

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
January 15, 2014  
9:47 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 Ross and was certified to be in compliance with the Wisconsin Open Meetings Law.

All Supervisors were present, except Basten and DeYoung absent with notice, and Zander arrived late.

Members stood and recited the Pledge of Allegiance.

A motion was made by Weyh, second by McClyman to approve the Journal of December 18, 2013. Motion carried.

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

Madeline Gotkowitz, Hydrogeologist for Wisconsin Geological and Natural History Survey, gave a power-point presentation on the groundwater and geology study being completed in Columbia County. An Open House on the geologic core from Columbia County will be held at their facility (Wisconsin Geological and Natural History Survey Research Collections and Education Center) in Mount Horeb on February 13, 2014, from 10 a.m. to 2 p.m. Jay Zambito, Geologist, was also in attendance.

A handout regarding the SNAP-Plus Nutrient Management Training Program was placed on supervisor's desks by the UW-Extension Office.

Supervisor Zander arrived at 10:02 am.

Ron Locast, Potter Lawson Consultant, gave an update on the Facilities Analysis and Planning Study and entertained questions of the Board. He reported the Facility Needs Assessment (Phase 1) of the Master Plan has been completed and referred to a handout placed on supervisor's desks. A detailed report will be presented to the Board at the February 19<sup>th</sup> meeting. The report will consist of two options for proposed remodeling and/or new construction, cost estimates and phasing for the long term infrastructure needs of the County.

The following appointments were announced:

- 1) Health and Human Services Board: Dr. Kenneth Oh, remaining term to April, 2015. Motion by Sumnicht, second by Cupery, the appointment was approved.
- 2) Marsh Country Health Alliance Commission: Andy Ross, remaining term to April, 2014. Motion by Westby, second by Martin, the appointment was approved.

Copies of the Columbia County Highway Committee meeting draft minutes from January 2, 2014 and the contract with Devine Inc. were placed on supervisor's desks. Baumgartner, Chair of the Highway Committee, reported the committee approved a contract with Devine Inc. to provide firm cost estimates for the renovation and relocation of highway offices. Funding for the project will come from highway equity and may be included with future highway bonding. If bonding should not be approved, the Highway Committee would need to decide what capital projects are eliminated. Lois Schepp, Comptroller, further explained, based on the WI State Statutes and a resolution adopted by the County Board, remodeling expenditures paid from equity could be reimbursed through bonding if the County Board approves bonding within an 18 month window of time. Chair Ross stated no action was required by the Board and the report be placed on file.

**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 Vernon and Ellen Maier, Poynette, WI, Petitioners and Owners, to rezone from A-1 Agriculture to RR-1 Rural Residence, Parcel 94.1, Section 5, T10N, R9E in the Town of Arlington to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence, Parcel 94.1, Section 5, T10N, R9E, Town of Arlington.

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. 1-14**

WHEREAS, the expansion of industrial sand mining and processing in Wisconsin raises significant local public health, economic, environmental, and quality of life issues; and,

WHEREAS, Senate Bill 349 has been introduced in the Wisconsin Legislature to restrict local governmental authority to regulate nonmetallic mining and to limit certain local governmental powers; and,

WHEREAS, the Bill prohibits local government units from imposing restrictions related to water or air quality and water quantity; requiring monitoring of water or air quality and water quantity; establishing or enforcing a standard of air or water quality; or issuing permits related to water or air quality and water quantity; and,

WHEREAS, the Bill removes the power of a county to administer an air pollution control program with requirements that are consistent with or stricter than those in relevant state law; and,

WHEREAS, the Bill prohibits a county from enacting or enforcing a nonmetallic mining reclamation ordinance that requires an operator to obtain a permit other than a reclamation permit, includes a standard of air or water quality, or is more restrictive than Wisconsin DNR standards; and,

WHEREAS, the Bill prohibits counties from imposing any fee or other charge on a highway user for damage to highways caused by the highway user unless the county has entered into a contract with a highway user to reimburse the municipality or county for the cost of repairs to a highway that that meets certain specific requirements, including a requirement that the proportion of damages caused specifically by the highway user must be determined by an engineer selected by the user and the county and paid equally by the user and county; and

WHEREAS, the health, safety, economic, environmental, and quality of life impacts of these operations are primarily issues of local concern.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board hereby supports local control of nonmetallic mining and opposes Senate Bill 349 and any state legislation that would preempt the ability of counties to craft their own regulations tailored to their individual circumstances.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Governor Walker, Senators Fitzgerald, Olsen and Erpenbach, Representatives Ripp, Jagler and Clark, Wisconsin DNR Secretary Stepp, and the Wisconsin Counties Association.

