

PROCEEDINGS
OF THE
BOARD OF SUPERVISORS
Columbia County, Wisconsin

Portage, Wisconsin
June 17, 2009
7:00 P.M.

The Board of Supervisors of Columbia County convened in annual session at the Carl C. Frederick Administration Building in Portage pursuant to law. The meeting was called to order by Chair Wopat and was certified to be in compliance with the Wisconsin Open Meetings Law.

All Supervisors were present, except Pufahl.

Members stood and recited the Pledge of Allegiance.

A motion was made by Boockmeier, second by O'Neil to approve the Journal of May 20, 2009. Motion carried.

A motion to approve the agenda, as printed, was made by Landers, second by Teitgen. Motion carried.

Chair Wopat stated that a letter was received from Shirley Abrahamson, Chief Justice of the Supreme Court of Wisconsin, asking for assistance in recruiting volunteers to serve on various boards and committees. Anyone interested should contact Chair Wopat or the County Clerk.

Chair Wopat announced that the I.O.U.S.A. film based on rapidly growing national debt will be shown before County Board next month at 5:30 p.m. She highly recommends supervisor attendance.

Chair Wopat presented a Certificate of Appreciation to April Weatherbee, 4th grade student from John Muir Elementary School, for recognition of her contribution to the 2009-2010 Columbia County Directory. New directories were placed on supervisor's desks.

Dennis O'Loughlin, Wisconsin Counties Association Board President, gave a brief history of WCA, services provided and challenges due to current economic situation.

The following appointments were announced:

- (1) Local Library Board: Karen Depies (Pardeeville) to replace Lucille Wopat for remaining term to May 2011; Julie Brinks (Pardeeville), Terry Miller (Pardeeville) and Laurie Muench (Rio) for 3 year terms to May 2012. A motion by Boockmeier, second by Westby, the appointments were approved.

Chair Wopat stated that the Board would resume with the annual reports postponed from last month's meeting (MIS-Veterans' Service Office). Supervisor Hamele asked that the Tourism report be postponed to a future date when Nancy Elsing, CCEDC Executive Director could attend.

A handout was provided to supervisors from the UW Extension office on Columbia County Changing Population.

At 9:05 p.m. the Board recessed until 9:10 p.m.

Supervisor Martin gave a final report from the Building Space Needs Ad Hoc Committee. A copy of the Building Space Needs Ad Hoc Committee Report, Ayres Associates Space Needs & Site Evaluation Study, and Building Space Needs Communication Plan were distributed to supervisors.

Chair Wopat explained that the reports contain a detailed overview of work performed for the last two years and encouraged members to review the information and formulate any questions that may need to be addressed. She stated that the Building Space Needs Report should be included on each committee meeting agenda for discussion in the next two months. The Building Space Needs Communication Plan distributed outlines the procedures that will be followed. There will be discussion at the July County Board Meeting on the report presented by the Building Space Needs Ad Hoc Committee. Ayres Associates will be present to answer any questions and discuss the process used to evaluate sites. No action will be taken at the July meeting. There will be a County Board Meeting on August 19th. The Building Space Needs Ad Hoc Committee used an agent to secure an offer to purchase the former Pick N' Save site on Highway 16/51. The property was listed at 2.65 million and after consideration the seller accepted the offer of 1.2 million. The offer to purchase will expire at the end of August. A decision has to be made by this body whether or not to purchase this site. Any action that needs to be taken on proposals distributed tonight will originate by resolution from the Executive Committee. Finally, being that County Board will meet in August there will not be a September meeting.

Supervisor Boockmeier a member of the Building Space Needs Ad Hoc Committee expressed his concerns and was in opposition of the purchase.

Supervisor Landers expressed his surprise to not having any knowledge of what was happening and spoke in opposition of purchase as well.

Supervisor Martin clarified that Columbia County has not made an offer to purchase. A real estate developer has made the offer to purchase because County has shown an interest in that property. The County has paid nothing, except for a feasibility study. She reiterated that the County has not entered into a purchase agreement.

