculum to help participants
12 plan for the future, increase employability skills and job placement opportunities, and reduce
13 recidivism rates; and
14

15 WHEREAS, the DOC has provided grant funding through annual allocations to Wisconsin's
16 eleven workforce development boards since 2010 to implement the Windows to Work program
17 across the state; and
18

19 WHEREAS, the Waukesha-Ozaukee-Washington Workforce Development Board previously
20 received an annual allocation of \$79,000 for the performance period of July 1, 2019 – June 30,
21 2020; and
22

23 WHEREAS, the DOC amended its annual allocation to add an additional \$16,000 in Windows to
24 Work grant funds; and
25

26 WHEREAS, Waukesha County serves as the fiscal agent for the Waukesha-Ozaukee-
27 Washington Workforce Development Board; and
28

29 WHEREAS, the Waukesha County Department of Parks and Land Use is proposing to amend
30 the 2020 adopted budget by increasing expenditures by an additional \$16,000 to fund grant
31 administration and contracted services.
32

33 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
34 that the Waukesha County Department of Parks and Land Use, through its Director or his
35 designee, is authorized to accept distribution of additional DOC Windows to Work grant funds
36 available for the re-entry workforce development services in Waukesha, Ozaukee, and
37 Washington Counties.
38

39 BE IT FURTHER ORDAINED that the Waukesha County Department of Parks and Land Use
40 agrees to comply with state and federal rules for the program.
41

42 BE IT FURTHER ORDAINED that the Waukesha County Department of Parks and Land Use
43 2020 budget be modified by increasing general government revenues by an additional \$16,000,
44 and increasing the Department's operating expense appropriations by an additional \$14,880 and
45 personnel cost appropriations by \$1,120 to fund grant administration and contracted services.

FISCAL NOTE

AUTHORIZE ACCEPTANCE OF AND APPROPRIATE ADDITIONAL WISCONSIN DEPARTMENT OF CORRECTIONS WINDOWS TO WORK GRANT FUNDS FOR RE-ENTRY WORKFORCE DEVELOPMENT SERVICES IN WAUKESHA, OZAUKEE, AND WASHINGTON COUNTIES AND AMEND THE 2020 BUDGET

This ordinance authorizes the Department of Parks and Land Use – Workforce Innovation and Opportunity Act (WIOA) Fund to accept an additional Wisconsin Department of Corrections – Windows to Work grant award of \$16,000 for re-entry workforce development services in Waukesha, Ozaukee, and Washington Counties.

The ordinance appropriates \$14,880 of additional operating expense authority for a contracted staff person to assist eligible individuals in the corrections system to assist them with obtaining employment after their release. Remaining funds of \$1,120 are budgeted for administrative (e.g., county staff) costs.

This ordinance has no direct impact on county tax levy.

William Duckwitz

William Duckwitz
Budget Management Specialist
5/6/2020
AK JE#2020-00004227



WAUKESHA COUNTY
OFFICE OF THE COUNTY EXECUTIVE

MEMO:

DATE: May 6, 2020
TO: Chairman Paul Decker
FROM: Paul Farrow
RE: Reappointment of County Representative to the Waukesha County Health & Human Services Board

I am pleased to submit to the County Board for your consideration, the reappointment of Ms. Mary Berg to the Health and Human Services Board. Ms. Berg has been a resident of Waukesha County for many years and is currently a resident of Eagle, Wisconsin. She is currently employed as the recreation service manager for the City of Waukesha, having been in the recreation management field professionally in the Waukesha County area since 1994. Ms. Berg comes with high recommendations from those in her field and professional associations. If appointed, Ms. Berg's term will expire in April of 2023.

Thank you for your swift consideration.

PF:kb

cc: Meg Wartman
Antwayne Robertson

SUPPORT OF RIGHTS GUARANTEED BY THE SECOND AMENDMENT TO THE U.S.
CONSTITUTION AND ART. 1 SEC 25 OF THE WISCONSIN CONSTITUTION

1
2
3 WHEREAS, the Right of the People to Keep and Bear Arms is guaranteed as an Individual Right
4 under the Second Amendment to the United States Constitution and under the Constitution of the
5 State of Wisconsin, in Article 1, Section 25 - "The people have the right to keep and bear arms
6 for security, defense, hunting, recreation or any other lawful purpose;" and
7

8 WHEREAS, the Right of the People to Keep and Bear Arms for the defense of Life, Liberty, and
9 Property is regarded as an Inalienable Right; and
10

11 WHEREAS, the People of Waukesha County, Wisconsin derive an economic benefit from all
12 safe forms of firearms recreation, hunting, and shooting conducted within Waukesha County
13 using all types of firearms allowable under the United States Constitution and the Constitution of
14 the State of Wisconsin; and
15

16 WHEREAS, the Supervisors of the Waukesha County Board, are elected to represent the People
17 of Waukesha County and are duly sworn by their Oath of Office to uphold the United States
18 Constitution and the Constitution of the State of Wisconsin; and
19

20 WHEREAS, any legislation considered by the Wisconsin State Legislature that would infringe
21 upon the Right to Keep and Bear Arms and would ban the possession and/or use of any weapons
22 including firearms, magazines, or ammunition now employed by individual citizens of
23 Waukesha County for their defense of Life, Liberty and Property, or for the purposes of hunting,
24 recreation, or other lawful purposes, or would require a firearms owner I.D. card, or tax the
25 possession of firearms, or ammunition, or require the registration and/or confiscation of weapons
26 and ammunition within Waukesha County, Wisconsin, except by due process of law, would be
27 contrary to the United States and State of Wisconsin Constitutions.
28

29 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA
30 RESOLVES that it supports the Second Amendment to the United States Constitution and
31 Article 1, Section 25 of the Wisconsin Constitution, and the Peoples' rights guaranteed
32 thereunder.
33

34 BE IT FURTHER RESOLVED that the Waukesha County Board affirms its support of the
35 Sheriff in the exercise of sound discretion to enforce existing firearm laws and to not enforce an
36 unconstitutional firearms law.
37

38 BE IT FURTHER RESOLVED that the Waukesha County Board will not appropriate any funds
39 for any enforcement of unconstitutional laws against the People of Waukesha County,
40 Wisconsin.
41

42 BE IT FURTHER RESOLVED that the Waukesha County Board does hereby oppose the
43 enactment of any legislation that would impermissibly infringe upon the Right of the People to
44 keep and bear arms and considers such laws to be unconstitutional and beyond lawful legislative
45 authority.