Fiscal Impact: None

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

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

Barry Pufahl  
Susan G. Martin  
James E. Foley  
Kenneth W. Hutler  
Harlan Baumgartner  
HIGHWAY COMMITTEE

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

**RESOLUTION NO. 2-14**

WHEREAS, numerous sections of the roofs at the Columbia County Courthouse (Carl C. Frederick Administration Building) and the Columbia County Jail have reached the end of their life spans and require extensive repair or replacement; and,

WHEREAS, estimates for the cost of the proposed roof repair or replacements have been obtained by the County Building and Grounds Department as follows:

Courthouse/Administration Building:

Section #1	\$ 33,856
Section #3	\$ 69,300
Section #4	\$ 16,926
Section #5	<u>\$ 33,856</u>
Total:	\$153,938

Jail:

Section #2	\$120,172
Section #3	<u>\$ 57,225</u>
Total:	\$177,397

NOW, THEREFORE, BE IT RESOLVED, that the funds required to complete the roof repair or replacement projects listed above be transferred from the General Fund to the appropriate building repair accounts for the Courthouse/Administration Building and the Jail; and,

BE IT FURTHER RESOLVED, that the Building and Grounds Department shall secure the services of qualified contractors to complete the roof projects listed in this Resolution during calendar year 2014.

Fiscal Note: Transfer \$153,938 from the General Fund Account No. 100.341100 to the Courthouse/Administration Building Account No. 8000.844000.341 and \$177,397 from the General Fund Account No. 100.341100 to the Jail Account No. 8000.844000.344.

Fiscal Impact: The total amount of \$331,335 ~~to~~ may be repaid to the General Fund from the proceeds of future bonding.

Kirk Konkell  
Richard C. Boockmeier  
Bruce J. Rashke  
~~James L. Bechen~~  
Kenneth W. Hutler, Chair  
JUDICIARY AND PROPERTY COMMITTEE

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

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

Bechen indicated the resolution passed by the Judiciary and Property Committee did not include a fiscal impact. Tramburg explained the Finance Committee needed to determine payment and added the fiscal impact statement when it passed the resolution.

Kessler expressed procedural concerns.

A motion was made by Westby, to amend the Fiscal Impact, by striking "to" and replacing with "may".  
Second by Baumgartner.

Bechen spoke in opposition of potential bonding for this resolution.

The motion to amend carried.

Chair Ross called for a short recess at 10:55 a.m. for the Judiciary and Property Committee to review the resolution as amended. The Board reconvened at 11:05 a.m.

The resolution as amended was adopted, not unanimously.

**ORDINANCE NO. Z418-14**

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 RR-1 Rural Residence”, (Ellen Maier and Vernon Maier, Petitioners and Owners) parcel of land located in Section 5, T10N, R9E, Be Town of Arlington more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Lot 1 CS #4195-29-75 - Contains 2.36 acres.

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

DATE PASSED: January 15, 2014  
DATE PUBLISHED: January 20, 2014

Motion was made by Cupery, second by Teitgen, to approve the rezone request for Ellen and Vernon Maier, Petitioners and Owners. Motion carried. The Ordinance was declared passed and is to be known as Ordinance Z418-14.

**ORDINANCE NO. 138-14**

The Columbia County Board of Supervisors do ordain as follows: That Title 16 – Chapter 400, entitled “Floodplain Zoning Ordinance”, of the County Code, as passed by the Board of Supervisors on March 21, 2012 is hereby amended and added thereto as follows:

16-401-050 GENERAL PROVISIONS

B. OFFICIAL MAPS & REVISIONS

The boundaries of all floodplain districts are designated as A-Zones on the maps listed below and the revisions in Columbia County Floodplain Appendix A. Any change to the base flood elevations (BFE) or any changes to the boundaries of the floodplain or floodway in the FIS or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA through the Letter of Map Change process (see s. 16-435 Amendments) before it is effective. No changes to RFE's on non-FEMA maps shall be effective until approved by the DNR. These maps and revisions are on file in the office of the Planning and Zoning Office of Columbia County, Wisconsin. If more than one map or revision is referenced, the most restrictive information shall apply.

