

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
June 15, 2005  
7:00 P.M.

The Board of Supervisors of Columbia County convened in annual session at the Courthouse in Portage pursuant to law. Chair Susan Martin called the meeting to order.

All Supervisors were present, except Supervisors Lloyd and Pufahl, absent. Pledge of Allegiance was recited.

A motion to approve the Journal of May 18, 2005, was made by Supervisor Boockmeier, second by Supervisor Stevenson. Motion carried unanimously.

A motion to approve the agenda, as published, was made by Supervisor Boockmeier, second by Supervisor DeYoung. Motion carried unanimously.

Supervisor Tramburg gave a brief report on the Utility Tax Bill. Columbia County's shared revenue could increase by \$700,000 a year if this bill is passed.

Supervisors Andler and Kinney reported on the Summer Highway Conference. Chair Martin commented on the following:

- completion of new Highway shop floor
- proceeds from kick ball tournament, organized by the Raley family of Columbus, are donated to Columbia County Department of Health providing pneumonia shots and treatment of meningitis
- West Nile "Help" line now available at 608 742-9735

Supervisor Boockmeier reported the Law Enforcement Building Committee was near disbandment due to completion of the Huber Project. The existing jail would be remodeled with completion date in October 2005.

Chair Martin read a portion of a communication received from the Department of Veterans Affairs commending Columbia County's Veterans Service Office. The County Clerk read "thank you" correspondence from Supervisor Westby.

William Escher (Lodi), Lucille Wopat (Pardeeville), Beverly Hoffmann (Portage), Harriet Keller (Poynette) and Lonna Brooks (Rio) were appointed to the Local Library Board with terms to expire July 2008. On motion by Supervisor Westby, second by Supervisor J. Robert Curtis the appointments were unanimously approved.

**RESOLUTION NO. 18-05**

WHEREAS, dairy farming and the dairy processing industry processing contribute over \$393,900,000 to Columbia County's economy annually; and,

WHEREAS, officials at both the state and federal level have marshaled support to strengthen Wisconsin's dairy industry and have provided funds to encourage dairy farmers to explore new opportunities to add value to their products; and,

WHEREAS, several Columbia County dairy farmers have requested assistance from the UW-Extension office in evaluating the feasibility of establishing a grass-based dairy processing cooperative; and,

WHEREAS the Columbia County UW-Extension Office applied for and has been awarded a \$12,682 Agriculture and Entrepreneur Education Grant.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors authorizes acceptance of a grant by the UW-Extension Office in the amount of \$12,682 from the UW-Extension Emerging Markets Team for the purpose of assisting dairy farmers in gaining the knowledge and skills needed to enter the value-added market.

Fiscal Note: Establish Grant Accounts  
in the amount of \$12,682 for  
accounting purposes

Donald P. Nelson  
Claire R. Robson  
John G. Stevenson  
Robert J. Stoltenberg  
Robert L. Hamele  
AGRICULTURE AND LAND AND  
WATER CONSERVATION COMMITTEE

Motion was made to adopt the Resolution by Supervisor Hamele, second by Supervisor Stoltenberg.

Laura Paine, UW Crops and Soils Agent, indicated the UW Extension indicated grant monies would be used for eight (8) farms located in Columbia, Dodge and Dane County. The objective was to encourage family sized dairy farms in developing specialized non-typical dairy products for income. The grant is to be used mainly for marketing, development and feasibility study.

The Resolution was unanimously adopted.

### **RESOLUTION NO. 19-05**

WHEREAS, Wisconsin counties are mandated by the state to administer the circuit court system and human services; and

WHEREAS, both the circuit courts and human services are statewide programs that were designed to be funded predominantly by state tax revenues; and

WHEREAS, over the course of the past several decades the state government has allowed the cost increases for circuit courts and human services to fall almost solely on the property tax; and

WHEREAS, counties in Wisconsin are putting forth 270 million more in property tax dollars than they were eighteen years ago to support individuals served through Community Aids while the state is providing 28 million less in state tax dollars; and

WHEREAS, the Kettl Commission, much like previous commissions, concluded very specifically and forcefully that ". . . Wisconsin ought to move, as soon as possible, to state funding for these (human services and state justice services programs) functions", and

WHEREAS, on April 5, 2005 the voters of this state spoke with resounding clarity with 85 percent voting in favor of full state funding for human services programs and 86 percent voting in favor of full state funding for circuit courts; and

WHEREAS, the Legislature and Governor are currently considering a "property tax freeze" which would preempt counties from raising the revenue necessary to comply with these mandated services and still provide quality of life services to our residents.

