

# **Proceedings of the Board of Supervisors of Columbia County**



**April 19, 2016  
Through  
March 15, 2017**

**Vern E. Gove, Chair  
Mary Cupery, 1<sup>st</sup> Vice Chair  
James E. Foley, 2<sup>nd</sup> Vice Chair**

## COUNTY ELECTED OFFICIALS & DEPARTMENT HEADS

April 19, 2016 to March 15, 2017

**\*Chair of County Board .....Vern E. Gove**  
**\*1<sup>st</sup> Vice Chair of County Board ..... Mary Cupery**  
**\*2<sup>nd</sup> Vice Chair of County Board .....James E. Foley**

Aging & Disability Resource Center Director..... Becky Mulhern  
Buildings and Grounds Director .....Cory J. Wiegel  
Child Support/Corporation Counsel/Human Resources Director ..... Joseph Ruf, III  
\*Circuit Judge Branch I .....Todd Hepler  
\*Circuit Judge Branch II ..... W. Andrew Voigt  
\*Circuit Judge Branch III..... Alan J. White  
\*Clerk of Circuit Court ..... Susan Raimer  
Columbia Health Care Center Administrator.....Amy E. Yamriska  
Comptroller ..... Lois Schepp  
\*County Clerk..... Susan M. Moll  
County Surveyor .....Jim Grothman  
\*County Treasurer ..... Deborah A. Raimer  
Court Commissioner .....Charles F. Church  
\*District Attorney .....Jane E. Kohlwey  
Emergency Management Coordinator.....(retired March 17, 2017) Pat Beghin  
Health & Human Services Director ..... Dawn Woodard  
Highway & Transportation Commissioner ..... Chris Hardy  
Land & Water Conservation Director .....Kurt Calkins  
Land Information Director .....Kristen Anderson  
Management Information Services Director ..... John Hartman  
Medical Examiner ..... Angela Hinze  
Planning & Zoning Director ..... John Bluemke  
\*Register of Deeds ..... Karen Manske  
Register in Probate.....Julie Kayartz  
\*Sheriff ..... Dennis Richards  
Solid Waste Director ..... Greg Kaminski  
Veterans Service Officer ..... Rich Hasse  
4-H Youth Development Educator..... Karen Nelson

*\*Denotes an Elected Official*

**BOARD OF SUPERVISORS**  
**April 19, 2016**  
**Listed in Alphabetical Order**

|                            |              |
|----------------------------|--------------|
| Steve Attoe .....          | District #25 |
| Harlan Baumgartner .....   | District #18 |
| Susanna Bradley .....      | District #14 |
| James Brooks .....         | District #26 |
| Mary Cupery .....          | District #3  |
| Don De Young .....         | District #9  |
| Dan F. Drew .....          | District #13 |
| Adam R. Field .....        | District #5  |
| James E. Foley .....       | District #23 |
| Vern E. Gove .....         | District #4  |
| Kenneth Hutler .....       | District #7  |
| Kevin Kessler .....        | District #28 |
| Kirk Konkel .....          | District #6  |
| Nancy M. Long .....        | District #27 |
| Robert C. McClyman .....   | District #1  |
| Barry Pufahl .....         | District #12 |
| Bruce J. Rashke .....      | District #11 |
| Matthew L. Rohrbeck .....  | District #8  |
| Andy Ross .....            | District #17 |
| Mark Sleger .....          | District #15 |
| Henry A. St. Maurice ..... | District #21 |
| John A. Stevenson .....    | District #24 |
| Teresa Sumnicht .....      | District #22 |
| Fred C. Teitgen .....      | District #16 |
| John H. Tramburg .....     | District #19 |
| Mike Weyh .....            | District #2  |
| JoAnn Wingers .....        | District #10 |
| Tim Zander .....           | District #20 |

**COLUMBIA COUNTY BOARD OF SUPERVISORS  
STANDING COMMITTEES  
April 2016-2018  
(Adopted April 19, 2016)**

**AGRICULTURE AND LAND AND WATER CONSERVATION**

Mike Weyh, Chair  
JoAnn Wingers, Vice Chair  
Steve Attoe, Secretary  
John A. Stevenson  
Tim Zander

FSA Voting Member:  
Betty Whirry

Statutory Non-Voting Members:  
John A. Stevenson, Planning & Zoning  
Mark Sleger, Solid Waste  
Jim Bennett, Forestry

**COLUMBIA HEALTH CARE CENTER**

Don De Young, Chair  
Barry Pufahl, Vice Chair  
John H. Tramburg, Secretary  
Steve Attoe  
Susanna R. Bradley

**EXECUTIVE**

Vern E. Gove, Chair  
Mary Cupery, Vice Chair  
JoAnn Wingers, Secretary  
James E. Foley  
Kirk Konkel

**FINANCE**

John H. Tramburg, Chair  
Mary Cupery, Vice Chair  
Mike Weyh, Secretary  
Daniel F. Drew  
James E. Foley

**HEALTH AND HUMAN SERVICES**

Teresa Sumnicht, Chair  
Kevin Kessler, Vice Chair  
Matthew L. Rohrbeck, Secretary  
James Brooks  
Nancy M. Long  
John A. Stevenson

Citizen Members:  
Cathy Brunt (4/17)  
Tom Drury (4/19)  
Dr. Kenneth Oh (4/18)

**HIGHWAY**

James E. Foley, Chair  
Kenneth Hutler, Vice Chair  
JoAnn Wingers, Secretary  
Kirk Konkell  
Andy Ross

**HUMAN RESOURCES**

Bruce J. Rashke, Chair  
Adam R. Field, Vice Chair  
Matthew L. Rohrbeck, Secretary  
Dan F. Drew  
Barry Pufahl

**INFORMATION SERVICES AND PROPERTY**

Kenneth Hutler, Chair  
Andy Ross, Vice Chair  
Bruce J. Rashke, Secretary  
Henry A. St. Maurice  
Tim Zander

**JUDICIARY**

Barry Pufahl, Chair  
Robert C. McClyman, Vice Chair  
Don De Young, Secretary  
Harlan Baumgartner  
Fred C. Teitgen

**PLANNING AND ZONING**

Fred C. Teitgen, Chair  
Kevin Kessler, Vice Chair  
Susanna R. Bradley, Secretary  
Harlan Baumgartner  
John A. Stevenson

**PUBLIC SAFETY**

Kirk Konkell, Chair  
Dan F. Drew, Vice Chair  
Adam R. Field, Secretary  
Mark Slegler  
Teresa Sumnicht

**SOLID WASTE**

Mark Slegler, Chair  
Nancy M. Long, Vice Chair  
Henry A. St. Maurice, Secretary  
James Brooks  
Robert C. McClyman

## COMMITTEES, COMMISSIONS & BOARDS

### AD HOC BUILDING COMMITTEE

Kirk Konkel, Chair  
Fred C. Teitgen, Vice Chair  
Mike Weyh, Secretary  
Andy Ross  
Teresa Sumnicht  
Vern E. Gove, Ex officio member  
Mary Cupery, Ex officio member

### AD HOC NEGOTIATING COMMITTEE

Mary Cupery ..... Executive\*  
Dan F. Drew ..... Human Resources\*  
James E. Foley ..... Finance\*  
Vern E. Gove ..... County Board Chair\*

### AGING AND DISABILITY RESOURCE CENTER GOVERNING BOARD (ADRC)

Kevin Kessler ..... County Board\*  
Teresa Sumnicht ..... County Board\*

### CENTRAL WISCONSIN COMMUNITY ACTION

Robert C. McClyman ..... County Board\*

### CONDEMNATION COMMISSION

Todd Bennett, Chair ..... (3/19)  
John Ganga ..... (3/17)  
Travis Hamele ..... (3/19)  
Jack Sanderson ..... (3/17)  
Vacant  
Vacant

### COUNTY FARM DRAINAGE BOARD

Richard Gumz ..... Wisconsin Dells  
John Crescio ..... Randolph  
Charles Slinger ..... Randolph

### COUNTY LIBRARY SYSTEMS BOARD

Susanna Bradley ..... County Board (1/19)  
Diane Effinger ..... Citizen Member (1/18)  
Betty Reiter ..... Citizen Member (1/17)  
Nan Hughes ..... School District (1/17)  
Nancy M. Long ..... County Board (1/17)  
Susan Martin ..... Citizen Member (1/19)  
Margaret Vaughan ..... Citizen Member (1/18)

### EAST WISCONSIN COUNTY RAILROAD CONSORTIUM

James E. Foley ..... County Board\*  
Kenneth Hutler ..... County Board\*

### ECONOMIC DEVELOPMENT CORPORATION

Andy Ross ..... County Board\*  
John H. Tramburg ..... County Board\*

## **ETHICS INQUIRY BOARD**

Attorney Vytas Salna .....Citizen Member (4/16)  
Dean Walker.....Citizen Member (4/17)  
Carol Ziehmke .....Citizen Member (4/15)  
Neal James (Alternate) .....Citizen Member (4/16)

## **HIGHWAY SAFETY COMMISSION**

Robert Andler ..... Citizen member (5/18)  
Pat Beghin..... Emergency Management (5/18)  
Jerry Blystone.....Citizen Member (5/18)  
Michael Brouette ..... Medical Representative (5/18)  
Eugene Brown .....Citizen Member (5/18)  
James E. Foley..... Highway Committee Member (5/18)  
Corey Foster.....BOTS (5/18)  
Chris Hardy ..... Highway Commissioner (5/18)  
Richard Hoege ..... Sheriff's Department (5/18)  
Todd Horn ..... Sheriff Designee (5/18)  
Kenneth Hutler ..... County Board (5/18)  
Scott Klicko ..... Law Enforcement (5/18)  
Avis Link .....Citizen Member (5/18)  
Ryan Mayer..... DOT (5/18)  
Chuck Miller.....Citizen Member (5/18)  
Charles Poches ..... Educational Representative (5/18)  
Dennis Richards ..... Sheriff (5/18)  
Joseph Ruf, or designee ..... Legal Representative (5/18)  
Mike Vasquez..... State Patrol Representative (5/18)  
JoAnn Wingers..... County Board (5/18)

## **I-90/94 WisDOT Corridor Study**

Kirk Konkell..... Policy Advisory Committee (PAC)  
Chris Hardy ..... Technical Advisory Committee (TAC)

## **INTERCOUNTY COORDINATING COMMITTEE**

Mary Cupery.....County Board\*  
James E. Foley.....County Board\*  
Vern E. Gove .....County Board\*  
Andy Ross .....County Board\*

## **LAKE DISTRICTS:**

### **Harmony Grove Lake District**

John Hendren .....Citizen Member (4/18)

### **Lazy Lake Management District**

John H. Tramburg .....County Board\*

### **Pardeeville Lakes Management District**

Jim Buckley .....Citizen Member (4/18)

### **Wyona Lake Management District**

Clark Hodgson .....Citizen Member (4/18)

## **LOCAL EMERGENCY PLANNING COMMITTEE**

*(2 Year Term to Expire in April, 2018)*

|  |                                  |
|--|----------------------------------|
| Pat Beghin.....                            | Emergency Management Coordinator |
| Dan F. Drew .....                          | County Board*                    |
| Judy Haase.....                            | Citizen Member                   |
| Suzi Hemler.....                           | Citizen Member                   |
| Mike Hudgens .....                         | Citizen Member                   |
| Kathy Johnson .....                        | Citizen Member                   |
| Randall Koehn .....                        | Citizen Member                   |
| Susan Lorenz.....                          | Citizen Member                   |
| Paul Nadolski .....                        | Citizen Member                   |
| Barry Pufahl .....                         | County Board*                    |
| Dennis Richards .....                      | Sheriff                          |
| Keith Ripp .....                           | Citizen Member                   |
| Nathan Sievers .....                       | Citizen Member                   |
| Clayton Simonson, Jr.....                  | Fire Department Representation   |
| David Tracey .....                         | Citizen Member                   |
| Red Cross Representative.....              | Citizen Member                   |
| Portage Daily Register (non-voting member) |                                  |

## **LOCAL LIBRARY BOARDS**

Cambria:

Vacant

Vacant

Columbus:

Mary Lou Sharpee ..... (5/17)

Lodi:

Peter Price..... (5/17)

Margie Walstad ..... (5/17)

Pardeeville:

Karen Depies ..... (5/17)

Terry Miller..... (5/18)

Portage:

Eleanor McLeish ..... (5/15)

Chad Stevenson ..... (5/17)

Poynette:

Bob Garske ..... (5/18)

Caryn A. Stone ..... (5/18)

Wyocena:

Linda Balsiger ..... (5/14)

Jim Burmeister ..... (5/14)

## **MARSH COUNTRY HEALTH ALLIANCE COMMISSION**

Andy Ross ..... County Board\*

## **REVOLVING LOAN/HOUSING**

Mary Cupery ..... Executive\*

Vern E. Gove ..... County Board Chair\*

John H. Tramburg ..... Economic Development Corporation\*

JoAnn Wingers ..... Agriculture\*

Mark Witt ..... Citizen Member-Finance (4/18)



**SOUTH CENTRAL LIBRARY SYSTEMS BOARD**

Nancy M. Long ..... (1/19)  
Nan Hughes (Alternate) ..... (1/18)

**SOUTHERN HOUSING CONSORTIUM**

John H. Tramburg ..... County Board\*

**THE RIDE IMPROVEMENT PROJECT OF COLUMBIA COUNTY**

Susanna R. Bradley ..... County Board\*

**VETERANS SERVICE COMMISSION**

Norm Bednarek ..... Citizen Member (12/16)  
Keith Miller ..... Citizen Member (12/17)  
John C. Van Wie ..... Citizen Member (12/18)

**WCA LEGISLATIVE COMMITTEE**

Dan F. Drew ..... County Board\*  
James E. Foley ..... County Board\*  
Vern E. Gove ..... County Board\*  
Barry Pufahl ..... County Board\*

**WISCONSIN COUNTIES UTILITY TAX ASSOCIATION**

John H. Tramburg ..... County Board\*

**ZONING BOARD OF ADJUSTMENT**

William Gretzinger ..... Town of Fountain Prairie (7/16)  
Alan Kaltenberg ..... Town of Arlington (7/18)  
Bernard Spink ..... Town of Otsego (7/17)  
Roger Wetzel ..... Town of Lodi (7/18)  
Norm Wills (Permanent to Alternate on 12/26/16) ..... Town of Dekorra (7/16)  
Helen McDonald Rawson (Alternate to Permanent 12/26/16) ..... Town of Marcellon (7/18)

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| Ronald and Delores Senft, Petitioners & Owners, Town of Springvale  |     |
| William and Laurel Ingraham, Petitioners & Owners, Town of Dekorra  |     |
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| Harlan and Mary Beth Baumgartner Jt Rev Tr dtd 8/5/15, Petitioner & Owner,<br>Town of Otsego  |     |
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|                                | Section 1, T. of Marcellon (Mervin and Fannie Mast, Petitioners & Owners)  |     |
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|                                | Section 36, T. of Pacific (David and Joan Lichtfeld Revocable Trust, Petitioner<br>& Owner)  |     |
|                                | Section 13, T. of West Point (Marcel and Trecella Kjorlie, Petitioners & Owners)   |     |
|                                | Section 12, T. of West Point (Joseph and Julie Clark, Petitioners & Michael<br>and Lucinda Meade, Petitioners & Owners)                |     |

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
April 19, 2016  
9:46 A.M.

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

The Clerk read the roll call by district as follows:

|                                  |   |
|----------------------------------|---|
| District 1 – Robert C. McClyman  | District 15 – Mark Sleger (absent without notice) |
| District 2 – Mike Weyh           | District 16 – Fred C. Teitgen                     |
| District 3 – Mary Cupery         | District 17 – Andy Ross                           |
| District 4 – Vern E. Gove        | District 18 – Harlan Baumgartner                  |
| District 5 – Adam R. Field       | District 19 – John H. Tramburg                    |
| District 6 – Kirk Konkel         | District 20 – Tim Zander                          |
| District 7 – Kenneth Hutler      | District 21 – Henry A. St. Maurice                |
| District 8 – Matthew L. Rohrbeck | District 22 – Teresa A. Sumnicht                  |
| District 9 – Don De Young        | District 23 – James E. Foley                      |
| District 10 – JoAnn Wingers      | District 24 – John A. Stevenson                   |
| District 11 – Bruce J. Rashke    | District 25 – Steve Attoe                         |
| District 12 – Barry Pufahl       | District 26 – James Brooks (absent with notice)   |
| District 13 – Dan F. Drew        | District 27 – Nancy M. Long                       |
| District 14 – Susanna R. Bradley | District 28 – Kevin Kessler                       |

Members stood and recited the Pledge of Allegiance.

The Clerk indicated that an Oath of Office and “Official Name” form were placed on supervisor’s desks. Supervisors were asked to sign the Oath of Office and review contact information and turn in any changes and/or corrections along with their oath to the County Clerk’s Office.

New expense reimbursement forms and procedures for completing and submitting requests were provided in supervisor packets. Anyone with questions/concerns, please contact Shanna in the County Clerk’s Office.

The Honorable W. Andrew Voigt administered the Oath of Office to the members present.

Supervisor Pufahl offered the invocation.

Chair Gove welcomed the newly elected supervisors: Steve Attoe, James Brooks and Henry A. St. Maurice. Steve Attoe and Henry A. St. Maurice gave a brief introduction.

The next order of business was the election of County Board Chairperson.

Tramburg placed in nomination the name of Vern Gove. Upon hearing no additional motions, nominations were closed. The Clerk was instructed to cast a unanimous ballot for Vern Gove. Motion carried. Vern Gove was declared elected Chair of the County Board for a term of two years. Chair Gove appreciated and thanked the Board for the opportunity to serve a second term as County Board Chair. Bradley recognized Cupery for her graciousness and being a team player.

**STANDING RULES**  
Columbia County Board of Supervisors  
(Proposed April 19, 2016)

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**STANDING RULES.** All meetings associated with the County Board shall be conducted under Robert's Rules of Order, the Newest Revised Edition, except as specifically stated in this document. The following are the Standing Rules of the Columbia County Board of Supervisors.

**RULE 1. BOARD MEETINGS.**

In the event the Chair is unavailable to preside over a meeting of the Board, the ~~present~~ First Vice Chair shall preside. In the event the ~~present~~ First Vice Chair is unavailable, the ~~most immediate past Board Second Vice~~ Chair shall preside.

- (1) **ORGANIZATIONAL MEETING.** The Board shall meet on the third Tuesday of each April to organize and transact business. At the organizational meeting held in April on even numbered years, the County Board Chair, its First Vice Chair, Second Vice Chair and two Executive Committee members shall be elected as prescribed under Board election procedures by a majority vote of the members present. The Standing Rules for the current session of the Board shall be adopted by a majority vote. Committee appointments shall be made by the County Board Chair.
- (2) **ANNUAL MEETING.** The Board shall hold an annual meeting on the Tuesday after the second Monday of November to address the regular monthly agenda and conduct the annual budget hearing. When the day of the meeting falls on November 11 (Veteran's Day), the meeting shall be held on the next succeeding day.
- (3) **REGULAR MEETINGS.** The Board shall hold its regular meetings on the third Wednesday of the month, except when Wisconsin Statutes establish the meeting date. The date of the meeting may be changed by a majority vote of the Board. The Board shall meet monthly except that no meeting shall be held in February or August unless the Chair, at his or her discretion, decides that a meeting is necessary.

- (4) **SPECIAL AND EMERGENCY MEETINGS.** A special meeting of the Board shall be convened in accordance with s. 59.11 (2), Wis. Stats., upon a written request of a majority of the supervisors delivered to the Clerk, specifying the time and place of the meeting. In addition, the Board Chair may convene the Board in a "declared emergency" using the procedure defined by Title 2 of the County Code of Ordinances.
- (5) **MEETING HOUR.** The hour for the morning meeting of the Board shall be 9:45 a.m., and afternoon sessions following recess or adjournment shall meet at 1:30 p.m., unless otherwise ordered. During the months of May through October, the Board shall commence its meeting at 7:00 p.m. The Clerk shall note the time of calling of the meetings in the minutes.
- (6) **MEMBER ROLL CALL.** Whenever the Board convenes or reconvenes, the Clerk shall make a roll call of the members to establish a quorum. A roll call shall not be required if the recess is 15 minutes or less. All roll call attendance records of each Supervisor shall be recorded in the minutes and printed with the annual proceedings of the Board. Any Supervisor who is not present for roll calls shall at the first opportune time, in order to be recorded present, make his/her presence known to the Clerk. In the event any member is going to be absent for all or a portion of a session, it shall be necessary to inform the Chair. The minutes shall reflect whether an absent member notified the Chair in advance of the meeting.
- (7) **ORDER OF BUSINESS.** The regular order of business, which is subject to the discretion of the Chair, shall be as follows:
- (a) Roll call.
  - (b) Pledge of Allegiance.
  - (c) Approval of the printed journal unless otherwise ordered.
  - (d) Approve agenda and any changes thereto in compliance with open meeting law requirements under Sections 19.81 through 19.98, Wisconsin Statutes.
  - (e) Claims and petitions.
  - (f) Communications/Public Input on non-agenda topics.
  - (g) Committee reports.
  - (h) Appointments.
  - (i) Union Contract ratification.
  - (j) Resolutions to be considered and resolved.
  - (k) Consideration of proposed ordinances.
  - (l) Consideration of other business on the table.
  - (m) Requests for future agenda items.
  - (n) On the day set for the adoption of the budget, the budget shall be considered immediately following "Appointments" during the morning session.
  - (o) On the last day of the current session, a reading and correcting of the journal of the day shall be done immediately prior to the final adjournment.
- (8) **MEETING AGENDAS.** The County Board Chair shall establish the agenda for County Board meetings. Committee Chairs shall establish the agenda for their Committee meetings, subject to review and approval by the County Board Chair. However, the County Board or any Committee may, by majority vote, place an item on the agenda for a future meeting designated by the motion.

**RULE 2. ADDRESSING THE COUNTY BOARD.**

- (1) Every member, prior to speaking, shall address himself/herself to the Chair.
- (2) When two or more members wish to be recognized, the Chair shall designate who shall speak first.
- (3) No member shall speak more than twice on the same subject or question without approval of the Chair. A member may only speak for a total of 10 minutes or 5 minutes twice on a particular motion. If a member wishes to only inquire for informational purposes that will engage in questions and answers, then a member may take a total of 14 minutes or 7 minutes twice on a particular motion.
- (4) A member called to order by the Chair, shall immediately relinquish the floor. The Board, if appealed to, shall decide the case. If there is no appeal, the decision of the Chair shall be submitted.
- (5) 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. The member thereafter forfeits one of his/her rights to further address the subject. The non-member shall be

governed by all other relevant rules of the Board and shall address only the subject before the Board.

- (6) Public Input shall be limited to items not on the agenda and a person may only speak for 5 minutes.

### **RULE 3. MOTIONS.**

- (1) All motions must be presented by a Board member.
- (2) No motion shall be debated by the Board unless it is seconded; it shall be restated by the Chair before debate. Lengthy or complicated motions must be presented to the Clerk in writing after receiving a second.
- (3) After a motion is restated by the Chair, it shall be deemed to be in possession of the Board. All motions, resolutions, and amendments shall be entered at large upon the journal.
- (4) When a motion is being debated, no other motion shall be made except to lay on the table, to adjourn for the previous question(s), to limit or extend limits of debate, to postpone to a day certain, to refer, to amend, and to postpone indefinitely; these several motions shall have precedence in the order in which they are stated above.
- (5) The motion to adjourn shall always be in order; that and the motion to lay on the table shall be decided without debate.
- (6) If the question under debate contains several points, any member may move to have it divided.

### **RULE 4. REPORTS.**

- (1) A committee report shall be a written or oral statement of the committee's position with respect to a particular issue or issues on the agenda. If a written report is provided by the committee, it shall be included with the mailing of the monthly Board agenda prior to the meeting. Reports may be presented orally or read from a written document orally. These reports will be accepted into the record, listed in the monthly minutes, and filed if there are no objections. Annual reports shall be submitted yearly and included with the mailing of the monthly Board agenda prior to the meeting. Whether or not a written committee report is provided, the committee chair or another member of the committee may be called upon at the meeting to provide background information and to explain the committee's recommendation.
- (2) Final majority reports from ad hoc committees shall be written and shall be recorded in the Board Minutes by the Clerk. A minority report may be filed in a like manner.
- (3) Notwithstanding sub. (1), above, the Board Chair may schedule a written or verbal informational update report from any committee regarding any topic before the committee even if a decision item on that topic is not on the agenda.

### **RULE 5. RESOLUTIONS AND ORDINANCES.**

- (1) The Chair, after consultation with the Corporation Counsel, will determine when contractual arrangements must be approved by the Board.
- (2) Compensation plans for all non-union county employees shall be presented by the Human Resources Committee and shall be approved by a simple majority vote of the members present.
- (3) The resolution to adopt the budget shall require a two-thirds vote of the members present at the meeting.
- (4) Resolutions to make transfers from the General Fund or the Contingency Fund shall be referred to the Finance Committee for its recommendation back to the Board, and shall require a two-thirds vote of the entire membership of the Board to obtain passage, pursuant to Sec. 65.90 (5)(a), Wis. Stats.
- (5)
  - (a) A resolution, petition, or motion submitted by a member or members not constituting a committee shall be read and referred to the appropriate committee by the Chair.
  - (b) Resolutions, petitions, or motions submitted by non-members shall be presented through a member for referral to an appropriate committee.
  - (c) If not returned for Board consideration, the committee shall present an oral or written report of its conclusions.
  - (d) Notwithstanding sub. (c), the full Board may take a resolution, petition, or motion from a committee that has not been considered by a majority vote. In addition, the full Board by majority vote may reject or stop any action made by a committee. If the motion passes, the resolution, petition, motion, or action from that committee will automatically be placed on the full County Board meeting agenda for consideration at the next scheduled meeting.



- (6) Resolutions and/or ordinances shall:
- (a) Be submitted by Board members or committees only.
  - (b) Indicate at the top a brief synopsis and the name of the committee introducing the document to the Board.
  - (c) Be numbered on each line and page of the document.
  - (d) Contain a fiscal note explaining the budgetary effect of the proposed action, if applicable. The fiscal note shall be referred to the Finance Committee for its recommendation.
  - (e) Be submitted in writing to the Clerk by 12:00 noon on the Thursday before the Board meeting date, unless the Clerk requests an earlier delivery date or time, and to the Corporation Counsel for review at the same time as distributed to members.
  - (f) Be considered, if submitted after the above deadline, only if deemed urgent by the Chair. Any resolution that is not included in the agenda may be placed on the agenda if the media and public have been noticed of such addition more than twenty-four hours in advance if it is not an emergency or more than two hours in advance if it is an emergency. Any resolution added in the above manner may be considered by the Board unless objected to, in which case a two-thirds majority of members present will be required for consideration.
- (7) Resolutions submitted to the Board for adoption shall be signed by a majority of the members of the submitting committee and ordinances shall be signed by the Chair and Clerk after adoption.
- (8) Resolutions and ordinances shall be taken up in the order in which they are presented, unless otherwise ordered by the Chair. If there is no objection from the Board members present, the reading of any proposed resolution or ordinance may be waived by the Chair and be referred to by title only provided that all members have received a written copy of said resolution or ordinance at least twenty-four hours prior to the Board meeting. An ordinance or resolution may be amended at any time prior to its being adopted by the Board.
- Amendments offered shall be germane to the primary subject of the resolution or ordinance.
- (9) Resolutions and ordinances may be passed or adopted at a single meeting of the Board. Upon the reading of a resolution or an ordinance, one of two motions must be made by a member of the Board of Supervisors:
- (a) To approve; or
  - (b) To postpone to a date certain.
- (10) Upon the passage of an ordinance, motion, or resolution affecting any County department, officer, or official, or any town, city or village, the Clerk shall immediately thereafter transmit a copy of the same to the County department, officer or official affected, and for the local municipalities shall transmit a copy of the same to the clerk of the affected municipality.

#### **RULE 6. TRANSFERS FROM EQUITY ACCOUNTS.**

Transfers from the Highway and Transportation Department or Health Care Center unreserved equity for the purpose of expending non-budgeted items must have the oversight committee and County Board approval for a total aggregate amount of \$50,000 or more (annually).

Any transfer from other non-designated equity accounts must have County Board approval.

#### **RULE 7. REQUESTS FOR PROPERTY TAX FUNDING OF PROGRAMS.**

Any County program that has been historically 100% funded through an outside funding source (grant, user fees, etc.) and now requires an input of County tax dollars, or any program starting that requires County funding, must be approved by the County Board via a specific resolution. The fiscal note must clearly show the increase in County taxes, and be reviewed by the Finance Committee prior to presentation at the County Board.

#### **RULE 8. POLICY FOR GRANT APPROVAL.**

New grants larger than \$50,000, which are not part of the annual budget process, due to timing, must be accepted by the County Board via resolution from the Executive Committee.

#### **RULE 9. RECORDING MOTIONS AND SECONDS.**

In all cases where an ordinance, resolution, or motion shall be entered on the journal of the Board, the name of the member moving the same, and the name of the member seconding shall be entered on the journal.

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## **RULE 10. VOTING AND ELECTIONS.**

### **(1) COUNTY BOARD VOTING.**

- (a) Voting by the County Board shall be by voice vote or roll call vote, if requested.
- (b) In the event of a roll call vote, the Chair's vote shall be recorded last.

### **(2) COMMITTEE VOTING.**

- (a) The County Board Chair or First Vice Chair shall vote when his/her presence is necessary at a meeting to create a quorum of the committee.
- (b) In the event of a roll call vote, the Committee Chair's vote shall be recorded last.

### **(3) ROLL CALL VOTES.** A vote on any question shall be taken by the ayes and nays when called for by a member of the Board. Roll call votes shall be taken in alphabetical order except that each successive roll call vote shall commence with the member voting second on the previous roll call vote.

### **(4) ELECTIONS.** Where the vote is for election to an office, the vote shall be by ballot.

- (a) If three or more candidates are nominated, balloting shall occur until such time as one candidate receives the majority of the votes of the members present. Nominations do not require a second. If no candidate receives a majority vote when the ballots are counted, the candidate with the lowest vote count shall be eliminated. This procedure shall be repeated until a majority vote is obtained.
- (b) The two elected members of the Executive Committee shall be selected by ballot from a slate of nominees proposed by nominations from the floor. The election shall be in accordance with the procedures established at Rule 10 (4)(a) except that each supervisor shall vote for two members on each ballot, with the election ending when two nominees receive a majority of the votes.
- (c) County Veteran's Service Officer Election: The Board shall elect by a majority vote a County Veteran's Service Officer who shall be a Wisconsin resident who served under honorable conditions in the Armed Forces of the United States as provided by Chapter 45 of the Wisconsin Statutes. The County Veteran's Service Officer shall serve until the first Monday in January of the second year-subsequent to the year of his or her election, and if re-elected, shall continue to serve unless removed by the Board for cause by two-thirds vote of the Board.
- (d) County Highway Commissioner Election: The Board shall elect a County Highway Commissioner by a majority vote. Upon his/her first election, the County Highway Commissioner shall serve until the first Monday in January of the second year succeeding the year of the election; and if re-elected, shall continue to serve unless removed for cause by two-thirds vote of the Board.

## **RULE 11. RECONSIDERATION.**

A motion for reconsideration may be made by a member who voted on the side prevailing on the vote on such matter, provided the motion for reconsideration is made on the same day. Thereafter, the same subject may be placed on the agenda for consideration only with the vote of two-thirds of the entire membership or a majority rule may take place if circumstances change in the original motion with the Executive Committee's approval. In the event of a tie vote, either side can ask for reconsideration.

## **RULE 12. DEPARTMENT ANNUAL REPORTS.**

County officers and department heads shall be introduced and shall be available for questions and comments at the direction of the Chair during the Board meeting at which his/her written annual report is taken under consideration.

## **RULE 13. STATE AND NATIONAL CONVENTIONS OR CONFERENCES.**

Board members who attend state and national conventions or conferences must obtain approval in advance from the Board Chair prior to attendance. If prior approval is not received, no expense reimbursement will be made. Members of the Board who attend conventions or conferences shall make reports to the Board.

## **RULE 14. SUSPENSION OR AMENDMENT OF RULES.**

No rule of the Board shall be suspended, altered, or amended during a meeting without the concurrence of two-thirds of the members present.

The Standing Rules may be altered or amended generally by a simple majority vote of the members present as previously noted on the Board meeting agenda.

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**RULE 15. REPEAL OF CONFLICTING RULES.**

The Standing Rules shall be in full force upon adoption. Therefore, making all prior standing rules of the County Board—hereby rescinded.

**RULE 16. COUNTY BOARD CHAIR AND FIRST VICE CHAIR.**

- (1) The First Vice Chair shall either be a member or shall have previously served as a member of the Finance Committee.
- (2) The Chair and First Vice Chair shall each be paid a salary as established by the members of the Board. The Chair shall not be a member of any particular standing committee, except the Executive Committee. The Chair and First Vice Chair shall be given notice of and have the privilege of attending and participating in the deliberations of any other committee of the Board but shall not vote unless his/her presence is necessary to create a quorum of the committee. Mileage, per diems, and other accepted, authorized expenditures shall be reimbursed on the same basis as all other Board members, including days spent in the office as Chair and First Vice Chair as authorized by the Chair.
- (3) The Chair shall serve as chair of the public hearing to adopt the annual budget at the November Board meeting.
- (4) The Board Chair and/or First Vice Chair shall have the right to act as a voting member of any committee if said participation is necessary to establish a quorum.
- (5) The Board Chair and Clerk shall sign all contracts approved by a resolution of the Board.
- (6) The Chair shall assign topics and issues which arise that are not clearly defined in the Standing Rules as being the responsibility of a particular standing committee as he/she deems appropriate.
- (7) A meeting of the standing committee chairs shall be convened at the discretion of the Chair.
- (8) Board Chair activities could consist of, but not be limited to, the following:
  - (a) Be available at least two hours per week.
  - (b) Work closely with all County departments on matters pertaining to the County.
  - (c) Appear, when requested to do so, as the representative of the Board.
  - (d) Attend as many committee meetings as possible.
  - (e) Keep members informed, mostly through committee chairs.
  - (f) Assist in the preparation of the Board meeting agenda and assure it is in the possession of members prior to Board meetings.
  - (g) Take care of daily details that arise.

**RULE 17. COUNTY BOARD MEMBERS.**

- (1) Every member of the Board must reside within the district, which he or she has been elected to represent. If a Board member moves out of that district, he or she will be expected to resign. If no resignation is forthcoming, the seat will be declared abandoned after three consecutive months and the Board will appoint a new district representative.
- (2) Pursuant to Section 59.10(4), Wis. Stats., a member of the Board may not also simultaneously serve as a County employee or as a County official.

**RULE 18. COMMITTEE MEETINGS.**

- (1) All committee meetings shall have a public notice that meets the requirement of sec. 19.84, Wis. Stats.
- (2) Closed sessions may be held only where there is an overriding interest of the County for the closed session, when authorized by sec. 19.85, Wis. Stats., and when there has been public notice in accordance with sec. 19.84, Wis. Stats. Scheduling and conduct of closed sessions shall follow the guidance document published by the Wisconsin Department of Justice and the Wisconsin Attorney General.
- (3) Department heads and staff must provide County Board Supervisors with meeting materials pertinent to items on the agenda regarding any voting action items taking place during scheduled committee meetings at least 48 hours in advance in a format that is readily accessible to County Board Supervisors. Any information given out during the meeting regarding any voting action that did not meet the 48 hour rule will require three-fourths approval from the committee before the agenda item can be voted on as a whole by the committee. If the agenda item does not receive three-fourths approval, the agenda item cannot be voted on during that committee meeting, but it will automatically be placed on the next month's committee meeting. Notwithstanding the above, the County Board Chair may issue a written waiver of the forty-eight hour rule for a particular agenda item.

- (4) In addition to or in place of meetings described in Rule 23, committee meetings may be held immediately before a County Board meeting, during a recess of a County Board meeting or immediately after a County Board meeting to discuss noticed subjects on the County Board's meeting agenda.
- (5) To accomplish this, the Chair of the governing committee must request permission of the County Board Chair to hold such a meeting, and to provide the Chair with the time, place and subject matter of the meeting so that the County Board Chair can publicly announce the facts of the meeting while the County Board is in session.
- (6) A committee meeting held before a County Board meeting shall require an advance public notice in accordance with sec. 19.84, Wis. Stats.
- (7) Meetings consisting of two or more committees meeting concurrently shall require approval of the Board Chair.
- (8) To meet unanticipated special situations that require prompt attention, a committee may meet, with the Board Chair's approval and within the parameters of the open meetings law, to resolve the matter. Other committees who may have an interest shall be consulted prior to a final decision.
- (9) Pre-County Board committee meetings must be scheduled by noon on the Thursday preceding the Board meeting (the Wednesday preceding the Board meeting in April and November); however, the County Board Chair may waive this requirement if he/she deems that the meeting is imperative to the best interests of the County and to not schedule it would put the County in a position of jeopardy financially or legally.
- (10) All committees shall comply with Board approved personnel policy, Standing Rules, Wisconsin Statutes, and mandated grant requirements.
- (11) In the event that any member is going to be absent for all or a portion of a committee meeting, it shall be necessary to inform the Committee Chair. The minutes shall reflect whether an absent member notified the Committee Chair in advance of the meeting.
- (12) A member who misses three consecutive Board meetings or three consecutive Committee meetings shall meet with the Board Chair to discuss the member's commitment to continued service on the Board. The Board Chair may recommend that the Executive Committee take disciplinary action against a member for excessive absenteeism under this Rule.
- (13) If a member cannot physically attend a committee meeting and there are technologically available resources in the meeting rooms, such as telephones or video conferencing, he/she may use them to participate in the meeting. Reasons for participation in a meeting by video conference include, but are not limited to: out-of-town travel, at work, and sickness. Members are only eligible to claim per diem for attending a meeting using technology. A member may not use technology to attend full Board monthly meetings.
- (14) Each committee shall maintain a written record of its proceedings. A draft copy of the minutes shall be sent by email attachment to the Clerk within one week following the date of the meeting and may be made available to county board members. The original approved minutes, signed by the committee secretary, shall be filed with the Clerk within one week following approval of the minutes. Written documents referenced in the minutes shall be attached and filed with the original minutes.
- (15) Minutes of a closed meeting shall only be created when action is taken in closed session. Closed session minutes shall be reviewed, approved and retained in the same manner as other committee meeting minutes.

#### **RULE 19. PER DIEM.**

Members of the Board are eligible for per diem. They are responsible for submitting monthly per diem sheets. Members may not claim per diem after two months of non-reporting to the Clerk's Office. For example, a member may not claim per diem in March of a year during the month of June.

#### **RULE 20. RELATIONSHIP BETWEEN THE COUNTY BOARD AND COMMITTEES.**

All standing committees and any ad hoc or special committees established by the County Board of Supervisors are subcommittees of the full Board. The County Board of Supervisors reserves the right of oversight of committee actions. Notwithstanding any provision of the Standing Rules, an action of the full County Board of Supervisors taken in accordance with the procedures in the Standing Rules shall supersede any action or inaction by a committee.

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**RULE 21. SPECIAL COMMITTEES, COMMISSIONS AND BOARDS.**

- (1) The Chair, with Board approval, shall appoint statutorily mandated and special committees and boards in the same manner as other standing committees are appointed.
- (2) The Revolving Loan Fund/Housing Committee shall consist of one member from the Finance Committee or a citizen at large with banking or financial experience, one member each from the Agriculture, Extension, ~~and~~ Land and Water Conservation Committee and Executive Committees, a Board representative to the Columbia County Economic Development Corporation, and the Board Chair or designee.
- (3) Any citizen interested in serving on a special committee, commission or board shall complete an application form and submit the completed form to the County Clerk for consideration by the County Board Chair and the Executive Committee.

**RULE 22. AD HOC COMMITTEES.**

- (1) Ad hoc committees and their chairs shall be appointed by the Board Chair. These assignments shall be for a definite purpose and time and shall hold over until such duties have been completed and a final written report given to the Board.
- (2) Ad hoc committees to whom reference is made shall in all cases report a statement of facts and their opinion thereon to the Board as interim verbal reports on no less than an annual basis. Such reports shall be given in addition to final written reports.
- (3) The ad hoc negotiating committee shall be appointed for contracts which expire and shall consist of one member from the Finance, Human Resources, and Executive Committees, and shall represent the County, in conjunction with the Human Resources Director, in labor union contract negotiations.

**RULE 23. STANDING COMMITTEES.**

- (1) Standing committees shall meet regularly, prior to the monthly Finance meeting. Committees wishing to meet more than once a month, or cancel a monthly meeting, shall request permission from the Board Chair. All committee meetings shall comply with the applicable open meeting statutes. Committees will recommend a monthly meeting schedule, subject to the approval of the Board Chair and the Executive Committee. Changes to the monthly meeting schedule will require prior approval by the Board Chair ~~and the Executive Committee~~.
- (2) Every member of the Board, except the Chair, shall be appointed to at least one standing committee initially and may be appointed to more than one such committee.
- (3) Each standing committee shall elect its own chair, vice chair, and secretary. No member shall accept more than one chair position of a standing committee. This limitation shall not apply to ad hoc or special committees.
- (4) The standing committees shall be composed of at least five members each except: the Health and Human Services Board, which shall be considered a standing committee of the County Board, shall be composed of six County Board members, one being the chair of the Commission on Aging, and three lay members in accordance with Sections 46.23 (4) and 251.03, Wis. Stats. The concerns of the Division of Health shall be addressed as a separate agenda item of business at each Health and Human Services Board monthly meeting.
- (5) Standing committee members shall be appointed at the biennial organizational meeting by the Board Chair and shall serve at the pleasure of the Chair.
- (6) Citizen members of Committees shall be appointed by the Board Chair subject to approval by the County Board.
- (7) It is the responsibility of standing committees to approve operating policies and/or procedures, and goals submitted by the department heads for their designated departments and to monitor the implementation and execution of such policy, procedures and goals, as well as to assure that department heads are fulfilling their responsibilities.
- (8) Standing Committees and department heads shall coordinate on matters of shared jurisdiction as established by State Statutes, County Ordinances or Standing Rules.
- (9) Standing Committee members may propose changes relating to committee and/or full county board business within their committees following the guidelines of Rule 5 (6) and (7).

**RULE 24. STANDING COMMITTEE DUTIES.**

The following shall be the assigned duties of the standing committees of the Board. Committees shall audit and approve bills for payment.

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- (1) **AGRICULTURE, EXTENSION, LAND AND WATER CONSERVATION COMMITTEE.**
- (a) This committee shall have jurisdiction over the offices of, and shall examine all claims and accounts connected with the Agriculture, Extension Education, and Resource Development and Land and Water Conservation departments and it shall be responsible for handling and processing claims for dog damage. This committee shall advise on matters pertaining to agriculture in the County.
  - (b) This committee shall have participation in the Farmland Preservation Program.
  - (c) This committee shall perform the duties prescribed in Chapter 92, Wisconsin Statutes, except as limited herein by the Board. The Chair of the Columbia County Consolidated Farm Services Agency Committee, or his/her designee, shall be a member of this committee for Land and Water Conservation Committee purposes. The Planning and Zoning Committee and Solid Waste Committee shall designate a representative to serve as an adviser to the Land and Water Conservation Committee, pursuant to Chapter 92, Wis. Stats. It shall be the duty of this committee to promote resource development in the County.
  - (d) The Agriculture, Extension, Land and Water Conservation Committee shall plan and prepare applications for assistance to develop, operate and maintain snowmobile trails and facilities including County parks.
- (2) **COLUMBIA HEALTH CARE CENTER COMMITTEE.**  
This committee shall be responsible for the operation and maintenance of the Columbia Health Care Center in compliance with the Wisconsin Statutes.
- (3) **EXECUTIVE COMMITTEE.**
- (a) There shall be an Executive Committee, consisting of five (5) members: the Chair, the First Vice-Chair, the immediate past Board chair Second Vice Chair, and two elected members. The Board Chair shall be the chair of this committee.
  - (b) Should there be a vacancy on the committee, a successor shall be elected by the Board in the manner set forth in Rule 10. The Chair shall review all standing committee minutes. Areas of concern shall be reviewed with the Executive Committee and the appropriate standing committee.
  - (c) This committee shall have jurisdiction over the Office of County Clerk.
  - (d) This committee shall have responsibility over all matters pertaining to County performance bonds and the specific duties provided in Section 59.21, Wis. Stats.
  - (e) This committee shall have jurisdiction and fiscal responsibility for all matters and accounts pertaining to the Veterans' Service Office, other than those benefits under Section 45.86, Wisconsin Statutes.
  - (f) The members of the Executive Committee are solely authorized to represent the County's point of view at State legislative hearings or Intercounty Coordinating Committee (ICC) meetings. In the event an Executive Committee member chooses not to attend such a hearing or meeting, the Chair may designate a knowledgeable supervisor to attend in his or her place.
  - (g) This committee shall recommend the Standing Rules to the Board.
  - (h) This committee shall recommend to the Board the acquisition of real property on behalf of the County.
  - (i) This committee shall have jurisdiction over space usage of county buildings and county owned property.
  - (j) This committee shall create policies to maintain reasonable liability and property insurance coverage for all County exposures and assets.
  - (k) This committee shall also have jurisdiction over the Land Information Department and Register of Deeds Office. These offices shall collect and store all information in compliance with Sec. 16.967, 59.43, 70.09, and 77.21 through 77.30, Wisconsin Statutes.
  - (l) This committee shall supervise the monumentation program and maintain it in an efficient manner, in compliance with Sec. 59.74, and 60.84 (3)(c), Wisconsin Statutes, and shall have jurisdiction over the County Surveyor.

(3) **FINANCE COMMITTEE.**

- (a) This committee shall have jurisdiction over the offices of County Treasurer, Comptroller/Auditor, Columbia County Economic Development Corporation, and Tourism. It shall be the duty of the Finance Committee to make recommendations on all proposals for transfer from the General or Contingency Fund. It shall require the regular monitoring of all revenue and disbursement accounts and require that department heads and governing committees are alerted of deviations of concern.
- (b) It shall prepare and present to the Board at the annual session the budget and tax levy; first in temporary form and finally in a complete form as changed during the Board session.
- (c) To enable the committee to prepare such budget, all requests for appropriations shall be filed with the Comptroller not later than a date designated by the committee.
- (d) This committee shall govern and approve the Columbia County Financial Handbook, which incorporates the Statutes, County Board Resolutions, and accepted Accounting Practices. The Columbia County Executive Committee shall be informed of all changes. The committee also governs and approves the Columbia County Purchasing Manual, which reflects detailed procedures to comply with the adopted Purchasing/Contracts Ordinance.
- (e) It shall be the duty of the committee to familiarize itself with the certified audit report of County offices. It shall confer with the auditor in charge of the audit regarding details of the audit and make such recommendations to the Board as it deems necessary.
- (f) This committee shall act as Audit Committee and shall pass on miscellaneous current bills not audited by any other County committee or department as provided by law or by these rules.
- (g) All departmental accounting shall be in compliance with procedures established by the County Auditor under the direction of the Finance Committee.

(4) **HEALTH AND HUMAN SERVICES BOARD.**

- (a) The Health and Human Services Board shall function in accordance with Section 46.23, 251.03 (1), and 251.04, Wisconsin Statutes, and shall accept additional funding from the State of Wisconsin when no additional funding is required from the County per Resolution #69-94.
- (b) The chair and vice chair of the Health and Human Services Board shall be members of the County Board.
- (c) The Health and Human Services Director and Health and Human Services Board, with the addition of three non-County Board members as required by Section 251.03, Wis. Stats., shall establish policies and supervise the implementation of these policies as detailed in Section 251.04, Wis. Stats.

(5) **HIGHWAY COMMITTEE.**

- (a) This committee shall be responsible for all highway and bridge maintenance and construction as provided by the Wisconsin Statutes or referred to it by this Board or as requested by local municipalities.
- (b) The Highway Committee shall function in accordance with all State and Federal statutes and administrative rules. Further, this committee shall govern the maintenance of County parks in cooperation with the Land and Water Conservation Committee and shall have authority over the budget therefor.

(6) **HUMAN RESOURCES COMMITTEE.**

- (a) This committee shall have jurisdiction over the Human Resources Department and all matters pertaining to employment to assure compliance with State and Federal labor directives; such as, wages, conditions of employment, fringe benefits, and other related matters; and shall assure compliance with Chapter 7 of the Code of Ordinances.
- (b) The committee shall have jurisdiction over the countywide Safety Committee and its budget.
- (c) This committee shall create policies to provide health insurance coverage and a worker's compensation program for County employees.
- (d) This committee shall review, coordinate and analyze workers compensation claims and ensure claim information is made available to committee chairs for department head review.

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- (e) The committee shall also:
- Provide advice and counsel on all aspects of public human resources administration and monitor the human resources system effectiveness.
  - Review and adopt personnel policies for execution of the County's human resources function in accordance with Chapter 7 of the Code of Ordinances.
  - Foster the development, implementation, and execution of an Affirmative Action Plan, American with Disabilities Act Plan, and Equal Employment Opportunities Commission Plan.
  - Make recommendations to the County Board to bring all relevant laws, rules, and regulations into conformity with Chapter 7 of the Code of Ordinances.
  - Serve as the final internal appeal level under Chapter 7 of the Code of Ordinances for employees' complaints, when the Human Resources Committee is not the direct supervisor of the complainant. When the Human Resources Committee is the direct supervisor of the complainant, the Executive Committee will fulfill this function. The determination of this committee is binding upon the County in cases of discrimination.
  - Establish Policies and Procedures and an Operations Manual for Management. Changes to the Policies and Procedures and the Operations Manual for Management shall be recommended by the Human Resources Committee, but made by the Executive Committee, after approval by the Finance Committee in the event that the revision would have a financial impact on the County. Any revisions approved by the Finance Committee will be reviewed by the Executive Committee prior to approval by the County Board. All approved changes to the Policies and Procedures and the Operations Manual for Management shall be distributed to all departments by the Human Resources Director.

(7) **JUDICIARY, ~~LAND INFORMATION AND REGISTER OF DEEDS~~ COMMITTEE.**

- (a) This committee shall have jurisdiction over the offices, records, and claims, and act as audit committee for the offices of Corporation Counsel, District Attorney, Clerk of Courts, Register in Probate, Circuit Courts, and Court Commissioner.
- (b) All matters pertaining to litigation and legal issues concerning the County shall be referred to this committee for recommendation to the Board.
- (c) It shall be the duty of this committee to confer with and supervise the needs, powers and duties of all of the listed offices.
- (d) It shall investigate and report on all claims against the County referred by the Board Chair and shall report its recommendations back to the Board.
- ~~(e) This committee shall also have jurisdiction over the Land Information Department and Register of Deeds Office. These offices shall collect and store all information in compliance with Sec. 16.967, 59.43, 70.09, and 77.21 through 77.30, Wisconsin Statutes.~~
- ~~(f) This committee shall supervise the monumentation program and maintain it in an efficient manner, in compliance with Sec. 59.74, and 60.84 (3)(c), Wisconsin Statutes, and shall have jurisdiction over the County Surveyor.~~

(8) **PUBLIC SAFETY COMMITTEE.**

- (a) This committee shall have jurisdiction over the offices, records, and claims, and act as audit committee for the offices of Sheriff, Medical Examiner, and the law enforcement communication systems.
- (b) It shall make recommendations regarding enforcement of laws.
- (c) This committee shall ensure that the Sheriff's Office has a written operating policies and procedures manual in accordance with Wisconsin Statutes.
- (d) This committee shall have jurisdiction over the 9-1-1 programs in the County. Monthly operations and financial matters associated with the 9-1-1 programs shall be supervised by the Sheriff's Office and audited by the Public Safety Committee.
- (e) This committee shall have jurisdiction over Emergency Management in the County, as required by law, and shall budget and audit Emergency Management expenditures. This committee shall supervise monthly operations and financial matters associated with Emergency Management.

(9) **INFORMATION SERVICES AND PROPERTY COMMITTEE.**

- (a) This committee shall have jurisdiction over the County's Management Information Services Department and shall direct all information services related tasks. It shall have responsibility for interdepartmental collecting, updating, coordinating, retaining, preserving, and disbursing of information so the County can conduct its business.
- (b) This committee shall also:
  - Have jurisdiction over the janitorial and maintenance staff of buildings with the exception of the highway and nursing home properties;
  - Have jurisdiction over the repair and maintenance of all County buildings and grounds not budgeted by other committees or boards;
  - Make recommendations to the Board for repairs or improvements for all County owned buildings in excess of approved budgeted amounts;
  - Aggressively pursue with the County Treasurer all remedies relative to the collection of delinquent taxes and the sale of land for taxes, acting in this capacity as the County Land Appraisal Committee;
  - Annually verify inventories and values of County property.

(10) **PLANNING AND ZONING COMMITTEE.**

- (a) This committee shall have jurisdiction over the Planning and Zoning Department.
- (b) It shall be the duty of this committee to establish shoreline use controls and pollution control of navigable waters, pursuant to Section 59.692, Wisconsin Statutes, in conjunction with the Agriculture, Extension, Land and Water Conservation Committee.
- (c) This committee is responsible for all County comprehensive planning relating to land use and participates in the Farmland Preservation Program.
- (d) This committee shall supervise the enforcement of all matters relating to zoning, private sewage systems, subdivision control, land use, and non-metallic mining ordinances and statutes.
- (e) The Planning and Zoning Committee shall have responsibility for designation of emergency numbers for the emergency service number system throughout unincorporated Columbia County.
- (f) This committee shall have jurisdiction over the administration of the Wisconsin Fund and the issuance of various permits required by the Planning and Zoning Department.

(11) **SOLID WASTE COMMITTEE.**

- (a) This committee shall have jurisdiction over the Solid Waste Facilities, which shall efficiently collect, process, market, and dispose of solid waste. The committee shall encourage waste reduction as the responsible unit for recycling for the County. This committee will audit the monthly departmental bills, receipts, recommend fees, and negotiate solid waste contracts for Board consideration.
- (b) This committee shall assure compliance with all DNR Codes, federal and Wisconsin Statutes pertaining to solid waste and recycled materials.

(12) **~~INFRASTRUCTURE COMMITTEE.~~**

~~This committee shall consist of the Immediate Past County Board Chair, County Board Vice Chair and the Chairs of the following committees: Columbia Health Care Center; Health and Human Services Board; Highway; Judiciary, Land Information and Register of Deeds; Public Safety; Information Services and Property; and Solid Waste.~~

~~This committee, working with the governing committees and department heads, shall be responsible for the planning, allocation, and location of space for personnel and equipment.~~

~~This committee shall periodically study and make proposals for medium (5 year) and long range (10 year) space, property and building needs for County personnel and equipment for the review of the Executive Committee.~~

~~This committee shall meet quarterly or as needed subject to approval by the Board Chair.~~

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Attorney Ruf gave a brief explanation of proposed revisions to the Standing Rules and referred to a handout provided in supervisor's packets for their review.

Motion was made by Ross, second by Weyh to approve the Standing Rules as presented.

Long made a motion to amend Rule 1 Board Meetings (5) Meeting Hour of the Standing Rules and referred to a handout placed on supervisor's desks that read as follows: The Board shall commence its meetings at 7:00 p.m. except for the months of December and January when the meetings shall commence at 9:45 a.m. The Clerk shall note the time of calling of the meetings in the minutes. Second was made by Bradley. Long stated the amendment would enable more residents to consider serving on the County Board and allow citizens to participate in matters before the Board. Supervisors discussed advantages and disadvantages to changing the meeting time.

Chair Gove called for a roll call vote. The amendment failed as follows:

AYES: 11, NOES: 15, ABSENT: 2

AYES: Attoe, Bradley, Cupery, Field, Kessler, Long, McClyman, Rashke, St. Maurice, Teitgen, and Zander.

NOES: Baumgartner, De Young, Drew, Foley, Hutler, Konkell, Pufahl, Rohrbeck, Ross, Stevenson, Sumnicht, Tramburg, Weyh, Wingers and Gove.

ABSENT: Brooks and Slegner.

Long referred to the handout placed on supervisor's desks and made a motion to amend Rule 23 Standing Committee (1) of the Standing Rules to include: Committees shall meet during evening hours unless the personal schedules of the members of a particular committee require daytime meetings. During the months of December through February, committees may meet either during daytime or evening hours. Second by Bradley.

The amendment failed on a roll call vote as follows:

AYES: 7, NOES: 19, ABSENT: 2

AYES: Bradley, Kessler, Long, McClyman, St. Maurice, Zander and Attoe.

NOES: Baumgartner, Cupery, De Young, Drew, Field, Foley, Hutler, Konkell, Pufahl, Rashke, Rohrbeck, Ross, Stevenson, Sumnicht, Teitgen, Tramburg, Weyh, Wingers and Gove.

ABSENT: Brooks and Slegner.

The Standing Rules as presented were adopted.

Chair Gove announced the next order of business was to elect the Vice Chairpersons.

Pufahl placed in nomination the name of James Foley for First Vice Chair and referred to handout placed on supervisor's desks.

Kessler made a motion to suspend the rules with voting to be by voice vote instead of ballot, if only one nomination for the position. Second by Rashke. It was clarified the suspension of rules would be for today's meeting only and only applicable if one nomination per position.

The motion to suspend the rules passed as follows:

AYES: 19, NOES: 7, ABSENT: 2

AYES: Bradley, Cupery, Field, Hutler, Kessler, Konkell, Long, McClyman, Pufahl, Rashke, Rohrbeck, Ross, St. Maurice, Sumnicht, Teitgen, Weyh, Zander, Attoe and Gove.

NOES: De Young, Drew, Foley, Stevenson, Tramburg, Wingers and Baumgartner.

ABSENT: Brooks and Slegner.

Ross placed in nomination the name of Mary Cupery for First Vice Chair and recognized her for serving as Vice Chair the past two years.

Chair Gove called three times for nominations from the floor. Upon hearing no additional motions, nominations were closed.

Chair Gove asked Supervisors Bradley and Drew act as ballot clerks.

A written ballot was cast by each supervisor and tallied by ballot clerks. Ballots were cast as follows: Foley - 12 and Cupery - 14.

Mary Cupery was declared elected First Vice Chair of the County Board for a term of two years.

Teitgen placed in nomination the name of James Foley for Second Vice Chair.

Chair Gove called three times for nominations from the floor. Upon hearing no additional motions, nominations were closed. Motion carried and James Foley was declared elected Second Vice Chair of the County Board for a term of two years.



Gove announced that the next order of business was to elect two members to the Executive Committee. Nominations were accepted as follows:

Motion was made by Weyh to nominate Konkell.

Motion was made by Bradley to nominate Kessler.

Motion was made by Tramburg to nominate Wingers.

Motion was made by Bradley to nominate Sumnicht.

Upon hearing no additional motions, nominations were closed.

Ruf clarified each member should cast a vote for two of the nominations on one ballot. A majority vote of board members will be required, with the possibility consecutive voting be required to eliminate candidates.

Chair Gove asked Supervisors Bradley and Drew act as ballot clerks.

A written ballot was cast by each supervisor and tallied by ballot clerks.

Ballots were cast as follows: Konkell – 19; Wingers – 14; Sumnicht – 11; Kessler – 7 and Hutler - 1. Supervisors Konkell and Wingers were declared elected to the Executive Committee by majority vote.

Chair Gove called for a short recess at 10:48 a.m. for the Executive Committee to convene for the purpose of committee appointments. The Board reconvened at 11:09 a.m.

A handout was provided with the 2016-2018 Standing Committee Appointments and 2016-2018 Committees, Commissions and Boards to the supervisors.

Motion was made by McClyman, second by Wingers to approve the 2016-2018 committee assignments as presented by the Executive Committee. Motion carried.

The County Board recessed at 11:10 a.m. for organizational meetings of the standing committees to elect officers and establish meeting dates and times. Chair Gove indicated the Finance Committee would meet first with remaining committees to follow. Ruf explained according to Rule 23 of the Standing Rules, standing committees need to meet prior to the monthly Finance meeting. The Board reconvened at 11:50 a.m.

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

Natalie Kopecky, Sydney, Simonson and Noah Samuelsen representing the F.L.A.G. students, gave a power-point presentation on their participation and importance of the program. They thanked the Board for their involvement and support of the program.

Shonna Neary, Accounting Supervisor/Project Manager, was recognized for pursuing her Master's Degree/CPA and receiving an \$8,000 scholarship from the Government Finance Officers Association (GFOA) to help fund tuition/class expenses. She was one of four awarded from the entire organization, which has 18,000 members throughout the United States and Canada.

Long recognized "National Library Week" and referred to a handout placed on supervisor's desks.

The following appointments were announced:

- (1) Columbia County Emergency Fire Wardens for 2016 (listing was included in board packets). Motion by Foley, second by Hutler, the appointments were approved.
- (2) Zoning Board of Adjustment: Alan Kaltenberg, from alternate to regular member, term ending July, 2018. Motion by Teitgen, second by Weyh, the appointment was approved.

Kirk Konkell gave an update on the Ad Hoc Building Committee. The committee discussed/reviewed Courthouse design/bubble diagram and met with staff. He indicated Potter Lawson would be giving a presentation on remodeling of Courthouse at the next County Board meeting. Ruf gave an update on property acquisitions and eminent domain process.

### **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 Brian L. Pierson and Ingrid Pierson, Shorewood, WI, Petitioners and Owners, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District, Parcels 215.03 & 215.04, Section 6, T12N, R11E in the Town of Springvale 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 District, Parcels 215.03 & 215.04, Section 6, T12N, R11E, Town of Springvale.

- (2) A petition by Randy Attoe, Poynette, WI, Petitioner, and Attoe Living Trust, Poynette, WI, Owner, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District, Parcels 81, 82 & 84, Section 5, T10N, R10E in the Town of Leeds 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 District, Parcels 81, 82 & 84 Section 5, T10N, R10E, Town of Leeds.
- (3) A petition by David W. Erickson and Tracy L. Erickson, Windsor, WI, Petitioners and Owners, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District, Parcels 705 & 706.4, Section 34, T10N, R8E in the Town of Lodi 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 District, Parcels 705 & 706.4, Section 34, T10N, R8E, Town of Lodi.
- (4) A petition by Jeffery H. Thompson and Marsha E. Johnson, Portage, WI, Petitioners and Owners, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcel 142.04, Section 7, T13N, R9E in the Town of Fort Winnebago 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 142.04, Section 7, T13N, R9E, Town of Fort Winnebago.
- (5) A petition by Patrick G. Gatling and Nancy C. Gatling, Poynette, WI, Petitioners and Owners, to rezone from A-1 Agriculture to RR-1 Rural Residence and from R-1 Single Family Residence and A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District, Parcels 394 & 394.A, Section 26, T11N, R9E in the Town of Dekorra to be approved as follows: To change from from A-1 Agriculture to RR-1 Rural Residence and from R-1 Single Family Residence and A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District, Parcels 394 & 394.A, Section 26, T11N, R9E, Town of Dekorra.
- (6) A petition by Douglas J. Konkol and Rebecca A. Konkol, Verona, WI, Petitioners and Owners, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District, Parcel 490.08, Section 32, T11N, R9E in the 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 District, Parcel 490.08, Section 32, T11N, R9E, Town of Dekorra.

Fred C. Teitgen  
Mike Weyh  
Kevin Kessler  
Harlan Baumgartner  
John A. Stevenson  
PLANNING AND ZONING COMMITTEE

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

#### **RESOLUTION NO. 14-16**

WHEREAS, the State of Wisconsin Division of Public Health (DPH) Immunization Program received a grant from the Centers of Disease Control (CDC) to work on increasing adult immunization rates in Wisconsin; and

WHEREAS, Human papillomavirus (HPV) vaccine is cancer prevention; and

WHEREAS, every year in the United States 27,000 people get cancer caused by HPV; and

WHEREAS, only twenty-six percent (26%) of Columbia County residents between the ages of nineteen and twenty-six have completed the three (3) dose series of HPV vaccine; and

WHEREAS, upon acceptance of the Adult Immunization Grant it is the objective of Columbia County Department of Health and Human Services (CCDHHS) to increase the vaccination rate for this population to thirty-four percent (34%) by June 30, 2017 through outreach and education to County residents and local healthcare providers; and

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NOW, THEREFORE, BE IT RESOLVED, that Columbia County accepts the Adult Immunization Grant in the amount of Four Thousand Four Hundred and Thirty-Four Dollars (\$4434); and,  
BE IT FURTHER RESOLVED, that Columbia County will receive these funds as an amendment to the 2016 DPH Consolidated Contract.

Fiscal Note: The grant of \$4434 will be accounted for in business unit 4630.  
Fiscal Impact: NONE

Andy Ross  
Kenneth Hutler  
Kirk Konkel, Secretary  
Mary Cupery, Vice Chair  
Vern E. Gove, Chair  
EXECUTIVE COMMITTEE

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

**RESOLUTION NO. 15-16**

WHEREAS, Chapters 34 and 66 of the Wisconsin Statutes require the naming of public depositories, and

WHEREAS, Columbia County must establish banking institutions that qualify as public depositories under Chapter 34, of the Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED THAT:

Associated Bank of Columbus, Columbus, Wisconsin;  
1st National Bank of Berlin, Berlin, Wisconsin;  
Associated Bank of Portage, Portage, Wisconsin;  
United Community Bank, Poynette, Wisconsin;  
Bank of Wisconsin Dells, Wisconsin Dells, Wisconsin;  
Banker's Bank, Madison, Wisconsin;  
Community Bank of Portage, Portage, Wisconsin;  
Farmers and Merchants Union Bank, Columbus, Wisconsin;  
Green Lake State Bank, Green Lake, Wisconsin;  
Local Government Pooled Investment Fund, Madison, Wisconsin;  
Portage National Bank, Portage, Wisconsin;  
US Bank, Portage, Wisconsin;  
Timberwood Bank, Tomah, Wisconsin;  
Bank Mutual, Portage;  
PMA-WISC Fund;  
~~Associated Bank of Rio;~~ and  
Associated Bank of Lodi

qualify as public depositories under Chapter 34 of the Wisconsin Statutes, and are hereby designated as depositories for public monies coming into the hands of the Treasurer of Columbia County, State of Wisconsin, for funds deposited in time deposits, demand deposits, and/or in checking or savings accounts and that withdrawal or disbursement shall be only by order check as provided in Section 66.0607 of the Wisconsin Statutes.

BE IT FURTHER RESOLVED that those banks that hold County funds of any kind totaling in excess of \$650,000 shall collateralize the amount held in excess of \$650,000 by pledging U.S. bills, notes, or bonds in an amount equal to the excess held over \$650,000.

Fiscal Note: None.  
Fiscal Impact: None.

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Andy Ross  
James E. Foley  
Mary C. Cupery  
Harlan Baumgartner  
John H. Tramburg  
FINANCE COMMITTEE

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

Motion was made by Tramburg, second by Wingers, to amend by striking "Associated Bank of Rio".  
The motion to amend carried. The resolution was adopted, as amended.

**RESOLUTION NO. 16-16**

WHEREAS, the Columbia County Criminal Justice Coordinating Council ("CJCC") has been established to allow agencies participating in the criminal justice system to review, research, and recommend criminal justice initiatives through collaborative efforts; and,

WHEREAS, the CJCC will strive to assure a criminal justice system for Columbia County that is fair and just, provides for the public's safety, holds offenders accountable, and offers real opportunities for individuals to change the direction of their lives; and,

WHEREAS, the membership of the CJCC will include:

- 1) Presiding Judge
- 2) County Board Chair
- 3) Chair of County Board Committee charged with judiciary oversight
- 4) Sheriff
- 5) Probation and Parole Representative
- 6) Columbia County Chiefs of Police Association Representative
- 7) District Attorney
- 8) Clerk of Circuit Courts
- 9) Representative of the Public Defender's Office
- 10) Director of County Health and Human Services Department
- 11) County Bar Association Representative

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors supports the CJCC and authorizes County elected officials and employees to attend CJCC meetings and to participate in CJCC's efforts to improve the criminal justice system in Columbia County.

Fiscal Note: CJCC operating costs will be provided through grant funding and from the 2016 County Budget.

Fiscal Impact: Future CJCC funding will be reviewed as part of the annual County Budget process.

John A. Stevenson  
Don DeYoung  
Nancy M. Long, Secretary  
Robert C. McClyman, Vice Chair  
Barry Pufahl, Chair  
JUDICIARY, LAND INFORMATION AND  
REGISTER OF DEEDS COMMITTEE

Motion was made to adopt the Resolution by Pufahl, second by Long. Judge Voigt explained the proposed resolution and entertained questions of the Board. The resolution was adopted.

**RESOLUTION NO. 17-16**

WHEREAS, the 2015 Solid Waste accounts have a net overdrawn balance of \$13,130.31, and

WHEREAS, this budgetary shortage is due primarily to a significant downturn in recycling markets, unanticipated truck repairs, and a wage reclassification for applicable employees.

NOW, THEREFORE, BE IT RESOLVED, that the following transfer be made from the pre-closing Contingency Fund to:

Solid Waste Accounts           \$13,130.31

Fiscal Note: Transfer \$13,130.31 from the 2015 pre-closing General Fund account #100.341100 to Solid Waste Account Numbers 3630 - 3632.

Fiscal Impact: 2015 cost to the County is \$13,130.31.

Robert C. McClyman  
Kenneth Hutler  
Robert L. Collins  
Barry Pufahl  
Mark Sleger  
SOLID WASTE COMMITTEE

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

**RESOLUTION NO. 18-16**

WHEREAS, the Columbia County Solid Waste Department is in need of a telehandler due to existing 20 year old equipment that is beyond repair, and

WHEREAS, acquisition of the multi-purpose telehandler creates efficiencies in the department, and

WHEREAS, the department will allocate \$17,000 that was budgeted for a portable loading ramp to purchase the telehandler.

NOW, THEREFORE, BE IT RESOLVED, that a sum not to exceed \$35,000 be transferred from the General Fund to the Solid Waste Outlay Account.

BE IT FURTHER RESOLVED, that this transfer will be repaid over a two-year period through budget appropriations.

Fiscal Note: Transfer \$35,000 from General Fund Account No. 100.341100 to Solid Waste Outlay Account No. 3631.844000 to be repaid in years 2017-2018.

Fiscal Impact: 2017-2018 budgets will include an appropriation to repay the General Fund.

Robert C. McClyman  
Kenneth Hutler  
~~Robert L. Collins~~  
Barry Pufahl  
~~Mark Sleger~~  
SOLID WASTE COMMITTEE

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

**ORDINANCE NO. 160-16**

The Columbia County Board of Supervisors do ordain as follows: That Title 5, Chapter 7 of the County Code, is hereby amended as follows:

TITLE 5  
County Administration

Chapter 7       Smoking Prohibited  
5-7-1           Smoking Prohibited

Sec. 5-7-1 Smoking Prohibited.

- (a) No person may possess a lighted cigar, cigarette, pipe, ~~or~~ any other lighted smoking, or electronic delivery device equipment in:
- (1) Any Columbia County building and its campus;
  - (2) Any County-owned vehicle.
- (b) Definitions:
- (1) "Electronic Delivery Device Equipment" shall mean any product containing or delivering nicotine or any other substance that may be used by a person to simulate smoking through the inhalation of vapor or aerosol from the product. "Electronic Delivery Device Equipment" shall include any such device, battery operated or mechanical, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.
  - (2) "Smoking" shall mean inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form. "Smoking" shall include the use of an electronic delivery device equipment which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this Article.
- ~~(b)(c)~~ This Section shall comply with all relevant requirements provided under Sec. 101.123, Wis. Stats.

Fiscal Note: None

Fiscal Impact: None

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

DATE PASSED: April 19, 2016

DATE PUBLISHED: April 25, 2016

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

Motion was made by Rashke, second by Rohrbeck, to amend by adding "equipment" after electronic delivery device. The motion to amend carried.

The Ordinance was adopted as amended, not unanimously. The Ordinance was declared passed and is to be known as Ordinance 160-16.

**ORDINANCE NO. Z446-16**

The Columbia County Board of Supervisors do ordain as follows: That Title 16 – Chapter 100, entitled "Zoning", of the County Code, as passed by the Board of Supervisors on May 14, 2014 is hereby amended and added thereto as follows:

- (1) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Brian L. Pierson and Ingrid Pierson, Petitioners and Owners) parcel of land located in Section 6, T12N, R11E, Town of Springvale more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Part of Lots 1 and 2, Columbia County Certified Survey Map No. 5665, recorded in Volume 40, Page 40, Document No. 874765, located in the Northeast ¼ of the Southeast ¼ of Section 6, Town 12 North, Range 11 East, Town of Springvale, more particularly described as follows: Commencing at the northeast corner of Lot 2, Certified Survey Map No. 5665; thence South 88°59'07" West 33.00 feet to the point of beginning; thence South 01°00'53" East 500.00 feet along the west right-of-way line of County Trunk Highway SS to the south line of Lot 2; thence South 88°59'07" West 261.36 feet along the south line of Lot 2 to the southwest corner thereof; thence North 01°00'53" West 291.29 feet along the west line of Lot 2; thence South 88°59'07" West 208.71 feet; thence North 01°00'53" West

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208.71 feet; thence North 88°59'07" East 470.07 feet along the north line of Lot 2 and the westerly extension thereof to the point of beginning. Containing 4.00 acres. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - Part of Lot 1, Certified Survey Map No. 5665, as recorded in Volume 40, Page 40, Document No. 874765, located in the Northeast ¼ of the Southeast ¼ and the Southeast ¼ of the Southeast ¼ of Section 6, Town 12 North, Range 11 East, Town of Springvale, Columbia County, Wisconsin, more particularly described as follows: Beginning at the Southeast corner of Lot 1, thence South 89°37'07" West 1286.06 feet along the south line of Lot 1 to the southwest corner thereof; thence North 00°44'20" West 1212.44 feet along the west line of Lot 1 to the northwest corner thereof; thence North 86°18'37" East 1281.54 feet along the north line of Lot 1 to the west right-of-way line of County Trunk Highway SS; thence South 01°00'53" East 311.46 feet along said right-of-way; thence South 88°59'07" West 470.07 feet along the north line of Lot 2, Certified Survey Map No. 5665 and the extension thereof; thence South 01°00'53" East 208.71 feet; thence North 88°59'07" East 208.71 feet; thence South 01°00'53" East 291.29 feet; thence North 88°59'07" East 261.36 feet to the west right-of-way line of County Trunk Highway SS; thence South 01°00'53" East 474.98 feet along the west right-of-way line of County Trunk Highway SS to the point of beginning. Containing 32.80 acres. All effective upon recording of the Certified Survey Map for the lot.

- (2) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Randy Attoe, Petitioner and Attoe Living Trust, Owner) parcel of land located in Section 5, T10N, R10E, Town of Leeds more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Located in the NW ¼ of the NW ¼, the SW ¼ of the NW ¼ and the SE ¼ of the NW ¼ of Section 5 of Section 5, Town 10 North, Range 10 East, Town of Leeds, Columbia County, Wisconsin, described as follows: Commencing at the West Quarter Corner of Section 5; thence South 89°04'47" East, 1213.80 feet along the east-west ¼ line of Section 5; thence North 00°55'13" East, 907.55 feet to the Point of Beginning; thence North 31°28'40" West, 383.05 feet; thence North 82°29'31" East 528.25 feet to the end of Attoe Road; thence South 39°03'34" West, 66.00 feet along the end of Attoe Road to a point on a curve; thence along said curve to the left with a central angle of 38°31'04", a radius of 121.00 feet and a long chord of South 70°11'58" East, 79.82 feet along the south right-of-way line of Attoe Road; thence South 48°22'37" West, 477.87 feet to the Point of Beginning. Containing 2.50 acres. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - Located in the NW ¼ of the NW ¼, the SW ¼ of the NW ¼ and the SE ¼ of the NW ¼ of Section 5 of Section 5, Town 10 North, Range 10 East, Town of Leeds, Columbia County, Wisconsin, described as follows: Commencing at the West Quarter Corner of Section 5, Town 10 North, Range 10 East; thence North 01°00'17" East, 1294.25 feet along the west line of the NW ¼ of Section 5, Town 10 North, Range 10 East to the Point of Beginning; thence continuing North 01°00'17" East, 1214.68 feet and along the west line of the NW ¼ of Section 5, Town 10 North, Range 10 East to the Northwest Corner of said Section 5; thence North 89°51'52" East, 422.30 feet along the north line of Section 5, Town 10 North, Range 10 East to the South ¼ Corner of Section 32, Town 11 North, Range 10 East; thence continuing along the north line of Section 5, Town 10 North, Range 10 East, South 89°53'41" East, 915.57 feet to the northeast corner of the NW ¼ of the NW ¼ of said Section 5; thence South 01°06'19" West, 1228.41 feet along the W ½ of the NW ¼ of Section 5, Town 10 North, Range 10 East; thence North 89°23'01" West, 1335.55 feet to the Point of Beginning. Containing 37.50 acres. All effective upon recording of the Certified Survey Map.
- (3) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (David W. Erickson and Tracy L. Erickson, Petitioners and Owners) parcel of land located in Section 34, T10N, R8E, Town of Lodi more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being a part of the Southeast Quarter of the Southeast Quarter of Section 34, Town 10 North, Range 8 East, Town of Lodi, Columbia County, Wisconsin, described

as follows: Commencing at the Southeast corner of said Section 34; thence South 89°07'36" West along the South line of the Southeast Quarter of said Section 34, 688.64 feet; thence North 00°52'24" West, 175.63 feet to the point of beginning; thence South 89°07'36" West, 619.97 feet; thence North 00°08'11" East, 175.75 feet; thence North 69°06'15" East, 328.65 feet; thence North 89°07'36" East, 308.08 feet; thence South 00°52'24" East, 124.82 feet; thence North 67°35'04" East, 69.05 feet; thence North 63°54'42" East, 86.86 feet; thence North 58°28'45" East, 150.86 feet; thence North 64°18'14" East, 96.50 feet to a point in the Westerly right-of-way line of the Union Pacific Railroad; thence South 23°03'04" East along the Westerly right-of-way line of the Union Pacific Railroad, 33.04 feet; thence South 64°18'14" West, 93.30 feet; thence South 58°28'45" West, 150.75 feet; thence South 63°54'42" West, 89.48 feet; thence South 67°35'04" West, 83.14 feet; thence South 00°52'24" East, 127.95 feet to the point of beginning. Containing 174,240 feet (4.00 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 Southeast Quarter, and the Southeast Quarter of the Southeast Quarter of Section 34, Town 10 North, Range 8 East, Town of Lodi, Columbia County, Wisconsin, described as follows: Beginning at the South Quarter corner of said Section 34; thence North 00°01'36" East, along the North-South Quarter line of said Section 34, 661.56 feet; thence North 89°08'14" East, along the North line of the South Half of the Southwest Quarter of the Southeast Quarter of said Section 34, 1,331.97 feet to a point in the West line of the Southeast Quarter of the Southeast Quarter of said Section 34; thence South 00°08'11" West, along the West line of the Southeast Quarter of the Southeast Quarter of said Section 34, 69.15 feet; thence North 89°07'36" East, 961.95 feet to a point in the Westerly right-of-way line of the Union Pacific Railroad; thence South 23°03'04" East, along the Westerly right-of-way line of the Union Pacific Railroad, 79.11 feet; thence South 64°18'14" West, 96.50 feet; thence South 58°28'45" West, 150.86 feet; thence South 63°54'42" West, 86.86 feet; thence South 67°35'04" West, 69.05 feet; thence North 00°52'24" West, 124.82 feet; thence South 89°07'36" West, 308.08 feet; thence South 69°06'15" West, 328.65 feet; thence South 00°08'11" West, 175.75 feet; thence North 89°07'36" East, 619.97 feet; thence North 00°52'24" West, 127.95 feet; thence North 67°35'04" East, 83.14 feet; thence North 63°54'42" East, 89.48 feet; thence North 58°28'45" East, 150.75 feet; thence North 64°18'14" East, 93.30 feet to a point in the Westerly right-of-way line of the Union Pacific Railroad; thence South 23°03'04" East along the Westerly right-of-way line of the Union Pacific Railroad, 527.25 feet to a point in the South line of the Southeast Quarter of said Section 34; thence South 89°07'36" West along the South line of the Southeast Quarter of said Section 34, 2,544.46 feet to the point of beginning. Containing 1,350,360 square feet (31.00 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 A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Jeffery H. Thompson and Marsha E. Johnson, Petitioners and Owners) parcel of land located in Section 7, T13N, R9E, 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 6, Certified Survey Map, No. 4357 as recorded in Volume 30 of Certified Survey Maps, page 112 as Document No. 728245 located in a part of the Southwest Quarter of the Southwest Quarter of Section 7, Town 13 North, Range 9 East, Town of Fort Winnebago, Columbia County, Wisconsin, described as follows: Commencing at the South Quarter corner of Section 7; thence North 87°14'39" West along the South line of the Southwest Quarter of said Section 7, 1,479.30 feet to the point of beginning, said point also being in the South line of Lot 6, Certified Survey Map, No. 4357; thence continuing North 87°14'39" West along the South line of the Southwest Quarter of said Section 7 and the South line of said Lot 6, 446.70 feet; thence North 03°00'29" East along the West line of said Lot 6, 466.70 feet; thence South 87°14'38" East, 466.70 feet; thence South 03°00'29" West, 466.70 feet to the point of beginning. Containing 217,800 square feet, (5.00 acres), more or less. Being subject to servitudes and easements of use or record if any. and to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - Being a part of Lot 6, Certified Survey Map, No. 4357 as recorded in



Volume 30 of Certified Survey Maps, page 112 as Document No. 728245 located in a part of the Southwest Quarter of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter of Section 7, Town 13 North, Range 9 East, Town of Fort Winnebago, Columbia County, Wisconsin, described as follows: Beginning at the Southeast corner of Lot 6, Certified Survey Map, No. 4357; thence North 87°14'39" West along the South line of said Lot 6 and the South line of the Southwest Quarter of Section 7, 865.58 feet; thence North 03°00'29" East, 466.70 feet; thence North 87°14'38" West, 466.70 feet to a point in the West line of said Lot 6; thence North 03°00'29" East along the West line of said Lot 6, 470.90 feet; thence North 86°59'31" West along the South line of said Lot 6, 545.00 feet to a point in the West line of the Southwest Quarter of said Section 7; thence North 03°00'29" East along the West line of the Southwest Quarter of said Section 7 and the West line of said Lot 6, 358.46 feet to the Northwest corner of said Lot 6; thence South 88°12'56" East along the North line of said Lot 6, 274.08 feet; thence South 73°40'15" East along the North line of said Lot 6, 202.19 feet; thence South 09°43'14" East along the North line of said Lot 6, 145.14 feet; thence South 82°39'57" East along the North line of said Lot 6, 736.05 feet; thence South 65°29'16" East along the North line of said Lot 6, 688.49 feet to the Northeast corner of said Lot 6; thence South 03°00'29" West along the East line of said Lot 6, 800.00 feet to the point of beginning. Containing 1,306,813 square feet, (30.00 acres), more or less. Being subject to servitudes and easements of use or record if any. All effective upon recording of the Certified Survey Map.

- (5) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Patrick G. Gatling and Nancy C. Gatling, Petitioners and Owners) parcel of land located in Section 26, T11N, R9E, Town of Dekorra more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - A parcel of land located in the Northeast ¼ of the Northwest ¼ of Section 26, Town 11 North, Range 9 East, Town of Dekorra, Columbia County, Wisconsin, more particularly described as follows: Commencing at the North ¼ corner of Section 26, Town 11 North, Range 9 East; thence South 89°12'36" West 824.84 feet along the north line of Section 26; thence South 03°39'17" East 35.70 feet to the south right-of-way line of Teeter Road, being the point of beginning; thence continue South 03°39'17" East 367.16 feet; thence South 75°51'10" West 284.30 feet; thence North 14°37'46" West 448.10 feet; thence North 89°38'08" East 365.46 feet along the south right-of-way line of Teeter Road to the point of beginning. Containing 3.00 acres. Land to be Rezoned from R-1 Single Family Residence and A-1 Agriculture to RR-1 Rural Residence - A parcel of land located in the Northeast ¼ of the Northwest ¼ of Section 26, Town 11 North, Range 9 East, Town of Dekorra, Columbia County, Wisconsin, more particularly described as follows: Beginning at the North ¼ corner of Section 26, Town 11 North, Range 9 East; thence South 00°38'27" East 41.77 feet along the north-south ¼ line to the south right-of-way line of Teeter Road to the point of beginning of this description; thence continue South 00°38'27" East 391.88 feet along the north-south ¼ line; thence South 75°17'54" West 312.87 feet; thence North 00°38'27" West 469.35 feet; thence North 89°38'08" East 303.50 feet along the south right-of-way line of Teeter Road to the point of beginning. Containing 3.00 acres. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - All that part of the North ½ of the Northwest ¼ of Section 26, Town 11 North, Range 9 East, Town of Dekorra, Columbia County, Wisconsin, lying east of the centerline of U.S. Highway 51, except a parcel of land located in the Northeast ¼ of the Northwest ¼ of Section 26, Town 11 North, Range 9 East, Town of Dekorra, Columbia County, Wisconsin, more particularly described as follows: Commencing at the North ¼ corner of Section 26, Town 11 North, Range 9 East; thence S 89° 12' 36" W 824.84 feet along the north line of Section 26; thence S 03° 39' 17" E 35.70 feet to the south right-of-way line of Teeter Road, being the point of beginning; thence continue S 03° 39' 17" E 367.16 feet; thence S 75° 51' 10" W 284.30 feet; thence N 14° 37' 46" W 448.10 feet; thence N 89° 38' 08" E 365.46 feet along the south right-of-way line of Teeter Road to the point of beginning; also except a parcel of land located in the Northeast ¼ of the Northwest ¼ of Section 26, Town 11 North, Range 9 East, Town of Dekorra, Columbia County, Wisconsin, more particularly described as follows:

Beginning at the North ¼ corner of Section 26, Town 11 North, Range 9 East; thence S 00° 38' 27" E 41.77 feet along the north-south ¼ line to the south right-of-way line of Teeter Road to the point of beginning of this description; thence continue S 00° 38' 27" E 391.88 feet along the north-south ¼ line; thence S 75° 17' 54" W 312.87 feet; thence N 00° 38' 27" W 469.35 feet; thence N 89° 38' 08" E 303.50 feet along the south right-of-way line of Teeter Road to the point of beginning. Containing 50.3 acres more or less. All effective upon recording of the Certified Survey Maps.

- (6) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Douglas J. Konkol and Rebecca A. Konkol, Petitioners and Owners) parcel of land located in Section 32, T11N, R9E, Town of Dekorra more particularly described as follows: Land to be Rezoned from A-1 Agriculture and RR-1 Rural Residence - Being a part of Lot 8, Certified Survey Map No. 3550, as recorded in Volume 24 of Certified Survey Maps, page 37, as Document No. 632501 located in the Southeast Quarter of the Southwest and the Southwest Quarter of the Southeast Quarter of Section 32, Town 11 North, Range 9 East, Town of Dekorra, Columbia County, Wisconsin, described as follows: Commencing at the South Quarter corner of said Section 32; thence North 89°07'12" West along the south line of the Southwest Quarter of said Section 32, 250.11 feet; thence North 00°42'23" East, 757.01 feet to the point of beginning; thence North 89°17'37" West, 456.65 feet; thence North 00°42'23" East, 477.00 feet; thence South 89°17'37" East, 456.65 feet; thence South 00°42'23" West, 477.00 feet to the point of beginning. Containing 217,800 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 8, Certified Survey Map No. 3550, as recorded in Volume 24 of Certified Survey Maps, page 37, as Document No. 632501 located in the Southeast Quarter of the Southwest and the Southwest Quarter of the Southeast Quarter of Section 32, Town 11 North, Range 9 East, Town of Dekorra, Columbia County, Wisconsin, described as follows: Beginning at the South Quarter corner of said Section 32; thence North 89°07'12" West along the South line of the Southwest Quarter and the South line of Lot 8 of Certified Survey Map Number 3550, 1023.42 feet; thence North 01°29'29" West along the West line of said Lot 8, 1,298.62 feet; thence South 89°17'37" East along the North line of said Lot 8, 366.46 feet; thence South 00°42'23" West, 66.00 feet; thence South 89°17'37" East, 456.65 feet; thence South 00°42'23" West, 477.00 feet; thence North 89°17'37" West, 456.65 feet; thence North 00°42'23" East, 477.00 feet; thence continuing North 00°42'23" East, 66.00 feet to a point in the North line of said Lot 8; thence South 89°17'37" East along the North line of said Lot 8, 806.84 feet to the Northeast corner of said Lot 8; thence South 01°29'29" East, 1,301.73 feet to the Southeast corner of said Lot 8; thence North 89°17'37" West along the South line of the Southeast Quarter of said Section 32, 150.00 feet to the point of beginning; Containing 1,306,778 square feet, (30.00 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: April 19, 2016  
DATE PUBLISHED: April 25, 2016

Motion was made by Teitgen, second by De Young, to approve the rezone requests for Brian and Ingrid Pierson, Petitioners and Owners; Randy Attoe, Petitioner and Attoe Living Trust, Owner; David and Tracy Erickson, Petitioners and Owners; Jeffery Thompson and Marsha Johnson, Petitioners and Owners; Patrick and Nancy Gatling, Petitioners and Owners; and Douglas and Rebecca Konkol, Petitioners and Owners were approved. The motion carried. The Ordinance was declared passed and is to be known as Ordinance Z446-16.

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### **RESOLUTION NO. 19-16**

WHEREAS, the Columbia County Board of Supervisors wishes to express its appreciation to those who have worked on behalf of the citizens of Columbia County by serving on the County Board, and

WHEREAS, service on the Columbia County Board of Supervisors requires dedication, perseverance, and personal sacrifices on the part of its members, and

WHEREAS, Robert L. Collins has served as County Board Supervisor representing District 25 from April 15, 2014 to April 19, 2016.

WHEREAS, Mr. Collins served on the following committees: Information Services and Property and Solid Waste.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors hereby expresses its appreciation and commends Robert L. Collins for his faithful and dedicated years of service to the people of Columbia County and wishes his continued success and happiness in the years to come.

