

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
September 15, 2010  
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 Westby and was certified to be in compliance with the Wisconsin Open Meetings Law.

All Supervisors were present, except Landers, Salzwedel, Teitgen and Weyh, absent. Members stood and recited the Pledge of Allegiance.

A motion was made by Boockmeier, second by Jenkins to approve the Journal of July 21, 2010. Motion carried.

Chair Westby asked the Board for concurrence to remove agenda item: 2009-10 Union Contracts Ratification. He explained the request was due to a 3.84 percent drop in the county's equalized assessed valuation and uncertainty of revenue loss. As well as, the county is expecting considerable decline in its investment income and department collection fees. He felt it would be best to postpone until the 2011 budget process was complete. (Summary of Tentative Agreements for 2009-2010 Union Contracts; Columbia County Fact Sheet – Reviewing the State Imposed Taxing Limits; and History of Columbia County Equalized Values handouts were placed on supervisor's desks.)

Motion to approve the agenda as amended was made by Martin, second by Hamele. Motion carried.

Bettsey Barhorst, President of Madison College, along with Roger Price, Vice President for Infrastructure Services; and Frances Huntley-Cooper, District Board Vice Chair and Administrator in the Worker's Compensation Division of the WI Department of Workforce Development; reported on the Resolution unanimously adopted by the District Board "Authorizing General Obligation Bonds in an Amount not to exceed \$133,770,000" referendum election to be held on November 2, 2010. They gave a power-point presentation on the Madison College Facilities Master Plan and entertained questions of the Board. (Handouts of the Madison College Facilities Plan, Cost Analysis and Fiscal Impact of Issuance of \$133,770,000 of Debt were provided to the supervisors.) Also in attendance were John Alt, Executive Director, Northern Region Economic & Workforce Development and Scott Beard, Northern Regions Operations Manager for Madison College.

The UW-Extension Office held a reception prior to the board meeting to promote "Going Local in Columbia County" offering foods grown and processed in Columbia County. Joe Bollman, Agriculture Agent, gave a power-point presentation on the Local Foods Initiative Program.

Supervisors were invited to attend an open house being held by Didion on Thursday, September 16, 2010, between 2-6 p.m.

The following appointments were announced:

- (1) Veterans Service Commission: Norm Bednarek, to complete Paul Dalton's term to December, 2010. Motion by DeYoung, second by Baumgartner, the appointment was approved.
- (2) Zoning Board of Adjustment: Donald Nelson, as alternate for a 3 year term to July, 2013. Motion by Baebler, second by O'Neil, 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 Merlin & Eunice Shanks, Portage, WI, Petitioners and Owners, to rezone from Agricultural to Rural Residential and Agriculture to Agriculture with Agricultural Overlay, Parcels 964 & 963, Section 34, T12N, R8E in the Town of Caledonia on the 9th day of June, 2010 to be approved as follows: To change from Agricultural to Rural Residential and Agriculture to Agriculture with Agricultural Overlay, Parcels 964 & 963, Section 34, T12N, R8E, Town of Caledonia.

2. A petition by Jeanne Perkins, Lodi, WI, Petitioner and Owner, to rezone from Commercial to Single Family Residence, Parcel 302, Section 8, T10N, R8E in the Town of Lodi on the 27th day of June, 2010 to be approved as follows: To change from Commercial to Single Family Residence, Parcel 302, Section 8, T10N, R8E, Town of Lodi.

Douglas Richmond  
Harlan Baumgartner  
Debra L. Healy Wopat  
~~Fred C. Teitgen~~  
~~Mike Weyh~~  
PLANNING AND ZONING COMMITTEE

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

**RESOLUTION NO. 32-10**

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

WHEREAS, Columbia County currently has \$500,294 of funds available in its revolving loan fund, and

WHEREAS, Kirk and Diana Burnstad, who own DeJa Vue Foods Inc., are in need of funds to purchase equipment for their grocery store located in the City of Portage, and

WHEREAS, additional funds in the amount of \$600,000 are being committed by the owners, and

WHEREAS, this business will potentially create twenty (20) new full-time and forty (40) part-time positions at the store, and

WHEREAS, after due consideration by the Columbia County Revolving Loan Fund/ Housing Committee, it is recommended that the Burnstad's application in the amount of \$300,000 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 County loans from the County's Revolving Loan Fund before an applicant can receive funds from the program.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors does approve and authorize the release of funds from the Columbia County Revolving Loan Fund to Kirk and Diana Burnstad (via DeJa Vue Foods Inc.) in the amount of \$300,000 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, including the loan agreement between the Applicant and the County on behalf of the County.

