

APPENDICES

**RESOLUTION NO. 04-03
TOWN OF POLK
WASHINGTON COUNTY, WISCONSIN**

AUTHORIZATION TO PARTICIPATE IN THE DEVELOPMENT OF A MULTI-JURISDICTIONAL COMPREHENSIVE PLAN AND TO SUPPORT WASHINGTON COUNTY'S APPLICATION FOR A COMPREHENSIVE PLANNING GRANT.

WHEREAS, the Town Board of the Town of Polk, in cooperation with Washington County and the Southeastern Wisconsin Regional Planning Commission (SEWRPC), acknowledges the benefits of cooperative comprehensive planning by the preparation of a Multi-jurisdictional Comprehensive Plan for the general purpose of guiding and accomplishing coordinated, adjusted, and harmonious development within Washington County and the Town of Polk; and

WHEREAS, the Town Board of the Town of Polk acknowledges the requirements of Wisconsin's Comprehensive Planning Law in accordance with §66.1001, and §16.965(4) of the Wisconsin Statutes, including the adoption of a comprehensive plan; and that funding is available from the Wisconsin Department of Administration to financially assist the County and participating local governments in preparing comprehensive plans; and

WHEREAS, Washington County will apply for Department of Administration funds to aid in the development of a Multi-jurisdictional Comprehensive Plan on behalf of the Town of Polk, which is eligible to receive \$18,000 in grant funding; and

WHEREAS, an award of grant monies by the Wisconsin Department of Administration through this grant process will require matching grant funds from the County which will be fully satisfied by the in-kind services by the County and SEWRPC; and

WHEREAS, if a State grant is awarded, those grant monies will be used by Washington County and SEWRPC to prepare a Multi-jurisdictional Comprehensive Plan for Washington County that will contain sufficient detail to serve as a comprehensive plan for the County and for each participating Town and Village; and

WHEREAS, if a State grant is awarded, preparation of comprehensive plans for the Town and County will require a minimal out-of-pocket contribution from the Town, except for the cost of producing any local plan documents and any supplemental information desired by the Town; and

WHEREAS, any participating local government that does not adopt the multi-jurisdictional plan or a local plan by the end of the grant period in April 2009, or any local government that withdraws from the multi-jurisdictional planning effort after the grant agreement between the County and the Department of Administration has been signed, will be required to reimburse the County up to the full local government share of the grant award, depending on the stage of planning process at the time the local government withdraws from the process; and

WHEREAS, Washington County and local municipalities have established a Multi-jurisdictional Comprehensive Planning Work Group that has been meeting monthly to prepare a work program, public participation plan, and comprehensive planning grant application due November 1, 2004; and

WHEREAS, the Multi-jurisdictional Work Program developed by the Multi-jurisdictional Comprehensive Planning Work Group including partnering local municipalities, Washington County, the Southeastern Wisconsin Regional Planning Commission and the University of Wisconsin-Extension includes written details outlining the planning process, underlying assumptions, committee structure, report format, schedule and responsibilities of Washington County, SEWRPC and local government partners; and

WHEREAS, as part of participating in the Washington County multi-jurisdictional planning process, the Town has the option of contracting with SEWRPC to prepare an individual plan document based on the County plan for review and adoption by the Town Board, which will satisfy the requirements specified in Wisconsin's Comprehensive Planning Law.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Polk hereby agrees to participate in the development of a Multi-jurisdictional Comprehensive Plan in cooperation with other communities in Washington County; the County; and SEWRPC pursuant to §66.1001, and §16.965(4) of the Wisconsin Statutes, provided the County is awarded a 2005 comprehensive planning grant by the State of Wisconsin;

BE IT FURTHER RESOLVED that the Town Board of the Town of Polk hereby agrees to the procedures and responsibilities outlined in the Multi-jurisdictional Work Program, dated August 2004,

developed by the Multi-jurisdictional Comprehensive Planning Work Group as its planning procedures, provided Washington County is awarded a 2005 comprehensive planning grant by the State of Wisconsin;

BE IT FURTHER RESOLVED that the Town Board of the Town of Polk hereby agrees to authorize Washington County to apply for Department of Administration funds to aid in the development of a Multi-jurisdictional Comprehensive Plan on behalf of the Town of Polk.

BE IT FURTHER RESOLVED that the Town Board of the Town of Polk authorizes the Town Board Chair to execute the appropriate cooperative agreement and any and all documents to accomplish the proposal outlined herein for this multi-jurisdictional comprehensive planning process.

Dated this 12 day of October, 2004.

Motion for adoption moved by Supervisor Theodore Merten.

Motion for adoption seconded by Supervisor Harold Groth.

Voting Aye: 3 Nay: 0

APPROVED:

William Heff
Town Chairperson

ATTEST:

Catherine Whelan
Town Clerk

*Prepared by the Planning Division of the Washington County
Planning and Parks Department and the Southeastern
Wisconsin Regional Planning Commission – August 30, 2004*

**RESOLUTION NO. 04-02
TOWN OF POLK
WASHINGTON COUNTY, WISCONSIN**

**ESTABLISHING PUBLIC PARTICIPATION PROCEDURES
FOR THE MULTI-JURISDICTIONAL COMPREHENSIVE PLANNING PROCESS**

WHEREAS, pursuant to §66.1001, Wis. Stats., all units of government which engage in zoning, subdivision, or official mapping must adopt a comprehensive plan by the year 2010; and

WHEREAS, the Town of Polk has decided to prepare a comprehensive (master) plan under the authority of and procedures established by §62.23(3) and §66.1001(4), Wisconsin Statutes; and

WHEREAS, §66.1001(4)(a), Wisconsin Statutes, requires that the governing body of the local governmental unit adopt written procedures designed to foster public participation at every stage of comprehensive plan preparation, and that such written procedures shall also provide for wide distribution of draft plan materials, an opportunity for the public to submit written comments on the plan materials, and a process for the governing body to respond to such comments; and

WHEREAS, Washington County and the Town of Polk have established a Multi-Jurisdictional Comprehensive Planning Work Group that has been meeting monthly to prepare a public participation plan in preparation for a State of Wisconsin comprehensive planning grant application due November 1, 2004; and

WHEREAS, the Town of Polk believes that regular, meaningful public involvement in the comprehensive plan process is important to assure that the resulting plans are based on public input; and

WHEREAS, the Public Participation Plan developed by the Multi-Jurisdictional Comprehensive Planning Work Group including the Town of Polk, Washington County, the Southeastern Wisconsin Regional Planning Commission and the University of Wisconsin-Extension includes written procedures to foster public participation, ensure wide distribution of draft plan materials, provide opportunities for written comments on such materials, and provide mechanisms to respond to such comments.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Polk hereby adopts the written procedures included in the Final Draft Public Participation

Plan, dated July 2004, developed by the Multi-Jurisdictional Comprehensive Planning Work Group as its public participation procedures meeting the requirements of S66.1001(4)(a), Wisconsin Statutes provided Washington County is awarded a 2005 comprehensive planning grant by the State of Wisconsin.

Dated this 12 day of October 2004.

BY: Willard Heppe
Willard Heppe, Chairman

ATTEST:

BY: Catherine Whelan
Catherine Whelan, Town Clerk

Resolution 04-02 Public Participation.wpd

APPENDIX C

SUMMARY OF LAND USE RELATED EXTRATERRITORIAL AUTHORITIES

Introduction

Cities and villages in Wisconsin have several types of extraterritorial authority that may affect land development in adjacent towns. Under the *Wisconsin Statutes*, cities and villages have authority to exercise extraterritorial planning, platting (subdivision review), and official mapping by right. In order to exercise extraterritorial zoning, cities and villages must work cooperatively with the adjoining town to develop an extraterritorial zoning ordinance and map. Cities and villages also have extraterritorial authority over offensive industries and smoke emissions. Cities, villages, and towns have limited extraterritorial authority over navigational aids and uses surrounding airports owned by the city, village, or town. Each of these extraterritorial authorities is summarized below.

Extraterritorial Planning

Under Section 62.23(2) of the *Statutes*, the plan commission of a city has “the function and duty” to “make and adopt a master plan for the physical development of the city, including any areas outside of its boundaries that in the commission's judgment bear relation to the development of the city.” Section 61.35 grants this same authority to village plan commissions. The *Statutes* do not specify the distance outside the city or village boundaries that may be included in the city or village master plan.

Because the comprehensive planning law (Section 66.1001 of the *Statutes*) defines a city or village comprehensive plan as a plan developed in accordance with Section 62.23(2) or (3), a city or village comprehensive plan presumably could also include areas outside the city or village corporate limits, including any areas outside the city or village boundaries that in the plan commission's judgment bear relation to the development of the city or village.

The comprehensive planning law defines a county comprehensive plan as a plan developed under Section 59.69 (2) or (3) of the *Statutes*. Section 59.69(3)(b) explicitly requires that a county development (comprehensive) plan include, without change, the master (comprehensive) plan of a city or village adopted under Section 62.23(2) or (3), and the official map adopted by a city or village under Section 62.23(6) of the *Statutes*. Section 59.69(3)(e) of the *Statutes* further provides that a master plan or official map adopted by a city or village under Section 62.23 “shall control” in unincorporated areas of a county; however, Section 59.69(3)(e) does not specifically require that city and village plans for their extraterritorial areas be included in the County comprehensive plan. There is no Statute requiring a county to incorporate town plans into the county comprehensive plan.

The *Statutes* provide clear guidance that a county plan need not include city and village plans for extraterritorial areas where a county has established a regional planning department. In that case, Section 62.23(2) provides “that in any county where a regional planning department has been established, areas outside the boundaries of a city¹ may not be included in the (city) master plan without the consent of the county board of supervisors.” The Washington County Attorney has determined that the County Planning and Parks Department is a “regional planning department.” Based on that determination, the County land use plan map does not include city and village land use plan designations for areas outside city or village boundaries. The only exceptions are areas identified in the boundary agreement between the Town of West Bend and City of West Bend as areas that will be annexed over time into the City. Land use

¹In accordance with Section 61.35 of the *Statutes*, the same provision would apply to villages.

designations from the City of West Bend land use plan map are included on the County plan map for those areas.

