

PROCEEDINGS
OF THE
BOARD OF SUPERVISORS
Columbia County, Wisconsin

Portage, Wisconsin
March 18, 2009
9:48 A.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 Boockmeier, DeYoung, Healy, Jenkins, Landers, Nelson, Richmond and Wingers, absent.

Members stood and recited the Pledge of Allegiance.

A motion was made by Ross, second by Baumgartner to approve the Journal of January 21, 2009. Motion carried.

A motion to approve the agenda, as printed, was made by O'Neil, second by Salzwedel. Motion carried.

A letter was received from the Columbia County Crime Stoppers, Inc. thanking the Board of Supervisors for their donation and support.

Chair Wopat indicated that a memo was placed in supervisor's packets regarding proposed amendments to the Zoning Ordinance pertaining to electronic signs which will be presented before the Board in April. Supervisors were asked to review and contact John Bluemke, Planning and Zoning Director, with any questions and/or concerns before the next Board meeting.

The initial Department Head evaluations were recently completed. Board members were asked to submit any questions or concerns about the evaluation process to the Human Resources Department or Committee.

Chair Wopat received a memorandum from the Wisconsin Counties Association regarding the State Biennial Budget for 2009-2011 and the impact to county government. She asked Erik Pritzl, Health and Human Services Director, to speak on the effects it would have on various programs in the Health and Human Services Department.

The UW-Extension office distributed an update on the F.L.A.G. (Future Leaders Active in Government) Columbia County activities and participation.

A handout from Supervisor Sanderson regarding State Energy Program Grants under the stimulus package was placed on supervisor's desks.

Lois Schepp, Comptroller, stated that the Accounting office is monitoring the American Recovery and Reinvestment Act very closely for any eligible programs/funding.

Jon Hochkammer from Wisconsin County Mutual Insurance Corporation and John Dirkse from Aegis Corporation updated the Board on services provided to Columbia County regarding loss prevention and risk management.

Clerk of Courts Susan Raimer and Judge Miller gave a demonstration of Columbia County's new courtroom videoconferencing system. The system is a communication tool which allows visual and audio exchanges between Branch I and many other courtrooms, jails, state prisons, health facilities and state technical schools. The system also includes DVD, video, computer and PowerPoint capabilities. Susan Raimer arranged a "live" videoconference with Shelly Monroe from Winnebago Mental Health Institute to demonstrate to the Board members how the system works.

Supervisors Sanderson, O'Neil and Tramburg gave brief reports on the Wisconsin Counties Association (WCA) Legislative Exchange sessions they attended at the WCA Conference recently held in Madison. Supervisor Ross will report next month.

The following appointments were announced:

- (1) 2009 Emergency Fire Wardens for Columbia County. Motion by Hamele, second by Lane, the appointments were approved.
- (2) Highway Safety Commission: Chuck Miller to complete remaining term to May, 2010. Motion by Lane, second by Pufahl, the appointment was approved.

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 Roger Weidemann, Columbus, WI, Petitioner and Owner, to rezone from Agricultural to Rural Residential and Agricultural to Agricultural with Agricultural Overlay, Parcel 262, Section 17, T10N, R12E in the Town of Columbus on the 12th day of January, 2009 be approved as follows: To change from Agricultural to Rural Residential and Agricultural to Agricultural with Agricultural Overlay, Parcel 262, Section 17, T10N, R12E, Town of Columbus.
2. A petition by Shawn & Melissa Ballweg, Lodi, WI, Petitioners and Owners, to rezone from Agricultural to Single Family Residential, Parcels 498 & 498.03, Section 35, T10N, R7E, Town of West Point on the 8th day of January, 2009 be approved as follows: To change from Agricultural to Single Family Residential, Parcel 498 & 498.03, Section 35, T10N, R7E, Town of West Point.

~~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. 3-09

WHEREAS, Columbia County, Wisconsin is vulnerable to major flooding, which can cause loss of life and considerable damage to public and private property; and

WHEREAS, Columbia County sought individual and public assistance, in result of the June 2008 floods; and

WHEREAS, the American Red Cross assisted Columbia County residents in over 65 flood assistance cases; and

WHEREAS, experience tells us by preparing ahead of time, individuals can better respond to, recover from, and lessen physical, emotional and financial impact of a flood or other disaster; and

WHEREAS, the American Red Cross wants everyone to have the confidence and peace of mind that comes with being prepared and to "Be Red Cross Ready"; and

WHEREAS, it is easy for anyone to prepare for a flood and other emergencies by taking three simple actions plans: 1) Get a kit. 2) Make a plan. 3) Be informed; and

