

PROCEEDINGS
OF THE
BOARD OF SUPERVISORS
Columbia County, Wisconsin

Portage, Wisconsin
December 20, 2006
9:46 A.M.

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

All Supervisors were present.

Members stood and recited the Pledge of Allegiance and remained standing for a moment of silence recognizing our service men and women.

A motion to approve the Journal of November 14, 2006, was made by Supervisor Boockmeier, second by Supervisor Salzwedel. Motion carried unanimously.

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

Chair Baumgartner indicated that copies of the "Columbia County Budget in Brief" are available in the Accounting Department.

Supervisors were reminded of the deadline for 2006 expense vouchers. Also, updated voucher forms, with amended per diem rates, are available on the county website effective January 1, 2007.

Susan Horn and Robert Gummer from PDC Midwest, Inc. gave a presentation on the proposed development of a Senior Living Center located on the grounds of the Columbia Health Care Center. Total project cost was estimated at \$3.8 million providing 34 units of which 4 units will be utilized for memory care. Comptroller Schepp advised that current personnel expenses should be taken into consideration when looking at proposed total cost for the project. Mr. Gummer indicated operating costs are typically based on experience in other public or private facilities. Future expansion was indicated resulting from increased growth in the age group 65 or older. He estimated growth in the county at 7 percent.

The following appointments were announced:

- (1) Zoning Board of Adjustments: Bernard Spink, with a term to expire June 2008 and Darwin Selle, as alternate, with a term to expire June 2009. On motion by Supervisor Boockmeier, second by Supervisor Richmond, the appointments were unanimously approved.
- (2) County Library Systems Board: J. Robert Curtis, with a term to expire June 2009 and Carol Ziehmke, with a term to expire December 2009. On motion by Supervisor Pufahl, second by Supervisor O'Neil, the appointments were unanimously approved.
- (3) National Incident Management System (NIMS) Coordinator: Pat Beghin. On motion by Supervisor Andler, second by Supervisor Westby, the appointment was unanimously approved. Emergency Management Director Beghin indicated Federal Legislation required this appointment. Chair Baumgartner indicated this is a formal acknowledgement of duties that Beghin has been performing. He will continue to be in charge, at the County level, acting as the contact person, trainer for first responders and coordinating activities between the County and the Feds.
- (4) Highway Safety Committee: Peter Hibner to replace Dan Pulsfus, with a term to expire January 2008. On motion by Supervisor Stevenson, second by Supervisor DeYoung, the appointment was unanimously approved.

RESOLUTION NO. 42-06

WHEREAS, Federal monies administered by the Wisconsin Department of Commerce were made available to establish a revolving loan fund for economic development in Columbia County, and

WHEREAS, Columbia County currently has \$678,866 of funds available in its revolving loan fund, and

WHEREAS, Anteco Pharma, LLC, of Lodi, Wisconsin, has plans to expand their business, which will create six (6) new jobs in Columbia County, and

WHEREAS, Anteco Pharma, LLC, is in need of funds to purchase equipment, install additional HVAC, and upgrade their facilities, and

WHEREAS, additional funds in the amount of \$345,000 are being committed by the following sources:

- State Bank of Cross Plains \$ 65,000
- U.S. Small Business Administration \$280,000

WHEREAS, after due consideration by the Columbia County Revolving Loan Fund/ Housing Committee, it is recommended that Anteco Pharma's application in the amount of \$105,000 be approved by the Columbia County Board, and

WHEREAS, in accordance with the Columbia County Economic Development Revolving Loan Program Policies and Procedures Manual, it is necessary for the Columbia County Board to approve all County loans from the County's Revolving Loan Fund before an applicant can receive funds from the program.

NOW, THEREFORE, BE IT RESOLVED, that that the Columbia County Board of Supervisors does approve and authorize the release of funds from the Columbia County Revolving Loan Fund to Anteco Pharma, LLC in the amount of \$105,000 provided that the applicant is in full compliance with the Columbia County Economic Development Revolving Loan Fund Policies and Procedures Manual, and the terms of the loan agreement, as set forth by the Revolving Loan Fund/Housing Committee.

BE IT FURTHER RESOLVED, that the Columbia County Board Chairman and County Clerk are hereby authorized to sign all necessary documents on behalf of Columbia County.

Fiscal Note: None

Fiscal Impact: Using \$105,000 of designated RLF Funds.

Debra L. H. Wopat
~~Mark A. Witt~~
Robert L. Hamele
Harlan Baumgartner
John H. Tramburg
REVOLVING LOAN FUND/HOUSING COMMITTEE

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

Chris Conlon and Howard Teeter, owners of Anteco Pharma, LLC, gave a brief overview of the business and thanked the Board of Supervisor for the opportunity to expand their business.

The Resolution was unanimously adopted.

RESOLUTION NO. 43-06

WHEREAS, Steven R. Rowe began his employment with Columbia County as a Jailer Dispatcher in the Sheriff's Department in June of 1979; and

WHEREAS, Steven R. Rowe has most recently served as the Columbia County Sheriff since January 1, 1995; and

WHEREAS, Steven R. Rowe is retiring from his position as County Sheriff when his term expires on January 2, 2007; and

WHEREAS, throughout his years of service to Columbia County, Steven R. Rowe has dedicated himself to serving the citizens of Columbia County.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board recognizes and appreciates the effort and commitment of Steven R. Rowe for all his dedication and hard work during his service to Columbia County and wishes him the best in his future endeavors.