Town actions and programs (for example, zoning decisions) affecting land use in the extraterritorial area of a city or village must be consistent with the town comprehensive plan.

Extraterritorial Platting

Under Section 236.10 of the *Statutes*, a city or village may review, and approve or reject, subdivision plats located within its extraterritorial area if it has adopted a subdivision ordinance or an official map. Section 236.02 of the *Statutes* defines the extraterritorial plat review jurisdiction as the unincorporated area within three miles of the corporate limits of a city of the first, second, or third class, or within 1.5 miles of the corporate limits of a city of the fourth class or a village.² The Cities of Hartford and West Bend are both third class cities. All cities and villages in Washington County exercise extraterritorial platting authority and review plats in adjacent towns.

In accordance with Section 66.0105 of the *Statutes*, in situations where the extraterritorial plat approval jurisdiction of two or more cities or villages would otherwise overlap, the extraterritorial jurisdiction between the municipalities is divided on a line, all points of which are equidistant from the boundaries of each municipality concerned, so that no more than one city or village exercises extraterritorial jurisdiction over any unincorporated area. City and village extraterritorial plat approval authority does not include the authority to require public improvements, such as streets or sanitary sewers, in plats outside city or village limits. Only the town board may require improvements in plats located within a town.

Official Mapping

Official mapping authority, granted to cities and villages under Section 62.23(6) of the *Statutes*, is intended to prevent the construction of buildings or structures and their associated improvements on lands designated for future public use. An official map may identify the location and width of existing and proposed streets, highways, parkways, parks, playgrounds, railway rights-of-way, public transit facilities, airports, and airport affected areas (areas up to three miles from an airport). Waterways, which include streams, ditches, drainage channels, lakes, and storage basins, may also be shown on an official map if the waterway is included in a comprehensive surface water drainage plan. Official maps may be adopted by an ordinance or resolution of the village board or common council, and must be recorded with the county register of deeds immediately following their adoption.

A city or village official map may include the area within the city or village plus the area within the extraterritorial plat approval jurisdiction of the city or village.

Towns that have adopted village powers may adopt an official map for areas within the town.

As of 2007, the Cities of Hartford and West Bend and the Villages of Jackson and Kewaskum had adopted official maps.

² *Cities of the first class are those with a population of at least 150,000 residents; cities of the second class are those with a population of 39,000 to 150,000 residents; cities of the third class are those with a population of 10,000 to 39,000 residents; and fourth class cities have a population of less than 10,000 residents. A city is not automatically reclassified based on changes in population. Under Section 62.05 of the Statutes, to change from one class to another a city must meet the required population based on the last Federal census, fulfill required governmental changes (generally, an amendment to the charter ordinance is required), and publish a mayoral proclamation.*

Extraterritorial Zoning

Under Section 62.23(7a) of the *Statutes*, a city or village may enact an extraterritorial zoning ordinance and map for adjoining unincorporated areas lying within its extraterritorial area. The limits of extraterritorial zoning are the same as those specified in the *Statutes* for extraterritorial plat review. Unlike extraterritorial plat review authority, which is automatically granted by the *Statutes* to cities and villages, a city or village must follow a procedure that involves the adjoining town before enacting a permanent extraterritorial zoning ordinance and map, as summarized below:

1. The common council or village board must adopt a resolution stating its intent to adopt an extraterritorial zoning ordinance. The city or village must publish a public notice and send a copy of the resolution and a map showing the boundaries of the proposed extraterritorial zoning area to the county and to the clerk of each affected town within 15 days of adopting the resolution.
2. The common council or village board may also adopt an interim ordinance that “freezes” the existing zoning within the extraterritorial area while the extraterritorial zoning ordinance is being prepared. A public notice must be published and the county and affected towns must be notified. An ordinance freezing existing zoning can remain in effect for up to two years. The common council or village board may extend the moratorium for one additional year upon the recommendation of the joint zoning committee.
3. A joint zoning committee must be formed to develop recommendations for the extraterritorial zoning ordinance regulations and map. The committee is made up of three members from the city or village plan commission and three members from each town affected by the proposed extraterritorial zoning ordinance. The town members are appointed by the town board and must be town residents. If more than one town is affected, one committee is formed to develop the regulations, but the *Statutes* provide that “a separate vote shall be taken on the plan and regulations for each town and the town members of the joint committee shall vote only on matters affecting the particular town which they represent.”
4. The *Statutes* further provide that the common council or village board may not adopt the proposed extraterritorial zoning map and ordinance unless the map and ordinance receive a favorable vote of a majority of the six members of the joint committee.

There were no extraterritorial zoning ordinances in effect in Washington County in 2009.

Other Extraterritorial Authorities

Other city and village extraterritorial authorities include the following:

- **Smoke:** Under Section 254.57 of the *Statutes*, a common council or village board may regulate or prohibit the emission of dense smoke into the open air within city or village limits and up to one mile from city or village limits.
- **Offensive Industry:** Under Section 66.0415 of the *Statutes*, a common council or village board may regulate, license, or prohibit the location, management, or construction of any industry, thing, or place where any nauseous, offensive, or unwholesome business is carried out. This authority extends to the area within the city or village and up to four miles beyond the city or village boundaries. The City of Milwaukee may regulate offensive industries along the Milwaukee, Menominee, and Kinnickinnic Rivers and their branches to the outer limits of Milwaukee County, including along all canals connecting with these rivers and the lands adjacent to these rivers and canals or within 100 yards of them. A town board has the same powers as cities and villages within that portion of the town not regulated by a city or village under this section.

Cities, villages, and towns have the following extraterritorial authorities:

- Water Navigation Aids: Under Section 30.745 of the *Statutes*, a common council, village board, or town board may regulate water navigation aids (moorings, markers, and buoys) within one-half mile of the city, village, or town, provided the municipal ordinance does not conflict with a uniform navigations aids system established by the Wisconsin Department of Natural Resources or the County.
- Aerial Approaches to Airports: Under Section 114.136 of the *Statutes*, any city, village, or town (or county) that is the owner of an airport site may protect the aerial approaches to the airport through an ordinance regulating the use, location, height, and size of structures and objects of natural growth surrounding the airport. An ordinance adopted by a local government that owns an airport site applies in all local governments within the aerial approach area, and may be adopted and enforced without the consent of other affected governing bodies.

The City of West Bend regulates uses in the aerial approach zone in the Town of Trenton near the West Bend airport. Both the City of West Bend and the City of Hartford regulate the heights of buildings and structures near the West Bend and Hartford airports. Height limitations near the Hartford airport affect the Towns of Addison and Hartford. Height limitations near the West Bend airport affect the Towns of Barton, Farmington, Trenton, and West Bend.

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APPENDIX D

HOUSING PROGRAMS AVAILABLE IN THE TOWN OF POLK AND WASHINGTON COUNTY

Government sponsored housing programs have been inventoried to assess government's potential to help the private sector meet housing needs. The full array of government sponsored programs and funding availability is almost continually changing, therefore, this section focuses on those programs that have the potential for increasing the availability of lower-cost housing and rehabilitation in the Town and Washington County. Many of the programs available in Washington County are administered through local and State agencies that receive funding from the Federal government. Agencies involved in administering housing programs include the HOME Consortium; the U.S. Department of Agriculture (USDA) Rural Development; the Wisconsin Housing and Economic Development Authority (WHEDA); and the U.S. Department of Housing and Urban Development (HUD).

Housing Program Administrators

The HOME Consortium

The HOME Consortium is a four-county governmental body, which includes Washington, Ozaukee, Waukesha, and Jefferson Counties, whose purpose is to advance homeownership opportunities and programs for households that earn 80 percent or less of the area's median income. Median incomes based on family size are developed annually by HUD (see Table VII-18 in Chapter VII). The area served by the Consortium receives an annual funding allocation from HUD. The Consortium's programs are administered by C-CAP LLC and the Community Housing Initiative, Inc., which are nonprofit organizations located in the City of Waukesha.

Wisconsin Housing and Economic Development Authority (WHEDA)

WHEDA was created by the Wisconsin Legislature in 1972 as a nonprofit "public benefit corporation" to help meet the housing needs of lower-income households in the State. This purpose has expanded to include providing housing facilities to meet the needs of households with disabled or elderly members. The programs are financed through the sale of tax-exempt bonds and receive no State tax support. These programs involve the administration of several Federally-funded grants and housing tax credits.

U.S. Department of Housing and Urban Development (HUD)

HUD provides funding for a number of housing programs, including the Section 8 Low-Income Rental Assistance Program and the Home Investment Partnership Act (HOME). In order for units or agencies of government to apply for and receive HUD housing grants or public housing funds, they must prepare a Comprehensive Housing Affordability Strategy (CHAS) and submit that strategy to HUD for approval. The purpose of the CHAS is to ensure that communities receiving funding from HUD have planned for the housing-related needs of low- and moderate-income households in a way that improves the availability and affordability of adequate housing. The CHAS must also include consideration of persons needing supportive services, identify the manner in which private resources will be incorporated in addressing identified housing needs, and provide for both rental and homeownership options.

The Federal Housing Administration (FHA)

The FHA was established by Congress in 1934 and became part of HUD's Office of Housing in 1965. The FHA insures mortgage loans for single family and multi-family homes from FHA-approved lenders throughout the Nation, including Washington County. FHA mortgage insurance provides approved lenders with protection against losses as the result of default on a loan. The lender bears less risk because the FHA will pay a claim to the lender in the event of a homeowner default. This allows FHA insured

loans to be made with less cash investment than other loans, which increases accessibility to lower-income households.

U.S. Department of Agriculture (USDA) Rural Development

The USDA administers the Federal Government's primary program addressing America's need for affordable rural housing. USDA Rural Development provides loans and grants to develop rural community facilities in cities, villages, and towns with populations less than 20,000 that are not part of an urban area. The USDA provides affordable housing opportunities for low- to moderate-income families in Washington County.

