



# POLK COUNTY, WISCONSIN

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## MINUTES

### PUBLIC SAFETY & HIGHWAY COMMITTEE

Government Center, 100 Polk County Plaza, Balsam Lake, WI 54810

2:00 P.M. Tuesday, July 2, 2019

Meeting called to order by Chairman Luke at 2:01 p.m.

Committee Members Present:

Attendee Name	Title	Status
Jay Luke	Chair	Present
John Bonneprise	Vice Chair	Absent
Doug Route	Supervisor	Present
Joe Demulling	Supervisor	Present
Larry Jepsen	Supervisor	Present

Also present: Also present were Sharon Jorgenson, County Clerk; Nick Osborne, County Administrator; Brent Waak, Polk County Sheriff; and Emil Norby, Highway Commissioner.

**Approval of Agenda**-Chair Luke called for a motion to approve the agenda. **Motion** (Route/Demulling) to approve the agenda. **Motion** carried by unanimous voice vote.

**Approval of Minutes**- Chair Luke called for a motion to approve the minutes of the June 11, 2019 meeting. **Motion** (Route/Demulling) to approve the minutes. **Motion** to approve the June 11, 2019 minutes as published carried by unanimous voice vote.

**Public Comment**- Time was given for public comment. No public comment was received by committee.

**Receipt of Information from Supervisors Not Seated as Committee Members**- No information was received by the committee from Supervisors not seated as committee members.

The Committee received a report/information from Supervisor Route regarding the Jail tour taken on June 11, 2019. Improvements noted in the jail were hourly inmate room checks and tasers provided for all staff members. Updates needed include technology to allow inmates to appear for hearings electronically which would eliminate the need to transport to other counties for hearings, computer systems updates, dishwasher and washing machine.

The Committee received reports and information from Administrator Osborne regarding annual reports from the following departments: Clerk of Circuit Court, District Attorney and Victim/Witness Services, Law Enforcement, and the Highway Department.

The Committee received a copy of the WCHA Utility Accommodation Policy that is currently being used by Polk County and information from Highway Commissioner Norby regarding the Highway Utility Policy Review. No updates were made to the policy at this time.

**Updates to 2019 Work Plan-**

The Committee discussed further development and changes to the 2019 Work Plan. No updates were made to the Work Plan.

**Matters for Upcoming Meetings-** Review and Recommendations on Fee Schedule, Reminder and dates of January highway conference.

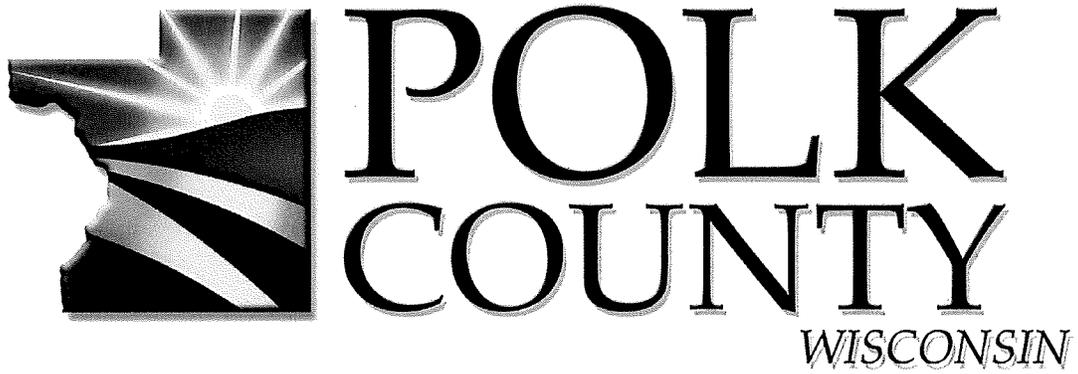
Next meeting Tuesday, August 6, 2019 at 2:00 p.m.

Chair Luke called for a motion to adjourn. **Motion** (Jepsen/Demulling) to adjourn business meeting. Chair Luke called for a voice vote on the motion to adjourn. **Motion** carried by unanimous voice vote. Chair Luke declared meeting adjourned at 2:21p.m.

Respectfully submitted,

Sharon Jorgenson  
County Clerk

# Public Safety and Highway



**POLK COUNTY WISCONSIN  
Public Safety and Highway Committee**

**Department of Clerk of Circuit Court**

**Joan Ritten, Clerk of Circuit Court**

**DEPARTMENT DESCRIPTION:**

The Clerk of Court's Office performs administrative duties for the court, including jury management, court financial management, court record management, recording of judgments, collections and enforcement of all court ordered financial obligations. The Clerk of Court is to follow all Wisconsin Statutes. The department provides information to the public on procedures to file: small claims, divorce actions, restraining orders, civil matters, and other case filings. The Clerk of Court's Office is charged with all record keeping, monitoring and scheduling of court cases including, but not limited to: small claims, civil, family, criminal, traffic, and appeals. A Court Commissioner is also appointed in each county and is included in the Clerk of Court Department. A Court Commissioner is a judicial official who has powers similar to a Circuit Court Judge. The Court Commissioner handles a variety of civil, family, traffic/forfeiture, criminal and probate matters.

**CLERK OF CIRCUIT COURT MISSION:**

To assist our Circuit Court and customers in the most efficient and complete manner in accordance with State statute and County policy. As local Court administrative personnel, Clerks of Circuit Court are at the center of a wide variety of activities and work daily with several agencies and customers. Law Enforcement, the legal community, local, State and Federal agencies, businesses and the general public depend upon the Office of the Circuit Court to assist in a wide range of administrative tasks.

**CLERK OF CIRCUIT COURT VISION:**

Our vision for Polk County Clerk of Court's Office is to continue to streamline court operations to increase access and convenience for all users. We strive to offer the highest level of service to court users while responsibly using and accounting for our county funded resources.

**LINK TO COUNTY BOARD STRATEGIC GOALS:**

To serve the Court and the public with integrity and professionalism.

**STRATEGIC PRIORITIES:**

To serve and represent the public with integrity.

**PROGRAM OVERVIEW:**

The Clerk of Circuit Court Office is the official record management for Polk County Court System. We perform many administrative duties including, jury management, financial management, record management, collection and enforcement of all court ordered financial obligations. Provide general information to the public regarding small claims, family, and civil filings, as well as other procedural information requested.

**LIST OF SERVICES BOTH INTERNALLY AND EXTERNALLY PROVIDED BY YOUR DEPARTMENT:**

Assist court with scheduling  
Daily court clerking  
Provide service to public regarding proper filing and assist in filing  
Assist with setting up payment plans  
Provide information to collection agencies regarding past due accounts  
Assist other departments and legal firms on balances of court ordered obligations  
Some of the departments/services that we communicate with on a daily basis are: Public Health, Child Protections, Other Counties and Circuit Courts, Administration, Corp Counsel, Sheriffs Department, etc.

**POLK COUNTY WISCONSIN  
Public Safety and Highway Committee**

# Department of Clerk of Circuit Court

Joan Ritten, Clerk of Circuit Court

**PROGRAM NAME:**

## Circuit Court: Case Filing and Management

**PROGRAM OBJECTIVE:**

Prompt and accurate record keeping/filing of all information necessary for the functioning of the court system, internal and external government agencies along with private businesses that work with Clerk of Court Office.

**LINK TO BOARD PRIORITY:**

Updating county services for the future and improving services.

**KEY PERFORMANCE INDICATORS:**

<b>Output indicators</b>	<b>2017 Actual</b>	<b>2018 Estimate</b>	<b>2018 Actual</b>	<b>2019 Estimates</b>
Number of Case files	5,482	5,348	5,412	6,270
Family	256	254	253	298
Civil	385	369	369	419
Criminal (CM,CF,CT)	1,050	1,018	1,017	1,198
Paternity	16	14	22	15
Juvenile	155	167	228	192
Small Claims	859	1,013	1,010	1,178
Traffic	2,761	1,859	1,859	2,204
Forfeitures	434	392	392	455
Group Files	340	262	262	311
<b>Outcome indicators</b>	<b>2017 Actual</b>	<b>2018 Estimate</b>	<b>2018 Actual</b>	<b>2019 Estimates</b>
Number of re-opened cases due to Clerk error	0	0	0	0
Number of approx. calls received yearly on	19,050	14,700	15,000	24,500

**KEY STRATEGIES:**

**KEY PROGRAM STRATEGIES 2018**

1. Continue to update e-filing for all case types which enables citizens to more efficiently file online.
2. Complete the procedure of sending all old court ordered debt to collections in an effort in increase revenues and reimbursements to victims.

**COMPLETION OF KEY PROGRAM STRATEGIES IN 2018:**

CCAP has completed all planned e-filing. Our office continues to work on scanning of old files and converting to e-filing as needed. Our office has been collecting on old Debts through State Debt Collection (SDC) and Tax Intercept, along with keeping current on payment plans.

**KEY PROGRAM STRATEGIES 2019**

1. Continue mandatory e-filing of all case types
2. Analyze efficiencies in court costs.
3. Continue collections on owed monies along with continuation of tax intercept and other means of collections.

**KEY PROGRAM STRATEGIES 2020**

1. Continue with implementation of e-filing.
2. Collaborate with interoffice agencies to decrease costs of court cases.
3. Continue collections on owed monies along with continuation of tax intercept and other means of collections.

**ASSUMPTIONS AND FACTORS AFFECTING PROGRAM PERFORMANCE:**

Pursuant to Supreme Court Rulings 81.02(1) there will be an increase for Court Appointed Attorney Fee's from \$70.00/hour to \$100.00/hour effective 1/1/2020, which will increase Collections. Employee Wages plays a role in keeping current/trained productive employees

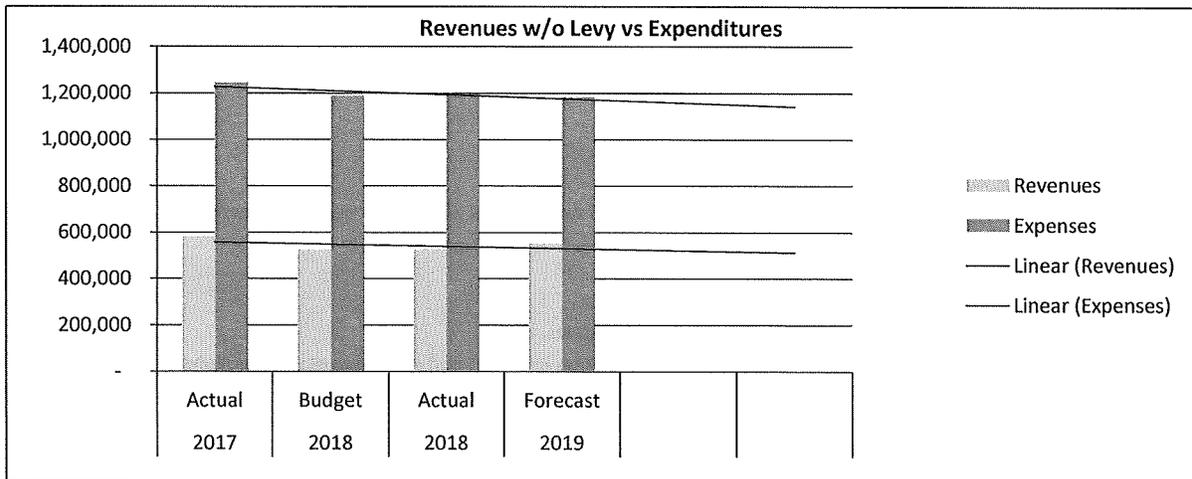
**POLK COUNTY WISCONSIN**  
Public Safety and Highway Committee

## Department of Clerk of Circuit Court

Joan Ritten, Clerk of Circuit Court

DEPARTMENT REVENUE AND EXPENDITURES BY ECONOMIC CLASSIFICATION:				
	2017 Actual	2018 Budget	2018 Actual	2019 Forecast
<b>Revenue</b>				
General Property Tax	670,867	663,819	663,819	631,887
State Aids	185,996	174,705	189,577	186,705
Fine and Forfeitures	180,356	175,000	142,368	177,700
Public Charge for Services	204,408	174,272	193,808	185,711
Misc. Revenue	685		451	
Other Financing Sources	8,929			
<b>Total Revenue</b>	<b>1,251,242</b>	<b>1,187,796</b>	<b>1,190,023</b>	<b>1,182,003</b>
<b>Expense</b>				
Personnel Services	723,826	734,113	711,992	752,715
Contractual Services	361,667	299,119	327,846	321,544
Supplies & Expenses	39,502	34,564	36,410	37,144
Fixed Charges	25		23	-
Grants, Contributions, Indem	50,000	50,000	50,000	-
Cost Reallocation	67,294	70,000	69,259	70,600
<b>Total Expenditures</b>	<b>1,242,314</b>	<b>1,187,796</b>	<b>1,195,530</b>	<b>1,182,003</b>
<b>Net Revenue and Expenditures</b>	<b>8,928</b>	<b>0</b>	<b>(5,507)</b>	<b>-</b>

EMPLOYMENT BY JOB CLASSIFICATION:				
	2017 Actual	2018 Budget	2018 Actual	2019 Forecast
<b>FTE Employees</b>				
Officials/Administrators	1	1	1	1
Professionals	1	1	1	1
Administrative Support	10	10	10	10
<b>Total</b>	<b>12</b>	<b>12</b>	<b>12</b>	<b>12</b>



**POLK COUNTY WISCONSIN  
Public Safety and Highway Committee**

**Department of District Attorney and Victim/Witness Services**

**Jeff Kemp, District Attorney**

**DEPARTMENT DESCRIPTION:**

This department prosecutes criminal cases, assists in the administration of justice, and delivers victim rights through two divisions: The District Attorney's Office and Victim/Witness Services.

**MISSION:**

To administer justice while delivering high quality public service to all citizens in an effective, professional, and efficient manner.

**LINK TO COUNTY BOARD STRATEGIC GOALS:**

To strengthen law enforcement's relations with the public; enhancing the quality of life for the citizens of Polk County. Ensure crime victims are treated with sensitivity, fairness, compassion, and respect.

**STRATEGIC PRIORITIES:**

To serve and represent the public with integrity.

**PROGRAM OVERVIEW:**

Prosecution of Criminal Cases

**LIST OF SERVICES BOTH INTERNALLY AND EXTERNALLY PROVIDED BY YOUR DEPARTMENT:**

Prosecution of Criminal, Juvenile, and Traffic Cases; Serve Victims of Crime

**POLK COUNTY WISCONSIN  
Public Safety and Highway Committee**

**Department of District Attorney and Victim/Witness Services**

**Jeff Kemp, District Attorney**

PROGRAM NAME:

**District Attorney**

PROGRAM OBJECTIVE:

Prosecution of Criminal Case Load

LINK TO BOARD PRIORITY:

Public Safety

PROGRAM REVENUES AND EXPENDITURES:				
	2017 Actual	2018 Budget	2018 Actuals	2019 Forecast
<b>Revenue</b>				
General Property Tax	351,559	370,368	370,368	385,278
Other Revenues	29,610	38,506	39,850	38,683
<b>Total Revenue</b>	<b>381,169</b>	<b>408,874</b>	<b>410,218</b>	<b>423,961</b>
Recurrent Expenditure	383,369	408,874	394,521	423,961
Capital/One-time Expenditure				
<b>Total Expenditure</b>	<b>383,369</b>	<b>408,874</b>	<b>394,521</b>	<b>423,961</b>
<b>Net Revenue and Expenditures</b>	<b>(2,200)</b>	<b>-</b>	<b>15,697</b>	<b>-</b>

**KEY STRATEGIES:**

**KEY PROGRAM STRATEGIES 2018**

Cross-train staff, in-office and with other departments, for better knowledge of programs and responsibilities; thus delivering outstanding customer service.

Support and help create a transportation service in Polk County improving access to county services and decreasing OWI rate.

Offer and encourage Paperless Discovery and use E Referral program with Sheriff's Department creating efficiency of services.

Create additional county ordinances increasing county services.

**COMPLETION OF KEY STRAGIES IN 2018:**

DA Staff continues to cross-train as time permits. DA, Clerk of Courts, and Juvenile Justice set up monthly meetings to learn how each department's State and County Software link to each other eFiling documents; (Protect, CCAP). DA and Clerk of Courts joined forces and made a trip to Douglas County to view their advanced restitution process.

An outreach for county transportation is

Paperless Discovery is a current option

Additional County Ordinances were made to

**KEY PROGRAM STRATEGIES 2019**

Develop and get funding for more treatment programs to include with the Polk County Justice Collaborating Counsel.

**KEY PROGRAM STRATEGIES 2020**

Organize Polk County Justice Collaborating Counsel to a County Funded Entity expanding programs for treatment.

**KEY PERFORMANCE INDICATORS:**

Output indicators	2017 Actual	2018 Estimate	2018 Actuals	2019 Estimate
County Disorderly Conduct Charged	109	118	142	129

Outcome indicators	2017 Actual	2018 Estimate	2018 Actuals	2019 Estimate
Diversion Cases (as of 8/31/16)	37	40	30	43

**ASSUMPTIONS AND FACTORS AFFECTING PROGRAM PERFORMANCE:**

Specific County Ordinances are in place so charging decisions can be made more accurately.

**POLK COUNTY WISCONSIN**  
**Public Safety and Highway Committee**  
**Department of District Attorney and Victim/Witness Services**  
**Jeff Kemp, District Attorney**

PROGRAM NAME:

**Victim Witness**

PROGRAM OBJECTIVE:

Ensure each and every victim has the opportunity to exercise their rights per Chapter 950.

LINK TO BOARD PRIORITY:

Public Safety

PROGRAM REVENUES AND EXPENDITURES:				
	2017 Actual	2018 Budget	2018 Actuals	2019 Forecast
<b>Revenue</b>				
General Property Tax	68,195	77,341	77,341	82,451
Other Revenues	72,951	65,791	35,035	65,791
<b>Total Revenue</b>	141,146	143,132	112,376	148,242
Recurrent Expenditure	141,146	143,132	146,209	148,242
Capital/One-time Expenditure				
<b>Total Expenditure</b>	141,146	143,132	146,209	148,242
<b>Net Revenue and Expenditures</b>	-	-	(33,833)	-

KEY STRATEGIES:

**KEY PROGRAM STRATEGIES 2018**

Process and remit restitution more timely and update brochures to create excellent service to victims of crime.

Appropriate training to ensure appropriate rights are being offered and VW professionals are educated.

Tie relations with CRA to improve victim homelessness, safety, and confidentiality.

Work with CRA to re-establish Coordinated Community Response Team to service Polk County.

Create web-links to forms and state services such as Crime Victim Compensation Vinelink.

