

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
July 20, 2016  
7:00 p.m.

The Board of Supervisors of Columbia County convened in regular session at the Carl C. Frederick Administration Building in Portage pursuant to law. The meeting was called to order by Chair Gove and was certified to be in compliance with the Wisconsin Open Meetings Law.

All Supervisors were present, except Weyh, absent with notice.

Members stood and recited the Pledge of Allegiance.

A motion was made by Foley, second by Bradley to approve the Journal of June 15, 2016. Motion carried.

A motion to approve the agenda as printed was made by De Young, second by Cupery. Motion carried.

Chair Gove stated any person who is not a member of the Board, who desires to address the Board on an agenda item, must first receive the approval of a Board member. The member will then request the Chair recognize that he/she is relinquishing time to the non-member to speak and forfeits one of their rights to further address the subject. The non-member shall address only the subject before the Board and may speak for 5 minutes.

Chair Gove recognized Randy Fischer on his retirement of 28 years as a dispatcher at the Columbia County Sheriff's Department. Fischer spoke briefly to the Board.

William Gretzinger and Norm Wills were appointed to the Zoning Board of Adjustment for 3 year terms to July, 2019. Motion by Teitgen, second by Kessler, the appointments were approved.

Konkel, Chair of the Ad Hoc Building Committee, reported on the proposed time schedule and cost estimate for temporary relocation of the court offices to the Annex; Courthouse remodeling project and budget; Construction progress for the administration and health and human services buildings; Proposed mental health clinic in the health and human services building; Canal dredging process; and proposals for the DHIA/Shop.

Chair Gove reported the Executive Committee reviewed county building names submitted by County Board Supervisors and recommend the following: Columbia County Administration; Columbia County Health and Human Services; and Columbia County Courthouse. Motion by Pufahl, second by Teitgen to approve the building names as recommended. Motion carried.

Pufahl proposed a sponsorship of artwork for the county buildings. Teitgen referred to the Sponsorship of Art for New County Buildings memo placed on supervisor's desks. He stated criteria will need to be determined for the sponsorships. A collection of historic photos, compiled by Fred Galley, is available at the County Clerk's Office for supervisor's to view. The Health and Human Services Department Oversight Committee has applied for a \$20,000 grant to help fund a mural for their new building.

**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 directed by the Columbia County Board of Supervisors present as follows: A petition by WB Sales Inc., Portage, WI, Petitioner and Leona Hutchinson LLC, Pardeeville, WI, Owner, to rezone from A-1 Agriculture to I-2 General Industrial, Parcel 51.01, Section 3, T11N, R9E in the Town of Dekorra to be 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 Sandra M. Paulsen, Wisconsin Dells, WI, Petitioner and Owner, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcels 8, 10, 26 Section 2, T13N, R7E in the Town of Lewiston to be approved.
2. A petition by Bryan S. Wendt & Heather R. Wendt, Rio, WI, Petitioners and Owners, to rezone from A-1 Agriculture and R-1 Single Family Residence to RR-1 Rural Residence, Parcels 566.B & 566.4, Section 23, T12N, R10E in the Town of Wyocena to be approved.

3. A petition by Jesse B. Gentz & Joanna L. Gentz, Juneau, WI, Petitioners and Owners, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 695.04, Section 29, T12N, R10E in the Town of Wyocena to be approved.
4. A petition by Ronald W. Senft & Delores A. Senft, Cambria, WI, Petitioners and Owners, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcel 406, Section 14, T12N, R11E in the Town of Springvale to be approved.
5. A petition by William H. Ingraham & Laurel M. Ingraham, Poynette, WI, Petitioners and Owners, to rezone from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District, Parcels 289, 290 & 611, Section 18, T11N, R9E in the Town of Dekorra to be approved.
6. A petition by Vernon Karman, James Woodward, Joseph Woodward, Poynette, WI, Petitioners and Owners, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcels 220.B, 225.A & 224, Section 14, T11N, R9E in the Town of Dekorra to be approved.
7. A petition by Susan L. Ziegler Living Trust, Madison, WI, Petitioner and Owner, to rezone from R-1 Single Family Residence & A-1 Agriculture to R-1 Single Family Residence and R-1 Single Family and A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcels 24.C, 26, 29 & 31, Section 2, T10N, R9E in the Town of Arlington to be approved.

Upon hearing no objection, Chair Gove directed that the Planning and Zoning Reports be accepted and placed on file.

**RESOLUTION NO. 22-16**, express desire to the Wisconsin State Legislature to modify Wisconsin Statutes Chapter 36 and Chapter 38 to allow qualified Wisconsin military veterans to freely choose to utilize their Wisconsin GI bill benefits without first exhausting or without simultaneously using their WI GI Bill benefits and their Federal Post-9/11 GI Bill benefits.

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

**RESOLUTION NO. 23-16**, express desire to the Wisconsin State Legislature to modify Wisconsin Statutes Chapter 36 and Chapter 38 to allow qualified Wisconsin military veterans to freely choose to utilize their own Wisconsin GI Bill benefits whether or not they have previously transferred some or all of their Federal Post-9/11 GI Bill benefits to any of their eligible dependent children and/or spouse.