Wisconsin Department of Commerce, Division of Community Development, Bureau of Housing

The Bureau of Housing administers several Federal and State programs to provide low- and moderate-income households with housing assistance in many areas of Wisconsin. Washington County residents are not eligible for programs administered by the Bureau of Housing because the County is included in the HOME Consortium, which fills the role of the Bureau of Housing in administering State and Federal housing programs in Washington, Ozaukee, Waukesha, and Jefferson Counties.

Government Sponsored Housing Programs

The following sections describe programs funded by the State and Federal governments for construction of single- and multi-family housing and programs that provide financial assistance for down payments, loan guarantees, or rental assistance.

HOME Consortium Programs

Home Buyer Counseling

The Slinger Housing Authority provides home buyer counseling to the HOME Consortium Counties of Ozaukee and Washington. The Authority provides a complete package of supportive counseling services to enable participants to achieve home ownership. This assistance is provided throughout the home buying process with credit awareness, acquiring budget management skills, learning about mortgage products and guidelines, the selection of property and the post-purchase responsibilities of home ownership. The Authority provides monthly educational home buying seminars and provides ongoing one-on-one counseling with clients, as needed. The program meets the home buyer counseling requirements of the HOME Consortium Down Payment Assistance Program.

C-CAP Down Payment Assistance (DPA) Grant

The purpose of the C-CAP DPA Grant Program is to assist homebuyers with the upfront costs of purchasing a home through a down payment assistance (DPA) grant. The HOME Consortium provides funding to C-CAP, which administers the grant program. The grant itself is offered through private lenders partnering with C-CAP. The DPA grant can help pay up to \$3,000 in customary closing costs and fees related to buying a home and/or a portion of a down payment. The C-CAP DPA grant is forgiven over the course of five years. A portion of the grant must be repaid if the home is sold within a five year period as long as borrower continues to occupy the home.

- Buyer household income cannot exceed 80 percent of the HUD estimated median family income by size for the Milwaukee Metropolitan Statistical Area. The 2006 HUD estimated median income and 80 percent of the median income are listed on Table VII-18 in Chapter VII
- Eligible costs financed by the grant include the down payment, all closing costs, prepaid items, home inspection, and home buyer counseling
- The maximum home purchase price in Washington County is \$194,800
- Eligible units include owner-occupied single-family homes, condominiums, and certain manufactured homes

American Dream Down Payment Initiative (ADDI) C-CAP Loan

The ADDI offers 0 percent interest loans to buyers to use for either completion of home repairs immediately after closing or occupancy or as a form of down payment assistance. A buyer may be eligible for up to a \$5,000 deferred 0 percent interest loan to be used for down payment or closing costs, or a buyer may be eligible for up to a \$10,000 deferred 0 percent interest loan for home repairs only. The ADDI loan is deferred at 0 percent APR, which means there is no interest and the loan is not due until sale or transfer of the mortgaged property. The ADDI loan may also be combined with the C-CAP Down Payment Assistance grant. Eligibility criteria for Washington County are identical to those outlined in the C-CAP DPA grant program. This program is also administered by C-CAP with funds provided through the HOME Consortium.

WHEDA Programs

Low-Income Housing Tax Credit Program (LIHTC)

Created by the Tax Reform Act of 1986, the LIHTC program gives states the equivalent of nearly \$5 billion in annual budget authority to issue tax credits for the acquisition, rehabilitation, or new construction of rental housing targeted to lower-income households. The program provides an incentive by providing credit against Federal income tax liability. As a basic program requirement, rental property owners either make at least 20 percent of their housing units available to households with incomes not exceeding 50 percent of the area median family income as adjusted for family size or make at least 40 percent of their housing units available to households with incomes not exceeding 60 percent of an area's median family income as adjusted for family size. Property owners must agree to maintain these percentages for at least 30 years. The LIHTC program is administered by WHEDA in Wisconsin.

Home Ownership Mortgage (HOME) Loan Program

The HOME Loan Program, administered by WHEDA and funded by HUD, offers long-term, below-market, fixed-rate financing for low- to moderate-income, first-time homebuyers. Features and benefits of this program include a below-market, fixed interest rate with up to a 30-year term; a low down payment required with down-payment assistance available; lower mortgage insurance premiums; and Mortgage Guardian mortgage payment protection in the event of involuntary job loss. For Washington County, eligible properties include new or existing single-family detached dwellings; manufactured housing on land owned by the applicant and taxed as real estate; condominiums; and two, three, or four unit dwellings which are at least five years old.

Fixed-Interest Only Loan Program

The Fixed-Interest Only Loan Program, administered by WHEDA and funded by HUD, offers below-market, fixed-rate financing with reduced payments during the first seven years for eligible first-time homebuyers. The home purchase price must be at least \$150,000 and cannot exceed the purchase price limits listed above for the HOME Loan Program.

HOME Plus Loan Program

The HOME Plus Loan Program, administered by WHEDA and funded by HUD, provides financing of up to \$10,000 for down payment and closing costs, and a line of credit for future home repairs. Borrowers must have less than \$4,500 in liquid assets to be eligible to draw HOME Plus funds for down payment and closing costs. Those with liquid assets exceeding \$4,500 may still request the line of credit for future home repairs. Eligible properties must be occupied by the owner and can be anywhere from one to four units.

HUD Programs

Wisconsin Community Development Block Grant (CDBG) Program

HUD provides community development block grants to entitled counties, entitlement communities, and States (for distribution to non-entitlement communities) for housing programs that principally benefit low- and moderate-income households and other community development purposes. Counties, entitlement communities, and States develop their own specific programs and funding priorities under the CDBG program; however, maximum priority must be given to activities which either benefit low- and moderate-income persons or aid in the prevention or elimination of blighted areas or slums. States must ensure that over a three year period, at least 60 percent of CDBG funds awarded to non-entitlement communities are used for activities that benefit low- and moderate-income households. HUD defines communities entitled to grants as principal cities of a metropolitan statistical area (MSA), other metropolitan cities with a population of at least 50,000, and urban counties with a population of at least 200,000, excluding the population of any entitlement communities within the county. Washington County is not an entitlement area, so communities must apply for CDBG funds from WHEDA, which administers the CDBG program for non-entitlement areas.

Section 8 Rental Voucher Program

The Section 8 Rental Voucher Program increases affordable housing choices for low-income households by allowing families to choose privately-owned rental housing. A public housing authority (PHA) generally pays the landlord the difference between 30 percent of a family's gross household income and the PHA-determined payment standard, about 80 to 100 percent of the fair market rent (FMR). Housing authorities may be established by counties and local governments. There are three housing authorities in the County; they include the Hartford Community Development Authority (HCDA), the Slinger Housing Authority, and the West Bend Housing Authority. Of these three housing authorities, only HCDA and the West Bend Housing Authority provide vouchers. HCDA provides up to 148 households within the City of Hartford with vouchers per month. The West Bend Housing Authority provides up to 159 households within the City of West Bend with vouchers per month.

WHEDA administers the Section 8 program outside Hartford, Slinger, and West Bend. In recent years, WHEDA has contracted with Horizon Management Group, Inc., based in La Crosse County with an office in Sheboygan County, to administer the program in Washington County. Horizon Management Group provides up to 75 households with vouchers per month outside the Cities of Hartford and West Bend.

Prior to 1981, another portion of Section 8 rental assistance was disbursed directly to individual property owners. This was referred to as "Project-Based Assistance." HUD entered into 20-year contribution contracts with individual property owners to provide subsidies for lower-income tenants. Because this component of the Section 8 program was eliminated in 1981, the number of rental housing units subsidized in this manner has been decreasing as contracts with property owners expire. Contracts remaining in effect are the result of "renewal" of contracts initiated prior to 1981. There were 442 subsidized units in the County as of 2006; 164 of these units housed elderly households, 114 units housed families, 64 units housed both elderly and family households, and 100 units housed other households. These units do not count against the limits described above.

Section 202 Supportive Housing for the Elderly Program

HUD provides interest-free capital advances to private, nonprofit sponsors to finance the development of supportive housing for the elderly. The capital advance does not have to be repaid as long as the project serves very low-income elderly persons for 40 years. Project rental assistance funds are provided to cover the difference between the HUD-approved operating cost for the project and the tenants' contribution towards rent. Project rental assistance contracts are approved initially for five years and are renewable

based on the availability of funds. Private nonprofit organizations can apply to develop a Section 202 project if they can, among other requirements, submit a resolution that they will provide a minimum capital investment equal to 0.5 percent of the HUD-approved capital advance. Public entities are not eligible for funding under this program. Occupancy in Section 202 housing is open to any very low-income household comprised of at least one person who is at least 62 years old at the time of initial occupancy.

Section 811 Supportive Housing for Persons with Disabilities

HUD provides interest-free capital advances to private nonprofit sponsors to finance the development of rental housing such as independent living projects, condominium units, and small group homes that will provide supportive services for people with disabilities. The capital advance does not have to be repaid as long as the project serves very low-income persons with disabilities for 40 years. Project rental assistance funds are provided to cover the difference between the HUD-approved operating cost for the project and the tenants' contribution towards rent. Project rental assistance contracts are approved initially for five years and are renewable based on the availability of funds. Nonprofit organizations with a Section 501 (c) (3) tax exemption from the IRS can apply to develop a Section 811 project if they can, among other requirements, submit a resolution that they will provide a minimum capital investment equal to 0.5 percent of the HUD-approved capital advance, up to a maximum of \$10,000. Occupancy in Section 811 housing is open to any very low-income household comprised of at least one person who is at least 18 years old and has a disability, such as a physical or developmental disability or chronic mental illness.