**COMPLETION OF KEY STRATEGIES IN 2018:**

Bookkeeper has audited most all restitution accounts handled through DA Office. Clerk of Courts are now paying out restitution on probation accounts centrally for accuracy.

VW Professionals both appointed to State of WI Victim Witness Board and regularly attend trainings.

VW Professionals work diligently with CRA Shelter and meet bi-monthly on establishing new ways to train community on domestic violence issues.

VW has added state and county service links to Polk County Victim Witness website. These links are regularly emailed to victims for clear accessibility.

1. Better procedure to follow for child victims needing to testify in trials.
2. Survey to victims regarding satisfaction with court process and services.
3. Create organizations, programs, and resources for victims of domestic violence.

**KEY PROGRAM STRATEGIES 2020**

1. Training to assist child sexual assault victims.
2. Renew and update victim forms and pamphlets.
3. Activate Coordinated Community Response Team

**KEY PERFORMANCE INDICATORS:**

Output indicators	2017 Actual	2018 Estimate	2018 Actuals	2019 Estimate
Cases with Individuals assisted	1,533	1,686	1,717	1,734

Outcome indicators	2017 Actual	2018 Estimate	2018 Actuals	2019 Estimate
Requests to be Notified	149	203	158	163
Restitution Requests	133	134	116	117

**ASSUMPTIONS AND FACTORS AFFECTING PROGRAM PERFORMANCE:**

Developing a trusting relationship with victims and clearly define resources and court processes.

**POLK COUNTY WISCONSIN**  
**Public Safety and Highway Committee**

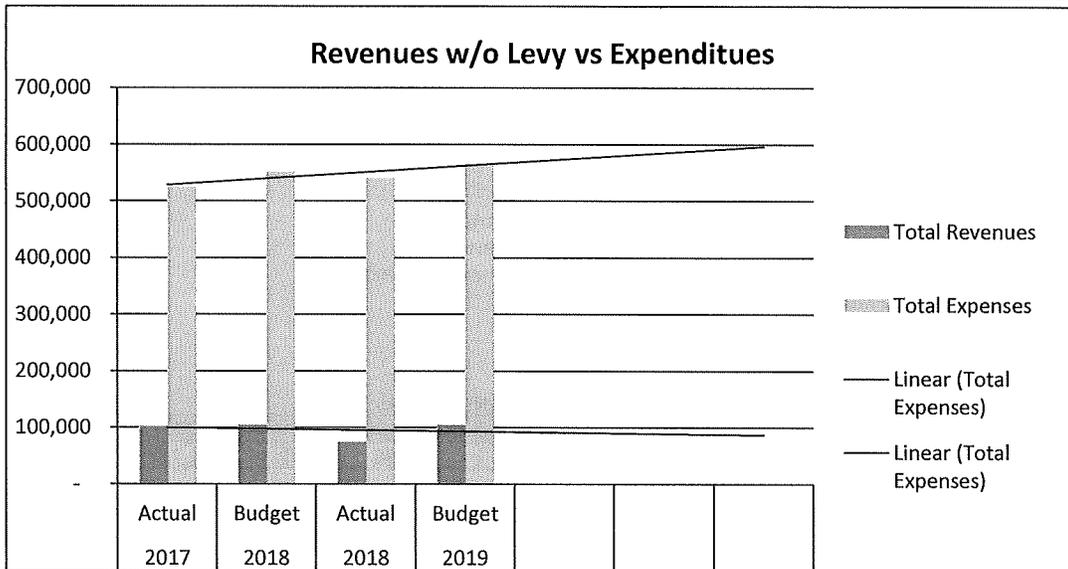
**Department of District Attorney and Victim/Witness Services**  
**Jeff Kemp, District Attorney**

**DEPARTMENT REVENUE AND EXPENDITURES BY ECONOMIC CLASSIFICATION:**

	2017 Actual	2018 Budget	2018 Actual	2019 Forecast
<b>Revenue</b>				
General Property Tax	419,755	447,709	447,709	461,203
State Aids	72,951	65,791	35,035	65,791
Fine and Forfeitures	5,163	2,050	3,506	591
Public Charge for Services	24,447	36,455	36,344	38,684
Other Financing Sources				
<b>Total Revenue</b>	<b>522,316</b>	<b>552,006</b>	<b>522,594</b>	<b>566,269</b>
<b>Expense</b>				
Personnel Services	465,904	489,849	487,836	502,010
Contractual Services	21,778	24,988	16,998	26,544
Supplies & Expenses	36,308	36,369	35,476	36,915
Fixed Charges	525	800	420	800
<b>Total Expenditures</b>	<b>524,515</b>	<b>552,006</b>	<b>540,730</b>	<b>566,269</b>
<b>Net Revenue and Expenditures</b>	<b>(2,199)</b>	<b>-</b>	<b>(18,136)</b>	<b>0</b>

**EMPLOYMENT BY JOB CLASSIFICATION:**

	2017 Actual	2018 Budget	2018 Actual	2019 Forecast
<b>FTE Employees</b>				
Officials/Administrators				
Administrative Support	4	4	4	4
Professionals				
First/Mid Level Officials and Managers	1	1	1	1
Technicians/Para-Professionals	2	2	2	2
<b>Total</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>7</b>



POLK COUNTY WISCONSIN  
Public Safety Committee

# Department of Law Enforcement

Brent Waak, Sheriff

## DEPARTMENT DESCRIPTION:

To provide law enforcement services, emergency 911 communication services, jail facilities and emergency management services to the entire county population.

## MISSION:

To provide professional, ethical and respectful law enforcement services to the citizens and visitors of Polk County. We believe that the best way to achieve a safe environment is through a cooperative partnership with our community. We, the men and women of the Polk County Sheriff's Department, pledge to serve our community with integrity, honor and courage.

## LINK TO COUNTY BOARD STRATEGIC GOALS:

Promoting safe communities provides an attractive enforcement of economic development and business growth. Law enforcement presence in the primary schools promotes higher quality educational environment. Strong law enforcement presence promote voluntary compliance with traffic laws resulting in safer communities.

## STRATEGIC PRIORITIES:

Continue to develop and plan for a permanent site for use of force and firearms training. Expand our Crisis Intervention Program and training. Implement video visitation in the Jail. Enterprise Software upgrade in Dispatch.

## PROGRAM OVERVIEW:

To provide law enforcement services, emergency 911 communication services, jail facilities and emergency management services to the entire county population.

## LIST OF SERVICES BOTH INTERNALLY AND EXTERNALLY PROVIDED BY YOUR DEPARTMENT:

**Field Services** - Patrol, Emergency Response, Transports, Court Security, Recreation Patrol, Investigations, Civil Process.  
**Communications:** 911 calls, non-emergency calls, radio communications, paging, weather alerts. **Corrections:** Safety and security of inmates and staff, some transports, Inmate healthcare, food, and laundry, Huber, taking inmates to court, library service, inmate programming. **Emergency Management:** Emergency planning, preparation and training, debris plan, coordination between state and local emergency services, grant management.

**POLK COUNTY WISCONSIN  
Public Safety Committee**

# Department of Law Enforcement

**Brent Waak, Sheriff**

**PROGRAM NAME:**

## Law Enforcement and Public Safety, Field Services Division

**PROGRAM OBJECTIVE:**

To provide the safest enforcement possible by providing professional, respectful law enforcement services.

**LINK TO BOARD PRIORITY:**

Updating county services for the future and improving public protection, substance abuse problems and recreation.

**PROGRAM REVENUES AND EXPENDITURES:**

	2017 Actual	2018 Budget	2018 Actuals	2019 Forecast
<b>Revenue</b>				
General Property Tax	3,806,297	4,022,229	4,022,229	4,045,059
Other Revenues	386,449	231,492	364,320	275,846
<b>Total Revenue</b>	4,192,745	4,253,721	4,386,550	4,320,905
<b>Expenditure</b>				
Recurrent Expenditure	4,216,508	4,253,721	4,327,650	4,320,905
Capital/One-time Expenditure				
<b>Total Expenditure</b>	4,216,508	4,253,721	4,327,650	4,320,905
<b>Net Revenue and Expenditures</b>	(23,763)	-	58,900	-

**PROGRAM PERFORMANCE INFORMATION:**

**KEY PROGRAM STRATEGIES 2018**

1. Continue to look for opportunity to broaden our Recreational patrol initiatives
2. Services Division Sergeant and methodically move them into a more administrative/leadership role.
3. Explore the use of technology in patrol activities for the purpose of reducing liability, personnel complaints and court time.
4. Develop and plan for a permanent site for use of force and firearms training.
5. Finalize the mental health critical incident training.

**COMPLETION OF KEY STRATEGIES FOR 2018:**

1. Due to static staffing numbers and vacancies in administration positions, the recreational patrol activities were static in 2018. This will remain a strategy for 2019.
2. After an evaluation of current staffing it was determined that this position could not be created with present staffing levels
3. Initiatives such as the FirstNet communications system and implementation of "smart" technology began in Q3 2018 and will be completed in Q2 2019. Additional technology efficiencies will continue to be examined.
4. No progress was made on this project in 2018 due to vacancies in administration and budgetary constraints. The project will be continued in 2019.
5. Development of a Peer Support/Mentoring program began in Q4 2018. Initial training occurred in Q1 2019. Training in this area and in CIT training will be a continued project in 2019.

**KEY PROGRAM STRATEGIES 2019**

1. Increase drug enforcement and enhance drug prevention education.
2. Increase efficiencies in mental health commitment procedures.
3. Conduct staffing study and shift design evaluation in order to maximize service and reduce overtime.
4. Explore the use of technology in patrol activities for the purpose of reducing liability, personnel complaints and court time.
5. Continue to look for opportunity to broaden our Recreational patrol initiatives
6. Develop and plan for a permanent site for use of force and firearms training.
7. Finalize the mental health critical incident training.

**KEY PROGRAM STRATEGIES 2020**

1. Increase recreational patrol enforcement hours and commitment of resources.
2. Develop enhanced employee wellness programming and initiatives.
3. Prepare for implementation of Wisconsin Incident Based Reporting system mandate.

<b>KEY PERFORMANCE INDICATORS:</b>				
<b>Output indicators</b>	<b>2017 Actual</b>	<b>2018 Estimates</b>	<b>2018 Actuals</b>	<b>2019 Estimates</b>
Case files	2,628	3,150	2,520	3,200
Emergency Response Safety	100%	100%	100%	100%
Adult Arrests	802	652	652	750
Transports	331	353	353	370
Traffic Accidents	478	535	535	540

<b>Outcome indicators</b>	<b>2016 Planned 2017</b>	<b>2018 Estimates</b>	<b>2018 Actuals</b>	<b>2019 Estimates</b>
Percentage of overtime as compared	8.320%	9.18%	9.18%	7.45%
Violent crime arrest per occurrence	57%	55%	55%	55%
Unresolved performance complaints	0	0	0	0

**ASSUMPTIONS AND FACTORS AFFECTING PROGRAM PERFORMANCE:**

1. The vacancy in the position of Chief Deputy and the change in the elected Sheriff had significant impacts on the administrative workload in the department in 2018, resulting in limited progression toward 2018 goals.

**POLK COUNTY WISCONSIN  
Public Safety Committee**

# Department of Law Enforcement

Brent Waak, Sheriff

PROGRAM NAME:

## Emergency Communications

To provide emergency call taking and dispatching for all emergency service providers in Polk County including law enforcement, fire and medical agencies. To update and maintain the 911 database for all properties in Polk County. To provide pre-arrival medical instruction to those in medical distress.

LINK TO BOARD PRIORITY:

Updating county services and public protection.

### PROGRAM REVENUES AND EXPENDITURES

	2017 Actual	2018 Budget	2018 Actuals	2019 Estimates
<b>Revenue</b>				
General Property Tax	979,213	1,010,280	1,010,280	1,178,120
Other Revenues	5,000			
<b>Total Revenue</b>	984,213	1,010,280	1,010,280	1,178,120
Recurrent Expenditure	984,213	1,010,280	1,045,230	1,178,120
Capital/One-time Expenditure				
<b>Total Expenditure</b>	984,213	1,010,280	1,045,230	1,178,120
<b>Net Revenue and Expenditures</b>	-	-	(34,950)	(0)

### PROGRAM PERFORMANCE INFORMATION:

#### KEY PROGRAM STRATEGIES 2018

1. Stay abreast of legislative efforts to provide for funding Tele-communications technology.
2. Strive to recruit and retain the very best employees.
3. Add Supervision hours to the Communications Division.

#### COMPLETION OF KEY STRATEGIES FOR 2018:

1. The division achieved this goal and continues to stay abreast of legislative actions affecting it.
2. The division had 100% retention of employees in 2018
3. The position of Communications Supervisor was created and filled in March of 2018. This position created 40 additional hours of supervision in the Communications Division. The position was created by repurposing an existing FTE and without adding additional staff.

#### KEY PROGRAM STRATEGIES 2019

1. Develop and share best practices on processes that recognize trained Communication Unit personnel.
2. Ensure standard operating procedures reflects current use of priority communication services.
3. Support the evolution of alert and warning systems that deliver timely, relevant and accessible emergency information to the public.

#### KEY PROGRAM STRATEGIES 2020

1. Prepare equipment and personnel for the implementation of NexGen 911 Services.
2. Develop standardized Policy and Procedure manual for Communications Division.

#### KEY PERFORMANCE INDICATORS:

Output indicators	2017 Actual	2018 Estimates	2018 Actuals	2019 Estimates
Total Calls For Service	36580	36,997	36,997	37,500
Total number of 911 Calls	*	11,711	11,711	11,750
			* only have partial year stats due to upgrade	
Outcome indicators	2017 Actual	2018 Estimates	2018 Actuals	2019 Estimates
Percentage of overtime as compared	8.5%	7.5%	7.5%	7.5%
Average time to answer 911 calls	2 sec	3 sec	3 Sec	2 sec

#### ASSUMPTIONS AND FACTORS AFFECTING PERFORMANCE:

1. Stability in staffing contributed significantly to the achievement of 2018 goals
2. Lack of legislative funding has slowed the transition to NexGen 911
3. Funding from the County Board allowed the implementation of additional supervision hours

**POLK COUNTY WISCONSIN  
Public Safety Committee**

# Department of Law Enforcement

Brent Waak, Sheriff

**PROGRAM NAME:**

## Emergency Management Division

**PROGRAM OBJECTIVE:**

To utilize planning, training and coordination to continually develop the mitigation, preparedness, response and recovery capabilities of the County's municipal entities.

**PROGRAM REVENUES AND EXPENDITURES:**

	2017 Actual	2018 Budget	2018 Actuals	2019 Estimates
<b>Revenue</b>				
General Property Tax	44,531	56,796	56,796	83,888
Other Revenues	63,050	82,723	88,804	59,543
<b>Total Revenue</b>	107,581	139,519	145,600	143,431
Recurrent Expenditure	106,431	139,519	144,466	143,431
Capital/One-time Expenditure				
<b>Total Expenditure</b>	106,431	139,519	144,466	143,431
<b>Net Revenue and Expenditures</b>	1,150	-	1,134	0

**PROGRAM PERFORMANCE INFORMATION:**

**KEY PROGRAM STRATEGIES 2018**

1. Successfully complete and submit all grant applications available to assist in funding the EM program. This includes the annual EMPG and EPCRA grants.
2. Complete all of the annual Plan of Work activities.
3. Continue large event incident response plan.

**COMPLETION OF KEY STRATEGIES FOR 2018:**

1. All existing grants were completed and submitted in a timely fashion
2. The annual Plan of Work was completed
3. Planning continues in to 2019 for large event incident planning, some planning was completed in 2018 but additional areas of planning have been identified and will be incorporated in to the planning

**KEY PROGRAM STRATEGIES 2019**

1. Successfully complete and submit all grant applications available to assist in funding the EM programs.
2. Work on updating Long Term Power Outage Plans & Strategies.
3. Work with Municipalities to complete or update their Emergency Operations Plan (EOP).
4. Recruit and train replacement EMA Coordinator for retiring Coordinator

**KEY PROGRAM STRATEGIES 2020**

1. Expand Emergency Preparedness program offerings to school systems, civic and business groups.
2. Continue to grow and develop relationships with emergency services throughout the county.
3. Update and enhance capabilities of the Emergency Preparedness Mobile Command Center.

**KEY PERFORMANCE INDICATORS:**

Output indicators	2017 Actual	2018 Estimates	2018 Actuals	2019 Estimates
Volunteers Recruitment	4	0	0	2
Community Presentations	10	4	4	8
Planning initiatives	1	10	10	5

Outcome indicators	2017 Actual	2018 Estimate	2018 Actuals	2019 Estimates
POW Compliance-	100%	100%	100%	100%
Planning Initiatives	100%	100%	100%	100%

**ASSUMPTIONS AND FACTORS AFFECTING PERFORMANCE:**

1. The experience of the long-serving EMA Coordinator contributed heavily to the successful completion of 2018 goals
2. The retirement of the long-serving EMA Coordinator and the training of the replacement in 2019 will have unforeseen impact on the EMA Division operations in the short term during 2019

**POLK COUNTY WISCONSIN  
Public Safety Committee**

**Department of Law Enforcement**

**Brent Waak, Sheriff**

**PROGRAM NAME:**

**Jail Division**

**PROGRAM OBJECTIVE:**

To provide a secure and safe environment for pre-trial and convicted inmate under the direction of the courts.

**LINK TO BOARD PRIORITY:**

Mental health, public protection.

	2017 Actual	2018 Budget	2018 Actuals	2019 Estimates
<b>Revenue</b>				
General Property Tax	2,446,889	2,605,802	2,605,802	3,102,704
Other Revenues	299,203	217,050	484,950	222,980
<b>Total Revenue</b>	2,739,899	2,822,852	3,090,752	3,325,684
Recurrent Expenditure	2,739,899	2,822,852	2,955,940	3,325,684
<b>Total Expenditure</b>	2,739,899	2,822,852	2,955,940	3,325,684
<b>Net Revenue and Expenditures</b>	0	-	134,812	0

**PROGRAM PERFORMANCE INFORMATION:**

**KEY PROGRAM STRATEGIES 2018**

1. Implement the Prison Rape Elimination Act Standards in the Jail.
2. Complete the transition to Lexipol policies
3. Implement the Jail Inspection recommendation.
4. Develop an Inmate worker program that assists Polk County in completing grounds work.
5. Determine the cost effectiveness of having Inmates do the laundry in the Jail.
6. Add Supervision in the Jail.
7. Implement inmate video visitation.