BE IT FURTHER RESOLVED, that the Chair of the Columbia County Board of Supervisors is directed to present an appropriate certificate of commendation to Mr. Collins.

BE IT FURTHER RESOLVED, that this Resolution is permanently entered in the record of the Proceedings of the Columbia County Board of Supervisors and that a copy is forwarded to Mr. Collins as a token of appreciation on behalf of the County Board.

Steve Attoe  
James Brooks  
Dan F. Drew  
Vern E. Gove  
Kirk Konkel  
Barry Pufahl  
Andy Ross  
John A. Stevenson  
John H. Tramburg  
Tim Zander

Harlan Baumgartner  
Mary Cupery  
Adam R. Field  
Kenneth Hutler  
Nancy M. Long  
Bruce J. Rashke  
Mark Sleger  
Teresa A. Sumnicht  
Mike Weyh

Susanna R. Bradley  
Don DeYoung  
James E. Foley  
Kevin Kessler  
Robert C. McClyman  
Matthew L. Rohrbeck  
Henry A. St. Maurice  
Fred C. Teitgen  
JoAnn Wingers

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

The 2015 Annual Reports were distributed to County Board Supervisors. The reports will be placed on the May County Board agenda and open for review/discussion at that time.

Foley moved adjournment of this meeting to Wednesday, May 18, 2016 at 7:00 p.m. Second was made by Teitgen. The motion carried. The meeting adjourned at 12:32 p.m.

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PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
May 18, 2016  
7:00 p.m.

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

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

Members stood and recited the Pledge of Allegiance.

A motion was made by McClyman, second by De Young to approve the Journal of April 19, 2016.

Motion carried.

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

Chair Gove introduced and welcomed newly elected Supervisor James Brooks, who spoke briefly to the Board.

Chair Gove recognized Rick Wendt on his retirement of 25 years from the Columbia County Highway Department.

Appointments for the Highway Safety Commission (listing was included in board packets) were announced: Robert Andler, Pat Beghin, Jerry Blystone, Michael Brouette, Eugene Brown, James Foley, Corey Foster, Chris Hardy, Rich Hoege, Todd Horn, Kenneth Hutler, Scott Klinko, Avis Link, Ryan Mayer, Chuck Miller, Charles Poches, Dennis Richards, Joseph Ruf, Mike Vasquez and JoAnn Wingers. Motion by Weyh, second by Teitgen, the appointments were approved.

Konkel gave an update on the Ad Hoc Building Committee. Ron Locast and Mike Lynch, from Potter Lawson, gave a power-point presentation on Columbia County Phase III: Courthouse Renovation and entertained questions of the Board.

The 2015 annual reports for county departments were reviewed and placed on file. Department heads were in attendance to address any questions and/or concerns of the Board.

**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 Timothy and Darci Pfeil, Waunakee, WI, Petitioners and Owners, to rezone from A-1 Agriculture to R-1 Single Family Residence, R-1 Single Family Residence to A-1 Agriculture and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcels 13 & 19.03, Section 9, T10N, R7E in the Town of West Point to be approved as follows: To change from A-1 Agriculture to R-1 Single Family Residence, R-1 Single Family Residence to A-1 Agriculture and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcels 13 & 19.03, Section 9, T10N, R7E in the Town of West Point.
- (2) A petition by Kristen Anderson, Fall River, WI, Petitioner and Owner, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District, Parcel 80, Section 5, T10N, R12E in the Town of Columbus 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 District, Parcel 80, Section 5, T10N, R12E in the Town of Columbus.
- (3) A petition by Steven and Janet Zander, Columbus, WI, Petitioners and Owners, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District, Parcels 637 & 638, Section 36, T10N, R12E in the Town of Columbus 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 District, Parcels 637 & 638, Section 36, T10N, R12E in the Town of Columbus.

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- (4) A petition by Robert and Linda Hahn, Poynette, WI, Petitioners and Owners, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcel 118.04, Section 7, T11N, R9E in the 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 118.04, Section 7, T11N, R9E, Town of Dekorra.
- (5) A petition by Chad and Ellen Stevenson, Portage, WI, Petitioners and Owners, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District, Parcel 116.04, Section 7, T11N, R9E in the 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 District, Parcel 116.04, Section 7, T11N, R9E, Town of Dekorra.
- (6) A petition by Dana and Judith Roberts, Columbus, WI, Petitioners and Owners, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcels 512, 513, 516 Section 26, T10N, R11E in the Town of Hampden 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, Parcels 512, 513, 516 Section 26, T10N, R11E in the Town of Hampden.
- (7) A petition by Lance Roesler, Verona, WI, Petitioners and Owners, to rezone from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcel 709, Section 30, T12N, R11E in the Town of Springvale to be approved as follows: To change from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcel 709, Section 30, T12N, R11E in the Town of Springvale.

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.

#### **RESOLUTION NO. 20-16**

WHEREAS, the law created in 1945 established the County Veterans Service Office, under Wisconsin Statutes Chapter 45, to be elected by the County Board; and

WHEREAS, the same law in 1945 established the County Veterans Service Commission, under Wisconsin Statute Chapter 45, to be appointed by the County Judge; and

WHEREAS, the law created in 1977, under Wisconsin Statute Chapter 45, reassigned the appointment of County Veterans Service Commissioners to the County Board; and

WHEREAS, the government appointment, oversight and funding responsibilities of the County Veterans Service Office and the County Veterans Service Commission fall under the jurisdiction of Wisconsin county government, and the duties and responsibilities of all other Wisconsin county government offices, except for the County Veterans Service Office and the County Veterans Service Commission, otherwise are prescribed under Wisconsin Statute Chapter 59.

NOW, THEREFORE, BE IT RESOLVED, that the County of Columbia joins other counties in the State of Wisconsin to express their desire to the Wisconsin State Legislature to have the duties and responsibilities of the County Veterans Service Office and the County Veterans Service Commission be reassigned to Wisconsin Statutes Chapter 59.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to all of Columbia County's State Senators and Assembly Representatives, to the Wisconsin Counties Association, and to the President of the Wisconsin County Veterans Service Officer Association.

Fiscal Note: None.

Fiscal Impact: None.



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

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

**RESOLUTION NO. 21-16**

WHEREAS, the Wisconsin County Veterans Service Office has operated as a block-grant for CVSO salary supplement since legislative inception in 1973, to attract and retain CVSO talent, and as a means to fund improvements to CVSO veterans services in the county; and

WHEREAS, the 2015 Wisconsin Biennium Budget restructured this long-standing CVSO Grant block grant payment structure to a reimbursement-only payment structure, and has resulted in a very cumbersome program that no longer allows salary supplementation, and contains complicated rules of eligible reimbursable costs, which together now create very troubling fiscal constraints on the poorest of Wisconsin counties that benefitted fiscally from the previous block grant payment structure; and,

WHEREAS, the previous block grant payment structure of the CVSO Grant was weighted unfavorably against the smallest and poorest Wisconsin counties and weighted more favorably towards the most populous and affluent Wisconsin counties; and,

WHEREAS, the smallest and poorest of Wisconsin counties statistically have a significantly higher percentage of veterans in their aggregate general population; indicating the available county revenue is at a significant fiscal disadvantage to the larger more affluent Wisconsin counties in supporting their veteran population with veterans services.

NOW, THEREFORE, LET IT BE RESOLVED, that the County of Columbia joins other counties in the State of Wisconsin, to express their desire to the Wisconsin State Legislature to have the County Veterans Service Office Grant returned to the original 1973 intent to be used strictly for supplementing the salary of County Veterans Service Officers in order to attract and retain talented personnel in those positions, and to restructure the payment structure in order to better advantage the poorest Wisconsin counties with higher veteran population concentrations in attracting and retaining talented personnel in these positions; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to all of Columbia County's State Senators and Assembly Representatives, to the Wisconsin Counties Association, and to the President of the Wisconsin County Veterans Service Officer Association.

FISCAL NOTE: None.

FISCAL IMPACT: None.

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

Motion was made to adopt the Resolution by Foley, second by De Young. Field stated he contacted the Wisconsin State Department of Veterans Affairs and asked for the intent of the change in pay structure and was told it was to address concerns with accountability and to make sure funds were going to the veterans. He has requested a copy of the 2012-2014 Audit Report from the State. The resolution was adopted.

Chair Gove thanked the veterans in attendance and introduced Jon Van Wie (member of the Veterans Service Commission). Mr. Van Wie thanked the Board for their support and commended Richard Haase for his hard work and dedication to Columbia County Veterans.

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### **ORDINANCE NO. P17-2016**

The Columbia County Board of Supervisors do ordain as follows: That Title 17, Chapter 1, entitled "Columbia County Comprehensive Plan" of the County Code, as passed by the Board of Supervisors on September 19, 2007, is hereby amended and added thereto as follows: Pursuant to section 59 of the Wisconsin Statutes, Columbia County, is authorized to amend a comprehensive plan as defined in section 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes.

The Planning and Zoning Committee of Columbia County, by a majority vote of the entire committee recorded in its official minutes, has recommended to the County Board the adoption of the document dated December 1, 2009 and entitled "Amendments to the Columbia County Comprehensive Plan 2030" as specified in section 66.1001(2) of the Wisconsin Statutes.

The "Amendments to the Columbia County Comprehensive Plan 2030" include the following items:

*Map Amendment – Agriculture and Open Space to Single Family Residential; Timothy and Darci Pfeil, Petitioners & Owners, Town of West Point, Reference File No. 2016-017 in the Planning & Zoning Department.*

*Map Amendment – Farmland Preservation Area to Developed/Infill Area; Timothy and Darci Pfeil, Petitioners & Owners, Town of West Point, Reference File No. 2016-017 in the Planning & Zoning Department.*

The County Planning and Zoning Committee has held at least one public hearing on this ordinance, in compliance with the requirements of section 66.1001(4)(d) of the Wisconsin Statutes.

The County Board of Columbia County, Wisconsin, does, by enactment of this ordinance, formally adopt the document dated December 1, 2009 and entitled "Amendments to the Columbia County Comprehensive Plan 2030" pursuant to section 66.1001.4)(c) of the Wisconsin Statutes.

This ordinance shall take effect on May 18, 2016 upon passage by a majority vote of the members-elect of the County Board and posted as required by law.

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

DATE PASSED: May 18, 2016

DATE PUBLISHED: May 23, 2016

Motion was made by Teitgen, second by Kessler, to adopt. Motion carried. The Ordinance was declared passed and is to be known as Ordinance P17-2016.

### **ORDINANCE NO. Z447-16**

The Columbia County Board of Supervisors do ordain as follows: That Title 16 – Chapter 100, entitled "Zoning", of the County Code, as passed by the Board of Supervisors on May 14, 2014 is hereby amended and added thereto as follows:

- (1) "To change from A-1 Agriculture to R-1 Single Family Residence, R-1 Single Family Residence to A-1 Agriculture and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Timothy and Darci Pfeil, Petitioner and Owners) parcel of land located in Section 9, T10N, R7E, Town of West Point more particularly described as follows: Land to be Rezoned from A-1 Agriculture to R-1 Single Family Residence - Being a part of the Southwest Quarter of the Southeast Quarter of Section 9, Town 10 North, Range 7 East, Town of West Point, Columbia County, Wisconsin, described as follows: Commencing at the Southeast corner of Section 9; thence North 89°58'56" West along the South line of the Southeast Quarter of said Section 9, 1,320.56 feet to the Southeast corner of the Southwest Quarter of the Southeast Quarter of said Section 9; thence North 00°19'24" West along

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the East line of the Southwest Quarter of the Southeast Quarter of said Section 9 and the East right-of-way line of Lake Drive, 669.05 feet; thence North 89°58'56" West, 66.00 feet to a point in the West right-of-way line of Lake Drive and the point of beginning; thence continuing North 89°58'56" West, 550.00 feet; thence North 00°19'24" West, 253.44 feet; thence South 89°58'56" East, 550.00 feet to a point in the West right-of-way line of Lake Drive; thence South 00°19'24" East along the West right-of-way line of Lake Drive, 253.44 feet to the point of beginning. Containing 139,392 square feet, (3.20 acres), more or less. Land to be Rezoned from R-1 Single Family Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - Being a part of Government Lot 2 and a part of the Southwest Quarter of the Southeast Quarter of Section 9, Town 10 North, Range 7 East, Town of West Point, Columbia County, Wisconsin, described as follows: Commencing at the Southeast corner of Section 9; thence North 89°58'56" West, along the South line of the Southeast Quarter of said Section 9, 1,320.56 feet to the Southeast corner of the Southwest Quarter of the Southeast Quarter of said Section 9; thence North 00°19'24" West along the East line of the Southwest Quarter of the Southeast Quarter of said Section 9 and the East right-of-way line of Lake Drive, 549.05 feet to the point of beginning; thence continuing North 00°19'24" West along the East line of the Southwest Quarter of the Southeast Quarter of said Section 9 and the East right-of-way line of Lake Drive, 120.00 feet; thence North 89°58'56" West, 616.00 feet; thence North 00°19'24" West, 252.44 feet; thence South 89°58'56" East, 550.00 feet to a point in the West right-of-way line of Lake Drive; thence South 00°19'24" East along the West right-of-way line of Lake Drive, 253.44 feet; thence South 89°58'56" East, 66.00 feet to a point in the East line of the Southwest Quarter of the Southeast Quarter of said Section 9 and the East right-of-way line of Lake Drive; thence North 00°19'24" West along the East line of the Southwest Quarter of the Southeast Quarter, the East line of Government Lot 2 of said Section 9 and the East right-of-way line of Lake Drive, 840.25 feet; thence South 89°18'23" West along the South line of Lot 1, Certified Survey Map, No. 174, 757.05 feet to the Southwest corner of said Lot 1; thence South 05°02'21" West along the East line of Lots 1 and 2, Certified Survey Map, No. 4032, 388.75 feet; thence South 89°47'10" West along the East line of said Lot 2, Certified Survey Map, No. 4032, 60.11 feet; thence South 08°23'18" East along the East line of Lots 2, 3 and 4, Certified Survey Map, No. 4032, 570.29 feet to the Southeast corner of said Lot 4; thence South 89°58'56" East, 773.48 feet to the point of beginning. Containing 623,509 square feet, (14.31 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 A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Kristen Anderson, Petitioner and Owner) parcel of land located in Section 5, T10N, R12E, Town of Columbus 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 Number 4237 as recorded in Volume 29 of Certified Survey Maps, Page 117 as Document Number 715762, located in the Northeast Quarter of the Northeast Quarter of Section 5, Town 10 North, Range 12 East, Town of Columbus, Columbia County Wisconsin, being more particularly described as follows: Commencing at the East Quarter corner of said Section 5; thence North 00°10'22" West along the East line of the Northeast Quarter of said Section 5, 1,333.97 feet to the Southeast corner of Lot 1, Certified Survey Map Number 4237 and the Southeast corner of the Northeast Quarter of the Northeast Quarter of said Section 5 and the point of beginning; thence South 88°43'31" West along the South line of the Northeast Quarter of the Northeast Quarter of said Section 5, and the South line of Lot 1, Certified Survey Map Number 4237, 426.08 feet; thence North 00°10'22" West, 515.37 feet; thence North 89°49'38" East along the South line of Lot 1, Certified Survey Map Number 486 and the true Westerly extension thereof, 426.00 feet to a point on the East line of the Northeast Quarter of said Section 5; thence South 00°10'22" East along the East line of the Northeast Quarter of said Section 5 and the East line of Lot 1, Certified Survey Map Number 4237, 507.17 feet to the point of beginning; Containing 217,800 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 Number 4237 as recorded in Volume 29 of

Certified Survey Maps, Page 117, as Document Number 715762 located in the Northeast Quarter of the Northeast Quarter of Section 5, Town 10 North, Range 12 East, Town of Columbus, Columbia County, Wisconsin, being more particularly described as follows: Beginning at the Northeast corner of said Section 5; thence South 00°10'22" East along the East line of the Northeast Quarter of said Section 5 and the East line of Lot 1, Certified Survey Map Number 4237, 387.63 feet to the Northeast corner of Lot 1, Certified Survey Map Number 486; thence South 89°49'38" West along the North line of said Lot 1, Certified Survey Map Number 486, 412.50 feet to the Northwest corner of said Lot 1; thence South 00°10'22" East along the West line of said Lot 1, Certified Survey Map Number 486, 412.50 feet to the Southwest corner of said Lot 1; thence South 89°49'38" West, 13.50 feet; thence South 00°10'22" East, 515.37 feet to a point on the South line of the Northeast Quarter of the Northeast Quarter of said Section 5; thence South 88°43'31" West along the South line of the Northeast Quarter of the Northeast Quarter of said Section 5, and the South line of Lot 1, Certified Survey Map Number 4237, 906.47 feet to the Southwest corner of the Northeast Quarter of the Northeast Quarter of said Section 5; thence North 00°12'12" West along the West line of the Northeast Quarter of the Northeast Quarter of said Section 5, and the West line of Lot 1, Certified Survey Map Number 4237, 1,309.51 feet to the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 5; thence North 88°49'14" East along the North line of the Northeast Quarter of said Section 5 and the North line of Lot 1, Certified Survey Map Number 4237, 1,333.22 feet to the point of beginning; Containing 1,355,707 square feet (31.12 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 A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Steven and Janet Zander, Petitioners and Owners parcel of land located in Section 36, T10N, R12E, Town of Columbus more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being a part Northwest Quarter of the Southeast Quarter of Section 36, Town 10 North, Range 12 East, Town of Columbus, Columbia County, Wisconsin, described as follows: Commencing at the South Quarter corner of said Section 36; thence North 00°50'51" West along the West line of the Southeast Quarter of said Section 36, 1,329.43 feet to the Southwest corner of the Northwest Quarter of the Southeast Quarter of said Section 36 and the point of beginning; thence continuing North 00°50'51" West along the West line of the Southeast Quarter of said Section 36, 364.70 feet to a point in the center line of Sydo Road; thence North 63°57'26" East along the center line of Sydo Road, 250.00 feet; thence South 00°50'51" East, 460.19 feet to a point in the South line of the Northwest Quarter of the Southeast Quarter of said Section 36; thence South 86°23'08" West along the South line of the Northwest Quarter of the Southeast Quarter of said Section 36, 226.48 feet to the point of beginning. Containing 93,302 square feet, (2.14 acres), more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - Being a part Southwest Quarter of the Southeast Quarter of Section 36, Town 10 North, Range 12 East, Town of Columbus, Columbia County, Wisconsin, described as follows: Beginning at the South Quarter corner of said Section 36; thence North 00°50'51" West along the West line of the Southeast Quarter of said Section 36, 1,074.38 feet; thence North 86°21'51" East, 1,334.75 feet to a point in the East line of the Southwest Quarter of the Southeast Quarter of said Section 36; thence South 00°44'41" East along the East line of the Southwest Quarter of the Southeast Quarter of said Section 36, 1,074.48 feet to the Southeast corner thereof; thence South 86°21'51" West along the South line of the Southeast Quarter of said Section 36, 1,332.82 feet to the point of beginning. Containing 1,431,298 square feet, (32.86 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 A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Robert and Linda Hahn, Petitioners and Owners) parcel of land located in Section 7, T11N, R9E, 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 Lot 2, Certified Survey Map No. 4333 as recorded in Volume 30 of Certified Survey Maps, page 88 as Document No. 725944 located in the Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 7, Town 11 North, Range 9 East, Town of Dekorra, Columbia County, Wisconsin, described as follows: Commencing at the North Quarter corner of said Section 7; thence South 00°24'34" East along the North - South Quarter line, 1,827.48 feet to the Southeast corner of Lot 2, Certified Survey Map No. 4227 and the Northeast corner of Lot 1, Certified Survey Map No. 4333; thence North 83°55'46" West along the South line of Lot 2, Certified Survey Map No. 4227 and the North line of Lot 1, Certified Survey Map No. 4333, 266.83 feet; thence South 82°00'24" West along the South line of Lot 2, Certified Survey Map No. 4227 and the North line of Lots 1 and 2, Certified Survey Map No. 4333, 603.35 feet to a point in the West line of lands described in Document No. 869908 and the point of beginning; thence South 10°11'40" West, along the West line of lands described in Document Number 869908 and a true Southerly Extension thereof, 200.00 feet; thence North 89°06'05" West, 479.00 feet; thence North 10°11'40" East, 183.83 feet; thence South 89°06'05" East, 379.64 feet to the South line of Lot 2, Certified Survey Map No. 4227 and the North line of Lot 2, Certified Survey Map No. 4333; thence North 82°00'24" East along the South line of Lot 2, Certified Survey Map No. 4227 and the North line of Lot 2, Certified Survey Map No. 4333, 103.21 feet to the point of beginning. Containing 87,693 square feet, (2.01 acres), more or less. Being subject to 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 part of Lot 2, Certified Survey Map No. 4333 as recorded in Volume 30, Page 88 as Document No. 725944, located in the Southwest Quarter of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter, the Northeast Quarter of the Southwest Quarter, and the Northwest Quarter of the Southwest Quarter of Section 7, Town 11 North, Range 9 East, Town of Dekorra, Columbia County, Wisconsin, described as follows: Commencing at the North Quarter corner of said Section 7; thence South 00°24'34" East along the North - South Quarter line of said Section 7, 1,827.48 feet to the Southeast corner of Lot 2, Certified Survey Map No. 4227 and the Northeast corner of Lot 1, Certified Survey Map No. 4333; thence North 83°55'46" West along the South line of Lot 2, Certified Survey Map No. 4227 and the North line of Lot 1, Certified Survey Map No. 4333, 266.83 feet; thence South 82°00'24" West along the South line of Lot 2, Certified Survey Map No. 4227 and the North line of Lots 1 and 2, Certified Survey Map No. 4333, 706.56 feet to the point of beginning; thence North 89°06'05" West, 379.64 feet; thence South 10°11'40" West, 183.83 feet; thence South 89°06'05" East, 479.00 feet; thence North 10°11'40" East, 135.30 feet to the Southwest corner of lands described in Document No. 869908; thence North 85°02'53" East along the South line of lands described in Document No. 869908, 237.57 feet to the West line of Lot 1 and the East line of Lot 2, Certified Survey Map No. 4333; thence South 24°08'10" East along the West line of said Lot 1 and the East line of said Lot 2, 322.46 feet; thence South 05°58'12" West along the West line of said Lot 1 and the East line of said Lot 2, 390.88 feet; thence South 73°31'17" West along the West line of said Lot 1 and the East line of said Lot 2, 287.13 feet; thence South 89°45'07" West along the West line of said Lot 1 and the East line of said Lot 2, 273.04 feet; thence South 00°24'34" East along the West line of said Lot 1 and the East line of said Lot 2, 488.92 feet to the centerline of County Trunk Highway V; thence South 66°24'59" West along the centerline of County Trunk Highway V, 173.98 feet; thence South 68°27'05" West along the centerline of County Trunk Highway V, 409.65 feet to the West line of Lot 2, Certified Survey Map No. 4333 and the East line of Lot 1, Certified Survey Map No. 729;

thence North 23°05'46" East along the West line of said Lot 2 and the East line of said Lot 1, 352.33 feet; thence North 37°14'58" East along the West line of said Lot 2 and the East line of said Lot 1, 254.98 feet; thence South 72°12'19" West along the West line of said Lot 2 and the East line of said Lot 1, 334.58 feet; thence South 44°36'06" West along the West line of said Lot 2 and the East line of said Lot 1, 169.72 feet to the East line of Lot 1, Certified Survey Map No. 4279; thence North 09°28'04" West along the West line of Lot 2, Certified Survey Map No. 4333 and the East line of Lot 1, Certified Survey Map No. 4279, 1,146.95 feet; thence North 76°34'58" West along the West line of said Lot 2 and the East line of said Lot 1, 57.00 feet to the East line of Lot 1, Certified Survey Map No. 3579; thence North 28°50'02" East along the West line of said Lot 2 and the East line of Lot 1, Certified Survey Map No. 3579, 331.45 feet to the North line of Lot 2, Certified Survey Map No. 4333 and the South line of Lot 2, Certified Survey Map No. 4227; thence South 89°44'10" East along the North line of Lot 2, Certified Survey Map No. 4333 and the South line of Lot 2, Certified Survey Map No. 4227, 712.30 feet; thence South 21°34'49" East along the North line of Lot 2, Certified Survey Map No. 4333 and the South line of Lot 2, Certified Survey Map No. 4227, 331.19 feet to the point of beginning. Containing 1,465,856 square feet (33.65 acres), more or less. All effective upon recording of the Certified Survey Map.

- (5) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Chad and Ellen Stevenson, Petitioners and Owners) parcel of land located in Section 7, T11N, R9E, 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 Lot 2, Certified Survey Map No. 4227 as recorded in Volume 29 of Certified Survey Maps, page 107 as Document No. 715161 located in the Northwest Quarter of the Northwest Quarter, the Northeast Quarter of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter located in Section 7, Town 11 North, Range 9 East, Town of Dekorra, Columbia County, Wisconsin, described as follows: Commencing at the North Quarter corner of said Section 7; thence North 89°43'24" West along the North line of the Northwest Quarter of said Section 7, 662.63 feet to the Northwest corner of Lot 1 and the Northeast corner of Lot 2, Certified Survey Map No. 4227; thence South 00°24'34" East along the West line of said Lot 1 and the East line of said Lot 2, 367.41 feet; thence South 17°33'39" West along the West line of said Lot 1 and the East line of said Lot 2, 942.54 feet; thence North 89°44'10" West, 34.56 feet to the point of beginning; thence South 17°33'39" West, 342.77 feet to the South line of said Lot 2 and the North line of Lot 2, Certified Survey Map No. 4333; thence North 89°44'10" West along the South line of Lot 2, Certified Survey Map No. 4227 and the North line of Lot 2, Certified Survey Map No. 4333, 703.71 feet to the West line of Lot 2, Certified Survey Map No. 4227 and the East line of Lot 1, Certified Survey Map No. 3579; thence North 28°50'02" East along the West line of said Lot 2 and the East line of said Lot 1, 372.65 feet; thence South 89°44'10" East, 627.41 feet to the point of beginning. Containing 217,820 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 2, Certified Survey Map No. 4227 as recorded in Volume 29 of Certified Survey Maps, page 107 as Document No. 715161 located in the Northwest Quarter of the Northwest Quarter, the Northeast Quarter of the Northwest Quarter and the Southeast Quarter of the Northwest Quarter located in Section 7, Town 11 North, Range 9 East, Town of Dekorra, Columbia County, Wisconsin, described as follows: Commencing at the North Quarter corner of said Section 7; thence North 89°43'24" West along the North line of the Northwest Quarter of said Section 7, 662.63 feet to the Northwest corner of Lot 1, Certified Survey Map No. 4227 and the Northeast corner of Lot 2, Certified Survey Map No. 4227 said point being the point of beginning; thence South 00°24'34" East along the West line of said Lot 1 and the East line of said Lot 2, 367.41 feet; thence South 17°33'39" West along the West line of said Lot 1 and the East line of said Lot 2, 1,285.49 feet; thence South 21°34'49" East along the West line of said Lot 1 and the East line of said Lot 2, 302.50 feet; thence North 82°00'24" East along the South line of said Lot 1 and the East line of said Lot 2, 690.63 feet; thence



South 83°55'46" East along the South line of said Lot 1 and the East line of said Lot 2, 267.06 feet to the East line of the Southeast Quarter of the Northwest Quarter of said Section 7; thence South 00°24'34" East along the East line of the Southeast Quarter of the Northwest Quarter, 24.15 feet to the Southeast corner of Lot 2, Certified Survey Map No. 4227 and the Northeast corner of Lot 1, Certified Survey Map No. 4333; thence North 83°55'46" West along the South line of Lot 2, Certified Survey Map No. 4227, and the North line of Lot 1, Certified Survey Map No. 4333, 266.82 feet; thence South 82°00'24" West along the South line of Lot 2, Certified Survey Map No. 4227 and the North line of Lot 2, Certified Survey Map No. 4333, 382.37 feet to the East line of lands described in Document No. 869908; thence South 04°57'07" East along the East line of lands described in Document No. 869908, 74.18 feet; thence South 85°02'53" West along the South line of lands described in Document No. 869908, 237.57 feet; thence North 10°11'40" East along the West line of lands described in Document No. 869908, 64.70 feet to the South line of Lot 2, Certified Survey Map No. 4227 and the North line of Lot 2, Certified Survey Map No. 4333; thence South 82°00'24" West along the South line of Lot 2, Certified Survey Map No. 4227 and the North line of Lot 2, Certified Survey Map No. 4333, 103.21 feet; thence North 21°34'49" West along the South line of Lot 2, Certified Survey Map No. 4227 and the North line of Lot 2, Certified Survey Map No. 4333, 331.19 feet; thence North 17°33'39" East, 342.77 feet; thence North 89°44'10" West, 627.41 feet to the East line of Lot 1, Certified Survey Map No. 3579 and the West line of Lot 2, Certified Survey Map No. 4227; thence North 28°50'02" East along the East line of said Lot 1 and the West line of said Lot 2, 51.92 feet; thence North 16°32'35" West along the East line of said Lot 1 and the West Line of said Lot 2, 96.14 feet; thence North 43°09'03" West along the East line said of Lot 1 and the West line of said Lot 2, 413.26 feet to the East line of Lot 1, Certified Survey Map No. 1588; thence North 00°21'04" East along the East line of said Lot 1 and the West line of said Lot 2, 210.91 feet; thence North 15°07'29" East along the East line of said Lot 1 and the West line of said Lot 2, 640.22 feet to the North line of the Northwest Quarter of Section 7; thence South 89°43'24" East along the North line the Northwest Quarter of said Section 7, 1,060.37 feet to the point of beginning. Containing 1,354,004 square feet, (31.08 acres), more or less. All effective upon recording of the Certified Survey Map.

- (6) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Dana and Judith Roberts, Petitioners and Owners) parcel of land located in Section 26, T10N, R11E, Town of Hampden 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 Northwest Quarter of Section 26, Town 10 North, Range 11 East, Town of Hampden, Columbia County, Wisconsin, described as follows: Commencing at the West Quarter corner of said Section 26; thence North 00°00'07" West along the West line of the Northwest Quarter of said Section 26, 982.67 feet to the Southwest corner of lands described and recorded in Document No. 524585 and the point of beginning; thence continuing North 00°00'07" West along the West line of the Northwest Quarter of said Section 26, 295.17 feet; thence North 89°20'25" East, 295.17 feet; thence South 00°00'07" East, 295.17 feet to a point in the South line of lands described and recorded in Document No. 524585; thence South 89°20'25" West along the South line of lands described and recorded in Document No. 524585, 295.17 feet to the point of beginning; Containing 87,120 square feet (2.00 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 Northwest Quarter of the Northwest Quarter, the Southwest Quarter of the Northwest Quarter and the Southeast Quarter of the Northwest Quarter of Section 26, Town 10 North, Range 11 East, Town of Hampden, Columbia County, Wisconsin, described as follows: Commencing at the North Quarter corner of said Section 26; thence South 00°00'46" East along the East line of the Northwest Quarter of said Section 26, 1,458.36 feet to the point of beginning; thence continuing South 00°00'46" East along the East line of the Northwest Quarter of said Section 26, 214.34 feet to the Southeast corner of lands described and recorded in Document No. 524585; thence South 89°20'25" West along the South line of lands described and recorded in Document No. 524585, 2,384.23 feet; thence North

00°00'07" West, 295.17 feet; thence South 89°20'25" West, 295.17 feet to a point in the West line of the Northwest Quarter of said Section 26; thence North 00°00'07" West along the West line of the Northwest Quarter of said Section 26 to a point in the center line of Sanderson Road; thence Easterly and Northeasterly along the center line of Sanderson Road to a point in the East line of the Northwest Quarter of the Northwest Quarter of said Section 26; thence South 00°00'48" West along the East line of the Northwest Quarter of the Northwest Quarter of said Section 26 to the Southeast corner of the Northwest Quarter of the Northwest Quarter of said Section 26; thence continuing South 00°00'48" West along the East line of the Southwest Quarter of the Northwest Quarter of said Section 26, 122.12 feet; thence North 89°06'39" East, 1,340.30 feet to the point of beginning. All effective upon recording of the Certified Survey Map.

- (7) "To change from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Lance Roesler, Petitioner and Owner) parcel of land located in Section 30, T12N, R11E, Town of Springvale more particularly described as follows: 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 Northwest Quarter of Section 30, Town 12 North, Range 11 East, Town of Springvale, Columbia County, Wisconsin, described as follows: Beginning at the Northwest corner of Section 30; thence North 89°52'23" East along the North line of the Northwest Quarter of said Section 30, 753.03 feet; thence South 05°57'52" West, 654.85 feet; thence South 57°45'57" East, 164.42 feet; thence North 59°59'41" East, 47.45 feet; thence South 65°54'12" East, 353.58 feet to a point in the East line of the Northwest Quarter of the Northwest Quarter of said Section 30; thence South 01°35'34" East along the East line of the Northwest Quarter of the Northwest Quarter of said Section 30, 461.36 feet to the Southeast corner of the Northwest Quarter of the Northwest Quarter of said Section 30; thence North 89°57'19" West along the South line of the Northwest Quarter of the Northwest Quarter of said Section 30, 1,164.19 feet to the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 30; thence North 01°35'18" West along the West line of the Northwest Quarter of the Northwest Quarter of said Section 30, 1,318.75 feet to the point of beginning. Containing 1,188,131 square feet, (27.28 acres), more or less. All effective upon recording of the Certified Survey Map for the lot and contingent upon approval of Town of Springvale.

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

DATE PASSED: May 18, 2016  
DATE PUBLISHED: May 23, 2016

Motion was made by Ross, second by Teitgen, to approve the rezone requests for Timothy and Darci Pfeil, Petitioners and Owners; Kristen Anderson, Petitioner and Owner; Steven and Janet Zander, Petitioners and Owners; Robert and Linda Hahn, Petitioners and Owners; Chad and Ellen Stevenson, Petitioners and Owners; Dana and Judith Roberts, Petitioners and Owners; and Lance Roesler, Petitioner and Owner were approved. The motion carried. The Ordinance was declared passed and is to be known as Ordinance Z447-16.

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### **ORDINANCE NO. Z448-16**

The Columbia County Board of Supervisors do ordain as follows: That Columbia County Ordinance Z445-16, as passed by the Board of Supervisors on March 16, 2016 is hereby amended to read as follows:

- (1) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Tim Paulson, Petitioner and, Michael G. Sharpee and Vicki M. Sharpee, Owners) parcel of land located in Section 6, T10N, R12E, Town of Columbus more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Located in the NW ¼ of the SE ¼, the SW ¼ of the SE ¼ and the SE ¼ of the SE ¼ of Section 6, Town 10 North, Range 12 East, Town of Columbus, Columbia County, Wisconsin, described as follows: Commencing at the South Quarter Corner of Section 6; thence East, 1,186.35 feet along the south line of the SE ¼ of Section 6 to the point of beginning; thence continuing along the south line of the SE ¼ of Section 6, East, 246.45 feet; thence North 00°17'58" West, 298.98 feet; thence South 89°42'02" West, 246.44 feet; thence South 00°17'55" East, 297.69 feet to the Point of Beginning. Containing 1.69 acres - All remaining portions of Z445-16 are unchanged and remain in full force and effect.

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

DATE PASSED: May 18, 2016

DATE PUBLISHED: May 23, 2016

Motion was made by Bradley, second by Teitgen, to approve the rezone request for Tim Paulson, Petitioner and Michael and Vicki Sharpee, Owners. The motion carried. The Ordinance was declared passed and is to be known as Ordinance Z448-16.

### **ORDINANCE NO. 161-16**

The Columbia County Board of Supervisors do ordain as follows: The Columbia County Code of Ordinances as adopted by the Board of Supervisors on April 21, 1998 is hereby amended and revised as follows:

Section 236.45 of the Wisconsin Statutes establishes the authority of the County to enact an ordinance governing the subdivision or other division of land.

The County Land Division and Subdivision Ordinance has been in effect since August 1966 and recently there have been changes and modifications to Section 236.45 which require the Land Division and Subdivision Ordinance be updated.

The revision is necessary to ensure that the Land Division and Subdivision Ordinance is consistent with the adopted Columbia County Comprehensive Plan 2030.

The proposed Title 16 Chapter 200 is a recodification which updates the ordinance and reformats the ordinance such that it is consistent with the other Chapters of Title 16.

The Columbia County Planning and Zoning Committee conducted a public hearing and is recommending the repeal of Title 16 Chapter 2 Land Division and Subdivision Ordinance and the creation of a new Title 16 Chapter 200 Land Division and Subdivision Ordinance.

NOW THEREFORE BE IT ORDAINED, by the Columbia County Board of Supervisors that Title 16 Chapter 2 of the Columbia County Code of Ordinances (Land Division and Subdivision Ordinance) is repealed and Title 16 Chapter 200 Land Division and Subdivision Ordinance is created and is attached as Exhibit "A".

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

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Exhibit "A"  
**Land Division and Subdivision Ordinance**  
Title 16 Chapter 200  
Columbia County Board of Supervisors  
Adopted: May 18, 2016

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## Subchapter 16-201 Introduction

### SECTIONS:

|            |                                     |
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| 16-201-080 | Repeal and Effective Date           |

### **16-201-010 STATUTORY AUTHORITY**

This ordinance is adopted pursuant to the authorization in Section 236.45 of the Wisconsin Statutes and amendments thereto.

### **16-201-020 TITLE**

This ordinance shall be known as, referred to, or cited as the Columbia County Land Division and Subdivision Ordinance.

### **16-201-030 PURPOSE AND INTENT**

These regulations are adopted for the following purposes:

- A. To protect and provide for the public health, safety, and general welfare of Columbia County and its municipalities.
- B. To guide the future growth and development of Columbia County in accordance with the adopted comprehensive plan and other county or local plans.
- C. To secure safety from fire, flood, and other dangers and to prevent overcrowding of the land and undue congestion of population.
- D. To facilitate the orderly and beneficial development of the county through well-planned land divisions consistent with workable design standards.
- E. To ensure adequate provision of efficient transportation, water, sewerage, stormwater drainage, schools, recreation, and other facilities.
- F. To ensure that the design of the transportation system will not have a negative long-term effect on neighborhood quality, traffic and pedestrian movement, and safety.
- G. To further the orderly layout of land through the establishment of reasonable standards of design and procedures for land divisions and subdivisions so they fit within the County Coordinate System.
- H. To ensure accurate legal descriptions for conveying land and proper monumenting of subdivided land.
- I. To prevent and control erosion, sedimentation, and other pollution of air, streams, and ponds; to ensure the adequacy of drainage facilities; to safeguard potable water supplies; and to encourage the wise use and management of natural resources through the county.
- J. To preserve the natural beauty and topography of the county, and to encourage appropriate development with regard to these natural features.
- K. To prevent destruction or impairment of environmentally sensitive areas.

### **16-201-040 ABROGATION AND GREATER RESTRICTIONS**

It is not intended by this ordinance to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, rules, regulations, ordinances, or permits previously adopted or issued pursuant to law. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall govern.

### **16-201-050 SEVERABILITY AND LIABILITY**

If any section, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

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## **16-201-060 INTERPRETATIONS**

The provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the County, and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes and related administrative codes.

## **16-201-070 COMPLIANCE**

Any subdivider creating land divisions or land combinations within the jurisdictional limits of this chapter shall not be entitled to recording unless such division or combination is in compliance with the provisions of this chapter and the following, where applicable:

- A. Provisions of Chapter 236 Wis. Stats., Platting Lands, and Recording and Vacating Plats.
- B. Provisions of Title 16 Chapter 100, Columbia County Zoning Code, where applicable.
- C. Provisions of Title 16-140-090 Erosion and Stormwater Management Standards.
- D. Provisions of Title 16 Chapter 300, Private Sewage Systems Code of Columbia County.
- E. Provisions of Title 16 Chapter 400, Columbia County Floodplain Ordinance
- F. Provisions of Title 16 Chapter 5, Shoreland Zoning Ordinance of Columbia County.
- G. Duly approved Columbia County Comprehensive Plan.
- H. Other Local and County Ordinances as may be applicable.

## **16-201-080 REPEAL AND EFFECTIVE DATE**

This ordinance shall become effective upon adoption by the Columbia County Board of Supervisors and publication as required by law. The existing Title 16, Chapter 2 shall be repealed in its entirety as of said effective date.

## **Subchapter 16-205 General Provisions**

### **SECTIONS:**

- 16-205-010 Jurisdiction
- 16-205-020 Applicability
- 16-205-030 Nonconforming Provisions
- 16-205-040 Land Suitability
- 16-205-050 Dedication and Reservation of Land
- 16-205-060 Ties to County Coordinate System
- 16-205-070 Improvements
- 16-205-080 Construction
- 16-205-090 Access Easements
- 16-205-100 Vision Clearance Triangles

## **16-205-010 JURISDICTION**

Jurisdiction of these regulations shall apply in all unincorporated areas within Columbia County. Where the governing body of a town within Columbia County has enacted an ordinance regulating subdivisions, compliance must be made with the most restrictive requirements as provided in Section 236.13(4) of the Wisconsin Statutes.

## **16-205-020 APPLICABILITY**

Within the jurisdiction stated above, these regulations shall apply to the following:

- A. Any land division that creates at least one parcel located within the unincorporated areas of Columbia County that is 80 acres or less in size.
  - 1. For the purpose of this chapter, a lot or parcel is considered to have been created as a remnant where an entire lot or parcel has not been surveyed. As such the remnant from a lot or parcel conveyance shall meet the provisions of this chapter or may be combined with a contiguous lot or parcel in such a manner to create one lot or parcel. A remnant of 40 acres or more will not require a certified survey map.
  - 2. The sale and exchange of property between adjoining property owners which results in a lot line adjustment is a land division and is subject to the requirements of this Chapter, see Section 16-210-060.

- B. Subdivision: Any land division which results in a subdivision as defined herein shall require a plat thereof be prepared and submitted for review, approval, and recording as required by this ordinance and Chapter 236 of the Wisconsin Statutes.
- C. Replatting: When a replat of a recorded subdivision or part thereof is proposed, the subdivision plat shall be vacated or altered according to the provisions of this ordinance and Chapter 236, Wisconsin Statutes.
- D. Certified Survey Map: Any land division, applicable to Section 16-205-020A. of this ordinance, that does not necessitate the preparing of a subdivision plat shall have a certified survey map prepared, approved, and recorded as required by this ordinance and Chapter 236 of the Wisconsin Statutes.
- E. Combining Parcels: The combining of two or more parcels of land into fewer parcels shall comply with the requirements of Section 16-210-060 of this ordinance.
- F. Exceptions: The provisions of this section shall not apply to:
  - 1. Transfers of interest in land by will or pursuant to court order of less than 5 parcels.
  - 2. Leases for a term not to exceed 10 years, mortgages, or easements.
  - 3. Cemetery plats made under Section 157.07 of the Wisconsin Statutes.
  - 4. Assessors' plats made under Section 70.27 of the Wisconsin Statutes.

#### **16-205-030 NONCONFORMING PROVISIONS**

- A. No division of land shall be allowed which would create a nonconforming parcel, structure or use under the provisions of Title 16 Chapters 100 and 5; or increase the nonconformity of a parcel, structure or use under the provisions of Title 16 Chapters 100 and 5

#### **16-205-040 LAND SUITABILITY**

- A. No land shall be divided or subdivided for a use that is held unsuitable by the Planning and Zoning Department for reason of flooding or potential flooding, adverse soil or rock formations, severe erosion potential, unfavorable topography, inadequate drainage, inadequate water or sewage disposal capabilities, or any other condition likely to be harmful to the health, safety, or welfare of the future residents of the proposed subdivision or of the community. A portion of a proposed lot may contain such conditions, provided the overall lot is not deemed unsuitable.
- B. Except as provided in paragraph D, the Planning and Zoning Department shall determine such unsuitability at the time the preliminary plat or CSM is considered for approval.
- C. Land considered unsuitable for a use may include the following (not an all-inclusive list):
  - 1. Steep slopes of 20% or greater
  - 2. Drainage ways
  - 3. Floodways
  - 4. Wetlands
  - 5. Archaeological sites, Wisconsin historic landmarks and burial grounds
- D. The Planning and Zoning Department, in applying the provisions of this section, shall consider the various provisions of this ordinance and other county, state, or local regulations. The Planning and Zoning Department shall, in writing, recite the particular facts upon which it bases its conclusion that the land is not suitable for the proposed use and afford the subdivider an opportunity to present evidence to the contrary and/or the means of overcoming such unsuitability, if subdivider so desires, at a meeting of the Planning and Zoning Committee. Thereafter, the Planning and Zoning Committee may affirm, modify, or withdraw the determination of unsuitability.
- E. The subdivider may, prior to submitting a subdivision plat or certified survey map for review, request a determination of land suitability. The subdivider shall provide all necessary maps, data, and information to the Planning and Zoning Department in order for such a determination to be made.
- F. Unless specifically exempt from this requirement elsewhere in this chapter, all subdivision plat proposals where private water and/or sewage disposal systems are to be used shall be accompanied by certifications and reports:
  - 1. Describing the probable depth and yield of private wells. This report shall be based on competent scientific investigation and shall include the sources of all data used in the preparation of the report.

2. Describing soil conditions existing on the site as applicable to on-site waste disposal. A Soil and Site Evaluation Report conducted by a Certified Soil Tester with profile descriptions and interpretations performed and reported as specified in SPS 385 at a minimum of 1 soil profile excavation per each 3 acre of plat area, excavated to a depth of at least 3 feet below an expected POWTS infiltrative surface elevation.
  - a. The use of existing documentation (USDA Columbia County Soil Survey) that may verify the soil conditions of all or part of the proposed plat may be allowed with pre-approval of the Director of Planning and Zoning.

#### **16-205-050 DEDICATION AND RESERVATION OF LAND**

- A. Subdivision plats that include all or part of a street, drainage way, or other public way, which has been designated in a Comprehensive Plan, or its component, or on an official map, said street or public way may be required to be made part of the subdivision plat and dedicated in the locations and dimensions indicated, unless otherwise provided in Sections 16-215-010 and 16-215-020 of this ordinance, as applicable.
- B. Subdivision plats may require at the Committee's discretion a dedication of land for parks, playgrounds, public access facilities, school sites, drainage ways, and other public green spaces. Where the Committee requires a dedication for parks or playgrounds, the proposed public lands for dedication shall be made part of the subdivision plat and may be dedicated to the Town Government by the subdivider at a rate of five (5%) percent of the total land area in the subdivision plat. A town may require a greater percentage.
- C. If areas for potential public access or acquisition by the County are included within a plat or certified survey map, the Planning and Zoning Department shall refer the plat or certified survey map to the County Committee concerned with the acquisition for its consideration and report. The Planning and Zoning Department may propose alternate areas for such acquisition and shall allow the Committee concerned 30 days for reply. The reply of the Committee if affirmative shall include a map showing the boundaries and areas of the parcel to be acquired and an estimate of the time required to complete the acquisition.
- D. When land that is part of a plat or being divided by a certified survey map includes lands being used by the public as a county highway, that land used for highway purpose shall be dedicated to the County.
- E. When a final plat or certified survey map is used for the purpose of designating on the plat or map lands to be dedicated to the County, including street right-of-ways, the County Board must accept the dedication prior to the plat or map being recorded. An approval certificate accepting the dedication may be signed by a representative of the Planning and Zoning Department.

#### **16-205-060 TIES TO COUNTY COORDINANTE SYSTEM**

- A. Any Plat or Certified Survey Map recorded in the Register of Deeds office shall be tied by lengths and bearings to the boundary line of the quarter section, Private Claim or Federal Reservation in which the subdivision lies, and description of monuments at ends of the line; and bearing and distance between those monuments. Boundary bearing references shall be the bearing and distance established by the County in its county coordinate system, unless waived by the County Surveyor. If no bearing has been established on any of the boundaries of the section being worked in, a reference to a magnetic, true or other identifiable direction may be used for reference to the boundary. When re-dividing an existing Certified Survey Map or subdivision Plat which is already connected to the county bearings the re-division shall be referenced to those bearings. The line that the bearing reference is based upon shall be shown on the face of the map.

#### **16-205-070 IMPROVEMENTS**

- A. Those improvements required within a subdivision plat shall be identified by the local governmental jurisdiction and the Planning and Zoning Committee. The subdivider shall install all improvements required for approval of a subdivision plat prior to recording said plat. Approval of the final subdivision plat shall be given only after the work has been completed, or the subdivider provides security to ensure the improvements will be made within a reasonable period of time in compliance with Sections 236.13(2)(a)1 and 236.13(2)(a)2Wisc. Stats.

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## **16-205-080 CONSTRUCTION**

- A. No construction or installation of improvements shall commence in a proposed subdivision plat until the preliminary plat has written approval by the Planning and Zoning Committee.
- B. Permits. In all subdivision plats, no permits shall be issued on any lot within the subdivision plat until the subdivision plat is recorded in the County Register of Deeds office.
- C. Plans. The installation of improvements for streets, drainage ways, or other public ways, to be dedicated may require plans and accompanying construction specifications, at the request of the governmental jurisdiction.
- D. Inspection. The subdivider, at the completion of any work, shall contact the appropriate governmental jurisdiction to request an inspection of the work performed within their jurisdiction. Written findings of any inspection shall be forwarded to the Planning and Zoning Department.

## **16-205-090 ACCESS EASEMENTS**

- A. When an easement is required to prevent a parcel from becoming landlocked or paragraph B below is to be utilized to create a shared driveway by easement, a recordable document detailing the terms, conditions and description of the easement shall accompany the final survey documents and shall be recorded at the same time as the surveyed document, unless an easement has been previously recorded.
- B. Every lot created under the terms of this chapter shall have ownership of an access strip connecting onto a public street or road at a location where a driveway can be constructed. When the Committee has approved a variance to this requirement, and the town has a valid ordinance, or when the town and the developer have entered into a binding agreement(s), contract(s), or other legal guarantee, which addresses and regulates private roads/shared driveways with regard to the following, they may be approved. Also see Section 16-210-040 E.
  - 1. A recorded permanent easement exempting the town from maintenance. A maintenance agreement in a form that addresses year-around maintenance binding on all parcels and recorded in the Register of Deeds office.
  - 2. A document designating the shared driveway as covenants running with the land it serves and stating that no rights to the shared driveway may be granted or transferred for the benefit of any other parcel of land shall be recorded with the office of the Register of Deeds.
  - 3. A shared driveway must be shown on a certified survey map.
  - 4. The minimum width of shared driveway not less than 33 feet, where all lots served by the shared driveway share in the ownership.
  - 5. The minimum year-around traveled surface width.
  - 6. The width and height to which vegetation and other obstructions must be removed.
  - 7. Minimum structure setbacks from the shared driveway.
  - 8. Other limitations deemed appropriate by the town.
- C. For existing land locked parcels ownership of the shared driveway or private road must comply with this Section or be in compliance with Wis. Stats. Chap. 82.27(6) requiring a 66 foot cleared easement where the driveway or private road is to cross land of others.

## **16-205-100 VISION CLEARANCE TRIANGLES**

- A. In each quadrant of every public road right-of-way intersection or public road easement intersection (including street-railroad intersections), there shall be a visual clearance triangle formed by the two intersecting right-of-way or easement centerlines and a chord connecting said centerlines that is 300 feet back from an intersection of any two federal, state or county highways; 200 feet back from an intersection of any such highway and any local road; and 100 feet back from an intersection of two local roads. A railroad line shall be considered the equivalent of a federal, state, or county highway for purposes of this subsection. Subchapter 16-210 Application Procedures and Approval Processes



**SECTIONS:**

- 16-210-010 Preliminary Subdivision Plat
- 16-210-020 Final Subdivision Plat
- 16-210-030 Replat
- 16-210-040 Certified Survey Map Submittal and Review Process
- 16-210-050 Retracement Certified Survey Map Submittal and Review Process
- 16-210-060 Combining Parcel/Combination Survey Map Submittal and Review Process

**16-210-010 PRELIMINARY SUBDIVISION PLAT**

- A. General. A preliminary subdivision plat shall be prepared by a professional land surveyor for all subdivision plats. The preliminary subdivision plat shall comply with the provisions of Ch. 236, Wis. Stats., and the provisions of this chapter.
- B. Preliminary consultation:
  - 1. Prior to submitting an application for review of a preliminary subdivision plat, the subdivider shall consult with the Planning and Zoning Department for advice and assistance to become informed of, the purpose and objectives of this chapter, and to review the procedures and requirements of this chapter, and any plans or data that may affect the proposed development.
  - 2. In order to facilitate the consultation, the subdivider shall provide a plan drawn to a reasonable scale depicting the general lot layout, exterior property boundary, roadways, known easements and unique natural features.
- C. Preliminary plat submittal.
  - 1. Prior to submitting a final subdivision plat, the subdivider shall prepare a preliminary subdivision plat and file a written application for its review to the Planning and Zoning Department. Authority to assist with the review and approve a preliminary subdivision plat may be delegated by the County to an authorized representative serving the County.
  - 2. The method of submittal and distribution of preliminary subdivision plats shall follow the procedure outlined in Section 236.11, Wis. Stats. The subdivider shall provide 6 scalable paper copies and 4 11"x 17" paper copies and a pdf of both the scalable and 11" x 17" maps of the preliminary subdivision plat to the Planning and Zoning Department for review and distribution. In addition, the Planning and Zoning Department will forward copies to other County departments which may have an interest in elements of the preliminary subdivision plat.
  - 3. At the time of submittal of the preliminary subdivision plat, a fee shall be paid as provided in Subchapter 16-220-050 of this chapter.
- D. Preliminary subdivision plat requirements.
  - 1. A preliminary subdivision plat shall be prepared on reproducible material and shall show correctly on its face the following information:
    - a. Title under which the preliminary subdivision plat is to be known and a general legal description by quarter-quarter section or government lot, section, town, range, county and state where the preliminary subdivision plat is located. The title or name shall not be a duplicate name of any Plat recorded in Columbia County.
    - b. Vicinity map with the general legal description, showing the location of the preliminary subdivision plat in relation to the road system in the immediate area along with any lake and stream accesses in relation to the preliminary subdivision plat.
    - c. Date, graphic and written scale of not more than 100 feet to the inch, unless otherwise approved by the Planning and Zoning Committee, and a north arrow with a basis for bearings.
    - d. Names and addresses of the subdivider and land surveyor preparing the preliminary subdivision plat.
    - e. Entire area contiguous to the preliminary subdivision plat, owned or controlled by the subdivider shall be included on the preliminary subdivision plat even though only a portion of such area is proposed for immediate development.
    - f. Ties to all government corners required to be used for the survey, according to State and Federal surveying requirements, also see Section 16-205-060 County Coordinates.
    - g. Total number of lots and outlots with total acreage and current tax parcel numbers of all tax parcels that are included in the plat.



- h. Contours at vertical intervals of not more than 2 feet intervals where the slope of the ground surface is less than 10% percent, and of not more than 4 feet where the ground surface is 10% or more.
- i. Water elevations of adjoining lakes and streams on the date of survey, for the ordinary high-water elevation, designated regional flood elevation, or floodway.
- j. Location, right-of-way width and names of all existing and proposed streets, alleys or public ways, easements, railroads and utility rights-of-way and all section and quarter section lines within the proposed subdivision plat or immediately adjacent thereto.
- k. Location, size, and invert elevations of any existing sanitary or storm sewers, culverts and drain pipes, the location of manholes, catch basins, hydrants, power and telephone poles, and the location and size of any existing water and gas mains within the exterior boundaries of the plat or immediately adjacent thereof. If no sewers or water mains are located on or immediately adjacent to the tract, the nearest such sewers or water mains which might be extended to serve the tract shall be indicated by their direction and distance from the tract, size, and invert elevations.
- l. Location and names of any adjacent subdivisions, parks, schools, cemeteries and owners of record of abutting unplatted lands.
- m. Type, width, and elevation of any existing street pavements within the exterior boundaries of the preliminary subdivision plat or immediately adjacent thereto.
- n. Locations of all existing property boundary lines, structures, drives, streams and watercourses, wetlands, rock outcrops, wooded area, and other similar significant features within the preliminary subdivision plat or immediately adjacent thereto.
- o. Any proposed lake and stream access with a small drawing clearly indicating the location of the proposed subdivision in relation to the access.
- p. Any proposed lake or stream improvement, relocation or creation.
- q. Lands lying between the meander line and the water's edge and any other unplattable lands which lie between a proposed subdivision and the water's edge shall be included as part of lots, outlots, or public dedications in any Plat abutting a lake or stream.
- r. Dimensions of all lots, together with proposed lot and block numbers.
- s. Location and dimensions of any sites to be reserved or dedicated for parks, playgrounds, drainage ways or other public use.
- t. Approximate centerline radius of all curves.
- u. Delineation of floodplain and zoning boundaries within or immediately adjacent to the preliminary subdivision plat.
- v. Corporate limit lines.
- w. Clarify source and availability of potable water supplies.
- x. Lots served by private on-site wastewater treatment systems (POWTS) shall have information submitted demonstrating sufficient on-site sewage disposal area and suitability, including soil suitability, depth to ground water and bedrock, and slope.
- E. Affidavit. The land surveyor preparing the preliminary subdivision plat shall certify on the face of the preliminary subdivision plat that it is a correct representation of all existing land divisions and features and that full compliance with the provisions of this chapter have been met.
- F. Preliminary plat review and approval. The Planning and Zoning Committee shall conduct a meeting to review the preliminary subdivision plat for conformance with the provisions of this chapter. At this meeting the Planning and Zoning Committee shall permit the public to comment on the preliminary subdivision plat. The Committee shall either approve or approve conditionally or reject the preliminary subdivision plat within 90 days of submittal, as provided in Ch. 236, Wis. Stats.

#### **16-210-020 FINAL SUBDIVISION PLAT**

- A. General requirements. A final subdivision plat shall be prepared by a professional land surveyor and shall comply with the provisions of Ch. 236, Wis. Stats., and the provisions of this chapter.
- B. Fees. At the time of submittal of the final subdivision plat, a fee shall be paid as provided in Subchapter 16-220-050, of this chapter.

- C. Final subdivision plat submittal. The subdivider shall file an application for review and provide 6 scalable paper copies and 4 11"x 17" paper copies and a pdf of both the scalable and 11" x 17" maps of the final subdivision plat to the Planning and Zoning Department for review and distribution.
- D. Certificates. All final subdivision plats shall provide the certificates as required by Ch. 236, Wis. Stats., and the land surveyor shall certify that compliance with the provisions of this chapter have been met and shall provide a certificate for the Planning and Zoning Committee approval to be signed by the Director of Planning and Zoning.
- E. Final subdivision plat review and approval.
  - 1. The Committee shall examine the final subdivision plat as to its conformance with the approved preliminary subdivision plat, any conditions of approval of the preliminary subdivision plat, and provisions of this chapter that may affect the final subdivision plat.
  - 2. The Committee, in accordance with Ch. 236, Wis. Stats., shall, within 60 days of submittal of the final subdivision plat with the Planning and Zoning Department, approve or reject the final subdivision plat, unless the time is extended by written agreement with the subdivider.
  - 3. The Director of Planning and Zoning shall not inscribe approval on the face of the original final subdivision plat until the Plat Review Section of the Wisconsin Department of Administration has certified no objections to the final subdivision plat or the statutory time or the negotiated time extension has expired.

#### **16-210-030 REPLAT**

- A. When it is proposed to replat a recorded subdivision or part thereof, the subdivider or person wishing to replat shall vacate or alter the recorded Plat as provided in Sections 236.36 through 236.445 of the Wisconsin Statutes. The subdivider, or persons wishing to replat, shall then proceed as specified in Section 16-210-010 and Section 16-210-020 of this Chapter.

#### **16-210-040 CERTIFIED SURVEY MAP SUBMITTAL AND REVIEW PROCESS**

- A. General. For the purpose of this chapter, a certified survey map is one which is used for land divisions creating not more than 4 lots being 80 acres or less in area. Also, for the purpose of this Chapter a parcel is considered to have been created as a remnant where an entire parcel has not been surveyed. All remnant parcels of less than 40 acres shall require a certified survey map.
- B. Fees. At the time of submittal of a certified survey map, a fee shall be paid as provided in Subchapter 16-220-050, of this chapter.
- C. Lot size. Minimum lot size shall be in accordance with Title 16 Chapters 100 and 5 of the Columbia County Code of Ordinances or conform to a local municipal ordinance if more restrictive.
- D. Flag lots shall have a minimum flagpole of 33 feet of width and 33 feet fronting on a public road for access purposes. The flagpole is considered the lot access to the principal lot area and shall not be built upon or used for any purpose other than lot access.
- E. Access. Every lot or parcel shall front or abut a public road. Conventional lots shall maintain a minimum frontage of sixty-six (66) feet to facilitate the possible development of a public right of way that could service additional lots. Cul de sac lots shall provide a minimum of thirty (30) feet of frontage on a public road. The County Planning and Zoning Committee, with a recommendation from the applicable town, may waive or vary this frontage requirement without scheduling a public hearing. Also see Section 16-205-090.
- F. Tie to Government Corners. The certified survey map shall be tied to two Federal Land Survey corners, unless the division is within a platted subdivision. Also see Section 16-205-060 County Coordinates.
- G. Submittal. One scalable paper copy and PDF copy of certified survey maps, as defined in this chapter, shall be submitted together with an application and checklist for review to the Planning and Zoning Department. The certified survey map shall be prepared in accordance with the provisions of Section 236.34, Wis. Stats., the provisions of this chapter, and shall show the following information clearly on the face of the certified survey map:
  - 1. Labeled "COLUMBIA COUNTY CERTIFIED SURVEY MAP".
  - 2. All existing buildings, watercourses, access locations, easements, location of existing wells, septic tanks, and drain fields.

3. Name and address of the landowner/subdivider and the land surveyor preparing the certified survey map. Date of land survey, graphic and written scale of not more than 500 feet to the inch. An owner's certificate in nearly the same form and content as shown in Section 236.21, Wis. Stats when land is being dedicated to the public either in the County or a town.
4. The parcel number and acreage of each tax parcel which is affected or created as determined from existing information.
5. Gross and net lot sizes in square feet with net lot size excluding any land use by the public as a road per a prescriptive easement.
6. Identify adjacent lands, platted or unplatted by owner or others.
7. Floodplain boundary(ies), FEMA map panel number and effective date from which the boundary(ies) were drawn.
8. Wetlands on the current Wisconsin Wetlands Inventory Maps. When the delineation is from a private delineator a copy of the delineation report must be included.
9. New residential certified survey maps in Farmland Preservation Areas shall bear the following right to farm notice:
  - a. Through Section 823.08 of the Wisconsin Statutes, the Wisconsin Legislature has adopted a right to farm law. This Statute limits the remedies of owners of later established residential property to seek changes to pre-existing agricultural practices in the vicinity of the residential property. Active agricultural operations are now taking place and may continue on lands in the vicinity of this certified survey map. These active agricultural operations may produce noises, odors, dust, machinery traffic, or other conditions during the daytime and evening hours.
  - b. This notice is not needed if it will duplicate a right to farm notice required by a town ordinance.
10. The surveyor's certificate shall include the statement that the professional land surveyor has fully complied with Title 16 Chapter 200 of the Columbia County Code of Ordinances.
11. An approval certificate signed by the town where applicable.
12. An approval certificate for the Planning and Zoning Department, to be signed by the Department Director or designee, shall be required for recording.
- H. Authority to assist with the review of certified survey maps may be delegated by the County to an authorized representative serving the County. The County shall within 90 days approve, approve conditionally, or reject the certified survey map based on a determination of conformance with the provisions of this Ordinance. In the event of rejection or conditional approval the land divider may appeal the decision to the Planning and Zoning Committee.
- I. No certified survey map shall be approved under this Section if the County Treasurer has not notified the Planning and Zoning Department in writing that there are no delinquent real estate taxes or no installments due on real estate taxes on the date the certified survey map is accepted for review.

#### **16-210-050 RETRACEMENT CERTIFIED SURVEY MAP SUBMITTAL AND REVIEW PROCESS**

- A. Retracement certified survey maps may be used to identify and locate existing parcels of record. A retracement certified survey map shall not create additional lots of record. The intent of a retracement certified survey map is to show the boundaries of an existing parcel and establish a convenient legal description of record for title, conveyance, etc. Retracement certified survey maps are not required by this ordinance and may not be required by other Columbia County departments for the conveyance of ownership, establishment of a legal description, etc. Approval of a retracement certified survey map by Columbia County does not warrant that the lot within the map conforms to county or local requirements.
- B. The subdivider or agent shall submit one scalable paper copy and one PDF copy of the retracement certified survey map together with an application/checklist and fee for review to the Columbia County Planning and Zoning Department. The Department shall review the retracement certified survey map for conformance with this ordinance and all other county ordinances, rules, regulations, and adopted county comprehensive plans or other plans that affect the retracement certified survey map.
- C. Submittal. The subdivider or agent, shall include the following information on the retracement certified survey map when submitting to the Planning and Zoning Department.

1. Retracement certified survey map, prepared by a professional land surveyor that complies in all respects with the requirements of Section 236.34 of the Wisconsin Statutes. The map shall be headed "COLUMBIA COUNTY CERTIFIED SURVEY MAP" and sub headed "RETRACEMENT OF LANDS DESCRIBED IN [*list recorded documents*]."
  2. All existing buildings, watercourses, access locations, easements, location of existing wells, septic tanks and drain fields.
  3. Name and address of the landowner/subdivider and the land surveyor preparing the certified survey map.
  4. Date of land survey, graphic and written scale of not more than 500 feet to the inch.
  5. The parcel number and acreage of each tax parcel which is affected or created as determined from existing information.
  6. Identify adjacent lands, platted or unplatted by owner or others.
  7. Floodplain boundary(ies), FEMA map panel number and effective date from which the boundary(ies) were drawn.
  8. Wetlands on the current Wisconsin Wetlands Inventory Maps. When the delineation is from a private delineator a copy of the delineation report must be included.
  9. The surveyor's certificate shall include the statements that, "this certified survey map is not a division of property but solely a retracement and depiction of the land boundaries recorded in [*list recorded documents from Columbia County Records*] and "that the professional land surveyor has fully complied with Title 16 Chapter 200 of the Columbia County Code of Ordinances."
  10. An approval certificate for the Planning and Zoning Department, to be signed by the Department Director or designee, shall be required for recording.
- D. Authority to assist with the review of retracement certified survey maps may be delegated by the County to an authorized representative serving the County. The County shall within 90 days approve, approve conditionally, or reject the retracement certified survey map based on a determination of conformance with the provisions of this Ordinance. In the event of rejection or conditional approval the land divider may appeal the decision to the Planning and Zoning Committee.

#### **16-210-060 COMBINING PARCELS/COMBINATION CERTIFIED SURVEY MAP SUBMITTAL AND REVIEW PROCESS**

- A. A combination certified survey map shall be required for the combining of two or more existing parcels into fewer parcels, including the reduction of an existing parcel when the various parts are attached to an adjoining parcel.
- B. The subdivider shall submit one scalable paper copy and one PDF copy of the combination certified survey map together with an application/checklist and fee for review to the Columbia County Planning and Zoning Department. The Department shall provide copies to the different agencies and reviewers for review and recommendations concerning matters within their jurisdiction. The Department shall review the combination certified survey map for conformance with this ordinance and all other county ordinances, rules, regulations, and adopted county comprehensive plans or other plans that affect the combination certified survey map.
- C. Submittal. The subdivider or agent shall include the following information on the combination certified survey maps when submitting to the Planning and Zoning Department.
  1. Combination certified survey map, prepared by a professional land surveyor that complies in all respects with the requirements of Section 236.34 of the Wisconsin Statutes. The map shall be headed "COLUMBIA COUNTY CERTIFIED SURVEY MAP" and sub headed "COMBINING OF PARCELS DESCRIBED IN [*list recorded documents from Columbia County Records*]."
  2. All existing buildings, watercourses, access locations, easements, location of existing wells, septic tanks and drain fields.
  3. Name and address of the landowner/subdivider and the land surveyor preparing the certified survey map.
  4. Date of land survey, graphic and written scale of not more than 500 feet to the inch.
  5. The parcel number and acreage of each tax parcel which is affected or created as determined from existing information.
  6. Identify adjacent lands, platted or unplatted by owner or others.

7. Floodplain boundary(ies), FEMA map panel number and effective date from which the boundary(ies) were drawn.
  8. Wetlands on the current Wisconsin Wetlands Inventory Maps. When the delineation is from a private delineator a copy of the delineation report must be included.
  9. The surveyor's certificate shall include the statements that, "this certified survey map is not a division of property but a combining of and depiction of the parcels recorded in (*list recorded documents from Columbia County Records*) into a single parcel and description" and "that the professional land surveyor has fully complied with Title 16 Chapter 200 of the Columbia County Code of Ordinances."
  10. An approval certificate for the Planning and Zoning Department, to be signed by the Department Director or designee, shall be required for recording.
- D. Authority to assist with the review of combination certified survey maps may be delegated by the County to an authorized representative serving the County. The County shall within 90 days approve, approve conditionally, or reject the certified survey map based on a determination of conformance with the provisions of this Ordinance. In the event of rejection or conditional approval the land divider may appeal the decision to the Planning and Zoning Committee.

## **Subchapter 16-215 Design Standards**

### **SECTIONS:**

- 16-215-010 Subdivision Street Arrangement
- 16-215-020 Subdivision Street Design
- 16-215-030 Subdivision Utility Easement
- 16-215-040 Blocks
- 16-215-050 Lots
- 16-215-060 Stormwater Drainage and Erosion Control

### **16-215-010 SUBDIVISION STREET ARRANGEMENT**

Streets within a subdivision plat shall be arranged to meet the design standards of applicable ordinances and the subdivider shall dedicate land and improve streets as provided therein. Where there is no applicable town ordinance and that town makes a request in writing, the standards of this Section shall apply. If in the opinion of the Committee these standards provide for more public safety they can supersede the standards of the regulations of the town with jurisdiction.

- A. Streets shall conform to the arrangement, character, extent, width, grade, location and construction standards of the unit of government having jurisdiction over said streets.
- B. The arrangement of streets in a subdivision plat shall provide, where possible, for the continuation on appropriate projection of existing or proposed collector or arterial streets.
- C. Local streets shall be laid out so as to discourage their use by through traffic.
- D. Streets shall intersect each other as nearly as possible at right angles, and not more than two streets shall intersect at one point unless approved by the Planning and Zoning Committee.
  1. The number of intersections along arterial streets shall be held to a minimum. Wherever practicable, the minimum distance between such intersections shall not be less than 1,000 feet.
  2. Local streets shall not necessarily continue across arterial or collector streets; but if the centerlines of such local streets approach the major streets from opposite sides within three hundred (300) feet of each other, measured along the centerline of the arterial or collector street, then the location shall be so adjusted that the adjoinment across the major or collector street is continuous; and a jog is avoided.
  3. Street jogs with center-line offsets of less than 150 feet shall not be approved.
- E. Proposed streets shall extend to the boundary lines of the proposed subdivision plat, unless prevented by topography or other physical conditions or unless, in the opinion of the governmental jurisdiction or the Planning and Zoning Committee, such extension is not necessary or desirable for the coordination of the layout of the subdivision plat or for the advantageous development of the adjacent land. Such streets shall terminate with a temporary turnaround right-of-way of 46 feet in radius and a road surface of not less than 46 feet in radius, for use until the street is extended and at that time the use is terminated.



- F. Whenever the proposed subdivision plat contains or is adjacent to an arterial street adequate protection of residential properties is required. Adequate protection may be achieved by limiting access, separating through and local traffic, providing reverse frontage with screen planting contained in a non-access reservation area along the rear property line, or by the use of frontage streets.
- G. Reserve strips controlling access to streets shall be prohibited except where their control is definitely placed with the governmental jurisdiction.
- H. Limited Access Highway and Railroad Right-of-Way Treatment. Whenever the proposed subdivision contains or is adjacent to a limited access highway or railroad right-of-way, the design shall provide the following treatment:
1. When lots within the proposed subdivision back upon the right-of-way of an existing or proposed limited access highway, including the I system highway, or a railroad, a planting strip at least thirty (30) feet in depth shall be provided adjacent to the highway or railroad in addition to the normal lot depth. This strip shall be a part of the platted lots but shall have the following restriction lettered on the face of the Plat: "This strip reserved for the planting of trees and shrubs, the building of structures hereon prohibited".
  2. Commercial and Industrial Districts shall have provided, on each side of the limited access highway interchange or railroad, streets approximately parallel to and at a suitable distance from such highway or railroad for the appropriate use of the land between such streets and highway or railroad, but not less than one hundred fifty (150) feet.
  3. Streets parallel to a limited access highway or railroad right-of-way, when intersecting a major street or highway or collector street which crosses said railroad or highway, shall be located at a minimum distance of two hundred fifty (250) feet from said highway or railroad right-of-way. Such distance, where desirable and practical, shall be determined with due consideration of the minimum distance required for the future separation of grades by means of appropriate approach gradients.
  4. Local streets immediately adjacent and parallel to railroad rights-of-way shall be avoided, and location of local streets immediately adjacent to arterial streets and highways and railroad rights-of-way shall be avoided in residential areas.
- I. Alleys may be required in commercial or industrial districts to provide for off-street loading and service access and shall be a width as accepted by the governmental jurisdiction.
- J. Street names.
1. Any street that is the reasonable continuation of an existing street shall bear the same name. If the topography or other feature of a permanent nature is such as to render the continuation of the actual roadway impossible and where such nomenclature is apt to produce confusion, the street shall not carry the same name as the street to which it may be geometrically aligned.
  2. Street names shall be less than thirteen characters (including spaces, but not including prefixes or suffixes such as N, S, E, W, or ST, AV, LN, WY) in length, shall be non-offensive in nature, and shall not be copy-righted by another entity.
  3. The Planning and Zoning Department may reject the name of any street that has already been used elsewhere in the county or which because of similarity may cause confusion. The use of the suffix "street," "avenue," "boulevard," "drive," "place," or "court," or similar description shall not be distinction sufficient to constitute compliance with the subsection.
  4. The following table shall be used for new road names:

| Street Type   | Dead End       | Curving Street                               | Straight Street  |
|---------------|----------------|--|------------------|
| Short Streets | Place<br>Court | Circle<br>Crescent<br>Lane<br>Terrace<br>Way | Lane<br>Row      |
| Long Streets  | --             | Drive<br>Road                                | Avenue<br>Street |

5. The term boulevard shall be reserved for streets that are designed with medians separating lanes of traffic.

#### **16-215-020 SUBDIVISION STREET DESIGN**

Design standards as follows shall be met in those cases where the local governmental jurisdiction has no design provisions:

- A. The minimum right-of-way, roadway and road surface widths of all proposed streets shall meet requirements of the local governmental jurisdiction or as specified on any officially adopted street plan. If the local governmental jurisdiction specifies no right-of-way width, the minimum width shall be 66 feet.
- B. Cul-de-sac streets designed to have one end permanently closed shall be no longer than 1,320 feet and terminate in a circular turnaround having a minimum right-of-way radius of 60 feet and a minimum road surface radius of 46 feet.
- C. Radii of curvature. When a continuous street center line deflects at any one point and requires a circular curve, the minimum circular curve radius shall be not less than 100 feet or that radius deemed appropriate by the local governmental jurisdiction.
- D. Half streets shall be prohibited, except where necessary for continuity of the street system.
- E. A tangent at least 100 feet long shall be introduced between reverse curves on all streets unless a variance is granted by the government of jurisdiction.

#### **16-215-030 SUBDIVISION UTILITY EASEMENT**

- A. Utility easements across lots or along lot lines shall be provided for utilities above and below grade, of a width and at a location deemed necessary by the appropriate utility company. Utility easements shall be identified on the subdivision plat as to type and width. All utility lines for electric power and telephone service shall be placed on mid-block easements along rear lot lines wherever carried on overhead poles.
- B. Drainage easements. Where a subdivision is traversed by a watercourse, drainage way, channel or stream, an adequate drainage way or easement shall be provided as may be required by the Committee. The location, width, alignment and improvements of such drainage way or easement shall be subject to the approval of the Committee; and parallel streets or parkways may be required in connections therewith. Where necessary, storm water drainage shall be maintained by landscaped open channels of adequate size and grade to hydraulically accommodate maximum potential volumes of flow. These design details are subject to review and approval by the Committee.

#### **16-215-040 BLOCKS**

The widths, lengths and shapes of blocks shall be suited to the planned use of the land, zoning requirements, need for convenient access, control and safety of street traffic, and the limitations and opportunities of the topography.

- A. Blocks in residential areas shall not as a general rule be less than six hundred (600) feet nor more than fifteen hundred (1,500) feet in length unless otherwise dictated by exceptional topography or other limiting factors of good design.
- B. Blocks shall have sufficient width to provide for two tiers or lots or appropriate depth except where otherwise required to separate residential development from through traffic. Width of lots or parcels reserved or laid out for commercial or industrial use shall be adequate to provide for off-street service and parking required by the use contemplated and the zoning restrictions for such use.
- C. Pedestrian ways or crosswalks may be required, where deemed essential to provide adequate pedestrian circulation.

#### **16-215-050 LOTS**

The size, shape and orientation of lots shall be appropriate for the location of the subdivision plat and for the type of development and use contemplated.



- A. Side lot lines should be as close to perpendicular as possible to straight street lines or radial to curved street lines on which the lots face. Lot lines shall follow municipal boundary lines rather than cross them.
- B. Double frontage and reverse frontage lots shall be prohibited, except where necessary to provide separation of residential development from through traffic or to overcome specific disadvantages of topography and orientation.
- C. Access and frontage. All lots shall have a minimum frontage for access of 66 feet on a public street, or 30 feet on a cul de sac.
- D. Minimum lot size shall be in accordance with Title 16 Chapters 100 and 5 of the Columbia County Code of Ordinances or conform to a local municipal ordinance if more restrictive.
- E. Flag lots shall have a minimum flagpole of 33 feet of width and 33 feet fronting on a public road for access purposes. The flagpole is considered the lot access to the principal lot area and shall not be built upon or used for any purpose other than lot access.
- F. Corner lots shall be designed with extra width to permit adequate building setback from both streets.
- G. A vision clearance triangle shall be provided for each corner lot.

### **16-215-060 STORMWATER DRAINAGE AND EROSION CONTROL**

- A. The subdivider shall provide storm water management facilities and erosion control that are in compliance with Section 16-140-090 of the Columbia County Code of Ordinances.

## **Subchapter 16-220 Administration and Enforcement**

### **SECTIONS:**

- 16-220-010 Planning and Zoning Department
- 16-220-020 Planning and Zoning Committee
- 16-220-030 Changes and Amendments
- 16-220-040 Enforcement and Penalties
- 16-220-050 Fees

### **16-220-010 PLANNING AND ZONING DEPARTMENT**

- A. The officials of the Planning and Zoning Department are authorized to administer this chapter and shall have the following duties and powers. The Department shall:
  - 1. Provide information for inquiries related to matters of this chapter.
  - 2. Require subdivision plats, certified survey maps, and other documents as required or necessary to fulfill the purpose and intent of this chapter.
  - 3. Perform review of subdivision plats, certified survey maps and other documents to ensure conformity with the provisions of this chapter.
  - 4. Establish a variance procedure which authorizes the Planning and Zoning Committee to grant such variance from the provisions of this chapter shall not be contrary to the public interest and shall keep records of variance request decisions.
  - 5. Provide written notice to the Wis. DNR at least 10 days prior to any public meeting and within 10 days thereafter of a decision on matters related to this chapter within the jurisdiction of Title 16 Chapter 5, Shoreland Zoning Ordinance.
  - 6. Establish penalties for violations of various provisions of this chapter, including forfeitures.
  - 7. Investigate and enforce violations of this chapter.
  - 8. Act as the Committee Representative in matters of certified survey map review for compliance with the provisions of this chapter and acknowledge the compliance by signature on the certified survey map document.

### **16-220-020 PLANNING AND ZONING COMMITTEE**

- A. The Planning and Zoning Committee shall:
  - 1. Oversee the functions of the Planning and Zoning Department.
  - 2. Review and advise the County Board on all proposed amendments to this chapter.

3. Address variance requests to the provisions of this chapter. The Committee's decision shall find that strict compliance of this chapter would be unreasonably burdensome. The Committee shall decide a variance request in a manner that the public interest is secured and that such variance will not have the effect of nullifying the intent and purpose of the provisions of this chapter. The Planning and Zoning Committee is not allowed to grant variances to a state-mandated standard.
- B. The Planning and Zoning Committee shall not:
  1. Amend the text of this chapter in place of official action by the County Board.

#### **16-220-030 CHANGES AND AMENDMENTS**

The County Board to promote the public health, safety, and general welfare of Columbia County may, from time to time, alter, supplement or change the regulations contained in this chapter.

- A. Request for amendment(s) to this chapter may be made by the Planning and Zoning Committee.
- B. Every request for an amendment to this chapter shall be referred to the Planning and Zoning Committee for public hearing. In those areas of Shoreland Zoning Ordinance jurisdiction the appropriate district office of the Wisconsin Department of Natural Resources shall be provided a copy of the amendment request and the notice of public hearing.
- C. After a public hearing, the Planning and Zoning Committee shall forward a recommendation of approval or denial to the County Board for final action. In those areas of Shoreland Zoning Ordinance jurisdiction the appropriate district office of the Wisconsin Department of Natural Resources shall be provided, within 10 days, a copy of the final County Board decision.

#### **16-220-040 ENFORCEMENT AND PENALTIES**

- A. Enforcement policy: The Planning and Zoning Committee shall approve and may from time-to-time amend policies for enforcement of this chapter, consistent with the provisions of this Subchapter.
- B. Authority: In the enforcement of this Ordinance, the Director of Planning and Zoning or designees shall have the power and authority for the following:
  1. At any reasonable time, and for any proper purpose, to enter upon any public or private premises and make inspection thereof.
  2. To refer to the Corporation Counsel for commencement of any legal proceedings necessary to enforce this ordinance. The issuance of citations provided for under this Ordinance shall not require referral but may be issued by the Director of Planning and Zoning or designees directly.
- C. Enforcement of violations:
  1. Penalties: Any person, firm, company or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any provisions of this Ordinance shall be subject to a forfeiture as listed in the Penalty Section of Title 1, Chapter 2 of the County Code of Ordinances. Each day of violation shall constitute a separate offense.
  2. Enforcement by Citation: Except as modified by this Ordinance, the County elects to use the citation method of enforcement under Title 1, Chapter 2 of the County Code of Ordinances. This Section does not preclude the County or any authorized officer from proceeding under other ordinance or law, or by any other enforcement method to enforce any Ordinance regulation or order.
  3. Compliance with the provisions of this Ordinance may also be enforced by injunctive order at the suit of the County. It shall not be necessary to prosecute for fine or imprisonment before resorting to injunctive proceedings.
- D. Violations under this chapter:
  1. Any subdivider creating land divisions or land combinations within the jurisdictional limits of this chapter shall not be entitled to recording unless such division or combination is in compliance with the provisions of this chapter.

#### **16-220-050 FEES**

- A. Application fees shall be paid to Columbia County through the Planning and Zoning Department at the time of formal submittal of a certified survey map or Plat for review. Application and filing fees are established in Title 1 Chapter 9-1-12 to defray the cost of administration, investigation, advertising, and processing.

- B. The subdivider shall pay to the County the actual cost of a legal or engineering work incurred by the County in connections with the Plat or certified survey map, including inspections required by the County. The subdivider shall pay a fee equal to the actual cost to the County for such inspections as the County deems necessary to assure construction is in compliance with plans, specifications and ordinances of the County. The subdivider shall pay within 30 days of billing by the County.

## **Subchapter 16-225 Definitions**

### **SECTIONS:**

16-225-010 Definitions

#### **16-225-010 DEFINITIONS**

For the purpose of administering and enforcing this chapter, the terms or words used herein shall be interpreted as follows: Words used in the present tense include the future tense, words in the singular number include the plural number, and in the plural number include the singular number. The word "may" is permissive, and the word "shall" is mandatory, not discretionary. All distances unless otherwise specified shall be measured horizontally.

**ACCESS:** A way or means of approach, by easement or ownership of land, to provide vehicular or pedestrian physical ingress and egress to a property.

**ALLEY:** An unnamed public or private right-of-way that provides access to abutting properties.

**BLOCK:** A parcel, lot, or group of lots existing within well-defined and fixed boundaries bounded on at least one side by a street, bounded on the other sides by streets, natural or man-made barriers, or unplatted land and having an assigned number, letter, or other name through which it may be identified.

**CERTIFIED SURVEY MAP:** A map of not more than four parcels prepared in accordance with Chapter 236, Wisconsin Statutes, and the terms of this chapter. A certified survey map has the same legal force and effect as a subdivision plat.

**COMBINATION CERTIFIED SURVEY MAP:** The act of creating a single lot description and tax parcel out of two or more separately described existing parcels.

**COMMITTEE:** The County Planning and Zoning Committee. In some laws and regulations referred to as agency.

**COMMON PROPERTY:** Any land held in common for public use by a municipality, or through a homeowners association, or other similar organization.

**COMPREHENSIVE PLAN:** For the county, a development plan that is prepared or amended under Section 66.1001 of the Wisconsin Statutes; or for a city, village, or town, a master plan that is adopted or amended under Section 62.23(2) or (3) and Section 66.1001 of the Wisconsin Statutes.

**CORNER LOT:** A lot located at the intersection of two or more streets.

**COUNTY:** Columbia County

**CUL-DE-SAC:** A short local street having one end open to vehicular traffic and the other end permanently terminated by a vehicular turnaround.

**DAYS:** Shall refer to calendar days, unless specifically indicated otherwise.

**DEAD-END STREET:** A street having only one outlet for vehicular traffic and no permanent vehicular turnaround.

**DOUBLE FRONTAGE LOTS:** A lot, other than a corner lot, which has frontage on two or more streets.

**DRAINAGE EASEMENT:** A strip of land reserved to accommodate the free flow of stormwater or to provide for storm sewers.

**EASEMENT:** A non-possessory interest in land owned by another to use the land for a specific purpose or purposes, without profit.

**EXISTING PARCEL:** A parcel, lot, or tract of land which the enclosing boundaries are separately described and are of record in the Office of the Register of Deeds. An existing parcel completely severed by a dedicated public right-of-way shall be construed to comprise two parcels.

**FINAL PLAT:** The map or drawing of a subdivision prepared in compliance with the provisions of Chapter 236 of the Wisconsin Statutes, and the terms of this ordinance.

**FLOODFRINGE:** That portion of the floodplain outside of the floodway which is covered by flood waters during the regional flood and generally associated with standing water rather than flowing water.

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**FLOODPLAIN:** Land that has been or may be hereafter covered by floodwater, including, but not limited to, the regional flood.

**FLOODWAY:** The channel of a stream and those portions of the floodplain adjoining the channel that are required to carry and discharge the flood waters or flood flows of any river or stream, including, but not limited to, flood flows associated with the regional flood.

**FRONTAGE:** That part of a lot abutting on a street or other public right-of-way. Also, the length of the lot line that runs along a public right-of-way.

**LAND DIVISION:** The act of creating one or more new and separately described parcels from an existing parcel(s) of land by the owner thereof or his agent.

**LIMITED ACCESS HIGHWAY:** A divided arterial street or highway for through traffic with full or partial control of access, either with or without grade-separated intersections.

**LOT:** A designated part of a subdivision or certified survey map having an assigned number through which it may be identified and meeting the requirements of this ordinance. For the purposes of this ordinance, a lot may also include the terms outlot, parcel, tract site or building site in determining the applicability of this ordinance to land divisions.

**LOT, FLAG:** An individual parcel consisting of lot area with a configuration having two components: a flagpole of land a minimum width of 33 feet and a maximum width of 66 feet which can only be used for access to the flag of land that is the principal area used for development.

**LOT AREA, GROSS:** The total area contained within the property lines of the individual parcels of land as shown on a plat or certified survey map.

**LOT AREA, NET:** The area contained within the property lines of the individual parcels of land as shown on a plat or certified survey map, excluding any area within a street right-of-way but including the area of any easement.

**OUTLOT:** A parcel of land so designated and consecutively numbered on a plat or certified survey map and which is any of the following:

- (a) A parcel of land left over at the time of platting and which is intended to be divided further in the future.
- (b) A platted parcel which does not meet the requirements of a lot at the time of platting and is unbuildable for this or other reasons stated in writing.
- (c) A platted parcel which is intended for open space or other use and held in common ownership or which is transferred to a public agency or utility.

**PARCEL:** A continuous area of land described in a single description in a deed or lot or outlots on a plat or certified survey map, separately owned or capable of being separately conveyed. Not necessarily the same as a "tax parcel."

**PLAT:** A map of a subdivision.

**PRELIMINARY PLAT:** A map showing the salient features of a proposed subdivision submitted to the Planning and Zoning Committee for purposes of preliminary consideration.

**REPLAT:** The process of changing or the map or plat which changes the boundaries of a recorded subdivision plat or part thereof.

**RETRACEMENT CERTIFIED SURVEY MAP:** A certified survey map that retraces, identifies and locates the boundaries of an existing parcel or parcels of land and which does not create additional parcels or alter existing boundaries.

**RIGHT-OF-WAY:** A strip of land allowing or intending to allow the passage of people or goods and is dedicated to the public or under the control of the public.

**ROADWAY:** That portion of a street or highway improved, designed, or ordinarily used for vehicular travel.

**STREET (ROAD), PRIVATE:** A street or driveway owned and maintained by a non-public entity placed on private property, or placed within a public right-of-way or public road easement only where there is a binding, recorded agreement with the government with jurisdiction for ongoing private maintenance.

**STREET, PUBLIC:** A street located within a public right-of-way or a public road easement, which is owned and maintained, upon public dedication, or deeding by the government with jurisdiction. Also referred to as a "public road."

**STREET, ARTERIAL:** A major high capacity street used and designed to carry large volumes of traffic and provide efficient vehicular movement between major activity areas of the community.

**STREET, COLLECTOR:** A street designed to carry moderate amounts of traffic and which collects and distributes traffic between arterial streets and local streets, including the principal entrance and traffic movement streets within a residential development.

