

PROCEEDINGS
OF THE
BOARD OF SUPERVISORS
Columbia County, Wisconsin

Portage, Wisconsin
December 19, 2018
9:45 A.M.

The Board of Supervisors of Columbia County convened in regular session at the Administration building at 112 East Edgewater Street, 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 Blair and De Young, absent with notice; Stevenson and Weyh arrived late; and District 6 is vacant.

Stevenson arrived at 9:46 a.m.

Members stood and recited the Pledge of Allegiance. The Chair asked that members remain standing for a moment of silence for remembrance of County Board Supervisor Kirk Konkol.

A motion was made by Rashke, second by Bradley, to approve the Journal of November 13, 2018. Motion carried.

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

Chair Gove reminded those in attendance of Rule 2 (5) of the Standing Rules, 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 that the Chair recognize that he/she is relinquishing time to the non-member to speak.

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, Brennen J Weigel & Kelly J Weigel, Petitioners, Sun Prairie, WI, 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 908.02, Sections 26 & 27, T11N, R8E, Town of Dekorra to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcel 908.02, Sections 26 & 27, T11N, R8E, Town of Dekorra.
2. A petition by, Gary W Whirry & Renee K Whirry, Petitioners, Poynette, WI, to rezone from A-1 Agriculture to RC-1 Recreation, A-1 Agriculture to RR-1 Rural Residence, and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcels 390 & 371.02, Section 20 & 21, T11N, R10E, Town of Lowville to be approved as follows: To change from A-1 Agriculture to RC-1 Recreation, A-1 Agriculture to RR-1 Rural Residence, and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcels 390 & 371.02, Section 20 & 21, T11N, R10E, Town of Lowville.

Kevin Kessler
Harlan Baumgartner
John Stevenson
Mike Weyh
~~Kirk Konkol~~
PLANNING AND ZONING COMMITTEE

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

The following appointments were announced:

- (1) County Library Systems Board: Susanna Bradley, re-appointment and Linda Ross, appointment, 3 year terms to January 2022. Motion by Foley, second by Wingers, the appointments were approved.

- (2) South Central Library Board: Nancy Long, re-appointment, 3 year term to January, 2022. Motion by Koch, second by Bradley, the appointment was approved.
- (3) County Surveyor: Jim Grothman, re-appointment, 2 year term to January, 2021. Motion by Borgkvist, second by Baumgartner, the appointment was approved.

Weyh arrived at 9:49 a.m.

RESOLUTION NO. 34-18

WHEREAS, both the 5th Amendment to the United States Constitution and Article I, Section 13 of the Wisconsin Constitution prohibit the taking of private property for public use without just compensation; and,

WHEREAS, taking private land against a landowner's will is a power of the state that should be used only rarely and exercised with solemn deliberation; and,

WHEREAS, when the state grants the power of land takings by eminent domain to a business entity, the power granted removes free market forces such that, unlike other transactions between two parties, the landowner is placed in a disadvantaged position, precluding a fair and balanced transaction; and,

WHEREAS, when the land taking is for an easement, the threat of eminent domain diminishes not only the landowner's negotiating power for a fair land price, but also diminishes the power to negotiate important easement terms such as the duration of the easement, annual payments for use of the land, whether the easement can be transferred to another business or sovereign entity, plans for pipeline abandonment, responsibilities for negligence and liability, as well as many other easement terms; and,

WHEREAS, studies have shown: 1) the threat of eminent domain reduces property values and the tax base, an effect known as "condemnation blight"; 2) for long-term economic growth it is crucial for landowners to trust that their property rights are secure; and, 3) government land takings for private development rarely result in a net economic gain. (Reference: Som, I. 2015. The Grasping Hand, Kelo v. City of New Long & the Limits of Eminent Domain. The University of Chicago Press, Chicago, 356 pp.); and,

WHEREAS, a for-profit company intended for the benefit of its investors does not meet the U.S. and Wisconsin Constitutional standards of land takings only for public use; and,

WHEREAS, the rights of a landowner to own and control his or her property are the foundation of American democracy and individual liberty; and,

WHEREAS, other states have taken action to protect citizens' property rights and prohibit the abuse of eminent domain powers by for-profit oil pipeline companies. State actions include: 1) South Carolina's Governor in June 2016 signed a three-year moratorium on the use of eminent domain by oil pipeline companies; 2) Georgia in 2017 passed a bill providing additional safeguards to landowners dealing with for-profit pipeline companies; 3) North Carolina has proposed a state constitutional amendment limiting the use of eminent domain to only land takings that meet the criterion of public use such as roads; 4) Nebraska, Iowa, and Illinois are considering bills to limit the abuses of eminent domain by oil pipeline companies; and,

WHEREAS, all authority to grant eminent domain power to oil pipeline companies resides solely at the state level, namely the Wisconsin Public Service Commission. Unlike natural gas pipelines, no Federal government agencies have authority over land takings by oil pipeline companies. Therefore the State Legislature possesses the sole power and authority to revise State Statutes to limit the abuses of eminent domain and restore property rights to Wisconsin citizens; and,

WHEREAS, residents in Columbia County are threatened with the potential of having their land forcibly taken for an oil pipeline, for private financial gain with little or no public benefit.

NOW, THEREFORE, BE IT RESOLVED THAT, the Columbia Board of Supervisors hereby resolves to express its desire to the Wisconsin State Legislature and Governor to reform eminent domain laws to protect the property rights of Wisconsin citizens and prohibit the State from granting the power of eminent domain to for-profit oil pipeline companies; and,

BE IT FURTHER RESOLVED THAT a copy of this Resolution be sent to Governor Scott Walker, all Columbia County State Senators and Assembly Representatives, to the Public Service Commissioners, and to the Wisconsin Counties Association.

Fiscal Note: None.
Fiscal Impact: None.

Barry Pufahl
James E. Foley
JoAnn Wingers, Secretary
Dan F. Drew, Vice Chair
Vern E. Gove, Chair
EXECUTIVE COMMITTEE

Motion was made to adopt the Resolution by Pufahl, second by Bradley.
Pufahl spoke in favor of the resolution and urged supervisors to support.

Borgkvist relinquished speaking time to Debra Brown, farmer near Portage, who spoke in favor of the resolution.

Rashke relinquished time to Kevin Stoddard, Wyocena farmer, who spoke in favor of the resolution.

Bradley relinquished time to Ann Plata, farmer in the town of Hampden, who spoke in favor of the resolution.

Rohrbeck proposed that government officials sit down with stakeholders, property owners and pipeline companies to find a solution that protects the landowner's rights while transporting gas/oil safely. Field stated reform was needed to protect landowners.

Bradley spoke in favor of the resolution.

Rashke stated the County Board are fiscal stewards of this county and it's the federal government's responsibility to regulate eminent domain.

Miller relinquished time to Mary Wentz, resident of Fall River, who spoke in favor of the resolution and referred to a handout provided to supervisors.

Kessler spoke in favor of the resolution. He had reached out to Enbridge officials for input and did not hear back from them.

Robson spoke in favor of the resolution.

The resolution was adopted on a roll call vote as follows:

YES: 20; NO: 5; ABSENT: 2; VACANT: 1

YES: McClyman, Weyh, Borgkvist, Gove, Field, Robson, Wingers, Pufahl, Bradley, Sleger, Leatherberry, Polzer, Baumgartner, Miller, Zander, St. Maurice, Stevenson, Plumer, Long and Kessler.

NO: Rohrbeck, Rashke, Drew, Foley and Koch.

ABSENT: De Young and Blair.

District 6 Vacant.

RESOLUTION NO. 35-18

WHEREAS, Columbia County is committed to protecting the confidentiality of data it receives through its provision of health care services and is further committed to its compliance with all applicable laws and regulations relating to data privacy and security, including but not limited to the Health Insurance Portability and Accountability Act of 1996 (HIPAA), as amended by the Health Information Technology for Economic and Clinical Health Act (HITECH Act), and the regulations promulgated by the U.S. Department of Health Services (HIPAA Regulations); and,

WHEREAS, some Departments within Columbia County provide health care services and may be considered "covered entities" under HIPAA; some Departments could be considered "business associates," as defined by HIPAA, because they serve all Departments including those that may be considered covered entities; while others perform non-health care related services and are not required to comply with HIPAA; and,

WHEREAS, without the identification of which Columbia County Departments are covered entities or business associates and their separation from those that are not, all of Columbia County could be legally considered a covered entity under HIPAA, which would result in the expenditure of unnecessary staffing and financial resources as well a significantly heightened potential for liability for noncompliance; and,

WHEREAS, under HIPAA, Columbia County may designate itself as a "hybrid entity" by utilizing the right to identify which departments are covered health care components and those that provide business associate services to those covered health care components; and,

WHEREAS, by such designation, Columbia County may become more efficient in its compliance with HIPAA and other applicable law and create and implement certain policies and procedures designed to prevent and detect violations of the law relating to data privacy and security by Columbia County and its employees, agents, and contractors; and,

WHEREAS, in reflection of the foregoing, a proposed HIPAA Hybrid Designation Statement has been drafted by the Columbia County Corporation Counsel Office for consideration of its adoption and use, attached hereto as "Exhibit A".