1. OFFICIAL MAPS : ~~Based on the Columbia County Flood Insurance Study (FIS) Number 55021CV000A dated April 2, 2008.~~

a. *Flood Insurance Rate Map (FIRM) panels.*

55021C0020E, 55021C0064E, 55021C0068E, 55021C0068E, 55021C0069E, 55021C0088E, 55021C0089E, 55021C0093E, 55021C0094E, 55021C0113E, 55021C0114E, 55021C0145E, 55021C0165E, 55021C0170E, 55021C0182E, 55021C0201E, 55021C0202E, 55021C0203E, 55021C0204E, 55021C0208E, 55021C0209E, 55021C0227E, 55021C0228E, 55021C0229E, 55021C0231E, 55021C0232E, 55021C0233E, 55021C0234E, ~~55021C0236E, 55021C0237E, 55021C0238E, 55021C0239E, 55021C0241E, 55021C0242E, 55021C0243E, 55021C0244E,~~ 55021C0251E, 55021C0252E, 55021C0253E, 55021C0254E, 55021C0256E, 55021C0257E, 55021C0258E, 55021C0259E, ~~55021C0261E,~~ 55021C0262E, ~~55021C0263E, 55021C0264E,~~ 55021C0266E, 55021C0267E, 55021C0268E, 55021C0269E, 55021C0280E, 55021C0284E, 55021C0286E, 55021C0287E, 55021C0288E, 55021C0289E, 55021C0291E, 55021C0292E, 55021C0293E, 55021C0294E, 55021C0305E, 55021C0310E, 55021C0315E, 55021C0320E, 55021C0330E, 55021C0335E, 55021C0340E, 55021C0345E, 55021C0355E, 55021C0357E, 55021C0358E, 55021C0359E, 55021C0361E, 55021C0362E, 55021C0363E, 55021C0364E, 55021C0366E, 55021C0367E, 55021C0368E, 55021C0369E, ~~55021C0376E, 55021C0377E,~~

55021C0378E, 55021C3790E, 55021C0381E, 55021C0382E, 55021C0383E, 55021C0384E, 55021C0386E, 55021C0387E, 55021C0388E, 55021C0389E, 55021C0395E, 55021C0401E, 55021C0402E, 55021C0403E, 55021C0404E, 55021C0406E, 55021C0407E, 55021C0408E, 55021C0409E, 55021C0415E, 55021C4200E, 55021C0430E, 55021C0435E, 55021C0440E, 55021C0440E, 55021C0445E, 55021C0460E, 55021C0465E, 55021C0466E, 55021C0467E, 55021C0468E, 55021C0469E, 55021C0477E, 55021C0478E, 55021C0479E, 55021C0481E, 55021C0482E, 55021C0486E, 55021C0487E, 55021C0501E, 55021C0502E, 55021C0504E, 55021C0506E, 55021C0508E, 55021C0509E, 55021C0520E, 55021C0555E, 55021C0570E, 55021C0580E, 55021C0585E, 55021C0590E, 55021C0595E, 55021C0605E, 55021C0606E, 55021C0607E, 55021C0608E, 55021C0609E, 55021C0615E, 55021C0620E, dated 04/02/2008, with corresponding profiles that are based on the Columbia County Flood Insurance Study (FIS) Number 55021CV000B, dated 04/02/2014.

b. Flood Insurance Rate Map (FIRM) panels  
55021C0236F, 55021C0237F, 55021C0238F, 55021C0239F, 55021C0241F, 55021C0242F, 55021C0243F, 55021C0244F, 55021C0261F, 55021C0263F, 55021C0264F, 55021C0376F, 55021C0377F, dated 04/02/2014, with corresponding profiles that are based on the Columbia County Flood Insurance Study (FIS) Number 55021CV000B, dated 04/02/2014.

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

DATE PASSED: January 15, 2014  
DATE PUBLISHED: January 20, 2014

Motion was made by Teitgen, second by Foley, to adopt.

John Bluemke, Planning and Zoning Director, gave a brief summary of the amendment and referred to a handout provided in supervisor's packets for review. Motion carried. The Ordinance was declared passed and is to be known as Ordinance 138-14.

Baebler moved adjournment of this meeting to Wednesday, February 19, 2014 at 9:45 a.m. Second was made by Rashke. The motion carried. The meeting adjourned at 11:07 a.m.