WHEREAS, the American Red Cross wants to reduce risk and help make our communities more damage resistant by providing information to residents about actions they can take to prepare for floods; and

WHEREAS, during Red Cross Month, the American Red Cross wants to raise public awareness about flood preparedness and safety tips during Flood Awareness Week, March 16th- 20th;

NOW, THEREFORE, BE IT RESOLVED, that the County Board Supervisors of Columbia County, Wisconsin, do hereby proclaim the week of March 16th-20th, 2009 as Flood Awareness Week, and along with the American Red Cross-Badger Chapter encourage residents in flood prone areas to take necessary steps to be prepared for a flood event.

Fiscal Note: NONE

Fiscal Impact: NONE

Timothy J. O'Neil
Harlan Baumgartner
~~Richard C. Boockmeier, Secretary~~
Robert R. Westby, Vice Chair
Debra L.H. Wopat, Chair
EXECUTIVE COMMITTEE

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

Chair Wopat introduced Pam Oxman from the American Red Cross. She thanked the Board for their support and entertained questions.

The Resolution was adopted.

RESOLUTION NO. 4-09

WHEREAS, various 2008 tax accounts are overdrawn in the amount of \$91,585.29, and WHEREAS, the 2008 Charge Back of Illegal Taxes account is overdrawn in the amount of \$3,720.36, and

WHEREAS, the 2008 Personal Property Tax account is overdrawn in the amount of \$1,423.49, and

WHEREAS, the 2008 Tax Deed Expense account is overdrawn in the amount of \$86,441.44, and

WHEREAS, these accounts are non-budgeted, but typically have offsetting revenue from Sale of Tax Deeds, and

WHEREAS, in 2008, Columbia County generated no Sale of Tax Deeds revenue which could be applied to offset these costs.

NOW, THEREFORE BE IT RESOLVED, that the following transfers be made from the pre-closing Contingency Fund to:

Charge Back of Illegal Taxes	\$3,720.36
Personal Property Tax	\$1,423.49
Tax Deed Expense	\$86,441.44

Fiscal Note: Transfer \$91,585.29 from the pre-closing Contingency Fund account #100.350000 to the respective accounts listed above.

Fiscal Impact: Cost to County is \$91,585.29.

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

Motion was made to adopt the Resolution by Tramburg, second by O’Neil. The Resolution was adopted.

RESOLUTION NO. 5-09

BE IT RESOLVED, that effective January 1, 2009, the following accounts be designated as continuing appropriation accounts:

Copy Machine Clerk’s Office	1412	Veterans Relief	4720
Central Postage	1413	Library	6110
Wellness Funds	1431	Comprehensive Planning Grant	6312
Unemployment Control	1432	U.W. Extension Seminars	6712
Employee Retirement Payout Pool	1433	U.W. Grant Accounts	various
PC Maintenance Reserve	1455	U.W. Extension - Farm Books	6713
Printer Maintenance Reserve	1456	Pesticide Program	6714
GASB Implementation Plan	1511	Conservation Fund	7410
Revolving Loan Fund Program	1513	LWCD Tree Sale Program	7424
Environmental Assessments	1564	Conservation Practices Fund	7435
Land Records Trust	1721	Parks Timber Fund	7440
County Owned Lands Inventory	1725	Nonpoint Watersheds	7445
Sheriff Donations	various	Tree Planter – Rental Program	7449
Circles of Support	2235	Clean-up Underground Tank	7450
Sheriff Federal Drug Seizures Trust	2241	Capital Outlay Pool	8000
Sheriff State Seizures Trust	2242	Accounting/HR Computer System	9910
CEASE Program	2243	Human Services - Aging Programs	
Project Lifesaver	2246	Health & Human Services Donation Funds	
Sheriff’s Inmate Trust	2252	Health Care Center - All Accounts	
9-1-1	2911	Highway - All Accounts	
Solid Waste Container Rental	3632		

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 Baumgartner, second by O'Neil. The Resolution was adopted.

RESOLUTION NO. 6-09

WHEREAS, the Columbia County Health Care Center is in need of a carport/driveway, which would provide a sheltered entrance for residents dropped off by their families, ambulance, or the facility bus, and

WHEREAS, the Bridging Generations Foundation, Inc. is currently raising funds to construct the carport/driveway, but is short \$20,000 of the total \$40,000 which would be needed, and

WHEREAS, due to the availability of construction labor, the Columbia Health Care Center Committee has determined that it is financially favorable to begin this project immediately.

