

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
January 17, 2018  
9:46 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 Kessler, absent with notice, and Zander, absent without notice. Members stood and recited the Pledge of Allegiance.

A motion was made by McClyman, second by De Young, to approve the Journal of December 20, 2017. Motion carried.

A motion to approve the agenda, as printed with the change to postpone "Dedication of Meeting Rooms" to the March County Board meeting was made by Drew, second by Pufahl. The agenda as amended was approved.

Greg Kaminski, Solid Waste Director, gave an update on Columbia County Recycling and referred to handout placed on supervisor's desks. He entertained questions of the Board.

Supervisor Konkol gave an update of the Ad Hoc Building Committee. He reported on the progress of the Courthouse remodeling project; City/County parking lot; moving bid requests for the Courthouse and Health and Human Services departments; Courthouse furniture options and costs; and building project budget. Questions of the Board were entertained.

**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, Ronald E Brockman & Kim M Brockman, Petitioners, Fall River, WI, 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, Parcels 429 and 430, Section 21, T11N, R12E, Town of Fountain Prairie 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 the A-4 Agricultural Overlay, Parcels 429 and 430, Section 21, T11N, R12E, Town of Fountain Prairie.
2. A petition by, Ronald & Donna Jacobson Living Trust dated 9/10/2009, Petitioner, Rio, WI, 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 45.02, Section 2, T11N, R10E, Town of Lowville 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 the A-4 Agricultural Overlay, Parcel 45.02, Section 2, T11N, R10E, Town of Lowville.
3. A petition by, Kenneth Kluge Rev Trust Dated 3/17/2011, Petitioner, Baraboo, WI to rezone from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 166 and 185, Section 8, T13N, R9E, Town of Fort Winnebago to be approved as follows: To change from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 166 and 185, Section 8, T13N, R9E, Town of Fort Winnebago.
4. A petition by, Kathleen M Schwantz Living Trust Dated 5/15/01, Petitioner, Portage, WI, to rezone from A-1 Agriculture to RR-1 Rural Residential, and A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 595.01, Section 30, T13N, R9E, Town of Fort Winnebago to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residential, and A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 595.01, Section 30, T13N, R9E, Town of Fort Winnebago.

Fred C. Teitgen  
~~Kevin Kessler~~  
Susanna R. Bradley  
Harlan Baumgartner  
John A. Stevenson  
PLANNING AND ZONING COMMITTEE

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

Linda Ross was appointed to the Local Library Board representing Poynette for a term to May, 2021. Motion by Foley, second by Drew, the appointment was approved. Ross abstained from voting.

**RESOLUTION NO. 1-18**

WHEREAS, Columbia County is interested in obtaining a cost-share grant from the Wisconsin Department of Natural Resources for the purpose of implementing a shoreline restoration project on Park Lake using a DNR Lake Protection Grant;

WHEREAS, the applicant attests to the validity and veracity of the statements and representations contained in the grant application;

WHEREAS, a grant agreement is requested to carry out the project; and

THEREFORE BE IT RESOLVED, Columbia County will meet the financial obligations necessary to fully and satisfactorily complete the project and hereby authorizes and empowers the Director of Land & Water Conservation, to act on behalf of Columbia County to submit the following documents to the Wisconsin Department of Natural Resources for financial assistance that may be available: Sign and submit a grant application; enter into a grant agreement with the DNR; take necessary action to undertake; direct and complete the approved project and bind the applicant; submit quarterly and/or final reports to the DNR to satisfy the grant agreement; submit reimbursement request(s) to the DNR no later than the date specified in the grant agreement; and sign and submit other necessary documents.

BE IT RESOLVED, that applicant will comply with all local, state and federal rules, regulations and ordinances relating to this project and the cost-share agreement.

Fiscal Note: DNR Lake Protection Grant program, this grant will provide financial assistance to cover 75% of total cost (\$17,400) of Shoreline Restoration work planned for Park Lake County Park.