**COMPLETION OF KEY STRATEGIES FOR 2018:**

1. PREA standards have been implemented in the jail, training has been conducted and is ongoing, a PREA audit is being considered for Q4 2019
2. The jail successfully transitioned to Lexipol policies in November 2018
3. All jail inspection recommendations from the 2017 jail inspection were implemented in 2018
4. Due to the lack of a program services officer and unstable staffing, no progress was made on this goal in 2018. This goal will be carried over to 2019.
5. Due to the lack of a program services officer and unstable staffing, no progress was made on this goal in 2018. This goal will be carried over to 2019.
6. Two jail sergeants were appointed in January of 2018. These positions were created with the repurposing of existing FTEs.
7. Progress towards the implementation of video visitation was made in 2018. Due to delays by the vendor, the program was not fully implemented until February 2019 but is now in place.

**KEY PROGRAM STRATEGIES 2019**

1. Implement a weekly orientation process for new inmates.
2. Reduce overtime and increase staff morale and jail efficiency by obtaining a full staffing level.
3. Implement Program Service Officer position and coordination with CJCC.
4. Develop an inmate worker program that assists Polk County in completing grounds work.
5. Implement the Prison Rape Elimination Act Standards in the Jail.
6. Determine the cost effectiveness of having Inmates do the laundry in the Jail.
7. Begin phase 1, 2 and 3 of the Jail Controller and Camera Upgrade project

**KEY PROGRAM STRATEGIES 2020**

1. Complete upgrade of surveillance camera and intercom system.
2. Continue developing up-to-date recruitment and retention plans.
3. Enhance educational and technology based programming for inmates.

**KEY PERFORMANCE INDICATORS:**

<b>Output indicators</b>	<b>2017 Actual</b>	<b>2018 Estimate</b>	<b>2018 Actuals</b>	<b>2019 Estimates</b>
Cost per inmate day	85.1	81.19	81.19	79.56
Intra-department training hours	26	26	26	28
Mental Health critical incident train	0	8	0	8
Bookings	1,504	1,535	1,517	1,535
Jail Bed days	32,194	35,550	34,799	35,550

<b>Outcome indicators</b>	<b>2017 Actual</b>	<b>2018 Estimate</b>	<b>2018 Actuals</b>	<b>2019 Estimates</b>
Percentage of overtime as compared	8.5%*	9.8%	9.8%	6.5%
Annual state inspection compliance	2 Violations	3 Violations	3 Violations	Full Compliance
Use of Force Incidents as compared to Jail	10/32194	18/34799	18/34799	12/35550

**ASSUMPTIONS AND FACTORS AFFECTING PERFORMANCE:**

1. Recruitment and retention has historically been difficult in jail operations. In late 2018 new practices were introduced which is helping to stabilize staffing.
2. Prioritization of the CJCC and alternative justice by the County Board has been beneficial in creating a Program Service Officer

POLK COUNTY WISCONSIN  
Public Safety Committee

# Department of Law Enforcement

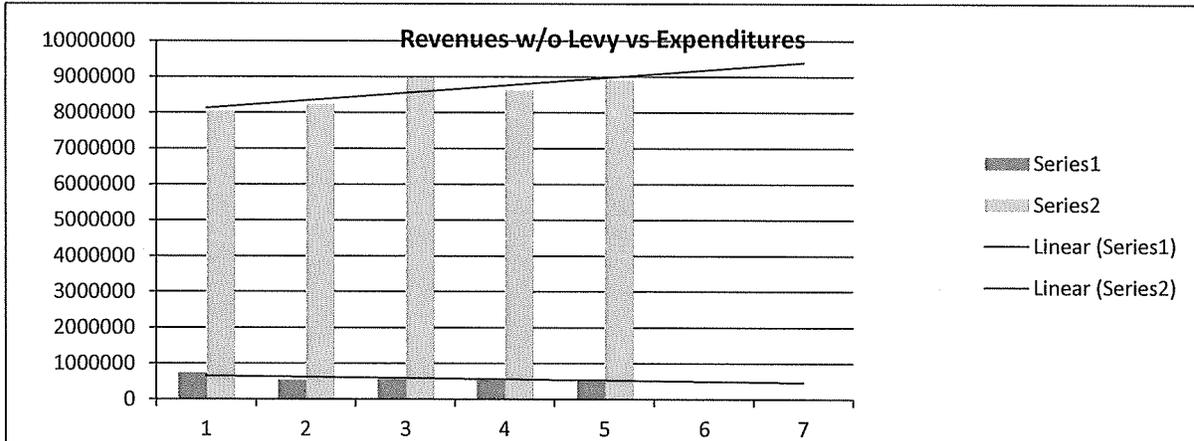
Brent Waak, Sheriff

DEPARTMENT REVENUE AND EXPENDITURES BY ECONOMIC CLASSIFICATION:

	2017 Actual	2018 Budget	2018 Actuals	2019 Budget
<b>Revenue</b>				
General Property Tax	7,278,378	7,695,108	7,695,108	8,051,471
State Aids	208,183	132,915	168,540	151,323
Public Charge for Services	331,399	271,850	517,302	257,374
Intergovernmental Revenue	133,976	62,000	155,381	85,171
Misc Revenue	50,144	39,500	71,851	39,500
Other Financing Sources	25,000	25,000	25,000	25,000
<b>Total Revenue</b>	<b>8,027,079</b>	<b>8,226,373</b>	<b>8,633,182</b>	<b>8,609,839</b>
<b>Expense</b>				
Personnel Services	6,727,434	6,598,311	7,005,888	6,932,083
Contractual Services	717,078	870,904	865,986	935,350
Supplies & Expenses	359,304	447,007	348,960	420,036
Fixed Charges	396	4,059	304	4,060
Grants, Contributions, Indem	518	2,750	319	2,750
Capital Outlay	174,087	299,141	247,628	669,660
Cost Reallocation	72,026	4,200	4,200	4,200
<b>Total Expenditures</b>	<b>8,050,843</b>	<b>8,226,373</b>	<b>8,473,285</b>	<b>8,968,139</b>
<b>Net Revenue and Expenditures</b>	<b>(23,764)</b>	<b>0</b>	<b>159,897</b>	<b>(358,300)</b>

EMPLOYMENT BY JOB CLASSIFICATION:

	2017 Budget	2018 Budget	2018 Actuals	2019 Budget
<b>FTE Employees</b>				
Officials/Administrators	1	1	1	1
Professionals				
Technicians/Para-Professionals	11.65	11.65	11.65	11.65
First/Mid Level Officials and Managers	5	5	5	5
Administrative Support	5	5	5	5
Skilled Craft/Service Maintenance			0	
Protective Service Workers	55.44	58.44	58.44	58.44
<b>Total</b>	<b>78.09</b>	<b>81.09</b>	<b>81.09</b>	<b>81.09</b>



**POLK COUNTY WISCONSIN  
Public Safety Committee**

# **Highway Department**

**Emil Norby, Highway Commissioner**

**DEPARTMENT DESCRIPTION:**

The department provides all highway services for 662 lane miles of county roads and 364 lane miles of state highway. These services include; construction, winter/ice/snow activities, surface maintenance, drainage, signs, woody vegetation, material inventory, equipment maintenance, and record keeping.

**MISSION:**

To serve our customers and community more effectively than anyone else by treating our customers and co-workers as we, personally, would like to be treated, and to make a difference in their lives within Polk County by developing and maintaining a safe, efficient and environmentally sound county and state road system.

**LINK TO COUNTY BOARD STRATEGIC GOALS:**

Responsive transportation system.  
Upgraded road network.

**STRATEGIC PRIORITIES:**

Decrease the volume of deficient roads proportionate to available funding. Extend the life, maintain the integrity and enhance the safety of all county roads.

**PROGRAM OVERVIEW:**

The department provides all highway services for 662 lane miles of county roads and 364 lane miles of state highway. Provides construction and maintenance activities to other Municipalities as requested.

**LIST OF SERVICES BOTH INTERNALLY AND EXTERNALLY PROVIDED BY YOUR DEPARTMENT:**

Services include; construction, winter/ice/snow activities, surface maintenance, drainage, signs, woody vegetation, material inventory, equipment maintenance, and record keeping.

**POLK COUNTY WISCONSIN  
Public Safety Committee**

# Highway Department

Emil Norby, Highway Commissioner

**PROGRAM NAME:**

**Construction and reconstruction of county roads**

**PROGRAM OBJECTIVE:**

Decrease the volume of deficient roads proportionate to available funding; To maintain the integrity of the highway infrastructure and to enhance safety by maintaining pavement quality.

**PROGRAM REVENUES AND EXPENDITURES:**

	2017 Actual	2018 Budget	2018 Actual	2019 Estimate
<b>Revenue</b>				
General Property Tax	1,376,065	1,402,334	1,402,334	1,542,213
Other Revenues	2,205,906	1,787,183	6,387,856	1,907,856
<b>Total Revenue</b>	<b>3,581,970</b>	<b>3,189,518</b>	<b>7,790,190</b>	<b>3,450,068</b>
<b>Expenditure</b>				
Recurrent Expenditure	3,109,760	3,580,818	3,415,252	3,538,052
Capital/One-time Expenditure				
<b>Total Expenditure</b>	<b>3,109,760</b>	<b>3,580,818</b>	<b>3,415,252</b>	<b>3,538,052</b>
<b>Net Revenue and Expenditures</b>	<b>472,210</b>	<b>(391,300)</b>	<b>4,374,938</b>	<b>(87,983)</b>

**KEY STRATEGIES:**

**KEY PROGRAM STRATEGIES 2018**

- Optimize funding by long-term planning for highway construction projects to lengthen the life of a highway, such as new asphalt.
- Completion of the new highway facility, ensuring that future needs and demands of the transportation system are met.

**COMPLETION OF KEY STRATEGIES FOR 2018:**

- Optimized funding introducing Mico - Sealing into the paving program providing a high quality wear surface at a reduced cost in the communities of Amery, Village of Clear Lake and the Village of Clayton.
- New Highway Facility was completed on schedule while old facility was removed. Department moved into the new facility on August 13th 2018.

**KEY PROGRAM STRATEGIES 2019**

- Optimize funding by long term planning for highway construction projects to lengthen the life of a highway, such as new asphalt.
- Completion of the new Highway facility, ensuring that future needs and demands of the transportation system are met.

**KEY PERFORMANCE INDICATORS:**

Output indicators	2017 Actual	2018 Estimate	2018 Actual	2019 Estimate
Miles overlaid, reclaimed, chip sealed and	38	26	30	40

Outcome indicators	2017 Actual	2018 Estimate	2018 Actual	2019 Estimate
Paser rating	7.1	6.9	6.9	6.8

**ASSUMPTIONS AND FACTORS AFFECTING PROGRAM PERFORMANCE:**

Limited funding with a flat levy and limited funding from State and Federal Transportation sources continue to effect programs. Although small increase at the state and federal levels have helped, it has not been enough to improve the program with no long term transportation funding source.

**POLK COUNTY WISCONSIN  
Public Safety Committee**

# Highway Department

Emil Norby, Highway Commissioner

**PROGRAM NAME:**

## Road maintenance and repair

**PROGRAM OBJECTIVE:**

Extend the life, maintain the integrity, and enhance the safety of all county roads; To provide a safe and responsive road system

**PROGRAM REVENUES AND EXPENDITURES:**

	2017 Actual	2018 Budget	2018 Actual	2019 Estimate
<b>Revenue</b>				
General Property Tax	1,824,086	1,858,909	1,858,909	2,044,328
Other Revenues	2,924,108	2,369,057	8,467,622	2,529,018
<b>Total Revenue</b>	4,748,193	4,227,965	10,326,531	4,573,347
<b>Recurrent Expenditure</b>	4,122,240	4,746,665	4,527,194	4,689,975
<b>Capital/One-time Expenditure</b>				
<b>Total Expenditure</b>	4,122,240	4,746,665	4,527,194	4,689,975
<b>Net Revenue and Expenditures</b>	625,953	(518,700)	5,799,337	(116,629)

**KEY STRATEGIES:**

**KEY PROGRAM STRATEGIES 2018**

1. Optimize funding by increasing spray patching to improve ride, seal cracks and maintain current Paser rating.
2. Increase mowing from two to three passes each year to improve visibility and aesthetics of roads.
3. Reduce plow route cycle times by evaluating plow routes using WisDOT route optimization software.

**COMPLETION OF KEY STRATEGIES FOR 2018:**

1. The spraypatch program was increased using two machines throughout the year to maintain the paser rating. 2. Mowing intervals were increased on County Trunk Highways increasing visibilities on County Highways. 3. County Plow routes were put into the states software for route optimization. Findings should there was some improvement of shared state and county routes but was minnimal and would require the County to switch to salt only County wide.

**KEY PROGRAM STRATEGIES 2019**

1. Optimize funding by using new processes and improved materials to lengthen the life of a highway, such as new asphalt mix designs and pothole patching methods.
2. Completion of the new Highway facility will allow highway trucks and equipment to be stored indoors and have access to a washing facility, increasing the life of the equipment.

**KEY PERFORMANCE INDICATORS:**

Output indicators	2017 Actual	2018 Estimate	2018 Actual	2019 Estimate
Miles of county highway plowed	78966	88416	100057	88416
Lane line miles of highways maintained	662	662	662	662

Outcome indicators	2017 Actual	2018 Estimate	2018 Actual	2019 Estimate
Average cycle times per plow route	2.58	3	2.71	3

**ASSUMPTIONS AND FACTORS AFFECTING PROGRAM PERFORMANCE:**

Contiued public demand for bare Highways during a storm. More severe weather proloning winter driving winter maintenance costs.

POLK COUNTY WISCONSIN  
Public Safety Committee

# Highway Department

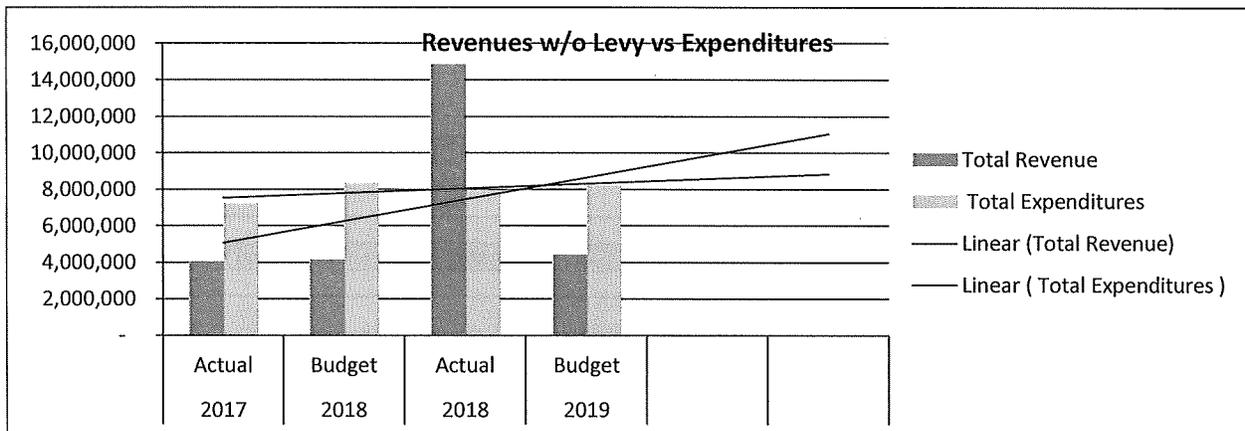
Emil Norby, Highway Commissioner

DEPARTMENT REVENUE AND EXPENDITURES BY ECONOMIC CLASSIFICATION:

	2017 Actual	2018 Budget	2018 Actual	2019 Estimate
<b>Revenue</b>				
General Property Tax	3,200,150	3,261,243	3,261,243	3,586,541
State Aids	1,596,831	1,787,064	1,787,628	2,006,408
Intergovernmental Revenue	2,378,956	2,319,976	2,455,021	2,382,266
Misc. Revenue	48,006	49,200	64,056	48,200
Other Financing Sources	1,106,220	-	10,548,773	-
<b>Total Revenue</b>	<b>8,330,164</b>	<b>7,417,483</b>	<b>18,116,721</b>	<b>8,023,415</b>
<b>Expense</b>				
Operating Expense	-	10,000	-	-
Personnel Services	2,592,806	2,646,279	2,844,221	2,723,418
Contractual Services	1,552,269	1,106,207	1,316,412	1,185,759
Supplies & Expenses	1,787,714	2,774,404	2,510,969	2,452,474
Fixed Charges	954,721	749,210	983,112	1,423,260
Other Grant Contributions	135,258	-	-	-
Capital Outlay	19,138	935,288	47,324	256,374
Cost Reallocation	190,094	106,095	240,408	186,742
<b>Total Expenditures</b>	<b>7,232,000</b>	<b>8,327,483</b>	<b>7,942,446</b>	<b>8,228,027</b>
<b>Net Revenue and Expenditures</b>	<b>1,098,164</b>	<b>(910,000)</b>	<b>10,174,275</b>	<b>(204,612)</b>

EMPLOYMENT BY JOB CLASSIFICATION:

	2017 Budget	2018 Budget	2019 Budget	2020 Estimates
<b>FTE Employees</b>				
Officials/Administrators	1	1	1	1
Professionals				
Technicians/Para-Professionals				
First/Mid Level Officials and Managers	3	3	3	3
Administrative Support	1	1	1	1
Skilled Craft/Service Maintenance	32.45	32.45	32.45	32.45
<b>Total</b>	<b>37.45</b>	<b>37.45</b>	<b>37.45</b>	<b>37.45</b>



**WCHA UTILITY ACCOMMODATION POLICY**

**Policy 96.00**

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation Table of Contents
<b>Supersedes:</b> January 1, 2000	
<b>By:</b> County Highway Commissioner	
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<p><b>Effective:</b> August 21, 2012</p>	<p>96.00 Utility Accommodation 96.01 Definitions</p>
<p><b>Supersedes:</b> January 1, 2000</p>	
<p>By: County Highway Commissioner <span style="float: right;">Page 1 of 3</span></p>	

**A. General Definitions**

Unless otherwise provided herein, the definitions accepted by the American Association of State Highway and Transportation Officials (AASHTO) can be used as a guide.

**B. Specific Definitions**

**1. Clear Zone**

That portion of the right-of-way free of nontraversable hazards and fixed objects. These areas provide drivers a reasonable opportunity to stop safely or otherwise regain control of their vehicle when it leaves the traveled way. The clear zone generally varies with the type of highway, terrain traversed, road geometrics, and operating conditions.

Chapter 11 of the Wisconsin Department of Transportation Facilities Development Manual should be used as the guide for establishing clear zones.

**2. Department = COUNTY**

**3. Emergency Utility Work**

Unforeseen action by a utility deemed necessary to restore an existing utility facility to service and/or protect the general public.

**4. Expressway**

A divided highway with limited access control, at grade intersections in rural areas, and generally having grade separations at major intersections.

**5. Freeway**

A divided highway with full access control and with grade separations or interchanges at all intersections.