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

**RESOLUTION NO. 24-16**, support the designation of U.S. Bicycle Route 30 in Columbia County.

Darrell Lehman, from the Town of West Point and representative from the Open Space Committee, explained the proposed resolution and entertained questions of the Board. Supervisors voiced questions and concerns regarding safety, liability and right-of-way. Rashke moved that the Board support and adopt resolution as presented. Second by Ross. The Resolution was adopted on a roll call vote as follows:

AYES: 21; NOES: 6; ABSENT: 1

AYES: Cupery, De Young, Drew, Field, Hutler, Kessler, Long, McClyman, Pufahl, Rashke, Ross, Sleger, St. Maurice, Stevenson, Sumnicht, Teitgen, Tramburg, Zander, Baumgartner, Bradley and Gove.

NOES: Brooks, Foley, Konkell, Rohrbeck, Wingers and Attoe.

ABSENT: Weyh.

**RESOLUTION NO. 25-16**, support the Federal Railroad Administration Crew Size Rule.

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

**RESOLUTION NO. 26-16**, amend Personnel Policies and Procedures and Operations Manual for Management (Bereavement Leave and Sick Leave Incentive Holiday for Jailers).

Motion was made to adopt the Resolution by Kessler, second by Rashke. The resolution was adopted.

**RESOLUTION NO. 27-16**, supporting the Wisconsin Counties Association and the Transportation Development Association with their Just-Fix-It Campaign related to funding of transportation in the State of Wisconsin.

Motion was made to adopt the Resolution by Teitgen, second by Wingers. Chris Hardy, Highway Commissioner, gave a brief overview of resolution and addressed questions/concerns of the Board. The resolution was adopted, not unanimously.

**RESOLUTION NO. 28-16**, condemnation commission compensation.

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

**RESOLUTION NO. 29-16**, Staffing Agreement for Operation of the Columbia County Jail.

Motion was made to adopt the Resolution by Sleger, second by Sumnicht. Captain Darrel Kuhl clarified there are no staffing changes from previous years and funds are included in 2016 Budget. The resolution was adopted.

**RESOLUTION NO. 30-16**, approving Town of Courtland Zoning Ordinance Amendment (Adam Erdmann, Petitioner and Owner).

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

**RESOLUTION NO. 31-16**, approving Town of Courtland Zoning Ordinance Amendment (Anthony and Kathleen Raley, Petitioners and Owners).

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

**RESOLUTION NO. 32-16**, approving Town of Courtland Zoning Ordinance Amendment (Lynn Wingers, Petitioner and Owner).

At 8:01 p.m. Supervisor Wingers excused herself from the room due to conflict of interest.

Motion was made to adopt the Resolution by Bradley, second by Baumgartner. The resolution was adopted. Wingers abstained from voting.

Wingers returned at 8:03 p.m.

**RESOLUTION NO. 33-16**, transfer funds for Sheriff's Sworn Union 2016 wage increases.

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

**RESOLUTION NO. 34-16**, transfer funds to update and repair the air & heating unit (AHU) equipment at the Huber Center.

Motion was made to adopt the Resolution by Hutler, second by McClyman. The resolution was adopted.

**ORDINANCE NO. 164-16**

The Columbia County Board of Supervisors do ordain as follows: Title 12, Chapter 3, entitled "Speed Limits" of the County Code, as passed by the Board of Supervisors on March 21, 2012 is hereby amended.

Motion was made by Foley, second by Ross, to adopt. Motion carried. The Ordinance was declared passed and is to be known as Ordinance 164-16.

**ORDINANCE NO. P18-2016**

The Columbia County Board of Supervisors do ordain as follows: That Title 17, Chapter 1, entitled "Columbia County Comprehensive Plan" of the County Code, as passed by the Board of Supervisors on September 19, 2007, is hereby amended:

Map Amendment - Agricultural or Open Space and Single Family Residential to Agricultural or Open Space and Single Family Residential; Susan L. Ziegler Living Trust, Petitioner & Owner, Town of Arlington.

Map Amendment - Farmland Preservation Area and Urban Transition Area to Farmland Preservation Area and Urban Transition Area; Susan L. Ziegler Living Trust, Petitioner & Owner, Town of Arlington.

Motion was made by Teitgen, second by Rashke, to adopt. Motion carried. The Ordinance was declared passed and is to be known as Ordinance P18-2016.

**ORDINANCE NO. P19-2016**

The Columbia County Board of Supervisors do ordain as follows: That Title 17, Chapter 1, entitled "Columbia County Comprehensive Plan" of the County Code, as passed by the Board of Supervisors on September 19, 2007, is hereby amended:

Map Amendment -Recreational to Single Family Residential; Portage Country Club, Petitioner & Owner, Town of Wyocena.

Motion was made by Teitgen, second by Kessler, to adopt. Motion carried, not unanimously. The Ordinance was declared passed and is to be known as Ordinance P19-2016.

**ORDINANCE NO. Z450-16**

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 May 14, 2014 is hereby amended and added thereto as follows: "To change from A-1 Agriculture to I-2 General Industrial", (WB Sales, Petitioner and Leona Hutchinson LLC, Owners).

