

**Advisory Resolution Opposing 2017 Senate Bill 425
Limiting Local Authority to Regulate Certain Wireless Facilities**

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN MEMBERS,

WHEREAS, 2017 Senate Bill 425 proposes to create §§ 66.0404(4e) and 66.0414, of the *Wisconsin Statutes*, pertaining to regulating certain wireless facilities and the placement thereof in county rights-of-way; and,

WHEREAS, the proposed legislation purports to create and provide certain benefits to small wireless facilities in the form of regulatory exceptions and no fee permitting; and,

WHEREAS, the proposed legislation significantly limits Dodge County's ability to regulate the siting of certain wireless facilities and related infrastructure on county-owned land and county right-of-way; and,

WHEREAS, counties acquire land and rights-of-way for the benefit of the public and specifically rights-of-way are acquired for the safety of the traveling public; and,

WHEREAS, county rights-of-way serve as an uncluttered or minimally burdened buffer providing for road construction and maintenance operations, clear lines of vision for travelling public and capacity in the event of a traffic accident; and,

WHEREAS, county highway commissioners are cognizant of the purposes and have local knowledge and expertise in determining safe use of county rights-of-way adjacent to county highways; and,

WHEREAS, currently, counties have the authority to determine the proper location of wireless facilities and related infrastructure and whether to impose charges or fees for the siting of same on county-owned lands including county right-of-way; and,

WHEREAS, preempting or limiting Dodge County's ability to regulate the siting of certain wireless facilities and related infrastructure, as proposed by 2017 Senate Bill 425, on county-owned lands and county rights-of-way removes the County's exercise of discretion and flexibility for determining the proper and safe location of such structures; and,

SO, NOW, THEREFORE, BE IT RESOLVED, by the Dodge County Board of Supervisors that it hereby opposes the adoption of 2017 Senate Bill 425 and urges the State Legislature to vote against this proposal; and,

BE IT FINALLY RESOLVED, that that the Dodge County Clerk shall transmit a copy of this Resolution to the Governor of the State of Wisconsin, all Wisconsin State Legislators with a constituency within Dodge County, and the Wisconsin Counties Association.

All of which is respectfully submitted this 14th day of November, 2017.

Dodge County Executive Committee:

Russell Kottke
Russell Kottke

Dennis R. Schmidt
Dennis Schmidt

Donna Maly
Donna Maly

Joseph M. Marsik
Joseph M. Marsik

Mary Ann Miller
Mary Ann Miller

Jeff Berres
Jeff Berres

David Frohling
David Frohling

The Dodge County Highway Committee:

Harold Johnson
Harold Johnson

Jeff Berres
Jeff Berres

Jeffrey Carne
Jeffrey Carne

Ed Nelson
Ed Nelson

William Muche
William Muche

Vote Required: Majority of Members present.

Resolution Summary: A resolution opposing the 2017 Senate Bill 425 limiting local authority to regulate certain wireless facilities.

ADOPTED
BY DODGE COUNTY BOARD

NOV 14 2017

AYES 30 NOES 0
ABSENT 3
ABSTAIN 0

Karen J. Gieson
County Clerk