

PROCEEDINGS
OF THE
BOARD OF SUPERVISORS
Columbia County, Wisconsin

Portage, Wisconsin
September 19, 2012
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 Ross and was certified to be in compliance with the Wisconsin Open Meetings Law.

All Supervisors were present.

Members stood and recited the Pledge of Allegiance.

A motion was made by De Young, second by Pufahl to approve the Journal of July 18, 2012.

Motion carried.

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

Representative Keith Ripp of the Wisconsin Assembly 47th District introduced himself.

Chair Ross announced a Fall Conservation Tour to be held on October 22nd. The Land and Water Conservation Department will send out a formal invitation to board members.

Don Weideman, representing Concerned Citizens Against Heroin, spoke on behalf of a grassroots initiative to address heroin abuse in Columbia County. The group identified a list of 10 items that would provide assistance for addicts and their families. Weideman is asking for support from the County. A copy of the list was given to Chair Ross.

The following appointments were announced:

- (1) Local Emergency Planning Committee: Keith Ripp and Bob Zapotocny, terms to end April, 2014. On a motion by Weyh, second by Wingers, the appointments were 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 Amber S. Reiersen and Richard L. Reiersen Jr., Pardeeville, WI, Petitioners and Owners, to rezone from Agricultural to Rural Residential, Agricultural and Agricultural to Agricultural with Agricultural Overlay, Parcel 188.02, Section 10, T11N, R10E in the Town of Lowville on the 9th day of August, 2012 to be approved as follows: To change from Agricultural to Rural Residential, Agricultural and Agricultural to Agricultural with Agricultural Overlay, Parcel 188.02, Section 10, T11N, R10E, Town of Lowville.
2. A petition by Marilyn Rowley, Rio, WI, Petitioner and Lucille Uttech Estate, Owner, to rezone from Agricultural to Rural Residential and Agricultural to Agricultural with Agricultural Overlay, Parcel 640, Section 35, T11N, R10E in the Town of Lowville on the 9th day of August, 2012 to be approved as follows: To change from Agricultural to Rural Residential and Agricultural to Agricultural with Agricultural Overlay, Parcel 640, Section 35, T11N, R10E, Town of Lowville.
3. A petition by Henry Jowett, Portage, WI, Petitioner and Owner, to rezone from A-1 Agriculture to R-1 Single Family Residence, Parcel 910.01, Section 2, T12N, R8E in the Town of Lewiston on the 12th day of July, 2012 to be approved as follows: To change from A-1 Agriculture to R-1 Single Family Residence, Parcel 910.01, Section 2, T12N, R8E, Town of Lewiston.
4. A petition by Jason Link, Randolph, WI, Petitioner and Owner, to rezone from RR-1 Rural Residential to A-1 Agricultural, Parcel 426, Section 15, T12N, R11E in the Town of Springvale on the 13th day of August, 2012 to be approved as follows: To change from RR-1 Rural Residential to A-1 Agricultural, Parcel 426, Section 15, T12N, R11E, Town of Springvale.
5. A petition by Blayde K. Elert and Linda L. Elert, Arlington, WI, Petitioners & Owners, to rezone from A-1 Agricultural to RR-1 Rural Residential, Parcel 566.05, Section 23, T12N, R10E in the Town of Wyocena on the 19th day of July, 2012 to be approved as follows: To change from A-1 Agricultural to RR-1 Rural Residential, Parcel 566.05, Section 23, T12N, R10E, Town of Wyocena.

Fred C. Teitgen
Mike Weyh
Mary Cupery
Harlan Baumgartner
James E. Foley
PLANNING AND ZONING COMMITTEE

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

RESOLUTION NO. 34-12

WHEREAS, Russ L. Gray, filed a claim dated July 16, 2012, in the amount of \$20,197,000.00 for loss of job, community status, time with children, incarceration and false imprisonment for events that allegedly occurred on April 21, 2011 to April 25, 2012; and,

WHEREAS, the Claim has been referred to the Judiciary and Property Committee; and,

WHEREAS, the Judiciary and Property 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 July 16, 2012, Claim filed by Russ L. Gray.

Fiscal Note: NONE

Fiscal Impact: NONE

Kirk Konkel
Richard C. Boockmeier
Bruce J. Rashke
James L. Bechen
Kenneth W. Hutler
JUDICIARY & PROPERTY COMMITTEE

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

RESOLUTION NO. 35-12

WHEREAS, the Agriculture and Land and Water Conservation Committee is responsible for dog damage claims in Columbia County; and

WHEREAS, the Committee reviewed the Columbia County, Wisconsin – Claims for Damage to Animals submitted by Russell Huseh and recommends that said claims be allowed, pursuant to Chapter 174, Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors grants the claims and orders that a total of \$702.00 be paid to Russell Huseh from the dog license fund for the loss of eight (8) head of crossbred feeder lambs.