Supervisor Brian L. Landers
Supervisor Kenneth W. Hutler
Supervisor Tom L. Jenkins
Supervisor John H. Healy
Supervisor Harlan Baumgartner
Supervisor Susan Martin
Supervisor Fred C. Teitgen
Supervisor Robert J. Andler
Supervisor Jack Sanderson
Supervisor Robert R. Westby

Supervisor Donald P. Nelson
Supervisor J. Robert Curtis
Supervisor Vern E. Gove
Supervisor Don DeYoung
Supervisor Debra L. H. Wopat
Supervisor Robert J. Lane
Supervisor Andy Ross
Supervisor Timothy J. O'Neil
Supervisor John H. Tramburg
Supervisor Philip Baebler

Supervisor Robert L. Hamele
Supervisor Richard C. Boockmeier
Supervisor Mary Cupery
Supervisor Sarah Lloyd
Supervisor Barry Pufahl
Supervisor Neil M. Ford
Supervisor Robert J. Stoltenberg
Supervisor Gerald L. Salzwedel
Supervisor Douglas S. Richmond
Supervisor John G. Stevenson

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

The Resolution was unanimously adopted.

RESOLUTION NO. 44-06

WHEREAS, Jeanne Miller began her employment with Columbia County as a Clerk Steno II in the UW Extension Office in February of 1985; and

WHEREAS, Jeanne Miller has most recently served as the Columbia County Clerk since January of 2003; and

WHEREAS, Jeanne Miller is retiring from her position as County Clerk when her term expires on January 2, 2007; and

WHEREAS, throughout her years of service to Columbia County, Jeanne Miller has dedicated herself to serving the citizens of Columbia County.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board recognizes and appreciates the effort and commitment of Jeanne Miller for all her dedication and hard work during her service to Columbia County and wishes her the best in her future endeavors.

Supervisor Brian L. Landers	Supervisor Donald P. Nelson	Supervisor Robert L. Hamele
Supervisor Kenneth W. Hutler	Supervisor J. Robert Curtis	Supervisor Richard C. Boockmeier
Supervisor Tom L. Jenkins	Supervisor Vern E. Gove	Supervisor Mary Cupery
Supervisor John H. Healy	Supervisor Don DeYoung	Supervisor Sarah Lloyd
Supervisor Harlan Baumgartner	Supervisor Debra L. H. Wopat	Supervisor Barry Pufahl
Supervisor Susan Martin	Supervisor Robert J. Lane	Supervisor Neil M. Ford
Supervisor Fred C. Teitgen	Supervisor Andy Ross	Supervisor Robert J. Stoltenberg
Supervisor Robert J. Andler	Supervisor Timothy J. O'Neil	Supervisor Gerald L. Salzwedel
Supervisor Jack Sanderson	Supervisor John H. Tramburg	Supervisor Douglas S. Richmond
Supervisor Robert R. Westby	Supervisor Philip Baebler	Supervisor John G. Stevenson

Motion was made to adopt the Resolution by Supervisor Lloyd, second by Supervisor Pufahl.

The Resolution was unanimously adopted.

John Roth, Village of Pardeeville Clerk, presented gifts of appreciation to Jeanne Miller on behalf of all municipal clerks of Columbia County.

REPORT OF THE PLANNING AND ZONING COMMITTEE

The Planning and Zoning committee having held a public hearing 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 Grand Developments, LLC, Waunakee, WI, to rezone from Agricultural to Single Family Residence and Agricultural with Agricultural Overlay District, properties on CTH CS and Smith Road, A part of the NE ¼ of the NE ¼, SE ¼ of NE ¼, SW ¼ of the SE ¼, and the SW ¼, Section 35, and part of the SE ¼ of the SE ¼, and the SW ¼ of the SE ¼, Section 34, Town of Dekorra on the 8th day of August, 2006 be approved as follows: To change from Agricultural to Single Family Residence and Agricultural with Agricultural Overlay District, parcels of land described as Parcels 976.01, 976.02, 976.03, 976.04, 976.05, 976.06, 976.07, 976.08, 1032, and 1034.1 located in part of the NE ¼ of the NE ¼, SE ¼ of NE ¼, SW ¼ of the SE ¼, and the SW ¼, Town of Dekorra.
- (2) A petition by Herman & Belva Auchtung, Poynette, WI, to rezone from Agricultural to Rural Residential and Agricultural to Agricultural with Agricultural Overlay, property at W6594 Traut Road, Section 17, T11N, R10E, Town of Lowville on the 12th day of October, 2006 be approved as follows: To change from Agricultural to Rural Residential and Agricultural to Agricultural with Agricultural Overlay, a parcel of land described as Parcel 322 located in Section 17, T11N, R10E, Town of Lowville.
- (3) A petition by Poynette Bow Hunters, Petitioner, Don & Kenneth Gatzke, Owners, Lowville, WI to rezone from Agricultural to Recreational, property at N3197 STH 22 Section 29, T11N, R10E, Town of Lowville on the 9th day of November, 2006 be approved as follows: To change from Agricultural to Recreational, parcels of land described as Parcels 526.1 & 529 located in Section 29, T11N, R10E, Town of Lowville.