Rehabilitation Mortgage Insurance - Section 203 (k)

This FHA (which became part of HUD in 1965) program insures mortgages designed for properties in need of rehabilitation. Property acquisition costs are combined with rehabilitation costs under one mortgage as opposed to two, which is the traditional method. The ability to consolidate the mortgages results in a single long-term mortgage with relatively low interest rates and a streamlined process for the borrower and lender. They are also available to those who might not otherwise qualify for conventional mortgages. Section 203 (k) insures mortgages covering the purchasing or refinancing and rehabilitation of a home that is at least one year old. A portion of the loan proceeds are used to pay the seller, or, in a refinance situation, to pay off the existing mortgage, and the remaining funds are placed in an escrow account and released as rehabilitation is completed. The rehabilitation cost must be at least \$5,000 and there are no income limits for eligibility.

Property Improvement Loan Insurance (Title I)

This FHA program insures loans made by private lenders to borrowers, many of whom might not be eligible for a traditional loan, for the purpose of making home improvements. Loans are insured for up to 20 years on single family or multi-family properties. The maximum loan amount is \$25,000 for a single family property and \$12,000 per housing unit not to exceed a total of \$60,000 for a multi-family property. Loan funds may be used for light to moderate rehabilitation of single family and multi-family structures, or to construct a non-residential structure on a single family property. Loans may also be used to purchase fire safety equipment. The intent of the program is to provide financing for permanent improvements that protect or improve the basic livability and utility of a property, including manufactured homes, single family and multi-family structures, non-residential structures, and preservation of historic homes.

USDA Rural Development Programs

Farm Labor Housing Loans and Grants

Farm Labor Housing Loans and Grants provide low-cost financing for the development of affordable rental housing for both year-round and migrant "domestic farm laborers" and their households. These programs may be used to build, buy, improve, or repair farm labor housing and provide related facilities, such as on-site child care centers.

Multi-Family Housing Direct Loans

Multi-Family Housing Direct Loans provide loans for the development of affordable rental housing in rural communities. Low and very-low income households are targeted as tenants, but moderate income households are also eligible. Rural Development may also provide "Rental Assistance," a project-based tenant subsidy that pays a portion of tenant housing costs, reducing them to an affordable level (30 percent of adjusted income). Projects must be in a rural area and consist of at least two rental units.

Multi-Family Housing Guaranteed Loans

Multi-Family Housing Guaranteed Loans serve the rental housing needs of low and moderate-income rural households by providing loan guarantees for newly constructed or rehabilitated rental property in eligible rural areas. Guarantees may be used in conjunction with other subsidy programs, such as the Low-Income Tax Credit, HOME, and state rental assistance programs. Loans can be made for a variety of rental housing types, for example: family, elderly, congregate housing, and mobile homes. Loans can be made for new construction, moderate or substantial rehabilitation, acquisition of buildings that provide for "special housing needs," and combination construction and permanent loans. Tenants' income cannot exceed 115 percent of the area median income, adjusted for family size. Rent (including tenant-paid utilities) for any unit at initial occupancy cannot exceed 30 percent of 115 percent of the area median income, adjusted for family size. The average rent (including tenant-paid utilities) for all units in a project cannot exceed 30 percent of area median income.

Rural Housing Site Loans

Rural Housing Site Loans are short term loans to finance development costs of subdivisions located in communities with a population of 10,000 or less (selected communities with a population between 10,000 and 20,000 are also eligible). Developed lots are to be sold to families with low- to moderate-household income (up to 115 percent of the county median income). Loans can be made to public or private local non-profit organizations with legal authority to buy, develop, and sell home sites to eligible applicants.

Single Family Housing Direct Loans

Single Family Housing Direct Loans are for families seeking financing to purchase new or existing homes or to repair or improve a home. This subsidized housing program offers loan benefits as down payment assistance to enable purchase with a loan through a private lending source (Rural Development accepts a junior lien behind the primary lender) or as a sole source of assistance for purchase, repair, or improvement. Sole source assistance is limited to families who are unable to obtain any part of the needed credit from another lending source. To be eligible an applicant must have the ability to repay the loan, live in the home, and be a citizen or be legally admitted to the U.S. for permanent residence, among other requirements. Family income cannot exceed 80 percent of the county median income.

Single Family Housing Guaranteed Loans

The Guaranteed Rural Housing (GRH) loan program provides moderate-income families with access to affordable home ownership in eligible rural areas. Approved GRH lenders provide home purchase financing requiring no down payment and can finance loan closing costs and repairs up to the property's appraised value. To be eligible, an applicant must have adequate and dependable income; be a citizen or be legally admitted to the U.S. for permanent residence; have an adjusted annual household income that does not exceed the moderate-income limits for the area; and demonstrate adequate repayment ability. The home must be a new or existing stick-built or modular home that meets HUD guidelines; a new manufactured home on a permanent foundation; owner occupied and not income producing; and located in an eligible rural area or community.

WisLoan

This program provides loans for a wide variety of residential modifications to improve accessibility for disabled persons, including ramps and home accessibility modifications for non-rental units. Individuals

applying for a loan must be a Wisconsin resident, at least 18 years old (parents and other relatives can apply on behalf of disabled people under age 18), and have a disability. Applicants can request any amount needed for the modifications, but the loan amount is dependent on ability to repay the loan and availability of loan funds. The loan is available to Washington County residents and administered by IndependenceFirst with oversight by the Independent Living Unit of the State Bureau of Aging and Long Term Care Resources (part of the Wisconsin Department of Health and Family Services). The IndependenceFirst office located in Milwaukee (600 W. Virginia Street, fourth floor) serves Washington County.

Housing Trust Funds

Housing trust funds can be established by county or local governments (or state governments) to support the preservation and production of affordable housing through a dedicated source of public financing. As of 2006, over 350 county and local government and 38 state housing trust funds had been established. They have combined to dedicate over \$750 million annually towards addressing affordable housing needs across the Country. Locally, the City of Milwaukee Common Council passed an ordinance creating a Milwaukee Housing Trust Fund in late 2006. It started with base funds of \$2.5 million in 2007 from bonding. Ongoing revenue is generated from Potawatomi gaming proceeds, Tax Increment Financing (TIF) revenue (see Appendix E for additional information regarding TIF), and designated PILOT funds.¹ Community support for the trust fund was championed by the Milwaukee Housing Trust Fund Coalition, which was comprised of many faith and community based organizations such as the Interfaith Conference of Greater Milwaukee.

Department of Veteran Affairs Home Loan Program

This program is available to veterans, active duty military personnel, and certain members of the reserves and National Guard. The program offers advantages to applicants including loans with no money down and no private mortgage insurance payments. Applicants must meet income and credit requirements for the loans, which are generally administered by lenders approved by the Department of Veteran Affairs.

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¹ *PILOT funds are payments in lieu of taxes received by the City.*

APPENDIX E

ECONOMIC DEVELOPMENT ORGANIZATIONS AND PROGRAMS AVAILABLE IN THE TOWN OF POLK AND WASHINGTON COUNTY

A number of economic development organizations and programs have been established to assist in the establishment, retention, and expansion of area businesses in the Town of Polk and the County, including the following.

Economic Development/Washington County

Economic Development/Washington County (EDWC) seeks to improve and enhance the economic vitality of the County by serving as the central voice on economic development issues, retaining and expanding the current manufacturing and commerce sectors, attracting and creating new family-supporting jobs, and supporting quality of life issues. The EDWC recently drafted a 2006-2007 economic development strategic plan for Washington County. This plan sets goals for the County in the areas of business retention, business attraction, workforce quality and availability, and the internal structure of the EDWC. The plan addresses each goal and assigns the goal's priority, timeline, and the entity responsible for that goal.

Washington County Revolving Loan Fund

The Wisconsin Community Development Block Grant (CDBG) Program, administered by the Wisconsin Department of Commerce, provides local government with funds to use for economic development, more specifically, for business start-ups and expansion. These funds, received from the U.S. Department of Housing and Urban Development, are used to provide grants to local units of government that use the funds to loan to a business. The business, in return for use of the public funds, provides private investment towards the assisted activity and most importantly creates job opportunities, principally for the benefit of low- and moderate-income persons.

When a business repays the community the loan (principal and interest payments), the funds are used to capitalize a local revolving loan fund (RLF). With the RLF, the community can make additional loans to businesses wishing to expand or locate in the community. These loans typically are smaller loans (\$20,000-\$100,000). When successfully administered, the community's revolving loan fund can expand the amount in its RLF to an amount in excess of the original amount it was able to retain. This happens when the community exercises due diligence by performing a thorough credit analysis to determine business viability and adequately securing and servicing the loan. In administering a RLF, a community becomes a "bank" and accepts responsibilities similar to that of a commercial lender when it makes a CDBG or RLF loan to a business.

Washington County has established a RLF program. Eligible applicants include manufacturing and related distribution businesses and service businesses that wish to establish a new operation or expand an existing operation in the County. The loan may be used for the acquisition of land, buildings, and/or fixed equipment; site preparation; the construction, reconstruction, or rehabilitation of buildings, including leasehold improvements; the installation of fixed equipment; clearance, demolition, and/or removal of structures; working capital; and buyouts by purchase of assets or stock. There were four businesses in the County participating in the RLF program in 2006.

To be eligible for funding, a proposed project must meet all of the following minimum requirements:

- Private Funds Leveraged - One dollar of private sector investment must be provided for each dollar of RLF investment. Private sector investment is defined as financing from a private lending institution,

public sector business loan programs other than the CDBG program, or new equity that is injected into the business as a part of the expansion project.

- Cost Per Job - A minimum of one full-time equivalent (FTE) job must be created or retained for each \$20,000 of RLF funds requested.
- Financial Feasibility and Business Viability - The applicant must demonstrate that the proposed project is viable and that the business has the economic ability to repay the funds.
- Low- and Moderate-Income (LMI) Benefit - At least 51 percent of the jobs created or retained must be made available to persons who reside in low- and moderate-income households.
- Project Completion - All projects must be completed, all funds expended, and all jobs created and/or retained within 24 months from the date of the RLF loan approval. All jobs must be maintained for a minimum of 12 months.

