

PROCEEDINGS
OF THE
BOARD OF SUPERVISORS
Columbia County, Wisconsin

Portage, Wisconsin
October 20, 2010
7:03 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 Westby and was certified to be in compliance with the Wisconsin Open Meetings Law.

All Supervisors were present, except Hutler and Salzwedel, absent.

Members stood and recited the Pledge of Allegiance.

A motion was made by Boockmeier, second by DeYoung to approve the Journal of September 15, 2010. Motion carried.

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

Trish O'Neil (Democrat) and Keith Ripp (Republican), both candidates currently running for the Wisconsin State Assembly 47th District, introduced themselves to the County Board of Supervisors.

John Tramburg reported that Columbia County received an unqualified audit report for 2009 from Clifton Gunderson LLP. Copies of the audit report are available in the Comptroller's office.

A thank you letter was received from the Wyocena Community Helping Hands Pantry for the recent donation of canned goods from supervisors.

The Mt. Pleasant Cemetery also sent a thank you letter for helping them with the upkeep of the veteran's graves.

A letter and acknowledgement of gift from the Department of Natural Resources was received for the donation of land for the Pine Island Wildlife Area in Columbia County.

Chair Westby indicated that the Wisconsin County Mutual has four committee openings and anyone interested should contact him.

The 2010-2011 Future Leaders Active in Government (F.L.A.G.) Program Outline; 2009-2010 F.L.A.G. Reflection and Evaluation Results; and F.L.A.G. 2009-2010 Retrospective Post-then-Pre Evaluation handouts were placed on supervisor's desks by the Columbia County UW-Extension office.

Michael Babcock, Chief Deputy of the Sheriff's Department, gave an overview of the Narrowband Radio Project. He introduced John Thompson, engineer for Elert and Associates, the consulting firm hired to evaluate the current radio system and develop an upgrade proposal. Mr. Thompson gave a power-point presentation on the recommended updates to the radio system and preferred vendor selection. A handout of the presentation was placed on supervisor's desks. Babcock indicated this topic would be placed on next month's agenda for discussion with a financial decision in December. Questions of the Board were entertained.

Ellen O'Brien was appointed to the Rio Local Library Board to complete Sharon Boehler's term to May, 2012. Motion by Baumgartner, second by Wingers, the appointment was approved.

Joseph Ruf, Corporation Counsel/Human Resources Director reported on the 2009-2010 Union Contracts: Courthouse and Human Services; Health Care Center; Highway Department; Health and Human Services Department, Public Health Nurses; Professional; and Sheriff's Non-Sworn employees. He referred to the summary of tentative agreements placed on supervisor's desks. Motion was made to ratify the Contracts by Pufahl, second by Baebler.

Supervisor Wopat expressed that she would have to vote "no" to the ratification of the union contracts due to the current economic situation and an extremely tight budget. Supervisors Landers, Ross, Martin, Tramburg, Richmond and Baumgartner also spoke in opposition of ratification.

Attorney Ruf addressed additional questions regarding the arbitration process and interest.

Chair Westby requested a roll call vote. Ratification of the proposed union contracts failed as follows:

AYES: 0, NOES: 28, ABSENT: 2

AYES: None

NOES: Boockmeier, Cupery, DeYoung, Ford, Gorsuch, Gove, Hamele, Healy, Konkel, Landers, Lane, Martin, O'Neil, Pufahl, Richmond, Ross, Sleger, Stevenson, Sumnicht, Teitgen, Tramburg, Weyh, Wingers, Wopat, Westby, Andler, Baebler and Baumgartner.

ABSENT: Hutler and Salzwedel.