**STREET, LOCAL:** A street designed primarily to provide vehicular access to abutting properties and which generally does not carry through traffic. Such streets are also called minor streets.

**SUBDIVIDER:** Any individual, firm, association, syndicate, partnership, corporation, guardian, attorney, trust, condominium declarant or any other legal entity commencing proceedings under the regulations of this chapter to effect a subdivision of land or a condominium plat hereunder for the owner of record or for another with consent of the owner of record.

**SUBDIVISION:** The division of a lot, outlot, parcel or tract of land by the owner thereof, or agent, for the purpose of transfer of ownership or building development where the act of division creates five (5) or more parcels or building sites of fifteen (15) acres each or less in area by successive division within a period of five (5) years.

**TAX PARCEL:** An existing tract of land as defined by the governing jurisdictional body for the purpose of assessment and taxation. May or may not coincide with the boundaries of a "parcel" as otherwise defined in this chapter.

**TAX PARCEL NUMBER:** An identification number assigned to real estate in Columbia County for taxation purposes.

**TRACT:** A lot or parcel or contiguous group of lots or parcels in single ownership or under single control, usually considered a unit for purposes of subdivision or development.

**UTILITY EASEMENT:** An easement to place, replace, maintain, or move utility facilities, such as telephone or electric lines, water or sewer mains, gas pipelines, and cable television.

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

Teitgen referred to a handout placed on supervisor desks and made a motion to amend as follows:

- Add a new 16-210-040 G. 8. to read as follows; 8. Identify adjacent lands, platted or unplatted by owner or others. Change the previous numbers 8, 9, 10 to 9, 10, and 11. Add a new 16-210-040 G.12. to read "12. The surveyor's certificate shall include the statement that the professional land surveyor has fully complied with Title 16 Chapter 200 of the Columbia County Code of Ordinances." Change the numbers 12 and 13 to 13 and 14. Change 16-210-040 as H. 1. is actually 16-210-040 I.
- Also add a new Subchapter 16-210-050 C.6. to read; 6. Identify adjacent lands, platted or unplatted by owner or others. Convert the previous numbers 6, 7, 8, and 9 to 8, 9, and 10. Modify 16-210.050 C. 9. to include the following phrase and that the professional land surveyor has fully complied with Title 16 Chapter 200 of the Columbia County Code of Ordinances.
- Finally, in Subchapter 16-210-060 insert a new C.6. to read as follows; 6. Identify adjacent lands, platted or unplatted by owner or others." Renumber the previous numbers 6, 7, 8, and 9 to 7, 8, 9, and 10. Modify 16-210-060 C. 9. to include the following phrase and that the professional land surveyor has fully complied with Title 16 Chapter 200 of the Columbia County Code of Ordinances.

Second by Kessler. The motion to amend was approved.

The Ordinance as amended was declared passed and is to be known as Ordinance 161-16.

### **ORDINANCE NO. 162-16**

The Columbia County Board of Supervisors do ordain as follows: That Section 9-1-12 of the County Code, is hereby amended as follows:

#### **Land Division**

|  |          |          |
|--|----------|----------|
| Preliminary Plats (0-10 lots including outlots)                        | \$350.00 | 01/01/04 |
| Each additional lot over 10  | \$ 25.00 | 01/01/04 |
| Final Plats (0-10 lots including outlots)                              | \$250.00 | 01/01/04 |
| Each additional lot over 10  | \$ 25.00 | 01/01/04 |
| Reapplication Fee (for any plat which<br>Has been previously reviewed) | \$ 50.00 | 01/01/01 |

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|   |                                   |          |
|---|-----------------------------------|----------|
| Certified Survey Review (one lot)                   | \$ <del>50.00</del> <u>100.00</u> | 05/18/16 |
| Certified Survey Review – Retractment               | \$ 75.00                          | 05/18/16 |
| Certified Survey Review – Combination               | \$ 75.00                          | 05/18/16 |
| Certified Survey Review (each lot in excess of one) | \$ 10.00                          | 01/01/01 |
| Certified Survey – Resubmittal                      | \$ 50.00                          | 01/01/01 |
| Variance – Certified Survey                         | \$ 50.00                          | 01/01/01 |
| Variance – Subdivision Plat                         | \$ 50.00                          | 01/01/01 |

All remaining sections of Title 9, Chapter 12 are unchanged and remain in full force and effect.

Fiscal Note: None

Fiscal Impact: Estimated \$5500 increase in fees annually

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

DATE PASSED: May 18, 2016

DATE PUBLISHED: May 23, 2016

Motion was made by Teitgen, second by Bradley, to adopt. Motion carried. The Ordinance was declared passed and is to be known as Ordinance 162-16.

Hutler moved adjournment of this meeting to Wednesday, June 15, 2016 at 7:00 p.m. Second was made by Wingers. The motion carried. The meeting adjourned at 7:55 p.m.



PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
June 15, 2016  
7:00 p.m.

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

All Supervisors were present, except De Young, Pufahl and St. Maurice, absent with notice. Rohrbeck and Zander arrived late.

Members stood and recited the Pledge of Allegiance.

A motion was made by Hutler, second by Cupery to approve the Journal of May 18, 2016. Motion carried.

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

Rohrbeck arrived at 7:02 p.m.

Chair Gove presented a Certificate of Appreciation and Columbia County Directory to Isabella Opalewski, 4<sup>th</sup> grade student from St. John's Lutheran School in Portage, for her recognition of her artwork contribution for the cover of 2016-2017 Columbia County Official Directory. New directories were placed on supervisor's desks.

Kurt Calkins, Land and Water Conservation Director, and Supervisor Mike Weyh expressed their appreciation to the Southern Area Land and Water Conservation Association for providing educational programs to the local youth. Enith Bailey, teacher at Trinity Lutheran Church in Wisconsin Dells, was presented with a special recognition and appreciation award for supporting youth environmental speaking. She spoke briefly to the Board.

Zander arrived at 7:08 p.m.

Chair Gove recognized and thanked the following:

- Rebekka Cary on her retirement of 20 years from the Air National Guard.
- Mike Babcock on his retirement of 30 years from the Columbia County Sheriff's Department.
- Rich Hoege for his 25 years of service from the Columbia County Sheriff's Department.

Each briefly addressed the Board.

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

A Committee Chair/Department Head meeting is scheduled for 9:00 a.m. on June 28, 2016, at the Columbia County Law Enforcement Center.

The following appointments were announced:

Local Library Boards:

- Lodi: Rose Holerud for a term to May, 2018 and Edmund C. Heskin for a 3 year term to May, 2019. Motion by Long, second by Kessler, the appointments were approved.
- Portage: Eleanor McLeish for a term to May, 2018. Motion by Bradley, second by Baumgartner, the appointment was approved.

Konkel gave an update on the Ad Hoc Building Committee. The concrete slab for the first and second floor of the Administration Building was completed; Footings were poured for the Health and Human Services Building; Working on conceptual design for Courthouse and temporary relocations during construction; Raking of the canal needed to be done before continuing with dredging because of all the large debris; RFPs will be going out for signage of the new County Buildings and Courthouse.

Chair Gove indicated the 28 members of the County Board would be making the decision for signage for the new County Buildings and Courthouse. He asked that anyone with comments and/or suggestions to submit them to Sue Moll in the County Clerk's Office by July 11, 2016, at which time they would be presented to the Executive Committee to narrow down for presentation at July County Board meeting.

## **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 Thomas & Stacy Davenport, Portage, WI, Petitioners and Kenneth & Kay Krcma, Owners, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcels 170 & 175, Section 9, T11N, R8E in the Town of Caledonia 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, Parcels 170 & 175, Section 9, T11N, R8E in the Town of Caledonia.
- (2) A petition by Anderson Living Trust, Poynette, WI, Petitioner and Owner, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District, Parcels 895.A, 898, 906, 1026, 1044, Sections 25, 26, 36, T11N, R8E in the 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 District, Parcels 895.A, 898, 906, 1026 & 1044, Sections 25, 26 36, T11N, R8E in the Town of Dekorra.
- (3) A petition by Michael C. Keller & Ellen M. Keller Trust, Lodi, WI, Petitioners and Owners, to rezone from A-1 Agriculture and A-2 General Agriculture to A-2 General Agriculture, Parcels 903 & 903.02, Section 26, T11N, R8E in the Town of Dekorra to be approved as follows: To change from A-1 Agriculture to A-2 General Agriculture to A-1 General Agriculture, Parcels 903 & 903.02, Section 26, T11N, R8E in the Town of Dekorra.
- (4) A petition by Jeffery W. Johnson, Pardeeville, WI, Petitioner and Owner, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcel 145, Section 7, T13N, R9E in the Town of Fort Winnebago 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 145, Section 7, T13N, R9E, Town of Fort Winnebago.
- (5) A petition by William R. Herrmann, Columbus, WI, Petitioner and Owner, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District, Parcels 10.01 & 14.01, Section 1, T10N, R11E in the Town of Hampden 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 District, Parcels 10.01 & 14.01, Section 1, T10N, R11E, Town of Hampden.
- (6) A petition by Todd Stimac, Rio, WI, Petitioner and Owner, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcels 607, 612.01, 612.03 & 613 Section 31, T10N, R11E in the Town of Hampden 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, Parcels 607, 612.01, 612.03 & 613 Section 31, T10N, R11E in the Town of Hampden.
- (7) A petition by Portage Country Club, Portage, WI, Petitioner and Owner, to rezone from RC-1 Recreation to R-1 Single Family Residence, Parcels 262, 261.06, 261.05, 260, 259, 258 and 257, Section 6, T12N, R10E in the Town of Wyocena to be approved as follows: To change from RC-1 Recreation to R-1 Single Family Residence, Parcels 262, 261.06, 261.05, 260, 259, 258 and 257, Section 6, T12N, R10E, Town of Wyocena.
- (8) A petition by Columbia County Planning & Zoning Department, Portage, WI, Petitioner and Marcel and Marjorie Ripp Trust, Lodi, WI, Owners, to rezone from A-1 Agriculture and R-1 Single Family Residence to A-1 Agriculture, Parcel 570.01, Section 25, T10N, R8E in the Town of Lodi to be approved as follows: To change from A-1 Agriculture and R-1 Single Family Residence to A-1 Agriculture, Parcel 570.01, Section 25, T10N, R8E, Town of Lodi.

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.

### **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, proof of notice thereof attached and being advised by a resolution from the Town Board of the Town of Dekorra pursuant to Section 59.69 (5) (e) (3) Wisconsin Statutes reports as follows:

A petition by WB Sales Inc. for Leona Hutchinson LLC, owner, to rezone from A-1 Agriculture to I-2 General Industrial parcel 51.01, Section 3 T9N, R11E in the Town of Dekorra. Leona Hutchinson, LLC owns Lot 1 of Certified Survey Map 3556 which is also identified for tax purposes as parcel 51.01. This 35 acre parcel has frontage on CTH J/V and the Canadian Pacific Railroad rail line and the current land use is a pine plantation. The Town of Dekorra Comprehensive Plan shows this area as planned for Commercial/Industrial Mix and the County Comprehensive Plan has the area planned for industrial uses. The rezoning to I-2 is consistent with both the Town of Dekorra and Columbia County Comprehensive Plans and would enable WB Tanks to locate their business of reconditioning steel pressure tanks to the site.

The Planning and Zoning Committee hereby recommends denial of the petition to amend Title 16 Chapter 100 of the Columbia County Code of Ordinances for the following reason:

1. Section 59.69(5)(e)(3) Wisconsin Statutes instructs that a town may file a certified copy of a resolution by the town board disapproving the petition and as a result the Planning and Zoning Committee may if there is no change, only recommend disapproval of the petition.
2. A copy of the resolution filed by the Town of Dekorra is attached to this Report.

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

Motion by Teitgen, second by Ross, to place the item on the floor to discuss options, including denying the petition for rezoning, or referring the petition back to the Planning and Zoning Committee with directions to draft an ordinance for the County Board to consider at a future meeting.

Teitgen provided background information on the rezoning petition and explained the two options for the County Board to consider, stating if the County should decide to deny the petition there could be significant grounds for a potential lawsuit against the County.

Teitgen gave speaking time to Adam Gazapian, representing WB Sales. Kessler called for point of order. Ruf clarified.

Gazapian gave a brief overview of the proposed business and addressed concerns posed by the Town of Dekorra.

Kessler stated that the Town of Dekorra's recommendation to deny the rezoning request contradicts the Town's Comprehensive Land Use Plan as well as Columbia County's Comprehensive Plan.

Motion by Kessler, second by Foley, to amend the motion to refer the rezoning petition back to the Planning and Zoning Committee to draft an ordinance for the County Board to consider at the July County Board meeting. Motion carried.

Motion by Teitgen, second by Baumgartner to accept the report and refer the rezoning petition back to the Planning and Zoning Committee to draft an ordinance for the County Board to consider at the July County Board meeting. Motion carried.

**ORDINANCE NO. 163-16**

The Columbia County Board of Supervisors do ordain as follows: That Section 9-1-15 of the County Code, is hereby amended as follows:

**9-1-15 Sheriff's Office**

|     |  |  |          |
|-----|--|--|----------|
| (a) | Huber Board  | \$96.00 per week   | 09/25/08 |
| (b) | Boarding   |  |          |
| (1) | Out-of-County Prisoners  | \$50.00 per day  |          |
| (2) | Boarding Out-Of-County Prisoners<br>in Medical Cell Area   | \$75.00 per day  |          |
| (3) | <u>Columbia County Municipal Warrant/<br/>Judgment</u>   | <u>\$45.00 per day</u>   |          |
| (c) | Civil Process Fees<br>(for up to 3 attempts)   | \$30.00 per attempt  | 10/26/06 |
|     | Additional defendants at same address  | \$15.00  |          |
| (d) | Mileage for civil process is charged<br>one time upon successful paper service based<br>rate that is established for County employee<br>reimbursement. |  | 09/21/11 |
| (e) | Civil Warrant Fee  | \$20.00  |          |
| (f) | Medical Fees   |  |          |
| (1) | Columbia County Prisoners -<br>visit to doctor or nurse in Jail  | \$5.00 per occurrence  | 10/23/02 |
| (2) | Out-of-County Prisoners -<br>visit to doctor or nurse in Jail  | \$7.50 per occurrence  | 09/25/08 |
| (3) | All Prisoners - medical services<br>received away from Jail  | At cost as billed by provider  |          |
| (4) | All Prisoners – co-pay per prescription  | \$5.00 per prescription  | 10/28/05 |
| (5) | All Prisoners – TB Skin Test<br>(If in the Jail 14 days or longer)   | \$7.50   | 06/20/12 |
| (g) | Accident Reports   | \$5.00 each  | 10/26/06 |
| (h) | Investigation Report   | \$5.00 per report<br>or \$.25/page for reports<br>over 20 pages in length        | 09/21/11 |
| (i) | Media Duplication  |  |          |
| (1) | 35 mm prints (must purchase<br>entire roll)  | \$3.00 each  | 09/25/08 |
| (2) | Digital (CD, DVD, Electronic Mail)   | \$Actual and direct costs<br>associated with the<br>reproduction of a media file | 09/21/11 |
| (j) | Escort (Pre-planned and scheduled<br>72 hours prior) per car   | \$60.00 per hour   | 09/25/08 |
| (k) | Boot   | \$75.00 per month<br>with minimum charge of<br>\$75.00                           |          |
| (l) | Special Enforcement (less than 72<br>Hours notice)   | \$91.00 per hour   | 09/25/08 |
| (m) | Sheriff's Sales  |  |          |
| (1) | Posting  | \$75.00 each   |          |
| (2) | Conducting the Sale  | \$75.00 each   |          |
| (n) | Personal Property: Possession and Storage<br>at the Sheriff's Office   | \$10.00 per day  |          |

|     |                          |                     |          |
|-----|--------------------------|---------------------|----------|
| (o) | Warrant Pickup Charge    | \$50.00             | 11/20/00 |
| (p) | Electronic Monitoring    |                     | 10/28/05 |
| (1) | Installation Fee         | \$30.00             | 09/25/08 |
| (2) | Monitoring Fee           | \$112.00 per week   | 09/25/08 |
| (q) | Eviction/Restitution Fee | \$50.00             | 09/25/08 |
| (r) | Fingerprinting Fee       | \$10.00 per request | 12/24/09 |

Fiscal Note: None

Fiscal Impact: Estimated additional revenue is \$7,400.

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

DATE PASSED: June 15, 2016

DATE PUBLISHED: June 20, 2016

Motion was made by Konkell, second by Sumnicht, to adopt. Motion carried. The Ordinance was declared passed and is to be known as Ordinance 163-16.

### **ORDINANCE NO. 2449-16**

The Columbia County Board of Supervisors do ordain as follows: That Title 16 – Chapter 100, entitled “Zoning”, of the County Code, as passed by the Board of Supervisors on May 14, 2014 is hereby amended and added thereto as follows:

- (1) “To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay”, (Thomas and Stacy Davenport, Petitioner and Kenneth and Kay Krcma, Owners) parcel of land located in Section 9, T11N, R8E, 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 Lot 2, Certified Survey Map Number 2975, as recorded in Volume 19 of Certified Survey Maps, Page 85, as Document Number 579973, located in the Northwest Quarter of the Southeast Quarter of Section 9, Town 11 North, Range 8 East, Town of Caledonia, Columbia County, WI described as follows: Commencing at the East Quarter corner of said Section 9; thence South 89°33’13” West along the East-West Quarter line of said Section 9, 1,322.66 feet to the Northeast corner of the Northwest Quarter of the Southeast Quarter of said Section 9; thence South 00°30’57” East along the East line of the Northwest Quarter of the Southeast Quarter of said Section 9, 1,255.03 feet to the point of beginning; thence continuing South 00°30’57” East along the East line of the Northwest Quarter of the Southeast Quarter of said Section 9 and the centerline of Petra Road right-of-way, 66.00 feet to the Southeast corner of the Northwest Quarter of the Southeast Quarter of said Section 9; thence South 89°27’38” West along the South line of the Northwest Quarter of the Southeast Quarter of said Section 9 and the South line of Lot 2, Certified Survey Map Number 2975, 732.03 feet; thence North 00°32’22” West, 446.01 feet; thence North 89°27’38” East, 446.00 feet; thence South 00°32’22” East, 380.01 feet; thence North 89°27’38” East. 286.06 feet to the point of beginning. Containing 217,800 square feet, (5.00 acres), more or less and being subject to Petra Road right-of-way along the Easterly 33 feet thereof, and easements or servitudes 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 Lot 1, Certified Survey Map Number 2975, as recorded in Volume 19 of Certified Survey Maps, Page 85, as Document Number 579973, located in the Southeast Quarter of the Northwest Quarter, the Northwest Quarter of the Southwest Quarter, and the Northeast Quarter of the Southwest Quarter of Section 9, Town 11 North, Range 8 East, Town of Caledonia, Columbia County, Wisconsin, described as follows: Commencing at the East Quarter corner of Section 9; thence South 89°33’13” West along the East-West Quarter



- line of said Section 9, 1,322.66 feet to the Northeast corner of the Northwest Quarter of the Southeast Quarter of said Section 9; thence South 00°30'57" East along the East line of the Northwest Quarter of the Southeast Quarter of said Section 9, 630.83 feet to the Northeast corner of Lot 2, Certified Survey Map Number 2975; thence South 89°27'38" West along the North line of Lots 1 and 2, Certified Survey Map Number 2975, 1,614.74 feet to the point of beginning; thence South 00°45'21" East, 688.87 feet to a point on the South line of the Northeast Quarter of the Southwest Quarter of said Section 9, and the South line of Lot 1, Certified Survey Map Number 2975; thence South 89°43'13" West along the South line of the Northeast Quarter of the Southwest Quarter of said Section 9 and the South line of said Lot 1, 1,026.56 feet to the Southwest corner of the Northeast Quarter of the Southwest Quarter of said Section 9; thence North 52°40'22" West along the West line of said Lot 1, 550.00 feet; thence North 39°36'23" East along said West line of Lot 1, 1,500.00 feet to the most Northerly corner of said Lot 1; thence South 27°05'27" East along the North line of said Lot 1, 894.32 feet; thence North 89°27'38" East along the North line of said Lot 1, 91.27 feet to the point of beginning. Containing 1,306,800 square feet (30.00 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 A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Anderson Living Trust, Petitioner and Owner) parcels of land located in Sections 25, 26, 36, T11N, R8E, Town of Dekorra, more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - A parcel of land located in the Southeast ¼ of the Southwest ¼ of Section 25, Town 11 North, Range 8 East, Town of Dekorra, Columbia County, Wisconsin, more particularly described as follows: Beginning at the South ¼ corner of Section 25, Town 11 North, Range 8 East; thence North 89°42'34" West along the south line of Section 25, 786.12 feet; thence North 00°12'58" West, 10.14 feet to a point in the northwesterly right-of-way line of Olson Road; thence continuing North 00°12'58" West, 614.06 feet; thence South 87°48'59" East, 86.78 feet to a point in the north-south ¼ line of Section 25; thence South 00°12'57" East along the north-south ¼ line of Section 25, 598.21 feet to the point of beginning. Containing 480,463 square feet or 11.03 acres, more or less. Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - A parcel of land located in the Northeast ¼ of the Northwest ¼ of Section 36, Town 11 North, Range 8 East, Town of Dekorra, Columbia County, Wisconsin, more particularly described as follows: Commencing at the North ¼ corner of Section 36, Town 11 North, Range 8 East; thence North 89°42'34" West along the north line of Section 36, 786.12 feet; thence North 00°12'58" West, 10.14 feet to a point in the northwesterly right-of-way line of Olson Road; thence southwesterly along the arc of a curve of said right-of-way, concave southeasterly, having a radius of 202.85 feet and a central angle of 23°43'01", whose long chord bears South 33°37'26" West, 83.37 feet; thence South 21°45'56" West along said right-of-way line, 121.45 feet to the point of beginning; thence North 68°49'46" West, 484.60 feet to the northwest corner of the Northeast ¼ of the Northwest ¼ of Section 36; thence South 00°02'58" West along the west line of the Northeast ¼ of the Northwest ¼ of Section 36, 682.86 feet; thence South 89°57'02" East, 249.62 feet to a point in the northwesterly right-of-way line of Olson Road; thence North 21°45'56" East along said right-of-way line, 547.07 feet to the point of beginning. Containing 217,777 square feet or 5.00 acres, more or less. Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - A parcel of land located in the Southeast ¼ of the Southeast ¼ of Section 26, and the Northeast ¼ of the Northeast ¼ of Section 35, Town 11 North, Range 8 East, Town of Dekorra, Columbia County, Wisconsin, more particularly described as follows: Commencing at the Southeast corner of Section 26, Town 11 North, Range 8 East; thence North 89°54'36" West along the south line of Southeast ¼ of Section 26, 398.89 feet to the point of beginning; thence continuing North 89°54'36" West along the south line of the Southeast ¼ of Section 26, 686.39 feet; thence South 00°01'04" East, 339.36 feet; thence North 89°54'36" West, 233.61 feet to a point in the west line of the Northeast ¼ of the Northeast ¼ of Section 35, also being a point in the centerline of Hooker Road; thence North 00°01'04" West along a line which is the west line of the Northeast ¼ of the Northeast ¼ of Section 35, the centerline of Hooker Road and the



northerly extension thereof, and the east line of Lot 1, Certified Survey Map No. 5259 and the southerly extension thereof, 339.36 feet to a point in the south line of Section 26; thence South 89°56'36" East along the south line of the Southeast ¼ of Section 26, 167.61 feet; thence North 00°05'24" East, 66.00 feet; thence South 89°54'36" East, 439.51 feet; thence North 00°05'24" East, 284.00 feet; thence South 89°54'36" East, 312.88 feet; thence South 00°05'24" West, 350.00 feet to the point of beginning. Containing 217,793 square feet or 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 the Southeast ¼ of the Southwest ¼, the Northeast ¼ of the Southwest ¼ lying south of the 780 foot contour line, the East ½ of the Northwest ¼ of the Southwest ¼ lying south of the 780 foot contour line, all of the above located in Section 25, the Southeast ¼ of the Southeast ¼ and the Southwest ¼ of the Southeast ¼ of Section 26 lying south and east of the 780 foot contour line, and the Northeast ¼ of the Northwest ¼ of Section 36 lying northwest of Olson Road, all located in Town 11 North, Range 8 East, Town of Dekorra, Columbia County, Wisconsin, except the following described parcels of land: A parcel of land located in the Southeast ¼ of the Southwest ¼ of Section 25, Town 11 North, Range 8 East, Town of Dekorra, Columbia County, Wisconsin, more particularly described as follows: Beginning at the South ¼ corner of Section 25, Town 11 North, Range 8 East; thence North 89°42'34" West along the south line of Section 25, 786.12 feet; thence North 00°12'58" West, 10.14 feet to a point in the northwesterly right-of-way line of Olson Road; thence continuing North 00°12'58" West, 614.06 feet; thence South 87°48'59" East, 786.78 feet to a point in the north-south ¼ line of Section 25; thence South 00°12'57" East along the north-south ¼ line of Section 25, 598.21 feet to the point of beginning; and; A parcel of land located in the Northeast ¼ of the Northwest ¼ of Section 36, Town 11 North, Range 8 East, Town of Dekorra, Columbia County, Wisconsin, more particularly described as follows: Commencing at the North ¼ corner of Section 36, Town 11 North, Range 8 East; thence North 89°42'34" West along the north line of Section 36, 786.12 feet; thence North 00°12'58" West, 10.14 feet to a point in the northwesterly right-of-way line of Olson Road; thence southwesterly along the arc of a curve of said right-of-way, concave southeasterly, having a radius of 202.85 feet and a central angle of 23°43'01", whose long chord bears South 33°37'26" West, 83.37 feet; thence South 21°45'56" West along said right-of-way line, 121.45 feet to the point of beginning; thence North 68°49'46" West, 484.60 feet to the northwest corner of the Northeast ¼ of the Northwest ¼ of Section 36; thence South 00°02'58" West along the west line of the Northeast ¼ of the Northwest ¼ of Section 36, 682.86 feet; thence South 89°57'02" East, 249.62 feet to a point in the northwesterly right-of-way line of Olson Road; thence North 21°45'56" East along said right-of-way line, 547.07 feet to the point of beginning; and; A parcel of land located in the Southeast ¼ of the Southeast ¼ of Section 26, and the Northeast ¼ of the Northeast ¼ of Section 35, Town 11 North, Range 8 East, Town of Dekorra, Columbia County, Wisconsin, more particularly described as follows: Commencing at the Southeast corner of Section 26, Town 11 North, Range 8 East; thence North 89°54'36" West along the south line of Southeast ¼ of Section 26, 398.89 feet to the point of beginning; thence continuing North 89°54'36" West along the south line of the Southeast ¼ of Section 26, 686.39 feet; thence South 00°01'04" East, 339.36 feet; thence North 89°54'36" West, 233.61 feet to a point in the west line of the Northeast ¼ of the Northeast ¼ of Section 35, also being a point on the centerline of Hooker Road; thence North 00°01'04" West along a line which is the west line of the Northeast ¼ of the Northeast ¼ of Section 35, the centerline of Hooker Road and the northerly extension thereof, and the east line of Lot 1, Certified Survey Map No. 5259 and the southerly extension thereof, 339.36 feet to a point in the south line of Section 26; thence South 89°56'36" East along the south line of the Southeast ¼ of Section 26, 167.61 feet; thence North 00°05'24" East, 66.00 feet; thence South 89°54'36" East, 439.51 feet; thence North 00°05'24" East, 284.00 feet; thence South 89°54'36" East, 312.88 feet; thence South 00°05'24" West, 350.00 feet to the point of beginning. Containing 124.00 acres, more or less. All effective upon recording of the Certified Survey Map.

- (3) "To change from A-1 Agriculture and A-2 General Agriculture to A-2 General Agriculture", (Michael C. Keller and Ellen M. Keller Trust, Petitioners and Owners parcel of land located in Section 26, T11N, R8E, Town of Dekorra more particularly described as follows: Land to be Rezoned from A-1 Agriculture and A-2 General Agriculture to A-2 General Agriculture - Lot 1, Certified Survey Map No. 756, as recorded in Volume 3 of Certified Survey Maps, Page 231, Document No. 428916, and other lands, all located in the Northwest ¼ of the Northwest ¼ and the Northeast ¼ of the Northwest ¼ of Section 26, Town 11 North, Range 8 East, Town of Dekorra, Columbia County Wisconsin, more particularly described as follows: Commencing at the Northwest corner of Section 26, Town 11 North, Range 8 East, thence 89°12'12" East 373.50 feet along the north line of Section 26 to the northwest corner of Lot 1, Certified Survey Map No. 756, being the point of beginning of this description; thence South 28°41'07" East 425.37 feet along the west line of Lot 1; thence South 56°47'01" East 1540.76 feet along the southwesterly line of Lot 1; thence North 39°37'34" East 106.32 feet along the northwesterly right-of-way line of County Trunk Highway V; thence North 41°09'24" East 192.47 feet along said right-of-way line; thence North 40°00'40" East 9.45 feet along said right-of-way to the southeast or most easterly corner of Lot 1; thence North 48°44'52" West 648.84 feet; thence South 39°08'33" West 23.93 feet to the northeasterly line of Lot 1; thence North 50°51'57" West 919.86 feet along the northeasterly line of Lot 1 to the northeast corner thereof; thence South 89°12'12" West 477.35 feet along the north line of Lot 1, also being the north line of Section 26 to the point of beginning. Containing 16.05 acres.
- (4) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Jeffery W. Johnson, Petitioner and Owner) parcel of land located in Section 7, T13N, R9E, 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 the part of the Northeast Quarter of the Southeast Quarter of Section 7, Town 13 North, Range 9 East, Town of Fort Winnebago, Columbia County, Wisconsin, described as follows: Commencing at the East Quarter corner of said Section 7; thence South 00°43'46" East along the East line of the Southeast Quarter of said Section 7, 1,314.73 feet to the Southeast corner of the Northeast Quarter of the Southeast Quarter of said Section 7; thence North 89°38'28" West along the South line of the Northeast Quarter of the Southeast Quarter of said Section 7, 90.19 feet to a point in the Westerly right-of-way line of County Trunk Highway CX and the point of beginning; thence continuing North 89°38'28" West along the South line of the Northeast Quarter of the Southeast Quarter of said Section 7, 684.00 feet; thence North 00°21'32" East, 127.64 feet; thence South 89°36'02" East 150.00 feet; thence North 00°21'32" East, 235.96 feet; thence South 89°36'02" East, 559.65 feet to a point in the Westerly right-of-way line of County Trunk Highway CX; thence South 04°23'59" West along the Westerly right-of-way line of County Trunk Highway CX, 364.00 feet to the point of beginning; Containing 217,800 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 the part of the Northeast Quarter of the Southeast Quarter of Section 7, Town 13 North, Range 9 East, Town of Fort Winnebago, Columbia County, Wisconsin, described as follows: Beginning at the East Quarter corner of said Section 7; thence South 00°43'46" East along the East line of the Southeast Quarter of said Section 7, 308.47 feet to a point in the Westerly right-of-way line of County Trunk Highway CX; thence South 04°23'59" West along the Westerly right-of-way line of County Trunk Highway CX, 644.58 feet; thence North 89°36'02" West, 559.65 feet; thence South 00°21'32" West, 235.96 feet; thence North 89°36'02" West, 150.00 feet; thence South 00°21'32" West, 127.64 feet to a point in the South line of the Northeast Quarter of the Southeast Quarter of said Section 7; thence North 89°38'28" West along the South line of the Northeast Quarter of the Southeast Quarter of said Section 7, 544.99 feet to the Southwest corner thereof; thence North 00°41'04" West along the West line of the Northeast Quarter of the Southeast Quarter of said Section 7, 1,315.65 feet to the Northwest corner thereof; thence South 89°36'02" East along the East-West Quarter line of said Section 7, 1,318.16 feet to the point of beginning; Containing 1,470,814 square feet, (33.77 acres), more or less. All effective upon recording of the Certified Survey Map.

- (5) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (William R. Herrmann, Petitioner and Owner) parcel of land located in Section 1, T10N, R11E, Town of Hampden more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being a part of the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 1, Town 10 North, Range 11 East, Town of Hampden, Columbia County, Wisconsin, described as follows: Commencing at the East Quarter corner of said Section 1; thence South 89°52'38" West along the East - West Quarter line of said Section 1, 494.39 feet to the point of beginning; thence South 00°27'39" East, 90.96 feet; thence South 33°56'19" East, 131.76 feet; thence South 05°55'48" West, 66.38 feet; thence South 35°18'29" West, 111.36 feet; thence South 81°31'57" West, 201.76 feet; thence North 03°59'00" West, 448.45 feet to a point in the centerline of Duborg Road; thence Northeasterly along a 250.00 foot radius curve to the left in the centerline of Duborg Road having a central angle of 05°27'40" and whose long chord bears North 51°14'38" East, 23.82 feet; thence North 48°30'48" East along the centerline of Duborg Road, 276.30 feet; thence South 00°27'39" East, 258.44 feet to the point of beginning. Containing 126,317 square feet, (2.90 acres), more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - Being the West half of the Northwest Quarter of the Southeast Quarter and the East half of the Northeast Quarter of the Southwest Quarter of Section 1, Town 10 North, Range 11 East, Town of Hampden, Columbia County, Wisconsin. Containing 40.00 acres, more or less. All effective upon recording of the Certified Survey Map.
- (6) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Todd Stimac, Petitioner and Owner) parcel of land located in Section 31, T10N, R11E, Town of Hampden more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Commencing at the Southeast Corner of Section 31; thence South 89°10' West (recorded as South 88°46'05" West), 1323.0 feet along the south line of the SE ¼ of Section 31 to the centerline of Davidson Road; thence North 00°56' West (recorded as North 01°20'03" West), 429.0 feet along the centerline of Davidson Road to the Point of Beginning; thence continuing North 00°56' West (recorded as North 01°20'03" West), 334.9 feet along the centerline of Davidson Road to the southwest corner of C.S.M. No. 1860; thence continuing North 00°56' West (recorded as North 01°20'03" West), 336.0 feet along the centerline of Davidson Road to the northwest corner of C.S.M. No. 1860; thence North 89°04' East (recorded as North 88°39'53" East), 674.8 feet along the north line of C.S.M. No. 1860 to the northeast corner of said C.S.M. No. 1860; thence South 00°58' East, 335.9 feet along the east line of C.S.M. No. 1860 to the southeast corner of said C.S.M. No. 1860; thence continuing South 00°58' East, 334.9 feet; thence South 89°03' West 675.2 feet to the Point of Beginning; Containing 10.4 acres, 10.0 acres, excluding right-of-way. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - Commencing at the Southeast Corner of Section 31; thence South 89°10' West (recorded as South 88°46'05" West), 656.7 feet along the south line of the SE ¼ of Section 31 to the Point of Beginning; thence continuing South 89°10' West (recorded as South 88°46'05" West), 666.3 feet along the south line of the SE ¼ of Section 31 to the centerline of Davidson Road; thence North 00°56' West (recorded as North 01°20'03" West), 429.0 feet along the centerline of Davidson Road; thence North 89°03' East, 675.2 feet; thence North 00°58' West, 334.9 feet to the southeast corner of C.S.M. No. 1860; thence continuing North 00°58' West (recorded as North 01°22'16" West), 335.9 feet along the east line of C.S.M. No. 1860 to the northeast corner of said C.S.M. No. 1860; thence South 89°04' West (recorded as South 88°39'53" West), 674.8 feet along the north line of C.S.M. No. 1860 to the northwest corner of said C.S.M. No. 1860; thence North 00°56' West (recorded as North 01°20'03" West), 889.3 feet along the center line of Davidson Road; thence North 88°35' East (recorded as North 88°11'18" East), 1328.5 feet to the east line of the SE ¼ of Section 31; thence South 00°46' East (recorded as South 01°10'38" East), 1277.2 feet along the

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east line of the SE ¼ of Section 31 to the centerline of a ditch; thence South 51°03' West (recorded as South 50°38'48" West), 471.1 feet along the centerline of a ditch; thence continuing along the centerline of a ditch, South 60°20' West (recorded as South 59°55'47" West), 332.9 feet; thence South 01°52' East (recorded as South 02°15'42" East), 274.0 feet to the Point of Beginning. Containing 43.1 acres, 41.8 acres, excluding right-of-way. All effective upon recording of the Certified Survey Map.

- (7) "To change from RC-1 Recreation to R-1 Single Family Residence", (Portage Country Club, Petitioner and Owner) parcel of land located in Section 6, T12N, R11E, Town of Wyocena more particularly described as follows: Land to be Rezoned from RC-1 Recreation to R-1 Single Family Residence - Being a part of Governments Lot 3 and 4, Section 6, Town 12 North, Range 10 East, Town of Wyocena, Columbia County, Wisconsin, described as follows: Commencing at the Northwest corner of said Section 6; thence North 89°29'09" East along the North line of said Section 6, 131.33 feet; thence South 00°30'51" East, 2,259.06 feet to the point of beginning; thence North 86°10'00" East, 183.00 feet; thence North 89°28'30" East, 194.50 feet; thence South 86°17'30" East, 222.00 feet; thence South 61°05'30" East, 335.00 feet; thence South 00°13'30" West, 108.50 feet; thence North 61°21'30" West, 133.21 feet to the Northeast corner of lands described and recorded in Volume 280 of Deeds, pages 200 – 201; thence North 60°54'52" West along the Northerly line of lands described and recorded in Volume 280 of Deeds, pages 200 – 201, 54.00 feet to the Northwest corner thereof; thence South 33°25'08" West along the Westerly line of lands described and recorded in Volume 280 of Deeds, pages 200 – 201, 98.00 feet to the Southwest corner thereof; thence South 60°39'36" East along the Southerly line of lands described and recorded in Volume 280 of Deeds, pages 200 – 201, 59.70 feet to the Southeast corner thereof; thence South 30°05'08" West along the Easterly line of an easement as described and recorded in Volume 280 of Deeds, pages 200 – 201, 101.99 feet to a point which lies North 30°05'08" East, 24 feet more or less from the water's edge of Swan Lake and being the beginning of a meander line along said lake; thence North 66°19'28" West along said meander line, 87.55 feet; thence North 50°54'06" West along said meander line, 108.31 feet; thence North 84°21'07" West along said meander line, 28.76 feet; thence North 24°31'00" East, 99.96 feet to the Southwest corner of lands described and recorded in Volume 280 of Deeds, pages 202 – 203; thence South 59°47'32" East along the Southerly line of lands described and recorded in Volume 280 of Deeds, pages 202 – 203, 71.20 feet to the Southeasterly corner thereof; thence North 18°15'08" East along the Easterly line of lands described and recorded in Volume 280 of Deeds, pages 202 – 203, 112.00 feet to the Northeasterly corner thereof; thence North 66°00'53" West along the Northerly line of lands described and recorded in Volume 280 of Deeds, pages 202 – 203, 52.00 feet to the Northwesterly corner thereof; thence South 28°10'18" West along the Westerly line of lands described and recorded in Volume 280 of Deeds, pages 202 – 203, 104.00 feet to the Southwesterly corner thereof; thence South 24°31'00" West, 99.96 feet to a point in the afore mentioned meander line, said point lies North 24°31'00" East, 31 feet more or less from the water's edge of Swan Lake; thence North 84°21'07" West along said meander line, 202.22 feet; thence South 80°57'20" West along said meander line, 134.35 feet; thence North 67°34'22" West along said meander line, 157.48 feet to a point which lies North 00°30'51" West, 85 feet more or less from the water's edge of Swan Lake and being the end of this meander line along said lake; thence North 00°30'51" West, 214.84 feet to the point of beginning. Containing 242,523 square feet, (5.57 acres), more or less. Intending to include all lands lying between the meander line herein described and the water's edge of Swan Lake lying between true Southerly extensions of the Easterly and Westerly lines herein described. All effective upon recording of the Final Plat of Swan Lake Vista on the Lake.
- (8) "To change from A-1 Agriculture and R-1 Single Family Residence to A-1 Agriculture", (Marcel and Marjorie Ripp Trust, Petitioner and Owner) parcel of land located in Section 25, T10N, R8E, Town of Lodi more particularly described as follows: Land to be Rezoned from A-1 Agriculture and R-1 Single Family Residence to A-1 Agriculture - Lot 1 of CSM 5357.

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

DATE PASSED: June 15, 2016

DATE PUBLISHED: June 20, 2016

Motion was made by Teitgen, second by Bradley, to approve the rezone requests for Thomas and Stacy Davenport, Petitioners and Kenneth and Kay Krcma, Owners; Anderson Living Trust, Petitioner and Owner; Michael C. and Ellen M. Keller Trust, Petitioners and Owners; Jeffery W. Johnson, Petitioner and Owner; William R. Herrmann, Petitioner and Owner; Todd Stimac, Petitioner and Owner; Portage Country Club, Petitioner and Owner; and Marcel and Marjorie Ripp Trust, Petitioner and Owner.

Tramburg expressed concerns with Portage County Club rezone request and economic development funds. John Bluemke, Planning and Zoning Director, gave a brief explanation and procedural process for the rezone request.

The rezone requests were approved. The motion carried. The Ordinance was declared passed and is to be known as Ordinance Z449-16.

Foley moved adjournment of this meeting to Wednesday, July 20, 2016 at 7:00 p.m. Second was made by McClyman. The motion carried. The meeting adjourned at 7:50 p.m.



PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

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

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

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

Members stood and recited the Pledge of Allegiance.

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

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

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

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

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

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

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

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

**REPORT OF THE PLANNING AND ZONING COMMITTEE**

The Planning and Zoning committee having held a public hearing thereon pursuant to Section 59.69 Wisconsin Statutes, notice thereof have been given as provided by law and being duly directed by the Columbia County Board of Supervisors present as follows: A petition by WB Sales Inc., Portage, WI, Petitioner and Leona Hutchinson LLC, Pardeeville, WI, Owner, to rezone from A-1 Agriculture to I-2 General Industrial, Parcel 51.01, Section 3, T11N, R9E in the Town of Dekorra to be approved as follows: To change from A-1 Agriculture to I-2 General Industrial, Parcel 51.01, Section 3, T11N, R9E in the Town of Dekorra.

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

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## **REPORT OF THE PLANNING AND ZONING COMMITTEE**

The Planning and Zoning committee having held a public hearing thereon pursuant to Section 59.69 Wisconsin Statutes, notice thereof have been given as provided by law and being duly advised of the wishes of the people in the areas affected hereby recommend as follows:

- (1) A petition by Sandra M. Paulsen, Wisconsin Dells, WI, Petitioner and Owner, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcels 8, 10, 26 Section 2, T13N, R7E in the Town of Lewiston to be approved 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, Parcels 8, 10, 26 Section 2, T13N, R7E in the Town of Lewiston.
- (2) A petition by Bryan S. Wendt & Heather R. Wendt, Rio, WI, Petitioners and Owners, to rezone from A-1 Agriculture and R-1 Single Family Residence to RR-1 Rural Residence, Parcels 566.B & 566.4, Section 23, T12N, R10E in the Town of Wyocena to be approved as follows: To change from A-1 Agriculture and R-1 Single Family Residence to RR-1 Rural Residence, Parcels 566.B & 566.4, Section 23, T12N, R10E in the Town of Wyocena.
- (3) A petition by Jesse B. Gentz & Joanna L. Gentz, Juneau, WI, Petitioners and Owners, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 695.04, Section 29, T12N, R10E in the Town of Wyocena to be approved 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 695.04, Section 29, T12N, R10E in the Town of Wyocena.
- (4) A petition by Ronald W. Senft & Delores A. Senft, Cambria, WI, Petitioners and Owners, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcel 406, Section 14, T12N, R11E in the Town of Springvale to be approved 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 406, Section 14, T12N, R11E, Town of Springvale.
- (5) A petition by William H. Ingraham & Laurel M. Ingraham, Poynette, WI, Petitioners and Owners, to rezone from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District, Parcels 289, 290 & 611, Section 18, T11N, R9E in the Town of Dekorra to be approved as follows: To change from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay District, Parcels 289, 290 & 611, Section 18, T11N, R9E, Town of Dekorra.
- (6) A petition by Vernon Karman, James Woodward, Joseph Woodward, Poynette, WI, Petitioners and Owners, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcels 220.B, 225.A & 224, Section 14, T11N, R9E in the Town of Dekorra to be approved 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, Parcels 220.B, 225.A & 224, Section 14, T11N, R9E in the Town of Dekorra.
- (7) A petition by Susan L. Ziegler Living Trust, Madison, WI, Petitioner and Owner, to rezone from R-1 Single Family Residence & A-1 Agriculture to R-1 Single Family Residence and R-1 Single Family and A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcels 24.C, 26, 29 & 31, Section 2, T10N, R9E in the Town of Arlington to be approved as follows: To change from R-1 Single Family Residence & A-1 Agriculture to R-1 Single Family Residence and R-1 Single Family Residence and A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcels 24.C, 26, 29 & 31, Section 2, T10N, R9E, Town of Arlington.

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

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

**RESOLUTION NO. 22-16**

WHEREAS, the Federal Post-9/11 GI Bill provides for 36 months of full-time education entitlement to military veterans who served on federal active-duty since September 10, 2001, on a prorated basis relative to the total months served on active-duty; and

WHEREAS, the Wisconsin GI Bill provides for 128 credits or 8 semesters of education entitlement, through tuition remission at any University of Wisconsin System or Wisconsin Technical College System schools, to resident Wisconsin military veterans who served on federal active duty per Wisconsin Statute 45, Wisconsin Statute 36.27(3p)(a)(1r) and Wisconsin Statute 38.24(8)(a)(1r); and

WHEREAS, qualifying military veterans are required by Wisconsin Statute 36.27(3p)(bg) and Wisconsin Statute 38.24(8)(bg) to utilize their Federal Post-9/11 GI Bill education entitlements before utilizing any of their Wisconsin GI Bill entitlements or simultaneously use both their WI GI Bill and their Federal Post-9/11 GI Bill; and

WHEREAS, this unnecessary statutory imposition and burden on Wisconsin's qualifying military veterans is an unfair practice which advantages the Wisconsin schools over the Wisconsin's qualifying military veterans as an apparent means of gaining the Federal Post-9/11 GI Bill tuition payments in advance of providing any WI GI Bill tuition remissions in spite of the fact the Wisconsin schools' statutory ability to automatically recoup all the WI GI Bill tuition remissions from the Wisconsin Higher Education Aids Board.

NOW, THEREFORE, BE IT RESOLVED, that that the County of Columbia joins other counties in the State of Wisconsin to express their desire to the Wisconsin State Legislature to have all language stricken in Wisconsin Statute 36 and Wisconsin Statute 38 which may force or entice Wisconsin's qualifying military veterans to utilize their Federal Post-9/11 GI Bill entitlements before they are allowed to utilize their Wisconsin GI Bill entitlements or to simultaneously use both their WI GI Bill and their Federal Post-9/11 GI Bill.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to all of Columbia County's State Senators and Assembly Representatives, to the Wisconsin Counties Association, and to the President of the Wisconsin County Veterans Service Officer Association.

Fiscal Note: None.

Fiscal Impact: None.

James Foley  
JoAnn Winger  
Kirk Konkel  
Mary Cupery, Vice Chair  
Vern E. Gove, Chair  
EXECUTIVE COMMITTEE

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

**RESOLUTION NO. 23-16**

WHEREAS, the Federal Post-9/11 GI Bill provides for 36 months of full-time education entitlement to military veterans who served on federal active-duty since September 10, 2001, on a prorated basis relative to the total months served on active-duty; and

WHEREAS, the Wisconsin GI Bill provides for 128 credits or 8 semesters of education entitlement, through tuition remission at any University of Wisconsin System or Wisconsin Technical College System schools, to resident Wisconsin military veterans who served on federal active duty per Wisconsin Statute 45, Wisconsin Statute 36.27(3p)(a)(1r) and Wisconsin Statute 38.24(8)(a)(1r); and

WHEREAS, qualifying military veterans are required by Wisconsin Statute 36.27(3p)(bg) and Wisconsin Statute 38.24(8)(bg) to certify that any Federal Post-9/11 GI Bill education entitlements which he/she has transferred to his/her dependents must be fully exhausted before the sponsoring Wisconsin's qualifying military veteran can utilize any of his/her own Wisconsin GI Bill entitlements; and

WHEREAS, this unnecessary statutory imposition and burden on Wisconsin's qualifying military veterans is an unfair practice which advantages the Wisconsin schools over the Wisconsin's qualifying military veterans as an apparent means of gaining the Federal Post-9/11 GI Bill tuition payments in advance of providing any WI GI Bill tuition remissions in spite of the fact the Wisconsin schools' statutory ability to automatically recoup all the WI GI Bill tuition remissions from the Wisconsin Higher Education Aids Board.

NOW, THEREFORE, BE IT RESOLVED, that that the County of Columbia joins other counties in the State of Wisconsin to express their desire to the Wisconsin State Legislature to have all language stricken in Wisconsin Statute 36 and Wisconsin Statute 38 which prevents any of Wisconsin's qualifying military veteran from utilizing any of his/her Wisconsin GI Bill entitlements until all of his/her Federal Post-9/11 GI Bill entitlements transferred to any of his/her dependents have been totally exhausted by those dependents.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to all of Columbia County's State Senators and Assembly Representatives, to the Wisconsin Counties Association, and to the President of the Wisconsin County Veterans Service Officer Association.

Fiscal Note: None.

Fiscal Impact: None.

James Foley  
JoAnn Winger  
Kirk Konkel  
Mary Cupery, Vice Chair  
Vern E. Gove, Chair  
EXECUTIVE COMMITTEE

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

#### **RESOLUTION NO. 24-16**

WHEREAS, bicycle tourism is a growing industry in North America, presently contributing approximately \$47 billion dollars a year nationally to the economies of communities that provide facilities for said tourism; and,

WHEREAS, the American Association of State Highway and Transportation Officials ("AASHTO") has designated a crossing in southern Wisconsin to be developed as United States Bike Route 30 ("USBR 30"); and,

WHEREAS, the Adventure Cycling Association and the Wisconsin Bike Federation, with the cooperation of the Wisconsin Department of Transportation and other stakeholders, have proposed a specific route for USBR 30 through the State of Wisconsin; and,

WHEREAS, the proposed USBR 30 traverses through portions of Columbia County and is expected to provide benefits to County residents and businesses; and,

WHEREAS, bike trails such as USBR 30 provide increased recreational resources for individuals to walk, hike, bike, and simply enjoy the outdoors, all of which have a direct positive effect in improving the health and wellness of a society that is witnessing substantial increases in diabetes and other diseases related to inactivity and obesity; and,

WHEREAS, the Columbia County Board of Supervisors desires that the route be formally designated so that it can be appropriately mapped and signed, thereby promoting bicycle tourism in the area.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors hereby supports the development of USBR 30 and requests that the appropriate government officials take action to officially designate the route accordingly as soon as possible.

Fiscal Note: NONE

Fiscal Impact: NONE

Kirk Konkell  
James E. Foley  
JoAnn Wingers  
Mary Cupery, Vice Chair  
Vern E. Gove, Chair  
EXECUTIVE COMMITTEE

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

AYES: 21; NOES: 6; ABSENT: 1

AYES: Cupery, De Young, Drew, Field, Hutler, Kessler, Long, McClyman, Pufahl, Rashke, Ross, Sleger, St. Maurice, Stevenson, Sumnicht, Teitgen, Tramburg, Zander, Baumgartner, Bradley and Gove.  
NOES: Brooks, Foley, Konkell, Rohrbeck, Wingers and Attoe.  
ABSENT: Weyh.

### **RESOLUTION NO. 25-16**

WHEREAS, the State of Wisconsin's freight railroad network is comprised of nearly 4,200 miles of track and is served by four major (Class I) railroads, three regional railroads, two local railroads and one switching and terminal railroad; and,

WHEREAS, forecasts produced for the Wisconsin Department of Transportation indicate that the state's freight rail tonnage is expected to grow by more than 50% by 2020; and,

WHEREAS, freight trains can be as long as 10,000 feet (over thirty-three football fields long); and,

WHEREAS, the number of rail miles and trains operating throughout our State require that safety must be the number one priority to ensure our residents are adequately protected from any accidents or mishaps, but more importantly, from any situations that may arise due to insufficient crew numbers; and,

WHEREAS, the Federal Railroad Administration ("FRA") has published a notice of proposed rulemaking ("NPRM") regarding adequate staffing on trains, a factor the State believes is vital to ensuring safe train operations; and,

WHEREAS, virtually all trains in North America are already operated by crews of at least two individuals, making the economic impact of this proposed rule minimal; and,

WHEREAS, the FRA agrees that, while advancements in automated technology such as Positive Train Control ("PTC") systems improve railroad safety, they are not a substitute for a train's on-board crew members; and,

WHEREAS, Wisconsin has a two person crew statute 192.25(2), Wis. Stats., and operating a train in these times carrying dangerous substances through our neighborhoods rightfully requires two person crews to provide essential safety and security.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors hereby supports the FRA's proposed ruling, requiring that trains operated in America be operated by no less than a two person crew; and,

BE IT FURTHER RESOLVED that the Columbia County Clerk shall send a copy of this Resolution to the United States Department of Transportation, Governor Scott K. Walker, all Members of the Wisconsin Legislature who represent Columbia County, the Wisconsin Railroad Commissioner, the Wisconsin Department of Transportation, and the Wisconsin Counties Association.

Fiscal Note: NONE

Fiscal Impact: NONE

Kirk Konkell  
James E. Foley  
JoAnn Wingers  
Mary Cupery, Vice Chair  
Vern E. Gove, Chair  
EXECUTIVE COMMITTEE

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

### **RESOLUTION NO. 26-16**

WHEREAS, on January 18, 2012, the Columbia County Board of Supervisors enacted Ordinance No. 128-12 which amended Columbia County Code of Ordinances Title 7 – Human Resources; and,

WHEREAS, as part of Ordinance No. 128-12, the County Board adopted new Policies and Procedures for General Employees, Field Employees of the Highway and Transportation Department, Columbia Health Care Center Employees and Non-Sworn Staff of the Sheriff's Office, and a new Operations Manual for Management; and,

WHEREAS, since the enactment of Ordinance No. 128-12, several County Board Committees determined that certain provisions of the Policies and Procedures and the Operations Manual for Management should be amended.

NOW, THEREFORE BE IT RESOLVED, that the Policies and Procedures and the Operations Manual for Management are hereby amended as follows:

Policies and Procedures for Non-Sworn Staff of the Sheriff's Office, Page 6-7:  
Special Provisions  
2016 Work Schedule for Jail Staff

Beginning on January 1, 2016, and notwithstanding any provisions of these Policies and Procedures to the contrary, the following Special Provisions are established to facilitate a twelve (12) hour work schedule for Jail staff in 2016:

Your Work Week

The normal schedule for Jailers will be twelve and one quarter (12.25) hours per day. The normal work day will be divided into two (2) shifts: 1) 6:00 a.m. to 6:15 p.m.; and 2) 6:00 p.m. to 6:15 a.m.

The normal shift rotation for Jailers will be:

Two (2) days on  
Two (2) days off  
Three (3) days on  
Two (2) days off  
Two (2) days on  
Three (3) days off

Overtime and How You Are Paid

All work performed in excess of twelve and one quarter (12.25) hours per day will be paid at time and one half (1.5) the appropriate rate.

Jailers who work the 6:00 p.m. to 6:15 a.m. shift will receive a shift differential of forty-five cents (\$0.45) per hour for all hours worked.

Holidays, Vacation and Other Time Off  
Vacation

Accrual: An employee earns paid vacations based on his/her anniversary date in accordance with the following schedule:

| Full Years of Continuous Employment | Hours of Vacation |
|-------------------------------------|-------------------|
| 6 months                            | 48 hours          |
| 1                                   | 48 hours          |
| 2-4                                 | 96 hours          |
| 5-11                                | 120 hours         |
| 12-17                               | 168 hours         |

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18+  
18+ (For employees hired before 12/31/2011)

168 hours  
168 hours + 12 additional hours for each  
additional year of service to a maximum of 240  
hours of vacation per year

#### Compensatory Time Off

Jailers may accrue a maximum total of thirty-six (36) hours of compensatory time in 2016. Compensatory time cannot be replenished. Compensatory time off in lieu of pay will normally be taken in no less than six (6) hour blocks.

#### Bereavement Leave

Bereavement Leave for Jailers will be paid based on a twelve (12) hour day.

#### Sick Leave Incentive Holiday

The Sick Leave Incentive Holiday for Jailers will be paid based on a twelve (12) hour day.

BE IT FURTHER RESOLVED, that all other provisions of the Policies and Procedures and the Operations Manual for Management that were enacted in Ordinance No. 128-12, as amended by Resolution Nos. 4-12, 21-12, 29-12, 32-12, 2-13, 9-13, 12-13, 32-14, 43-14 and 18-15 are unchanged and remain in full force and effect; and,

BE IT FURTHER RESOLVED, that these amendments to the Policies and Procedures and the Operations Manual for Management are retroactive to January 1, 2016.

Fiscal Note: None.

Fiscal Impact: None.

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

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

#### **RESOLUTION NO. 27-16**

WHEREAS, local government in Wisconsin is responsible for about 90% of the road miles in the state; and

WHEREAS, Wisconsin's diverse economy is dependent upon county and town roads as well as city and village streets along with rail, harbor, and transit systems across the state; and,

WHEREAS, according to "Filling Potholes: A New Look at Funding Local Transportation in Wisconsin," commissioned by the Local Government Institute of Wisconsin (LGI) the condition of Wisconsin's highways is now in the bottom third of the country; and,

WHEREAS, state funding for local roads in Wisconsin has failed to keep up with costs over the past several decades which has adversely affected local transportation finances. According to "Filling Potholes," municipal transportation spending has declined from \$275 per capita in 2000 to \$227 in 2012; and,

WHEREAS, Mass Transit Operating Aids and County Elderly and Disabled Transportation assistance programs are funded through the state gas tax and vehicle registration user fee system. These programs are critical to ensuring that transportation services are delivered to vulnerable citizens. Proper funding for these programs helps ensure that all citizens have an opportunity to access the workplace as well as the marketplace; and,

WHEREAS, levy limits do not allow local government to make up for the deterioration of state funding; and,

WHEREAS, Wisconsin's over-reliance on borrowing eats away at the state's segregated funding sources — the state gas tax and vehicle registration fees — which increasingly pay debt service rather than fund transportation needs; and,

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WHEREAS, safety is a primary concern and the responsibility of local governments across Wisconsin. Unfortunately, according to TRIP, a national non-profit transportation research group; Wisconsin had 347 non-interstate, rural road fatalities in 2013; and,

WHEREAS, the Columbia County Board of Supervisors recognizes that our state highway and interstate system is the backbone of our surface transportation system and plays a vital role in the economy of Wisconsin. Both local and state roads need to be properly maintained in order for our economy to grow; and

WHEREAS, from a competitive standpoint Wisconsin motorists pay significantly less than any of our neighbors when you combine the annual cost of the state gas tax and vehicle registration fees; and,

WHEREAS, the Transportation Finance and Policy Commission, appointed by the Governor and Legislature clearly found that if Wisconsin does not adjust its user fees, the condition of both our state and local roads will deteriorate significantly over the next decade;

NOW, THEREFORE, BE IT RESOLVED, that by the Columbia County Board of Supervisors; the Board urges the Governor and Legislature to "Just Fix-It" and agree upon a sustainable solution: one that includes a responsible level of bonding and adjusts our user fees to adequately and sustainably fund Wisconsin's transportation system.

BE IT FURTHER RESOLVED, that the Columbia County Board of Supervisors directs the Clerk to send a copy of this resolution to our State Legislators and to Governor Scott Walker.

Fiscal Note: NONE

Fiscal Impact: NONE

Kirk Konkel  
Andy Ross  
JoAnn Wingers  
Kenneth Hutler  
James Foley  
HIGHWAY COMMITTEE

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

#### **RESOLUTION NO. 28-16**

WHEREAS, Section 32.08(4), Wisconsin Statutes, requires that Condemnation Commissioners shall be compensated for actual service at an hourly rate and shall receive mileage at rates fixed by the County Board of the county in which they serve; and,

WHEREAS, the County Board last established Condemnation Commission compensation at \$8.00 per hour in Resolution 48-93 adopted on July 21, 1993; and,

WHEREAS, the current compensation rate is insufficient to attract and retain individuals willing to serve on the Condemnation Commission.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors hereby establishes compensation for the Chairperson of the Condemnation Commission at \$16.00 per hour and compensation for other members of the Condemnation Commission at \$12.00 per hour plus mileage at the same rate that is paid to County employees; and,

BE IT FURTHER RESOLVED, that the compensation rates established in this Resolution shall become effective upon adoption by the Columbia County Board of Supervisors.

Fiscal Note: Funds for Condemnation Commission compensation and expenses are included in the 2016 Clerk of Circuit Courts Budget.

Fiscal Impact: Future Condemnation Commission costs will be included in the Clerk of Circuit Courts 2017 Budget.

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Fred C. Teitgen  
Harlan Baumgartner  
Don DeYoung, Secretary  
Robert C. McClyman, Vice Chair  
Barry Pufahl, Chair  
JUDICIARY COMMITTEE

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

**RESOLUTION NO. 29-16**

WHEREAS, in order to use jail cells for double occupancy, the Columbia County Board and Columbia County Sheriff must comply with Wisconsin Administrative Code Chapter DOC 350.07(2), which includes a joint determination on the adequate staffing needs; and,

WHEREAS, the County Board and Sheriff entered into a Staffing Agreement for Operation of the Columbia County Jail, a copy of which is attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED, by the Columbia County Board of Supervisors that the attached Staffing Agreement for Operation of the Columbia County Jail is hereby approved and shall remain in effect until rescinded or amended by mutual written agreement of the County Board and the Sheriff.

BE IT FURTHER RESOLVED that the attached Agreement supersedes any and all prior agreements governing the same subject matter both written and oral.

BE IT FURTHER RESOLVED that said Agreement shall be filed with the State of Wisconsin, Department of Corrections.

Fiscal Note: NONE

Fiscal Impact: NONE

Kirk Konkel, Chair  
Dan Drew, Vice Chair  
Adam Field, Secretary  
Mark Sleger  
Teresa Sumnicht  
PUBLIC SAFETY COMMITTEE

**Exhibit "A"**

**STAFFING AGREEMENT FOR OPERATION OF THE COLUMBIA COUNTY JAIL**

This Agreement is entered into between Sheriff Dennis E. Richards and the Columbia County Board of Supervisors for the purpose of jointly agreeing that the adequate staffing needs required to ensure the health, safety, and security of the staff and inmates of the Columbia County Jail have been and will continue to be addressed through the annual operational budget process.

The terms of this Agreement are as follows:

1. The Columbia County Board of Supervisors and the Sheriff agree that to operate the Columbia County Jail for 2016, staffing needs as approved and budgeted for through the Sheriff Department 2016 operational budget are:

- 1 – Captain - Jail Administrator
- 1 – Jail Lieutenant
- 1 – Jail Nurse and Health Care Service Administrator
- 6 – Jail Sergeants
- 35 – Jailers
- 1 – Jail Secretary/Booking Clerk

2. The Columbia County Board of Supervisors and Sheriff agree that staffing needs will be reviewed, at a minimum, and established for each successive year through the budget process. The Columbia County Board of Supervisors and the Sheriff also agree that during the budget year, an increase in inmate population or a change in operational requirements may require additional staffing to ensure the safety of the inmates and the staff.

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Dennis E. Richards, Sheriff  
Date:

Vern E. Gove, County Board Chair  
Date:  
Susan M. Moll, County Clerk  
Date:

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

**RESOLUTION NO. 30-16**

WHEREAS, the Town of Courtland has been granted the authority to exercise village powers under Wis Stat. § 60.12(2)(c); and

WHEREAS, a public hearing was held and the Courtland Town Board, on June 2, 2015 voted to approve the ordinance amendment; and

WHEREAS, the Columbia County Board of Supervisors approved the Town of Courtland Zoning Ordinance on December 18, 2013; and

WHEREAS, Wis Stat. § 60.62(3) states that no town zoning ordinance or amendment to a town zoning ordinance may be adopted unless approved by the county board in counties having a county zoning ordinance in effect; and

WHEREAS, your Committee, based upon the facts of the request, does recommend that the amendment to the Town of Courtland Zoning Ordinance, as referenced in "Exhibit A", be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Columbia County Board of Supervisors that the amendment to the Town of Courtland Zoning Ordinance which rezones 6.32 acres of parcel 636.01 from A-1 Agriculture & Farmland Preservation to R-1 Rural Residential as represented by "Exhibit A" attached to and made a part of this resolution be approved effective upon filing the Certified Survey Map.

Fiscal Impact: None

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

**EXHIBIT A**

|                           |   |
|---------------------------|---|
| Town of Courtland Rezone: | Rezoning from A-1 Agriculture & Farmland Preservation District to R-1 Rural Residential   |
| Petitioner and Owner:     | Adam Erdmann  |
| Description of Property:  | Lot 1, CSM No. 5619 in the NW ¼, Section 30, T12N, R12E, Parcel 636.01, Town of Courtland |
| Site Address:             | W2426 CTH G   |
| Date:                     | July 5, 2016  |

**Background**

The Town of Courtland adopted a Town Zoning Ordinance in December of 2013. According to 60.62(3) Wisconsin Statutes in counties having a county zoning code, no town zoning ordinance or amendment of a town zoning ordinance may adopted under this section unless approved by the County Board. The Planning and Zoning Committee is responsible for reviewing town zoning amendment requests and for recommending that the County Board approve or deny such amendments.

**Town Request**

Adam Erdmann petitioned the Town of Courtland to rezone a 6.32 acre Certified Survey Map (CSM) lot, attached, on CTH G from A-1 Agriculture & Farmland Preservation to R-1 Rural Residential. The rezoning will allow the construction of a new single family home. The air photo on the next page shows the existing lot and the surrounding land uses.

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### Town Board Action

Following a public hearing on June 7, 2016 the Town Board of the Town of Courtland approved Ordinance 2016-3, attached, to rezone parcel 636.01 from A-1 Agriculture & Farmland Preservation to R-1 Rural Residential.

### Recommendation

Staff recommends the approval of rezoning the 6.32 acres of Lot 1 CSM 5619 in the Town of Courtland from A-1 Agriculture & Farmland Preservation to R-1 Rural Residential.

### Proposed Rezoning Erdmann Property



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

### **RESOLUTION NO. 31-16**

WHEREAS, the Town of Courtland has been granted the authority to exercise village powers under Wis Stat. § 60.12(2)(c); and

WHEREAS, a public hearing was held and the Courtland Town Board, on June 2, 2015 voted to approve the ordinance amendment; and

WHEREAS, the Columbia County Board of Supervisors approved the Town of Courtland Zoning Ordinance on December 18, 2013; and

WHEREAS, Wis Stat. § 60.62(3) states that no town zoning ordinance or amendment to a town zoning ordinance may be adopted unless approved by the county board in counties having a county zoning ordinance in effect; and

WHEREAS, your Committee, based upon the facts of the request, does recommend that the amendment to the Town of Courtland Zoning Ordinance, as referenced in "Exhibit A", be approved.

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NOW, THEREFORE, BE IT RESOLVED, by the Columbia County Board of Supervisors that the amendment to the Town of Courtland Zoning Ordinance which changes the zoning on a parcel 661 from A-1 Agriculture & Farmland Preservation to B-1 Rural Business as represented by "Exhibit A" attached to and made a part of this resolution be approved.

Fiscal Impact: None

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

#### EXHIBIT A

|                           |   |
|---------------------------|---|
| Town of Courtland Rezone: | Rezoning from A-1 Agriculture & Farmland Preservation District to B-1 Rural Business  |
| Petitioners and Owners:   | Anthony and Kathleen Raley  |
| Description of Property:  | A part of the NE ¼ of the SW ¼, Section 31, T12N, R12E, Parcel 661, Town of Courtland |
| Site Address:             | N5027 CTH A   |
| Date:                     | July 5, 2016  |

#### Background

The Town of Courtland adopted a Town Zoning Ordinance in December of 2013. According to 60.62(3) Wisconsin Statutes in counties having a county zoning code, no town zoning ordinance or amendment of a town zoning ordinance may adopted under this section unless approved by the County Board. The Planning and Zoning Committee is responsible for reviewing town zoning amendment requests and for recommending that the County Board approve or deny such amendments.

#### Town Request

Anthony and Kathleen Raley petitioned the Town of Courtland to rezone their 2 acres of land on CTH A from A-1 Agriculture & Farmland Preservation to B-1 Rural Business. The rezoning was necessary because besides an existing residence, the Raley's wish to have an auto and tire business on the property. The air photo on the next page shows the existing lot and the surrounding land uses.

#### Town Board Action

Following a public hearing on June 7, 2016 the Town Board of the Town of Courtland approved Ordinance 2016-1, attached, to rezone parcel 661 from A-1 Agriculture & Farmland Preservation to B-1 Rural Business.

#### Recommendation

Staff recommends the approval of the rezoning as proposed in the Town of Courtland from A-1 Agriculture & Farmland Preservation to B-1 Rural Business.

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## Proposed Rezoning Raley Property



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

### **RESOLUTION NO. 32-16**

WHEREAS, the Town of Courtland has been granted the authority to exercise village powers under Wis Stat. § 60.12(2)(c); and

WHEREAS, a public hearing was held and the Courtland Town Board, on June 2, 2015 voted to approve the ordinance amendment; and

WHEREAS, the Columbia County Board of Supervisors approved the Town of Courtland Zoning Ordinance on December 18, 2013; and

WHEREAS, Wis Stat. § 60.62(3) states that no town zoning ordinance or amendment to a town zoning ordinance may be adopted unless approved by the county board in counties having a county zoning ordinance in effect; and

WHEREAS, your Committee, based upon the facts of the request, does recommend that the amendment to the Town of Courtland Zoning Ordinance, as referenced in "Exhibit A", be approved.

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NOW, THEREFORE, BE IT RESOLVED, by the Columbia County Board of Supervisors that the amendment to the Town of Courtland Zoning Ordinance which rezones 5 acres of parcel 376.05 from A-1 Agriculture & Farmland Preservation to R-1 Rural Residential as represented by "Exhibit A" attached to and made a part of this resolution be approved effective upon filing the Certified Survey Map.

Fiscal Impact: None

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

#### EXHIBIT A

|                           |   |
|---------------------------|---|
| Town of Courtland Rezone: | Rezoning from A-1 Agriculture & Farmland Preservation District to R-1 Rural Residential                         |
| Petitioner and Owner:     | Lynn Wingers  |
| Description of Property:  | A part of Lot 1, CSM No. 3273 in the NE ¼ of the SW ¼, Section 17, T12N, R12E, Parcel 376.05, Town of Courtland |
| Site Address:             | Hollnagel Road  |
| Date:                     | July 5, 2016  |

#### Background

The Town of Courtland adopted a Town Zoning Ordinance in December of 2013. According to 60.62(3) Wisconsin Statutes in counties having a county zoning code, no town zoning ordinance or amendment of a town zoning ordinance may adopted under this section unless approved by the County Board. The Planning and Zoning Committee is responsible for reviewing town zoning amendment requests and for recommending that the County Board approve or deny such amendments.

#### Town Request

Lynn Wingers petitioned the Town of Courtland to rezone a proposed 5 acre Certified Survey Map (CSM) lot, attached, at the intersection of STH 146 and Hollnagel Road from A-1 Agriculture & Farmland Preservation to R-1 Rural Residential. The rezoning was necessary to allow for the construction of a single family home. The air photo on the next page shows the existing lot and the surrounding land uses.

#### Town Board Action

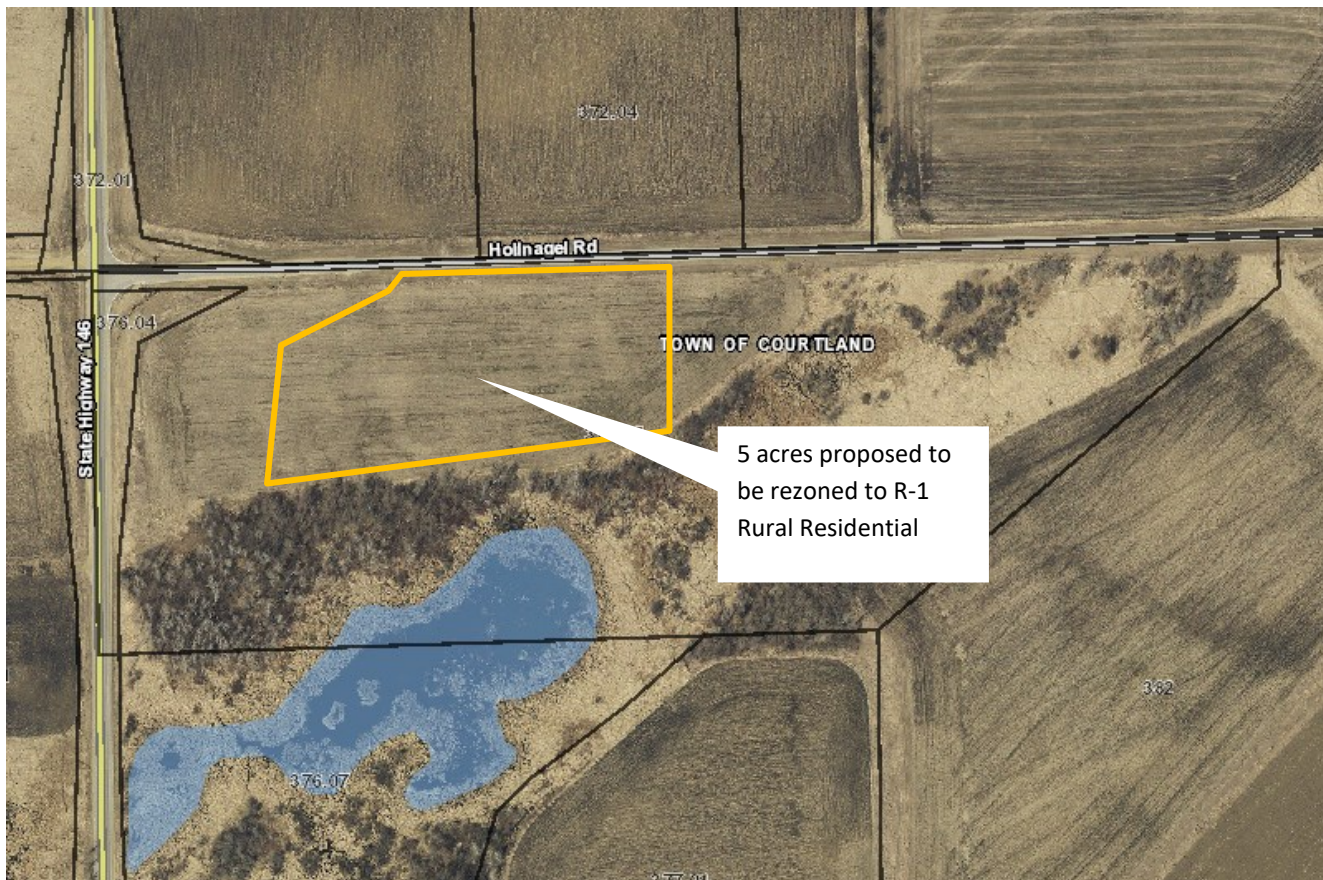
Following a public hearing on June 7, 2016 the Town Board of the Town of Courtland approved Ordinance 2016-2, attached, to rezone parcel 5 acres from A-1 Agriculture & Farmland Preservation to R-1 Rural Residential.

#### Recommendation

Staff recommends the approval of the rezoning as proposed in the Town of Courtland from A-1 Agriculture & Farmland Preservation to R-1 Rural Residential effective upon recording of the Certified Survey Map.

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## Proposed Rezoning Wingers Property



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

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

Wingers returned at 8:03 p.m.

### **RESOLUTION NO. 33-16**

WHEREAS, the Columbia County Board of Supervisors ratified the 2016 Sheriff's Sworn Union Contract on January 20, 2016; and,

WHEREAS, the terms of that Contract include a 1% ATB salary increase, and a 2.5% spread between steps, which is an average increase of 3.9%; and,

WHEREAS, the cost of that Contract settlement is \$95,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the sum of \$95,000.00 be transferred into the Sheriff's personnel budgets.

Fiscal Note: Required funds are included in the 2016 Contingency Fund. Transfer \$95,000.00 from the Contingency Fund #100.350000 to Sheriff's Personnel Accounts.

Fiscal Impact: None.

Barry Pufahl  
Dan F. Drew  
Matthew L. Rohrbeck  
Adam R. Field  
Bruce J. Rashke  
HUMAN RESOURCES COMMITTEE

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

**RESOLUTION NO. 34-16**

WHEREAS, the Air & Heating Unit (AHU) at the Huber Center has had extensive repairs done and is in need of some new components; and,

WHEREAS, in its current state, the AHU is operating at 75% capacity, which generates high humidity and can lead to a safety hazard; and,

WHEREAS, the cost to replace failing equipment components and fund repairs is estimated to be \$27,000.

NOW, THEREFORE, BE IT RESOLVED, that the funds required to update the AHU be transferred from the Contingency Fund to the County Jail Maintenance Account.

Fiscal Note: Transfer an amount not to exceed \$27,000 from the Contingency Fund Account No. 100.350000 to the County Jail Maintenance Account No. 8000.844000.344.

Fiscal Impact: The total cost will not exceed \$27,000.

Tim Zander  
Henry A. St. Maurice  
Bruce J. Rashke  
Andy Ross  
Kenneth Hutler  
INFORMATION SERVICES AND PROPERTY  
COMMITTEE

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

**ORDINANCE NO. 164-16**

The Columbia County Board of Supervisors do ordain as follows: That Title 12, Chapter 3, entitled "Speed Limits" of the County Code is hereby amended as follows:

**Sec. 12-3-2 Temporary Speed Limits**

- (a) If a highway is being constructed, reconstructed, maintained or repaired; temporary speed limits may be established as set forth in Wis Stat. s. 349.11(10).
- (b) The Columbia County Highway Commissioner, or his/her designee to, is authorized, at his/her discretion, to impose mandatory temporary speed limits under the continuing authority of this section and without need of further action of this body.
- (c) Temporary speed limits shall be in accord with this section and shall be imposed by the posting of other portable or fixed temporary regulatory speed limit signs of the same face size and design as permanent regulatory speed limit signs, type R2-1, as described in the Manual on Uniform Traffic Control Devices as adopted by the Wisconsin Department of Transportation.
- (d) Signs may be posted on any highway under the jurisdiction of this authority (and any state trunk highway upon which this county performs maintenance under S 84.07, Wis Stats.) when such highway is being constructed, reconstructed, maintained or repaired, but only in the immediate area of such work and of those persons engaged in performing such work.
- (e) Any temporary speed limit imposed in an area where construction, reconstruction, maintenance or repair is being performed on the shoulders or what is normally the travelled portion of the roadway, or where the highway construction or maintenance workers performing such work area necessary on the shoulders or what is normally the traveled portion of the roadway, shall be determined by, and at the discretion of, the Columbia County Highway Commissioner or his/her designee.
- (f) No temporary speed limit shall be imposed when construction, reconstruction, or maintenance or repair work is being performed inside the highway right-of-way but not on the shoulders or the traveled portion of highway.

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- (g) Any speed limits imposed under the authority of this section are temporary, and the signs imposing such limits shall be removed, covered, or otherwise obscured when the highway construction or maintenance workers performing construction, reconstruction, maintenance or repairs and their equipment are not present on the shoulders or the traveled portion of the highway.
- (h) The area in which any temporary speed limit imposed shall be terminated by posting a regulatory speed limit sign informing the public of the specific speed limit outside of the area where construction, reconstruction, maintenance or repair work is being performed.
- (i) Nothing herein shall prohibit the Columbia County Highway Commissioner from posting advisory speed limit signs of the type W13-1 as described in the Manual of Uniform Traffic Control Devices, in areas of highway construction, reconstruction, maintenance and repair suggesting such speed as he or she deems appropriate to promote the safety of highway construction and maintenance workers, pedestrians, and highway users and that such advisory signs may also be posted in conjunction with the temporary mandatory speed limit signs, as described and authorized above.

Fiscal Note: None

Fiscal Impact: None

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

DATE PASSED: July 20, 2016

DATE PUBLISHED: July 25, 2016

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

#### **ORDINANCE NO. P18-2016**

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

Pursuant to section 59 of the Wisconsin Statutes, Columbia County, is authorized to amend a comprehensive plan as defined in section 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes.

The Planning and Zoning Committee of Columbia County, by a majority vote of the entire committee recorded in its official minutes, has recommended to the County Board the adoption of the document dated December 1, 2009 and entitled "Amendments to the Columbia County Comprehensive Plan 2030" as specified in section 66.1001(2) of the Wisconsin Statutes.

The "Amendments to the Columbia County Comprehensive Plan 2030" include the following items:

Map Amendment – Agricultural or Open Space and Single Family Residential to Agricultural or Open Space and Single Family Residential; Susan L. Ziegler Living Trust, Petitioner & Owner, Town of Arlington, Reference File No. 2016-18 in the Planning & Zoning Department.

Map Amendment – Farmland Preservation Area and Urban Transition Area to Farmland Preservation Area and Urban Transition Area; Susan L. Ziegler Living Trust, Petitioner & Owner, Town of Arlington, Reference File No. 2016-18 in the Planning & Zoning Department.

The County Planning and Zoning Committee has held at least one public hearing on this ordinance, in compliance with the requirements of section 66.1001(4)(d) of the Wisconsin Statutes.

The County Board of Columbia County, Wisconsin, does, by enactment of this ordinance, formally adopt the document dated December 1, 2009 and entitled "Amendments to the Columbia County Comprehensive Plan 2030" pursuant to section 66.1001(4)(c) of the Wisconsin Statutes.

This ordinance shall take effect on July 20, 2016 upon passage by a majority vote of the members-elect of the County Board and posted as required by law.

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

DATE PASSED: July 20, 2016  
DATE PUBLISHED: July 25, 2016

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

**ORDINANCE NO. P19-2016**

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

Pursuant to section 59 of the Wisconsin Statutes, Columbia County, is authorized to amend a comprehensive plan as defined in section 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes.

The Planning and Zoning Committee of Columbia County, by a majority vote of the entire committee recorded in its official minutes, has recommended to the County Board the adoption of the document dated December 1, 2009 and entitled "Amendments to the Columbia County Comprehensive Plan 2030" as specified in section 66.1001(2) of the Wisconsin Statutes.

The "Amendments to the Columbia County Comprehensive Plan 2030" include the following items:

Map Amendment –Recreational to Single Family Residential; Portage Country Club, Petitioner & Owner, Town of Wyocena, Reference File No. 2016-19 in the Planning & Zoning Department.

The County Planning and Zoning Committee has held at least one public hearing on this ordinance, in compliance with the requirements of section 66.1001(4)(d) of the Wisconsin Statutes.

The County Board of Columbia County, Wisconsin, does, by enactment of this ordinance, formally adopt the document dated December 1, 2009 and entitled "Amendments to the Columbia County Comprehensive Plan 2030" pursuant to section 66.1001.4)(c) of the Wisconsin Statutes.

This ordinance shall take effect on July 20, 2016 upon passage by a majority vote of the members-elect of the County Board and posted as required by law.

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

DATE PASSED: July 20, 2016  
DATE PUBLISHED: July 25, 2016

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

**ORDINANCE NO. Z450-16**

The Columbia County Board of Supervisors do ordain as follows: That Title 16 – Chapter 100, entitled "Zoning", of the County Code, as passed by the Board of Supervisors on May 14, 2014 is hereby amended and added thereto as follows:

- (1) "To change from A-1 Agriculture to I-2 General Industrial", (WB Sales, Petitioner and Leona Hutchinson LLC, Owners) parcel of land located in Section 3, T11N, R9E, Town of Dekorra more particularly described as follows: Land to be Rezoned from A-1 Agriculture to I-2 General Industrial - Lot 1, Certified Survey Map Number 3556, Parcel 51.01 Section 3, Town 11 North, Range 9 East, Town of Dekorra, Columbia County, WI.

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DATE PASSED: July 20, 2016  
DATE PUBLISHED: July 25, 2016

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

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

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

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

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

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

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

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

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

Ross spoke in favor of the amending ordinance.

Sleger indicated he would be voting against the rezone.

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

AYES: 16; NOES: 11; ABSENT: 1

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

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

ABSENT: Weyh.

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

#### **ORDINANCE NO. Z451-16**

The Columbia County Board of Supervisors do ordain as follows: That Title 16 – Chapter 100, entitled “Zoning”, of the County Code, as passed by the Board of Supervisors on May 14, 2014 is hereby amended and added thereto as follows:

- (1) “To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay”, (Sandra M. Paulsen, Petitioner and Owner) parcels of land located in Section 2, T13N, R7E, Town of Lewiston, described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being a part of the Southeast Quarter of the Northeast Quarter of Section 2, Town 13 North, Range 7 East, Town of Lewiston, Columbia County, Wisconsin, described as follows: Commencing at the Northeast corner of said Section 2, thence South 00°10’31” East along the East line of the Northeast Quarter of said Section 2, 1,712.52 feet to the Northeast corner of the Southeast

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Quarter of the Northeast Quarter of said Section 2; thence South 89°43'38" West along the North line of the Southeast Quarter of the Northeast Quarter of said Section 2, 484.00 feet to the point of beginning; thence South 00°16'22" East, 402.00 feet; thence South 89°43'38" West, 541.79 feet; thence North 00°16'22" West, 402.00 feet to a point in the North line of the Southeast Quarter of the Northeast Quarter of said Section 2; thence North 89°43'38" East along the North line of the Southeast Quarter of the Northeast Quarter of said Section 2, 541.79 feet to the point of beginning; Containing 217,800 square feet (5.00 acres), more or less, and being subject to 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 the Southwest Quarter of the Northwest Quarter and that portion of the West half of the Northwest Quarter of the Northwest Quarter of Section 1, Town 13 North, Range 7 East, Town of Lewiston, Columbia County, Wisconsin lying South of County Trunk Highway XX, except the following described parcel: Commencing at the Northwest corner of said Section 1; thence South 00°10'31" East along the West line of the Northwest Quarter of said Section 1, 1,109.40 feet to a point in the centerline of County Trunk Highway XX and the point of beginning; thence Southeasterly along a 1,750.00 foot radius curve to the left in the centerline of County Trunk XX having a central angle of 28°03'03" and whose long chord bears South 51°36'07" East, 848.24 feet to a point in the East line of the West Half of the Northwest Quarter of the Northwest Quarter of said Section 1; thence South 00°07'55" East along the East line of the West Half of the Northwest Quarter of the Northwest Quarter of said Section 1, 88.33 feet to the Southeast corner thereof; thence North 88°57'28" West along the South line of the Northwest Quarter of the Northwest Quarter of said Section 1, 182.14 feet; thence South 45°00'28" West, 112.58 feet; thence South 10°03'06" West, 252.31 feet; thence North 80°05'00" West, 361.94 feet to a point in the West line of the Northwest Quarter of said Section 1; thence North 00°10'31" West along the West line of the Northwest Quarter of said Section 1, 77.57 feet to the point of beginning; Containing 37.24 acres, more or less. also; The East half of the North half of the South half of the Northeast Quarter and the East half of the North half of the South half of the South half of the Northeast Quarter of Section 2, Town 13 North, Range 7 East, Town of Lewiston, Columbia County, Wisconsin, except the following described parcel: Commencing at the Northeast corner of said Section 2, thence South 00°10'31" East along the East line of the Northeast Quarter of said Section 2, 1,712.52 feet to the Northeast corner of the Southeast Quarter of the Northeast Quarter of said Section 2; thence South 89°43'38" West along the North line of the Southeast Quarter of the Northeast Quarter of said Section 2, 484.00 feet to the point of beginning; thence South 00°16'22" East, 402.00 feet; thence South 89°43'38" West, 541.79 feet; thence North 00°16'22" West, 402.00 feet to a point in the North line of the Southeast Quarter of the Northeast Quarter of said Section 2; thence North 89°43'38" East along the North line of the Southeast Quarter of the Northeast Quarter of said Section 2, 541.79 feet to the point of beginning; Containing 25.00 acres, more or less, and being subject to servitudes and easements of use or record, if any. All effective upon recording of the Certified Survey Map.

- (2) "To change from A-1 Agriculture and R-1 Single Family Residence to RR-1 Rural Residence", (Bryan S. Wendt & Heather R. Wendt, Petitioners and Owners) a parcel of land located in Section 23, T12N, R10E, Town of Wyocena, described as follows: Land to be Rezoned from A-1 Agriculture and R-1 Single Family Residence to RR-1 Rural Residence - A parcel of land which includes Lot 1, Certified Survey Map No. 1362, as recorded in Volume 6 of Certified Survey Maps, page 124, Document No. 475343, and Lot 2, Certified Survey Map No. 5229, as recorded in Volume 37 of Certified Survey Maps, Page 1, Document No. 822131, all being part of the Southeast ¼ of the Northeast ¼ of Section 23, Town 12 North, Range 10 East, Town of Wyocena, Columbia County, Wisconsin, all being more particularly described as follows: Beginning at the Southwest corner of Lot 2, Certified Survey Map No. 5229; thence North 01°23'17" West 550.54 feet along the west line of Lot 2, Certified Survey Map No. 5229 and the west line of Lot 1, Certified Survey Map No. 1362 to a point which lies South 01°23'17" East 49.22 feet more or less from the water's edge of Duck Creek, being the

beginning of a meander line along Duck Creek; thence South 56°50'02" East 294.31 feet along a meander line to a point which lies South 01°23'17" East 32 feet more or less from the water's edge of Duck Creek, being the terminus of the meander line; thence South 01°23'17" East 249.87 feet along the east line of Lot 2, Certified Survey Map No. 5229; thence South 85°57'17" West 65.50 feet along the east line of Lot 2; thence South 09°08'48" East 128.36 feet along the east line of Lot 2; thence South 87°34'32" West 194.32 feet along the south line of Lot 2 to the point of beginning. Containing 2.53 acres, more or less. Including all lands lying between the meander line, the water's edge of Duck Creek, and true extensions of the east and west lines of the above described parcel. Being subject to Twitchell Road (Town Road) and County Trunk Highway G rights-of-way. All effective upon recording of a legal document combining the lots.

