

*Proceedings  
of the  
Board of Supervisors  
of Columbia County*

*April 16, 2002*

*through*

*March 19, 2003*



*Daniel J. See, Chair*

*Jeanne Miller, County Clerk*

**PORTAGE, WISCONSIN**

**COUNTY ELECTED AND  
APPOINTED OFFICIALS  
April 2002 to March 2003**

*Chair of County Board*..... *Daniel J. See*  
*Vice Chair of County Board* ..... *Susan Martin*  
Buildings and Grounds Director ..... Cory Wiegel  
Circuit Judge Branch I ..... Daniel S. George  
Circuit Judge Branch II ..... James L. Miller  
Circuit Judge Branch III..... Richard L. Rehm  
Clerk of Circuit Court ..... Susan Weber Raimer  
Columbia Care Center Administrator ..... Amy E. Yamriska  
Comptroller ..... Lois Schepp  
Coroner..... Marc T. Playman  
Corporation Counsel ..... Joseph Ruf, III  
County Clerk (April-December, 2002) ..... Cathleen M. Lathrop  
County Clerk (January, 2003-present) ..... Jeanne Miller  
County Extension Team Leader..... Laura Paine  
County Surveyor ..... James Grothman  
County Treasurer..... Deborah A. Raimer  
District Attorney..... Jane Kohlwey  
Emergency Management Director ..... Timothy Carlin  
Health & Human Services Director ..... Thomas C. Pink  
Highway Commissioner..... Kurt Dey  
Human Resources Director ..... Brent Miller  
Land & Water Conservation Director ..... Kurt Calkins  
Land Information Director ..... Gene Mucciolo  
Management Information Services ..... John Hartman  
Planning & Zoning Director..... John Bluemke  
Register of Deeds ..... Penny L. Judd  
Sheriff ..... Steven R. Rowe  
Solid Waste Director ..... William Casey  
Veterans Service Officer ..... John (Bill) Crowley

**COLUMBIA COUNTY BOARD OF SUPERVISORS  
STANDING COMMITTEES  
April 16, 2002**

**AGRICULTURE AND LAND AND WATER CONSERVATION**

Robert L. Hamele, Chair  
Robert J. Stoltenberg, Vice Chair  
JoAnn Wingers, Secretary  
Harlan Baumgartner  
Donald P. Nelson  
Jim Bennett and William Casey, (Representatives to Land and Water Conservation Committee)

**COLUMBIA CARE CENTER**

John H. Tramburg, Chair  
Gerald L. Salzwedel, Vice Chair  
Jack Sanderson, Secretary  
Orrin Anderson  
Claire R. Robson

**EXECUTIVE**

Daniel J. See, Chair  
Susan Martin, Vice Chair  
Neil M. Ford, Secretary  
Vincent D. Curtis  
Debra L. H. Wopat

**FINANCE**

Orrin Anderson, Chair  
John H. Tramburg, Vice Chair  
Susan Martin, Secretary  
Debra L. H. Wopat  
Michael J. Kinney

**HEALTH AND HUMAN SERVICES**

Edward P. Riley, Chair  
Kenneth E. Olson  
J. Robert Curtis  
Frank Newgent  
Barry Pufahl  
Robert R. Westby  
Dr. Krumpos  
Debbie Krumpos  
Helen Phelps

**HIGHWAY**

Donald P. Nelson, Chair  
Robert Andler, Vice Chair  
Michael J. Kinney, Secretary  
Daniel Amato  
Vincent D. Curtis

## Standing Committees (Cont.)

### **HUMAN RESOURCES**

Debra L.H. Wopat, Chair  
Susan Martin, Vice Chair  
Andy Ross, Secretary  
J. Robert Curtis  
Richard C. Boockmeier

### **JUDICIARY**

John H. Healy, Chair  
Neil M. Ford, Vice Chair  
Robert R. Westby, Secretary  
Edward P. Riley  
Kenneth W. Hutler

### **LAND INFORMATION AND RECORDS**

JoAnn Wingers, Chair  
Robert J. Andler, Vice Chair  
Eugene M. Fitzgerald, Secretary  
Robert L. Hamele  
Robert J. Stoltenberg

### **MANAGEMENT INFORMATION SERVICES**

Neil M. Ford, Chair  
Kenneth W. Hutler, Vice Chair  
Don DeYoung, Secretary  
Richard C. Boockmeier  
Andy Ross

### **PLANNING AND ZONING**

Harlan Baumgartner, Chair  
Eugene M. Fitzgerald, Vice Chair  
Robert L. Hamele, Secretary  
John H. Healy  
John G. Stevenson

### **PROPERTY AND INSURANCE**

Richard C. Boockmeier, Chair  
Kenneth E. Olson, Vice Chair  
John G. Stevenson, Secretary  
Frank Newgent  
Don DeYoung

### **SOLID WASTE**

Daniel Amato, Chair  
Gerald L. Salzwedel, Vice Chair  
Barry Pufahl, Secretary  
Claire R. Robson  
Jack Sanderson

**BOARDS AND COMMISSIONS**

**April 16, 2002**

**CENTRAL WISCONSIN COMMUNITY ACTION**

Robert L. Hamele ..... Portage  
John G. Stevenson ..... Lodi

**COMMISSION ON AGING**

Joyce Hillestad ..... Cambria  
Edward P. Riley ..... Portage  
Kenneth E. Olson ..... Portage  
Jay West ..... Portage  
Mae Wingers ..... Cambria

**COMMUNITY OPTIONS**

Debbie Barth ..... Columbus  
Jennifer Bieno ..... Portage  
Howard M. Brown ..... Lodi  
Carla Cady ..... Portage  
Pam Field ..... Portage  
Helen Phelps ..... Portage  
Candyce Reynolds ..... Columbus  
Doreen Wentland ..... Portage  
Dennis Wittig ..... Portage  
Gary Vanden Houten ..... Portage  
Wendell Hoffmaster ..... Lodi  
Donna McLeod ..... Cambria  
Laurie Millard ..... Reedsburg  
Don Musil ..... Portage  
Edward P. Riley ..... Portage  
J. Robert Curtis ..... Portage

**CONDEMNATION**

Beth Hoskins ..... Portage  
Alan Strohschein ..... Columbus  
Richard Marquardt ..... Poynette  
Alan White ..... Wisconsin Dells  
Eugene Fitzgerald ..... Lodi

**COUNTY LIBRARY SYSTEMS**

Carol Ziehmke ..... Pardeeville  
Harlan Baumgartner ..... Rio  
Ken Bates ..... Columbus  
Beverly Hoffman ..... Portage  
J. Robert Curtis ..... Portage  
Steve Stuelke ..... Wisconsin Dells  
Patricia Westby ..... Lodi

**COUNTY FARM DRAINAGE**

Lawrence "Jack" Crescio ..... Randolph  
Raymond Niehoff ..... Randolph  
Richard Gumz ..... Wisconsin Dells

**Board And Commissions (Cont.)**

**ECONOMIC DEVELOPMENT CORPORATION**

Daniel Amato ..... Columbus  
John H. Tramburg ..... Fall River

**ETHICS INQUIRY**

Vytas Salna ..... Portage  
Carol Ziemke..... Pardeeville  
Dean Walker..... Wisconsin Dells  
Neal James (Alternate)..... Pardeeville

**HARMONY GROVE LAKE PROTECTION AND REHABILITATION DISTRICT**

Ray Saxby ..... Lodi

**HIGHWAY SAFETY**

Steven R. Rowe.....Rio  
Kurt Dey..... Portage  
Tim Carlin ..... Portage  
Steven Rubert..... Fall River  
Darrell Parker ..... Portage  
Joseph Ruf, III..... Madison  
Avis Link..... Cambria  
Tom Maloney ..... Portage  
Kirk Konkell..... D.O.T.  
Doug Jarzynski..... Wisconsin Dells  
Tony Brus..... Columbus  
Donald P. Nelson ..... Wisconsin Dells  
Mark Jensen ..... Madison  
Marlene Auerbach..... DeForest  
Daniel Pulsfus ..... Portage  
Dean Edgington..... Wisconsin Dells  
Dan Roberts..... Madison  
Vern Schuetz ..... Portage  
T.O. Boge ..... Wyocena

**HOUSING AUTHORITY**

Debra L.H. Wopat .....Rio  
Ray Bankers ..... Pardeeville  
Harlan Baumgartner .....Rio  
Lois Horsman ..... Wyocena  
Velda Allen ..... Pardeeville

**INTERCOUNTY COORDINATING**

Daniel J. See.....Lodi  
Vincent D. Curtis ..... Portage  
Susan Martin ..... Portage  
John H. Tramburg ..... Fall River

**LAZY LAKE MANAGEMENT DISTRICT**

John H. Tramburg ..... Fall River

**Board And Commissions (Cont.)**

**LOCAL EMERGENCY PLANNING**

Tim Carlin ..... Pardeeville  
Vern Gove ..... Randolph  
Eugene Hahn ..... Cambria  
Judy Haase. .... Portage  
John H. Healy..... Cambria  
Mike Hudgens ..... Portage  
Curtis Ray ..... Portage  
Susan Lorenz..... Portage  
Steven R. Rowe.....Rio  
Eldon Saager ..... Poynette  
Kathy Johnson..... Portage  
Vincent Curtis ..... Portage  
Chris Helser..... Portage  
Ann LaGori ..... Oshkosh  
Casey Krueger..... Portage  
Daniel J. See..... Lodi  
Erick Wakiaga..... Portage  
Suzi Seely..... Portage  
Heather Tessman.....Cambria  
Bonnie Steffenhagen ..... Lodi  
Cheryl Neef ..... Pardeeville  
Kathleen O’Hara ..... Portage  
Daniel J. Stencil..... Poynette  
Suzanne Filut.....Rio

**LOCAL LIBRARY BOARDS**

Suzanne Filut.....Rio  
Cheryl Neef ..... Pardeeville  
Kathleen O’Hara ..... Portage  
Bonnie Steffenhagen ..... Lodi  
Daniel J. Stencil..... Poynette  
Heather Tessman.....Cambria

**PARK LAKE MANAGEMENT DISTRICT**

Robert J. Stoltenberg.....Arlington

**REVOLVING LOAN/HOUSING**

Orrin K. Anderson.....Finance  
John H. Tramburg ..... Economic Development Corporation  
Susan Martin ..... Executive  
Daniel J. See..... Chair  
Robert L. Hamele ..... Agriculture

**SOUTH CENTRAL LIBRARY SYSTEMS**

Kenneth E. Olson ..... Portage  
Steve Stuelke (Alternate) ..... Wisconsin Dells

**Board And Commissions (Cont.)**

**TAX INCREMENT FINANCE DISTRICTS**

Daniel Amato ..... Columbus  
Harlan Baumgartner ..... Rio  
Richard C. Boockmeier ..... Portage  
Charlaine P. Brereton ..... Arlington  
Gerrit DeBoer ..... Friesland  
Gerald L. Salzwedel ..... Columbus  
John H. Tramburg ..... Fall River  
JoAnn Wingers ..... Cambria

**TOURISM**

Daniel Amato ..... Columbus  
Jeffrey Bump ..... Cambria-Friesland  
Paul Fisk ..... Lodi  
Judy Goodson ..... Columbus  
Jeff Grothman ..... Portage  
Chuck Judd ..... Poynette  
Sharon McCormick ..... Fall River  
Bob O’Brion ..... Portage  
Judy Robbins ..... Fall River  
Andy Ross ..... Poynette  
Bonnie Sierlecki ..... Wisconsin Dells  
Dale Strmiska ..... Rio  
Donna Tabbutt ..... Lodi  
Bob Williams ..... Pardeeville  
Ken Yahn ..... Portage

**VETERANS SERVICE**

John C. Van Wie ..... Wisconsin Dells  
Paul Dalton ..... Lodi  
Keith Miller ..... Columbus

**WCA LEGISLATIVE**

Daniel J. See ..... Lodi  
John H. Tramburg ..... Fall River  
Vincent D. Curtis ..... Portage  
Susan Martin ..... Portage

**WISCONSIN COUNTIES UTILITY TAX ASSOCIATION**

Daniel J. See ..... Lodi  
John H. Tramburg ..... Fall River  
Robert L. Hamele ..... Portage  
Neil M. Ford ..... Lodi

**ZONING BOARD OF ADJUSTMENTS**

Leon Heinze ..... Portage  
Hiroshi Kanno ..... Wisconsin Dells  
Donald Berger ..... Lodi  
Carol Genrich Dugan ..... Portage  
William Gretzinger ..... Fall River  
Clifford Lawton (Alternate) ..... Lodi

## Table of Contents

<a href="#">April 16, 2002</a>	1
<a href="#">May 15, 2002</a>	20
<a href="#">June 19, 2002</a>	26
<a href="#">July 17, 2002</a>	34
<a href="#">August 21, 2002</a>	39
<a href="#">September 18, 2002</a>	46
<a href="#">October 16, 2002</a>	65
<a href="#">November 12, 2002</a>	85
<a href="#">December 18, 2002</a>	104
<a href="#">January 15, 2003</a>	110
<a href="#">February 19, 2003</a>	116
<a href="#">March 19, 2003</a>	122

<b><u>Annual Reports</u></b>	<a href="#">19</a> , <a href="#">121</a> , <a href="#">130</a>
------------------------------	--

### **Appointments by Board**

<a href="#">Standing Committees</a>	12
<a href="#">Suzi Seely, Mike Hudgens, Judy Haase, Tim Carlin, Susan Lorenz, John Healy, Steve Rowe, Curtis Ray, Vincent Curtis, Vern Gove, Eldon Saager, Kathy Johnson, Ann LaGori, Eugene Hahn, Casey Krueger, Erik Wakiaga, Dan See, and Chris Helser - Local Emergency Planning Committee</a>	12
<a href="#">Mae Wingers - Commission on Aging</a>	12
<a href="#">Debbie Krumpos - Health and Human Services Board</a>	13
<a href="#">Jim Bennett, Forestry and Bill Casey, Solid Waste - Land and Water Conservation Committee Representatives</a>	13
<a href="#">Ray Saxby - Harmony Grove Lake Protection and Rehabilitation District</a>	13
<a href="#">Debra L. H. Wopat - Housing Authority</a>	20
<a href="#">Dan Amato, Paul Fisk, Gloria Geiger, Judy Goodson, Jeff Grothman, Ken Jahn, Chuck Judd, Sarah Lloyd, Sharon McCormick, Bob O’Brion, Tim Perry, Judy Robbins, Bonnie Sierlecki, Pat Svendsen, Dale Strmiska and Bob Williams - Columbia County Tourism Committee</a>	21
<a href="#">Dean Walker - Ethics Inquiry Board</a>	26
<a href="#">Mark Jensen, Kurt Dey, Marlene Auerbach, Darrell Parker, Avis Link, JoAnn Wingers, Gerry Sallmann, Tom Maloney, Dan Roberts, Kirk Konkel, Donald Nelson, Ken Manthey, Dan Pulsfus and Dean Edgington - Highway Safety Commission</a>	26
<a href="#">Leon Heinze - Zoning Board of Adjustments</a>	26
<a href="#">Beverly Hoffmann - Portage Library Board</a>	34
<a href="#">Beverly Hoffmann - Portage Library Board</a>	39
<a href="#">Lucille Wopat - Pardeeville Library Board</a>	39
<a href="#">Lonna Brooks - Rio Library Board</a>	39
<a href="#">Debra Wopat, John Tramburg, and Andy Ross, Sue Martin as an Alternate - 2003 Negotiating Committee</a>	39
<a href="#">Robert J. Andler to temporarily replace Supervisor Riley - Judiciary Committee</a>	46

**Appointments by Board (Cont.)**

Kathleen Hartl - Community Options/Long Term Support Committee ..... 46

William Escher - Lodi Library Board, with term to expire July, 2005..... 65

Keith Miller - Veterans Service Commission with a term to expire November, 2005 ..... 85

Robert Hamele to replace Orrin Anderson - Finance Committee ..... 104

J. Robert Curtis to replace Ken Olson - South Central Library Board - with a term to expire December, 2004 ..... 104

William Brown, Alternate - South Central Library Board - with a term to expire December, 2005 ..... 104

Patricia Westby - Columbia County Library Board - reappointed for a term expiring December, 2005..... 104

John, Priske, Doug Lambert, and Harlan Baumgartner - Agriculture Development Zone ..... 104

Jim Grothman - County Surveyor for a term expiring January, 2005..... 110

Andy Ross to replace Patricia-Frye-Svendsen; Jeffrey Bump to replace Tim Perry; Donna Tabbutt to replace Gloria Geiger - Columbia County Tourism Committee with a term expiring March 2004 ..... 110

E. William Brown - Columbia County Library Board, with a term expiring December, 2005 ..... 110

Craig Patrick Casey - Supervisory District 1 ..... 116

Harlan Horton - Supervisory District 18..... 116

Emergency Fire Wardens..... 116

Greg Robbins-Robbins Manufacturing, Inc., Fred Hebert-Central Wisconsin Community Action - with a term expiring in 3 years ..... 116

Harlan Horton - Solid Waste Committee, Planning & Zoning Committee ..... 116

Craig Patrick Casey - Property/Insurance Committee, Health & Human Services..... 116

Edward P. Riley, Columbia Health Care Center..... 116

Robert Andler - Judiciary Committee..... 121

Gerald J. Sallmann, Columbus Police Chief - Local Emergency Planning Committee..... 122

**Budget**

Establish 2002 Equalized Values ..... 48

Distribute Proposed 2003 Budget ..... 65

Budget Hearing ..... 85

2003 Budget..... 89

## **Claims**

<a href="#">Lilac-May; Sundsmo</a> .....	12
<a href="#">Jay and Dorothy Heller</a> .....	26
<a href="#">Jeffrey S. Huettl, et al</a> .....	39
<a href="#">Jeffrey P. Ostby</a> .....	39
<a href="#">Joseph K. Bylewski</a> .....	39
<a href="#">Terrance Grissom</a> .....	39
<a href="#">Sharon Werts</a> .....	46
<a href="#">Jeffrey P. Ostby</a> .....	46
<a href="#">Verizon</a> .....	65
<a href="#">Jay and Dorothy Heller</a> .....	110
<a href="#">Marcella Ehlenfeldt</a> .....	110

## **Communications**

<a href="#">Acknowledge Employee Retirements - Gene Broesch, Roger Gee, Beverly Hutchinson, Ronald Kerl, Carole Lyons, Rodney Roundy, Calvin Schwantz and Ann Sheridan</a> .....	26
<a href="#">Health Care Center Services</a> .....	39
<a href="#">Attorney Ruf - Report on Court Commissioner Contract</a> .....	39
<a href="#">Supervisor Martin - Thank You</a> .....	46
<a href="#">Chair See - Huber Facility Expansion</a> .....	46
<a href="#">Supervisor Anderson - Distribute Proposed 2003 Budget</a> .....	65
<a href="#">Wisconsin Department of Commerce - Community Development Block Grant</a> .....	85
<a href="#">John H. Tramburg, Michael J. Kinney, and Daniel J. See - Wisconsin Counties Association Convention</a> .....	85
<a href="#">Family of Orrin Anderson - Thank you</a> .....	104
<a href="#">Paul O’Brion - Bridging Generations Foundation</a> .....	104
<a href="#">Chair Daniel See - Budget/Huber Facility</a> .....	104
<a href="#">Family of Frank Newgent - Thank you</a> .....	116
<a href="#">Barry Pufahl - Thank you</a> .....	116

## **Elections**

<a href="#">Chair</a> .....	1
<a href="#">Vice Chair</a> .....	2
<a href="#">Executive Committee Members</a> .....	12
<a href="#">Columbia County Highway Commissioner</a> .....	85

## **Fiscal Notes**

<a href="#">Engineering for New Wycena Highway Facility</a> .....	14
<a href="#">Planning and Zoning Office Remodeling</a> .....	23
<a href="#">Provide Funds for Additional 2002 Columbia County Tourism Maps</a> .....	27
<a href="#">Provide Funds for Tourism Committee Projects</a> .....	27
<a href="#">Construction of Two Additional Salt Storage Facilities</a> .....	29
<a href="#">Authorize Extension of Current Audit Firm Contract</a> .....	34
<a href="#">Increase Columbia County Economic Development 2002 Appropriation</a> .....	39
<a href="#">Approve Participation in Wisconsin Department of Natural Resources Gypsy Moth Suppression Program</a> .....	46
<a href="#">Support Increase in Recording Fee</a> .....	50
<a href="#">Sponsorship of the Town and County Resource Conservation and Development Council</a> .....	65