Fiscal Note: None

Fiscal Impact: Using \$300,000 of designated RLF Funds.

~~Mark A. Witt~~  
Robert R. Westby  
Robert L. Hamele  
Andy Ross  
John H. Tramburg  
REVOLVING LOAN FUND/HOUSING COMMITTEE

Motion was made to adopt the Resolution by Lane, second by Gove.

Kirk Burnstad, owner of DeJa Vue Foods, Inc., gave a brief overview of the proposed business and answered questions of the Board.

Pufahl spoke in opposition of the resolution. He felt private funds should be used and had concerns about the effect on other local businesses.

Jenkins and Lane spoke in favor of the resolution explaining that's the purpose of the revolving loan fund, along with creating employment opportunities.

Martin expressed her concern of not receiving informational updates on previous loans. Chair Westby indicated that Lois Schepp would provide a report on the status of all revolving loan fund accounts with her annual report.

The Resolution was adopted.

**RESOLUTION NO. 33-10**

WHEREAS, Federal monies are available under the Community Development Block Grant (CDBG) program, administered by the State of Wisconsin, Department of Commerce, for the purpose of economic development; and

WHEREAS, after public meeting and due consideration, the Columbia County Revolving Loan Fund/Housing Committee has recommended that an application be submitted to the State of Wisconsin for the following projects:

Equipment:	\$300,000
Administration (payable to Columbia County):	\$ 6,000

WHEREAS, it is necessary for the Columbia County Board of Supervisors, to approve the preparation and filing of an application for the County to receive funds from this program; and

WHEREAS, the Columbia County Revolving Loan Fund/Housing Committee has reviewed the need for the proposed project and the benefit to be gained therefrom;

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors does approve and authorize the preparation and filing of an application for the above-named project; and the County Board Chairman is hereby authorized to sign all necessary documents on behalf of the County of Columbia; and that authority is hereby granted to the Revolving Loan Fund/Housing Committee to take the necessary steps to prepare and file the appropriate application for funds under this program in accordance with this resolution.

Mark Witt  
Robert R. Westby  
Robert L. Hamele  
Andy Ross  
John H. Tramburg  
REVOLVING LOAN FUND/HOUSING COMMITTEE

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

Brian Frost, Plant Manager of Appleton Papers, Inc. gave a brief history and future plans of the business. He entertained questions of the Board.

The Resolution was adopted.

**RESOLUTION NO. 34-10**

WHEREAS, the Adams-Columbia Electric Cooperative, a Wisconsin cooperative association (the "Borrower"), has requested the Public Finance Authority (the "Issuer"), a Wisconsin bond issuing commission created under Section 66.0304 of the Wisconsin Statutes (the "Act"), to issue revenue bonds to provide financing for various improvements to the Borrower's existing electric distribution system and related financing costs (the "Project"); and

WHEREAS, a portion of the Project is to be located in Columbia County, Wisconsin (the "County"), as described in the notice of public hearing (the "Notice") attached hereto as Exhibit A; and

WHEREAS, the Act provides that the Issuer may not authorize bonds to finance the Project unless all the political subdivisions within whose boundaries the Project is to be located have approved the financing of the Project; and

WHEREAS, on August 17, 2010, a public hearing was held before the County Board of Supervisors of Adams County, Wisconsin with respect to the issuance by the Issuer of the revenue bonds referred to in the Notice (the "Bonds") for the purpose of providing financing for the Project; and

WHEREAS, the Notice, in the form attached hereto as Exhibit A and incorporated herein, was published in the official newspaper of Adams County for the publication of notices pursuant to Chapter 985 of the Wisconsin Statutes, and a notice was also published by at least one insertion no less than 14 days prior to the date of the public hearing in a newspaper having general circulation within the locality of the Project; and

WHEREAS, such public hearing was conducted in a manner that provided a reasonable opportunity to be heard for persons with differing views on both issuance of the Bonds and the location and the nature of the Project which is to be financed by the Bonds; and

WHEREAS, this County Board of Supervisors ( the "County Board") is an elected legislative body of the County and a political subdivision within whose boundaries a portion of the Project is to be located; and

WHEREAS, the Bonds shall be limited revenue obligations of the Issuer payable solely from revenues provided by the Borrower and derived from the Project, and shall not constitute an indebtedness of the County within the meaning of any State constitutional provision or statutory limitation, and shall not constitute or give rise to a pecuniary liability, direct or contingent, of any kind or degree whatsoever, of the County or a charge against their general credit or taxing powers; and

Now, therefore, be it resolved by this County Board that:

Section 1: For the purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, and Section 66.0304 (11) of the Wisconsin Statutes, the County Board hereby approves the Project (a portion of which will be located in the County) and the financing thereof through the issuance of the Bonds by the Issuer in an aggregate principal amount not to exceed the amount set forth in the Notice attached hereto as Exhibit A.