Washington County has also established a RLF Retail program. Eligible applicants include any retail business that wishes to establish a new operation or expand an existing operation in the County. The loan may be used for the acquisition of land, buildings, and/or fixed equipment; site preparation; the construction, reconstruction, or rehabilitation of buildings, including leasehold improvements; the installation of fixed equipment; clearance, demolition, and/or removal of structures; working capital; and buyouts by purchase of assets or stock. There were two businesses in the County participating in the RLF Retail program in 2006.

To be eligible for funding, a proposed project must meet all of the following minimum requirements:

- Private Funds Leveraged - One dollar of private sector investment must be provided for each dollar of RLF investment. Private sector investment is defined as financing from a private lending institution, public sector business loan programs other than the CDBG program, or new equity that is injected into the business as a part of the expansion project.
- Cost Per Job - A minimum of one full-time equivalent (FTE) job must be created or retained for each \$10,000 of RLF funds requested.
- Financial Feasibility and Business Viability - The applicant must demonstrate that the proposed project is viable and that the business has the economic ability to repay the funds.
- Low- and Moderate-Income (LMI) Benefit - At least 51 percent of the jobs created or retained must be made available to persons who reside in low- and moderate-income households.
- Project Completion - All projects must be completed, all funds expended, and all jobs created and/or retained within 24 months from the date of the RLF loan approval. All jobs must be maintained for a minimum of 12 months.

Technology Zones

Wisconsin's Technology Zone program, administered by the Wisconsin Department of Commerce, offers tax credit incentives to new and growing businesses in the State's high-technology sectors. High technology businesses planning to expand existing operations in a designated Technology Zone area, individuals planning to start a new business in a Technology Zone area or businesses considering relocation to a Technology Zone area from outside Wisconsin may be eligible for Technology Zone tax credits. Washington County is part of the Metropolitan Milwaukee Technology Zone. Beneficiaries of the Technology Zone program include the Signicast Corporation in the City of Hartford.

The Milwaukee 7

The Milwaukee 7 is a council of representatives from the seven Southeastern Wisconsin counties – Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha. The council, made up of about 35 civic and business leaders, was formed with the idea that a regional approach is significant to fostering economic growth. Milwaukee 7 is engaged in efforts focusing on regional strategic planning for economic development. Among the council's goals are to compile comprehensive information about the

Region, creating a way for businesses to tap easily into data that can help them plan expansion or location decisions, identifying “clusters” of industries well suited to the area, and creating jobs to retain more Wisconsin college graduates.

In April 2007, the Milwaukee 7 released its Strategic Framework, which sets forth a vision for the Region and a plan to achieve that vision. The Strategic Framework identifies the Region’s assets that pose a unique opportunity for the Region’s long-term prosperity; identifies “Regional Export Drivers,” which are industries that drive the export of goods and services beyond our regional borders; maps opportunity zones; and outlines a strategic agenda for each of the Regional Export Drivers. The Milwaukee 7 resource center and Strategic Framework are found on the Milwaukee 7 website (www.Choosemilwaukee.com).

Waukesha- Ozaukee- Washington (WOW) Workforce Development Board

The WOW Workforce Development Board was established in response to the Workforce Investment Act of 1998 (WIA). The WOW Workforce Development Board is a private, non-profit corporation dedicated to providing workforce development services to residents and businesses in Waukesha, Ozaukee, and Washington Counties. The WOW Workforce Development Board works in collaboration with County and local elected officials, economic development corporations, and businesses to address workforce issues. The WOW Workforce Development Board is dedicated to finding solutions to local workforce needs through long-term planning and timely responses to the changing economy.

The WOW Workforce Development Board has several programs available. The following is a summary of each of these programs:

H-1B Advanced Manufacturing Training Program

The H-1B Advanced Manufacturing Training Program is funded by the U.S. Department of Labor and is intended to reduce the dependence of American companies on skilled workers from other countries. The program’s objective is to train 200 apprentices and 500 other workers in advanced manufacturing skills to address the industry need for highly-skilled workers. The program will provide a maximum of \$500 per month per apprentice.

On-The-Job Training Program

The On-The-Job Training Program provides funding to employers to help offset the cost of training new employees. Businesses can receive a wage reimbursement of up to 50 percent of the new employee’s wages during the training period. The length of the training period depends on the amount and complexity of the training needed to bring the worker to the desired skill level. To be eligible the job should meet or exceed minimum wage requirements; the job trained for must have transferable skills and not be seasonal or temporary; and contracts must be completed and approved prior to the new hire’s first day of work.

Workforce Advancement and Attachment Training Program

The Workforce Advancement and Attachment Training Program awards grants to employers to provide training to existing entry-level workers so that they may move up another employment level and receive a salary increase. To be eligible for the grant the employer must employ workers who meet income guidelines; have specific training in mind for employee(s); provide training to advance skills outside the current job; and complete training within one year. The training must result in an increase in pay or a promotion within six months of training, or be necessary for job retention.

Dislocated Worker Program

The objective of the Dislocated Worker Program is to assist laid-off workers in obtaining full-time employment in a job compatible with the worker’s capabilities and interests at a competitive wage. The

WOW Dislocated Worker program is a “Work First” program, with emphasis on opportunities for employment. Participation in the dislocated worker program requires that the worker be committed to intensive efforts toward obtaining full-time employment. Program staff develops an Individual Employment Plan (IEP) with each participant that identifies the full-time employment objectives and what steps will be taken to achieve the objectives. The IEP specifies the occupational goals of the enrollee, based on assessment, testing, and individualized counseling.

If, after an initial period of intensive work search the participant is unsuccessful in obtaining employment, additional training may be considered, subject to availability of funds. Those who are deemed eligible to receive additional training are given an Individual Training Account (ITA), and information on providers, which includes the cost of training and the success rate of the training provider.

Work Keys Program

Work Keys is an employability skills assessment tool designed to ensure that an employer has the right people staffing key positions. The tool evaluates the key skills and levels of competency required for specific jobs in an organization. Then, skill assessments are administered to job applicants and/or employees to pinpoint their current skill levels. Once complete, it compares the skill levels demonstrated by each test taker to the minimum skill levels required for the profiled jobs, which enables employers to immediately evaluate an applicant’s qualifications and/or determine the training needs of current employees. This process provides job analysis, assessment, instructional support, reporting, and training identification services to employers.

Tax Increment Financing

Wisconsin’s Tax Increment Finance (TIF) program was approved by the Legislature in 1975. Its purpose is to provide a way for a city or village to promote tax base expansion. TIF is aimed at eliminating blight, rehabilitating declining property values, and promoting industry and mixed-use development. The TIF law was amended in 2004 to allow towns to participate in the TIF program. Towns may identify TIF projects involving agricultural, forestry, manufacturing, and tourism industries (recreational and vacation camps, recreational vehicle parks and campgrounds, racetracks, dairy product stores, and public golf courses) as defined in Section 60.85 of the *Statutes*.

When a TIF is created the aggregate equalized value of taxable and certain municipality-owned property is established by the Department of Revenue. This is called the Tax Incremental Base. The municipality then installs public improvements, and property taxes generally increase. Taxes paid on the increased value are used to pay for improvements funded by the community. This is the tax increment. It is based on the increased values in the Tax Increment District (TID) and levies of all the taxing jurisdictions that share the tax base. Other taxing jurisdictions do not benefit from taxes collected on value increases until project costs have been recovered and the TID is retired. At this point, the added value is included in the apportionment process and all taxing jurisdictions share the increase in property value. Washington County had 19 TIF districts in 2006, all of which were located in cities and villages.

Brownfield Remediation Grants

The comprehensive planning law places an emphasis on the remediation and reuse of environmentally contaminated, or brownfield, sites. Brownfields are defined as abandoned, idle, or underused industrial or commercial properties where redevelopment is hindered by known or suspected environmental contamination. The following grant programs are available to assist in the identification and clean up (remediation) of brownfield sites.

Brownfield Site Assessment Grants (SAG)

Brownfield Site Assessment Grants (SAG) assist local governments in taking preliminary steps to stimulate redevelopment of brownfield areas. Those eligible for the grant include cities, villages, towns,

redevelopment authorities, community development authorities, and housing authorities. The applicant may not have caused the environmental contamination, and the person who caused the contamination must be unknown, unable to be located, or financially unable to pay for grant eligibility. The grant may fund Phase I and II environmental site assessments, environmental investigation, demolition, removal of underground storage tanks, and removal of abandoned containers. The State budget typically includes \$1.7 million per year for SAG funding. The grants are administered by the Wisconsin Department of Natural Resources (DNR).

Blight Elimination and Brownfield Redevelopment (BEBR) Grants

Blight Elimination and Brownfield Redevelopment (BEBR) grants are administered by the Wisconsin Department of Commerce and provide funding for blight elimination and brownfield projects that promote economic development and have a positive effect on the environment at abandoned, idle, or underused industrial and commercial sites. Those eligible include cities, villages, towns, non-profit organizations, individuals, and businesses. The grant may fund property acquisition, Phase I and II environmental site assessments, environmental investigation, removal of abandoned containers and some underground storage tanks, environmental cleanup, demolition, rehabilitation of buildings, and redevelopment. This program is funded by a combination of State and Federal funds and typically receives about \$7.5 million in funding per year.

Brownfield Green Space and Public Facilities Grants

Brownfield Green Space and Public Facilities Grants assist local governments in cleaning up brownfields that are intended for future public use. This includes developing green spaces and developing public facilities. Those eligible include cities, villages, towns, counties, redevelopment authorities, community development authorities, and housing authorities that have completed an environmental investigation and are ready to clean up the contaminated property. The maximum grant awarded is \$200,000. The program is administered by the DNR.

Petroleum Environmental Cleanup Fund Award (PECFA)

The PECFA program was created by the Wisconsin Department of Commerce in response to enactment of Federal regulations requiring release prevention from underground storage tanks and cleanup of existing contamination from those tanks. PECFA is a reimbursement program returning a portion of incurred remedial cleanup costs to owners of eligible petroleum product systems, including home heating oil systems. Program funding is generated from a portion of a \$0.02 per gallon petroleum inspection fee.