<a href="#">Transfer Funds to Coroner Budget</a> .....	66
<a href="#">Urge Adoption of Study 9 on Williams Road Crossing</a> .....	67
<a href="#">Authorize Mechanical Systems Upgrade</a> .....	105
<a href="#">Accept 2003 Elderly and Disabled Specialized Transportation Grant</a> .....	105
<a href="#">Approve Intergovernmental Agreement for Bio- terrorism Response Planning</a> .....	106
<a href="#">Support Dane County Foreign Trade Zone</a> .....	111
<a href="#">Transfer of Funds to Cover 2002 Overdrawn Accounts</a> .....	123
<a href="#">Transfer of Funds to Cover 2002 Overdrawn Accounts</a> .....	124
<a href="#">Requesting Waiver From the State Mandate Administrative Code, Chapter 20 - Regarding Lottery &amp; Gaming Tax Credit Processing</a> .....	126

**Labor Negotiations**

<a href="#">Sworn Contract - Joe Ruf, Corporation Counsel</a> .....	113
---	-----

**Ordinances**

<a href="#">#59-02</a> Amend Title 12, Chapter 3 - (Speed Limits).....	18
<a href="#">#60-02</a> Repeal Title 14, Chapter 2 - (Tattoo Establishments and Artists).....	32
<a href="#">#61-02</a> Amend Title 5, Chapter 7 - (Clean Indoor Air).....	33
<a href="#">#62-02</a> Amend Title 9, Chapter 1 - (Treasurer Fee Schedule).....	38
_____ Amend Title 16, Chapter 1 and Amend Title 16, Chapter 5 (Rural Residential District and Board of Adjustment Duties).....	51
<a href="#">#63-02</a> Amend Title 9, Chapter 1 - (Sheriff Fees).....	70
<a href="#">#64-02</a> Amend Title 16, Chapter 1 and 5 - (Zoning and Shoreland-Wetland Protection).....	70
<a href="#">#65-02</a> Amend Title 9, Chapter 1 - (Planning and Zoning Fee Schedule).....	102
<a href="#">#66-02</a> Amend Title 9, Chapter 1 - (Coroner Fee Schedule).....	103

**Roll Call Votes**

<a href="#">Engineering for New Wycocena Highway Facility</a> .....	14
<a href="#">Provide Funds for Tourism Committee Projects</a> .....	27
<a href="#">Authorize Borrowing \$1,530,000 and Issuing General Obligation Refunding Bonds - to Refinance Jail Building Bonds</a> .....	40
<a href="#">Borrow \$775,000 from State Trust Fund - for Accounting/ Human Resources Computer System</a> .....	43

<a href="#">Standing Rules</a> .....	3
--------------------------------------	---

**Zoning Ordinances to Amend Title 16, Chapter 1**

[Z295-02](#) Sec. 19, T. of Fort Winnebago;  
Sec. 34, T. of Lodi ..... 18

[Z296-02](#) Sec. 3, T. of Otsego;  
Sec. 35, T. of Wyocena;  
Sec. 27, T. of Courtland ..... 25

[Z297-02](#) Sec. 16, T. of Lodi;  
Sec. 3, T. of Wyocena ..... 32

[Z298-02](#) Sec. 13, T. of Dekorra;  
Sec. 13, T. of Dekorra ..... 37

[Z299-02](#) Sec. 4, T. of Lodi;  
Sec. 9, T. of Lewiston;  
Sec. 7, T. of Wyocena ..... 45

[Z300-02](#) Sec. 2, T. of Wyocena;  
Sec. 23, T. of Lewiston;  
Sec. 29, T. of Arlington;  
Sec. 24, T. of Otsego ..... 50

[Z301-02](#) Sec. 33, T. of Otsego ..... 69

[Z302-02](#) Sec. 13, T. of Wyocena ..... 102

[Z303-02](#) Sec. 29, T. of Leeds;  
Sec. 32, T. of Dekorra;  
Sec. 18, T. of Fountain Prairie;  
Sec. 19, T. of Fountain Prairie..... 108

[Z304-03](#) Sec. 7, T. of Fountain Prairie..... 114

[Z305-03](#) Sec. 20, T. of West Point;  
Sec. 8, T. of Fountain Prairie;  
Sec. 8, T. of Fountain Prairie;  
Sec. 16, T. of Fountain Prairie..... 119

[Z306-03](#) Sec. 2, T. of Otsego;  
Sec. 5, T. of Springvale;  
Sec. 5, T. of Courtland;  
Sec. 22, T. of Dekorra;  
Sec. 15, T. of Dekorra;  
Sec. 32, T. of Dekorra;  
Sec. 32, T. of Dekorra ..... 127

## Resolutions

<a href="#">#16-02</a>	Honoring Gerrit DeBoer, Charles Johnson, Charlaine P. Brereton, Robert Pease, and Richard Marquardt .....	13
<a href="#">#17-02</a>	Laurance E. Thurston Memorial .....	13
<a href="#">#18-02</a>	Engineering for New Wyocena Highway Facility .....	14
<a href="#">#19-02</a>	Enact Legislation to Establish County Security Funds .....	15
<a href="#">#20-02</a>	Deny Victoria Lindsey Claim .....	15
<a href="#">#21-02</a>	Release Funds to Robbins Manufacturing, Inc .....	16
<a href="#">#22-02</a>	Release Funds to Seeds for the World, Inc. ....	16
<a href="#">#23-02</a>	Establish Columbia County Tourism Committee .....	20
<a href="#">#24-02</a>	Transfer Wyona Lake Apartments .....	21
<a href="#">#25-02</a>	Establish Sheriff Salary .....	21
<a href="#">#26-02</a>	Establish Register of Deeds, Treasurer, County Clerk and Clerk of Courts Salaries.....	22
<a href="#">#27-02</a>	Establish Coroner Salary .....	22
<a href="#">#28-02</a>	Deny Jeff Schreiber Claim .....	23
<a href="#">#29-02</a>	Planning and Zoning Office Remodeling .....	23
<a href="#">#30-02</a>	Appoint Housing Grant Administrator.....	23
<a href="#">#31-02</a>	Adopt Section 3 of Federal Housing and Urban Development Act of 1968 .....	26
<a href="#">#32-02</a>	Accept United States Department of Agriculture Grant.....	27
<a href="#">#33-02</a>	Provide Funds for Additional 2002 Columbia County Tourism Maps .....	27
	Provide Funds for Tourism Committee Projects.....	27
<a href="#">#34-02</a>	Allow Dog Damage Claim of Richard Oliver.....	28
<a href="#">#35-02</a>	Request Wisconsin Counties Association Leadership in HIPAA Compliance .....	28
<a href="#">#36-02</a>	Construction of Two Additional Salt Storage Facilities .....	29
<a href="#">#37-02</a>	Deny Marcella Ehlenfeldt Claim .....	30
<a href="#">#38-02</a>	Accept National Association of Counties Grant .....	30
<a href="#">#39-02</a>	Authorize Extension of Current Audit Firm Contract .....	34
<a href="#">#40-02</a>	Reduce Youth Smoking .....	34
<a href="#">#41-02</a>	Reconsider Alternatives to Closing Williams Road Crossing .....	35
<a href="#">#42-02</a>	Investigate Impact of Establishing Resource Conservation and Development Area .....	36
<a href="#">#43-02</a>	Increase Columbia County Economic Development Corporation 2002 Appropriation.....	39
<a href="#">#44-02</a>	Authorize Borrowing \$1,530,000 and Issuing General Obligation Refunding Bonds - to Refinance Jail Building Bonds.....	40
<a href="#">#45-02</a>	Borrow \$775,000 from State Trust Fund - for Accounting/Human Resources Computer System...	43
<a href="#">#46-02</a>	Discontinue Payment in Full of Special Assessments and Charges as Part of August Settlement.....	44

**Resolutions (Cont.)**

<a href="#">#47-02</a>	Approve Participation in Wisconsin Department of Natural Resources Gypsy Moth Suppression Program .....	46
<a href="#">#48-02</a>	Support Federal Legislation to Subject Certain Imported Casein and Milk Protein .....	47
<a href="#">#49-02</a>	Support Agriculture Enterprise Zone Designation.....	47
<a href="#">#50-02</a>	Establish 2002 Equalized Values .....	48
<a href="#">#51-02</a>	Deny Claim of Jay and Dorothy Heller Claim.....	49
<a href="#">#52-02</a>	Support Increase in Recording Fee .....	50
<a href="#">#53-02</a>	Sponsorship of the Town and County Resource Conservation and Development Council .....	65
<a href="#">#54-02</a>	Transfer Funds to Coroner Budget.....	66
<a href="#">#55-02</a>	Deny Claim of Sharon Werts .....	66
<a href="#">#56-02</a>	Urge Adoption of Study 9 on Williams Road Crossing .....	67
<a href="#">#57-02</a>	Merrimac Ferry Proclamation .....	68
<a href="#">#58-02</a>	Authorize Borrowing \$1,200,000 for Highway Salt Storage Facilities.....	85
<a href="#">#59-02</a>	County Aid Bridge Construction .....	86
<a href="#">#60-02</a>	County Aid Construction and Maintenance During Calendar Year 2003.....	86
<a href="#">#61-02</a>	Adopt 2003 Budget and Levy Property Tax .....	89
<a href="#">#62-02</a>	Orrin Anderson Memorial.....	99
<a href="#">#63-02</a>	Jurisdictional Transfer of County Trunk Highway BZ.....	100
<a href="#">#64-02</a>	Transfer 2002 Personnel/Fringe Benefit Costs .....	100
<a href="#">#65-02</a>	Authorize Mechanical Systems Upgrade .....	105
<a href="#">#66-02</a>	Accept 2003 Elderly and Disabled Specialized Transportation Grant .....	105
<a href="#">#67-02</a>	Approve Intergovernmental Agreement for Bio-terrorism Response Planning .....	106
<a href="#">#68-02</a>	Discontinue Computer Purchase Program .....	106
<a href="#">#69-02</a>	Cathleen M. Lathrop Recognition.....	107
<a href="#">#1-03</a>	Allow Dog Damage Claim of Russell Huseth .....	110
<a href="#">#2-03</a>	Support Dane County Foreign Trade Zone.....	111
<a href="#">#3-03</a>	Frank Newgent Memorial .....	112
<a href="#">#4-03</a>	Establish Bank Depositories .....	112
<a href="#">#5-03</a>	Stars Program Grant.....	113
<a href="#">#6-03</a>	Support Dane County Foreign Trade Zone.....	117
<a href="#">#7-03</a>	Barbara Raether Memorial.....	117
<a href="#">#8-03</a>	Gail Benz Commendation .....	118
<a href="#">#9-03</a>	Endorsing Goals of the Mainstreet Program and the Submission of an Application to the State to become a Wisconsin Main Street City.....	118
<a href="#">#10-03</a>	Support Agricultural Clean Sweep Grants.....	123
<a href="#">#11-03</a>	Transfer of Funds to Cover 2002 Overdrawn Acnts....	123
<a href="#">#12-03</a>	Amend Personnel Policies and Procedures Manual 7.22(e) Holidays.....	124
<a href="#">#13-03</a>	Transfer of Funds to Cover 2002 Overdrawn Accounts.....	124
<a href="#">#14-03</a>	Terminate County Humane Officer .....	125

**Resolutions (Cont.)**

<a href="#">#14-03</a>	Resolution to be submitted with 2003 Recycling Efficiency Incentive Grant Application .....	125
<a href="#">#15-03</a>	Requesting Waiver From the State Mandate Administrative Code, Chapter 20 - Regarding Lottery & Gaming Tax Credit Processing .....	126

**Resolutions and Reports  
By Committee**

**Agriculture & Land & Water Conservation Committee**

<a href="#">Establish Columbia County Tourism Committee</a> .....	20
<a href="#">Accept United States Department of Agriculture Grant</a> .....	27
<a href="#">Provide Funds for Additional 2002 Columbia County Tourism Maps</a> .....	27
<a href="#">Provide Funds for Tourism Committee Projects</a> .....	27
<a href="#">Allow Dog Damage Claim of Richard Oliver</a> .....	28
<a href="#">Investigate Impact of Establishing Resource Conservation and Development Area</a> .....	36
<a href="#">Increase Columbia County Economic Development Corporation 2002 Appropriation</a> .....	39
<a href="#">Approve Participation in Wisconsin Department of Natural Resources Gypsy Moth Suppression Program</a> .....	46
<a href="#">Support Federal Legislation to Subject Certain Imported Casein and Milk Protein</a> .....	47
<a href="#">Support Agriculture Enterprise Zone Designation</a> .....	47
<a href="#">Sponsorship of the Town and County Resource Conservation and Development Council</a> .....	65
<a href="#">Allow Dog Damage Claim of Russell Huseh</a> .....	110
<a href="#">Endorsing Goals of the Mainstreet Program and the Submission of an Application to the State to become a Wisconsin Main Street City</a> .....	118
<a href="#">Support Agricultural Clean Sweep Grants</a> .....	123

**Columbia Care Center Committee**

<a href="#">Authorize Mechanical Systems Upgrade</a> .....	105
--	-----

**Executive Committee**

<a href="#">Transfer Wyona Lake Apartments</a> .....	21
<a href="#">Support Dane County Foreign Trade Zone</a> .....	27
<a href="#">Request Wisconsin Counties Association Leadership in HIPAA Compliance</a> .....	28
<a href="#">Frank Newgent Memorial</a> .....	112
<a href="#">Support Dane County Foreign Trade Zone</a> .....	117
<a href="#">Barbara Raether Memorial</a> .....	117
<a href="#">Gail Benz Commendation</a> .....	118
<a href="#">Transfer of Funds to Cover 2002 Overdrawn Accounts</a> .....	123

## **Resolutions/Reports By Committee (Cont.)**

### **Finance Committee**

<a href="#">Establish Sheriff Salary</a> .....	21
<a href="#">Establish Register of Deeds, Treasurer, County Clerk and Clerk of Courts Salaries</a> .....	22
<a href="#">Establish Coroner Salary</a> .....	22
<a href="#">Authorize Extension of Current Audit Firm Contract</a> .....	34
<a href="#">Authorize Borrowing \$1,530,000 and Issuing General Obligation Refunding Bonds - to Refinance Jail Building Bonds</a> .....	40
<a href="#">Borrow \$775,000 from State Trust Fund - for Accounting/ Human Resources Computer System</a> .....	43
<a href="#">Discontinue Payment in Full of Special Assessments and Charges as Part of August Settlement</a> .....	44
<a href="#">Establish 2002 Equalized Values</a> .....	48
<a href="#">Adopt 2003 Budget and Levy Property Tax</a> .....	89
<a href="#">Orrin Anderson Memorial</a> .....	99
<a href="#">Establish Bank Depositories</a> .....	112
<a href="#">Requesting Waiver From the State Mandate Administrative Code, Chapter 20 - Regarding Lottery &amp; Gaming Tax Credit Processing</a> .....	126

### **Health & Human Services Board**

<a href="#">Reduce Youth Smoking</a> .....	34
<a href="#">Accept 2003 Elderly and Disabled Specialized Transportation Grant</a> .....	105
<a href="#">Approve Intergovernmental Agreement for Bio- terrorism Response Planning</a> .....	106
<a href="#">Stars Program Grant</a> .....	113

### **Highway Committee**

<a href="#">Construction of Two Additional Salt Storage Facilities</a> .....	29
<a href="#">Reconsider Alternatives to Closing Williams Road Crossing</a> ...	35
<a href="#">Urge Adoption of Study 9 on Williams Road Crossing</a> .....	67
<a href="#">Merrimac Ferry Proclamation</a> .....	68
<a href="#">Authorize Borrowing \$1,200,000 for Highway Salt Storage Facilities</a> .....	85
<a href="#">County Aid Bridge Construction</a> .....	86
<a href="#">County Aid Construction and Maintenance During Calendar Year 2003</a> .....	86
<a href="#">Jurisdictional Transfer of County Trunk Highway BZ</a> .....	100

### **Human Resources Committee**

<a href="#">Transfer 2002 Personnel/Fringe Benefits Costs</a> .....	100
<a href="#">Amend Personnel Policies and Procedures Manual Sec. 7.22(e) Holidays</a> .....	124

**Resolutions/Reports By Committee (Cont.)**

**Judiciary Committee**

[Enact Legislation to Establish County Security Funds](#) ..... 15  
[Deny Victoria Lindsay Claim](#) ..... 15  
[Deny Jeff Schreiber Claim](#) ..... 23  
[Deny Marcella Ehlenfeldt Claim](#) ..... 30  
[Deny Claim of Jay and Dorothy Heller Claim](#) ..... 49  
[Transfer Funds to Coroner Budget](#) ..... 66  
[Deny Claim of Sharon Werts](#) ..... 66  
[Transfer of Funds to Cover 2002 Overdrawn Accounts](#) ..... 124  
[Terminate County Humane Officer](#) ..... 125

**Land Information and Records Committee**

[Support Increase in Recording Fee](#) ..... 50

**Management Information Services Committee**

[Discontinue Computer Purchase Program](#) ..... 106

**Planning and Zoning Committee**

Reports [17](#), [24](#), [31](#), [36](#), [37](#), [45](#), [50](#), [69](#), [69](#), [101](#), [107](#), [113](#), [114](#), [119](#), [126](#)  
[Accept National Association of Counties Grant](#) ..... 30  
Farmland Preservation Agreements ..... [36](#), [69](#), [114](#)

**Property & Insurance Committee**

[Planning and Zoning Office Remodeling](#) ..... 23

**Solid Waste Committee**

[Resolution to be submitted with 2003 Recycling Efficiency  
Incentive Grant Application](#) ..... 125

**By Supervisors and  
Special/Joint Committees**

**Ad Hoc Highway Facility Committee**

[Engineering for New Wyocena Highway Facility](#) ..... 14

**Resolutions/Reports From Supervisors and Department Heads**

[Honoring Gerrit DeBoer, Charles Johnson, Charlaine P.  
Brereton, Robert Pease, and Richard Marquardt](#) ..... 13  
[Laurance E. Thurston Memorial](#) ..... 13  
[Orrin Anderson - 2001 Audit Report](#) ..... 99  
[Kurt Calkins and Mark Guthmiller - Gypsy Moth Program](#) ..... 46  
[Lois Schepp, Comptroller - Columbia County Financial  
Situation](#) ..... 85  
[Supervisor Robert Hamele - Agriculture and Land and  
Water Conservation Committee Conference and resultant  
resolutions](#) ..... 110  
[Kurt Dey, Presentation by Earth Tech Highway Shop  
Facilities](#) ..... 116  
[Matt Stohr, WCA - Support Dane County Foreign Trade  
Zone](#) ..... 116

**Resolutions/Reports From Supervisors and Department Heads (Cont.)**

[Chair Daniel See - Ad Hoc Huber/Jail Facility Update](#) ..... 122  
[Mark O’Connell - Wisconsin Counties Association](#) ..... 122

**Revolving Loan Fund Committee**

[Release Funds to Robbins Manufacturing, Inc.](#) ..... 16  
[Release Funds to Seeds for the World, Inc.](#) ..... 16  
[Appoint Housing Grant Administrator](#)..... 23

**Revolving Loan Fund/Housing Committee**

[Adopt Section 3 of Federal Housing and Urban Development  
Act of 1968](#) ..... 26

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
April 16, 2002  
9:48 A.M.

The Board of Supervisors of Columbia County convened in annual session at the Courthouse in Portage pursuant to law.  
The meeting was called to order by Chair Vincent D. Curtis.

The roll of the members was read by the Clerk as follows:

- District No. 1 ..... Orrin K. Anderson
- District No. 2 ..... Donald P. Nelson
- District No. 3 ..... Robert L. Hamele
- District No. 4 ..... Kenneth Hutler
- District No. 5 ..... Ken Olson
- District No. 6 ..... J. Robert Curtis
- District No. 7 ..... Richard C. Boockmeier
- District No. 8 ..... Edward P. Riley
- District No. 9 ..... Michael J. Kinney
- District No. 10 ..... Vincent D. Curtis
- District No. 11 ..... John H. Healy
- District No. 12 ..... Don DeYoung
- District No. 13 ..... JoAnn Wingers
- District No. 14 ..... Harlan Baumgartner
- District No. 15 ..... Debra L. H. Wopat
- District No. 16 ..... Barry Pufahl
- District No. 17 ..... Susan Martin
- District No. 18 ..... Frank Newgent
- District No. 19 ..... Neil M. Ford
- District No. 20 ..... Claire R. Robson
- District No. 21 ..... Andy Ross
- District No. 22 ..... Robert J. Stoltenberg
- District No. 23 ..... Robert J. Andler
- District No. 24 ..... Daniel Amato
- District No. 25 ..... Gerald L. Salzwedel
- District No. 26 ..... Jack Sanderson
- District No. 27 ..... John H. Tramburg
- District No. 28 ..... Daniel See
- District No. 29 ..... Robert Westby
- District No. 30 ..... Eugene M. Fitzgerald
- District No. 31 ..... John G. Stevenson

All members present, except Supervisor Fitzgerald, excused.