NOW, THEREFORE, BE IT RESOLVED, that pursuant to 45 CFR § 164.105(a)(2)(iii)D., Columbia County shall be designated as a hybrid entity under HIPAA. Those Departments that are health care components and those Departments who act as their business associates, when applicable under the law, shall be distinguished from all other Departments within the HIPAA Hybrid Entity Designation Statement; and,

BE IT FURTHER BE RESOLVED that the Columbia County Board of Supervisors hereby adopts the proposed HIPAA Hybrid Designation Statement, attached hereto as "Exhibit A" and as approved by the Executive Committee.

Fiscal Note: None.

Fiscal Impact: None.

Columbia County Government
HIPAA Hybrid Entity Designation
Application: Countywide

Reason for policy: To comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Health Information Technology for Economic and Clinical Health Act (HITECH Act) requirements regarding hybrid entities

1. Introduction

The Health Insurance Portability and Accountability Act of 1996 (HIPAA), as amended by the Health Information Technology for Economic and Clinical Health Act (HITECH Act), is a federal law designed to improve the portability and continuity of health care coverage, standardize health care transactions, and implement requirements surrounding health information privacy and storage. In other words, HIPAA provides guidance to covered entities on the maintenance, acquisition, transmission, and storage of Protected Health Information (PHI).

Covered Entities are health plans, health care clearinghouses, and health care providers that conduct certain types of transaction in electronic form. Covered entities are required to implement specific procedures and policies to ensure compliance with HIPAA.

An entity that provides services that are both covered and not covered by HIPAA may elect to become a hybrid entity. By this designation, only the departments that qualify as covered entities and those performing services for those departments (i.e., as business associates) are required to comply with HIPAA. See 45 CFR § 164.105(a). If this designation is not performed, the entire entity is required to comply with HIPAA, including those departments that would not be otherwise covered by this law. However, by designating itself as a hybrid entity, only select departments are required to follow it, resulting in greater compliance with the law, a reduction in the potential for liability, and a decrease in administrative costs.

While most of Columbia County does not fall within the definition of a covered entity under HIPAA, some departments within Columbia County perform functions that bring them within the definition of a covered entity or a business associate to a covered entity. As a result, Columbia County may choose to classify itself as a hybrid entity. To do so, Columbia County must identify those health care components that would meet the

definition of a hybrid entity and those that perform business associate-like functions for the designated health care components. Columbia County must further delineate those departments from the departments that do not provide such services. All covered health care components must comply with HIPAA and the hybrid entity retains oversight, compliance, and enforcement obligations.

This policy identifies Columbia County as a hybrid entity and documents Columbia County's designated health care components that must comply with HIPAA requirements.

2. Definitions

For the purposes of this document and reflective of those terms defined by HIPAA, the following terms are herein recognized as:

Business Associate (BA): An entity or person that creates, receives, maintains, or transmits Protected Health Information on behalf of a Covered Entity, including a subcontractor. A business associate may include those entities or persons that perform legal, accounting, data aggregation, or financial services for a covered entity and the provision of that service involves the disclosure of protected health information.

Covered entity means:

- (1) A health plan,
- (2) A health care clearinghouse, and
- (3) A health care provider who transmits any health information in electronic form in connection with a transaction.

Covered Functions: Those functions of a [covered entity](#) the performance of which makes the entity a [health plan](#), [health care provider](#), or [health care clearinghouse](#).

Covered Transaction: The transmission of information between two parties to carry out financial or administrative activities related to [health care](#). It includes the following types of information transmissions:

- (1) [Health care claims](#) or equivalent encounter information,
- (2) [Health care](#) payment and remittance advice,
- (3) Coordination of benefits,
- (4) [Health care claim](#) status,
- (5) Enrollment and disenrollment in a [health plan](#),
- (6) Eligibility for a [health plan](#),
- (7) [Health plan](#) premium payments,
- (8) Referral certification and authorization,
- (9) First report of injury,
- (10) Health [claims](#) attachments,
- (11) [Health care](#) electronic funds transfers (EFT) and remittance advice, or
- (12) Other [transactions](#) that the Secretary may prescribe by regulation.

Health Care Component: A component or combination of components of a [hybrid entity](#) designated by the [hybrid entity](#) in accordance with 45 CFR § 164.105(a)(2)(iii)D.

HIPAA: The Health Insurance Portability and Accountability Act of 1996, including relevant amendments under the Health Information Technology for Economic and Clinical Act (HITECH Act), and those regulations to such as set forth in 45 CFR Parts 160 and 164.

Hybrid Entity: A single legal entity:

- (1) That is a [covered entity](#);
- (2) Whose business activities include both covered and non-covered functions; and
- (3) That designates [health care components](#) in accordance with paragraph 45 CFR § 164.105(a)(2)(iii)D.

Individually Identifiable Health Information (IIHI): Information that is a subset of [health information](#), including demographic information collected from an [individual](#), and: (1) is created or received by a [health care provider](#), [health plan](#), [employer](#), or [health care clearinghouse](#); and (2) relates to the past, present, or future physical or mental health or condition of an [individual](#); the provision of [health care](#) to an [individual](#); or the past, present, or future payment for the provision of [health care](#) to an [individual](#); and (i) that identifies the [individual](#); or (ii) with respect to which there is a reasonable basis to believe the information can be [used](#) to identify the [individual](#).

Privacy Rule: HIPAA standards for the privacy of individually identifiable health information as found in 45 CFR Parts 160 and 164, Subparts A and E.

Protected Health Information (PHI): Individually identifiable health information that is transmitted or maintained in any form or medium; however, PHI excludes individually identifiable health information that is (a) in education records covered by the Family Educational Rights and Privacy Act, as amended, 20 U.S.C. § 1232g; (b) in records described at 20 U.S.C. § 1232g(a)(4)(B)(iv); (c) in employment records held by a covered entity in its role as employer; and (iv) about a person who has been deceased for more than 50 years.

Security Rule: Security standards for PHI as found within 45 CFR Parts 160 and 164, Subparts A and C

Use: With respect to [individually identifiable health information](#), the sharing, employment, application, utilization, examination, or analysis of such information within an entity that maintains such information.

Workforce: Employees, volunteers, trainees, and other [persons](#) whose conduct, in the performance of work for a [covered entity](#) or [business associate](#), is under the direct control of such [covered entity](#) or [business associate](#), whether or not they are paid by the [covered entity](#) or [business associate](#).

3. Designation as Hybrid Entity

Columbia County conducts both covered and non-covered functions; in recognition of this, Columbia County now elects to be a hybrid entity under HIPAA as provided by 45 CFR § 164.103 and 164.105.

As a hybrid entity, the applicable HIPAA compliance obligations only apply to Columbia County's designated health care components. These designated health care components include: (a) any component that meets the definition of a covered entity if it were a separate legal entity, (b) a component only to the extent that it performs covered functions, and (c) components that provide business associate services to components identified within (a) or (b).

The designated health care components are identified within Exhibit "A," Columbia County Designated Health Care Components. Columbia County shall ensure the designated health care components comply with all applicable HIPAA requirements. All Columbia County health care components shall comply with HIPAA requirements, including those that provide business associate like services. Each designated health care component, or its designee, shall provide compliance reports to the Privacy and Security Officers annually.

The Corporation Counsel is designated as the Columbia County HIPAA Privacy Officer.

The Director of Management Information Services is designated as the Columbia County HIPAA Security Officer.

Each designated health care component shall also designate staff to serve as their Privacy and Security Officers to further HIPAA compliance.