Fiscal Note: \$702.00 to be paid from the Dog License Fund (Account #100.222168)

Fiscal Impact: NONE

JoAnn Wingers
Mike Weyh
Tim Zander
Philip Baebler
John G. Stevenson
AGRICULTURE AND LAND AND WATER
CONSERVATION COMMITTEE

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

RESOLUTION NO. 36-12

WHEREAS, under current law many online-only retailers are refusing to collect and remit sales taxes in states where they do not have a physical presence; and,

WHEREAS, this creates an unfair price advantage for online-only retailers over traditional brick-and-mortar Wisconsin businesses that provide Wisconsin-based jobs; and,

WHEREAS, as the amount of unpaid tax by some people grows, more revenue needs to be collected from everyone else to compensate; and,

WHEREAS, uncollected Wisconsin state and local sales tax revenue is estimated between \$100 and \$200 million annually; and,

WHEREAS, sales tax revenues are an important component of state and local government budgets; and,

WHEREAS, this resolution supports all Wisconsin residents, businesses and units of government.

NOW, THEREFORE, BE IT RESOLVED, that Columbia County does hereby support legislation requiring online retailers *without* subsidiaries or affiliates located in Wisconsin to collect and remit Wisconsin state and local sales tax; and,

NOW BE IT FURTHER RESOLVED, that the County Clerk shall forward a copy of this Resolution to the Governor of the State of Wisconsin, all Columbia County legislative representatives, and the Wisconsin Counties Association.

Fiscal Note: None.

Fiscal Impact: Increased sales tax revenues.

Robert R. Westby
Richard C. Boockmeier
Mary Cupery, Secretary
Vern E. Gove, Vice Chair
Andy Ross, Chair
EXECUTIVE COMMITTEE

Motion was made to adopt the Resolution by Boockmeier, second by Foley.

Motion by Kessler, second by Pufahl to amend the resolution to change the word "with" to "without" to state: *that Columbia County does hereby support legislation requiring online retailers without subsidiaries or affiliates located in Wisconsin to collect and remit Wisconsin state and local sales tax.* The motion to amend was carried. The resolution, as amended, was adopted.

RESOLUTION NO. 37-12

WHEREAS, the current Columbia County Emergency Plan was updated to the Emergency Support Function Format; and,

WHEREAS, the Wisconsin Emergency Management has required those updates; and,

WHEREAS, Wisconsin Emergency Management requires the County Board to adopt the changes;

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors formally adopts the changes to the Columbia County Emergency Plan.

Fiscal Note: N/A

Fiscal Impact: N/A

Kirk Konkel
Adam Field
Kevin Kessler
Fred Teitgen
Joann Wingers
PUBLIC SAFETY COMMITTEE

Motion was made to adopt the Resolution by Wingers, second by De Young. The resolution was adopted.

RESOLUTION NO. 38-12

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 2012 (TID is included for State taxes, and TID is out for County taxes).

	<u>ALL PROPERTY</u> (TID Included)	<u>% to TOTAL</u>	<u>ALL PROPERTY</u> (TID Out)	<u>% to TOTAL</u>
<u>TOWNS:</u>				
Arlington	\$ 85,361,700	1.75%	\$ 85,361,700	1.78%
Caledonia	234,588,300	4.82%	234,588,300	4.88%
Columbus	68,089,000	1.40%	68,089,000	1.42%
Courtland	50,701,800	1.04%	50,701,800	1.05%
Dekorra	346,909,400	7.13%	346,909,400	7.21%
Fort Winnebago	72,407,100	1.49%	72,407,100	1.51%
Fountain Prairie	76,872,700	1.58%	76,872,700	1.60%
Hampden	58,357,500	1.20%	58,357,500	1.21%
Leeds	76,835,500	1.58%	76,835,500	1.60%
Lewiston	122,474,300	2.52%	122,474,300	2.55%
Lodi	438,452,100	9.01%	438,452,100	9.12%
Lowville	85,379,200	1.75%	85,379,200	1.78%
Marcellon	88,216,000	1.81%	88,216,000	1.83%
Newport	63,934,000	1.31%	63,934,000	1.33%
Otsego	62,495,200	1.28%	62,495,200	1.30%
Pacific	217,002,900	4.46%	217,002,900	4.51%
Randolph	83,788,900	1.72%	83,788,900	1.74%
Scott	58,135,900	1.19%	58,135,900	1.21%
Springvale	65,639,600	1.35%	65,639,600	1.36%
West Point	320,016,900	6.58%	320,016,900	6.65%
Wyocena	180,783,400	3.71%	180,783,400	3.76%
TOWN TOTAL	2,856,441,400	58.69%	2,856,441,400	59.40%
<u>VILLAGES:</u>				
Arlington	70,820,200	1.46%	64,562,600	1.34%
Cambria	47,618,200	.98%	47,618,200	.99%
Doylestown	13,698,500	.28%	13,698,500	.28%
Fall River	122,818,200	2.52%	108,601,900	2.26%
Friesland	20,513,300	.42%	16,476,900	.34%
Pardeeville	122,632,900	2.52%	122,632,900	2.55%
Poynette	151,517,200	3.11%	151,517,200	3.15%
Randolph	24,710,800	.51%	21,958,500	.46%
Rio	61,998,200	1.27%	52,834,600	1.10%
Wyocena	36,937,400	.76%	36,937,400	.77%
VILLAGE TOTAL	673,264,900	13.83%	636,838,700	13.24%
<u>CITIES:</u>				
Columbus	349,378,400	7.18%	336,448,200	7.00%
Lodi	232,176,500	4.77%	231,918,500	4.82%
Portage	532,319,300	10.94%	525,480,700	10.93%
Wisconsin Dells	223,018,600	4.58%	221,776,000	4.61%
CITIES TOTAL	1,336,892,800	27.47%	1,315,623,400	27.36%
<u>COUNTY TOTALS:</u>				
Columbia County	4,866,599,100	100%	4,808,903,500	100%