RESOLUTION NO. 39-10

WHEREAS, in 2010, an estimated 43,140 people will be diagnosed with pancreatic cancer in the United States and 36,800 will die from the disease;

WHEREAS, pancreatic cancer is one of the deadliest cancers and is the fourth leading cause of cancer death in the United States;

WHEREAS, when symptoms of pancreatic cancer present themselves, it is usually too late for an optimistic prognosis, and 75 percent of pancreatic cancer patients die within the first year of their diagnosis while 94 percent of pancreatic cancer patients die within the first five years;

WHEREAS, incidence of pancreatic cancer is approximately 50 percent higher in African Americans than in other ethnic groups;

WHEREAS, approximately 720 deaths are projected to occur in the State of Wisconsin in 2010;

WHEREAS, there is no cure for pancreatic cancer and there have been no significant improvements in survival rates in the last 40 years;

WHEREAS, the Federal Government invests significantly less money in pancreatic cancer research than it does in any of the other leading cancer killers; and pancreatic cancer research constitutes only 2 percent of the National Cancer Institute's federal research funding, a figure far too low given the severity of the disease, its mortality rate, and how little is known about how to arrest it;

WHEREAS, the Pancreatic Cancer Action Network is the first and only national patient advocacy organization that serves the pancreatic cancer community in Wisconsin and nationwide by focusing its efforts on public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer;

WHEREAS, the Pancreatic Cancer Action Network and its affiliates in Wisconsin support those patients currently battling pancreatic cancer, as well as the families of those who have lost their lives to the disease, and are committed to nothing less than a cure;

WHEREAS, the good health and well-being of the residents of Columbia County are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments;

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board designates the month of November 2010 "Pancreatic Cancer Awareness Month" in Columbia County, Wisconsin.

Fiscal Note: NONE

Fiscal Impact: NONE

Debra L. Healy Wopat
Fred C. Teitgen
Kenneth W. Hutler
Andy Ross, Vice Chair
Robert R. Westby, Chair
EXECUTIVE COMMITTEE

A Pancreatic Cancer Facts 2010 handout was placed on supervisor's desks.

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

RESOLUTION NO. 40-10

WHEREAS, the Plaintiffs in *Domino et al. v. Didion Ethanol LLC*, Case No. 09-CV-213, recently entered into a Settlement Agreement with Didion Ethanol, LLC ("Didion") resolving a Federal Clean Water Act citizen suit filed by Plaintiffs against Didion; and

WHEREAS, the Settlement Agreement included a provision in which Didion has agreed to pay \$35,000.00 to Columbia County by May 5, 2011, to fund County Land and Water Conservation Department ("LWCD") projects to expand water monitoring in the Duck Creek Watershed and to work with local landowners to enter into conservation programs to benefit the health of Tarrant Lake in Columbia County, Wisconsin; and

WHEREAS, SEP funds are intended to be used for one or more projects that meet the following criteria:

- Protect and improve the water quality, recreational and aesthetic values, and habitat of the Duck Creek Watershed
- Reduce the runoff of pollutants to the Duck Creek Watershed and/or remediate the impacts of existing pollution
- Expand water quality monitoring in the Duck Creek Watershed
- SEP funds must be utilized to perform projects that otherwise would not be funded by the County

NOW, THEREFORE, BE IT RESOLVED, that Columbia County will accept the \$35,000.00 payment from Didion Ethanol, LLC as part of the settlement of the Federal lawsuit, *Domino et al. v. Didion Ethanol LLC*, Case No. 09-CV-213, and will apply those funds for the purposes described in this Resolution; and

BE IT FURTHER RESOLVED, that the Columbia County Board Chair and Columbia County Clerk are authorized to sign a written Agreement with the Plaintiffs in *Domino et al. v. Didion Ethanol LLC*, Case No. 09-CV-213, concerning the County's acceptance and use of the SEP funds.

Fiscal Note: \$35,000.00 in SEP funds from Didion settlement to be deposited in Account #7410.488426, LCD Duck Creek SEP Funds.

Fiscal Impact: SEP funds will not be used to supplant existing County funds in 2011 LWCD budget.

JoAnn Wingers
 John G. Stevenson
 Mike Weyh
 Philip Baebler
 Robert L. Hamele
 LAND AND WATER CONSERVATION COMMITTEE

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

Kurt Calkins, Land and Water Conservation Director, gave a brief synopsis of the resolution and SEP funding. The Resolution was adopted.

Chair Westby explained that, due to the failure of union contracts ratification, the resolution placed on supervisor's desks to "Authorize Transfer of Funding for Ratified 2009/2010 Union Contracts" would be null and void.