The designation of healthcare components shall be retained for at least six (6) years following any decision to terminate any division or department from the list of healthcare components. Designations should be retained indefinitely for ongoing healthcare components.

4. Procedures

Each health care component shall establish and implement HIPAA policies and procedures. Those policies and procedures will comply with the requirements of HIPAA, as well as other applicable state and federal law, and will include a description of the following:

- A) Mechanisms to control the flow of PHI from the covered health care components to non-covered components;
- B) Physical, administrative, and procedural safeguards to ensure PHI is not improperly obtained or used by non-covered components;
- C) Methods to ensure that Columbia County staff from non-covered components who have access to PHI to perform support functions for covered components are included in policy updates, training programs, and compliance audits; and
- D) Steps to provide adequate separation when staff is shared between components, if applicable.

Approved:

Vern E. Gove, Columbia County Board Chair

Date

Exhibit A: Columbia County Designated Health Care Components

I. Covered Health Care Components:

- A. Columbia County Health and Human Services, only to the extent that it is providing the health care services of a covered entity;
- B. Columbia Health Care Center; and
- C. Columbia County Jail, only to the extent that it is providing the health care services of a covered entity.

II. Departments Serving Business Associate-like Functions:

- A. Columbia County Accounting Department, only to the extent of providing services to a covered health care component;
- B. Columbia County Buildings and Grounds, only to the extent of providing services to a covered health care component;
- C. Columbia County Corporation Counsel Office, only to the extent of providing services to a covered health care component;
- D. Columbia County Human Resources, only to the extent of providing services to a covered health care component;
- E. Columbia County Management Information Services, only to the extent of providing services to a covered health care component; and
- F. Columbia County Sheriff’s Office, only to the extent of providing services to a covered entity, namely transportation as may be necessary.

Last reviewed: December 10, 2018

Barry Pufahl
 James E. Foley
 JoAnn Wingers, Secretary
 Dan F. Drew, Vice Chair
 Vern E. Gove, Chair
 EXECUTIVE COMMITTEE

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

The resolution was adopted on a roll call vote as follows:

YES: 25; NO: 0; ABSENT: 2; VACANT: 1

YES: McClyman, Weyh, Borgkvist, Gove, Field, Robson, Rohrbeck, Wingers, Rashke, Pufahl, Drew, Bradley, Sleger, Leatherberry, Polzer, Baumgartner, Miller, Zander, St. Maurice, Foley, Stevenson, Plumer, Koch, Long and Kessler.

ABSENT: De Young and Blair.

District 6 Vacant.

RESOLUTION NO. 36-18

WHEREAS, 2017 Wisconsin Act 261 authorized the State of Wisconsin Department of Health Services ("DHS") to provide grants for county and tribal jails to provide nonnarcotic, nonaddictive injectable medication assisted treatment (NNAI MAT) before an inmate re-enters the community; and,

WHEREAS, the Wisconsin State budget allocated One Million Five Hundred Thousand Dollars (\$1,500,000.00) for this purpose for fiscal year 2019; and,

WHEREAS, Columbia County Health and Human Services in collaboration with the Columbia County Sheriff's Department submitted a proposal for the Grant and was notified by DHS of the intent to award Grant funding to Columbia County; and,

WHEREAS, DHS has provided that the grant to Columbia County will be in the amount of One Hundred Eleven Thousand Four Hundred, and Forty Dollars (\$111,440.00); and,

WHEREAS, the contract period of the Grant is November 1, 2018, through June 30, 2019; and,

WHEREAS, there will be an opportunity for annual renewal of Grant funds based on available funding; and,

WHEREAS, the focus of the Grant is to provide services to inmates of the Columbia County Jail who voluntarily receive medication assisted treatment within the five (5) days immediately preceding their release from jail into the community; and,

WHEREAS, the Columbia County Board of Supervisors has demonstrated a commitment to combating opiate addiction in Columbia County; and

WHEREAS, the acceptance of the NNAI MAT Grant funding will allow Columbia County to better meet the overwhelming demand for medication assisted treatment; and

WHEREAS, the Columbia County Standing Rules require that new grants larger than Fifty Thousand Dollars (\$50,000.00) be accepted by the County Board via resolution from the Executive Committee;

NOW, THEREFORE, BE IT RESOLVED, that Columbia County accepts the NNAI MAT Grant Award in the amount of One Hundred Eleven Thousand Four Hundred and Forty Dollars (\$111,440.00); and,

BE IT FURTHER RESOLVED, that the County Board Chair is authorized to sign the Grant Agreement and all other documents that may be required to accept the Grant.

Fiscal Note: The Grant Award is \$111,440.00.

Fiscal Impact:

Barry Pufahl
James E. Foley
JoAnn Wingers, Secretary
Dan F. Drew, Vice Chair
Vern E. Gove, Chair
EXECUTIVE COMMITTEE

Motion was made to adopt the Resolution by Kessler, second by Long.

The resolution was adopted on a roll call vote as follows:

YES: 25; NO: 0; ABSENT: 2; VACANT: 1

YES: McClyman, Weyh, Borgkvist, Gove, Field, Robson, Rohrbeck, Wingers, Rashke, Pufahl, Drew, Bradley, Sleger, Leatherberry, Polzer, Baumgartner, Miller, Zander, St. Maurice, Foley, Stevenson, Plumer, Koch, Long and Kessler.

ABSENT: De Young and Blair.

District 6 Vacant.

RESOLUTION NO. 37-18

WHEREAS, the Wisconsin child welfare system is county-operated and state-supervised, except Milwaukee County, where the system is administered by the Wisconsin Department of Children and Families (DCF), Division of Milwaukee Child Protective Services (DMCPS); and

WHEREAS, although the State has the primary responsibility for compliance with federal requirements and shares liability for ensuring the system is meeting its obligations to children and families in all 72 counties, DCF provides insufficient funding to counties for the provision of child abuse and neglect services including prevention, investigation, treatment, and out-of-home placement costs;; and

WHEREAS, in recent years the State of Wisconsin added numerous mandates and practice expectations which increased county child protective services (CPS) workload and costs; and

WHEREAS, the opioid and methamphetamine epidemics have brought Wisconsin's child welfare system to a point of crisis, with increasing concern about the system's ability to meet its obligations to children and families; and

WHEREAS, the capacity for counties to continue to bear the lion's share of financial responsibility to address this crisis has been exhausted as rising county contributions to the CPS system have far outpaced increases to the DCF Children and Family Aids allocation and counties have used reserve funding to cover CPS expenses and increase staffing; and

WHEREAS, maintaining sufficient resources for Wisconsin's child welfare system is critical to secure the safety and future of our most vulnerable children; and

WHEREAS, without a proportional increase in the DCF Children and Family Services allocation, the CPS system has been stressed for over a decade, causing caseloads for CPS workers to grow to unreasonable levels, and contributing to high levels of staff turnover in some counties and an overrun of out-of-home care costs above what counties can sustain within available resources; and

WHEREAS, Wisconsin's CPS system leaves significant gaps in state-level oversight for all counties except Milwaukee County, including the absence of caseload standards, no process for regular legislative evaluation and prioritization of CPS needs, and the lack of a legislative committee that provides regular policy guidance concerning CPS system issues such as adequate funding, performance, cost sharing, and long-term stability; and

WHEREAS, along with DMCPS, all eleven of Wisconsin's peer states with county-administered CPS systems have either adopted caseload standards for CPS caseworkers, completed thorough workload studies as a basis of determining funding needs, or otherwise have made significant recommendations related to keeping CPS workloads manageable; and

WHEREAS, the children within Wisconsin's CPS system are too important to allow the current level of under resourcing, oversight gaps, and disparity of attention while shifting the burden to property taxpayers.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors does hereby request that the state of Wisconsin increase the Children and Family Aids Allocation to counties in the 2019-21 state biennial budget by \$30 million annually in order to cover a greater share of out-of-home care costs and increase staffing levels based on the caseload standards developed by the Wisconsin County Human Services Association (WCHSA) so Wisconsin's CPS system can meet its obligations; and

BE IT FURTHER RESOLVED that the Wisconsin Counties Association urges the state of Wisconsin to close critical oversight gaps by creating legislative mechanisms to review the CPS resource needs of all counties as part of the biennial budget process and ensure an appropriate committee provide ongoing policy guidance to respond to emerging CPS trends and ongoing system needs; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Governor Scott Walker, Department of Children and Families Secretary Eloise Anderson, Department of Administration Secretary Ellen Nowak, area legislators, and the Wisconsin Counties Association.