RESOLUTION SUPPORTING CREATION OF A NONPARTISAN PROCEDURE FOR THE
PREPARATION OF LEGISLATIVE AND CONGRESSIONAL REDISTRICTING PLANS

1
2
3 WHEREAS, pursuant to Article IV, Section 3 of the Wisconsin Constitution, the Wisconsin
4 Legislature is directed to redistrict state legislative districts “according to the number of
5 inhabitants” at its next session following the decennial federal census. The Legislature also
6 reapportions congressional districts at the same interval pursuant to federal law; and
7

8 WHEREAS, because state and federal legislative redistricting is controlled by the majority party
9 at the time of the redistricting, legislative and congressional plans in Wisconsin have been
10 subject to partisan influence that puts the desires of politicians ahead of the electoral prerogative
11 of the people. Redistricting to achieve partisan gains is improper, whether it is done by
12 Republicans or Democrats; and
13

14 WHEREAS, a panel of federal district court judges ruled that the redistricting done in Wisconsin
15 in 2011 was unconstitutional. Legal fees in defense of the 2011 redistricting cost taxpayers in
16 excess of \$4 million; and
17

18 WHEREAS, the state and congressional districts belong to the citizens of Wisconsin and not to
19 any legislator, interest group or political party, the redistricting process should not be a tool used
20 by those in power to protect and bolster their power, but should be designed with the best interest
21 of Wisconsin’s democracy and its citizens; and
22

23 WHEREAS, Wisconsin’s historical practice of redistricting by the majority party in each
24 legislative chamber is an outdated practice that stifles political competition, discourages
25 compromise, ensures continued control by the party in power, and lacks the transparency
26 necessary to reinforce citizens’ faith in the democratic process; and,
27

28 WHEREAS, there is a critical need at this time to restore trust, compromise and fair competition
29 in Wisconsin politics.
30

31 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA
32 RESOLVES that it insists the State Legislature, before the start of the next redistricting process
33 following the 2020 federal census, pass legislation that creates a fair, nonpartisan procedure for
34 the preparation of legislative and congressional redistricting plans.
35

36 BE IT FURTHER RESOLVED that the Waukesha County Board of Supervisors supports a
37 redistricting process that promotes more accountability and transparency and prohibits the
38 consideration of voting patterns, party information, and incumbents’ residence information or
39 demographic information in drawing the maps, except as necessary to ensure minority
40 participation as required by the U.S. Constitution.
41

42 BE IT FURTHER RESOLVED that the Waukesha County Board of Supervisors supports an
43 amendment to the Wisconsin Constitution giving the responsibility of legislative redistricting to
44 a nonpartisan commission.
45

46 BE IT FURTHER RESOLVED that the Waukesha County Clerk is directed to send a copy of
47 this resolution to the Governor of the State of Wisconsin, the Wisconsin Counties Association,
48 the Wisconsin Towns Association, the League of Wisconsin Municipalities, all members of the
49 State Legislature and to each county board in the State of Wisconsin.

RESOLUTION TO CONDUCT COUNTYWIDE ADVISORY REFERENDUM ON
CREATION OF NONPARTISAN PROCEDURE FOR THE PREPARATION OF
LEGISLATIVE AND CONGRESSIONAL REDISTRICTING PLANS AND MAPS

1
2
3 WHEREAS, pursuant to Article IV, Section 3 of the Wisconsin Constitution, the Wisconsin
4 Legislature is directed to redistrict state legislative districts “according to the number of
5 inhabitants” at its next session following the decennial federal census. The legislature also
6 reapportions congressional districts at the same interval pursuant to federal law; and
7

8 WHEREAS, there are numerous indicators that the citizens of Wisconsin are concerned about
9 the practice of redistricting by whichever party holds the majority, because it may stifle political
10 participation and competition, discourage collaboration and compromise, and lack the fairness
11 necessary to our democratic process, by undermining the principle of one-person-one vote; and
12

13 WHEREAS, the current redistricting procedure allows the party with the majority in the state
14 legislature to prepare redistricting plans and maps that might result in unfair partisan plans and
15 maps, allowing the legislature to choose its voters rather than the voters choosing their
16 representatives, which is commonly called gerrymandering.
17

18 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA
19 RESOLVES that the following question be placed on the November 3, 2020 ballot as an
20 advisory referendum question:
21

22 “Should the Wisconsin legislature create a nonpartisan procedure for the preparation of
23 legislative and congressional district plans and maps? YES _____ NO _____”
24

25 BE IT FURTHER RESOLVED that a Notice of Referendum shall be published by the Waukesha
26 County Clerk in accordance with statutory requirements.
27

28 BE IT FURTHER RESOLVED that this resolution and the referendum shall be filed with the
29 Waukesha County Clerk no later than 70 days prior to the November 3, 2020 election at which
30 the question will appear on the ballot.
31

32 BE IT FURTHER RESOLVED that the County Clerk is directed to send results of the
33 referendum to the Governor of the State of Wisconsin, the Wisconsin Counties Association, the
34 Wisconsin Towns Association, the League of Wisconsin Municipalities, all members of the State
35 Legislature, and to each county board in the State of Wisconsin.

1 AMEND WAUKESHA COUNTY BOARD OF SUPERVISORS' OPERATING
2 PROCEDURES AND RULES BY AMENDING THE TEXT OF THE
3 CODE OF ORDINANCES, CHAPTER 4
4
5

6 WHEREAS, the Waukesha County Board of Supervisors' (the "Board") Operating Procedures
7 and Rules (the "Rules") are codified in Chapter 4 of the Waukesha County Code; and
8

9 WHEREAS, the Rules establish the manner in which the Board and its committees are
10 constituted and conduct business to ensure orderly administration; and
11

12 WHEREAS, it is desirable to amend the Rules to address certain issues not adequately addressed
13 by the current Rules.
14

15 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
16 that Chapter 4 of the Waukesha County Code of Ordinances be amended by the creation of the
17 following provisions:
18

19 **Consent Agenda:**
20

21 The County Board Chair may designate a part of the agenda as the consent agenda. Items are
22 placed on the consent agenda if they are judged to be noncontroversial and routine. Any member
23 may remove an item from the consent agenda and place it on the regular agenda when the
24 consent agenda comes forward for action. All items on the consent agenda must be voted on and
25 adopted by a single motion, with the minutes reflecting the motion and vote on each item.
26

27 **Remote Participation in Committee during an Emergency Declaration:**
28

29 During a State of Emergency as declared by the Governor or Waukesha County Executive under
30 State Statutes Chapter 323, the chairperson of a standing committee may allow a member of the
31 committee to participate in a committee meeting by telephone or by other means of
32 telecommunication or electronic communication, and be considered present for all purposes,
33 including voting.
34

35 BE IT FURTHER ORDAINED that the editor of the Code shall place the foregoing new
36 provisions of Chapter 4 created hereby within Article III where deemed most appropriate and
37 may renumber the Code as necessary.
38

39 BE IT FURTHER ORDAINED that Section 4-90(a)(2) of the Waukesha County Code is
40 repealed and recreated as follows:
41

42 Resolution means an expression of the county board of supervisors concerning matters of
43 administration, an expression of a temporary character, or a provision for the disposition of a
44 particular item of the administrative business of the county board of supervisors, and is limited in
45 scope to issues within the powers and duties of counties set forth in Chapter 59 of the Wisconsin
46 Statutes.