Chair Curtis presented outgoing Supervisors Gerrit DeBoer, Charles Johnson, Charlaine P. Brereton, Robert Pease and Richard Marquardt with a Certificate of Commendation for their dedication and service to Columbia County.

The Oath of Office was administered to the members by the Honorable Daniel George.

The invocation was offered by Sister Mary Kyran Curtin.

Chair Curtis announced that the next order of business would be the election of a Chair.

Supervisor Riley placed in nomination the name of Daniel J. See. The nomination was seconded by Westby. Motion by Amato, seconded by Salzwedel, that the nominations be closed and the Clerk be instructed to cast a unanimous ballot for Daniel J. See. Motion carried unanimously. The ballot was so cast, and Daniel J. See was declared elected Chair of the County Board for a term of two years.

Chair See presented Past Chair Curtis with a plaque and the gavel he used during his term of office, thanking him for a job well done.

[Back to Table of Contents](#)

Chair See indicated the County will need to decide how it will deal with declining revenue from the State.

Chair See announced that the next order of business would be the election of a Vice Chair.

Supervisor Tramburg nominated Susan Martin. The nomination was seconded by Hamele. Motion by J. Curtis, seconded by Hutler, that the nominations be closed and the Clerk be instructed to cast a unanimous ballot for Susan Martin. Motion carried unanimously.

Susan Martin was declared elected Vice Chair of the County Board for a term of two years.

**STANDING RULES**  
**Columbia County Board of Supervisors**

**RULE 1. BOARD MEETINGS.**

(1) **ANNUAL MEETINGS.** The Board shall meet on the third Tuesday of each April to organize and transact business, and 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.

At the organizational meeting held in April on even numbered years, a Chair, Vice-Chair, and two Executive Committee members shall be elected as prescribed under County Board election procedures by a majority vote of the members present. The Standing Rules for the current session of the County Board of Supervisors shall be adopted by a majority vote, and committee appointments shall be made.

(2) **REGULAR MEETINGS.** The Board shall hold regular monthly meetings on the third Wednesday of each month, except when Wisconsin statutes establish the monthly meeting date. In the event the Chair is unavailable to preside over a meeting of the Columbia County Board of Supervisors, the present Vice-Chair shall preside. In the event the present Vice-Chair is unavailable, the most immediate past Chair of the Board of Supervisors shall preside.

(3) **MEETING HOUR.** The hour for the morning meeting of the Board shall be 9:45 o'clock A.M., and afternoon sessions following recess or adjournment shall meet at 1:30 o'clock P.M., unless otherwise ordered. During the months of May, June, July, August, September, and October, the Board shall commence its monthly meeting at 7:00 P.M. The Clerk shall note the time of calling of the meetings in the minutes.

(4) **MEMBER ROLL CALL.** Whenever the Board convenes or reconvenes, the Clerk shall make a roll call of the members. 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 request permission from the Chair in order to be excused.

(5) **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.
- (g) Appointments.
- (h) Consideration of reports of committees.
- (i) Union Contract ratification.
- (j) Resolutions to be considered and resolved.
- (k) Consideration of proposed Ordinances.
- (l) Consideration of miscellaneous business on the table.
- (m) On the day set for the adoption of the budget, the budget shall be considered immediately following "Appointments" during the morning session.
- (n) On the last day of the session, reading and correcting of the journal of the day immediately prior to the final adjournment.

**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 leave of the Chair.

(4) A member called to order 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 not a member, desirous of addressing the Board on a specific subject, must first receive the approval of a member. The member will then request that the Chair recognize that he or 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 County Board and shall address only the subject before the Board.

**RULE 3. MOTIONS.**

(1) All motions must be presented by a Board Supervisor.

(2) No motion shall be debated or put unless the same is seconded; it shall be stated by the Chair before debate, and any such motion shall be reduced to writing if any member desires it.

(3) After a motion shall be stated by the Chair, it shall be deemed to be in possession of the Board but may be withdrawn at any time. All motions, Resolutions, and amendments shall be entered at large upon the journal.

(4) When a question is under debate, no motion shall be received but 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 stand arranged.

(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 have it divided.

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

(1) A committee report shall be a statement of the committee's position with respect to a particular issue or issues and shall be included with the mailing of the monthly County Board agenda prior to the meeting. Reports may be discussed or read at the request of a County Board member. Reading of a report may be waived by the Chair. Although not binding on the Board, reports should be given significant weight when considering the issues addressed thereby.

(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) Interim committee reports from Ad Hoc Committees may be given orally to keep the membership informed prior to the issuance of a final report.

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

(1) The determination as to whether an issue should be submitted to the Board for its approval prior to action being taken which would bind the County to a course of action or contractual arrangement shall be by the Corporation Counsel after consultation with the County Board Chair.

(2) Salary increases for all non-union County employees shall be presented by the Human Resources Committees and shall be approved by two-thirds vote of the members present.

(3) The Resolution to adopt the budget shall require a two-thirds vote of the membership present at the meeting.

(4) Resolutions to make transfers from the General Fund or the Contingent Fund shall be referred to the Finance Committee for its recommendation back to the County Board, and shall require a two-thirds vote of the entire membership of the County Board to obtain passage, pursuant to Sec. 65.90 (5)(a), Wis. Stats.

(5) 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. Resolutions, petitions, or motions submitted by non-members shall be presented through a member for referral to an appropriate committee. If not returned for Board consideration, the committee shall present an oral report of its conclusions.

(6) Resolutions and Ordinances shall:

(a) Be submitted by County Board members or committees only.

(b) Indicate at the top a brief synopsis and the name of the committee introducing the document to the County Board.

(c) Each line of the documents shall be numbered in sequential order and each page of the documents shall likewise be numbered.

(d) All Resolutions which have a financial impact shall contain a fiscal note explaining the budgetary effect of the proposed action.

(e) Be submitted in writing to the Clerk by 9:00 a.m. on the Friday 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) Any Resolution or Ordinance submitted to the Clerk after the above deadline shall be considered 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 24 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 County Board unless objected to, in which case a two-thirds majority of members present will be required for consideration.

(7) Resolutions 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 formal oral 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 24 hours prior to the Board meeting.

(9) Amendments offered to Resolutions shall be germane to the primary subject of the Resolution. Non-germane addenda shall not be attached to Resolutions.

(10) Ordinances shall be read at three regular or annual meetings of the Board before being adopted. An ordinance may receive its second and third reading by title only on the date of its presentation if granted by a majority vote of the members present.

An Ordinance may be amended at any time prior to its being adopted by the Board. In the event an Ordinance is amended following the second reading but prior to adoption, final consideration shall be put over until the next full Board meeting, at which time the Ordinance, as amended, shall be presented in written form.

(11) Upon the passage of an Ordinance, motion, or Resolution affecting any County department, County officer, or official, or any town, city or village, the County Clerk shall immediately thereafter transmit a copy of the same to the County department or 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. 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.

**RULE 7. VOTING AND ELECTIONS.**

(1) All voting by the Board shall be by voice vote or roll call vote, if requested.

(2) Every member shall vote aye, nay, or abstain unless previously excused from the meeting. A member may abstain from voting on an issue and state the reason therefor by announcing his/her intention to do so and leaving the meeting room prior to discussion on that issue.

(3) **Chair Voting.**

(a) The County Board Chair or Committee Chair shall vote, or may abstain from voting, to break a tie.

(b) The County Board Chair or Committee Chair may also vote to create a tie.

(c) The County Board Chair or Vice Chair shall vote when his/her presence is necessary at a meeting to create a quorum of the Board or committee.

(d) The Chair's vote shall be recorded last.

(4) **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.

(5) **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. 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 7 (5)(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 County 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 in time of war 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 2nd year-subsequent to the year of his or her election, and if re-elected, shall continue to serve unless removed by the County Board for cause by two-thirds vote of the County Board.

(d) **County Highway Commissioner Election:** The County Board shall elect a County Highway Commissioner by a majority vote. Upon his or 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, it shall be for a two year term unless removed by the County Board for cause by two-thirds vote of the Board.

**RULE 8. 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. In the event of a tie vote, either side can ask for reconsideration.

**RULE 9. 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 of the County Board during the County Board meeting at which his/her written annual report is taken under consideration.

**RULE 10. STATE AND NATIONAL CONVENTIONS.**

Members of the Board attending the annual Wisconsin Counties Association Convention shall make a report to the County Board on the conference. A brief report by members attending State conventions may be made at the discretion of the County Board Chair.

**RULE 11. SUSPENSION OR AMENDMENT OF RULES.**

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

[Back to Table of Contents](#)

**RULE 12. RULES COMMISSIONS, ROBERT'S RULES.**

In all matters of parliamentary practice not covered by these rules, Robert's Rules of Order shall govern the proceedings of this Board.

**RULE 13. REPEAL OF CONFLICTING RULES.**

All rules and regulations conflicting with the provisions of this Code of Rules are hereby rescinded.

**RULE 14. EFFECTIVE DATE.**

This Code of Rules shall be in force and effect from, and after, its passage.

**RULE 15. COUNTY BOARD CHAIR AND VICE CHAIR.**

(1) The Vice-Chair of the Board shall either be a member or shall have previously served as a member of the Finance Committee.

(2) The Chair of the Board shall be paid a salary as established by the members of the County Board. The Chair of the Board shall not be a member of any particular Standing Committee, except the Executive Committee, but 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.

(3) The Chair of the Board shall serve as Chair of the Public Hearing to adopt the annual budget at the November Board meeting.

(4) The County Board Chair and/or 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 County Board Chair and Standing Committee Chair governing the applicable department shall sign all contracts approved by a Resolution of the County Board.

(6) The County Board 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) County Board Chair activities could consist of, but not be limited to, the following:

(a) Be present at least two hours per week at a regularly scheduled time in the Chair's Office to receive visits by Supervisors, Department Heads, employees, public officials and the public in general.

(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 County Board of Supervisors.

(d) Attend as many Committee meetings as is feasibly possible, day or night.

(e) Keep Supervisors informed, mostly through Committee Chairs.

(f) Assist in the preparation of an agenda to be in the possession of Supervisors prior to County Board meetings.

(g) Take care of daily details that arise.

**RULE 16. COMMITTEE MEETINGS.**

(1) Meetings consisting of two or more committees shall require approval of the County Board Chair.

(2) To meet unanticipated special situations that require prompt attention, a committee may meet, with the County 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.

(3) All committees shall comply with Board approved personnel Policy, Standing Rules, Wisconsin Statutes, and mandated grant Requirements.

(4) Absences from a committee meeting shall require the Committee Chair's approval in order to be excused.

(5) Each committee shall maintain a written record of its proceedings. A typewritten copy, signed by the secretary, shall be filed in the Office of County Clerk within ONE WEEK following the date of the meeting. Written documents referenced in the minutes shall be attached and filed with the minutes.

(6) Minutes of a closed meeting shall be provided to the County Clerk in a sealed envelope noting the committee name, closed session minutes, and the date of the meeting and shall remain confidential as long as the need for confidentiality exists pursuant to the relevant statutes on open meetings and public records. The sealed, closed session minutes shall be distributed to committee members, Chair, Vice Chair, and Corporation Counsel and may be handled by the Committee's Secretary. Committees shall review and/or amend the closed session minutes before going back to open session.

**RULE 17. SPECIAL COMMITTEES.**

(1) The Chair, with County Board approval, shall appoint statutorily mandated, including Tax Increment Financing (TIF) District representatives, 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, Agriculture and Land and Water Conservation, and Executive Committees, a County Board representative to the Columbia County Economic Development Corporation, and the Chair of the Columbia County Board of Supervisors or designee.

## **RULE 18. AD HOC COMMITTEES.**

(1) Ad Hoc Committees appointed by the Chair, with County Board approval, 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 Columbia County, in conjunction with the Human Resources Director, in labor union contract negotiations.

## **RULE 19. STANDING COMMITTEES.**

(1) Standing Committees shall meet once monthly, preferably prior to the monthly Finance meeting. Committees wishing to meet more or less often shall request permission from the County Board Chair. Committee meetings during Board sessions shall be announced at the commencement of the session, or as soon as the need for such meeting arises. All committee meetings shall comply with the applicable open meeting statutes.

(2) **Members Service.** Every member of the Board, except the Chair, shall serve on at least one Standing Committee and may serve on more than one such committee.

(3) **Committee Chairs.** 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 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 Committee, 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 annual meeting in April by the County Board Chair and shall serve for two years. An orientation for all new members shall be provided.

(6) 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.

## **RULE 20. 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.

### **(1) Agriculture and Land and Water Conservation Committee.**

It 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.

This committee shall perform the duties prescribed in Chapter 92, Wisconsin Statutes, except as limited herein by the Board of Supervisors. The Chair of the Columbia County CFSA Committee, or his or 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, and it shall serve as the County's liaison with the Columbia County Economic Development Corporation. The Agriculture and Land and Water Conservation Committee shall plan and prepare applications for assistance to develop, operate and maintain snowmobile trails and facilities.

### **(2) Columbia 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.**

There shall be an Executive Committee, consisting of five members: the Chair, the Vice-Chair, the immediate past Chair of the Board, and two elected members. The Chair of the County Board shall be the Chair of this committee.

Should there be a vacancy on the committee, a successor shall be elected by the Board in the manner set forth in Rule 7.

The County Board Chair shall review all Standing Committee minutes. Areas of concern shall be reviewed with the Executive Committee and the appropriate Standing Committee.

This committee shall have jurisdiction over the Office of County Clerk.

This committee shall have jurisdiction over Emergency Government in Columbia County, as required by law, and shall budget and audit Emergency Government expenditures. Monthly operations and financial matters associated with Emergency Government shall be supervised by this committee.

This committee shall have jurisdiction over the countywide Safety Committee and its budget.

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, that member may designate a knowledgeable supervisor to attend in his or her place.

This committee shall recommend to the County Board the acquisition of real property on behalf of Columbia County.

The Executive Committee and Property and Insurance Committee, working with the governing committees and Department Heads, shall be responsible for the planning, allocation, and location of space for personnel and equipment.

The Property and Insurance Committee shall study periodically and make proposals for medium (5 years) and long range (10 years) space, property and building needs for County personnel and equipment for the review of the Executive Committee.

(4) **Finance Committee.**

This committee shall have jurisdiction over the offices of County Treasurer and Comptroller/Auditor.

It shall be the duty of the Finance Committee to make recommendations on all proposals for transfer from General or Contingent 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. All insurance premiums shall be audited by the Finance Committee.

It shall prepare and present to the County Board at the annual session the budget and tax levy; first in temporary form and finally in a complete form as changed during the County Board session.

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.

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 County Board as it deems necessary.

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.

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 45.10, Wisconsin Statutes.

All departmental accounting shall be in compliance with procedures established by the County Auditor under the direction of the Finance Committee.

(5) **Health and Human Services Board.**

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 Columbia County per Resolution #69-94.

The Chair and Vice Chair of the Health and Human Services Board shall be a member of the Columbia County Board of Supervisors.

The Commission on Aging sub-committee shall be an advisory sub-committee to the Health and Human Services Board and shall consist of 2 County Board members and 3 lay members. One of the County Board members on the Commission on Aging Board shall be Chair and be appointed as a member of the Health and Human Services Board. The Commission on Aging shall meet immediately prior to the Health and Human Services Board when it holds a meeting; and its minutes shall be made a part of the Health and Human Services Board minutes in that month. All expenditures on behalf of the Commission on Aging shall be approved by the Health and Human Services Board prior to payment.

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.

(6) **Highway Committee.**

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.

The Highway Committee shall function in accordance with all State and Federal Statutes and Administrative Rules. Further, this committee shall govern the maintenance and operation of County Parks and shall have authority over the budget therefor.

(7) **Human Resources Committee.**

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.

This committee shall oversee the implementation and periodic review of the County's Affirmative Action Plan, Civil Rights, and Americans with Disabilities Act.

This committee shall create policies to provide health insurance coverage and a worker's compensation program for County employees.

(8) **Judiciary Committee.**

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, Court Commissioner, Sheriff, Coroner,

and the law enforcement communication systems.

All matters pertaining to litigation and legal issues concerning Columbia County shall be referred to this committee for recommendation to the County Board. It shall recommend the Standing Rules to the County Board.

It shall be the duty of this committee to confer with and supervise the needs, powers and duties of all of the listed offices.

It shall investigate and report on all claims against the County referred by the Chair of the County Board and shall report its recommendations back to the County Board.

It shall make recommendations regarding enforcement of laws.

This committee shall insure that the Sheriff's Department have written operating policies and procedures manual in accordance with Wisconsin Statutes.

This committee shall have jurisdiction over the 9-1-1 Program in Columbia County. Monthly operations and financial matters associated with the 9-1-1 Program shall be supervised by the Sheriff's Department and audited by the Judiciary Committee.

**(9) Land Information and Records Committee.**

This committee shall have jurisdiction over the Land Information Department and Register of Deeds Office. These two 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.

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.

**(10) Management Information Services Committee.**

This committee shall have jurisdiction over the Management Information Services Department and shall coordinate the supervision of all County personnel doing Management Information Services related tasks. It shall have responsibility for interdepartmental collecting, updating, coordinating, and disbursing of information so the County can conduct its business.

**(11) Planning and Zoning Committee.**

This committee shall have jurisdiction over the Planning and Zoning Department.

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 and Land and Water Conservation Committee.

This committee is responsible for all County comprehensive planning relating to land use.

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.

The Planning and Zoning Committee shall have responsibility for designation of emergency numbers for the Emergency Service Number System throughout unincorporated Columbia County.

This committee shall have jurisdiction over the Farmland Preservation Program, the administration of the Wisconsin Fund, and the issuance of various permits required by the Planning and Zoning Department.

**(12) Property and Insurance Committee.**

This committee shall have jurisdiction over the janitorial and maintenance staff of buildings with the exception of the highway and nursing home properties.

This committee shall have jurisdiction over the repair and maintenance of all County buildings and grounds not budgeted by other committees or boards.

It shall make recommendations to the County Board for repairs or improvements for all County owned buildings in excess of approved budgeted amounts.

It shall 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.

This committee shall have general responsibility for all matters pertaining to printing stationery and purchasing office supplies and equipment for the County.

This committee shall establish the procedures for purchases to assure uniform and cost effective purchasing. It shall assure compliance with the Wisconsin bid law pursuant to Sec. 59.52 (29), Stats.

This committee shall annually verify inventories and values of County property.

This committee shall create policies to maintain reasonable liability and property insurance coverage for all County exposures and assets.

This committee shall have responsibility over all matters pertaining to County performance bonds and the specific duties provided in Section 59.21, Wis. Stats.

The Executive Committee and Property and Insurance Committee, working with the governing committees and Department Heads, shall be responsible for the planning, allocation, and location of space for personnel and equipment.

The Property and Insurance Committee shall study periodically and make proposals for medium (5 years) and long range (10 years) space, property and building needs for County personnel and equipment for the review of the Executive Committee.

(13) **Solid Waste Committee.**

This committee shall have jurisdiction over the Columbia County 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 Columbia County.

This committee will audit the monthly departmental bills, receipts, recommend fees, and negotiate solid waste contracts for County Board consideration.

This committee shall assure compliance with all DNR Codes, federal and Wisconsin Statutes pertaining to solid waste and recycled materials.

## BASIC PRINCIPLES OF PARLIAMENTARY PROCEDURE (in plain English)

1. Except in the case of mayors, the chair or president is a member of the board and votes on issues. The chair may participate in discussion of issues as a member of the group. However, provision should be made to maintain the chair's impartiality in other matters, such as ruling on procedural issues.
2. Members have a basic right to give and receive information so that they can make can make informed decisions. This principle guides considerations regarding debate (including closing off debate). It relates to asking questions of each other, and of employees and citizens speaking to the body. Only a majority of the body has the right to close off discussion. A single member may not do so by saying, "I call the question". That statement is only a motion.
3. Bodies act through motions. Motions must be complete in themselves. After seconding and being stated by the chair, a motion becomes the property of the board and the member who made the motion may not withdraw it without consent.
4. Only one matter at a time may claim the attention of the board. Predictable matters are placed on the agenda.
5. Rules of precedence are established to handle situations in which unpredictable (usually arising spontaneously) matters compete for attention. The rules of precedence are summarized in tables attached.

### BASIC INFORMATION ON MOTIONS

#### **RANKING MOTIONS**

#### *Principal Characteristics*

These motions are listed in order of rank. When any one of these motions is immediately pending, those above it are in order and those below are not in order.