Fiscal Note: None

Fiscal Impact: None

Tom Drury, Community Member
Beverly Muhlenbeck, RN, Community Member
Michael Walters, MD, Community Member

Craig Robson, Board Member
Keith F. Miller, Board Member
Tom Borgkvist, Board Member
Nancy M. Long, Secretary
Kevin Kessler, Vice Chair
Susanna R. Bradley, Chair
HEALTH AND HUMAN SERVICES BOARD

Motion was made to adopt the Resolution by Bradley, second by Long.

The resolution was adopted on a roll call vote as follows:

YES: 25; NO: 0; ABSENT: 2; VACANT: 1

YES: McClyman, Weyh, Borgkvist, Gove, Field, Robson, Rohrbeck, Wingers, Rashke, Pufahl, Drew, Bradley, Sleger, Leatherberry, Polzer, Baumgartner, Miller, Zander, St. Maurice, Foley, Stevenson, Plumer, Koch, Long and Kessler.

ABSENT: De Young and Blair.

District 6 Vacant.

RESOLUTION NO. 38-18

WHEREAS, Columbia County administers the Child Support Enforcement Program on behalf of the State, providing services to Columbia County residents including paternity establishment, obtaining child support and health insurance orders for children, and enforcing and modifying those orders; and,

WHEREAS, our children's well-being, economic security and success in life are enhanced by parents who provide financial and emotional support; and,

WHEREAS, Columbia County's Child Support Agency ensures that parents take responsibility for the care and well-being of their children, supports the involvement of parents in their children's lives, and provides services to both custodial and noncustodial parents; and,

WHEREAS, the Child Support Enforcement Program is an effective investment in Wisconsin's future as child support increases self-sufficiency, reduces child poverty, and has a positive effect on children's well-being; and,

WHEREAS, Wisconsin's Child Support Enforcement Program is ranked 2nd in the nation for collecting current support; and,

WHEREAS, Wisconsin's Child Support Enforcement Program is incredibly cost-effective, collecting an average of \$5.56 in support for every dollar invested in the program; and,

WHEREAS, county child support agencies collected \$934 million in child support during 2017, 95% of which went directly to families while 5% reimbursed public assistance programs; and,

WHEREAS, child support agencies help save taxpayer dollars by establishing health insurance orders for 97% of cases, which reduces state Medicaid costs by moving children from public assistance to private insurance; and,

WHEREAS, State funding for county child support services has not increased above the 2007 funding level while County agency costs have steadily increased due to growing caseloads, inflation and new federal regulations; and,

WHEREAS, Wisconsin's strong performance in child support is at risk without additional State funding. Diminished performance would result in reduced Federal funding to Wisconsin; and,

WHEREAS, decreased Federal funding would lead to less funding for Columbia County's Child Support Agency. This could lead to reductions in child support enforcement staff and services and reduced child support collections; and,

WHEREAS, new State investments in child support are amplified by a generous Federal match. Every \$1 of state GPR invested in the Child Support Program generates \$2 in Federal matching funds.

NOW, THEREFORE, BE IT RESOLVED THAT, the Columbia County Board of Supervisors respectfully requests that State funding for county child support agencies be increased by \$1.5 million GPR in each fiscal year of the 2019-21 Wisconsin State Budget, which will generate approximately \$3 million in additional Federal funding each year. This investment will ensure that counties can continue to effectively provide economic support to our children; and,

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded by the County Clerk to the Governor of the State of Wisconsin, State Senators and State Representatives representing Columbia County, the Secretary of the Wisconsin Department of Administration, and the Wisconsin Counties Association for consideration.

Fiscal Note: None.
Fiscal Impact: None.

Bob Koch
Susanna R. Bradley
Mark Sleger, Secretary
Craig Robson, Vice Chair
Matthew L. Rohrbeck, Chair
JUDICIARY COMMITTEE

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

The resolution was adopted on a roll call vote as follows:

YES: 25; NO: 0; ABSENT: 2; VACANT: 1

YES: McClyman, Weyh, Borgkvist, Gove, Field, Robson, Rohrbeck, Wingers, Rashke, Pufahl, Drew, Bradley, Sleger, Leatherberry, Polzer, Baumgartner, Miller, Zander, St. Maurice, Foley, Stevenson, Plumer, Koch, Long and Kessler.

ABSENT: De Young and Blair.

District 6 Vacant.

RESOLUTION NO. 39-18

WHEREAS, the 2012 Chevrolet Equinox issued to the County Emergency Management Coordinator has reached the end of its useful life and cannot economically be repaired; and,

WHEREAS, a 2015 Chevrolet Equinox is available from Cottage Chevrolet in Wautoma, Wisconsin, for Seventeen Thousand Three Hundred Thirty Dollars (\$17,330.00); and,

WHEREAS, the cost for Belco Vehicle Solutions, LLC, Poynette, Wisconsin, to transfer and install communications systems and related equipment from the old to the new vehicle is Two Thousand Sixty Dollars (\$2,060.00); and,

WHEREAS, funds required to purchase and equip the required replacement vehicle for the Emergency Management Coordinator are not available in the Capital Outlay – Emergency Management Account.

NOW, THEREFORE, BE IT RESOLVED, that the sum of Nineteen Thousand Three Hundred Ninety Dollars (\$19,390.00) shall be transferred from the General Fund Account No. 100.388100 to Capital Outlay – Emergency Management Account No. 8000.844000.451.

Fiscal Note: Transfer Nineteen Thousand Three Hundred Ninety Dollars (\$19,390.00) from the General Fund Account No. 100.388100 to Capital Outlay – Emergency Management Account No. 8000.844000.451.

Fiscal Impact: The cost to Columbia County is Nineteen Thousand Three Hundred Ninety Dollars (\$19,390.00).

Christopher J. Polzer
Gary Leatherberry
Tom Borgkvist
Keith F. Miller, Secretary
Dan F. Drew, Vice Chair
Barry Pufahl, Chair
PUBLIC SAFETY COMMITTEE

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

The resolution was adopted on a roll call vote as follows:

YES: 25; NO: 0; ABSENT: 2; VACANT: 1

YES: McClyman, Weyh, Borgkvist, Gove, Field, Robson, Rohrbeck, Wingers, Rashke, Pufahl, Drew, Bradley, Sleger, Leatherberry, Polzer, Baumgartner, Miller, Zander, St. Maurice, Foley, Stevenson, Plumer, Koch, Long and Kessler.

ABSENT: De Young and Blair.

District 6 Vacant.

RESOLUTION NO. 40-18

WHEREAS, in 2011 the Columbia County Board of Supervisors adopted a 10-year supervisory district plan creating county supervisory districts following the 2010 Census; and

WHEREAS, Wisconsin Statutes § 59.10(3)(c) allows a county board, in its discretion, to alter the boundaries of supervisory districts based on annexations which occur after the adoption of the 10-year supervisory district plan, as long as the number of supervisory districts is not changed; and

WHEREAS, the City of Lodi completed annexations in March 2018 and November 2018 of parcels of land from the Town of Lodi; and

WHEREAS, the description of the parcels of land, a map of the annexed parcels, and a copy of the annexation Ordinance No. S-128 and Ordinance No. S-133 are attached; and

WHEREAS, the parcels annexed by the City of Lodi are part of County Supervisor District 26, consisting of Ward 4, in the Town of Lodi; and

WHEREAS, it is appropriate to move the annexed parcels into County Supervisor District 27 in Ward 6, City of Lodi; and

WHEREAS, the population of the annexed parcels is zero; and

WHEREAS, this resolution does not change the number of supervisory districts.

NOW, THEREFORE, BE IT RESOLVED, by the Columbia County Board of Supervisors that the supervisory district boundaries are hereby altered by moving the annexed parcels of land from County Supervisor District 26 to County Supervisor District 27 consisting of Ward 4 in the Town of Lodi, and Ward 6 in the City of Lodi, as shown on the attached map;

BE IT FURTHER RESOLVED, that the Columbia County Clerk is hereby directed to forward all notices required under Wisconsin Statutes, Chapter 59, to the Secretary of State for the purpose of advising that office of said supervisory district boundary changes.

Fiscal Note: NONE

Fiscal Impact: NONE

Barry Pufahl
James E. Foley
JoAnn Wingers, Secretary
Dan F. Drew, Vice Chair
Vern E. Gove, Chair
EXECUTIVE COMMITTEE

Motion was made to adopt the Resolution by Borgkvist, second by Long.