1 APPROVE FOURTH AMENDMENT TO LEASE WITH NEW CINGULAR
2 WIRELESS AT THE HEALTH AND HUMAN SERVICES SMOKESTACK
3
4

5 WHEREAS, pursuant to a December 1, 1998 Lease, as amended, with Milwaukee SMSA
6 Limited Partnership d/b/a New Cingular Wireless PCS, LLC ("New Cingular Wireless"), the
7 County leases space to New Cingular Wireless on the Old Health and Human Services Building
8 Smokestack for use as a cellular tower, and
9

10 WHEREAS, the County and New Cingular Wireless wish to amend the Lease to modify the
11 legal description of the leased premises and other provisions therein.
12

13 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
14 that the Fourth Amendment to Lease between the County and New Cingular Wireless PCS, LLC
15 substantially in the form on file with the Office of Corporation Counsel is hereby approved.
16

17 BE IT FURTHER ORDAINED that the Director of Emergency Preparedness or his designee is
18 authorized to execute the Fourth Amendment to Lease as approved by Corporation Counsel and
19 any other documents necessary to effectuate the intent thereof.

Market: WISIL
Cell Site Number: WI0159
Cell Site Name: Downtown Waukesha
Fixed Asset Number: 10011988

FOURTH AMENDMENT TO LEASE AGREEMENT

THIS FOURTH AMENDMENT TO LEASE AGREEMENT ("**Fourth Amendment**"), dated as of the latter of the signature dates below, is by and between Waukesha County, Wisconsin, a municipal corporation, having a mailing address of 515 W. Moreland Blvd., Waukesha, WI 53188 ("**County**") and New Cingular Wireless PCS, LLC, a Delaware limited liability company, having a mailing address of 1025 Lenox Park Blvd NE, 3rd Floor, Atlanta, GA 30319 ("**Lessee**").

WHEREAS, County and Lessee (or its predecessor) entered into a Lease dated December 1, 1998, as amended by that certain First Amendment to Lease dated June 26, 2012, as further amended by that certain Second Amendment to Lease dated June 5, 2015, as further amended by that certain Third Amendment to Lease dated October 19, 2018 whereby County leased to Lessee certain Premises, therein described, that are a portion of the Property located at 500 Riverview Avenue, Waukesha, WI 53188 ("**Agreement**"); and

WHEREAS, Lessee desires to change, modify or relocate its communication facility (the "**Communication Facility**"), which County is willing to approve, and;

WHEREAS, County and Lessee desire to amend the Agreement to modify the notice section thereof; and

WHEREAS, County and Lessee, in their mutual interest, wish to amend the Agreement as set forth below accordingly.

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, County and Lessee agree as follows:

1. **New Exhibit A-3.** Lessee shall have the right, in its sole discretion, to change, modify or relocate the Communication Facility in accordance with and as more completely described on attached Exhibit A-3. County's execution of this Fourth Amendment will signify County's approval of Exhibit A-3. Subject to the terms of the Agreement, future modifications or improvements to the Communication Facility identified in Exhibit A-3 that result in additional equipment, changes to space requirements or changes in configuration, placement or number or antennas or feedlines remain subject to County's prior approval and may result in a demand for increased rent or renegotiation of other Agreement terms. Lessee's Communication Facility and Premises are currently described in Exhibit A-2 to the Third Amendment ("**Old Location**"). Pursuant to this Section 1, Lessee intends to relocate its Communication Facility and/or Premises from the Old Location to the location as described in Exhibit A-3 ("**New Location**"), and County hereby agrees to such relocation. Upon completion of the relocation of the Communication Facility

from the Old Location to the New Location: (i) Exhibit A-2 of the Agreement shall be hereby deleted in its entirety and superseded by Exhibit A-3; (ii) the Premises under the Agreement prior to this Fourth Amendment shall be replaced with the relocated Premises in the New Location; and (iii) all references to the Premises in the Agreement shall be deemed to refer to the relocated Premises.

2. Removal of Equipment at New Location. Within one hundred and twenty (120) days after the expiration or termination of this Agreement, except for the items specifically listed in Schedule 1, Lessee shall remove all equipment located within the New Location, but will not be required to remove, tear down, or deconstruct the shelter building or structure (the "Shelter Building"), which shall be deemed County's property (i) one hundred and twenty (120) days after the expiration or termination of this Agreement, or (ii) upon Lessee's removal of its equipment pursuant to this Section 2, whichever occurs first. County shall cooperate with Lessee with completing any documentation needed to effectuate the transfer of the Shelter Building at that time. For the avoidance of any doubt, this Section 2 specifically applies to the New Location exclusively and any references in the Agreement to Communication Facility or the Premises shall include the New Location.

3. Removal of Equipment at Old Location. Within one hundred and twenty (120) days after Lessee has relocated to the New Location, Lessee shall remove the Communication Facility at the Old Location, except for the Shelter Building, electrical conduits to the Shelter Building, fiber conduits to the Shelter Building, and mounting brackets for the coax in the Shelter Building. County shall execute a Bill of Sale within sixty (60) days after Lessee has removed the equipment at the Old Location.

4. Notices. Paragraph 4 of the Third Amendment to Lease regarding notices incorrectly referenced replacing Section 17 of the original Lease as opposed to Section 24. Section 17 of the original Lease is hereby restored as originally stated and Section 24 of the Agreement is hereby deleted in its entirety and replaced with the following:

NOTICES. All notices, requests, demands and communications hereunder will be given by first class certified or registered mail, return receipt requested, or by a nationally recognized overnight courier, postage prepaid, to be effective when properly sent and received, refused or returned undelivered. Notices will be addressed to the parties as follows.

If to Lessee: New Cingular Wireless PCS, LLC
 Attn: Network Real Estate Administration
 Re: Cell Site # WI0159 Cell Site Name: Downtown Waukesha (WI)
 FA No.: 10011988
 1025 Lenox Park Blvd NE, 3rd Floor
 Atlanta, GA 30319

With a copy to: New Cingular Wireless PCS, LLC
 Attn: Legal Department
 Re: Cell Site # WI0159 Cell Site Name: Downtown Waukesha (WI)
 FA No.: 10011988
 208 S. Akard Street

Dallas, TX 75202-4206

The copy sent to the Legal Department is an administrative step which alone does not constitute legal notice.

If to County: Waukesha County Department of Administration Radio Services
 Attn: Chris Petterson
 2120 Davidson Road
 Waukesha, Wisconsin 53816

With a copy to: Waukesha County Corporation Counsel
 Attn: Erik G. Weidig, Esq.
 515 W. Moreland Blvd., Room AC-330
 Waukesha, WI 53188

Either party hereto may change the place for the giving of notice to it by thirty (30) days prior written notice to the other as provided herein.