Section 2: The publication of the Notice and any action taken by the County, or on behalf of the County, with respect to the issuance of the Bonds prior to the date hereof is hereby ratified and approved.

Fiscal Note: None

Fiscal Impact: None

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

Andy Ross  
Vern E. Gove  
Debra L. Healy Wopat  
Harlan Baumgartner  
John H. Tramburg  
FINANCE COMMITTEE

#### EXHIBIT A

---

#### Notice of Public Hearing to Residents of Counties in Service Area of Adams-Columbia Electric Cooperative

---

NOTICE IS HEREBY GIVEN that the County Board of Supervisors of Adams County, Wisconsin will hold a public hearing at 6:00 p.m. on August 17, 2010 in the County Board Room, Room A230 of the Adams County Courthouse, 400 Main Street, Friendship, Wisconsin regarding the proposed issuance by the Public Finance Authority (the "Issuer"), a Wisconsin bond issuing commission to be created under Section 66.0304 (3) of the Wisconsin Statutes (the "Act"), of revenue bonds, in one or more series, pursuant to the Act, in a maximum aggregate principal amount of not to exceed \$20,000,000, on behalf of Adams-Columbia Electric Cooperative, a Wisconsin cooperative association (the "Company"). The bonds would finance various improvements to the Company's existing electric distribution system and related financing costs (collectively, the "Project"), including the replacement or installation of overhead and underground wires, control devices, and other devices, in locations throughout the Company's service area and the construction of a new substation in the Town of Monroe. The initial owner, operator, or manager of the Project will be the Company.

This notice is given to residents of counties in the Company's service area, which is located within the Counties of Adams, Columbia, Dane, Dodge, Green Lake, Jefferson, Marquette, Portage, Sauk, Waupaca, Waushara, and Wood.

The public hearing will be conducted in a manner that provides a reasonable opportunity to be heard for persons with differing views on both issuance of the bonds and the location and nature of the proposed facility. Any person desiring to be heard on this matter is requested to attend the public hearing or send a representative. Written comments (not exceeding 250 words) may be presented at the hearing if submitted in advance to the County Clerk.

Comments made at the hearing are for the consideration of the County Board of Supervisors, but do not bind any legal action to be taken by them.

Project locations in Adams County include the Towns of Big Flats (8<sup>th</sup> Avenue from CTH C to Buttercup Avenue; Browndeer Avenue from west of 1073 Browndeer Avenue to 10<sup>th</sup> Avenue), Dell Prairie (CTH K from 9<sup>th</sup> Avenue West to end of line; Gillette Lane from 9<sup>th</sup> Court to 10<sup>th</sup> Avenue; 9<sup>th</sup> Avenue north of Gulch), Easton (10<sup>th</sup> Avenue from Evergreen Drive to Evergreen Avenue; 9<sup>th</sup> Avenue from CTH E to Edgewood Avenue; Edgewood Avenue east of 9<sup>th</sup> Avenue to 821 Edgewood Avenue and west to 9<sup>th</sup> Drive), Jackson (4<sup>th</sup> Drive south of Fern Lane; Glen Substation; Fur Drive east of CTH G; STH 82 east of 5<sup>th</sup> Lane; 5<sup>th</sup> Lane from Fish Avenue to STH 82), Lincoln (6<sup>th</sup> Avenue from Deerborn Drive to CTH M, then on CTH M from 6<sup>th</sup> Avenue to 5<sup>th</sup> Avenue; in field on west side of 5<sup>th</sup> Avenue, south of Dyke Avenue, irrigation well off 5<sup>th</sup> Avenue in Grand Marsh), Monroe (1739 Badger Avenue in Arkdale; STH 13 from CTH F to Duck Creek Drive, then on Duck Creek Drive to 10<sup>th</sup> Avenue), New Chester (off 5<sup>th</sup> Avenue South of CTH E—Little Sprout Farms; 508 Edgewood Avenue in Grand Marsh), Preston (11<sup>th</sup> Avenue between Czech Avenue to Cree Avenue; STH 13 from Cree Avenue to 1/4<sup>th</sup> mile south of CTH C; Cypress Avenue from 11<sup>th</sup> Avenue to STH 13 and north and south on STH 13 for 2,500 feet), Quincy (Dixie Court from CTH Z to end of cul-de-sac; 1868 20<sup>th</sup> Avenue in Arkdale), Richfield (CTH J for 1,500 feet east of 6<sup>th</sup> Court; CTH G south of STH 21 to south of Cypress Avenue; Chicago Lane and 3<sup>rd</sup> drive going west), Rome (377 STH 13 in Nekoosa), Springville (1098 STH 82 in Grand Marsh), Strongs Prairie (CTH Z from STH 21 to CTH F; CTH Z from CTH J to Czech Lane; from 2,200 feet north of Czech Drive to end of line going west on Czech Drive; 1868 20<sup>th</sup> Avenue in Arkdale).