<b>PRIVILEGED MOTIONS</b>	Second Required	Can Be Debated	Can Be Amended	Vote Required	Can Be Reconsidered	Can Interrupt
Fix Time to Which to Adjourn	Yes	No	Yes	maj	yes	no
Adjourn	Yes	No	No	maj	no	no
Recess	Yes	No	Yes	maj	no	no
Raise a Question of Privilege	No	No	No	X*	no	yes
Call for the Orders of the Day	No	No	No	X*	no	yes
 <b>SUBSIDIARY MOTIONS</b>						
Lay on the Table	Yes	No	No	maj	no	no
Previous Question (to close debate)	Yes	No	No	2/3	yes*	no
Limit or Extend Limits of Debate	Yes	No	Yes	2/3	yes*	no
Postpone to a Certain Time	Yes	yes	Yes	maj	yes	no
Commit (or Refer)	Yes	yes	Yes	maj	yes*	no
Amend	Yes	yes	Yes*	maj	yes	no
Postpone Indefinitely	Yes	yes	No	maj	yes	no
 <b>MAIN MOTION</b>	Yes	yes	Yes	maj*	yes	no

\* - See Robert's Rules of Order Newly Revised for special rules.

X - Usually no vote taken. Chair responds.

Supervisor Ford explained the proposed changes to the Standing Rules.

Motion by Martin, seconded by Healy, to amend Rule 2 (5) by ending the first sentence after member and changing the second sentence to read: "The member will then request that the Chair recognize that he or she is relinquishing time to the non-member to speak". The motion was unanimously approved.

Motion by Martin, seconded by Healy, to adopt the Standing Rules, as amended.

Motion by Andler, seconded by Ford, to amend the fifth paragraph of Rule 20 (11) by changing "fire" to "emergency". Motion carried unanimously.

There was discussion regarding abstaining from voting.

The motion to adopt the Standing Rules, as amended, carried unanimously after Martin and Healy agreed to include the second amendment in their motion.

Chair See announced that the next order of business is election of two members for the Executive Committee.

Motion by Wopat, seconded by Stoltenberg, to nominate Robert Hamele.

Motion by Andler, seconded by Olson, to nominate Neil Ford.

Motion by Martin, seconded by Wingers, to nominate Debra Wopat.

Motion by Salzwedel, seconded by Boockmeier, to nominate Amato.

Motion by Stevenson, seconded by V. Curtis, to close the nominations.

Supervisors DeYoung, Salzwedel and Sanderson were appointed ballot clerks.

Chair See stated that each member could vote for two on the written ballot. The ballots were cast with the following results: Wopat - 25; Hamele - 14; Ford - 13; and Amato - 7. Supervisor Wopat was declared elected by a majority vote and Supervisor Amato was eliminated with the least number of votes.

Chair See stated one vote per ballot. The ballots were cast with the following results: Ford - 17 and Hamele - 13. Supervisor Ford was declared elected to the Executive Committee.

Chair See called a recess at 10:45 a.m. for the Executive Committee to meet. The meeting reconvened at 11:05 a.m.

Chair See announced the Standing Committee appointments. The County Board recessed for organizational meetings of the committees, at which officers were elected, meeting dates and times were established, and pending Resolutions and Ordinances were reviewed.

### COLUMBIA COUNTY BOARD STANDING COMMITTEES

Agriculture and Land and Water Conservation	Robert L. Hamele Chair	Harlan Baumgartner	Robert J. Stoltenberg Vice Chair	Donald P. Nelson	JoAnn Wingers Secretary	
Columbia Care Center	John H. Tramburg Chair	Orrin Anderson	Claire R. Robson	Gerald L. Salzwedel Vice Chair	Jack Sanderson Secretary	
Executive	Daniel J. See Chair	Vincent D. Curtis	Susan Martin Vice Chair	Debra L.H. Wopat	Neil M. Ford Secretary	
Finance	Orrin Anderson Chair	Debra L.H. Wopat	John H. Tramburg Vice Chair	Michael J. Kinney	Susan Martin Secretary	
Health and Human Services	Edward P. Riley 2004	Barry Pufahl (replaces Neil Ford) 2003	Robert R. Westby 2004	J. Robert Curtis 2003	Kenneth E. Olson	Frank Newgent
Highway	Michael J. Kinney Secretary	Daniel Amato	Vincent D. Curtis	Robert J. Andler Vice Chair	Donald P. Nelson Chair	
Human Resources	Debra L.H. Wopat Chair	J. Robert Curtis	Andy Ross Secretary	Richard C. Boockmeier	Susan Martin Vice Chair	
Judiciary	John H. Healy Chair	Neil M. Ford Vice Chair	Robert Westby Secretary	Edward P. Riley	Kenneth W. Hutler	
Land Information and Records	JoAnn Wingers Chair	Robert J. Stoltenberg	Robert L. Hamele	Robert J. Andler Vice Chair	Eugene M. Fitzgerald Secretary	
Management Information Services	Kenneth W. Hutler Vice Chair	Richard C. Boockmeier	Don DeYoung Secretary	Andy Ross	Neil M. Ford Chair	
Planning and Zoning	Eugene M. Fitzgerald Vice Chair	Harlan Baumgartner Chair	Robert L. Hamele Secretary	John G. Stevenson	John H. Healy	
Property and Insurance	Richard C. Boockmeier Chair	Kenneth E. Olson Vice Chair	John G. Stevenson Secretary	Frank Newgent	Don DeYoung	
Solid Waste	Daniel Amato Chair	Gerald L. Salzwedel Vice Chair	Claire R. Robson	Jack Sanderson	Barry Pufahl Secretary	

On motion of V. Curtis, seconded by Ross, the agenda was approved.

The Clerk reported that Columbia County has received a Notice and Affidavit from Lilac-May; Sundsmo.

Chair See announced the following appointments:

- (1) Suzi Seely, Mike Hudgens, Judy Haase, Tim Carlin, Susan Lorenz, John Healy, Steve Rowe, Curtis Ray, Vincent Curtis, Vern Gove, Eldon Saager, Kathy Johnson, Ann LaGori, Eugene Hahn, Casey Krueger, Erik Wakiaga, Dan See and Chris Helser to the Local Emergency Planning Committee for two year terms to expire April, 2004. On motion by Boockmeier, seconded by Salzwedel, the appointments were unanimously approved.
- (2) Mae Wingers was re-appointed to the Commission on Aging for a two year term to expire April, 2004. On motion by Riley, seconded by Tramburg, the appointment was unanimously approved.

[Back to Table of Contents](#)

- (3) Debbie Krumpas was re-appointed to the Health and Human Services Board for a three year term to expire April, 2005. On motion by Westby, seconded by Olson, the appointment was unanimously approved.
- (4) Jim Bernett for Forestry and Bill Casey for Solid Waste were appointed as representatives to the Land Conservation Committee for two year terms to expire April, 2004. On motion by Baumgartner, seconded by Kinney, the appointments were unanimously approved.
- (5) Ray Saxby was re-appointed to the Harmony Grove Lake Protection and Rehabilitation District for a two year term to expire April, 2004. On motion by Stoltenberg, seconded by Ford, the appointment was unanimously approved.

**RESOLUTION NO. 16-02**

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, Gerrit DeBoer has served as County Board Supervisor since April 16, 1963; as County Board Chair from April, 1972, to March, 1974; as Chair of the Executive Committee from April, 1972, to March, 1974; as Chair of the Highway Committee from April, 1988, to March, 1996; and as Chair of the Miscellaneous Accounts Committee from April, 1976, to March, 1978, and

WHEREAS, Charles Johnson has served as County Board Supervisor since March 17, 1992, and

WHEREAS, Charlaine P. Brereton has served as County Board Supervisor since April 21, 1992, and as Chair of the Planning and Zoning Committee from April, 1994, to March, 2002, and

WHEREAS, Robert Pease has served as County Board Supervisor since April 16, 1996, and

WHEREAS, Richard Marquardt has served as County Board Supervisor since May 15, 1996, and as Chair of the Solid Waste Committee from April, 1998, to March, 2002.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors hereby expresses its appreciation and commends Gerrit DeBoer, Charles Johnson, Charlaine P. Brereton, Robert Pease, and Richard Marquardt for their faithful and dedicated years of service to the people of Columbia County and wishes them 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 them.

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

Orrin Anderson	Donald P. Nelson	Robert L. Hamele
Kenneth W. Hutler	Kenneth E. Olson	J Robert Curtis
Richard C. Boockmeier	Edward P. Riley	Michael J. Kinney
Vincent D. Curtis	John H. Healy	Don DeYoung
JoAnn Wingers	Harlan Baumgartner	Debra L. H. Wopat
Barry Pufahl	Susan Martin	Frank Newgent
Neil M. Ford	Claire R. Robson	Andy Ross
Robert J. Stoltenberg	Robert J. Andler	Daniel Amato
Gerald L. Salzwedel	Jack Sanderson	John H. Tramburg
Robert R. Westby	Eugene M. Fitzgerald	John G. Stevenson
	Daniel J. See	

On motion by J. Curtis, seconded by Newgent, the Resolution was unanimously adopted.

**RESOLUTION NO. 17-02**

WHEREAS, Laurance E. Thurston, of Venice, Florida, formally Poynette, Wisconsin, recently passed away at the age of 68, and

WHEREAS, prior to his death Laurance E. Thurston faithfully served the residents of Columbia County as a member of the Columbia County Board of Supervisors, and

WHEREAS, Mr. Thurston was elected to serve on the Columbia County Board of Supervisors to represent District 21 from August 16, 1995, until May 15, 1996, and

WHEREAS, Mr. Thurston served on the following committees: Human Services and Agriculture and Land Conservation.

NOW, THEREFORE, BE IT HEREBY RESOLVED that this Resolution be entered into the official records of the Columbia County Board of Supervisors in recognition of Laurance E. Thurston's service to his county, his country, and his community, and that a copy be sent to his family.

Orrin Anderson	Donald P. Nelson	Robert L. Hamele
Kenneth W. Hutler	Kenneth E. Olson	J. Robert Curtis
Richard C. Boockmeier	Edward P. Riley	Michael J. Kinney
Vincent D. Curtis	John H. Healy	Don DeYoung
JoAnn Wingers	Harlan Baumgartner	Debra L. H. Wopat
Barry Pufahl	Susan Martin	Frank Newgent
Neil M. Ford	Claire R. Robson	Andy Ross
Robert J. Stoltenberg	Robert J. Andler	Daniel Amato
Gerald L. Salzwedel	Jack Sanderson	John H. Tramburg
Robert R. Westby	Eugene M. Fitzgerald	John G. Stevenson
	Daniel J. See	

On motion by Ross, seconded by Robson, the Resolution was unanimously adopted.

**RESOLUTION NO. 18-02**

WHEREAS, the primary Columbia County Highway Shop Facility at Wyocena was built in stages between 1918 and 1968, and

WHEREAS, the facility presently does not meet current standards, makes repairs and maintenance difficult to accomplish, and has supervisory and support staff off site, and

WHEREAS, to meet current needs and improve efficiency, it is desirable that a new facility be erected at the present site which would incorporate:

- dispatch center;
- machine shop;
- office area;
- repair parts and parks equipment center;
- sandblasting area;
- seasonal low heat vehicle storage;
- sign shop;
- truck, heavy duty, small engine, and tractor repair areas;
- vehicle painting area; and
- vehicle wash bay system.

WHEREAS, Earthtech has been retained and reported its initial findings to the County Board on August 16, 2000, to the needs assessment for an updated facility.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors hereby approves the design engineering for constructing a new highway facility at the present site in Wyocena.

BE IT FURTHER RESOLVED that an amount not to exceed \$350,000 be transferred from Highway Retained Earnings to Highway Shop Construction Account for engineering and related expenses for the proposed shop.

BE IT FURTHER RESOLVED that it is anticipated that the monies expended under this Resolution are to be recouped through the future issuance of securities.

BE IT FURTHER RESOLVED that the Ad Hoc Highway Facility Committee shall continue to evaluate and utilize the information obtained from the needs assessment and engineering performed by Earthtech, evaluate soil investigation results, oversee the building project, and report on its progress to the County Board.

FISCAL NOTE: Transfer an amount not to exceed \$350,000 from Highway Retained Earnings #701-00-33900-000 to Highway Shop Construction Account #400-70-67000.

Vincent D. Curtis  
Donald P. Nelson  
Robert J. Andler  
Edward P. Riley  
Gerald Salzwedel  
AD-HOC HIGHWAY FACILITY COMMITTEE

Motion by Nelson, seconded by Salzwedel, to adopt.

[Back to Table of Contents](#)

Highway Commissioner, Kurt Dey, explained this is the final phase of the engineering process. There was discussion regarding the following: cooperating with other municipalities; efficiency and safety regulations; alternate sites; when will commitment to build occur; low heat vehicle storage area; and office area included which would make former office available for expansion of other departments.

Chair See requested a roll call vote. The Resolution was approved as follows:

AYES: 23, NOES: 6, EXCUSED:

AYES: Amato, Anderson, Andler, Boockmeier, J. Curtis, V. Curtis, Ford, Healy, Hutler, Kinney, Nelson, Newgent, Olson, Pufahl, Riley, Robson, Ross, Salzwedel, Sanderson, Stevenson, Tramburg, Westby and Wopat.

NOES: Baumgartner, DeYoung, Hamele, Martin, Stoltenberg and Wingers.

EXCUSED: Fitzgerald.

### **RESOLUTION NO. 19-02**

WHEREAS, security issues are now more important than ever; and

WHEREAS, Columbia County is looking at ways to fund new security measures in the County to assist in compliance with Supreme Court Rule 70.39; and

WHEREAS, other states such as Texas, Illinois and Iowa have implemented or are in the process of implementing a procedure that adds a set dollar as a security fee as a cost of court so the individuals paying the fees or committing the crimes help pay for Courthouse security; and

WHEREAS, Texas Code of Criminal Procedure, Article 102.017, provides that defendants convicted of a felony offense pay a \$5 fee and a misdemeanor offender pay a \$3 fee as court costs; and such fees are deposited in a security fund used for the purpose of providing security services for court buildings including purchasing x-ray machines, metal detectors, electronic locking systems, security personnel, alarms, bulletproof glass, etc.; and

WHEREAS, the State of Illinois has established a \$15 security fee per action used for similar purposes; and

WHEREAS, such a fund would make sense in Wisconsin; however, there is nothing in the statutes that allows counties to charge such a fee for security; and

WHEREAS, the State could adopt language similar to Texas to allow counties to establish a set fee to be paid directly to the County as a court cost to create Courthouse security funds of which proceeds would be used to increase Courthouse security around the State of Wisconsin.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors goes on record encouraging the State legislature and Governor to enact legislation that would allow an additional court cost for all cases filed in the Clerk of Courts Office to be used to establish local County security funds for the purpose of increasing Courthouse security statewide.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to Governor Scott McCallum; legislators representing Columbia County; and the Wisconsin Counties Association.

Robert R. Westby  
Edward P. Riley  
Ken Hutler  
Neil M. Ford  
John Healy  
JUDICIARY COMMITTEE

On motion by Healy, seconded by Newgent, the Resolution was unanimously adopted.

### **RESOLUTION NO. 20-02**

WHEREAS, Victoria Lindsay has filed a Notice of Claim against Columbia County in the amount of \$24,682 for injuries she sustained after a fall at the Columbia Health Care Center, and

WHEREAS, the Claim has been referred to the Judiciary Committee, and

WHEREAS, the Judiciary Committee has reviewed the Claim and determined that it is without merit.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors denies the Claim which was filed by Victoria Lindsay.

Edward P. Riley  
Ken Hutler  
Robert R. Westby  
Neil M. Ford

John Healy  
JUDICIARY COMMITTEE

On motion by Westby, seconded by V. Curtis, the Resolution was unanimously adopted.

**RESOLUTION NO. 21-02**

WHEREAS, Federal monies administered by the Wisconsin Economic Development Program were made available to establish a revolving loan fund for economic development in Columbia County administered by Columbia County, and  
WHEREAS, Columbia County currently has \$284,707 of funds available in its revolving loan fund and,  
WHEREAS, Robbins Manufacturing, Inc., of Fall River, Wisconsin, has developed a business plan to acquire new machinery, which will increase sales, and has applied for a loan of \$200,000 from the County's revolving loan fund, and  
WHEREAS, additional funds are being committed to the applicant in the following amounts:

Ozaukee Bank	\$200,000
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WHEREAS, this project will create 15 jobs in Columbia County, and  
WHEREAS, after due consideration by the Columbia County Revolving Loan Fund Committee, it is recommended that Robbins Manufacturing, Inc.'s application in the amount of \$200,000 be approved by the Columbia County Board, and  
WHEREAS, in accordance with the Columbia County Economic Development Revolving Loan Program Policies and Procedures Manual, it is necessary for the Columbia County Board to approve County loans from the County's Revolving Loan Fund before an applicant can receive funds from the program.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors does approve and authorize the release of funds from the Columbia County Revolving Loan Fund to Robbins Manufacturing, Inc., in the amount of \$200,000 provided that the applicant is in full compliance with the Columbia County Economic Development Revolving Loan Program Policies and Procedures Manual, and the terms of the loan agreement.

BE IT FURTHER RESOLVED that the Columbia County Board Chairman and County Clerk are hereby authorized to sign all necessary documents, including the loan agreement between the Applicant and the County on behalf of the County.

Orrin Anderson  
Daniel J. See  
Robert L. Hamele  
Susan Martin  
John H. Tramburg  
REVOLVING LOAN FUND COMMITTEE

Motion by Tramburg, seconded by Anderson, to adopt.

Supervisor Anderson stated that Robbins Manufacturing, Inc. has been a client for a number of years. They have repaid per agreements and provided financials upon request. He explained that even though the County only has \$284,000 available at this time, there will be more than sufficient funds available to cover both projects by year end.

The Resolution was unanimously adopted.

**RESOLUTION NO. 22-02**

WHEREAS, Federal monies administered by the Wisconsin Economic Development Program were made available to establish a revolving loan fund for economic development in Columbia County administered by Columbia County, and  
WHEREAS, Columbia County currently has \$284,707 of funds available in its revolving loan fund and,  
WHEREAS, Seeds for the World, Inc. (affiliated company, J.W. Jung Seed Company, Inc.), is proposing to move their operations from the current location in Graniteville, South Carolina to Randolph, Wisconsin, and  
WHEREAS, additional funds are being committed to the applicant in the following amounts:

Impact Seven, Inc.	\$475,000
Village of Randolph Revolving Loan Fund	125,000
Jung Seed Company, Inc.	150,000

[Back to Table of Contents](#)

WHEREAS, this project will create 30 full time and 10 seasonal jobs in Columbia County, and

WHEREAS, after due consideration by the Columbia County Revolving Loan Fund Committee, it is recommended that Seeds for the World, Inc.'s application in the amount of \$150,000 be approved by the Columbia County Board, to be paid in installments in years 2002 and 2003, and

WHEREAS, in accordance with the Columbia County Economic Development Revolving Loan Program Policies and Procedures Manual, it is necessary for the Columbia County Board to approve County loans from the County's Revolving Loan Fund before an applicant can receive funds from the program.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors does approve and authorize the release of funds from the Columbia County Revolving Loan Fund to Seeds for the World, Inc., in the amount of \$150,000 provided that the applicant is in full compliance with the Columbia County Economic Development Revolving Loan Program Policies and Procedures Manual, and the terms of the loan agreement.

BE IT FURTHER RESOLVED that the Columbia County Board Chairman and County Clerk are hereby authorized to sign all necessary documents, including the loan agreement between the Applicant and the County on behalf of the County.

Orrin Anderson  
Daniel J. See  
Robert L. Hamele  
Susan Martin  
John H. Tramburg  
REVOLVING LOAN FUND COMMITTEE

On motion by Anderson, seconded by Hamele, the Resolution was unanimously adopted.

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

RE: HEARINGS ON PETITIONS TO AMEND TITLE 16 - CHAPTER 1 OF THE COLUMBIA COUNTY CODE OF ORDINANCES

The Planning and Zoning Committee having held public hearings 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 Jack Mootz, to rezone from Agricultural to Agricultural No. 2, property located in Section 19, Town of Fort Winnebago on the 6<sup>th</sup> day of December, 2001 be approved as follows:

To change from Agricultural to Agricultural No. 2, a parcel of land located in part of the SE 3 of the NE 3, Section 19, Town 13N, Range 9E, Town of Fort Winnebago.

- (2) A petition by Daniel J. Heider, to rezone from Agricultural to Agricultural No. 2, property located in Section 34, Town of Lodi on the 19<sup>th</sup> day of February, 2002 be approved as follows:

To change from Agricultural to Agricultural No. 2, a parcel of land located in part of the E 2 of the NW 3, and part of the NE 3 of the SW 3, Section 34, Town 10N, Range 8E, Town of Lodi.