5. **Memorandum of Lease.** Either party will, at any time upon fifteen (15) days prior written notice from the other, execute, acknowledge and deliver to the other a recordable Memorandum of Lease substantially in the form of the Attachment 1. Either party may record this memorandum at any time, in its absolute discretion.

6. **Other Terms and Conditions Remain.** In the event of any inconsistencies between the Agreement and this Fourth Amendment, the terms of this Fourth Amendment shall control. Except as expressly set forth in this Fourth Amendment, the Agreement otherwise is unmodified and remains in full force and effect. Each reference in the Agreement to itself shall be deemed also to refer to this Fourth Amendment.

7. **Capitalized Terms.** All capitalized terms used but not defined herein shall have the same meanings as defined in the Agreement.

[SIGNATURES FOLLOW ON NEXT PAGE]

IN WITNESS WHEREOF, the parties have caused their properly authorized representatives to execute and seal this Fourth Amendment on the dates set forth below.

“COUNTY”

Waukesha County, Wisconsin, a municipal corporation

By: _____
Name: _____
Title: _____
Date: _____

“LESSEE”

New Cingular Wireless PCS, LLC, a Delaware limited liability company
By: AT&T Mobility Corporation
Its: Manager

By: _____
Name: _____
Title: _____
Date: _____

[ACKNOWLEDGEMENTS APPEAR ON NEXT PAGE]

LESSEE ACKNOWLEDGEMENT

STATE OF

COUNTY OF _____

On the ____ day of _____ in the year 2020, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

Printed Name: _____

My Commission Expires: _____

COUNTY ACKNOWLEDGEMENT

STATE OF

COUNTY OF _____

On the ____ day of _____ in the year 2020, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

Printed Name: _____

My Commission Expires: _____

EXHIBIT A-3

The Property is Described and/or depicted as follows:

500 Riverview Avenue, Waukesha, WI

TAX ID No. WAKC1000983

The Premises is described and/or depicted as follows:

A part of the Southeast Quarter (SE1/4) of Section Thirty-Four (34), Township Seven (7) North, Range Nineteen (19) East, City of Waukesha, Waukesha County, Wisconsin containing 891 square feet (0.020 acres) of land and being described by:

Commencing at the East Quarter Corner of said Section 34; thence S88°-45'-17"W 2034.78 feet along the North line of the SE1/4 of said Section 34; thence S01°-14'-43"E 1192.17 feet to the point of beginning; thence N86°-29'-17"E 33.00 feet; thence S03°-30'-43"E 27.00 feet; thence S86°-29'-17"W 33.00 feet; thence N03°-30'-43"W 27.00 feet to the point of beginning; being subject to any and all easements and restrictions of record.

PROPOSED 12 FEET WIDE ACCESS EASEMENT

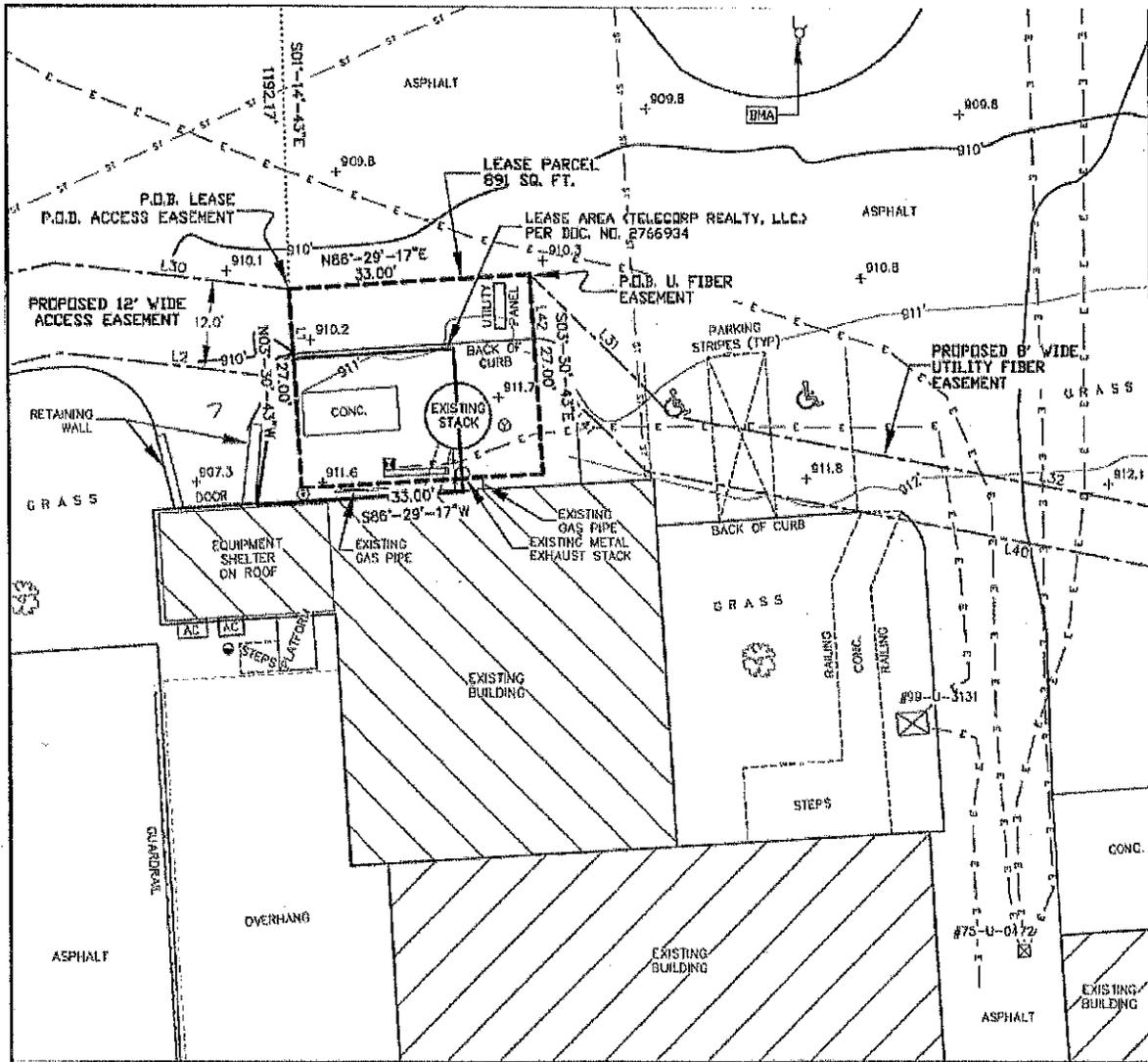
A part of the Southeast Quarter (SE1/4) of Section Thirty-Four (34), Township Seven (7) North, Range Nineteen (19) East, City of Waukesha, Waukesha County, Wisconsin containing 15,769 square feet (0.362 acres) of land and being described by:

Commencing at the East Quarter Corner of said Section 34; thence S88°-45'-17"W 2034.78 feet along the North line of the SE1/4 of said Section 34; thence S01°-14'-43"E 1192.17 feet to the point of beginning; thence S03°-30'-43"E 12.18 feet; thence N83°-32'-56"W 31.95 feet; thence S76°-41'-52"W 18.93 feet; thence S54°-12'-07"W 30.28 feet; thence S37°-43'-55"W 64.11 feet; thence S03°-26'-19"E 280.23 feet; thence Southeasterly 42.45 feet along the arc of a curve to the left, having a radius of 25.56 feet and a chord of which bears S50°-57'-19"E 37.74 feet; thence N81°-28'-11"E 117.98 feet; thence S89°-30'-46"E 79.07 feet; thence S77°-27'-15"E 44.19 feet; thence S72°-27'-20"E 95.69 feet; thence N86°-46'-13"E 221.04 feet; thence N83°-53'-46"E 40.93 feet; thence N71°-15'-45"E 37.51 feet; thence N59°-16'-03"E 36.21 feet; thence N50°-29'-45"E 155.39 feet to a point on the West right-of-way line of Riverview Avenue; thence S00°-45'-43"E 15.39 feet along said West right of way line; thence S50°-29'-45"W 146.69 feet; thence S59°-16'-03"W 38.40 feet; thence S71°-15'-45"W 40.09 feet; thence S83°-53'-46"W 42.56 feet; thence S86°-46'-13"W 223.54 feet; thence N72°-27'-20"W 97.37 feet; thence N77°-27'-15"W 42.39 feet; thence N89°-30'-46"W 76.86 feet; thence S81°-28'-11"W 117.03 feet; thence Northwesterly 62.38 feet along the arc of a curve to the right, having a radius of 37.56 feet and a chord of which bears N50°-57'-19"W 55.46 feet thence N03°-26'-19"W 284.72 feet; thence N37°-43'-55"E 70.36 feet; thence N54°-12'-07"E 34.41 feet; thence N76°-41'-52"E 23.41 feet; thence S83°-32'-56"E 31.94 feet to the point of beginning; being subject to any and all easements and restrictions of record.

PROPOSED 8 FOOT WIDE UTILITY FIBER EASEMENT

A part of the Southeast Quarter (SE1/4) of Section Thirty-Four (34), Township Seven (7) North, Range Nineteen (19) East, City of Waukesha, Waukesha County, Wisconsin containing 3,983 square feet (0.091 acres) of land and being described by:

Commencing at the East Quarter Corner of said Section 34; thence S88°-45'-17"W 2034.78 feet along the North line of the SE1/4 of said Section 34; thence S01°-14'-43"E 1192.17 feet; thence N86°-29'-17"E 33.00 feet to the point of beginning; thence S45°-32'-09"E 27.32 feet; thence S79°-31'-17"E 105.18 feet; thence S30°-43'-38"E 41.14 feet; thence S03°-30'-43"E 148.55 feet; thence S04°-54'-57"W 183.95 feet; thence N85°-05'-03"W 8.00 feet; thence N04°-54'-57"E 183.37 feet; thence N03°-30'-43"W 146.03 feet; thence N30°-43'-38"W 35.58 feet; thence N79°-31'-17"W 104.00 feet; thence N45°-32'-09"W 20.88 feet; thence N03°-30'-43"W 11.95 feet to the point of beginning; being subject to any and all easements and restrictions of record.



Notes:

1. THIS EXHIBIT MAY BE REPLACED BY A LAND SURVEY AND/OR CONSTRUCTION DRAWINGS OF THE PREMISES ONCE RECEIVED BY LESSEE.
2. ANY SETBACK OF THE PREMISES FROM THE PROPERTY'S BOUNDARIES SHALL BE THE DISTANCE REQUIRED BY THE APPLICABLE GOVERNMENTAL AUTHORITIES.
3. WIDTH OF ACCESS ROAD SHALL BE THE WIDTH REQUIRED BY THE APPLICABLE GOVERNMENTAL AUTHORITIES, INCLUDING POLICE AND FIRE DEPARTMENTS.
4. THE TYPE, NUMBER AND MOUNTING POSITIONS AND LOCATIONS OF ANTENNAS AND TRANSMISSION LINES ARE ILLUSTRATIVE ONLY. ACTUAL TYPES, NUMBERS AND MOUNTING POSITIONS MAY VARY FROM WHAT IS SHOWN ABOVE.

Schedule 1

Items approved to leave behind after lease expiration or termination

Equipment shelter building, not including any equipment located within the shelter building

Attachment 1
First Amendment to Memorandum of Lease

Prepared by and Return to:

Debra Neuman
AT&T Mobility
c/o: MasTec Network Solutions
1351 East Irving Park Road
Itasca, IL 60143

Re: Cell Site #WI0159; Cell Site Name: Downtown Waukesha
Fixed Asset#: 10011988
State: Wisconsin
County: Waukesha

TAX ID No. WAKC1000983

**FIRST AMENDMENT TO MEMORANDUM OF
LEASE AGREEMENT**

This First Amendment to Memorandum of Lease is entered into on this ____ day of _____, 2020, by and between Waukesha County, Wisconsin, a municipal corporation, having a mailing address of 515 W. Moreland Blvd., Waukesha, Wisconsin 53188 ("**County**") and New Cingular Wireless PCS, LLC, a Delaware limited liability company, as successor to Milwaukee SMSA Limited Partnership, having a mailing address of 1025 Lenox Park Blvd NE, 3rd Floor, Atlanta, GA 30319 ("**Lessee**").

1. County and Lessee (or its predecessor) entered into a certain Lease dated December 1, 1998, as amended by that certain First Amendment to Lease dated June 26, 2012, as further amended by that Second Amendment to Lease dated June 5, 2015, as further amended by that certain Third Amendment to Lease dated October 19, 2018, as further amended by that certain Fourth Amendment to Lease dated _____, 2020, for the purpose of installing, operating and maintaining a communications facility and other improvements. A Memorandum of Lease reflecting the Lease was recorded January 8, 1999 in the public records of Waukesha County, State of Wisconsin.
2. The term of the Lease commenced on December 1, 1998. Commencing on December 1, 2023, the Lease will automatically renew for three (3) additional consecutive periods of five (5) years each upon the same terms and conditions of the Lease, unless Lessee notifies County in writing of Lessee's intention not to renew the Lease at least sixty (60) days prior to the expiration of the existing term.
3. County agrees to amend the leased premises to relocate the equipment shelter to a new location. County leases to Lessee the premises as more completely described on attached **Exhibit 2-A**. **Exhibit 2-A** hereby replaces **Exhibit 1-A** to the First Amendment of Memorandum of Lease.