NOW, THEREFORE, BE IT RESOLVED that Columbia County calls upon the Governor and Legislature to take immediate action in response to the will of the people, who overwhelmingly voted in favor of funding, mandated human service programs and circuit court costs through State Tax Revenues.

BE IT FURTHER RESOLVED, that since property taxpayers, of this state, have told our state elected officials that they want the cost of the courts and human services off of the property tax, they deserve an answer from the state on how its Governor and Legislators plan to heed their wishes.

BE IT FURTHER RESOLVED, that the Columbia County Clerk shall send a copy of this Resolution to the Governor, all members of the Wisconsin Legislature who represent Columbia County, and the Wisconsin Counties Association.

Daniel J. See  
~~Barry Pufahl~~  
Robert Westby  
Harlan Baumgartner  
Susan Martin  
EXECUTIVE COMMITTEE

Motion was made to adopt the Resolution by Supervisor Sanderson, second by Supervisor O'Neil.

Chair Martin mentioned, "The will of the people should not be ignored."

Motion was made to amend the Resolution by Supervisor Sanderson, second by Supervisor See, with an additional paragraph of distribution to read "BE IT FURTHER RESOLVED, that the Columbia County Clerk shall send a copy of this Resolution to the Governor, all members of the Wisconsin Legislature who represent Columbia County, and the Wisconsin Counties Association".

The motion to amend carried unanimously.

The Resolution, as amended, was unanimously adopted.

**RESOLUTION NO. 20-05**

WHEREAS, Section 74.42, Wis. Stats., requires counties to annually reimburse municipalities for uncollected personal property taxes; and

WHEREAS, the Section 74.42, Wis. Stats., charge back procedure creates unpredictable expense for counties each year; and

WHEREAS, the Section 74.42, Wis. Stats., charge back procedure provides no incentive for municipalities to collect delinquent personal property taxes.

NOW THEREFORE BE IT RESOLVED, that the Columbia County Board of Supervisors strongly urges the Wisconsin State Legislature to amend Section 74.42, Wis. Stats., to replace the current charge back procedure with an effective system for the collection of delinquent personal property taxes; and

BE IT FURTHER RESOLVED, that the Columbia County Clerk shall send a copy of this Resolution to the Governor, all members of the Wisconsin Legislature who represent Columbia County, and the Wisconsin Counties Association.

Robert R. Westby  
Daniel J. See  
Barry Pufahl  
Harlan Baumgartner  
Susan Martin  
EXECUTIVE COMMITTEE

Barry Pufahl  
Kenneth E. Olson  
Harlan Baumgartner  
Debra L. H. Wopat  
John H. Tramburg  
FINANCE COMMITTEE

Motion was made to adopt the Resolution by Supervisor Tramburg, second by Supervisor DeYoung.

Supervisor Tramburg stated that uncollected payments totaled approximately \$9,000 for 2004. He expressed concern with the lack of procedure and incentive for municipalities to collect delinquent taxes. If this Resolution passes tonight it will be forwarded to Wisconsin Counties Association and placed in packet for review at the annual convention.

The Resolution was adopted, not unanimously.

**RESOLUTION NO. 21-05**

WHEREAS, the President's Homeland Security Directive (HSPD) – 5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, local, and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size, or complexity; and

WHEREAS, the collective input and guidance from Federal, State, local, and tribal homeland security partners has been, and will continue to be, vital to the development of effective implementation and utilization of a comprehensive NIMS; and

WHEREAS, it is necessary and desirable that all Federal, State, local and tribal homeland emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management it is crucial that Federal, State, local, and tribal organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the State's ability to utilize funding to enhance local and state agency readiness, maintain first responder safety and streamline incident management processes; and

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the State, including current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System.

NOW, THEREFORE, the Columbia County Board of Supervisors does hereby designate the National Incident Management System (NIMS) as the County standard for incident management.

Robert L. Hamele  
Richard C. Boockmeier  
Tom L. Jenkins, Secretary  
Robert J. Andler, Vice Chair  
Robert Westby, Chair  
JUDICIARY COMMITTEE

Motion was made to adopt the Resolution by Supervisor Boockmeier, second by Supervisor Pugh.

Pat Beghin, Emergency Management Director, indicated by adopting this resolution, all agencies would be standardized nationwide. Columbia County would also be eligible for funding upon adoption of the Resolution.

The Resolution was unanimously adopted.