Fiscal Impact: Local required 25% match (\$5,800) will come from budgeted 2018 LWCD budgeted funds (\$5,000) for County Park Improvements and in-kind match (\$800).

Mike Weyh, Chair  
JoAnn Wingers, Vice Chair  
Steve Attoe, Secretary  
John A. Stevenson  
~~Tim Zander~~  
LAND AND WATER CONSERVATION COMMITTEE

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

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

YES: 26; NO: 0; ABSENT: 2

YES: McClyman, Weyh, Cupery, Gove, Field, Konkel, Robson, Rohrbeck, De Young, Wingers, Rashke, Pufahl, Drew, Bradley, Sleger, Teitgen, Ross, Baumgartner, Tramburg, St. Maurice, Sumnicht, Foley, Stevenson, Attoe, Brooks, Long.

ABSENT: Kessler and Zander.

**RESOLUTION NO. 2-18**

WHEREAS, Columbia County is interested in obtaining a cost-share grant from the Wisconsin Department of Natural Resources for the purpose of implementing a Healthy Lakes (Fish Sticks & Native Buffers) project on Park Lake and Swan Lake using a DNR Lake Protection Grant;

WHEREAS, the applicant attests to the validity and veracity of the statements and representations contained in the grant application;

WHEREAS, a grant agreement is requested to carry out the project; and

THEREFORE BE IT RESOLVED, Columbia County will meet the financial obligations necessary to fully and satisfactorily complete the project and hereby authorizes and empowers the Director of Land & Water Conservation, to act on behalf of Columbia County to submit the following documents to the Wisconsin Department of Natural Resources for financial assistance that may be available: Sign and submit a grant application; enter into a grant agreement with the DNR; take necessary action to undertake; direct and complete the approved project and bind the applicant; submit quarterly and/or final reports to the DNR to satisfy the grant agreement; submit reimbursement request(s) to the DNR no later than the date specified in the grant agreement; and sign and submit other necessary documents.

BE IT RESOLVED, that applicant will comply with all local, state and federal rules, regulations and ordinances relating to this project and the cost-share agreement.

Fiscal Note: DNR Lake Protection Grant program, this grant will provide financial assistance to cover 75% of total cost (\$15,750) of Fish Sticks & Native Buffers planned for Park Lake County Park and Swan Lake.

Fiscal Impact: Required 25% match (\$5250) will come from in-kind match and private landowners where applicable.

Mike Weyh, Chair  
JoAnn Wingers, Vice Chair  
Steve Attoe, Secretary  
John A. Stevenson  
~~Tim Zander~~  
LAND AND WATER CONSERVATION COMMITTEE

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

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

YES: 26; NO: 0; ABSENT: 2

YES: McClyman, Weyh, Cupery, Gove, Field, Konkell, Robson, Rohrbeck, De Young, Wingers, Rashke, Pufahl, Drew, Bradley, Sleger, Teitgen, Ross, Baumgartner, Tramburg, St. Maurice, Sumnicht, Foley, Stevenson, Attoe, Brooks, Long.

ABSENT: Kessler and Zander.

#### **RESOLUTION NO. \_\_\_\_\_**

WHEREAS, pursuant to Article VI, Section 3 of the Wisconsin Constitution, the Wisconsin Legislature is directed to redistrict State legislative districts "according to the number of inhabitants" at its next session following the decennial Federal census. The Legislature also reapportions congressional districts at the same interval pursuant to Federal law; and,

WHEREAS, because State and Federal legislative redistricting is controlled by the majority party at the time of the redistricting, legislative and congressional plans in Wisconsin have been subject to partisan influence that puts the desires of politicians ahead of the electoral prerogative of the people. Redistricting to achieve partisan gains is improper, whether it is done by Republicans or Democrats; and,

WHEREAS, a panel of Federal District Court Judges ruled that the redistricting done in Wisconsin in 2011 was unconstitutional. Legal fees in defense of the 2011 redistricting have already cost taxpayers in excess of \$2.1 million with the litigation still ongoing; and,

WHEREAS, the State and Congressional districts belong to the citizens of Wisconsin and not to any legislator, interest group or political party. The redistricting process should not be a tool used by those in power to protect and bolster their power, but should be designed with the best interest of Wisconsin's democracy and its citizens; and,

WHEREAS, Wisconsin's historical practice of redistricting by the majority party in each legislative chamber is an outdated practice that stifles political competition, discourages compromise, ensures continued control by the party in power, and lacks the transparency necessary to reinforce citizens' faith in the democratic process; and,

WHEREAS, there is a critical need at this time to restore trust, compromise and fair competition in Wisconsin politics.