**6. Highway(s)**

a. State Trunk Highways

The State Trunk Highway system as authorized under Section 84.02, Wisconsin Statutes. This includes the entire area within the highway right-of-way.

1. Federally marked highways, such as "U.S." or "I", are part of the State Trunk Highway System and are designated by letters and numbers such as I-94, USH 12, or STH 54.

**B. Specific Definitions (continued)**

2. "Connecting Highways" in Section 86.32, Wisconsin Statutes, are actually local jurisdictional streets and not part of the State Trunk Highway System.

*Note: The Department's "Official State Trunk Highway System Maps" denote all connecting highways within Wisconsin. Call (608) 266-2782 for more information.*

- b. County Trunk Highways

The county trunk highways as authorized under Section 83.025, Wisconsin Statutes. This includes the entire area within the highway right-of-way.

1. County marked highways are a part of the County Trunk Highway (CTH) system and are designated by letters such as CTH "A", CTH "BB", or CTH "OOO".

- c. Town Roads

The town roads as authorized under Section 80.07(1), Wisconsin Statutes. This includes the entire area within the highway right-of-way.

1. Town roads marked by each town and are designated by name such as Smith Road, Maple Lane, or Oak Ridge Drive.

**7. Permit**

The document by which the Department grants a utility permission to work within, use, occupy, or cross the highway.

**8. Pipeline**

A utility facility installed to carry or convey a fluid, gas, or other material, generally underground, including the casing and the product being conveyed.

**9. Private Utility Facilities**

Facilities which convey or transmit the commodities as defined by utility (see #15), but are owned and operated by an individual(s) or non-utility business and are not accessible to the public.

**10. Responsible Person**

A person having control over a utility project that is not administered by the Department.

**11. Right-of-Way**

A general term denoting acquired interests or rights in land (either all or partial) that are necessary to build, maintain, and operate a highway facility. It is not just a fee interest or a permanent highway interest but encompasses all necessary rights of both a permanent and temporary nature.

**12. Applicant**

The individual or entity that will own the utility facility which is to be placed in Department right-of-way.

**B. Specific Definitions (continued)****13. Traveled Way**

The portion of the roadway for the movement of vehicles which includes auxiliary lanes and ramps but excludes the shoulders. The traveled way usually lies between the edgeline striping.

**14. Roadway**

The traveled way plus shoulders.

**15. Utility**

Any corporation, company, individual or association, including their lessees, trustees or receivers, or any sanitary district, cooperative association, town, village, or city that owns, operates, manages, or controls any plant or fixed equipment within this state for the conveyance of communications, electric power, light, heat, fuel, gas, oil, petroleum products, water, steam, fluids, sewerage, drainage, irrigation, or similar facilities.

The owners or operators of cable television systems, cellular phone and paging (wireless) systems, publicly owned fire or police signal systems, traffic and street lighting facilities, or privately owned facilities which perform any of the utility functions above.

**16. Utility Construction**

Any use by a utility of labor or materials to install or to provide for the installation of a new or upgraded utility facility or to replace all or a significant portion of an existing facility.

**17. Utility Facilities****a. Transmission Facilities**

A utility facility which generally carries the product from the source to the distribution network. Additional terms are "communication feeder", "toll", and "trunk lines".

**b. Distribution Facilities**

A utility facility which distributes the utility product from a transmission facility to points convenient for its customers.

**c. Service Facility**

A utility facility which serves a single customer via a connection with a distribution line. Additional terms for a service line include "lateral" and "drop".

**18. Utility Maintenance**

Any use by a utility of labor or materials for repairs or replacement of parts of an existing utility facility to retain its use as intended, limited to the work types as further defined herein.

**19. Utility Operation**

Any activity by a utility to assure the function of an existing utility for its intended purpose.

Effective: August 21, 2012	96.00 Utility Accommodation 96.02 Introduction
Supersedes: January 1, 2000	
By: County Highway Commissioner <span style="float: right;">Page 1 of 2</span>	

**A. Overview of Utility Accommodation**

The Department operates the highway system under its jurisdiction to provide a safe and convenient means for the vehicular transportation of people and goods, and utility companies provide essential services to the public. Both the Department and utility companies typically provide facilities which consider present as well as future needs. Cooperation between these two entities is essential if the public is to be served at the lowest possible cost consistent with their respective public service needs, obligations, and interests. Although the Department strives to accommodate utility facilities whenever possible, the permitted use and occupancy of highway right-of-way for non-highway purposes is subordinate to the primary interests and safety of the traveling public.

**B. Purpose of the Utility Accommodation Policy**

The purpose of the Utility Accommodation Policy is to prescribe the policies and procedures that shall be met by any utility whose facility currently occupies, or will occupy in the future, any highway right-of-way or bridge over which the Department has jurisdiction.

The Policy applies to all public and private utilities as defined in 96.01(B) (9) and (15). It also applies to all existing utility facilities retained, relocated, replaced, or altered, and to new utility facilities installed in Department right-of-way.

Highway facilities (e.g. lighting, traffic signals, changeable message boards, etc.) operated by the Department for the purpose of ensuring motorist safety shall not be bound by the policies and procedures contained within the Policy.

**C. Utility Accommodation Statutes**

The Department regulates the use, occupation, and utility accommodation of the county trunk highway system under sec. 66.047, 84.08, 85.15, 86.07(2), 86.16, and 182.017, Wis. Stats.

**D. Utility Accommodation**

Typically, the Department utilizes the following policy when handling requests for utility accommodation or managing facilities that are already located in the right-of-way:

**1. Permits**

The Department permits utility facilities on its highways when:

- a. Such use and occupancy does not adversely affect the primary functions of the highways or materially impair their safety, operational, or visual qualities.
- b. There would be no conflict with the provisions of Federal, State, or local laws or regulations or the accommodation provisions stated herein.
- c. The occupancies would not significantly increase the difficulty or future cost of highway construction or maintenance.

**D. Utility Accommodation (continued)**

A utility shall abide by the current version of the Policy each time a permit is authorized for its work. When future changes are made to the Policy, an existing utility facility is not required to meet the new version unless proposed changes to that facility require a new permit from the Department.

**2. Additions**

Nothing in the Policy shall be construed as limiting the rights of the Department to impose restrictions or requirements in addition to and/or deviations from those stated herein in any permit where the Department deems it advisable to do so. An appropriate explanation for such action should be provided to the utility.

**3. Alterations**

The permitted facilities shall, if necessary, be altered by the utility to facilitate alteration, improvement, safety control, or maintenance of the highway as may be ordered after permit approval. All costs for construction, maintaining, altering, and relocating the permitted facilities shall be the obligation of the applicant, unless a specific Department-executed utility parcel or agreement otherwise provides.

**WCHA UTILITY ACCOMMODATION POLICY**

**Policy 96.03**

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation 96.03 Indemnification
<b>Supersedes:</b> January 1, 2000	
<b>By:</b> County Highway Commissioner	
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The Applicant shall save and hold the Department, its officers, employees, and agents harmless from all liability, damage, loss, expense, claims, demands, and actions of any nature whatsoever arising out of any acts or omissions of Applicant in any way connected with the work to be performed pursuant to this permit, or the construction or maintenance of facilities by the Applicant, in the Department right-of-way which is the subject of this permit. Notwithstanding the foregoing, Applicant shall not be obligated to indemnify the Department or its officers, employees, or agents for that portion of any liability, damage, loss, expense, claims, demands, or actions caused by the negligent, wanton, intentional, or otherwise wrongful acts or omissions of the Department, or its officers, employees, or agents.

The Department remains responsible for issues relating to road design but will not incur liability on behalf of Utility simply by granting a permit unless the grant of that permit is otherwise negligent or improper.

**Applicant** shall mean the individual or entity which will own the utility facility which is to be placed in the County right-of-way.

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation 96.04 General Information
<b>Supersedes:</b> January 1, 2000	
<b>By:</b> County Highway Commissioner	
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**A. Buried Line Locating Notification**

Each applicant for a permit to work on a Department’s highway shall provide a reliable line-locate notification service by either or both of the following means:

1. If the Applicant has membership in a one-call utility notification service, it shall enter the current telephone number(s) for the service on the face of each Department permit application form. The applicant shall also provide written notification to the Department upon or in advance of any subsequent changes in the one-call contact information such as cessation of membership, changes in the contact telephone number(s), etc.
2. If the Applicant lacks membership in a one-call utility notification service at the time of application for a Department permit, or has membership but desires to provide a second resource for line locates, they shall:
  - a. Provide operational area maps which accurately specify the area(s) in which the applicant has lines or a franchise to install lines. A minimum of one such map shall be furnished to the Department. The Applicant shall advise the Department of any future changes in its operational area(s) and supply updated maps showing the current conditions, and
  - b. Enter on the face of each permit application form the current telephone number(s) to be called to obtain specific line locates from the applicant. The Applicant should notify the Department of any change to these telephone numbers.

**B. Design Responsibility**

The utility shall be responsible for the design of the facility to be installed or adjusted within the right-of-way. The Department shall be responsible for review of the utility’s proposal and for permit approval.

**C. Utility Facility Condition Requirements**

All utility facilities shall be kept in a good state of repair both structurally and from the standpoint of appearance.

**D. Chemical Treatment and Cutting of Trees**

Utilities shall be prohibited from chemical treatment or cutting of trees on Department highways without a permit from the Department except as provided under maintenance type activities (see policies 96.61 through 96.64), and the utility shall provide the Department with MSDS sheets for chemicals being used along with an annual spraying plan.

**E. Draining Wetlands**

The installation of privately owned lines or conduits in the right-of-way for the purpose of draining wetlands is prohibited.

**WCHA UTILITY ACCOMMODATION POLICY****Policy 96.05**

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation 96.05 Emergency Work
<b>Supersedes:</b> January 1, 2000	
<b>By:</b> County Highway Commissioner	Page 1 of 1

Emergency situations may arise when immediate action to protect the safety of the general public requires utility operations within a Department's highway that are not in full compliance with the provisions of the Policy. Nothing herein shall be construed as requiring a utility to delay such emergency repair.

Emergency repairs may be performed within the right-of-way when physical conditions or time considerations prevent application for the usual permit. However, as soon as feasible, the utility shall advise the Department of the emergency, its plans or actions for alleviating the dangerous situation(s), and make arrangements for the control and protection of traffic or pedestrians affected by its proposed operations. When the Policy requires a permit for such work, a permit shall be obtained as soon as possible and any alterations deemed necessary through the permit approval process shall be made.

**WCHA UTILITY ACCOMMODATION POLICY**

Policy 96.06

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation 96.06 Abandoned Facility
<b>Supersedes:</b> January 1, 2000	
<b>By:</b> County Highway Commissioner	Page 1 of 1

**A. Aboveground Facilities**

If a utility discontinues use of an aboveground facility, the facility shall be entirely removed from the right-of-way within one year after its use is discontinued unless written approval for a time extension is granted by the Department or a proper permit is requested and approved by the Department for sale to another utility.

**B. Underground Facilities (This section does not waive a utility's rights under ss. 182.0175.)**

Effective January 1, 2000, a record of underground utility facilities abandoned in the right-of-way shall be maintained in a utility's permanent files until the facility is completely removed from the ground. The record should be of similar quality and detail as any other map or plan submitted to the Department for permit approval. A utility shall take the steps it feels is necessary to be able to provide an approximate location of abandoned facilities in the future. The approximate location provided by the utility shall be within a ten (10) foot wide corridor (i.e., five feet either side as measured perpendicular to a facility). If a utility facility is to be abandoned as a part of a permit for a new facility, it shall be field located and shown on the permit request for the new facility.

Upon request by the Department, each utility and the Department requesting the information, shall agree on the method of transferring the abandoned facility information in accordance with the mapping capabilities of the utility. A utility shall update the map annually if requested by the Department. The utility may place a disclaimer on the abandonment map such as:

"The locations on this map cannot be relied upon for any purpose except general information and planning that an abandoned utility facility is in the right-of-way. The user remains obligated to call Digger's Hotline at least three working days prior to any excavation. All utility facilities uncovered in the right-of-way shall be handled as active or energized until confirmed by a utility representative that it is an abandoned or temporarily de-energized facility."

Upon request by the Department, the utility shall provide a map (noted above) indicating all facilities abandoned prior to January 1, 2000 on record, if the utility has maintained such records.

When the Department intends to perform work in an area, it may call the utility to request confirmation of any abandoned facilities in that area. The utility shall respond to the request within 10 calendar days and shall provide the Department with a more detailed record of the abandoned facilities in that area, if available.

When an unidentified utility facility is exposed or damaged, the Department shall call the utility to have a representative visit the site and identify its facility. The utility should physically respond to the site, if required, or contact the Department's representative within two hours, and in all cases, shall physically respond to the site within six hours after notification, if required.

The Department shall not require a utility to physically remove any abandoned underground facility so long as a permanent record of it is maintained and if it does not prevent the construction or modification of any highway improvement and/or structure. However, abandoned appurtenant facilities such as manholes and pull boxes shall be filled in or removed in accordance with the Wisconsin Department of Transportation's Standard Specifications for Road and Bridge Construction, current edition.

**C. Structure Attachments**

Utility facilities abandoned on a structure shall be removed within 60 days of the abandonment unless otherwise approved by the Department. All removal costs shall be the responsibility of the utility.

Effective: August 21, 2012	96.00 Utility Accommodation 96.07 Compliance
Supersedes: January 1, 2000	
By: County Highway Commissioner	
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**A. Authority**

Representatives of the Department have the authority to enforce the Utility Accommodation Policy and those specific provisions related to individual utility permits. These representatives (a.k.a. inspectors) include the county highway commissioner and his/her designee. It also includes the project engineer when utility permits are part of construction projects.

All utilities, including all consultants, contractors, and subcontractors working for utilities, are required to abide by the Policy and those specific provisions related to individual utility permits.

A County policy adopting this “WCHA Utility Accommodation Policy” and noting exceptions shall precede it.

The utility must first appeal to the permit reviewer, highway commissioner, and the county highway committee with assistance of their corporation counsel. In the final appeal process under Section 82.07(3) the utilities can appeal to WisDOT if they feel a county is not treating them fairly.

**B. Failure to Comply**

At the Department’s option, the following measures may be taken if a utility fails to comply with the Policy or its permit provisions:

**1. Verbal Request for Corrective Action**

The request shall include:

- a. The reason(s) why the present or completed operation is (was) not in compliance with the Policy or the permit provisions,
- b. What steps shall be taken to correct the situation, and
- c. What additional action may be taken if step b is disregarded (items 2 through 7 listed as follows).

**2. Written Reprimand**

A written reprimand shall be sent to the utility for violating the Policy or its permit provisions when the utility does not comply with the verbal request.

The written reprimand shall contain the same information as the verbal request and shall serve as documentation for the violation. The Department shall be responsible for writing and sending this reprimand.

**B. Failure to Comply (continued)****3. Suspension of Work Activities**

If a responsible person of an inspected work site fails to comply with a verbal request, the inspector may order the suspension of all work activities at the site. If this occurs, the county highway commissioner shall be informed of the situation.

If the county highway commissioner cannot be contacted, the patrol supervisor, engineer, or permit coordinator shall be notified.

The Department shall then contact an authority of the utility to explain why the operation was suspended and what action needs to be taken before work can resume.

**4. Removal of Installed Facilities**

Any facility installed by a utility shall be in the location shown on the approved permit. If such a facility is discovered in an **unacceptable** location and the utility is notified, the utility shall have two weeks' response time to decide on its corrective action. If the utility fails to take corrective action, the Department shall take action to have that facility relocated or removed at the utility's expense.

The permittee shall remove the improperly placed facility and put it in an approved location. If the utility fails to relocate its facility, the Department shall have the facility removed and bill the permittee for such work.

**5. Permit Revocation**

When a utility continues to be in noncompliance with the Policy or its permit provisions, the Department may revoke the utility's permit. The utility may reapply for a permit to the Department when it can demonstrate a good faith effort to comply.

**6. Public Service Commission (PSC) Notification**

Continued violations by a utility of the Policy or its permit provisions may cause the Department to notify the PSC and request its assistance in correcting the situation.

**7. Withholding Approval of Future Permits**

Continued violations by a utility of the Policy or its permit provisions may cause the Department to withhold approval of permit applications for that utility until the violations are corrected to the satisfaction of the Department. The severity and number of written reprimands against a utility may serve as a guide in determining future permit approval.

**C. Procedures**

When a utility site is inspected by the Department or its representative to determine compliance with the Policy, the following procedures may be utilized:

**1. Inspection of Work in Progress**

Upon reaching a work site, the inspector shall locate a responsible person and ask to review and discuss the utility operation. If applicable, a review of a copy of the permit which the utility or its contractor is required to have available at the site shall also be performed.

**C. Procedures (continued)**

If the inspector decides that changes to the operation are needed in order to bring it into compliance with the Policy or provisions of its permit, then a verbal request is the first corrective measure which shall be taken (see B.1.).

**2. Inspection of Completed Work**

After a permitted operation has been completed, the utility is required to notify the Department that work on the permit is complete and the job site is subject to an inspection by the Department. If the work was done in violation of the Policy or the provisions of a utility's permit, then a verbal request is the first corrective measure which shall be taken (see B.1.). The utility shall have two weeks' response time to decide on its corrective action.

**D. Immediate Action (Work in Progress)**

When a utility operation or installation is not in compliance with the Policy or the provisions of its permit and is adversely affecting public safety, the inspector shall take immediate action.

If a responsible person refuses to comply with the verbal request and does not take immediate corrective measures to ensure public safety, the inspector shall then call the local law enforcement agency to have the utility or its contractor(s), subcontractor(s), or consultant(s) removed from the Department's right-of-way. The inspector shall also take corrective measures to return the highway to a safe operating condition.

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation 96.08 Environmental Conditions
<b>Supersedes:</b> January 1, 2000	
By: County Highway Commissioner <span style="float: right;">Page 1 of 4</span>	

**A. Introduction**

This policy specifies responsibilities and the procedures that a utility shall follow when environmental conditions are encountered in the right-of-way. These conditions include, but are not limited to: 1) archeological sites, 2) historic structures, 3) contaminated soils, 4) underground storage tanks (UST’s), and 5) leaking underground storage tanks (LUST’s).

**B. Department Responsibility**

The Department shall notify a utility when its facilities may be affected by a proposed improvement project. If the utility confirms that its facilities are in the vicinity of the improvement, the Department shall mail the utility at least that portion of the improvement plan that concerns those facilities. The Department shall also provide any additional and duplicate plan information needed by the utility to design and lay out the removal, relocation, or adjustment of the existing utility facilities and the placement of relocated or additional facilities within the project limits. This includes furnishing a utility with information regarding any environmental conditions if site assessments are performed as a required part of the Department’s project investigation. This information shall be considered for “**informational purposes only**” since data may change from the time an investigation is completed until the time a report is reviewed.