- (4) A petition by DMB Community Bank, Petitioner, to rezone from Agricultural to Agriculture No.2, Parcel 544, Section 36, T11N, R9E, Town of Dekorra on the 14th day of November, 2006 be approved as follows: To change from Agricultural to Agriculture No.2, a parcel of land described as Parcel 544 located in Section 36, T11N, R9E, Town of Dekorra.
- (5) A petition by David A. Bower, Rio, WI, to rezone from Agricultural to Rural Residential and Agricultural to Agricultural with Agricultural Overlay, property at N4085 Erdman Road, Section 16, T11N, R11E, Town of Otsego on the 14th day of November, 2006 be approved as follows: To change from Agricultural to Rural Residential and Agricultural to Agricultural with Agricultural Overlay, land described as Parcel 195.2 located in Section 16, T11N, R11E, Town of Otsego.

Douglas Richmond
 John H. Healy
 Philip Baebler
 Fred C. Teitgen
 Timothy J. O'Neil
 PLANNING AND ZONING COMMITTEE

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

ORDINANCE NO. Z344-06

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 Single Family Residence and Agricultural to Agriculture with the Agricultural Overlay District”, (Grand Developments, LLC) properties on CTH CS and Smith Road, Town of Dekorra more particularly described as follows: Agricultural To Single Family Residential: Being a part to the Southeast Quarter of the Southwest Quarter, the Northeast Quarter of the Southwest Quarter, the Northwest Quarter of the Southwest Quarter, the Southwest Quarter of Southwest Quarter of Section 35 and being a part of the Southeast Quarter of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter of Section 34 all located in Town 11 North, Range 8 East, Town of Dekorra, Columbia County, Wisconsin, described as follows: Beginning at the southwest corner of said Section 35; thence South 89°10'37" West along the south line of the Southeast Quarter of said Section 34, 1,450.29 feet; thence North 00°19'16" East, 535.00 feet; thence North 89°10'37" East, 940.26 feet; thence North 00°19'16" East, 765.71 feet to a point in the north line of the Southeast Quarter of the Southeast Quarter of said Section 34; thence North 89°20'40" East along the north line of the Southeast Quarter of the Southeast Quarter of said Section 34, 510.00 to the northeast corner thereof; thence North 00°19'16" East along the west line of the Southwest Quarter of said Section 35, 737.26 feet; thence North 48°53'22" East, 194.54 feet; thence East 220.00 feet; thence South 47°40'32" East, 32.35 feet; thence South 01°30'06" West, 214.07 feet; thence East 384.45 feet; thence South 269.70 feet; thence West 420.66 feet; thence South 25°49'22" West, 182.53 feet; thence Southwesterly along a 175.00 foot radius curve to the right having a central angle of 24°15'42" and whose long chord bears South 37°57'14" West, 73.55 feet; thence South 50°05'05" West, 42.34 feet; thence Southwesterly along a 125.00 foot radius curve to the left having a central angle of 53°47'17" and whose long chord bears South 23°11'26" West, 113.09 feet; thence South 03°42'12" East, 65.24 feet; thence North 77°38'06" East, 477.76 feet; thence Northeasterly along a 533.00 foot radius curve to the right having a central angle of 05°06'36" and whose long chord bears North 80°11'24" East, 47.52 feet; thence North 82°44'41" East, 303.51 feet; thence Northeasterly along a 127.00 foot radius curve to the left having a central angle of 31°11'34" and whose long chord bears North 67°08'54" East, 68.29 feet; thence North 51°33'08" East, 16.50 feet; thence Northeasterly along a 175.00 foot radius curve to the right having a central angle of 39°07'46" and whose long chord bears North 71°07'00" East, 129.26 feet; thence South 89°19'07" East, 138.18~~

feet; thence Northeasterly along a 267.00 foot radius curve to the right having a central angle of $02^{\circ}24'15''$ and whose long chord bears North $89^{\circ}28'45''$ East, 11.20 feet; thence North $88^{\circ}16'38''$ East, 90.79 feet; thence South $22^{\circ}39'34''$ West, 566.07 feet; thence North $88^{\circ}11'33''$ East, 208.78 feet; thence South $62^{\circ}35'34''$ East, 273.80 feet; thence South $82^{\circ}54'07''$ East, 265.76 feet; thence North $60^{\circ}28'44''$ East, 219.35 feet; thence South $50^{\circ}24'31''$ East, 245.11 feet; thence South $31^{\circ}50'42''$ East, 66.05 feet; thence South $00^{\circ}19'42''$ East, 332.64 feet; thence South $59^{\circ}14'54''$ West, 439.21 feet; thence South $89^{\circ}05'11''$ West, 130.53 feet; thence North $67^{\circ}13'29''$ West, 434.82 feet; thence North $67^{\circ}35'35''$ West, 450.00 feet; thence South $83^{\circ}34'45''$ West, 98.53 feet; thence South $70^{\circ}25'26''$ West, 292.32 feet; thence South $79^{\circ}58'51''$ West, 311.54 feet; thence South $43^{\circ}47'50''$ West, 425.22 feet to a point in the south line of the Southwest Quarter of said Section 35; thence South $89^{\circ}05'11''$ West along the south line of the Southwest Quarter of said Section 35, 30.00 feet to the point of beginning. Containing 3,512,346 square feet, (80.63 acres), more or less.

