

PROCEEDINGS
OF THE
BOARD OF SUPERVISORS
Columbia County, Wisconsin

Portage, Wisconsin
November 15, 2005
9:46 A.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.

Pledge of Allegiance was recited.

A motion to amend the Journal of October 19, 2005, was made by Supervisor Pufahl, second by Supervisor Boockmeier. Supervisor Pufahl indicated the minutes should be amended changing the vote on the Felicijan zoning petition from a "failed" to a "passed" roll call vote. Further, Supervisor Pufahl stated that abstention votes are not considered a vote for or against. Corporation Counsel Ruf indicated that an amendment to the minutes could be done legally. He further indicated the Board should be made aware of a pending lawsuit in Circuit Court Branch I and recommended the Board allow the Court to decide the question.

Chair Martin asked what would happen if the Judge agreed with the vote of October 19th? Ruf indicated the Judge could decide in the County's favor agreeing with the "failed" roll call vote. The Felicijans, at that point, would remain in the position of being zoned Rural Residential. To operate within that district restriction, a Home Occupation Permit and building permit would be required. In the event the Judge disagreed with the County's action and ruled that the request for Agricultural district had been approved at the October 19th meeting, Ruf felt a number of other issues would present themselves and require resolution by the Planning & Zoning Department.

Supervisor Pufahl felt a mistake had been made in counting the abstentions as "no" votes and the Board should correct that mistake.

Supervisor Boockmeier's interpretation of Robert's Rules of Order and Standing Rules were that the Chair does not vote unless creating a tie or breaking a tie. In addition, the Chair's vote shall be recorded last. In his opinion, the Chair's vote was not legal since it was voted out of order. Supervisor Boockmeier requested Corporation Counsel Ruf address this and the question of Supervisor See's initial indication to abstain.

Corporation Counsel Ruf indicated the rule had been stated correctly and he agreed with Supervisor Boockmeier's interpretation. In addition, he indicated the rule did not specify; however, that the Chair could not vote in other circumstances. The rule may imply that a vote is only allowed to make or break a tie; but the Chair does represent constituents in her district and can vote. Pertaining to the question of Supervisor See's vote, Corporation Counsel Ruf thought it common during deliberations, for Supervisors to hear discussion that helps them in arriving at a decision. Supervisor See indicated that fact and voted. Corporation Counsel Ruf indicated no procedural error had occurred. If both of the abstention votes were removed from the count, the results would not have been affected.

Supervisor Stoltenberg relinquished his time to Attorney Kammer. Attorney Kammer indicated statutes require the Felicijans to prevail by three-fourths of the members present. He felt three-fourths of the body present and voting, had given an affirmative vote. In Attorney Kammer's opinion, abstaining votes were not votes. Attorney Kammer indicated the Felicijans had then prevailed and that the issue was not whether the Court supported the County Board's position, as stated by Corporation Counsel Ruf; but rather the question of the court siding with the leadership of the Board. Attorney Kammer indicated this was not a matter of changing one's mind; it was about correcting a mistake. He urged the Board to correct the mistake. Motion was reread at the request of Supervisor Tramburg.

Supervisor Sanderson appreciated the Corporation Counsels' comments, but felt this matter goes beyond the immediate issue at hand. It dealt with who is eligible to vote and how those votes are counted. Supervisor Sanderson felt the County Board had authority, whether it is equivalent or not to the courts, to make the motion to delete the word "failed" and insert "passed". The motion to adopt passed on a roll call vote, and that is what the journal should reflect.

Supervisor Andler asked if the Court ruled in favor of the previous roll call vote; and, the county board now amends the vote from "failed" to "passed", what would occur? Chair Martin asked for an opinion. Corporation Counsel Ruf indicated that was a question for Attorney Kammer and the Felicijans to respond to, he could not speak for them. He did anticipate, however, that if this Board moved to amend the previous decision by changing the word "failed" to "passed", there might then be a Motion to dismiss the pending lawsuit. He noted Attorney Kammer was nodding in the affirmative. At that point the Judge would never get the question. That was within the right of Attorney Kammer and Felicijans to do that.

Supervisor O'Neil shared percentages with the group: the previous vote of October 19th was 74 percent of the collective body. If the amendment made by Supervisor Pufahl is passed, that vote would then be 20 affirmative out of 25 voting members or 80 percent of the voting body.

Chair Martin called the vote of "all in favor of the amendment to the Journal". It was stated that a simple majority vote was required.

Supervisor Tramburg requested a roll call vote.