**C. Utility Responsibility**

The utility shall be responsible to perform a site assessment for its own facilities. Utilities which obtain a permit from the Department shall be solely responsible for surveying the right-of-way for environmental conditions solely for its own purpose where utility construction or utility maintenance will occur to determine if said area is an endangered species habitat. The utility shall be fully responsible for preservation or mitigation of said habitat in compliance with regulations promulgated by the Wisconsin Department of Natural Resources (DNR). Areas of concern are habitat for Karner Blue Butterfly and any other species specified by the DNR.

**D. Site Assessments**

If contacted, the Department will provide any information it has available on environmental issues under the public records law.

When a utility needs to do site assessments (investigations), the procedures listed in the Wisconsin Department of Transportation’s Facilities Development Manual may be used as a guide. Specifically, Chapter 26 has information on archeological and historical assessments, and Chapter 21, Section 35, has information regarding contaminated site assessments. Copies of these can be obtained from the Department.

The Department recommends that site assessments be performed by a qualified historian, archeologist, or environmental consultant if the utility does not employ personnel specifically qualified for this work.

**E. Discovery of Environmental Conditions**

Whether the discovery of environmental conditions occurs during a site assessment, facility installation, or maintenance operation, **ALL WORK SHALL BE SUSPENDED IMMEDIATELY**. Failure to do so may result in financial responsibility (see Section G) for the utility due to subsequent site assessments, mitigation, remediation, or possible fines. Specifically, if a utility fails to comply with Section E of this policy, it may be responsible for a percentage of the costs depending upon how much worse the situation became due to the utility’s action. A checklist has been developed to help utilities obtain the necessary information which may be asked of them by site investigators. The checklist has been included in the county’s addendum as Section 96.97 Environmental Conditions Discovery Checklist.

If the site poses a possible health risk, the local police and fire departments shall be notified immediately and the utility shall take the necessary steps to provide for the safety of people and property in the area. After suspended operations, the utility shall contact the offices listed below depending upon the type of conditions discovered:

<b>NOTIFICATION TABLE (NOTE: CALL ALL THAT APPLY)</b>	
Utility Discovers Environmental Conditions while Working on Department of Right-of-Way	
Category	Please Call
<b>Archeological Sites or Historic Structures</b>	
Historic structure	State Historic Preservation Office 608-264-6512
Archeological site	State Historic Preservation Office 608/264-6507
Burial	Burial Sites Preservation Office 608-264-6507 or 800-342-7834
Utility project but no Department project	The Department
Department project	The Department
<b>Contaminated Soils, UST’s, LUST’s, etc.</b>	The Department
Local Department of Natural Resources Office <sup>1</sup>	See Section 96.96 in the county’s addendum for contacts
Utility project but no Department project	The Department
Department project	The Department

1. Required under Wisconsin law.

The Department will notify the utility when it can resume its operation.

**F. Utility Facility Placement Options**

When environmental conditions are discovered in the right-of-way, the Department of Natural Resources (DNR) or State Historic Preservation Office (SHPO) shall determine whether a utility can locate its facility within the affected area. Based upon their decision, the following may occur:

1. The utility entirely avoids the affected area:
  - a. The DNR or SHPO mandates that the area shall be left in its natural state, and no utility facilities shall be allowed in the area.
  - b. The utility decides that it wants to locate in another area and avoid possible delays to its project due to site assessments, remediation, mitigation, or the possible decision noted in 1a.

**F. Utility Facility Placement Options (continued)**

2. The utility can locate around or through the affected area:
  - a. The DNR or SHPO orders the site to be completely remediated or mitigated before any utility installation can take place. The utility would then have a clear corridor in which to locate its facility.
  - b. The DNR or SHPO decides that the area can be left in its natural state, but any area that is disturbed or affected by the utility operation (based upon DNR's or SHPO's assessment) has to be remediated or mitigated. The utility may also elect to go around the area, if possible, and avoid remediation or mitigation after getting approval for a permit revision.
  - c. The DNR or SHPO decides that the area can be left in its natural state, and the conditions do not have to be remediated or mitigated as long as the utility exercises extreme care to avoid any significant disruption to the area. In the case of an archeological or historical site, a utility may be allowed to place a facility in an area that was already disturbed. In the case of a hazardous materials site, a utility would have to utilize construction methods that would prevent any contamination from spreading.

Unless the Department has taken charge of the remediation or mitigation process due to a Department project, a utility that decides to locate its facility through an affected area, as described in 2a, b, and c, shall document in its permit application that it has contacted the DNR or SHPO and has received the proper authorization to locate in the area along with its proposed construction methods. The utility will be responsible for all associated costs.

**G. Financial Responsibility**

When a utility performs an initial site assessment on Department right-of-way - either with a project of its own or because a Department project is not required to obtain environmental information - the utility shall bear the cost of the assessment. If an environmental site is exposed, a DNR assessment must be performed. No matter who performed the initial assessments or even if they were not done, a utility that discovers any environmental conditions shall not be responsible for assessment, mitigation, or remediation costs provided it had complied with Section E of this policy and avoids the site by placing its facility in another permitted location. The following table specifies who may have to pay for assessment, mitigation, or remediation costs depending upon the situation:

<b>FINANCIAL RESPONSIBILITY TABLE</b>	
Utility Discovers Environmental Conditions while Working on Department of Right-of-Way AND DECIDES TO LOCATE IN THE AFFECTED AREA	
Category/Activity	Who Pays for the Activity?
<b>Archeological Sites or Historic Structures</b>	
A) Site Assessments (Identification or evaluation surveys) <sup>1</sup>	
- Utility project but no Department project	Utility
- Department Project	Utility or Department <sup>2</sup>
B) Mitigation <sup>1</sup>	
- State Historic Preservation Office order	Utility
- No State Historic Preservation Office order	Utility
<b>Contaminated Soils, UST's, LUST's, etc.</b>	
C) Site Assessments	
- Utility project but no Department project	RP <sup>4</sup> or Department or Utility <sup>3</sup>
- Department Project	RP <sup>4</sup> or Department or Utility <sup>3</sup>
D) Remediation	
- Department of Natural Resources order	RP <sup>4</sup> or Department or Utility <sup>3</sup>
- No Department of Natural Resources order	Utility
<p>1. Department policy is to <b>not</b> spend available resources for assessments or mitigation, but rather to preserve archeological sites and historic structures in place. This is in accordance with Section 106 of the National Historic Preservation Act.</p> <p>2. Applicable only when the Department is required to obtain environmental information for its project.</p> <p>3. <u>Specifically</u>, if a utility fails to comply with Section E of this policy, it may be responsible for a percentage of the costs depending upon how much worse the situation became due to the utility's action.</p> <p>If the Department is <b>not</b> the RP<sup>4</sup>, then a utility which incurs costs due to encountering contaminated soils, UST's or LUST's will have to recover them from the RP<sup>4</sup>.</p> <p>4. RP = Responsible Party (owner of the source of the hazard as determined by DNR)</p>	

Effective: August 21, 2012	96.00 Utility Accommodation 96.10 Permit Requirements
Supersedes: January 1, 2000	
By: County Highway Commissioner	
Page 1 of 1	

**A. Need for a Permit**

A utility shall obtain a permit from the Department before any use or occupancy of Department highways is allowed. This includes utilities that want to occupy an existing pole line or duct system (e.g. CATV attaching to another utility company’s existing poles). Exceptions to this are enumerated in Policies 96.61 through 96.64.

**B. Permit Authorization to Use and/or Occupy Right-of-Way**

By issuance of a permit, the Department formally indicates that, subject to all applicable permit conditions, a specified use and/or occupancy of right-of-way is not adverse to the highway interests at the time of the permit approval.

The Department does not warrant that public title to the right-of-way is free and clear, does not certify that it has sole ownership, and does not indicate any intention to defend the utility in its peaceful use and occupancy of said lands.

The permit does not transfer any land, nor give, grant, or convey any land right, right in land, or easement subject to applicable statutes.

Written authorization from the Department does not relieve the utility from compliance with all applicable federal and state laws and codes and local laws and ordinances which affect the design, construction, materials, or performance of its work. The Department’s authorization shall not be construed as superseding any other governmental agency’s more restrictive requirements.

The utility should retain a copy of the permit in its files during the entire time the facility is located in, over, or under the Department’s right-of-way and shall have a copy available at the job site during construction.

All utility permits issued by the Department are revocable for cause as provided herein. Policy 96.07 highlights the steps that may be used by the Department in order to revoke a permit.

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation 96.10 Permit Requirements 96.11 Required Information
<b>Supersedes:</b> January 1, 2000	
<b>By:</b> County Highway Commissioner	

**A. General Policy**

A utility’s request to use and occupy the right-of-way cannot be considered until adequate information is provided regarding its proposed work. The amount of detail will vary with the complexity of the installation and the highway involved, but must include the appropriate permit application form, dimensioned drawings or sketches, and installation information so that the effect of the highway operation, traffic safety, and visual qualities can be evaluated.

**B. Permit Application Form**

Utilities shall only use the single-page permit application form which is made by the Department. Alteration of the permit application form by the applicant is prohibited and shall be just cause for application rejection or permit revocation.

The current County permit application form is shown on Page 22 and can be duplicated as needed.

One original permit application form, with an authorized signature, plus two copies of the drawings, sketches, or installation information shall be submitted per application to the Department. The telephone and pager number of the applicant’s local contact person and person in charge of construction shall be included on each permit application form.

See Policy 96.12 on Page 20 for annual service connection permit information.

**C. Permit Limits**

The permit application form shall include the limits (project endpoints) of all proposed work. If the utility facility extends into more than one county, a separate permit application form shall be submitted for each county.

The permit authorizes only the described work of and for the applicant indicated on the face of the permit. The permit shall not grant authority for the present or future installation of any other facility.

**D. Permit Drawings**

Each permit application shall contain adequate drawings showing the proposed location of the utility facility within the right-of-way with respect to the existing highway or any proposed highway improvement and any existing utility facilities. The details shall include dimensions from the proposed utility installation to the commonly accepted right-of-way line and edge of the traveled way.

**D. Permit Drawings (continued)**

For highway crossings, a cross-section detail showing depth of bury or overhead clearance is required along with the location of any bore pits (if needed). A distance reference from the crossing to the nearest public roadway intersection is also required. Land ties (e.g. approximate distance from the proposed facility to side road intersection(s), county line, etc.) shall be submitted with all permit application drawings.

**E. Installation Information**

The utility shall provide the following installation information:

1. This information shall include, but is not limited to, a general description of the location, size, type, nature, and extent of the utility facilities to be installed or to be adjusted, and the impact on the utility's existing facilities to remain in place within the right-of-way.
2. The Department may require a utility to provide a description of proposed construction procedures, special traffic control and protection measures, proposed access points, coordination of activities with the highway contractor, or trees to be removed.
3. When an attachment to a structure is proposed, the Department shall request additional information. This information may include, but is not limited to, bridge number, weight of lines, hanger spacing, hanger details, and expansion/contraction details.

See Policy 96.23 for additional requirements regarding structure attachments.

**F. English Units**

The Department is expecting to work exclusively with English units which shall be used on all permit application forms and submittals.

Effective: August 21, 2012	96.00 Utility Accommodation 96.10 Permit Requirements
Supersedes: January 1, 2000	96.12 Annual Service Connection Permit (ASCP)
By: County Highway Commissioner	
Page 1 of 4	

**A. General Policy**

A utility shall obtain a permit from the Department before installing any type of service line that requires a connection from an existing distribution facility within the right-of-way. However, the Department recognizes that a utility must respond promptly to its customers when they request service connections for their homes or businesses. In order to help expedite the process, a utility may apply for an annual service connection permit (ASCP) from the Department which bypasses the normal permit approval process and fax each proposed service location permit.

This policy does not affect Policy 96.05, Emergency Work. Approvals for emergency service connections should still be handled by a phone call to the Department.

All work described in this policy shall comply with the entire Utility Accommodation Policy. An ASCP issued to a utility does not supersede the authority of other governmental agencies' more restrictive requirements.

**B. Application Information**

A utility shall use the Department's standard permit application form (see Figure 1 on Page 22) to apply for an ASCP which shall be sent to the Department for review. The ASCP shall only be effective during the calendar year and in the county in which it is issued. Hence, a utility may want to obtain additional ASCP's if its service territory crosses county boundaries. A copy of the ASCP shall be kept on the job site at all times.

The Department may reject an ASCP application if a utility has been delinquent in rectifying previous or current installations which violate the Policy (e.g. site restoration). In addition, the Department may suspend or permanently revoke an ASCP due to Policy violations.

**C. Coverage**

The ASCP shall pertain to **service connections only**. In addition, an extension of the existing distribution line up to 300 feet is allowed to facilitate the installation of the service. Both overhead and underground short-side (same side of highway and the distribution line) service connections are allowable. See Figures 2 and 3 on Page 23. Long-side (opposite side of highway as the distribution line) service connections are also allowable, but may be limited to underground installations. See Figures 4 and 5 on Page 23.

**D. Implementation**

Once an ASCP has been approved by the Department, a utility shall implement the following process to obtain approval for installing a service connection. A utility shall submit, by fax or other method, a location sketch of the proposed service for Department review at least three business days prior to the start of the work. A copy of the utility's work order may be sufficient for this. The information provided shall include the:

**D. Implementation (continued)**

1. Utility's ASCP number.
2. County name and town, range, and section numbers.
3. Distance from the nearest intersection to the service line.
4. Name of the utility and employee who needs the Department's reply along with that person's telephone and fax numbers.

An ASCP does not authorize a utility to start work. The highway commissioner or his/her designee shall notify the utility within three working days of receipt of the utility service connection request when it is okay to proceed with the proposed service work - usually by telephone or return fax unless another method is specified by the utility. If the utility does not hear from the highway commissioner or designated representative prior to commencing work, it should call the Department.

**E. Work Restrictions**

If a utility cannot meet **all** of the conditions listed below, then it shall obtain a regular permit for that specific service connection. Under an ASCP, all work shall be done:

1. Without any interference or disruption to traffic. Exceptions may be granted for low-volume (500 ADT or less), two-lane rural highways.
2. Without open cutting the pavement, paved shoulders, or medians.
3. For long-side connections, using untrenched construction techniques only. Any boring machine that is used shall not be guided from the highway surface. The use of the median area is prohibited per Policy 96.24.B - even to check or guide the boring machine. Boring shall be accomplished no closer to the highway than the toe of inslope or back of curb in accordance with Policy 96.53.B. The bore shall be perpendicular to the highway.

Overhead, long-side service connections may be allowed on low-volume (500 ADT or less), two-lane rural highways during off-peak travel hours. The use of a law enforcement officer to stop traffic may be required.

FIGURE 1

COUNTY HIGHWAY DEPT  
APPLICATION/PERMIT to CONSTRUCT, OPERATE,  
and MAINTAIN UTILITIES WITHIN HIGHWAY  
RIGHT-OF-WAY

Applicant/Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
Office Phone: \_\_\_\_\_  
Local Phone & Pager: \_\_\_\_\_  
Plans Prepared By: \_\_\_\_\_  
Preparer's Phone: \_\_\_\_\_

LOCATION INFORMATION	
Highway(s):	_____
Town/Village/City of:	_____
_____ ¼ of the _____ ¼ Sec _____ T _____ N _____ R _____ E	
ADDITIONAL INFORMATION	
Annual Service Connection Permit?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Utility Work Order #	_____
Fee Required?	<input type="checkbox"/> Yes <input type="checkbox"/> No Amount \$ _____

DESCRIPTION OF PROPOSED WORK (Check and fill out all that apply)

UTILITY TYPE:  Electric  Gas/petroleum  Communications  Water  Sanitary sewer  Private line  
 Transmission  Distribution  Service Facility Size/Capacity: \_\_\_\_\_  
(diameter, # fibers, psi, Kv, etc.)

ORIENTATION:  Overhead  Underground  Parallel to hwy centerline  Hwy crossing  Bridge attachment  Tunnel

WORK TYPE:  New construction  Improve/repair existing  Maintenance  Removal  Abandon in place

CONSTRUCTION METHOD(S):  Plow  Trench  Bore  Suspend on poles/towers  Open cut hwy  Cased  
 Tree cutting/removal  Chemical treatment of trees/brush Erosion Control Designation:  Major  Minor

Provide additional narrative if needed: \_\_\_\_\_

NAME AND PHONE NUMBER OF UTILITY REPRESENTATIVE  
RESPONSIBLE FOR CONSTRUCTION: \_\_\_\_\_

Estimated Starting Date: \_\_\_\_\_ Estimated Completion/Restoration Date: \_\_\_\_\_

The Applicant understands and agrees that the permitted work shall comply with all permit provisions and conditions of the Utility Accommodation Policy of the above-named county in effect at the time of this application, and with any special provisions listed below or attached hereto, and any and all plans, details, or notes attached hereto and made a part thereof.

By: \_\_\_\_\_ (Signature of Applicant/Company Authorized Representative) \_\_\_\_\_ (Title) \_\_\_\_\_ (Date)

(Typed/Printed Name of Person Signing Above or Electronic Signature Code) (Authorized Applicant/Company Representative Telephone Number)

DO NOT WRITE BELOW THIS LINE

PERMIT APPROVAL BY PERMITTING AUTHORITY

The foregoing application is hereby approved and permit issued by the Permitting Authority subject to full compliance by the Applicant with all provisions and conditions stated in the Utility Accommodation Policy of the above-named county including the Indemnification as included in 96.03 of the WCHA Utility Accommodation Policy in effect on the date of this application.