Agriculture to Agriculture with Agricultural Overlay: Being a part to the Southeast Quarter of the Southwest Quarter, the Northeast Quarter of the Southwest Quarter, the Northwest Quarter of the Southwest Quarter, the Southwest Quarter of Southwest Quarter of Section 35 and being a part of the Southeast Quarter of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter of Section 34 all located in Town 11 North, Range 8 East, Town of Dekorra, Columbia County, Wisconsin, described as follows: Beginning at the south quarter corner of said Section 34; thence North $00^{\circ}20'36''$ East along the north — south quarter line of said Section 34, 1,306.98 feet to the northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 34; thence North $89^{\circ}20'40''$ East along the north line of the south half of the Southeast Quarter of said Section 34, 2,139.35 feet; thence South $00^{\circ}19'16''$ West, 765.71 feet; thence South $89^{\circ}10'37''$ West, 940.26 feet; thence South $00^{\circ}19'16''$ West, 535.00 feet to a point in the south line of the Southeast Quarter of said Section 34; thence South $89^{\circ}10'37''$ West along the south line of the Southeast Quarter of said Section 34, 1,199.70 feet to the point of beginning. Containing 2,286,343 square feet, (52.49 acres), more or less, also; Beginning at the west quarter corner of said Section 35; thence North $89^{\circ}04'57''$ East along the east — west quarter line of said Section 35, 1,322.50 feet to the northeast corner of the Northwest Quarter of the Southwest Quarter of said Section 35; thence North $00^{\circ}06'06''$ East along the west line of the Southeast Quarter of the Northwest Quarter of said Section 35, 534.99 feet to a point in the southerly right-of-way line of County Trunk Highway CS; thence South $81^{\circ}47'54''$ East along the southerly right-of-way line of County Trunk Highway CS, 408.58 feet; thence South $65^{\circ}22'54''$ East along the southerly right-of-way line of County Trunk Highway CS, 548.36 feet to the northwest corner of lands described and recorded in Volume 84 of records, page 548; thence South $00^{\circ}21'04''$ West along the west line of lands described and recorded in Volume 84 of records, page 548, 609.03 feet to the southwest corner of lands described and recorded in Volume 84 of records, page 548; thence South $89^{\circ}41'47''$ East along the south line of lands described and recorded in Volume 84 of records, page 548, 391.41 feet to a point in the west right-of-way line of Smith Road; thence South $00^{\circ}19'42''$ East along the west right-of-way line of Smith Road, 432.40 feet; thence North $83^{\circ}01'40''$ West, 278.16 feet; thence South $02^{\circ}16'40''$ East, 391.85 feet; thence North $69^{\circ}47'10''$ West, 502.34 feet; thence North $57^{\circ}31'55''$ East, 331.97 feet; thence Northeasterly along a 267.00 foot radius curve to the right having a central angle of $39^{\circ}26'25''$ and whose long chord bears North $77^{\circ}15'07''$ East, 180.18 feet; thence South $83^{\circ}01'40''$ East, 278.16 feet to a point in the west right-of-way line of Smith Road; thence South $00^{\circ}19'42''$ East along the west right-of-way line of Smith Road, 1,782.27 feet to a point in the south line of Southwest Quarter of said Section 35; thence South $89^{\circ}05'11''$ West along the south line of the Southwest Quarter of said Section 35, 2,611.46 feet; thence North $43^{\circ}47'50''$ East, 425.22 feet; thence North $79^{\circ}58'51''$ East, 311.54 feet; thence North $70^{\circ}25'26''$ East, 292.32 feet; thence North $83^{\circ}34'45''$ East, 98.53 feet; thence South $67^{\circ}35'35''$ East, 450.00 feet; thence South $67^{\circ}13'29''$ East, 434.82 feet; thence North $89^{\circ}05'11''$ East, 130.53 feet; thence North $59^{\circ}14'54''$ East, 439.21 feet; thence North $00^{\circ}19'42''$ West,