Motion to amend the Journal passed on a roll call vote as follows:

AYES: 22; NOES: 7

AYES: Jenkins, Kinney, Lloyd, O'Neil, Olson, Pufahl, Pugh, Robson, Salzwedel, Sanderson, Stevenson, Stoltenberg, Tramburg, Westby, Wopat, Boockmeier, V. Curtis, DeYoung, Hamele, Healy, Horton and Hutler.

NOES: Nelson, Ross, Andler, Baebler, Baumgartner, J. Curtis and Ford.

Motion to approve the Journal as amended.

Supervisor Horton indicated on the last page of the Journal, Stoltenberg made the motion to adjourn the meeting, and the second should reflect Supervisor Sanderson.

The motion to amend the journal carried unanimously.

Motion to approve the journal as amended, by Supervisor O'Neil, second by Supervisor Boockmeier. Motion carried unanimously.

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

Chair Martin's comments included the following: Supervisor See's generous donation to the Health and Human Services STARS Program would allow that program to continue through 2007. Without his donation, the funding for this program would have expired at the end of this year. As a reminder, the Committee Chair/Department Head Meeting is scheduled for December 12th at 1:00 p.m.; and a "thank you" was extended to Health & Human Services Business Office for taking the lead on sponsoring the "Giving Tree". She encouraged all to support those efforts.

Election packets had been prepared and provided for Supervisors. County Clerk Miller indicated dates and deadlines for completion of election forms and nomination papers. Spring election dates are February 21 and April 4, 2006.

Supervisor Boockmeier noted his appreciation for the opportunity to hold a County Board meeting at the Ethanol plant in Friesland indicating he would support meetings held at other locations.

Keith Miller was reappointed to the Veterans Service Commission for a term to expire November 2008. Motion to approve of reappointment by Supervisor Andler, second by Supervisor Tramburg. Motion carried unanimously.

RESOLUTION NO. 29-05

WHEREAS, Daniel J. See, of Lodi faithfully served the residents of Columbia County as a member of the Columbia County Board of Supervisors representing District 28 from April 21, 1992, until October 19, 2005, and

WHEREAS, Mr. See felt it necessary to resign his position because poor health prevented him from serving his constituents and the County at the level of commitment he felt they deserved, and

WHEREAS, Mr. See passed away shortly thereafter, and

WHEREAS, Mr. See was elected and served as Vice Chair of the Board of Supervisors from April, 2000, until April, 2002, and

WHEREAS, Mr. See was elected and served as Chair of the Board of Supervisors from April, 2002, until April, 2004, and

WHEREAS, Mr. See served on the following committees: Ad Hoc Highway Facility; Commission on Aging; Community Options; Executive; Finance; Health; Intercounty Coordinating; Land Information; Law Enforcement Building; Local Emergency Planning; Management Information Services; Planning and Zoning; Revolving Loan/Housing; Wisconsin Counties Association Legislative; and Wisconsin Counties Utility Tax Association.

NOW, THEREFORE, BE IT HEREBY RESOLVED that this Resolution be entered into the official records of the Columbia County Board of Supervisors in recognition of Daniel J. See's service to his county, his country, his community and that a copy will be sent to his family.

James Pugh	Donald P. Nelson	Robert L. Hamele
Kenneth W. Hutler	Kenneth E. Olson	J. Robert Curtis
Richard C. Boockmeier	Tom L. Jenkins	Michael J. Kinney
Vincent D. Curtis	John H. Healy	Don DeYoung
Sarah Lloyd	Harlan Baumgartner	Debra L. H. Wopat
Barry Pufahl	Susan Martin	Harlan Horton
Neil M. Ford	Claire R. Robson	Andy Ross
Robert J. Stoltenberg	Robert J. Andler	Timothy J. O'Neil
Gerald L. Salzwedel	Jack Sanderson	John H. Tramburg
Robert Westby	Philip Baebler	John G. Stevenson

Motion was made to adopt the Resolution by Supervisor Sanderson, second by Supervisor Westby. The Board stood in a moment of silence to pass the Resolution.

Chair Martin indicated that two daughters of Supervisor See were present, Mary Kay See and Laurie Brereton. She presented them with a signed framed copy of the memorial resolution honoring their father.

RESOLUTION NO. 30-05

WHEREAS, Donovan Ireland, of Lodi, Wisconsin, recently passed away, and
WHEREAS, prior to his death Donovan Ireland faithfully served the residents of Columbia County as a member of the Columbia County Board of Supervisors, and

WHEREAS, Mr. Ireland was elected to serve on the Columbia County Board of Supervisors to represent District 12 beginning April 20, 1982, until April 14, 1986, and

WHEREAS, Mr. Ireland served on the following committees: Social Services, Health Education and Planning and Zoning.