NOW, THEREFORE, BE IT RESOLVED, that the General Fund loan \$20,000 to the Health Care Center for the purpose of constructing a carport/driveway.

BE IT FURTHER RESOLVED, that this \$20,000 will be repaid to the General Fund at such a time that sufficient donations have been received, not to exceed five (5) years.

Fiscal Note: Transfer \$20,000 from the General Fund Account No. 100.341100 to the Health Care Center Outlay Account No. 8010.822000.005.

Fiscal Impact: N/A

John H. Tramburg
~~Don DeYoung~~
Barry Pufahl
Mary Cupery
Gerald L. Salzwedel
COLUMBIA HEALTH CARE CENTER COMMITTEE

Motion was made to adopt the Resolution by Salzwedel, second by Baebler. The Resolution was adopted.

RESOLUTION NO. 7-09

WHEREAS, a portion of the County Trunk Highway CX ("CTH CX") right-of-way in the City of Portage is no longer necessary for highway purposes due to the prior relocation of CTH CX; and

WHEREAS, the subject property is described in the attached Exhibit A; and

WHEREAS, Richard W. Gyr and Sheila K. Gyr ("Gyrs") are the owners of lands adjoining the relocated portion of CTH CX as described in Exhibit A; and

WHEREAS, the City of Portage supports the vacation of the CTH CX right-of-way described in Exhibit A.

NOW THEREFORE BE IT RESOLVED, that the portion of CTH CX in the City of Portage described in Exhibit A is hereby vacated pursuant to Sec. 66.1003, Wis. Stats., and Columbia County's interest in such property shall revert to Gyrs pursuant to Sec. 66.1005, Wis. Stats., as the owners of the adjoining lands; and

BE IT FURTHER RESOLVED, that the Columbia County Highway Commissioner and the Columbia County Corporation Counsel, under the direction of the Highway Committee of the Columbia County Board of Supervisors, are hereby authorized to issue and execute such Quit Claim Deeds and other required documents as are necessary to complete the transfer of Columbia County's interest in the vacated portion of the CTH CX right-of-way in the City of Portage to the Gyrs.

Fiscal Note: NONE.

Fiscal Impact: NONE.

John G. Stevenson
Kenneth W. Hutler
Vern E. Gove
Susan Martin
Andy Ross
HIGHWAY COMMITTEE

Motion was made to adopt the Resolution by Martin, second by Gove. The Resolution was adopted.

RESOLUTION NO. 8-09

WHEREAS, in January, 2006, the State of Wisconsin Employment Relations Commission ("WERC") determined that certain non-union positions would be placed in the Professional Employees Union, AFSCME Local 2698-A, and

WHEREAS, the WERC determination is retroactive to January 1, 2006, and

WHEREAS, the additional costs as a result of the WERC determination were not included in the 2006 through 2009 budgets.

NOW, THEREFORE, BE IT RESOLVED, that the sum of \$127,000.00 be transferred from the Contingency Fund and appropriated to the respective departmental accounts as follows:

Department	Account	Salary	Fringes
MIS	1440	\$39,704.00	\$8,316.00
District Attorney	1610	\$5,319.00	\$1,099.00
Land Information	1720	\$60,098.00	\$12,464.00

Fiscal Note: Transfer \$127,000.00 from the Contingency Fund Account 100.350000 to the respective accounts listed above.

Fiscal Impact: The ongoing cost of the Professional Union Accretion case will be incorporated into future budgets.

Neil Ford
J. Robert Curtis
~~Brian L. Landers~~
Douglas S. Richmond
Susan Martin
HUMAN RESOURCES COMMITTEE

Motion was made to adopt the Resolution by Martin, second by Curtis.

Attorney Ruf gave a brief synopsis of the resolution being submitted.

Chair Wopat explained that a two-thirds vote of the entire Board is required to make transfers from the Contingency Fund.

The Resolution was adopted on a roll call vote as follows:

AYES: 21, NOES: 1, ABSENT: 8

AYES: Gove, Hamele, Hutler, Lane, Martin, Mielke, O'Neil, Pufahl, Ross, Salzwedel, Sanderson, Stevenson, Tramburg, Westby, Wopat, Andler, Baebler, Baumgartner, Cupery, Curtis and Ford.

NOES: Teitgen.

ABSENT: Healy, Jenkins, Landers, Nelson, Richmond, Wingers, Boockmeier and DeYoung.