John G. Stevenson  
Robert L. Hamele  
Harlan Baumgartner  
John Healy  
~~Eugene Fitzgerald~~  
PLANNING AND ZONING COMMITTEE

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

[Back to Table of Contents](#)

**ORDINANCE NO. Z295-02**  
**An Amending Ordinance**

The Columbia County Board of Supervisors do ordain as follows:

That Title 16 - Chapter 1, entitled "Zoning", of the County Code, as passed by the Board of Supervisors on February 16, 1972 is hereby amended and added thereto as follows:

- (1) "To change from Agricultural to Agricultural No. 2", (Jack Mootz).
- (2) "To change from Agricultural to Agricultural No. 2", (Daniel J. Heider).

Daniel J. See, Chairman  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Cathleen M. Lathrop  
COLUMBIA COUNTY CLERK

DATE PASSED: April 16, 2002  
DATE PUBLISHED: April 24, 2002

First reading of Ordinance.

Motion by Baumgartner, seconded by V. Curtis, to suspend the rules and have the second reading of the Ordinance by title only. The motion carried unanimously.

Second reading of Ordinance.

Motion by V. Curtis, seconded by Stevenson, to suspend the rules and have the third reading of the Ordinance by title only. The motion carried unanimously.

Third reading of Ordinance.

Motion by Salzwedel, seconded by Andler, to adopt. Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance Z295-02.

**ORDINANCE NO. 59-02**

The Columbia County Board of Supervisors hereby revises Title 12, Highways, Chapter 3, Speed Limits, by adding in Section 12-3-1 (a) the below maximum permissible speed:

<u>CTH</u>	<u>LOCATION</u>	<u>DISTANCE</u>	<u>SPEED</u>
V	West of I90-94 bridge 703 ft.	6,372 ft.	35

Daniel J. See, Chair  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Cathleen M. Lathrop  
COLUMBIA COUNTY CLERK

DATE PASSED: April 16, 2002  
DATE PUBLISHED: April 24, 2002

First reading of Ordinance.

Motion by Nelson, seconded by Andler, to suspend the rules and have the second reading of the Ordinance by title only.

There was discussion regarding the current speed limit and location.

The motion carried unanimously.

Second reading of Ordinance.

Motion by Wingers, seconded by Stoltenberg, to suspend the rules and have the third reading of the Ordinance by title only. The motion carried unanimously.

Third reading of Ordinance.

Motion by Nelson, seconded by Olson, to adopt. Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance 59-02.

[Back to Table of Contents](#)

Kurt Dey, Highway Commissioner, presented his annual report.

On motion by J. Curtis, seconded by Hutler, the meeting adjourned at 11:22 a.m., until Wednesday, May 15, 2002, at 7:00 p.m. The motion carried unanimously.

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
May 15, 2002  
7:00 P.M.

The Board of Supervisors of Columbia County convened in annual session at the Courthouse in Portage pursuant to law. The meeting was called to order by Chair Daniel J. See.

All members present, except Supervisors Anderson and Riley, excused.

Motion by Westby, seconded by Martin, to approve the Journal of April 16, 2002. Motion carried unanimously.

The employees that reached the maximum level of sick leave accumulation were acknowledged.

Chair See thanked Board members for graciously accepting committee appointments.

The Board was informed that Mr. Scott Fettig would be presenting a brief report on the Ad Hoc Huber Facility Study at next month's meeting.

Chair See received an invitation from Madison Area Technical College to learn about its programs and campuses and provide comments on May 22. Anyone interested in attending should contact him.

Chair See announced the following nomination: Debra L.H. Wopat to be re-appointed to the Housing Authority for a five year term to expire May, 2007. On motion by Tramburg, seconded by Healy, the appointment was unanimously approved.

**RESOLUTION NO. 23-02**

WHEREAS, the Columbia County Board of Supervisors authorized the formation of the Columbia County Tourism Work Group in Resolution #37-00 in order to complete a tourism assessment of Columbia County, and

WHEREAS, individuals were appointed to this group commencing in October, 2000, and have been serving since that time, and

WHEREAS, this group completed the assessment, published and distributed a Columbia County Visitors Guide for two years, and distributed a Columbia County map providing information and promoting tourism and economic development, and

WHEREAS, it is desirable to establish a permanent Columbia County Tourism Committee to continue to expand the efforts to promote Columbia County.

NOW, THEREFORE, BE IT RESOLVED that a Columbia County Tourism Committee be appointed by the Columbia County Board of Supervisors for two year terms to commence in March of even numbered years, that its members or designee represent all of Columbia County including cities, villages and towns, and that it works in conjunction with, *and report to*, the Columbia County Economic Development Corporation, *for whom the Agriculture and Land and Water Conservation Committee serves as the county's liaison*.

BE IT FURTHER RESOLVED that the initial committee appointments be made in May of 2002 with the terms to expire in March of 2004.

BE IT FURTHER RESOLVED that the promotional items created and project expenses generated by this committee be paid by the Columbia County Economic Development Corporation as its fiscal agent for tourism funds.

BE IT FURTHER RESOLVED that no per diem or expenses be paid by the County to committee members.

Harlan Baumgartner  
Robert J. Stoltenberg  
Donald P. Nelson  
JoAnn Wingers  
Robert L. Hamele  
AGRICULTURE AND LAND AND  
WATER CONSERVATION COMMITTEE

Motion by Amato, seconded by Pufahl, to adopt.

Motion by Hamele, seconded Wingers, to amend the fifth paragraph, after the fifth comma, to read: "...and that it works in conjunction with, and report to, the Columbia County Economic Development Corporation, for whom the Agriculture and Land and Water Conservation Committee serves as the county's liaison."

County Board funding for committee projects was clarified in that the committee will make a request of the Economic Development Corporation, which will bring it to the County Board through the Agriculture and Land and Water Conservation

Committee.

The motion to amend carried unanimously.

The Resolution, as amended, was unanimously adopted.

The following appointments were announced: Dan Amato; Paul Fisk; Gloria Geiger; Judy Goodson; Jeff Grothman; Ken Jahn; Chuck Judd; Sarah Lloyd; Sharon McCormick; Bob O'Brion; Tim Perry; Judy Robbins; Bonnie Sierlecki; Pat Svendsen; Dale Strmiska; and Bob Williams; and non-voting members of Nancy Elsing and Kathleen Haas; to the Columbia County Tourism Committee with terms to expire March, 2004. On motion by Salzwedel, seconded by Ross, the appointments were unanimously approved.

**RESOLUTION NO. 24-02**

WHEREAS, the Columbia County Housing Authority ("Housing Authority") maintains the Wyona Lake Apartments in the Village of Wyocena for the purpose of providing rental housing to qualified low income residents of Columbia County; and

WHEREAS, the Central Wisconsin Community Action Council ("CWCAC") has operated and managed the Wyona Lake Apartments on behalf of the Housing Authority for a number of years; and

WHEREAS, the CWCAC seeks transfer of ownership of the Wyona Lake Apartments from the Housing Authority to the CWCAC, a transfer which is permitted under Federal low income housing program regulations; and,

WHEREAS, the transfer of the Wyona Lake Apartments from the Housing Authority to CWCAC will reduce administrative processes and costs associated with operating the Wyona Lake Apartments and will not adversely affect the availability of low income rental housing to qualified Columbia County residents; and

WHEREAS, the CWCAC and the Housing Authority have agreed that the Housing Authority will transfer the Wyona Lake Apartments to the CWCAC for the sum of (\$1.00) One Dollar, preserving the right of Columbia County to purchase the property from CWCAC for (\$1.00) in the event that CWCAC should discontinue to operate the property as low income housing at any point in the future.

NOW THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors authorizes the transfer of ownership of the Wyona lake Apartments in the Village of Wyocena from the Housing Authority to the CWCAC; and

BE IT FURTHER RESOLVED, that the Columbia County Board Chair, the Columbia County Clerk and the Chair of the Housing Authority are authorized to execute all documents necessary to complete the transfer of the Wyona Lake Apartments from the Housing Authority to the CWCAC.

Neil M. Ford  
Debra L.H. Wopat  
Vincent D. Curtis  
Susan Martin  
Daniel J. See  
EXECUTIVE COMMITTEE

Motion by V. Curtis, seconded by Baumgartner, to adopt.

There was discussion regarding the parking lot easement and maintenance.

The Resolution was unanimously adopted.

**RESOLUTION NO. 25-02**

WHEREAS, pursuant to Section 59.22, Wisconsin Statutes, the County Board shall establish the salary for elected officials prior to the earliest time for filing nomination papers.

NOW, THEREFORE, BE IT RESOLVED that the following elected official be placed on the Non-Represented Pay Structure Chart, for the current term, at the range and step indicated, effective January 1, 2003.

	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Sheriff	Range 18 Step 3	Step 4	Step 5	Step 6
	\$60,756.80	\$62,400.00	\$64,043.20	\$65,686.40

BE IT FURTHER RESOLVED that the above elected official receive fringe benefits as provided other employees of the County (except longevity), including life and health insurance premiums.

BE IT FURTHER RESOLVED that the above elected official receive salary increases commensurate with that received by other non-union employees in the years 2003, 2004, 2005, and 2006.

Michael J. Kinney  
Susan Martin  
Debra L.H. Wopat  
John H. Tramburg  
~~Orrin K. Anderson~~  
FINANCE COMMITTEE

On motion by Martin, seconded by Hutler, the Resolution was unanimously adopted.

**RESOLUTION NO. 26-02**

WHEREAS, pursuant to Section 59.22, Wisconsin Statutes, the County Board shall establish the salary for elected officials prior to the earliest time for filing nomination papers.

NOW, THEREFORE, BE IT RESOLVED that the following elected officials be placed on the Non-Represented Pay Structure Chart, for the current term, at the range and step indicated, effective January 1, 2003.

	<u>2003</u>	<u>2004</u>
County Clerk	Range 13 Step 1 \$45,801.60	Step 2 \$47,091.20
County Treasurer	Range 13 Step 3 \$48,401.60	Step 4 \$49,712.00
Clerk of Court	Range 13 Step 3 \$48,401.60	Step 4 \$49,712.00
Register of Deeds	Range 12 Step 3 \$45,926.40	Step 4\$ 47,174.40

BE IT FURTHER RESOLVED that the above elected officials receive fringe benefits as provided other employees of the County (except longevity), including life and health insurance premiums.

BE IT FURTHER RESOLVED that the above elected officials receive salary increases commensurate with that received by other non-union employees in the years 2003, and 2004.

Michael J. Kinney  
Susan Martin  
Debra L.H. Wopat  
John H. Tramburg  
~~Orrin K. Anderson~~  
FINANCE COMMITTEE

On motion by Tramburg, seconded by Andler, the Resolution was unanimously adopted.

**RESOLUTION NO. 27-02**

WHEREAS, pursuant to Section 59.22, Wisconsin Statutes, the County Board shall establish the salary for elected officials prior to the earliest time for filing nomination papers.

NOW, THEREFORE, BE IT RESOLVED that the following schedule be adopted as the annual salary for the named elected official, as indicated, effective January 1, 2003.

	<u>2003</u>
Coroner	\$2000.00 Per Month (\$24,000 Per Year)

BE IT FURTHER RESOLVED that the above elected official receive only the retirement fringe benefit as provided other employees of the County.

BE IT FURTHER RESOLVED that the above elected officials receive salary increases commensurate with that received by other non-union employees in the year 2004.

Michael J. Kinney  
Susan Martin  
Debra L.H. Wopat  
John H. Tramburg  
~~Orrin K. Anderson~~  
FINANCE COMMITTEE

On motion by Wopat, seconded by Tramburg, the Resolution was unanimously adopted.

**RESOLUTION NO. 28-02**

WHEREAS, Jeff Schreiber has filed a Claim against Columbia County for damages in the amount of \$100 for damage to his teeth after eating a meal at the Columbia County Jail, and

WHEREAS, the claim has been referred to the Judiciary Committee, and

WHEREAS, the Judiciary Committee has reviewed the claim and determined that it is without merit.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors denies the claim for damages which was filed by Jeff Schreiber.

Neil M. Ford  
Robert Westby  
~~Edward P. Riley~~  
Kenneth W. Hutler  
John H. Healy  
JUDICIARY COMMITTEE

On motion by Hutler, seconded by Westby, the Resolution was unanimously adopted.

**RESOLUTION NO. 29-02**

WHEREAS, the 2002 budget includes funds for the removal of the vault in the Planning and Zoning Department, and  
WHEREAS, a more extensive remodeling project would meet the department’s needs for the next ten years as well as make the space more usable in the future by another department, and

WHEREAS, the remodeling project presently proposed includes removal of the vault; removal and disposal of carpet and floor tile; new ceiling in four offices; new lights, floor plan, paint, and carpet; and some new furniture, and

WHEREAS, Gunderson Construction has submitted a bid for this project of \$70,552.

NOW, THEREFORE, BE IT RESOLVED that the Planning and Zoning Office be remodeled at a cost not to exceed \$74,080, which is the bid price of \$70,552 plus a five percent contingency of \$3,528.

FISCAL NOTE: Transfer \$43,582 from Planning and Zoning Operational/Capital Outlay Budget and transfer \$30,498 from Capital Outlay Pool Non-lapsing Account to Administration Building Remodeling Account #100-02-61950.

Kenneth E. Olson  
John G. Stevenson  
Frank Newgent  
Don DeYoung  
Richard C. Boockmeier  
PROPERTY AND INSURANCE COMMITTEE

Supervisor Tramburg stated the project was approved at the Finance Committee meeting.

On motion by Boockmeier, seconded by Olson, the Resolution was unanimously adopted.

**RESOLUTION NO. 30-02**

WHEREAS, Federal monies are available under the Community Development Block Grant Program, administered by the State of Wisconsin, Department of Administration, Division of Housing and Intergovernmental Relations (DHIR) for the purposes of providing affordable housing initiatives and housing improvements, and

WHEREAS, after due consideration, COLUMBIA COUNTY has recommended that MSA be hired to administer the Community Development Block Grant (CDBG) the following types of projects:

- DOWNPAYMENT AND CLOSING COST ASSISTANCE
- HOUSING REHABILITATION
- RENTAL UNIT REHABILITATION

WHEREAS, it is necessary for the County Board to approve the hiring of a program administrator for COLUMBIA COUNTY’S CDBG funds, and

WHEREAS, the Columbia County Revolving Loan Fund/Housing Committee has reviewed the proposal for administration of the Housing Program.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board does approve and authorize the hiring of MSA Professional Services for administration of the CDBG Housing Program, and

BE IT FURTHER RESOLVED, that the Columbia County Board Chairman is hereby authorized to sign all necessary documents on behalf of Columbia County, and

BE IT FURTHER RESOLVED, that authority is hereby granted to the Columbia County Revolving Loan Fund/Housing Committee to take the necessary steps to make decisions on behalf of the County in regard to program policies, review of loan applications, and resolution of complaints and disputes in accordance with guidelines set forth by the State of Wisconsin, Department of Administration.

~~Orrin K. Anderson~~  
Daniel J. See  
Robert L. Hamele  
Susan Martin  
John H. Tramburg  
REVOLVING LOAN FUND COMMITTEE

Motion by Tramburg, seconded by Martin, to adopt.

The County and MSA will share the 15% available under the grant for administration.

The Resolution was unanimously adopted.

#### REPORT OF THE PLANNING AND ZONING COMMITTEE

RE: HEARINGS ON PETITIONS TO AMEND TITLE 16 – CHAPTER 1 OF THE COLUMBIA COUNTY CODE OF ORDINANCES

The Planning and Zoning Committee having held public hearings 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 John Stokely, to rezone from Agricultural to Single Family Residence and from Agricultural to Industrial, property located in Section 3, Town of Otsego on the 7<sup>th</sup> day of December, 2001 be approved as follows:

To change from Agricultural to Single Family Residence and from Agricultural to Industrial, a parcel of land located in part of the NW ¼ of the SE ¼, Section 3, Town 11N, Range 11E, Town of Otsego.

- (2) A petition by David M. Hoepfner, to rezone from Agricultural to Agricultural No. 2, property located in Section 35, Town of Wyocena on the 22<sup>nd</sup> day of March, 2002 be approved as follows:

To change from Agricultural to Agricultural No. 2, a parcel of land located in part of the N ½ of the NE ¼, Section 35, Town 12N, Range 10E, Town of Wyocena.

- (3) A petition by Brian Jung, to rezone from Agricultural to Single Family Residence, property located in Section 27, Town of Courtland on the 22<sup>nd</sup> day of February, 2002 be approved as follows:

To change from Agricultural to Single Family Residence, a parcel of land located in part of the NW ¼ of the NW ¼, Section 27, Town 12N, Range 12E, Town of Courtland.

Harlan Baumgartner  
Eugene Fitzgerald  
Robert Hamele  
John Stevenson  
John Healy  
PLANNING AND ZONING COMMITTEE

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

**ORDINANCE NO. Z296-02**  
**An Amending Ordinance**

The Columbia County Board of Supervisors do ordain as follows:

That Title 16 – Chapter 1, entitled “Zoning”, of the County Code, as passed by the Board of Supervisors on February 16, 1972 is hereby amended and added thereto as follows:

- (1) “To change from Agricultural to Single Family Residence”AND “To change from Agricultural to Industrial”, (John Stokely).
- (2) “To change from Agricultural to Agricultural No. 2”, (David M. Hoepfner).
- (3) “To change from Agricultural to Single Family Residence”, (Brian Jung).

Daniel J. See, Chair  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Cathleen M. Lathrop  
COLUMBIA COUNTY CLERK

DATE PASSED: May 15, 2002

DATE PUBLISHED: May 22, 2002

Supervisor Baumgartner asked to abstain from voting and was excused from the room.

First reading of Ordinance.

Motion by V. Curtis, seconded by Robson, to suspend the rules and have the second reading of the Ordinance by title only.

The motion carried unanimously.

Second reading of Ordinance.

Motion by Hamele, seconded by Stevenson, to suspend the rules and have the third reading of the Ordinance by title only.

The motion carried unanimously.

Third reading of Ordinance.

Motion by Hamele, seconded by Wingers, to adopt. Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance Z296-02.

On motion by J. Curtis, seconded by Pufahl, the meeting adjourned at 7:40 p.m., until Wednesday, June 19, 2002, at 7:00 p.m. The motion carried unanimously.

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
June 19, 2002  
7:00 P.M.

The Board of Supervisors of Columbia County convened in annual session at the Courthouse in Portage pursuant to law. The meeting was called to order by Chair Daniel J. See.

All members present, except Supervisors Anderson and Riley, excused.

Motion by Stevenson, seconded by Kinney, to approve the Journal of May 15, 2002. Motion carried unanimously.

Motion by Stoltenberg, seconded by Pufahl, to approve the agenda. Motion carried unanimously.

The Clerk reported that Columbia County has received a Notice of Claim and Claim from Attorney Michael Riley on behalf of Jay and Dorothy Heller.

Brent Miller, Human Resources Director, announced the presentation of a certificate of appreciation and plaque to Gene Broesch, Roger Gee, Beverly Hutchinson, Ronald Kerl, Carole Lyons, Rodney Roundy, Calvin Schwantz and Ann Sheridan upon their retirement.

Chair See announced the following appointments:

- (1) Dean Walker to be re-appointed to the Ethics Inquiry Board for a three year term to expire April, 2005. On motion by J. Curtis, seconded by Hamele, the appointment was unanimously approved.
- (2) Mark Jensen, Kurt Dey, Marlene Auerbach, Darrell Parker, Avis Link, JoAnn Wingers, Gerry Sallmann, Tom Maloney, Dan Roberts, Kirk Konkell, Donald Nelson, Ken Manthey, Dan Pulsfus and Dean Edgington to the Highway Safety Commission for a two year term to expire May, 2004. On motion by V. Curtis, seconded by Andler, the appointments were unanimously approved.
- (3) Leon Heinze to be re-appointed to the Zoning Board of Adjustments for a term to expire June, 2005. On motion by Baumgartner, seconded by Hamele, the appointment was unanimously approved.

**RESOLUTION NO. 31-02**

WHEREAS, in Resolution No. 30-02, the County Board authorized the County's participation in a Community Development Block Grant ("CDBG") program to be administered by MSA; and

WHEREAS, MSA recently advised the County that the State of Wisconsin now requires CDBG grant participants to adopt Section 3 of the Housing and Urban Development Act of 1968; and

WHEREAS, the County understands that Section 3 is a federal policy that applies to housing rehabilitation, new housing construction and other construction projects that are paid for, in whole or in part, with funds from the United States Department of Housing and Urban Development (HUD). Its full name is "Economic Opportunities for Low and Very Low Income Persons". It became law in 1968 as Section 3 of the Housing and Urban Development Act, thus it's commonly referred to as Section 3; and

WHEREAS, the County recognizes that the purpose of Section 3 is to ensure that the employment and other economic activities that this federal assistance generates will, to the greatest extent possible, be directed toward low-to-moderate income (LMI) people (below 80% of county median income).