NOW, THEREFORE, BE IT HEREBY RESOLVED that this Resolution be entered into the official records of the Columbia County Board of Supervisors in recognition of Donovan Ireland's service to his county, his country, his community and that a copy will be sent to his family.

James Pugh	Donald P. Nelson	Robert L. Hamele
Kenneth W. Hutler	Kenneth E. Olson	J. Robert Curtis
Richard C. Boockmeier	Tom L. Jenkins	Michael J. Kinney
Vincent D. Curtis	John H. Healy	Don DeYoung
Sarah Lloyd	Harlan Baumgartner	Debra L. H. Wopat
Barry Pufahl	Susan Martin	Harlan Horton
Neil M. Ford	Claire R. Robson	Andy Ross
Robert J. Stoltenberg	Robert J. Andler	Timothy J. O'Neil
Gerald L. Salzwedel	Jack Sanderson	John H. Tramburg
Robert Westby	Philip Baebler	John G. Stevenson

Motion was made to adopt the Resolution by Supervisor Westby, second by Supervisor Pufahl. The Board stood in a moment of silence to pass the Resolution.

Chair Martin announced at 10:20 a.m. that the Board would be resolved into a Committee as a whole for the purpose of holding a public hearing on the budget.

The Clerk read the proposed budget as recommended by the Finance Committee.

The following were present for the budget hearing: Lois Schepp, Shonna Neary, Cindy Devine, Cathy Karls, Cory Wiegel, Susan Raimer, Jane Kohlwey, Kurt Calkins, Kristen Anderson, John Hartman, John Bluemke, Deb Raimer, Lisa Walker, Karen Nelson, Laura

A motion to adjourn the Committee as a whole was made by Supervisor Boockmeier, second by Supervisor Olson. The motion carried unanimously.

RESOLUTION NO. 31-05

WHEREAS, The municipality hereinafter named has filed a petition for County Aid in the construction of a bridge under Section 81.38 of the Statutes, said petition is hereby granted, and the county's share is appropriated as follows:

<u>County Municipality</u>	<u>Bridge</u>	<u>Amount Raised By Local Unit</u>	<u>Amount of Aid Granted</u>
Town of Columbus	River Road	\$ 18,000.00	\$ 9,000.00
Town of Randolph	Kok Road	\$ 17,750.00	\$ 8,875.00

Fiscal Note: \$17,875.00 - 3334.551210 County Aid Bridge Refunds

Fiscal Impact: The County Board does hereby levy a tax of \$17,875.00 to meet said appropriation on all of the property on the county, which is taxable for such purpose. It is directed that provision for this levy shall be made in the County Budget, but that this levy shall not be duplicated.

Robert J. Andler
Vincent D. Curtis
Michael J. Kinney
Andy Ross
Robert L. Hamele
HIGHWAY COMMITTEE

Motion was made to adopt County Aid Bridge Construction Resolution by Supervisor V. Curtis, second by Supervisor Andler.

The Resolution was unanimously adopted.

RESOLUTION NO. 32-05

SECTION I. The County Board of Supervisors of Columbia County, Wisconsin, regularly assembled, does hereby resolve that such funds as may be made available to the county for highway work in the year 2006 under the provisions of Section 20.395 and Chapter 83 of the Statutes, and the additional sums herein appropriated, shall be expended as hereinafter set forth:

SECTION II. COUNTY TRUNK HIGHWAY ALLOTMENT. WHEREAS the Division of Highways has notified the County Clerk that a sum of money estimated to be \$1,505,151.00 will become available at the end of the fiscal year under the provisions of Section 83.03 and 20.395 (2)(yb) and (2)(yd) of the Statutes, for the County Trunk Highway System in the county, but the actual amount will not be known until the close of the fiscal year ending next June 30.

BE IT THEREFORE RESOLVED that the County Highway Committee is authorized and directed to expend the said sum to the extent required to match and supplement Federal Aid for construction, right of way, and other costs on any Federal Projects located on the County Trunk Highway System of said county, which are not recovered from Federal Funds, and to expend any balance for constructing, repairing and maintaining such County Trunk Highway System and the bridges thereon, including snow and ice removal and control, as directed in Section 83.03 (1) of the Statutes, and to reimburse the general fund for any expenditures that may be made there from pursuant to Section 83.01 of the Statutes.

SECTION III. WHEREAS, various towns, villages, and cities hereinafter named have filed petitions for County Aid for roads under provisions of Section 83.14 of the Statutes.