The resolution was adopted on a roll call vote as follows:

YES: 25; NO: 0; ABSENT: 2; VACANT: 1

YES: McClyman, Weyh, Borgkvist, Gove, Field, Robson, Rohrbeck, Wingers, Rashke, Pufahl, Drew, Bradley, Sleger, Leatherberry, Polzer, Baumgartner, Miller, Zander, St. Maurice, Foley, Stevenson, Plumer, Koch, Long and Kessler.

ABSENT: De Young and Blair.

District 6 Vacant.

RESOLUTION NO. 41-18

WHEREAS, in 2011 the Columbia County Board of Supervisors adopted a 10-year supervisory district plan creating county supervisory districts following the 2010 Census; and

WHEREAS, Wisconsin Statutes § 59.10(3)(c) allows a county board, in its discretion, to alter the boundaries of supervisory districts based on annexations which occur after the adoption of the 10-year supervisory district plan, as long as the number of supervisory districts is not changed; and

WHEREAS, the City of Portage completed an annexation in December 2016 of a parcel of land from the Town of Pacific; and

WHEREAS, the description of the parcel of land, a map of the annexed parcel, and a copy of the annexation Ordinance No. 16-017 and Ordinance No. 18-005 are attached; and

WHEREAS, the parcel annexed by the City of Portage is part of County Supervisor District 13, consisting of Ward 2, in the Town of Pacific; and

WHEREAS, it is appropriate to move the annexed parcel into County Supervisor District 8 in Ward 11, City of Portage; and

WHEREAS, the population of the annexed parcel is zero; and

WHEREAS, this resolution does not change the number of supervisory districts.

NOW, THEREFORE, BE IT RESOLVED, by the Columbia County Board of Supervisors that the supervisory district boundaries are hereby altered by moving the annexed parcel of land from County Supervisor District 13 to County Supervisor District 8 consisting of Ward 2 in the Town of Pacific, and Ward 11 in the City of Portage, as shown on the attached map;

BE IT FURTHER RESOLVED, that the Columbia County Clerk is hereby directed to forward all notices required under Wisconsin Statutes, Chapter 59, to the Secretary of State for the purpose of advising that office of said supervisory district boundary changes.

Fiscal Note: NONE

Fiscal Impact: NONE

Barry Pufahl
James E. Foley
JoAnn Wingers, Secretary
Dan F. Drew, Vice Chair
Vern E. Gove, Chair
EXECUTIVE COMMITTEE

Motion was made to adopt the Resolution by Wingers, second by McClyman.

The resolution was adopted on a roll call vote as follows:

YES: 25; NO: 0; ABSENT: 2; VACANT: 1

YES: McClyman, Weyh, Borgkvist, Gove, Field, Robson, Rohrbeck, Wingers, Rashke, Pufahl, Drew, Bradley, Sleger, Leatherberry, Polzer, Baumgartner, Miller, Zander, St. Maurice, Foley, Stevenson, Plumer, Koch, Long and Kessler.

ABSENT: De Young and Blair.

District 6 Vacant.

RESOLUTION NO. 42-18

WHEREAS, the Columbia County Land Information Department is seeking the approval of the 2019-2021 Columbia County Land Information Plan; and,

WHEREAS, under Sec. 59.72(3)(b), Wisconsin Statutes, a "countywide plan for land records modernization" is required for participation in the Wisconsin Land Information Program (WLIP); and,

WHEREAS, the Columbia County Land Information Plan meets the WLIP funding eligibility requirements necessary for receiving grants and retaining fees for land information; and,

WHEREAS, the Columbia County Land Information Plan outlines a plan for continued modernization of County land records in order to improve the efficiency of government and provide improved government services to businesses and county residents; and,

WHEREAS, if Columbia County does not approve a Countywide plan for land records modernization, the County will not be able to retain a portion of real estate document recording fees collected in the Register of Deeds Office that total approximately \$90,000.00, and the County will not be eligible for WLIP grants of up to \$63,000.00 annually to fund its Land Information Program and land records modernization efforts; and,

WHEREAS, accurate and up-to-date land information is central to County operations, supports economic development, emergency planning and response, and a host of other citizen services.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors hereby approves the 2019-2021 Columbia County Land Information Plan.

Fiscal Note: None.

Fiscal Impact: None.

Barry Pufahl
James E. Foley
JoAnn Wingers, Secretary
Dan F. Drew, Vice Chair
Vern E. Gove, Chair
EXECUTIVE COMMITTEE

Motion was made to adopt the Resolution by Kessler, second by Koch.

The resolution was adopted on a roll call vote as follows:

YES: 25; NO: 0; ABSENT: 2; VACANT: 1

YES: McClyman, Weyh, Borgkvist, Gove, Field, Robson, Rohrbeck, Wingers, Rashke, Pufahl, Drew, Bradley, Sleger, Leatherberry, Polzer, Baumgartner, Miller, Zander, St. Maurice, Foley, Stevenson, Plumer, Koch, Long and Kessler.

ABSENT: De Young and Blair.

District 6 Vacant.

RESOLUTION NO. 43-18

WHEREAS, both the United States Constitution and the Wisconsin State Constitution provide that persons accused of a crime have the right to counsel; and,

WHEREAS, the Wisconsin State Public Defender's Office ("SPD") provides legal representation to the indigent, utilizing staff attorneys as well as (about 40% of the time) private attorneys certified to take SPD appointments to handle conflict and overflow cases; and,

WHEREAS, in May, 2018, the Wisconsin Supreme Court increased, effective January, 2020, the hourly rate of pay for county-funded, court-appointed, attorneys from \$70 to \$100 per hour; and,

WHEREAS, the rate of pay for State-funded SPD appointments is \$40 per hour, has not been increased since 1995, and is the lowest in the nation; and,

WHEREAS, the pay for State-funded SPD appointments is so low that it has been and is hard to find private attorneys willing to accept such appointments in many counties, resulting in some persons charged with crimes sitting in jail for weeks while they waited for legal representation; and,

WHEREAS, the disparity in pay (i.e., the decision to increase pay for county-funded attorneys, but not State-funded SPD appointments) will lead private attorneys to refuse State-funded SPD assignments and instead hold out for county-funded, court-appointed, assignments; and,

WHEREAS, a greater share of the cost of indigent defense is going to fall on the counties, resulting in (what may reasonably be viewed as) an unfunded mandate.

NOW, THEREFORE, BE IT RESOLVED THAT, the Columbia County Board of Supervisors does hereby urge the State of Wisconsin to provide sufficient resources to the Wisconsin State Public Defender's Office to ensure the criminal justice system operates effectively and efficiently, including increasing the rate of pay for State-funded SPD appointments to \$100 per hour and tie future increases to the rate of inflation; and,

BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this Resolution to Governor Scott Walker, the Wisconsin Counties Association, the Wisconsin Towns Association, the League of Wisconsin Municipalities, all members of the State Legislature representing Columbia County, and to each Wisconsin County.

Fiscal Note: None.
Fiscal Impact: None.

Bob Koch
Susanna R. Bradley
Mark Sleger, Secretary
Craig Robson, Vice Chair
Matthew L. Rohrbeck, Chair
JUDICIARY COMMITTEE

Motion was made to adopt the Resolution by Bradley, second by Rohrbeck.

The resolution was adopted on a roll call vote as follows:

YES: 25; NO: 0; ABSENT: 2; VACANT: 1

YES: McClyman, Weyh, Borgkvist, Gove, Field, Robson, Rohrbeck, Wingers, Rashke, Pufahl, Drew, Bradley, Sleger, Leatherberry, Polzer, Baumgartner, Miller, Zander, St. Maurice, Foley, Stevenson, Plumer, Koch, Long and Kessler.

ABSENT: De Young and Blair.

District 6 Vacant.

RESOLUTION NO. 44-18

WHEREAS, the Solid Waste central loader is in need of repairs to the rear axle, and

WHEREAS, this piece of equipment is essential in operations to load non-recyclable garbage on trailers, which then goes to the landfill.

NOW, THEREFORE, BE IT RESOLVED, that a sum not to exceed \$27,000 be transferred from the General Fund, to Solid Waste Refuse Outlay.

Fiscal Note: Transfer \$27,000 from the General Fund Account No. 100.388100 to the Solid Waste Refuse Account No. 3632.844000.