RESOLUTION NO. 9-09

WHEREAS, Attorney Michael J. Gall filed a claim on behalf of State Farm Mutual Automobile Insurance Company and David Hall in the amount of \$2,429.57 for vehicle damages as a result of an accident that occurred on September 15, 2008; 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 Michael J. Gall on behalf of State Farm Mutual Automobile Insurance Company and David Hall.

Fiscal Note: NONE
Fiscal Impact: NONE

Andy Ross
~~Tom L. Jenkins~~
Robert J. Lane
Robert L. Hamele
Richard C. Boockmeier
JUDICIARY COMMITTEE

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

RESOLUTION NO. 10-09

WHEREAS, the 2008 Clerk of Courts, Register in Probate, and Medical Examiner accounts have overdrawn County appropriations, and

WHEREAS, the 2008 Clerk of Courts revenue accounts did not meet projections due to economic conditions, fewer citations written, and implementation of a Portage Municipal Court, and

WHEREAS, the 2008 Register in Probate account is overdrawn due to increased Guardian Ad Litem costs, and

WHEREAS, the 2008 Medical Examiner revenue accounts did not meet projections due to fewer tissue donations and the volatile nature of this department.

NOW, THEREFORE, BE IT RESOLVED, that the following transfers be made from the pre-closing Contingency Fund to:

Clerk of Courts	\$8,494.29
Register in Probate	\$3,459.45
Medical Examiner	\$2,222.88

Fiscal Note: Transfer \$14,176.62 from the pre-closing Contingency Fund #100.350000 to the respective accounts as listed above.

Fiscal Impact: Cost to County is \$14,176.62.

Andy Ross
~~Tom L. Jenkins~~
Robert Lane
Robert L. Hamele
Richard C. Boockmeier
JUDICIARY COMMITTEE

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

Motion by Pufahl, second by O'Neil to strike "volatile" in the fourth paragraph. The motion to amend carried, not unanimously.

The Resolution as amended was adopted.

RESOLUTION NO. 11-09

WHEREAS, the 2008 Register of Deeds revenue accounts have not met budgetary projections, and

WHEREAS, this budgetary shortage is due to the declining real estate market, which resulted in much lower revenue being collected than was budgeted.

NOW, THEREFORE, BE IT RESOLVED, that the following transfer be made from the pre-closing Contingency Fund to:

Register of Deeds Accounts	\$84,848.89
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Fiscal Note: Transfer \$84,848.89 from the 2008 pre-closing Contingency Fund account #100.350000 to the Register of Deeds accounts #1710.

Fiscal Impact: 2008 cost to County is \$84,848.89.

Robert R. Westby
Robert J. Andler
~~JoAnn Wingers~~
Jack Sanderson
Fred C. Teitgen
LAND INFORMATION AND RECORDS COMMITTEE

Motion was made to adopt the Resolution by Andler, second by Teitgen. The Resolution was adopted.

Chair Wopat indicated that the following ordinances would be read together unless objections from the Board.

ORDINANCE NO. Z367-09

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 and Agricultural to Agricultural with Agricultural Overlay”, (Roger Weidemann) parcel of land located in Section 17, T10N, R12E, Town of Columbus more particularly described as follows: Land To Be Rezoned From Agricultural to Rural Residential - Commencing at the northwest corner of said Section 17; thence North 89°20’46” East along the north line of the Northwest Quarter of said Section 17, 521.89 feet; thence South 00°57’09” East, 116.44 feet to a point in the southerly right-of-way line of State Trunk Highway 60 and the point of beginning; thence North 88°22’13” East along the southerly right-of-way line of State Trunk Highway 60, 370.99 feet; thence North 83°41’28” East along the southerly right-of-way line of State Trunk Highway 60, 175.00 feet; thence South 02°55’00” East, 333.00 feet; thence South 89°20’46” West 556.62 feet; thence North 00°57’09” West, 309.18 feet to the point of beginning. Containing 174,240 square feet, (4.00 acres), more or less. Land to be Rezoned from Agricultural to Agricultural with Agricultural Overlay - Commencing at the northwest corner of said Section 17; thence North 89°20’46” East along the north line of the Northwest Quarter of said Section 17, 521.89 feet; thence South 00°57’09” East, 116.44 feet to a point in the southerly right-of-way line of State Trunk Highway 60 and the point of beginning; thence South 00°57’09” East, 309.18 feet; thence North 89°20’46” East, 803.84 feet more or less to a point in the east line of the Northwest Quarter of the Northwest Quarter of said Section 17; thence South along the east line of the Northwest Quarter of the Northwest Quarter of said Section 17 to the southeast corner thereof; thence West along the south line of the Northwest Quarter of the Northwest Quarter of said Section 17 to the southwest corner thereof; thence North 00°57’09” West along the west line of the Northwest Quarter of said Section 17, 1,114.97 feet; thence South 89°02’57” East, 33.02 feet to a point in the southerly right-of-way line of State Trunk Highway 60; thence North 51°47’05” East along the southerly right-of-way line of State Trunk Highway 60, 180.42 feet; thence North 89°31’26” East along the southerly right-of-way line of State Trunk Highway 60, 52.85 feet; thence South 89°42’38” East along the southerly right-of-way line of State Trunk Highway 60, 262.28; thence North 88°22’13” East along the southerly right-of-way line of State Trunk Highway 60, 30.23 feet to the point of beginning. Containing 31.11 acres more or less. This rezoning shall become effective upon recording of the Certified Survey Map.