BE IT THEREFORE RESOLVED that such petitions are hereby granted and county appropriations be made as follows:

<u>TOWNS</u>	<u>NAME OF ROAD</u>	<u>COUNTY APPROPRIATIONS</u>
Arlington	WIBU Rd	\$ 8,036.00
Caledonia	Tritz Road	13,221.25
Columbus	Arnold, Columbus /Fall River Rd	8,877.75
Courtland	Breneman Dr., Schilling Rd	5,192.25
Dekorra	Drake Rd	10,029.25
Fort Winnebago	Fox River Rd	6,357.75
Fountain Prairie	Sleepy Hollow Rd	7,826.00
Hampden	Eggert Rd	7,413.00
Leeds	Goose Pond, Ramsey, Kroncke Rd	8,601.25
Lewiston	Corning Rd	8,158.50
Lodi	Kohn Rd.	5,734.75
Lowville	East, West Oak Ridge Court	8,146.25
Marcellon	Haynes Rd	7,787.50
Newport	Valley Dr., Winnebago Rd.	5,197.50
Otsego	King Rd	8,263.50
Pacific	Wolf Dr.	3,914.75
Randolph	Schmidt Rd.	6,942.25
Scott	Dodge Rd	6,209.00
Springvale	Palmer, Welsh Prairie, Old B Rd. & Lee Dr.	8,288.00
West Point	Boehmer, Wartner, Schneller, Price, Pulvermacher Dr.	7,024.00
Wyocena	Haynes Rd	8,303.75
<u>VILLAGES</u>	<u>NAME OF ROAD</u>	<u>COUNTY APPROPRIATIONS</u>
Arlington		- 0 -
Cambria		- 0 -
Doylestown		- 0 -
Fall River		- 0 -
Friesland		- 0 -
Pardeeville	Schwantz St.	3,500.00
Poynette		- 0 -
Randolph		- 0 -
Rio	Holmes St.	3,500.00
Wyocena		- 0 -
<u>CITIES</u>	<u>NAME OF ROAD</u>	<u>COUNTY APPROPRIATIONS</u>
Columbus	Mill St.	2,000.00
Lodi	Church St.	2,000.00
Portage	Northport, Portage Rd.	2,000.00
Wisconsin Dells		- 0 -
TOTAL		\$ 172,524.25

SECTION IV. WHEREAS it appears that certain additional highway improvements in the county are necessary and warranted.

Fiscal Note: that the County Board does hereby appropriate the following sums for the purpose hereinafter set forth:

- (1) For Administration (3110, 3191 and 3192) including salaries, office and travel expense of the County Highway Commissioner, his clerks and assistants not paid from the construction and maintenance funds, the sum of \$773,560.00.
- (2) For Highway Office (3275) Operating Expense, the sum of \$20,700.00.
- (3) For Winter Maintenance (3312), the sum of \$1,379,995.00.
- (4) The sum of \$2,844,103.00 for Road and Bridge Construction (3313) on the County Trunk Highway System.
- (5) For General Public Liability (3193), the sum of \$93,188.00.
- (6) Buildings and Grounds (3271), 0.00.
- (7) For Maintenance of the County Trunk Highway System (3311), the sum of \$1,092,092.00.
- (8) Capital Outlay Pool for the acquisition of capital assets \$924,896.00.
- (9) Capital Outlay Pool for the acquisition of Park assets \$0.00.

- (10) For Maintenance of the State Trunk Highway System (3321), \$4,700,857.00.
 - (11) For Maintenance of the Towns, Villages, and Cities System (3331), \$2,117,882.00.
 - (12) For Maintenance of Miscellaneous Accounts (3371), \$1,299,885.00.
 - (13) County Parks (3390), the sum of \$23,278.00.
- TOTAL AUTHORIZED IN THIS SECTION (\$15,270,436.00)

SECTION V. WHEREAS, appropriations are made herein, in addition to the amounts to be received from the State and available for work in the county under Section 20.395 of the Statutes. BE IT RESOLVED that the County Board does hereby levy a tax on all of the property in the county to meet such appropriations as follows:

- (1) For County Aid (3333) under Section 83.14 as provided by Section III hereof, the sum of \$172,524.00.
- (2) For the various purposes as set forth in Section III and Section IV hereof, the sum of \$15,442,960.00, minus Revenue, Contingency and Equity applied of \$11,228,479.00. Equals the net amount of \$4,214,481.00.

Fiscal Impact: that the County Board does hereby levy a tax of \$4,214,481.00 to meet said appropriation on all of the property on the county, which is taxable for such purpose.