Fiscal Impact: N/A

Mark Sleger
Nancy Long
Henry A. St. Maurice
Robert C. McClyman
Jon Plumer
Christopher Polzer
SOLID WASTE COMMITTEE

Motion was made to adopt the Resolution by Polzer, second by McClyman.

YES: 25; NO: 0; ABSENT: 2; VACANT: 1

YES: McClyman, Weyh, Borgkvist, Gove, Field, Robson, Rohrbeck, Wingers, Rashke, Pufahl, Drew, Bradley, Sleger, Leatherberry, Polzer, Baumgartner, Miller, Zander, St. Maurice, Foley, Stevenson, Plumer, Koch, Long and Kessler.

ABSENT: De Young and Blair.

District 6 Vacant.

RESOLUTION NO. 45-18

WHEREAS, in November 2014, the Columbia County Board of Supervisors adopted Resolution 38-14, authorizing the issuance of not to exceed, \$45,510,000 in General Obligation Promissory Notes, and

WHEREAS, with this project completed, costs are estimated to be \$47,376,810, which produces a budget-to-actual deficit of \$1,866,810, and

WHEREAS, the following non-debt funding sources were available and have offset the total project costs, and

Interest Earnings	\$182,140
Highway Internal Equity	157,020
County Capital Outlay Reserve	481,650
General Fund Transfer (Resolution #22-17)	292,000
Focus on Energy	66,320
Donations	5,540
Bond Premium	140,000
Sheriff Inmate Trust	11,460
Total	\$1,336,130

WHEREAS, after other available funding is applied to total costs, there is a shortage of \$530,680.

NOW, THEREFORE, BE IT RESOLVED, that the sum, not to exceed \$530,680 be transferred from the General Fund to the Building Project.

BE IT FURTHER RESOLVED, that any additional project costs that may be incurred, after this close-out, be funded through available bond premium.

FISCAL NOTE: Transfer \$530,680 from General Fund Account No. 100.388100 to the Building Project Account No. 9950.

FISCAL IMPACT: N/A

JoAnn Wingers
Barry Pufahl
Matthew L. Rohrbeck
James E. Foley
Dan F. Drew
FINANCE COMMITTEE

Motion was made to adopt the Resolution by Wingers, second by Rohrbeck.

A handout of the Columbia County Buildings Projects as of December 5, 2018, prepared by the Accounting Department, was included in the supervisor packets for review.

Field questioned if the resolution being presented would completely close out the building project, including small adjustments/pending items and referred to the last paragraph of resolution. Lois Schepp, Comptroller, stated the resolution would completely close out the building project. Any residual items that still need to be done, would be funded through the bond premium account or come back to the County Board for a General Fund transfer. She stated other funds applied were approved by various committees or the County Board. Field also expressed concerns with dollars being expended before coming to County Board for approval. He asked for clarification of Rule 6 of the Standing Rules. Ruf stated the Building Committee and County Board Chair had authority to expend funds for financial issues that arose with the project.

The resolution was adopted on a roll call vote as follows:

YES: 25; NO: 0; ABSENT: 2; VACANT: 1

YES: McClyman, Weyh, Borgkvist, Gove, Field, Robson, Rohrbeck, Wingers, Rashke, Pufahl, Drew, Bradley, Sleger, Leatherberry, Polzer, Baumgartner, Miller, Zander, St. Maurice, Foley, Stevenson, Plumer, Koch, Long and Kessler.

ABSENT: De Young and Blair.
District 6 Vacant.

ORDINANCE NO. 197-18

The Columbia County Board of Supervisors do ordain as follows: That Title 5, Chapter 13 of the County Code, is hereby created as follows:

Chapter 13 Assistant Medical Examiner Compensation

Sec. 13-1 Compensation.

(a) Regular Compensation.

- | | |
|-------------------------------------|--|
| <u>(1) On-call availability</u> | <u>\$5.00 per hour</u>
<u>(maximum of \$120.00 in a 24 hour period)</u> |
| <u>(2) Phone investigations</u> | <u>\$20.00 per call</u> |
| <u>(3) Cremation investigations</u> | <u>\$40.00 per call</u> |
| <u>(4) Scene investigations</u> | <u>\$80.00 per call</u> |

(b) Holiday Compensation.

- | | |
|---------------------------------|---|
| <u>(1) On-call availability</u> | <u>\$10.00 per hour</u>
<u>(maximum of \$240.00 in a 24 hour period)</u> |
| <u>(2) Scene investigations</u> | <u>\$160.00 per call</u> |

(c) Applicable Holidays.

- (1) New Year's Day
- (2) Memorial Day
- (3) Independence Day
- (4) Labor Day
- (5) Thanksgiving Day
- (6) Day after Thanksgiving
- (7) Christmas Eve Day
- (8) Christmas Day
- (9) New Year's Eve Day

(d) Applicable Holiday Hours.

(1) The Holiday Compensation rates listed in sec. 13-1(b) of this Ordinance shall apply from 6:00 a.m. on the day of the holiday until 6:00 a.m. on the day following the holiday based on the twenty-four (24) hour scheduling for Assistant Medical Examiners.

The remainder of Title 5, County Administration, is not affected by this Ordinance and shall remain in full force and effect.

This section shall be effective at 12:00 a.m. (midnight) on January 1, 2019.

Fiscal Note: 2018 contracted deputy expense \$28,000.00. 2019 contracted deputy expense \$43,660.00.
Fiscal Impact: Increased 2019 contracted deputy expense of \$15,660.00 is included in the 2019 Medical Examiner's office budget.

Vern E. Gove, Chair
COLUMBIA COUNTY
BOARD OF SUPERVISORS
Susan M. Moll
COLUMBIA COUNTY CLERK

DATE PASSED: December 19, 2018
DATE PUBLISHED: December 24, 2018

Motion was made by Borgkvist, second by Miller, to adopt. Motion carried. The Ordinance was declared passed and is to be known as Ordinance 197-18.

ORDINANCE NO. 198-18

The Columbia County Board of Supervisors do ordain as follows: That Section 21-4-1 of the County Code is hereby amended as follows:

Sec. 21-4-1 Navigable Waterway Regulations.

- (a) Intent. The intent of this Ordinance is to provide safe and healthful conditions for the enjoyment of aquatic recreation consistent with public rights and interest, the protection of natural resources and the capability of the water resource.
- (b) Applicability and Enforcement. The provisions of this Ordinance shall apply to the waters of the Wisconsin River and all lakes and other navigable waterways within the jurisdiction of Columbia County. The provisions of this Ordinance shall be enforced by the officers of the Columbia County Sheriff's Office and the Wisconsin Department of Natural Resources.
- (c) Definition. "Slow-No-Wake" means that speed at which a boat or other motorized watercraft moves as slowly as possible while maintaining steering control.
- (d) Slow-No-Wake Zones.

(1) Permanent Slow-No-Wake Zone - Wisconsin River.

A slow-no-wake zone is hereby established on that portion of the Wisconsin River lying between a point located 2000 feet upstream from the eastern edge of the Interstate-94 Bridge, which crosses the Wisconsin River, and a line created across the Wisconsin River two hundred (200) feet upstream (east) from Wisconsin Street in the Town of Dekorra; and from Latitude 43° 25.39 N to Latitude 43° 26.14 N, Longitude 89° 30.18 W to Longitude 89° 29.35 W (Fockes Bluff to Carter's Landing) of the Wisconsin River. This slow-no-wake zone shall be clearly identified with regulatory markers placed on the water.

(2) Slow-No-Wake Water Elevation - Swan Lake.

No person shall operate a boat faster than slow-no-wake in any waters of Swan Lake when the water level exceeds an elevation of 781.10 feet above sea level as based on the Columbia County Benchmark on the concrete wall at the WDNR Swan Lake Boat Launch located at - 89.35609506 43.54497285.

~~(2)~~(3) Emergency Slow-No-Wake Zones.