Sanderson requested a certified appraisal by an unbiased party.

Chair Wopat explained that the ad hoc committee began its work more than two years ago and before the financial/economic situation that Columbia County is now facing. The committee did need a final report and a decision will need to be made in August.

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 Randy & Phyllis Reigstad, DeForest, WI, Petitioner and Owner, to rezone from Agricultural to Rural Residential, Parcel 58.2, Section 4, T10N, R11E in the Town of Hampden on the 21st day of April, 2009 be approved as follows: To change from Agricultural to Rural Residential, Parcel 58.2, Section 4, T10N, R11E, Town of Hampden.
2. A petition by Kevin & Linda Potenberg, Cambria, WI, Petitioner and Owner, to rezone from Agricultural to Agricultural No. 2, Parcel 614.2, Section 25, T12N, R11E, Town of Springvale on the 10th day of July, 2006 be approved as follows: To change from Agricultural to Agricultural No. 2, Parcel 614.2, Section 25, T12N, R11E, Town of Springvale.

Douglas Richmond
John H. Healy
Philip Baebler
Fred C. Teitgen
Harlan Baumgartner
PLANNING AND ZONING COMMITTEE

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

RESOLUTION NO. 22-09

WHEREAS, 2009 Assembly Bill (AB) 149 proposes reducing the interest rate charged for delinquent property taxes from one percent (1%) per month or fraction thereof, to one-half percent (.5%) per month or fraction thereof to take effect upon passage of the bill and continue through 2010; and,

WHEREAS, Columbia County would experience significant costs to modify computer programs to first reduce the interest rate and then restore the original interest rate; and

WHEREAS, loss of interest revenue in 2009 would total more than \$60,000 if enacted midyear and the loss of interest revenue in 2010 would total over \$130,000; and,

WHEREAS, if adopted, the additional costs for programming and the loss of interest revenue would have to be offset by a reduction in County services or by an increase in property taxes; and,

WHEREAS, while the Columbia County Board of Supervisors is sensitive to the economic conditions of taxpayers, temporarily reducing the interest rate charged on delinquent property taxes is not a solution that will result in long-term relief to taxpayers and may serve to create confusion when the rate is raised in the future; and

WHEREAS, the interest rate that the State charges on delinquent State income tax and State sales tax has not been lowered; and,

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors hereby opposes any reduction in the interest rate charged on delinquent property taxes; and,

BE IT FURTHER RESOLVED, that the County Clerk forward a copy of this Resolution to the Governor of the State of Wisconsin and each representative in the Wisconsin Senate and Assembly who represents constituents in Columbia County.

Fiscal Note: Programming costs and significant loss of revenue.

Fiscal Impact: Reduction in County services and/or increase in property taxes.

John H Tramburg
Harlan Baumgartner
Andy Ross
Timothy J O'Neil
Robert R Westby
FINANCE COMMITTEE

Supervisor Nelson spoke against this resolution. Supervisor Tramburg asked how the County could make up the difference in decreased revenue.

Motion was made to adopt the Resolution by Jenkins, second by Tramburg. The Resolution was adopted, not unanimously.

RESOLUTION NO. 23-09

WHEREAS, Section 280F of the Internal Revenue Code (26 U.S.C. Section 280F) includes cellular telephones, or other similar telecommunications equipment, as "listed property" under IRC Section 280F(d)(4)(A)(v); and

WHEREAS, in order to comply with current IRC Section 280F, the County and County employees who use County owned cellular telephones are required to keep detailed records to demonstrate that those cellular telephones are actually being used for business purposes and not for any personal use; and

WHEREAS, current IRC Section 280F creates an unnecessary administrative burden and adds significant expense for employers including the County, by requiring employees to keep detailed records of each and every time that a cellular telephone is used with no regard for practical factors such as emergency situations or that most cellular providers offer extremely low per minute or unlimited calling at fixed price rates; and