Brownfield Economic Development Initiative (BEDI) Grants

The Brownfield Economic Development Initiative (BEDI) provides eligible communities with grants to clean up and redevelop brownfields. Local governments that are Federal entitlement communities (which includes the City of Hartford) may apply for BEDI grants.

Activities funded by BEDI grants must meet one of the following National objectives:

- Benefit low- to moderate-income people
- Prevent or eliminate slum or blight
- Address imminent threats or urgent needs

The grant funds may be used for planning; property acquisition; Phase I and II environmental site assessments; environmental investigation; removal of underground storage tanks and abandoned containers; environmental cleanup; demolition; rehabilitation of buildings; redevelopment and marketing; and public facility and infrastructure improvements. The maximum grant awarded is \$2 million.

Federal Brownfields Assessment Grants

The Federal Brownfield Assessment Grants are administered by the U.S. Environmental Protection Agency (EPA) and are for assessment of brownfield sites. Those eligible include local governments, regional planning commissions, redevelopment authorities, and some other governmental organizations. The grants are available to fund planning; Phase I and II environmental site assessment; environmental investigation; removal of some petroleum tanks; and remediation, planning, and design. The maximum grant award is \$200,000. An applicant may request a total of \$400,000 per year.

Federal Brownfields Site Cleanup Grants

The Federal Brownfield Site Cleanup Grants are administered by the U.S. EPA for the cleanup of a brownfield site. Those eligible include local governments, regional planning commissions, non-profits, redevelopment authorities, and some other governmental organizations. The grants may fund environmental cleanup, demolition, and removal of some abandoned containers and underground petroleum tanks. The maximum grant award is \$200,000 with a 20 percent cost share required in the form of money or in kind services.

Appendix F

RULES AND BYLAWS GOVERNING WASHINGTON COUNTY MULTI-JURISDICTIONAL DISPUTE RESOLUTION PANEL

ARTICLE I. GENERAL PROVISIONS

SECTION 1 – AUTHORITY

The Washington County Multi-Jurisdictional Dispute Resolution Panel has been established pursuant to §66.1001(1)(g), *Wis. Stats.*, as amended, and assumes thereby, all responsibilities, duties and powers as provided therein and by related statutes. A copy of these rules shall also be filed with the County Clerk to be kept as a permanent public record. Copies of the rules shall be also available to the public. These rules are supplementary to the provisions of the Washington County Ordinances as related to comprehensive planning.

SECTION 2 – TITLE

The official title of this body is, The Washington County Multi-Jurisdictional Dispute Panel, hereafter referred to as the “Panel”.

SECTION 3 - PURPOSE

The purpose of the Panel is to provide a forum for disputing parties to reach consensus by engaging in facilitated negotiations. This forum is available to Washington County; cities, villages and towns within Washington County and adjoining Washington County that have adopted a comprehensive plan; and, counties adjoining Washington County that have adopted a comprehensive plan. The spirit and intent of facilitated negotiations is to bring parties together to openly and candidly discuss an identified dispute and negotiate a mutually agreeable outcome that will be implemented and adhered to by the parties.

SECTION 4 – PANEL MEMBERSHIP

The Panel shall be selected on a case-by-case basis at the time of the identification of a dispute requiring a facilitated negotiation meeting. Members will be selected from a pool of candidates comprised of current elected or appointed representatives from cities, villages, towns and the counties. Each party to the dispute shall select three panelists. In order to conduct the negotiation process, the Panel shall be comprised of at least two panelists per party.

SECTION 5 – SELECTION PROCESS

Units of government wishing to participate will be asked to enter into intergovernmental agreements which will describe the obligations of the participating unit of government including the requirement that the unit of government designate elected or appointed representatives to be members of a pool of eligible panelists and designate its clerk or designee as eligible for the pool of potential recording secretaries as mentioned in Article II, Section 3.

Each disputing party shall select, at the time of filing the application, three units of government from the pool of governments for the other disputing party. For example, if a town government and city government have identified a dispute to be submitted to facilitated negotiations, the town shall select three

city or village governments from the pool of city-village government participants and the city shall select three town governments from the pool of town governments. In the case of a dispute involving a county government such as a county-town dispute, the county shall select three town governments from the pool of town government participants and the town shall select three county governments from the pool of county government participants. In the event that there are less than three participating county governments, the town shall select all participating county governments from the pool and the staff shall notify the participating county governments that it must designate an adequate number of panelists to fill three positions and two alternates. In addition to each disputing party selecting units of governments, each disputing party shall at the same time select two alternates from the unit of government pool in the same fashion. Each participating city, village or town government selected from the pool shall designate its own representative to serve on the panel. The disputing parties jointly at the time of the filing of the application shall select a recording secretary and an alternate from the available pool of recording secretaries.

SECTION 6 – CONFLICTS OF INTEREST

Any member of the Panel who has any direct or indirect interests, personal or financial, in the matter before the Panel shall not assist with or participate in the negotiation process of such matter at any meeting at which said matter is under consideration. A disqualifying conflict of interest shall be deemed to exist when: (1) The Panel member is the applicant or spouse of the applicant, or is related to the applicant within the third degree of consanguinity or is the husband or wife of someone so related; or, (2) The applicant is the employer, employee, or partner of the member or is a corporation in which the member is a major shareholder or has a major financial interest; or, (3) The member owns property within 300 feet of the property which is the subject of the application. Any member having a disqualifying conflict of interest shall promptly notify the Washington County Planning and Parks Department. Acknowledging that the County Planning and Parks Department is designated by these by-laws to serve in an administrative capacity and recognizing that the County may also be a disputing party taking advantage of this forum to resolve its dispute, such circumstances may give rise to the appearance of a conflict of interest on the part of the County. However, in the event that the County is responsible for administering the process and is also a disputing party, the County shall implement appropriate safeguards by assigning its administrative functions with respect to the Panel to another division within the County Planning and Parks Department to avoid the appearance of or actual conflict and so that the Planning Division is freely and fully capable of taking its dispute through this forum for a resolution.

SECTION 7 – LIMITATIONS

The Panel's role is limited to conducting facilitated negotiation of town, village, city or county disputes related to the comprehensive plan as described in §66.1001(1), Wis. Stats for the nine following elements; Issues & Opportunities, Agricultural, Natural and Cultural Resources, Land Use, Housing, Transportation, Utilities and Community Facilities, Economic Development, Intergovernmental Cooperation and Implementation. Nothing herein shall be construed to give or grant to the Panel, the power or authority to alter or change the comprehensive plans, ordinances related thereto or other official maps of the disputing parties, which authority shall be retained by the governing bodies of the disputing local units of government. The Panel's role is to facilitate negotiations between the disputing parties in an effort to lead the parties to achieving a mutually agreeable resolution of the dispute or disputes brought before the Panel.

SECTION 8 - STAFF ROLE

The Washington County Planning and Parks Department (hereinafter “staff”) shall provide administrative assistance to the Panel. The Staff's role shall be limited to assisting the Panel by accepting and processing

joint applications, assembling the Panel and coordinating the meeting(s). The Staff shall not, in any way, assist the disputing parties or the presentation of the issue(s) to the Panel. During the facilitated negotiation process, Staff shall be available, upon request of the Panel, to assist the Panel with administrative functions.

SECTION 9 – PANEL’S OFFICE

The Office of the Panel shall be located at the Washington County Planning and Parks Department at 333 East Washington Street, Suite 2300, West Bend, Wisconsin 53095. Panel records of active disputes shall be available for public inspection between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except legal holidays.

ARTICLE II. POWERS AND DUTIES OF THE PANEL

SECTION 1 – GENERAL POWERS

The powers and duties of the Panel are authorized by §66.1001(1), Wis. Stats. and are more completely described herein. The Panel shall have the following general powers:

- A. To facilitate negotiations among disputing parties relating to the county, city, village or town comprehensive plan as described in §66.1001(1), Wis. Stats for the nine following elements; Issues & Opportunities, Agricultural, Natural and Cultural Resources, Land Use, Housing, Transportation, Utilities and Community Facilities, Economic Development, Intergovernmental Cooperation and Implementation.
- B. To refer written agreements or written outcomes to the appropriate governing bodies for formal action.

SECTION 2 – PRESIDING OFFICERS

Upon convening a Panel for facilitated negotiations, the Panel shall elect a chairperson from among its selected members to coordinate and conduct the Panel during the facilitated negotiation process. The chairperson shall serve as such until the dispute is resolved or the process is otherwise terminated. Upon convening, the Panel shall also select a recording secretary who shall record information as instructed by the Panel. The recording secretary shall not be a member of the Panel. The recording secretary shall be selected from the pool of available clerks of participating governing bodies, but shall not be a clerk from the locale of any of the disputing parties. At the discretion of the Panel, in lieu of a recording secretary, the parties may be required to obtain the services of a stenographer or court reporter to adequately record the negotiation activity and shall equally share the expense of same.

SECTION 3 – DUTIES

1. **CHAIRPERSON.** The chairperson shall preside over and direct the conduct of all meetings of the Panel. The chairperson shall, subject to these rules and further instructions from the Panel, direct the official business of the Panel, supervise the work of the Panel and request necessary help when required. The presiding officer, subject to these rules, shall decide all points of procedure or order.

2. **RECORDING SECRETARY.** The recording secretary, as selected by the disputing parties, shall record information as directed by the Panel and maintain permanent minutes of the Panel’s proceedings; reflect the presence of the participants including representatives of the parties; show generally the activity conducted by the Panel; shall keep records of its official action; shall summarize

accurately the information presented by the parties appearing before the Panel and keep a written record of all proceedings; shall record the names and addresses of all persons appearing before the Panel in person, or by attorney; shall, at the conclusion of process, collect all documents introduced during the negotiation process and attach same to the recorded information; and shall file said minutes and records in the office of the Panel, which minutes and records shall be of public record. County staff shall assist the Recording Secretary in performing these clerical duties as requested by the Chairperson. The Washington County Clerk shall be the custodian of the files of the Panel and shall keep all records.