NOW, THEREFORE BE IT RESOLVED, that the Columbia County Board of Supervisors hereby urges the State Legislature, before the start of the next redistricting process following the 2020 Federal census, to pass legislation that creates a fair, nonpartisan procedure for the preparation of legislative and congressional redistricting plans that promotes more accountability and transparency, prohibits the consideration of voting patterns, party information and incumbents' residence information or demographic information in drawing the maps, except as necessary to ensure minority participation as required by the U.S. Constitution; and,

BE IT FURTHER RESOLVED, that the Columbia County Board of Supervisors advocates for an amendment to the Wisconsin Constitution giving the responsibility of legislative redistricting to a nonpartisan commission; and,

BE IT FURTHER RESOLVED, that the Columbia County Clerk is hereby directed to forward a copy of this Resolution to Governor Scott Walker, all State Representatives and State Senators who represent Columbia County, the Wisconsin Counties Association, the Wisconsin Towns Association, and the Wisconsin League of Municipalities.

Fiscal Note: None.

Fiscal Impact: None.

Kirk Konkel  
~~James E. Foley~~  
JoAnn Wingers  
Mary Cupery  
Vern E. Gove, Chair  
EXECUTIVE COMMITTEE

Motion was made to adopt the Resolution by Sumnicht, second by St. Maurice.

Rohrbeck spoke against and expressed concerns with the resolution, such as a current lawsuit and pending action; lack of clarity; definition of nonpartisan; county involvement in state and federal issues. He felt incumbency; candidate name recognition; and voter turnout had more to do with an election outcome than how district boundaries are defined.

St. Maurice and Sumnicht, spoke in favor of the resolution, stating the redistricting process is not fair and, as elected officials, believe they have responsibility to constituents. Several other county boards throughout Wisconsin have passed similar resolutions, including Wisconsin Counties Association.

Rashke spoke against the resolution, stating counties should not adopt resolutions on any state or federal issues not related to county government. The function of this body is to be the fiscal stewards of the County's assets and not get involved in political action.

Field spoke against the resolution. He expressed concerns with being nonpartisan as a county board member; some inaccuracies; and not having to do with county business.

Pufahl stated he appreciated supervisor's comments, both pro and con to the resolution, and inquired if a motion to hold over the resolution for more information should be entertained.

Ruf was asked to clarify the Wisconsin Counties Association position, he stated the WCA is a "clearinghouse" for counties and do not take a position on the matter.

Bradley stated redistricting is seriously gerrymandered and does affect counties.

The resolution failed on a roll call vote as follows:

YES: 11; NO: 13; ABSTAIN: 2; ABSENT: 2

YES: McClyman, Konkel, Robson, Bradley, Sleger, Tramburg, St. Maurice, Sumnicht, Attoe, Brooks, Long.

NO: Weyh, Cupery, Gove, Field, Rohrbeck, De Young, Wingers, Rashke, Drew, Teitgen, Ross, Baumgartner, Foley.

ABSTAIN: Pufahl and Stevenson.

ABSENT: Kessler and Zander.

**ORDINANCE NO. 186-18**

The Columbia County Board of Supervisors do ordain as follows: That Section 22-2-8 of the County Code, is hereby amended as follows: 22-2-8 Livestock on Highways or Running at Large

Sec. 22-2-8 Livestock on Highways or Running at Large.

No person, being the owner or keeper of livestock, shall allow or permit such livestock to run at large on a public highway, ~~or road,~~ or on another's property without consent.