4. This First Amendment to Memorandum of Lease Agreement is not intended to amend or modify, and shall not be deemed or construed as amending or modifying, any of the terms, conditions or provisions of the Lease, all of which are hereby ratified and affirmed. In the event of a conflict between the provisions of this First Amendment to Memorandum of Lease Agreement and the provisions of the Lease, the provisions of the Lease shall control. The Lease shall be binding upon and inure to the benefit of the parties and their respective heirs, successors, and assigns, subject to the provisions of the Lease.

IN WITNESS WHEREOF, the parties have executed this First Amendment to Memorandum of Lease Agreement as of the day and year first above written.

"COUNTY"

Waukesha County, Wisconsin,
a municipal corporation

By: _____
Print Name: _____
Its: _____
Date: _____

"LESSEE"

New Cingular Wireless PCS, LLC,
a Delaware limited liability company

By: AT&T Mobility Corporation
Its: Manager

By: _____
Print Name: _____
Its: _____
Date: _____

LESSEE ACKNOWLEDGEMENT

STATE OF _____)
) ss:
COUNTY OF _____)

On the ___ day of _____ in the year 2020, before me, the undersigned, a notary public in and for said state, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the _____ of AT&T Mobility Corporation, the Manager of New Cingular Wireless PCS, LLC, a Delaware limited liability company described herein and that the instrument was signed on behalf of the limited liability company, authority of the limited liability company and that he./she acknowledged this instrument to be the free act and deed of the limited liability company.

Notary Public: _____
My Commission Expires: _____

COUNTY ACKNOWLEDGEMENT

STATE OF _____)
) ss:
COUNTY OF _____)

BE IT REMEMBERED, that on this ___ day of _____, 2020, before me, the subscriber, a person authorized to take oaths in the State of _____, personally appeared _____ who, being duly sworn on his/her/their oath, deposed and made proof to my satisfaction that he/she/they is/are the person(s) named in the within instrument; and I, having first made known to him/her/them the contents thereof, he/she/they did acknowledge that he/she/they signed, sealed and delivered the same as his/her/their voluntary act and deed for the purposes therein contained.

Notary Public: _____
My Commission Expires: _____

EXHIBIT 2-A

DESCRIPTION OF PREMISES

to the First Amendment to Memorandum of Lease Agreement dated _____, 2020 by and between Waukesha County, Wisconsin, a municipal corporation, as County and New Cingular Wireless PCS, LLC, a Delaware limited liability company, as Lessee.

The Property is described and/or depicted as follows:

500 Riverview Avenue, Waukesha, WI

Tax ID No. WAKC1000983

The Premises is described and/or depicted as follows:

A part of the Southeast Quarter (SE1/4) of Section Thirty-Four (34), Township Seven (7) North, Range Nineteen (19) East, City of Waukesha, Waukesha County, Wisconsin containing 891 square feet (0.020 acres) of land and being described by:

Commencing at the East Quarter Corner of said Section 34; thence S88°-45'-17"W 2034.78 feet along the North line of the SE1/4 of said Section 34; thence S01°-14'-43"E 1192.17 feet to the point of beginning; thence N86°-29'-17"E 33.00 feet; thence S03°-30'-43"E 27.00 feet; thence S86°-29'-17"W 33.00 feet; thence N03°-30'-43"W 27.00 feet to the point of beginning; being subject to any and all easements and restrictions of record.

PROPOSED 12 FEET WIDE ACCESS EASEMENT

A part of the Southeast Quarter (SE1/4) of Section Thirty-Four (34), Township Seven (7) North, Range Nineteen (19) East, City of Waukesha, Waukesha County, Wisconsin containing 15,769 square feet (0.362 acres) of land and being described by:

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PROPOSED 8 FOOT WIDE UTILITY FIBER EASEMENT

A part of the Southeast Quarter (SE1/4) of Section Thirty-Four (34), Township Seven (7) North, Range Nineteen (19) East, City of Waukesha, Waukesha County, Wisconsin containing 3,983 square feet (0.091 acres) of land and being described by:

Commencing at the East Quarter Corner of said Section 34; thence S88°-45'-17"W 2034.78 feet along the North line of the SE1/4 of said Section 34; thence S01°-14'-43"E 1192.17 feet; thence N86°-29'-17"E 33.00 feet to the point of beginning; thence S45°-32'-09"E 27.32 feet; thence S79°-31'-17"E 105.18 feet; thence S30°-43'-38"E 41.14 feet; thence S03°-30'-43"E 148.55 feet; thence S04°-54'-57"W 183.95 feet; thence N85°-05'-03"W 8.00 feet; thence N04°-54'-57"E 183.37 feet; thence N03°-30'-43"W 146.03 feet; thence N30°-43'-38"W 35.58 feet; thence N79°-31'-17"W 104.00 feet; thence N45°-32'-09"W 20.88 feet; thence N03°-30'-43"W 11.95 feet to the point of beginning; being subject to any and all easements and restrictions of record.

1 MODIFY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES 2020
2 BUDGET TO ACCEPT THE WI DEPARTMENT OF JUSTICE PRETRIAL PILOT
3 SITES SUPPLEMENTAL GRANT FUNDING AND APPROPRIATE
4 ADDITIONAL EXPENDITURES
5
6

7 WHEREAS, the State of Wisconsin, Department of Justice, has made Pretrial Pilot Sites
8 Supplemental grant funding available to current Pretrial Pilot Implementation counties to assist
9 with costs related to the implementation of the Public Safety Assessment (PSA) pretrial risk tool;
10 and
11

12 WHEREAS, the Department of Justice has awarded this noncompetitive funding to the
13 Department of Health and Human Services, Criminal Justice Collaborating Council (CJCC); and
14

15 WHEREAS, the Department of Justice has awarded this funding to support costs associated with
16 implementation of the PSA pretrial risk tool, which includes: a full-time, contracted Pretrial
17 Screener position and associated computer and end user technology fees; the annual user fee for
18 accessing the National Crime Information Center (NCIC) to conduct criminal background
19 checks; and to provide funds for electronic monitoring costs for indigent pretrial defendants; and
20

21 WHEREAS, the Department of Health and Human Services received a Grant Award Notice in
22 the amount of \$55,642, including \$5,556 in carry over, to fund these additional operating
23 expenses for the current budget year; and
24

25 WHEREAS, the Department of Health and Human Services 2020 Adopted Budget does not
26 include appropriations or revenues for the project.
27

28 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
29 that the Department of Health and Human Services, CJCC Division, be authorized to accept
30 \$55,642 in State of Wisconsin Department of Justice Pretrial Pilot Supplemental grant funding.
31

32 BE IT FURTHER ORDAINED that the Department of Health and Human Services, CJCC
33 Division, 2020 Budget be modified by appropriating expenditures of \$55,642 for operating
34 expenses and increasing general government revenues by \$55,642 to fund costs related to the
35 project.