WARNING: It is directed that provision for this levy shall be made in the County Budget, but that this levy shall not be duplicated.

SECTION VI. WHEREAS, the various highway activities for which provision is made in this resolution are continuous from year to year, and the exact cost of any work cannot be known at the time of making the appropriation.

THEREFORE, BE IT RESOLVED that this Board does hereby direct that any balance remaining in any appropriation for specific highway improvement after the same shall have been completed may be used by the County Highway Committee to make up any deficit that may occur in any other improvement, which is part of the same item in the County Budget, for which provision is herein made, and any balance remaining at the end of the year in any Highway Fund shall remain and be available for the same purpose in the ensuing year.

SECTION VII. WHEREAS, the exact amount of the funds that will become available from the State for highway purposes in the county under Section 20.395 of the Statutes will not be known until on or after next June 30.

BE IT FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to make payments for the purposes for which such funds are to be used, as herein before authorized, from any funds in the County Treasury that are not required for the purposes for which appropriated prior to next August 1 and to reimburse such funds in the County Treasury from the sums received under Section 20.395 of the Statutes.

SECTION VIII. WHEREAS, the County Highway Committee and the County Highway Commissioner are charged with the duty and responsibility of carrying out the construction and maintenance of highways for which provision is made, and other related supervisory and administrative duties.

BE IT FURTHER RESOLVED, That the County Highway Commissioner shall have authority to employ, discharge, suspend, layoff, or reinstate such personnel in accordance with Columbia County personnel policy as set forth in Chapter 7 Ordinance, where the ordinance is not in conflict with Wisconsin State Statutes, as he deems necessary for such purposes, provided, however, that the County Highway Committee may by action recorded in its minutes determine the number of persons to be hired, and may also at any time by action so recorded, order the County Highway Commissioner to employ, discharge, suspend, lay off, or reinstate any such person in accordance with Columbia County personnel policy as set forth in Chapter 7 Ordinance, where the ordinance is not in conflict with Wisconsin State Statutes. The term "personnel" or "person" shall include all patrolmen, laborers, foremen, clerks, stenographers, or other employees necessary to carry on such activities.

Robert J. Andler
Vincent D. Curtis
Michael J. Kinney
Andy Ross
Robert L. Hamele
HIGHWAY COMMITTEE

Motion was made to adopt the County Aid Construction and Maintenance During Calendar Year 2006 Resolution by Supervisor Kinney, second by Supervisor Hamele.

Supervisor Lloyd referred to lines 139-141 inquiring if these funds then become non-lapsing for use the following year. Highway Commissioner Dey indicated remaining funds go into equity and are used to offset the following years budget. Comptroller Schepp discussed how funds are earmarked non-lapsing. She indicated Highway is an Internal Service Fund that operates and regulated much like a business. In general, non-lapsing funds have a statutory reason specific to handling of funds for that project. Comptroller Schepp indicated her willingness to discuss non-lapsing funds with Supervisor Lloyd.

The Resolution was unanimously adopted.

Supervisor Jenkins requested non-lapsing figures for Highway Budgets. Chair Martin asked that they be made available to all supervisors.

RESOLUTION NO. 33-05

Whereas, the Columbia County Board of Supervisors has held a public hearing, pursuant to Section 65.90, Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors does adopt a budget for calendar year 2006 with total expenditures of \$65,210,367 and total revenues and equity applied of \$45,385,850.

BE IT FURTHER RESOLVED that a County Tax of \$18,965,052 be levied upon all the taxable property of the County for the current expenses of the County, including the construction of public highways, and

That a County Library System Tax of \$429,556 be levied on the taxable property of the County except that part in the Villages of Cambria, Pardeeville, Poynette, Randolph, Rio, Wyocena, and the Cities of Columbus, Lodi, Portage, and Wisconsin Dells, and

That a Recycling Tax of \$424,586 be levied on the taxable property of the County except in the Townships of Newport and Pacific and the City of Wisconsin Dells, and

That a State Tax for forestry of \$820,233.91 and a special charge for charitable and penal purposes of \$5,323 be levied upon all the taxable property of the County as certified by the State Department of Administration.

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

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

A variety of questions were discussed relating to county library tax verses municipalities where libraries are exempt; recycling tax; county jail operating budget and higher student cost in rural communities. Supervisor Tramburg thanked Supervisors, Department Heads, Comptroller Schepp and staff for their contribution to the 2006 budget. Further, Supervisor Tramburg indicated a publication – 2006 Budget In Brief, was being produced that would discuss the financial climate in Columbia County and would be available for distribution at the December meeting.