The remainder of Title 22, Chapter 2, Offenses against Public Safety and Peace is not changed by this Ordinance and shall 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: January 17, 2018

DATE PUBLISHED: January 22, 2018

Motion was made to adopt the Ordinance by Foley, second by Drew. The Ordinance was declared passed and is to be known as Ordinance 186-18.

**ORDINANCE NO. 2467-18**

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", (Ronald E Brockman & Kim M Brockman, Petitioners), parcels of land located in Section 21, Town 11 North, Range 12 East, Town of Fountain Prairie, more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being a part of the Northwest Quarter of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter of Section 21, Town 11 North, Range 12 East, Town of Fountain Prairie, Columbia County, Wisconsin, described as follows: Commencing at the South Quarter corner of Section 21; thence North 01°00'26" West along the West line of the Southeast Quarter of Section 21, 1,104.42 feet to the point of beginning; thence continuing North 01°00'26" West along the West line of the Southeast Quarter, 303.30 feet; thence North 84°34'30" East, 454.06 feet; thence South 00°39'41" East, 341.00 feet; thence South 89°20'19" West, 450.66 feet to the point of beginning. Containing 145,492 square feet, (3.34 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 Southeast Quarter of Section 21, Town 11 North, Range 12 East, Town of Fountain Prairie, Columbia County, Wisconsin, described as follows: Beginning at the South Quarter corner of Section 21; thence North 01°00'26" West along the West line of the Southeast Quarter, 1,104.42 feet; thence North 89°20'19" East, 450.66 feet; thence North 00°39'41" West, 163.84 feet; thence North 89°02'03" East, 865.44 feet to the East line of the Southwest Quarter of the Southeast Quarter of Section 21; thence South 01°08'13" East along the East line of the Southwest Quarter of the Southeast Quarter, 1,267.71 feet to the Southeast corner thereof; thence South 89°06'50" West along the South line of the Southeast Quarter of Section 21, 1,319.96 feet to the point of beginning. Containing 1,596,908 square feet, (36.66 acres), more or less. All effective upon recording of the Certified Survey Map.