The County Attorney, or his or her designated representative may provide assistance and guidance to the Panel, upon request, unless an actual or perceived conflict exists. Upon request of the Panel, assistance of counsel shall be noted in the record of the proceeding.

SECTION 4 – SCOPE

In exercising the powers herein, the Panel shall facilitate negotiations of disputing parties who present an issue relating to the comprehensive plan and who desire to engage in voluntary good faith negotiations to resolve said dispute.

ARTICLE III. FACILITATED NEGOTIATION MEETINGS

SECTION 1 – TIME: HOW CALLED

Meetings of the Panel shall be held, or may be canceled, at the call of the chairperson and at such other time as the Panel may determine provided that all Panel members are notified by staff at least 48 hours prior to such meeting. All meetings shall be open to the public and scheduled and noticed in accordance with Wisconsin's Open Meeting Law, unless a disputing party requests that the facilitated negotiation be conducted in closed session and it is properly noticed as such.

SECTION 2 – QUORUM

A quorum shall consist of at least two selected panelists per each disputing party. Because the Panel is charged with facilitating a negotiation process, the conduct of the meeting will not require the making of formal motions nor will the outcome of the meeting result in a decision or other formal action by the Panel; therefore, the voting requirements and other formal rules of conduct are unnecessary.

SECTION 3 – ORDER OF BUSINESS

- A. Staff provide assistance to the Panel Chairperson for the development of an agenda for each Panel meeting which shall include the general subject matter of the business to be discussed at the meeting.
- B. Meetings shall be conducted as follows:
 - 1. Call to order and roll call.
 - 2. Statement by the presiding officer concerning the notice in accordance with the Wisconsin Open Meeting Law. (Read legal notice)
 - 3. Presiding officer to read the joint application identifying the dispute.
 - 4. Parties to acknowledge voluntary participation and accuracy of the identified dispute.
 - 5. Identification of all participants.
 - 6. Each party is allowed an opening statement regarding the dispute.

7. Questions by the Panel members.
8. Other questions or statements at the discretion of the Panel.
9. Any correspondence received relevant to the issue before the Panel shall be read by the recording secretary.
10. Panel to continue to lead parties in negotiation and engage in debate and discussion.
11. Panel, with the assistance of the parties, to engage in brainstorming to delineate list of possible solutions.
12. Panel to continue leading parties in negotiation process by using suitable facilitation techniques.
13. Written agreement signed by representatives of the disputing parties – reduce resolution(s) to writing.
14. If no agreements are reached, the Panel shall reduce outcomes of the facilitated negotiation to writing.
15. Panel shall send a copy of the outcome to governing body of disputing parties
16. Adjournment.

The order of business at any meeting or hearing may be varied from the preceding by consent of the members present.

SECTION 4 – ROBERT’S RULES OF ORDER

Robert’s Rules of Order, Newly Revised, 10th Edition, shall generally guide the actions of the Panel in conduct of its meetings if not covered by these rules, County ordinance or State Statutes.

SECTION 5 – MINUTES

The Panel, by its recording secretary, shall keep minutes of its meetings including any documentation presented to the Panel.

ARTICLE IV. APPLICATIONS

SECTION 1 – WHO MAY FILE

Washington County, cities, villages and towns within Washington County and adjoining Washington County that have adopted a comprehensive plan; and, counties adjoining Washington County that have adopted a comprehensive plan may submit a joint application regarding a dispute relating to the comprehensive plan. Applications to the Panel shall be filed with the Planning and Parks Department. Disputing parties must co-sign an application which shall include a jointly defined dispute, minutes of the governing body reflecting authorization to engage in the negotiation process, proposed outcomes and a general description of communications between the parties regarding the dispute.

SECTION 2 – COPIES TO BE SENT

Staff shall promptly transmit copies of the application and the supporting documentation as follows: original retained for Panel file; a copy to the applicants; copy to the Clerks of the respective governing bodies of the disputing parties; and copy to SEWRPC.

SECTION 3 – TIMELINESS OF APPLICATION

Applications may be filed at any time upon the determination or discovery of a dispute relating to the comprehensive plan of a town, city, village or county. Upon receipt of a properly filed joint application, staff shall within sixty (60) days take appropriate action to process the application, including but not limited to assembling the Panel and scheduling the first meeting of the Panel. The first meeting of the Panel may be scheduled more than sixty (60) days after receipt of the application upon mutual agreement of the disputing parties.

SECTION 4 – REQUIRED INFORMATION

Applications shall be made on forms provided by the Panel. Any communication, except in the prescribed forms, purporting to be an application shall be deemed a mere notice of intention to file and shall not be deemed a filing to comply with the requirements of timely filing. Failure of the joint applicants to supply the required information, including the appropriate fee, will be considered by the Panel as a failure to comply with the application procedure and the dispute will not be permitted to be submitted to the Panel.

SECTION 5 – REASONS TO BE STATED

The reasons for the application must be stated and basis of the dispute must also be stated by the applicants:

- A. The application shall designate all informal discussions that have occurred between the parties regarding the dispute at issue.
- B. The facts should be stated upon which findings may be made by the Panel.
- C. Relevant maps, ordinances, or procedures and policies shall be included as exhibits to the application.

SECTION 6 – JOINT APPLICATION/REPRESENTATIVE FILING

The application shall bear the signatures of the chief elected official of the respective disputing parties. The joint application shall be filed in person by a representative of each of the disputing parties so that the selection of the Panel and the Recording Secretary can be accomplished at the time of filing.

SECTION 7 – TERMINATION OF THE PROCESS

The Panel, at its discretion, may refuse to convene upon the failure of the applicants to supply the required information called for on the forms or if it is determined that the Parties are not acting in good faith.

SECTION 8 – TIME FOR HEARING

Each application screened by Staff satisfying the requisite criteria for facilitated negotiations shall be considered by the Panel as soon as reasonably practical providing for sufficient time between the date of the application and the date of the meeting for the required meeting notices to be published.

SECTION 9 – NOTICE OF HEARING

The Staff of the Panel shall give, or cause to be given, notice of each meeting as required by law and these rules. Notice shall be given as follows:

- A. Consistent with that required by Wisconsin Open Meeting law.
- B. Mailing a notice to the joint applicants at least 10 calendar days before the meeting.
- C. Mailing a notice to the Clerk of the governing body of the disputing parties, not less than one week before the date of the hearing.
- D. Mailing notice to Southeastern Wisconsin Regional Planning Commission (SEWRPC).

SECTION 10 – EFFECT ON OTHER ACTIONS

Submittal of a dispute to the Panel for facilitated negotiations shall have no effect whatsoever on any other judicial, quasi-judicial, administrative or alternative dispute resolution proceeding. Disputing parties retain all rights and remedies available at law and submittal of same shall in no way affect said rights.

SECTION 11 – FEE

A. Application Administrative Fee. This fee is intended to cover 100 percent of the costs associated with staff's administrative functions such as processing the application, coordinating and convening the Panel and providing required notices and mailings. This fee shall be paid at the time of application and shall be provided to the Washington County Planning and Parks Department.

B. Panel Fee. This fee is intended to cover 100 percent of the costs associated with the operations of the Panel including panel participants and the recording secretary. The fee for the first meeting shall be paid at the time of application and shall be provided to the Washington County Planning and Parks Department.

Additional fees will be determined at the conclusion of the first meeting and imposed at the conclusion of the facilitated negotiations.

ARTICLE V. PANEL PROCEEDINGS

SECTION 1 – APPEARANCES

At the time of the meeting, the applicant may appear on his or her own behalf or be represented by his or her attorney or agent. It is preferred that parties are represented by officials of the governing body rather than attorneys or other professionals.

SECTION 2 – WITNESSES

The chairperson or the Panel has no authority to compel the attendance of witnesses by subpoena. However, any representative wishing to participate shall be required to state their names and their interests in the matter before the Panel. Statements may be limited by the chairperson in order to conduct an orderly and efficient meeting.

SECTION 3 – PRELIMINARY MATTERS

Following the reading of the application, the Panel may hear statements on the question of the appropriateness of the process for the identified dispute and request that each party state a position on the point. The Panel may proceed with the meeting by engaging the parties in negotiation and reserve its determination on an appropriateness of the forum until after the negotiations conclude. The Panel may make an immediate determination and terminate the hearing upon a finding that the parties are not

voluntarily bringing the dispute before the panel or the parties lack good faith. If the Panel determines that the dispute is not appropriate for the forum, the recording secretary shall record the decision as a determination to terminate the meeting.

SECTION 4 – DECORUM

The chairperson shall maintain order and decorum during all Panel proceedings. All persons present during Panel proceedings shall conduct themselves properly so as to not disrupt the process. The chairperson reserves the right to order any person to leave who has conducted himself or herself in a disorderly manner and persisted in such conduct after being directed by the chairperson to cease the conduct.

SECTION 5 – PARTIES NOT TO INTERRUPT

Orderly procedure requires that each party shall proceed without interruption by the other and that there be no arguments between the parties.

SECTION 6 – TOOLS TO FOSTER/ENHANCE NEGOTIATIONS

The Panel shall engage and lead the disputing parties in negotiations to achieve a mutually agreeable result. Facilitated negotiations may employ various tools which include but are not limited to establishing ground rules, brainstorming, caucusing, consensus building and similar techniques. Each dispute brought before the Panel shall be considered unique and as such, the Panel shall not be limited in any way with regard to the tools and techniques it chooses to employ or not employ, but rather it shall determine on a case-by-case basis the appropriate manner to conduct negotiations.

SECTION 7 – QUESTIONS BY THE PANEL

During the meeting, the chairperson, Panel members or representatives of the disputing parties may ask questions and may make appropriate comments pertinent to the dispute; however, no member should argue an issue with the applicant. The chairperson and other Panel members may direct any questions to the applicants or to any person speaking in order to bring out all relevant facts, circumstances and conditions affecting the dispute.