Project locations in Columbia County include the Towns of Columbus (Sanderson and Schaeffer Road; Wendt Road south of STH 60; Tri-County Road; Priem Road; N2224 Fall River in Columbus; N6010 Jung Road in Randolph), Courtland (STH 16 from CTH A to Jung Road), Fountain Prairie (W120 Rave Road in Fall River; Doylestone Road; Palmer Road; W1801 Shady Lane in Fall River), Fort Winnebago (CTH CX and CTH X near I-39), Hampden (Loeffler Road; W2496 CTH K in Columbus), Harris (CTH M at I-39 crossing), Lewiston (CTH O east of Wehy Road; Stomner Drive south of Gulch), Marcellon (STH 22; Vaughn Road), Newport (Peterson Road and STH 127; STH 127 to Broadway to STH 23; Ingebretson Road), Randolph (N8183 CTH M in Cambria; County Line Road east of CTH MN; N8961 Oliver Drive in Cambria; N8969 CTH M in Cambria), Scott (Fenske Road and Barden Road; Cambria Substation), Springvale (CTH SS from Pardeeville Road to CTH G; STH P and Healy Road; CTH SS south of CTH P), and Newport.

Project locations in Dane County include the Town of York (Tri-County Road).

Project locations in Dodge County include the Towns of Calamus (STH 151 northeast of Columbus; W10761 CTH D in Beaver Dam), Elba (Behan Road; Ghost Hill Road; Resch Road), Fox Lake (CTH AA and Canada Island Road), and Westford (N9474 Meagher Road in Randolph; Beaver Point Road; N7699 Poplar Ridge Road in Beaver Dam; N8012 STH 73 in Randolph; West Fay Road; CTH FW north of CTH G).

Project locations in Green Lake County include the Towns of Crystal Lake (on STH 22 and Dunn Lane North), Harris (on Elk Drive north of Ember Drive), Kingston (STH 44 east and west of CTH H), Neshkoro (on CTH E from Chappa Road to South Road; on CTH D and Countyline Road), and Newton (on CTH B south of CTH Z to 8<sup>th</sup> Drive).

Project locations in Marquette County include the Towns of Buffalo (Roslin Substation), Crystal Lake (on STH 22 and Dunn Lane North; on Wildlife Lane), Douglas (2<sup>nd</sup> Avenue north of CTH A and Blackburn), Harris (Elk Lane from 8<sup>th</sup> Drive to W5770 Elk Lane; W5934 8<sup>th</sup> Drive in Westfield), Mecan (on 20<sup>th</sup> Court), Newton (on 11<sup>th</sup> Drive from CTH Z south to 10<sup>th</sup> Drive; on CTH B south of CTH Z to 8<sup>th</sup> Drive), Oxford (CTH D and 4<sup>th</sup> Road; Freedom Road south of CTH D; STH 82 east of 4<sup>th</sup> Road, Fur Drive and Fur Lane; Chateau Substation; Brakebush and UWGP), Packwaukee (Lakeside Drive; CTH D west of CTH K), Springfield (from W8615 to east 350 feet of W8679 Dakota Road), and Westfield (2<sup>nd</sup> Avenue north and south of Ember; Thai Acres Golf Course; W6952 Ember Drive; W6987 Ember Drive).

Project locations in Portage County include the Towns of Grant (Schepp Road and Levee Road; on STH 73 east of CTH U) and Plainfield (on 1<sup>st</sup> Drive south of Akron Lane).

Project locations in Sauk County include the Towns of Delton (Lost Canyon Road), Fairfield (Georks Road and CTH A; CTH A north of Shady Lane; Schepp Road and Levee Road to Trap Shoot Road east of CTH A), and Newport (Gulch Avenue).