- (3) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay", (Jesse B. Gentz & Joanna L. Gentz, Petitioners and Owners) parcels of land located in Section 29, T12N, R10E, Town of Wyocena, described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Part of Lot 2, Certified Survey Map No. 5504, as recorded in Volume 39, page 19, Document No. 857052, located in the Northeast Quarter of the Southeast Quarter of Section 29, Town 12 North, Range 10 East, Town of Wyocena, Columbia County, Wisconsin, more particularly described as follows: Beginning at the Northwest corner of Lot 2, Certified Survey Map No. 5504; thence South 00°11'40" East 700.00 feet along the west line of Lot 2; thence South 89°18'16" East 320.00 feet; thence North 00°11'40" West 300.00 feet; thence North 89°18'16" West 220.00 feet; thence North 00°11'40" West 400.00 feet to the north line of Lot 2; thence North 89°18'16" West 100.00 feet along the north line of Lot 2 to the point of beginning. Containing 3.12 acres, more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay - Lot 2, Certified Survey Map No. 5504, as recorded in Volume 39, page 19, Document No. 857052, located in the Northeast Quarter of the Southeast Quarter of Section 29, Town 12 North, Range 10 East, Town of Wyocena, Columbia County, Wisconsin, except the following described parcel: Beginning at the Northwest corner of Lot 2, Certified Survey Map No. 5504; thence South 00°11'40" East 700.00 feet along the west line of Lot 2; thence South 89°18'16" East 320.00 feet; thence North 00°11'40" West 300.00 feet; thence North 89°18'16" West 220.00 feet; thence North 00°11'40" West 400.00 feet to the north line of Lot 2; thence North 89°18'16" West 100.00 feet along the north line of Lot 2 to the point of beginning. Containing 33.85 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 A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Ronald W. Senft & Delores A. Senft, Petitioners and Owners) parcels of land located in Section 14, T12N, R11E, Town of Springvale, 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 of Section 14, Town 12 North, Range 11 East, Town of Springvale, Columbia County, Wisconsin, more particularly described as follows: Commencing at the West Quarter corner of said Section 14; thence North 89°21'33" East along the East - West Quarter line of said Section 14, 2,684.48 feet to the center quarter corner of said Section 14 and the point of beginning; thence continuing North 89°21'33" East along the East - West Quarter line of said Section 14, 309.00 feet; thence South 01°01'48" East, 344.50 feet; thence South 89°21'33" West, 309.00 feet to a point in the West line of the Southeast Quarter of said Section 14; thence North 01°01'48" West along the West line of the Southeast Quarter of said Section 14, 344.50 to the point of beginning. Containing 106,448 square feet, (2.44 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 Northwest Quarter of the Southeast Quarter of Section 14, Town 12 North, Range 11 East, Town of Springvale, Columbia County, Wisconsin, more particularly described as follows: Commencing at the West Quarter corner of said Section 14; thence North 89°21'33" East along the East-West Quarter line of said Section 14, 2,993.48 feet to the point of beginning; thence continuing North 89°21'33" East along the East-West Quarter

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line of said Section 14, 1,033.24 feet to the Northeast corner of the Northwest Quarter of the Southeast Quarter of said Section 14; thence South 00°52'25" East along the East line of the Northwest Quarter of the Southeast Quarter of said Section 14, 1,180.84 feet; thence South 89°21'33" West, 1,339.01 feet to a point in the West line of the Southeast Quarter of said Section 14; thence North 01°01'48" West along the West line of the Southeast Quarter of said Section 14, 836.36 feet; thence North 89°21'33" East, 309.00 feet; thence North 01°01'48" West, 344.50 feet to the point of beginning. Containing 1,476,604 square feet (33.90 acres), more or less. All effective upon recording of the Certified Survey Map.

- (5) "To change from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (William H. Ingraham & Laurel M. Ingraham, Petitioners and Owners) a parcel of land located in Section 18, T11N, R9E, Town of Dekorra, described as follows: Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - Being part of the Southeast Quarter of the Northeast Quarter of Section 13, Town 11 North, Range 8 East and a part of the fractional Southwest Quarter of the Northwest Quarter of Section 18, Town 11 North, Range 9 East, Town of Dekorra, Columbia County, Wisconsin, described as follows: Commencing at the East Quarter corner of Section 18; thence North 89°30'34" West along the East-West Quarter line of said Section 18, 4,292.08 feet to the point of beginning; thence continuing North 89°30'34" West along the East-West Quarter line of said Section 18, 728.59 feet to a point in the East right-of-way line of I-39/90/94; thence North 33°11'19" West along the East right-of-way line of I-39/90/94, 17.82 feet; thence North 23°17'41" West along the East right-of-way line of I-39/90/94, 424.72 feet; thence Northwesterly along a 34,477.49 foot radius curve to the left in the East right-of-way line of I-39/90/94, having a central angle of 00°36'46" and whose long chord bears North 23°36'04" West, 368.81 feet; thence North 41°38'37" East, 86.23 feet; thence North 63°55'33" East, 52.54 feet; thence North 46°27'40" East, 127.09 feet; thence North 69°47'15" East, 165.47 feet; thence South 82°14'56" East, 154.81 feet; thence North 88°58'57" East, 188.56 feet; thence North 75°20'16" East, 218.08 feet; thence North 86°41'38" East, 131.71 feet; thence South 00°59'03" East, 1,026.87 feet to the point of beginning. Containing 871,397 square feet, (20.00 acres), more or less. All effective upon recording of the Certified Survey Map.
- (6) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Vernon Karman, James Woodward, Joseph Woodward, Petitioners and Owners) parcels of land located in Section 14, T11N, R9E, Town of Dekorra, 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. 1207 as recorded in Volume 5 of Certified Survey Maps, page 199 as Document No. 466650 located in the Northwest Quarter of the Southwest Quarter of Section 14, Town 11 North, Range 9 East, Town of Dekorra, Columbia County, Wisconsin, more particularly described as follows: Commencing at the East corner of Section 14; thence North 89°55'45" West along the East-West Quarter line of said Section 14, 3,937.56 feet to the Northeast corner of the Northwest Quarter of the Southwest Quarter of said Section 14 said point also being the Northeast corner of Lot 1, Certified Survey Map, No. 1207; thence South 00°05'29" East along the East line of the Northwest Quarter of the Southwest Quarter of said Section 14, 630.26 feet to the point of beginning; thence continuing South 00°05'29" East along the East line of the Northwest Quarter of the Southwest Quarter of said Section 14, 697.84 feet to the Southeast corner of the Northwest Quarter of the Southwest Quarter of Section 14, said point also being the Southeast corner of said Lot 1; thence South 89°45'57" West along the South line of the Northwest Quarter of the Southwest Quarter of said Section 14 and the South line of said Lot 1, 121.49 feet; thence North 06°55'33" West, 703.14 feet; thence North 89°54'31" East, 205.17 feet to the point of beginning. Containing 114,010 square feet, (2.62 acres), more or less. also; Being a part of Lot 1, Certified Survey Map No. 1406 as recorded in Volume 6 of Certified Survey Maps, page 168 as Document No. 477960 located in the Southwest Quarter of the Northwest Quarter of Section 14, Town 11 North, Range 9 East, Town of Dekorra, Columbia County, Wisconsin, more particularly described as follows: Commencing at the East Quarter corner of Section 14; thence North 89°55'45" West along

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the East–West Quarter line of said Section 14, 3,937.56 feet to the Southeast corner of the Southwest Quarter of the Northwest Quarter of said Section 14 said point also being the Southeast corner of Lot 1, Certified Survey Map, No. 1406 and the point of beginning; thence continuing North 89°55'45" West along the East–West Quarter line of said Section 14 and the South line of said Lot 1, 518.41 feet to the Southwest corner of said Lot 1, said point also being in the Easterly right-of-way line of US Highway 51; thence Northwesterly along a 5,655.00 foot radius curve to the right in the West line of said Lot 1 and the East right-of-way line of US Highway 51 having a central angle of 05°22'22" and whose long chord bears North 02°54'44" West, 530.10 feet; thence North 00°14'41" West along the West line of said Lot 1 and the East right-of-way line of US Highway 51, 51.91 feet; thence South 44°53'32" East, 59.93 feet; thence South 04°28'37" East, 303.48 feet; thence South 42°39'32" East, 52.53 feet; thence North 88°38'20" East, 212.08 feet; thence North 87°25'04" East, 100.67 feet; thence South 76°08'14" East, 70.88 feet; thence South 86°24'44" East, 63.17 feet to a point in the East line of said Lot 1, said point also being in the East line of the Southwest Quarter of the Northwest Quarter of said Section 14; thence South 00°08'44" West along the East line of said Lot 1 and the East line of the Southwest Quarter of the Northwest Quarter of said Section 14, 186.96 feet to the point of beginning. Containing 124,275 square feet, (2.85 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. 1406 as recorded in Volume 6 of Certified Survey Maps, page 168 as Document No. 477960 and Lot 1, Certified Survey Map No. 1207 as recorded in Volume 5 of Certified Survey Maps, page 199 as Document No. 466650 located in the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 14, Town 11 North, Range 9 East, Town of Dekorra, Columbia County, Wisconsin, more particularly described as follows: Commencing at the East Quarter corner of Section 14; thence North 89°55'45" West along the East – West line of said Section 14, 3,937.56 feet to the Northeast corner of the Northwest Quarter of the Southwest Quarter of said Section 14, said point also being the Northeast corner of Lot 1, Certified Survey Map, No. 1207 and the point of beginning; thence South 00°05'29" East along the East line of Northwest Quarter of the Southwest Quarter of said Section 14, 630.36 feet; thence South 89°54'31" West, 205.17 feet; thence South 06°55'33" East, 237.57 feet; thence South 89°54'31" West, 314.48 feet to a point in the centerline of US Highway 51; thence North 06°55'33" West along the West line of said Lot 1 and the centerline of US Highway 51, 735.54 feet; thence Northwesterly along a 5,730.00 foot radius curve to the right in the West line of said Lot 1, Certified Survey Map, No. 1406 and the centerline of US Highway 51 having a central angle of 06°40'53" and whose long chord bears North 03°34'00" West, 667.82 feet; thence North 00°14'41" West along the West line of said Lot 1 and the centerline line of US Highway 51, 1,380.35 feet; thence Northwesterly along a 2,865.00 foot radius curve to the left in the West line of said Lot 1 and the centerline of US Highway 51 having a central angle of 04°21'46" and whose long chord bears North 02°18'20" West, 218.10 feet to the Northwest corner of said Lot 1; thence North 89°07'24" East along the North line of said Lot 1 and the centerline of Hebl Road, 520.94 feet to the Northeast corner of said Lot 1; thence South 01°16'04" East along the East line of said Lot 1, 165.00 feet; thence North 89°06'42" East along the East line of said Lot 1, 115.50 feet; thence South 00°08'44" West along the East line of said Lot 1, the East line of the Northwest Quarter of the Northwest Quarter and the East line of the Southwest Quarter of the Northwest Quarter of said Section 14, 1,785.86 feet; thence North 86°24'44" West, 63.17 feet; thence North 76°09'14" West, 70.88 feet; thence South 87°25'04" West, 100.67 feet; thence South 88°38'20" West, 212.08 feet; thence North 42°39'32" West, 52.53 feet; thence North 04°28'37" West, 303.48 feet; thence North 44°53'31" West, 59.93 feet to a point in the East right-of-way line of US Highway 51; thence South 00°14'41" East along the East right-of-way line of US Highway 51, 51.91 feet; thence Southeasterly along a 5,655.00 foot radius curve to the left in the East right-of-way line of US Highway 51 having a central angle of 05°22'22" and whose long chord bears South 02°54'44" East, 530.10 feet; thence South 89°55'45" East along the East – West Quarter line of said Section 14, 518.41 feet to the point of beginning.



- Containing 1,612,252 square feet, (37.01 acres), more or less. also; Being a part of the Northeast Quarter of the Southwest Quarter of Section 14, Town 11 North, Range 9 East, Town of Dekorra, Columbia County, Wisconsin, more particularly described as follows: Commencing at the East Quarter corner of said Section 14; thence North 89°55'45" West along the East-West Quarter line of said Section 14, 2,624.13 feet to the center of said Section 14 and the point of beginning; thence South 00°05'19" West along the North-South Quarter line of said Section 14, 1,067.53 feet; thence North 89°55'45" West, 1,096.77 feet; thence South 00°05'29" East, 47.00 feet; thence South 89°45'57" West, 213.30 feet to a point in the West line of the Northeast Quarter of the Southwest Quarter said Section 14, said point also being in the East line of Lot 1, Certified Survey Map, No. 1207; thence North 00°05'29" West along the West line of the Northeast Quarter of the Southwest Quarter of said Section 14 and the East line of said Lot 1, 1,115.67 feet to the Northeast corner of said Lot 1, said point also being the Northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 14; thence South 89°55'45" East along the East-West Quarter line of said Section 14, 1,313.42 feet to the point of beginning. Containing 1,410,471 square feet, (32.38 acres), more or less. All effective upon recording of the Certified Survey Map.
- (7) "To change from R-1 Single Family Residence and A-1 Agriculture to R-1 Single Family Residence and from R-1 Single Family Residence and A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Susan L. Ziegler Living Trust, Petitioner and Owner) parcels of land located in Section 2, T10N, R9E, Town of Arlington, described as follows: Land to be Rezoned from R-1 Single Family Residence and A-1 Agriculture to R-1 Single Family – residence - Being a part of the Northwest Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 2, Town 10 North, Range 9 East, Town of Arlington, Columbia County, Wisconsin, more particularly described as follows: Commencing at the East Quarter corner of Section 2; thence North 89°39'51" West along the East-West Quarter line of said Section 2, 3,196.09 feet to a point in the West right-of-way of US Highway 51; thence Northwesterly along a 6,300.50 foot radius curve to the right in the West right-of-way line of US Highway 51 having a central angle of 01°46'28" and whose long chord bears North 15°27'03" West, 195.12 feet to a point in the West right-of-way line of Loveland Road; thence North 22°05'28" West along the West right-of-way line of Loveland Road, 1,188.62 feet; thence North 54°03'18" West along the West right-of-way line of Loveland Road, 367.43 feet; thence North 55°00'29" West along the West right-of-way line of Loveland Road, 79.31 feet to the point of beginning; thence South 34°59'31" West, 574.38 feet to a point in the East right-of-way line of the Canadian Pacific Railroad; thence Northwesterly along a 1,604.28 foot radius curve to the right in the East right-of-way line of the Canadian Pacific Railroad having a central angle of 07°45'15" and whose long chord bears North 31°55'42" West, 216.95 feet; thence North 28°03'04" West along the East right-of-way line of the Canadian Pacific Railroad, 49.90 feet; thence Northwesterly along a 1,877.08 foot radius curve to the right in the East right-of-way line of the Canadian Pacific Railroad having a central angle of 23°02'56" and whose long chord bears North 16°31'37" West, 750.02 feet to a point in the West right-of-way line of Loveland Road; thence South 55°00'29" East along the West right-of-way line of Loveland Road, 831.19 feet to the point of beginning. Containing 283,911 square feet, (6.52 acres), more or less. Land to be Rezoned from R-1 Single Family Residence and A-1 Agriculture to RR-1 Rural Residence - Being a part of the Northwest Quarter of the Northwest Quarter, the Southwest Quarter of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter and the Northeast Quarter of the Northwest Quarter of Section 2, Town 10 North, Range 9 East, Town of Arlington, Columbia County, Wisconsin, more particularly described as follows: Commencing at the East Quarter of Section 2; thence North 89°39'51" West along the East-West Quarter line of said Section 2, 3,196.09 feet to a point in the West right-of-way of US Highway 51; thence Northwesterly along a 6,300.50 foot radius curve to the right in the West right-of-way line of US Highway 51 having a central angle of 01°46'28" and whose long chord bears North 15°27'03" West, 195.12 feet to a point in the West right-of-way line of Loveland Road; thence North 22°05'28" West along the West right-of-way line of Loveland Road, 1,058.02



feet to the point of beginning; thence South 34°59'31" West, 595.06 feet to a point in the East right-of-way line of the Canadian Pacific Railroad; thence North 50°03'04" West along the East right-of-way line of the Canadian Pacific Railroad, 167.90 feet; thence Northwesterly along a 1,604.28 foot radius curve to the right in the East right-of-way line of the Canadian Pacific Railroad having a central angle of 14°14'45" and whose long chord bears North 42°55'42" West, 397.86 feet; thence North 34°59'31" East, 574.38 feet to a point in the West right-of-way line of Loveland Road; thence South 55°00'29" East along the West right-of-way line of Loveland Road, 79.31 feet; thence South 54°03'18" East along the West right-of-way line of Loveland Road, 367.43 feet; thence South 22°05'28" East along the West right-of-way line of Loveland Road, 130.60 feet to the point of beginning. Containing 348,480 square feet, (8.00 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 and the Southeast Quarter of the Northwest Quarter of Section 2, Town 10 North, Range 9 East, Town of Arlington, Columbia County, Wisconsin, more particularly described as follows: Commencing at the East Quarter of Section 2; thence North 89°39'51" West along the East-West Quarter line of said Section 2, 3,196.09 feet to a point in the West right-of-way of US Highway 51 and the point of beginning; thence continuing North 89°39'51" West along the East-West Quarter line of said Section 2, 70.21 feet to a point in the East right-of-way line of the Canadian Pacific Railroad; thence Northwesterly along a 1,943.08 foot radius curve to the left in the East right-of-way line of the Canadian Pacific Railroad having a central angle of 14°07'48" and whose long chord bears North 42°59'11" West, 477.97 feet; thence North 50°03'04" West along the East right-of-way line of the Canadian Pacific Railroad, 515.29 feet; thence North 34°59'31" East, 595.06 feet to a point in the West right-of-way line of Loveland Road; thence South 22°05'28" East along the West right-of-way line of Loveland Road, 1,058.02 feet to a point in the West right-of-way line of US Highway 51; thence Southeasterly along a 6,300.50 foot radius curve to the left in the West right-of-way line of US Highway 51 having a central angle of 01°46'28" and whose long chord bears South 15°27'03" East, 195.12 feet to the point of beginning. Containing 324,746 square feet, (7.46 acres), more or less. All effective upon recording of the Final Plat of Loveland Estates.

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

DATE PASSED: July 20, 2016  
DATE PUBLISHED: July 25, 2016

Motion was made by Teitgen, second by Bradley, to approve the rezone requests for Sandra Paulsen, Petitioner and Owner; Bryan and Heather Wendt, Petitioners and Owners; Jesse and Joanna Gentz, Petitioners and Owners; Ronald and Delores Senft, Petitioners and Owners; William and Laurel Ingraham, Petitioners and Owners; Vernon Karman, James Woodward and Joseph Woodward, Petitioners and Owners; and Susan Ziegler Living Trust, Petitioner and Owner were approved. The motion carried. The Ordinance was declared passed and is to be known as Ordinance Z451-16.

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

The Columbia County Board of Supervisors do ordain as follows: The Columbia County Code of Ordinances as adopted by the Board of Supervisors on April 21, 1998 is hereby amended and revised as follows:

Wisconsin Administrative Code NR115 and Wisconsin Statutes 59.692 & 281.31 establishes the authority of the County to enact an ordinance governing Shoreland-Wetland Protection Ordinance.

The County Shoreland-Wetland Protection Ordinance has been in effect since 1985 and recently there have been changes and modifications to Wisconsin Administrative Code NR115 and Wisconsin Statutes 59.692 & 281.31 which require the Shoreland-Wetland Protection Ordinance be updated.

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The revision is necessary to ensure that the Shoreland-Wetland Protection Ordinance is consistent with the adopted Columbia County Comprehensive Plan 2030.

The proposed Title 16 Chapter 500 is a recodification which updates the ordinance and reformats the ordinance such that it is consistent with the other Chapters of Title 16.

The Columbia County Planning and Zoning Committee conducted a public hearing and is recommending the repeal of Title 16 Chapter 5 Shoreland-Wetland Protection Ordinance and the creation of a new Title 16 Chapter 500 Shoreland-Wetland Protection Ordinance.

NOW THEREFORE BE IT ORDAINED, by the Columbia County Board of Supervisors that Title 16 Chapter 5 of the Columbia County Code of Ordinances (Shoreland-Wetland Protection Ordinance) is repealed and Title 16 Chapter 500 Shoreland-Wetland Protection Ordinance is created and is attached as Exhibit "A".

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

DATE PASSED:

DATE PUBLISHED:

Exhibit "A"  
Shoreland Wetland Protection Ordinance  
Title 16 Chapter 500

Columbia County Board of Supervisors  
Adopted: July 20, 2016

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## **Subchapter 16-501 Statutory Authorization, Finding of Fact, Statement of Purpose and Title**

### **SECTIONS:**

[16-501-010 Statutory Authorization](#)

[16-501-020 Finding of Fact](#)

[16-501-030 Purpose and Intent](#)

[16-501-040 Title](#)

### **16-501-010 STATUTORY AUTHORIZATION**

This ordinance is adopted pursuant to the authorization in s. 59.692, Wis. Stats., to implement s. 59.692 and s. 281.31, Wis. Stats.

### **16-501-020 FINDING OF FACT**

Uncontrolled use of the shorelands and pollution of the navigable waters of Columbia County will adversely affect the public health, safety, convenience, and general welfare and impair the tax base. The legislature of Wisconsin has delegated responsibility to the counties to further the maintenance of safe and healthful conditions; prevent and control water pollution; protect spawning grounds, fish and aquatic life; control building sites, placement of structures and land uses; and to preserve shore cover and natural beauty. This responsibility is hereby recognized by Columbia County, Wisconsin.

### **16-501-030 PURPOSE AND INTENT**

For the purpose of promoting the public health, safety, convenience and welfare, and promote and protect the public trust in navigable waters this ordinance has been established to:

- A. Further the maintenance of safe and healthful conditions and prevent and control water pollution through:
  - 1. Limiting structures to those areas where soil and geological conditions will provide a safe foundation.
  - 2. Establishing minimum lot sizes to provide adequate area for private on-site waste treatment systems.
  - 3. Controlling filling and grading to prevent soil erosion problems.
  - 4. Limiting impervious surfaces to control runoff which carries pollutants.
  - 5. Preserving wetlands to minimize runoff and soil erosion.
- B. Protect spawning grounds, fish and aquatic life through:
  - 1. Preserving wetlands and other fish and aquatic habitat.
  - 2. Regulating pollution sources.
  - 3. Controlling shoreline alterations, dredging, and lagooning.
- C. Control building sites, placement of structures and land uses through:
  - 1. Prohibiting certain uses detrimental to the shoreland-wetlands.
  - 2. Setting minimum lot sizes and widths.
  - 3. Setting minimum building setbacks from waterways.
  - 4. Setting the maximum height of near shore structures.
- D. Preserve and restore shoreland vegetation and natural scenic beauty through:
  - 1. Restricting the removal of natural shoreland cover.
  - 2. Preventing shoreline encroachment by structures.
  - 3. Controlling shoreland excavation and other earth moving activities.
  - 4. Regulating the use and placement of boathouses and other structures.
  - 5. Preventing the destruction and degradation of wetlands.
- E. Protect and preserve wetlands through:
  - 1. Restricting the placement of fill material in wetlands.
  - 2. Encouraging avoidance and minimization of wetland impacts.
  - 3. Preserving native wetland plant/tree communities.

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F. Prevent flood damages through:

1. Restricting filling, grading, and the placement of buildings and structures in floodplains and wetlands.
2. Preserving the ecological integrity of floodplains and wetlands.
3. Restoring floodplains and wetlands to increase floodwater storage.

**16-501-040 TITLE**

Shoreland Wetland Protection Ordinance for Columbia County, Wisconsin.

**Subchapter 16-505 General Provisions**

**SECTIONS:**

[16-505-010 Areas to Be Regulated](#)

[16-505-020 Shoreland-Wetland Maps](#)

[16-505-030 Compliance](#)

[16-505-040 Municipalities and State Agencies Regulated](#)

[16-505-050 Abrogation and Greater Restrictions](#)

[16-505-060 Interpretation](#)

[16-505-070 Severability](#)

**16-505-010 AREAS TO BE REGULATED**

Areas regulated by this ordinance shall include all the lands (referred to herein as shorelands) in the unincorporated areas of Columbia County which are:

- A. Within one thousand (1,000) feet of the ordinary high-water mark of navigable lakes, ponds or flowages. Lakes, ponds, or flowages in Columbia County shall be presumed to be navigable if they are listed in the Wisconsin Department of Natural Resources publication FH-800 2009 "Wisconsin Lakes" book or are shown on United States Geological Survey quadrangle maps (1:24,000).
- B. Within three hundred (300) feet of the ordinary high-water mark of navigable rivers or streams, or to the landward side of the floodplain, whichever distance is greater. Rivers and streams in Columbia County shall be presumed to be navigable if they are designated as perennial waterways or intermittent waterways on United States Geological Survey quadrangle maps (1:24,000). Flood hazard boundary maps, flood insurance rate maps, flood boundary-floodway maps, County soil survey maps or other existing County floodplain zoning maps shall be used to delineate floodplain areas.
- C. The provisions of this chapter apply to regulation of the use and development of unincorporated shoreland areas. Unless specifically exempted by law, all cities, villages, towns, counties and, when s. 13.48(13), Wis. Stats., applies, state agencies are required to comply with, and obtain all necessary permits under, local shoreland ordinances. The construction, reconstruction, maintenance or repair of state highways and bridges carried out under the direction and supervision of the Wisconsin Department of Transportation is not subject to local shoreland zoning ordinances if s. 30.2022(1), Wis. Stats., applies. Shoreland zoning requirements in annexed or incorporated areas are provided in s. 61.353 and s. 62.233, Wis. Stats.
- D. Determinations of navigability and ordinary high-water mark location shall initially be made by the Zoning Administrator. When questions arise, the Zoning Administrator shall contact the appropriate office of the Department for a final determination of navigability or ordinary high-water mark. The County may work with surveyors with regard to s. 59.692(1h), Wis. Stats.
- E. Under s. 281.31(2m), Wis. Stats., notwithstanding any other provision of law or administrative rule promulgated thereunder, this shoreland zoning ordinance does not apply to:
  1. Lands adjacent to farm drainage ditches if:
    - a. Such lands are not adjacent to a natural navigable stream or river; and
    - b. Those parts of such drainage ditches adjacent to such lands were not navigable streams before ditching.
  2. Lands adjacent to artificially constructed drainage ditches, ponds or stormwater retention basins that are not hydrologically connected to a natural navigable water body.

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## **16-505-020 SHORELAND-WETLAND MAPS**

The most recent version of the Wisconsin Wetland Inventory as depicted on the Department of Natural Resources [Surface Water Data Viewer](#) is made part of this ordinance.

## **16-505-030 COMPLIANCE**

The use of any land, the size, shape and placement of lots, the use, size, type and location of structures on lots, the installation and maintenance of water supply and waste disposal facilities, the filling, grading, lagooning, and dredging of any lands, the cutting of shoreland vegetation, and the subdivision of lots shall be in full compliance with the terms of this ordinance and other applicable local, state, or federal regulations. Buildings and other structures shall require a permit unless otherwise expressly excluded by a provision of this ordinance. Property owners, builders, and contractors are responsible for compliance with the terms of this ordinance.

## **16-505-040 MUNICIPALITIES AND STATE AGENCIES REGULATED**

Unless specifically exempted by law, all cities, villages, towns and counties are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply when s. 13.48(13), Wis. Stats., applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation are exempt when s. 30.2022(1), Wis. Stats., applies.

## **16-505-050 ABROGATION AND GREATER RESTRICTIONS**

- A. This ordinance shall not require approval or be subject to disapproval by any town or town board.
- B. If an existing town ordinance relating to shorelands is more restrictive than this ordinance or any amendments thereto, the town ordinance continues in all respects to the extent of the greater restrictions but not otherwise.
- C. This ordinance is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.
- D. The provisions of the Columbia County Zoning Ordinance are hereby incorporated by reference. These provisions shall only apply to the shoreland area where they impose greater restrictions than this ordinance otherwise imposes.
- E. This ordinance may establish standards to regulate matters that are not regulated in ch. NR 115, Wis. Adm. Code, but that further the purposes of shoreland zoning as described in [Section 16-501-030](#) of this ordinance.
- F. This ordinance does not require any of the following:
  1. Approval to install or maintain outdoor lighting in shorelands, impose any fee or mitigation requirement to install or maintain outdoor lighting in shorelands, or otherwise prohibits or regulates outdoor lighting in shorelands if the lighting is designed or intended for residential use.
  2. An inspection or upgrade of a structure before the sale or other transfer of the structure may be made.
- G. The construction and maintenance of a facility is considered to satisfy the requirements of a shoreland zoning ordinance if:
  1. The Department has issued all required permits or approvals authorizing the construction or maintenance under ch. 30, 31, 281, or 283.

## **16-505-060 INTERPRETATION**

In their interpretation and application, the provisions of this ordinance shall be liberally construed in favor of the County and shall not be deemed a limitation or repeal of any other powers granted by Wisconsin Statutes. Where a provision of this ordinance is required by statute and a standard in ch. NR 115, Wis. Adm. Code, and where the ordinance provision is unclear, the provision shall be interpreted in light of the statute and ch. NR 115, Wis. Adm. Code, standards in effect on the date of the adoption of this ordinance or in effect on the date of the most recent text amendment to this ordinance.

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## **16-505-070 SEVERABILITY**

If any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

## **Subchapter 16-510 Shoreland-Wetland District**

### **SECTIONS:**

[16-510-010 Purpose](#)

[16-510-020 Designation](#)

[16-510-030 Permitted Uses](#)

[16-510-040 Prohibited Uses](#)

[16-510-040 Rezoning of Lands in the Shoreland-Wetland District](#)

### **16-510-010 PURPOSE**

This district is created to maintain safe and healthful conditions, to prevent water pollution, to protect fish spawning grounds and wildlife habitat, to preserve shore cover and natural beauty and to control building and development in wetlands whenever possible. When development is permitted in a wetland, the development should occur in a manner that minimizes adverse impacts upon the wetland.

### **16-510-020 DESIGNATION**

- A. This district shall include all shorelands within the jurisdiction of this ordinance which are designated as wetlands on the most recent version of the Wisconsin Wetland Inventory as depicted on the Department of Natural Resources Surface Water Data Viewer.
  1. **Locating Shoreland-Wetland Boundaries.** Where an apparent discrepancy exists between the shoreland-wetland district boundary shown on the Wisconsin Wetland Inventory and actual field conditions, the County shall contact the Department to determine if the map is in error. If the Department determines that a particular area was incorrectly mapped as wetland or meets the wetland definition but was not shown as wetland on the map, the County shall have the authority to immediately grant or deny a shoreland zoning permit in accordance with the applicable regulations based on the Department determination as to whether the area is wetland. In order to correct wetland mapping errors on the official zoning map, an official zoning map amendment must be initiated within a reasonable period of time.

### **16-510-030 PERMITTED USES**

- A. The following uses shall be allowed, subject to general shoreland zoning regulations contained in this ordinance, the provisions of chs. 30, 31, and 281.36, Wis. Stats. and the provisions of other applicable local, state and federal laws.
  1. Activities and uses which do not require the issuance of a zoning permit, but which must be carried out without any filling, flooding, draining, dredging, ditching, tiling, or excavating:
    - a. Hiking, fishing, trapping, hunting, swimming, and boating;
    - b. The harvesting of wild crops, such as marsh hay, ferns, moss, wild rice, berries, tree fruits, and tree seeds, in a manner that is not injurious to the natural reproduction of such crops;
    - c. The pasturing of livestock;
    - d. The cultivation of agricultural crops;
    - e. The practice of silviculture, including the planting, thinning, and harvesting of timber; and
    - f. The construction or maintenance of duck blinds.
  2. Uses which do not require the issuance of a zoning permit and which may include limited filling, flooding, draining, dredging, ditching, tiling, or excavating, but only to the extent specifically provided below:
    - a. Temporary water level stabilization measures necessary to alleviate abnormally wet or dry conditions that would have an adverse impact on silvicultural activities if not corrected;
    - b. The cultivation of cranberries, including flooding, dike and dam construction, or ditching necessary for the growing and harvesting of cranberries;

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- c. The maintenance and repair of existing agricultural drainage systems, including ditching, tiling, dredging, excavating and filling necessary to maintain the level of drainage required to continue the existing agricultural use. This includes the minimum filling necessary for disposal of dredged spoil adjacent to the drainage system provided that dredged spoil is placed on existing spoil banks where possible;
  - d. The construction or maintenance of fences for the pasturing of livestock, including limited excavating and filling necessary for such construction or maintenance;
  - e. The construction or maintenance of piers, docks or walkways built on pilings, including limited excavating and filling necessary for such construction and maintenance; and
  - f. The maintenance, repair, replacement or reconstruction of existing town and County highways and bridges, including limited excavating and filling necessary for such maintenance, repair, replacement or reconstruction.
3. Uses which require the issuance of a zoning permit and which may include limited filling, flooding, draining, dredging, ditching, tiling or excavating, but only to the extent specifically provided below:
- a. The construction and maintenance of roads which are necessary to conduct silvicultural activities or agricultural cultivation, provided that:
    - (1) The road cannot as a practical matter be located outside the wetland;
    - (2) The road is designed and constructed to minimize adverse impact upon the natural functions of the wetland enumerated in [Section 16-510-050\(B\)](#);
    - (3) The road is designed and constructed with the minimum cross-sectional area practical to serve the intended use; and
    - (4) Road construction activities are carried out in the immediate area of the roadbed only.
  - b. The construction or maintenance of nonresidential buildings, provided that:
    - (1) The building is essential for and used solely in conjunction with the raising of waterfowl, minnows or other wetland or aquatic animals; or some other use permitted in the shoreland-wetland district;
    - (2) The building cannot, as a practical matter, be located outside the wetland;
    - (3) Such building is not designed for human habitation and does not exceed 500 sq. ft. in floor area; and
    - (4) Only limited filling or excavating necessary to provide structural support for the building is authorized.
  - c. The establishment of public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, fish hatcheries, and public boat launching ramps and attendant access roads, provided that:
    - (1) Any private development is used exclusively for the permitted use and the applicant has received a permit or license under ch. 29, Wis. Stats., where applicable;
    - (2) Filling or excavating necessary for the construction or maintenance of public boat launching ramps or attendant access roads is allowed only where such construction or maintenance meets the criteria in [Section 16-510-030\(A\)\(3\)a.](#) and;
    - (3) Ditching, excavating, dredging, or dike and dam construction in public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, and fish hatcheries is allowed only for the purpose of improving wildlife habitat and to otherwise enhance wetland values.
  - d. The construction or maintenance of electric, gas, telephone, water and sewer transmission and distribution facilities, by public utilities and cooperative associations organized for the purpose of producing or furnishing heat, light, power or water to their members and the construction or maintenance of railroad lines, provided that:
    - (1) The transmission and distribution facilities and railroad lines cannot, as a practical matter, be located outside the wetland;
    - (2) Such construction or maintenance is done in a manner designed to minimize adverse impact upon the natural functions of the wetland enumerated in [Section 16-510-050\(B\)](#).

## **16-510-040 PROHIBITED USES**

Any use not listed in [Section 16-510-030](#) is prohibited in a wetland, unless the wetland or portion of the wetland has been rezoned by amendment of this ordinance in accordance with [Section 16-510-050](#) of this ordinance and s. 59.69(5)(e), Wis. Stats.

## **16-510-050 REZONING OF LANDS IN THE SHORELAND-WETLAND DISTRICT**

- A. For all proposed text and map amendments to the shoreland-wetland provisions of this ordinance, the appropriate office with the Department shall be provided with the following:
  - 1. A copy of every petition for a text or map amendment to the shoreland-wetland provisions of this ordinance, within 5 days of the filing of such petition with the County Clerk. Such petition shall include a copy of the Wisconsin Wetland Inventory map adopted as part of this ordinance describing any proposed rezoning of a shoreland-wetland;
  - 2. Written notice of the public hearing to be held on a proposed amendment at least 10 days prior to such hearing;
  - 3. A copy of the County zoning agency's findings and recommendations on each proposed amendment within 10 days after the submission of those findings and recommendations to the County Board; and
  - 4. Written notice of the County Board's decision on the proposed amendment within 10 days after it is issued.
- B. A wetland, or a portion thereof, in the shoreland-wetland district shall not be rezoned if the proposed rezoning may result in a significant adverse impact upon any of the following:
  - 1. Storm and flood water storage capacity;
  - 2. Maintenance of dry season stream flow, the discharge of groundwater to a wetland, the recharge of groundwater from a wetland to another area, or the flow of groundwater through a wetland;
  - 3. Filtering or storage of sediments, nutrients, heavy metals or organic compounds that would otherwise drain into navigable waters;
  - 4. Shoreline protection against soil erosion;
  - 5. Fish spawning, breeding, nursery or feeding grounds;
  - 6. Wildlife habitat; or
  - 7. Wetlands both within the boundary of designated areas of special natural resource interest and those wetlands which are in proximity to or have a direct hydrologic connection to such designated areas as defined in [NR 103.04](#), Wis. Adm. Code.
- C. If the Department notifies the County zoning agency that a proposed text or map amendment to the shoreland-wetland provisions of this ordinance may have a significant adverse impact upon any of the criteria listed in [Section 16-510-050\(B\)](#) of this ordinance, that amendment, if approved by the County Board, shall contain the following provision: "This amendment shall not take effect until more than 30 days have elapsed after written notice of the County Board's approval of this amendment is mailed to the Department of Natural Resources. During that 30 day period the Department of Natural Resources may notify the County Board that it will adopt a superseding shoreland ordinance for the County under s. 59.692(6), Wis. Stats. If the Department does so notify the County Board, the effect of this amendment shall be stayed until the s. 59.692(6), Wis. Stats., adoption procedure is completed or otherwise terminated."

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## Subchapter 16-515 Land Division Review and Sanitary Regulations

### SECTIONS:

[16-515-010 Land Division Review](#)

[16-515-020 Planned Unit Development \(PUD\)](#)

[16-515-030 Sanitary Regulations](#)

### 16-515-010 LAND DIVISION REVIEW

- A. The County shall review, pursuant to s. 236.45, Wis. Stats., all land divisions in shoreland areas which create 3 or more parcels or building sites of 5 acres each or less within a 5-year period. In such review all of the following factors shall be considered:
1. Hazards to the health, safety or welfare of future residents.
  2. Proper relationship to adjoining areas.
  3. Public access to navigable waters, as required by law.
  4. Adequate stormwater drainage facilities.
  5. Conformity to state law and administrative code provisions.

### 16-515-020 PLANNED UNIT DEVELOPMENT (PUD)

- A. **Purpose.** The Planned Unit Development is intended to permit smaller non-riparian lots where the physical layout of the lots is so arranged as to better assure the control of pollution and preservation of ground cover than would be expected if the lots were developed with the normal lot sizes and setbacks and without special conditions placed upon the Planned Unit Development at the time of its approval. A condition of all Planned Residential Unit Development is the preservation of certain open space, preferably on the shoreland, in perpetuity.
- B. **Requirements for Planned Unit Development.** The County Board may at its discretion, upon its own motion or upon petition, approve a Planned Unit Development Overlay District upon finding, after a public hearing, that all of the following facts exist:
1. **Area.** The area proposed for the Planned Unit Development shall be at least 2 acres in size or have a minimum of 200 feet of frontage on a navigable water.
  2. **Lots.** Any proposed lot in the Planned Unit Development that does not meet the minimum size standards of Sections [16-520-020](#) and [16-520-030](#) shall be a non-riparian lot.
  3. **Lot sizes, widths, setbacks, and vegetation removal.** When considering approval of a Planned Unit Development the governing body shall consider whether proposed lot sizes, widths, and setbacks are of adequate size and distance to prevent pollution or erosion along streets or other public ways and waterways. Increased shoreland setbacks shall be a condition of approval as a way of minimizing adverse impacts of development. Shore cover provisions in [Section 16-530-020](#) shall apply except that maximum width of a lake frontage opening shall be 100 feet and minimum vegetative buffer depth shall be increased to offset the impact of the proposed development.

### 16-515-030 SANITARY REGULATIONS

- A. In order to protect health and preserve and enhance water quality, the following sanitary regulations shall apply:
1. Where public water supply systems are not available, private well construction shall be required to conform to ch. NR 812, Wis. Adm. Code.
  2. Where a public sewage collection and treatment system is not available, design and construction of private on-site waste treatment systems shall, prior to July 1, 1980, be required to comply with ch. SPS 383, Wis. Adm. Code, and after June 30, 1980 be governed by Title 16 Chapter 300, Columbia County Private Sewage Systems.

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## Subchapter 16-520 Minimum Lot Size

### SECTIONS:

[16-520-010 Purpose](#)

[16-520-020 Sewered Lots](#)

[16-520-030 Unsewered Lots](#)

[16-520-040 Substandard Lots](#)

### 16-520-010 PURPOSE

Minimum lot sizes in the shoreland area shall be established to afford protection against danger to health, safety and welfare, and protection against pollution of the adjacent body of water. In calculating the minimum area or width of a lot, the beds of navigable waters shall not be included.

### 16-520-020 SEWERED LOTS

- A. **Minimum Area and Width for Each Lot.** The minimum lot area shall be 10,000 sq. ft. and the minimum average lot width shall be 65 feet.
- B. The width shall be calculated by averaging the measurements at the following locations:
  1. The ordinary high water mark.
  2. The minimum building setback lines.
    - a. Setbacks shall be determined using the ordinary high-water mark setback per [Section 16-525-020](#) and the applicable front setback line per Title 16 Chapter 100, Columbia County Zoning Code.
    - b.

### 16-520-030 UNSEWERED LOTS

- A. **Minimum Area and Width for Each Lot.** The minimum lot area shall be 20,000 sq. ft. and the minimum average lot width shall be 100 feet.
- B. The width shall be calculated by averaging the measurements at the following locations:
  1. The ordinary high water mark.
  2. The minimum building setback lines.
    - a. Setbacks shall be determined using the ordinary high-water mark setback per [Section 16-525-020](#) and the applicable front setback line per Title 16 Chapter 100, Columbia County Zoning Code.

### 16-520-040 SUBSTANDARD LOTS

- A. A legally created lot or parcel that met minimum area and minimum average width requirements when created, but does not meet current lot size requirements, may be used as a building site if all of the following apply:
  1. The substandard lot or parcel was never reconfigured or combined with another lot or parcel by plat, survey, or consolidation by the owner into one property tax parcel.
  2. The substandard lot or parcel has never been developed with one or more of its structures placed partly upon an adjacent lot or parcel.
  3. The substandard lot or parcel is developed to comply with all other ordinance requirements.
- B. **Other Substandard Lots.** Except for lots which meet the requirements of [Section 16-520-040\(A\)](#) a building permit for the improvement of a lot having lesser dimensions than those stated in Sections [16-520-020](#) and [16-520-030](#) shall be issued only if a variance is granted by the Board of Adjustment.

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## Subchapter 16-525 Building Setbacks

### SECTIONS:

[16-525-010 Purpose](#)

[16-525-020 Shoreland Setbacks](#)

[16-525-030 Reduced Principal Structure Setback](#)

[16-525-040 Floodplain Structures](#)

#### 16-525-010 PURPOSE

Permitted building setbacks shall be established to conform to health, safety and welfare requirements, preserve natural beauty, reduce flood hazards and avoid water pollution.

#### 16-525-020 SHORELAND SETBACKS

- A. A setback of 75 feet from the ordinary high-water mark of any navigable waters to the nearest part of a building or structure shall be required for all buildings and structures unless reduced under [Section 16-525-030](#) or exempt under [Section 16-525-020\(B\)](#).
- B. **Exempt Structures.** The following structures are exempt from the 75 foot shoreland setback standard:
  1. Boathouses located entirely above the ordinary high water mark and entirely within the access and viewing corridor that do not contain plumbing and are not used for human habitation.
    - a. Boathouses shall be designed and constructed solely for the storage of watercrafts and related equipment.
    - b. One boathouse is permitted on a lot as an accessory structure.
    - c. Boathouses shall be on the landward side of the ordinary high water mark and shall be constructed in conformity with local floodplain zoning standards.
    - d. The sidewalls of a boathouse shall not exceed 10 feet in height as measured from the top of wall to the floor.
    - e. The maximum width of a boathouse shall be 24 feet or 30 percent of the width of a lot as measured at the ordinary high water mark, whichever is more restrictive.
    - f. The maximum footprint of a boathouse shall be 600 square feet.
    - g. Boathouses shall be structures that are open from floor to bottom of finished structure above. Lofts are prohibited.
    - h. The maximum pitch of the roof of a boathouse shall be 4/12.
    - i. The roof of a boathouse may be used as a deck subject to the following:
      1. The boathouse has a flat roof.
      2. The roof has no side walls or screens.
      3. The roof shall have a railing that meets the Department of Safety and Professional Services standards. Transparent or translucent panels are prohibited.
    - j. Earth-tone colors shall be required for all exterior surfaces of a boathouse.
  2. Open sided and screened structures such as gazebos, decks, patios and screen houses in the shoreland setback area that satisfy the requirements in s. 59.692(1v), Wis. Stats.
    - a. The part of the structure that is nearest to the water is located at least 35 feet landward from the ordinary-high water mark.
    - b. The floor area of all the structures in the shoreland setback area shall not exceed 200 square feet.
    - c. The structure that is the subject of the request for special zoning permission has no sides or has open or screened sides.
    - d. Earth-tone colors shall be required for all surfaces.
    - e. The base of the structure shall not be higher than 12 to 24 inches above pre-construction grade.
    - f. The County must approve a plan that will be implemented by the owner of the property to preserve or establish a vegetative buffer zone per [Section 16-530-030](#) that covers at least 70% of the half of the shoreland setback area that is nearest to the water.
    - g. An enforceable affidavit must be filed with the Register of Deeds prior to construction acknowledging the limitations on vegetation.

3. Fishing rafts that are authorized on the Wolf River and Mississippi River under s. 30.126, Wis. Stats.
  4. Broadcast signal receivers, including satellite dishes or antennas that are one meter or less in diameter and satellite earth station antennas that are 2 meters or less in diameter.
  5. Utility transmission and distribution lines, poles, towers, water towers, pumping stations, well pumphouse covers, private on-site wastewater treatment systems that comply with ch. SPS Comm. 383, Wis. Adm. Code, and other utility structures that have no feasible alternative location outside of the minimum setback and that employ best management practices to infiltrate or otherwise control storm water runoff from the structure.
  6. Walkways, stairways or rail systems that are necessary to provide pedestrian access to the shoreline and are a maximum of 60-inches in width.
    - a. **Stairways, Walkways, and Lifts.** The Zoning Administrator may permit a stairway, walkway, or lift in the setback area contained within the access and viewing corridor if slopes greater than 12% are present, or when deemed necessary by the Zoning Administrator to provide safe pedestrian access to the shoreline. The permitted stairway, walkway, or lift may not exceed 60 inches in width.
  7. Devices or systems used to treat runoff from impervious surfaces.
- C. **Existing Exempt Structures.** Existing exempt structures may be maintained, repaired, replaced, restored, rebuilt, and remodeled, provided that the activity does not expand the footprint and does not go beyond the three-dimensional building envelope of the existing structure.

#### **16-525-030 REDUCED PRINCIPAL STRUCTURE SETBACK**

- A. A setback less than the 75' required setback from the ordinary high water mark shall be permitted for a proposed principal structure and shall be determined as follows:
1. Where there are existing principal structures in both directions, the setback shall equal the average of the distances the two existing principal structures are set back from the ordinary high water mark provided all of the following are met:
    - a. Both of the existing principal structures are located on a lot adjacent to the proposed principal structure.
    - b. Both of the existing principal structures are located within 250' of the proposed principal structure and are the closest structure.
    - c. Both of the existing principal structures are located less than 75' from the ordinary high water mark.
    - d. The average setback shall not be reduced to less than 35' from the ordinary high water mark of any navigable water.
  2. Unenclosed appurtenances such as open decks or patios shall not be considered in determining an average setback for a structure having walls and/or a roof.
  3. Boathouses which are attached to the main building in any way shall not be considered in determining an average setback under this section.
  4. When a new principal structure qualifies for a reduced building setback, unenclosed appurtenances, such as open decks or patios, if built in conjunction with the principal structure, shall be considered to be part of the principal structure.
  5. Any other setback reduction may be permitted by the Board of Adjustment pursuant to [Section 16-560-040](#) of this Ordinance or by the Planning and Zoning Committee pursuant to [Section 16-560-030](#) of this Ordinance and Section 16-150-030 of the Columbia County Zoning Ordinance.

#### **16-525-040 FLOODPLAIN STRUCTURES**

Buildings and structures to be constructed or placed in a floodplain shall be required to comply with any applicable floodplain zoning ordinance.

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### SECTIONS:

[16-530-010 Purpose](#)

[16-530-020 Activities Allowed Within The Vegetative Buffer Zone](#)

[16-530-030 Vegetative Buffer Establishment](#)

[16-530-040 Vegetative Buffer Plan Requirements](#)

[16-530-050 Cutting More Than 35 Feet Inland](#)

[16-530-060 Filling, Grading, Lagooning, Dredging, Ditching and Excavating](#)

### 16-530-010 PURPOSE

To protect natural scenic beauty, fish and wildlife habitat, and water quality, ordinance standards have been established that consider sound forestry and soil conservation practices, as well as the effect of vegetation removal on water quality, including soil erosion and the flow of effluents, sediments, and nutrients.

### 16-530-020 ACTIVITIES ALLOWED WITHIN THE VEGETATIVE BUFFER ZONE

- A. Land that extends from the ordinary high water mark to 35 feet inland shall be designated as the vegetative buffer zone and removal of vegetation in the vegetative buffer zone is prohibited, except as follows:
1. The routine maintenance of vegetation is permitted.
  2. The following activities shall be allowed with approval from the Planning & Zoning Department:
    - a. Removal of trees and shrubs in the vegetative buffer zone to create access and viewing corridors. Per s. 59.692(1f)(b), Wis. Stats., the viewing corridor may be 35 feet wide for every 100 feet of shoreline frontage. The viewing corridor may run contiguously for the entire maximum width of shoreline frontage owned.
    - b. Removal of trees and shrubs in the vegetative buffer zone on a parcel with 10 or more acres of forested land consistent with "generally accepted forestry management practices" as defined in s. NR 1.25(2)(b), and described in Department publication "Wisconsin Forest Management Guidelines" (publication FR-226), provided that vegetation removal be consistent with these practices.
    - c. Removal of vegetation within the vegetative buffer zone to manage exotic or invasive species, damaged vegetation, vegetation that must be removed to control disease, or vegetation creating an imminent safety hazard, provided that any vegetation removed be replaced by replanting in the same area as soon as practicable.
    - d. Additional vegetation management activities in the vegetative buffer zone. The permit issued under this subd. par. shall require that all management activities comply with detailed plans approved by the County and designed to control erosion by limiting sedimentation into the waterbody, to improve the plant community by replanting in the same area, and to maintain and monitor the newly restored area. The permit also shall require an enforceable restriction to preserve the newly restored area.

### 16-530-030 VEGETATIVE BUFFER ESTABLISHMENT

- A. When a vegetative buffer is required to be established under [Section 16-525-020\(B\)\(2\)](#) or is chosen for mitigation under [Section 16-555-040](#), the vegetative buffer shall be established as follows:
1. The following methods shall be used:
    - a. **Avoidance.** If an existing buffer, that was not part of a previous mitigation requirement, is undisturbed or totally intact and meets the density requirements of Wisconsin Biology Technical Note 1, an affidavit shall be filed with the Register of Deeds identifying the viewing and access corridor on the property and stating the buffer will remain undisturbed and fully compliant.
    - b. **Accelerated Recovery – Enhancement.** If an existing buffer, that was not part of a previous mitigation requirement, is undisturbed but does not meet the density requirements of Wisconsin Biology Technical Note 1, vegetation shall be added to meet the density requirements. An affidavit shall be filed with the Register of Deeds identifying the viewing and access corridor and stating the enhanced buffer will remain fully intact and compliant.

- c. **Accelerated Recovery – Creation.** When no buffer exists on a property, vegetation must be planted meeting the density requirements of Wisconsin Biology Technical Note 1. An affidavit shall be filed with the Register of Deeds identifying the viewing and access corridor on the property and stating the newly created buffer will remain fully intact and compliant.
2. Plant quantities shall be calculated based on the area in square feet to be reestablished and the appropriate density according to Wisconsin Biology Technical Note 1. Trees shall be more than two years old and a minimum of 18 inches tall at the time of planting. Shrubs shall be 1 liter container size or larger, and plant plugs shall be 3 inches tall or 1 inch in diameter at the time of planting.
3. Plant species shall be selected from the Columbia County Native Plant List. Substitutions shall be allowed on a case-by-case basis and shall be approved by the Zoning Administrator. Plants may be transplanted from areas outside of the vegetative buffer zone.

#### **16-530-040 VEGETATIVE BUFFER PLAN REQUIREMENTS**

- A. A Vegetative Buffer Plan shall be completed for all required shoreland mitigation or preservations. Plans shall include:
  1. Name and address of property owner.
  2. Property address and legal description.
  3. Extent of the shoreland buffer.
  4. Scale (e.g. 1 inch = 10 feet).
  5. North arrow.
  6. Ordinary high water mark (OHWM) location.
  7. Location of all structures in the shoreland buffer zone.
  8. Viewing and access corridor.
  9. Boundary of the shoreland buffer zone.
  10. Existing trees, shrubs, and native ground cover.
  11. Areas to be planted with trees, shrubs, and groundcovers.
  12. Implementation schedule.
  13. A plant species list; indicate if you are requesting substitutions from the Columbia County Native Plant List.
  14. Erosion control practices (to be installed prior to and during buffer establishment).
  15. Water diversions and channelized flow areas.
  16. Maintenance plan (weeding, replanting).
- B. **Implementation Schedule.** The approved Vegetative Buffer Plan must be started within one year from the issue date of the applicable zoning permit. All plantings and any other required activities in the Vegetative Buffer Plan must be completed by the expiration date of the applicable zoning permit.

#### **16-530-050 CUTTING MORE THAN 35 FEET INLAND**

From the inland edge of the 35 foot area to the outer limits of the shoreland, the cutting of vegetation shall be allowed when accomplished using accepted forest management and soil conservation practices which protect water quality.

#### **16-530-060 FILLING, GRADING, LAGOONING, DREDGING, DITCHING, AND EXCAVATING**

- A. **General Standards.** Filling, grading, lagooning, dredging, ditching or excavating which does not require a permit under [Section 16-530-060\(B\)](#) may be permitted in the shoreland area provided that:
  1. It is not done within the vegetative buffer zone, unless necessary for establishing or expanding the vegetative buffer.
  2. It is done in a manner designed to minimize erosion, sedimentation and impairment of fish and wildlife habitat.
  3. Filling, grading, lagooning, dredging, ditching or excavating in a shoreland-wetland district meets the requirements of Sections [16-510-030\(A\)\(2\)](#) and [16-510-030\(A\)\(3\)](#) of this ordinance.



4. All applicable federal, state and local authority is obtained in addition to a permit under this ordinance.
5. Any fill placed in the shoreland area is protected against erosion by the use of riprap, vegetative cover or a bulkhead.
- B. **Permit Required.** Except as provided in Section [16-530-060\(C\)](#), a permit is required:
  1. For any filling or grading of any area which is within 300 feet landward of the ordinary high-water mark of a navigable body of water and which has surface drainage toward the water and on which there is either:
    - a. Any filling or grading on slopes of more than 20 percent.
    - b. Filling or grading of more than 1,000 square feet on slopes between 12 and 20 percent.
    - c. Filling or grading of more than 2,000 square feet on slopes less than 12 percent.
  2. A conditional use permit is required for any area described under (a) above on which there is filling or grading of more than ten thousand (10,000) square feet.
  3. For any construction or dredging commenced on any artificial waterway, canal, ditch, lagoon, pond, lake or similar waterway which is within 300 feet landward of the ordinary high-water mark of a navigable body of water or where the purpose is the ultimate connection with a navigable body of water.
- C. **Permit Conditions.** In granting a permit under [Section 16-530-060\(B\)](#), the County shall attach the following conditions, where appropriate, in addition to those provisions specified in Sections [16-560-040\(B\)\(3\)](#) or [16-560-060](#).
  1. The smallest amount of bare ground shall be exposed for as short a time as feasible.
  2. Temporary ground cover (such as mulch or jute netting) shall be used and permanent vegetative cover shall be established.
  3. Diversion berms or bales, silting basins, terraces, filter fabric fencing, and other methods shall be used to prevent erosion.
  4. Lagoons shall be constructed to avoid fish trap conditions.
  5. Fill shall be stabilized according to accepted engineering standards.
  6. Filling shall comply with any local floodplain zoning ordinance and shall not restrict a floodway or destroy the flood storage capacity of a floodplain.
  7. Channels or artificial watercourses shall be constructed with side slopes of two (2) units horizontal distance to one (1) unit vertical or flatter which shall be promptly vegetated, unless bulkheads or riprap are provided.

## **Subchapter 16-535 Impervious Surfaces**

### **SECTIONS:**

[16-535-010 Purpose](#)

[16-535-020 Calculation of Percentage of Impervious Surface](#)

[16-535-030 General Impervious Surface Standard](#)

[16-535-040 Maximum Impervious Surface Standard](#)

[16-535-050 Treated Impervious Surfaces](#)

[16-535-060 Existing Impervious Surfaces](#)

### **16-535-010 PURPOSE**

Impervious surface standards shall be established to protect water quality and fish and wildlife habitat and to protect against pollution of navigable waters. Impervious surface standards shall apply to the construction, reconstruction, expansion, replacement or relocation of any impervious surface on a riparian lot or parcel and any non-riparian lot or parcel that is located entirely within 300 feet of the ordinary high-water mark of any navigable waterway.

#### **16-535-020 CALCULATION OF PERCENTAGE OF IMPERVIOUS SURFACE**

- A. The percentage of impervious surface shall be calculated by dividing the surface area of the existing and proposed impervious surfaces on the portion of a lot or parcel that is within 300 feet of the ordinary high-water mark by the total surface area of that lot or parcel, and multiplied by 100. Impervious surfaces described in [Section 16-535-050](#) shall be excluded from the calculation of impervious surface on the lot or parcel. If an outlot lies between the ordinary high water mark and the developable lot or parcel and both are in common ownership, the lot or parcel and the outlot shall be considered one lot or parcel for the purposes of calculating the percentage of impervious surface.
- B. In any condominium development, impervious surface calculations shall apply to the entire property. Mitigation requirements shall also apply to the entire property, and not the individual unit.

#### **16-535-030 GENERAL IMPERVIOUS SURFACE STANDARD**

The maximum impervious surface percentage for a riparian lot or parcel or a non-riparian lot or parcel located entirely within 300 feet of the ordinary high-water mark of any navigable waterway shall be 15 percent, except as allowed in Sections [16-535-040](#) and [16-535-050](#).

#### **16-535-040 MAXIMUM IMPERVIOUS SURFACE STANDARD**

A property may exceed the impervious surface standard under [Section 16-535-030](#) up to 30 percent impervious surface provided a permit is issued for development with a mitigation plan that meets the standards of [Section 16-555](#).

#### **16-535-050 TREATED IMPERVIOUS SURFACES**

- A. Impervious surfaces that can be documented to show they meet either of the following standards shall be excluded from the impervious surface calculations under [Section 16-535-020](#):
  - 1. The impervious surface is treated by devices such as stormwater ponds, constructed wetlands, infiltration basins, rain gardens, bio-swales or other engineered systems.
  - 2. The runoff from the impervious surface discharges to an internally drained pervious area that retains the runoff on or off the parcel and allows infiltration into the soil.
- B. To qualify for the statutory exemption under [Section 16-535-050\(A\)](#), property owners shall submit a complete permit application that is reviewed and approved by the Planning and Zoning Department. The application shall include the following:
  - 1. calculations showing how much runoff is coming from the impervious surface area.
  - 2. Documentation that the runoff from the impervious surface is being treated by a proposed treatment system, treatment device or internally drained area.
  - 3. An implementation schedule and enforceable obligation on the property owner to establish and maintain the treatment system, treatment devices or internally drained area.
    - a. The enforceable obligations shall be evidenced by an instrument recorded in the office of the Register of Deeds prior to the issuance of the permit.

#### **16-535-060 EXISTING IMPERVIOUS SURFACES**

- A. For existing impervious surfaces that were lawfully placed when constructed but that do not comply with the impervious surface standard in [Section 16-535-030](#) or the maximum impervious surface standard in [Section 16-535-040](#), the property owner may do any of the following:
  - 1. Maintain and repair the existing impervious surfaces;
  - 2. Replace existing impervious surfaces with similar surfaces within the existing footprint;
  - 3. Relocate or modify an existing impervious surface with similar or different impervious surface, provided that the relocation or modification does not result in an increase in the percentage of impervious surface that existed on the effective date of the County shoreland ordinance, and the impervious surface meets the applicable setback requirements in [Section 16-525](#). Subchapter 16-540 Height

## SECTIONS:

[16-540-010 Purpose](#)

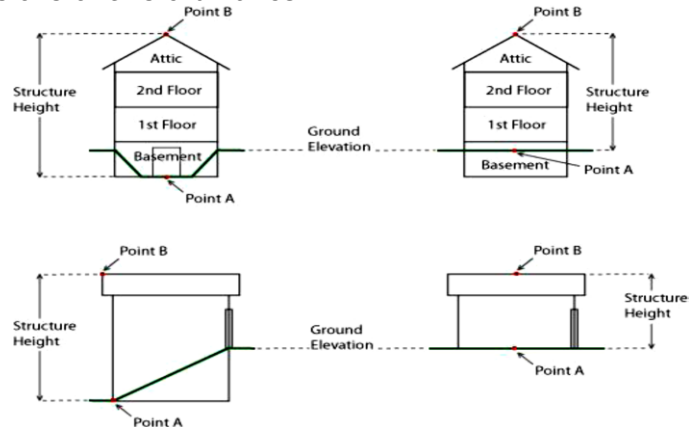
[16-540-020 Standards](#)

### 16-540-010 PURPOSE

To protect and preserve wildlife habitat and natural scenic beauty, a maximum height standard shall be established.

### 16-540-020 STANDARDS

- A. A structure within 75 feet of the ordinary high-water mark of any navigable waterway shall not exceed 35 feet in height.
1. Structure height shall be measured by the vertical line segment starting at the lowest point of any exposed wall and its' intersect with the ground (Point A in the following diagram) to a line horizontal to the highest point of a structure (Point B in the following diagram), unless specified under other provisions of this ordinance.



## Subchapter 16-545 Nonconforming Uses and Structures

## SECTIONS:

[16-545-010 Discontinued Nonconforming Use](#)

[16-545-020 Maintenance, Repair, Replacement, or Vertical Expansion of Nonconforming Structures](#)

[16-545-030 Lateral Expansion of Nonconforming Principal Structures Within the Setback](#)

[16-545-040 Expansion of Nonconforming Principal Structures Beyond the Setback](#)

[16-545-050 Relocation of Nonconforming Principal Structure](#)

### 16-545-010 DISCONTINUED NONCONFORMING USE

If a nonconforming use is discontinued for a period of 12 months, any future use of the building, structure or property shall conform to the ordinance.

### 16-545-020 MAINTENANCE, REPAIR, REPLACEMENT, OR VERTICAL EXPANSION OF NONCONFORMING STRUCTURES

An existing structure that was lawfully placed when constructed but that does not comply with the required shoreland setback may be maintained, repaired, replaced, restored, rebuilt or remodeled if the activity does not expand the footprint of the nonconforming structure. Further, an existing structure that was lawfully placed when constructed but that does not comply with the required shoreland setback may be vertically expanded unless the vertical expansion would extend more than 35 feet above grade level.

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#### **16-545-030 LATERAL EXPANSION OF NONCONFORMING PRINCIPAL STRUCTURES WITHIN THE SETBACK**

- A. An existing principal structure that was lawfully placed when constructed but that does not comply with the required building setback per [Section 16-525-020](#) may be expanded laterally within the setback, provided that all of the following requirements are met:
1. The use of the structure has not been discontinued for a period of 12 months or more if a nonconforming use.
  2. The existing principal structure is at least 35 feet from the ordinary high-water mark.
  3. Lateral expansions are limited to a maximum of 200 square feet over the life of the structure. No portion of the expansion may be any closer to the ordinary high-water mark than the closest point of the existing principal structure.
  4. A permit shall be issued which requires a mitigation plan that shall be approved by the Planning and Zoning Department and implemented by the property owner by the date specified in the permit. The mitigation plan shall meet the standards found in [Section 16-555](#).
  5. All other provisions of this ordinance shall be met.

#### **16-545-040 EXPANSION OF NONCONFORMING PRINCIPAL STRUCTURES BEYOND THE SETBACK**

An existing principal structure that was lawfully placed when constructed but that does not comply with the required building setback under [Section 16-525-020](#) may be expanded horizontally, landward, or vertically provided that the expanded area meets the building setback requirements per [Section 16-525-020](#) and that all other provisions of the shoreland ordinance are met. A mitigation plan is not required solely for expansion under this paragraph.

#### **16-545-050 RELOCATION OF NONCONFORMING PRINCIPAL STRUCTURES**

- A. An existing principal structure that was lawfully placed when constructed but that does not comply with the required building setback per [Section 16-525-020](#) may be relocated on the property, provided all of the following requirements are met:
1. The use of the structure has not been discontinued for a period of 12 months or more if a nonconforming use.
  2. The existing principal structure is at least 35 feet from the ordinary high-water mark.
  3. No portion of the relocated structure is located any closer to the ordinary high-water mark than the closest point of the existing principal structure.
  4. The Planning and Zoning Department determines that no other location is available on the property to build a principal structure that is within 5 percent of the existing footprint of the principal structure proposed for relocation that will result in compliance with the shoreland setback requirement per [Section 16-525-020](#).
  5. The Planning and Zoning Department shall issue a permit that requires a mitigation plan that shall be approved by the Planning and Zoning Department and implemented by the property owner by the date specified in the permit. The mitigation plan shall meet the standards found in [Section 16-555](#) and include enforceable obligations of the property owner to establish or maintain measures that the County determines are adequate to offset the impacts of the permitted expansion on water quality, near-shore aquatic habitat, upland wildlife habitat and natural scenic beauty. The mitigation measures shall be proportional to the amount and impacts of the replaced or relocated structure being permitted. The obligations of the property owner under the mitigation plan shall be evidenced by an instrument recorded in the office of the Register of Deeds.
  6. All other provisions of the shoreland ordinance shall be met.

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## Subchapter 16-550 Structures Authorized By Variance

### SECTIONS:

[16-550-010 Maintenance, Repair, Replacement, or Vertical Expansion of Structures Authorized by Variance](#)

#### **16-550-010 MAINTENANCE, REPAIR, REPLACEMENT, OR VERTICAL EXPANSION OF STRUCTURES AUTHORIZED BY VARIANCE**

A structure of which any part has been authorized to be located within the shoreland setback area by a variance granted before July 15, 2015 may be maintained, repaired, replaced, restored, rebuilt or remodeled if the activity does not expand the footprint of the authorized structure. Additionally, the structure may be vertically expanded unless the vertical expansion would extend more than 35 feet above grade level.

## Subchapter 16-555 Mitigation

### SECTIONS:

[16-555-010 Purpose](#)

[16-555-020 Permit Requirements](#)

[16-555-030 Mitigation Requirements](#)

[16-555-040 Mitigation Options](#)

[16-555-050 Mitigation Sizing Requirements](#)

[16-555-060 Technical Standards for Dispersal Systems](#)

#### **16-555-010 PURPOSE**

Mitigation standards shall be established to protect and restore water quality, near-shore aquatic habitat, upland wildlife habitat, and natural scenic beauty that is otherwise lost through development and human activities.

#### **16-555-020 PERMIT REQUIREMENTS**

- A. When the County issues a permit requiring mitigation under Sections [16-525-020\(B\)\(2\)](#), [16-535-040](#), [16-545-030](#), or [16-545-050](#), the property owner must submit a complete permit application that is reviewed and approved by the Planning and Zoning Department which includes the following:
1. A site plan that describes the proposed mitigation measures.
    - a. The site plan shall be designed and implemented to restore natural functions lost through development and human activities.
    - b. The mitigation measures shall be proportional in scope to the impacts on water quality, near-shore aquatic habitat, upland wildlife habitat and natural scenic beauty.
  2. An implementation schedule and enforceable obligation on the property owner to establish and maintain the mitigation measures. The enforceable obligations shall be evidenced by an instrument recorded in the office of the Register of Deeds prior to the issuance of the permit.

#### **16-555-030 MITIGATION REQUIREMENTS**

- A. Mitigation shall be required for the following activities:
1. **Lateral Expansion of Nonconforming Principal Structure within the Setback.** Lateral expansion of a nonconforming principal structure as allowed under [Section 16-545-030](#) shall require a minimum of 5 mitigation points. See Section [16-555-040](#) for approved mitigation options.
  2. **Relocation of Nonconforming Principal Structure.** Relocation of a nonconforming principal structure as allowed under [Section 16-545-050](#) shall require a minimum of 3 mitigation points. See Section [16-555-040](#) for approved mitigation options.



3. **Exceeding Impervious Surface Standards.** To exceed the impervious surface standards listed under [Section 16-535-030](#), 2 points of mitigation shall be required for every 5 percent increase above the standard. The total increase shall not exceed the maximum impervious surface standards under [Section 16-535-040](#). Properties that exceed the maximum impervious surface standards under [Section 16-535-040](#) may be redeveloped, provided that the project does not make the property exceed the existing impervious surface coverage. See [Section 16-555-040\(G-O\)](#) for approved mitigation options.

#### **16-555-40 MITIGATION OPTIONS**

- A. Removal of nonconforming accessory structures. **1 point per 100 square feet of accessory structure, not to exceed 3 points.**
- B. Removal of shoreland structures, such as, but not limited to: artificial beaches, seawalls, or and bulkheads. **1 point per 25 lineal feet or 1 point per 100 square feet of structure, whichever is greater, not to exceed 3 points.**
- C. Replacement of private on-site wastewater treatment system (POWTS) or connection to a public sanitary sewer service (PSSS) or private group wastewater treatment system (PGWTS) serving five or more lots. **2 points.**
- D. Reduction of impervious surface coverage to less than 15 percent of lot. **2 points per 5% reduction.** Proposed structure will utilize earth tone exterior colors or replacement of an existing structure's unnatural exterior hue with earth tone colors. **1 point.**
- E. Removal of existing shore lighting or replacement with downcast lighting within 75' of the ordinary high-water mark. **1 point.**
- F. Establishment of primary vegetative buffer zone. Must follow minimum standards outlined in [Section 16-530-030](#). **1 point per 7' (depth) of buffer establishment, not to exceed 5 points.**
- G. Reduction of existing viewing and access corridor. **1 point per 25% reduction, not to exceed 3 points.**
- H. Establishment of secondary vegetative buffer zone. Must be located between 35 and 75 feet of the ordinary high-water mark and must be established after primary vegetative buffer zone. **1 point per 300 square feet.**
- I. Installation of stormwater management system such as, but not limited to: rain gardens, rainwater gutter collection systems, and water diversions of overland flow. **2 points.**
- J. Installation of a subsurface dispersal system, practice, or structure, designed by an engineer to contain the rainfall minimum sizing standard per Section 16-555-060(A) for impervious surfaces on the lot. **3 points for the first 15 percent impervious surface runoff captured and/or 2 points for every 5 percent captured above 15 percent, not to exceed 9 points.**
- K. Installation of a bio-retention system, rain garden, or other stormwater system, designed by an engineer to contain the rainfall minimum sizing standard per Section 16-555-060(A) for impervious surfaces on the lot. **3 points for the first 15 percent impervious surface runoff captured and/or 2 points for every 5 percent captured above 15 percent, not to exceed 9 points.**
- L. Installation of rip rap, as permitted by the Department. **1 point per 50 lineal feet, not to exceed 2 points.**
- M. Other shoreland stabilization, as determined necessary by the Zoning Administrator. Stabilization must be within 75 feet of the ordinary high-water mark. **1 to 3 points.**
- N. Other practices as approved by the Zoning Administrator.

## **16-555-050 MITIGATION SIZING REQUIREMENTS**

- A. **Mitigation Surface Dispersal System Limits.** Structures and/or components designed for storm water infiltration which disperse collected stormwater on or near the ground surface shall be accomplished per Columbia County Surface Dispersal System Supplemental Work Sheet.
- B. **Mitigation Subsurface Dispersal System Limits.** Systems (e.g., Drain fields, tree box filters, infiltration trenches, dry wells, and bio-retentions) designed for stormwater infiltration into the subsoil shall require the following:
  1. **Site Evaluation Requirements.** Subsurface Dispersal Systems will require site evaluation per Wisconsin Department of Natural Resources Conservation Practices Standards "Site Evaluation for Stormwater Infiltration (1002)".
  2. **Plan Certification.** A mitigation plan that includes a subsurface dispersal system shall include certification from a professional engineer registered in the State of Wisconsin, that all computations and designs for the proposed subsurface dispersal system have been reviewed and approved by the engineer as being in accordance with the technical and design standards of this Section and Section 16-140-090 of the Columbia County Zoning Ordinance.
  3. Notice of the provisions of the approved plan shall be recorded with the title to the property by affidavit with the County Register of Deeds.

## **16-555-060 TECHNICAL STANDARDS FOR DISPERSAL SYSTEMS**

- A. **Rainfall Minimum Sizing.** Dispersal systems shall be designed to handle a 2 year 24 hour minimum rainfall event or 2.8 inches (NRCS EFH Notice 210-WI-76) or greater.
- B. **Runoff Coefficient.** For the purpose of this ordinance the runoff coefficient is 1 for all impervious surfaces.

### **Subchapter 16-560 Administrative Provisions**

#### **SECTIONS:**

[16-560-010 Purpose](#)

[16-560-020 Planning and Zoning Director and Zoning Administrator—Description and Roles](#)

[16-560-030 Planning and Zoning Committee—Description and Roles](#)

[16-560-040 Zoning Board of Adjustment—Description and Roles](#)

[16-560-050 Conditional Use Permits—Review Procedure and Standards](#)

[16-560-060 Permits- Review Procedure and Standards](#)

[16-560-070 Enforcement and Penalties](#)

[16-560-080 Changes and Amendments](#)

#### **16-560-010 PURPOSE**

The overall purpose of this Subchapter is to establish responsibilities for administration of this chapter, procedural requirements for various development approvals under this chapter, and enforcement procedures and penalties for non-compliance.

#### **16-560-020 PLANNING AND ZONING DIRECTOR AND ZONING ADMINISTRATOR—DESCRIPTION AND ROLES**

- A. **Establishment.** The Planning and Zoning Director is hereby designated as the administrative and enforcement officer for the provisions of this chapter, per the general authorization under Wisconsin Statutes. The Planning and Zoning Director shall serve as the Zoning Administrator, unless the Director designates a different position or staff person as Zoning Administrator. Other professional and administrative staff within the Department may assist the Director or the otherwise-designated Zoning Administrator in the completion of his or her duties and responsibilities, and the Zoning Administrator and other Department professional and administrative staff shall serve at the direction of the Planning and Zoning Director.
- B. **Duties and Responsibilities.** The general duty of the Zoning Administrator is to interpret and administer this Chapter, as well as certain other chapters within Title 16 of the Columbia County Code of Ordinances as indicated within those chapters. With respect to Chapter 500, the Zoning Administrator shall have the following specific duties and responsibilities:

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1. Conduct on-site inspections of buildings, structures, waters, and land to determine compliance with all provisions of this chapter.
2. Be permitted access to premises and structures between 8 a.m. and 6 p.m., or such other time agreed to by all parties involved, to make inspections to ensure compliance with this chapter. If refused entry after presentation of his identification, he may procure a special inspection warrant in accordance with Wisconsin Statutes.
3. Maintain permanent and current records of and associated with this chapter, including but not limited to all maps, amendments, conditional use permits, zoning permits, site plans, mitigation plans, variances, appeals, inspections, interpretations, applications, and other official actions.
4. In combination with other professional and administrative staff of the Department, advise applicants for development approvals regarding the provisions of this chapter and assist applicants, to the extent practical, in preparing required permit applications.
5. Receive, file and forward all applications for all procedures governed by this chapter to the designated official review and approval bodies, along with all appropriate technical information or reports to assist such bodies in making their decisions, except as otherwise designated in this Subchapter.
6. In combination with other professional and administrative staff of the Department, provide staff support to the Planning and Zoning Committee and the Zoning Board of Adjustment, including the scheduling of public hearings and other meetings and site visits and the recording of the actions, recommendations, and minutes of such bodies.
7. Issue permits.
8. Review and approve site plans for land uses under this chapter prior to the issuance of permits for such uses, ensuring compliance with this and other applicable chapters and any additional requirements of designated official review and approval bodies for associated rezoning, conditional use permit, or variance requests.
9. Investigate all complaints made relating to the location and use of structures, lands, and waters and fulfill enforcement functions proscribed under [Section 16-560-070](#).

#### **16-560-030 PLANNING AND ZONING COMMITTEE—DESCRIPTION AND ROLES**

- A. **Establishment.** The Planning and Zoning Committee, as established under Wisconsin Statutes Section 59.69 and the Columbia County Code of Ordinances, is the County committee with primary policy responsibility over this chapter.
- B. **Duties and Responsibilities.** In addition to the duties and responsibilities specified under the Columbia County Code of Ordinances, the Planning and Zoning Committee shall have the following specific duties and responsibilities pertaining to this chapter:
  1. Conduct public hearings associated with petitions to amend the text of this chapter or to the Official Zoning Map.
  2. Conduct public hearings and advise the County Board on appropriate amendments to the text of this chapter or to the Official Zoning Map, and initiate such amendments as it may deem desirable, all in a manner that is consistent with the Comprehensive Plan and that follow procedures established under Wisconsin Statutes Section 59.69 and Sections 16-150-050 and 16-150-060 of the Columbia County Zoning Ordinance.
  3. Conduct public hearings, review, and decide on requests for conditional use permits that follows the procedures in [Section 16-560-050](#).
  4. Act on other development-related requests as may be specified under this chapter or other chapters within Title 16.
  5. Advise the Zoning Administrator and Planning and Zoning Director on enforcement of the provisions of this chapter and on other matters as requested by the Zoning Administrator or Planning and Zoning Director.
  6. Appoint a chairperson who shall serve a two year term.
  7. Recommend fees for various permits and approvals required and allowed under this chapter.
  8. Adopt rules and procedures as may be advisable in carrying out its duties.
  9. Exercise such other duties and responsibilities as may be directed by the County Board of Supervisors.

- C. **Recording of Actions.** All actions and recommendations of the Planning and Zoning Committee shall be in writing. A recording thereof in the Committee's minutes may constitute the required written action or recommendation.

#### **16-560-040 ZONING BOARD OF ADJUSTMENT—DESCRIPTION AND ROLES**

- A. **Establishment.** A Zoning Board of Adjustment consisting of five (5) members appointed by the Chairperson of the County Board with approval of the County Board. The terms of the members appointed shall be three (3) years beginning July 1. The Chairperson of the County Board with approval of the County Board shall appoint, for staggered 3-year terms, 2 alternate members of the Board of Adjustment. Annually, the Chairperson shall appoint one of the alternate members as the first alternate and the other as the second alternate. The members of the Board of Adjustment shall all reside within the County and outside the limits of incorporated cities and villages; provided, however, that not two (2) members shall reside in the same town. The Board of Adjustment shall choose its own Chairman and other officers. Vacancies shall be filled for the unexpired term of any members whose term becomes vacant in the same manner as the original appointment.
- B. **Duties and Responsibilities.** The Zoning Board of Adjustment shall have the following specific duties and responsibilities pertaining to this chapter in addition to certain other duties and responsibilities under other chapters in Title 16 of the Columbia County Code of Ordinances as indicated within those chapters:
1. Hear and decide appeals where it is alleged that there is an error in any interpretation, order, requirement, decision, or determination made by the Zoning Administrator or other staff member of the Planning and Zoning Department in the enforcement, administration, or interpretation of this chapter.
  2. Hear and decide appeals where it is alleged that there is an error in any decision of the Planning and Zoning Committee or town board related to a conditional use permit request.
  3. Authorize such variances from the terms of this chapter as will not be contrary to the public interest, when, owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship, so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done; provided, however, that no such variance shall have the effect of allowing, in any district, uses prohibited in that district. If the variance is not initiated by securing at least one zoning permit – within one year of the date of the approval, the variance shall be considered void.
- C. Recording of actions:
1. The Zoning Board of Adjustment shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Zoning Administrator, and shall be a public record.
  2. The final disposition of an appeal or variance application to the Zoning Board of Adjustment shall be in a form of a written decision signed by the Planning and Zoning Director or Zoning Administrator. Such decision shall state the specific facts that are the basis for the Zoning Board of Adjustment's decision; shall either affirm, reverse, or modify any order, requirement, interpretation, or any determination of the Zoning Administrator or, in case of an appealed decision on a conditional use permit, the Planning and Zoning Committee; shall specify any required conditions of approval; and shall specify the extent of any appeal or variance granted.
- D. Rules:
1. The Board of Adjustment will meet as needed at a fixed time and place as may be determined by the Chair and at such other times as the Zoning Board of Adjustment may determine.
  2. All meetings of the Board of Adjustment shall be open to the public, but such Board may go into closed session pursuant to Wisconsin Statutes.
  3. Any public hearing held by the Zoning Board of Adjustment shall be held in a convenient public location and a full description of the location of such place of hearing by name, address or other commonly known means of identification shall be included in the notice given of such hearing. No undue hardship shall be created for any applicant by reason of the location of such hearing.

4. Each notice of public hearing held by the Zoning Board of Adjustment shall specify the date, time and place of hearing and the matters to come before the Zoning Board of Adjustment at such hearing, and such notice shall be given by publication in the official newspaper of the County at least once, not less than ten days prior to the date of such hearing and by certified mail to the parties having a legal interest in any of the matters to come before the Zoning Board of Adjustment at such hearing.
  5. The Zoning Board of Adjustment shall have power to call on any County departments for assistance in the performance of its duties and it shall be the duty of such other departments to render all such assistance as may be reasonably required.
  6. The Board of Adjustment may adopt such additional rules as are necessary to carry into effect the regulations of the County Board.
- E. Appeals:
1. Appeals to the Zoning Board of Adjustment may be taken by any person aggrieved or by any officer, department, board, or bureau of Columbia County affected by any decision of the Zoning Administrator. Such appeal shall be taken within 30 days after receiving notice of the decision appealed from, by filing with the Zoning Administrator and the Zoning Board of Adjustment a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Zoning Board of Adjustment all the papers constituting the record upon which the action appealed from was taken. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Administrator shall certify to the Zoning Board of Adjustment after notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, the proceedings shall not be stayed otherwise than by restraining order by a court of record on application and notice to the Zoning Administrator and on due cause shown.
  2. The Zoning Board of Adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or attorney.
- F. **Review by Court of Record.** Any persons aggrieved by any decision of the Board of Adjustment may appeal the decision by filing an action in certiorari in the Columbia County Circuit Court within 30 days of the decision, setting forth that such decision is illegal and specifying the grounds of the illegality. Columbia County assumes no liability for and makes no warranty as to the reliance on this decision if construction is commenced prior to expiration of this 30 day period.

#### **16-560-050 CONDITIONAL USE PERMITS—REVIEW PROCEDURE AND STANDARDS**

- A. **Purpose.** The purpose of this subsection is to provide the procedure and standards for the review of conditional use permit requests, and amendments to conditional use permits previously granted.
- B. **Authority.** Subject to subsection C below the Planning and Zoning Committee, after a public hearing, shall within 60 days, grant or deny any application for a conditional use permit. Prior to granting or denying a conditional use permit, the Committee shall make findings of fact based on the evidence presented and issue a determination whether the criteria prescribed in the ordinance are met.
- C. **Planning and Zoning Committee and Town Review and Approval.** The following procedures shall apply to conditional use permits.
  1. **Application.** Make an appointment for an application meeting with staff from County Planning and Zoning Department to discuss the proposed conditional use and submit the application. The application for approval of a conditional use permit shall be made to the Planning and Zoning Department on forms furnished by the Department and shall include the following:
    - a. Names and addresses of the applicant, owner(s) of the property, architect, professional engineer if applicable.
    - b. A narrative of the proposed conditional use which includes a description of the subject property by lot, block and recorded subdivision or metes and bounds; address of the site, types of structures and proposed use(s).

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- c. A site plan which shall include a scalable drawing showing the location of all drives, entrances, sidewalks, trails and signs; the location, size, number and screening of all parking spaces. If required by this Chapter or the Department a landscaping plan; a grading and drainage plan; and a detailed proposal including covenants, agreements, or other documents showing the ownership and method of assuring perpetual maintenance of land to be owned or used for common purposes.
  - d. This application will be accompanied by a fee which will be used by the County to process the application.
2. The Planning and Zoning Department shall fix a reasonable time and place for the public hearing on the conditional use permit and give public notice thereof pursuant to the applicable requirements of the Wisconsin Statutes. A copy of the notice of public hearing for the conditional use permit shall be mailed to the applicable town clerk and chair at least ten (10) days prior to the public hearing. The notice to the clerk will be sent by certified mail and chair by regular mail. Any staff report prepared by the Department for the public hearing will be mailed to the clerk and chair as soon as practicable. A copy of an application for a conditional use permit within a Shoreland-Wetland District and notice of a public hearing for the conditional use permit shall be mailed to the District Regional Office of the Department of Natural Resources at least (10) days prior to the public hearing.
3. The Planning and Zoning Committee shall transmit a copy of its decision, signed by the Director of Planning and Zoning to the applicant and Town within fifteen (15) days of the public hearing at which the decision is made.
4. Approval of a conditional use permit does not eliminate the requirement to obtain the appropriate building and zoning permits. If the conditional use permit is not initiated by:
  - a. securing a zoning permit, or
  - b. if more than one permit is necessary, securing at least one (1) zoning permit within one (1) year of the date of the public hearing the approval of the conditional use permit shall be considered void, and the applicant will have to reapply.
5. A copy of the Planning and Zoning Committee's decision on any conditional use permit within a Shoreland District area, as defined in Section 16-505-010 shall be forwarded to the District Regional Office of the Department of Natural Resources within ten (10) days after the decision is issued.
6. No substantial changes can be made to an approved conditional use permit unless an amendment to the development plan is approved by the Planning and Zoning Committee and applicable town board per this Subchapter.
- D. **Review Criteria.** In reviewing the conditional use permit the Planning and Zoning Committee shall use the following as guides for making finding of fact for a decision.
  1. The establishment, maintenance, or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare of the occupants of surrounding lands.
  2. The use will be designed, constructed, operated, and maintained so as to be compatible, and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area such that the use will substantially impair or diminish the use, value, or enjoyment of existing or future permitted uses in the area.
  3. The erosion, potential of site based on topography, drainage, slope, soil type, and vegetative cover.
  4. The prevention and control of water pollution including sedimentation, and the potential impacts on floodplain and wetlands.
  5. The site has adequate utilities including, if necessary, acceptable disposal systems.
  6. Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow.
  7. The conditional use shall conform with the standards of the applicable district(s) in which it is located, and associated with the particular conditional use if specified in Subchapter 16-125.

- E. **Application, Recording, and Adherence to Conditions.** The Planning and Zoning Committee and applicable town board shall have the authority to attach such conditions and restrictions upon the establishment, location, maintenance and operation of the conditional use as it deems necessary to ensure the conditional use adheres to the purpose and review criteria of this Subchapter and to this Chapter as a whole. If applicable and prior to commencing the authorized activity on the site and/or obtaining a zoning permit, the Zoning Administrator may require the property owner to record notice against the property of the approved use, applicable plans, and conditions of approval with the County Register of Deeds.
- F. **Time Limits Associated with Conditional Uses.** If the conditional use permit is not initiated by securing at least one zoning permit—within one year of the date of the approval, the conditional use permit approval shall be considered void. The applicant may without fee apply for, and the Planning and Zoning Committee may grant, a one time, twelve month extension, provided that a written request for extension is submitted before the original expiration date. If a use or activity associated with a previously approved conditional use permit ceases for twelve months or more after first being established on the property, the use will be deemed to have been terminated and the property owner or authorized agent must reapply and obtain approval of another conditional use permit before recommencing the use or activity.
- G. **Effect of Denial.** No application which has not been enacted under this Subchapter shall be resubmitted for a period of twelve months from the date of final Planning and Zoning Committee action, except on grounds of new evidence or proof of change of factors found valid by the Planning and Zoning Committee.
- H. **Monitoring and Termination of a Conditional Use Permit.**
  - 1. The Planning and Zoning Committee or Zoning Administrator may require evidence and guarantees as either may deem necessary as proof that approved plans are being followed, required conditions are being met, and review criteria are being satisfied for conditional uses at all times. If the Planning and Zoning Committee finds that the review criteria of this section or the conditions attached to the permit are not being complied with, or upon written request by a town, the Planning and Zoning Committee, after a public hearing as provided for in this Subchapter, may terminate or alter the conditional use permit.
  - 2. The Conditional Use Permit may be terminated on request when the applicant or holder of the Conditional Use Permit and the property owner make a request in writing to the Planning and Zoning Committee that the Conditional Use be terminated and the Planning and Zoning Committee agrees to terminate said Conditional Use Permit. Notice of said termination is recorded in the Columbia County Register of Deeds Office if the decision for the Conditional Use Permit was recorded. The Planning and Zoning Department shall inform the applicable town of the termination no later than 15 days after the date of the Planning and Zoning Committee's decision to terminate the Conditional Use Permit.