Supplemental Provisions Attached: \_\_\_ Yes \_\_\_ No

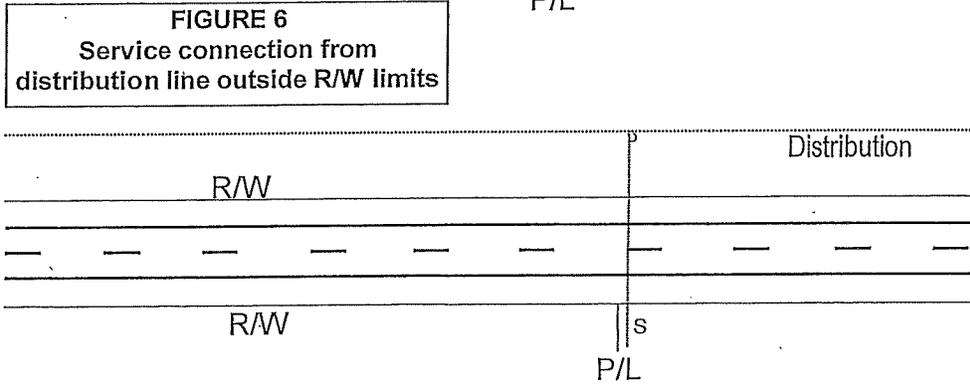
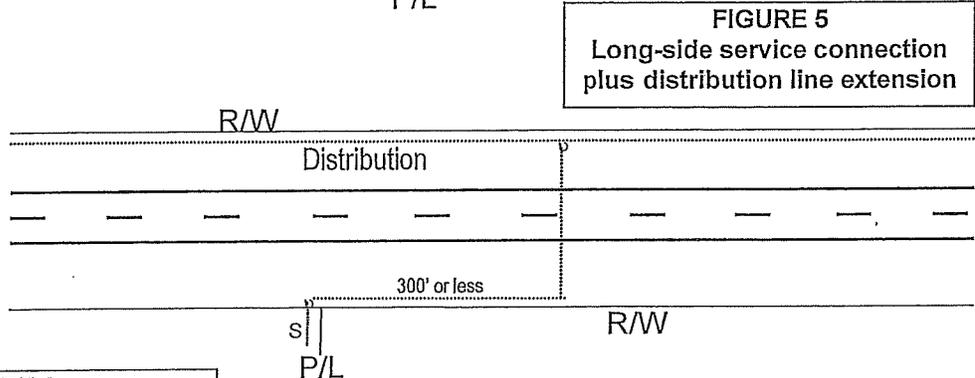
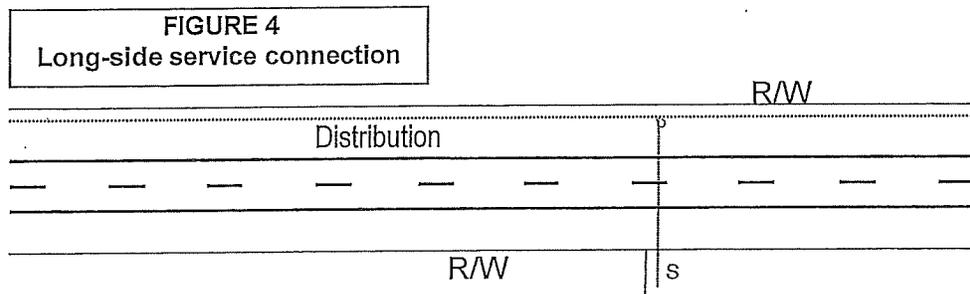
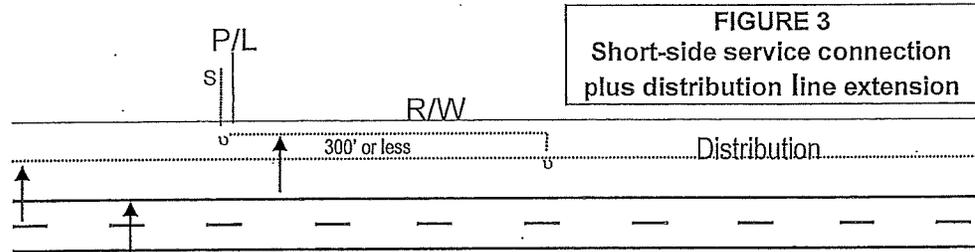
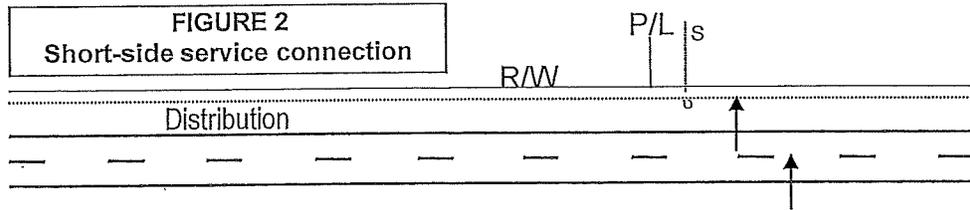
By: \_\_\_\_\_ (Authorized Representative for County)

\_\_\_\_\_ (Title) \_\_\_\_\_ (Date)

Date Revised: 1/5/01 clm

FEE RECEIVED: \$	_____
CHECK NUMBER:	_____
DATE ISSUED:	_____
HWY PROJECT #:	_____
PERMIT NUMBER:	_____

KEY: R/W = right-of-way P/L = property line S = service v = pedestal, pole or valve



**WCHA UTILITY ACCOMMODATION POLICY****Policy 96.90**

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation 96.90 Appendices
<b>Supersedes:</b> January 1, 2000	
<b>By:</b> County Highway Commissioner	
Page 1 of 1	

The following suggested sections may be included with this policy by individual counties to provide the user with additional information:

- 96.91 County Map.
- 96.92 County Staff Directory (list of Department utility contacts and sheriff/law enforcement contacts).
- 96.93 Sample Permit Application Form.
- 96.94 Highway Clearance Diagram.
- 96.95 Backfilling Detail.
- 96.96 DNR Region Service Centers.
- 96.97 Environmental Conditions Discovery Checklist.
- 96.98 Completion Form.

**WCHA UTILITY ACCOMMODATION POLICY**

Policy 96.64

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation 96.60 Specific Requirements 96.64 Private Utility Facilities
<b>Supersedes:</b> January 1, 2000	
By: County Highway Commissioner	
Page 1 of 1	

**A. General**

Private utility-type facilities may be allowed to cross Department highways and are not subject to approval by the Federal Administration (FHWA).

All private utility facilities shall follow the requirements of the Policy and shall be designed, constructed, operated, and maintained as described in the specific policies for communications, electric, fluid or gas lines, whichever more closely resembles the facility.

**B. Occupation Fees**

Private utility installations may be assessed a fee by the Department for right-of-way crossing or occupation. The fee for each installation shall be determined on a case-by-case basis and may be based upon, but not limited to, the following:

1. The value of the facility.
2. Complexity of the installation.
3. Department review time.
4. Comparison with the value of private easements adjacent to the proposed location.
5. Comparison with fee schedules for other similar utility installations in Wisconsin and across the nation.

**C. Additional Requirements**

Based upon the proposed private utility installation's potential for damage to the highway, adjacent right-of-way, or the environment, the Department may require the following to be submitted with a permit application form:

1. Evidence of commercial general liability, workers compensation and employer's liability, and commercial motor vehicle liability insurance.
2. A certificate of insurance which names the Department as an additional insured.
3. Approval from the Department of Natural Resources that the project will have no significant impact upon the environment.

**F. Maintenance Activities (continued)**

5. Valve maintenance (activation check, grease, replacement, etc.).
6. Line purging.
7. Exposed line survey and maintenance (on bridges, exposed valve assembly, etc.).
8. Line locates and facility marking.
9. Up rating pressure of main (monitoring).
10. Abandonment of underground facilities in place shall comply with 96.06(B) of this policy.
11. Pit (vault) maintenance (water removal, painting, minor modifications).
12. Minor cutouts and repair of lines (installation of clamps, welds, etc.).
13. Cathodic protection checks and related repair.
14. Sign and marker installation/replacement.
15. Relief vent line inspections.
16. Maintenance and repair of telemetering equipment.
17. Land surveying.
18. Painting aboveground facilities.
19. Grass cutting or snow plowing.
20. Trim trees or remove brush for existing line.

## D. Special Treatment of Pipelines

### 1. General Policy

Special treatment of pipelines beneath highways, including interstates and other freeways and including any median, should not be required provided the pipe would be installed by jacking and/or dry boring the carrier pipe to an essentially snug fit.

### 2. Special Treatment

The Department shall require special treatment such as casing, cathodic protection, thickened wall carrier pipe, coating and wrapping, concrete sleeves, or caps of particular pipe crossings if, in the determination of the Department, such installation shall be more protective of the highway or of the safety and convenience of the traveling public. Some examples of locations where special treatment may be required include, but are not limited to, the following:

- a. Locations where a pipeline (whether crossing or a portion of pipe paralleling the highway) would pass in close proximity to a substructural part of a highway structure. This refers to pipes underground and not to pipes suspended on a highway structure, the latter of which should not require special treatment.
- b. Locations where a pipeline would pass beneath the slope wall below a highway structure.
- c. Locations where restraints inhibit a pipe from being placed or remaining at the depth required by code.
- d. Locations where the ground conditions are known to be particularly unstable.
- e. Locations where restraints inhibit a water pipe from being placed or remaining below the frost line.

## E. Attachments to Structures

Pipelines that will be attached to a highway structure shall not exceed a maximum internal pressure of 150 PSIG. Pipelines carrying pressures in excess of 150 PSIG shall be considered only if no other alternative location off the structure is feasible.

## F. Maintenance Activities

Certain maintenance and other types of utility activities are considered minor in nature and shall be allowed to be performed without an additional permit. However, should any of these selected maintenance activities be performed on facilities located within freeway right-of-way or significantly impact the free flow of traffic on any other highway (closure of a travel lane, diversion of traffic, etc.), a permit shall first be obtained from the Department.

### No additional permit required for:

1. Leak surveys (vehicle or walk patrol), line patrolling.
2. Pressure surveys (gauge check or setting of charts).
3. Odorant checks.
4. Regulator maintenance (change out, lockup check, spring change, etc.).

Effective: August 21, 2012	96.00 Utility Accommodation 96.60 Specific Requirements 96.63 Fluids and Gases
Supersedes: January 1, 2000	
By: County Highway Commissioner	

**A. Standards**

The minimum standards for the design, construction, operation, and maintenance of fluid- and gas-type utility facilities shall be those embodied in the Wisconsin Administrative Code for each of the various utilities and phases of utility activities covered therein. When the codes, ordinances, or laws of governmental agencies having jurisdiction are more restrictive, they shall govern.

In addition to the Wisconsin Administrative Codes and local governmental regulations, the utility installations shall at least meet the following requirements:

1. Water lines shall conform with the currently applicable specifications of the American Water Works Association and the Standard Specifications for Water and Sewer Construction in Wisconsin.
2. Pressure pipelines shall conform with the currently applicable requirements of Title 49, Code of Federal Regulations of the Office of Pipeline Safety.
3. Liquid petroleum pipelines shall conform with the currently applicable recommended practice of the American Petroleum Institute for pipeline crossings under railroads and highways.
4. Sanitary and storm sewers shall conform with the currently applicable specifications of the Standard Specifications for Water and Sewer Construction.

**B. Irrigation and Drainage Pipes, Ditches, and Canals**

Irrigation and drainage facilities installed across the right-of-way generally shall be designed and constructed in accordance with the Wisconsin Department of Transportation's specifications as shown in Chapter 16, Standard Detail Drawings, of the Facilities Development Manual. Appurtenances which would constitute a hazard to traffic shall not be permitted within the clear zone and should be located outside of the right-of-way. Where ditch rider roads are adjacent to ditches or canals that cross the highway, consideration shall be given to safety, traffic, operations, and economic features when providing for the continuity of such roads.

**C. Requirements for Appurtenances**

Vent standpipes are not required for casings but when used, the vent shall be located and constructed to not interfere with maintenance of the highway nor be concealed by vegetation. These pipes should stand near a fence or the right-of-way line.

If drains are provided for casings, tunnels, or galleries enclosing carriers of liquids, liquefied gases, or heavy gases, they shall not outfall into highway ditches or natural water courses.

**E. Maintenance Activities (continued)**

24. Replace outdoor lighting bulbs and cleaning glass.
25. Repair or replace outdoor lighting control.
26. Reset time clock or control switch.
27. Replace pole tags or signs.
28. Reinforce existing pole.
29. Mark location of proposed pole/proposed cable.
30. Grass cutting or snow plowing
31. Trim trees or remove brush for existing line.
32. Sign and marker installation/replacement.
33. Minor repair of lines (splice, etc.).
34. Replace/remove line in existing duct.
35. Repair or replace overhead service.
36. Reading service meters (access from expressway or free shoulders is allowed during non-peak rush hours only).
37. Locate buried facilities.
38. Surveying and resetting reclosures.
39. Abandonment of underground facility shall be performed in accordance with 96.06(B) of this policy.

**E. Maintenance Activities (continued)**

No additional permit is required for:

1. Switching.
2. Fuse replacement.
3. Transformer replacement.
4. Crossarm, bracket, and hardware repair/replacement.
5. Add anchor, guy, or brace between pole and right-of-way line or no closer to traveled way than pole.
6. Trench a pole to maintain or increase roadside clearance.
7. Replace pole, same location, maximum of 10 poles per 5-mile section.

*Note: Once a new pole is installed, all attached facilities (electric, telephone, CATV, etc.) shall be transferred to the new pole and the old pole removed within 60 days. The old pole shall be completely removed in accordance with Policy 96.54(A).*

8. Repair or replacement of overhead conductor 2 spans or less.
9. Line patrolling.
10. Manhole inspection (includes water removal, cable tagging, minor modifications, etc.).
11. Electrolysis surveys.
12. Test for location of underground lines.
13. Paint poles, towers, or crossarms.
14. Straighten pole, crossarm, or brace.
15. Test or treat existing pole.
16. Clean insulators.
17. Remove debris from overhead line.
18. Repair or add grounds.
10. Resag, reattach, or rearrange conductor.
20. Sample or test insulating oil.
21. Repair cable bonding.
22. Install or remove transformer or regulator.
23. Survey lines.

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation 96.60 Specific Requirements 96.62 Electric
<b>Supersedes:</b> January 1, 2000	
<b>By:</b> County Highway Commissioner	

**A. Standards**

The minimum standards for the design, construction, operation, and maintenance of electric-type utility facilities shall be those embodied in the Wisconsin Administrative Code for each of the various utilities and phases of utility activities covered therein. When the codes, ordinances, or laws of governmental agencies having jurisdiction are more restrictive, they shall govern. When neither the Wisconsin Administrative Codes or the local governmental regulations apply, the electrical power facility shall at least conform with the currently applicable National Electrical Safety Code.

**B. Additional Permit Information**

For transmission-type installations, the permit application form shall specify the proposed operating voltage or voltages.

**C. Type of Construction**

For aboveground (overhead) installations, the following should be considered:

**1. Single Pole**

Joint use single pole construction should be used:

- a. At locations where more than one utility or type of facility is involved.
- b. When the right-of-way widths approach the minimum needed for safe operations or maintenance requirements.
- c. When separate installations require extensive removal or alteration of trees.

**D. Down Guy Locations**

Guy wires to ground anchors and other supporting or bracing devices shall not be placed between a pole and the traveled way where they would encroach upon the clear zone unless specifically authorized by the Department utilizing breakaway technology.

**E. Maintenance Activities**

Certain maintenance and other type of utility activities are considered minor in nature and shall be allowed to be performed without an additional permit same as 96.61(D). However, should any of these selected maintenance activities be performed on facilities located within freeway right-of-way (except #37) or significantly impact the free flow of traffic on any other highway (closure of a travel lane, diversion of traffic, etc.), a permit shall first be obtained from the Department.

**D. Maintenance Activities (continued)**

24. Reinforce existing pole.
25. Mark location of proposed pole; proposed cable.
26. Grass cutting or snow plowing.
27. Trim trees or remove brush for existing line.
28. Minor repair of lines (installation of buried splices, etc.)
29. Sign and marker installation/replacement.
30. Replace/remove line in existing duct.
31. Surveying and resetting reclosures.
32. Abandonment of underground facilities shall be done in accordance with 96.06(B) of this policy.

**D. Maintenance Activities (continued)**

No additional permit is required for:

1. Repair or replacement of overhead service wire.
2. Repair or replacement of overhead cable and terminal hardware two spans or less.
3. Replace pole, same location, maximum of 10 poles per 5-mile section.

*Note: Once a new pole is installed, all attached facilities (electric, telephone, CATV, etc.) shall be transferred to the new pole in a timely manner. The old pole shall then be completely removed in accordance with Policy 96.54(A).*

4. Locate buried facilities.
5. Stake route for proposed buried cable.
6. Connect and test wiring at buried cable pedestal locations.
7. Crossarm, bracket, and hardware repair/replacement.
8. Add anchor, guy, or brace between pole and right-of-way line or no closer to traveled way than pole.
9. Trench a pole to maintain or increase roadside clearance.
10. Repair or replace overhead conductor 2 spans or less.
11. Line patrolling.
12. Inspection of manholes (includes water removal, cable tagging, and minor modifications, etc.).
13. Electrolysis surveys.
14. Test for location of underground lines.
15. Paint poles, towers, or crossarms.
16. Straighten pole, crossarm, or brace.
17. Test or treat existing pole.
18. Remove debris from overhead line.
19. Repair or add grounds.
20. Resag, reattach, or rearrange conductor.
21. Repair cable bonding.
22. Survey lines.
23. Replace pole tags and signs.

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation 96.60 Specific Requirements 96.61 Communications
<b>Supersedes:</b> January 1, 2000	
<hr/> By: County Highway Commissioner <span style="float: right;">Page 1 of 3</span>	

**A. Standards**

The minimum standards for the design, construction, operation, and maintenance of communication-type utility facilities shall be those embodied in the Wisconsin Administrative Code for each of the various utilities and phases of utility activities covered therein. When the codes, ordinances, or laws of governmental agencies having jurisdiction are more restrictive, they shall govern. When neither the Wisconsin Administrative Codes nor the local governmental regulations apply, the communication facility shall at least conform with the currently applicable National Electrical Safety Code.

**B. Type of Construction**

For aboveground (overhead) installations, the following should be considered:

**1. Single Pole**

Any longitudinal installations of overhead lines within the right-of-way should utilize single pole construction.

**2. Joint Use**

Joint use pole construction should be used:

- a. At locations where more than one utility or type of facility is involved.
- b. When the right-of-way widths approach the minimum needed for safe operations or maintenance requirements.
- c. When separate installations require extensive removal or alterations of trees.

**C. Down Guy Locations**

Guy wires to ground anchors and other supporting or bracing devices shall not be placed between a pole and traveled way where they would encroach upon the clear zone unless specifically authorized by the Department utilizing breakaway technology.

**D. Maintenance Activities**

Certain maintenance and other type of utility activities are considered minor in nature and shall be allowed to be performed without an additional permit provided that such maintenance shall be performed in accordance with this policy. However, should any of these selected maintenance activities be performed on facilities located within freeway right-of-way or significantly impact the free flow of traffic on any other highway (closure of a travel lane, diversion of traffic, etc.), a permit shall first be obtained from the Department.

**WCHA UTILITY ACCOMMODATION POLICY****Policy 96.60**

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation 96.60 Specific Requirements
<b>Supersedes:</b> January 1, 2000	
<b>By:</b> County Highway Commissioner	
Page 1 of 1	

The following sections, 96.61 through 96.64, cover the various specific requirements relevant to communications, electric, fluids and gases, and private utility facilities.