Project locations in Waushara County include the Towns of Coloma (CTH V between Chicago Avenue and Cottonville Avenue; irrigation well of CTH V—Coloma Farms; on Cottonville Avenue by Bing Lake), Hancock (CTH V between Buttercup Avenue and Chicago Avenue; on CTH C east of 2<sup>nd</sup> Avenue; on CTH C east of CTH KK), Leon (on CTH EE from Buttercup Drive going south to Chicago Drive; on CTH EE from North Peral Lake Road to Blackhawk Avenue), Marion (on CTH F south of CTH N), Mount Morris (from Bighorn Lane going south on Blackhawk Court; from STH 152 on CTH G to Arden Drive; Primrose Lane to 20<sup>th</sup> Drive, then Bighorn Drive and 20<sup>th</sup> Drive going north on 20<sup>th</sup> Drive; on Badger Court west of 21<sup>st</sup> Drive; on Beechnut Avenue west of 24<sup>th</sup> Avenue), Oasis (on 12 Court south of CTH P), Plainfield (on 6<sup>th</sup> Avenue north of Alp Avenue; on Akron Drive; on Alp Avenue south of 3<sup>rd</sup> Lane; on Archer Drive east of 5<sup>th</sup> Drive), Richford (on CTH B north of Chicago Drive), Springwater (on South Gilbert Lake Road from 22<sup>nd</sup> Drive to 23d Drive; Wild Rose Substation), Warren (on 25<sup>th</sup> Drive and Chappa Road between CTH F and CTH E), and Wautoma (on Bighorn Drive to CTH Mm to 17<sup>th</sup> Drive; on CTH MM from STH 22 to 16<sup>th</sup> Lane).

Cindy Phillippi  
County Clerk, Adams County

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

**RESOLUTION NO. 35-10**

WHEREAS, the Supervisor of Assessment has presented the following equalized values and the equalized values reduced by TID Value Increments.

NOW, THEREFORE, BE IT RESOLVED that the following be used as the county equalized values for 2010 (TID is included for State taxes, and TID is out for County taxes).

	<u>ALL PROPERTY</u> (TID Included)	<u>RATIO</u>	<u>ALL PROPERTY</u> (TID Out)	<u>RATIO</u>
<b>TOWNS:</b>				
Arlington	\$ 89,444,000	.01748	\$ 89,444,000	.01773
Caledonia	231,888,900	.04533	231,888,900	.04595
Columbus	68,530,200	.01340	68,530,200	.01358
Courtland	50,091,700	.00979	50,091,700	.00993
Dekorra	368,262,300	.07198	368,262,300	.07298
Fort Winnebago	77,955,400	.01524	77,955,400	.01545
Fountain Prairie	80,702,400	.01577	80,702,400	.01599
Hampden	58,293,400	.01139	58,293,400	.01155
Leeds	80,435,000	.01572	80,435,000	.01594
Lewiston	131,985,400	.02580	131,985,400	.02616
Lodi	450,341,300	.08803	450,341,300	.08925
Lowville	87,824,800	.01717	87,824,800	.01740
Marcellon	93,305,400	.01824	93,305,400	.01849
Newport	67,557,700	.01321	67,557,700	.01339
Otsego	65,929,300	.01289	65,929,300	.01307
Pacific	244,807,000	.04785	244,807,000	.04851
Randolph	84,600,900	.01654	84,600,900	.01677
Scott	57,969,700	.01133	57,969,700	.01149
Springvale	65,882,400	.01288	65,882,400	.01306
West Point	339,541,200	.06637	339,541,200	.06729
Wyocena	<u>181,775,700</u>	<u>.03553</u>	<u>181,775,700</u>	<u>.03602</u>
<b>TOWN TOTALS</b>	<b>2,977,124,100</b>	<b>.58194</b>	<b>2,977,124,100</b>	<b>.58999</b>

VILLAGES:

Arlington	67,669,000	.01323	65,596,200	.01300
Cambria	48,636,700	.00951	48,636,700	.00964
Doylestown	14,429,500	.00282	14,429,500	.00286
Fall River	123,038,800	.02405	108,470,800	.02150
Friesland	20,411,500	.00399	16,291,900	.00323
Pardeeville	137,375,000	.02685	119,456,500	.02367
Poynette	158,978,100	.03108	158,978,100	.03151
Randolph	26,664,600	.00521	24,718,200	.00490
Rio	63,137,000	.01234	55,851,500	.01107
Wyocena	<u>38,953,900</u>	<u>.00761</u>	<u>38,953,900</u>	<u>.00772</u>
VILLAGE TOTALS	699,294,100	.13669	651,383,300	.12909

CITIES:

Columbus	366,882,300	.07171	354,139,600	.07018
Lodi	227,385,200	.04445	227,385,200	.04506
Portage	606,703,500	.11860	600,346,900	.11897
Wisconsin Dells	<u>238,454,500</u>	<u>.04661</u>	<u>235,664,600</u>	<u>.04670</u>
CITY TOTALS	1,439,425,500	.28137	1,417,536,300	.28092

COUNTY TOTALS:

Columbia County	5,115,843,700	1.00000	5,046,043,700	1.00000
-----------------	---------------	---------	---------------	---------

Debra L. Healy Wopat  
Vern E. Gove  
Andy Ross  
Harlan Baumgartner  
John H. Tramburg  
FINANCE COMMITTEE

Motion was made to adopt the Resolution by Tramburg, second by Pufahl. The Resolution was adopted.

**RESOLUTION NO. 36-10**

WHEREAS, Attorney Gregory R. Wright filed a claim on behalf of Danice J. Dombeck in the amount of \$1,211,000.00 for medicals, pain and suffering, and past and future wage loss as a result of an accident that occurred on December 5, 2007; 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 Gregory R. Wright on behalf of Danice J. Dombeck.

Fiscal Note: NONE

Fiscal Impact: NONE

Barry Pufahl  
Timothy O'Neil  
Matt Gorsuch  
Tom L. Jenkins  
Robert J. Lane  
JUDICIARY COMMITTEE

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

**RESOLUTION NO. 37-10**

WHEREAS, county homes play a unique role in Wisconsin's continuum of care for citizens in need of long-term care services; and

WHEREAS, the majority of county homes care for residents with high acuity levels and intense behavioral needs; and

WHEREAS, Wisconsin county homes have a long history of partnering with the state to maximize federal resources available to the state; and

WHEREAS, under the Supplemental Payment Program, formerly known as the intergovernmental transfer program, federal matching funds are generated based on actual operating losses incurred by governmental nursing homes; and

WHEREAS, all revenue generated from county nursing home losses is deposited in the state of Wisconsin's Medical Assistance Trust Fund; and

WHEREAS, through the combined efforts of the state and counties, billions of dollars have been brought in over the past decade, most of which was utilized to offset deficits in the Medical Assistance Trust Fund; and

WHEREAS, under current state law, the state may not distribute to counties more than \$39,100,000 in each fiscal year; and

WHEREAS, all revenue received under the supplemental payment program is derived from certified county nursing home losses; and

WHEREAS, counties depend on revenue received from the supplemental payment program to maintain high-quality services to vulnerable residents; and

WHEREAS, counties utilize revenue from the Supplemental Payment and Certified Public Expenditure Programs to offset property tax dollars utilized to fund the operation of county homes; and

WHEREAS, the 2009-2011 state biennial budget allocates only \$38.1 million annually in payments to counties, although the Department of Health Services estimates receiving \$96.2 million in federal matching funds based on county nursing home losses; and

WHEREAS, the nursing home bed assessment (tax) was created as part of 1991 Wisconsin Act 269 as a methodology to fund the Medical Assistance nursing home rate increases that took effect in FY 92; and

WHEREAS, since that time, the bed tax has increased from \$32 per month per bed to \$170 per licensed bed; and

WHEREAS, in the 2009-2011 state biennial budget, a majority of the funds raised through the increased bed tax was utilized to offset the state's Medicaid deficit, in addition to funding the two percent rate increase in each year of the biennium; and

WHEREAS, in FY 10, 68% of the federal revenue derived from the bed tax was utilized to offset general fund expenditures; 51% of the federal revenue will be utilized for non-nursing home expenditures in FY 11; and

WHEREAS, a bed tax increase of \$14 in FY 10 and an additional increase of \$33 in FY 11 is all that was needed to fund the two percent rate increase; instead, over \$66 million of revenue derived from the bed tax was utilized over the biennium to replace GPR base funding for MA benefits; and

WHEREAS, there is no public policy argument to justify increasing taxes paid by nursing homes and their residents to benefit the general fund; and

WHEREAS, returning the revenue generated from the bed tax will fund a rate increase of approximately 3.25 percent in FY 12 without the need for additional GPR or bed tax dollars; and

WHEREAS, Institutes for Mental Disease (IMDs) with state-only licenses are required to pay the bed tax, even though they do not qualify for Medicaid payments.

NOW, THEREFORE, BE IT RESOLVED, that Columbia County Board of Supervisors requests that the following action be taken by the Governor and State Legislature during 2011-2013 state biennial budget deliberations:

1. Support a statutory change to Sec. 49.45 (6u) (am) Wis. Stats. Such that it reads . . . *the department shall distribute to these facilities and to care management organizations at least \$39,100,000 in each fiscal year . . .*
2. Support a statutory change requiring the state to share equally the federal match dollars received as a result of county nursing home losses.
3. Nursing home bed assessment funds and the federal matching funds generated should be used for nursing home rate increases, not as supplementation to the MA Trust Fund.