RESOLUTION NO. 41-10

WHEREAS, Tom L. Jenkins, of Portage, Wisconsin, recently passed away, and

WHEREAS, prior to his death, Tom Jenkins faithfully served the residents of Columbia County as a member of the Columbia County Board of Supervisors, and

WHEREAS Mr. Jenkins was elected to serve on the Columbia County Board of Supervisors representing District 8 beginning April 20, 2004, and continuing to serve until his death on September 30, 2010, and

WHEREAS, Supervisor Jenkins served on the following committees: Heath and Human Services; Judiciary; Property and Insurance.

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 Tom L. Jenkin's service to his county, his country, his community and that a copy will be sent to his family.

Supervisor Robert Andler	Supervisor Philip Baebler	Supervisor Harlan Baumgartner
Supervisor Richard C. Boockmeier	Supervisor Mary Cupery	Supervisor Don DeYoung
Supervisor Neil M. Ford	Supervisor Matt Gorsuch	Supervisor Vern E. Gove
Supervisor Robert L. Hamele	Supervisor John H. Healy	Supervisor Kenneth W. Hutler
Supervisor Kirk Konkell	Supervisor Brian L. Landers	Supervisor Robert J. Lane
Supervisor Susan G. Martin	Supervisor Timothy O'Neil	Supervisor Barry Pufahl
Supervisor Douglas S. Richmond	Supervisor Andy Ross	Supervisor Gerald L. Salzwedel
Supervisor Mark L. Sleger	Supervisor John G. Stevenson	Supervisor Teresa A. Sumnicht
Supervisor Fred C. Teitgen	Supervisor John H. Tramburg	Supervisor Robert R. Westby
Supervisor Mike Weyh	Supervisor JoAnn Wingers	Supervisor Debra L. H. Wopat

Motion was made to adopt the Resolution by Lane, second by Gorsuch. The Resolution was adopted.

ORDINANCE NO. 120-10

The Columbia County Board of Supervisors do ordain as follows: That Title 9, Chapter 1, entitled "Fee Schedule", Section 12, Land and Water Conservation of the County Code, is hereby amended as follows:

9-1-12 Land and Water Conservation

Sec. 9-1-12 Land and Water Conservation

(a)	Animal Waste Management Construction Permit	\$200.00	
(b)	Animal Waste Management Abandonment Permit	\$50.00	02/27/01
(c)	Aerial Imagery Prints:		
	(1) Black and White/Grayscale	\$2.50	02/27/01
	(2) Color	\$5.00	02/27/01
	(3) Image on Disk/CD	\$1.50 plus cost of disk or CD	02/27/01
(d)	Sale of Trees and Tree Program Materials by <u>LCC Land and Water Conservation Committee</u>	Annually determined	10/28/10
(e)	<u>Conservation Compliance Certificate for Farmland Preservation Program Under The Working Land Initiative</u>	\$25.00	10/28/10
(f)	<u>Late Fee for Land and Water Conservation Department Annual Farmland Preservation Program Self Certification Process</u>	\$10.00	10/28/10

Fiscal Note: None

Fiscal Impact: Estimate \$650.00 in fees will be generated in 2011.

Robert R. Westby, Chair
COLUMBIA COUNTY
BOARD OF SUPERVISORS
Susan M. Moll
COLUMBIA COUNTY CLERK

DATE PASSED: October 20, 2010

DATE PUBLISHED: October 28, 2010

Motion made by Baebler, second by Teitgen, to adopt. Motion carried. The Ordinance was declared passed and is to be known as Ordinance 120-10.

Chair Westby announced that the Highway Committee would meet immediately following the County Board meeting for an informational meeting and that no action would be taken.

Supervisor Tramburg gave an overview of the proposed 2011 Budget. The budget will be placed on the November County Board agenda. He asked that supervisors review the budget books and contact Lois Schepp with any questions. The Columbia County Budgets were distributed to Supervisors.

Cupery moved adjournment of this meeting to Tuesday, November 9, 2010, at 9:45 a.m. at the Law Enforcement Center. Second was made by Wopat. The motion carried. The meeting adjourned at 8:50 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