## **16-560-060 PERMITS—REVIEW PROCEDURE AND STANDARDS**

- A. **Purpose.** The purpose of this subsection is to specify the requirements and procedures for the issuance of permits. Permits are issued by the County Zoning Administrator for certain projects specified in this Subchapter in order to verify compliance with the provisions of this code. A zoning permit is not a substitute for a building permit, which is instead issued by the affected town. In certain cases, other land use approvals and permits, including but not limited to rezoning, conditional use permit approval, or variance approval is required before a zoning permit may be issued.
- B. **When Required.** Except where another section of this ordinance or statutes specifically exempts certain types of development from this requirement, a permit shall be obtained from the Zoning Administrator or board of adjustment/committee before any new development.
- C. **Application for a Permit.** An application for a permit shall be made to the Zoning Administrator. The number of required copies of the application materials shall be as determined by the Zoning Administrator. Such application shall be made by the owner of the property on which the permit is requested. To be determined complete by the Zoning Administrator, the application shall include:

1. A completed form, provided by the Zoning Administrator and signed by the owner, including basic information on the owner and project to ensure compliance with this chapter.
  2. A legal description of the subject site by lot, block, and recorded subdivision or certified survey map, or by metes and bounds, or a copy of the deed.
  3. A plot plan (overhead view), drawn to scale, and showing and labeling the date of preparation; land owner's name; north arrow; lot dimensions; lot coverage; adjacent public streets and rights-of-way; any required visual clearance triangles required in accordance with [Section 16-140-030A](#); existing and proposed structures and their dimensions; parking and driveway areas; distances between structures and lot lines, between structures and other structures, between structures and the centerlines of abutting streets and highways, and between structures and the ordinary high water mark of any abutting watercourse. The applicant should note potential foundation survey requirements in [Section 16-140-030G](#).
  4. A plan, which may be included on the plot plan, indicating the location of the existing and proposed sewage disposal system and well location meeting the requirements of Chapter 300 where municipal sewer and/or water service will not be provided.
  5. Plans for mitigation when required.
  6. Other application materials as specified in Chapter 100.
  7. For Planned Development and conditional use projects, complete copies of all application documents approved as part of the rezoning or conditional use permit, with revisions as necessary to meet County conditions of approval of such projects.
  8. Other pertinent information as requested by the Zoning Administrator to determine if the proposed use meets the requirements of this chapter.
  9. The required review fee.
- D. **Permit Review Criteria.** No permit shall be granted or shall become effective until all applicable requirements of this chapter, conditions of any preceding County approval related to the project, the remaining chapters in Title 16, and all applicable Wisconsin Statutes and rules are met.
- E. **Time Limits Associated with Permits.** A permit shall either be granted or denied in writing by the Zoning Administrator within thirty days of the filing of a complete application, unless other parallel processes (e.g., conditional use permit) require a longer review period. Once issued, each permit shall be posted in a prominent place on the premises prior to and during the period of construction, alteration, or movement. If the work authorized by the permit is not completed within 24 months of the date of the approval, the permit approval shall be considered void. The applicant may with a fee apply for, and the Zoning Administrator may grant, a one time, 24 month extension, provided that a written extension request is submitted before the original expiration date.

## **16-560-070 ENFORCEMENT AND PENALTIES**

- A. **Enforcement Policy.** The Planning and Zoning Committee shall approve and may from time-to-time amend policies for enforcement of this chapter, consistent with the provisions of this Subchapter.
- B. **Authority.** In the enforcement of this Ordinance, the Zoning Administrator shall have the power and authority for the following:
1. At any reasonable time, and for any proper purpose, to enter upon any public or private premises and make inspection thereof.
  2. Upon reasonable cause or question as to proper compliance, to revoke any zoning or occupancy and use permit and issue stop work orders requiring the cessation of any building, moving, alteration or use which is violation of the provisions of this Ordinance. Notice of a stop work order is given both by posting upon the land where the violation occurs one or more copies of a poster stating the violation, and by mailing a copy of the order by certified mail to the property owner of the property on which the activity is in violation of this Ordinance. The order shall specify the activity that must cease immediately or be brought into compliance with a time period as determined by the Zoning Administrator. Any stop work order shall be in effect until removed by the Zoning Administrator or Board of Adjustment.

- F. To refer to the Corporation Counsel for commencement of any legal proceedings necessary to enforce this ordinance. The issuance of citations provided for under this Ordinance shall not require referral but may be issued by the Director of Planning and Zoning, Zoning Administrator and Zoning and Sanitary Specialists directly.
- G. **Enforcement of Violations.**
1. Penalties: Any person, firm, company or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any provisions of this Ordinance shall be subject to a forfeiture as listed in the Penalty Section of Title 1, Chapter 2 of the County Code of Ordinances. Each day of violation shall constitute a separate offense.
  2. Enforcement by Citation: Except as modified by this Ordinance, the County elects to use the citation method of enforcement under Title 1, Chapter 2 of the County Code of Ordinances. This Section does not preclude the County or any authorized officer from proceeding under other ordinance or law, or by any other enforcement method to enforce any Ordinance regulation or order.
  3. Compliance with the provisions of this Ordinance may also be enforced by injunctive order at the suit of the County. It shall not be necessary to prosecute for fine or imprisonment before resorting to injunctive proceedings.
- H. **Violations of Permits Issued Under This Chapter:**
1. Violation of a permit or other approval issued under this chapter, or any condition or approved plan associated with such permit or other approval, shall be deemed a violation of this chapter, and shall constitute grounds for revocation of the permit, as well as fines and forfeitures and any other available remedies. A permit or other approval may be revoked only by action of the body that initially granted the permit or other approval, following procedures required for its initial issuance to the extent practical. The decision of the appropriate body shall be furnished to the permit holder in writing, stating the reasons therefore. Beginning construction without a permit will result in a double fee being charged.
  2. A permit or other approval issued in violation of this chapter, other chapters of the Columbia County Code of Ordinances, the Wisconsin Administrative Code, or Wisconsin Statutes gives the permit holder no vested right to continue the activity authorized by the permit, and the permit is considered voidable.

## **16-560-080 CHANGES AND AMENDMENTS**

The County Board may from time to time, alter, supplement or change the regulations contained in this ordinance in accordance with the requirements of s. 59.69(5)(e), Wis. Stats, ch. NR 115, Wis. Adm. Code and **this ordinance where applicable.**

- A. **Amendments.** Amendments to this ordinance may be made on petition of any interested party as provided in s. 59.69(5), Wis. Stats.

### **Shoreland-Wetland Map Amendments.**

1. Every petition for a shoreland-wetland map amendment filed with the County Clerk shall be referred to the County zoning agency. A copy of each petition shall be provided to the appropriate office of the Department within 5 days of the filing of the petition with the County Clerk. Written notice of the public hearing to be held on a proposed amendment shall be provided to the appropriate office of the Department at least 10 days prior to the hearing.
2. A copy of the County Board's decision on each proposed amendment shall be forwarded to the appropriate office of the Department within 10 days after the decision is issued.

## **Subchapter 16-565 Definitions**

**Access and viewing corridor:** A strip of vegetated land that allows safe pedestrian access to the shore through the vegetative buffer zone.

**Accessory Structure:** A subordinate structure on the same property as the principal structure which is devoted to a use incidental to the principal use of the property. Accessory structures include, but are not limited to, detached garages, boathouses, sheds, barns, gazebos, patios, decks, swimming pools, hot tubs, fences, retaining walls, driveways, parking lots, sidewalks, detached stairways and lifts.

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**Accessory Use:** An accessory use is a land use that both serves and is customarily incidental and subordinate to a principal use, as defined in section 16-160-020. Accessory uses may be established only after the principal use of the property is established, and must be on the same parcel as the principal use.

**Adjacent:** Lands that are immediately next to or abutting.

**Boathouse:** Means a permanent structure used for the storage of watercraft and associated materials and includes all structures which are totally enclosed, have roofs or walls or any combination of these structural parts.

**Building:** Any structure having a roof supported by columns, poles or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

**Building envelope:** The three dimensional space within which a structure is built.

**Conditional Use:** A use which is permitted by this ordinance provided that certain conditions specified in the ordinance are met and that a permit is granted by the Planning and Zoning Committee or County Board.

**County zoning agency:** Planning & Zoning Committee designated by the County Board under s. 59.69(2)(a), Wis. Stats, to act in all matters pertaining to County Planning and Zoning.

**Department:** Means the Department of Natural Resources.

**Development:** Any man-made change to improved or unimproved real estate including but not limited to the construction or placement of buildings, structures, the construction of additions or improvements to buildings or structures, mining, dredging, filling, grading, paving, excavation or drilling operations and the deposition or extraction of materials for which permission may be required pursuant to this chapter.

**Drainage System:** One or more artificial ditches, tile drains or similar devices which collect surface runoff or groundwater and convey it to a point of discharge.

**Earth tone:** Any of various muted colors, ranging from neutral to deep brown. The Lower Wisconsin State Riverway Board Standardized Color Chart depicts examples of earth tone hues.

**Existing development pattern:** That principal structures exist within 250 feet of a proposed principal structure in both directions along the shoreline.

**Facility:** Any property or equipment of a public utility, as defined in s. 196.01(5), or a cooperative association organized under ch. 185 for the purpose of producing or furnishing heat, light, or power to its members only, that is used for the transmission, delivery, or furnishing of of natural gas, heat, light, or power.

**Floodplain:** Land which has been or may be hereafter covered by flood water during the regional flood. The floodplain includes the floodway and the flood fringe as those terms are defined in Chapter NR 116, Wisconsin Administrative Code.

**Footprint:** The land area covered by a structure, defined as the surface area projected on the ground that falls directly beneath all areas that are included in the definition of a structure. The surface area projected on the ground of any part of a building, including roof overhangs, that projects outward beyond its supporting exterior columns, poles or walls by more than three feet shall be included in the surface area. For the purposes of replacing or reconstructing a nonconforming structure with walls, the footprint shall not be expanded by enclosing the area that is located within the horizontal plane from the exterior wall to the eaves projected to natural grade.

**Generally accepted forestry management practices:** Forestry management practices that promote sound management of a forest. Generally accepted forestry management practices include those practices contained in the most recent version of the department publication known as Wisconsin Forest Management Guidelines and identified as PUB FR-226.

**Hydrologically connected:** Lands that contribute water to, receive water from, or exchange water with a wetland through surface, subsurface, overland, or channelized flow. Hydrologically connected lands can be upstream or downstream from a wetland and may not necessarily be directly contiguous.

**Impervious surface:** An area that releases as runoff all or a majority of the precipitation that falls on it. "Impervious surface" excludes frozen soil but includes rooftops, sidewalks, driveways, parking lots, and streets unless specifically designed, constructed, and maintained to be pervious. Public roadways as defined in s. 340.01(54) or public sidewalks as defined in s. 340.01(58) are not considered impervious surfaces.

**Lot:** A designated part of a subdivision or certified survey map having an assigned number through which it may be identified and meeting the requirements of this chapter for a building site. A lot abuts a public street or other officially approved access. For purposes of this chapter, a lot may also include the term parcel in determining the applicability of a provision of this chapter.



**Lot area:** The area of a horizontal plane bounded by the front, side, and rear lot lines of a lot, but not including the area of any land below the ordinary high water mark of navigable waters.

**Lot size, net:** The total area within a lot or parcel excluding any public road or railroad right of way or prescriptive easement.

**Lot of record:** Any lot, the description of which is properly recorded with the Register of Deeds, which at the time of its recordation complied with all applicable laws, ordinances, and regulations.

**Maintenance and repair:** The ordinary maintenance and repair of a structure or premises that contains a nonconforming use is permitted, including repairs reasonably necessary to prevent the deterioration of a structure, remodeling of the structure, and necessary nonstructural repairs and alterations that do not extend, enlarge, or intensify the structure. Ordinary maintenance and repairs include painting; decorating; the installation or replacement of heating, electricity, or plumbing systems; the installation or replacement of drywall, plaster paneling, acoustical ceilings, insulation, doors, windows, roof surface materials, and siding.

**Mitigation:** Balancing measures that are designed, implemented, and function to restore natural functions and values that are otherwise lost through development and human activities.

**Navigable waters:** Means Lake Superior, Lake Michigan, all natural inland lakes within Wisconsin and all streams, ponds, sloughs, flowages and other waters within the territorial limits of this state, including the Wisconsin portion of boundary waters, which are navigable under the laws of this state. Under s. 281.31(2)(d), Wis. Stats, notwithstanding any other provision of law or administrative rule promulgated thereunder, shoreland ordinances required under s. 59.692, Wis. Stats, and ch. NR 115, Wis. Adm. Code, do not apply to lands adjacent to:

- (1) Farm drainage ditches where such lands are not adjacent to a natural navigable stream or river and such lands were not navigable streams before ditching; and
- (2) Artificially constructed drainage ditches, ponds or stormwater retention basins that are not hydrologically connected to a natural navigable water body

**Ordinary high-water mark:** The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristics.

**Previously developed:** A lot or parcel that has had a structure as defined by this chapter legally placed upon it.

**Regional flood:** A flood determined to be representative of large floods known to have generally occurred in Wisconsin and which may be expected to occur on a particular stream because of like physical characteristics, once in every 100 years.

**Replacement construction:** The principal building or portion thereof is torn down and replaced by a new structure or building or portion thereof.

**Routine maintenance of vegetation:** Normally accepted horticultural practices that do not result in the loss of any layer of existing vegetation and do not require earth disturbance. Examples of routine maintenance include pruning, watering, and mulching. Routine maintenance of vegetation does not include the removal and/or replacement of vegetation.

**Shoreland:** Lands within the following distances from the ordinary high-water mark of navigable waters: 1,000 feet from a lake, pond or flowage; and 300 feet from a river or stream or to the landward side of the floodplain, whichever distance is greater.

**Shoreland setback** also known as the **Shoreland setback area:** Means an area in a shoreland that is within a certain distance of the ordinary high-water mark in which the construction or placement of structures has been limited or prohibited under an ordinance enacted under section 59.692, Wis. Stats.

**Shoreland-wetland district:** A zoning district, created as a part of a County zoning ordinance, comprised of shorelands that are designated as wetlands on the Wisconsin wetland inventory maps prepared by the department.

**Structural alterations:** Any changes in the supporting members of a structure such as foundations, bearing walls, columns, beams or girders, footing and piles or any substantial change in the roof structure, or in the exterior walls.

**Structural alterations:** Any change in the supporting members of a building or any substantial change in the roof structure or in exterior walls.

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**Structure:** Anything man-made that is constructed, erected, or placed either permanently or temporarily on the ground; including, but not limited to, any building, dwelling, manufactured building, manufactured home, mobile home, house trailer, recreational vehicle, boathouse, camping unit, sign, deck, patio, or other improvements.

**Substandard lot:** A legally created lot or parcel that met minimum area and minimum average width requirements when created, but does not meet current lot size requirements.

**Subsurface dispersal system:** An underground system that retains and disperses stormwater runoff.

**Unnecessary hardship:** Means that circumstance where special conditions, which were not self-created, affect a particular property and make strict conformity with restrictions governing area, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of this ordinance.

**Variance:** Permission to depart from the literal requirements of this chapter, which may be granted by the Board of Adjustment in accordance with the procedures and standards of section 16-150-040.

**Wetlands:** Means those areas where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which have soils indicative of wet conditions.

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

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

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

AYES: 16; NOES: 11; ABSENT: 1

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

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

ABSENT: Weyh.

Chair Gove welcomed Supervisor De Young back.

Foley moved adjournment of this meeting to Wednesday, September 21, 2016 at 7:00 p.m. Second was made by Ross. The motion carried. The meeting adjourned at 9:00 p.m.

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
September 21, 2016  
7:00 p.m.

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

All Supervisors were present, except Kessler, Teitgen and Weyh, absent with notice.

Members stood and recited the Pledge of Allegiance.

A motion was made by Foley, second by Cupery to approve the Journal of July 20, 2016. Motion carried.

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

John Tramburg reported Columbia County received an unqualified audit opinion for 2015 from Clifton Larson Allen. He referred to a handout placed on supervisor's desks regarding a summary of the audit report. Copies of the audit report are available on the Columbia County website at [www.co.columbia.wi.us](http://www.co.columbia.wi.us).

Stacy Davenport from Health and Human Services gave an update on the Medication Assisted Treatment Program and referred to a handout placed on supervisor's desks.

Chair Gove recognized Brian Smith on his upcoming retirement on September 29<sup>th</sup> of 28 years from the Columbia County Highway Department. Smith was not able to attend the meeting.

Kelly Palmer was appointed to the Local Library Board (Poynette) to complete Bob Garske's remaining term to May, 2018. Motion by Ross, second by Bradley, the appointment was approved.

Konkel, Chair of the Ad Hoc Building Committee, reported that the Administration building is scheduled for completion by June 1, 2017 and the Health and Human Services building by July 1, 2017. He indicated there are several concerns with the temporary relocation of court offices to the Annex during renovation of the courthouse. It has been proposed to use the new Health and Human Services building for relocation of court offices during renovation. This would delay Health and Human Services from moving for about one year.

**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 Allen Seltzner – ARS Farms LLC, Sun Prairie, WI, Petitioner and Owner, to rezone from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcels 619.07 & 619.08, Section 32, T10N, R11E in the Town of Hampden 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, Parcels 619.07 & 619.08, Section 32, T10N, R11E in the Town of Hampden.
- (2) A petition by, Stephen C. Agnew, Petitioner and Owner, Columbus, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 24.02 & 25.03, Section 2, T10N, R12E, Town of Columbus to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 24.02 & 25.03, Section 2, T10N, R12E, in the Town of Columbus.
- (3) A petition by, Kyle D. Krueger & Carmen L. Reichhoff, Petitioners & Owners, Portage, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 598.03, Section 17, T13N, R8E, in the Town of Lewiston to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 598.03, Section 17, T13N, R8E, in the Town of Lewiston.

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- (4) A petition by, William D. Zamzow, Petitioner & Owner, Princeton, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 849, 852, 855 & 856, Section 28, T12N, R8E, Town of Caledonia to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Overlay, Parcels 849, 852, 855 & 856, Section 28, T12N, R8E, Town of Caledonia.

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

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

Ron Locast, from Potter Lawson, gave a PowerPoint presentation on the Design Development Plans - Phase 3 for the Courthouse Renovation and entertained questions of the Board.

#### **RESOLUTION NO. 35-16**

WHEREAS, the Supervisor of Assessment has presented the following equalized values and the equalized values reduced by TID Value Increments.

NOW, THEREFORE, BE IT RESOLVED, that the following be used as the County Equalized Values for 2016 (TID is included for State taxes, and TID is out for County taxes).

|                  | <u>ALL PROPERTY</u><br>(TID Included) | <u>% to TOTAL</u> | <u>ALL PROPERTY</u><br>(TID Out) | <u>% to TOTAL</u> |
|------------------|---------------------------------------|-------------------|----------------------------------|-------------------|
| <b>TOWNS:</b>    |                                       |                   |                                  |                   |
| Arlington        | \$ 91,893,200                         | 1.79%             | \$ 91,893,200                    | 1.81%             |
| Caledonia        | 232,843,900                           | 4.53%             | 232,843,900                      | 4.58%             |
| Columbus         | 82,784,400                            | 1.61%             | 82,784,400                       | 1.63%             |
| Courtland        | 53,795,700                            | 1.05%             | 53,795,700                       | 1.06%             |
| Dekorra          | 357,940,300                           | 6.97%             | 357,940,300                      | 7.05%             |
| Fort Winnebago   | 75,592,600                            | 1.47%             | 75,592,600                       | 1.49%             |
| Fountain Prairie | 96,645,600                            | 1.88%             | 96,645,600                       | 1.90%             |
| Hampden          | 68,408,800                            | 1.33%             | 68,408,800                       | 1.35%             |
| Leeds            | 82,547,400                            | 1.61%             | 82,547,400                       | 1.63%             |
| Lewiston         | 122,419,700                           | 2.38%             | 122,419,700                      | 2.41%             |
| Lodi             | 452,303,100                           | 8.80%             | 452,303,100                      | 8.91%             |
| Lowville         | 96,013,900                            | 1.87%             | 96,013,900                       | 1.89%             |
| Marcellon        | 89,851,900                            | 1.75%             | 89,851,900                       | 1.77%             |
| Newport          | 65,101,800                            | 1.27%             | 65,101,800                       | 1.28%             |
| Otsego           | 71,186,000                            | 1.39%             | 71,186,000                       | 1.40%             |
| Pacific          | 240,959,200                           | 4.69%             | 240,959,200                      | 4.74%             |
| Randolph         | 92,552,000                            | 1.80%             | 92,552,000                       | 1.82%             |
| Scott            | 64,154,300                            | 1.25%             | 64,154,300                       | 1.26%             |
| Springvale       | 72,781,300                            | 1.42%             | 72,781,300                       | 1.43%             |
| West Point       | 339,335,700                           | 6.60%             | 339,335,700                      | 6.68%             |
| Wyocena          | 175,486,000                           | 3.41%             | 175,486,000                      | 3.46%             |
| TOWN TOTAL       | 3,024,596,800                         | 58.87%            | 3,024,596,800                    | 59.55%            |

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**VILLAGES:**

|               |             |        |             |        |
|---------------|-------------|--------|-------------|--------|
| Arlington     | 76,847,900  | 1.50%  | 69,100,000  | 1.36%  |
| Cambria       | 46,789,900  | .91%   | 46,789,900  | .92%   |
| Doylestown    | 14,740,100  | .29%   | 14,740,100  | .29%   |
| Fall River    | 125,887,900 | 2.45%  | 125,887,900 | 2.48%  |
| Friesland     | 20,581,200  | .40%   | 16,330,100  | .32%   |
| Pardeeville   | 128,707,900 | 2.51%  | 128,707,900 | 2.53%  |
| Poynette      | 156,801,000 | 3.05%  | 156,801,000 | 3.09%  |
| Randolph      | 27,452,100  | .53%   | 24,391,800  | .48%   |
| Rio           | 58,432,500  | 1.14%  | 49,186,300  | .97%   |
| Wyocena       | 38,687,600  | .75%   | 38,687,600  | .76%   |
| VILLAGE TOTAL | 694,928,100 | 13.53% | 670,622,600 | 13.20% |

**CITIES:**

|                 |               |        |               |        |
|-----------------|---------------|--------|---------------|--------|
| Columbus        | 374,571,300   | 7.29%  | 353,691,400   | 6.97%  |
| Lodi            | 238,043,300   | 4.63%  | 236,894,800   | 4.67%  |
| Portage         | 573,088,200   | 11.15% | 565,921,900   | 11.14% |
| Wisconsin Dells | 232,803,700   | 4.53%  | 227,222,700   | 4.47%  |
| CITIES TOTAL    | 1,418,506,500 | 27.60% | 1,383,730,800 | 27.25% |

**COUNTY TOTALS:**

|                 |               |      |               |      |
|-----------------|---------------|------|---------------|------|
| Columbia County | 5,138,031,400 | 100% | 5,078,950,200 | 100% |
|-----------------|---------------|------|---------------|------|

Dan F. Drew  
James E. Foley  
~~Mike Weyh~~  
Mary Cupery  
John H. Tramburg  
FINANCE COMMITTEE

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

**RESOLUTION NO. 36-16**

WHEREAS, the legislature of the State of Wisconsin enacted legislation providing for allocation to respective counties in the state on an acreage basis for the county fish and game projects on the condition that the counties match the state allocation, and

WHEREAS, Columbia County desires to participate in county fish and game projects pursuant to provision of s. 23.09(12) of the Wisconsin Statutes;

THEREFORE, BE IT RESOLVED, by the Columbia County Board of Supervisors, in legal session assembled, that the Board is hereby authorized to expend the funds appropriated and the funds to be received from the State of Wisconsin for the improvement of the fish and wildlife habitat and to operate and maintain or to cause to be operated and maintained the project for its intended purpose, and;

THEREFORE, BE IT RESOLVED, that the Columbia County Board authorizes the Director of Land and Water Conservation, to act on behalf of Columbia County to submit a state grant application to the Wisconsin Department of Natural Resources (DNR) for financial aid for county fish and game projects; sign documents; and take necessary action to undertake, direct and complete approved projects.

BE IT FURTHER RESOLVED, that the Columbia County Board does hereby appropriate a matching allocation for such project and such appropriations shall continue as long as state matching aids are available, or until this resolution is modified by this Board.

Fiscal Note: This is a long standing matching grant program in which funds are budgeted annually through Land and Water Conservation Department budget. \$2100.00 is budgeted annually to meet needs of program. Resolution is an update to records and authorizing authority.

Fiscal Impact: Budgeted Program Funds

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

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

**ORDINANCE NO. 165-16**

The Columbia County Board of Supervisors do ordain as follows: The Columbia County Code of Ordinances as adopted by the Board of Supervisors on April 21, 1998 is hereby amended and revised as follows:

Wisconsin Administrative Code NR115 and Wisconsin Statutes 59.692 & 281.31 establishes the authority of the County to enact an ordinance governing Shoreland-Wetland Protection Ordinance.

The County Shoreland-Wetland Protection Ordinance has been in effect since 1985 and recently there have been changes and modifications to Wisconsin Administrative Code NR115 and Wisconsin Statutes 59.692 & 281.31 which require the Shoreland-Wetland Protection Ordinance be updated.

The revision is necessary to ensure that the Shoreland-Wetland Protection Ordinance is consistent with the adopted Columbia County Comprehensive Plan 2030.

The proposed Title 16 Chapter 500 is a recodification which updates the ordinance and reformats the ordinance such that it is consistent with the other Chapters of Title 16.

The Columbia County Planning and Zoning Committee conducted a public hearing and is recommending the repeal of Title 16 Chapter 5 Shoreland-Wetland Protection Ordinance and the creation of a new Title 16 Chapter 500 Shoreland-Wetland Protection Ordinance.

NOW THEREFORE BE IT ORDAINED, by the Columbia County Board of Supervisors that Title 16 Chapter 5 of the Columbia County Code of Ordinances (Shoreland-Wetland Protection Ordinance) is repealed and Title 16 Chapter 500 Shoreland-Wetland Protection Ordinance is created and is attached as Exhibit "A".

BE IT FURTHER RESOLVED, that any reference to Chapter 5 in the other Chapters of Title 16 of the County Code of Ordinances shall be amended to read Chapter 500.

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

DATE PASSED: September 21, 2016  
DATE PUBLISHED: September 27, 2016

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## Exhibit A

### Shoreland Wetland Protection Ordinance

Title 16 Chapter 500

Columbia County Board of Supervisors

Adopted: September 21, 2016



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## **Subchapter 16-501 Statutory Authorization, Finding of Fact, Statement of Purpose and Title**

### **SECTIONS:**

[16-501-010 Statutory Authorization](#)

[16-501-020 Finding of Fact](#)

[16-501-030 Purpose and Intent](#)

[16-501-040 Title](#)

### **16-501-010 STATUTORY AUTHORIZATION**

This ordinance is adopted pursuant to the authorization in s. 59.692, Wis. Stats., to implement s. 59.692 and s. 281.31, Wis. Stats.

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### **16-501-020 FINDING OF FACT**

Uncontrolled use of the shorelands and pollution of the navigable waters of Columbia County will adversely affect the public health, safety, convenience, and general welfare and impair the tax base. The legislature of Wisconsin has delegated responsibility to the counties to further the maintenance of safe and healthful conditions; prevent and control water pollution; protect spawning grounds, fish and aquatic life; control building sites, placement of structures and land uses; and to preserve shore cover and natural beauty. This responsibility is hereby recognized by Columbia County, Wisconsin.

### **16-501-030 PURPOSE AND INTENT**

For the purpose of promoting the public health, safety, convenience and welfare, and promote and protect the public trust in navigable waters this ordinance has been established to:

- A. Further the maintenance of safe and healthful conditions and prevent and control water pollution through:
  - 1. Limiting structures to those areas where soil and geological conditions will provide a safe foundation.
  - 2. Establishing minimum lot sizes to provide adequate area for private on-site waste treatment systems.
  - 3. Controlling filling and grading to prevent soil erosion problems.  
Limiting impervious surfaces to control runoff which carries pollutants.
  - 4. Preserving wetlands to minimize runoff and soil erosion.
- B. Protect spawning grounds, fish and aquatic life through:
  - 1. Preserving wetlands and other fish and aquatic habitat.
  - 2. Regulating pollution sources.
  - 3. Controlling shoreline alterations, dredging, and lagooning.
- C. Control building sites, placement of structures and land uses through:
  - 1. Prohibiting certain uses detrimental to the shoreland-wetlands.
  - 2. Setting minimum lot sizes and widths.
  - 3. Setting minimum building setbacks from waterways.
  - 4. Setting the maximum height of near shore structures.
- D. Preserve and restore shoreland vegetation and natural scenic beauty through:
  - 1. Restricting the removal of natural shoreland cover.
  - 2. Preventing shoreline encroachment by structures.
  - 3. Controlling shoreland excavation and other earth moving activities.
  - 4. Regulating the use and placement of boathouses and other structures.
  - 5. Preventing the destruction and degradation of wetlands.
- E. Protect and preserve wetlands through:
  - 1. Restricting the placement of fill material in wetlands.
  - 2. Encouraging avoidance and minimization of wetland impacts.
  - 3. Preserving native wetland plant/tree communities.
- F. Prevent flood damages through:
  - 1. Restricting filling, grading, and the placement of buildings and structures in floodplains and wetlands.
  - 2. Preserving the ecological integrity of floodplains and wetlands
  - 3. Restoring floodplains and wetlands to increase floodwater storage.

### **16-501-040 TITLE**

Shoreland Wetland Protection Ordinance for Columbia County, Wisconsin.

### **Subchapter 16-505 General Provisions**

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## SECTIONS:

[16-505-010 Areas to Be Regulated](#)

[16-505-020 Shoreland-Wetland Maps](#)

[16-505-030 Compliance](#)

[16-505-040 Municipalities and State Agencies Regulated](#)

[16-505-050 Abrogation and Greater Restrictions](#)

[16-505-060 Interpretation](#)

[16-505-070 Severability](#)

### **16-505-010 AREAS TO BE REGULATED**

Areas regulated by this ordinance shall include all the lands (referred to herein as shorelands) in the unincorporated areas of Columbia County which are:

- A. Within one thousand (1,000) feet of the ordinary high-water mark of navigable lakes, ponds or flowages. Lakes, ponds, or flowages in Columbia County shall be presumed to be navigable if they are listed in the Wisconsin Department of Natural Resources publication FH-800 2009 "Wisconsin Lakes" book or are shown on United States Geological Survey quadrangle maps (1:24,000).
- B. Within three hundred (300) feet of the ordinary high-water mark of navigable rivers or streams, or to the landward side of the floodplain, whichever distance is greater. Rivers and streams in Columbia County shall be presumed to be navigable if they are designated as perennial waterways or intermittent waterways on United States Geological Survey quadrangle maps (1:24,000). Flood hazard boundary maps, flood insurance rate maps, flood boundary-floodway maps, County soil survey maps or other existing County floodplain zoning maps shall be used to delineate floodplain areas.
- C. The provisions of this chapter apply to regulation of the use and development of unincorporated shoreland areas. Unless specifically exempted by law, all cities, villages, towns, counties and, when s. 13.48(13), Wis. Stats., applies, state agencies are required to comply with, and obtain all necessary permits under, local shoreland ordinances. The construction, reconstruction, maintenance or repair of state highways and bridges carried out under the direction and supervision of the Wisconsin Department of Transportation is not subject to local shoreland zoning ordinances if s. 30.2022(1), Wis. Stats., applies. Shoreland zoning requirements in annexed or incorporated areas are provided in s. 61.353 and s. 62.233, Wis. Stats.
- D. Determinations of navigability and ordinary high-water mark location shall initially be made by the Zoning Administrator. When questions arise, the Zoning Administrator shall contact the appropriate office of the Department for a final determination of navigability or ordinary high-water mark. The County may work with surveyors with regard to s. 59.692(1h), Wis. Stats.
- E. Under s. 281.31(2m), Wis. Stats., notwithstanding any other provision of law or administrative rule promulgated thereunder, this shoreland zoning ordinance does not apply to:
  1. Lands adjacent to farm drainage ditches if:
    - a. Such lands are not adjacent to a natural navigable stream or river; and
    - b. Those parts of such drainage ditches adjacent to such lands were not navigable streams before ditching.
  2. Lands adjacent to artificially constructed drainage ditches, ponds or stormwater retention basins that are not hydrologically connected to a natural navigable water body.

### **16-505-020 SHORELAND-WETLAND MAPS**

The most recent version of the Wisconsin Wetland Inventory as depicted on the Department of Natural Resources [Surface Water Data Viewer](#) is made part of this ordinance.

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### **16-505-030 COMPLIANCE**

The use of any land, the size, shape and placement of lots, the use, size, type and location of structures on lots, the installation and maintenance of water supply and waste disposal facilities, the filling, grading, lagooning, and dredging of any lands, the cutting of shoreland vegetation, and the subdivision of lots shall be in full compliance with the terms of this ordinance and other applicable local, state, or federal regulations. Buildings and other structures shall require a permit unless otherwise expressly excluded by a provision of this ordinance. Property owners, builders, and contractors are responsible for compliance with the terms of this ordinance.

### **16-505-040 MUNICIPALITIES AND STATE AGENCIES REGULATED**

Unless specifically exempted by law, all cities, villages, towns and counties are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply when s. 13.48(13), Wis. Stats., applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation are exempt when s. 30.2022(1), Wis. Stats., applies.

### **16-505-050 ABROGATION AND GREATER RESTRICTIONS**

- A. This ordinance shall not require approval or be subject to disapproval by any town or town board.
- B. If an existing town ordinance relating to shorelands is more restrictive than this ordinance or any amendments thereto, the town ordinance continues in all respects to the extent of the greater restrictions but not otherwise.
- C. This ordinance is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.
- D. The provisions of the Columbia County Zoning Ordinance are hereby incorporated by reference. These provisions shall only apply to the shoreland area where they impose greater restrictions than this ordinance otherwise imposes.
- E. This ordinance may establish standards to regulate matters that are not regulated in ch. NR 115, Wis. Adm. Code, but that further the purposes of shoreland zoning as described in [Section 16-501-030](#) of this ordinance,
- F. This ordinance does not require any of the following:
  - 1. Approval to install or maintain outdoor lighting in shorelands, impose any fee or mitigation requirement to install or maintain outdoor lighting in shorelands, or otherwise prohibits or regulates outdoor lighting in shorelands if the lighting is designed or intended for residential use.
  - 2. An inspection or upgrade of a structure before the sale or other transfer of the structure may be made.
- G. The construction and maintenance of a facility is considered to satisfy the requirements of a shoreland zoning ordinance if:
  - 1. The Department has issued all required permits or approvals authorizing the construction or maintenance under ch. 30, 31, 281, or 283.

### **16-505-060 INTERPRETATION**

In their interpretation and application, the provisions of this ordinance shall be liberally construed in favor of the County and shall not be deemed a limitation or repeal of any other powers granted by Wisconsin Statutes. Where a provision of this ordinance is required by statute and a standard in ch. NR 115, Wis. Adm. Code, and where the ordinance provision is unclear, the provision shall be interpreted in light of the statute and ch. NR 115, Wis. Adm. Code, standards in effect on the date of the adoption of this ordinance or in effect on the date of the most recent text amendment to this ordinance.

### **16-505-070 SEVERABILITY**

If any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

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## Subchapter 16-510 Shoreland-Wetland District

### SECTIONS:

[16-510-010 Purpose](#)

[16-510-020 Designation](#)

[16-510-030 Permitted Uses](#)

[16-510-040 Prohibited Uses](#)

[16-510-040 Rezoning of Lands in the Shoreland-Wetland District](#)

#### **16-510-010 PURPOSE**

This district is created to maintain safe and healthful conditions, to prevent water pollution, to protect fish spawning grounds and wildlife habitat, to preserve shore cover and natural beauty and to control building and development in wetlands whenever possible. When development is permitted in a wetland, the development should occur in a manner that minimizes adverse impacts upon the wetland.

#### **16-510-020 DESIGNATION**

- A. This district shall include all shorelands within the jurisdiction of this ordinance which are designated as wetlands on the most recent version of the Wisconsin Wetland Inventory as depicted on the Department of Natural Resources Surface Water Data Viewer.
  1. **Locating Shoreland-Wetland Boundaries.** Where an apparent discrepancy exists between the shoreland-wetland district boundary shown on the Wisconsin Wetland Inventory and actual field conditions, the County shall contact the Department to determine if the map is in error. If the Department determines that a particular area was incorrectly mapped as wetland or meets the wetland definition but was not shown as wetland on the map, the County shall have the authority to immediately grant or deny a shoreland zoning permit in accordance with the applicable regulations based on the Department determination as to whether the area is wetland. In order to correct wetland mapping errors on the official zoning map, an official zoning map amendment must be initiated within a reasonable period of time.

#### **16-510-030 PERMITTED USES**

- A. The following uses shall be allowed, subject to general shoreland zoning regulations contained in this ordinance, the provisions of chs. 30, 31, and 281.36, Wis. Stats. and the provisions of other applicable local, state and federal laws.
  1. Activities and uses which do not require the issuance of a zoning permit, but which must be carried out without any filling, flooding, draining, dredging, ditching, tiling, or excavating:
    - a. Hiking, fishing, trapping, hunting, swimming, and boating;
    - b. The harvesting of wild crops, such as marsh hay, ferns, moss, wild rice, berries, tree fruits, and tree seeds, in a manner that is not injurious to the natural reproduction of such crops;
    - c. The pasturing of livestock;
    - d. The cultivation of agricultural crops;
    - e. The practice of silviculture, including the planting, thinning, and harvesting of timber; and
    - f. The construction or maintenance of duck blinds.
  2. Uses which do not require the issuance of a zoning permit and which may include limited filling, flooding, draining, dredging, ditching, tiling, or excavating, but only to the extent specifically provided below:
    - a. Temporary water level stabilization measures necessary to alleviate abnormally wet or dry conditions that would have an adverse impact on silvicultural activities if not corrected;
    - b. The cultivation of cranberries, including flooding, dike and dam construction, or ditching necessary for the growing and harvesting of cranberries;
    - c. The maintenance and repair of existing agricultural drainage systems, including ditching, tiling, dredging, excavating and filling necessary to maintain the level of drainage required to continue the existing agricultural use. This includes the minimum filling necessary for disposal of dredged spoil adjacent to the drainage system provided that dredged spoil is placed on existing spoil banks where possible;

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- d. The construction or maintenance of fences for the pasturing of livestock, including limited excavating and filling necessary for such construction or maintenance;
  - e. The construction or maintenance of piers, docks or walkways built on pilings, including limited excavating and filling necessary for such construction and maintenance; and
  - f. The maintenance, repair, replacement or reconstruction of existing town and County highways and bridges, including limited excavating and filling necessary for such maintenance, repair, replacement or reconstruction.
3. Uses which require the issuance of a zoning permit and which may include limited filling, flooding, draining, dredging, ditching, tiling or excavating, but only to the extent specifically provided below:
- a. The construction and maintenance of roads which are necessary to conduct silvicultural activities or agricultural cultivation, provided that:
    - (1) The road cannot as a practical matter be located outside the wetland;
    - (2) The road is designed and constructed to minimize adverse impact upon the natural functions of the wetland enumerated in [Section 16-510-050\(B\)](#);
    - (3) The road is designed and constructed with the minimum cross-sectional area practical to serve the intended use; and
    - (4) Road construction activities are carried out in the immediate area of the roadbed only.
  - b. The construction or maintenance of nonresidential buildings, provided that:
    - (1) The building is essential for and used solely in conjunction with the raising of waterfowl, minnows or other wetland or aquatic animals; or some other use permitted in the shoreland-wetland district;
    - (2) The building cannot, as a practical matter, be located outside the wetland;
    - (3) Such building is not designed for human habitation and does not exceed 500 sq. ft. in floor area; and
    - (4) Only limited filling or excavating necessary to provide structural support for the building is authorized.
  - c. The establishment of public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, fish hatcheries, and public boat launching ramps and attendant access roads, provided that:
    - (1) Any private development is used exclusively for the permitted use and the applicant has received a permit or license under ch. 29, Wis. Stats., where applicable;
    - (2) Filling or excavating necessary for the construction or maintenance of public boat launching ramps or attendant access roads is allowed only where such construction or maintenance meets the criteria in [Section 16-510-030\(A\)\(3\)a.](#), and;
    - (3) Ditching, excavating, dredging, or dike and dam construction in public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, and fish hatcheries is allowed only for the purpose of improving wildlife habitat and to otherwise enhance wetland values.
  - d. The construction or maintenance of electric, gas, telephone, water and sewer transmission and distribution facilities, by public utilities and cooperative associations organized for the purpose of producing or furnishing heat, light, power or water to their members and the construction or maintenance of railroad lines, provided that:
    - (1) The transmission and distribution facilities and railroad lines cannot, as a practical matter, be located outside the wetland;
    - (2) Such construction or maintenance is done in a manner designed to minimize adverse impact upon the natural functions of the wetland enumerated in [Section 16-510-050\(B\)](#).

#### **16-510-040 PROHIBITED USES**

Any use not listed in [Section 16-510-030](#) is prohibited in a wetland, unless the wetland or portion of the wetland has been rezoned by amendment of this ordinance in accordance with [Section 16-510-050](#) of this ordinance and s. 59.69(5)(e), Wis. Stats.

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## **16-510-050 REZONING OF LANDS IN THE SHORELAND-WETLAND DISTRICT**

- A. For all proposed text and map amendments to the shoreland-wetland provisions of this ordinance, the appropriate office with the Department shall be provided with the following:
1. A copy of every petition for a text or map amendment to the shoreland-wetland provisions of this ordinance, within 5 days of the filing of such petition with the County Clerk. Such petition shall include a copy of the Wisconsin Wetland Inventory map adopted as part of this ordinance describing any proposed rezoning of a shoreland-wetland;
  2. Written notice of the public hearing to be held on a proposed amendment at least 10 days prior to such hearing;
  3. A copy of the County zoning agency's findings and recommendations on each proposed amendment within 10 days after the submission of those findings and recommendations to the County Board; and
  4. Written notice of the County Board's decision on the proposed amendment within 10 days after it is issued.
- B. A wetland, or a portion thereof, in the shoreland-wetland district shall not be rezoned if the proposed rezoning may result in a significant adverse impact upon any of the following:
1. Storm and flood water storage capacity;
  2. Maintenance of dry season stream flow, the discharge of groundwater to a wetland, the recharge of groundwater from a wetland to another area, or the flow of groundwater through a wetland;
  3. Filtering or storage of sediments, nutrients, heavy metals or organic compounds that would otherwise drain into navigable waters;
  4. Shoreline protection against soil erosion;
  5. Fish spawning, breeding, nursery or feeding grounds;
  6. Wildlife habitat; or
  7. Wetlands both within the boundary of designated areas of special natural resource interest and those wetlands which are in proximity to or have a direct hydrologic connection to such designated areas as defined in [NR 103.04](#), Wis. Adm. Code.
- C. If the Department notifies the County zoning agency that a proposed text or map amendment to the shoreland-wetland provisions of this ordinance may have a significant adverse impact upon any of the criteria listed in [Section 16-510-050\(B\)](#) of this ordinance, that amendment, if approved by the County Board, shall contain the following provision: "This amendment shall not take effect until more than 30 days have elapsed after written notice of the County Board's approval of this amendment is mailed to the Department of Natural Resources. During that 30 day period the Department of Natural Resources may notify the County Board that it will adopt a superseding shoreland ordinance for the County under s. 59.692(6), Wis. Stats. If the Department does so notify the County Board, the effect of this amendment shall be stayed until the s. 59.692(6), Wis. Stats., adoption procedure is completed or otherwise terminated."

## **Subchapter 16-515 Land Division Review and Sanitary Regulations**

### **SECTIONS:**

[16-515-010 Land Division Review](#)

[16-515-020 Planned Unit Development \(PUD\)](#)

[16-515-030 Sanitary Regulations](#)

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## **16-515-010 LAND DIVISION REVIEW**

- A. The County shall review, pursuant to s. 236.45, Wis. Stats., all land divisions in shoreland areas which create 3 or more parcels or building sites of 5 acres each or less within a 5-year period. In such review all of the following factors shall be considered:
1. Hazards to the health, safety or welfare of future residents.
  2. Proper relationship to adjoining areas.
  3. Public access to navigable waters, as required by law.
  4. Adequate stormwater drainage facilities.
  5. Conformity to state law and administrative code provisions.

## **16-515-020 PLANNED UNIT DEVELOPMENT (PUD)**

- A. **Purpose.** The Planned Unit Development is intended to permit smaller non-riparian lots where the physical layout of the lots is so arranged as to better assure the control of pollution and preservation of ground cover than would be expected if the lots were developed with the normal lot sizes and setbacks and without special conditions placed upon the Planned Unit Development at the time of its approval. A condition of all Planned Residential Unit Development is the preservation of certain open space, preferably on the shoreland, in perpetuity.
- B. **Requirements for Planned Unit Development.** The County Board may at its discretion, upon its own motion or upon petition, approve a Planned Unit Development Overlay District upon finding, after a public hearing, that all of the following facts exist:
1. **Area.** The area proposed for the Planned Unit Development shall be at least 2 acres in size or have a minimum of 200 feet of frontage on a navigable water.
  2. **Lots.** Any proposed lot in the Planned Unit Development that does not meet the minimum size standards of Sections [16-520-020](#) and [16-520-030](#) shall be a non-riparian lot.
  3. **Lot sizes, widths, setbacks, and vegetation removal.** When considering approval of a Planned Unit Development the governing body shall consider whether proposed lot sizes, widths, and setbacks are of adequate size and distance to prevent pollution or erosion along streets or other public ways and waterways. Increased shoreland setbacks shall be a condition of approval as a way of minimizing adverse impacts of development. Shore cover provisions in [Section 16-530-020](#) shall apply except that maximum width of a lake frontage opening shall be 100 feet and minimum vegetative buffer depth shall be increased to offset the impact of the proposed development.

## **16-515-030 SANITARY REGULATIONS**

- A. In order to protect health and preserve and enhance water quality, the following sanitary regulations shall apply:
1. Where public water supply systems are not available, private well construction shall be required to conform to ch. NR 812, Wis. Adm. Code.
  2. Where a public sewage collection and treatment system is not available, design and construction of private on-site waste treatment systems shall, prior to July 1, 1980, be required to comply with ch. SPS 383, Wis. Adm. Code, and after June 30, 1980 be governed by Title 16 Chapter 300, Columbia County Private Sewage Systems.

## **Subchapter 16-520 Minimum Lot Size**

### **SECTIONS:**

[16-520-010 Purpose](#)

[16-520-020 Sewered Lots](#)

[16-520-030 Unsewered Lots](#)

[16-520-040 Substandard Lots](#)

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#### **16-520-010 PURPOSE**

Minimum lot sizes in the shoreland area shall be established to afford protection against danger to health, safety and welfare, and protection against pollution of the adjacent body of water. In calculating the minimum area or width of a lot, the beds of navigable waters shall not be included.

#### **16-520-020 SEWERED LOTS**

- A. **Minimum Area and Width for Each Lot.** The minimum lot area shall be 10,000 sq. ft. and the minimum average lot width shall be 65 feet.
- B. The width shall be calculated by averaging the measurements at the following locations:
  - 1. The ordinary high water mark.
  - 2. The minimum building setback lines.
    - c. Setbacks shall be determined using the ordinary high-water mark setback per [Section 16-525-020](#) and the applicable front setback line per Title 16 Chapter 100, Columbia County Zoning Code.

#### **16-520-030 UNSEWERED LOTS**

- A. **Minimum Area and Width for Each Lot.** The minimum lot area shall be 20,000 sq. ft. and the minimum average lot width shall be 100 feet.
- B. The width shall be calculated by averaging the measurements at the following locations:
  - 1. The ordinary high water mark.
  - 2. The minimum building setback lines.
    - a. Setbacks shall be determined using the ordinary high-water mark setback per [Section 16-525-020](#) and the applicable front setback line per Title 16 Chapter 100, Columbia County Zoning Code.

#### **16-520-040 SUBSTANDARD LOTS**

- A. A legally created lot or parcel that met minimum area and minimum average width requirements when created, but does not meet current lot size requirements, may be used as a building site if all of the following apply:
  - 1. The substandard lot or parcel was never reconfigured or combined with another lot or parcel by plat, survey, or consolidation by the owner into one property tax parcel.
  - 2. The substandard lot or parcel has never been developed with one or more of its structures placed partly upon an adjacent lot or parcel.
  - 3. The substandard lot or parcel is developed to comply with all other ordinance requirements.
- B. **Other Substandard Lots.** Except for lots which meet the requirements of [Section 16-520-040\(A\)](#) a building permit for the improvement of a lot having lesser dimensions than those stated in Sections [16-520-020](#) and [16-520-030](#) shall be issued only if a variance is granted by the Board of Adjustment.

### **Subchapter 16-525 Building Setbacks**

#### **SECTIONS:**

[16-525-010 Purpose](#)

[16-525-020 Shoreland Setbacks](#)

[16-525-030 Reduced Principal Structure Setback](#)

[16-525-040 Floodplain Structures](#)

#### **16-525-010 PURPOSE**

Permitted building setbacks shall be established to conform to health, safety and welfare requirements, preserve natural beauty, reduce flood hazards and avoid water pollution.

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## 16-525-020 SHORELAND SETBACKS

- A. A setback of 75 feet from the ordinary high-water mark of any navigable waters to the nearest part of a building or structure shall be required for all buildings and structures unless reduced under [Section 16-525-030](#) or exempt under [Section 16-525-020\(B\)](#).
- B. **Exempt Structures.** The following structures are exempt from the 75 foot shoreland setback standard:
1. Boathouses located entirely above the ordinary high water mark and entirely within the access and viewing corridor that do not contain plumbing and are not used for human habitation.
    - a. Boathouses shall be designed and constructed solely for the storage of watercrafts and related equipment.
    - b. One boathouse is permitted on a lot as an accessory structure.
    - c. Boathouses shall be on the landward side of the ordinary high water mark and shall be constructed in conformity with local floodplain zoning standards.
    - d. The sidewalls of a boathouse shall not exceed 10 feet in height as measured from the top of wall to the floor.
    - e. The maximum width of a boathouse shall be 24 feet or 30 percent of the width of a lot as measured at the ordinary high water mark, whichever is more restrictive.
    - f. The maximum footprint of a boathouse shall be 600 square feet.
    - g. Boathouses shall be structures that are open from floor to bottom of finished structure above. Lofts are prohibited.
    - h. The maximum pitch of the roof of a boathouse shall be 4/12.
    - i. The roof of a boathouse may be used as a deck subject to the following:
      1. The boathouse has a flat roof.
      2. The roof has no side walls or screens.
      3. The roof shall have a railing that meets the Department of Safety and Professional Services standards. Transparent or translucent panels are prohibited.
    - j. Earth-tone colors shall be required for all exterior surfaces of a boathouse.
  2. Open sided and screened structures such as gazebos, decks, patios and screen houses in the shoreland setback area that satisfy the requirements in s. 59.692(1v), Wis. Stats.
    - a. The part of the structure that is nearest to the water is located at least 35 feet landward from the ordinary-high water mark.
    - b. The floor area of all the structures in the shoreland setback area shall not exceed 200 square feet.
    - c. The structure that is the subject of the request for special zoning permission has no sides or has open or screened sides.
    - d. Earth-tone colors shall be required for all surfaces.
    - e. The base of the structure shall not be higher than 12 to 24 inches above pre-construction grade.
    - f. The County must approve a plan that will be implemented by the owner of the property to preserve or establish a vegetative buffer zone per [Section 16-530-030](#) that covers at least 70% of the half of the shoreland setback area that is nearest to the water.
    - g. An enforceable affidavit must be filed with the Register of Deeds prior to construction acknowledging the limitations on vegetation.
  3. Fishing rafts that are authorized on the Wolf River and Mississippi River under s. 30.126, Wis. Stats.
  4. Broadcast signal receivers, including satellite dishes or antennas that are one meter or less in diameter and satellite earth station antennas that are 2 meters or less in diameter.
  5. Utility transmission and distribution lines, poles, towers, water towers, pumping stations, well pumphouse covers, private on-site wastewater treatment systems that comply with ch. SPS Comm. 383, Wis. Adm. Code, and other utility structures that have no feasible alternative location outside of the minimum setback and that employ best management practices to infiltrate or otherwise control storm water runoff from the structure.
  6. Walkways, stairways or rail systems that are necessary to provide pedestrian access to the shoreline and are a maximum of 60-inches in width.

- a. **Stairways, Walkways, and Lifts.** The Zoning Administrator may permit a stairway, walkway, or lift in the setback area contained within the access and viewing corridor if slopes greater than 12% are present, or when deemed necessary by the Zoning Administrator to provide safe pedestrian access to the shoreline. The permitted stairway, walkway, or lift may not exceed 60 inches in width.
7. Devices or systems used to treat runoff from impervious surfaces.
- C. **Existing Exempt Structures.** Existing exempt structures may be maintained, repaired, replaced, restored, rebuilt, and remodeled, provided that the activity does not expand the footprint and does not go beyond the three-dimensional building envelope of the existing structure.

#### **16-525-030 REDUCED PRINCIPAL STRUCTURE SETBACK**

- A. A setback less than the 75' required setback from the ordinary high water mark shall be permitted for a proposed principal structure and shall be determined as follows:
  1. Where there are existing principal structures in both directions, the setback shall equal the average of the distances the two existing principal structures are set back from the ordinary high water mark provided all of the following are met:
    - a. Both of the existing principal structures are located on a lot adjacent to the proposed principal structure.
    - b. Both of the existing principal structures are located within 250' of the proposed principal structure and are the closest structure.
    - c. Both of the existing principal structures are located less than 75' from the ordinary high water mark.
    - d. The average setback shall not be reduced to less than 35' from the ordinary high water mark of any navigable water.
  2. Unenclosed appurtenances such as open decks or patios shall not be considered in determining an average setback for a structure having walls and/or a roof.
  3. Boathouses which are attached to the main building in any way shall not be considered in determining an average setback under this section.
  4. When a new principal structure qualifies for a reduced building setback, unenclosed appurtenances, such as open decks or patios, if built in conjunction with the principal structure, shall be considered to be part of the principal structure.
  5. Any other setback reduction may be permitted by the Board of Adjustment pursuant to [Section 16-560-040](#) of this Ordinance or by the Planning and Zoning Committee pursuant to [Section 16-560-030](#) of this Ordinance and Section 16-150-030 of the Columbia County Zoning Ordinance.

#### **16-525-040 FLOODPLAIN STRUCTURES**

Buildings and structures to be constructed or placed in a floodplain shall be required to comply with any applicable floodplain zoning ordinance.

### **Subchapter 16-530 Vegetation**

#### **SECTIONS:**

[16-530-010 Purpose](#)

[16-530-020 Activities Allowed Within The Vegetative Buffer Zone](#)

[16-530-030 Vegetative Buffer Establishment](#)

[16-530-040 Vegetative Buffer Plan Requirements](#)

[16-530-050 Cutting More Than 35 Feet Inland](#)

[16-530-060 Filling, Grading, Lagooning, Dredging, Ditching and Excavating](#)

#### **16-530-010 PURPOSE**

To protect natural scenic beauty, fish and wildlife habitat, and water quality, ordinance standards have been established that consider sound forestry and soil conservation practices, as well as the effect of vegetation removal on water quality, including soil erosion and the flow of effluents, sediments, and nutrients.

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## 16-530-020 ACTIVITIES ALLOWED WITHIN THE VEGETATIVE BUFFER ZONE

- A. Land that extends from the ordinary high water mark to 35 feet inland shall be designated as the vegetative buffer zone and removal of vegetation in the vegetative buffer zone is prohibited, except as follows:
1. The routine maintenance of vegetation is permitted.
  2. The following activities shall be allowed with approval from the Planning & Zoning Department:
    - a. Removal of trees and shrubs in the vegetative buffer zone to create access and viewing corridors. Per s. 59.692(1f)(b), Wis. Stats., the viewing corridor may be 35 feet wide for every 100 feet of shoreline frontage. The viewing corridor may run contiguously for the entire maximum width of shoreline frontage owned.
    - b. Removal of trees and shrubs in the vegetative buffer zone on a parcel with 10 or more acres of forested land consistent with "generally accepted forestry management practices" as defined in s. NR 1.25(2)(b), and described in Department publication "Wisconsin Forest Management Guidelines" (publication FR-226), provided that vegetation removal be consistent with these practices.
    - c. Removal of vegetation within the vegetative buffer zone to manage exotic or invasive species, damaged vegetation, vegetation that must be removed to control disease, or vegetation creating an imminent safety hazard, provided that any vegetation removed be replaced by replanting in the same area as soon as practicable.
    - d. Additional vegetation management activities in the vegetative buffer zone. The permit issued under this subd. par. shall require that all management activities comply with detailed plans approved by the County and designed to control erosion by limiting sedimentation into the waterbody, to improve the plant community by replanting in the same area, and to maintain and monitor the newly restored area. The permit also shall require an enforceable restriction to preserve the newly restored area.

## 16-530-030 VEGETATIVE BUFFER ESTABLISHMENT

- A. When a vegetative buffer is required to be established under [Section 16-525-020\(B\)\(2\)](#) or is chosen for mitigation under [Section 16-555-040](#), the vegetative buffer shall be established as follows:
1. The following methods shall be used:
    - a. **Avoidance.** If an existing buffer, that was not part of a previous mitigation requirement, is undisturbed or totally intact and meets the density requirements of Wisconsin Biology Technical Note 1, an affidavit shall be filed with the Register of Deeds identifying the viewing and access corridor on the property and stating the buffer will remain undisturbed and fully compliant.
    - b. **Accelerated Recovery – Enhancement.** If an existing buffer, that was not part of a previous mitigation requirement, is undisturbed but does not meet the density requirements of Wisconsin Biology Technical Note 1, vegetation shall be added to meet the density requirements. An affidavit shall be filed with the Register of Deeds identifying the viewing and access corridor and stating the enhanced buffer will remain fully intact and compliant.
    - c. **Accelerated Recovery – Creation.** When no buffer exists on a property, vegetation must be planted meeting the density requirements of Wisconsin Biology Technical Note 1. An affidavit shall be filed with the Register of Deeds identifying the viewing and access corridor on the property and stating the newly created buffer will remain fully intact and compliant.
  2. Plant quantities shall be calculated based on the area in square feet to be reestablished and the appropriate density according to Wisconsin Biology Technical Note 1. Trees shall be more than two years old and a minimum of 18 inches tall at the time of planting. Shrubs shall be 1 liter container size or larger, and plant plugs shall be 3 inches tall or 1 inch in diameter at the time of planting.
  3. Plant species shall be selected from the Columbia County Native Plant List. Substitutions shall be allowed on a case-by-case basis and shall be approved by the Zoning Administrator. Plants may be transplanted from areas outside of the vegetative buffer zone.
  - 4.

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#### **16-530-040 VEGETATIVE BUFFER PLAN REQUIREMENTS**

- A. A Vegetative Buffer Plan shall be completed for all required shoreland mitigation or preservations. Plans shall include:
1. Name and address of property owner.
  2. Property address and legal description.
  3. Extent of the shoreland buffer.
  4. Scale (e.g. 1 inch = 10 feet).
  5. North arrow.
  6. Ordinary high water mark (OHWM) location.
  7. Location of all structures in the shoreland buffer zone.
  8. Viewing and access corridor.
  9. Boundary of the shoreland buffer zone.
  10. Existing trees, shrubs, and native ground cover.
  11. Areas to be planted with trees, shrubs, and groundcovers.
  12. Implementation schedule.
  13. A plant species list; indicate if you are requesting substitutions from the Columbia County Native Plant List.
  14. Erosion control practices (to be installed prior to and during buffer establishment).
  15. Water diversions and channelized flow areas.
  16. Maintenance plan (weeding, replanting).
- B. **Implementation Schedule.** The approved Vegetative Buffer Plan must be started within one year from the issue date of the applicable zoning permit. All plantings and any other required activities in the Vegetative Buffer Plan must be completed by the expiration date of the applicable zoning permit.

#### **16-530-050 CUTTING MORE THAN 35 FEET INLAND**

From the inland edge of the 35 foot area to the outer limits of the shoreland, the cutting of vegetation shall be allowed when accomplished using accepted forest management and soil conservation practices which protect water quality.

#### **16-530-060 FILLING, GRADING, LAGOONING, DREDGING, DITCHING, AND EXCAVATING**

- A. **General Standards.** Filling, grading, lagooning, dredging, ditching or excavating which does not require a permit under [Section 16-530-060\(B\)](#) may be permitted in the shoreland area provided that:
1. It is not done within the vegetative buffer zone, unless necessary for establishing or expanding the vegetative buffer.
  2. It is done in a manner designed to minimize erosion, sedimentation and impairment of fish and wildlife habitat.
  3. Filling, grading, lagooning, dredging, ditching or excavating in a shoreland-wetland district meets the requirements of Sections [16-510-030\(A\)\(2\)](#) and [16-510-030\(A\)\(3\)](#) of this ordinance.
  4. All applicable federal, state and local authority is obtained in addition to a permit under this ordinance.
  5. Any fill placed in the shoreland area is protected against erosion by the use of riprap, vegetative cover or a bulkhead.
- B. **Permit Required.** Except as provided in Section [16-530-060\(C\)](#), a permit is required:
1. For any filling or grading of any area which is within 300 feet landward of the ordinary high-water mark of a navigable body of water and which has surface drainage toward the water and on which there is either:
    - a. Any filling or grading on slopes of more than 20 percent.
    - b. Filling or grading of more than 1,000 square feet on slopes between 12 and 20 percent.
    - c. Filling or grading of more than 2,000 square feet on slopes less than 12 percent.
  2. A conditional use permit is required for any area described under (a) above on which there is filling or grading of more than ten thousand (10,000) square feet.
  - 3.

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For any construction or dredging commenced on any artificial waterway, canal, ditch, lagoon, pond, lake or similar waterway which is within 300 feet landward of the ordinary high-water mark of a navigable body of water or where the purpose is the ultimate connection with a navigable body of water.

- C. **Permit Conditions.** In granting a permit under [Section 16-530-060\(B\)](#), the County shall attach the following conditions, where appropriate, in addition to those provisions specified in Sections [16-560-040\(B\)\(3\)](#) or [16-560-060](#).
1. The smallest amount of bare ground shall be exposed for as short a time as feasible.
  2. Temporary ground cover (such as mulch or jute netting) shall be used and permanent vegetative cover shall be established.
  3. Diversion berms or bales, silting basins, terraces, filter fabric fencing, and other methods shall be used to prevent erosion.
  4. Lagoons shall be constructed to avoid fish trap conditions.
  5. Fill shall be stabilized according to accepted engineering standards.
  6. Filling shall comply with any local floodplain zoning ordinance and shall not restrict a floodway or destroy the flood storage capacity of a floodplain.
  7. Channels or artificial watercourses shall be constructed with side slopes of two (2) units horizontal distance to one (1) unit vertical or flatter which shall be promptly vegetated, unless bulkheads or riprap are provided.

## **Subchapter 16-535 Impervious Surfaces**

### **SECTIONS:**

[16-535-010 Purpose](#)

[16-535-020 Calculation of Percentage of Impervious Surface](#)

[16-535-030 General Impervious Surface Standard](#)

[16-535-040 Maximum Impervious Surface Standard](#)

[16-535-050 Treated Impervious Surfaces](#)

[16-535-060 Existing Impervious Surfaces](#)

### **16-535-010 PURPOSE**

Impervious surface standards shall be established to protect water quality and fish and wildlife habitat and to protect against pollution of navigable waters. Impervious surface standards shall apply to the construction, reconstruction, expansion, replacement or relocation of any impervious surface on a riparian lot or parcel and any non-riparian lot or parcel that is located entirely within 300 feet of the ordinary high-water mark of any navigable waterway.

### **16-535-020 CALCULATION OF PERCENTAGE OF IMPERVIOUS SURFACE**

- A. The percentage of impervious surface shall be calculated by dividing the surface area of the existing and proposed impervious surfaces on the portion of a lot or parcel that is within 300 feet of the ordinary high-water mark by the total surface area of that lot or parcel, and multiplied by 100. Impervious surfaces described in [Section 16-535-050](#) shall be excluded from the calculation of impervious surface on the lot or parcel. If an outlot lies between the ordinary high water mark and the developable lot or parcel and both are in common ownership, the lot or parcel and the outlot shall be considered one lot or parcel for the purposes of calculating the percentage of impervious surface.
- B. In any condominium development, impervious surface calculations shall apply to the entire property. Mitigation requirements shall also apply to the entire property, and not the individual unit.

### **16-535-030 GENERAL IMPERVIOUS SURFACE STANDARD**

The maximum impervious surface percentage for a riparian lot or parcel or a non-riparian lot or parcel located entirely within 300 feet of the ordinary high-water mark of any navigable waterway shall be 15 percent, except as allowed in Sections [16-535-040](#) and [16-535-050](#).

#### **16-535-040 MAXIMUM IMPERVIOUS SURFACE STANDARD**

A property may exceed the impervious surface standard under [Section 16-535-030](#) up to 30 percent impervious surface provided a permit is issued for development with a mitigation plan that meets the standards of [Section 16-555](#).

#### **16-535-050 TREATED IMPERVIOUS SURFACES**

- A. Impervious surfaces that can be documented to show they meet either of the following standards shall be excluded from the impervious surface calculations under [Section 16-535-020](#):
  - 1. The impervious surface is treated by devices such as stormwater ponds, constructed wetlands, infiltration basins, rain gardens, bio-swales or other engineered systems.
  - 2. The runoff from the impervious surface discharges to an internally drained pervious area that retains the runoff on or off the parcel and allows infiltration into the soil.
- B. To qualify for the statutory exemption under [Section 16-535-050\(A\)](#), property owners shall submit a complete permit application that is reviewed and approved by the Planning and Zoning Department. The application shall include the following:
  - 1. Calculations showing how much runoff is coming from the impervious surface area.
  - 2. Documentation that the runoff from the impervious surface is being treated by a proposed treatment system, treatment device or internally drained area.
  - 3. An implementation schedule and enforceable obligation on the property owner to establish and maintain the treatment system, treatment devices or internally drained area.
    - a. The enforceable obligations shall be evidenced by an instrument recorded in the office of the Register of Deeds prior to the issuance of the permit.

#### **16-535-060 EXISTING IMPERVIOUS SURFACES**

- A. For existing impervious surfaces that were lawfully placed when constructed but that do not comply with the impervious surface standard in [Section 16-535-030](#) or the maximum impervious surface standard in [Section 16-535-040](#), the property owner may do any of the following:
  - 1. Maintain and repair the existing impervious surfaces;
  - 2. Replace existing impervious surfaces with similar surfaces within the existing footprint;
  - 3. Relocate or modify an existing impervious surface with similar or different impervious surface, provided that the relocation or modification does not result in an increase in the percentage of impervious surface that existed on the effective date of the County shoreland ordinance, and the impervious surface meets the applicable setback requirements in [Section 16-525](#).

### **Subchapter 16-540 Height**

#### **SECTIONS:**

[16-540-010 Purpose](#)

[16-540-020 Standards](#)

#### **16-540-010 PURPOSE**

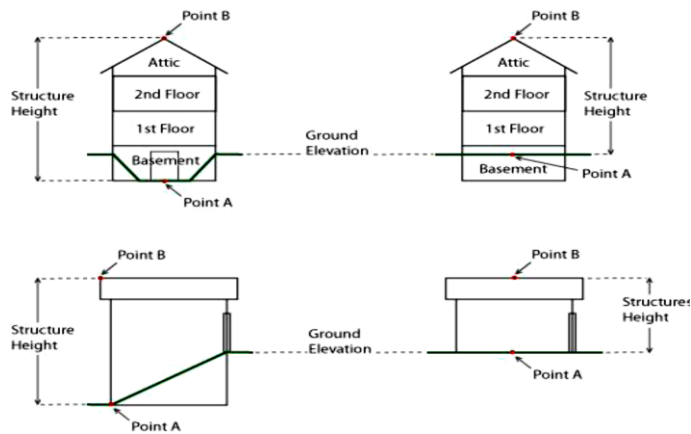
To protect and preserve wildlife habitat and natural scenic beauty, a maximum height standard shall be established.

#### **16-540-020 STANDARDS**

- A. A structure within 75 feet of the ordinary high-water mark of any navigable waterway shall not exceed 35 feet in height.
  - 1. Structure height shall be measured by the vertical line segment starting at the lowest point of any exposed wall and its' intersect with the ground (Point A in the following diagram) to a line horizontal to the highest point of a structure (Point B in the following diagram), unless specified under other provisions of this ordinance.
  - 2.

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## Subchapter 16-545 Nonconforming Uses and Structures

### SECTIONS:

[16-545-010 Discontinued Nonconforming Use](#)

[16-545-020 Maintenance, Repair, Replacement, or Vertical Expansion of Nonconforming Structures](#)

[16-545-030 Lateral Expansion of Nonconforming Principal Structures Within the Setback](#)

[16-545-040 Expansion of Nonconforming Principal Structures Beyond the Setback](#)

[16-545-050 Relocation of Nonconforming Principal Structure](#)

#### 16-545-010 DISCONTINUED NONCONFORMING USE

If a nonconforming use is discontinued for a period of 12 months, any future use of the building, structure or property shall conform to the ordinance.

#### 16-545-020 MAINTENANCE, REPAIR, REPLACEMENT, OR VERTICAL EXPANSION OF NONCONFORMING STRUCTURES

An existing structure that was lawfully placed when constructed but that does not comply with the required shoreland setback may be maintained, repaired, replaced, restored, rebuilt or remodeled if the activity does not expand the footprint of the nonconforming structure. Further, an existing structure that was lawfully placed when constructed but that does not comply with the required shoreland setback may be vertically expanded unless the vertical expansion would extend more than 35 feet above grade level.

#### 16-545-030 LATERAL EXPANSION OF NONCONFORMING PRINCIPAL STRUCTURES WITHIN THE SETBACK

- A. An existing principal structure that was lawfully placed when constructed but that does not comply with the required building setback per [Section 16-525-020](#) may be expanded laterally within the setback, provided that all of the following requirements are met:
  1. The use of the structure has not been discontinued for a period of 12 months or more if a nonconforming use.
  2. The existing principal structure is at least 35 feet from the ordinary high-water mark.
  3. Lateral expansions are limited to a maximum of 200 square feet over the life of the structure. No portion of the expansion may be any closer to the ordinary high-water mark than the closest point of the existing principal structure.
  4. A permit shall be issued which requires a mitigation plan that shall be approved by the Planning and Zoning Department and implemented by the property owner by the date specified in the permit. The mitigation plan shall meet the standards found in [Section 16-555](#).
  5. All other provisions of this ordinance shall be met.
  - 6.

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#### **16-545-040 EXPANSION OF NONCONFORMING PRINCIPAL STRUCTURES BEYOND THE SETBACK**

An existing principal structure that was lawfully placed when constructed but that does not comply with the required building setback under [Section 16-525-020](#) may be expanded horizontally, landward, or vertically provided that the expanded area meets the building setback requirements per [Section 16-525-020](#) and that all other provisions of the shoreland ordinance are met. A mitigation plan is not required solely for expansion under this paragraph.

#### **16-545-050 RELOCATION OF NONCONFORMING PRINCIPAL STRUCTURES**

- A. An existing principal structure that was lawfully placed when constructed but that does not comply with the required building setback per [Section 16-525-020](#) may be relocated on the property, provided all of the following requirements are met:
1. The use of the structure has not been discontinued for a period of 12 months or more if a nonconforming use.
  2. The existing principal structure is at least 35 feet from the ordinary high-water mark.
  3. No portion of the relocated structure is located any closer to the ordinary high-water mark than the closest point of the existing principal structure.
  4. The Planning and Zoning Department determines that no other location is available on the property to build a principal structure that is within 5 percent of the existing footprint of the principal structure proposed for relocation that will result in compliance with the shoreland setback requirement per [Section 16-525-020](#).
  5. The Planning and Zoning Department shall issue a permit that requires a mitigation plan that shall be approved by the Planning and Zoning Department and implemented by the property owner by the date specified in the permit. The mitigation plan shall meet the standards found in [Section 16-555](#) and include enforceable obligations of the property owner to establish or maintain measures that the County determines are adequate to offset the impacts of the permitted expansion on water quality, near-shore aquatic habitat, upland wildlife habitat and natural scenic beauty. The mitigation measures shall be proportional to the amount and impacts of the replaced or relocated structure being permitted. The obligations of the property owner under the mitigation plan shall be evidenced by an instrument recorded in the office of the Register of Deeds.
  6. All other provisions of the shoreland ordinance shall be met.

### **Subchapter 16-550 Structures Authorized By Variance**

#### **SECTIONS:**

[16-550-010 Maintenance, Repair, Replacement, or Vertical Expansion of Structures Authorized by Variance](#)

#### **16-550-010 MAINTENANCE, REPAIR, REPLACEMENT, OR VERTICAL EXPANSION OF STRUCTURES AUTHORIZED BY VARIANCE**

A structure of which any part has been authorized to be located within the shoreland setback area by a variance granted before July 15, 2015 may be maintained, repaired, replaced, restored, rebuilt or remodeled if the activity does not expand the footprint of the authorized structure. Additionally, the structure may be vertically expanded unless the vertical expansion would extend more than 35 feet above grade level.

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## Subchapter 16-555 Mitigation

### SECTIONS:

[16-555-010 Purpose](#)

[16-555-020 Permit Requirements](#)

[16-555-030 Mitigation Requirements](#)

[16-555-040 Mitigation Options](#)

[16-555-050 Mitigation Sizing Requirements](#)

[16-555-060 Technical Standards for Dispersal Systems](#)

### 16-555-010 PURPOSE

Mitigation standards shall be established to protect and restore water quality, near-shore aquatic habitat, upland wildlife habitat, and natural scenic beauty that is otherwise lost through development and human activities.

### 16-555-020 PERMIT REQUIREMENTS

- A. When the County issues a permit requiring mitigation under Sections [16-525-020\(B\)\(2\)](#), [16-535-040](#), [16-545-030](#), or [16-545-050](#), the property owner must submit a complete permit application that is reviewed and approved by the Planning and Zoning Department which includes the following:
  1. A site plan that describes the proposed mitigation measures.
    - a. The site plan shall be designed and implemented to restore natural functions lost through development and human activities.
    - b. The mitigation measures shall be proportional in scope to the impacts on water quality, near-shore aquatic habitat, upland wildlife habitat and natural scenic beauty.
  2. An implementation schedule and enforceable obligation on the property owner to establish and maintain the mitigation measures. The enforceable obligations shall be evidenced by an instrument recorded in the office of the Register of Deeds prior to the issuance of the permit.

### 16-555-030 MITIGATION REQUIREMENTS

- A. Mitigation shall be required for the following activities:
  1. **Lateral Expansion of Nonconforming Principal Structure within the Setback.** Lateral expansion of a nonconforming principal structure as allowed under [Section 16-545-030](#) shall require a minimum of 5 mitigation points. See Section [16-555-040](#) for approved mitigation options.
  2. **Relocation of Nonconforming Principal Structure.** Relocation of a nonconforming principal structure as allowed under [Section 16-545-050](#) shall require a minimum of 3 mitigation points. See Section [16-555-040](#) for approved mitigation options.
  3. **Exceeding Impervious Surface Standards.** To exceed the impervious surface standards listed under [Section 16-535-030](#), 2 points of mitigation shall be required for every 5 percent increase above the standard. The total increase shall not exceed the maximum impervious surface standards under [Section 16-535-040](#). Properties that exceed the maximum impervious surface standards under [Section 16-535-040](#) may be redeveloped, provided that the project does not make the property exceed the existing impervious surface coverage. See [Section 16-555-040\(G-O\)](#) for approved mitigation options.

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#### 16-555-040 MITIGATION OPTIONS

- A. Removal of nonconforming accessory structures. **1 point per 100 square feet of accessory structure, not to exceed 3 points.**
- B. Removal of shoreland structures, such as, but not limited to: artificial beaches, seawalls, or and bulkheads. **1 point per 25 lineal feet or 1 point per 100 square feet of structure, whichever is greater, not to exceed 3 points.**
- C. Replacement of private on-site wastewater treatment system (POWTS) or connection to a public sanitary sewer service (PSSS) or private group wastewater treatment system (PGWTS) serving five or more lots. **2 points.**
- D. Reduction of impervious surface coverage to less than 15 percent of lot. **2 points per 5% reduction.**
- E. Proposed structure will utilize earth tone exterior colors or replacement of an existing structure's unnatural exterior hue with earth tone colors. **1 point.**
- F. Removal of existing shore lighting or replacement with downcast lighting within 75' of the ordinary high-water mark. **1 point.**
- G. Establishment of primary vegetative buffer zone. Must follow minimum standards outlined in [Section 16-530-030](#). **1 point per 7' (depth) of buffer establishment, not to exceed 5 points.**
- H. Reduction of existing viewing and access corridor. **1 point per 25% reduction, not to exceed 3 points.**
- I. Establishment of secondary vegetative buffer zone. Must be located between 35 and 75 feet of the ordinary high-water mark and must be established after primary vegetative buffer zone. **1 point per 300 square feet.**
- J. Installation of stormwater management system such as, but not limited to: rain gardens, rainwater gutter collection systems, and water diversions of overland flow. **2 points.**
- K. Installation of a subsurface dispersal system, practice, or structure, designed by an engineer to contain the rainfall minimum sizing standard per Section 16-555-060(A) for impervious surfaces on the lot. **3 points for the first 15 percent impervious surface runoff captured and/or 2 points for every 5 percent captured above 15 percent, not to exceed 9 points.**
- L. Installation of a bio-retention system, rain garden, or other stormwater system, designed by an engineer to contain the rainfall minimum sizing standard per Section 16-555-060(A) for impervious surfaces on the lot. **3 points for the first 15 percent impervious surface runoff captured and/or 2 points for every 5 percent captured above 15 percent, not to exceed 9 points.**
- M. Installation of rip rap, as permitted by the Department. **1 point per 50 lineal feet, not to exceed 2 points.**
- N. Other shoreland stabilization, as determined necessary by the Zoning Administrator. Stabilization must be within 75 feet of the ordinary high-water mark. **1 to 3 points.**
- O. Other practices as approved by the Zoning Administrator.

#### 16-555-050 MITIGATION SIZING REQUIREMENTS

- A. **Mitigation Surface Dispersal System Limits.** Structures and/or components designed for storm water infiltration which disperse collected stormwater on or near the ground surface shall be accomplished per Columbia County Surface Dispersal System Supplemental Work Sheet.
- B. **Mitigation Subsurface Dispersal System Limits.** Systems (e.g., Drain fields, tree box filters, infiltration trenches, dry wells, and bio-retentions) designed for stormwater infiltration into the subsoil shall require the following:
  - 1. **Site Evaluation Requirements.** Subsurface Dispersal Systems will require site evaluation per Wisconsin Department of Natural Resources Conservation Practices Standards "Site Evaluation for Stormwater Infiltration (1002)".
  - 2.

**Plan Certification.** A mitigation plan that includes a subsurface dispersal system shall include certification from a professional engineer registered in the State of Wisconsin, that all computations and designs for the proposed subsurface dispersal system have been reviewed and approved by the engineer as being in accordance with the technical and design standards of this Section and Section 16-140-090 of the Columbia County Zoning Ordinance.

3. Notice of the provisions of the approved plan shall be recorded with the title to the property by affidavit with the County Register of Deeds.

## **16-555-060 TECHNICAL STANDARDS FOR DISPERSAL SYSTEMS**

- A. **Rainfall Minimum Sizing.** Dispersal systems shall be designed to handle a 2 year 24 hour minimum rainfall event or 2.8 inches (NRCS EFH Notice 210-WI-76) or greater.
- B. **Runoff Coefficient.** For the purpose of this ordinance the runoff coefficient is 1 for all impervious surfaces.

## **Subchapter 16-560 Administrative Provisions**

### **SECTIONS:**

[16-560-010 Purpose](#)

[16-560-020 Planning and Zoning Director and Zoning Administrator—Description and Roles](#)

[16-560-030 Planning and Zoning Committee—Description and Roles](#)

[16-560-040 Zoning Board of Adjustment—Description and Roles](#)

[16-560-050 Conditional Use Permits—Review Procedure and Standards](#)

[16-560-060 Permits- Review Procedure and Standards](#)

[16-560-070 Enforcement and Penalties](#)

[16-560-080 Changes and Amendments](#)

### **16-560-010 PURPOSE**

The overall purpose of this Subchapter is to establish responsibilities for administration of this chapter, procedural requirements for various development approvals under this chapter, and enforcement procedures and penalties for non-compliance.

### **16-560-020 PLANNING AND ZONING DIRECTOR AND ZONING ADMINISTRATOR—DESCRIPTION AND ROLES**

- A. **Establishment.** The Planning and Zoning Director is hereby designated as the administrative and enforcement officer for the provisions of this chapter, per the general authorization under Wisconsin Statutes. The Planning and Zoning Director shall serve as the Zoning Administrator, unless the Director designates a different position or staff person as Zoning Administrator. Other professional and administrative staff within the Department may assist the Director or the otherwise-designated Zoning Administrator in the completion of his or her duties and responsibilities, and the Zoning Administrator and other Department professional and administrative staff shall serve at the direction of the Planning and Zoning Director.
- B. **Duties and Responsibilities.** The general duty of the Zoning Administrator is to interpret and administer this Chapter, as well as certain other chapters within Title 16 of the Columbia County Code of Ordinances as indicated within those chapters. With respect to Chapter 500, the Zoning Administrator shall have the following specific duties and responsibilities:
  1. Conduct on-site inspections of buildings, structures, waters, and land to determine compliance with all provisions of this chapter.
  2. Be permitted access to premises and structures between 8 a.m. and 6 p.m., or such other time agreed to by all parties involved, to make inspections to ensure compliance with this chapter. If refused entry after presentation of his identification, he may procure a special inspection warrant in accordance with Wisconsin Statutes.
  - 3.

Maintain permanent and current records of and associated with this chapter, including but not limited to all maps, amendments, conditional use permits, zoning permits, site plans, mitigation plans, variances, appeals, inspections, interpretations, applications, and other official actions.

4. In combination with other professional and administrative staff of the Department, advise applicants for development approvals regarding the provisions of this chapter and assist applicants, to the extent practical, in preparing required permit applications.
5. Receive, file and forward all applications for all procedures governed by this chapter to the designated official review and approval bodies, along with all appropriate technical information or reports to assist such bodies in making their decisions, except as otherwise designated in this Subchapter.
6. In combination with other professional and administrative staff of the Department, provide staff support to the Planning and Zoning Committee and the Zoning Board of Adjustment, including the scheduling of public hearings and other meetings and site visits and the recording of the actions, recommendations, and minutes of such bodies.
7. Issue permits.
8. Review and approve site plans for land uses under this chapter prior to the issuance of permits for such uses, ensuring compliance with this and other applicable chapters and any additional requirements of designated official review and approval bodies for associated rezoning, conditional use permit, or variance requests.
9. Investigate all complaints made relating to the location and use of structures, lands, and waters and fulfill enforcement functions proscribed under [Section 16-560-070](#).

#### **16-560-030 PLANNING AND ZONING COMMITTEE—DESCRIPTION AND ROLES**

- A. **Establishment.** The Planning and Zoning Committee, as established under Wisconsin Statutes Section 59.69 and the Columbia County Code of Ordinances, is the County committee with primary policy responsibility over this chapter.
- B. **Duties and Responsibilities.** In addition to the duties and responsibilities specified under the Columbia County Code of Ordinances, the Planning and Zoning Committee shall have the following specific duties and responsibilities pertaining to this chapter:
  1. Conduct public hearings associated with petitions to amend the text of this chapter or to the Official Zoning Map.
  2. Conduct public hearings and advise the County Board on appropriate amendments to the text of this chapter or to the Official Zoning Map, and initiate such amendments as it may deem desirable, all in a manner that is consistent with the Comprehensive Plan and that follow procedures established under Wisconsin Statutes Section 59.69 and Sections 16-150-050 and 16-150-060 of the Columbia County Zoning Ordinance.
  3. Conduct public hearings, review, and decide on requests for conditional use permits that follows the procedures in [Section 16-560-050](#).
  4. Act on other development-related requests as may be specified under this chapter or other chapters within Title 16.
  5. Advise the Zoning Administrator and Planning and Zoning Director on enforcement of the provisions of this chapter and on other matters as requested by the Zoning Administrator or Planning and Zoning Director.
  6. Appoint a chairperson who shall serve a two year term.
  7. Recommend fees for various permits and approvals required and allowed under this chapter.
  8. Adopt rules and procedures as may be advisable in carrying out its duties.
  9. Exercise such other duties and responsibilities as may be directed by the County Board of Supervisors.
- C. **Recording of Actions.** All actions and recommendations of the Planning and Zoning Committee shall be in writing. A recording thereof in the Committee's minutes may constitute the required written action or recommendation.



## 16-560-040 ZONING BOARD OF ADJUSTMENT—DESCRIPTION AND ROLES

- A. **Establishment.** A Zoning Board of Adjustment consisting of five (5) members appointed by the Chairperson of the County Board with approval of the County Board. The terms of the members appointed shall be three (3) years beginning July 1. The Chairperson of the County Board with approval of the County Board shall appoint, for staggered 3-year terms, 2 alternate members of the Board of Adjustment. Annually, the Chairperson shall appoint one of the alternate members as the first alternate and the other as the second alternate. The members of the Board of Adjustment shall all reside within the County and outside the limits of incorporated cities and villages; provided, however, that not two (2) members shall reside in the same town. The Board of Adjustment shall choose its own Chairman and other officers. Vacancies shall be filled for the unexpired term of any members whose term becomes vacant in the same manner as the original appointment.
- B. **Duties and Responsibilities.** The Zoning Board of Adjustment shall have the following specific duties and responsibilities pertaining to this chapter in addition to certain other duties and responsibilities under other chapters in Title 16 of the Columbia County Code of Ordinances as indicated within those chapters:
1. Hear and decide appeals where it is alleged that there is an error in any interpretation, order, requirement, decision, or determination made by the Zoning Administrator or other staff member of the Planning and Zoning Department in the enforcement, administration, or interpretation of this chapter.
  2. Hear and decide appeals where it is alleged that there is an error in any decision of the Planning and Zoning Committee or town board related to a conditional use permit request.
  3. Authorize such variances from the terms of this chapter as will not be contrary to the public interest, when, owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship, so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done; provided, however, that no such variance shall have the effect of allowing, in any district, uses prohibited in that district. If the variance is not initiated by securing at least one zoning permit – within one year of the date of the approval, the variance shall be considered void.
- C. Recording of actions:
1. The Zoning Board of Adjustment shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Zoning Administrator, and shall be a public record.
  2. The final disposition of an appeal or variance application to the Zoning Board of Adjustment shall be in a form of a written decision signed by the Planning and Zoning Director or Zoning Administrator. Such decision shall state the specific facts that are the basis for the Zoning Board of Adjustment's decision; shall either affirm, reverse, or modify any order, requirement, interpretation, or any determination of the Zoning Administrator or, in case of an appealed decision on a conditional use permit, the Planning and Zoning Committee; shall specify any required conditions of approval; and shall specify the extent of any appeal or variance granted.
- D. Rules:
1. The Board of Adjustment will meet as needed at a fixed time and place as may be determined by the Chair and at such other times as the Zoning Board of Adjustment may determine.
  2. All meetings of the Board of Adjustment shall be open to the public, but such Board may go into closed session pursuant to Wisconsin Statutes.
  3. Any public hearing held by the Zoning Board of Adjustment shall be held in a convenient public location and a full description of the location of such place of hearing by name, address or other commonly known means of identification shall be included in the notice given of such hearing. No undue hardship shall be created for any applicant by reason of the location of such hearing.

4. Each notice of public hearing held by the Zoning Board of Adjustment shall specify the date, time and place of hearing and the matters to come before the Zoning Board of Adjustment at such hearing, and such notice shall be given by publication in the official newspaper of the County at least once, not less than ten days prior to the date of such hearing and by certified mail to the parties having a legal interest in any of the matters to come before the Zoning Board of Adjustment at such hearing.
  5. The Zoning Board of Adjustment shall have power to call on any County departments for assistance in the performance of its duties and it shall be the duty of such other departments to render all such assistance as may be reasonably required.
  6. The Board of Adjustment may adopt such additional rules as are necessary to carry into effect the regulations of the County Board.
- E. Appeals:
1. Appeals to the Zoning Board of Adjustment may be taken by any person aggrieved or by any officer, department, board, or bureau of Columbia County affected by any decision of the Zoning Administrator. Such appeal shall be taken within 30 days after receiving notice of the decision appealed from, by filing with the Zoning Administrator and the Zoning Board of Adjustment a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Zoning Board of Adjustment all the papers constituting the record upon which the action appealed from was taken. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Administrator shall certify to the Zoning Board of Adjustment after notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, the proceedings shall not be stayed otherwise than by restraining order by a court of record on application and notice to the Zoning Administrator and on due cause shown.
  2. The Zoning Board of Adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or attorney.
- F. **Review by Court of Record.** Any persons aggrieved by any decision of the Board of Adjustment may appeal the decision by filing an action in certiorari in the Columbia County Circuit Court within 30 days of the decision, setting forth that such decision is illegal and specifying the grounds of the illegality. Columbia County assumes no liability for and makes no warranty as to the reliance on this decision if construction is commenced prior to expiration of this 30 day period.

#### **16-560-050 CONDITIONAL USE PERMITS—REVIEW PROCEDURE AND STANDARDS**

- A. **Purpose.** The purpose of this subsection is to provide the procedure and standards for the review of conditional use permit requests, and amendments to conditional use permits previously granted.
- B. **Authority.** Subject to subsection C below the Planning and Zoning Committee, after a public hearing, shall within 60 days, grant or deny any application for a conditional use permit. Prior to granting or denying a conditional use permit, the Committee shall make findings of fact based on the evidence presented and issue a determination whether the criteria prescribed in the ordinance are met.
- C. **Planning and Zoning Committee and Town Review and Approval.** The following procedures shall apply to conditional use permits.
  1. **Application.** Make an appointment for an application meeting with staff from County Planning and Zoning Department to discuss the proposed conditional use and submit the application. The application for approval of a conditional use permit shall be made to the Planning and Zoning Department on forms furnished by the Department and shall include the following:
    - a. Names and addresses of the applicant, owner(s) of the property, architect, professional engineer if applicable.
    - b. A narrative of the proposed conditional use which includes a description of the subject property by lot, block and recorded subdivision or metes and bounds; address of the site, types of structures and proposed use(s).