WHEREAS, while the County already uses audit and review procedures that effectively monitor, review and regulate employee personal use of County equipment including cellular telephones, noncompliance with current IRC Section 280F will expose the County and its employees to the risk of IRS audit and significant financial penalties; and

WHEREAS, in January 2009, bills were introduced in the U.S. Senate (S. 144) and U.S. House of Representatives (H.R. 690), both referred to as the "Modernize Our Bookkeeping In the Law for Employee's Cell Phone Act of 2009" to amend the IRS Code to remove cellular telephones from "listed property" under IRC Section 280F.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors strongly supports the passage of "Modernize Our Bookkeeping In the Law for Employee's Cell Phone Act of 2009" (S. 144 and H.R. 690) and urges the entire Wisconsin congressional delegation to support the passage of this important legislation; and

BE IT FINALLY RESOLVED, that the Columbia County Clerk send a copy of this Resolution to U.S. Senator Herb Kohl, U.S. Senator Russ Feingold, U.S. Representative Tammy Baldwin, all of the other members of the Wisconsin congressional delegation and the Wisconsin Counties Association.

Fiscal Note: NONE

Fiscal Impact: NONE

Robert R. Westby
Timothy J. O'Neil
Andy Ross
Harlan Baumgartner
John H. Tramburg
FINANCE COMMITTEE

Motion was made to adopt the Resolution by Ross, second by Hamele. The Resolution was adopted.

ORDINANCE NO. Z371-09

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 ”, (Randy & Phyllis Reigstad) parcel of land located in Section 4, T10N, R11E, Town of Hampden more particularly described as follows: Land To Be Rezoned From Agricultural to Rural Residential - Commencing at the North Quarter Corner of Section 4; thence S88°38’32”W, 647.26 feet along the north line of the NW ¼ of Section 4 to the northwest corner of Lot 1, CSM No. 2144 and the Point of Beginning; thence continuing S88°38’32”W, 442.03 feet along the north line of the NW ¼ of Section 4 to the northeast corner of Lot 3, CSM No. 2144; thence S01°17’29”W (recorded as S01°16’39”W), 418.43 feet along the east line of Lot 3, CSM No. 2144; thence N88°38’12”E, 461.06 feet; thence N01°11’02”W (recorded as N01°07’40”W), 417.94 feet along the west line of Lot 1, CSM No. 2144 and it’s southerly extension to the Point of Beginning; Containing 188,930 square feet (4.34 acres), 174,240 square feet (4.00 acres) excluding Monson Road right-of-way. This rezoning shall become effective upon recording of the Certified Survey Map and the recording of the deed restrictions.
- (2) “To change from Agricultural to Agricultural No. 2”, (Kevin & Linda Potenberg) parcel of land located in Section 25, T12N, R11E, Town of Springvale more particularly described as follows: Land to be Rezoned from Agricultural to Agricultural No. 2: Lot 1, Certified Survey Map 1990.

Debra Wopat, Chair
COLUMBIA COUNTY
BOARD OF SUPERVISORS
Susan M. Moll
COLUMBIA COUNTY CLERK

DATE PASSED: June 17, 2009
DATE PUBLISHED: June 25, 2009

First reading of Ordinance.
Motion by Westby, second by DeYoung, to suspend the rules and have the second reading of the Ordinance by title only.
The motion carried.
Second reading of Ordinance.
Motion by Baumgartner, second by Richmond, to suspend the rules and have the third reading of the Ordinance by title only.
The motion carried.
Third reading of Ordinance.
Motion made by Healy, second by Richmond, to adopt. Motion carried. The Ordinance was declared passed and is to be known as Ordinance Z371-09.

J. Robert Curtis moved adjournment of this meeting to Wednesday, July 15, 2009, 7:00 p.m. Second was made by Jenkins. The motion carried. The meeting adjourned at 9:50 p.m.

Minutes of Columbia County Board of Supervisor meeting are considered Draft until approved at a subsequent County Board Meeting. Complete minutes are on file in the County Clerk's Office or can be viewed on the County Website at www.co.columbia.wi.us after publication