NOW THEREFORE, BE IT RESOLVED, that the County as a recipient of HUD funding for housing rehabilitation or new construction, including the construction or rehabilitation of homeless shelters and transitional living quarters, will make an effort to recruit LMI residents and Youthbuild participants/graduates for job openings. In addition, if the grantee is awarding competitive contracts of more than \$100,000.00, the grantee must attempt to recruit businesses as bidders that are "Section 3 business concerns".

Robert L. Hamele  
Daniel J. See  
Susan Martin  
John H. Tramburg  
Orrin Anderson  
REVOLVING LOAN  
FUND/HOUSING COMMITTEE

Supervisor DeYoung abstained from voting and was excused from the room.

On motion by Tramburg, seconded by Hamele, the Resolution was unanimously adopted.

**RESOLUTION NO. 32-02**

WHEREAS, the Columbia County UW-Extension Office applied for and has been awarded a grant by the United States Department of Agriculture for the period of July 1, 2002, through September 30, 2004, and

WHEREAS, the project for which the grant was received has three general goals:

- (1) enhancing communication among livestock farmers in Columbia County and with other grazing networks in south central Wisconsin;
- (2) improving pasture management skills with the goal of improving profitability; and
- (3) increasing understanding and use of well managed pastures for environmental benefits.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors authorizes acceptance of a grant by the UW-Extension Office in the amount of \$22,976 from the United States Department of Agriculture related to prescribed grazing and habitat/ecosystem restoration.

FISCAL NOTE: No County Match required.

Harlan Baumgartner  
 Robert J. Stoltenberg  
 Donald P. Nelson  
 JoAnn Wingers  
 Robert L. Hamele  
 AGRICULTURE AND LAND AND  
 WATER CONSERVATION COMMITTEE

Motion by Nelson, seconded by Salzwedel, to adopt.  
 Supervisor Hamele stated the program is multi-county and has 350 participants.  
 The Resolution was unanimously adopted.

**RESOLUTION NO. 33-02**

WHEREAS, the supply of tourism maps printed for 2002 will soon be depleted and an additional supply of 20,000 maps is desired at a cost of \$2,000.

NOW, THEREFORE, BE IT HEREBY RESOLVED that an amount of not to exceed \$2,000 be transferred to UW-Extension – Maps to print additional Columbia County tourism maps for 2002.

FISCAL NOTE: Transfer an amount not to exceed \$2,000 from General Fund to UW-Extension – Maps, Account #100-82-56700-262.

Harlan Baumgartner  
 Robert J. Stoltenberg  
 Donald P. Nelson  
 JoAnn Wingers  
 Robert L. Hamele  
 AGRICULTURE AND LAND AND  
 WATER CONSERVATION COMMITTEE

The Resolution was referred to the Finance Committee.

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

WHEREAS, the Columbia County Board of Supervisors authorized the formation of the Columbia County Tourism Committee in Resolution #23-02, which committee is a continuation of the tourism work group established in 2000, and

WHEREAS, since its formation this group completed a tourism assessment, published and distributed a Columbia County Visitors Guide for two years, and distributed a Columbia County map providing information and promoting tourism and economic development, and

WHEREAS, the group requests the County Board provide funds for its 2002 projects, which include the following:

Columbia County “Welcome Sign”	
Cost of Sign	\$2,000
Rent (1/2 year)	600
Matching Funds for a State of Wisconsin/JEM	

Grant from the Department of Tourism for brochures, etc.	2,000
Supplies; cost of preparing and postage for mailings	500

NOW, THEREFORE, BE IT HEREBY RESOLVED that an amount of not to exceed \$5,100 be transferred to Economic Development  
Tourism for use by the tourism committee to place a welcome sign, provide supplies and mailings, and provide matching funds for a Department of Tourism Grant.

FISCAL NOTE: Transfer an  
Amount not to exceed \$5,100  
from General Fund to  
Economic Development - Tourism,  
Account #100-82-57620-340.

Harlan Baumgartner  
Robert J. Stoltenberg  
Donald P. Nelson  
JoAnn Wingers  
Robert L. Hamele  
AGRICULTURE AND LAND  
AND WATER CONSERVATION COMMITTEE

The Resolution was referred to the Finance Committee.

**RESOLUTION NO. 34-02**

WHEREAS, the Agriculture and Land and Water Conservation Committee is responsible for dog damage claims in Columbia County, and

WHEREAS, the committee has reviewed the Owner’s Claim for Damages to Animals submitted by the Randolph Town Board on behalf of Richard Oliver and recommends that said claim be allowed, pursuant to Chapter 174, Wisconsin Statutes:

	<u>Claimed</u>	<u>Allowed</u>
Richard Oliver	\$1,200	\$ 960

Harlan Baumgartner  
Robert J. Stoltenberg  
Donald P. Nelson  
JoAnn Wingers  
Robert L. Hamele  
AGRICULTURE AND LAND AND WATER CONSERVATION  
COMMITTEE

Motion by Hamele, seconded by Wingers, to adopt.

Supervisor Hamele stated 12 sheep were killed on April 12,2002, by dogs. Dan Short, UW-Extension Agent, advised that a sale on April 11, 2002, indicated a market value of \$76.70 each. The committee recommends a payment of \$80 each.

There was discussion regarding identity of the dogs’ owner and geographic area.

The Resolution was unanimously adopted.

**RESOLUTION NO. 35-02**

WHEREAS, passage by the Federal government of the Health Insurance Portability and Accountability Act (HIPAA) of 1996 mandates that covered entities, including Columbia County, meet the following requirements:

- 1) use “standard” electronic data interchange transactions;
- 2) assure privacy of protected health information; and
- 3) provide physical and electronic security of protected health information

WHEREAS, the following deadlines for compliance have been established:

October 15, 2002	Electronic Data Interchange Plan
April 14, 2003	Privacy Rule
April 16, 2003	Initiate Electronic Data Interchange Testing
October 16, 2003	Electronic Data Interchange Compliance
No scheduled date	Security Rule

WHEREAS, the Executive Committee has been informed that compliance factors have not been satisfactorily explained by any entity to county staff in the State of Wisconsin, and

WHEREAS, all Wisconsin counties must comply with this new Federal requirement and will deal with it in a very similar fashion as all have employees, all have human services agencies, all use information technology, some have and some do not have nursing homes, and some self-fund while others purchase health insurance coverage, and

WHEREAS, consultants are offering to provide services to individual counties in understanding and complying with HIPAA, and

WHEREAS, this situation appears to be one in which the Wisconsin Counties Association could provide a significant service to its member counties by providing leadership in the understanding and interpretation of the new regulations through either having a staff member assigned to this task or arranging for services from a consultant with the cost therefor shared by counties utilizing the service, and

WHEREAS, several covered entities are submitting an Extension Application to negate the first compliance deadline of October, 2002.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association *and National Association of Counties* is urged to take a leadership role by providing services or obtaining consultant services for its member counties to understand and comply with the requirements of HIPAA, with the costs therefor shared amongst participating counties.

BE IT FURTHER RESOLVED that the Columbia County Chair is authorized to sign necessary documents to obtain an extension of the first deadline for HIPAA compliance of October, 2002.

BE IT FURTHER RESOLVED that a copy of this Resolution be provided to Mr. Mark O'Connell, Executive Director of Wisconsin Counties Association, *National Association of Counties*, and each county in the State of Wisconsin.

Neil M. Ford  
Debra L.H. Wopat  
Vincent D. Curtis  
Susan Martin  
Daniel J. See  
EXECUTIVE COMMITTEE

Motion by Martin, seconded by Wopat, to adopt.

There was discussion regarding complexity of changes and meeting requirements.

Motion by Tramburg, seconded by Andler, to amend the eighth and tenth paragraphs by adding "National Association of Counties" after "Wisconsin Counties Association".

The motion to amend carried unanimously.

The Resolution, as amended, was unanimously adopted.

Chair See stated the Resolution would be submitted to Wisconsin Counties Association for its September convention.

#### RESOLUTION NO. 36-02

WHEREAS, other surrounding counties, municipalities and the State of Wisconsin have shown considerable interest and support in the expansion of the current salt storage facility, and

WHEREAS, the current site and facility has been designed and planned for phased future expansions, and

**WHEREAS, this expansion project would require additional engineering, land acquisition and construction of two salt storage facilities to be financed by Highway and Transportation at a sum not to exceed \$1,200,000, and**

WHEREAS, salt is presently received into Columbia County by rail which reflects a considerable cost savings in transportation, and

WHEREAS, Columbia County Highway and Transportation has a multi-year negotiable contract with its supplier(s), and

WHEREAS, it would be advantageous to Columbia County Highway and Transportation and other entities to expand the current salt storage facility, and

WHEREAS, the cost of the expansion project would be recovered through spur charges and user fees to all users, and

WHEREAS, it is anticipated this cost will be recovered in less than 5.067 years.

NOW, THEREFORE, BE IT RESOLVED that a sum not to exceed \$1,200,000 be transferred as necessary from Highway Retained Earnings to Highway Salt Facility Construction Account for engineering, land acquisition and construction of two salt storage facilities.

FISCAL NOTE: Transfer an amount	Donald P. Nelson
Not to exceed \$1,200 from	Robert J. Andler
Highway Retained Earnings	Daniel Amato
#701-00-33900-000 to Highway	Michael Kinney
Salt Facility Construction Account	Vincent D. Curtis
Construction 701-70-67000	HIGHWAY COMMITTEE

Motion by Nelson, seconded by V. Curtis, to adopt.

There was discussion regarding Highway's retained earnings, future need for storage, possibility of interference with private industry, and past salt storage history.

Kurt Dey, Highway Commissioner, explained that the County has decreased its cost by 33% since 1995 by receiving salt by rail. He indicates this project will result in an overall savings of \$1.4 million.

The Resolution was unanimously adopted.

### **RESOLUTION NO. 37-02**

WHEREAS, Marcella Ehlenfeldt has filed a Claim against Columbia County in the amount of \$4,000 for alleged damage to her septic system, and

WHEREAS, the Claim has been referred to the Judiciary Committee, and

WHEREAS, the Judiciary Committee has reviewed the Claim and determined that it is without merit.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors denies the Claim which was filed by Marcella Ehlenfeldt.

Neil M. Ford  
Robert Westby  
~~Edward P. Riley~~  
Kenneth W. Hutler  
John H. Healy

JUDICIARY COMMITTEE

On motion by Healy, seconded by Westby, the Resolution was unanimously adopted.

### **RESOLUTION NO. 38-02**

WHEREAS, the Columbia County Planning and Zoning Department has applied for and has been awarded a National Association of Counties (NACo)/ESRI Technology Foundation Series Grant, and

WHEREAS, the NACo/ESRI Grant Program was instituted to assist county agencies in the further development of GIS projects, to make agencies more efficient, and facilitate the migration of GIS data between departments, and

WHEREAS, the grant will not involve any funds but provides GIS software licenses and provides training opportunities for a one (1) year time period, which software and training have a total value of \$10,849.90, and

WHEREAS, no matching funds are required by the County, and the software can be used by existing employees, and

WHEREAS, the GIS software is the same as the GIS software currently being used by the County so there will be no compatibility issues.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors accepts the NACo/ESRI Technology Foundation Series Grant which has a value of \$10,849.90.

Eugene M. Fitzgerald  
~~Robert L. Hamele~~  
John G. Stevenson

John H. Healy  
Harlan Baumgartner  
PLANNING AND ZONING COMMITTEE

Motion by Baumgartner, seconded by Ford, to adopt.

Supervisor Hamele expressed concerns regarding data compatibility and having two GIS systems.

Gene Mucciolo, Land Information Director, stated the initial cost for the software is \$7,100 which is being paid by the grant. The software maintenance package after the first year is \$3,000 for the first license and \$1,200 for additional licenses. There would be a savings if the Land Information and Planning and Zoning Departments listed the licenses jointly. Data compatibility and licensing issues have been discussed and are to be resolved.

The Resolution was unanimously adopted.

Chair See called a recess at 7:45 p.m. for the Finance Committee to meet. The County Board meeting reconvened at 8:03 p.m.

Supervisor Tramburg said that the Finance Committee recommends approval of the Resolution to provide funds for additional 2002 Columbia County Tourism maps with the stipulation that the maps last through 2003.

Motion by Sanderson, seconded by Hamele, to adopt the Resolution.

Supervisor Amato stated that 50,000 maps were printed on July 15, 2001; and 1,000 remain in inventory. The Resolution will allow another 50,000 to be printed, however, he doesn't anticipate less consumption in the future.

The Resolution was unanimously adopted.

Supervisor Tramburg stated that the Finance Committee unanimously denied the Resolution to provide funds for Tourism Committee projects because of concern regarding possible loss of revenues.

Motion by Amato, seconded by Baumgartner, to approve the Resolution.

Supervisor Amato said the proposed sign would be placed on Interstate I-39/90/94 at the Dane County line to welcome people entering Columbia County and promote the unique free ferry. County sales tax revenue was \$2.8 million last year with 25% coming from tourism.

Supervisor Amato requested a roll call vote.

AYES: 14, NOES: 14, EXCUSED: 2

AYES: Baumgartner, DeYoung, Fitzgerald, Hamele, Nelson, Newgent, Robson, Ross, Salzwedel, Sanderson, Stoltenberg, Westby, Wingers and Amato.

NOES: Andler, Boockmeier, J. Curtis, V. Curtis, Ford, Healy, Hutler, Kinney, Martin, Olson, Pufahl, Stevenson, Tramburg and Wopat.

EXCUSED: Anderson and Riley.

The Resolution fails for lack of approval by two-thirds of the entire membership as required by Sec. 65.90 (5)(a), Wis. Stats.

#### REPORT OF THE PLANNING AND ZONING COMMITTEE

RE: HEARINGS ON PETITIONS TO AMEND TITLE 16 – CHAPTER 1 OF THE COLUMBIA COUNTY CODE OF ORDINANCES

The Planning and Zoning Committee having held public hearings 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 Scott Hewitt of Grothman and Associates, Agent for John O. and Lynn A. Schreiber, to rezone from Agricultural to Single Family Residence, property located in Section 16, Town of Lodi on the 2nd day of May, 2002 be approved as follows:

To change from Agricultural to Single Family Residence, a parcel of land located in part of the NE ¼ of the SW ¼, Section 16, Town 10N, Range 8E, Town of Lodi.

- (2) A petition by Joseph J. LaGosh, Pardeeville, Wisconsin to rezone from Agricultural to Single Family Residence, property located in Section 3, Town of Wyocena on the 3<sup>rd</sup> day of May, 2002 be approved as follows:

To change from Agricultural to Single Family Residence, a parcel of land located in Government Lot 2, being a part of Lot 1, Certified Survey Map Number 1157, Section 3, Town 12N, Range 10E, Town of Wyocena.

Harlan Baumgartner  
Eugene Fitzgerald  
Robert Hamele  
John Stevenson  
John Healy  
PLANNING AND ZONING COMMITTEE

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

**ORDINANCE NO. Z297-02**  
**An Amending Ordinance**

The Columbia County Board of Supervisors do ordain as follows:

That Title 16 – Chapter 1, entitled “Zoning”, of the County Code, as passed by the Board of Supervisors on February 16, 1972 is hereby amended and added thereto as follows:

- (1) “To change from Agricultural to Single Family Residence”, (Scott Hewitt of Grothman and Associates, Agent for John O. and Lynn A. Schreiber).
- (2) “To change from Agricultural to Single Family Residence”, (Joseph J. LaGosh).

Daniel J. See, Chairman  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Cathleen M. Lathrop  
COLUMBIA COUNTY CLERK

DATE PASSED: June 19, 2002

DATE PUBLISHED: June 24, 2002

First reading of Ordinance.

Motion by Baumgartner, seconded by Stevenson, to suspend the rules and have the second reading of the Ordinance by title only. The motion carried unanimously.

Second reading of Ordinance.

Motion by V. Curtis, seconded by Salzwedel, to suspend the rules and have the third reading of the Ordinance by title only. The motion carried unanimously.

Third reading of Ordinance.

Motion by Fitzgerald, seconded by Stevenson, to adopt. Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance Z297-02.

**ORDINANCE NO. 60-02**

The Columbia County Board of Supervisors does ordain as follows:

That Title 14, Chapter 2, entitled “Tattoo Establishments and Artists” of the Columbia County Code of Ordinances, be and is hereby repealed in its entirety.

Daniel J. See, Chair  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Cathleen M. Lathrop  
COLUMBIA COUNTY CLERK

DATE PASSED: June 19, 2002

DATE PUBLISHED: June 24, 2002

First reading of Ordinance.

Motion by Westby, seconded by Newgent, to suspend the rules and have the second reading of the Ordinance by title only.

The State of Wisconsin is now responsible for inspection of these establishments.

The motion carried unanimously.

Second reading of Ordinance.

Motion by Baumgartner, seconded by Boockmeier, to suspend the rules and have the third reading of the Ordinance by title only. The motion carried unanimously.

Third reading of Ordinance.

Motion by Boockmeier, seconded by Newgent, to adopt. Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance 60-02.

### **ORDINANCE NO. 61-02**

The Columbia County Board of Supervisors do ordain as follows:

That Title 5 – Chapter 7, entitled “Clean Indoor Air”, of the County Code, is hereby amended as follows:

“No person may possess a lighted cigar, cigarette, pipe or any other lighted smoking equipment within any portion of any Columbia County building or any access corridor leading thereto. This Section shall apply to residents of the Columbia County Health Care Center. This Section is to comply with all relevant requirements provided under Sec. 101.123, Wis. Stats.”

Daniel J. See, Chairman  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Cathleen M. Lathrop  
COLUMBIA COUNTY CLERK

DATE PASSED: June 19, 2002

DATE PUBLISHED: June 24, 2002

First reading of Ordinance.

Motion by Salzwedel, seconded by Sanderson, to suspend the rules and have the second reading of the Ordinance by title only.

Supervisor Tramburg said the intent of the change is to provide a smoke-free nursing home.

The motion carried unanimously.

Second reading of Ordinance.

Motion by Westby, seconded by V. Curtis, to suspend the rules and have the third reading of the Ordinance by title only. The motion carried unanimously.

Third reading of Ordinance.

Motion by DeYoung, seconded by J. Curtis, to adopt. Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance 61-02.

On motion by J. Curtis, seconded by Hutler, the meeting adjourned at 8:40 p.m., until Wednesday, July 17, 2002, at 7:00 p.m. The motion carried unanimously.

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
July 17, 2002  
7:00 P.M.

The Board of Supervisors of Columbia County convened in annual session at the Courthouse in Portage pursuant to law. The meeting was called to order by Chair Daniel J. See.

All members present, except Supervisors Fitzgerald and Riley, excused.

Motion by Pufahl, seconded by Robson, to approve the Journal of June 19, 2002.

Supervisor Amato questioned the legality of the Finance Committee recommendation that the tourism maps last through 2003 and asked if it is binding on next year's budget. Corporation Counsel Ruf stated that no committee or action of the Board can have that sort of prospective, final effect. Supervisor Amato thanked the Board for the appropriation.

The motion to approve the Journal of June 19, 2002, carried unanimously.

Motion by V. Curtis, seconded by Andler, to approve a change to the agenda: addition of Resolution submitted by the Highway Committee regarding Williams Road closure. Motion carried unanimously.

Chair See announced the following appointment: Beverly Hoffmann to the Portage Library Board for a one year term to expire July, 2003. On motion by Martin, seconded by Olson, the appointment was unanimously approved.

**RESOLUTION NO. 39-02**

WHEREAS, the three (3) year contract for auditing services with the CPA firm, Clifton Gunderson LLP, has expired, and

WHEREAS, Columbia County is required by the Single Audit Act of 1984 to retain such services, and

WHEREAS, the Finance Committee has reviewed the work of Clifton Gunderson LLP and is very satisfied with their professional services.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Columbia County Board of Supervisors be authorized to enter into a contract with the firm of Clifton Gunderson LLP to provide an annual auditing service for Columbia County for the years ending December 31, 2002, 2003, and 2004.

**FISCAL NOTE:** Cost of such audit will be as follows:

\$14,650 for year 2002, payable in year 2003

\$15,075 for year 2003, payable in year 2004

\$15,500 for year 2004, payable in year 2005.

No funding is being requested at this time as the annual fees will be included in the respective budgets for each of the three (3) years.

Michael J. Kinney

Susan Martin

Debra L.H. Wopat

John H. Tramburg

Orrin K. Anderson

FINANCE COMMITTEE

Motion by Anderson, seconded by Tramburg, to adopt.

The Resolution was unanimously adopted.