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- c. A site plan which shall include a scalable drawing showing the location of all drives, entrances, sidewalks, trails and signs; the location, size, number and screening of all parking spaces. If required by this Chapter or the Department a landscaping plan; a grading and drainage plan; and a detailed proposal including covenants, agreements, or other documents showing the ownership and method of assuring perpetual maintenance of land to be owned or used for common purposes.
  - d. This application will be accompanied by a fee which will be used by the County to process the application.
2. The Planning and Zoning Department shall fix a reasonable time and place for the public hearing on the conditional use permit and give public notice thereof pursuant to the applicable requirements of the Wisconsin Statutes. A copy of the notice of public hearing for the conditional use permit shall be mailed to the applicable town clerk and chair at least ten (10) days prior to the public hearing. The notice to the clerk will be sent by certified mail and chair by regular mail. Any staff report prepared by the Department for the public hearing will be mailed to the clerk and chair as soon as practicable. A copy of an application for a conditional use permit within a Shoreland-Wetland District and notice of a public hearing for the conditional use permit shall be mailed to the District Regional Office of the Department of Natural Resources at least (10) days prior to the public hearing.
  3. The Planning and Zoning Committee shall transmit a copy of its decision, signed by the Director of Planning and Zoning to the applicant and Town within fifteen (15) days of the public hearing at which the decision is made.
  4. Approval of a conditional use permit does not eliminate the requirement to obtain the appropriate building and zoning permits. If the conditional use permit is not initiated by:
    - a. securing a zoning permit, or
    - b. if more than one permit is necessary, securing at least one (1) zoning permit within one (1) year of the date of the public hearing the approval of the conditional use permit shall be considered void, and the applicant will have to reapply.
  5. A copy of the Planning and Zoning Committee's decision on any conditional use permit within a Shoreland District area, as defined in Section 16-505-010 shall be forwarded to the District Regional Office of the Department of Natural Resources within ten (10) days after the decision is issued.
  6. No substantial changes can be made to an approved conditional use permit unless an amendment to the development plan is approved by the Planning and Zoning Committee and applicable town board per this Subchapter.
- D. Review Criteria.** In reviewing the conditional use permit the Planning and Zoning Committee shall use the following as guides for making finding of fact for a decision.
1. The establishment, maintenance, or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare of the occupants of surrounding lands.
  2. The use will be designed, constructed, operated, and maintained so as to be compatible, and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area such that the use will substantially impair or diminish the use, value, or enjoyment of existing or future permitted uses in the area.
  3. The erosion, potential of site based on topography, drainage, slope, soil type, and vegetative cover.
  4. The prevention and control of water pollution including sedimentation, and the potential impacts on floodplain and wetlands.
  5. The site has adequate utilities including, if necessary, acceptable disposal systems.
  6. Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow.
  7. The conditional use shall conform with the standards of the applicable district(s) in which it is located, and associated with the particular conditional use if specified in Subchapter 16-125.

- E. **Application, Recording, and Adherence to Conditions.** The Planning and Zoning Committee and applicable town board shall have the authority to attach such conditions and restrictions upon the establishment, location, maintenance and operation of the conditional use as it deems necessary to ensure the conditional use adheres to the purpose and review criteria of this Subchapter and to this Chapter as a whole. If applicable and prior to commencing the authorized activity on the site and/or obtaining a zoning permit, the Zoning Administrator may require the property owner to record notice against the property of the approved use, applicable plans, and conditions of approval with the County Register of Deeds.
- F. **Time Limits Associated with Conditional Uses.** If the conditional use permit is not initiated by securing at least one zoning permit—within one year of the date of the approval, the conditional use permit approval shall be considered void. The applicant may without fee apply for, and the Planning and Zoning Committee may grant, a one time, twelve month extension, provided that a written request for extension is submitted before the original expiration date. If a use or activity associated with a previously approved conditional use permit ceases for twelve months or more after first being established on the property, the use will be deemed to have been terminated and the property owner or authorized agent must reapply and obtain approval of another conditional use permit before recommencing the use or activity.
- G. **Effect of Denial.** No application which has not been enacted under this Subchapter shall be resubmitted for a period of twelve months from the date of final Planning and Zoning Committee action, except on grounds of new evidence or proof of change of factors found valid by the Planning and Zoning Committee.
- H. **Monitoring and Termination of a Conditional Use Permit.**
1. The Planning and Zoning Committee or Zoning Administrator may require evidence and guarantees as either may deem necessary as proof that approved plans are being followed, required conditions are being met, and review criteria are being satisfied for conditional uses at all times. If the Planning and Zoning Committee finds that the review criteria of this section or the conditions attached to the permit are not being complied with, or upon written request by a town, the Planning and Zoning Committee, after a public hearing as provided for in this Subchapter, may terminate or alter the conditional use permit.
  2. The Conditional Use Permit may be terminated on request when the applicant or holder of the Conditional Use Permit and the property owner make a request in writing to the Planning and Zoning Committee that the Conditional Use be terminated and the Planning and Zoning Committee agrees to terminate said Conditional Use Permit. Notice of said termination is recorded in the Columbia County Register of Deeds Office if the decision for the Conditional Use Permit was recorded. The Planning and Zoning Department shall inform the applicable town of the termination no later than 15 days after the date of the Planning and Zoning Committee's decision to terminate the Conditional Use Permit.

#### **16-560-060 PERMITS—REVIEW PROCEDURE AND STANDARDS**

- A. **Purpose.** The purpose of this subsection is to specify the requirements and procedures for the issuance of permits. Permits are issued by the County Zoning Administrator for certain projects specified in this Subchapter in order to verify compliance with the provisions of this code. A zoning permit is not a substitute for a building permit, which is instead issued by the affected town. In certain cases, other land use approvals and permits, including but not limited to rezoning, conditional use permit approval, or variance approval is required before a zoning permit may be issued.
- B. **When Required.** Except where another section of this ordinance or statutes specifically exempts certain types of development from this requirement, a permit shall be obtained from the Zoning Administrator or board of adjustment/committee before any new development.
- C. **Application for a Permit.** An application for a permit shall be made to the Zoning Administrator. The number of required copies of the application materials shall be as determined by the Zoning Administrator. Such application shall be made by the owner of the property on which the permit is requested. To be determined complete by the Zoning Administrator, the application shall include:

1. A completed form, provided by the Zoning Administrator and signed by the owner, including basic information on the owner and project to ensure compliance with this chapter.
  2. A legal description of the subject site by lot, block, and recorded subdivision or certified survey map, or by metes and bounds, or a copy of the deed.
  3. A plot plan (overhead view), drawn to scale, and showing and labeling the date of preparation; land owner's name; north arrow; lot dimensions; lot coverage; adjacent public streets and rights-of-way; any required visual clearance triangles required in accordance with [Section 16-140-030A](#); existing and proposed structures and their dimensions; parking and driveway areas; distances between structures and lot lines, between structures and other structures, between structures and the centerlines of abutting streets and highways, and between structures and the ordinary high water mark of any abutting watercourse. The applicant should note potential foundation survey requirements in [Section 16-140-030G](#).
  4. A plan, which may be included on the plot plan, indicating the location of the existing and proposed sewage disposal system and well location meeting the requirements of Chapter 300 where municipal sewer and/or water service will not be provided.
  5. Plans for mitigation when required.
  6. Other application materials as specified in Chapter 100.
  7. For Planned Development and conditional use projects, complete copies of all application documents approved as part of the rezoning or conditional use permit, with revisions as necessary to meet County conditions of approval of such projects.
  8. Other pertinent information as requested by the Zoning Administrator to determine if the proposed use meets the requirements of this chapter.
  9. The required review fee.
- D. **Permit Review Criteria.** No permit shall be granted or shall become effective until all applicable requirements of this chapter, conditions of any preceding County approval related to the project, the remaining chapters in Title 16, and all applicable Wisconsin Statutes and rules are met.
- E. **Time Limits Associated with Permits.** A permit shall either be granted or denied in writing by the Zoning Administrator within thirty days of the filing of a complete application, unless other parallel processes (e.g., conditional use permit) require a longer review period. Once issued, each permit shall be posted in a prominent place on the premises prior to and during the period of construction, alteration, or movement. If the work authorized by the permit is not completed within 24 months of the date of the approval, the permit approval shall be considered void. The applicant may with a fee apply for, and the Zoning Administrator may grant, a one time, 24 month extension, provided that a written extension request is submitted before the original expiration date.

## **16-560-070 ENFORCEMENT AND PENALTIES**

- A. **Enforcement Policy.** The Planning and Zoning Committee shall approve and may from time-to-time amend policies for enforcement of this chapter, consistent with the provisions of this Subchapter.
- B. **Authority.** In the enforcement of this Ordinance, the Zoning Administrator shall have the power and authority for the following:
1. At any reasonable time, and for any proper purpose, to enter upon any public or private premises and make inspection thereof.
  2. Upon reasonable cause or question as to proper compliance, to revoke any zoning or occupancy and use permit and issue stop work orders requiring the cessation of any building, moving, alteration or use which is violation of the provisions of this Ordinance. Notice of a stop work order is given both by posting upon the land where the violation occurs one or more copies of a poster stating the violation, and by mailing a copy of the order by certified mail to the property owner of the property on which the activity is in violation of this Ordinance. The order shall specify the activity that must cease immediately or be brought into compliance with a time period as determined by the Zoning Administrator. Any stop work order shall be in effect until removed by the Zoning Administrator or Board of Adjustment.

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3. To refer to the Corporation Counsel for commencement of any legal proceedings necessary to enforce this ordinance. The issuance of citations provided for under this Ordinance shall not require referral but may be issued by the Director of Planning and Zoning, Zoning Administrator and Zoning and Sanitary Specialists directly.

**C. Enforcement of Violations.**

1. Penalties: Any person, firm, company or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any provisions of this Ordinance shall be subject to a forfeiture as listed in the Penalty Section of Title 1, Chapter 2 of the County Code of Ordinances. Each day of violation shall constitute a separate offense.
2. Enforcement by Citation: Except as modified by this Ordinance, the County elects to use the citation method of enforcement under Title 1, Chapter 2 of the County Code of Ordinances. This Section does not preclude the County or any authorized officer from proceeding under other ordinance or law, or by any other enforcement method to enforce any Ordinance regulation or order.
3. Compliance with the provisions of this Ordinance may also be enforced by injunctive order at the suit of the County. It shall not be necessary to prosecute for fine or imprisonment before resorting to injunctive proceedings.

**D. Violations of Permits Issued Under This Chapter:**

1. Violation of a permit or other approval issued under this chapter, or any condition or approved plan associated with such permit or other approval, shall be deemed a violation of this chapter, and shall constitute grounds for revocation of the permit, as well as fines and forfeitures and any other available remedies. A permit or other approval may be revoked only by action of the body that initially granted the permit or other approval, following procedures required for its initial issuance to the extent practical. The decision of the appropriate body shall be furnished to the permit holder in writing, stating the reasons therefore. Beginning construction without a permit will result in a double fee being charged.
2. A permit or other approval issued in violation of this chapter, other chapters of the Columbia County Code of Ordinances, the Wisconsin Administrative Code, or Wisconsin Statutes gives the permit holder no vested right to continue the activity authorized by the permit, and the permit is considered voidable.

## **16-560-080 CHANGES AND AMENDMENTS**

- A. Amendments.** Amendments to this ordinance may be made on petition of any interested party as provided in s. 59.69(5), Wis. Stats.

**B. Shoreland-Wetland Map Amendments.**

1. Every petition for a shoreland-wetland map amendment filed with the County Clerk shall be referred to the County zoning agency. A copy of each petition shall be provided to the appropriate office of the Department within 5 days of the filing of the petition with the County Clerk. Written notice of the public hearing to be held on a proposed amendment shall be provided to the appropriate office of the Department at least 10 days prior to the hearing.
2. A copy of the County Board's decision on each proposed amendment shall be forwarded to the appropriate office of the Department within 10 days after the decision is issued.

## **Subchapter 16-565 Definitions**

**Access and viewing corridor:** A strip of vegetated land that allows safe pedestrian access to the shore through the vegetative buffer zone.

**Accessory Structure:** A subordinate structure on the same property as the principal structure which is devoted to a use incidental to the principal use of the property. Accessory structures include, but are not limited to, detached garages, boathouses, sheds, barns, gazebos, patios, decks, swimming pools, hot tubs, fences, retaining walls, driveways, parking lots, sidewalks, detached stairways and lifts.

**Accessory Use:** An accessory use is a land use that both serves and is customarily incidental and subordinate to a principal use, as defined in section 16-160-020. Accessory uses may be established only after the principal use of the property is established, and must be on the same parcel as the principal use.



**Adjacent:** Lands that are immediately next to or abutting.

**Boathouse:** Means a permanent structure used for the storage of watercraft and associated materials and includes all structures which are totally enclosed, have roofs or walls or any combination of these structural parts.

**Building:** Any structure having a roof supported by columns, poles or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

**Building envelope:** The three dimensional space within which a structure is built.

**Conditional Use:** A use which is permitted by this ordinance provided that certain conditions specified in the ordinance are met and that a permit is granted by the Planning and Zoning Committee or County Board.

**County zoning agency:** Planning & Zoning Committee designated by the County Board under s. 59.69(2)(a), Wis. Stats, to act in all matters pertaining to County Planning and Zoning.

**Department:** Means the Department of Natural Resources.

**Development:** Any man-made change to improved or unimproved real estate including but not limited to the construction or placement of buildings, structures, the construction of additions or improvements to buildings or structures, mining, dredging, filling, grading, paving, excavation or drilling operations and the deposition or extraction of materials for which permission may be required pursuant to this chapter.

**Drainage System:** One or more artificial ditches, tile drains or similar devices which collect surface runoff or groundwater and convey it to a point of discharge.

**Earth tone:** Any of various muted colors, ranging from neutral to deep brown. The Lower Wisconsin State Riverway Board Standardized Color Chart depicts examples of earth tone hues.

**Existing development pattern:** That principal structures exist within 250 feet of a proposed principal structure in both directions along the shoreline.

**Facility:** Any property or equipment of a public utility, as defined in s. 196.01(5), or a cooperative association organized under ch. 185 for the purpose of producing or furnishing heat, light, or power to its members only, that is used for the transmission, delivery, or furnishing of of natural gas, heat, light, or power.

**Floodplain:** Land which has been or may be hereafter covered by flood water during the regional flood. The floodplain includes the floodway and the flood fringe as those terms are defined in Chapter NR 116, Wisconsin Administrative Code.

**Footprint:** The land area covered by a structure, defined as the surface area projected on the ground that falls directly beneath all areas that are included in the definition of a structure. The surface area projected on the ground of any part of a building, including roof overhangs, that projects outward beyond its supporting exterior columns, poles or walls by more than three feet shall be included in the surface area. For the purposes of replacing or reconstructing a nonconforming structure with walls, the footprint shall not be expanded by enclosing the area that is located within the horizontal plane from the exterior wall to the eaves projected to natural grade.

**Generally accepted forestry management practices:** Forestry management practices that promote sound management of a forest. Generally accepted forestry management practices include those practices contained in the most recent version of the department publication known as Wisconsin Forest Management Guidelines and identified as PUB FR-226.

**Hydrologically connected:** Lands that contribute water to, receive water from, or exchange water with a wetland through surface, subsurface, overland, or channelized flow. Hydrologically connected lands can be upstream or downstream from a wetland and may not necessarily be directly contiguous.

**Impervious surface:** An area that releases as runoff all or a majority of the precipitation that falls on it. "Impervious surface" excludes frozen soil but includes rooftops, sidewalks, driveways, parking lots, and streets unless specifically designed, constructed, and maintained to be pervious. Public roadways as defined in s. 340.01(54) or public sidewalks as defined in s. 340.01(58) are not considered impervious surfaces.

**Lot:** A designated part of a subdivision or certified survey map having an assigned number through which it may be identified and meeting the requirements of this chapter for a building site. A lot abuts a public street or other officially approved access. For purposes of this chapter, a lot may also include the term parcel in determining the applicability of a provision of this chapter.

**Lot area:** The area of a horizontal plane bounded by the front, side, and rear lot lines of a lot, but not including the area of any land below the ordinary high water mark of navigable waters.

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**Lot size, net:** The total area within a lot or parcel excluding any public road or railroad right of way or prescriptive easement.

**Lot of record:** Any lot, the description of which is properly recorded with the Register of Deeds, which at the time of its recordation complied with all applicable laws, ordinances, and regulations.

**Maintenance and repair:** The ordinary maintenance and repair of a structure or premises that contains a nonconforming use is permitted, including repairs reasonably necessary to prevent the deterioration of a structure, remodeling of the structure, and necessary nonstructural repairs and alterations that do not extend, enlarge, or intensify the structure. Ordinary maintenance and repairs include painting; decorating; the installation or replacement of heating, electricity, or plumbing systems; the installation or replacement of drywall, plaster paneling, acoustical ceilings, insulation, doors, windows, roof surface materials, and siding.

**Mitigation:** Balancing measures that are designed, implemented, and function to restore natural functions and values that are otherwise lost through development and human activities.

**Navigable waters:** Means Lake Superior, Lake Michigan, all natural inland lakes within Wisconsin and all streams, ponds, sloughs, flowages and other waters within the territorial limits of this state, including the Wisconsin portion of boundary waters, which are navigable under the laws of this state. Under s. 281.31(2)(d), Wis. Stats, notwithstanding any other provision of law or administrative rule promulgated thereunder, shoreland ordinances required under s. 59.692, Wis. Stats, and ch. NR 115, Wis. Adm. Code, do not apply to lands adjacent to:

- (1) Farm drainage ditches where such lands are not adjacent to a natural navigable stream or river and such lands were not navigable streams before ditching; and
- (2) Artificially constructed drainage ditches, ponds or stormwater retention basins that are not hydrologically connected to a natural navigable water body

**Ordinary high-water mark:** The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristics.

**Previously developed:** A lot or parcel that has had a structure as defined by this chapter legally placed upon it.

**Regional flood:** A flood determined to be representative of large floods known to have generally occurred in Wisconsin and which may be expected to occur on a particular stream because of like physical characteristics, once in every 100 years.

**Replacement construction:** The principal building or portion thereof is torn down and replaced by a new structure or building or portion thereof.

**Routine maintenance of vegetation:** Normally accepted horticultural practices that do not result in the loss of any layer of existing vegetation and do not require earth disturbance. Examples of routine maintenance include pruning, watering, and mulching. Routine maintenance of vegetation does not include the removal and/or replacement of vegetation.

**Shoreland:** Lands within the following distances from the ordinary high-water mark of navigable waters: 1,000 feet from a lake, pond or flowage; and 300 feet from a river or stream or to the landward side of the floodplain, whichever distance is greater.

**Shoreland setback** also known as the **Shoreland setback area:** Means an area in a shoreland that is within a certain distance of the ordinary high-water mark in which the construction or placement of structures has been limited or prohibited under an ordinance enacted under section 59.692, Wis. Stats.

**Shoreland-wetland district:** A zoning district, created as a part of a County zoning ordinance, comprised of shorelands that are designated as wetlands on the Wisconsin wetland inventory maps prepared by the department.

**Structural alterations:** Any changes in the supporting members of a structure such as foundations, bearing walls, columns, beams or girders, footing and piles or any substantial change in the roof structure, or in the exterior walls.

**Structural alterations:** Any change in the supporting members of a building or any substantial change in the roof structure or in exterior walls.

**Structure:** Anything man-made that is constructed, erected, or placed either permanently or temporarily on the ground; including, but not limited to, any building, dwelling, manufactured building, manufactured home, mobile home, house trailer, recreational vehicle, boathouse, camping unit, sign, deck, patio, or other improvements.

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**Substandard lot:** A legally created lot or parcel that met minimum area and minimum average width requirements when created, but does not meet current lot size requirements.

**Subsurface dispersal system:** An underground system that retains and disperses stormwater runoff.

**Unnecessary hardship:** Means that circumstance where special conditions, which were not self-created, affect a particular property and make strict conformity with restrictions governing area, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of this ordinance.

**Variance:** Permission to depart from the literal requirements of this chapter, which may be granted by the Board of Adjustment in accordance with the procedures and standards of section 16-150-040.

**Wetlands:** Means those areas where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which have soils indicative of wet conditions.

Chair Gove explained this Ordinance was tabled at last month's meeting.

Motion was made by Brooks, second by Baumgartner, to adopt. Motion carried. The Ordinance was declared passed and is to be known as Ordinance 165-16.

#### **ORDINANCE NO. 166-16**

The Columbia County Board of Supervisors do ordain as follows: That Section 9-1-8 of the County Code, is hereby amended as follows:

##### 9-1-8 Highway and Transportation

|     |   |                                     |                 |
|-----|---|-------------------------------------|-----------------|
| (a) | Records and Reports   | Per WI Uniform<br>Accounting System |                 |
| (b) | Highway Access Permit                                       |                                     |                 |
|     | Road or Type "C" Access                                     | \$100.00                            | 08/01/01        |
|     | Type "B" Access   | \$100.00                            | 08/01/01        |
|     | Type "A" Access   | \$50.00                             | 08/01/01        |
|     | Agricultural Field Access                                   | \$50.00                             | 08/01/01        |
| (c) | Access Variance   | \$50.00<br>(nonrefundable)          | 09/21/11        |
| (d) | <u>Right-of-Way Work Permit</u><br><u>(Excludes Mowing)</u> | <u>\$50.00</u>                      | <u>09/21/16</u> |

Fiscal Note: None

Fiscal Impact: Estimated additional revenue is \$1,500.

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

DATE PASSED: September 21, 2016

DATE PUBLISHED: September 27, 2016

Motion was made by Foley, second by Konkel, to adopt. Motion carried. The Ordinance was declared passed and is to be known as Ordinance 166-16.

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**ORDINANCE NO. 167-16**

The Columbia County Board of Supervisors do ordain as follows: That Section 9-1-9 of the County Code, is hereby amended as follows:

|  |   |   |          |
|--|---|---|----------|
| (a) General Fees                                       |   |   |          |
| (1)  | Juvenile Supervision                      | \$25.00 per month                               | 09/21/11 |
| (2)  | Background check on individual and report | \$25.00   | 09/21/11 |
| (3)  | Step-Parent Adoption                      | \$300.00  | 09/21/11 |
| (b) Aging and Disability Resource Center ("ADRC") fees |   |   |          |
| (1)  | Foot Clinic                               | <del>\$3540.00</del> for initial visit          |          |
|  |   | <del>10/21/15</del> 01/01/17                    |          |
|  |   | \$30.00 per routine visit                       | 10/21/15 |
|  |   | \$35.00 per specialized visit                   | 10/21/15 |
| (2)  | Ensure                                    | \$28.00 per case                                | 10/21/15 |
|  |   | \$30.00 per case special/diabetic               | 10/21/15 |
| (3)  | Transportation                            | \$3.00 per local trip                           | 10/21/15 |
|  |   | .50 per mile for trips outside City of Portage  |          |
|  |   | \$1.35 per mile for residential facilities      | 10/21/15 |
| (4)  | Senior Nutrition Program                  | <del>\$9.99</del> 10.20 per Home Delivered Meal | 01/01/17 |
|  |   | <del>10/21/15</del>                             |          |
|  |   | <del>\$10.22</del> 10.30 per Congregate Meal    | 01/01/17 |
|  |   | <del>10/21/15</del>                             |          |

All remaining sections of Title 9, Chapter 1, are unchanged and remain in full force and effect

Fiscal Note: None

Fiscal Impact: Estimated \$711 in fees annually

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

DATE PASSED: September 21, 2016

DATE PUBLISHED: September 27, 2016

Motion was made by Sumnicht, second by Ross, to adopt. Motion carried. The Ordinance was declared passed and is to be known as Ordinance 167-16.

**ORDINANCE NO. 168-16**

The Columbia County Board of Supervisors do ordain as follows: That Section 9-1-12 of the County Code, is hereby amended as follows:

Land Division

|   |          |          |
|---|----------|----------|
| Preliminary Plats (0-10 lots including outlots) | \$350.00 | 01/01/04 |
| Each additional lot over 10                     | \$ 25.00 | 01/01/04 |
| Final Plats (0-10 lots including outlots)       | \$250.00 | 01/01/04 |
| Each additional lot over 10                     | \$ 25.00 | 01/01/04 |

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|  |                                   |                 |
|--|-----------------------------------|-----------------|
| Reapplication Fee (for any plat which<br>Has been previously reviewed) | \$ 50.00                          | 01/01/01        |
| Certified Survey Review (one lot)                                      | \$ 100.00                         | 05/18/16        |
| Certified Survey Review – Retracement                                  | \$ <del>75.00</del> <u>100.00</u> | <u>09/21/16</u> |
| Certified Survey Review – Combination                                  | \$ <del>75.00</del> <u>100.00</u> | <u>09/21/16</u> |
| Certified Survey Review (each lot in excess of one)                    | \$ <del>10.00</del> <u>20.00</u>  | <u>09/21/16</u> |
| Certified Survey – Resubmittal   | \$ 50.00                          | 01/01/01        |
| Variance – Certified Survey  | \$ 50.00                          | 01/01/01        |
| Variance – Subdivision Plat  | \$ 50.00                          | 01/01/01        |

All remaining sections of Title 9, Chapter 12 are unchanged and remain in full force and effect.

Fiscal Note: None

Fiscal Impact: Estimated \$5500 increase in fees annually

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

DATE PASSED: September 21, 2016

DATE PUBLISHED: September 27, 2016

A revised ordinance was placed on desks.

Motion was made by Foley, second by Cupery, to adopt. Motion carried. The Ordinance was declared passed and is to be known as Ordinance 168-16.

### **ORDINANCE NO. 169-16**

The Columbia County Board of Supervisors do ordain as follows: That Title 12, Chapter 4, entitled “Highway Access Control” of the County Code is hereby amended as follows:

#### 12-4 Highway Access Control

12-4-1 Title, Purpose, and Jurisdiction

12-4-2 Definitions

12-4-3 Regulations

12-4-4 Administration and Enforcement

#### Sec. 12-4-1 Title, Purpose, and Jurisdiction

##### (a) Title.

This ordinance shall be known as, cited and referred to as: THE COLUMBIA COUNTY HIGHWAY ACCESS CONTROL ORDINANCE.

##### (b) Statutory Authorization.

This ordinance is established by the provisions set forth in Section 83 and 86 of the State of Wisconsin Statutes, and Trans Chapters of the Wisconsin Administrative Code.

##### (c) Purpose.

The purpose of this ordinance is to restrict and regulate access onto county highways in order to promote the public safety, convenience, general welfare, economic viability and to protect the public investment of existing and proposed highways, by preventing costly road improvements, premature obsolescence, and to provide for safe and efficient ingress and egress to Columbia County Highways.

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## Sec. 12-4-2 Definitions

For the purpose of simplicity, the following terms shall be applied as indicated throughout this ordinance.

### (a) General.

- (1) The present tense includes the future tense and the singular tense includes the plural.
- (2) The word "shall" is mandatory; the word "may/should" is permissive.
- (3) The words "used" or "occupied" also mean intended, designed or arranged to be used or occupied.
- (4) The word "person" includes any individual, firm, association, joint stock association, organization, partnership, limited, trust, body politic, governmental agency, company, corporation and includes any trustee, receiver, assignee, or other representative thereof.
- (5) All distances unless otherwise stated shall be measured in the horizontal direction.

### (b) Definitions.

ACCESS. Driveway or road access point for any motorized/non-motorized vehicles except for State of Wisconsin funded snowmobile trails.

ACCESS PERMIT. A driveway or road access permit issued by ~~from the~~ Columbia County Highway and Transportation ~~Department~~ granting access onto a CTH.

ADT. Average Daily Traffic generated on a given road or highway.

COUNTY TRUNK HIGHWAY (CTH). Any segment of a Columbia County Trunk Highway.

DRIVEWAY. Any type of access for motorized/non-motorized vehicles to one or more ~~two~~ parcels.

EXPIRATION DATE. The final completion date in which any/all installations, updates and changes can be made.

HIGHWAY and TRANSPORTATION. Columbia County Highway and Transportation

LIMITED ACCESS HIGHWAY. Highways (or segments of highways) on which access is provided with entrance and exit ramps (ie: I39, I90, I94, USH 151).

PARCEL. ~~The area of land within the property lines of a given piece of property.~~ A contiguous area of land described in a single description in a deed or lot or outlot on a subdivision plat or Certified Survey Map, separately owned or capable of being separately conveyed. Not necessarily the same as a "tax parcel."

ROAD. Any road, street, alley, expressway, highway, avenue, parkway, lane, drive, boulevard, circle, bypass or other pathways intended for the use of motorized/non-motorized vehicles to obtain access to more than two parcels.

RURAL CTH. Any CTH with a 55 m.p.h. (88km/h) speed limit.

SEMIURBAN CTH. Any CTH outside of the municipal boundaries of a city or village with a speed limit below 55 m.p.h. (88km/h).

URBAN CTH. Any CTH within the municipal boundaries of a city, village, or township with a speed limit below 36 m.p.h. (57.6km/h).

## Sec. 12-4-3 Regulations

### (a) Existing Access.

Any use of access to a CTH (via driveway or road) prior to February 15, 1995 ~~the effective date of this ordinance~~ will be allowed provided a permit has been issued or the access is used for an ~~agriculture related residence or agriculture field entrance~~.

### (b) Vacated Access.

If ~~the~~ Columbia County Highway and Transportation ~~Department~~ considers the use of an access to have been discontinued for a period of at least two years, ~~the~~ Highway and Transportation ~~Department~~ shall notify the owner by certified mail that the access is to be considered vacated. ~~The~~ Highway and Transportation ~~Department~~ will allow the owner thirty (30) days to reply. If after this time period ~~the~~ Highway and Transportation ~~Department~~ decides that the access has been abandoned for at least one year, the access shall be considered vacated and its use will be illegal thereafter.

Any further use of this access after this period will require a permit and be subject to the regulations of this ordinance as a new access. It will no longer be considered an existing access.



- (c) Access to Highway.  
Entrance upon or departure from a CTH shall be prohibited except at locations specifically designated by this section. No road shall be opened into or connected with any CTH, under this section or converted from one use of access to another use of access without an ACCESS PERMIT.
- (d) Land Division and Zoning Approvals.
- (1) Before any vacant parcel of land is allowed to be subdivided, pursuant to the Columbia County Land Division and Subdivision Ordinance, it shall be proven by the applicant that access can be provided to each proposed parcel in such a way that it will not violate any of the regulations of this ordinance.
  - (2) A land division for an existing house with an existing driveway does not have to be approved by Highway and Transportation.
  - (3) ~~Columbia County Planning and Zoning Committee, Zoning Board of Adjustments, and Planning and Zoning Department shall not approve or issue any applications for permits, rezoning, or conditional uses for any structure or parcel of land, which does not have an approved existing access or a current highway access permit for its current/or intended use.~~  
An application for a rezoning to a Commercial or Industrial zoning district or a Conditional Use Permit (CUP) in a Commercial or Industrial district shall be sent to Highway and Transportation to determine if the access permit or existing access needs to be updated based on the proposed use which will result from the rezoning or CUP. Highway and Transportation will provide this determination within ten (10) working days of receiving a copy of the application.
  - (4) Zoning and Sanitary Permits and Emergency Response Numbers
    - i. An application for the first new building on the parcel, first sanitary system or new Emergency Response Number on the parcel shall not be approved until an access permit has been issued by Transportation and Highway.
    - ii. A new access permit will not be required for building additions and accessory structures.
    - iii. A new access permit will be required for residential building demolition and replacement with a new building(s).
    - iv. Highway and Transportation will review access permits for all commercial and industrial buildings that are replaced.
- (e) Access Spacing and Frequency.
- (1) In a case where a property owner owns more than one adjacent parcel (of the same land use) with frontage, all parcels shall be treated as a single parcel for the purposes of this section.
  - (2) Where a property owner owns more than one adjacent parcel with frontage, all of which are zoned ~~agricultural~~, A-1 Agriculture or AO-1 Agriculture and Open Space no more than six accesses shall be allowed in a mile (see Sec. 12-4-3 [8]).
  - (3) Only one access shall be allowed per parcel zoned R-1 Single Family Residence, RR-1 Rural Residence or A-2 General Agriculture Districts. ~~single family, multiple family or rural residential.~~
  - (4) ~~COMMERCIAL, MARINA, RECREATIONAL AND INDUSTRIAL zoned~~  
parcels may be allowed two points of access provided they each separately meet the remaining criteria of this ordinance, and require more than 50 parking spaces. Two points of access may be allowed in all Commercial and Industrial zoned districts, the RC-1 Recreation, R-2 Multiple Family and R-3 Manufactured/Mobile Park Districts provided they each separately meet the remaining criteria of this ordinance, and require more than 50 parking spaces.
  - (5) ACCESS TO MINOR ROAD. Whenever possible, access should be granted onto the most minor road adjacent to the property when there is a choice between roads.

- (6) ACCESS PERMITS shall not be issued where the horizontal distance between access points measured at the centerline, would become less than:
- 300' (91.44 m) for RURAL CTH
  - 150' (45.72 m) for SEMIURBAN CTH
  - 100' (30.48 m) for URBAN CTH

~~(7) AGRICULTURALLY RELATED RESIDENCES on which at least one person earns at least 51 percent of his or her gross annual income from farm operations on the farm parcel, or a parent or child of the operator of the farm, may have a driveway at a distance not less than 300 feet (91.44 m) from the centerline of the proposed driveway to the centerline of an existing driveway.~~

- (7) MAXIMUM ACCESS POINTS PER SIDE PER MILE shall be no more than:
- 6 for RURAL CTH
  - 12 for SEMIURBAN CTH
  - 36 for URBAN CTH

unless there is no other way of providing access to the existing parcel. This distance is to be measured one half of a mile in each direction from the centerline of a proposed driveway and is to count all driveway centerlines within one half of a mile in each direction.

- (8) PRIVATE ENTRANCES ON CORNER LOTS. Access on a corner lot shall not be allowed at a distance of less than:
- 300' (91.44 m) for RURAL CTH
  - 150' (45.72 m) for SEMIURBAN CTH
  - 100' (30.48 m) for URBAN CTH

from the centerline of an intersecting road to the CTH.

- (9) ROAD ACCESS in addition to the remaining criteria in this ordinance, must be at least:
- 1000' (304.8 m) for RURAL CTH
  - 500' (152.4 m) for SEMIURBAN
  - 250' (76.2 m) for URBAN CTH

from the nearest road which enters onto the CTH in question. Where possible roads should NOT be staggered, creating "T" intersections, but connect with another road on the other side of the highway.

- (10) SAFETY shall not be interfered with due to access locations near hills, curves or other locations, which may not be in clear and apparent view of on-coming traffic.

(f) Paved Apron.

Access onto a CTH may require a paved apron within the right-of-way of the CTH, at owner's expense, in instances when usage or drainage warrant.

(g) Design Standards.

Driveways and roads within the CTH right-of-way must comply with the following design standards:

- (1) CULVERTS, when required, must be at least 24 feet (7.315 m) long plus endwalls, placed at least 1 foot (30.48 m) under the access, be a minimum of 15 inches (38.1 cm) or equivalent in diameter or as large as needed for adequate drainage, be at least 10 feet (3.048 m) from the nearest culvert, and be constructed of corrugated metal or concrete, with endwalls. Culvert placement shall not be within 10 feet (3.048m) of the property line except for entrances with a shared access. Plastic pipe and/or plastic endwalls shall not be allowed.
- (2) ACCESS HEIGHT at the point of the culvert, shall be equal to/or lower than the level of the outside edge of the road shoulder.
- (3) SLOPES to the side of the access shall not be steeper than 4 to 1 (25 percent desirable) or that of the embankment of the existing CTH whichever is less.
- (4) RETAINING WALLS, STONE WALLS, ETC. shall not be allowed on driveways or within right-of-way.
- (5) ANY PAVEMENT of access shall consist of asphalt (concrete shall not be allowed).
- (6) ANY PAVEMENT in the right-of-way, whether new, resurface, or replacement may be required to be replaced at the owner's expense when it causes a safety or drainage problem.

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- (7) CROWNING of access shall be provided with a minimum pitch of 1-1/2 percent towards the side of the access.
- (8) CURB AND GUTTER shall not be allowed within the CTH right-of-way for private access.
- (9) ANGLE of a driveway shall be as close to 90 degrees with the centerline of the CTH as possible, but not less than 75 degrees.
- (10) FACING ACCESS on opposite sides of a CTH shall be located directly opposite each other whenever possible.
- (11) SHARED ACCESS is encouraged to minimize the number of access points and interruption of traffic flow.
- (12) TYPE "A" ACCESS: PRIVATE DRIVEWAYS with access to one or two agricultural or residential parcels must have a driveway width of ~~20 to~~ 24 feet (6.096 to 7.315 m) and a return radius of 20 feet (6.096 m) (see ~~drawing~~ diagram A ~~below~~).
- (13) TYPE "B" ACCESS standards (see diagram B ~~below~~) must be used for residential with 3-20 units, and commercial or industrial with up to 25,000 square feet (2,322.5 sq. m).
- (14) TYPE "C" ACCESS standards (see diagram C ~~below~~) must be used for residential with over 20 units, and commercial or industrial over 25,000 square feet (2,322.5 sq. m).
- (15) BYPASS LANE is required for access when the ADT of the abutting CTH is 2,500 or more for type B access, and 1,000 or more for type C access.
- (16) TURNAROUNDS should be provided so that vehicles do not need to back out onto a CTH.
- (17) EXISTING CTH PROPERTY including road surfaces, curbs, shoulders, slopes, ditches and vegetation shall be restored to its original condition.
- (18) VISION CORNERS must be free of all obstructions at each access point in accordance with the applicable VISION CORNER diagram below. Driveway Vision corners are to be measured from a point 3.5 feet (1.0668 m) above the center of the proposed access, 15 feet (4.572 m) back from the edge of pavement of the CTH, to two points 4.5 feet (1.3716 m) above the center of the nearest on-coming lane of the CTH in each direction, at a distance of "D" from the point where the CTH meets the center of the proposed access. Distance "D" shall correspond to the speed limit of the road. If the given speed limit is not listed, the next highest speed limit shall be used. Signalized intersections need only meet the standards provided for driveways, in addition to approval by ~~the~~ Columbia County Highway and Transportation Department.

(h) Access Control Map.

The location of access points on CTHs will be established on a map named "THE OFFICIAL HIGHWAY ACCESS CONTROL MAP OF COLUMBIA COUNTY", which will be drawn and updated by ~~the~~ Columbia County Highway and Transportation Department. Copies of this map shall be available to the public at Columbia County Highway and Transportation.

#### Sec. 12-4-4 Administration and Enforcement

(a) Administration.

~~The~~ Columbia County Highway and Transportation Department is hereby authorized to administer this ordinance.

Applications for permits and variances shall be made to ~~the~~ Columbia County Highway and Transportation Department. The Highway Commissioner or his designee shall review the proposed development or construction and shall either grant or deny the proposed access based upon the provisions, standards, and requirements of this ordinance, within twenty (20) ~~ten (10)~~ working days. When a variance is required, the Highway Commissioner or his designee shall review the proposed variance request and present the findings to the Highway Committee, which shall either grant or deny the proposed access based upon the provisions, standards, and requirements of this ordinance, within sixty (60) working days. The Highway Committee may at its option postpone any actions to a future meeting to research a variance request.

(b) Interpretation.

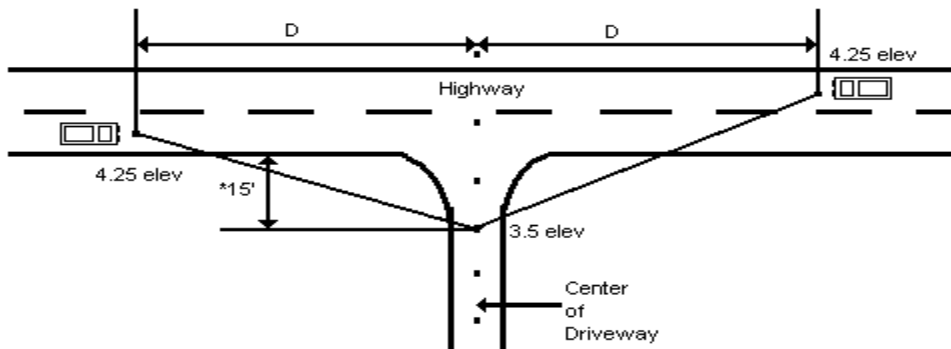
All restrictions on the use of land is restricted to the objects, growth, and use of land within the right-of-way of the Columbia County Highways. Whenever it is questionable as to whether or not an object or a part of an object is within the jurisdiction of this ordinance, the entire object shall be considered to be entirely within.

- (c) Permits for Driveways and Obstructions, such as, Fences, Shrubs, Etc., on Highway Access. No structure, object, excavation nor growth shall be constructed, reconstructed, altered, placed, installed, or planted within the right-of-way of a CTH until an ACCESS PERMIT has been issued by the Columbia County Highway and Transportation Department. Said permit shall be placed in clear view as near to the point of proposed construction or access as possible. An access permit shall expire one (1) year ~~one year~~ from the date of approval ~~issuance~~. All construction must be completed within this time. The Columbia County Highway and Transportation Department may extend approval of an access permit. The access applicant ~~permittee~~ shall be liable for all materials, labor and other costs connected with the construction of the access within the highway right-of-way. The County of Columbia shall not be liable for any damage or injury, which results from the construction of an access. Columbia County shall not be responsible for any maintenance of a private access/access culvert including the removal of snow, ice, or sleet from the access. Mowing within the right-of-way is exempt from the Access Permit requirement provided the right-of-way being maintained is adjacent to land owned by the party that is ordering the activity to be completed.
- (d) Fees. The applicant shall pay to the Columbia County Highway and Transportation Department a non-refundable fee for each access permit application as determined by the type of access\*. All fees shall be received prior to the issuance of any application for permit.
- |                                      |                    |
|--------------------------------------|--------------------|
| <del>Road or Type "C" Access</del>   | <del>\$50.00</del> |
| <del>Type "B" Access</del>           | <del>\$50.00</del> |
| <del>Type "A" Access</del>           | <del>\$25.00</del> |
| <del>Agricultural Field Access</del> | <del>\$25.00</del> |
- Refer to the Columbia County Fee Schedule for ~~any~~ amendments and changes to current fees. ~~these fee charges.~~
- If a variance is required of the Highway Committee, the applicant shall pay to Columbia County Highway and Transportation a non-refundable fee for each access application permit for variance. The variance fee is over and above the standard application fee. All fees shall be received prior to meeting with the Highway Committee and the issuance of any application for permit. Refer to the Columbia County Fee Schedule for any amendments and changes to current fees. If an appeal is requested of the Highway Committee, the applicant shall pay to Columbia County Highway and Transportation a non-refundable fee for each access application permit to be appealed. The fee is over and above the standard application fee. All fees shall be received prior to meeting with the Highway Committee and the issuance of any application for permit. Refer to the Columbia County Fee Schedule for any amendments and changes to current fees.
- (e) Hazard Marking and Lighting. Any access location shall during construction within the right-of-way be provided with adequate warning device, hazard marking and lighting to prevent possible accidents. Any type of warning device, hazard marking and lighting shall be in conformance with all current Uniform Traffic Control Manual standards. The warning device, hazard marking and lighting shall be provided by the owner of the parcel to which the access will enter.
- (f) Appeals. Any person aggrieved by any decision made in the administration of this ordinance may appeal to the Columbia County Highway Committee. Appeals shall be filed within thirty (30) calendar days following the administrative decision by the Columbia County Highway and Transportation Department. Appeals shall be filed in writing with the Commissioner. The appeal shall specify the legal description of the parcel and access location in question, and the reason given for the appeal. The Highway Committee shall make a decision on the appeal within thirty (30) calendar days from the day the appeal was filed. The decision of the Highway Committee shall be made by the majority present.
- (g) Violations. In the case of any violation of this ordinance, the Commissioner may institute appropriate legal action. Each day in which a violation continues to exist shall constitute a separate offense.

- (h) Penalties.  
Any person, firm or corporation found guilty of violating any part(s) of this ordinance shall, upon conviction thereof, be subject to penalties as listed in the penalty section of the Code of Ordinances.

#### Sec. 12-4-5 Vision Triangle and Design Standards

##### Vision Triangles



DRAWINGS NOT TO SCALE

##### Vision Corners (Driveways Only):

4.572 m (15 feet) or backedge of right-of-way; whichever distance is further.

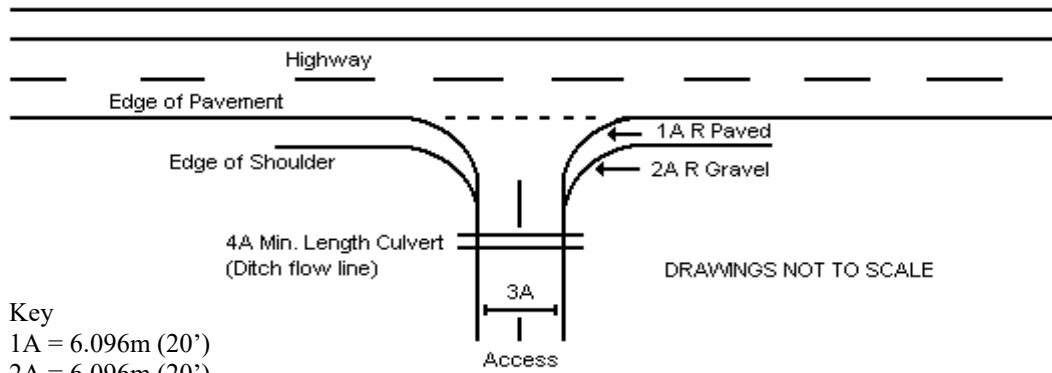
| Speed Limit km/h (MPH) | Distance "D" in m (feet) |
|------------------------|--------------------------|
| 40 (25)                | 68.58 (225)              |
| 56 (35)                | 83.82 (275)              |
| 72 (45)                | 106.68 (350)             |
| 88 (55)                | 152.4 (500)              |

##### VISION CORNERS: STOP CONTROL ON MINOR ROAD GUIDE DIMENSIONS:

| Design Speed km/h (MPH) | Distance "A" m (feet) | Distance "B" m (feet) |
|-------------------------|-----------------------|-----------------------|
| 64 (40)                 | 45.72 (150)           | 36.576 (120)          |
| 80 (50)                 | 60.96 (200)           | 45.720 (150)          |
| 88 (55)                 | 76.20 (250)           | 48.768 (160)          |
| 97 (60)                 | 91.44 (300)           | 53.340 (175)          |

- Use design speed of minor road to determine Distance "B"

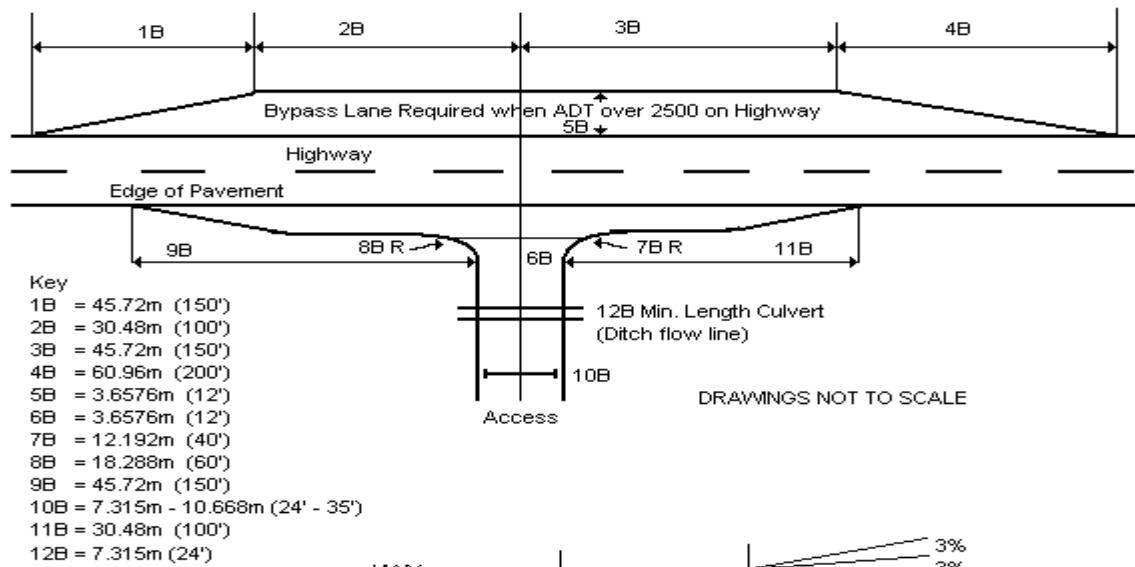
## Access Design Standards



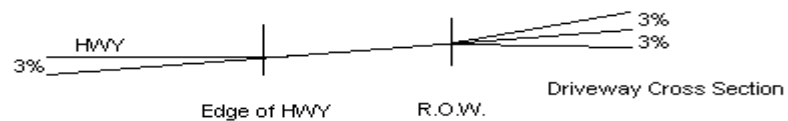
Key  
 1A = 6.096m (20')  
 2A = 6.096m (20')  
 3A = Maximum of 40'



### TYPE "A" ACCESS

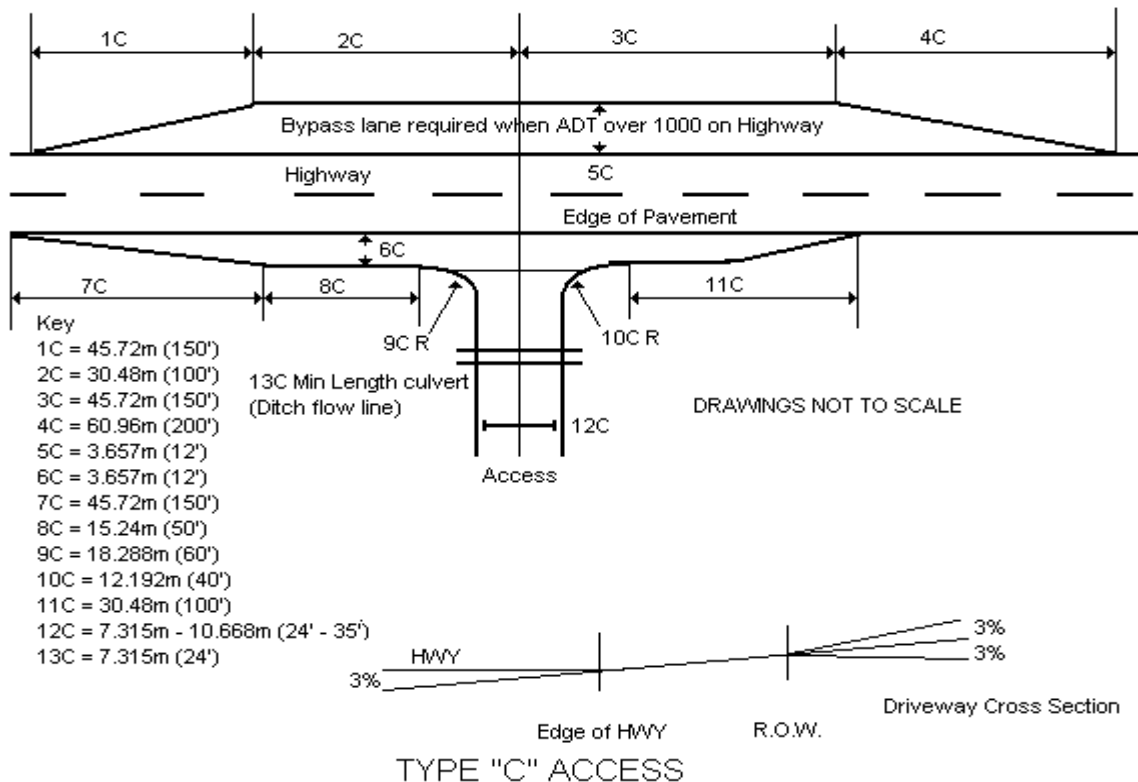


Key  
 1B = 45.72m (150')  
 2B = 30.48m (100')  
 3B = 45.72m (150')  
 4B = 60.96m (200')  
 5B = 3.6576m (12')  
 6B = 3.6576m (12')  
 7B = 12.192m (40')  
 8B = 18.288m (60')  
 9B = 45.72m (150')  
 10B = 7.315m - 10.668m (24' - 35')  
 11B = 30.48m (100')  
 12B = 7.315m (24')



### TYPE "B" ACCESS





Fiscal Note: None  
Fiscal Impact: None

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

DATE PASSED: September 21, 2016  
DATE PUBLISHED: September 27, 2016

Motion was made by Foley, second by Ross, to adopt. Motion carried. The Ordinance was declared passed and is to be known as Ordinance 169-16.

#### **ORDINANCE NO. Z452-16**

The Columbia County Board of Supervisors do ordain as follows: That Title 16 – Chapter 100, entitled "Zoning", of the County Code, as passed by the Board of Supervisors on May 14, 2014 is hereby amended and added thereto as follows:

- (1) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay", (Allen Seltzner – ARS Farms LLC, Petitioners and Owners) parcels of land located in Section 32, T12N, R10E, Town of Hampden, described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being a part of the Southeast Quarter of the Southeast Quarter of Section 29, Town 10 North, Range 11 East, Town of Hampden, Columbia County, Wisconsin, described as follows: Commencing at the Southeast corner of said Section 29; thence North 01°07'43"

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West along the East line of the Southeast Quarter of said Section 29, 169.54 feet; thence South 88°52'17" West, 60.00 feet to a point in the Westerly right-of-way line of County Trunk Highway N and the point of beginning; thence South 88°17'22" West along the South line of lands described and recorded in Document No. 620651, 247.03 feet; thence North 04°15'24" West, 405.35 feet; thence North 88°17'22" East, 264.15 feet to a point in the Westerly right-of-way line of County Trunk Highway N; thence South 01°07'43" East along the Westerly right-of-way line of County Trunk Highway N, 104.92 feet; thence North 88°52'17" East along the Westerly right-of-way line of County Trunk Highway N, 25.00 feet; thence South 01°07'43" East along the Westerly right-of-way line of County Trunk Highway N, 155.54 feet; thence South 00°28'55" West along the Westerly right-of-way line of County Trunk Highway N, 44.48 feet; thence South 09°29'28" West along the Westerly right-of-way line of County Trunk Highway N, 101.74 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 the A-4 Agricultural Overlay - Being a part of the Northeast Quarter of the Southeast Quarter, the Southeast Quarter of the Southeast Quarter, and the Southwest Quarter of the Southeast Quarter of Section 29; and being a part of the Northeast Quarter of the Northeast Quarter, the Northwest Quarter of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter of Section 32, all in Town 10 North, Range 11 East, Town of Hampden, Columbia County, Wisconsin, described as follows: Commencing at the South Quarter corner of said Section 29; thence North 01°27'50" West along the North-South Quarter line of said Section 29, 1,339.59 feet to the Northwest corner of the Southwest Quarter of the Southeast Quarter of Section 29; thence North 88°36'02" East along the North line of the Southwest Quarter of the Southeast Quarter of Section 29, 1,319.56 feet to the Northeast corner of the Southwest Quarter of the Southeast Quarter of said Section 29; thence North 01°17'44" West along the West line of the Northeast Quarter of the Southeast Quarter of said Section 29, 12.41 feet to a point in the centerline of an existing drainage ditch; thence North 73°55'52" East along the centerline of an existing drainage ditch, 1,307.89 feet to a point in the Westerly right-of-way line of County Trunk Highway N; thence South 02°36'43" East along the Westerly right-of-way line of County Trunk Highway N, 147.60 feet; thence Southeasterly along a 22,868.32 foot radius curve to the right in the Westerly right-of-way line of County Trunk Highway N, having a central angle of 00°10'51" and whose long chord bears South 02°01'17" East, 72.15 feet to the point of beginning; thence continuing Southeasterly along a 22,868.32 foot radius curve to the right in the Westerly right-of-way line of County Trunk Highway N, having a central angle of 00°23'16" and whose long chord bears South 01°44'14" East, 154.79 feet; thence South 88°27'24" West along the Westerly right-of-way line of County Trunk Highway N, 15.00 feet; thence Southeasterly along a 22,853.32 foot radius curve to the right in the Westerly right-of-way line of County Trunk Highway N, having a central angle of 00°24'53" and whose long chord bears South 01°20'09" East, 165.42 feet; thence South 01°07'43" East along the Westerly right-of-way line of County Trunk Highway N, 579.14 feet; thence South 88°17'22" West, 264.15 feet; thence South 04°15'24" East, 405.35 feet; thence South 88°17'22" West, 94.88 feet; thence South 57°28'12" West, 410.94 feet; thence South 88°48'06" West, 610.29 feet to a point in the centerline of the Crawfish River; thence South 43°34'43" West along the centerline of the Crawfish River, 1,609.37 feet; thence South 46°07'38" West along the centerline of the Crawfish River, 165.69 feet; thence South 06°04'37" East along the centerline of the Crawfish River, 23.44 feet to a point in the South line of the Northwest Quarter of the Northeast Quarter of said Section 32; thence South 88°49'33" West along the South line of the Northwest Quarter of the Northeast Quarter of said Section 32, 13.27 feet to the Southwest corner of the Northwest Quarter of the Northeast Quarter of said Section 32; thence North 24°04'00" West, 69.20 feet; thence North 00°48'59" West along the centerline of an existing drainage ditch, 337.28 feet; thence North 01°51'41" West along the centerline of an existing drainage ditch and the Northerly extension thereof, 728.29 feet;

thence North 88°32'10" East, 132.39 feet; thence North 01°27'50" West, 444.88 feet to a point in the centerline of an existing drainage ditch; thence North 74°18'23" East along the centerline of an existing drainage ditch, 572.96 feet; thence North 83°07'44" East along the centerline of an existing drainage ditch, 218.68 feet; thence South 00°58'14" West along the West line of Lot 1, Certified Survey Map, No. 2235 and the Northerly extension thereof, 426.18 feet to the Southwest corner of said Lot 1; thence South 89°01'46" East along the South line of Lot 1, Certified Survey Map Number 2235, 404.52 feet to the Southeasterly corner of said Lot 1; thence North 43°29'45" East along the Easterly line of said Lot 1, 620.40 feet; thence North 43°45'05" East along the Easterly line of said lot 1, 1,130.00 feet; thence Northeasterly along a 177.00 foot radius curve to the left in the Easterly line of Lot 1, Certified Survey Map Number 2235, having a central angle of 41°40'01" and whose long chord bears North 22°55'04" East, 125.90 feet; thence North 02°05'04" East along the East line of Lot 1, Certified Survey Map Number 2235, 134.06 feet; thence Northeasterly along a 16.48 foot radius curve to the right in the Easterly line of Lot 1, Certified Survey Map Number 2235, having a central angle of 129°55'09" and whose long chord bears North 67°02'08" East, 29.86 feet to the point of beginning. Containing 1,815,311 square feet (41.67 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 A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay", (Stephen C. Agnew, Petitioner and Owner) parcels of land located in Section 2, T10N, R12E, Town of Columbus, described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being part of the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter Section 2, Town 10 North, Range 12 East, Town of Columbus, Columbia County, Wisconsin, described as follows: Commencing at the East Quarter corner of said Section 2; thence South 87°43'48" West along the East - West Quarter line of said Section 2, 1,339.83 feet to the Southwest corner of the Southeast Quarter of the Northeast Quarter of said Section 2 and the point of beginning; thence North 00°28'51" West along the West line of the Southeast Quarter of the Northeast Quarter of said Section 2, 197.00 feet to the Southwest corner of Lot 1, Certified Survey Map, No. 5468; thence North 89°59'16" East along the South line of said Lot 1, 316.50 feet to the Southeast corner thereof; thence South 01°48'11" West, 81.47 feet; thence North 88°57'58" West, 142.36 feet; thence South 03°51'20" West, 62.21 feet; thence South 14°00'06" West, 88.08 feet; thence South 87°55'01" West, 144.54 feet to a point in the West line of the Northeast Quarter of the Southeast Quarter of said Section 2; thence North 00°01'09" West along the West line of the Northeast Quarter of the Southeast Quarter of said Section 2, 34.58 feet to the point of beginning. Containing 49,120 square feet, (1.13 acres), more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay - Being part of the Southeast Quarter of the Northeast Quarter of Section 2, Town 10 North, Range 12 East, Town of Columbus, Columbia County, Wisconsin, described as follows: Commencing at the East Quarter corner of said Section 2; thence South 87°43'48" West along the East - West Quarter line of said Section 2, 783.49 feet to the point of beginning; thence continuing South 87°43'48" West along the East - West Quarter line of said Section 2, 402.94 feet; thence North 14°00'06" East, 51.59 feet; thence North 03°51'20" East, 62.21 feet; thence South 88°57'58" East, 142.36 feet; thence North 01°48'11" East, 81.47 feet to the Southeast corner of Lot 1, Certified Survey Map, No. 5468; thence North 05°20'00" East along the East line of said Lot 1, 150.00 feet to the Northeast corner thereof; thence North 84°44'14" West along the Northerly line of said Lot 1, 333.36 feet to a point in the West line of the Southeast Quarter of the Northeast Quarter of said Section 2, also being the Northwest corner of said Lot 1; thence North 00°28'51" West along the West line of the Southeast Quarter of the Northeast Quarter of said Section 2, 179.00 feet; thence North 87°43'48" East, 556.34 feet; thence South 00°28'51" East, 556.00 feet to the point of beginning; Containing 211,752 square feet, (4.86 acres), more or less. Together with a part of the Southwest Quarter of the Northwest Quarter of Section 1, Town 10 North, Range 12 East, Town of Columbus, Columbia County, Wisconsin, described as follows:

Commencing at the West Quarter corner of said Section 1; thence North 00°30'46" West along the West line of the Northwest Quarter of said Section 1, 369.84 feet to the point of beginning; thence continuing North 00°30'46" West along the West line of the Southwest Quarter of the Northwest Quarter of said Section 1, 958.58 feet to the Northwest corner of the Southwest Quarter of the Northwest Quarter of said Section 1; thence North 87°50'23" East along the North line of the Southwest Quarter of the Northwest Quarter of said Section 1, 1,333.80 feet to the Northeast corner thereof; thence South 00°05'46" East along the East line of the Southwest Quarter of the Northwest Quarter of said Section 1, 958.81 feet; thence South 87°50'23" West, 1,326.83 feet to the point of beginning; Containing 1,274,690 square feet, (29.26 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 A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay", (Kyle D. Krueger & Carmen L. Reichhoff, Petitioners and Owners) parcels of land located in Section 17, T13N, R8E, Town of Lewiston, described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Lot 1, Certified Survey Map No. 4648, recorded in Volume 32 of Certified Survey Maps, page 133, Document No. 757162, located in the Southwest ¼ of the Southwest ¼ of Section 8 and the Northwest ¼ of the Northwest ¼ of Section 17, Town 13 North, Range 8 East, Town of Lewiston, Columbia County, Wisconsin: Commencing at the Southwest corner of Section 8, Town 13 North, Range 8 East; thence N 89° 57' 53" E 710.91 feet along the south line of the Southwest ¼ of Section 8 to a point on the east line of Lot 1, Certified Survey Map No. 3743, also being the west line of Lot 1, Certified Survey Map No. 4648, being the point of beginning of this description; thence N 00° 32' 41" E 339.27 feet along the east line of Lot 1, Certified Survey Map No. 3743, also being the west line of Lot 1, Certified Survey Map No. 4648, to the centerline of Adney Road; thence S 53° 18' 58" E 359.85 feet along the centerline of Adney Road, also being the northeasterly line of Lot 1, Certified Survey Map No. 4648, to the northeast corner of said Lot 1; thence S 00° 24' 06" W 123.26 feet along the east line of Lot 1, Certified Survey Map No. 4648 to the south line of the Southwest ¼ of Section 8; thence S 00° 19' 37" W 214.37 feet along the east line of Lot 1, Certified Survey Map No. 4648; thence S 89° 40' 41" W 291.73 feet; thence N 00° 32' 41" E 211.71 feet along the east line of Lot 1, Certified Survey Map No. 3743 and the southerly extension thereof to the point of beginning. Containing 2.97 acres. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay - Lot 1, Certified Survey Map No. 4648, recorded in Volume 32 of Certified Survey Maps, page 133, Document No. 757162, located in the Southwest ¼ of the Southwest ¼ of Section 8 and the Northwest ¼ of the Northwest ¼ of Section 17, Town 13 North, Range 8 East, Town of Lewiston, Columbia County, Wisconsin, except the following described parcel: Commencing at the Southwest corner of Section 8, Town 13 North, Range 8 East; thence N 89° 57' 53" E 710.91 feet along the south line of the Southwest ¼ of Section 8 to a point on the east line of Lot 1, Certified Survey Map No. 3743, also being the west line of Lot 1, Certified Survey Map No. 4648, being the point of beginning of this description; thence N 00° 32' 41" E 339.27 feet along the east line of Lot 1, Certified Survey Map No. 3743, also being the west line of Lot 1, Certified Survey Map No. 4648, to the centerline of Adney Road; thence S 53° 18' 58" E 359.85 feet along the centerline of Adney Road, also being the northeasterly line of Lot 1, Certified Survey Map No. 4648, to the northeast corner of said Lot 1; thence S 00° 24' 06" W 123.26 feet along the east line of Lot 1, Certified Survey Map No. 4648 to the south line of the Southwest ¼ of Section 8; thence S 00° 19' 37" W 214.37 feet along the east line of Lot 1, Certified Survey Map No. 4648; thence S 89° 40' 41" W 291.73 feet; thence N 00° 32' 41" E 211.71 feet along the east line of Lot 1, Certified Survey Map No. 3743 and the southerly extension thereof to the point of beginning. Containing 32.05 acres. All effective upon recording of the Certified Survey Map.

- (4) 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", (William D. Zamzow, Petitioner and Owner) parcels of land located in Section 17, T13N, R8E, Town of Caledonia, described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being a part of the Southeast Quarter of the Southwest Quarter of Section 28, Town 12 North, Range 8 East, Town of Caledonia, Columbia County, Wisconsin, described as follows: Commencing at the South Quarter corner of Section 28; thence North 00°26'26" West along the North - South Quarter line of said Section 28, 542.59 to a point in the centerline of County Trunk W and the point of the beginning; thence South 62°52'49" West along the centerline of County Trunk W, 965.38 feet; thence Southwesterly along a 1,050.00 foot radius foot curve to the right in the centerline of County Trunk W having a central angle of 25°26'51" and whose long chord bears South 75°36'14" West, 462.52 feet to a point in the West line of the Southeast Quarter of the Southwest Quarter of said Section 28; thence North 00°23'30" West along the West line of the Southeast Quarter of the Southwest Quarter of said Section 28, 454.88 feet; thence North 66°59'37" East, 1419.79 feet to a point in the North - South Quarter line of said Section 28; thence South 00°26'26" East along the North - South Quarter line of said Section 28, 454.71 feet to the point of beginning. Containing 653,400 square feet, (15 acres), more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay - Being a part of the Southwest Quarter of the Southeast Quarter, the Southeast Quarter of the Southwest Quarter, the Northwest Quarter of the Southeast Quarter and all of the Northeast Quarter of the Southwest Quarter of Section 28, Town 12 North, Range 8 East, Town of Caledonia, Columbia County, Wisconsin, described as follows: Beginning at the South Quarter corner of Section 28; thence North 00°26'26" West along the North - South Quarter line of said Section 28, 997.31 feet; thence South 66°59'37" West, 1,419.79 feet to a point in the West line of the Southeast Quarter of the Southwest Quarter of said Section 28; thence North 00°23'30" West 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 28, 2,169.44 feet to the Northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 28; thence North 89°28'33" East along the East - West Quarter line of said Section 28, 2,612.22 feet to the Northeast corner of the Northwest Quarter of the Southeast Quarter of said Section 28; thence South 00°25'33" East along the East line of the Northwest Quarter of the Southeast Quarter of said Section 28, 1,042.95 feet; thence West, 304.11 feet; thence South 76°54'12" West, 459.45 feet; thence South 02°28'20" East, 642.13 feet to a point in the centerline of County Trunk W; thence Northeasterly along a 1,432.39 foot radius foot curve to the left in the centerline of County Trunk W having a central angle of 07°15'45" and whose long chord bears North 52°11'26" East, 181.44 feet; thence North 48°33'34" East along the centerline of County Trunk W, 417.02 feet; thence Northeasterly along a 400.00 foot radius curve to the right in the centerline of County Trunk Highway W having a central angle of 41°39'52" and whose long chord bears North 69°23'30" East, 284.51 feet; thence South 89°46'34" East along the centerline of County Trunk Highway W, 3.57 feet to a point in the East line of the Northwest Quarter of the Southeast Quarter of said Section 28; thence South 00°25'33" East along the East line of the Northwest Quarter of the Southeast Quarter and the East line of the Southwest Quarter of the Southeast Quarter of said Section 28, 1,324.41 feet; thence South 89°33'22" West along the South line of the Southeast Quarter of said Section 28, 1,302.31 feet to the point of the beginning. Containing 5,584,788 square feet, (128.21 acres), more or less. All effective upon recording of the Certified Survey Map and approved Driveway Locations.

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

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Motion was made by Baumgartner, second by Rashke, to approve the rezone requests for Allen Seltzner – ARS Farms LLC, Petitioners and Owners; Stephen C. Agnew, Petitioner and Owner; Kyle D. Krueger and Carmen L. Reichhoff, Petitioners and Owners; and William D. Zamzow, Petitioner and Owner were approved. The motion carried. The Ordinance was declared passed and is to be known as Ordinance Z452-16.

### **ORDINANCE NO. 170-16**

The Columbia County Board of Supervisors do ordain as follows: That Title 16 – Chapter 200, entitled “Land Division and Subdivision”, of the County Code, as passed by the Board of Supervisors on May 18, 2016 is hereby amended and added thereto as follows:

#### **16-205-020 APPLICABILITY**

- E. Retracement Survey: Certified Survey Map used to identify and locate existing parcels of record.
- G. Combining Parcels: The combining of two or more parcels of land into fewer parcels shall comply with the requirements of Section 16-210-060 of this ordinance.
- G. Exceptions: The provisions of this section shall not apply to:

#### **16-205-060 TIES TO COUNTY COORDINATE SYSTEM**

- A. 1. A Retracement or Combination Certified Survey Map is not required to be tied to the County Coordinate System.

#### **16-205-090 ACCESS EASEMENTS**

- D. When an easement is required to ~~provide ingress and egress to prevent a parcel from becoming~~ landlocked parcel or paragraph B below is to be utilized to create a shared driveway by easement, a recordable document detailing the terms, conditions and description of the easement shall accompany the final survey documents and shall be recorded at the same time as the surveyed document, unless an easement has been previously recorded.

#### **16-210-040 CERTIFIED SURVEY MAP SUBMITTAL AND REVIEW PROCESS**

- J. General. For the purpose of this Subchapter, a certified survey map is one which is used for land divisions creating not more than 4 lots being 80 acres or less in area. Also, for the purpose of this Subchapter a parcel is considered to have been created as a remnant where an entire parcel has not been surveyed. All remnant parcels of less than 40 acres shall require a certified survey map.
- E. Access. Every lot or parcel shall front or abut a public road. Conventional lots shall maintain a minimum frontage of sixty-six (66) feet to facilitate the possible development of a public right of way that could service additional lots. Cul de sac lots shall provide a minimum of thirty (30) feet of frontage on a public road. The County Planning and Zoning Committee, with a recommendation from the applicable town, may waive or vary this frontage requirement without scheduling a public hearing. Also see Section 16-205-090.
  - 1. Written proof that access can be provided in accordance with an applicable State, County or town ordinance shall be included with the submittal under G. below, can be but is not required to be a driveway permit from the applicable jurisdiction. Tie to Government Corners. The certified survey map shall be tied to two Federal Land Survey corners, unless the division is within a platted subdivision. Also see Section 16-205-060 County Coordinates.
- F. Submittal. One scalable paper copy and PDF copy of certified survey maps, as defined in this chapter, shall be submitted together with an application, proof of access and checklist for review to the Planning and Zoning Department. A digital submission of the application, proof of access, certified survey map and checklist in a format approved by the Department will be accepted. The certified survey map shall be prepared in accordance with the provisions of Section 236.34, Wis. Stats., the provisions of this chapter, and shall show the following information clearly on the face of the certified survey map:



13. All sheets labeled "COLUMBIA COUNTY CERTIFIED SURVEY MAP No. \_\_\_\_".
14. All existing buildings, watercourses, access locations, ~~easements~~, location of existing wells, septic tanks, and drain fields.
6. The parcel number ~~and acreage~~ of each tax parcel which is affected ~~or created as determined from existing information~~ and the acreage of each existing tax parcel within the boundaries of the new survey.

#### 16-210-050 RETRACEMENT CERTIFIED SURVEY MAP SUBMITTAL AND REVIEW PROCESS

- D. The subdivider or agent shall submit one scalable paper copy and one PDF copy of the retracement certified survey map together with an application/checklist and fee for review to the Columbia County Planning and Zoning Department. A digital submission of the application, certified survey map and checklist in a format approved by the Department will be accepted. The Department shall review the retracement certified survey map for conformance with this ordinance and all other county ordinances, rules, regulations, and adopted county comprehensive plans or other plans that affect the retracement certified survey map.
- E. Submittal. The subdivider or agent, shall include the following information on the retracement certified survey map when submitting to the Planning and Zoning Department.
  1. Retracement certified survey map, prepared by a professional land surveyor that complies in all respects with the requirements of Section 236.34 of the Wisconsin Statutes. All sheets of tThe map shall be headed "COLUMBIA COUNTY CERTIFIED SURVEY MAP No. \_\_\_\_" and sub headed "RETRACEMENT OF LANDS DESCRIBED IN [*list recorded documents*]."
  2. All existing buildings, watercourses, access locations, ~~easements~~, location of existing wells, septic tanks and drain fields.
  7. The parcel number ~~and acreage~~ of each tax parcel which is affected ~~or created as determined from existing information~~ and the acreage of each existing tax parcel within the boundaries of the new survey.

#### 16-210-060 COMBINING PARCELS/COMBINATION CERTIFIED SURVEY MAP SUBMITTAL AND REVIEW PROCESS

- E. A combination certified survey map shall be required for the combining of two or more existing parcels into fewer parcels when the total acreage of the combined parcels is less than 40 acres, including the reduction of an existing parcel when the various parts are attached to an adjoining parcel.
- F. The subdivider shall submit one scalable paper copy and one PDF copy of the combination certified survey map together with an application/checklist and fee for review to the Columbia County Planning and Zoning Department. A digital submission of the application, certified survey map and checklist in a format approved by the Department will be accepted. The Department shall provide copies to the different agencies and reviewers for review and recommendations concerning matters within their jurisdiction. The Department shall review the combination certified survey map for conformance with this ordinance and all other county ordinances, rules, regulations, and adopted county comprehensive plans or other plans that affect the combination certified survey map.
- G. Submittal. The subdivider or agent shall include the following information on the combination certified survey maps when submitting to the Planning and Zoning Department.
  5. Combination certified survey map, prepared by a professional land surveyor that complies in all respects with the requirements of Section 236.34 of the Wisconsin Statutes. All sheets of tThe map shall be headed "COLUMBIA COUNTY CERTIFIED SURVEY MAP No. \_\_\_\_" and sub headed "COMBINING OF PARCELS DESCRIBED IN [*list recorded documents from Columbia County Records*]."
  6. All existing buildings, watercourses, access locations, ~~easements~~, location of existing wells, septic tanks and drain fields.
  11. The parcel number ~~and acreage~~ of each tax parcel which is affected ~~or created as determined from existing information~~ and the acreage of each existing tax parcel within the boundaries of the new survey.

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LANDLOCKED PARCEL: A parcel of land which has no direct access to a public street and cannot be reached except by crossing another's property.

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

DATE PASSED: September 21, 2016  
DATE PUBLISHED: September 27, 2016

Motion was made by Pufahl, second by Foley, to adopt. Motion carried. The Ordinance was declared passed and is to be known as Ordinance 170-16.

Chair Gove announced Karen Manske is recovering from an injury and Sheriff Richards' wife passed away. He asked to keep both in your thoughts.

Foley moved adjournment of this meeting to Wednesday, October 19, 2016 at 7:00 p.m. Second was made by De Young. The motion carried. The meeting adjourned at 8:09 p.m.

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PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
October 19, 2016  
7:00 p.m.

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

All Supervisors were present, except Bradley and Rashke, absent with notice; and Attoe, Brooks and Slegner, absent without notice.

Members stood and recited the Pledge of Allegiance.

A motion was made by Long, second by Foley to approve the Journal of September 21, 2016.

Motion carried.

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

Noah Samuelsen and Emma Wood, F.L.A.G. students, spoke before the Board to advocate for the F.L.A.G. program and invited supervisors to attend F.L.A.G. Breakfast (invitations were placed on supervisor's desks).

Judge Hepler reported on the Adult Drug Treatment Court program and referred to a handout provided to supervisors in their packets. He asked the Board to support the proposed "Accept 2017 Operating While Intoxicated ("OWI") and Drug Treatment Court Programs Grant" resolution being presented and entertained questions.

Konkel, Chair of the Ad Hoc Building Committee, reported that one bid proposal was received for the DHIA/Shop project. It was recommended by the committee to reject the bid and rebid the project in January 2017. Potter Lawson is finalizing the design plans and budget for courthouse renovation. The next meeting Ad Hoc Building meeting will be held October 20, 2016 at 1 p.m. in Meeting Room 1 at the Administration Building.

Teitgen referred to a revised memo placed on supervisor's desks regarding "Selection and Sponsorship of Historic Photo Art for New County Board Room" and entertained questions.

**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 Patrick R. and Lori B. Brackman, Wisconsin Dells, WI, Petitioners and Owners, to rezone from C-2 General Commercial and AO-1 General Agriculture to AO-1 General Agriculture, Parcels 42 & 42.A, Section 3, T13N, R6E in the Town of Newport to be approved as follows: To change from C-2 General Commercial and AO-1 General Agriculture to AO-1 General Agriculture, Parcels 42 & 42.A, Section 3, T13N, R6E in the Town of Newport.
- (2) A petition by, Alycia Olson, Portage, WI, Petitioner and James and Judith Mountford, Owners, Portage, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 932.03, Section 33, T12N, R8E, Town of Caledonia to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 932.03, Section 33, T12N, R8E, in the Town of Caledonia.
- (3) A petition by, Paul A. Joles and Mary J. Joles, Petitioners & Owners, Pardeeville, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 181, Section 10, T13N, R10E, in the Town of Marcellon to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 181, Section 10, T13N, R10E, in the Town of Marcellon.

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- (4) A petition by, Amalia W. Ryan Trust c/o Marilyn E. Meffert, Petitioner & Owner, Waunakee, WI, to rezone from R-1 Single Family Residence and A-1 Agriculture to A-1 Agriculture and A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 17 & 160, Sections 9 & 17, T10N, R7E, Town of West Point to be approved as follows: To change from R-1 Single Family Residence and A-1 Agriculture to A-1 Agriculture and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 17 & 160, Sections 9 & 17, T10N, R7E, Town of West Point.

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

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

#### **RESOLUTION NO. 37-16**

WHEREAS, the Department of Children and Families provides funding to counties through the Children and Family Aids allocation for child abuse and neglect services, including prevention, investigation, treatment, and out-of-home placement costs; and

WHEREAS, base funding for child welfare services has not increased since the Department of Children and Families was created in 2009; and

WHEREAS, over the past few years, the child welfare workload has increased in all counties across the State; and

WHEREAS, statewide, the number of child protective services (CPS) referrals has increased by 30 percent since 2007 – from 55,895 referrals in 2007 to 72,698 in 2014; in Columbia County the number of CPS referrals has increased by 64 percent since 2011 – from 579 referrals in 2007 to 947 in 2015; and

WHEREAS, statewide, the number of children in out-of-home care has increased from 7,653 in 2011 to 8,258 in 2015; and

WHEREAS, the number of screened-in CPS reports statewide has increased from 18,706 in 2011 to 20,384 in 2015; during the same time period the number of screened-in CPS reports in Columbia County has increased from 279 in 2011 to 306 in 2015; and

WHEREAS, statewide, the number of Children in Need of Protection and Services (CHIPS) petitions filed with the court has increased 12.5 percent from 2008 to 2015; and

WHEREAS, Columbia County and other counties throughout the State are struggling to recruit and retain child welfare workers; and

WHEREAS, the stress of increasing caseloads is taking its toll on CPS workers, causing many experienced child welfare workers to leave the profession; and

WHEREAS, the leading cause of these increasing caseloads is the use of heroin, opiates, and methamphetamines; and

WHEREAS, it is critical that counties have the resources necessary to ensure the safety of children in every corner of the State; and

WHEREAS, counties are struggling to identify resources to increase the number of child welfare staff, especially given the significant overmatch that counties already contribute to the human services system.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors hereby request that the State of Wisconsin, in its 2017-19 state biennial budget, increase funding to counties in the Children and Family Aids allocation to assist counties in serving the increasing number of children and families in the child welfare system; and

BE IT FURTHER RESOLVED that the Columbia County Clerk send a copy of this Resolution to Governor Scott Walker, Department of Children and Families Secretary Eloise Anderson, Department of Administration Secretary Scott Neitzel, area legislators, and the Wisconsin Counties Association.

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Fiscal Note: None  
Fiscal Impact: None

Dr. Kenneth Oh, Community Member  
Cathy Brunt, Community Member  
Tom Drury, Community Member  
James Brooks, Board Member  
John A. Stevenson, Board Member  
Nancy M. Long, Board Member  
Matthew L. Rohrbeck, Secretary  
Kevin Kessler, Vice-Chair  
Teresa Sumnicht, Chair  
HEALTH AND HUMAN SERVICES BOARD

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

**RESOLUTION NO. 38-16**

WHEREAS, the State of Wisconsin Department of Justice ("DOJ") administers the Wisconsin Treatment Alternatives and Diversion Grant Program ("Grant"); and,

WHEREAS, Columbia County, Wisconsin ("County"), submitted a Grant Application to the DOJ and the DOJ, relying on representations set forth in the Grant Application, approved an award to the County in the amount of Two Hundred Four Thousand One Hundred Twenty-four Dollars (\$204,124.00) for the County's OWI and Drug Treatment Court Programs; and,

WHEREAS, upon acceptance, the County must use the awarded Grant funds pursuant to the DOJ's terms and conditions for the Grant; and,

WHEREAS, the OWI Treatment Court historically has been fully funded through grant funds; and,

WHEREAS, the Drug Treatment Court is a new program which requires employment of a coordinator; and

WHEREAS, the Treatment Alternatives and Diversion Grant requires a twenty-five percent (25%) local match; and,

WHEREAS, the local match requirement can be met through in-kind and cash match.

NOW, THEREFORE, BE IT RESOLVED, that the County accepts the 2017 Treatment Alternatives and Diversion Grant Award in the amount of Two Hundred Four Thousand One Hundred Twenty-four Dollars (\$204,124.00); and,

BE IT FURTHER RESOLVED, that the County Board Chair is authorized to sign the 2017 Grant Agreement and all other documents that may be required to accept the Grant; and

BE IT FURTHER RESOLVED, that the position of Drug Treatment Court Program Coordinator be approved; and

BE IT FURTHER RESOLVED, that the local match requirement for the Treatment Alternatives and Diversion Grant be met through a transfer of funds from the Contingency Fund Account to the Health and Human Services Fund Account.

Fiscal Note: The 2017 Grant Award is \$204,124.00. Transfer \$28,772.00 from the Contingency Fund Account 100.3500000 to the Health and Human Services Fund Account in the amount of \$14,473.00 to OWI Treatment Court Account 4517 and \$14,299.00 to Drug Treatment Court Account 4518.

Fiscal Impact: County matching funds totaling \$68,042.00 consisting of: OWI Court in kind match - \$19,900.00; OWI Court cash match - \$14,473.00; Drug Court in kind match - \$19,440.00; Drug Court cash match - \$14,299.00.

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

Motion was made to adopt the Resolution by Pufahl, second by McClyman. The resolution was adopted, not unanimously.

**RESOLUTION NO. 39-16**

WHEREAS, the Town of Courtland has been granted the authority to exercise village powers under Wis Stat. § 60.12(2)(c); and

WHEREAS, a public hearing was held and the Courtland Town Board, on August 2, 2016 voted to approve the ordinance amendment; and

WHEREAS, the Columbia County Board of Supervisors approved the Town of Courtland Zoning Ordinance on December 18, 2013; and

WHEREAS, Wis Stat. § 60.62(3) states that no town zoning ordinance or amendment to a town zoning ordinance may be adopted unless approved by the county board in counties having a county zoning ordinance in effect; and

WHEREAS, your Committee, based upon the facts of the request, does recommend that the amendment to the Town of Courtland Zoning Ordinance, as referenced in "Exhibit A", be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Columbia County Board of Supervisors that the amendment to the Town of Courtland Zoning Ordinance which rezones 4.38 acres of parcel 620.04 from A-1 Agriculture & Farmland Preservation to R-1 Rural Residential as represented by "Exhibit A" attached to and made a part of this resolution be approved effective upon filing the Certified Survey Map.

Fiscal Impact: None

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

Motion was made to adopt the Resolution by Teitgen, second by Baumgartner. The resolution was adopted, not unanimously.

**ORDINANCE NO. 2453-16**

The Columbia County Board of Supervisors do ordain as follows: That Title 16 – Chapter 100, entitled "Zoning", of the County Code, as passed by the Board of Supervisors on May 14, 2014 is hereby amended and added thereto as follows:

- (1) "To change from G-2 General Commercial and AO-1 General Agriculture to AO-1 General Agriculture", (Patrick R. and Lori B. Brackman, Petitioners and Owners) parcels of land located in Section 3, T13N, R6E, Town of Newport, described as follows: Land to be Rezoned from C-2 General Commercial and AO-1 General Agriculture to AO-1 General Agriculture - Part of the Northeast Quarter of the Northeast Quarter of Section 3, Township 13 North, Range 6 East, Town of Newport, Columbia County, Wisconsin, described as follows: Commencing at the Northeast Corner of said Section 3; Thence S87°34'15"W along the north line of the Northeast Quarter of said Section 3 a distance of 1003.73 feet; Thence S00°10'53"E a distance of 75.06 feet; Thence N87°34'15"E a distance of 358.05 feet to the Point of Beginning; Thence continuing N87°34'15"E a distance of 435.79 feet to the

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centerline of 9<sup>th</sup> Avenue; Thence S41°03'29"W along the centerline of 9<sup>th</sup> Avenue a distance of 429.49 feet to said north line of Waubeek Road; Thence S88°19'48"W a distance of 64.95 feet along the north line of Waubeek Road; Thence N23°39'59"W a distance of 333.39 feet to the Point of Beginning; Containing 1.95 acres. All effective upon recording of the Certified Survey Map.