FISCAL NOTE

MODIFY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES 2020 BUDGET TO
ACCEPT THE WI DEPARTMENT OF JUSTICE PRETRIAL PILOT SITES
SUPPLEMENTAL GRANT FUNDING AND APPROPRIATE ADDITIONAL
EXPENDITURES

This ordinance modifies the 2020 Waukesha County Department of Health and Human Services– Criminal Justice Collaborating Council budget by appropriating \$55,642 of additional operating expenses associated with a Department of Justice Pretrial Pilot Project to implement the Public Safety Assessment (PSA) screening tool. This includes a Pretrial Screener position contracted with Wisconsin Community Services (\$31,886), associated end user technology fees (\$3,441), an annual user fee for accessing the National Crime Information Center (\$1,200), and additional funds for electronic monitoring for indigent pretrial defendants (\$19,115).

General government revenues are increased by an equal amount for supplemental related grant funding resulting in no additional direct tax levy impact.

Linda Witkowski

Linda Witkowski

Budget Manager

3/3/2020

AJK

JE #2020-00002122

AUTHORIZING THE SALE OF \$18,000,000 GENERAL OBLIGATION
PROMISSORY NOTES, SERIES 2020A

WHEREAS on February 25, 2020, the County Board of Supervisors of Waukesha County, Wisconsin (the "County") adopted an ordinance authorizing the issuance of general obligation promissory notes pursuant to Ch. 67, Wis. Stats., in an amount not to exceed \$18,000,000 for the public purpose of paying the cost of capital projects included in the County's 2020 Capital Projects Expenditure Plan consisting of justice and law enforcement projects; public works projects; and parks, environment and education projects; and

WHEREAS the County Board of Supervisors deems it necessary and in the best interest of the County that the general obligation promissory notes authorized by such ordinance now be issued, upon the terms and conditions hereinafter provided; and

WHEREAS the County has duly received bids for its proposed issue of General Obligation Promissory Notes, Series 2020A (the "Notes"); and

WHEREAS it has been determined that the best bid received was that submitted by _____ (the "Purchaser");

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that:

Section 1. Award. The bid of the Purchaser for the purchase price of \$ _____ be and it hereby is accepted and the Chairperson and County Clerk are authorized and directed to execute an acceptance of the offer of the Purchaser on behalf of the County. The good faith deposit of the Purchaser shall be retained by the County Treasurer until the closing of the note issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned.

Section 2. The Notes. The Chairperson and County Clerk shall make, execute and deliver the Notes to the Purchaser, for and on behalf of the County. The Notes shall be negotiable, general obligation promissory notes of the County, registered as to both principal and interest, in the denomination of Five Thousand Dollars (\$5,000) each or whole multiples thereof, numbered from R-1 upward and dated their date of issuance. The Notes shall mature on April 1 of each of the years and shall bear interest at the rates per annum as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2021	\$ 900,000	_____%
2022	1,200,000	____
2023	1,400,000	____
2024	1,800,000	____

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2025	\$2,000,000	_____%

49	2026	2,100,000	_____
50	2027	2,500,000	_____
51	2028	2,300,000	_____
52	2029	2,200,000	_____
53	2030	1,600,000	_____

55 Interest on the Notes shall be payable on April 1 and October 1 of each year, commencing
56 October 1, 2020.

57
58 At the option of the County, the Notes maturing on April 1, 2028 and thereafter shall be subject
59 to redemption prior to maturity on April 1, 2027 or on any date thereafter. Said Notes shall be
60 redeemable as a whole or in part, and if in part, from maturities selected by the County and
61 within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of
62 redemption.

63
64 Section 3. Form of Notes. The Notes shall be in substantially the form on file in the County
65 Clerk's office.

66
67 Section 4. Tax Provisions.

68 (a) *Direct, Annual Irrepealable Tax.* For the purpose of paying the principal of
69 and interest on the Notes as the same become due, the full faith, credit and
70 resources of the County are hereby irrevocably pledged and there be and there
71 hereby is levied on all the taxable property in the County a direct, annual,
72 irrepealable tax in an amount and at the times sufficient for said purpose; such tax
73 is levied in the following years and in the following minimum amounts:

75	<u>Year of Levy</u>	<u>Amount</u>
76		
77	2020	\$ _____
78	2021	_____
79	2022	_____
80	2023	_____
81	2024	_____
82	2025	_____
83	2026	_____
84	2027	_____
85	2028	_____
86	2029	_____

87
88 (b) *Tax Collection.* The County shall be and continue without power to repeal
89 such levy or obstruct the collection of said tax until all such payments have been
90 made or provided for. After the issuance of the Notes, said tax shall be, from year
91 to year, carried into the tax rolls of the County and collected as other taxes are
92 collected, provided that the amount of tax carried into said tax rolls may be
93 reduced in any year by the amount of any surplus money in the Debt Service
94 Account created in Section 5(A) hereof.

95

96 (c) *Additional Funds.* If at any time there shall be on hand insufficient funds
97 from the aforesaid tax levy to meet principal and/or interest payments on said
98 Notes when due, the requisite amounts shall be paid from other funds of the
99 County then available, which sums shall be replaced upon the collection of the
100 taxes herein levied.

101
102 (d) *Appropriation.* There be and there hereby is appropriated from the premium
103 received by the County with respect to the Notes or other funds of the County on
104 hand the sum of \$ _____ to be deposited in the Debt Service Account which
105 amount will be used to meet payments with respect to debt service due on
106 October 1, 2020.

107
108 Section 5. Debt Service Fund and Account.

109 (a) *Creation and Deposits.* Within the debt service fund previously established in
110 the treasury of the County, there be and there hereby is established a separate and
111 distinct account designated as the "Debt Service Account for \$18,000,000 General
112 Obligation Promissory Notes, Series 2020A" (the "Debt Service Account") and
113 such account shall be maintained until the indebtedness evidenced by the Notes is
114 fully paid or otherwise extinguished. The County Treasurer shall deposit in such
115 Debt Service Account (i) all accrued interest received by the County at the time of
116 delivery of and payment for the Notes; (ii) the taxes herein levied for the specific
117 purpose of meeting principal of and interest on the Notes when due; (iii) such
118 other sums as may be necessary at any time to pay principal of and interest on the
119 Notes when due; (iv) any premium which may be received by the County above
120 the par value of the Notes and accrued interest thereon; (v) surplus monies in the
121 Borrowed Money Fund as specified in Section 6 hereof; and (vi) such further
122 deposits as may be required by Sec. 67.11, Wis. Stats.

123
124 (b) *Use and Investment.* No money shall be withdrawn from the Debt Service
125 Account and appropriated for any purpose other than the payment of principal of
126 and interest on the Notes until all such principal and interest has been paid in full
127 and canceled; provided (i) the funds to provide for each payment of principal of
128 and interest on the Notes prior to the scheduled receipt of taxes from the next
129 succeeding tax collection may be invested in direct obligations of the United
130 States of America maturing in time to make such payments when they are due or
131 in other investments permitted by law; and (ii) any funds over and above the
132 amount of such principal and interest payments on the Notes may be used to
133 reduce the next succeeding tax levy, or may, at the option of the County, be
134 invested by purchasing the Notes as permitted by and subject to Section
135 67.11(2)(a), Wis. Stats., in interest-bearing obligations of the United States of
136 America, in other obligations of the County or in other investments permitted by
137 law, which investments shall continue to be a part of the Debt Service Account.