SECTION 8 – PRESENTATION OF DOCUMENTATION

All supporting documentation for each issue shall be presented to the assembled Panel by the disputing parties. Each applicant shall be responsible for the presentation of all information supporting its position. The Panel may take administrative notice of the ordinances of the local governments involved in the dispute in effect at the time of the dispute. Washington County Ordinances and the laws of the State of Wisconsin and other relevant facts not recently subject to dispute may also be considered by the Panel.

SECTION 9 – ADDITIONAL DOCUMENTATION

The Panel may take a case under advisement for later consideration and determination, or may defer action whenever it concludes that additional information is needed or further study is required. The Panel may require that the parties temporarily discontinue the negotiation process so as to reevaluate respective positions and reconvene at a later date as determined by the Panel.

SECTION 10 – POSTPONEMENT OF MEETING

Negotiations may be postponed only by prior arrangement with the chairperson, or at the discretion of the chairperson.

SECTION 11 – RULES OF EVIDENCE

The Panel shall not be bound by court rules of evidence, but it may exclude irrelevant, immaterial, incompetent, unduly argumentative or repetitious information. In addition, all records and documents relied upon by the Panel or presented to the Panel, shall be made part of the record and every party given an opportunity to rebut the report and documents or to offer a countervailing or clarifying oral or written information.

SECTION 12 – INTERESTED PERSONS MAY GIVE STATEMENTS

Representatives of the disputing parties who have not been formally designated to conduct negotiations on behalf of the disputing party may attend the meeting and may request an opportunity to be heard provided they identify themselves and sign the list of persons attending the meeting and the disputing parties do not object. The Chairperson shall have the sole authority to allow statements by interested persons after conferring with the Panel.

SECTION 13 – RECORD

All proceedings shall be recorded by the recording secretary or recorded by a court reporter or stenographer which shall include a summary of actions, witnesses, appearances, roll call and other matters constituting the substance of the proceeding. Any party or member of the public may make a record of the proceedings by any means which does not disturb the meeting or others present.

SECTION 14 – ADJOURNMENT

A recess or adjournment of a meeting, made at the noticed meeting date, to a time and place certain is adequate notice to the Panel participants and the public of a new meeting date, time and place. When a dispute cannot be resolved on the date set, the Panel may adjourn from day to day or to a date certain, as it may order, and such adjourned date shall be construed as a continuance. Notice of such adjournment shall be given to the absent members of the Panel.

SECTION 15 – WITHDRAWAL OF APPEAL

Applicants may withdraw a request for facilitated negotiations at any time prior to the conclusion of the process. Withdrawal of the application shall not entitle the applicants to a refund of any fees and may result in the assessment of additional fees.

SECTION 16 – POTENTIAL OUTCOME

The Panel has no authority to reverse or affirm, wholly or partly, or modify an order, requirement, decision or determination, ordinance or law. The Panel may refer the matter to an appropriate administrative agency or other dispute resolution forum for further consideration, may adjourn the matter to a later date, may assist in a negotiated result, or may terminate the process.

ARTICLE VI. OUTCOME OF THE PROCESS

SECTION 1 – OUTCOMES TO BE WRITTEN

All outcomes of the parties at the conclusion of the negotiations shall be reduced to writing by the recording secretary, identify the dispute at issue, the facts upon which the outcome is based and the impact of the outcome. The written outcome shall be signed by the disputing parties.

SECTION 2 –OUTCOMES TO BE MAILED

Staff shall mail written copies of any such outcomes to the applicants and all interested parties and shall retain a copy on behalf of the Panel to the County Clerk. Copies of written outcomes shall also be mailed to SEWRPC.

SECTION 3 – INFORMAL ADVICE NOT BINDING

Any advice, comments, opinion or information given by any Panel member or the recording secretary, shall not be binding on the Panel or the disputing parties. The Panel shall not be perceived as a decision-making body nor shall it comment on the merits of the dispute.

SECTION 4 – CASES TO BE DETERMINED INDIVIDUALLY

No action of the Panel or outcome of the negotiation shall set a binding precedent. Each dispute shall be considered upon its merits and upon the attendant circumstances, provided, however, that the Panel shall not act arbitrarily or capriciously and that it shall facilitate negotiations in an orderly and congenial manner.

SECTION 5 – ACTIONS IN CIRCUIT COURT

Parties submitting disputes to the Panel shall be cognizant of other administrative remedies, quasi-judicial or judicial avenues available to resolve disputes and the laws, rules and regulations associated with the said forums, including but not limited to relevant statutes of limitations and other applicable procedural or substantive rules.

ARTICLE VII. AMENDMENT OF RULES

These rules may be changed or amended from time to time by a majority vote of the Multi-Jurisdictional Comprehensive Plan Advisory Committee.

The foregoing rules and regulations are hereby adopted by the Multi-Jurisdictional Comprehensive Plan Advisory Committee for the County of Washington on this 30th day of January, 2008.

Mathew Heiser, Chairperson

Appendix G

**PLAN COMMISSION RESOLUTION
APPROVING THE COMPREHENSIVE PLAN**

RESOLUTION 09-05
TOWN OF POLK PLAN COMMISSION
RESOLUTION APPROVING TOWN COMPREHENSIVE PLAN

WHEREAS, the Town of Polk, pursuant to Sections 62.23, 61.35, and 60.22 (3) of the Wisconsin Statutes, has adopted Village powers and created a Town Plan Commission; and

WHEREAS, it is the duty and function of the Town Plan Commission, pursuant to Section 62.23 (2) of the Wisconsin Statutes, to make and adopt a comprehensive (master) plan for the development of the Town, and to recommend that the Town Board adopt the comprehensive plan; and

WHEREAS, the Town has cooperated with Washington County and SEWRPC to prepare both a multi-jurisdictional comprehensive plan for the County and a comprehensive plan for the Town of Polk. The Town plan is documented in the report titled "A Comprehensive Plan for the Town of Polk: 2035," containing all maps, references and other descriptive materials; and

WHEREAS, in accordance with Section 66.1001(2) of the Wisconsin Statutes, the comprehensive plan includes the following nine elements: Issues and Opportunities; Land Use; Housing; Transportation; Utilities and Community Facilities; Agricultural, Natural and Cultural Resources; Economic Development; Intergovernmental Cooperation; and Implementation; and

WHEREAS, the Town Board adopted a Public Participation Plan for the comprehensive planning process as required by Section 66.1001 (4) (d) of the Wisconsin Statutes on September 15, 2004, and the Town has conducted meetings and other public participation activities during the course of development of the comprehensive plan; and

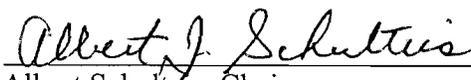
WHEREAS, the Town has duly noticed a public hearing on the comprehensive plan and the Town Board will hold a public hearing following the procedures in Section 66.1001 (4) (d) of the Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Sections 62.23 (3) (b) and 66.1001 (4) (b) of the Wisconsin Statutes, the Plan Commission of the Town of Polk hereby approves the comprehensive (master) plan embodied in the report titled "A Comprehensive Plan for the Town of Polk: 2035."

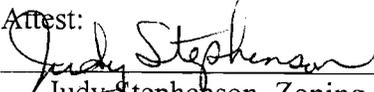
BE IT FURTHER RESOLVED that the Plan Commission does hereby recommend that the Town Board enact an Ordinance adopting the Comprehensive Plan.

Adopted this 1 day of Sept, 2009.

Ayes 7 Noes 0 Absent 0



Albert Schulteis, Chairperson
Town of Polk Plan Commission

Attest:


Judy Stephenson, Zoning Secretary
Town of Polk

Appendix H

**TOWN BOARD ORDINANCE
ADOPTING THE COMPREHENSIVE PLAN**

ORDINANCE NO 09-07
ORDINANCE ADOPTING THE COMPREHENSIVE PLAN
FOR THE TOWN OF POLK, WISCONSIN

The Town Board of the Town of Polk, Wisconsin, do ordain as follows:

SECTION 1. Pursuant to Sections 62.23, Section 61.35, and Section 60.22(3) of the Wisconsin Statutes, the Town of Polk is authorized to prepare and adopt a comprehensive plan as defined in Sections 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes.

SECTION 2. The Town Board of the Town of Polk, Wisconsin, has adopted written procedures designed to foster public participation in every stage of the preparation of a comprehensive plan, as required by Section 66.1001(4)(a) of the Wisconsin Statutes.

SECTION 3. The Town has cooperated with Washington County and SEWRPC to prepare both a multi-jurisdictional comprehensive plan for the County and a comprehensive plan for the Town of Polk. The Town plan is documented in the report titled "A Comprehensive Plan for the Town of Polk: 2035."

SECTION 4. The plan commission of the Town of Polk, by a majority vote of the entire commission recorded in its official minutes, has approved a resolution recommending to the Town Board the adoption of the document titled "A Comprehensive Plan for the Town of Polk: 2035," containing all of the elements specified in Section 66.1001(2) of the Wisconsin Statutes.

SECTION 5. The Town Board has duly noticed and held at least one public hearing on the comprehensive plan, in compliance with the requirements of Section 66.1001(4)(d) of the Wisconsin Statutes.

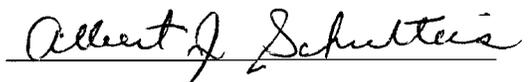
SECTION 6. The Town Board of the Town of Polk, Wisconsin, does, by the enactment of this ordinance, formally adopt the document titled, "A Comprehensive Plan for the Town of Polk: 2035," pursuant to Section 66.1001(4)(c) of the Wisconsin Statutes, as the Town of Polk comprehensive plan.

SECTION 7. This ordinance shall take effect upon passage by a majority vote of the members-elect of the Town Board and publication or posting as required by law.

ADOPTED this 8 day of Sept., 2009.

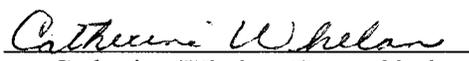
Ayes 3 Noes 0 Absent 0

Published/Posted: 9-10-09



Albert Schulteis, Town Chairman

Attest:


Catherine Whelan, Town Clerk