332.64 feet; thence North 31°50'42" West, 66.05 feet; thence North 50°24'31" West, 245.11 feet; thence South 60°28'44" West, 219.35 feet; thence North 82°54'07" West, 265.76 feet; thence North 62°35'34" West, 273.80 feet; thence South 88°11'33" West, 208.78 feet; thence North 22°39'34" East, 566.07 feet; thence South 88°16'38" West, 90.79 feet; thence Southwesterly along a 267.00 foot radius curve to the right having a central angle of 02°24'15" and whose long chord bears South 89°28'45" West, 11.20 feet; thence North 89°19'07" West, 138.18 feet; thence Southwesterly along a 193.00 foot radius curve to the left having a central angle of 39°07'45" and whose long chord bears South 71°07'00" West, 129.26 feet; thence South 51°33'08" West, 16.50 feet; thence Southwesterly along a 127.00 foot radius curve to the right having a central angle of 31°11'34" and whose long chord bears South 67°08'54" West, 68.29 feet; thence South 82°44'41" West, 303.51 feet; thence Southwesterly along a 533.00 foot radius curve to the left having a central angle of 05°06'36" and whose long chord bears South 80°11'24" West, 47.52 feet; thence South 77°38'06" West, 477.76 feet; thence North 03°42'12" West, 65.24 feet; thence Northeasterly along a 125.00 foot radius curve to the right having a central angle of 53°47'17" and whose long chord bears North 23°11'26" East, 113.09 feet; thence North 50°05'05" East, 42.34 feet; thence Northeasterly along a 175.00 foot radius curve to the left having a central angle of 24°15'42" and whose long chord bears North 37°57'14" East, 73.55 feet; thence North 25°49'22" East, 182.53 feet; thence East 420.66 feet; thence North 269.70 feet; thence West 384.45 feet; thence North 01°30'06" East, 214.07 feet; thence North 47°40'32" West, 32.35 feet; thence West 220.00 feet; thence South 48°53'22" West, 194.54 feet to a point in the west line of the Southwest Quarter of said Section 35; thence North 00°19'16" East along the west line of the Southwest Quarter of said Section 35, 561.96 feet to the point of beginning. Containing 4,605,801 square feet, (105.73 acres), more or less, also; Beginning at the north quarter corner of said Section 35; thence South 00°01'31" West along the north-south quarter line of said Section 35, 2,502.22 feet to a point in the northerly right-of-way line of County Trunk Highway CS; thence North 65°00'29" West along the northerly right-of-way line of County Trunk Highway CS, 5.19 feet; thence North 64°15'47" West along the northerly right-of-way line of County Trunk Highway CS, 61.92 feet; thence Northeasterly along a 233.00 foot radius curve to the left having a central angle of 57°01'20" and whose long chord bears North 02°32'27" East, 222.44 feet; thence North 25°58'12" West, 261.20 feet; thence Northeasterly along a 183.00 foot radius curve to the left having a central angle of 19°09'26" and whose long chord bears North 35°32'56" West, 60.90 feet; thence North 45°07'39" West, 44.22 feet; thence Northeasterly along a 117.00 foot radius curve to the right having a central angle of 30°04'42" and whose long chord bears North 30°05'18" West, 60.72 feet; thence East 252.46 feet; thence North 00°01'31" East, 685.46 feet; thence North 45°48'51" West, 297.31 feet; thence North 89°58'29" West, 290.44 feet; thence South 45°48'51" West, 342.73 feet; thence South 00°01'31" West, 380.91 feet; thence North 87°27'35" East, 348.65 feet; thence Southeasterly along a 20.00 foot radius curve to the right having a central angle of 60°54'23" and whose long chord bears South 38°52'16" East, 20.27 feet; thence South 08°25'04" East, 3.69 feet; thence South 87°27'35" West, 361.94 feet; thence South 00°01'31" West, 199.39 feet; thence East 166.80 feet; thence South 00°01'31" West, 190.00 feet; thence South 55°49'09" East, 310.00 feet; thence North 61°52'14" East, 165.41 feet; thence South 25°58'12" East, 165.00 feet; thence Southwesterly along a 167.00 foot radius curve to the right having a central angle of 62°59'34" and whose long chord bears South 05°31'35" West, 174.50 feet to a point in the northerly right-of-way line of County Trunk Highway CS; thence North 64°15'47" West along the northerly right-of-way line of County Trunk Highway CS, 282.89 feet; thence North 65°22'54" West along the northerly right-of-way line of County Trunk Highway CS, 488.30 feet to the southeast corner of Outlot 2, Certified Survey Map, No. 788; thence North 01°16'06" East along the east line of Certified Survey Map, No. 788, 592.37 feet; thence North 03°27'04" West along the easterly line of Certified Survey Map, No. 788, 257.68 feet to the northeasterly corner of Lot 1, Certified Survey Map, No. 788; thence South 89°48'16" West along the north line of said Lot 1, 484.19 feet to a point in the west line of the Northeast Quarter of the

~~Northwest Quarter of said Section 35, said point also being the northwest corner of said Lot 1; thence North 00°06'06" East along the west line of the Northeast Quarter of the Northwest Quarter of said Section 35, 1,248.82 feet to the northwest corner of the Northeast Quarter of the Northwest Quarter of said Section 35; thence North 89°22'04" East along the north line of the Northwest quarter of said Section 35, 1,318.89 feet to the point of beginning. Containing 1,793,991 square feet, (41.18 acres), more or less, also; Being all that part of the Southwest Quarter of the Southeast Quarter of Section 35, Town 11 North, Range 8 East, Town of Dekorra, Columbia County, Wisconsin lying east of Smith Road right-of-way. Containing 1,677,642 square feet, (38.51 acres), more or less. This rezoning shall become effective upon the approved Final Plat being recorded.~~