Vern E. Gove
Harlan Baumgartner
Robert R. Westby
Barry Pufahl
John H. Tramburg
FINANCE COMMITTEE

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

ORDINANCE NO. Z402-12

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”, (Amber S. Reiersen and Richard L. Reiersen Jr., Petitioners and Owners) parcel of land located in Section 10, T11N, R10E, Town of Lowville more particularly described as follows: Land to be Rezoned from Agricultural to Rural Residential: Commencing at the south quarter corner of said Section 10; thence South 88°05’31” West along the south line of the Southwest Quarter of said Section 10, 440.92 feet to the point of beginning; thence continuing South 88°05’31” West along the south line of the Southwest Quarter of said Section 10, 100.00 feet; thence North 01°54’29” West, 415.00 feet; thence South 88°05’31” West, 170.00 feet; thence North 01°54’29” West, 170.00 feet; thence North 88°05’31” East, 270.00 feet; thence South 01°54’29” East along the west line of lands described and recorded in Volume 278 of records, page 32, and the northerly and southerly extensions thereof, 585.00 feet to the point of beginning. Containing 87,400 square feet, (2.01 acres), more or less. Land to be Rezoned from Agricultural to Agricultural with Agricultural Overlay - Being all of Lot 2, Certified Survey Map No. 5194 as recorded in Volume 36 of Certified Survey Maps, page 125, as Document No. 817784 located in the Southeast Quarter of the Southwest Quarter and the Northeast Quarter of the Southwest Quarter of Section 10, Town 11 North, Range 10 East, Town of Lowville, Columbia County, Wisconsin, EXCEPT the following described parcel: Commencing at the south quarter corner of said Section 10; thence South 88°05’31” West along the south line of the Southwest Quarter of said Section 10, 440.92 feet to the point of beginning; thence continuing South 88°05’31” West along the south line of the Southwest Quarter of said Section 10, 100.00 feet; thence North 01°54’29” West, 415.00 feet; thence South 88°05’31” West, 170.00 feet; thence North 01°54’29” West, 170.00 feet; thence North 88°05’31” East, 270.00 feet; thence South 01°54’29” East along the west line of lands described and recorded in Volume 278 of records, page 32, and the northerly and southerly extensions thereof, 585.00 feet to the point of beginning. Containing (36.18 acres), more or less. All effective upon recording the Certified Survey Map.
- (2) “To change from Agricultural to Rural Residential and Agricultural to Agricultural with Agricultural Overlay”, (Marilyn Rowley, Petitioner and Lucille Uttech Estate , Owner) parcel of land located in Section 35, T11N, R10E, Town of Lowville more particularly described as follows: Land to be Rezoned from Agricultural to Rural Residential - Commencing at the east quarter corner of said Section 35; thence South 01°29’50” East along the east line of the Southeast Quarter of said Section 35, 1,104.53 feet to the point of beginning; thence continuing South 01°29’50” East along the east line of the Southeast Quarter of said Section 35, 235.39 feet to the southeast corner of the Northeast Quarter of the Southeast Quarter of said Section 35; thence South 88°44’23” West along the south line of the Northeast Quarter of the Southeast Quarter of said Section 35, 454.00 feet; thence North 05°41’56” West, 236.09 feet; thence North 88°44’23” East, 471.30 feet to the point of beginning. Containing 108,900 square feet, (2.50 acres), more or less. Land to be Rezoned from Agricultural to Agricultural with Agricultural Overlay - Commencing at the east quarter corner of said Section 35; thence South 01°29’50” East along the east line of the Southeast Quarter of said Section 35, 767.72 feet to the point of beginning; thence continuing South 01°29’50” East along the east line of the Southeast Quarter of said Section 35, 336.81 feet;