Motion was made by Ross, second by Brooks, to approve the rezone request for WB Sales, Petitioner and Leona Hutchinson LLC, Owners.

Teitgen explained that last month the County Board of Supervisors directed the report be accepted

and the rezoning petition be referred back to the Planning and Zoning Committee to draft an ordinance for Board consideration at the July meeting. The Planning and Zoning Committee recommends the amending ordinance which is consistent with both the Town of Dekorra and Columbia County Comprehensive Plans.

Teitgen relinquished speaking time to Adam Gazapian, representing WB Sales, who asked for approval of the rezone request.

Bradley relinquished speaking time to Sandy Smith, Supervisor for the Town of Dekorra, who spoke in opposition of the rezone request.

Sleger relinquished speaking time to Mike Dorshorst, Town of Dekorra Board Chair, who spoke against the rezone request. He stated the Town of Dekorra Board was also opposed.

Ross relinquished speaking time to Gary Leatherberry, Supervisor for the Town of Dekorra, who spoke in opposition.

Rashke stated if the rezone request is consistent with both comprehensive plans, the body should act in an objective manner.

Baumgartner spoke in favor of the ordinance, stating laws are in place to give the local towns the final decision.

Kessler deferred to Corporation Counsel the probability of litigation. Ruf stated litigation would be difficult to predict, however, if the County were to reject the rezone, the owners of WB Sales could take the County to court and seek reconsideration based on the contention that the decision was capricious and not within the bounds of the comprehensive plans. Approving the rezone puts the matter back into the hands of town officials and less likely the County would be named in any court action.

Ross spoke in favor of the amending ordinance.

Sleger indicated he would be voting against the rezone.

The rezone request was approved by a roll call vote as follows:

AYES: 16; NOES: 11; ABSENT: 1

AYES: Cupery, De Young, Field, Foley, Hutler, Konkel, Rashke, Rohrbeck, Ross, Stevenson, Teitgen, Wingers, Attoe, Baumgartner, Brooks and Gove.

NOES: Drew, Kessler, Long, McClyman, Pufahl, Sleger, St. Maurice, Sumnicht, Tramburg, Zander and Bradley.

ABSENT: Weyh.

The Ordinance was declared passed and is to be known as Ordinance Z450-16.

**ORDINANCE NO. Z451-16**

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 May 14, 2014 is hereby amended and added thereto as follows:

- (1) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Sandra M. Paulsen, Petitioner and Owner).
- (2) "To change from A-1 Agriculture and R-1 Single Family Residence to RR-1 Rural Residence", (Bryan S. Wendt & Heather R. Wendt, Petitioners and Owners).
- (3) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay", (Jesse B. Gentz & Joanna L. Gentz, Petitioners and Owners).
- (4) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Ronald W. Senft & Delores A. Senft, Petitioners and Owners).
- (5) "To change from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (William H. Ingraham & Laurel M. Ingraham, Petitioners and Owners).
- (6) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Vernon Karman, James Woodward, Joseph Woodward, Petitioners and Owners).
- (7) "To change from R-1 Single Family Residence and A-1 Agriculture to R-1 Single Family Residence and from R-1 Single Family Residence and A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Susan L. Ziegler Living Trust, Petitioner and Owner).

Motion was made by Teitgen, second by Bradley, to approve the rezone requests for Sandra Paulsen, Petitioner and Owner; Bryan and Heather Wendt, Petitioners and Owners; Jesse and Joanna Gentz, Petitioners and Owners; Ronald and Delores Senft, Petitioners and Owners; William and Laurel

Ingraham, Petitioners and Owners; Vernon Karman, James Woodward and Joseph Woodward, Petitioners and Owners; and Susan Ziegler Living Trust, Petitioner and Owner were approved. The motion carried. The Ordinance was declared passed and is to be known as Ordinance Z451-16.

**ORDINANCE NO. \_\_\_\_\_**

The Columbia County Board of Supervisors do ordain as follows: Title 16 Chapter 5 of the Columbia County Code of Ordinances (Shoreland-Wetland Protection Ordinance) is repealed and Title 16 Chapter 500 Shoreland-Wetland Protection Ordinance is created.

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

Motion by Rohrbeck to lay on the table until the September County Board meeting. Second by Wingers. Motion carried, not unanimously.

Chair Gove requested a roll call vote. The motion to lay on the table passed as follows:

AYES: 16; NOES: 11; ABSENT: 1

AYES: De Young, Field, Foley, Hutler, Kessler, Konkell, Long, McClyman, Pufahl, Rohrbeck, St. Maurice, Sumnicht, Wingers, Attoe, Brooks and Gove.

NOES: Drew, Rashke, Ross, Sleger, Stevenson, Teitgen, Tramburg, Zander, Baumgartner, Bradley and Cupery.

ABSENT: Weyh.

Chair Gove welcomed Supervisor De Young back.

Foley moved adjournment of this meeting to Wednesday, September 21, 2016 at 7:00 p.m.

Second was made by Ross. The motion carried. The meeting adjourned at 9:00 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.**