- (2) "To change from Agricultural to Rural Residential & Agriculture to Agriculture with the Agriculture Overlay" (Herman & Belva Auchtung) a parcel of land located in Section 17, Town 11 North, Range 10 East, Town of Lowville more particularly described as follows: Agricultural to Agriculture with the Agriculture Overlay: Beginning at the South ¼ corner of Section 17, Town 11 North, Range 10 East; thence S88°30'08"E 934.50 feet along the south line of Section 17; thence N02°12'08"W 545.00 feet; thence S88° 30'08"E 170.00 feet; thence S02°12'08"E 545.00 feet to the south line of Section 17; thence S88°30'08"E 212.75 feet along the south line of Section 17 to the southeast corner of the southwest ¼ of the southeast ¼; thence N00°03'37"W 1319.72 feet to the northeast corner of the southwest ¼ of the Southeast ¼; thence N88°33'55"W 1323.33 feet to the northwest corner of the southwest ¼ of the southeast ¼; thence S00°19'35"W 1318.45 feet along the north – south ¼ line of Section 17 to the Point of Beginning. Containing 37.84 acres Agricultural to Rural Residential: Commencing at the South ¼ corner of Section 17, Town 11 North, Range 10 East; Thence S88°30'08"E 934.50 feet along the south line of the Southeast ¼ of section 17 to the Point of Beginning; thence N02°12'08"W 545.00 feet; thence S88°30'08"E 170.00 feet; thence S02°12'08"E 545.00 feet to the south line of Section 17; thence N88°30'08"W 170.00 feet along the south line of the Southeast ¼ of Section 17 to the Point of Beginning. Containing 92,457 square feet or 2.123 acres. This rezoning shall become effective upon recording of a Certified Survey Map.
- (3) "To change from Agricultural to Recreational" Poynette Bow Hunters, Petitioner, Don & Kenneth Gatzke, Owners) a parcel of land located in Section 29, T11N, R10E, Town of Lowville more particularly described as follows: Parcel A being a part of the Northwest, Northeast, Southwest and Southeast Quarters of the Northeast Quarter of Section 29, Township 11 North, Range 10 East in the Town of Lowville, Columbia County, Wisconsin, said parcel more particularly described as follows: Commencing at the North Quarter corner of said Section 29 also being the Northwest corner of Lot 1 of Certified Survey Map No. 326; thence South 01°18'02" East along the West line of said Lot 1 of CSM No. 326, a distance of 275.35 feet to the Southwest corner of said Lot 1 also being the Point of Beginning; thence South 89°52'06" East along a line parallel with the North line of the Northeast Quarter of said Section 29, a distance of 1578.22 feet to a point on the westerly right-of-way of State Trunk Highway 22; thence South 01°00'30" West along the said westerly right-of-way line of State Trunk Highway 22, a distance of 1444.14 feet to a point on the northerly line of Certified Survey Map No. 1109; thence North 49°56'58" West along the said northerly line of said Certified Survey Map No. 1109, a distance of 128.38 feet; thence North 02°29'46" East along the said northerly line, a distance of 215.20 feet; thence North 89°34'30" West along the said northerly line also being a line parallel to the East-West quarter line of said Section 29, a distance of 1438.08 feet to a point on the West line of the said Northeast Quarter of Section 29 also being the Northwest corner of Certified Survey Map No. 1109; thence North 01°18'02" West along said West line, a distance of 1139.56 feet to the Point of Beginning. Said parcel contains 1,802,700 square feet or 41.38 acres more or less. This rezoning shall become effective upon the Poynette Bow Hunters Association taking title to the property, approval of a Conditional Use Permit for a clubhouse and archery ranges, and submittal of a copy of the approved covenant between the

Town and the Association to the Planning and Zoning Department. Parcel B being a part of the Northeast and Southeast Quarters of the Northwest Quarter of Section

29, Township 11 North, Range 10 East in the Town of Lowville, Columbia County, Wisconsin, said parcel more particularly described as follows: Beginning at the North Quarter corner of said Section 29 also being the Northwest corner of Lot 1 of Certified Survey Map No. 326; thence South 01°18'02" East along the West line of said Lot 1 of CSM No. 326 and the East line of the said Northwest Quarter of Section 29, a distance of 1414.91 feet to the Northwest corner of Lot 1 of Certified Survey Map No. 1109; thence North 89°34'30" West along a line parallel to the East-West quarter line of said Section 29, a distance of 30.01 feet; thence North 01°18'02" West along a line parallel to the North-South quarter line of said Section 29, a distance of 438.38 feet; thence North 88°52'30" West along a line parallel with the Northwest Quarter of said Section 29, a distance of 88.21 feet; thence North 01°18'02" West along a line parallel to the North-South quarter line of said Section 29, a distance of 148.47 feet; thence North 88°52'30" West along a line parallel with the Northwest Quarter of said Section 29, a distance of 499.14 feet; thence North 01°18'02" West along a line parallel to the North-South quarter line of said Section 29, a distance of 107.43 feet; thence North 88°52'30" West along a line parallel with the Northwest Quarter of said Section 29, a distance of 693.39 feet to a point on the West line of the Northeast Quarter of the Northwest Quarter of said Section 29; thence North 01°16'55" West along the said West line, a distance of 720.99 feet to the Northwest corner of the said Northeast Quarter of the Northwest Quarter of Section 29; thence South 88°52'30" East along the North line of the said Northwest Quarter of Section 29, a distance of 1310.53 feet to the Point of Beginning. Said parcel contains 1,041,082 square feet or 23.90 acres more or less.

This rezoning shall become effective upon the Certified Survey Map being recorded identifying this parcel as being owned by the Bow Hunters Association and being combined with Parcel A to create one lot.