thence South 88°44'23" West, 471.30 feet; thence South 05°41'56" East, 236.09 feet to a point in the south line of the Northeast Quarter of the Southeast Quarter of said Section 35; thence South 88°44'23" West along the south line of the Northeast Quarter of the Southeast Quarter and the south line of the Northwest Quarter of the Southeast Quarter of said Section 35, 2,209.26 feet to the southwest corner of the Northwest Quarter of the Southeast Quarter of said Section 35; thence North 01°47'00" West along the west line of the Southeast Quarter of said Section 35, 572.21 feet; thence North 88°44'23" East, 2,666.12 feet to the point of beginning. Containing 1,415,800 square feet, (32.50 acres), more or less. All effective upon recording the Certified Survey Map.

Andy Ross, Chair
COLUMBIA COUNTY
BOARD OF SUPERVISORS
Susan M. Moll
COLUMBIA COUNTY CLERK

DATE PASSED: September 19, 2012
DATE PUBLISHED: September 25, 2012

Chair Ross asked that each rezone request be taken separately. Motion made by Baumgartner, second by Teitgen, to approve the rezone request from Amber S. Reiersen and Richard L. Reiersen Jr., Petitioners and Owners. Motion carried. Motion made by Weyh, second by Foley, to approve the rezone request from Marilyn Rowley, Petitioner and Lucille Uttech Estate, Owner. Motion carried. The Ordinance was declared passed and is to be known as Ordinance Z402-12.

ORDINANCE NO. Z403-12

The Columbia County Board of Supervisors do ordain as follows: That Title 16 – Chapter 100, entitled "Zoning", of the County Code, as passed by the Board of Supervisors on March 21, 2012 is hereby amended and added thereto as follows:

- (1) "To change from A-1 Agriculture to R-1 Single Family Residence", (Henry Jowett, Petitioner and Owner) parcel of land located in Section 35, T13N, R8E, Town of Lewiston more particularly described as follows: Land to be Rezoned from A-1 Agriculture to R-1 Single Family Residence District - Lot 1 CS#3711-25-79 - Containing (5.12 acres), more or less.
- (2) "To change from RR-1 Rural Residential to A-1 Agriculture District", (Jason Link, Petitioner and Owner) parcel of land located in Section 15, T12N, R11E, Town of Springvale more particularly described as follows: Beginning at the southwest corner of Lot 1, Certified Survey Map No. 5335; thence North 01°15'20" West along the west line of the Southeast Quarter of said Section 15 and the west line of said Lot 1, 295.91 feet to the northwest corner of said Lot 1; thence South 89°58'07" East along the northerly line of said Lot 1, 658.52 feet; thence North 33°27'34" East along the northerly line of said Lot 1, 63.76 feet; thence South 81°11'24" East along the northerly line of said Lot 1, 32.75 feet; thence South 06°23'03" West along the easterly line of said Lot 1, 152.93 feet; thence North 89°55'50" West along the northerly right-of-way line of Gilmore Drive and the easterly extension thereof, 424.15 feet; thence South 01°15'20" East, 192.04 feet to a point in the south line of said Lot 1; thence South 89°57'35" West along the south line of said Lot 1, 282.60 feet to the point of beginning. Containing 130,679 square feet (3.00 acres), more or less. Land to be Rezoned from RR-1 Rural Residential to A-1 Agriculture District.
- (3) "To change from A-1 Agriculture District to RR-1 Rural Residential", (Blayde K. Elert and Linda L. Elert, Petitioners and Owners) parcel of land located in Section 23, T12N, R10E, Town of Wycocena more particularly described as follows: - Lot 3, CSM 5229-37-1 - Containing (4.7 acres), more or less.

Andy Ross, Chair
COLUMBIA COUNTY
BOARD OF SUPERVISORS
Susan M. Moll
COLUMBIA COUNTY CLERK

DATE PASSED: September 19, 2012
DATE PUBLISHED: September 25, 2012

Chair Ross asked that each rezone request be taken separately. Motion made by Teitgen, second by Baumgartner, to approve the rezone request from Henry Jowett, Petitioner and Owner. Motion carried. Motion made by Teitgen, second by Rashke, to approve the rezone request from Jason Link, Petitioner and Owner. Motion carried. Motion made by Baumgartner, second by Weyh, to approve the rezone request from Blayde K. Elert and Linda L. Elert, Petitioners and Owners. Motion carried. The Ordinance was declared passed and is to be known as Ordinance Z403-12.

Foley moved adjournment of this meeting to Wednesday, October 17, 2012 at 7:00 p.m. Second was made by Basten. The motion carried. The meeting adjourned at 7:37 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.