- ~~1-~~ (a) Upon the recommendation of the Columbia County Sheriff and with notice to the Columbia County Board Chair, the Columbia County Emergency Management Coordinator may establish an emergency slow-no-wake zone on all or on specified portions of the Wisconsin River all lakes and other navigable waters within the jurisdiction of Columbia County.
- ~~2-~~ (b) An emergency slow-no-wake zone shall be established by written order of the County Emergency Management Coordinator. Each such written order shall state whether the slow-no-wake zone applies to all navigable waters in Columbia County or only to specific bodies of water, in which case such specific bodies of water shall be identified in the County Emergency Management Coordinator's written order. Copies of the County Emergency Management Coordinator's written order establishing an emergency slow-no-wake zone shall be posted in public places including boat landings throughout Columbia County and shall be provided to Columbia County radio and print media.
- ~~3-~~ (c) An emergency slow-no-wake zone shall remain in effect until lifted by Written order of the County Emergency Management Coordinator. Each such written order shall state whether the order lifting the slow-no-wake zone applies to all navigable waters in Columbia County or only to specific bodies of water, in which case such specific bodies of water shall be identified in the County Emergency Management Coordinator's written order lifting an emergency no-wake-zone.

Copies of the County Emergency Management Coordinator's written order lifting an emergency slow-no-wake zone shall be posted in public places including boat landings throughout Columbia County and shall be provided to Columbia County radio and print media.

- (e) Speed Restrictions. No person may operate a motor boat or other motorized watercraft at a speed in excess of the posted notice as established by regulatory markers.
- (f) No Sport Tow Zone – Wisconsin River. A no sport tow zone is hereby established on Saturdays, Sundays and holidays on that portion of the Wisconsin River from 43° 25' 9.93" N: 89° 32' 6.47" W (the confluence of the Wisconsin River and Lake Wisconsin) on the south to 43° 25' 58.39" N: 89° 30' 21.10" W on the north. This subsection shall be in effect on Saturdays, Sundays and holidays from the second weekend in May through the second weekend in September of each year. The no sport tow zone shall ban waterskiing, parasailing, aquaplaning (including tubing and boarding) and all similar sport tow activities.

All other provisions of Title 21 of the Code of Ordinances are unchanged and remain in full force and effect.

Fiscal Note: None
Fiscal Impact: None.

Vern E. Gove, Chair
COLUMBIA COUNTY
BOARD OF SUPERVISORS
Susan M. Moll
COLUMBIA COUNTY CLERK

DATE PASSED: December 19, 2018
DATE PUBLISHED: December 24, 2018

Motion was made by Pufahl, second by Miller, to adopt. Motion carried. The Ordinance was declared passed and is to be known as Ordinance 198-18.

ORDINANCE NO. 199-18

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:

Sign Regulations 16-145-020(D) (1): Signs Exempt From Regulation Under This Subchapter

D. Signs exempt from regulation under this Subchapter:

- 1. Governmental signs erected by or on behalf of a government body for the purpose of carrying out an official activity or responsibility, including but not limited to: posting legal notices, identifying public property, and boundaries, indicating public use, and posting of municipal welcome signs.

Vern E. Gove, Chair
COLUMBIA COUNTY
BOARD OF SUPERVISORS
Susan M. Moll
COLUMBIA COUNTY CLERK

DATE PASSED: December 19, 2018
DATE PUBLISHED: December 24, 2018

Motion was made by Baumgartner, second by Long, to adopt. Motion carried. The Ordinance was declared passed and is to be known as Ordinance 199-18.

ORDINANCE NO. 2477-18

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 from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay”, (Brennen J Weigel & Kelly J Weigel, Petitioners), parcels of land located in Sections 26 & 27, Town 11 North, Range 8 East, Town of Dekorra, more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being a part of the Southwest Quarter of the Northeast Quarter of Section 27, Town 11 North, Range 8 East, Town of Dekorra, Columbia County, Wisconsin, described as follows: Commencing at the North Quarter corner of Section 27; thence South 00°33’06” East along the North-South Quarter line of said Section 27; 1726.08; thence North 89°56’18” East, 663.98 feet to the point of beginning; thence South 00°03’36” East, 330.70 feet; thence North 89°56’24” East, 395.16 feet; thence North 00°03’36” West, 330.70 feet; thence South 89°56’24” West, 395.16 feet to the point of beginning. Containing 130,679 square feet, (3.00 acres), more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - Being a part of the Southwest Quarter of the Northwest Quarter of Section 26 and a part of the Southeast Quarter of the Northeast Quarter of Section 27, all in Town 11 North, Range 8 East, Town of Dekorra, Columbia County, Wisconsin, described as follows: Commencing at the East Quarter corner of Section 27; thence South 89°56’24” West along the East-West Quarter line, 113.05 feet to the point of beginning; thence continuing South 89°56’24” West along the North line of Lots 1 and 2, Certified Survey Map No. 5781, 991.70 feet; thence North 00°01’16” East, 1,318.11 feet to the South line of Lot 2, Certified Survey Map No. 3326; thence South 89°45’01” East along the South line of said Lot 2, 1128.08 feet to the Northwest corner of Lot 1, Certified Survey Map No. 5907; thence South 05°57’15” West along the West line of said Lot 1, 1319.27 feet to the point of beginning. Containing 1,394,022 square feet, (32.00 acres), more or less. All effective upon recording of the Certified Survey Map.
- (2) “To change from A-1 Agriculture to RC-1 Recreation, A-1 Agriculture to RR-1 Rural Residence, and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay”, (Gary W Whirry & Renee K Whirry, Petitioners), parcels of land located in Sections 20 & 21, Town 11 North, Range 10 East, Town of Lowville, more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RC-1 Recreation - Being a part of Lot 2, Certified Survey Map No. 5220, recorded in Volume 36 of Certified Survey Maps, Page 151, as Document No. 821636, located in the Southeast Quarter of the Northeast Quarter of Section 20, Town 11 North, Range 10 East, Town of Lowville, Columbia County, Wisconsin, described as follows: Beginning at the East Quarter corner of Section 20; thence North 89°16’04” West along the East-West Quarter line of said Section 20 and the South line of Lot 2, Certified Survey Map No. 5220, 953.27 feet to the Southwest corner of said Lot 2; thence North 00°46’33” West along the West line of said Lot 2 and the East right-of-way line of State Trunk Highway 22, 547.00 feet; thence North 89°13’27” East, 151.63 feet; thence North 46°55’11” East, 93.66 feet; thence South 87°55’03” East, 43.42 feet; thence North 02°05’00” East, 40.06 feet; thence North 28°34’23” West, 27.71 feet; thence North 00°46’33” West, 35.00 feet; thence South 89°13’27” West, 68.34 feet; thence North 00°46’33” West, 146.00 feet; thence South 89°13’27” West, 185.00 feet to the West line of Lot 2 and the East right-of-way line of State Trunk Highway 22; thence North 00°46’33” West along the West line of said Lot 2 and the East right-of-way line of State Trunk Highway 22, 67.30 feet to the Northwest corner of Lot 2; thence South 88°59’48” East along the North line of said Lot 2, 952.21 feet to the Northeast corner thereof; thence South 00°51’01” East along the East line of said Lot 2 and the East line of the Northeast Quarter of Section 20, 916.23 feet to the point of beginning.

Containing 810,620 square feet, (18.61 acres), more or less. Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being a part of Lot 2, Certified Survey Map No. 5220, recorded in Volume 36 of Certified Survey Maps, Page 151, as Document No. 821636, located in the Southeast Quarter of the Northeast Quarter of Section 20, Town 11 North, Range 10 East, Town of Lowville, Columbia County, Wisconsin, described as follows: Commencing at the Southwest corner of Lot 2, Certified Survey Map No. 5220; thence North 00°46'33" along the West line of said Lot 2 and the East right-of-way line of State Trunk Highway 22, 547.00 feet to the point of beginning; thence continuing North 00°46'33" West along the West line of said Lot 2 and the East right-of-way line State Trunk Highway 22, 306.40 feet; thence North 89°13'27" East, 185.00 feet; thence South 00°46'33" East, 146.00 feet; thence North 89°13'27" East, 68.34 feet; thence South 00°46'33" East, 35.00 feet; thence South 28°34'23" East, 27.71 feet; thence South 02°05'00" West, 40.06 feet; thence North 87°55'03" West, 43.42 feet; thence South 46°55'11" West, 93.66 feet; thence South 89°13'27" West, 151.63 feet to the point of beginning. Containing 64,056 square feet, (1.47 acres), more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - Being the West 33.53 acres of the Northwest Quarter of the Northwest Quarter of Section 21, Town 11 North, Range 10 East, Town of Lowville, Columbia County, Wisconsin. Containing 1,460,567 square feet, (33.53 acres), more or less. All effective upon recording of the Certified Survey Map.