**D. Minor Projects (continued)****1. Definition (continued)**

1. Overhead crossings.
2. Pole installations
3. Plowing operations.
4. Trenching operations.
5. Any project adjacent to a waterway which is classified as "routine" under the DNR Waterway Crossings Agreement.
6. Hand digging.
7. Small boring operations (moles).
8. Small open pavement/shoulder cuts.

The DNR defines "routine" water crossings as commonly simply plowed-in or directional bored crossings.

**2. Guidelines for Erosion Control**

The utility shall respond to any soil disturbance by promptly replacing the soil and topsoil and/or temporary seeding and mulching the soil. This includes repairing equipment and vehicle tracks which also may disturb soil.

Erosion control devices such as hay or straw bales and silt fence shall be present at the job site or be immediately accessible in case changing weather conditions force a utility to take immediate action to protect bare or loose soil. Soil piles left overnight shall be covered or protected with silt fence, etc. to prevent possible runoff.

### C. Major Projects (continued)

Drawings for some erosion control devices are also available in FDM Chapter 16. Joint Department/utility field meetings may also be needed to review proposed erosion control and storm water management plans.

*All required erosion control and storm water management measures shall be installed at the job site prior to the commencement of work. The utility shall notify the Department at least 24 hours before the installation of the measures. The utility should check the box on the permit application form indicating that it is aware of the notification requirement.*

**Comment:** It is evident that with minor projects there is no need for a utility to have erosion control and storm water management measures in place prior to the start of construction. Therefore, prior notification to the Department is not required.

*After the installation of the permanent erosion control and storm water management measures is completed at a site or when the temporary erosion control and storm water management measures are no longer required for their intended purpose, the utility shall remove all temporary erosion control and storm water management measures. A utility should be aware that after the installation or alteration of a facility a considerable amount of time (e.g. one to three months) may lapse between restoration of the right-of-way and removal of temporary erosion control measures. The Department will not consider a utility project to be "final" until the right-of-way has been restored and all temporary erosion control measures have been removed. Failure to remove temporary erosion control measures shall be handled under the guidelines listed in Policy 96.07.*

*After completion of construction activities and the installation of permanent erosion control and storm water management measures, the utility shall promptly notify the Department which will render an inspection of the site. The purpose of this inspection is to ensure that all permanent erosion control and storm water management measures are adequate and functioning properly.*

The Department authorizes a utility to perform the once-per-week inspections required for a major project. The utility shall maintain a written record of the inspections and keep those notes on file for at least three years along with the utility's permit.

### D. Minor Projects

#### 1. Definition

The Department is aware of various utility operations that disturb minor amounts of soil or, in fact, no soil. These "minor" projects shall not require a formal erosion control plan; however, a utility shall follow the guidelines listed in the next section. **Minor projects are defined as excavations which will be restored in the same day or immediately the next day.** Examples of utility projects that may fall under the minor category include, but are not limited to, the following:

Effective: August 21, 2012	96.00 Utility Accommodation
Supersedes: January 1, 2000	96.50 Construction Requirements
	96.55 Erosion Control and Storm Water Management
By: County Highway Commissioner	
Page 1 of 3	

**A. Authority**

A utility shall assure that proper erosion control and storm water management measures are implemented at all times during work operations. The utility shall also be responsible for providing erosion control and storm water management measures to protect all restored areas upon completion of the project until the replacement vegetation achieves sustained growth.

**B. Implementation**

The Department has divided utility operations into two categories -- minor and major -- for the purpose of determining erosion control and storm water management plan requirements. **When submitting its permit application form, a utility shall check the appropriate box for the category in which it feels the proposed operation belongs.** Based upon the information submitted, the Department has the option to change the category.

Should a change become necessary, the utility has some options. If the change is from the minor to major category, the utility may elect to submit an erosion control plan. It could also amend or revise and resubmit its permit application form provided a change in work methods could place the utility operation into the minor category. If the change is from major to minor, the utility may still use its proposed erosion control plan.

**C. Major Projects**

**1. Definition**

Major projects are defined as excavations which will **not** be restored in the same day or immediately the next day. Examples of utility projects that may fall under the major category include, but are not limited to, the following:

1. Grading on right-of-way.
2. Large, open pavement/shoulder cuts.
3. Large boring operations and boring pits.
4. Trenching operations.
5. Any project adjacent to a waterway which is not classified as "routine" under the DNR Waterway Crossings Agreement.

**2. Specific Guidelines**

Some key elements are highlighted as follows:

*A utility shall submit an erosion control plan along with its permit application form. The plan may be either in written or pictorial format or both formats.* A utility may use Chapter 10 of the Wisconsin Department of Transportation's Facilities Development Manual (FDM) or WCHA (DNR approved) Standard Erosion Control Plan as a guide in the proper selection, installation, and maintenance of erosion control and storm water management measures. Standard Detail

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation 96.50 Construction Requirements 96.54 Cleanup and Restoration
<b>Supersedes:</b> January 1, 2000	
<b>By:</b> County Highway Commissioner	
Page 1 of 1	

**A. Work Site Cleanup**

All debris, refuse, and waste resulting from the utility’s activities shall be removed from the site and the motorists’ view unless otherwise provided by the permit. Burning of cuttings, brush, or other debris shall not be permitted within the limits of the right-of-way. Also see Policy 96.50(G) regarding chip spreading.

All replaced poles shall be completely removed from the highway. No replaced pole shall be allowed to remain, in whole or in part, and it shall not be sawed off. The pole’s hole shall be properly backfilled and compacted. All anchor rods shall be removed or cut off one foot below ground level.

**B. Highway Restoration**

The utility shall be responsible for restoring the highway and the adjacent right-of-way to its original condition (as close as possible) **within two weeks** after completion of the facility installation. Exceptions may be allowed (e.g. in the case of bad weather) with prior approval from the Department. Failure of the utility to make prompt and satisfactory restorations of the highway or adjacent right-of-way may cause the Department to arrange for restoration by others at the utility’s expense.

Any curb, gutter, pavement, sidewalk, driveway, gravel base, ballast, shouldering material, or other highway element disturbed by the utility shall be restored to the qualities, grades, compactions, conditions, etc. in accordance with the Wisconsin Department of Transportation’s Standard Specifications for Highway and Structure Construction, current edition. Any subsequent heavings, settlements, or other faultings attributable to the permitted work shall be repaired in a manner satisfactory to the Department at the utility’s expense. Section 96.95 Backfilling Details in the county’s addendum shall be used as a guide for backfilling excavation operations.

Any turfed area of the highway disturbed by the utility shall be restored with topsoil to the depth that existed prior to construction within the right-of-way and reseeded to perennial grass or sodded to the satisfaction of the Department. Trees or vegetation which are damaged or destroyed shall be replaced in-kind unless specified in the utility’s permit. Once replaced, the utility shall also maintain turfed areas, trees, and vegetation until they achieve sustained growth.

If, in the opinion of the Department, the permitted work or facilities are found to obstruct highway drainage, unduly increase the difficulty of highway maintenance, or in any other manner adversely affect a highway interest, the utility shall, upon notice, cure the fault as directed and restore the highway facility to the satisfaction of the Department.

**C. Non-Metallic Lines**

Any non-metallic pipe, cable, or other kind of utility line which lacks a continuous and integral metallic component capable of detection by locating instruments shall be accompanied in its location by a continuous detectable metallic tracer wire or metallic tape.

**D. Casing**

Where crossings by underground lines are encased in protective conduit or duct, the encasement shall extend at least two feet beyond the toe of slope or three feet beyond the ditch line. On curbed sections it shall extend at least outside the outer curbs.

Effective: August 21, 2012	96.00 Utility Accommodation
Supersedes: January 1, 2000	96.50 Construction Requirements
	96.53 Special Provisions
By: County Highway Commissioner <span style="float: right;">Page 1 of 2</span>	

**A. Trenched Construction**

Trenched construction and backfill shall provide for the:

1. Restoration of the structural integrity of the highway facility (see Section 96.95 Backfilling Details in the county’s addendum).
2. Security of the facility against deformation likely to cause leakage.
3. Assurance against the trench entrapping excessive moisture or becoming a drainage channel.
4. Assurance against highway drainage being blocked by the backfill.

When necessary, trenches for underground utility facilities shall be backfilled with material excavated from the trench and necessary outlets shall be provided to prevent entrapment of water. Underdrains shall also be provided where necessary.

The utility installation shall conform to the Wisconsin Department of Transportation’s applicable Standard Specifications for Highway and Structure Construction, current edition, for earthwork, culverts, or other utility work within the right-of-way.

The Department may require that backfill and repaving be performed by county forces at the expense of the utility.

**B. Untrenched Construction**

Untrenched construction shall be required for all underground utility crossings of all highways that have a paved surface and are open to traffic unless specifically authorized in the permit.

Untrenched installation of utility facilities may be accomplished by tunneling, driving, coring, and/or dry boring. Wet boring under the highway shall be prohibited unless specifically authorized in the permit.

Boring shall result in a close fit to the facility being installed. Untrenched construction shall, as a minimum, extend beneath the entire highway prism (from toe of inslope to toe of inslope or from back of curb to back of curb). Ground openings or pits for such work should be located outside of the clear zone and shall not interfere with highway drainage.

When specifically authorized by the Department, the extent of the untrenched crossing may be reduced or eliminated where such construction methods are impractical or physically restricted by the terrain.

**WCHA UTILITY ACCOMMODATION POLICY****Policy 96.52**

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation
<b>Supersedes:</b> January 1, 2000	96.50 Construction Requirements
	96.52 Work Site Safety
<b>By:</b> County Highway Commissioner	

Page 1 of 1

**A. General**

The utility is responsible to assure that the work site is secure against any hazard to the public at all times until all of the work is completed. Vehicles, equipment, and materials which are in active use at the work site shall be regulated by the utility as to assure consistently safe conditions.

Sheeting, shoring, bulkheads, or temporary/permanent concrete barriers, etc. may be ordered by the Department if considered necessary to protect the highway and the traveling public.

**B. Equipment/Material Storage**

Utility hardware or equipment which is located at the work site but not in immediate (same day) use should be stored in a safe location off of the right-of-way. If this is not practical, the equipment or material may be stored beyond the clear zone and as close to the fence or right-of-way line as possible.

**C. Vehicle/Equipment Visibility**

Vehicles and equipment shall have their high intensity flashing (strobe or revolving) and hazard warning lights operating when they are within the clear zone during work operations.

**D. Individual Conduct**

All Department, county, utility, and contractor personnel who are out of their vehicles and within the right-of-way should wear their retro-reflective safety vests at all times. During daytime hours only the use of a highly visible, non-reflectorized shirt or jacket is acceptable in lieu of a safety vest. Colors commonly used for these garments include, but are not limited to, lime-green and yellow-green.

## C. Traffic Control Selection

### 1. Factors

When selecting the appropriate traffic control, consideration shall be given to such factors as:

- |  |                                       |
|--|---------------------------------------|
| a. Physical characteristics of the road. | e. Posted speed limit.                |
| b. Available sight distance.             | f. Weather.                           |
| c. Traffic volume.                       | g. Light conditions.                  |
| d. Time of day.                          | h. Lane closure may require flagging. |

### 2. Long Term Duration

All stationary daytime utility work which takes longer than one hour to perform should utilize the six traffic control diagrams. The Department may require a more extensive traffic control plan if any of the following situations occur:

- a. Utility work performed during nighttime hours.
- b. Traffic control which is required overnight to protect the work zone(s) during non-work times.
- c. Utility work performed in a continuously moving work zone. This excludes moving from one stationary work zone to another.
- d. Utility work which cannot be adequately protected by using the six traffic control diagrams.

### 3. Short Term Duration

Daytime utility work that will be completed in one hour or less usually may not require the use of a formal traffic control plan or the six traffic control diagrams. The utility is still responsible for providing traffic control adequate to protect public safety.

As part of this traffic control, all utility vehicles shall have their high intensity flashing (strobe or revolving) and hazard warning lights operating. Additional traffic control such as guard (shadow) vehicles and impact attenuators may also be utilized.

Effective: August 21, 2012	96.00 Utility Accommodation 96.50 Construction Requirements 96.51 Traffic Control
Supersedes: January 1, 2000	
By: County Highway Commissioner	
Page 1 of 2	

**A. Authority**

All traffic control for utility work performed on Department highways shall abide by:

1. The current Wisconsin Manual on Uniform Traffic Control Devices (MUTCD) and any supplements thereto.
2. Section 643 in the current edition of the Wisconsin Department of Transportation’s Standard Specifications for Highway and Structure Construction.
3. Traffic control will be in accordance with appropriate diagrams found in the Wisconsin Department of Transportation Booklet titled “Work Zone Safety Guidelines for Construction, Maintenance, and Utility Operations, current edition”.
4. The specific provisions within this section.

The standards set forth in the Wisconsin MUTCD and any supplements thereto are minimum guidelines, and additional traffic control shall be used when necessary.

**B. General Policy**

All utility work shall be planned and prosecuted with full regard for safety and to keep interference with highway traffic to a minimum. On heavily traveled highways, utility work interfering with traffic may not be allowed during periods of peak traffic flow. Any such work allowed shall be planned so that closure of intersecting streets, road approaches, or other access points is minimized. No utility work shall begin until all required warning signs, devices, and methods adequate to protect the public are in place and fully functional. These shall be maintained until all utility work is completed.

All operations shall be performed without closing all or obstructing part of any highway traffic lane unless it is approved by the Department and proper traffic control is specified.

All warning signs shall have reflectorized sheeting which, **beginning January 1, 2003, shall comply with 643.2.12.2 of the Wisconsin Department of Transportation’s Standard Specifications for Highway and Structure Construction, current edition.** Warning signs shall be removed, covered, turned, or laid flat when workers or workers’ vehicles are not at the job site or when the signs’ messages are not relevant. All barricades and barrels shall be reflectorized with Type H reflective sheeting as a minimum. Cones used during nighttime operations shall be at least 28” in height and reflectorized.

**G. Vegetation (continued)**

Utilities should be aware of rare or endangered plant species or animal and insect species that feed off of native vegetation\* in the right-of-way that must be protected or avoided by law. Utilities may receive assistance in identifying these areas by calling the local Department of Natural Resources office (contact information has been provided in Section 96.96 DNR Service Center Location Information in the county's addendum). The chipping or grinding of trees may be allowed by the Department on a permit-by-permit basis. This includes spreading the resulting mulch evenly over the right-of-way such as not to leave mounds or humps or interfere with drainage.

\*For example, the Karner Blue Butterfly is currently an endangered species that feeds off the wild lupine plant.

**H. Completion Notice**

Upon completion of permitted work and restorations, written notice shall be filed with the Department within 10 calendar days of the completion date indicated on the face of the permit application form. A completion certificate has been provided in Section 96.98 in the county's addendum.

**I. Highway Signs**

A utility shall not remove any highway sign unless approved in its permit.

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation 96.50 Construction Requirements
<b>Supersedes:</b> January 1, 2000	
<b>By:</b> County Highway Commissioner	

**A. Permit at Job Site**

When the Department issues a permit to a utility for its proposed work, a complete copy of the permit shall be in the possession of the utility's work force, consultant, contractor, or subcontractor at all times when utility work is being performed within the right-of-way. This includes the Annual Service Connection Permit (see Policy 96.12) when appropriate.

**B. Use of Highway Median**

Any use of a highway median is prohibited unless specifically authorized by a permit. See Policy 96.24(B) for specific conditions that shall be met if median work is permitted.

**C. Use of Temporary Guard Poles**

No guard pole shall be set within the right-of-way unless specifically authorized by a permit. By definition, a guard pole is used to prevent aerial lines from falling onto the traveled way. Any guard poles permitted in the clear zone shall comply with Policy 96.20(D).

**D. Unexpected Field Conditions**

Any modification of the terms of the approved permit to meet changed or unexpected field conditions shall require prior approval from the Department.

**E. Blasting**

Blasting on the right-of-way is prohibited unless specifically authorized by a permit.

**F. Survey Markers**

No Department survey marker (e.g. right-of-way marker, benchmark, etc.) shall be disturbed unless prior approval has been obtained from the Department. In addition, other survey markers [e.g. United States Geological Survey (USGS), County, etc.] located in Department right-of-way shall not be disturbed unless prior approval is obtained from their owner(s).

Any Public Land Survey (PLS), Certified Survey Map (CSM), or Department survey marker that is disturbed, removed, or destroyed shall be restored by the utility at its expense under the supervision of a registered land surveyor or county surveyor. (Reference: sec. 59.635 and 236.32, Stats.)

**G. Vegetation**

No tree or shrub shall be sprayed, cut, trimmed, or damaged to facilitate the installation of a utility facility unless specifically authorized by a permit. Vegetation which is proposed to be damaged or destroyed may have to be replaced at the discretion of the Department. When the removal of a tree is permitted, the stump shall be removed and the hole properly backfilled or cut flush with the ground upon approval from the Department. At no time shall trees or shrubs be cut on Department right-of-way in front of a property owners' home, yard, barn, etc. without approval of the Department.

**WCHA UTILITY ACCOMMODATION POLICY**

Policy 96.40-44

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation 96.40-44 Expressways
<b>Supersedes:</b> January 1, 2000	
<b>By:</b> County Highway Commissioner	
Page 1 of 1	

These sections are not being printed with this policy but are hereby accepting Wisconsin Department of Transportation's current version of these sections and the reader is directed to them.

**WCHA UTILITY ACCOMMODATION POLICY****Policy 96.30-35**

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation 96.30-35 Freeways
<b>Supersedes:</b> January 1, 2000	
<b>By:</b> County Highway Commissioner	Page 1 of 1

These sections are not being printed with this policy but are hereby accepting Wisconsin Department of Transportation's current version of these sections and the reader is directed to them.

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation 96.20 Location Requirements 96.26 Scenic Considerations
<b>Supersedes:</b> January 1, 2000	
<b>By:</b> County Highway Commissioner	
Page 1 of 1	

**A. General Policy**

When feasible, the Department strives to enhance visual qualities of the highway system by:

1. The retention and/or planting of trees, shrubs, and other vegetation.
2. The selection of special alignments and corridors.
3. The acquisition of scenic easements.

Utilization of highways by utilities requires that the type and size of its facilities and the manner and extend of its installations shall not materially impair the scenic quality, appearance, or view of highway roadsides and adjacent areas.

**B. Scenic Areas**

Areas which have been acquired or set aside for their scenic quality, such as scenic strips, overlooks, rest areas, recreation areas, public parks, historic sites, etc., and the right-of-way which traverses these areas, are in a special category and new utility installations shall not be permitted except as provided in this section.