- (4) "To change from Agricultural to Agriculture No. 2" (DMB Community Bank), Section 36, T11N, R9E, Town of Dekorra more particularly described as follows: PARCEL NUMBER 544 A parcel of land being part of Certified Survey Map No. 295, Document No. 384648. Located in the East Half of the Southwest Quarter of Section 36, Township 11 North, Range 9 East, commencing at the South Quarter corner of said Section 36; thence North 87.60 feet to the centerline of Tomlinson Road; thence North 44°16'12" West, 1,406.11 feet along the centerline of Tomlinson Road; thence North 42°44'48" East, 261.96 feet; thence South 83°38'32" East, 48.85 feet; thence North 0°39'43" East, 365.67 feet to the Point of Beginning of this description; thence North 0°39'43" East, 501.65 feet; thence South 89°59'42" East, 745.18 feet; thence South 45.92 feet; thence North 88°56'30" West, 174.39 feet; thence South 0°41'15" East, 398.33 feet; thence South 89°28'35" East, 169.59 feet; thence South 59.00 feet; thence West 750.98 feet to the Point of Beginning.
- (5) To change from Agricultural to Rural Residential and Agricultural to Agricultural with Agricultural Overlay" (David A. Bower) Section 16, T11N, R11E, Town of Otsego more particularly described as follows: PARCEL NUMBER 195.2
Agricultural to Rural Residential Beginning at the Northeast corner of Section 16, Town 11 North Range 11 East; thence S00°10'44"W 344.43 feet along the east line of Section 16; thence N89°54'00"W 632.44 feet; thence N00°10'44"E 344.43 feet to the north line of Section 16; thence S88°54'00"E 632.44 feet to the Point of Beginning. Containing 217,803 square feet or 5.00 acres.
Agricultural to Agricultural with Agricultural Overlay: Commencing at the Northeast corner of Section 16, Town 11 North, Range 11 East; thence S00°10'44"W 344.43 feet along the east line of Section 16 to the Point of Beginning; thence continue S00°10'44"W 561.21 feet along the east line of Section 16; thence N88°58'33"W 417.44 feet along the north line of Lot 1, Certified Survey Map No. 4507; thence S00°10'44"W 416.81 feet along the west line of said Lot 1 to the southwest corner thereof; thence N88°59'14"W 921.04 feet along the south line of the Northeast ¼ of the Northeast ¼ to the southwest corner thereof; thence N00°03'18"E 1324.46 feet along the west line of the Northeast ¼ of the Northeast ¼ to the Northwest corner thereof; thence S88°54'00"E 708.94 feet along the north line of Section 16;

thence S00°10'44"W 344.43 feet; thence S88°54'00"W 632.44 feet to the Point of Beginning. Containing 1,381.285 square feet or 31.71 acres. This rezoning shall become effective upon recording of a Certified Survey Map.

Harlan Baumgartner, Chair
COLUMBIA COUNTY
BOARD OF SUPERVISORS
Jeanne Miller
COLUMBIA COUNTY CLERK

DATE PASSED: December 20, 2006

DATE PUBLISHED: December 27, 2006

Chair Baumgartner indicated that item 1 would be split off from remaining rezones.

First reading of item 1 of Ordinance.

Motion by Supervisor Richmond, second by Supervisor Boockmeier to suspend the rules and have the second reading of item 1 of the Ordinance by title only.

Planning and Zoning Director Bluemke indicated both he and Corporation Counsel considered the protest petition for the Grand Development LLC rezone to be valid requiring a 75 percent vote. However, Bluemke indicated, it must be noted that our opinion does not make any representation that the petitions are "duly and acknowledged in a manner that could possibly be challenged in court". Corporation Counsel Ruf indicated that when such a protest petition(s) are filed within at least 24 hours prior to the County Board considering the applicable report, the Planning and Zoning Department has to verify said petition(s), by law, ahead of time. Ruf further stated that the statutes permit essentially to continue or postpone the action on the rezone. He indicated that Attorney Jeff Clark, representing the zoning petitioner, was in agreement that consideration of this rezone be laid over until the next County Board meeting. Supervisor Pufahl indicated his support of laying over consideration for Petition 1 and was supported by Supervisor Sanderson.

Chair Baumgartner clarified that he would relinquish time to Attorney Jeff Clark. Attorney Clark indicated that on behalf of this client, petitioner Grand Development LLC, he was requesting the County Board lay this matter over to the next meeting. He acknowledged that the petition was filed in a timely manner. Reasons for requesting a postponement of a vote was that information had been provided as late as the morning of County Board and that he did not have adequate opportunity to review the information. Certain actions would be taken by the petitioner to calculate the boundaries included in the protest petitions. Given the significance and potential consequences, of the protest petition, Attorney Clark requested that the County Board and the Counsel postpone a vote until the next month. He felt the three-quarter-vote rule would still apply noting that all parties would then have the confidence in knowing the information provided in the protest petitions, had a high degree of accuracy.

Chair Baumgartner indicated consideration by the Board of the Grand Development LLC zoning petition still belonged to the County Board and that it was up to them to decide how the zoning petition request would be handled. Further, Chair Baumgartner indicated that at this time, Supervisors could relinquish their time to individuals who would like to address the Board. He indicated that time for presentations would be allowed, but would be limited.

Supervisor Wopat relinquished time to Marilyn Gerdes. Ms. Gerdes indicated her surprise that information had changed. If the petition is postponed, Ms. Gerdes requested notification of defects and once notified, Gerdes stated the "protest petitioners would then have the right to add to their petition if necessary".

Supervisor Westby relinquished time to Dave Johnson; Supervisor Teitgen relinquished time to Bill Morris; Supervisor Healy relinquished time to Bobbie Hahn; Supervisor Jenkins relinquished time to Jim Grothman; Supervisor Ross relinquished time to Jeff Clark; Supervisor Lloyd relinquished time to Gary Leatherberry; Supervisor Cupery relinquished time to Jim Grothman, Grothman and Associates; and Supervisor Stevenson relinquished time to Marilyn Gerdes. Objections made by opponents to the rezone were what they say as changes made to an established Town of Dekorra's Comprehensive Plan. Proponents of the Townships Comprehensive plan felt it gave more administrative control on how farm conservation and open space areas are protected.