- (2) "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", (Alycia Olson, Petitioner and James and Judith Mountford, Owner) parcels of land located in Section 33, T12N, R8E, Town of Caledonia, described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being a part of Lot 2, Certified Survey Map, No. 4236 as recorded in Volume 29 of Certified Survey Maps, page 116 as Document No. 715703 as located in the Northeast Quarter of the Northeast Quarter of Section 33, Town 12 North, Range 8 East, Town of Caledonia, Columbia County, Wisconsin, described as follows: Beginning at the Northeast corner of said Section 33; thence South 00°33'14" East along the East line of the Northeast Quarter of said Section 33, 295.16 feet; thence South 89°33'22" West, 295.16 feet; thence North 00°33'14" West, 295.16 feet to a point in the North line of the Northeast Quarter of said Section 33; thence North 89°33'22" East along the North line of the Northeast Quarter of said Section 33, 295.16 feet to the point of beginning. Containing 87,120 square feet, (2.00 acres), more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay - Being a part Lot 2, Certified Survey Map No. 4236 as recorded in Volume 29 of Certified Survey Maps, page 116 as Document No. 715703 and lands located in the Northwest Quarter of the Northeast Quarter and the Northeast Quarter of the Northeast Quarter of Section 33, Town 12 North, Range 8 East, Town of Caledonia, Columbia County, Wisconsin, described as follows: Beginning at the North Quarter corner of Section 33; thence North 89°33'22" East along the North line of the Northeast Quarter of said Section 33, 1,628.23 feet; thence South 00°00'58" West, 425.95 feet to a point in the North line of Lot 1, Certified Survey Map No. 4236; thence North 86°54'39" West along the North line of said Lot 1, 361.80 feet to the Northwest corner of said Lot 1; thence South 07°09'24" West along the West line of said Lot 1, 356.50 feet to the Southwest corner of said Lot 1; thence South 64°55'45" West, 1,337.36 feet to a point in the North-South Quarter line of said Section 33; thence North 00°28'48" West along the North-South Quarter line of said Section 33, 1,314.30 feet to the point of beginning. Containing 1,437,480 square feet (33.00 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 A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay", (Paul A. Joles and Mary J. Joles, Petitioners and Owners) parcels of land located in Section 10, T13N, R10E, Town of Marcellon, described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Being divided a part of the Southwest Quarter of the Southwest Quarter of Section 10, Town 13 North, Range 10 East, Town of Marcellon, Columbia County, Wisconsin, described as follows: Commencing at the West Quarter corner of said Section 10; thence South 00°20'35" West along the West line of the Southwest Quarter of said Section 10, 1,668.83 feet to the point of beginning; thence North 64°53'17" East, 170.91 feet; thence North 27°52'33" East, 115.88 feet; thence North 58°00'55" East, 51.11 feet; thence South 79°02'15" East, 99.08 feet; thence South 61°15'59" East, 121.28 feet; thence South 06°06'19" East, 170.90 feet; thence North 88°30'33" East, 285.82 feet; thence South 00°28'09" West, 178.70 feet; thence South 88°13'40" West, 760.13 feet to a point on the West line of the Southwest Quarter of said Section 10; thence North 00°20'35" East along the West line of the Southwest quarter of said Section 10, 239.80 feet to the point of beginning. Containing 217,800 square feet, (5.00 acres), more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay - Being a part of the Southwest Quarter of the Southwest Quarter of Section 10, Town 13 North, Range 10 East, Town of Marcellon, Columbia County, Wisconsin, described as follows: Commencing at the Southwest corner of said Section 10; thence North 00°20'35" East along the West line of the Southwest Quarter of said Section 10, 198.07 feet to the point of

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beginning; thence North 00°20'35" East along the West line of the Southwest Quarter of said Section 10, 537.09 feet; thence North 88°13'40" East, 760.13 feet; thence North 00°28'09" East, 178.70 feet; thence South 88°30'33" West, 285.82 feet; thence North 06°06'19" West, 170.90 feet; thence North 61°15'59" West, 121.28 feet; thence North 79°02'15" West, 99.08 feet; thence South 58°00'55" West, 51.11 feet; thence South 27°52'33" West, 115.88 feet; thence South 64°53'17" West, 170.91 feet to a point on the West line of the Southwest Quarter of said Section 10; thence North 00°20'35" East along the West line of the Southwest Quarter of said Section 10, 346.93 feet to the Northwest corner of the Southwest Quarter of the Southwest Quarter of said Section 10; thence North 88°55'46" East along the North line of the Southwest Quarter of the Southwest Quarter of said Section 10, 1,301.25 feet to the Northeast corner of the Southwest Quarter of the Southwest Quarter of said Section 10; thence South 00°28'09" West along the East line of the Southwest Quarter of the Southwest Quarter of said Section 10, 844.86 feet to the Northeast corner of Lot 1, Certified Survey Map No. 999; thence South 88°52'01" West along the North line of said Lot 1, 325.03 feet to the Northwest corner of said Lot 1; thence South 00°35'36" East along the West line of said Lot 1, 475.54 feet to a point on the South line of the Southwest Quarter of said Section 10; thence South 88°52'01" West along the South line of the Southwest Quarter of said Section 10, 685.07 feet; thence North 00°20'35" East, 198.07 feet; thence South 88°52'01" West, 297.10 feet to the point of beginning. Containing 1,287,670 square feet, (29.56 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 A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay", (Amalia W. Ryan Trust c/o Marilyn E. Meffert, Petitioner and Owner) parcels of land located in Sections 9 & 17, T10N, R7E, Town of West Point, described as follows: Land to be Rezoned from R-1 Single Family Residence and A-1 Agriculture to A-1 Agriculture - Being a part of Government Lot 1, Section 17, Town 10 North, Range 7 East, Town of West Point, Columbia County, Wisconsin, described as follows: Commencing at the Northeast Quarter of Section 17; thence South 00°21'41" West along the East line of the Northeast Quarter of said Section 17, 1,320.03 feet to the Southeast corner of Government Lot 1; thence South 89°50'17" West along the South line of said Government Lot 1, 1,158.76 feet to the point of beginning; thence continuing South 89°50'17" West along the South line of said Government Lot 1, 911.24 feet to a point in the East line of lands owned by the Wisconsin Power and Light Company as described and recorded in Volume 181 of Deeds, page 327; thence North 32°39'16" East along the East line of lands owned by the Wisconsin Power and Light Company as described and recorded in Volume 181 of Deeds, page 327, 270.00 feet; thence North 26°10'16" East along the East line of lands owned by Wisconsin Power and Light Company line as described and recorded in Volume 181 of Deeds, page 327, 181.97 feet; thence South 89°22'30" East, 684.12 feet; thence South 00°10'59" East, 380.60 feet to the point of beginning. Containing 305,092 square feet, (7.00 acres), more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay - Being a part of the Southwest Quarter of the Southwest Quarter of Section 9, Town 10 North, Range 7 East, Town of West Point, Columbia County, Wisconsin described as follows: Commencing at the South Quarter corner of Section 9; thence North 89°21'07" West along the South line of the Southwest Quarter of said Section 9, 1,330.16 feet to the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 9 and the point of beginning; thence continuing North 89°21'07" West along the South line of the Southwest Quarter of said Section 9, 922.96 feet; thence North 00°14'38" West, 1,317.65 feet to a point in the North line of the Southwest Quarter of the Southwest Quarter of said Section 9; thence South 89°50'58" East along the North line of the Southwest Quarter of the Southwest Quarter of said Section 9, 922.87 feet to the Northeast corner of the Southwest Quarter of the Southwest Quarter of said Section 9; thence South 00°14'38" East along the East line of the Southwest Quarter of the Southwest Quarter of said Section 9, 1,325.66 feet to the point of beginning. Containing 1,219,680 square feet (28.00 acres), more or less. All effective upon recording of the Certified Survey Map.

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

DATE PASSED: October 19, 2016

DATE PUBLISHED: October 25, 2016

Motion was made by Teitgen, second by Kessler, to approve the rezone requests for Patrick R. and Lori B. Brackman, Petitioners and Owners; Alycia Olson, Petitioner and James and Judith Mountford, Owners; Paul A. and Mary J. Joles, Petitioners and Owners and Amalia W. Ryan Trust c/o Marilyn E. Meffert, Petitioner and Owner were approved. The motion carried. The Ordinance was declared passed and is to be known as Ordinance Z453-16.

Supervisor Tramburg gave an overview of the proposed 2017 Budget. He asked supervisors to review the budget books prior to the next County Board meeting and contact Lois Schepp or the Finance Committee with any questions or concerns. Copies of the proposed budget are available in the Accounting Office or the Columbia County website at [www.co.columbia.wi.us](http://www.co.columbia.wi.us). The 2017 Columbia County Proposed Budgets were distributed to supervisors.

Wingers moved adjournment of this meeting to Tuesday, November 15, 2016 at 9:45 a.m. Second was made by Field. The motion carried. The meeting adjourned at 7:39 p.m.

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
November 15, 2016  
9:47 a.m.

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

All Supervisors were present, except Brooks, absent without notice.

Members stood and recited the Pledge of Allegiance.

Chair Gove asked Veterans in attendance to stand and be recognized for their service.

A motion was made by Foley, second by De Young to approve the Journal of October 19, 2016. Motion carried.

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

Konkel gave an update of the Ad Hoc Building Committee and entertained questions of the Board. The next meeting will be held tomorrow at 1:00 p.m. in Meeting Room 1 at the Administration Building.

**REPORT OF THE PLANNING AND ZONING COMMITTEE**

The Planning and Zoning committee having held a public hearing thereon pursuant to Section 59.69 Wisconsin Statutes, notice thereof have been given as provided by law and being duly advised of the wishes of the people in the areas affected hereby recommend as follows:

1. A petition by Hazel Mulryan Revocable Trust, Markesan, WI, Petitioner and Owner, to rezone from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcel 220.01, Section 6, T12N, R10E in the Town of Wyocena to be approved as follows: To change from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, Parcel 220.01, Section 6, T12N, R10E in the Town of Wyocena.
2. A petition by, David and Judith Legee Trust, Wisconsin Dells, WI, Petitioners and Owners, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 101, 102.01 and 103, Section 12, T13N, R6E, Town of Newport to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 101, 102.01 and 103, Section 12, T13N, R6E, in the Town of Newport.

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

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

A Public Hearing on the proposed 2017 Budget began at 10:00 a.m. and closed at 10:17 a.m.

**RESOLUTION NO. 40-16**

WHEREAS, each of the 72 counties within Wisconsin are required to have a County Veterans Service Officer (CVSO) and many, due to workload, also have an assistant CVSO, both of whom must be veterans; and

WHEREAS, that these individuals provide an invaluable service to the veterans of their respective communities, especially in rural counties with limited services for veterans; and

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WHEREAS, 95% of veteran claims in Wisconsin originate in a county Veterans Service Office as a result of personal contact with these veterans and their families; and

WHEREAS, through the efforts of the State's CVSOs, Wisconsin veterans have realized more than \$2.5 billion in well-deserved federal benefits as a result of their service; and

WHEREAS, the CVSO Grant was created in 1973 to assist counties in providing Veterans Services and allowing CVSOs to utilize these funds for anything as long as it was for the benefit of veterans and did not go to another department or the county GP funds; and

WHEREAS, current rules concerning CVSO grants have had a negative impact on the ability of rural counties to support their veteran populations.

NOW, THEREFORE, BE IT RESOLVED, that Columbia County joins other counties, in, vigorously opposing any efforts to make CVSOs optional, to consolidate or regionalize these positions, to integrate them within other county departments, and to remove the requirement that they be filled by veterans, while simultaneously supporting efforts to reinstitute CVSO grants as they were originally formulated and to form a task force to objectively study and seek long term resolutions to actual hurdles to veteran's outreach and delivery, so as to enhance the current access and advocacy system for Wisconsin's veterans who have sacrificed so much for our state and our country.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to all of Columbia County's State Senators and Assembly Representatives, to the Wisconsin Counties Association, and to the President of the Wisconsin County Veterans Service Officer Association.

FISCAL NOTE: None.

FISCAL IMPACT: None.

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

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

#### **RESOLUTION NO. 41-16**

WHEREAS, in August of 2016, Columbia County contracted with M3 Insurance for broker/agent services; and

WHEREAS, M3 staff obtained proposals from four (4) insurance companies on behalf of Columbia County for 2017 property, contractor's equipment, and auto insurance coverage; and

WHEREAS, a proposal from Wisconsin County Mutual Insurance Corporation (WCMIC) for the 2017 auto and property insurance coverage was also obtained; and

WHEREAS, members of the Executive Committee and M3 staff evaluated the proposals and concurred that CNA Insurance Company's total quoted package, effective as of January 1, 2017, will provide the best value and service to Columbia County; and

WHEREAS, CNA Insurance Company will combine coverage for all property, contractor's equipment, autos, and boiler and machinery, resulting in Columbia County no longer needing to carry a separate Equipment Breakdown policy; and

WHEREAS, pursuant to Wisconsin Statutes § 605.21(3), any local governmental unit may terminate its insurance in the property fund by a majority vote.

NOW, THEREFORE, BE IT RESOLVED, that Columbia County will terminate its insurance and withdraw from the Local Government Property Insurance Fund, effective on December 31, 2016; and

BE IT FURTHER RESOLVED, that the Columbia County Board Chair and Columbia County Clerk are authorized to sign all documents that are required to terminate Columbia County's participation in the Local Government property Insurance Fund and contract with CNA Insurance Company as provided in this Resolution.

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FISCAL NOTE: The cost of property, contractor's equipment, auto, and boiler and machinery coverage in 2017 provided by CNA Insurance Company is included in the 2017 County Budget.

FISCAL IMPACT: None.

Kirk Konkell  
James E. Foley  
JoAnn Wingers, Secretary  
Mary Cupery, Vice Chair  
Vern E. Gove, Chair  
EXECUTIVE COMMITTEE

Motion was made to adopt the Resolution by Cupery, second by Foley. Susan Moll, County Clerk, gave a brief explanation of the proposed resolution. Moll and Ruf entertained questions of the Board. The resolution was adopted.

**RESOLUTION NO. 42-16**

WHEREAS, Federal monies are available under the Brownfield Site Assessment Grant program, administered by the Wisconsin Economic Development Corporation ("WEDC") for the purpose of the improvement of Columbia County property; and,

WHEREAS, after public meeting and due consideration, the Columbia County Ad Hoc Building Committee and the Columbia County Executive Committee recommended that an application be submitted to WEDC for the Gruber Automotive Site Investigation Project located in the City of Portage, Wisconsin; and,

WHEREAS, it is necessary for the Columbia County Board of Supervisors to approve the preparation and filing of an application for Columbia County to receive funds from this program; and,

WHEREAS, the Columbia County Board of Supervisors reviewed the need for the proposed project and the benefit to be gained therefrom.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors does hereby approve and authorize the preparation and filing of an application for the above-named project, and that the Columbia County Board Chair is hereby authorized to sign all necessary documents on behalf of Columbia County, and that authority is hereby granted to the Columbia County Executive Committee to take the necessary steps to prepare and file the application for funds under this program in accordance with this Resolution.

Fiscal Note: Estimated total project cost \$37,250.00.

Fiscal Impact: Anticipated County match may be up to fifty (50%) percent of total project cost.

Kirk Konkell  
James E. Foley  
JoAnn Wingers  
Mary Cupery  
Vern E. Gove  
EXECUTIVE COMMITTEE

Motion was made to adopt the Resolution by Teitgen, second by Foley. Konkell clarified funds from the program would pay up to 50% of the total project clean-up costs. The resolution was adopted.

**RESOLUTION NO. 43-16**

WHEREAS, Wisconsin has no dedicated, stable Federal and State funding sources for communicable disease control and prevention efforts; and,

WHEREAS, a strong public health infrastructure is paramount to the health of all citizens; and,

WHEREAS, emerging and existing communicable diseases threaten health security, economies, and quality of life for all; and,

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WHEREAS, communicable diseases such as ebola, H1N1, measles, HIV and AIDS, tuberculosis, influenza, syphilis, chlamydia, gonorrhea, rabies, hepatitis, legionellosis, polio, and pertussis can threaten the lives and well-being of Wisconsin residents; and,

WHEREAS, in 2015 Public Health Nurses in Columbia County followed up on 472 reportable cases of communicable diseases; and,

WHEREAS, bloodborne pathogens that cause long-term disease such as Hepatitis C are occurring at unprecedented rates in Columbia County and Wisconsin – rates that are accelerating as a result of the opiate epidemic; and,

WHEREAS, Wisconsin local health department communicable disease programs protect residents by investigating and controlling communicable diseases, collecting data, educating the community about prevention and the importance of immunizations, and caring for those affected by these diseases; and,

WHEREAS, evidence in the scientific literature indicates that partner notification services are not adequately assured in the absence of specific public health staff involvement; and,

WHEREAS, local health departments and the State of Wisconsin have demonstrated commitment, competence, and success in assuring the confidentiality of persons with reported communicable disease for decades; and,

WHEREAS, communicable disease control is one of the ten essential functions of public health.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors hereby requests that the State of Wisconsin, in its 2017-19 state biennial budget, support funding to local health departments for communicable disease control and prevention efforts; and,

BE IT FURTHER RESOLVED, that the Columbia County Clerk send a copy of this Resolution to Governor Scott Walker, the Wisconsin Association of Local Health Departments and Boards (WALHDAB), area legislators, and the Wisconsin Counties Association urging the State Legislature to develop and enact bipartisan support for funding of comprehensive, sustainable, effective and evidence based communicable disease control and prevention for the public's health.

Fiscal Note: None

Fiscal Impact: None

Kenneth Oh, MD, Community Member  
~~Cathy Brunt, RN, Community Member~~  
Tom Drury, Community Member  
John A. Stevenson, Board Member  
~~James Brooks, Board Member~~  
Nancy M. Long, Board Member  
Matthew L. Rohrbeck, Secretary  
Kevin Kessler, Vice Chair  
Teresa Sumnicht, Chair  
HEALTH & HUMAN SERVICES BOARD

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

#### **RESOLUTION NO. 44-16**

#### **RESOLUTION AUTHORIZING THE SALE OF \$17,510,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2016B**

WHEREAS, on November 12, 2014, the County Board of Supervisors of Columbia County, Wisconsin (the "County"), by a vote of at least 3/4 of the members-elect, adopted a resolution (the "Initial Resolution") authorizing the issuance of general obligation promissory notes (the "Notes") in an amount not to exceed \$45,510,000 for public purposes, including paying the costs of construction of a Health and Human Services Building, construction of a County Administration Building, renovation of the existing Courthouse, renovation of Solid Waste Department facilities, construction of a new Cambria Highway Shop and Salt Shed and reimbursement of the cost of new Jail and Courthouse roofs (the "Project");

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WHEREAS, counties are authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue general obligation promissory notes for such public purposes;

WHEREAS, the County has previously issued its \$10,000,000 General Obligation Promissory Notes, Series 2015, dated February 4, 2015, and its \$18,000,000 General Obligation Promissory Notes, Series 2016A, dated February 3, 2016, authorized by the Initial Resolution;

WHEREAS, the County Board of Supervisors has determined to issue the balance of \$17,510,000 in principal amount of the Notes authorized by the Initial Resolution to pay costs of the Project; and

WHEREAS, it is the finding of the County Board of Supervisors that it is necessary, desirable and in the best interest of the County to sell the Notes to Hutchinson, Shockey, Erley & Co. (the "Purchaser"), pursuant to the terms and conditions of its note purchase proposal attached hereto as Exhibit A and incorporated herein by this reference (the "Proposal").

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1. Sale of the Notes. For the purpose of paying costs of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of SEVENTEEN MILLION FIVE HUNDRED TEN THOUSAND DOLLARS (\$17,510,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal is hereby accepted, and the Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. To evidence the obligation of the County, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, the Notes aggregating the principal amount of SEVENTEEN MILLION FIVE HUNDRED TEN THOUSAND DOLLARS (\$17,510,000) for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes, Series 2016B"; shall be issued in the aggregate principal amount of \$17,510,000; shall be dated December 1, 2016; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on August 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit B-1 and incorporated herein by this reference. Interest shall be payable semi-annually on February 1 and August 1 of each year commencing on August 1, 2017. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit B-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes maturing on August 1, 2020 shall be subject to redemption prior to maturity, at the option of the County, on February 1, 2019 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

The Notes maturing on August 1, 2025 and thereafter shall be subject to redemption prior to maturity, at the option of the County, on August 1, 2024 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2016 through 2025 for the payments due in the years 2017 through 2026 in the amounts set forth on the Schedule.

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(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

#### Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$17,510,000 General Obligation Promissory Notes, Series 2016B" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. The County Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the County above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the County and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed

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Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 11. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by Associated Trust Company, National Association, Green Bay, Wisconsin, which is hereby appointed as the County's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The Fiscal Agency Agreement between the County and the Fiscal Agent shall be substantially in the form attached hereto as Exhibit D and incorporated herein by this reference.

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Section 12. Persons Treated as Owners; Transfer of Notes. The County shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 13. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 15. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or Official Statement to be distributed to the Purchaser.

Section 16. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Chairperson and County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 17. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

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Section 18. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 19. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law. Adopted, approved and recorded November 15, 2016.

Vern E. Gove  
Chairperson

ATTEST:  
Susan M. Moll  
County Clerk

EXHIBIT A  
Note Purchase Proposal  
(See Attached)

EXHIBIT B-1  
Pricing Summary  
(See Attached)

EXHIBIT B-2  
Debt Service Schedule and Irrepealable Tax Levies  
(See Attached)

EXHIBIT C  
(Form of Note)

|            |  |         |
|------------|--|---------|
| REGISTERED | UNITED STATES OF AMERICA                         |         |
|            | STATE OF WISCONSIN                               | DOLLARS |
|            | COLUMBIA COUNTY                                  |         |
| NO. R-____ | GENERAL OBLIGATION PROMISSORY NOTE, SERIES 2016B | \$_____ |

|  |                                 |                |        |
|--|---------------------------------|----------------|--------|
| MATURITY DATE:                             | ORIGINAL DATE OF ISSUE:         | INTEREST RATE: | CUSIP: |
| August 1, _____                            | December 1, 2016                | _____%         | _____  |
| DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO. |                                 |                |        |
| PRINCIPAL AMOUNT:                          | _____ THOUSAND DOLLARS \$_____) |                |        |

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FOR VALUE RECEIVED, Columbia County, Wisconsin (the "County"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on February 1 and August 1 of each year commencing on August 1, 2017 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by Associated Trust Company, National Association, Green Bay, Wisconsin (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding the semi-annual interest payment date (the "Record Date"). This Note is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Note together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the County are hereby irrevocably pledged.

This Note is one of an issue of Notes aggregating the principal amount of \$17,510,000, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the County pursuant to the provisions of Section 67.12(12), Wisconsin Statutes, for public purposes, including paying the cost of construction of a Health and Human Services Building, construction of a County Administration Building, renovation of the existing Courthouse, renovation of Solid Waste Department facilities, construction of a new Cambria Highway Shop and Salt Shed and reimbursement of the cost of new Jail and Courthouse roofs, all as authorized by resolutions of the County Board of Supervisors duly adopted by said governing body at meetings held on November 12, 2014 and November 15, 2016. Said resolutions are recorded in the official minutes of the County Board of Supervisors for said dates.

The Notes maturing on August 1, 2020 are subject to redemption prior to maturity, at the option of the County, on February 1, 2019 or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

The Notes maturing on August 1, 2025 and thereafter are subject to redemption prior to maturity, at the option of the County, on August 1, 2024 or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity, by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

In the event the Notes are redeemed prior to maturity, as long as the Notes are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Notes called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Notes shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Notes shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the County, including this Note and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrevocable tax has been levied sufficient to pay this Note, together with the interest thereon, when and as payable.

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This Note is transferable only upon the books of the County kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Notes, and the County appoints another depository, upon surrender of the Note to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the County for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Notes (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Notes, or (iii) with respect to any particular Note, after such Note has been called for redemption. The Fiscal Agent and County may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Notes are issuable solely as negotiable, fully-registered Notes without coupons in the denomination of \$5,000 or any integral multiple thereof.

This Note shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Fiscal Agent.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, Columbia County, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Chairperson and County Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

COLUMBIA COUNTY, WISCONSIN

By: Vern E. Gove  
Chairperson

By: Susan M. Moll  
County Clerk

Date of Authentication: \_\_\_\_\_, \_\_\_\_\_

#### CERTIFICATE OF AUTHENTICATION

This Note is one of the Notes of the issue authorized by the within-mentioned resolutions of Columbia County, Wisconsin.

ASSOCIATED TRUST COMPANY, NATIONAL  
ASSOCIATION,  
GREEN BAY, WISCONSIN

By \_\_\_\_\_  
Authorized Signatory

FOR VALUE RECEIVED, the ASSIGNMENT undersigned sells, assigns and transfers unto

\_\_\_\_\_  
(Name and Address of Assignee)

\_\_\_\_\_  
(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints \_\_\_\_\_, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

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Signature Guaranteed:

\_\_\_\_\_  
(e.g. Bank, Trust Company  
or Securities Firm)

\_\_\_\_\_  
(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

\_\_\_\_\_  
(Authorized Officer) EXHIBIT D

Fiscal Agency Agreement  
(See Attached)

FISCAL AGENCY AGREEMENT

THIS AGREEMENT, made as of the 1st day of December, 2016 between Columbia County, Wisconsin (the "Municipality"), and Associated Trust Company, National Association, Green Bay, Wisconsin (the "Fiscal Agent").

WITNESSETH:

WHEREAS, the Municipality has duly authorized the issuance of its \$17,510,000 General Obligation Promissory Notes, Series 2016B, dated December 1, 2016 (the "Obligations") pursuant to the applicable provisions of the Wisconsin Statutes and the resolutions adopted by the Municipality on November 12, 2014 and November 15, 2016 (collectively, the "Resolution"); and

WHEREAS, the Municipality is issuing the Obligations in registered form pursuant to Section 149 of the Internal Revenue Code of 1986, as amended, and applicable Treasury Regulations promulgated thereunder; and

WHEREAS, pursuant to the Resolution and Section 67.10(2), Wisconsin Statutes the Municipality has authorized the appointment of the Fiscal Agent as agent for the Municipality for any or all of the following responsibilities: payment of principal and interest on, registering, transferring and authenticating the Obligations as well as other applicable responsibilities permitted by Section 67.10(2), Wisconsin Statutes.

NOW, THEREFORE, the Municipality and the Fiscal Agent hereby agree as follows:

I. APPOINTMENT

The Fiscal Agent is hereby appointed agent for the Municipality with respect to the Obligations for the purpose of performing such of the responsibilities stated in Section 67.10(2), Wisconsin Statutes, as are delegated herein or as may be otherwise specifically delegated in writing to the Fiscal Agent by the Municipality.

II. INVESTMENT RESPONSIBILITY

The Fiscal Agent shall not be under any obligation to invest funds held for the payment of interest or principal on the Obligations.

III. PAYMENTS

At least one business day before each interest payment date (commencing with the interest payment date of August 1, 2017 and continuing thereafter until the principal of and interest on the Obligations should have been fully paid or prepaid in accordance with their terms) the Municipality shall pay to the Fiscal Agent, in good funds immediately available to the Fiscal Agent on the interest payment date, a sum equal to the amount payable as principal of, premium, if any, and interest on the Obligations on such interest payment date. Said interest and/or principal payment dates and amounts are outlined on Schedule A which is attached hereto and incorporated herein by this reference.

IV. CANCELLATION

In every case of the surrender of any Obligation for the purpose of payment, the Fiscal Agent shall cancel and destroy the same and deliver to the Municipality a certificate regarding such cancellation. The Fiscal Agent shall be permitted to microfilm or otherwise photocopy and record said Obligations.

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## V. REGISTRATION BOOK

The Fiscal Agent shall maintain in the name of the Municipality a Registration Book containing the names and addresses of all owners of the Obligations and the following information as to each Obligation: its number, date, purpose, amount, rate of interest and when payable. The Fiscal Agent shall keep confidential said information in accordance with applicable banking and governmental regulations.

## VI. INTEREST PAYMENT

Payment of each installment of interest on each Obligation shall be made to the registered owner of such Obligation whose name shall appear on the Registration Book at the close of business on the 15<sup>th</sup> day of the calendar month next preceding the interest payment date and shall be paid by check or draft of the Fiscal Agent mailed to such registered owner at his address as it appears in such Registration Book or at such other address as may be furnished in writing by such registered owner to the Fiscal Agent.

## VII. PAYMENT OF PRINCIPAL AND NOTICE OF REDEMPTION

(a) Principal Payments. Principal shall be paid to the registered owner of an Obligation upon surrender of the Obligation on or after its maturity or redemption date.

(b) Official Notice of Redemption. In the event the Municipality exercises its option to redeem any of the Obligations, the Municipality shall, at least 35 days prior to the redemption date, direct the Fiscal Agent to give official notice of such redemption by sending an official notice thereof by registered or certified mail, facsimile transmission, overnight express delivery, electronic transmission or in any other manner required by The Depository Trust Company at least 30 days but not more than 60 days prior to the date fixed for redemption to the registered owner of each Obligation to be redeemed in whole or in part at the address shown in the Registration Book. Such official notice of redemption shall be dated and shall state (i) the redemption date and price; (ii) an identification of the Obligations to be redeemed, including the date of original issue of the Obligations; (iii) that on the redemption date the redemption price will become due and payable upon each such Obligation or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date; and (iv) the place where such Obligations are to be surrendered for payment of the redemption price, which place of payment shall be the principal office of the Fiscal Agent.

(c) Additional Notice of Redemption. In addition to the official notice of redemption provided in (b) above, further notice of any redemption shall be given by the Fiscal Agent on behalf of the Municipality to the Municipal Securities Rulemaking Board and The Depository Trust Company of New York, New York but neither a defect in this additional notice nor any failure to give all or any portion of such additional notice shall in any manner defeat the effectiveness of a call for redemption.

Each further notice of redemption given hereunder shall be sent at least 30 days before the redemption date by registered or certified mail, overnight delivery service, facsimile transmission or email transmission and shall contain the information required above for an official notice of redemption.

(d) Redemption of Obligations. The Obligations to be redeemed at the option of the Municipality shall be selected by the Municipality and, within any maturity, shall be selected by lot by the Depository described in Section VIII hereof. The Obligations or portions of Obligations to be redeemed shall, on the redemption dates, become due and payable at the redemption price therein specified, and from and after such date such Obligations or portions of Obligations shall cease to bear interest. Upon surrender of such Obligations for redemption in accordance with the official notice of redemption, such Obligations shall be paid by the Fiscal Agent at the redemption price. Installments of interest due on or prior to the redemption date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Obligation, there shall be prepared for the registered owner a new Obligation or Obligations of the same maturity in the amount of the unpaid principal. Each check or other transfer of funds issued in payment of the redemption price of Obligations being redeemed shall bear the CUSIP number identifying, by issue and maturity, the Obligations being redeemed with the proceeds of such check or other transfer.

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### VIII. UTILIZATION OF THE DEPOSITORY TRUST COMPANY

The Depository Trust Company's Book-Entry-Only System is to be utilized for the Obligations. The Fiscal Agent, as agent for the Municipality, agrees to comply with the provisions of The Depository Trust Company's Operational Arrangements, as they may be amended from time to time referenced in the Blanket Issuer Letter of Representations executed by the Municipality. The provisions of the Operational Arrangements and this Section VIII supersede and control any and all representations in this Agreement.

### IX. OBLIGATION TRANSFER AND EXCHANGE

The Fiscal Agent shall transfer Obligations upon presentation of a written assignment duly executed by the registered owner or by such owner's duly authorized representative. Upon such a transfer, new registered Obligation(s) of the same maturity, in authorized denomination or denominations in the same aggregate principal amount for each maturity shall be issued to the transferee in exchange therefor, and the name of such transferee shall be entered as the new registered owner in the Registration Book. No Obligation may be registered to bearer. The Fiscal Agent may exchange Obligations of the issue for a like aggregate principal amount of Obligations of the same maturity in authorized whole multiples of \$5,000.

The Obligations shall be numbered R-1 and upward. Upon any transfer or exchange, the Obligation or Obligations issued shall bear the next highest consecutive unused number or numbers.

The Municipality shall cooperate in any such transfer, and the appropriate officers of the Municipality are authorized to execute any new Obligation or Obligations necessary to effect any such transfer.

### X. AUTHENTICATION, IF REQUIRED

The Fiscal Agent shall sign and date the Certificate of Authentication, if any, on each Obligation on the date of delivery, transfer or exchange of such Obligation. The Fiscal Agent shall distribute and/or retain for safekeeping the Obligations in accordance with the direction of the registered owners thereof.

### XI. STATEMENTS

The Fiscal Agent shall furnish the Municipality with an accounting of interest and funds upon reasonable request.

### XII. FEES

The Municipality agrees to pay the Fiscal Agent fees for its services hereunder in the amounts set forth on Schedule B hereto.

### XIII. MISCELLANEOUS

(a) Nonpresentment of Checks. In the event the check or draft mailed by the Fiscal Agent to the registered owner is not presented for payment within five years of its date, then the monies representing such nonpayment shall be returned to the Municipality or to such board, officer or body as may then be entitled by law to receive the same together with the name of the registered owner of the Obligation and the last mailing address of record and the Fiscal Agent shall no longer be responsible for the same.

(b) Resignation and Removal; Successor Fiscal Agent. (i) Fiscal Agent may at any time resign by giving not less than 60 days written notice to Municipality. Upon receiving such notice of resignation, Municipality shall promptly appoint a successor fiscal agent by an instrument in writing executed by order of its governing body. If no successor fiscal agent shall have been so appointed and have accepted appointment within 60 days after such notice of resignation, the resigning fiscal agent may petition any court of competent jurisdiction for the appointment of a successor fiscal agent. Such court may thereupon, after such notice, if any, as it may deem proper and prescribes, appoint a successor fiscal agent. The resignation of the fiscal agent shall take effect only upon appointment of a successor fiscal agent and such successor fiscal agent's acceptance of such appointment.

(ii) The Fiscal Agent may also be removed by the Municipality at any time upon not less than 60 days' written notice. Such removal shall take effect upon the appointment of a successor fiscal agent and such successor fiscal agent's acceptance of such appointment.

(iii) Any successor fiscal agent shall execute, acknowledge and deliver to Municipality and to its predecessor fiscal agent an instrument accepting such appointment hereunder, and thereupon the resignation or removal of the predecessor fiscal agent shall become effective and such successor fiscal agent, without any further act, deed or conveyance, shall become vested with all the rights, powers,

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trusts, duties and obligations of its predecessor, with like effect as if originally named as fiscal agent herein; but nevertheless, on written request of Municipality, or on the request of the successor, the fiscal agent ceasing to act shall execute and deliver an instrument transferring to such successor fiscal agent, all the rights, powers, and trusts of the fiscal agent so ceasing to act. Upon the request of any such successor fiscal agent, Municipality shall execute any and all instruments in writing for more fully and certainly vesting in and confirming to such successor fiscal agent all such rights, powers and duties. Any predecessor fiscal agent shall pay over to its successor fiscal agent any funds of the Municipality.

(iv) Any corporation, association or agency into which the Fiscal Agent may be converted or merged, or with which it may be consolidated, or to which it may sell or transfer its corporate trust business and assets as a whole or substantially as a whole, or any corporation or association resulting from any such conversion, sale, merger, consolidation or transfer to which it is a party, ipso facto, shall be and become successor fiscal agent under this Agreement and vested with all the trusts, powers, discretions, immunities and privileges and all other matters as was its predecessor, without the execution or filing of any instrument or any further act, deed or conveyance on the part of any of the parties hereto, anything herein to the contrary notwithstanding.

(v) Any successor fiscal agent shall be qualified pursuant to Sec. 67.10(2), Wisconsin Statutes, as amended.

(c) Termination. This Agreement shall terminate on the earlier of (i) the payment in full of all of the principal and interest on the Obligations to the registered owners of the Obligations or (ii) five years after (aa) the last principal payment on the Obligations is due (whether by maturity or earlier redemption) or (bb) the Municipality's responsibilities for payment of the Obligations are fully discharged, whichever is later. The parties realize that any funds hereunder as shall remain upon termination shall, except as may otherwise by law, be turned over to the Municipality after deduction of any unpaid fees and disbursements of Fiscal Agent or, if required by law, to such officer, board or body as may then be entitled by law to receive the same. Termination of this Agreement shall not, of itself, have any effect on Municipality's obligation to pay the outstanding Obligations in full in accordance with the terms thereof.

(d) Execution in Counterparts. This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this Agreement, being duly authorized so to do, each in the manner most appropriate to it, on the date first above written.

COLUMBIA COUNTY, WISCONSIN

By Vern E. Gove  
Chairperson  
Susan M. Moll  
County Clerk

ASSOCIATED TRUST COMPANY, NATIONAL  
ASSOCIATION,  
GREEN BAY, WISCONSIN  
Fiscal Agent

By \_\_\_\_\_  
Title \_\_\_\_\_  
Attest \_\_\_\_\_  
Title \_\_\_\_\_

SCHEDULE A  
Debt Service Schedule  
\$17,510,000 General Obligation Promissory Notes, Series 2016B  
of Columbia County, Wisconsin  
dated December 1, 2016  
(SEE ATTACHED)



SCHEDULE B  
(SEE ATTACHED)

Resolution was placed on supervisor's desks.

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

Jeff Belongia, of Hutchinson, Shockey, Erley & Company, financial advisor for the County, addressed the Board regarding the sale of \$17,510,000 General Obligation Promissory Notes. He referred to a handout provided to supervisors and entertained questions of the Board.

Chair Gove requested a roll call vote. The resolution was adopted on a roll call vote as follows:

AYES: 26; NOES: 1; ABSENT: 1

AYES: Drew, Foley, Hutler, Kessler, Konkell, Long, McClyman, Pufahl, Rashke, Rohrbeck, Ross, Slegger, St. Maurice, Stevenson, Sumnicht, Teitgen, Tramburg, Weyh, Wingers, Zander, Attoe, Baumgartner, Bradley, Cupery, De Young and Gove.

NOES: Field.

ABSENT: Brooks.

**RESOLUTION NO. 45-16**

WHEREAS, the municipality hereinafter named has filed a petition for County Aid in the construction of a bridge under Section 82.08 of the Statutes, said petition is hereby granted, and the county's share is appropriated as follows:

| <u>County Municipality</u> | <u>Bridge</u>       | <u>Amount Raised by Local Unit</u> | <u>Amount of Aid Granted</u> |
|----------------------------|---------------------|------------------------------------|------------------------------|
| Town of Caledonia          | Durward Glenn Road  | \$ 6,470.70                        | \$ 3,235.35                  |
| Town of Fountain Prairie   | Adams Drive         | \$ 14,174.81                       | \$ 7,087.41                  |
| Town of Hampden            | Monson Road         | \$ 6,570.27                        | \$ 3,285.14                  |
| Town of Lowville           | Hagan Road          | \$ 13,100.16                       | \$ 6,550.08                  |
| Town of Randolph           | East Friesland Road | \$ 8,997.64                        | \$ 4,498.82                  |
| Town of Randolph           | East Friesland Road | \$ 5,997.23                        | \$ 2,998.62                  |
| Town of Randolph           | East Friesland Road | \$ 5,997.23                        | \$ 2,998.62                  |

Fiscal Note: \$ 30,654.04 - 3334.551210 County Aid Bridge Refunds

Fiscal Impact: The County Board does hereby levy a tax of \$30,654 to meet said appropriation on all of the property on the county, which is taxable for such purpose. The provision for this levy shall be made in the County Budget, but that this levy shall not be duplicated.

James E. Foley  
Kenneth W. Hutler  
JoAnn Wingers  
Kirk Konkell  
Andy Ross  
HIGHWAY COMMITTEE

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

**RESOLUTION NO. 46-16**

SECTION I. The County Board of Supervisors of Columbia County, Wisconsin, regularly assembled, does hereby resolve that such funds as may be made available to the county for highway work in the year 2017 under the provisions of Section 20.395 and Chapter 86 of the Statutes, and the additional sums herein appropriated, shall be expended as hereinafter set forth:

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SECTION II. COUNTY TRUNK HIGHWAY ALLOTMENT. WHEREAS the Division of Highways has notified the County Clerk that a sum of money estimated to be \$1,523,492 will become available at the end of the fiscal year under the provisions of Section 86.30 and 20.395 (1)(as) of the Statutes, for the County Trunk Highway System in the county, but the actual amount will not be known until the close of the fiscal year ending next June 30.

BE IT THEREFORE RESOLVED that the County Highway Committee is authorized and directed to expend the said sum to the extent required to match and supplement Federal Aid for construction, right of way, and other costs on any Federal Projects located on the County Trunk Highway System of said county, which are not recovered from Federal Funds, and to expend any balance for constructing, repairing and maintaining such County Trunk Highway System and the bridges thereon, including snow and ice removal and control, as directed in Section 83.03 (1) of the Statutes, and to reimburse the general fund for any expenditures that may be made therefrom pursuant to Section 83.01 of the Statutes.

SECTION III. WHEREAS, various towns, villages, and cities hereinafter named have filed petitions for County Aid for roads under provisions of Section 83.14 of the Statutes.

BE IT THEREFORE RESOLVED that such petitions are hereby granted and county appropriations be made as follows:

| <u>TOWNS</u>     | <u>NAME OF ROAD</u>                       | <u>COUNTY APPROPRIATIONS</u> |
|------------------|---|------------------------------|
| Caledonia        | Macleisch Road                            | \$ 7,000.00                  |
| Columbus         | Schaeffer Road                            | 8,732.50                     |
| Courtland        | Pete Reak Road and Cemetery Road          | 5,192.25                     |
| Dekorra          | Drake Road                                | 10,067.75                    |
| Fort Winnebago   | Dixon Road                                | 6,357.75                     |
| Fountain Prairie | Pete Reak Road                            | 7,719.25                     |
| Hampden          | Eland Drive, Martinson Drive, Matson Road | 7,413.00                     |
|                  | Otsego Road, and Burke Drive              |                              |
| Leeds            | Hall Road and Kroncke Road                | 8,421.00                     |
| Lewiston         | Hogan Road                                | 8,130.50                     |
| Lodi             | Sealcoat and Crackfill Various Roads      | 5,748.75                     |
| Lowville         | Hagan Road                                | 8,079.75                     |
| Marcellon        | Military Road                             | 7,787.50                     |
| Otsego           | Monson Road                               | 8,253.00                     |
| Pacific          | West Bush Road                            | 4,298.00                     |
| Randolph         | Krueger Road                              | 6,928.25                     |
| Scott            | Ross Road                                 | 6,209.00                     |
| Springvale       | Schimmel Drive                            | 8,288.00                     |
| West Point       | Golf Road                                 | 7,105.00                     |
| Wyocena          | Brenemann Road                            | 8,492.75                     |

| <u>VILLAGES</u> | <u>NAME OF ROAD</u>                     | <u>COUNTY APPROPRIATIONS</u> |
|-----------------|---|------------------------------|
| Arlington       | Curtis Street                           | 2,000.00                     |
| Doylestown      | Edwards Street, Otsego Road             | 3,500.00                     |
|                 | and Various Spots                       |                              |
| Fall River      | Church Street, Gruhn Road, and          | 3,500.00                     |
|                 | Brayton Boulevard                       |                              |
| Friesland       | Mill Street                             | 3,500.00                     |
| Pardeeville     | Rubberize and Crackfill Various Streets | 3,500.00                     |
| Poynette        | McMillan Road                           | 3,500.00                     |
| Rio             | Lowville Road, W. Lyons Street, and     | 3,500.00                     |
|                 | Paris Street                            |                              |

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| <u>CITIES</u> | <u>NAME OF ROAD</u> | <u>COUNTY APPROPRIATIONS</u> |
|---------------|---------------------|------------------------------|
| Lodi          | Grand Avenue        | 2,000.00                     |
| Portage       | W. Mullet Street    | 2,000.00                     |
| TOTAL         |                     | <u>\$167,224.00</u>          |

SECTION IV. WHEREAS it appears that certain additional highway improvements in the county are necessary and warranted.

Fiscal Note: that the County Board does hereby appropriate the following sums for the purpose hereinafter set forth:

- (1) For Administration (3110, 3191 and 3192) including salaries, office and travel expense of the County Highway Commissioner, his clerks and assistants not paid from the construction and maintenance funds, the sum of \$829,738.
- (2) For Winter Maintenance (3312), the sum of \$1,847,400.
- (3) The sum of \$3,251,412 for Road and Bridge Construction (3313) on the County Trunk Highway System.
- (4) For General Public Liability (3193), the sum of \$132,573.
- (5) For Maintenance of the County Trunk Highway System (3311), the sum of \$1,136,550.
- (6) Capital Outlay Pool for the acquisition of capital assets \$1,377,213.
- (7) For Maintenance of the State Trunk Highway System (3321, 3322, 3328), \$4,063,298.
- (8) For Maintenance of the Towns, Villages, and Cities System (3331), \$2,199,745.
- (9) For Maintenance of Miscellaneous Accounts (3371), \$310,000.
- (10) County Parks (3390), the sum of \$36,400.

TOTAL AUTHORIZED IN THIS SECTION (\$15,184,329)

SECTION V. WHEREAS, appropriations are made herein, in addition to the amounts to be received from the State and available for work in the county under Section 20.395 of the Statutes. BE IT RESOLVED that the County Board does hereby levy a tax on all of the property in the county to meet such appropriations as follows:

- (1) For County Aid (3333) under Section 83.14 as provided by Section III hereof, the sum of \$167,224.
- (2) For the various purposes as set forth in Section III and Section IV hereof, the sum of \$15,351,553, minus Revenue, Contingency and Equity applied of \$10,548,127 equals the net amount of \$4,803,426.

Fiscal Impact: that the County Board does hereby levy a tax of \$4,803,426 to meet said appropriation on all of the property on the county, which is taxable for such purpose.

The provision for this levy shall be made in the County Budget, but that this levy shall not be duplicated.

SECTION VI. WHEREAS, the various highway activities for which provision is made in this resolution are continuous from year to year, and the exact cost of any work cannot be known at the time of making the appropriation.

THEREFORE, BE IT RESOLVED that this Board does hereby direct that any balance remaining in any appropriation for specific highway improvement after the same shall have been completed may be used by the County Highway Committee to make up any deficit that may occur in any other improvement, which is part of the same item in the County Budget, for which provision is herein made, and any balance remaining at the end of the year in any Highway Fund shall remain and be available for the same purpose in the ensuing year.

SECTION VII. WHEREAS, the exact amount of the funds that will become available from the State for highway purposes in the county under Section 20.395 of the Statutes will not be known until on or after next June 30.

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BE IT FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to make payments for the purposes for which such funds are to be used, as herein before authorized, from any funds in the County Treasury that are not required for the purposes for which appropriated prior to next August 1 and to reimburse such funds in the County Treasury from the sums received under Section 20.395 of the Statutes.

SECTION VIII. WHEREAS, the County Highway Committee and the County Highway Commissioner are charged with the duty and responsibility of carrying out the construction and maintenance of highways for which provision is made, and other related supervisory and administrative duties.

BE IT FURTHER RESOLVED, That the County Highway Commissioner shall have authority to employ, discharge, suspend, layoff, or reinstate such personnel in accordance with Columbia County personnel policy as set forth in Chapter 7 Ordinance, where the ordinance is not in conflict with Wisconsin State Statutes, as he deems necessary for such purposes, provided, however, that the County Highway Committee may by action recorded in its minutes determine the number of persons to be hired, and may also at any time by action so recorded, order the County Highway Commissioner to employ, discharge, suspend, lay off, or reinstate any such person in accordance with Columbia County personnel policy as set forth in Chapter 7 Ordinance, where the ordinance is not in conflict with Wisconsin State Statutes. The term "personnel" or "person" shall include all employees necessary to carry out daily activities within Columbia County Highway and Transportation.

James E. Foley  
Kenneth W. Hutler  
JoAnn Wingers  
Kirk Konkel  
Andy Ross  
HIGHWAY COMMITTEE

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

#### **RESOLUTION NO. 47-16**

WHEREAS, the Columbia County Board of Supervisors has held a public hearing, pursuant to Section 65.90, Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors does adopt a budget for calendar year 2017 with total expenditures of \$73,005,850, total revenues and equity applied of \$46,866,322, and a total Columbia County tax levy of \$26,139,528.

BE IT FURTHER RESOLVED, that the Columbia County tax levy, as listed above, be divided and levied as follows:

That a County Tax of \$25,198,164 be levied upon all the taxable property of the County for the current expenses of the County, including the construction of public highways, and

That a County Library System Tax of \$720,087 be levied on the taxable property of the County except that part in the Villages of Cambria, Pardeeville, Poynette, Randolph, Rio, Wyocena, and the Cities of Columbus, Lodi, Portage, and Wisconsin Dells, and

That a Recycling Tax of \$221,277 be levied on the taxable property of the County except in the Townships of Newport and Pacific and the City of Wisconsin Dells.

BE IT FURTHER RESOLVED, that in addition to the Columbia County tax levy, that a State Tax for forestry of \$871,954.76 be levied upon all the taxable property of the County as certified by the State Department of Administration.

Fiscal Note: Not Applicable

Fiscal Impact: Not Applicable

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Dan F. Drew  
James E. Foley  
Mike Weyh  
Mary Cupery  
John H. Tramburg  
FINANCE COMMITTEE

Motion was made to adopt the Resolution by Tramburg, second by Cupery.

Pufahl questioned approving the budget before the final audit was received for the Economic Development Corporation.

Field stated he would support this budget, however, he shared concerns with the increased use of the County's reserves to cover the shortfall between revenue and expenditures.

Chair Gove requested a roll call vote. The resolution was adopted on a roll call vote as follows:

AYES: 27; NOES: 0; ABSENT: 1

AYES: Field, Foley, Hutler, Kessler, Konkell, Long, McClyman, Pufahl, Rashke, Rohrbeck, Ross, Slegler, St. Maurice, Stevenson, Sumnicht, Teitgen, Tramburg, Weyh, Wingers, Zander, Attoe, Baumgartner, Bradley, Cupery, De Young, Drew and Gove.

ABSENT: Brooks.

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

The Columbia County Board of Supervisors do ordain as follows: That Title 3, Chapter 1, Code of Ethics, is hereby amended as follows:

- 3-1-1 Declaration of Policy
- 3-1-2 Purpose
- 3-1-3 Responsibility of Public Office
- 3-1-4 Coverage
- 3-1-5 Exemptions
- 3-1-6 Definitions
- 3-1-7 Fair and Equal Treatment
- 3-1-8 Conflicts of Interest
- 3-1-9 Financial Interest in Legislation
- 3-1-10 Disclosure of Privileged Information
- 3-1-11 Gifts and Favors
- 3-1-12 Kickbacks Prohibited
- ~~3-1-12~~ 13 Nepotism
- ~~3-1-13~~ 14 State Statutes Incorporated
- 3-1-15 Disclosure to Federal Government
- ~~3-1-14~~ 16 Investigations and Enforcement

#### Sec. 3-1-1 Declaration of Policy.

To ensure that the public can have complete confidence in the integrity of Columbia County Government, each elected official and employee shall respect and adhere to the fundamental principals of ethical service. The proper operation of county government demands that:

- (a) Columbia County officials and employees be independent, impartial and responsible to the people;
- (b) Decisions be made in the proper channels of the county governmental structure;
- (c) County offices should not be used for personal gain;
- (d) County business should be conducted in such a way so as to re-enforce the public's confidence in its integrity.

In recognition of these fundamental principles, there is hereby created a Code of Ethics.

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#### Sec. 3-1-2 Purpose.

The purpose of this Code is to establish ethical standards of conduct for all County officials and employees by identifying those acts or actions that are not compatible with the best interests of the County. Because representatives of the County are drawn from society, they cannot and should not be without all personal and economic interest in the decisions and policies of government. Citizens who are appointed to serve as County officials and employees retain their rights as citizens to personal and economic interests. Therefore, the standards of ethical conduct for County officials and employees must distinguish between minor and inconsequential conflicts which are unavoidable and those conflicts which are substantial and material. The provisions of this Ceode, and such rules and regulations which may be established, are to be interpreted in the context of the above principles and are deemed to be in the best interest of the public.

#### Sec. 3-1-3 Responsibility of Public Office.

County officials and employees are agents of public purpose and hold office to serve the public interest. They are bound to uphold the Constitution of the United States, the Constitution of the State of Wisconsin and to carry out efficiently and impartially all laws of the United States, the State of Wisconsin, and the Ordinances of Columbia County. Further, they are bound to observe in their official acts, the standards of ethics set forth in this Ceode and to faithfully discharge the duties of their office. The public interest must be their primary concern.

#### Sec. 3-1-4 Coverage.

This Ceode governs all County officials, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions, department heads, and other County employees.

#### Sec. 3-1-5 Exemptions.

Political contributions which are reported under Chapter 11, Wis. Stats., are exempt from the provisions of this Ceode.

#### Sec. 3-1-6 Definitions.

(a) Person: Any individual, corporation, partnership, joint venture, association or organization.

(b) Financial Interest: Any interest which yields, directly or indirectly, a monetary or other material benefit to the County officer or employee or to any person employing or retaining services of the County officer or employee.

(c) Anything of Value: Any money or property, favor, service, payment, advance forbearance, loan or promise of future employment, but does not include such things as compensation and expenses paid by the Sstate or County, fees, honorariums and expenses, unsolicited advertising or promotional material such as pens, pencils, notepads, calendars, informational or educational materials of unexceptional value, plaques, other advertising giveaways or any other thing which is not likely to influence the judgment of individuals covered by this Ceode.

(d) Privileged Information: Any written or oral material related to County government which has not become part of the body of public information and which is designated by statute, court decision, lawful orders, ordinances, resolution or custom as privileged.

(e) Official: All Ceounty department heads or directors, County supervisors, and all other Ceounty elected and appointed officers, except judges and district attorneys.

(f) Employee: All persons filling an allocated position of County employment and all members of boards, committees, and commissions.

(g) Immediate Family: An official's or employee's spouse, children, stepchildren, parents, stepparents, or other legal relation who contributes more than one-half of the support of the official or receives that level of support from the official or employee.



Sec. 3-1-7 Fair and Equal Treatment.

- (a) Use of Public County Property: An official or employee shall not use, or knowingly permit the use, of County services or County-owned property, vehicles, equipment, or materials for ~~unauthorized non-governmental purposes or for unauthorized personal convenience, gain, or for profit,~~ unless such services or use are available to the public generally and consistent with practices and policies of the County of the public official, employee, or members of their immediate family.
- (b) Obligations to Citizens: An official or employee shall not grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen. This section does not affect the duty of County supervisors to diligently represent their constituency.

Sec. 3-1-8 Conflicts of Interest.

- (a) Receipt of Gifts and Gratuities Prohibited: An official or employee shall not accept anything of value whether in the form of a gift, service, loan or promise from any person which may impair his or her independence of judgment or action in the performance of his or her official duties.
- (b) Exception: It is not a conflict of interest for an official or employee to receive a gift or gratuity that is an unsolicited item of insignificant value or anything which is given to them independent of their position as an official or employee. For the purposes of this Code, "insignificant value" shall be defined as a maximum of Ten Dollars (\$10.00).
- (c) Business Interest: An official or employee shall not engage in any business or transaction or act in regard to any financial interest, direct or indirect, which:
- (1) is incompatible with the proper discharge of his or her official duties for the benefit of the public;
  - (2) is contrary to the provisions of this Code; or
  - (3) may impair his or her independence of judgment or action in the performance of his or her official duties.
- (d) Employment: An official or employee shall not engage in or accept any private employment or render any service for a private interest when such employment or service is incompatible with the proper discharge of his or her official duties or which may impair his or her independence of judgment or action in the performance of his or her official duties unless otherwise permitted by law or unless disclosure is made as hereinafter provided. An employee shall obtain prior written approval from their ~~Department Head~~ Corporation Counsel, or in the case of a Department Head, from the ~~applicable oversight committee~~ County Board Chair, before engaging in outside employment.
- (e) Contracting: An official or employee or a business in which an official or employee holds a 10% or greater interest, may not enter into a contract with the County involving a payment or payments of more than \$1,000 ~~amount~~ within a twelve (12) month period unless the official or employee has made a written disclosure of the nature and extent of such relationship or interest to the ~~County Clerk~~ Corporation Counsel and reported such interest to the County Board Chair. Further, pursuant to s. 946.13, Wis. Stats., an official or employee is prohibited from participating in the formation of a contract or contracts with Columbia County involving the receipts or disbursements of more than \$15,000 in any year.
- (1) Contractors and Vendors. Contractors and Vendors are required to disclose personal interests that may be created with any County official or employee.
  - (2) Employees. No official or employee may participate in the selection, award, or administration of contracts, agreements, or any similar business relationship with the County in which that person has an actual or apparent conflict of interest.
- (f) Annual Conflict of Interest Disclosure Statement: All County Elected Officials, Department Heads, Managers and Staff who have responsibility over contracts or purchasing shall be required to complete an Annual Conflict of Interest Disclosure Statement on a form provided by the County and shall file that Statement in the Corporation Counsel's Office by January 1 of each year.

#### Sec. 3-1-9 Financial Interest in Legislation.

A member of the County Board who has a financial interest in any proposed action before the County Board shall disclose the nature and extent of such interest to the ~~County Clerk~~ Corporation Counsel and the County Board Chair prior to or during the initial discussion of such action and shall refrain from participating in the discussion of and/or voting on such action. A member of the County Board shall request to be excused by the Board or Committee chairperson for the duration of any deliberations concerning such action in which the member has a financial interest. Any other official or employee who has a financial interest in any proposed action before the County Board, and who participates in discussion with or gives an official opinion or recommendation to the County Board, shall first disclose the nature and extent of such interest to the County Board Chair.

#### Sec. 3-1-10 Disclosure of Privileged Information.

An official or employee shall not knowingly disclose or permit the disclosure of privileged information to any person not lawfully authorized to receive such privileged information. An official or employee shall not use privileged information to advance his or her personal financial interest or that of his or her immediate family.

#### Sec. 3-1-11 Gifts and Favors.

An official or employee shall not accept, from any person or organization directly or indirectly, anything of value without full payment, if it could reasonably be expected to influence his or her vote, governmental actions or judgments or is provided to such official or employee because of their position or office and could reasonably be considered as a reward for any governmental action or inaction.

#### Sec. 3-1-12 Kickbacks Prohibited

It is prohibited for any payment, gift, or gratuity to be made to a County official or employee, by or on behalf of, a potential vendor, contractor, or subcontractor, as an inducement for selection.

#### ~~Sec. 3-1-12~~ Sec. 3-1-13 Nepotism.

(a) Department Heads are prohibited from hiring a person related to them for County employment.

(b) No person shall be employed, promoted, or transferred to any department, division, or work unit when, as a result, the employee would be directly supervising or receiving direct supervision from a related person.

(c) "Related person" shall mean spouse, parents, children, siblings, uncle, aunt, nephew, niece, grandparents, grandchildren, father-in-law, mother-in-law, stepchildren, stepparents and any person sharing the employee's residence.

#### ~~Sec. 3-1-13~~ Sec. 3-1-14 State Statutes Incorporated.

(a) Statutes Incorporated by Reference: The following sections of the Wisconsin Statutes are hereby incorporated by reference and made a part of this Code of Ethics:

§19.01 (Oaths and Bonds)

§19.21 (Custody and Delivery of Official Property and Records)

§19.81-§19.8998 (Open Meetings of Governmental Bodies)

§19.59 (Codes of Ethics for Local Government Officials, Employees and Candidates).

§946.10-946.18 (Bribery and Misconduct).

(b) Violation of Incorporated Statutes: Officials shall comply with the sections of the Wisconsin Statutes incorporated in this Code and failure to do so shall constitute a violation of this ~~Code of Ethics~~.

#### Sec. 3-1-15 Disclosure to Federal Government.

Under the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR Part 100.113, any violations of law, fraud, or bribery in any Federally funded grant program shall be reported to the Federal grantor agency or pass through entity. Failure to report such violations could result in remedies against the County including suspension and debarment.

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Sec. 3-1-~~1416~~ Investigations and Enforcement.

(a) Advisory Opinions: Any person governed by this Code of Ethics may apply in writing to the ~~County~~ Corporation Counsel for an advisory opinion and shall be guided by any opinion rendered. The applicant shall present his or her interpretation of the facts at issue and of the applicability of provisions of this Code before the advisory opinion is rendered. All requests for opinion and opinions rendered shall be in writing.

Records of the Corporation Counsel's opinions, opinion requests and investigations of violations shall be closed to public inspection, as required by Chapter 19, Wis. Stats. However, such records may be made public with the consent of the applicant.

(b) Complaints: The Corporation Counsel shall accept from any person a verified written complaint which states the name of the officer or employee alleged to have committed a violation of this Code and sets forth the material facts involved in the allegation. The Corporation Counsel shall forward a copy of the complaint to the accused officer or employee and the ~~County Ethics Inquiry Board Chair~~, within ten (10) business days. ~~If no action on the verified complaint is taken by the Ethics Inquiry Board within thirty (30) days, the complaint shall be dismissed.~~

(c) Preliminary Investigations: Following the receipt of a verified complaint, the ~~Ethics Inquiry Board~~ Corporation Counsel may make preliminary investigations with respect to alleged violation of this Code. A preliminary investigation shall not be initiated unless the accused officer or employee is notified in writing. The notice shall state the exact nature and purpose of the investigation, the individual's specific action or activities to be investigated and a statement of such person's due process rights. If the ~~Ethics Inquiry Board~~ Corporation Counsel finds probable cause to believe the allegations contained in the complaint, ~~then the Corporation Counsel shall recommend that the County Board Chair refer the complaint shall be referred~~ to hearing pursuant to 3-1-~~1416~~(e) below before the Ethics Inquiry Board. ~~If probable cause is not found, then the complaint shall be dismissed.~~

(d) Time Limitations: The ~~Ethics Inquiry Board~~ Corporation Counsel may investigate any complaint properly filed ~~with it under this Code~~. However, no action may be taken on any complaint ~~which that~~ is filed more than one (1) year after a violation of the ~~Ethics~~ this Code is alleged to have occurred.

(e) Ethics Inquiry Board: ~~There is hereby created~~ After a finding of probable cause to believe the allegations contained in a complaint, an Ethics Inquiry Board to consisting of three (3) ~~members and one alternate, one of whom shall be an attorney licensed to practice law in the State of Wisconsin, shall be appointed by the County Board Chairperson with the approval of the County Board Executive Committee.~~ The members of the Ethics Inquiry Board shall be residents of the Columbia County and shall not be County Public Officials during the time of appointment, ~~and shall serve staggered three year terms expiring on the third Tuesday in April of the third year following their appointment except as otherwise provided in the implementation of this ordinance.~~ The Corporation Counsel shall provide legal advice, ~~secretarial~~ administrative services and assistance to the Ethics Inquiry Board. The Ethics Inquiry Board shall be entitled to mileage and per diem payments for its meetings and hearings ~~of the Board~~ on the same basis as is provided to other Columbia County Boards, Committees or Commissions.

(1) Powers and Duties: The Ethics Inquiry Board shall ~~be responsible for investigating a complaint, and conducting a fact finding hearing pursuant to subparagraph 3-1-1416(e)(3) below, in any case where the Ethics Inquiry Board~~ Corporation Counsel has found that probable cause exists ~~for to believeing~~ the allegations of a complaint referred to the Ethics Inquiry Board after preliminary review pursuant to subparagraph 3-1-~~1416~~(b) through (d) above.

(2) Burden of Proof: The burden of proving a violation alleged in the complaint shall be on the complainant. Violations shall be proved by evidence that is clear, satisfactory and convincing.

(3) Hearing: The Ethics Inquiry Board may hold, and an individual against whom a complaint has been made and where the complaint has been referred to the Ethics Inquiry Board may request, a hearing before the Board. The Board shall keep a record of the hearing. The Board shall have the power to compel the attendance of witnesses and to issue subpoenas as granted to other boards and commissions under Section 885.01 Wisconsin Statutes.

(a) Within ten (10) work business days of the conclusion of the hearing, the Ethics Inquiry Board shall ~~file~~ issue its written findings and recommendations signed by all participating Board members, together with findings of fact and conclusions of law, concerning the propriety of the conduct of the public official. If the Board determines that no violation of the Code of Ethics has occurred, it shall dismiss the complaint, ~~and if requested to do so by the accused, issue a public statement.~~

(b) No recommendation of the Board becomes effective until twenty (20) work business days after it is issued, or while an application for rehearing or rehearing before the Board is pending, or the Board has announced its final determination on rehearing.

(4) Enforcement and Penalties: If the Ethics Inquiry Board finds that clear, satisfactory and convincing evidence exists ~~for to believeing~~ the allegations of the complaint, then the ~~Ethics Inquiry~~ Board shall refer its findings and recommendation to the Executive Committee. The Executive Committee may:

(a) Order the officer or employee to conform his or her conduct to the Ethics Code or recommend that the official or employee be censured, suspended, removed from office, be issued a private reprimand, public reprimand, and in the case of an employee, may also recommend denial of merit increase, suspension without pay, discharge, or other appropriate disciplinary action.

(b) The Ethics Inquiry Board may also refer the matter to the District Attorney to commence enforcement pursuant to the procedures and remedies of §19.59, Wis. Stats.

(5) Discharge of Ethics Inquiry Board Following Final Determination: The County Board Chair shall discharge the members of the Ethics Inquiry Board following the Board's final determination on a complaint made under this Code.

Fiscal Note: None

Fiscal Impact: None

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

DATE PASSED:

DATE PUBLISHED:

Motion was made by Drew, second by Baumgartner, to approve.

Motion by Rashke to amend Section 3-1-7(g) by eliminating the last sentence of paragraph.

Second by Baumgartner.

Motion to amend failed on a roll call vote as follows:

AYES: 6; NOES: 21; ABSENT: 1

AYES: Foley, Rashke, Sleger, St. Maurice, Sumnicht and Baumgartner.

NOES: Hutler, Kessler, Konkel, Long, McClyman, Pufahl, Rohrbeck, Ross, Stevenson, Teitgen, Tramburg, Weyh, Wingers, Zander, Attoe, Bradley, Cupery, De Young, Drew, Field and Gove.

ABSENT: Brooks.

Motion by Pufahl to table the Ordinance for further review of Section 3-1-7(g). Second by Bradley.  
Motion carried, not unanimously.

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## **ORDINANCE NO. Z454-16**

The Columbia County Board of Supervisors do ordain as follows: That Title 16 – Chapter 100, entitled “Zoning”, of the County Code, as passed by the Board of Supervisors on May 14, 2014 is hereby amended and added thereto as follows:

- (1) “To change from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay”, (Hazel Mulryan Revocable Trust, Petitioner and Owner) parcels of land located in Section 6, T12N, R10E, Town of Wyocena, described as follows: 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. 5776 as recorded in Volume 41 of Certified Survey Maps, page 26, as Document No. 883934 located in part of Government Lots 1, 2, 4 and 5, Section 6, Town 12 North, Range 10 East, Town of Wyocena, Columbia County, Wisconsin, described as follows: Commencing at the North Quarter corner of Section 6; thence North 89°30’23” East along the North line of the Northeast Quarter of said Section 6 and the North line of Lot 1, Certified Survey Map No. 5776, 464.21 feet; thence South 07°39’28” East along the East line of said Lot 1, 318.15 feet to the point of beginning; thence continuing South 07°39’28” East along the East line of said Lot 1, 772.90 feet to the Southeast corner thereof; thence South 89°29’33” West along the South line of said Lot 1, 1,528.79 feet to the Southwest corner thereof said point being in the centerline of Country Club Road; thence North 01°34’08” East along the West line of said Lot 1 and the centerline of Country Club Road, 767.23 feet; thence North 89°29’09” East, 1,404.79 feet to the point of beginning. Containing 1,124,749 square feet (25.82 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 A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay”, (David and Judith Leege Trust, Petitioners and Owners) parcels of land located in Section 12, T13N, R6E, Town of Newport, 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. 2935 as recorded in Volume 19 of Certified Survey Maps, page 45 as Document No. 576591 located in the Northwest Quarter of the Southwest Quarter and being a part of the Southwest Quarter of the Southwest Quarter all located in Section 12, Town 13 North, Range 6 East, Town of Newport, Columbia County, Wisconsin, described as follows: Commencing at the Southwest corner of said Section 12; thence North 00°12’56” East along the West line of the Southwest Quarter of said Section 12, 944.17 feet; thence North 57°23’17” East, 39.27 feet to a point in the East right-of-way line of County Trunk Highway WD and the point of beginning; thence North 00°12’56” East along the East right-of-way line of County Trunk Highway WD, 322.00 feet; thence North 57°23’17” East, 282.73 feet; thence South 00°12’56” West, 322.00 feet; thence South 57°23’17” West, 282.73 feet to the point of beginning. Containing 76,500 square feet, (1.76 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 Southwest Quarter of Section 12, Town 13 North, Range 6 East, Town of Newport, Columbia County, Wisconsin, described as follows: Beginning at the Southwest corner of said Section 12; thence North 00°12’56” East along the West line of the Southwest Quarter of said Section 12, 944.17 feet; thence North 57°23’17” East, 322.00 feet; thence North 00°12’56” East, 191.55 feet to a point in the North line of the Southwest Quarter of the Southwest of said Section 12; thence South 89°10’43” East along the North line of the Southwest Quarter of the Southwest Quarter of said Section 12, 1,035.77 feet to the Northeast corner thereof; thence South 00°14’20” West along the East line of the Southwest Quarter of the Southwest Quarter of said Section 12, 1,314.90 feet to the Southeast corner thereof; thence North 89°06’03” West along the South line of the Southwest Quarter of said Section 12, 1,305.84 feet to the point of beginning. Containing 1,640,302 square feet, (37.66 acres), more or less. All effective upon recording of the Certified Survey Map.

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

DATE PASSED: November 15, 2016

DATE PUBLISHED: November 21, 2016

Motion was made by Teitgen, second by McClyman, to approve the rezone requests for Hazel Mulryan Revocable Trust, Petitioner and Owner and David and Judith Leege Trust, Petitioners and Owners. The motion carried. The Ordinance was declared passed and is to be known as Ordinance Z454-16.

The Clerk announced the following:

- Expense Reimbursement Form has been revised to meet audit requirements and will require an "original" signature. Revised forms were placed in supervisor's mailboxes and should be used starting with November 2016 expenses.
- Annual Conflict of Interest Disclosure Statement will be carried over until next month due to the motion to table the proposed Ordinance to Amend Title 3, Chapter 1, Code of Ethics.
- The Holiday Luncheon will be held at Suzy's Steakhouse following the next board meeting. Invitations were placed in supervisor's mailboxes. RSVP and payment are due to the County Clerk's Office by Friday, December 16<sup>th</sup>.

Teitgen moved adjournment of this meeting to Wednesday, December 21, 2016 at 9:45 a.m. Second was made by McClyman. The motion carried. The meeting adjourned at 10:55 a.m.

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PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
December 21, 2016  
9:45 a.m.

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

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

Members stood and recited the Pledge of Allegiance.

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

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

Aaron Brower, Provost and Vice Chancellor for UW-Extension, was unable to attend the meeting and will reschedule the status update on the nEXT Generation Project at a later date.

Chair Gove gave recognition for years of service to the County for the following employees:

- (1) Patti Herman, UW-Extension, was presented with a plaque in appreciation of her service to Columbia County. Matt Hanson, Southwest Regional Director of UW-Extension, gave the presentation.
- (2) Dawn Barden, Solid Waste Department (not present)
- (3) Kim Bauer, Columbia Health Care Center
- (4) Leonard Schlender, Columbia Health Care Center
- (5) Cindy Devine, Accounting Department
- (6) Susan Runnion, Planning and Zoning Department (not present)
- (7) Barb Salna, Health and Human Services Department (not present)
- (8) Fred Taylor, Highway Department

Respective Department Heads of those in attendance, thanked retirees for all their years of service and wished them well.

Chair Gove recognized and congratulated the Columbia Health Care Center for being named a "Best Nursing Home 2016-2017" with a rating of 4.9 (out of a possible 5) by U.S. New & World Report.

Konkel gave an update of the Ad Hoc Building Committee, stating the committee reviewed furniture bids and will need to make a determination to use alternate furniture systems, that didn't meet the basis of design requirements, for a cost savings to the project. Konkel also provided an overview of upcoming bids for the DHIA/Shop building, audio system, and courthouse remodel.

The following appointments were announced:

- 1) County Surveyor: Jim Grothman, term January 1, 2017 to December 31, 2018. Motion by Teitgen, second by Pufahl, the appointment was approved.
- 2) Highway Commissioner: Chris Hardy. Motion by Foley, second by De Young, the appointment was approved.
- 3) Veterans Service Commission: Norm Bednarek, reappointment term to December, 2019. Motion by Hutler, second by McClyman, the appointment was approved.
- 4) Zoning Board of Adjustment: Helen McDonald Rawson, from alternate to permanent, term to July, 2018 and Norm Wills from permanent to alternate, term to July, 2019. Motion by Teitgen, second by Kessler, the appointments were approved.

Joseph Ruf, Corporation Counsel/Human Resources Director, reported on the proposed 2017 Sheriff's Sworn Union Contract (WPPA-LEER). A handout was provided to supervisors in their board packets for review. Motion by Drew, second by Konkel, to ratify the Contract. Motion carried.

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## **RESOLUTION NO. 48-16**

WHEREAS, the Town of Courtland has been granted the authority to exercise village powers under Wis Stat. § 60.12(2)(c); and

WHEREAS, a public hearing was held and the Courtland Town Board, on August 2, 2016 voted to approve the ordinance amendment; and

WHEREAS, the Columbia County Board of Supervisors approved the Town of Courtland Zoning Ordinance on December 18, 2013; and

WHEREAS, Wis Stat. § 60.62(3) states that no town zoning ordinance or amendment to a town zoning ordinance may be adopted unless approved by the county board in counties having a county zoning ordinance in effect; and

WHEREAS, your Committee, based upon the facts of the request, does recommend that the amendment to the Town of Courtland Zoning Ordinance, as referenced in "Exhibit A", be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Columbia County Board of Supervisors that the amendment to the Town of Courtland Zoning Ordinance which rezones 2 acres of parcel 576 from A-1 Agriculture & Farmland Preservation to R-1 Rural Residential as represented by "Exhibit A" attached to and made a part of this resolution be approved effective upon filing the Certified Survey Map.

Fiscal Impact: None

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

### **"EXHIBIT A"**

|                           |   |
|---------------------------|---|
| Town of Courtland Rezone: | Rezoning from A-1 Agriculture & Farmland Preservation District to R-1 Rural Residential |
| Petitioners and Owners:   | Jason Jung  |
| Description of Property:  | A part of the NE ¼ of the NW ¼ , Section 27, T12N, R12E, Parcel 576, Town of Courtland  |
| Site Address:             | W1102 CTH G   |
| Date:                     | December 21, 2016   |

### **Background**

The Town of Courtland adopted a Town Zoning Ordinance in December of 2013. According to 60.62(3) Wisconsin Statutes in counties having a county zoning code, no town zoning ordinance or amendment of a town zoning ordinance may be adopted under this section unless approved by the County Board. The Planning and Zoning Committee is responsible for reviewing town zoning amendment requests and for recommending that the County Board approve or deny such amendments.

### **Town Request**

Jason Jung petitioned the Town of Courtland to rezone a 2 acre Certified Survey Map (CSM) lot, attached, on CTH G from A-1 Agriculture & Farmland Preservation to R-1 Rural Residential. There is an existing house on the land to be rezoned. The air photo on the next page shows the existing lot and the surrounding land uses.

### **Town Board Action**

Following a public hearing on November 1, 2016 the Town Board of the Town of Courtland approved Ordinance 2016-5, attached, to rezone 2 acres from A-1 Agriculture & Farmland Preservation to R-1 Rural Residential.

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### Recommendation

Staff recommends the approval of rezoning the 2.00 acres of the NE ¼ of the NW ¼ of Section 27 in the Town of Courtland from A-1 Agriculture & Farmland Preservation to R-1 Rural Residential.

### Proposed Rezoning Jung Property



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

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### **RESOLUTION NO. 49-16**

WHEREAS, Columbia County has the authority to accept land dedicated as a public road under Columbia County Code of Ordinances § 16-205-050 D and Chapter 236, Wis. Stats.; and,

WHEREAS, the land owner, David and Judith Leege Joint Revocable Trust has caused the creation of the attached certified survey map, which dedicates land described by that certified survey map; and,

WHEREAS, the certified survey map has been reviewed by the Planning and Zoning Committee under Columbia County Code of Ordinances § 16-205-050 D; and,

WHEREAS, the Columbia County Highway and Transportation Department is aware of the land dedicated for use by the public as County Highway WD.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors accepts dedication of land in of the NW ¼ of the SW ¼ & the SW ¼ of the SW ¼ Section 12, T. 13 N., R. 6 E., for a public road, known County Highway WD, and as described in Exhibit A; and,

BE IT FURTHER RESOLVED, that the Director of Columbia County Planning and Zoning Department is authorized to sign the County Highway Acceptance Certificate that appears on the certified survey map.

Fiscal Impact: None

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

#### Dedication of County Highway WD

|                          |   |
|--------------------------|---|
| Petitioners; Owners:     | David and Judith Leege Joint Revocable Trust  |
| Description of Property: | Being a part of the NW ¼ of the SW ¼ and the SW ¼ of the SW ¼<br>Section 12, T. 13 N., R. 6 E., Town of Newport |
| Site Address:            | County Highway WD   |
| Date:                    | December 21, 2016   |

#### Background

The David and Judith Leege Trust is the owner of lands in the NW ¼ of the SW ¼ and the SW ¼ of SW ¼ of Section 12 in the Town of Newport. Part of this land is being divided by a Certified Survey Map (CSM) and .29 acres of the land within the CSMS is used by the public as a County Highway. Section 16-205-050 D of the County Land and Subdivision Ordinance requires that lands used by the public as a County Highway be dedicated to the County.

The draft CSM that will be used to dedicate the right of way CTH WD is attached and the location is illustrated on the map on next page.

The County Highway and Transportation Department has reviewed the dedication.

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## Map 1 Leege CTH Dedication



### Recommendation

Staff recommends approval of the dedication of County Highway WD as proposed.

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

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## **ORDINANCE NO. 171-16**

The Columbia County Board of Supervisors do ordain as follows: That Title 3, Chapter 1, Code of Ethics, is hereby amended as follows:

- 3-1-1 Declaration of Policy
- 3-1-2 Purpose
- 3-1-3 Responsibility of Public Office
- 3-1-4 Coverage
- 3-1-5 Exemptions
- 3-1-6 Definitions
- 3-1-7 Fair and Equal Treatment
- 3-1-8 Conflicts of Interest
- 3-1-9 Financial Interest in Legislation
- 3-1-10 Disclosure of Privileged Information
- 3-1-11 Gifts and Favors
- 3-1-12 Kickbacks Prohibited
- ~~3-1-12~~13 Nepotism
- ~~3-1-13~~14 State Statutes Incorporated
- 3-1-15 Disclosure to Federal Government
- ~~3-1-14~~16 Investigations and Enforcement

### Sec. 3-1-1 Declaration of Policy.

To ensure that the public can have complete confidence in the integrity of Columbia County Government, each elected official and employee shall respect and adhere to the fundamental principals of ethical service. The proper operation of county government demands that:

- (a) Columbia County officials and employees be independent, impartial and responsible to the people;
- (b) Decisions be made in the proper channels of the county governmental structure;
- (c) County offices should not be used for personal gain;
- (d) County business should be conducted in such a way so as to re-enforce the public's confidence in its integrity.

In recognition of these fundamental principles, there is hereby created a Code ~~o~~f Ethics.

### Sec. 3-1-2 Purpose.

The purpose of this Code is to establish ethical standards of conduct for all County officials and employees by identifying those acts or actions that are not compatible with the best interests of the County. Because representatives of the County are drawn from society, they cannot and should not be without all personal and economic interest in the decisions and policies of government. Citizens who are appointed to serve as County officials and employees retain their rights as citizens to personal and economic interests. Therefore, the standards of ethical conduct for County officials and employees must distinguish between minor and inconsequential conflicts which are unavoidable and those conflicts which are substantial and material. The provisions of this Code, and such rules and regulations which may be established, are to be interpreted in the context of the above principles and are deemed to be in the best interest of the public.

### Sec. 3-1-3 Responsibility of Public Office.

County officials and employees are agents of public purpose and hold office to serve the public interest. They are bound to uphold the Constitution of the United States, the Constitution of the State of Wisconsin and to carry out efficiently and impartially all laws of the United States, the State of Wisconsin, and the Ordinances of Columbia County. Further, they are bound to observe in their official acts, the standards of ethics set forth in this Code and to faithfully discharge the duties of their office. The public interest must be their primary concern.



#### Sec. 3-1-4 Coverage.

This Ceode governs all County officials, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions, department heads, and other County employees.

#### Sec. 3-1-5 Exemptions.

Political contributions which are reported under Chapter 11, Wis. Stats., are exempt from the provisions of this Ceode.

#### Sec. 3-1-6 Definitions.

(a) Person: Any individual, corporation, partnership, joint venture, association or organization.

(b) Financial Interest: Any interest which yields, directly or indirectly, a monetary or other material benefit to the County officer or employee or to any person employing or retaining services of the County officer or employee.

(c) Anything of Value: Any money or property, favor, service, payment, advance forbearance, loan or promise of future employment, but does not include such things as compensation and expenses paid by the Sstate or County, fees, honorariums and expenses, unsolicited advertising or promotional material such as pens, pencils, notepads, calendars, informational or educational materials of unexceptional value, plaques, other advertising giveaways or any other thing which is not likely to influence the judgment of individuals covered by this Ceode.

(d) Privileged Information: Any written or oral material related to County government which has not become part of the body of public information and which is designated by statute, court decision, lawful orders, ordinances, resolution or custom as privileged.

(e) Official: All Ceounty department heads or directors, County supervisors, and all other Ceounty elected and appointed officers, except judges and district attorneys.

(f) Employee: All persons filling an allocated position of County employment and all members of boards, committees, and commissions.

(g) Immediate Family: An official's or employee's spouse, children, stepchildren, parents, stepparents, or other legal relation who contributes more than one-half of the support of the official or receives that level of support from the official or employee.

#### Sec. 3-1-7 Fair and Equal Treatment.

(a) Use of Public County Property: An official or employee shall not use, or knowingly permit the use, of County services or County-owned property, vehicles, equipment, or materials for ~~unauthorized~~ non-governmental purposes or for ~~unauthorized~~ personal convenience, gain, or for profit, ~~unless such services or use are available to the public generally and consistent with practices and policies of the County of the public official, employee, or members of their immediate family.~~

(b) Obligations to Citizens: An official or employee shall not grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen. This section does not affect the duty of County supervisors to diligently represent their constituency.

#### Sec. 3-1-8 Conflicts of Interest.

(c) Receipt of Gifts and Gratuities Prohibited: An official or employee shall not accept anything of value whether in the form of a gift, service, loan or promise from any person which may impair his or her independence of judgment or action in the performance of his or her official duties.

(d) Exception: It is not a conflict of interest for an official or employee to receive a gift or gratuity that is an unsolicited item of insignificant value or anything which is given to them independent of their position as an official or employee. For the purposes of this Code, "insignificant value" shall be defined as a maximum of Ten Dollars (\$10.00).

(e) Business Interest: An official or employee shall not engage in any business or transaction or act in regard to any financial interest, direct or indirect, which:

(1) is incompatible with the proper discharge of his or her official duties for the benefit of the public;

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(2) is contrary to the provisions of this Code; or  
(3) may impair his or her independence of judgment or action in the performance of his or her official duties.

(f) Employment: An official or employee shall not engage in or accept any private employment or render any service for a private interest when such employment or service is incompatible with the proper discharge of his or her official duties or which may impair his or her independence of judgment or action in the performance of his or her official duties unless otherwise permitted by law or unless disclosure is made as hereinafter provided. An employee shall obtain prior written approval from their ~~Department Head~~ Corporation Counsel, or in the case of a Department Head, from the ~~applicable oversight committee~~ County Board Chair, before engaging in outside employment.

(g) Contracting: An official or employee or a business in which an official or employee holds a 10% or greater interest, may not enter into a contract with the County involving a payment or payments of more than \$1,000 ~~amount~~ within a twelve (12) month period unless the official or employee has made a written disclosure of the nature and extent of such relationship or interest to the ~~County Clerk~~ Corporation Counsel and reported such interest to the County Board Chair. ~~Further, pursuant to s. 946.13, Wis. Stats., an official or employee is prohibited from participating in the formation of a contract or contracts with Columbia County involving the receipts or disbursements of more than \$15,000 in any year.~~

(1) Contractors and Vendors. Contractors and Vendors are required to disclose personal interests that may be created with any County official or employee.

(2) Employees. No official or employee may participate in the selection, award, or administration of contracts, agreements, or any similar business relationship with the County in which that person has an actual or apparent conflict of interest.

(h) Annual Conflict of Interest Disclosure Statement: All County Elected Officials, Department Heads, Managers and Staff who have responsibility over contracts or purchasing shall be required to complete an Annual Conflict of Interest Disclosure Statement on a form provided by the County and shall file that Statement in the Corporation Counsel's Office by January 1 of each year.

#### Sec. 3-1-9 Financial Interest in Legislation.

A member of the County Board who has a financial interest in any proposed action before the County Board shall disclose the nature and extent of such interest to the ~~County Clerk~~ Corporation Counsel and the County Board Chair prior to or during the initial discussion of such action and shall refrain from participating in the discussion of and/or voting on such action. A member of the County Board shall request to be excused by the Board or Committee chairperson for the duration of any deliberations concerning such action in which the member has a financial interest. Any other official or employee who has a financial interest in any proposed action before the County Board, and who participates in discussion with or gives an official opinion or recommendation to the County Board, shall first disclose the nature and extent of such interest to the County Board Chair.

#### Sec. 3-1-10 Disclosure of Privileged Information.

An official or employee shall not knowingly disclose or permit the disclosure of privileged information to any person not lawfully authorized to receive such privileged information. An official or employee shall not use privileged information to advance his or her personal financial interest or that of his or her immediate family.

#### Sec. 3-1-11 Gifts and Favors.

An official or employee shall not accept, from any person or organization directly or indirectly, anything of value without full payment, if it could reasonably be expected to influence his or her vote, governmental actions or judgments or is provided to such official or employee because of their position or office and could reasonably be considered as a reward for any governmental action or inaction.

#### Sec. 3-1-12 Kickbacks Prohibited

It is prohibited for any payment, gift, or gratuity to be made to a County official or employee, by or on behalf of, a potential vendor, contractor, or subcontractor, as an inducement for selection.

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Sec. 3-1-~~12~~13 Nepotism.

(a) Department Heads are prohibited from hiring a person related to them for County employment.

(b) No person shall be employed, promoted, or transferred to any department, division, or work unit when, as a result, the employee would be directly supervising or receiving direct supervision from a related person.

(c) "Related person" shall mean spouse, parents, children, siblings, uncle, aunt, nephew, niece, grandparents, grandchildren, father-in-law, mother-in-law, stepchildren, stepparents and any person sharing the employee's residence.

Sec. 3-1-~~13~~14 State Statutes Incorporated.

(a) Statutes Incorporated by Reference: The following sections of the Wisconsin Statutes are hereby incorporated by reference and made a part of this Code of Ethics:

§19.01 (Oaths and Bonds)

§19.21 (Custody and Delivery of Official Property and Records)

§19.81-§19.8998 (Open Meetings of Governmental Bodies)

§19.59 (Codes of Ethics for Local Government Officials, Employees and Candidates).

§946.10-946.18 (Bribery and Misconduct).

(b) Violation of Incorporated Statutes: Officials shall comply with the sections of the Wisconsin Statutes incorporated in this Code and failure to do so shall constitute a violation of this Code of Ethics.

Sec. 3-1-15 Disclosure to Federal Government.

Under the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR Part 100.113, any violations of law, fraud, or bribery in any Federally funded grant program shall be reported to the Federal grantor agency or pass through entity. Failure to report such violations could result in remedies against the County including suspension and debarment.

Sec. 3-1-~~14~~16 Investigations and Enforcement.

(a) Advisory Opinions: Any person governed by this Code of Ethics may apply in writing to the ~~County~~ Corporation Counsel for an advisory opinion and shall be guided by any opinion rendered. The applicant shall present his or her interpretation of the facts at issue and of the applicability of provisions of this Code before the advisory opinion is rendered. All requests for opinion and opinions rendered shall be in writing.

Records of the Corporation Counsel's opinions, opinion requests and investigations of violations shall be closed to public inspection, as required by Chapter 19, Wis. Stats. However, such records may be made public with the consent of the applicant.

(b) Complaints: The Corporation Counsel shall accept from any person a verified written complaint which states the name of the officer or employee alleged to have committed a violation of this Code and sets forth the material facts involved in the allegation. The Corporation Counsel shall forward a copy of the complaint to the accused officer or employee and the County Ethics Inquiry Board Chair, within ten (10) business days. ~~If no action on the verified complaint is taken by the Ethics Inquiry Board within thirty (30) days, the complaint shall be dismissed.~~

(c) Preliminary Investigations: Following the receipt of a verified complaint, the ~~Ethics Inquiry Board~~ Corporation Counsel may make preliminary investigations with respect to alleged violation of this Code. A preliminary investigation shall not be initiated unless the accused officer or employee is notified in writing. The notice shall state the exact nature and purpose of the investigation, the individual's specific action or activities to be investigated and a statement of such person's due process rights. If the ~~Ethics Inquiry Board~~ Corporation Counsel finds probable cause to believe the allegations contained in the complaint, then the Corporation Counsel shall recommend that the County Board Chair refer the complaint shall be referred to hearing pursuant to 3-1-~~14~~16(e) below before the Ethics Inquiry Board. If probable cause is not found, then the complaint shall be dismissed.

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(d) Time Limitations: The ~~Ethics Inquiry Board~~ Corporation Counsel may investigate any complaint properly filed ~~with it under this Code~~. However, no action may be taken on any complaint ~~which that~~ is filed more than one (1) year after a violation of ~~the Ethics~~ this Code is alleged to have occurred.

(e) Ethics Inquiry Board: ~~There is hereby created~~ After a finding of probable cause to believe the allegations contained in a complaint, an Ethics Inquiry Board ~~to consisting of three (3) members and one alternate, one of whom shall be an attorney licensed to practice law in the State of Wisconsin, shall be appointed by the County Board Chairperson with the approval of the County Board Executive Committee.~~ The members of the Ethics Inquiry Board shall be residents of the Columbia County and shall not be County Public Officials during the time of appointment, ~~and shall serve staggered three year terms expiring on the third Tuesday in April of the third year following their appointment except as otherwise provided in the implementation of this ordinance.~~ The Corporation Counsel shall provide legal advice, ~~secretarial~~ administrative services and assistance to the Ethics Inquiry Board. The Ethics Inquiry Board shall be entitled to mileage and per diem payments for its meetings and hearings ~~of the Board~~ on the same basis as is provided to other Columbia County Boards, Committees or Commissions.

(1) Powers and Duties: The Ethics Inquiry Board shall ~~be responsible for investigating a complaint, and conducting a fact finding hearing pursuant to subparagraph 3-1-1416(e)(3) below, in any case where the Ethics Inquiry Board~~ Corporation Counsel has found that probable cause exists ~~for to believing~~ the allegations of a complaint referred to the Ethics Inquiry Board after preliminary review pursuant to subparagraph 3-1-~~1416~~(b) through (d) above.

(2) Burden of Proof: The burden of proving a violation alleged in the complaint shall be on the complainant. Violations shall be proved by evidence that is clear, satisfactory and convincing.

(3) Hearing: The Ethics Inquiry Board may hold, and an individual against whom a complaint has been made and where the complaint has been referred to the Ethics Inquiry Board may request, a hearing before the Board. The Board shall keep a record of the hearing. The Board shall have the power to compel the attendance of witnesses and to issue subpoenas as granted to other boards and commissions under Section 885.01 Wisconsin Statutes.

(a) Within ten (10) ~~work~~ business days of the conclusion of the hearing, the Ethics Inquiry Board shall ~~file~~ issue its written findings and recommendations signed by all participating Board members, together with findings of fact and conclusions of law, concerning the propriety of the conduct of the public official. If the Board determines that no violation of ~~theis~~ this Code of Ethics has occurred, it shall dismiss the complaint, ~~and if requested to do so by the accused, issue a public statement.~~

(b) No recommendation of the Board becomes effective until twenty (20) ~~work~~ business days after it is issued, or while an application for rehearing or rehearing before the Board is pending, or the Board has announced its final determination on rehearing.

(4) Enforcement and Penalties: If the Ethics Inquiry Board finds that clear, satisfactory and convincing evidence exists ~~for to believing~~ the allegations of the complaint, ~~then the Ethics Inquiry Board shall refer its findings and recommendation to the Executive Committee.~~ The Executive Committee may:

(a) Order the officer or employee to conform his or her conduct to the Ethics ~~Code~~ or recommend that the official or employee be censured, suspended, removed from office, be issued a private reprimand, public reprimand, and in the case of an employee, may also recommend denial of merit increase, suspension without pay, discharge, or other appropriate disciplinary action.

