

RESOLUTION**ROCK COUNTY BOARD OF SUPERVISORS**

Public Works Committee
INITIATED BY



1/31/2023
DATE DRAFTED

Allocating Funds to the Rock Koshkonong Lake District for Repair of the Indianford Park and Powerhouse Retaining Wall

WHEREAS, Rock County owns and maintains a 1.2-acre park located in Indianford, south of County Highway M; and

WHEREAS, Rock County acquired this parcel of land and all of its structures from Wisconsin Power and Light in 1962, when its power generating station was shut down; and

WHEREAS, in January of 2002, Rock County turned over operations and ownership of the Dam and Powerhouse with all of its amenities to the Rock Koshkonong Lake District (RKLD) leaving the land to remain as Indianford County Park; and

WHEREAS, in 2022, the RKLD started a construction project which included removing existing infrastructure located inside the powerhouse and replacing it with a new gate system and water monitoring and regulating abilities for water levels both up and down stream; and

WHEREAS, the ability to monitor and regulate these waters, primarily upstream, provides the RKLD with countermeasures to minimize flooding impacts upstream during certain weather event situations, such as spring rains and snow melt, while still maintaining regulated flows downstream and regulated water levels in Lake Koshkonong; and

WHEREAS, on January 3, 2023, Rock County was notified of a sinkhole that arose within Indianford County Park behind a retaining wall adjacent to the powerhouse and through further investigation, in cooperation with the RKLD and the Wisconsin Department of Natural Resources, determined there is a void underneath and behind the retaining wall that needs immediate repairs; and

WHEREAS, the powerhouse gates have been ordered shut to reduce further impacts related to the sinkhole erosion and stability of the retaining wall. The inability to open the gates restricts water flow and limits countermeasure options of the RKLD; and

WHEREAS, stabilizing the wall and filling in the sinkhole area are critical and time sensitive issues as 1) the primary water level impact, spring rains and snow melt, are typically observed sometime between mid-March and mid-April and 2) the need to limit further deterioration of a highly visited park and being able to provide safe conditions for park users; and

WHEREAS, the RKLD currently has contractors on-site that are capable of completing the necessary work to stabilize the retaining wall and restore the affected park land in a timely manner.

NOW, THEREFORE, BE IT RESOLVED that the Rock County Board of Supervisors on this 9th day of February, 2023, does hereby amend the 2023 Budget and authorize a grant to the Rock Koshkonog Lake District from the General Fund in an amount not to exceed \$425,500 dollars that shall be used to repair, reconstruct and reinforce the western riverbank and inland areas south of the dam and powerhouse in manner satisfactory to the County.

BE IT FURTHER RESOLVED that the County Administrator, with the assistance of Corporation Counsel, is authorized to draft and execute an intergovernmental agreement with the Rock Koshkonog Lake District which would provide for the grant to and expenditure of said funds by the Rock Koshkonog Lake District only upon invoices for work performed and in manner consistent with this Resolution and that in reliance of making such agreement the parties thereto warrant and agree that the

expenditure of said funds shall be considered damages of Rock County and undertaken for the repair of its own lands.

BE IT FURTHER RESOLVED that the County Administrator, with the assistance of Director of Public Works, Parks Manager, and Corporation Counsel shall seek reimbursement for said damages, and shall be authorized to seek all remedies at law or equity for the repayment of said funds.

BE IT FURTHER RESOLVED that the RKLD shall be responsible for all architectural, engineering and construction activities, including obtaining the required permits through the DNR and any other entity that requires a permit during this repair project.

Account	Budget	Increase (Decrease)	Amended Budget
Source of Funds 41-4561-4101-47400 General Fund	-0-	\$425,500	\$425,500
Use of Funds 41-4561-4101-67200 Capital Project	-0-	\$425,500	\$425,500

FISCAL NOTE:

This resolution authorizes a transfer from the General Fund of up to \$425,500 for the purpose of repairing the Indianford Park retaining wall and sinkhole.

Sherry Oja
Finance Director

LEGAL NOTE:

The County is authorized to take this action pursuant to Wis. Stat. § 59.52(6). Pursuant to Wis. Stat. § 66.0301, municipalities may contract with any other municipality for the receipt or furnishing of services or for the joint exercise of any power or duty or authorized by law.

Richard Greenlee
Corporation Counsel

ADMINISTRATIVE NOTE:

The sinkhole and erosion under the retaining wall are on Rock County property and therefore create liability for the County. In addition, the inability of the Lake District to use the powerhouse gates to manage water levels could exacerbate flooding problems in the Spring, which would require County resources to respond to. As such, these emergency repairs would be justified to protect the public and the County's interests. However, the fact pattern supports that these damages were a consequence of the actions of the Lake District and/or its contractors and not Rock County. Consequently, if the Board decides to allocate funding to make these repairs, the County would seek reimbursement from any responsible party.