### **REPORT OF THE PLANNING AND ZONING COMMITTEE**

The Planning and Zoning Committee having held public hearings thereon pursuant to Section 59.69 Wisconsin Statutes, notice thereof have been given as provided by law and being duly advised of the wishes of the people in the areas affected hereby recommend as follows:

- (1) A petition by Daniel Gallagher for Steve Martinson, Owner, Pardeeville, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 16, Town of Wyocena on the 1<sup>st</sup> day of April, 2005 be approved as follows: To change from Agricultural to Rural Residential, a parcel of land described as part of Lot 2, Certified Survey Map Number 2437 located in the NW ¼ of the NE ¼ and the NE ¼ of the NW ¼, Section 16, Town 12N, Range 10E, Town of Wyocena.
- (2) A petition by Kenneth and Ann Schroeder, De Forest, Wisconsin to rezone from Agricultural to Single Family Residence, property located in Section 36, Town of Leeds on the 7<sup>th</sup> day of April, 2005 be approved as follows: To change from Agricultural to Single Family Residence, a parcel of land located in part of the NE ¼ of the NE ¼, Section 36, Town 10N, Range 10E, Town of Leeds.
- (3) A petition by Patrick Hintze, Manager, Ultimate Retreats, LLC, owner, New Berlin, Wisconsin to rezone from Agricultural to Recreational and from Recreational to Agricultural, property located in Section 27, Town of Lewiston on the 11<sup>th</sup> day of May, 2005 be approved as follows: To change from Agricultural to Recreational and from Recreational to Agricultural, parcels of land located in part of the SW ¼ of the SE ¼, and part of the NW ¼ of the NE ¼, and part of the NE ¼ of the NE ¼, Section 27, Town 13N, Range 8E, Town of Lewiston.

Harlan Baumgartner  
John Healy  
John Stevenson  
Harlan Horton  
Phil Baebler  
PLANNING AND ZONING COMMITTEE

Upon hearing no objection, Chair Martin directed the report be accepted and placed on file.

**ORDINANCE NO. Z327-05**  
**An Amending Ordinance**

The Columbia County Board of Supervisors do ordain as follows: That Title 16 – Chapter 1, entitled “Zoning”, of the County Code, as passed by the Board of Supervisors on February 16, 1972 is hereby amended and added thereto as follows:

- (1) “To change from Agricultural to Rural Residential”, (Daniel Gallagher for Steve Martinson, Owner) a parcel of land located in Section 16, Town 12N, Range 10E, Town of Wyocena, more particularly described as follows: PARCEL NUMBER 461.03 Being a part of Lot 2, Certified Survey Map Number 2437 located in part of the NW ¼ of the NE ¼ and the NE ¼ of the NW ¼, Section 16, Town 12N, Range 10E, Town of Wyocena, described as follows: Commencing at the North 1/4 corner of said Section 16; Thence north 89 degrees 03 minutes 51 seconds east along the north line of the northeast quarter of said Section 16, 510.08 feet to a point in the center line of West Bush Road; Thence south 39 degrees 04 minutes 01 second east along the center line of West Bush Road and the easterly line of Lot 1, Certified Survey Map Number 3411 and the northwesterly extension thereof, 626.95 feet to the southeast corner of said Lot 1 and the point of beginning; Thence continuing south 39 degrees 04 minutes 01 second east along the center line of West Bush Road and the easterly line of said Lot 2, Certified Survey Map Number 2437, 88.98 feet; Thence south 89 degrees 03 minutes 27 seconds west, 654.22 feet; Thence south 00 degrees 56 minutes 33 seconds east, 406.08 feet; Thence south 89 degrees 03 minutes 27 seconds west, 365.33 feet; Thence north 00 degrees 56 minutes 33 seconds west, 476.08 feet; Thence north 89 degrees 03 minutes 27 seconds east along the south line of Lot 1, Certified Survey Map Number 3411 and the westerly extension thereof, 964.61 feet to the point of beginning. Said property contains 5.00 acres, more or less. This rezoning effective upon the recording of the Certified Survey Map, and submittal of a copy of the recorded Deed Restriction that has been approved by the Town to the Planning and Zoning Department.
- (2) “To change from Agricultural to Single Family Residence”, (Kenneth and Ann Schroeder) a parcel of land located in part of the NE ¼ of the NW ¼, Section 36, Town 10N, Range 10E, Town of Leeds, more particularly described as follows: PARCEL NUMBER 680.03 Commencing at the north ¼ corner of Section 36; Thence south 348.69 feet doing the north-south ¼ line of Section 36; Thence south 89 degrees 37 minutes 32 seconds West 198.00 feet to the point of beginning; Thence continue south 89 degrees 37 minutes 32 seconds west 102.00 feet; Thence south 539.75 feet; Thence north 89 degrees 56 minutes 08 seconds east 299.99 feet to the north-south ¼ line of Section 36; Thence north 344.34 feet along the north-south ¼ line to the point of beginning. Said property contains 2.16 acres, more or less This rezoning effective upon the recording of the Certified Survey Map, and submittal of a copy of the recorded Deed Restriction to the Planning and Zoning Department.
- (3) "To change from Agricultural to Recreational and Recreational to Agricultural", (Patrick Hintze, Manager, Ultimate Retreats, LLC, owner) property located in Sections 22 and 27, Town 13N, Range 8E, Town of Lewiston, more particularly described as follows: Land To Be Rezoned From Recreational to Agricultural: Being a part of the Southwest Quarter of the Southeast Quarter of Section 22 and a part of the Northwest Quarter of the Northeast Quarter of Section 27 all located in Town 13 North, Range 8 East, Town of Lewiston, Columbia County, Wisconsin, described as follows: Commencing at the South Quarter corner of said Section 22; thence North 89°29'06" East along the south line of the Southeast Quarter of said Section 22, 330.00 feet to the point of beginning; thence North 00°19'11" East, 495.00 feet; thence North 89°29'06" East, 812.80 feet; thence South 00°19'11" West, 1,000.00 feet; thence South 89°29'06" West, 812.80 feet; thence North 00°19'11" East, 505.00 feet to the point of beginning. Containing 18.66 acres more or less. Land To Be Rezoned From Agricultural to Recreational:

Being a part of the Northeast Quarter of the Northeast Quarter of Section 27, Town 13 North, Range 8 East, Town of Lewiston, Columbia County, Wisconsin, described as follows: Commencing at the North Quarter corner of said Section 27; thence North 89°29'06" East along the north line of the Northeast Quarter of said Section 27, 1,650.00 feet to the point of beginning; thence continuing North 89°29'06" East, 660.00 feet; thence South 00°19'11" West, 440.00 feet; thence South 89°29'06" West, 660.00 feet; thence North 00°19'11" East, 440.00 feet to the point of beginning. Containing 6.66 acres more or less. Land To Be Rezoned From Agricultural to Recreational: Being a part of the Northwest Quarter of the Northeast Quarter and the Southwest Quarter of the Northeast Quarter of Section 27, Town 13 North, Range 8 East, Town of Lewiston, Columbia County, Wisconsin, described as follows: Commencing at the North Quarter corner of said Section 27; thence North 89°29'06" East along the north line of the Northeast Quarter of said Section 27, 330.00 feet; thence South 00°19'11" West, 825.00 feet to the point of beginning; thence continuing South 00°19'11" West, 495.00 feet; thence West along the north line of the Southwest Quarter of the Northeast Quarter, 330.00 feet; thence south along the north – south quarter line of said Section 27, 550.00 feet; thence North 89°29'06" East, 660.00 feet; thence North 1,045.00 feet; thence South 89°29'06" West, 330.00 feet to the point of beginning. Containing 12.00 acres more or less This rezoning effective upon the submittal of a copy of the recorded Deed Restriction between the Town and the owner to the Planning and Zoning Department. This rezoning effective upon submittal of a copy of the recorded Deed Restriction between the Town and the owner to the Planning and Zoning Department.

Susan Martin, Chair  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Jeanne Miller  
COLUMBIA COUNTY CLERK

DATE PASSED: June 15, 2005

DATE PUBLISHED: June 22, 2005

First reading of Ordinance.

Motion by Supervisor Boockmeier, second by Supervisor Baumgartner to suspend the rules and have the second reading of the Ordinance by title only.

The motion carried unanimously.

Second reading of Ordinance.

Motion by Supervisor V. Curtis, second by Supervisor Robson, to suspend the rules and have the third reading of the Ordinance by title only.

The motion carried unanimously.

Third reading of Ordinance.

Motion was made by Supervisor Healy, second by Supervisor See to adopt the Ordinance.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance Z327-05.

Supervisor J. Robert Curtis moved adjournment of this meeting to Wednesday, July 20, 2005, at 7:00 p.m. at the Highway facility, Wyocena. Seconded by Supervisor Stoltenberg. The meeting adjourned at 8:20 p.m.

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