- (2) "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", (Ronald & Donna Jacobson Living Trust dated 9/10/2009, Petitioner), parcels of land located in Section 2, Town 11 North, Range 10 East, Town of Lowville, more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being a part of the Northeast Quarter of the Southeast Quarter of Section 2, Town 11 North, Range 10 East, Town of Lowville, Columbia County, Wisconsin, described as follows: Commencing at the East Quarter corner of said Section 2; thence South 00°19'04" East along the East line of the Southeast Quarter, 404.37 feet to the point of beginning; thence continuing South 00°19'04" East along the East line of the Southeast Quarter, 305.45 feet; thence South 87°33'22" West, 295.20 feet; thence North 00°19'04" West, 316.40 feet; thence North 89°40'56" East, 295.00 feet to the point of beginning. Containing 91,723 square feet, (2.11 acres), more or less. Being subject to Hagen Road right-of-way along the Easterly side thereof and servitudes and easements of use or record, if any. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - Being a part of the Northwest Quarter of the Southeast Quarter of Section 2, Town 11 North, Range 10 East, Town of Lowville, Columbia County, Wisconsin, described as follows: Commencing at the East Quarter corner of said Section 2; thence South 00°19'04" East along the East line of the Southeast Quarter, 1,322.79 feet to the Southeast corner of the Northeast Quarter of the Southeast Quarter; thence South 88°09'40" West along the South line of the North half of the Southeast Quarter, 1,441.16 feet to the point of beginning; thence continuing South 88°09'40" West along the South line of the North half of the Southeast Quarter, 1,218.95 feet to the Southwest corner of the Northwest Quarter of the Southeast Quarter; thence North 00°10'35" West along the West line of the Northwest Quarter of the Southeast Quarter, 1,309.41 feet to the center Quarter corner of said Section 2; thence North 87°52'15" East along the North line of the Southeast Quarter, 723.85 feet; thence South 08°48'35" East, 349.48 feet; thence North 89°55'27" East, 442.55 feet; thence South 00°10'35" East, 952.42 feet to the point of beginning. Containing 1,432,882 square feet, (32.89 acres), more or less. All effective upon recording of the Certified Survey Map.
- (3) "To change from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Kenneth Kluge Rev Trust Dated 3/17/2011, Petitioner), a parcel of land located in Section 8, Town 13 North, Range 9 East, Town of Fort Winnebago, more particularly described as follows: Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - Being the North 29.00 acres of Government Lot 7, Section 9, Town 13 North, Range 9 East, Town of Fort Winnebago, Columbia County, Wisconsin. Containing 1,263,241 square feet, (29.00 acres), more or less. All effective upon recording of the Certified Survey Map.
- (4) "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", (Kathleen M Schwantz Living Trust Dated 5/15/01, Petitioner), parcels of land located in Section 30, Town 13 North, Range 9 East, Town of Fort Winnebago, more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being a part of Lot 1, Certified Survey Map No. 3640, recorded in Volume 25 of Certified Survey Maps, Page 8, as Document No. 641102, located in the fractional Northwest Quarter of the Southwest Quarter of Section 30, Town 13 North, Range 9 East, Town of Fort Winnebago, Columbia County, Wisconsin, described as follows: Beginning at the Northeast corner of said Lot 1, Certified Survey Map No. 3640; thence South 00°04'38" East along the East line of said Lot 1 and the West line of Lot 2, Certified Survey Map No. 3640, 369.15 feet; thence South 89°58'40" West, 590.00 feet; thence North 00°04'38" West, 369.15 feet to a point in the North line of said Lot 1 and the East-West Quarter line of said Section 30; thence North 89°58'40" East along the North line of said Lot 1 and the East-West Quarter line of said Section 30, 590.00 feet to the point of beginning. Containing 217,799 square feet, (5.00 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 Lot 1, Certified Survey Map No. 3640, recorded in Volume 25 of Certified Survey Maps, Page 8, as Document No. 641102, located in the fractional Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter of Section 30, Town 13 North, Range 9 East, Town of Fort Winnebago, Columbia County, Wisconsin, described as follows: Beginning at the West Quarter corner of said Section 30; thence North 89°58'40" East along the East-West Quarter line of said Section 30 and the North line of Lot 1, Certified Survey Map No. 3640, 594.57 feet; thence South 00°04'38" East, 369.15 feet; thence North 89°58'40" East, 590.00 feet to a point in the East line of said Lot 1; thence South 00°04'38" East along the East line of said Lot 1, 1,198.67 feet to the Southeast corner thereof; thence South 89°59'01" West along the South line of said Lot 1, 1,191.02 feet to the Southwest corner thereof; thence North 00°09'30" East along the West line of said Lot 1 and the West line of the Southwest Quarter of said Section 30, 1567.70 feet to the point of beginning. Containing 1,644,375 square feet, (37.75 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: January 17, 2018  
DATE PUBLISHED: January 22, 2018

Motion was made by Teitgen, second by Baumgartner, to approve the rezone requests for Ronald E and Kim M Brockman, Petitioners; Ronald and Donna Jacobson Living Trust dated 9/10/2009, Petitioner; Kenneth Kluge Rev Trust dated 3/17/2011, Petitioner; and Kathleen M. Schwantz Living Trust dated 5/15/01, Petitioner. A motion was made by Konkol, to correct the description of rezone (3) to match the property description of staff report/survey provided by the Planning and Zoning Department. Second by Wingers. Motion to amend carried. The Ordinance as amended was declared passed and is to be known as Ordinance Z467-18. Upon review by John Bluemke, Planning and Zoning Director, the Report and Ordinance are correct. The handout was incorrect, so, no further action is necessary.

Foley moved adjournment of this meeting to Wednesday, March 21, 2018 at 9:45 a.m. in the County Board Room at the Administration Building. Second was made by McClyman. The motion carried. The meeting adjourned at 10:38 a.m.