4. County government-owned IMDs and state-only licensed facilities should be exempt from the provider bed assessment (bed tax).

BE IT FURTHER RESOLVED that copies of this resolution be sent to Department of Health Services Secretary Karen Timberlake, Department of Administration Secretary Dan Schooff, all area legislators and the Wisconsin Counties Association.

Fiscal Note: None

Fiscal Impact: None

John Tramburg  
Mary Cupery  
John Healy  
Don DeYoung  
~~Gerald Salzwedel~~  
HEALTH CARE CENTER

Motion was made to adopt the Resolution by Tramburg, second by O'Neil.

Motion was made by Martin, second by O'Neil, to also forward a copy of this resolution to all candidates currently running for local legislative office.

The motion to amend carried.

The Resolution as amended was adopted.

#### **RESOLUTION NO. 38-10**

WHEREAS, on March 18, 2009, the Columbia County Board of Supervisors adopted Resolution No. 6-09, which authorized a loan of \$20,000 from the General Fund to the Health Care Center for the purpose of constructing a carport/driveway, the total cost of which was \$40,000; and

WHEREAS, Resolution No. 6-09 required that this \$20,000 loan be repaid to the General Fund at a time when Bridging Generations Foundation, Inc., collected sufficient donations, but not later than five (5) years from the date of the loan; and

WHEREAS, in addition to the \$20,000 that Bridging Generations Foundation, Inc., initially contributed in 2009 to the cost of constructing the carport/driveway, Bridging Generations Foundation, Inc., has raised an additional \$15,000 which has already been repaid to the General Fund in 2010, the first year of the five (5) year repayment period provided in Resolution No. 6-09; and

WHEREAS, the Health Care Center Committee, in recognition of the tremendous service and commitment that Bridging Generations Foundation, Inc., has demonstrated to the Health Care Center, has determined that it is appropriate for the Health Care Center to repay the remaining loan balance of \$5,000 to the General Fund, thereby allowing Bridging Generations Foundation, Inc., to focus its fundraising efforts on other projects that directly benefit Health Care Center residents; and

WHEREAS, the \$5,000 that is needed to repay the remaining loan balance to the General Fund is available in the Health Care Center's Capital Account.

NOW THEREFORE BE IT RESOLVED, that the repayment provisions of Resolution No. 6-09 are hereby modified so that \$15,000 of the \$20,000 Health Care Center carport/driveway project loan shall be repaid by Bridging Generations Foundation, Inc., and the remaining loan balance of \$5,000 shall be repaid to the General Fund from the Health Care Center 2011 Capital Account by not later than June 30, 2011; and

BE IT FURTHER RESOLVED, that the Columbia County Board of Supervisors hereby expresses its appreciation and thanks to Bridging Generations Foundation, Inc., for its ongoing dedication to the residents of the Columbia Health Care Center.

Fiscal Note: Authorize repayment of remaining \$5,000 Health Care Center carport/driveway project loan balance to General Fund from Health Care Center Capital Account.

Fiscal Impact: None

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

Motion was made to adopt the Resolution by Tramburg, second by Cupery. The Resolution was adopted.

**ORDINANCE NO. 118-10**

The Columbia County Board of Supervisors do ordain as follows: Title 11, Chapter 4 of the Code of Ordinances – Data Processing is hereby amended as follows:

Chapter 4 Management Information Services

11-4-1 Management Information Services

Sec. 11-4-1 Management Information Services

- (a) Creation and Purpose. There is hereby created a Columbia County Management Information Services Department whose purpose shall be to plan, implement, and direct the daily operation of Columbia County's computer systems and data network. The Management Information Services Department is responsible for designing, acquiring, and implementing software systems that eliminate non-productive procedures, organize information, and improve the productivity of county employees.
- (b) Telephone and Cellular System Administration. The Management Information Services Department shall administer the cellular systems used by all county employees. The Management Information Services Department shall administer the non-cellular telephone systems used in all county departments except the Highway Department, and Solid Waste Department.
- (c) County Information Technology Security Officer. The Management Information Services Department shall serve as the county information technology security officer for the Wisconsin Department of Justice (DoJ), Department of Children and Families (DCF) and Department of Workforce Development (DWD) by approving security codes to allow access to the DoJ, DCF and DWD computer systems. The Management Information Services Department shall review the data security of the county's computer systems.
- (d) Computer Authorization. The Management Information Services Department shall review, recommend and approve requests to purchase computer equipment within all county departments.
- (e) Audio & Video Authorization. The Management Information Services Department shall review, recommend and approve requests to purchase network connected audio and video equipment within all county departments.