Chair Martin called for vote on Resolution. The Resolution was unanimously adopted.

RESOLUTION NO. 34-05

WHEREAS, Assembly Bill 257 and its twin, Senate Bill 126, have been introduced in the State Legislature; and

WHEREAS, these two pieces of legislation propose that cities, villages, towns, sanitary districts and counties have the option of either publishing an ordinance in its entirety, or simply publishing a summary of the ordinance and information as to where people can obtain a full text version of the ordinance; and

WHEREAS, if these Bills are passed, Columbia County would save a substantial amount in newspaper publishing costs on an annual basis; and

NOW, THEREFORE, BE IT RESOLVED, by the Columbia County Board of Supervisors that it hereby indicates its support for the passage of Assembly Bill 257 and Senate Bill 126.

BE IT FURTHER RESOLVED that the Columbia County Clerk send a copy of this resolution to all legislators representing constituents within Columbia County; to the Wisconsin Counties Association; and to the Office of Governor James Doyle.

Fiscal Note: None

Fiscal Impact: Savings would be realized if summary notifications could be published; the dollar amount could vary between from \$2,500 annually to a much larger figure, depending on the volume of the ordinances which are revised or newly enacted.

Robert W. Westby
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 Westby, second by Supervisor Pufahl.

The Resolution was unanimously adopted.

RESOLUTION NO. 35-05

WHEREAS, Columbia Health Care Center and other nursing homes operated by local governments in Wisconsin sustain losses because of insufficient reimbursement rates under the Medical Assistance (Medicaid) program; and

WHEREAS, the Federal Government provides to each state additional Medicaid funds, based on the amount of losses sustained by nursing homes operated by local governments in that state, such additional funds being known as Intergovernmental Transfer (IGT) funds; and

WHEREAS, the State of Wisconsin passes on some, but not all, of those IGT funds to the local governments that operate nursing homes; and

WHEREAS, it is the local governments, not the State of Wisconsin, that have sustained the losses caused by inadequate Medicaid reimbursement; and

WHEREAS, draft legislation being prepared at the request of Representative Daniel LeMahieu, AB 802, would permanently require the State of Wisconsin to allocate to such local governments all Federal IGT funds received by the State, to the extent that such funds exceed the amounts budgeted by the State as revenue; and

WHEREAS, AB 802 would effect a more equitable sharing of the Federal IGT payments between the State and the local governments that operate nursing homes, especially Columbia County.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors strongly supports AB 802 and any similar legislation that would require the State of Wisconsin more equitably share Federal IGT funds with local governments that operate nursing homes.

BE IT FURTHER RESOLVED, that the Columbia County Clerk forward copies of this resolution to Governor James Doyle, Columbia County state legislators, the Wisconsin Counties Association, the Wisconsin Association of County Homes and all other Wisconsin counties.

Fiscal Note: None
Fiscal Impact: Columbia County could receive potential funds of \$130,000 if approved by Legislature and Governor.

Sarah Lloyd
Michael J. Kinney
Gerald L. Salzwedel
John H. Tramburg
Jack Sanderson
HEALTH CARE CENTER

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

Supervisor Sanderson indicated that declining IGT funds are a result of the State passing on only a portion of funding received from the Federal Government. He requested that Supervisors keep abreast of this practice, indicating it makes a difference in how much the County has to contribute to operating expense for the nursing home.

Supervisor Pufahl asked if there was a fiscal impact that should be included on the resolution. Columbia Health Care Center Administrator Yamriska indicated there was a potential to receive an additional \$130,000. Supervisor Sanderson indicated that additional revenue would only occur if approved by the Governor and Legislature. Supervisor Pufahl made the motion to amend the Resolution to reflect a potential fiscal impact of \$130,000. Second was made by Supervisor Sanderson.

The Resolution as amended was unanimously adopted.

RESOLUTION NO. 36-05

WHEREAS, Wisconsin counties are mandated by the State to pay the cost of individuals placed in one of the two state Mental Health Institutions (Winnebago and Mendota); and,

WHEREAS, no county can budget for the cost of these placements each year because they are entirely unpredictable from year to year; and,

WHEREAS, the daily cost of a placement for an adult at Mendota Mental Health Institute is \$670 per day and \$645 at Winnebago Mental Health Institute; and,

WHEREAS, one adult placed in one of these state institutions costs one quarter of a million dollars a year; and,

WHEREAS, in 2005 Columbia County has had 66 clients placed at Mendota Mental Health Institute and 6 clients placed at Winnebago Mental Health Institute, at a total cost of \$401,810; and,