138
139 (c) *Remaining Monies.* When all of the Notes have been paid in full and
140 canceled, and all permitted investments disposed of, any money remaining in the
141 Debt Service Account shall be deposited in the general fund of the County, unless
142 the County Board of Supervisors directs otherwise.

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Section 6. Proceeds of the Notes. All monies received by the County upon the delivery of the Notes to the Purchaser, except for any premium and accrued interest, shall be deposited by the County Treasurer into a special fund (the "Borrowed Money Fund") which shall be maintained separate and distinct from all other funds of the County and shall be used for no purpose other than the purposes for which the Notes are issued. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested as provided in Section 66.0603(1m), Wis. Stats. Any monies, including any income from permitted investments, remaining in the Borrowed Money Fund after the purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Account.

Section 7. No Arbitrage. All investments permitted by this resolution shall be legal investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), or the Regulations of the Commissioner of Internal Revenue thereunder (the "Regulations"); and an officer of the County, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of closing which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 8. Payment of the Notes. The principal of and interest on the Notes shall be paid by the County Treasurer.

Section 9. Persons Treated as Owners; Transfer of Notes. The County Clerk shall keep books for the registration and for the transfer of the Notes. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the County Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity, and the County Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The County Clerk shall cancel any Note surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer. The fifteenth day of each calendar month next preceding each interest payment date shall be the record dates for the Notes. Payment of interest on the Notes on any interest payment date shall

189 be made to the registered owners of the Notes as they appear on the registration book of the
190 County at the close of business on the corresponding record date.

191
192 Section 10. Compliance with Federal Tax Laws.

193 (a) The County represents and covenants that the projects financed by the Notes and the
194 ownership, management and use of the projects will not cause the Notes to be "private
195 activity bonds" within the meaning of Section 141 of the Code. The County further
196 covenants that it shall comply with the provisions of the Code to the extent necessary to
197 maintain the tax-exempt status of the interest on the Notes including, if applicable, the
198 rebate requirements of Section 148(f) of the Code. The County further covenants that it
199 will not take any action, omit to take any action or permit the taking or omission of any
200 action within its control (including, without limitation, making or permitting any use of
201 the proceeds of the Notes) if taking, permitting or omitting to take such action would
202 cause any of the Notes to be an arbitrage bond or a private activity bond within the
203 meaning of the Code or would otherwise cause interest on the Notes to be included in the
204 gross income of the recipients thereof for federal income tax purposes. The County Clerk
205 or other officer of the County charged with the responsibility of issuing the Notes shall
206 provide an appropriate certificate of the County certifying that the County can and
207 covenanting that it will comply with the provisions of the Code and Regulations.

208
209 (b) The County also covenants to use its best efforts to meet the requirements and
210 restrictions of any different or additional federal legislation which may be made
211 applicable to the Notes provided that in meeting such requirements the County will do so
212 only to the extent consistent with the proceedings authorizing the Notes and the laws of
213 Wisconsin and to the extent that there is a reasonable period of time in which to comply.

214
215 Section 11. Utilization of The Depository Trust Company Book-Entry-Only System. In order to
216 make the Notes eligible for the services provided by The Depository Trust Company, New York,
217 New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer
218 Letter of Representations, which the County Clerk or other authorized representative of the
219 County is authorized and directed to execute and deliver to DTC on behalf of the County to the
220 extent an effective Blanket Issuer Letter of Representations is not presently on file in the County
221 Clerk's office.

222
223 Section 12. Ratification and Approval of Official Notice of Sale and Official Statement.

224 (a) The Official Notice of Sale with respect to the Notes, which is on file in the County
225 Clerk's office, is ratified and approved. In addition, all actions taken by any committee of
226 the County Board, by the officers and employees of the County and by the County's
227 municipal advisor, Robert W. Baird & Co., Incorporated, in connection with the offering
228 and sale of the Notes are ratified and approved.

229
230 (b) The County Board of Supervisors hereby approves the Preliminary Official
231 Statement with respect to the Notes and deems the Preliminary Official Statement as
232 "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and
233 Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule").
234 All actions taken by officers of the County in connection with the preparation of such
235 Preliminary Official Statement and any addenda to it or Final Official Statement are
236 hereby ratified and approved. In connection with the Closing, the appropriate County

237 official shall certify the Preliminary Official Statement and any addenda or Final Official
238 Statement. The County Clerk shall cause copies of the Preliminary Official Statement
239 and any addenda or Final Official Statement to be distributed to the Purchaser.
240

241 Section 13. Undertaking to Provide Continuing Disclosure. The County covenants and agrees,
242 for the benefit of the holders of the Notes, to enter into a written undertaking (the "Undertaking")
243 if required by the Rule to provide continuing disclosure of certain financial information and
244 operating data and timely notices of the occurrence of certain events in accordance with the Rule.
245 The Undertaking shall be enforceable by the holders of the Notes or by the original purchaser(s)
246 of the Notes on behalf of such holders (provided that the rights of the holders and the
247 purchaser(s) to enforce the Undertaking shall be limited to a right to obtain specific performance
248 of the obligations thereunder and any failure by the County to comply with the provisions of the
249 Undertaking shall not be an event of default with respect to the Notes).
250

251 The County Clerk, or other officer of the County charged with the responsibility for issuing the
252 Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of
253 proceedings, setting forth the details and terms of the County's Undertaking.
254

255 Section 14. Records. The County Clerk shall provide and keep a separate record book and shall
256 record a full and correct statement of every step or proceeding had or taken in the course of
257 authorizing and issuing these Notes.
258

259 Section 15. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in
260 printed form, executed on behalf of the County by the manual or facsimile signatures of the
261 Chairperson and County Clerk, authenticated, if required, sealed with its official or corporate
262 seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of
263 the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The
264 facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in
265 lieu of the manual signature of the officer but, unless the County has contracted with a fiscal
266 agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a
267 manual signature. In the event that either of the officers whose signatures appear on the Notes
268 shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid
269 and sufficient for all purposes to the same extent as if they had remained in office until the
270 Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and
271 deliver the Notes and all such documents, certificates and acknowledgements as may be
272 necessary and convenient to effectuate the Closing. The County hereby authorizes the officers
273 and agents of the County to enter into, on its behalf, agreements and contracts in conjunction
274 with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal
275 agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract
276 heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and
277 approved in all respects.
278

279 Section 16. Effect of Ordinance. This action by the County Board of Supervisors is taken
280 pursuant to Section 67.12(12), Wis. Stats., and is intended to constitute a "resolution" for
281 purposes of that section.