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

DATE PASSED: September 15, 2010  
DATE PUBLISHED: September 23, 2010

Motion made by Baumgartner, second by Gove, to adopt. Motion carried. The Ordinance was declared passed and is to be known as Ordinance 118-10.

**ORDINANCE NO. Z385-10**

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 Agriculture to Agriculture with Agricultural Overlay”, (Merlin & Eunice Shanks, Petitioners and Owners) parcel of land located in Section 34, T12N, R8E, Town of Caledonia more particularly described as follows: Land to be Rezoned from Agricultural to Rural Residential: Commencing at the east quarter corner of said Section 34; thence South 00°03’13” West along the east line of the Southeast Quarter of said Section 34, 847.50 feet; thence North 73°41’03” West, 434.87 feet; thence South 63°46’01” West, 117.29 feet to the point of beginning; thence continuing South 63°46’01” West, 203.46 feet; thence South 44°30’12” West, 62.99 feet; thence North 31°03’14” West, 249.50 feet; thence North 08°33’23” West, 194.27 feet to a point in the center line of Beich Road; thence Northeasterly along a 118.00 foot radius curve to the left in the center line of Beich Road having a central angle of 40°10’16” and whose long chord bears North 74°11’54” East, 81.05 feet; thence North 54°06’46” East along the center line of Beich Road, 129.27 feet; thence Northeasterly along a 470.00 foot radius curve to the right in the center line of Beich Road having a central angle of 02°11’24” and whose long chord bears North 55°12’28” East, 17.96 feet; thence South 26°13’59” East, 422.61 feet to the point of beginning. Containing 108,903 square feet, (2.50 acres), more or less. Land to be rezoned from Agriculture to Agriculture with Agricultural Overlay - The Southeast Quarter of the Southwest Quarter of Section 34, Town 13 North, Range 8 East, Town of Caledonia, Columbia County, Wisconsin. This rezoning shall become effective upon the recording of the Certified Survey Map.
- (2) “To change from Commercial to Single Family Residence”, (Jeanne Perkins, Petitioner and Owner) parcel of land located in Section 8, T10N, R8E, Town of Lodi more particularly described as follows: Land to be rezoned from Commercial to Single Family Residence - Being the East 65 Feet of Lot 7, Block 2, Plat of Okee. Lying in the NE ¼ of the SW ¼, Section 8, T10N, Range 8E, Town of Lodi, Columbia County Wisconsin.

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

DATE PASSED: September 15, 2010  
DATE PUBLISHED: September 23, 2010

Motion made by Jenkins, second by Boockmeier, to adopt. Motion carried. The Ordinance was declared passed and is to be known as Ordinance Z385-10.

**ORDINANCE NO. 119-10**

The Columbia County Board of Supervisors do ordain as follows: Chapter 22-1-1 of the Code of Ordinances – State Statutes Adopted is hereby amended to create a new subsection (f) as follows:

Sec. 22-1-1 Offenses Against State Laws Subject to Forfeiture.

The following statutes defining offenses against the peace and good order of the State are adopted by reference to define offenses against the peace and good order of Columbia County provided the penalty for commission of such offenses hereunder shall be limited to a forfeiture imposed under the general penalty provisions of this Code of Ordinances. Any future amendments, revisions or modifications of the Statutes incorporated herein by reference are intended to be made part of this Code.

(f) 101.123 Smoking prohibited.

Existing subsections (a) through (e) of Section 22-1-1 are unchanged and shall remain in full force and effect.

Existing subsections (f) through (de) of Section 22-1-1 shall be sequentially redesignated following new subsection (f) as subsections (g) through (df) and shall remain in full force and effect.

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

DATE PASSED: September 15, 2010  
DATE PUBLISHED: September 23, 2010

Motion made by Pufahl, second by O'Neil, to adopt. Motion carried, not unanimously. The Ordinance was declared passed and is to be known as Ordinance 119-10.

Supervisor Pufahl suggested that the canned goods placed on supervisor's desks by local vendors be donated to area food pantries in the county.

Baumgartner moved adjournment of this meeting to Wednesday, October 20, 2010, at 7:00 p.m. Second was made by Richmond. The motion carried. The meeting adjourned at 8:55 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](http://www.co.columbia.wi.us) after publication**