WHEREAS, Health & Human Service Departments across the State have a primary role in providing Community Services to a large number of residents in need and the immense and variable cost of State Mental Health Institute placements severely reduces the county's ability to provide those needed services in the community; and,

WHEREAS, in the April 2005 elections, 85% of the voters in Wisconsin voted that these human services costs should be paid for with state tax dollars and not property tax dollars; and,

WHEREAS, the cost of these placements does not fluctuate drastically from one year to the next on a statewide basis but changes dramatically from county to county each year depending on one or two cases; and,

WHEREAS, there is no good public policy reason why the property taxpayers of Columbia County should bear this limitless risk every year; and,

WHEREAS, the State of Wisconsin approves the rate increases at these two state institutions; the State would have much more incentive to examine the necessity of the proposed rates if they were responsible for paying the cost of the placement.

NOW, THEREFORE, BE IT RESOLVED, that Columbia County calls upon the Governor and Legislature to pass legislation which removes this cost, which is clearly a State responsibility, from the property tax; and,

BE IT FURTHER RESOLVED, that Columbia County shall send the State of Wisconsin an invoice for costs which were inappropriately billed to the property taxpayers of Columbia County and a copy of this Resolution be sent to the Governor, all members of the Wisconsin Legislature who represent Columbia County, all counties in Wisconsin, and the Wisconsin Counties Association.

Fiscal Note: Columbia County estimates that an amount in excess of \$500,000 will be spent for state Mental Health Institution 2005 placements.

Timothy O'Neil, MD
Claire Robson
Phil Baebler
~~Charles Boursier, MD~~
~~Susan Goethel~~

~~Janet Gardner, RN~~
Kenneth Olson, Secretary
Barry Pufahl, Vice Chair
J. Robert Curtis, Chair
HEALTH AND HUMANS SERVICES BOARD

Motion was made to adopt the Resolution by Supervisor J. Robert Curtis, second by Supervisor Baebler.

Supervisor Horton asked that copies be sent to the Governor, all members of the Wisconsin Legislature representing Columbia County, all counties in Wisconsin and Wisconsin Counties Association. Seconded by Supervisor O'Neil. The motion to amend carried unanimously.

The Resolution as amended was unanimously adopted.

RESOLUTION NO. 37-05

WHEREAS, Thomas A. Hughes, filed a claim on behalf of Hughes Trucking in the amount of \$32,306.02 for property damage and related costs in an accident that occurred on February 20, 2005; and,

WHEREAS, the Claim has been referred to the Judiciary Committee; and,

WHEREAS, the Judiciary Committee has reviewed the Claim and determined that it is without merit.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors denies the Claim filed by Thomas A. Hughes on behalf of Hughes Trucking.

Fiscal Note: NONE
Fiscal Impact: NONE

Robert L. Hamele
Richard C. Boockmeier
Tom L. Jenkins
Robert J. Andler
Robert Westby
JUDICIARY COMMITTEE

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

The Resolution was unanimously adopted.

RESOLUTION NO. 38-05

WHEREAS, Attorney William E. Henderson, Jr., filed a claim on behalf of Landstar Ranger, Inc., for diesel fuel clean-up costs in the amount of \$5,319.12 and adjusting fees in the amount of \$2,427.79. The total amount of the claim is \$7,746.91; and,

WHEREAS, the Claim has been referred to the Judiciary Committee; and,

WHEREAS, the Judiciary Committee has reviewed the Claim and determined that it is without merit.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors denies the Claim filed by Attorney William E. Henderson, Jr. on behalf of Landstar Ranger, Inc.

Fiscal Note: NONE
Fiscal Impact: NONE

Robert L. Hamele
Richard C. Bookmeier
Tom L. Jenkins
Robert J. Andler
Robert Westby
JUDICIARY COMMITTEE

Motion was made to adopt the Resolution by Supervisor Westby, second by Supervisor Andler.

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 Beverly A. Baerwolf, Lodi, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 8, Town of Leeds on the 17th day of March, 2005 be approved as follows: To change from Agricultural to Rural Residential, a parcel of land described as Lot 1, Certified Survey Map Number 4368, located in Section 8, Town 10N, Range 10E, Town of Leeds.
- (2) A petition by James V. Lane, Portage, Wisconsin to rezone from Agricultural and Commercial to Rural Residential, property located in Section 27, Town of Lewiston on the 20th day of September, 2005 be approved as follows: To change from Agricultural and Commercial to Rural Residential, a parcel of land located in part of the NE ¼ of the NE ¼, Section 27, Town 13N, Range 7E, Town of Lewiston.
- (3) A petition by Shirley Dehler, Columbus, Wisconsin to rezone from Agricultural to Agricultural No. 2, property located in Section 24, Town of Otsego on the 26th day of September, 2005 be approved as follows: To change from Agricultural to Agricultural No. 2, a parcel of land located in part of the NE ¼ of the SE ¼, Section 24, Town 11N, Range 11E, Town of Otsego.