**RESOLUTION NO. 40-02**

WHEREAS, every year over 26,000 Wisconsin children become addicted to tobacco, of whom, more than one-third will die prematurely because of this addiction; and,

WHEREAS, increasing Wisconsin's excise tax on cigarettes by 85-cents per pack would significantly reduce the number of children who become addicted to tobacco, save over a billion dollars in health care costs, and provide hundreds of millions of dollars per year in additional state revenues;

NOW, THEREFORE, BE IT RESOLVED, that the undersigned organization endorses increasing the Wisconsin excise tax on cigarettes by 85-cents per pack, and using the money raised by this excise tax increase to assure that Wisconsin has a comprehensive program to reduce tobacco use that follows and is funded within the Centers of Disease Control best practice guidelines, and also to fund other state programs that will advance the health, education, and general welfare of Wisconsin citizens.

BE IT FURTHER RESOLVED, that the undersigned organization will inform its members and, if possible, the general

public, of its endorsement of this resolution and also inform the Governor and members of the Legislature of its endorsement of this resolution, to the extent permitted by law, and urge its constituency to do so also.

~~Edward Riley~~  
Kenneth Olson  
Barry Pufahl  
Robert Westby  
Dr. J. Robert Curtis  
Helen Phelps  
Debbie Krumpo  
~~Dr. Gerald Krumpo~~  
Frank Newgent  
HEALTH & HUMAN SERVICE BOARD

Motion by Olson, seconded by Westby, to adopt.

Supervisor Hamele expressed concern about securing the revenue. Motion by Hamele to amend the second paragraph by adding "that will be segregated for that purpose" after "state revenues".

There was additional discussion regarding other efforts that could be made to reduce smoking, whether this tax would prevent youth from smoking, the potential amount of revenue to be generated, imposing an increased tax on Columbia County residents, and the Tobacco Free Coalition of Columbia and Marquette counties.

Supervisor Hamele withdrew the motion to amend.

The Resolution was adopted, not unanimously.

#### **RESOLUTION NO. 41-02**

WHEREAS, on July 3, 2002, the Office of the Commissioner of Railroads (OCR) ordered the Williams Road crossing in the Town of Otsego closed to vehicle traffic, and

WHEREAS, the closure of this crossing may create undue hardship to the surrounding area residents in the Town of Otsego and the Village of Rio, and

**WHEREAS, Columbia County Highway and Transportation has several county trunk highways in this area which also may be affected due to this closure, and**

WHEREAS, Columbia County Highway and Transportation would like to review and investigate the entire county trunk highway system in this area with the other affected municipalities, and

WHEREAS, the investigation would include exploring the possibility of jurisdictional transfers between municipalities along with the possibility of other railroad road closures, and

WHEREAS, it would be advantageous to the OCR to have Columbia County Highway and Transportation and other entities conduct such an investigation,

NOW, THEREFORE, BE IT RESOLVED that the Highway and Transportation Commissioner and Corporation Counsel are directed to submit a formal written request for reconsideration of the OCR's July 3, 2002, Order for the purpose of providing Highway and Transportation an opportunity to conduct a review and investigation of alternatives to closing the Williams Road crossing.

Vincent D. Curtis  
Robert J. Andler  
Daniel Amato  
Michael Kinney  
Donald P. Nelson  
HIGHWAY COMMITTEE

Motion by V. Curtis, seconded by Andler, to adopt.

The Clerk read a letter from Representative Eugene Hahn regarding the proposed road closing.

The Resolution was unanimously adopted.

**RESOLUTION NO. 42-02**

WHEREAS, the Agriculture Act of 1962 created a nationwide program called Resource Conservation and Development (RC & D); and

WHEREAS, RC & D is a unique process that empowers local people to protect and develop their economic, natural and social resources in ways that improve their area’s economy, environment and quality of life; and

WHEREAS, the focus of local direction and local control has made RC & D one of the most successful conservation and economic development programs of the Federal Government; and,

WHEREAS, the United States Department of Agriculture and several southeastern Wisconsin Counties are currently making plans to organize an RC & D area in southeastern Wisconsin; and,

WHEREAS, the Columbia County Land and Water Conservation Committee has met with officials of the United States Department of Agriculture regarding RC & D’s and believes that Columbia County may benefit by the creation of an RC & D Council in southeastern Wisconsin;

THEREFORE, BE IT RESOLVED, that the Columbia County Land and Water Conservation Committee is hereby authorized to further investigate the impact an RC & D would have on Columbia County; and to appoint one representative of the Columbia County Land and Water Conservation Committee to participate in the process of establishing an RC & D in southeastern Wisconsin.

BE IT FURTHER RESOLVED that the Columbia County Land and Water Conservation Committee will request additional authorization from the Columbia County Board of Supervisors prior to making a commitment to become a sponsoring member of an RC & D in southeastern Wisconsin.

Harlan Baumgartner  
Robert J. Stoltenberg  
Donald P. Nelson  
JoAnn Wingers  
Robert L. Hamele  
AG AND LAND AND WATER  
CONSERVATION COMMITTEE

Motion by Hamele, seconded by Stoltenberg, to adopt.

Supervisor Hamele referred to handouts showing county participation in the program. There are 6 RC & D in Wisconsin, with the 13 counties in the southeast not participating. He explained that the Land and Water Conservation Committee is asking for approval to have further research done and that, if found feasible, a request would be made in the future to participate.

Kurt Calkins, Land and Water Conservation Director, said efforts are being made to have the remaining 13 counties form a group to submit an application to the Federal government to establish a RC & D. The County would be asked to name a member or two to the council, and staff could then be hired by the Natural Resources Conservation Service to do what is determined necessary by the council. The membership fee is unknown at this time. There was discussion regarding the possible impact of the size and population of participating counties.

The Resolution was adopted, not unanimously.

**REPORT OF THE PLANNING AND ZONING COMMITTEE**

We, your Planning and Zoning Committee having received a copy of an application for a Farmland Preservation Agreement, pursuant to Section 91.13 (2), Wisconsin Statutes, have approved the following:

NAME	TOWN
Trayton and Charlotte Tamminga	Scott

Harlan Buumgartner  
~~Eugene Fitzgerald~~  
Robert Hamele  
John Stevenson  
John Healy  
PLANNING AND ZONING COMMITTEE

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

REPORT OF THE PLANNING AND ZONING COMMITTEE

RE: HEARINGS ON PETITIONS TO AMEND TITLE 16 – CHAPTER 1 OF THE COLUMBIA COUNTY CODE OF ORDINANCES

The Planning and Zoning Committee having held public hearings 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 Jeffrey P. Clark, Attorney/Agent for Henry A. Melnik, Jr., Naples, Florida to rezone from Agricultural to Single Family Residence, property located in Section 13, Town of Dekorra on the 23<sup>rd</sup> day of May, 2002 be approved.
- (2) A petition by Jason and Robyn Gest, Poynette, Wisconsin to rezone from Agricultural to Single Family Residence, property located in Section 13, Town of Dekorra on the 31<sup>st</sup> day of May, 2002 be approved.

Harlan Baumgartner  
~~Eugene Fitzgerald~~  
Robert Hamele  
John Stevenson  
John Healy  
PLANNING AND ZONING COMMITTEE

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

**ORDINANCE NO. Z298-02**  
**An Amending Ordinance**

The Columbia County Board of Supervisors do ordain as follows:

That Title 16 – Chapter 1, entitled “Zoning”, of the County Code, as passed by the Board of Supervisors on February 16, 1972 is hereby amended and added thereto as follows:

- (1) “To change from Agricultural to Single Family Residence”, (Henry A. Melnik, Jr.).
- (2) “To change from Agricultural to Single Family Residence”, (Jason and Robyn Gest).

Daniel J. See, Chairman  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Cathleen M. Lathrop  
COLUMBIA COUNTY CLERK

DATE PASSED: July 17, 2002

DATE PUBLISHED: July 23, 2002

First reading of Ordinance.

Motion by Baumgartner, seconded by Hamele, to suspend the rules and have the second reading of the Ordinance by title only. The motion carried unanimously.

Second reading of Ordinance.

Motion by Healy, seconded by Salzwedel, to suspend the rules and have the third reading of the Ordinance by title only. The motion carried unanimously.

Third reading of Ordinance.

Motion by Stevenson, seconded by V. Curtis, to adopt. Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance Z298-02.

**ORDINANCE NO. 62-02**

The Columbia County Board of Supervisors do ordain as follows:

That Title 9 – Chapter 1, entitled “Fee Schedule”, of the County Code, is hereby amended at Section 9-1-19: Treasurer.

Daniel J. See, Chairman  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Cathleen M. Lathrop  
COLUMBIA COUNTY CLERK

DATE PASSED: July 17, 2002

DATE PUBLISHED: July 23, 2002

First reading of Ordinance.

Motion by Pufahl, seconded by Kinney, to suspend the rules and have the second reading of the Ordinance by title only.

Supervisor Anderson stated the impact on revenues will be minimal.

The motion carried unanimously.

Second reading of Ordinance.

Motion by Baumgartner, seconded by J. Curtis, to suspend the rules and have the third reading of the Ordinance by title only. The motion carried unanimously.

Third reading of Ordinance.

Motion by Boockmeier, seconded by Ford, to adopt. Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance 62-02.

On motion by J. Curtis, seconded by Westby, the meeting adjourned at 7:48 p.m., until Wednesday, August 21, 2002, at 7:00 p.m.

The motion carried unanimously.

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
August 21, 2002  
7:00 P.M.

The Board of Supervisors of Columbia County convened in annual session at the Courthouse in Portage pursuant to law. The meeting was called to order by Chair Daniel J. See.

All members present, except Supervisors Martin and Riley, excused.

Motion by Boockmeier, seconded by Pufahl, to approve the Journal of July 17, 2002. Motion carried unanimously.

Motion by Stevenson, seconded by Kinney, to approve the following changes to the agenda: additional communication and clarification that the Resolution to authorize borrowing is to refinance the Recycling/Co-Composting Building Project bonds. Motion carried unanimously.

The Clerk reported that Columbia County has received a Summons and Complaint from Attorney David E. Lasker on behalf of Jeffrey S. Huettl, et al; Notice of Claim from Jeffrey P. Ostby; Small Claims Summons and Complaint from Attorney Bennett on behalf of Joseph K. Bylewski; and correspondence which may be a Summons and Complaint from Terrance Grissom.

Letters were received commending the quality of services at the Columbia Health Care Center.

Attorney Ruf reported that the Court Commissioner contract is working very well. It is recommended that it be renewed for 2003.

Supervisor Anderson discussed the 2001 Audit Report prepared by Clifton Gunderson LLP. Copies are available in the Comptroller's Office.

Supervisor Hamele described a new Wisconsin Agricultural Development Zone Program which has \$5 million available for eligible participants. Area counties are deciding whether to create a zone. A Resolution may be submitted to the Board on this next month.

The following appointments were made:

- (1) Beverly Hoffmann to the Portage Library Board for a three year term to expire July, 2005. On motion by J. Curtis, seconded by Olson, the appointment was unanimously approved.
- (2) Lucille Wopat to the Pardeeville Library Board for a three year term to expire July, 2005. On motion by Stevenson, seconded by V. Curtis, the appointment was unanimously approved.
- (3) Lonna Brooks to the Rio Library Board for a three year term to expire July, 2005. On motion by Baumgartner, seconded by Stoltenberg, the appointment was unanimously approved.
- (4) Debra Wopat, John Tramburg, and Andy Ross, with Susan Martin as alternate, to the 2003 Negotiating Committee. On motion by Salzwedel, seconded by Healy, the appointments were unanimously approved.

**RESOLUTION NO. 43-02**

WHEREAS, the Columbia County Economic Development Corporation is funded through local municipal budgets and a County contribution matching that total amount (Resolution 100-91), and

WHEREAS, after the 2002 Budget was prepared, municipal participation changed which caused the County match to be reduced, and

WHEREAS, this reduction has imposed a financial hardship on the Corporation.

NOW, THEREFORE, BE IT RESOLVED that Columbia County appropriates an additional \$3,046 which represents the amount the original request was reduced due to changes in municipal participation.

BE IT FURTHER RESOLVED that this additional appropriation will not establish a precedent, and that Columbia County's subsequent years' contributions will match municipal participation.

FISCAL NOTE: Transfer \$3,046

From Contingency Fund  
#100-00-34202 to Economic  
Development Account  
#100-82-57620

Donald P. Nelson  
Harlan Baumgartner  
JoAnn Wingers  
Robert J. Stoltenberg  
Robert L. Hamele  
AGRICULTURE AND LAND AND WATER  
CONSERVATION COMMITTEE

Motion by Hamele, seconded by Wingers, to adopt.

The changes in municipal participation which occurred after the 2002 budget was prepared were that the Town of Lodi discontinued and the Town of Lowville joined.

The Resolution was unanimously adopted.

## RESOLUTION NO. 44-02

WHEREAS, the County Board of Supervisors of Columbia County, Wisconsin (the "County") hereby finds and determines that it is necessary, desirable and in the best interest of the County to raise funds for the purpose of paying the cost of refunding certain outstanding obligations of the County, to wit: \$3,675,000 General Obligation Refunding Bonds, dated October 15, 1991 (the "1991 Bonds") (hereinafter the refinancing of the County's 1991 Bonds shall be referred to as the "Refunding"), and there are insufficient funds on hand to pay said costs;

WHEREAS, the County Board of Supervisors deems it to be necessary, desirable and in the best interest of the County to refund the 1991 Bonds for the purpose of achieving debt service cost savings;

WHEREAS, none of the proceeds of the General Obligation Refunding Bonds shall be used to fund the operating expenses of the general fund of the County or to fund the operating expenses of any special revenue fund of the County that is supported by the property taxes;

WHEREAS, counties are authorized by the provisions of Chapter 67 of the Wisconsin Statutes to borrow money and to issue general obligation refunding bonds to refinance their outstanding obligations; and

WHEREAS, the County Board of Supervisors now deems it to be necessary, desirable and in the best interest of the County to authorize the issuance of and to award the sale of its general obligation refunding bonds to Hutchinson, Shockey, Erley & Co., Milwaukee, Wisconsin.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1A. Authorization of the Bonds. For the purpose of paying the cost of the Refunding, there shall be borrowed pursuant to Chapter 67 of the Wisconsin Statutes, the principal sum of ONE MILLION FIVE HUNDRED THIRTY THOUSAND DOLLARS (\$1,530,000) from Hutchinson, Shockey, Erley & Co., Milwaukee, Wisconsin (the "Purchaser") in accordance with the terms and conditions of its purchase proposal (the "Proposal") attached hereto as Exhibit A and incorporated herein by this reference.

Section 1B. Sale of the Bonds. To evidence such indebtedness, 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, General Obligation Refunding Bonds aggregating the principal amount of ONE MILLION FIVE HUNDRED THIRTY THOUSAND DOLLARS (\$1,530,000) (the "Bonds") for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Refunding Bonds"; shall be dated September 1, 2002; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered 1 and upward; shall bear interest at the rates set forth on the Proposal; and shall mature on December 1 of each year, in the years and principal amounts as set forth on the Debt Service Schedule provided by the Purchaser and attached hereto as Exhibit B and incorporated herein by this reference (the "Schedule"). Interest is payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2003.

Section 3. Redemption Provisions. The Bonds shall be noncallable.

Section 4. Form of the Bonds. The Bonds 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. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds 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 2002 through 2005 for the payments due in the years 2003 through 2006 in the amounts set forth on the Schedule.

The direct annual irrepealable tax hereby levied shall be carried onto the tax roll 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. So long as any part of the principal of or interest on the Bonds remains unpaid, the tax hereinabove levied shall be and continues irrepealable except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus in the Debt Service Fund Account for the Bonds created below.

Section 6. Segregated Debt Service Fund Account. There is hereby established in the County treasury a fund account separate and distinct from all other funds or accounts of the County designated "Debt Service Fund Account for \$1,530,000 Columbia County General Obligation Refunding Bonds dated September 1, 2002", which fund account shall be used solely for the purpose of paying the principal of and interest on the Bonds. There shall be deposited in said fund account all accrued interest paid on the Bonds at the time the Bonds are delivered to the Purchaser, any premium, all money raised by taxation pursuant to Section 5 hereof, and all other sums as may be necessary to pay principal of and interest on the Bonds as the same become due. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Bonds, shall be maintained for such purpose

until such indebtedness is fully paid or otherwise extinguished, and shall at all times be invested in a manner that conforms with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any applicable income tax regulations (the "Regulations").

Section 7. Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into an account separate and distinct from all other funds and disbursed solely for the purposes for which borrowed or for the payment for the principal of and the interest on the Bonds.

Section 8. Arbitrage Covenant. The County shall not take any action with respect to the Bond Proceeds which, if said action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of delivery of and payment for the Bonds (the "Closing") would have caused the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

The Bond Proceeds may be temporarily invested in legal investments until needed, provided however, that the County hereby covenants and agrees that so long as the Bonds remain outstanding, moneys on deposit in any fund or account created or maintained in connection with the Bonds, whether such moneys were derived from Bond Proceeds or from any other source, will not be used or invested in a manner which would cause the Bonds to be "arbitrage bonds" within the meaning of the Code or Regulations. The County covenants that it will not invest in any obligation if such investment would violate the "prohibited payment" requirement of Section 148 of the Code.

The County Clerk, or other officer of the County charged with responsibility for issuing the Bonds, shall provide an appropriate certificate of the County, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the County regarding the amount and use of the Bond Proceeds and the facts and estimates on which such expectations are based, all as of the Closing.

Section 9. Additional Tax Covenants; Six Month Expenditure Exemption from Rebate; Qualified Tax-Exempt Obligation Status. The County hereby further covenants and agrees that it will take all necessary steps and perform all obligations required by the Code and Regulations (whether prior to or subsequent to the issuance of the Bonds) to assure that the Bonds are obligations described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes, throughout their term. 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 Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds 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 Bonds, shall provide an appropriate certificate of the County as of the Closing, for inclusion in the transcript of proceedings, certifying that it can and covenanting that it will comply with the provisions of the Code and Regulations.

Further, it is the intent of the County to take all reasonable and lawful actions to comply with any new tax laws enacted so that the Bonds will continue to be obligations described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes throughout their term.

The County covenants that it is a governmental unit with general taxing powers and that the Bonds are not "private activity bonds" as defined in Section 141 of the Code.

In accordance with Section 148(f)(4)(B) of the Code, the County covenants that ninety-five percent (95%) or more of the net proceeds of the Bonds are to be used for local governmental activities of the County and that 100% of the proceeds of the Bonds will be expended for the governmental purposes of the issue within six months of the Closing. If for any reason the County did not qualify for the six month exemption from the rebate requirements of the Code, the County covenants that it would take all necessary steps to comply with such requirements.

The County Board of Supervisors hereby designates the Bonds to be "qualified tax-exempt obligations" pursuant to the provisions of Section 265(b)(3) of the Code and in support of such designation, the County Clerk or other officer of the County charged with the responsibility for issuing the Bonds, shall provide an appropriate certificate of the County, all as of the Closing.

Section 10. Execution of the Bonds. The Bonds shall be prepared in typewritten or printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by its fiscal agent, if any, 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. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the delivery of the Bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute all documents as may be necessary and convenient for effectuating the Closing.

Section 11. Payment of the Bonds. The principal of and interest on the Bonds shall be paid in lawful money of the United States of America by the County Clerk or County Treasurer.

Section 11A. Persons Treated as Owners; Transfer of Bonds. The County shall keep books for the registration and for the transfer of the Bonds. The person in whose name any Bond 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 Bond 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 Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the County Clerk, 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 Bond or Bonds of a like aggregate principal amount, series and maturity and the County Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The County Clerk shall cancel any Bond surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds. Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the County at the close of business on the corresponding record date.

Section 12. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds 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 13. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the holders of the Bonds, to enter into a written undertaking (the "Undertaking") required by SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (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. This Undertaking shall be enforceable by the holders of the Bonds or by the Purchaser on behalf of such holders (provided that the rights of the holders and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations hereunder and any failure by the County to comply with the provision of this Undertaking shall not be an event of default with respect to the Bonds).

The County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds, 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 14. Bond Insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as any municipal bond insurer which makes a commitment accepted by the County to insure the Bonds may reasonably request and which are acceptable to the Chairperson and County Clerk, including provisions regarding restrictions on investment of Bond 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 Bonds by the bond insurer and notices to be given to the bond insurer. In addition, appropriate reference to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 15. Redemption of the 1991 Bonds. The County Board of Supervisors hereby calls the 1991 Bonds due December 1, 2003 for redemption on December 1, 2002. The County hereby directs the Purchaser to cause a notice of redemption, in substantially the form attached hereto as Exhibit D to be provided at the times, to the parties and in the manner provided thereon.

Section 16. 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.

Daniel J. See  
Chair  
Cathleen M. Lathrop  
County Clerk

Jeff Belognia, of Hutchinson, Shockey, Erley & Company, explained that by refinancing the County's 1991 GO Refunding Bonds which were issued for the Recycling/Co-Composting Building Project at the present time, a net savings of \$143,379 will occur.