Josh Smith
County Administrator

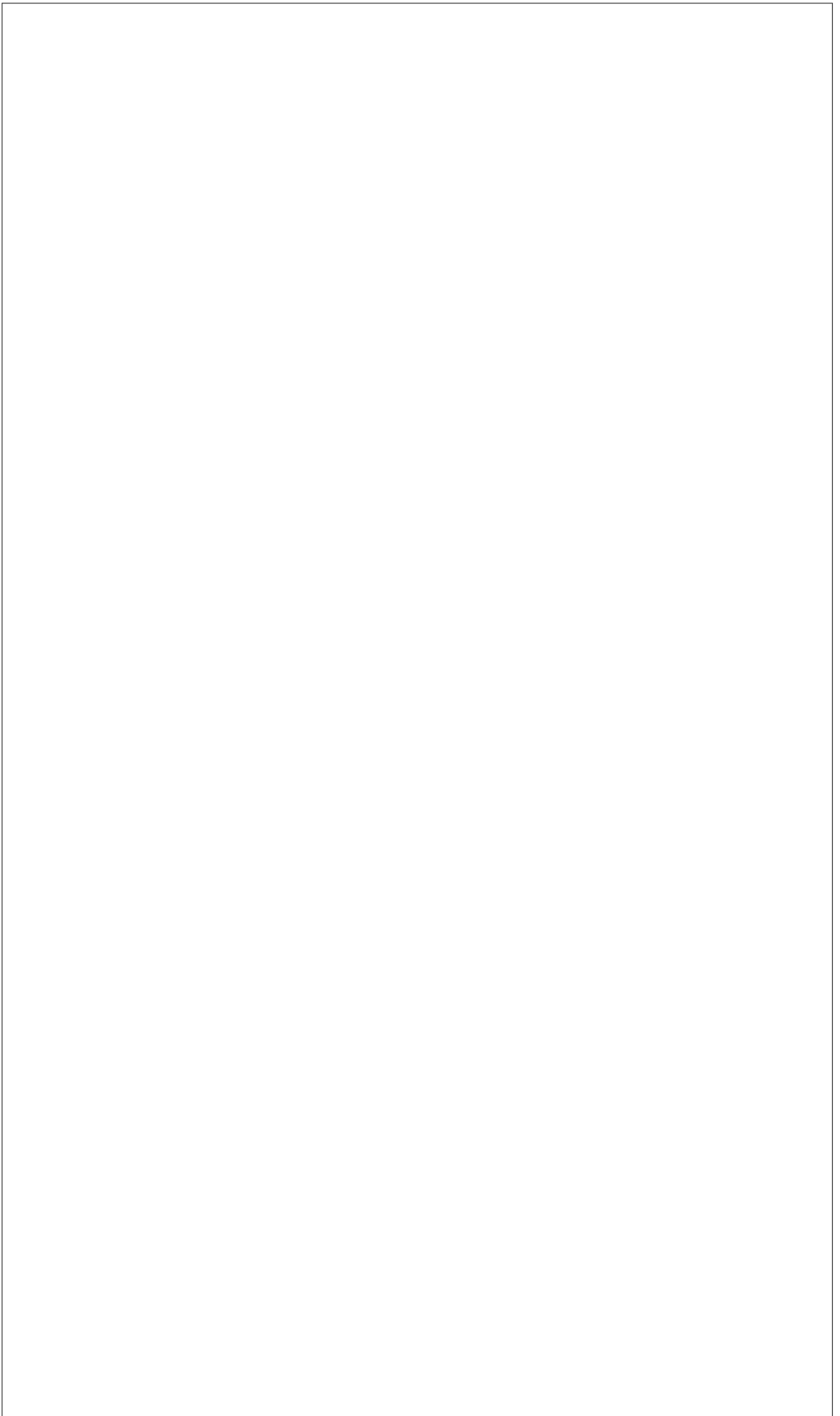
Committee Action

Public Works Committee

Public Works Committee recommended this resolution for approval by a unanimous voice vote. Supervisor Richard was absent.

Finance Committee

Finance Committee recommended this resolution for approval by a unanimous voice vote.



EXECUTIVE SUMMARY

Allocating Funds to the Rock Koshkonong Lake District for Repair of the Indianford Park and Powerhouse Retaining Wall

In 2022, the Rock Koshkonong Lake District (RKLD) began a project to eliminate the old wicker gates located inside the Powerhouse at the Indianford Dam and replace them with new gates to help the RKLD improve their water monitoring and regulating abilities. On January 3, 2023, a sinkhole was discovered to the west of the powerhouse retaining wall in the Rock County Park property. The RKLD worked with its contractor, IEI General Contractors and conducted underwater inspections which identified some extensive undermining along about 35 feet of the retaining wall located south of the powerhouse. Immediate repairs are needed to protect the integrity of the retaining wall and to fix the affected areas within the County Park. The projected repairs are as follows:

- Place and fill grout bags in the areas of undermining to stabilize the retaining wall. Also, place and fill grout bags in the large void areas to the east of the retaining wall to obtain a relatively even sloping surface along the submerged ramp.
- Once the stage 1 grout has been allowed to cure and acceptable test results have been obtained, perform stage 2 grouting of remaining void areas. The required limits of stage 2 grouting will be determined by the Engineer based on observations made by divers during stage 1 grouting.
- Fill the sinkhole with compacted backfill, place a layer of topsoil, reseed, install erosion mat, and reestablish vegetation.
- Place pre-cast articulated block mats or cast-in-place grout mats along the retaining wall, starting at the downstream end of powerhouse slab/piers and working up the submerged ramp slope. The purpose of the mats is to protect the erodible foundation material adjacent to the retaining wall and reduce the likelihood of a scour hole working its way under the retaining wall again. The exact area to be protected is yet to be determined, but tentatively extends along the entire length of the retaining wall (approximately 60 feet) and slightly beyond the west draft tubes (approximately 35 feet).
- Install hooked foundation dowels and construct a reinforced concrete overlay between the downstream face of the 6-inch reinforced concrete overlay within west draft tubes and the upstream face of mats described above.

The request is for \$425,500 from the General Fund to cover the needed repairs to protect the integrity of the retaining wall and the County Park. The County will seek reimbursement of these funds from any party responsible for the damages.