- (2) "To change from Agricultural to Single Family Residential", (Shawn & Melissa Ballweg) parcel of land located in Section 35, T10N, R7E, Town of West Point more particularly described as follows: Land to be Rezoned from Agricultural to Single Family Residential - Commencing at the west quarter corner of said Section 35; thence North 00°00'27" East along the west line of the Northwest Quarter of said Section 35, the west line of Lot 1, Certified Survey Map, No. 2281 and the west line of Lots 1 and 2, Certified Survey Map, No. 3339, 432.00 feet to the southwest corner of Lot 3, Certified Survey Map, No. 3339 and the point of beginning; thence continuing North 00°00'27" East along the west line of the Northwest Quarter of said Section 35 and the west line of said Lot 3, 66.00 feet; thence North 89°51'25" East along the north line of said Lot 3 and the easterly extension thereof, 1,370.05 feet; thence South 00°00'32" West along the east line of said Lot 3 and the northerly extension thereof, 432.00 feet; thence South 89°51'25" West along the south line of said Lot 3, 720.04 feet; thence North 00°00'27" East along the west line of said Lot 3, 366.00 feet; thence South 89°51'25" West along the south line of said Lot 3, 650.00 feet to the point of beginning; Containing 353,958 square feet, (8.13 acres), more or less. And being subject to servitudes and easements of use or record if any. This rezoning shall become effective upon recording of the Certified Survey Map.

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

DATE PASSED: March 18, 2009
DATE PUBLISHED: March 26, 2009

ORDINANCE NO. Z368-09

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 Single Family Residence" property (Rodney Maginnis) property located in part of SW ¼ of the SW¼, Section 35, T13N, R10E, Town of Marcellon more particularly described as follows: Land to be Rezoned from Agricultural to Single Family Residence - PARCEL 673.E Lot 2 of Certified Survey Map 1750 Containing (1.81 acres), more or less. Lines 17-46 of Ordinance Z361-08 adopted June 18, 2008 are repealed by the adoption of this ordinance.
- (2) "To change from Agricultural to Agriculture with Agriculture Overlay" property (Michael Manke) a parcel of land located in Section 27, T10N, R9E, Town of Arlington more particularly described as follows: Land to be Rezoned from Agricultural to Agriculture with Agriculture Overlay - Beginning at the north quarter corner of Section 27; Town 10 North, Range 9 East; thence S00°07'59"E 2657.33 feet along the north-south ¼ line to the Center ¼ corner of Section 27; thence S89°27'25"E 827.33 feet along the east-west ¼ line; thence N00°07'59"W 2311.40 feet along the east line of the West 5/8 of the West ½ of the Northeast ¼ of Section 27; thence 89°26'15"W 630.17 feet; thence N00°07'59"W 345.65 feet to the north line of Section 27; thence N89°26'15"W 197.16 feet along the north line of Section 27 to the point of beginning. Containing (45.46 acres), more or less.

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

DATE PASSED: March 18, 2009
DATE PUBLISHED: March 26, 2009

First reading of Ordinances.

Motion by Baumgartner, second by Baebler, to suspend the rules and have the second reading of the Ordinances by title only.

The motion carried.

Second reading of Ordinances.

Motion by Teitgen, second by O'Neil, to suspend the rules and have the third reading of the Ordinances by title only.

The motion carried.

Third reading of Ordinances.

Motion made by Teitgen, second by Lane, to adopt. Motion carried. The Ordinances were declared passed and are to be known as Ordinance Z367-09 and Z368-09.

J. Robert Curtis moved adjournment of this meeting to Tuesday, April 21, 2009, 9:45 a.m. Second was made by Baebler. The motion carried. The meeting adjourned at 11:51 a.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