1. New underground utility installations may be permitted within scenic areas when the installation does not require extensive removal or alteration of trees or other natural features visible to the highway user and does not impair the visual quality of the lands being traversed.
2. New overhead installations shall be prohibited at such locations where there is a feasible and prudent alternative to the use of the scenic areas by the overhead facility. When this is not the case, installations will be considered only where:
  - a. Other locations are unusually difficult, unreasonably costly, or are undesirable from the standpoint of visual quality.
  - b. An underground installation is not technically feasible or it is unreasonably costly.
  - c. The proposed installation can be made at a location (and will employ suitable designs and materials) which gives adequate protection to the visual qualities of the area being traversed.
3. These controls shall also be followed in the location and design of utility installations that are needed for a highway purpose, such as for continuous highway lighting, or to serve a weigh station or rest or recreational area.

**WCHA UTILITY ACCOMMODATION POLICY**

**Policy 96.25**

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation 96.20 Location Requirements 96.25 Breakaway Construction
<b>Supersedes:</b> January 1, 2000	
<b>By:</b> County Highway Commissioner	Page 1 of 1

Breakaway or yielding facilities along the highway should be set as far back as feasible to prevent a pole or other device from falling onto the traveled way when struck by an errant vehicle.

Foundations beneath breakaway poles shall be flush with the ground.

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation 96.20 Location Requirements 96.24 Median Installations
<b>Supersedes:</b> January 1, 2000	
<b>By:</b> County Highway Commissioner	
Page 1 of 1	

**A. General Policy**

On both crossing installations and longitudinal installations, poles, guys, or other related facilities shall not be located in a highway median. The Department may grant an exception for a crossing installation on a freeway or expressway. See policies 96.32(b) and 96.35 for freeways and 96.42 for expressways.

**B. Median Work**

No work shall be performed in the median of any highway without prior approval from the Department.

When median work is authorized, it shall conform to the following provisions unless otherwise stated within a utility's permit:

1. The permittee or its contractor shall notify the county emergency dispatch center of the expected beginning and completion time of work in the median. The phone number has been included in the county's addendum as Section 96.92 County Contact Information.
2. All equipment, operations, and spoil material shall be located within the center area of the median.
3. No openings, vehicles, equipment, or materials of any type shall be located within the median overnight.
4. All vehicles used to conduct the work operation shall be equipped with conspicuously visible roof-mounted revolving or strobe lights. These lights shall be in operation just prior to and during the work operation. Hazard warning lights on the vehicles shall also be operating.

Effective: August 21, 2012	96.00 Utility Accommodation 96.20 Location Requirements 96.23 Installation on Structures
Supersedes: January 1, 2000	
By: County Highway Commissioner	Page 1 of 1

**A. General Definitions**

Attachments to highway structures should be avoided. However, attaching utility lines to highway structures may be permitted when they do not materially affect the:

1. Structure design and appearance.
2. Safe operation of traffic.
3. Efficiency of maintenance.

The utility shall be responsible for all Department costs associated with such attachments. This includes, but is not limited to, additional design time, increased bridge deck thickness, and future bridge maintenance (painting and inspection).

**B. Installation Location Requirements**

When a utility facility is attached to a structure, the installation shall be located:

1. Beneath the structure floor.
2. Inside the outer girders or beams or within a cell.
3. At an elevation above low superstructure steel or masonry which would not inhibit bridge inspections or repairs.

A utility facility may be located within the highway structure's deck for new construction or deck reconstruction projects if the utility notifies the Department in advance of or while the structure is being designed.

**C. Installation Openings**

The openings created in the bridge abutments to allow passage of the permitted facility shall be of the minimum size necessary.

1. The opening in the abutment around the permitted facility shall be completely filled to seal the opening and effectively preclude the leakage of any moisture or backfill material through the abutment.
2. If the utility sleeves the facility through the abutment, the sleeve shall be tight-sealed into the abutment. Any space between the sleeve and facility it encloses shall be sealed.

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation 96.20 Location Requirements
<b>Supersedes:</b> January 1, 2000	96.22 Vertical Location
<b>By:</b> County Highway Commissioner	
Page 1 of 1	

**A. Underground**

The depth of bury for underground facilities within the right-of-way shall be a minimum of 24 inches as measured from the finished ground surface to the top of the facility except under ditch bottoms where it shall be a minimum of 30 inches at the time of installation.

The depth of bury for underground facilities crossing the highway shall be a minimum of 30 inches as measured from a straight line connecting the lowest points of the finished ground or pavement surface on each side of the right-of-way to the top of the facility at the time of installation.

When a permit is requested by a utility and a future road project is anticipated, the utility may be required to bury deeper in accordance with the Department's plans.

Where minimum bury is not feasible, the facility shall be rerouted or protected with a casing, concrete slab, or other suitable measures. In solid rock, the depth of bury may be reduced if adequate protection is provided. All utilities shall obtain prior approval from the Department before burying any facility less than the minimum depth required.

**B. Overhead**

Vertical clearances for overhead utility facilities installed after January 1, 2000, shall comply with all applicable state and national electrical codes. In all cases, facilities crossing over the highway shall at no time be less than 17 feet above the high point of the traveled way. All pre-existing facility clearances before January 1, 2000, are grandfathered under the applicable state and national electric codes in effect at the original date of installation. Unless otherwise agreed to by the utility and the Department, facility clearances affected by the normal and emergency work activities as defined in the maintenance section of this policy, which do not require a new permit, are also grandfathered.

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation
<b>Supersedes:</b> January 1, 2000	96.20 Location Requirements
	96.21 Appurtenances
<b>By:</b> County Highway Commissioner	
Page 1 of 1	

**A. General Policy**

Appurtenant facilities such as pedestals, manholes, vents, drains, rigid markers, valve and regulator pits, etc. should be located outside of the clear zone and near or at the right-of-way line. Manholes, valve pits, etc. should be installed so that their uppermost surfaces are flush with the adjacent undisturbed surface.

All utility pedestals, cabinets, transformers, and other aboveground (i.e., not flush with the ground) structures located within the highway right-of-way shall be adequately marked. Markers shall be installed and maintained by the utility owner. Counties will not be liable for damage done to aboveground utility structures that are not adequately marked.

**B. Buildings**

Buildings shall not be located on the right-of-way. Exceptions may be granted in cases where the building can be located on Department-owned right-of-way other than a county trunk highway. Examples of this include, but are not limited to, Park-n-Ride lots, rest areas, and remnant parcels. Buildings shall still be located outside of any clear zone, if applicable.

**C. Cabinets**

Cabinets should not be located on the right-of-way. When cabinets are allowed on the right-of-way they shall be placed at a location not vulnerable to an errant vehicle and at or as near as practical to the right-of-way line. Foundations beneath cabinets shall be flush with the existing ground or proposed ground slope if associated with a roadway construction project.

**D. Manholes**

Manholes shall not be located in the pavement and should not be located in the shoulders of heavily traveled highways. Exceptions may be made on highways where manholes are essential parts of existing lines. New manhole installations shall be avoided at highway intersections.

**D. Aboveground Longitudinal Location**

The longitudinal location of aboveground utility facilities shall be outside of the clear zone. Such lines shall be on uniform alignment and be located at or as near as practical to the right-of-way line. Exceptions may be granted when no other location is feasible or when the clear zone extends to the right-of-way line.

If any aboveground utility facility is within the clear zone or is determined to be in a location that has a higher than average accident potential, the Department may require:

1. The utility facility to be of approved yielding or breakaway construction, or
2. The utility facility to be protected by a Department-approved barrier such as beam guard, crash cushion, etc.

To maintain a reasonably uniform utility alignment, location variances may be allowed when irregular-shaped portions of the right-of-way extend beyond the normal right-of-way limits.

**E. Existing Utilities**

When a utility facility exists within the right-of-way of an existing or proposed highway, it may remain provided it does not adversely affect highway safety based on sound engineering judgment and economic considerations of the roadway improvement cost and utility moving cost. The existing facility shall be relocated if:

1. It conflicts with any construction activities, or
2. It is located longitudinally under the pavement or shoulder for a reconditioning or reconstruction project.

Exceptions may be granted for 1 and 2 above based on sound engineering judgment and economic considerations.

**F. Subsurface Utility Engineering**

The use of subsurface utility engineering (SUE) to locate buried facilities is approved by the Department. Any utility installation using SUE shall be noted on the permit application form.

**WCHA UTILITY ACCOMMODATION POLICY****Policy 96.13**

<b>Effective:</b> August 21, 2012	96.00 Utility Accommodation 96.10 Permit Requirements 96.13 Application Modification
<b>Supersedes:</b> January 1, 2000	
<b>By:</b> County Highway Commissioner	Page 1 of 1

The Department has the right to modify the utility's permit application as necessary to protect the highway interests. The modifications may be more restrictive than what was originally proposed. The permit, as approved, shall embody the conditions to which the utility shall comply in order to use or occupy the right-of-way. Changes to the permit could include, but are not limited to, changing the traffic control plan, utility location due to conflicts, or utility locations due to field conditions.

Effective:	96.00 Utility Accommodation 96.20 Location Requirements
Supersedes: January 1, 2000	
By: County Highway Commissioner <span style="float: right;">Page 1 of 2</span>	

**A. General Location**

Utility facilities shall be located in such a manner in order to minimize the need for later adjustment to:

1. Accommodate proposed highway improvements.
2. Permit servicing or expanding such lines without obstruction or interference to the free flow of highway traffic.
3. Provide adequate vertical and horizontal clearance between an underground utility facility and a structure or other highway facility to allow maintenance of all facilities.
4. Be outside of the 45-degree cone of support for the footings of all highway structures.

**B. Crossing Location**

Utility facilities shall cross the highway on a line as nearly perpendicular to the highway alignment as possible.

Conditions which are generally unsuitable or undesirable for underground crossings should be avoided. Crossing locations to be avoided include:

1. Deep cuts.
2. Near footings of bridges or retaining walls.
3. Across highway intersections at grade or ramp terminals.
4. At cross drains where the flow of water may be obstructed.
5. Within basins of an underpass drained by a pump.
6. In wet or rocky terrain where it will be difficult to attain minimum bury.

**C. Underground Longitudinal Location**

The longitudinal location of underground utility facilities within the right-of-way shall provide as much clearance from the traveled way as conditions will allow. Such lines shall be on uniform alignment and be located at or as near as practical to the right-of-way line.

To maintain a reasonably uniform utility alignment, location variances may be allowed when irregular-shaped portions of the right-of-way extend beyond the normal right-of-way limits.

Acknowledgement of Adoption

At its meeting on July 11, 2013, the Polk County Highway Committee adopted the above-entitled committee resolution, Highway Committee Resolution: 1-13: Committee Resolution To Adopt Utility Accommodation Policy, by a simple majority vote of 5 in favor and 0 against.

Marvin Caspersen  
Marvin Caspersen, Committee Chairperson

Dated: July 11, 2013

Attest: Craig Moriak  
Craig Moriak, Committee Secretary  
*vice Chair*

Dated: 7-11-2013

Tom Maynard

7-11-13

**COPY**

Polk County  
Highway Committee  
Highway Committee Resolution: 1 -13

Committee Resolution To Adopt Utility Accommodation Policy

To the Honorable Members of the Polk County Highway Committee:

- 1 WHEREAS, pursuant to Wisconsin Statute Sections 83.01(7)(a) and 83.015(2)(b), the Polk  
2 County Highway Committee is charged with the duty and responsibility of determining the  
3 policies governing the administration of highways built and maintained by Polk County; and
- 4 WHEREAS, pursuant to Wisconsin Statute Section 86.16, a county may provide for a written  
5 permitting process for the construction, maintenance and operation of utilities along, across or  
6 within the limits of county highways;
- 7 NOW, THEREFORE, BE IT RESOLVED, that, pursuant to Wisconsin Statute Section  
8 83.015(2)(b), the Polk County Highway Committee approves and adopts the Utility  
9 Accommodation Policy, as attached hereto and incorporated herein.
- 10 BE IT FURTHER RESOLVED that said policy shall be effective on the 1st day of  
11 September, 2013.

Submitted and Sponsored By

**COPY**

Marvin Cooperstein

Review By County Administrator:

- Recommended  
 Not Recommended  
 Reviewed Only

Dana Frey  
Dana Frey, County Administrator

Review By Corporation Counsel:

- Approved as to Form  
 Recommended  
 Not Recommended  
 Reviewed Only

Jeffrey B. Fugge  
Jeffrey B. Fugge, Corporation Counsel



# POLK COUNTY, WISCONSIN

[WWW.CO.POLK.WI.US](http://WWW.CO.POLK.WI.US)

Sharon Jorgenson, County Clerk  
100 Polk Plaza, Suite 110, Balsam Lake, WI 54810  
Phone: (715) 485-9226 · Email: [Sharon.Jorgenson@co.polk.wi.us](mailto:Sharon.Jorgenson@co.polk.wi.us)

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## AGENDA AND NOTICE OF MEETING

### **PUBLIC SAFETY & HIGHWAY COMMITTEE**

Government Center, 100 Polk County Plaza, Balsam Lake, WI 54810  
County Board Room  
Tuesday, July 2, 2019 at 2:00 p.m.

A quorum of the County Board may be present

Materials: June 11, 2019 Minutes, 2019 Workplan

#### Order of Business

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes for June 11, 2019
4. Public Comment (3 minutes)
5. Receipt of Information from Supervisors Not Seated as Committee Members
6. Report of Jail Tour from Supervisor Route
7. Department Annual Report from Administrator Osborne
8. Highway Utility Policy Review
9. Update 2019 Work Plan
10. Identify Subject Matters for Next Meeting
11. Adjourn

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Items on the agenda not necessarily presented in the order listed. This meeting is open to the public according to Wisconsin State Statute 19.83. Persons with disabilities wishing to attend and/or participate are asked to notify the County Clerk's office (715-485-9226) at least 24 hours in advance of the scheduled meeting time so all reasonable accommodations can be made. Requests are confidential.



# POLK COUNTY, WISCONSIN

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## MINUTES

### PUBLIC SAFETY & HIGHWAY COMMITTEE

Justice Center Community Room, Balsam Lake, WI 54810

12:00 P.M. Tuesday, June 11, 2019

Lunch was served to the Committee at 12:00pm. Meeting called to order by Chairman Luke at 12:20 p.m.

Committee Members Present:

Attendee Name	Title	Status
Jay Luke	Chair	Present
John Bonneprise	Vice Chair	Present
Doug Route	Supervisor	Present
Joe Demulling	Supervisor	Absent
Larry Jepsen	Supervisor	Present

Also present: Also present were Deputy County Clerk, Lisa Ross; County Administrator, Nick Osborne; Corporation Counsel, Malia Malone; Polk County Sheriff, Brent Waak; Chief Deputy, Chad Roberts; Josh Kelch, Highway Operations Manager; Joan Ritten, Clerk of Circuit Court.

**Approval of Agenda**-Chair Luke called for a motion to approve the agenda. **Motion** (Bonneprise/Luke) to approve the agenda. **Motion** carried by unanimous voice vote.

**Approval of Minutes**- Chair Luke called for a motion to approve the minutes of the April 9, 2019 meeting. **Motion** (Bonneprise/Route) to approve the minutes. **Motion** to approve the April 9, 2019 minutes as published carried by unanimous voice vote.

**Public Comment**- Time was given for public comment. No public comment was received by committee.

**Receipt of Information from Supervisors Not Seated as Committee Members**- No information was received by the committee.

The Committee received information from Sheriff Waak regarding the roll out of the new First Net. FirstNet is an independent authority within the U.S. Department of Commerce that has developed and operates a nationwide, broadband network that equips Law Enforcement, Fire Services, EMS and 9-1-1/Emergency Communications to save lives and protect communities.

Administrator Osborne presented Budget Priorities of Public Safety & Highways. The board received information and had discussion regarding the Budget Priorities of: Circuit Court and Clerk of Courts, the Polk County Sheriff's Office, and the Public Works Division.

Chair Luke called for a motion regarding the list of Budget Priorities of: Circuit Court and Clerk of Courts, the Polk County Sheriff's Office, and the Public Works Division. **Motion** (Route/Jepsen) to forward the Budget Priorities as listed to the County Board for approval. **Motion** carried by unanimous voice vote.

The Committee received information from Administrator Osborne regarding Resolution 26-19: Resolution Encouraging Wisconsin Counties Association to work with Wisconsin State Legislature to provide for Additional Programs and Funding for Combating and Treatment of Methamphetamine Abuse. The Committee discussed recommendations regarding consideration of Resolution No. 26-19.

Chair Luke called for a motion regarding Resolution 26-19. **Motion** (Route/Jepsen) to recommend Resolution No. 26-19 to the County Board for passage. **Motion** was carried by unanimous voice vote.

Chairman Luke called to the floor for a motion to convene in Closed Session.

**Motion** (Jepsen/Route) to convene in closed session for purposes and on statutory basis noticed on the agenda. Chairman Luke called for a voice vote on said motion. **Motion** to convene in closed session carried by unanimous voice vote.

\*\* Closed Session 12:45 p.m. \*\* (Minutes separate and under seal)

Chairman Luke asked that the record reflect those present for closed session: Supervisors: Members present for the closed session included Supervisors Jay Luke, John Bonneprise, Doug Route and Larry Jepsen. Also present were Deputy County Clerk, Lisa Ross; County Administrator, Nick Osborne; Corporation Counsel, Malia Malone; Polk County Sheriff, Brent Waak; Chief Deputy, Chad Roberts.

\*Reconvened in Open session: 1:05 p.m.

**Matters for Upcoming Meetings-** Update on the Jail Tour from Supervisor Route, Review and Recommendations of Fee Schedule, Department Annual Report from Administrator Osborne, and Highway Utility Policy Review.

Next meeting Tuesday July 2, 2019 at 2:00 p.m.

The Committee discussed further development and changes to the 2019 Work Plan.

Chair Luke called for a motion to adjourn. Tour of the jail by Sheriff Waak will occur following the meeting. **Motion** (Bonneprise/Route) to adjourn business meeting followed by the jail tour. **Motion** carried by unanimous voice vote. Chair Luke declared meeting adjourned at 1:12 p.m.

Respectfully submitted,

Lisa Ross, Deputy County Clerk

**PUBLIC SAFETY & HIGHWAY COMMITTEE**  
**2019 WORK PLAN**

Date	Scheduled Agenda Items	Program Evaluation and Upcoming Issues
January		
February	ATV route recommendations	
March	Finalize 2019 work plan	Highway Access Control policy Review and revision
April	Consideration/reconsideration of County Board priorities in transportation and public safety	
May	Jail tour Review of dispatch/911 in Wisconsin	
June		
July	Annual reports	Highway Utility Policy Review
August	Review and recommendations on fee schedule	
September	Annual budget review	
October	Annual budget amendments	
November	Budget technical amendments	
December	Develop 2020 work plan	