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. Z331-05
 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”, (Beverly A. Baerwolf) a parcel of land located in Section 8, Town of Leeds, more particularly described as follows: PARCEL NUMBER 129 Lot 1, Certified Survey Map Number 4368, located in Section 8, Town 10N, Range 10E, Town of Leeds. Said property contains 2.09 acres, more or less. This Ordinance repeals Amending Ordinance Number Z324-05 (1).
- (2) “To change from Agricultural and Commercial to Rural Residential”, (James V. Lane) a parcel of land located in part of the NE ¼ of the NE ¼, Section 27, Town 13N, Range 7E, Town of Lewiston, more particularly described as follows: PARCEL NUMBER 269.4 Commencing at the Northeast corner of said Section 27; Thence South 02 degrees 51 minutes 34 seconds East along the east line of the Northeast Quarter of said Section 27, 677.37 feet to a point in the Southerly right-of-way line of State Trunk Highway 16; Thence North 71 degrees 53 minutes 00 seconds West along the Southerly right-of-way line of State Trunk Highway 16, 377.19 feet to the point of beginning; Thence South 02 degrees 51 minutes 34 seconds East, 317.89 feet to a point in the center line of Konkell Road; Thence North 82 degrees 32 minutes 11 seconds West along the center line of Konkell Road, 347.16 feet; Thence North 07 degrees 27 minutes 48 seconds East, 367.33 feet to a point in the Southerly right-of-way line of State Trunk Highway 16; Thence South 71 degrees 53 minutes 00 seconds East along the Southerly right-of-way line of State Trunk Highway 16, 295.29 feet to the point of beginning; Said property contains 2.47 acres, more or less.

- (3) "To change from Agricultural to Agricultural No. 2", (Shirley Dehler) a parcel of land located in Section 24, Town of Otsego, more particularly described as follows: PARCEL NUMBER 414 The East 18 acres of the Northeast Quarter of the Southeast Quarter of Section 24, Town 11N, Range 11E, Town of Otsego. Said property contains 18.00 acres, more or less.

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

DATE PASSED: November 15, 2005
DATE PUBLISHED: November 23, 2005

First reading of Ordinance.

Motion was made by Supervisor Baumgartner, second by Supervisor V. Curtis 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 Boockmeier, second by Supervisor V. Curtis 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 Baumgartner, second by Supervisor Boockmeier to adopt the Ordinance.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance Z331-05.

REPORT OF THE LAND & WATER CONSERVATION COMMITTEE

For the Farmland Preservation Program

We, the Land and Water Conservation Committee, having received a copy of an application for a Farmland Preservation Agreement pursuant to Section 91.13 (2) Wisconsin Statutes have approved the following:

NAME	TOWN
Steve & Betty Hoffman	Randolph

Robert Hamele
Claire Robson
Robert Stoltenberg
Don Nelson
John G. Stevenson
~~Rosanne Woodward~~
LAND & WATER
CONSERVATION COMMITTEE

On motion by Supervisor Stoltenberg, second by Supervisor Hamele, the Report was unanimously accepted.

Chair Martin announced that the next order of business would be the election of a Supervisor to the Executive Committee for remaining term April 2006.

Supervisor Westby nominated Supervisor Ford. Seconded by Supervisor Boockmeier.

Supervisor Stevenson nominated Supervisor Kinney. Supervisor Kinney requested that his name be withdrawn from consideration. He may not reside in his current district.

Supervisor Tramburg nominated Supervisor Boockmeier, second by Supervisor Olson.

Supervisor Salzwedel made motion that the nominations be closed. Seconded by Supervisor DeYoung.

Chair Martin indicated that two (2) nominations had been received, Supervisor Ford and Supervisor Boockmeier. Votes were collected and tallied by Supervisors Salzwedel and Hutler. Chair Martin announced that Supervisor Boockmeier would serve on the Executive Committee for the balance of this term.

Supervisor J. Curtis moved adjournment of this meeting to Wednesday, December 21, 2005, at 9:45 a.m. in the Carl Frederick Administration Building. Seconded by Supervisor Jenkins. The meeting adjourned at 11:38 a.m.

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