- (3) "To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (David L Considine & Gretchen Considine, Petitioners), parcels of land located in Section 19, Town 12 North, Range 8 East, Town of Caledonia, more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being a part of the fractional Northwest Quarter of the Southwest Quarter of Section 19, Town 12 North, Range 8 East, Town of Caledonia, Columbia County, Wisconsin, described as follows: Commencing at the West Quarter corner of Section 19; thence South 89°15'14" East along the East-West Quarter line of said Section 19, 949.25 feet to the Northeast corner of the fractional Northwest Quarter of the Southwest Quarter; thence South 00°40'11" West along the East line of the fractional Northwest Quarter of the Southwest Quarter, 1,046.77 feet to the point of beginning; thence continuing South 00°40'11" West along the East line of the fractional Northwest Quarter of the Southwest Quarter, 263.00 feet to the Southeast corner thereof; thence North 89°17'02" West along the South line of the fractional Northwest Quarter of the Southwest Quarter, 500.00 feet; thence North 00°40'11" East, 150.00 feet; thence South 89°17'02" East, 200.00 feet; thence North 00°40'11" East, 113.00 feet; thence South 89°17'02" East, 300.00 feet to the point of beginning. Containing 108,900 square feet, (2.50 acres), more or less. Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being a part of Lot 1, Certified Survey Map, No. 1968, recorded in Volume 11 of Certified Survey Maps, Page 64, as Document No. 514818, and a part of the Northeast Quarter of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter of Section 19, Town 12 North, Range 8 East, Town of Caledonia, Columbia County, Wisconsin, described as follows: Commencing at the West Quarter corner of Section 19; thence South 89°15'14" East along the East-West Quarter line of said Section 19, 949.25 feet to the Northeast corner of the fractional Northwest Quarter of the Southwest Quarter; thence South 00°40'11" West along the East line of the fractional Northwest Quarter of the Southwest Quarter, 1,209.77 feet to the point of beginning; thence South 89°17'02" East, 150.00 feet; thence South 49°29'51" East, 156.27 feet to the South line of the Northeast Quarter of the Southwest Quarter; thence South 89°17'02" East along the South line of the Northeast Quarter of the Southwest Quarter, 174.09 feet; thence South 00°40'11" West, 200.00 feet; thence North 89°17'02" West, 436.37 feet to the East line of Lot 1, Certified Survey Map No. 1701; thence North 01°04'17" East along the East line of said Lot 1, 112.87 feet to the Northeast corner thereof; thence North 86°28'28" West along the North line of said Lot 1, 8.53 feet to the West line of the Southeast Quarter of the Southwest Quarter; thence North 00°40'11" East along the

West line of the Southeast Quarter of the Southwest Quarter and the West line of the Northeast Quarter of the Southwest Quarter of said Section 19, 186.71 feet to the point of beginning. Containing 108,900 square feet, (2.50 acres), more or less. Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being a part of the fractional Southwest Quarter of the Southwest Quarter of Section 19, Town 12 North, Range 8 East, Town of Caledonia, Columbia County, Wisconsin, described as follows: Commencing at the Southwest corner of said Section 19; thence North 00°50'34" East along the West line of the Southwest Quarter of Section 19, 280.00 feet to the point of beginning; thence continuing North 00°50'34" East along the West line of the Southwest Quarter, 500.00 feet; thence East, 217.82 feet; thence South 00°50'34" West, 500.00 feet; thence West, 217.82 feet to the point of beginning. Containing 108,900 square feet, (2.50 acres), more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - Being a part of Lot 1, Certified Survey Map No. 1968, recorded in Volume 11 of Certified Survey Maps, Page 64, as Document No. 514818, and land located in the Northeast Quarter of the Southwest Quarter, the Southeast Quarter of the Southwest Quarter, the fractional Southwest Quarter of the Southwest Quarter and the fractional Northwest Quarter of the Southwest Quarter of Section 19, Town 12 North, Range 8 East, Town of Caledonia, Columbia County, Wisconsin, described as follows: Beginning at the West Quarter corner of Section 19; thence South 89°15'14" East along the East-West Quarter line of said Section 19, 2,052.66 feet; thence South 18°12'27" East, 41.92 feet; thence South 36°10'43" East, 55.36 feet; thence South 62°09'08" East, 23.27 feet; thence South 00°10'26" West, 660.00 feet; thence South 89°49'34" East, 99.00 feet to a point in the North-South Quarter line of said Section 19; thence South 00°10'26" West along the North-South Quarter line of said Section 19, 555.64 feet to the Southeast corner of the Northeast Quarter of the Southwest Quarter of said Section 19; thence North 89°17'02" West along the South line of the Northeast Quarter of the Southwest Quarter of said Section 19, 640.19 feet to the Northeast corner of Lot 1, Certified Survey Map No. 1968; thence South 00°31'38" West, along the East line of said Lot 1, 1,309.45 feet to a point in the South line of the Southwest Quarter of said Section 19; thence North 89°18'50" West along the South line of the Southwest Quarter of said Section 19, 1,600.62 feet to the Southwest corner of said Section 19; thence North 00°50'34" East along the West line of the Southwest Quarter of said Section 19, 280.00 feet; thence East, 217.82 feet; thence North 00°50'34" East, 500.00 feet; thence West, 217.82 feet to the West line of the Southwest Quarter; thence North 00°50'34" East along the West line of the Southwest Quarter, 196.06 feet to the Southwest corner of Lot 1, Certified Survey Map No. 1701; thence South 84°23'26" East along the South line of said Lot 1, 964.01 feet to the Southeast corner thereof; thence North 01°04'17" East along the East line of said Lot 1, 216.45 feet to the Northeast corner thereof; thence South 89°17'02" East, 436.37 feet; thence North 00°40'11" East, 200.00 feet to the South line of the Northeast Quarter of the Southwest Quarter; thence North 89°17'02" West along the South line of the Northeast Quarter of the Southwest Quarter, 174.09 feet; thence North 49°29'51" West, 156.27 feet; thence North 89°17'02" West, 150.00 feet to the East line of the fractional Northwest Quarter of the Southwest Quarter; thence North 00°40'11" East along the East line of the fractional Northwest Quarter of the Southwest Quarter, 163.00 feet; thence North 89°17'02" West, 300.00 feet; thence South 00°40'11" West, 113.00 feet; thence North 89°17'02" West, 200.00 feet; thence South 00°40'11" West, 150.00 feet to the South line of the fractional Northwest Quarter of the Southwest Quarter; thence South 89°17'02" East along the South line of the fractional Northwest Quarter of the Southwest Quarter, 500.00 feet; thence South 00°40'11" West along the East line of the fractional Northwest Quarter of the Southwest Quarter, 86.71 feet to the North line of Lot 1, Certified Survey Map No. 1701; thence North 86°28'28" West along the North line of said Lot 1, 454.37 feet; thence North 69°30'40" West along the North line of said Lot 1, 178.23 feet;

thence North 85°48'33" West along the North line of said Lot 1, 332.31 feet to the Northwest corner thereof, said point being in the West line of the Southwest Quarter of said Section 19; thence North 00°50'34" East along the West line of the Southwest Quarter of said Section 19, 1,294.28 feet to the point of beginning. Containing 4,279,606 square feet, (98.25 acres), more or less. All effective upon recording of the Certified Survey Map.

Vern E. Gove, Chair
COLUMBIA COUNTY
BOARD OF SUPERVISORS
Susan M. Moll
COLUMBIA COUNTY CLERK

DATE PASSED: December 19, 2018
DATE PUBLISHED: December 24, 2018

Motion was made by Pufahl, second by Borgkvist, to approve the rezone requests for Brennen J. and Kelly J. Weigel, Petitioners; Gary W. and Renee K. Whirry, Petitioners and David L. and Gretchen Considine, Petitioners were approved. The motion carried. The Ordinance was declared passed and is to be known as Ordinance Z477-18.

Chair Gove announced that he would notify supervisors of any memorial arrangements for Kirk Konkel.

Chair Gove presented a framed celebratory picture from the Columbia County Building Projects Open House and Ribbon Cutting Ceremony held on August 18, 2018 to County Board Supervisors.

Wingers moved adjournment of this meeting to Wednesday, January 16, 2019 at 9:45 a.m. Second was made by Foley. The motion carried. The meeting adjourned at 10:45 a.m.

Please note that supporting documents (i.e. addendums, exhibits and handouts) are filed in the County Clerk's Office.