In regards to the rezone petition, objections and concerns expressed by the protest petitioners dealt with the lack of resolution of perceived defects in the development plan, Town Board approval of the preliminary plan, importance of protecting the environment; steep elevation/slope of proposed development and concentration of homes on ridges.

Surveyor Grothman indicated that elevation maps had been supplied to the Town Board and their engineer. He indicated slopes of over 20 percent should be avoided and that was taken into consideration in laying out the envelope for this development. Average lot size was two acres, which would include a 12,000 sq. foot envelope. Discussion pertaining to storm water runoff and complications in terrain with this elevation led Surveyor Grothman to comment that a storm water management plan was designed and reviewed by the Town Engineer. Further, Grothman indicated, guidelines for storm water management are very strict.

Supervisor DeYoung relinquished his time to Attorney Clark. He indicated the Town of Dekorra's Comprehensive Plan was the most innovative plan he has seen. Having stated that, he also commented that has also created some of the controversy surrounding this development. Three types of development were available to the Town Board, cluster development, splitting of 35-acre requiring deed restriction limiting future development and transfer of development rights. Under the transfer of development rights, Clark indicated there is a trade off. The Town, can actually allow extra building slips over and above what cluster developments allow when working with a developer.

Attorney Clark detailed research done by the developer. Additional information was provided the County Board including communication from the Lodi School District Administrator. In that communication the Administrator indicated there would be minimal financial impact to the school district and that the school district would welcome new students to the District. Other contacts had been made with the Lodi Fire Department, County Sheriff's Department and Highway Department. The Department of Natural Resources was contacted to identify possible endangered species and to establish if soil is adequate for septic systems, a Town Ordinance requirement. Attorney Clark concluded that the developer had received approval from Dekorra Plan Commission, Town of Dekorra Board, and the staff report by the Planning and Zoning Department all recommending approval to the County Board.

Supervisor Teitgen, also Chairman of the Town of Dekorra Board, made comment that the Smart Growth Plan and Comprehensive Plan of the Town of Dekorra provides for adequate housing while balancing community interest and housing goals.

Supervisor Lloyd yielded her time to Gary Leatherberry. He noted concerns over this property being returned to TDR (Transfer of Developers Rights) allowing 32 houses. He questioned if that was conservation management or managing benefits to the developer. Concerns expressed by the Town Attorney have never been answered and should be required before this plat is approved. He listed a number of other concerns elevation, location of homes, number of homes allowed under TDR, current ordinances restrictions over roads and driveways; lack of notification of proposed TDR and issues related to Legacy Oaks and portion of Eagle Point Drive.

Supervisor Sanderson called the question. Supervisor Hamle noted that there might be a previous motion on the floor. Chair Baumgartner indicated, that was purely discussion, not a motion. Options open to the Board were clarified. Chair Baumgartner indicated that the board could vote on the petition, or it could ask it be tabled and laid over. Supervisor Richmond asked if this rezone petition were postponed, would citizens have an opportunity to speak at the next meeting? If that was correct, then he would like to postpone. Chair Baumgartner consulted with Corporation Counsel Ruf. Chair Baumgartner indicated that the Board had two options: 1) A motion can be made to postpone consideration of this petition and the Board will continue at the point we are now; or 2) continue with the motion and suspend the second reading. Supervisor Stevenson asked to relinquish his time to Marilyn Gerdes indicating he felt it would speed up consideration in the future. Ms. Gerdes indicated she was a practicing attorney and part of the concerned group of the Town of Dekorra. She indicated the group was demanding good government as demonstrated by individuals who spoke at today's meeting. If the County board passed this petition, she stated they would be establishing a precedent in the County. She encouraged the board to take the time necessary to research the information and facts presented today and vote to postpone their decision. The group protesting this rezone petition, "was not against development", but was against the number of proposed building sites and their location.

Chair Baumgartner indicated a majority vote is needed to suspend the rules and go to the second reading by title only. A "yes" vote would indicate you are in favor of suspending the rules and a "no" vote would postpone that reading until January.

The motion failed on a roll call vote as follows:

AYES: 9; NOES: 20

AYES: Martin, O'Neil, Tramburg, Andler, Baebler, Curtis, DeYoung, Gove and Hutler.

NOES: Jenkins, Landers, Lane, Lloyd, Nelson, Pufahl, Richmond, Ross, Salzwedel, Sanderson, Stevenson, Stoltenberg, Teitgen, Westby, Wopat, Boockmeier, Cupery, Ford, Hamele and Healy.

First reading of items 2-5 of Ordinance.

Motion by Supervisor Boockmeier, second by Supervisor Landers to suspend the rules and have the second reading of items 2-5 of the Ordinance by title only.

The motion carried, not unanimously.

Second reading of items 2-5 of Ordinance.

Motion by Supervisor Tramburg, second by Supervisor Lane, to suspend the rules and have the third reading of items 2-5 of the Ordinance by title only.

The motion carried, not unanimously.

Third reading of items 2-5 of Ordinance.

Motion made by Supervisor Boockmeier, second by Supervisor Martin, to adopt items 2-5 of Ordinance. Motion carried, not unanimously. The Ordinance was declared passed and is to be known as Ordinance Z344-06.

Supervisor J. Robert Curtis moved adjournment of this meeting to Wednesday, January 17, 2007, at 9:45 a.m. Second made by Supervisor Stoltenberg. The motion carried unanimously. The meeting adjourned at 12:26 p.m.

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