(b) The Ethics Inquiry Board may also refer the matter to the District Attorney to commence enforcement pursuant to the procedures and remedies of §19.59, Wis. Stats.

(5) Discharge of Ethics Inquiry Board Following Final Determination: The County Board Chair shall discharge the members of the Ethics Inquiry Board following the Board's final determination on a complaint made under this Code.

Fiscal Note: None  
Fiscal Impact: None.

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

DATE PASSED: December 21, 2016  
DATE PUBLISHED: December 27, 2016

Motion was made by Foley, second by Rashke, to approve. Motion carried. The Ordinance was declared passed and is to be known as Ordinance 171-16.

**ORDINANCE NO. 172-16**

The Columbia County Board of Supervisors do ordain as follows: That Section 9-1-12 of the County Code, is hereby amended as follows:

Annual Permits

|                                  |                                 |                 |
|----------------------------------|---------------------------------|-----------------|
| Temporary Trailer for Farm Labor | \$ 100.00                       | 03/16/11        |
| Licensed Campground              |                                 |                 |
| 1-99 Campsites                   | \$ <del>100.00</del> <u>150</u> | <u>12/21/16</u> |
| 100-199 Campsites                | \$ <del>150.00</del> <u>275</u> | <u>12/21/16</u> |
| 200-299 Campsites                | \$ <del>200.00</del> <u>400</u> | <u>12/21/16</u> |
| 300+ Campsites                   | \$ <del>250.00</del> <u>525</u> | <u>12/21/16</u> |
| Licensed Tourist Rooming House   | \$ 110.00                       | 07/24/12        |
| Year-round Camping               | \$ 250.00                       | 07/24/12        |
| Licensed Bed and Breakfast       | \$ 100.00                       | 03/19/14        |

All remaining sections of Title 9, Chapter 12 are unchanged and remain in full force and effect.

Fiscal Note: None  
Fiscal Impact: Estimated \$2500 increase in fees annually

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

DATE PASSED: December 21, 2016  
DATE PUBLISHED: December 27, 2016

Motion was made by Teitgen, second by Weyh, to approve. Motion carried. The Ordinance was declared passed and is to be known as Ordinance 172-16.

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### **ORDINANCE NO. Z455-16**

The Columbia County Board of Supervisors do ordain as follows: That Columbia County Ordinance Z453-16, as passed by the Board of Supervisors on October 19, 2016 is hereby amended to read as follows:

- (1) "To change from ~~GC-2 General Commercial~~ and AO-1 ~~General Agriculture and Open Space~~ to AO-1 General Agriculture and Open Space", (Patrick R. and Lori B. Brackman, Petitioners and Owners) a parcels of land located in Section 3, T13N, R6E, Town of Newport, described as follows: Land to be Rezoned from C-2 General Commercial and AO-1 General Agriculture and Open Space to AO-1 General Agriculture and Open Space - Part of the Northeast Quarter of the Northeast Quarter of Section 3, Township 13 North, Range 6 East, Town of Newport, Columbia County, Wisconsin, described as follows: Commencing at the Northeast Corner of said Section 3; Thence S87°34'15"W along the north line of the Northeast Quarter of said Section 3 a distance of 1003.73 feet; Thence S00°10'53"E a distance of 75.06 feet; Thence N87°34'15"E a distance of 358.05 feet to the Point of Beginning; Thence continuing N87°34'15"E a distance of ~~435.79~~ 481.27 feet to the centerline of 9<sup>th</sup> Avenue; Thence S41°03'29"~~W~~W along the centerline of 9<sup>th</sup> Avenue a distance of 429.49 feet to said north line of Waubeek Road; Thence S88°19'48"W a distance of 64.95 feet along the north line of Waubeek Road; Thence N23°39'59"W a distance of 333.39 feet to the Point of Beginning; Containing 1.95 acres. All effective upon recording of the Certified Survey Map. All remaining portions of Z453-16 are unchanged and remain in full force and effect.

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

DATE PASSED: December 21, 2016

DATE PUBLISHED: December 27, 2016

Motion was made by Baumgartner, second by Teitgen, to approve the rezone request for Patrick R. and Lori B. Brackman, Petitioners and Owners. The motion carried. The Ordinance was declared passed and is to be known as Ordinance Z455-16.

### **ORDINANCE NO. Z456-16**

The Columbia County Board of Supervisors do ordain as follows: That Columbia County Ordinance Z447-16, as passed by the Board of Supervisors on May 18, 2016 is hereby amended to read as follows:

...

- (4) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Robert and Linda Hahn, Petitioners and Owners) parcel of land located in Section 7, T11N, R9E, 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 Lot 2, Certified Survey Map No. 4333 as recorded in Volume 30 of Certified Survey Maps, page 88 as Document No. 725944 located in the Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 7, Town 11 North, Range 9 East, Town of Dekorra, Columbia County, Wisconsin, described as follows: Commencing at the North Quarter corner of said Section 7; thence South 00°24'34" East along the North — South Quarter line, 1,827.48 feet to the Southeast corner of Lot 2, Certified Survey Map No. 4227 and the Northeast corner of Lot 1, Certified Survey Map No. 4333; thence North 83°55'46" West along the South line of Lot 2, Certified Survey Map No. 4227 and the North line of Lot 1, Certified Survey Map No. 4333, 266.83 feet; thence South 82°00'24" West along the South line of Lot 2, Certified Survey Map No. 4227 and the North line of Lots 1 and 2, Certified Survey Map No. 4333, 603.35 feet to a point in the West line of lands described in Document No. 869908 and the point of beginning;

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thence South 10°11'40" West, along the West line of lands described in Document Number 869908 and a true Southerly Extension thereof, 200.00 feet; thence North 89°06'05" West, 479.00 feet; thence North 10°11'40" East, 183.83 feet; thence South 89°06'05" East, 379.64 feet to the South line of Lot 2, Certified Survey Map No. 4227 and the North line of Lot 2, Certified Survey Map No. 4333; thence North 82°00'24" East along the South line of Lot 2, Certified Survey Map No. 4227 and the North line of Lot 2, Certified Survey Map No. 4333, 103.21 feet to the point of beginning. Containing 87,693 square feet, (2.01 acres), more or less. Being subject to 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 part of Lot 2, Certified Survey Map No. 4333 as recorded in Volume 30, Page 88 as Document No. 725944, located in the Southwest Quarter of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter, the Northeast Quarter of the Southwest Quarter, and the Northwest Quarter of the Southwest Quarter of Section 7, Town 11 North, Range 9 East, Town of Dekorra, Columbia County, Wisconsin, described as follows: Commencing at the North Quarter corner of said Section 7; thence South 00°24'34" East along the North - South Quarter line of said Section 7, 1,827.48 feet to the Southeast corner of Lot 2, Certified Survey Map No. 4227 and the Northeast corner of Lot 1, Certified Survey Map No. 4333; thence North 83°55'46" West along the South line of Lot 2, Certified Survey Map No. 4227 and the North line of Lot 1, Certified Survey Map No. 4333, 266.83 feet; thence South 82°00'24" West along the South line of Lot 2, Certified Survey Map No. 4227 and the North line of Lots 1 and 2, Certified Survey Map No. 4333, 706.56 feet to the point of beginning; thence North 89°06'05" West, 379.64 feet; thence South 10°11'40" West, 183.83 feet; thence South 89°06'05" East, 479.00 feet; thence North 10°11'40" East, 135.30 feet to the Southwest corner of lands described in Document No. 869908; thence North 85°02'53" East along the South line of lands described in Document No. 869908, 237.57 feet to the West line of Lot 1 and the East line of Lot 2, Certified Survey Map No. 4333; thence South 24°08'10" East along the West line of said Lot 1 and the East line of said Lot 2, 322.46 feet; thence South 05°58'12" West along the West line of said Lot 1 and the East line of said Lot 2, 390.88 feet; thence South 73°31'17" West along the West line of said Lot 1 and the East line of said Lot 2, 287.13 feet; thence South 89°45'07" West along the West line of said Lot 1 and the East line of said Lot 2, 273.04 feet; thence South 00°24'34" East along the West line of said Lot 1 and the East line of said Lot 2, 488.92 feet to the centerline of County Trunk Highway V; thence South 66°24'59" West along the centerline of County Trunk Highway V, 173.98 feet; thence South 68°27'05" West along the centerline of County Trunk Highway V, 409.65 feet to the West line of Lot 2, Certified Survey Map No. 4333 and the East line of Lot 1, Certified Survey Map No. 729; thence North 23°05'46" East along the West line of said Lot 2 and the East line of said Lot 1, 352.33 feet; thence North 39°17'48" East along the West line of said Lot 2 and the East line of said Lot 1, 98.00 feet; thence North 37°14'58" East along the West line of said Lot 2 and the East line of said Lot 1, 254.98 feet; thence South 72°12'19" West along the West line of said Lot 2 and the East line of said Lot 1, 334.58 feet; thence South 44°36'06" West along the West line of said Lot 2 and the East line of said Lot 1, 169.72 feet to the East line of Lot 1, Certified Survey Map No. 4279; thence North 09°28'04" West along the West line of Lot 2, Certified Survey Map No. 4333 and the East line of Lot 1, Certified Survey Map No. 4279, 1,146.95 feet; thence North 76°34'58" West along the West line of said Lot 2 and the East line of said Lot 1, 57.00 feet to the East line of Lot 1, Certified Survey Map No. 3579; thence North 28°50'02" East along the West line of said Lot 2 and the East line of Lot 1, Certified Survey Map No. 3579, 331.45 feet to the North line of Lot 2, Certified Survey Map No. 4333 and the South line of Lot 2, Certified Survey Map No. 4227; thence South 89°44'10" East along the North line of Lot 2, Certified Survey Map No. 4333 and the South line of Lot 2, Certified Survey Map No. 4227, 712.30 feet; thence South 21°34'49" East along the North line of Lot 2, Certified Survey Map No. 4333 and the South line of Lot 2, Certified Survey Map No. 4227, 331.19 feet to the point of beginning. Containing 1,465,856 square feet (33.65 acres), more or less.

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All effective upon recording of the Certified Survey Map.

All remaining portions of Z447-16 are unchanged and remain in full force and effect.

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

DATE PASSED: December 21, 2016

DATE PUBLISHED: December 27, 2016

Motion was made by Teitgen, second by Baumgartner, to approve the rezone request for Robert and Linda Hahn, Petitioners and Owners. The motion carried. The Ordinance was declared passed and is to be known as Ordinance Z456-16.

### **ORDINANCE NO. 173-16**

The Columbia County Board of Supervisors do ordain as follows: That Title 16 – Chapter 200, entitled “Land Division and Subdivision”, of the County Code, as passed by the Board of Supervisors on May 18, 2016 is hereby amended and added thereto as follows:

#### **16-205-030 NONCONFORMING PROVISIONS**

- B. No division of land shall be allowed which would create a nonconforming parcel, structure or use under the provisions of Title 16 Chapters 100 and 500; or increase the nonconformity of a parcel, structure or use under the provisions of Title 16 Chapters 100 and 500.

#### **16-205-050 DEDICATION AND RESERVATION OF LAND**

- D. When land that is part of a plat ~~or being divided by a certified survey map~~ includes lands being used by the public as a county highway, that land used for highway purpose shall be dedicated to the County. Lands being used by the public as a county highway within a land division by certified survey map shall be dedicated or shown as an easement granted by the owner via another recorded document in a format approved by the County.

#### **16-210-040 CERTIFIED SURVEY MAP SUBMITTAL AND REVIEW PROCESS**

- C. Fees. ~~At the time of submittal of a certified survey map,~~ a fee shall be paid when the certified survey map is submitted for the Departments approval signature as provided in Subchapter 16-220-050, of this chapter.
- E. 1. Before any vacant parcel of land is subdivided ~~w~~Written proof that access can be provided in accordance with an applicable State, County or town ordinance shall be included with the submittal under G. below, proof can be but is not required to be a driveway permit from the applicable jurisdiction.
- G. Submittal. One scalable paper copy and PDF copy of certified survey maps, as defined in this chapter, shall be submitted together with an application, proof of access and checklist for review to the Planning and Zoning Department. Beginning January 1, 2017 a ~~A~~ digital submission of the application, proof of access, certified survey map and checklist in a format approved by the Department will be ~~accepted~~ required. The certified survey map shall be prepared in accordance with the provisions of Section 236.34, Wis. Stats., the provisions of this chapter, and shall show the following information clearly on the face of the certified survey map:
3. Name and address of the landowner/subdivider and the name, address, stamp and signature of the land surveyor preparing the certified survey map.

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#### 16-210-050 RETRACEMENT CERTIFIED SURVEY MAP SUBMITTAL AND REVIEW PROCESS

- D. The subdivider or agent shall submit one scalable paper copy and one PDF copy of the retracement certified survey map together with an application/checklist and fee for review to the Columbia County Planning and Zoning Department. Beginning January 1, 2017 a A digital submission of the application, certified survey map and checklist in a format approved by the Department will be ~~accepted~~ required. The Department shall review the retracement certified survey map for conformance with this ordinance and all other county ordinances, rules, regulations, and adopted county comprehensive plans or other plans that affect the retracement certified survey map. A fee shall be paid when the certified survey map is submitted for the Departments approval signature as provided in Subchapter 16-220-050, of this chapter.
- C. 3. Name and address of the landowner/subdivider and the name, address, stamp and signature of the land surveyor preparing the certified survey map.

#### 16-210-060 COMBINING PARCELS/COMBINATION CERTIFIED SURVEY MAP SUBMITTAL AND REVIEW PROCESS

- B. The subdivider shall submit one scalable paper copy and one PDF copy of the combination certified survey map together with an application/checklist and fee for review to the Columbia County Planning and Zoning Department. Beginning January 1, 2017 a A digital submission of the application, certified survey map and checklist in a format approved by the Department will be ~~accepted~~ required. The Department shall provide copies to the different agencies and reviewers for review and recommendations concerning matters within their jurisdiction. The Department shall review the combination certified survey map for conformance with this ordinance and all other county ordinances, rules, regulations, and adopted county comprehensive plans or other plans that affect the combination certified survey map.
- D. 3. Name and address of the landowner/subdivider and the name, address, stamp and signature of the land surveyor preparing the certified survey map.

#### 16-220-050 FEES

- C. Application fees shall be paid to Columbia County through the Planning and Zoning Department at the time the certified survey map is submitted for the Departments approval signature ~~of formal submittal of a certified survey map or when a Plat is submitted~~ for review. Application and filing fees are established in Title 1 Chapter 9-1-12 to defray the cost of administration, investigation, advertising, and processing.

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

DATE PASSED: December 21, 2016  
DATE PUBLISHED: December 27, 2016

Motion was made by Ross, second by Baumgartner, to approve. Motion carried. The Ordinance was declared passed and is to be known as Ordinance 173-16.

The Clerk explained, with the approval of amendments to the Code of Ordinances, Title 3, Chapter 1, Code of Ethics, that all elected officials of Columbia County are required to file a Conflict of Interest Disclosure Statement (placed on supervisor's desks). She asked that the forms be completed and returned to the County Clerk's Office by January 1, 2017. Motion by Foley, second by Wingers, to approve Columbia County Annual Conflict of Interest Disclosure Statement. Motion carried.

The Clerk stated that all expense forms for 2016 must be submitted to the County Clerk's Office by noon on Wednesday, December 28, 2016, in order to be paid. She reminded supervisors to use new reimbursement forms placed on their desks.

Chair Gove announced a board meeting will not be held in February.

Rohrbeck moved adjournment of this meeting to Wednesday, January 18, 2017 at 9:45 a.m. Second was made by Teitgen. The motion carried. The meeting adjourned at 10:15 a.m.

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
January 18, 2017  
9:45 a.m.

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

All Supervisors were present, except Brooks, Drew and Gove, absent with notice. Rohrbeck arrived at 9:51 a.m.

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

Members stood and recited the Pledge of Allegiance.

A motion was made by Foley, second by Sumnicht to approve the Journal of December 21, 2016. Motion carried.

Kevin Stoddard, resident of Rio, addressed the County Board during public input to express concerns with Enbridge Pipeline expansion.

Rohrbeck arrived.

First Vice Chair Cupery recognized Pat Beghin on his upcoming retirement from Emergency Management. Sheriff Richards thanked Beghin for his 26 years of service and dedication to Columbia County and wished him well.

Robert Knorr (Project Manager) and Brandon Lamers (Supervisor Southwest Region) from Wisconsin Department of Transportation, gave a power point presentation on the Wisconsin Department of Transportation 39/90/94 Interstate Study. For more information about the project, please visit: [www.1399094.dot.wi.gov](http://www.1399094.dot.wi.gov). An enlarged map of Tier 1 Range of Corridor Alternatives will be available for viewing in the County Clerk's Office. They entertained questions of the Board. Pufahl called for point of order. Rohrbeck thanked them for their time. Joel Brown (Environmental Coordinator) of Wisconsin Department of Transportation, was also in attendance.

Konkel gave an update of the Ad Hoc Building Committee. He reported on the construction progress of the new Administration Building and Health and Human Services Building and bidding schedules for telephone, audio, DHIA/Shop and Courthouse renovation. 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 Thomas H & Connie K Sawyer Living Tr dated 12/21/2010, Petitioners, Prairie Du Sac, WI, and Nathan P Sawyer & Larry G & April M Sawyer Liv Tr 6/24/2003, Owners, Prairie Du Sac, WI, to rezone from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 380 & 381, Section 29, T10N, R7E, Town of West Point to be approved as follows: To change from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 380 & 381, Section 29, T10N, R7E, Town of West Point.
- (2) A petition by, Stanley W Rauls & Judith E Rauls, Petitioners and Owners, DeForest, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 404.02 & 405, Section 21, T10N, R10E, Town of Leeds to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 404.02 & 405, Section 21, T10N, R10E, Town of Leeds.

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- (3) A petition by, Alan A Herzberg & Jennifer A Herzberg, Petitioners and Owners, Columbus, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 499, Section 25, T11N, R12E, Town of Fountain Prairie to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 499, Section 25, T11N, R12E, Town of Fountain Prairie.
- (4) A petition by, Robert R Robbins and Jane M Robbins, Petitioners and Owners, Rio, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 414, 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 from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 414, Section 21, T11N, R12E, Town of Fountain Prairie.
- (5) A petition by, Harlan W & Mary Beth Baumgartner Jt Rev Tr dtd 8-5-2015, Petitioner and Owner, Rio, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 64.02, 64.03, 65 & 66, Section 4, T11N, R11E, Town of Otsego to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 64.02, 64.03, 65 & 66, Section 4, T11N, R11E, Town of Otsego.
- (6) A petition by, Harlan W Baumgartner, Petitioner and Owner, Rio, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 70, Section 4, T11N, R11E, Town of Otsego to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 70, Section 4, T11N, R11E, Town of Otsego.
- (7) A petition by, Terry D Nelson and Ruth Ann Nelson, Petitioners and Owners, Poynette, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 538.02, Section 36, T11N, R9E, Town of Dekorra to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 538.02, Section 36, T11N, R9E, Town of Dekorra.
- (8) A petition by, Maurice W Frey, Petitioner, Columbus, WI, and Lavina M Frey, Owner, Columbus, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 89 and 92, Section 5, T10N, R12E, Town of Columbus to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 89 and 92, Section 5, T10N, R12E, Town of Columbus.

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

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

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The following appointments were announced:

- 1) County Library Systems Board:
  - a. Nan Hughes, reappointment to January, 2020. Motion by Foley, second by Wingers, the appointment was approved.
  - b. Nancy M. Long, reappointment to January, 2020. Motion by Sumnicht, second by Pufahl, the appointment was approved.
  - c. Betty Reiter, appointment to January, 2020. Motion by Pufahl, second by Bradley, the appointment was approved.
- 2) Local Library Board: Portage Library Board
  - a. Melissa Simonson, appointment to complete Chad Stevenson's term to May, 2017. Motion by Baumgartner, second by Wingers, the appointment was approved.

**RESOLUTION NO. 1-17**

WHEREAS, the Town of Courtland has been granted the authority to exercise village powers under Wis Stat. § 60.12(2)(c); and

WHEREAS, the Columbia County Board of Supervisors approved the Town of Courtland Zoning Ordinance on December 18, 2013; and

WHEREAS, Wis Stat. § 60.62(3) states that no town zoning ordinance or amendment to a town zoning ordinance may be adopted unless approved by the county board in counties having a county zoning ordinance in effect; and

WHEREAS, a public hearing was held and the Courtland Town Board, on December 6, 2016 voted to approve an ordinance amendment; and

WHEREAS, your Committee, based upon the facts of the request, does recommend that the amendment to the Town of Courtland Zoning Ordinance, as referenced in "Exhibit A", be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Columbia County Board of Supervisors that the amendment to the Town of Courtland Zoning Ordinance which rezones 22.61 acres of parcels 616 and 619 from A-1 Agriculture & Farmland Preservation to AR-1 Agriculture and Low Density Residential as represented by "Exhibit A" attached to and made a part of this resolution be approved effective upon filing the Certified Survey Map.

Fiscal Impact: None

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

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

**RESOLUTION NO. 2-17**

WHEREAS, Columbia County has the authority to accept land dedicated as a public road under Columbia County Code of Ordinances § 16-205-050 D and Chapter 236, Wis. Stats.; and,

WHEREAS, the land owner, Gwyndy Farm LLC has caused the creation of the attached certified survey map, which dedicates land described by that certified survey map; and,

WHEREAS, the certified survey map has been reviewed by the Planning and Zoning Committee under Columbia County Code of Ordinances § 16-205-050 D; and,

WHEREAS, the Columbia County Highway and Transportation Department has reviewed the land dedicated for use by the public as County Highway G.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors accepts dedication of land in of the SE ¼ of the NW ¼ Section 29, T. 12 N., R. 12 E., for a public road, known County Highway G, and as described in Exhibit A; and,

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BE IT FURTHER RESOLVED, that the Director of Columbia County Planning and Zoning Department is authorized to sign the County Highway Acceptance Certificate that appears on the certified survey map.

Fiscal Impact: None

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

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

**RESOLUTION NO. 3-17**

WHEREAS, Columbia County has the authority to accept land dedicated as a public road under Columbia County Code of Ordinances § 16-205-050 D and Chapter 236, Wis. Stats.; and,

WHEREAS, the land owners, Robert and Jane Robbins have caused the creation of the attached certified survey map, which dedicates land described by that certified survey map; and,

WHEREAS, the certified survey map has been reviewed by the Planning and Zoning Committee under Columbia County Code of Ordinances § 16-205-050 D; and,

WHEREAS, the Columbia County Highway and Transportation Department has reviewed the land dedicated for use by the public as County Highway CD.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors accepts dedication of land in of the NE ¼ of the NW ¼ Section 21, T. 11 N., R. 12 E., for a public road, known County Highway CD, and as described in Exhibit A; and,

BE IT FURTHER RESOLVED, that the Director of Columbia County Planning and Zoning Department is authorized to sign the County Highway Acceptance Certificate that appears on the certified survey map.

Fiscal Impact: None

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

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

**RESOLUTION NO. 4-17**

WHEREAS, Columbia County has the authority to accept land dedicated as a public road under Columbia County Code of Ordinances § 16-205-050 D and Chapter 236, Wis. Stats.; and,

WHEREAS, the land owners, Stanley and Judith Rauls have caused the creation of the attached certified survey map, which dedicates land described by that certified survey map; and,

WHEREAS, the certified survey map has been reviewed by the Planning and Zoning Committee under Columbia County Code of Ordinances § 16-205-050 D; and,

WHEREAS, the Columbia County Highway and Transportation Department has reviewed the land dedicated for use by the public as County Highway K.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors accepts dedication of land in of the SW ¼ of the SE ¼ Section 21, T. 10 N., R. 10 E., for a public road, known County Highway K, and as described in Exhibit A; and,

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BE IT FURTHER RESOLVED, that the Director of Columbia County Planning and Zoning Department is authorized to sign the County Highway Acceptance Certificate that appears on the certified survey map.

Fiscal Impact: None

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

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

**ORDINANCE NO. 2457-17**

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 A-1 Agriculture with the A-4 Agriculture Overlay", (Thomas & Connie Sawyer, Petitioners and Nathan P Sawyer & Larry G & April M Sawyer Living Trust, Owners) parcels of land located in Section 29, Town 10 North, Range 7 East, Town of West Point, described as follows: Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay - Being a part of the Southeast Quarter of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter of Section 29, Town 10 North, Range 7 East, Town of West Point, Columbia County, Wisconsin, described as follows: Commencing at the East Quarter corner of Section 29; thence South 00°15'24" West along the East line of the Southeast Quarter of said Section 29, 1,318.02 feet to the Northeast corner of the Southeast Quarter of the Southeast Quarter of said Section 29; thence North 89°51'04" West along the North line of the Southeast Quarter of the Southeast Quarter of Section 29, 287.97 feet to the point of beginning; thence South 00°15'24" West, 1,235.80 feet to a point in the North right-of-way line of State Trunk Highway 60; thence South 83°01'12" West along the North right-of-way line of State Trunk Highway 60, 74.88 feet; thence North 88°18'53" West along the North right-of-way line of State Trunk Highway 60, 810.80 feet; thence North 85°56'28" West along the North right-of-way line of State Trunk Highway 60, 500.90 feet; thence South 88°24'44" West along the North right-of-way line of State Trunk Highway 60, 5.98 feet; thence North 00°25'01" East, 1,189.38 feet to a point in the North line of the Southwest Quarter of the Southeast Quarter of said Section 29; thence South 89°51'04" East along the North line of the Southwest Quarter of the Southeast Quarter and the North line of the Southeast Quarter of the Southeast Quarter of said Section 29, 1,387.28 feet to the point of beginning. Containing 1,700,552 square feet, (39.04 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 A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay", (Stanley & Judith Rauls, Petitioners and Owners) parcels of land located in Section 21, Town 10 North, Range 10 East, Town of Leeds, described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Located in the Southwest Quarter of the Southeast Quarter and the Southeast Quarter of the Southeast Quarter of Section 21, Town 10 North, Range 10 East, Town of Leeds, Columbia County, Wisconsin. Commencing at the Southeast Corner of Section 21; thence N89°48'11"W, 2317.70 feet long the south line of the Southeast Quarter of Section 21 to the point of beginning; thence continuing 89°48'11"W, 283.77 feet along the south line of the Southeast Quarter of Section 21; thence N00°27'18"W 365.02 feet; thence S89°48'11"E, 283.77 feet; thence S00°27'18"E, 365.02 feet to the point of beginning.

Containing 2.38 acres. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay - Commencing at the Southeast Corner of Section 21; thence N89°48'11"W, 2607.47 feet long the south line of the Southeast Quarter of Section 21; thence N00°27'18"W, 365.02 feet to the point of beginning; thence continuing N00°27'18"W, 966.30 feet to the North line of the south half of the Southeast Quarter of Section 21; thence S89°49'26"E, 1700.87 feet along the north line of the south half of the Southeast Quarter of Section 21; thence S00°10'34"W, 966.86 feet; thence N89°48'11"W, 1690.22 feet to the point of beginning. Containing 37.62 acres. All effective upon recording of the Certified Survey Map.

- (3) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay", (Alan & Jennifer Herzberg, Petitioners and Owners) parcels of land located in Section 25, Town 11 North, Range 12 East, Town of Fountain Prairie, described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - A part of the Northwest Quarter of the Southwest Quarter of Section 25, Town 11 North, Range 12 East, Town of Fountain Prairie, Columbia County, Wisconsin, more particularly described as follows: Commencing at the West Quarter corner of said Section 25; thence S 89°09'06"E along the North line of the Southwest Quarter, 350.00 feet to the point of beginning; thence continue S 89°09'06"E, 234.31 feet; thence South 02°01'35" East along the West line of Lot 1, C.S.M. No. 3172, 256.20 feet; thence South 89°09'06" East along with South line of Lot 1 C.S.M. No. 3172, 100.00 feet; thence South 00°50'54" West, 200.05 feet; thence North 89°09'06" West, 347.16 feet; thence North 00°50'54" East, 455.93 feet to the point of beginning. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay - A part of the West Half of the Southwest Quarter of Section 25, Town 11 North, Range 12 East, Town of Fountain Prairie, Columbia County, Wisconsin, more particularly described as follows: Commencing at the West Quarter corner of said Section 25; thence South 89°09'06" East along the East-West Quarter line, 330.00 feet to the point of beginning; thence continue South 89°09'06" East, 20.00 feet; thence South 00°50'54" West, 455.93 feet; thence South 89°09'06" East, 347.16 feet; thence North 00°50'54" East, 200.05 feet; thence South 89°09'06" East, 167.24 feet; thence North 10°45'58" East, 259.76 feet; thence South 89°09'06" East, 400.46 feet; thence South 01°04'50" West, 2660.64 feet; thence North 88°50'09" West, 663.20 feet; thence North 01°32'51" East, 1997.11 feet; thence North 89°09'06" West, 330.00 feet; thence North 0°50'54" East, 660.00 feet to the point of beginning. All effective upon recording of the Certified Survey Map.
- (4) "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", (Robert & Jane Robbins, Petitioners and Owners) parcels of land located in Sections 21, Town 11 North, Range 12 East, Town of Fountain Prairie, 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 Northwest Quarter of Section 21, Town 11 North, Range 12 East, Town of Fountain Prairie, Columbia County, Wisconsin, described as follows: Commencing at the Northwest corner of Section 21; thence North 88°21'07" East along the North line of the Northwest Quarter of said Section 21, 1,325.19 feet to the Northwest corner of the Northeast Quarter of the Northwest Quarter of said Section 21 said point being in the centerline of Fields Road and the point of beginning; thence continuing North 88°21'07" East along the North line of the Northwest Quarter of said Section 21 and the centerline of Fields Road, 452.60 feet; thence South 00°43'20" East, 385.00 feet; thence South 88°21'07" West, 452.60 feet to a point in the West line of the Northeast Quarter of the Northwest Quarter of said Section 21; thence North 00°43'20" West along the West line of the Northeast Quarter of the Northwest Quarter of said Section 21, 385.00 feet to the point of beginning. Containing 174,228 square feet, (4.00 acres), more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay - (Including road right-of-way dedication) - Being a part of the Northeast Quarter of the Northwest Quarter of Section 21, Town 11 North, Range 12 East, Town of Fountain Prairie, Columbia County, Wisconsin, described as follows: Beginning at the North Quarter corner of Section 21; thence South 00°39'41" East along the North-South Quarter line of said Section

- 21 and the centerline of County Trunk Highway CD, 1,331.73 feet to the Southeast corner of the Northeast Quarter of the Northwest Quarter of said Section 21; thence South 88°28'17" West along the South line of the Northeast Quarter of the Northwest Quarter of said Section 21, 1,323.73 feet to the Southwest corner of the Northeast Quarter of the Northwest Quarter of said Section 21; thence North 00°43'20" West along the West line of the Northeast Quarter of the Northwest Quarter of said Section 21, 943.94 feet; thence North 88°21'07" East, 452.60 feet; thence North 00°43'20" West, 385.00 feet to a point in the North line of the Northwest Quarter of said Section 21 and the centerline of Fields Road; thence North 88°21'07" East along the North line of the Northwest Quarter of said Section 21 and the centerline of Fields Road, 872.58 feet to the point of beginning. Containing 1,587,526 square feet, (36.45 acres), more or less. All effective upon recording of the Certified Survey Map.
- (5) "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", (Harlan & Mary Beth Baumgartner, Petitioners and Owners) parcels of land located in Sections 4, Town 11 North, Range 11 East, Town of Otsego, 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 Southwest Quarter and the Northeast Quarter of the Southwest Quarter, Section 4, Town 11 North, Range 11 East, Town of Otsego, Columbia County, Wisconsin, described as follows: Commencing at the West Quarter corner of Section 4; thence South 01°00'24" East along the West line of the Southwest Quarter of said Section 4, 288.08 feet to a point in the centerline of County Trunk Highway B; thence North 86°51'40" East along the centerline of County Trunk Highway B, 532.55 feet to the point of beginning; thence North 00°38'41" West, 221.98 feet; thence South 89°55'42" East, 788.11 feet to a point in the West line of the Northeast Quarter of the Southwest Quarter of said Section 4; thence North 85°09'53" East, 350.47 feet; thence South 04°07'19" West, 173.69 feet to a point in the centerline of County Trunk Highway B; thence Southwesterly along a 5,729.58 foot radius curve to the right in the centerline of County Trunk Highway B having a central angle of 04°14'37" and whose long chord bears South 84°44'21" West, 424.27 feet; thence South 86°51'40" West along the centerline of County Trunk Highway B, 700.91 feet to the point of beginning. Containing 217,800 square feet, (5.00 acres), more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay - Being a part of the Southeast Quarter of the Northeast Quarter and the Southwest Quarter of the Northwest Quarter, Section 4, Town 11, Range 11 East, Town of Otsego, Columbia County, Wisconsin, described as follows: Commencing at the West Quarter corner of said Section 4; thence South 89°55'37" East along the East - West Quarter line of said Section 4, 727.34 feet to the point of beginning; thence North 00°43'18" West, 976.82 feet; thence North 89°56'44" East along the South line of Lot 2, Certified Survey Map, No. 5787, 256.59 feet; thence North 35°55'28" East along said Southerly line, 432.55 feet; thence North 89°56'27" East along the North line of the Southwest Quarter of the Northwest Quarter and the Southeast Quarter of the Northwest Quarter, 534.69 feet; thence South 00°43'18" East, 1,491.82 feet to a point in the centerline of County Trunk Highway B; thence Southwesterly along a 5,729.58 foot radius curve to the right in the centerline of County Trunk Highway B having a central angle 01°12'34" and whose long chord bears South 82°00'46" West, 120.92 feet; thence North 04°07'19" East, 173.71 feet; thence South 85°09'40" West, 350.47 feet; thence North 89°55'37" West, 594.63 feet; thence North 00°43'18" West, 36.21 feet to the point of beginning. Containing 1,306,800 square feet, (30.00 acres), more or less. All effective upon recording of the Certified Survey Map.
- (6) "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", (Harlan & Mary Beth Baumgartner, Petitioners and Owners) parcels of land located in Sections 4, Town 11 North, Range 11 East, Town of Otsego, 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, Section 4, Town 11 North, Range 11 East, Town of Otsego, Columbia County, Wisconsin, described as follows: Commencing at the East Quarter corner of Section 4; thence North 89°52'06" West along the East-West Quarter line of said Section 4, 363.12 feet to the point of beginning; thence South 00°07'54" West, 440.00 feet; thence North 89°52'06" West, 395.33 feet; thence North 23°51'05" West, 58.48 feet; thence North



- 26°58'53" West, 247.40 feet; thence North 19°25'52" West, 60.60 feet; thence North 00°20'18" East, 109.26 feet to a point in the East-West Quarter line of said Section 4 and the centerline of County Trunk Highway B; thence South 89°52'06" East along the East-West Quarter line of said Section 4 and the centerline of County Trunk Highway B, 551.75 feet to the point of beginning. Containing 217,716 square feet, (5.00 acres), more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay - Being a part of the Northeast Quarter of the Southeast Quarter of Section 4, Town 11 North, Range 11 East, Town of Otsego, Columbia County, Wisconsin, described as follows: Commencing at the East Quarter corner of said Section 4; thence South 00°51'27" East along the East line of the Southeast Quarter of said Section 4 and the centerline of Jacobson Road, 517.07 feet to the point of beginning; thence continuing South 00°51'27" East along the East line of the Southeast Quarter of said Section 4 and the centerline of Jacobson Road, 802.88 feet to the Southeast corner of the Northeast Quarter of the Southeast Quarter of said Section 4; thence North 89°51'52" West along the South line of the Northeast Quarter of the Southeast Quarter of said Section 4, 1,323.00 feet to the Southwest corner thereof; thence North 00°48'42" West along the West line of the Northeast Quarter of the Southeast Quarter of said Section 4, 1,319.84 feet to the Northwest corner thereof; thence South 89°52'06" East along the East - West Quarter line of said Section 4 and the centerline of County Trunk Highway B, 407.08 feet; thence South 00°20'18" West, 109.26 feet; thence South 19°25'52" East, 60.60 feet; thence South 26°58'53" East, 247.40 feet; thence South 23°51'05" East, 142.75 feet; thence South 89°52'06" East, 733.12 feet to the point of beginning. Containing 1,308,405 square feet, (30.04 acres), more or less. All effective upon recording of the Certified Survey Map.
- (7) "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", (Terry & Ruth Ann Nelson, Petitioners and Owners) parcels of land located in Sections 36, Town 11 North, Range 9 East, Town of Dekorra, described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - Part of Lot 2, Certified Survey Map No. 2178, Document No. 531312, located in the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 36, Town 11 North, Range 9 East, Town of Dekorra, Columbia County, more particularly described as follows: Commencing at the Southeast corner of Lot 2, Certified Survey No. 2178; thence North 00°51'00" West 33.00 feet to the north right-of-way line of King Road, being the point of beginning of this description; thence South 89°42'21" West 447.13 feet along the north right-of-way line of King Road; thence North 00°51'30" West 487.11 feet; thence North 89°42'20" East 447.13 feet to the east line of Lot 2, Certified Survey Map No. 2178; thence South 00°51'30" East 487.11 feet along the east line of Lot 2, Certified Survey No. 2178 to the point of beginning. Containing 5.00 acres. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay - Part of Lot 2, Certified Survey Map No. 2178, Document No. 531312, located in the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 36, Town 11 North, Range 9 East, Town of Dekorra, Columbia County, Wisconsin, more particularly described as follows: Commencing at the Southeast corner of Lot 2, Certified Survey Map No. 2178; thence North 00°51'30" West 520.11 feet along the east line of Lot 2, Certified Survey Map No. 2178 to the point of beginning of this description; thence South 89°42'20" West 447.13 feet; thence South 00°51'30" East 520.11 feet; thence South 89°42'21" West 511.57 feet; thence North 00°51'30" West 762.04 feet; thence South 89°42'21" West 514.49 feet; thence North 00°51'30" West 307.53 feet; thence North 89°55'59" East 165.00 feet; thence North 00°51'30" West 264.00 feet to the north line of the Southwest Quarter of the Northeast Quarter of Section 36, also being the north line of Lot 2, Certified Survey Map No. 2178; thence North 89°55'59" East 1308.26 feet along the north line of said Lot 2 to the Northeast corner thereof; thence South 00°51'30" E 807.61 feet along the east line of said Lot 2 to the point of beginning. Containing 29.66 acres. All effective upon recording of the Certified Survey Map.



- (8) "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", (Maurice Frey, Petitioner and Lavina M Frey, Owner) parcels of land located in Sections 4, Town 11 North, Range 11 East, Town of Columbus, described as follows: Land to be Rezoned from A-1 Agriculture to RR-1 Rural Residence - A part of the Northwest Quarter of the Southwest Quarter of Section 5, Town 10 North, Range 12 East, Town of Columbus, Columbia County, Wisconsin, more particularly described as follows: Commencing at the West Quarter corner of said Section 5; thence South 00°10'41" West along the West line of the said Southwest Quarter, 367.69 feet to the point of beginning; thence South 89°49'19" East, 595.00 feet; thence South 00°10'41" East, 331.00 feet; thence North 89°49'19" West, 595.00 feet; thence North 00°10' 41" East, 331.00 feet to the point of beginning. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay - The Southeast Quarter of the Northwest Quarter of Section 5, Town 10 North, Range 12 East, Town of Columbus, Columbia County, Wisconsin, more particularly described as follows: Commencing at the West Quarter corner of said Section 5; thence North 87°47'18" East along the East - West Quarter line, 1330.91 feet to the Southwest corner of the Southeast Quarter of the Northwest Quarter; thence continue North 87°47'18" East, 1330.91 feet to the Southeast corner of the Southeast Quarter of the Northwest Quarter; thence North 00°14'05" West, 1320.00 feet to the Northwest corner of the Southeast Quarter of the Northwest Quarter; thence South 88°47'05" West, 1326.53 feet to the Northwest corner of the Southeast Quarter of the Northwest Quarter; thence South 00°02'41" East, 1320.00 feet to the point of beginning.

Mary Cupery, First Vice Chair  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Shanna L. Herrick, Chief Deputy  
COLUMBIA COUNTY CLERK

DATE PASSED: January 18, 2017

DATE PUBLISHED: January 23, 2017

Pufahl asked that all rezone requests be taken together.

Teitgen requested that rezone requests for Harlan Baumgartner be taken separately.

At 11:18 a.m. Supervisor Baumgartner abstained from voting and excused himself from the room due to conflict of interest.

Motion was made by Teitgen, second by McClyman, to approve the rezone request for Thomas and Connie Sawyer, Petitioners and Nathan, Larry and April Sawyer Living Trust, Owners; Stanley and Judith Rauls, Petitioners and Owners; Alan and Jennifer Herzberg, Petitioners and Owners; Robert and Jane Robbins, Petitioners and Owners; Terry and Ruth Ann Nelson, Petitioners and Owners; and Maurice Frey, Petitioner and Lavina Frey, Owner. The motion carried.

Motion by Teitgen, second by Foley, to approve the rezone request for Harlan and Mary Beth Baumgartner, Joint Revocable Trust, Petitioners and Owners and Harlan Baumgartner, Petitioner and Owner.

The Ordinance was declared passed and is to be known as Ordinance Z457-17.

Baumgartner returned at 11:21 a.m.

First Vice Chair Cupery reminded the Board that there will not be a meeting in February.

Foley moved adjournment of this meeting to Wednesday, March 15, 2017 at 9:45 a.m. Second was made by Teitgen. The motion carried. The meeting adjourned at 11:22 a.m.

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PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
March 15, 2017  
9:48 a.m.

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

All Supervisors were present, except Brooks and Sleger, absent without notice. Rohrbeck, Weyh and Zander arrived late.

Members stood and recited the Pledge of Allegiance.

A motion was made by Foley, second by De Young to approve the Journal of January 18, 2017.

Motion carried. Gove abstained from voting.

Rohrbeck and Zander arrived at 9:49 a.m.

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

Gove explained that the Wisconsin Department of Transportation requested that "Project ID 1111-03-02 for upcoming projects on USH 151 between Sun Prairie and Beaver Dam" be added as a topic to the County Board agenda and referred to a handout provided to supervisors in their packets.

Weyh arrived at 9:52 a.m.

Michelle Arnold, resident of Rio, addressed the County Board during public input to express concerns with Enbridge Pipeline expansion.

Konkel gave an update of the Ad Hoc Building Committee and entertained questions of the Board.

**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 Kathleen Oyen, Petitioner and Owner, Lodi, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 657 and 659, Section 33, T10N, R8E, Town of Lodi to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 657 and 659, Section 33, T10N, R8E, Town of Lodi.
2. A petition by, Donald Achterberg, Petitioner and Owner, Pardeeville, WI, to rezone from C-1 Light Commercial to R-2 Multiple Family Residence, Parcels 336.03 and 336.04, Sections 9 & 10, T12N, R10E, Town of Wyocena to be approved as follows: To change from C-1 Light Commercial to R-2 Multiple Family Residence, Parcels 336.03 and 336.04, Sections 9 & 10, T12N, R10E, Town of Wyocena.
3. A petition by, Jay Walters, Petitioner, Pardeeville, WI, and Rio Conservation Club, Owner, Rio, WI, to rezone from A-1 Agriculture to RC-1 Recreation, Parcels 779 & 782, Section 34, T12N, R10E, Town of Wyocena to be approved as follows: To change from A-1 Agriculture to RC-1 Recreation, Parcels 779 & 782, Section 34, T12N, R10E, Town of Wyocena.
4. A petition by, Carl W Stephens & Susan L Stephens, Petitioners and Owners, Madison, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 200.01, Section 11, T11N, R10E, Town of Lowville to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 200.01, Section 11, T11N, R10E, Town of Lowville.

5. A petition by, Dennis J Borde & Sharon K Borde, Petitioners and Owners, Rio, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 53.03, Section 3, T11N, R10E, Town of Lowville to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 53.03, Section 3, T11N, R10E, Town of Lowville.
6. A petition by, Robert & Frenda Gilbert Rev Tr dated 11/9/2012 & Judith Johnson Wymer Revocable Trust dtd 9/5/1995, Petitioners and Owners, Rio, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 471 & 472, Section 25, T11N, R10E, Town of Lowville to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 471 & 472, Section 25, T11N, R10E, Town of Lowville.
7. A petition by, Mervin L Mast & Fannie P. Mast, Petitioners and Owners, Dalton, WI, to rezone from A-1 Agriculture to A-3 Agriculture Business and A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 7, Section 1, T13N, R10E, Town of Marcellon to be approved as follows: To change from A-1 Agriculture to A-3 Agriculture Business and A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 7, Section 1, T13N, R10E, Town of Marcellon.
8. A petition by, Larry J Waldvogel & Susan M Waldvogel, Petitioners and Owners, Antigo, WI, and Rodney Maginnis, Owner, Pardeeville, WI to rezone from C-1 Light Commercial, RR-1 Rural Residence and A-2 General Agriculture to A-2 General Agriculture, Parcels 671.04 and 671.05, Section 35, T13N, R10E, Town of Marcellon to be approved as follows: To change from C-1 Light Commercial, RR-1 Rural Residence and A-2 General Agriculture to A-2 General Agriculture, Parcels 671.04 and 671.05, Section 35, T13N, R10E, Town of Marcellon.
9. A petition by, David E & Joan A Lichtfeld Revocable Trust 8/3/2007, Petitioner & Owner, Montello, WI, to rezone from A-1 Agriculture to R-1 Single Family Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 435, Section 36, T12N, R9E, Town of Pacific to be approved as follows: To change from A-1 Agriculture to R-1 Single Family Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcel 435, Section 36, T12N, R9E, Town of Pacific.
10. A petition by, Marcel Kjorlie & Trecella Kjorlie, Petitioners and Owners, Lodi, WI, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 91.2, 95.02, 97.1, 272.1, 273, 275 and 278, Section 13, T10N, R7E, Town of West Point to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 91.2, 95.02, 97.1, 272.1, 273, 275 and 278, Section 13, T10N, R7E, Town of West Point.
11. A petition by, Joseph P Clark & Julie E Clark, Petitioners, Lodi, WI, and Michael P Meade & Lucinda A Meade, Petitioners and Owners, Knoxville, TN, to rezone from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 67, 70 and 73, Section 12 T10N, R7E, Town of West Point to be approved as follows: To change from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay, Parcels 67, 70 and 73, Section 12 T10N, R7E, Town of West Point.

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.

The following appointments were announced:

- 1) Aging and Disability Resource Center Board:
  - a. Marilyn George Burton, reappointment, 3 year term to April, 2020.
  - b. Julie Krahm, Jeanne Baertsch and Allen Baumgartner, appointment, 3 year term to April, 2020.Motion by Sumnicht, second by Kessler, the appointments were approved.
- 2) John A. Stevenson, FSA voting member, replacing Betty Whirry. Motion by Teitgen, second by Foley, the appointment was approved.
- 3) 2017 Columbia County Emergency Fire Wardens (listing was included in board packets). Motion by Cupery, second by Long, the appointments were approved.

#### **RESOLUTION NO. 5-17**

WHEREAS, the Sheriff Sworn Union labor contract has been ratified; and  
WHEREAS, terms of the contract include an implementation of additional steps and a realignment of the wage scale; and  
WHEREAS, the cost of this settlement is \$180,000.  
NOW, THEREFORE, BE IT RESOLVED, that the sum of \$180,000 be transferred into the Sheriff personnel budgets.

Fiscal Note: Required funds are included in the Contingency Fund. Transfer \$180,000 from the Contingency Fund #100.350000 to Sheriff Personnel Accounts.

Fiscal Impact: NONE

Barry Pufahl  
Dan F. Drew  
Matthew L. Rohrbeck  
Adam R. Field  
Bruce J. Rashke  
HUMAN RESOURCES COMMITTEE

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

Ruf explained the deputies up to sergeant are the only county employees who still negotiate through a union. All other county employees are under the compensation plan developed by Carlson Dettmann. The Sheriff Sworn Union labor contract has been ratified for one year and will implement additional steps/wage scale realignment to help retain experienced deputies.

Chair Gove requested a roll call vote. The resolution was adopted on a roll call vote as follows:

AYES: 24; NOES: 1; ABSTAIN: 1; ABSENT: 2.

AYES: Hutler, Kessler, Konkell, Long, McClyman, Rashke, Rohrbeck, Ross, St. Maurice, Stevenson, Sumnicht, Teitgen, Tramburg, Weyh, Wingers, Attoe, Baumgartner, Bradley, Cupery, De Young, Drew, Field, Foley, and Gove.

NOES: Zander.

ABSTAIN: Pufahl.

ABSENT: Brooks and Sleger.

#### **RESOLUTION NO. 6-17**

WHEREAS, Columbia County has adopted compensation plans covering the majority of County employees; and,

WHEREAS, the Human Resources Committee has determined that a 1.0% ATB salary increase effective on January 1, 2017, for County employees other than Sheriff's Sworn Union Staff, is fair and equitable; and,

NOW, THEREFORE BE IT RESOLVED, that all County employees, other than Sheriff's Sworn Union Staff, shall receive a 1.0% ATB salary increase effective on January 1, 2017.

Fiscal Note: Required funds are included in the 2017 Health Care Center and Highway Budgets and available in the County's General Fund, for all other departments. Transfer \$165,000.00 from the General Fund #100.341100 to the various departmental personnel accounts.

Fiscal Impact: NONE

Barry Pufahl  
Dan F. Drew  
Matthew L. Rohrbeck  
Adam R. Field  
Bruce J. Rashke  
HUMAN RESOURCES COMMITTEE

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

Supervisors expressed concerns regarding the difference between the step increase/wage adjustment for sheriff deputies and across the board pay for other county employees.

Chair Gove requested a roll call vote. The resolution was adopted on a roll call vote as follows:

AYES: 26; NOES: 0; ABSENT: 2.

AYES: Kessler, Konkel, Long, McClyman, Pufahl, Rashke, Rohrbeck, Ross, St. Maurice, Stevenson, Sumnicht, Teitgen, Tramburg, Weyh, Wingers, Zander, Attoe, Baumgartner, Bradley, Cupery, De Young, Drew, Field, Foley, Hutler and Gove.

ABSENT: Brooks and Sleger.

#### **RESOLUTION NO. 7-17**

WHEREAS, the State of Wisconsin Department of Health Services ("DHS") responded to a Request for Applications from the Substance Abuse and Mental Health Services Administration ("SAMHSA") for the Targeted Capacity Expansion: Medication Assisted Treatment – Prescription Drug and Opioid Addiction ("MAT-PDOA") Grant ("Grant"); and,

WHEREAS, DHS was awarded the Grant in the amount of One Million Dollars (\$1,000,000.00) per year for three (3) years; and,

WHEREAS, the focus of the Grant is to enhance and expand treatment service delivery systems to increase community capacity and provide accessible, effective, comprehensive, integrated and evidence-based medication assisted treatment and recovery support services for individuals with opioid use disorders in Sauk, Columbia and Richland counties; and,

WHEREAS, the Columbia County Board of Supervisors has demonstrated a commitment to combating opiate addiction in Columbia County through the creation of the Medication Assisted Recovery Program; and,

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

WHEREAS, Columbia County Board of Supervisors Standing Rule 8 requires that new grants larger than Fifty Thousand Dollars (\$50,000.00), which are not part of the budget process, due to timing, must be accepted by the County Board via resolution from the Executive Committee.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors hereby accepts the MAT-PDOA Grant Award in the amount of Two Hundred Sixty-one Thousand and Seventy-one Dollars (\$261,071.00); 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 \$261,071.00.

Fiscal Impact: None

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

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

**RESOLUTION NO. 8-17**

WHEREAS, the Columbia County Board of Supervisors appointed the first ADRC Governing Board in Resolution No. 43-07, adopted on December 19, 2007; and,

WHEREAS, in Resolution No. 26-09, adopted on August 19, 2009, Resolution No. 30-11, adopted on November 15, 2011, and Resolution No. 3-14, adopted on February 19, 2014, the Columbia County Board of Supervisors defined the membership of the ADRC Governing Board.

NOW, THEREFORE, BE IT RESOLVED, that the ADRC Governing Board shall consist of eleven (11) members from the following groups: six (6) Older Adults; two (2) Developmentally Disabled; one (1) Physically Disabled; and two (2) County Board Supervisors; and,

BE IT FURTHER RESOLVED, that the Columbia County Board of Supervisors shall appoint two (2) County Board Supervisors to serve on the ADRC Governing Board, concurrent to their County Board term, and that all other non-County Board Supervisor ADRC Governing Board appointments shall be nominated by the ADRC Governing Board, approved by the Columbia County Health & Human Services Board, and confirmed by the Columbia County Board of Supervisors.

Fiscal Note: NONE.

Fiscal Impact: NONE.

~~Cathy Brunt~~  
Tom Drury  
Dr. Kenneth Oh  
John A. Stevenson  
Nancy M. Long  
~~James Brooks~~  
Matthew L. Rohrbeck  
Kevin Kessler  
Teresa Sumnicht  
HEALTH AND HUMAN SERVICES BOARD

Motion was made to adopt the Resolution by Sumnicht, second by Weyh. The resolution was adopted.

**RESOLUTION NO. 9-17**

WHEREAS, in 1999 the Federal Highway Administration (FHWA) partnered with the American Association of State and Highway officials (AASHTO) to create the National Work Zone Safety Awareness Week campaign, held annually in April prior to the construction season for much of the nation; and,

WHEREAS, the Wisconsin County Highway Association is asking all seventy-two (72) counties in the state to unite and kick-off "Work Zone Safety Awareness Week" with a resolution and campaign to raise awareness for its' workers and those of various highway contractors performing work for the counties; and,

WHEREAS, in the past few years Wisconsin work zones have averaged approximately 1,200 accidents with 15 fatalities (nationwide over 1,000 fatalities) annually per year to either drivers, passengers, workers, or pedestrians; including 3 Wisconsin County Highway workers during 2015 in the counties of Calumet, Lincoln, and Shawano; and, through their enforcement activities and other participation, the Columbia County Sheriff's Office, Wisconsin State Patrol, and the Columbia County Highway & Transportation Department will work to make "Work Zone Safety Awareness Week" a success; and,



WHEREAS, the County Sheriff's Office is committed in 2017 to conduct enforcement activities and work jointly with the County Highway & Transportation Department to make "Work Zone Safety Awareness Week" a success in Columbia County; and,

WHEREAS, the Columbia County Highway & Transportation Department and Sheriff's Office have employees whose daily duties are to work within work zones and traffic; and,

WHEREAS, the Federal Highway Administration has designated April 3<sup>rd</sup> through April 7<sup>th</sup>, 2017 as National Work Zone Safety Awareness Week;

NOW, THEREFORE, BE IT RESOLVED, by the Columbia County Board of Supervisors that the week of April 3<sup>rd</sup> through April 7<sup>th</sup>, 2017 be designated as "Work Zone Safety Awareness Week" in Columbia County.

Fiscal Note: NONE

Fiscal Impact: NONE

Andy Ross  
Kirk Konkel  
JoAnn Wingers  
Kenneth W. Hutler  
James E. Foley  
HIGHWAY COMMITTEE

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

#### **RESOLUTION NO. 10-17**

WHEREAS, the Columbia County MIS Department has an approved budget for the purchase of an Enterprise Back-Up Server, and

WHEREAS, after a solicitation for cost proposals, an additional \$36,000 is needed for the purchase, and

WHEREAS, this piece of equipment will replace a failing system and ensure Columbia County data files are not compromised.

NOW, THEREFORE, BE IT RESOLVED, that a sum not to exceed \$36,000 be transferred from the General Fund to the MIS Information Technology Account.

FISCAL NOTE: Transfer \$36,000 from General Fund Account No. 100.341100 to MIS Information Technology Account No. 8000.844000.152

FISCAL IMPACT: N/A

Tim Zander  
Henry A. St. Maurice  
Bruce J. Rashke  
Andy Ross  
Kenneth Hutler  
INFORMATION SERVICES AND  
PROPERTY COMMITTEE

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

Chair Gove requested a roll call vote. The resolution was adopted on a roll call vote as follows:

AYES: 26; NOES: 0; ABSENT: 2.

AYES: Konkel, Long, McClyman, Pufahl, Rashke, Rohrbeck, Ross, St. Maurice, Stevenson, Sumnicht, Teitgen, Tramburg, Weyh, Wingers, Zander, Attoe, Baumgartner, Bradley, Cupery, De Young, Drew, Field, Foley, Hutler, Kessler and Gove.

ABSENT: Brooks and Slegner.

**RESOLUTION NO. 11-17**

BE IT RESOLVED, that effective January 1, 2017, the following accounts be designated as continuing appropriation accounts:

|                                     |         |  |         |
|-------------------------------------|---------|--|---------|
| Wellness Funds                      | 1271    | Veterans-Donations                     | 4720    |
| Unemployment Control                | 1432    | Sheriff 9-1-1                          | 2911    |
| Employee Retirement Payout Pool     | 1433    | Solid Waste Container Rental           | 3632    |
| PC Maintenance Reserve              | 1455    | U.W. Grant/Program Accounts            | various |
| Printer Maintenance Reserve         | 1456    | 4H Youth Programs                      | 6701    |
| Telephone Maintenance Reserve       | 1460    | LWCD Conservation Donations            | 7410    |
| Revolving Loan Fund Program         | 1513    | LWCD Duck Creek Funds                  | 7411    |
| Environmental Assessments           | 1564    | LWCD Tree Sale Program                 | 7423    |
| Land Records Trust                  | 1721    | Conservation Practices                 | 7435    |
| County Owned Lands Inventory        | 1725    | ATC Conservation Fund                  | 7437    |
| Sheriff Donations                   | various | Tree Planter – Rental Program          | 7449    |
| Drug Education                      | 2240    | Clean-up Underground Tank              | 7450    |
| Sheriff Federal Drug Seizures Trust | 2241    | Capital Outlay Pool                    | 8000    |
| Sheriff State Drug Seizures Trust   | 2242    | Accounting/HR Computer System          | 9910    |
| CEASE Program                       | 2243    | HLth & Human Services Restricted Funds |         |
| Project Lifesaver                   | 2246    | Health Care Center - All Accounts      |         |
| Sheriff's Inmate Trust              | 2252    | Highway - All Accounts                 |         |

Fiscal Note: None

Fiscal Impact: None

James Foley  
Dan Drew  
Mike Weyh  
Mary Cupery  
John H. Tramburg  
FINANCE COMMITTEE

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

**RESOLUTION NO. 12-17**

WHEREAS, certain budgeted activities for calendar year 2016 have been overdrawn in their appropriations, and

WHEREAS, all additional revenue generated by departments is taken into consideration before calculating account shortages, and

WHEREAS, the 2016 Register in Probate account is overdrawn in the amount of \$3,036 due to higher costs for Guardian Ad Litem Attorney Fees, and

WHEREAS, the 2016 Clerk of Courts account is overdrawn in the amount of \$51,005 due primarily to Guardian Ad Litem Fees and a shortage in Fines, Forfeitures, and Fees Revenue.

NOW, THEREFORE, BE IT RESOLVED, that the following transfers be made from the pre-closing General Fund to the various named departments:

|                                      |          |
|--------------------------------------|----------|
| Register in Probate Account No. 1216 | \$ 3,036 |
| Clerk of Courts Account No. 1220     | \$51,005 |

FISCAL NOTE: Transfer \$54,041 from the pre-closing General Fund #100.341100 to the respective accounts as listed above.

FISCAL IMPACT: Cost to County is \$54,041.

Fred Teitgen  
Harlan Baumgartner  
Don De Young  
Robert C. McClyman  
Barry Pufahl  
JUDICIARY COMMITTEE

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

**RESOLUTION NO. 13-17**

WHEREAS, Columbia County has the authority to accept land dedicated as a public road under Columbia County Code of Ordinances § 16-205-050 D and Chapter 236, Wis. Stats.; and,

WHEREAS, the land owners, Carl and Susan Stephens, Robert and Frenda Gilbert Revocable Trust and Judith Johnson Wymer Revocable Trust and Joel and Tonia Crary and Scott and Eileen Robbins have caused the creation of the attached certified survey maps, which dedicates land described by that certified survey map; and,

WHEREAS, the certified survey maps have been reviewed by the Planning and Zoning Committee under Columbia County Code of Ordinances § 16-205-050 D; and,

WHEREAS, the Columbia County Highway and Transportation Department has reviewed the certified survey maps for use by the public as county highways.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors accepts dedication of land in of the NW ¼ of the NW ¼ Section 11, T. 11 N., R. 10 E., for a public road, known County Highway B, and as described in the attached certified survey map; and,

BE IT FURTHER RESOLVED, that the Columbia County Board of Supervisors accepts dedication of land in of the SE ¼ of the SE ¼ Section 25, T. 11 N., R. 10 E., for a public road, known County Highway C, and as described in the attached certified survey map; and

BE IT FURTHER RESOLVED, that the Columbia County Board of Supervisors accepts dedication of land in of the NE ¼ of the NW ¼ Section 28, T. 11 N., R. 12 E., for a public road, known County Highway CD, and as described in the attached certified survey map; and,

FINALLY BE IT RESOLVED, that the Director of Columbia County Planning and Zoning Department is authorized to sign the County Highway Acceptance Certificate that appears on the certified survey map.

Fiscal Impact: None

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

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

**ORDINANCE NO. 2458-17**

The Columbia County Board of Supervisors do ordain as follows: That Title 16 – Chapter 100, entitled “Zoning”, of the County Code, as passed by the Board of Supervisors on May 14, 2014 is hereby amended and added thereto as follows:

- (1) “To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay”, (Kathleen Oyen, Petitioner and Owner), parcels of land located in Section 33, Town 10 North, Range 8 East, Town of Lodi, 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 Northwest Quarter of Section 33, Town 10 North, Range 8 East, Town of Lodi, Columbia County, Wisconsin, described as follows:

- Beginning at the West Quarter corner of Section 33; thence North 89°15'39" East along the East-West Quarter line of said Section 33, 1,325.35 feet to the Southeast corner of the Southwest Quarter of the Northwest Quarter of said Section 33; thence North 00°29'37" West along the East line of the Southwest Quarter of the Northwest Quarter of Section 33, 90.81 feet to a point in the North right-of-way line of State Trunk Highway 60 and the point of beginning; thence South 89°14'16" West along the North right-of-way line of State Trunk Highway 60, 56.62 feet; thence South 82°08'43" West along the North right-of-way line of State Trunk Highway 60, 206.57 feet; thence North 03°36'36" West, 164.90 feet; thence South 89°34'08" East, 90.90 feet; thence North 00°29'37" West, 145.31 feet; thence North 89°30'23" East, 179.57 feet to a point in the East line of the Southwest Quarter of the Northwest Quarter of said Section 33; thence South 00°29'37" East along the East line of the Southwest Quarter of the Northwest Quarter of said Section 33, 281.76 feet to the point of beginning. Containing 65,340 square feet, (1.50 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 the Southwest Quarter of the Southwest Quarter of Section 33, Town 10 North, Range 8 East, Town of Lodi, Columbia County, Wisconsin, described as follows: Beginning at the Southwest corner of said Section 33; thence North 00°35'30" West along the West line of the Southwest Quarter of said Section 33, 1,101.86 feet; thence North 89°25'15" East, 1,324.62 feet to a point in the East line of the Southwest Quarter of the Southwest Quarter of said Section 33; thence South 00°33'53" East along the East line of the Southwest Quarter of the Southwest Quarter of said Section 33, 1,101.86 feet to the Southeast corner thereof; thence South 89°25'15" West along the South line of the Southwest Quarter of said Section 33, 1,324.10 feet to the point of beginning. Containing 1,459,260 square feet, (33.50 acres), more or less. All effective upon recording of the Certified Survey Map.
- (2) "To change from R-2 Multiple Family Residence and C-1 Light Commercial to R-2 Multiple Family Residence", (Donald Achterberg, Petitioner and Owner), a parcel of land located in Sections 9 and 10, Town 12 North, Range 10 East, Town of Wyocena, more particularly described as follows: Land to be Rezoned from R-2 Multiple Family Residence and C-1 Light Commercial to R-2 Multiple Family Residence - All of Lot 2 and part of Lot 1, Certified Survey Map No. 4138, recorded in Volume 29 of Certified Survey Maps, page 17, as Document No. 705743, located in the Southeast Quarter of the Northeast Quarter of Section 9 and the Southwest Quarter of the Northwest Quarter of Section 10, Town 12 North, Range 10 East, Town of Wyocena, Columbia County, Wisconsin, described as follows: Commencing at the East Quarter corner of Section 9, Town 12 North, Range 10 East; thence North 00°28'15" West along the East line of Section 9, 681.81 to a point in the South line of Lot 2, Certified Survey Map No. 4138, and the point of beginning; thence South 89°13'35" West, 235.01 feet; Thence North 15°59'40" East, 156.05 feet; thence North 89°11'02" East, 125.63 feet; thence South 01°08'54" East, 10.08 feet; thence North 89°11'02" East, 126.00 feet; thence southerly along the arc of a curve, concave easterly, having a radius of 2915.00 feet and a central angle of 2°50'10", whose long chord bears South 13°58'14" West, 144.27 feet; thence South 89°13'35" West, 24.99 feet to the point of beginning. Containing 37,066 square feet, (0.85 acres), more or less. All effective upon recording of the Certified Survey Map.
- (3) "To change from A-1 Agriculture to RC-1 Recreation", (Jay Walters, Petitioner and Rio Conservation Club, Owner), a parcel of land located in Section 34, Town 12 North, Range 10 East, Town of Wyocena, more particularly described as follows: Land to be Rezoned from A-1 Agriculture to RC-1 Recreation - The East Half of the Northwest Quarter, Section 34, Town 12 North, Range 10 East, except the following: A part of the Southeast Quarter of the Northwest Quarter of Section 34, Town 12 North, Range 10 East, described as follows: Commencing at the West Quarter corner of said Section 34; thence North 88°41'36" East along the East-West Quarter line, 1319.38 feet; thence North 01°47'04" West along the West line of the Southeast Quarter of the Northwest Quarter of said Section 34, 536.24 feet to the point of beginning; thence continuing North 01°47'04" West along the West line of the Southeast Quarter of the Northwest Quarter of said Section 34, 358.55 feet; thence North 73°47'37" East, 247.37 feet; thence South 02°11'30" East, 119.28 feet; thence North 74°12'42" East, 151.25 feet; thence North 71°04'22" East,

151.29 feet; thence South 02°05'52" East, 238.92 feet to a point in the centerline of Gorman Road; thence in a south-westerly direction along the centerline of Gorman Road, 550 feet, more or less, to the point of beginning; and the East 5 acres of the East Half of the Northwest Quarter of Section 34, Town 12 North, Range 10 East. Containing 3,118,896 square feet, (71.60 acres), more or less.

- (4) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Carl and Susan Stephens, Petitioners and Owners), parcels of land located in Section 11, 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 - Part of Lot 1, Certified Survey Map No. 4792, recorded in Volume 33 of Certified Survey Maps, page 127, as Document No. 771608, located in the Northwest Quarter of the Northwest Quarter of Section 11, Town 11 North, Range 10 East, Town of Lowville, Columbia County, Wisconsin, described as follows: Commencing at the Northwest corner of Section 11, Town 11 North, Range 10 East; thence South 00°44'18" East along the West line of Section 11 and the West line of said Lot 1, 794.76 feet to the point of beginning; thence North 89°10'59" East, 30.41 feet; thence North 89°26'19" East, 13.52 feet; thence South 54°05'50" East, 117.46 feet; thence South 85°48'21" East, 463.25 feet; thence South 65°35'33" East, 91.66 feet; thence North 82°50'38" East, 14.07 feet; thence North 00°41'19" East, 445.40 feet; thence North 86°49'23" East, 220.18 feet; thence South 00°41'19" West, 463.28 feet; thence South 82°50'38" West, 240.60 feet; thence North 65°35'33" West, 95.11 feet; thence North 85°48'21" West, 466.74 feet; thence North 54°49'08" West, 117.98 feet; thence South 89°10'59" West, 30.45 feet; thence North 00°44'18" West, 33.00 feet to the point of beginning. Containing 127,641 square feet (2.93 acres), more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - Part of Lot 1, Certified Survey Map No. 4792, recorded in Volume 33 of Certified Survey Maps, page 127, as Document No. 771608, located in the Northwest Quarter of the Northwest Quarter of Section 11, Town 11 North, Range 10 East, Town of Lowville, Columbia County, Wisconsin, described as follows: Commencing at the Northwest corner of Section 11, Town 11 North, Range 10 East; thence South 00°44'18" East along the West line of Section 11 and the West line of Lot 1, Certified Survey Map No. 4792, 44.65 feet to a point in the south right-of-way line of County Trunk Highway B and the point of beginning; thence continuing South 00°44'18" East along the West line of Section 11 and the West line of said Lot 1, 750.11 feet; thence North 89°10'59" East, 30.41 feet; thence North 89°26'19" East, 13.52 feet; thence South 54°05'50" East, 117.46 feet; thence South 85°48'21" East, 463.25 feet; thence South 65°35'33" East, 91.66 feet; thence North 82°50'38" East, 14.07 feet; thence North 00°41'19" East, 445.40 feet; thence North 86°49'23" East, 220.18 feet; thence South 00°41'19" West, 463.28 feet; thence South 82°50'38" West, 240.60 feet; thence North 65°35'33" West, 95.11 feet; thence North 85°48'21" West, 466.74 feet; thence North 54°49'08" West, 117.98 feet; thence South 89°10'59" West, 30.45 feet; thence South 00°44'18" East along the West line of Section 11 and the West line of said Lot 1, 76.56 feet to the Northwest corner of Lot 2, Certified Survey Map No. 4792; thence South 86°33'22" East along the North Line of said Lot 2, 590.97 feet; thence S 00°44'18" East along the East line of said Lot 2, 379.07 feet; thence North 87°43'52" West along the South line of said Lot 1, Certified Survey Map No. 4792, 728.55 feet; thence North 00°44'00" West along the East line of the Northwest Quarter of the Northwest Quarter and the East line of said Lot 1, 1294.13 feet to a point in the south right-of-way line of County Trunk Highway B, thence South 87°52'55" West along said right-of-way, 1318.19 feet to the point of beginning. Containing 1,339,202 square feet (30.74 acres), more or less. All effective upon recording of the Certified Survey Map.



- 5) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Dennis & Sharon Borde, Petitioners and Owners) parcels of land located in Section 3, 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 Northwest Quarter of Section 3, Town 11 North, Range 10 East, Town of Lowville, Columbia County, Wisconsin, described as follows: Commencing at the Northwest corner of said Section 3; thence North 89°01'35" East along the North line of the Northwest Quarter, 1,320.79 feet to the Northwest corner of the Northeast Quarter of the Northwest Quarter and the point of beginning; thence continuing North 89°01'35" East along the North line of the Northwest Quarter, 158.00 feet; thence South 00°38'22" East, 309.00 feet; thence South 89°01'35" West, 158.00 feet to a point in the West line of the Northeast Quarter of the Northwest Quarter; thence North 00°38'22" West along said West line, 309.00 feet to the point of beginning. Containing 48,821 square feet, (1.12 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 Northeast Quarter of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 3, Town 11 North, Range 10 East, Town of Lowville, Columbia County, Wisconsin, described as follows: Commencing at the Northwest corner of said Section 3; thence North 89°01'35" East along the North line of the Northwest Quarter, 1,320.79 feet to the Northwest corner of the Northeast Quarter of the Northwest Quarter; thence South 00°38'22" East along the West line of the Northeast Quarter of the Northwest Quarter, 525.77 feet to the point of beginning; thence North 88°53'56" East, 1,681.11 feet; thence South 00°38'22" East, 878.67 feet to a point in the South line of the Northwest Quarter of the Northeast Quarter; thence South 89°01'17" West along said South line, 359.27 feet to the Southeast corner of the Northeast Quarter of the Northwest Quarter; thence South 88°53'56" West along the South line of the Northeast Quarter of the Northwest Quarter, 1,321.84 feet to the Southwest corner thereof; thence North 00°38'22" West along the West line of the Northeast Quarter of the Northwest Quarter, 877.90 feet to the point of beginning. Containing 1,475,936 square feet, (33.88 acres), more or less. All effective upon recording of the Certified Survey Map.
- 6) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Robert & Frenda Gilbert Rev Tr dated 11/9/2012 & Judith Johnson Wymer Revocable Trust dtd 9/5/1995, Petitioners and Owners) parcels of land located in Section 25, 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 Southeast Quarter of the Southeast Quarter of Section 25, Town 11 North, Range 10 East, Town of Lowville, Columbia County, Wisconsin, described as follows: Commencing at the Southeast corner of said Section 25; thence North 00°02'26" East along the East line of the Southeast Quarter of said Section 25, 848.59 feet to the point of beginning; thence North 89°57'34" West, 396.00 feet; thence North 00°02'26" East, 220.00 feet; thence South 89°57'34" East, 396.00 feet; thence South 00°02'26" West along the East line of the Southeast Quarter of said Section 25, 220.00 feet to the point of beginning. Containing 87,120 square feet, (2.00 acres), more or less. Land to be Rezoned from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay - The Southwest Quarter of the Southeast Quarter of Section 25, Town 11 North, Range 10 East. Containing 1,742,400 square feet, (40.00 acres), more or less. All effective upon recording of the Certified Survey Map.



- 7) "To change from A-1 Agriculture to A-3 Agriculture Business and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Mervin & Fannie Mast, Petitioners and Owners) parcels of land located in Section 1, Town 13 North, Range 10 East, Town of Marcellon, more particularly described as follows: Land to be Rezoned from A-1 Agriculture to A-1 Agriculture Business - Being a part of the Northwest Quarter of the Northwest Quarter of Section 1, Town 13 North, Range 10 East, Town of Marcellon, Columbia County, described as follows: Commencing at the Northwest corner of said Section 1; thence North 89°53'07" East along the North line of the Northwest Quarter of said Section 1, 635.43 feet to the point of beginning; thence continuing North 89°53'07" East along said North line, 278.66 feet; thence South 00°40'42" West, 227.66 feet; thence South 89°53'07" West, 238.44 feet; thence North 00°00'00" East, 55.00 feet; thence North 89°00'00" West, 51.44 feet; thence North 04°38'00" East, 172.23 feet to the point of beginning. Containing 62,244 square feet, (1.429 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 Northwest Quarter of the Northwest Quarter of Section 1, Town 13 North, Range 10 East, Town of Marcellon, Columbia County, described as follows: Beginning at the Northwest corner of said Section 1; thence North 89°53'07" East along the North line of the Northwest Quarter of said Section 1, 498.00 feet; thence South 00°37'08" West, 488.67 feet; thence South 88°41'54" East, 836.58 feet; thence South 00°32'26" West along the East line of the Northwest Quarter of the Northwest Quarter of said Section 1, 816.70 feet to the Southeast corner of the Northwest Quarter of the Northwest Quarter of said Section 1; thence South 89°53'32" West along the South line of the Northwest Quarter of the Northwest Quarter of said Section 1, 1335.70 feet to the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 1; thence North 00°37'08" East along the West line of the Northwest Quarter of said Section 1, 1325.90 feet to the point of beginning. Containing 1,352,516 square feet, (31.050 acres), more or less. All effective upon recording of the Certified Survey Map.
- 8) "To change from C-1 Light Commercial, RR-1 Rural Residence, and A-2 General Agriculture to A-2 General Agriculture", (Larry & Susan Waldvogel, Petitioners and Owners and Rodney Maginnis, Owner) parcels of land located in Section 35, Town 13 North, Range 10 East, Town of Marcellon, more particularly described as follows: Land to be Rezoned from C-1 Light Commercial, RR-1 Rural Residence, and A-2 General Agriculture to A-2 General Agriculture - Being part of Lots 2 and 3, Certified Survey Map, No. 3652 as recorded in Volume 25 of Certified Survey Maps, page 20 as Document No. 642430 located in the Northeast Quarter of the Southeast Quarter and the Northwest Quarter of the Southeast Quarter of Section 35, Town 13 North, Range 10 East, Town of Marcellon, Columbia County, Wisconsin, described as follows: Beginning at the Southeast corner of Lot 3, Certified Survey Map, No. 3652, said point being in the West right-of-way line of State Trunk Highway 44; thence North 89°30'53" West along the South line of said Lot 3, 280.70 feet to a point which bears South 89°30'53" East, 735.00 feet, more or less, from the water's edge of the Fox River and the beginning of a meander line along said river; thence North 16°59'05" West along said meander line, 494.91 feet to a point in the North line of Lot 2, Certified Survey Map No. 3652, said point bearing South 89°31'09" East, 950.00 feet more or less from the water's edge of the Fox River and the end of this meander line along said river; thence South 89°31'09" East along North line of said Lot 2, 150.00 feet; thence South 00°39'30" West along the North line of said Lot 2, 15.00 feet; thence South 03°36'33" West, 309.94 feet; thence South 86°56'13" East, 329.18 feet to the Northeast corner of said Lot 3, said point being in the West right-of-way line of State Trunk Highway 44; thence Southwesterly along a 1,096.00 foot radius curve to the right in the East line of said Lot 3 and the West right-of-way line of State Trunk Highway 44 having a central angle of 07°09'16" and whose long chord bears South 14°17'36" West, 136.77 feet, to the point of beginning. Containing 504,221 square feet, (11.58 acres), more or less. Intending to include all lands lying between the meander line herein described and the water's edge of the Fox River lying between true Westerly extensions of the Northerly and Southerly lines herein described. Being subject to servitudes and easements of use or record, if any.

- 9) "To change from A-1 Agriculture to R-1 Single Family Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (David & Joan Lichtfeld, Petitioners and Owners) parcels of land located in Section 36, Town 12 North, Range 9 East, Town of Pacific, more particularly described as follows: Land to be Rezoned from A-1 Agriculture to R-1 Single Family Residence - Being a part of the Northwest Quarter of the Northwest Quarter of Section 36, Town 12 North, Range 9 East, Town of Pacific, Columbia County, Wisconsin, described as follows: Commencing at the West Quarter corner of Section 36; thence North 00°51'29" West along the West line of the Northwest Quarter of said Section 36, 1,322.52 feet to the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 36 and the point of beginning; thence continuing North 00°51'29" West along the West line of the Northwest Quarter of said Section 36, 7.66 feet to a point in the East right-of-way line of Polaris Drive; thence North 39°52'41" East along the East right-of-way line of Polaris Drive, 33.45 feet; thence Northeasterly along a 261.01 foot radius curve to the right in the East right-of-way line of Polaris Drive having a central angle of 23°46'34" and whose long chord bears North 27°59'24" East, 107.54 feet; thence North 16°06'07" East along the East right-of-way line of Polaris Drive, 184.06 feet; thence Northeasterly along a 140.00 foot radius curve to the right in the East right-of-way line of Polaris Drive having a central angle of 20°01'53" and whose long chord bears North 26°07'03.5" East, 48.70 feet; thence North 36°08'00" East along the East right-of-way line of Polaris Drive, 62.09 feet; thence Northeasterly along a 30.00 foot radius curve to the right in the East right-of-way line of Polaris Drive having a central angle of 90°01'00" and whose long chord bears North 81°08'30" East, 42.43 feet; thence South 53°51'00" East along the South right-of-way line of Patchin Road, 169.35 feet; thence Southeasterly along a 470.00 foot radius curve to the left in the South right-of-way line of Patchin Road having a central angle of 08°22'16" and whose long chord bears South 58°02'09" East, 68.61 feet; thence South 00°47'08" East, 264.74 feet to a point in the South line of the Northwest Quarter of the Northwest Quarter of said Section 36; thence South 89°22'29" West along the South line of the Northwest Quarter of the Northwest Quarter of said Section 36, 421.43 feet to the point of beginning. Containing 117,899 square feet, (2.71 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 Northwest Quarter of the Northwest Quarter of Section 36, Town 12 North, Range 9 East, Town of Pacific, Columbia County, Wisconsin, described as follows: Commencing at the Northwest corner of Section 36; thence North 89°26'27" East along the North line of the Northwest Quarter of said Section 36 and the North line of Lot 18, First Addition to North Star Valley, 25.00 feet to the Northeast corner of said Lot 18 and the point of beginning; thence continuing North 89°26'27" East along the North line of the Northwest Quarter of said Section 36, 1,303.96 feet to the Northeast corner of the Northwest Quarter of the Northwest Quarter of said Section 36; thence South 00°47'08" East along the East line of the Northwest Quarter of the Northwest Quarter of said Section 36, 1,320.98 feet to the Southeast corner of the Northwest Quarter of the Northwest Quarter of said Section 36; thence South 89°22'29" West along the South line of the Northwest Quarter of the Northwest Quarter of said Section 36, 905.85 feet; thence North 00°47'08" West, 264.74 feet to a point in the South right-of-way line of Patchin Road; thence Southeasterly along a 470.00 foot radius curve to the left in the South right-of-way line of Patchin Road having a central angle of 28°24'44" and whose long chord bears South 76°25'38" East, 230.69 feet; thence North 89°22'00" East along the South right-of-way line of Patchin Road, 256.28 feet; thence Northeasterly along a 470.00 foot radius curve to the left in the South right-of-way line of Patchin Road having a central angle of 28°38'44" and whose long chord bears North 75°02'38" East, 232.54 feet; thence North 60°43'16" East along the South right-of-way line of Patchin Road, 100.03 feet; thence Northeasterly along a 175.00 foot radius curve to the right in the South right-of-way line of Patchin Road having a central angle of 28°41'07" and whose long chord bears North 75°03'50" East, 86.70 feet; thence North 89°24'23" East along the South right-of-way line of Patchin Road, 28.64 feet to a point in the East line of the Northwest Quarter of the Northwest Quarter of said Section 36;

thence North 00°47'08" West along the East line of the Northwest Quarter of the Northwest Quarter of said Section 36, 66.00 feet to a point in the North right-of-way line of Patchin Road; thence South 89°24'23" West along the North right-of-way line of Patchin Road, 28.42 feet; thence Southwesterly along a 241.00 foot radius curve to the left in the North right-of-way line of Patchin Road having a central angle of 28°41'07" and whose long chord bears South 75°03'49.5" West, 119.40 feet; thence South 60°43'16" West along the North right-of-way line of Patchin Road, 100.03 feet; thence Southwesterly along a 404.00 foot radius curve to the right in the North right-of-way line of Patchin Road having a central angle of 28°38'44" and whose long chord bears South 75°02'38" West, 199.89 feet; thence South 89°22'00" West along the North right-of-way line of Patchin Road, 256.28 feet; thence Northwesterly along a 404.00 foot radius curve to the right in the North right-of-way line of Patchin Road having a central angle of 36°47'00" and whose long chord bears North 72°14'30" West, 254.93 feet; thence North 53°51'00" West along the North right-of-way line of Patchin Road, 232.37 feet; thence Northwesterly along a 366.00 foot radius curve to the left in the North right-of-way line of Patchin Road having a central angle of 36°41'26" and whose long chord bears North 72°11'44" West, 230.39 feet to a point in the West line of the Northwest Quarter of said Section 36; thence North 00°51'29" West along the West line of the Northwest Quarter of said Section 36, 420.00 feet to a point in the South line of Lot 18, First Addition to North Star Valley; thence North 89°29'27" East along the South line of said Lot 18, 25.00 feet; thence North 00°51'29" West along the East line of said Lot 18, 336.03 feet to the point of beginning. Containing 1,481,351 square feet, (34.00 acres), more or less. All effective upon recording of the Certified Survey Map.

- 10) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Marcel & Trecella Kjorlie, Petitioners and Owners) parcels of land located in Section 13, Town 10 North, Range 7 East, Town of West Point, 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 Southeast Quarter and a part of the Southeast Quarter of the Southwest Quarter of Section 13, Town 10 North, Range 7 East, Town of West Point, Columbia County, Wisconsin, described as follows: Commencing at the South Quarter corner of Section 13; thence South 89°59'25" East along the South line of the Southeast Quarter of said Section 13, 218.76 feet; thence North 00°06'31" East, 976.99 feet to the point of beginning; thence North 89°53'29" West, 277.73 feet; thence North 00°06'31" East, 346.78 feet to a point in the North line of the Southeast Quarter of the Southwest Quarter of said Section 13; thence South 89°47'40" East along the North line of the Southeast Quarter of the Southwest Quarter of said Section 13, 58.46 feet; thence South 89°53'29" East along the North line of the Southwest Quarter of the Southeast Quarter of said Section 13, 351.59 feet to a point in the centerline of County Trunk Highway JV; thence South 47°54'34" East along the centerline of County Trunk Highway JV, 54.02 feet; thence Southeasterly along a 490.00 foot radius curve to the right in the centerline of County Trunk Highway J having a central angle of 06°22'03" and whose long chord bears South 62°02'29" East, 54.43 feet; thence South 58°51'27" East along the centerline of County Trunk Highway J, 293.48 feet; thence South 04°11'56" West, 134.16 feet; thence North 89°53'29" West, 462.50 feet to the point of beginning. Containing 220,878 square feet, (5.07 acres) more or less. Being subject to County Trunk Highways J and V right-of-ways 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 Northeast Quarter, the Northeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter of Section 24, Town 10 North, Range 7 East, Town of West Point, Columbia County, Wisconsin, described as follows: Beginning at the Center of Section 24; thence North 00°11'13" East along the North - South Quarter line of said Section 24, 1,319.22 feet to the Northwest corner of the Southwest Quarter of the Northeast Quarter of said Section 24; thence North 89°46'38" West along the South line of the Northeast Quarter of the Northwest Quarter of said Section 24, 1,325.16 feet to the Southwest corner of the Northeast Quarter of the Northwest Quarter of said Section 24;

thence North 00°14'31" East along the West line of the Northeast Quarter of the Northwest Quarter of said Section 24, 66.09 feet; thence South 89°47'12" East, 1,119.95 feet; thence North 00°11'17" East, 680.10 feet; thence North 84°26'45" West, 502.91 feet to a point in the centerline of a ditch; thence North 27°21'04" West along the centerline of said ditch, 233.14 feet; thence North 22°05'12" West along the centerline of said ditch, 190.18 feet; thence North 20°03'35" West along the centerline of said ditch, 152.66 feet to a point in the North line of the Northwest Quarter of said Section 24; thence South 89°47'47" East along the North line of the Northwest Quarter of said Section 24, 938.55 feet to the Northwest corner of the Northwest Quarter of said Section 24; thence South 89°59'25" East along the North line of the Northeast Quarter of said Section 24, 1,258.01 feet; thence South 00°08'37" West, 521.77 feet; thence North 89°52'26" West, 130.00 feet; thence South 37°17'02" West, 414.07 feet; thence North 89°52'26" West, 214.33 feet to a point in the East line of the West half of the Northwest Quarter of the Northeast Quarter of said Section 24; thence South 00°09'55" West along the East line of the West half of the Northwest Quarter of the Northeast Quarter and the East line of the West half of the Southwest Quarter of the Northeast Quarter of said Section 24, 1,790.57 feet to a point in the East - West Quarter line of said Section 24; thence North 89°45'28" West along the East - West Quarter line of said Section 24, 665.00 feet to the point of beginning. Containing 2,861,531 square feet, (65.69 acres) more or less. All effective upon recording of the Certified Survey Map.

- 11) "To change from A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay", (Joseph & Julie Clark, Petitioners and Michael & Lucinda Meade, Petitioners and Owners) parcels of land located in Section 13, Town 10 North, Range 7 East, Town of West Point, 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 of Section 12, Town 10 North, Range 7 East, Town of West Point, Columbia County, Wisconsin, described as follows: Commencing at the Center Quarter corner of Section 12; thence South 00°18'01" West along the North-South Quarter line of said Section 12, 1,157.06 feet to the point of beginning; thence South 89°59'46" East, 786.34 feet to a point in the West line of Lot 1, Certified Survey Map No. 1757; thence South 00°26'17" West along the West line of said Lot 1, 161.00 feet to a point in the South line of the Northwest Quarter of the Southeast Quarter of said Section 12; thence North 89°59'46" West along the South line of the Northwest Quarter of the Southeast Quarter of said Section 12, 785.95 feet to a point in the North-South Quarter line of said Section 12; thence North 00°18'01" East along the North-South Quarter line of said Section 12, 161.00 feet to the point of beginning. Containing 126,566 square feet, (2.91 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 Southeast Quarter of the Southwest Quarter and all of the Northeast Quarter of the Southwest Quarter of Section 12, Town 10 North, Range 7 East, Town of West Point, Columbia County, Wisconsin, described as follows: Beginning at the Center Quarter corner of Section 12; thence South 00°18'01" West along the North-South Quarter line of said Section 12, 1,491.50 feet to the Northeast corner of Lot 1, Certified Survey Map No. 1533; thence South 89°44'05" West along the North line of said Lot 1, 1,332.70 feet to the Northwest corner of said Lot 1; thence North 00°14'06" 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 12, 1,493.84 feet to the Northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 12; thence North 89°50'11" East along the East-West Quarter line of said Section 12, 1,334.39 feet to the point of beginning. Containing 1,990,473 square feet, (45.69 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

Pufahl asked that all rezone requests be taken together.

Motion was made by Pufahl, second by Teitgen, to approve the rezone request for Kathleen Oyen, Petitioner and Owner; Donald Achterberg, Petitioner and Owner; Jay Walters, Petitioner and Rio Conservation Club, Owner; Carl and Susan Stephens, Petitioners and Owners; Dennis and Sharon Borde, Petitioners and Owners; Robert and Frenda Gilbert Revocable Trust dated 11/9/2012 and Judith Johnson Wymer Revocable Trust dated 9/5/1995, Petitioners and Owners; Mervin and Fannie Mast, Petitioners and Owners; Larry and Susan Waldvogel, Petitioners and Owners and Rodney Maginnis, Owner; David and Joan Lichtfeld, Petitioners and Owners; Marcel and Trecella Kjorlie, Petitioners and Owners and Joseph and Julie Clark Petitioners and Michael and Lucinda Meade, Petitioners and Owners. The motion carried.

The Ordinance was declared passed and is to be known as Ordinance Z458-17.

Kessler moved adjournment of this meeting to Tuesday, April 18, 2017 at 9:45 a.m. Second was made by Teitgen. The motion carried. The meeting adjourned at 10:24 a.m.