There was discussion of the sales comparison which shows how Columbia County fared against other AAA insured creditors. As it was less expensive to purchase insurance than to proceed on a non-rated basis, the insurance was purchased for \$8,000.

Motion by Anderson, seconded by Westby, to adopt.

The Resolution was unanimously approved by a roll call vote as follows:

AYES: 28, NOES: 0, EXCUSED: 2

AYES: Andler, Baumgartner, Boockmeier, J. Curtis, V. Curtis, DeYoung, Fitzgerald, Ford, Hamele, Healy, Hutler, Kinney, Nelson, Newgent, Olson, Pufahl, Robson, Ross, Salzwedel, Sanderson, Stevenson, Stoltenberg, Tramburg, Westby

Wingers, Wopat, Amato and Anderson.  
EXCUSED: Martin and Riley.

## RESOLUTION NO. 45-02

WHEREAS, the following preamble and resolutions were presented by Supervisor Anderson and were read to the meeting, and

WHEREAS, by the provisions of Sec. 67.12(12) of the Wisconsin Statutes, all municipalities may borrow money for such purposes in the manner prescribed, and

WHEREAS, by the provisions of Chapter 24 of the Wisconsin Statutes, the Board of Commissioners of Public Lands of Wisconsin is authorized to make loans from the State Trust Funds to municipalities for such purposes. (Municipality as defined by Sec. 24.60(2) of the Wisconsin Statutes means a town, village, city, county, public inland lake protection and rehabilitation district, town sanitary district created under Sec. 60.71 or 60.72, metropolitan sewerage district created under Sec. 66.22 or 66.882, joint sewerage system created under Sec. 144.07(4), school district or technical college district.)

THEREFORE, BE IT RESOLVED, that the County of Columbia, Wisconsin, borrow from the Trust Funds of the State of Wisconsin the sum of Seven Hundred Seventy-Five Thousand Dollars (\$775,000.00) for the purpose of replacing the new Accounting/Human Resources computer system and for no other purpose.

The loan is to be payable within 5 years from the 15<sup>th</sup> day of March preceding the date the loan is made. The loan will be repaid in annual installments with interest at the rate of 4.00 percent per annum from the date of making the loan to the 15<sup>th</sup> day of March next and thereafter annually as provided by law.

RESOLVED FURTHER, that there shall be raised and there is levied upon all taxable property, within the County of Columbia, Wisconsin, a direct annual tax for the purpose of paying interest and principal on the loan as they become due.

RESOLVED FURTHER, that no money obtained by the County of Columbia by such loan from the state be applied or paid out for any purpose except replacing the new Accounting/Human Resources computer system without the consent of the Board of Commissioners of Public Lands.

RESOLVED FURTHER, that in case the Board of Commissioners of Public Lands of Wisconsin agrees to make the loan, that the chairman and clerk of the County of Columbia, Wisconsin, are authorized and empowered, in the name of the county to execute and deliver to the Commission, certificates of indebtedness, in such form as required by the Commission, for any sum of money that may be loaned to the county pursuant to this resolution. The chairman and clerk of the county will perform all necessary actions to fully carry out the provisions of Chapter 24 and Sec. 67.12(12), Wisconsin Statutes, and these resolutions.

RESOLVED FURTHER, that this preamble and these resolutions and the aye and no vote by which they were adopted, be recorded, and that the clerk of this county forward this certified record, along with the application for the loan, to the Board of Commissioners of Public Lands of Wisconsin.

Supervisor Anderson moved, and Supervisor Newgent seconded, adoption of the foregoing preamble and resolutions.

The question being upon the adoption of the foregoing preamble and resolutions, a vote was taken by ayes and noes, which resulted as follows:

- |     |                                  |            |
|-----|----------------------------------|------------|
| 1.  | Supervisor Orrin Anderson        | voted aye. |
| 2.  | Supervisor Donald P. Nelson      | voted aye. |
| 3.  | Supervisor Robert L. Hamele      | voted aye. |
| 4.  | Supervisor Kenneth W. Hutler     | voted aye. |
| 5.  | Supervisor Kenneth E. Olson      | voted aye. |
| 6.  | Supervisor J. Robert Curtis      | voted aye. |
| 7.  | Supervisor Richard C. Boockmeier | voted aye. |
| 8.  | Supervisor Michael J. Kinney     | voted aye. |
| 9.  | Supervisor Vincent D. Curtis     | voted aye. |
| 10. | Supervisor John H. Healy         | voted aye. |
| 11. | Supervisor Don DeYoung           | voted aye. |
| 12. | Supervisor JoAnn Wingers         | voted aye. |
| 13. | Supervisor Harlan Baumgartner    | voted aye. |
| 14. | Supervisor Debra L. H. Wopat     | voted aye. |
| 15. | Supervisor Barry Pufahl          | voted aye. |
| 16. | Supervisor Frank Newgent         | voted aye. |
| 17. | Supervisor Neil M. Ford          | voted aye. |
| 18. | Supervisor Claire R. Robson      | voted aye. |
| 19. | Supervisor Andy Ross             | voted aye. |
| 20. | Supervisor Robert J. Stoltenberg | voted aye. |
| 21. | Supervisor Robert J. Andler      | voted aye. |

- |     |                                 |                               |
|-----|---------------------------------|-------------------------------|
| 22. | Supervisor Daniel Amato         | voted aye.                    |
| 23. | Supervisor Gerald L. Salzwedel  | voted aye.                    |
| 24. | Supervisor Jack Sanderson       | voted aye.                    |
| 25. | Supervisor John H. Tramburg     | voted aye.                    |
| 26. | Supervisor Robert R. Westby     | voted aye.                    |
| 27. | Supervisor Eugene M. Fitzgerald | voted aye.                    |
| 28. | Supervisor John G. Stevenson    | voted aye.                    |
| 29. | Supervisor Edward P. Riley      | was excused from the meeting. |
| 30. | Supervisor Susan Martin         | was excused from the meeting. |
| 31. | Supervisor Daniel J. See        | was not required to vote.     |

A majority of the members of the county board of supervisors of the County of Columbia, State of Wisconsin, having voted in favor of the preamble and resolutions, they were declared adopted.

Supervisor Anderson stated the interest rate will be 4% per annum. It was decided to borrow the money through the State rather than go through the cost of a new bond issue since additional bond issues are expected to occur soon due to the Huber and Highway Facility projects.

Lois Schepp, Comptroller, explained that the current accounting system is 30 years old. The new system will allow access by all departments, comply with accounting regulations, allow for electronic approvals, and be paperless.

The Resolution was unanimously approved by a roll call vote as shown above with AYES: 28, NOES: 0,

EXCUSED: 2.

### **RESOLUTION NO. 46-02**

WHEREAS, on September 21, 1989, the Columbia County Board of Supervisors adopted Resolution 85-89 which authorized the Columbia County Treasurer to pay to municipal treasurers all unpaid special assessments and special charges as part of the annual August property tax settlement, and

WHEREAS, during the years since 1989, the total dollar amount of special assessments and special charges included in the Columbia County tax roll has dramatically increased, and

WHEREAS, increasing budgetary constraints require the County to discontinue the optional practice of including special assessments and special charges as part of the August property tax settlement process.

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 85-89 is hereby vacated and that effective as of the date of the adoption of this Resolution, the Columbia County Treasurer shall no longer pay special assessments and special charges as part of the annual August property tax settlement.

Debra L. H. Wopat  
 Michael J. Kinney  
 Susan Martin  
 John H. Tramburg, Vice Chair  
 Orrin Anderson, Chair  
 FINANCE COMMITTEE

Motion by Tramburg, seconded by Wopat, to adopt.

Supervisor Tramburg stated that Columbia County paid over \$1 million in special assessments and charges in 2002, while these charges totaled \$200,000 in 1989. He said surrounding counties have passed similar resolutions to discontinue this practice.

Supervisor Nelson expressed concern regarding the loss of additional revenue from interest and penalty charges. It was pointed out that the municipality is paid the interest while the County keeps the penalty portion.

Enacting this Resolution will require local municipalities to be more cautious when deciding to do projects which may result in imposing special assessments and charges.

The Resolution was adopted, not unanimously.

REPORT OF THE PLANNING AND ZONING COMMITTEE

The Planning and Zoning Committee having held public hearings 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 Troy Middleton, Lodi, Wisconsin to rezone from Commercial to Single Family Residence, property located in Section 4, Town of Lodi on the 4<sup>th</sup> day of April, 2002 be approved.
- (2) A petition by John Miller, Attorney/Agent for John L. and Cathleen M. Lathrop, Portage, Wisconsin to rezone from Agricultural to Agricultural No. 2, property located in Section 9, Town of Lewiston on the 20<sup>th</sup> day of June, 2002 be approved.
- (3) A petition by Lee Vaughan, Pardeeville, Wisconsin to rezone from Agricultural to Agricultural No. 2, property located in Section 7, Town of Wycocena on the 1<sup>st</sup> day of February, 2002 be approved.

Harlan Baumgartner  
Eugene Fitzgerald  
Robert Hamele  
John Stevenson  
John Healy  
PLANNING AND ZONING COMMITTEE

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

**ORDINANCE NO. Z299-02**  
**An Amending Ordinance**

The Columbia County Board of Supervisors do ordain as follows:

That Title 16 – Chapter 1, entitled “Zoning”, of the County Code, as passed by the Board of Supervisors on February 16, 1972 is hereby amended and added thereto as follows:

- (1) “To change from Commercial to Single Family Residence”, (Troy Middleton).
- (2) “To change from Agricultural to Agricultural No. 2”, (John L. and Cathleen M. Lathrop).
- (3) “To change from Agricultural to Agricultural No. 2”, (Lee Vaughan).

Daniel J. See, Chairman  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Cathleen M. Lathrop  
COLUMBIA COUNTY CLERK

DATE PASSED: August 21, 2002

DATE PUBLISHED: August 28, 2002

First reading of Ordinance.

Motion by Baumgartner, seconded by Hamele, to suspend the rules and have the second reading of the Ordinance by title only. The motion carried unanimously.

Second reading of Ordinance.

Motion by Hamele, seconded by Ross, to suspend the rules and have the third reading of the Ordinance by title only. The motion carried unanimously.

Third reading of Ordinance.

Motion by Healy, seconded by Stoltenberg, to adopt. Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance Z299-02.

On motion by J. Curtis, seconded by Stoltenberg, the meeting adjourned at 8:05 p.m., until Wednesday, September 18, 2002, at 7:00 p.m. The motion carried unanimously.

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
September 18, 2002  
7:03 P.M.

The Board of Supervisors of Columbia County convened in annual session at the Courthouse in Portage pursuant to law. The meeting was called to order by Chair Daniel J. See.

All members present, except Riley and Westby, excused; and Stoltenberg and J. Curtis, arrived late.

Motion by Pufahl, seconded by DeYoung, to approve the Journal of August 21, 2002. Motion carried unanimously.

The agenda was amended to add a report on projected Huber Facility costs.

The Clerk reported that Columbia County has received a Notice of Circumstance of Claim from Attorney P. Jeffrey Archibald on behalf of Sharon Werts and Notice of Claim from Jeffrey P. Ostby.

The Clerk read a note from Supervisor Martin thanking the Board for flowers.

Chair See reported on the options for Huber Facility expansion. He explained that the committee has made no decisions as of this time. There are presentation manuals available in the County Clerk's office which may be signed out. Questions should be directed to the Ad Hoc Huber Facility Study Committee. Chair See provided information on the amount of expansion expected, building plans, and cost for each option.

The following appointments were made:

- (1) Robert J. Andler to temporarily replace Edward Riley on the Judiciary Committee. On motion by Boockmeier, seconded by Salzwedel, the appointment was unanimously approved.
- (2) Kathleen Hartl to the Community Options/Long Term Support Committee. On motion by Martin, seconded by Hamele, the appointment was unanimously approved.

Kurt Calkins, Land and Water Conservation Department Director, said Columbia County was invited by the Department of Natural Resources to participate in a gypsy moth suppression program. Investigation demonstrates that 700-738 acres have a large infestation. If the Board approves County participation in the program, the County share of the expense will be from tree program revenues.

Mark Guthmiller and Jim Burnett of the Department of Natural Resources provided details on gypsy moths, such as: defoliation areas in Wisconsin, tree mortality rate, Columbia County's quarantine status and other quarantine areas in Wisconsin, effect of being quarantined, Department of Agriculture 'Slow the Spread' program, lower treatment cost for landowners when County participates in the Department of Natural Resources program which uses Department of Agriculture bids, types of insecticide, and cyclical nature of infestations. The area of the County presently infested is Jennings Creek north of Rio. Participation in the program does not eradicate gypsy moths; it provides treatment for that year.

**RESOLUTION NO. 47-02**

WHEREAS, the gypsy moth, a foreign tree pest, has become established on over 700 acres in Columbia County, and  
WHEREAS, during periodic outbreaks, entire forests may be defoliated, causing stress and mortality of high value trees,  
and

WHEREAS, to prevent an outbreak, populations of the gypsy moth can be treated with insecticide to suppress their numbers to tolerable levels, and

WHEREAS, the Wisconsin Department of Natural Resources (DNR) has invited Columbia County to participate in a State organized aerial insecticide treatment program, with the program consisting of the DNR receiving a grant from the USDA Forest Service which will allow the DNR to coordinate, provide, and share the cost of aerial treatments at a lower rate than privately arranged treatments, and

WHEREAS, the program calls for Columbia County to receive up to 50% reimbursement on privately owned lands under 500 acres, receive up to 33% reimbursement on private lands of more than 500 acres, and receive up to 25% reimbursement on publicly owned lands, and

WHEREAS, the Land and Water Conservation Committee feels it is fitting to use revenues generated by the Land and Water Conservation Department Tree Sales Program to cover the County portion of the expense in providing aerial treatments.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors recognizes the detrimental impact the gypsy moth will have on Columbia County's forest resources and supports establishing a cooperative USDA, DNR and

County Gypsy Moth Suppression Program.

BE IT FURTHER RESOLVED that the Columbia County Board of Supervisors supports utilization of the Land and Water Conservation Department Tree Sales Program Revenues to cover the County portion of the expense to provide a program in which the costs will be shared with the DNR.

FISCAL NOTE:

2003 County cost is estimated at \$7,700. This includes treatment for an estimated 726 acres. Program participation allows the County to recover administrative program costs from the DNR.

~~Robert J. Stoltenberg~~  
JoAnn Wingers  
Harlan Baumgartner  
Donald P. Nelson  
Robert L. Hamele  
AG AND LAND AND WATER  
CONSERVATION COMMITTEE

Motion by Hamele, seconded by Wingers, to adopt.

Jim Burnett explained the process for determining infestation. A public hearing will be held so all landowners are informed of the program. Applications will be accepted on a first come, first serve basis. Landowners not qualifying for cost share due to depletion of County funds will be able to participate at their own expense but pay a lower rate for the treatment.

Of the approximately 726 infested acres, 220 are owned by the Department of Natural Resources. Mr. Burnett has applied for grant funds to pay 75% of the cost for that land.

The Resolution was unanimously adopted.

**RESOLUTION NO. 48-02**

WHEREAS, dairy farming contributes \$18.3 billion overall to the economy of the State of Wisconsin; and

WHEREAS, imported milk protein concentrate is being utilized in the manufacture of Wisconsin dairy products; and

WHEREAS, the importation of milk protein concentrate has surged by more than 275 percent since 1995; thereby, displacing the market for domestically produced milk products causing a reduction in the base price received by Wisconsin dairy producers; and

WHEREAS, imported milk protein concentrate cannot legally be used as a primary source of milk protein in any cheese represented by the REAL SEAL in the State of Wisconsin; and

WHEREAS, Federal legislators work toward preventing the allowance of imported milk protein concentrates in cheese that has a Federal standard of identity; and

WHEREAS, milk protein concentrate should be reclassified under the Harmonized Tariff Schedule of the United States and be enforced through existing GATT and NAFTA agreements;

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors supports the introduction of Federal legislation that would subject certain imported casein and milk protein concentrates to tariff rate quotas comparable to those of other imported dairy products.

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to Senators Herb Kohl, Russ Feingold, Representative Tammy Baldwin, Senators Scott Fitzgerald, Robert Welch, Charles Chvala, Representatives Jeff Fitzgerald, Eugene Hahn, J.A. Hines, David Ward, Governor Scott McCallum, Wisconsin Agriculture Secretary James Harsdorf, WCA Executive Director Mark D. O'Connell, and all 71 State of Wisconsin counties.

Harlan Baumgartner  
~~Robert J. Stoltenberg~~  
Donald P. Nelson  
JoAnn Wingers  
Robert L. Hamele  
AGRICULTURE AND LAND AND WATER  
CONSERVATION COMMITTEE

On motion by Baumgartner, seconded by Nelson, the Resolution was unanimously adopted.

**RESOLUTION NO. 49-02**

WHEREAS, agriculture is one of Columbia County's most important industries encompassing 66% of the county's land area and contributing approximately \$106,871,000 annually to its economy; and

WHEREAS, Columbia County is home to numerous local, regional, and national agribusinesses including farm supply

[Back to Table of Contents](#)

dairy, and livestock marketing cooperatives, equipment dealers, meat markets, cheese factories, and other “value-added” agricultural enterprises; and

WHEREAS, the Wisconsin Department of Commerce recently announced the creation of a new Agricultural Development Zone Program to attract, promote, retain, and expand agricultural businesses within identified zones; and

WHEREAS, the State of Wisconsin has created the Wisconsin Agricultural Development Zone Program and authorizes the Department of Commerce to designate areas in the state as an agricultural development zone; and

WHEREAS, new or expanding agricultural businesses within an Agricultural Development Zone will be eligible to apply for state income tax credits out of a total of \$5 million available statewide over a ten year period or until funds are exhausted; and

WHEREAS, eligible businesses include all the activities and/or operations that are involved in the growth, production, processing, manufacturing, distribution, wholesale and retail sales of agricultural and food products, all of which have the potential to enhance job opportunities, improve markets for agricultural products, and add to the property tax base in Columbia County; and

WHEREAS, an application must be submitted to the Wisconsin Department of Commerce for a county to be designated as an Agricultural Department Zone; and

WHEREAS, regional cooperation and joint applications with Dodge, Green Lake, Marquette and Sauk Counties are strongly encouraged by the Wisconsin Department of Commerce.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors hereby supports the Agricultural Development Zone application submitted by the Columbia County Economic Development Corporation and UW-Extension and partnering entities in Dodge, Green Lake, Marquette, and Sauk Counties.

**Robert J. Stoltenberg**

JoAnn Wingers

Harlan Baumgartner

Donald P. Nelson

Robert L. Hamele

AGRICULTURE AND LAND AND WATER CONSERVATION  
COMMITTEE

On motion by Hamele, seconded by Stevenson, the Resolution was unanimously adopted.

## RESOLUTION NO. 50-02

WHEREAS, the Supervisor of Assessment has presented the following equalized value 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 2002 (TID is included for State taxes, and TID is out for County taxes).

	<u>ALL PROPERTY</u> (TID Included)	<u>RATIO</u>	<u>ALL PROPERTY</u> (TID Out)	<u>RATIO</u>
<b><u>TOWNS:</u></b>				
Arlington	\$ 58,543,800	.01723	\$ 58,543,800	.01736
Caledonia	149,312,400	.04395	149,312,400	.04428
Columbus	41,928,500	.01234	41,928,500	.01243
Courtland	29,069,100	.00856	29,069,100	.00862
Dekorra	40,138,000	.07068	240,138,000	.07121
Fort Winnebago	53,876,800	.01586	53,876,800	.01598
Fountain Prairie	47,475,600	.01397	47,475,600	.01408
Hampden	38,699,300	.01139	38,699,300	.01148
Leeds	53,360,500	.01571	53,360,500	.01582
Lewiston	85,427,400	.02515	85,427,400	.02533
Lodi	280,301,300	.08251	280,301,300	.08312
Lowville	68,105,600	.02005	68,105,600	.02020
Marcellon	75,161,500	.02212	75,161,500	.02229
Newport	52,996,700	.01560	52,996,700	.01572
Otsego	45,154,200	.01329	45,154,200	.01339
Pacific	176,541,300	.05196	176,541,300	.05235

Randolph	44,533,300	.01311	44,533,300	.01321
Scott	40,259,900	.01185	40,259,900	.01194
Springvale	43,654,000	.01285	43,654,000	.01295
West Point	182,262,300	.05365	182,262,300	.05405
Wyocena	<u>119,970,300</u>	<u>.03531</u>	<u>119,970,300</u>	<u>.03558</u>
TOWN TOTALS	1,926,771,800	.56714	1,926,771,800	.57139
<b><u>VILLAGES:</u></b>				
Arlington	32,791,500	.00965	31,747,800	.00941
Cambria	33,462,300	.00985	33,462,300	.00992
Doylestown	10,987,900	.00323	10,987,900	.00326
Fall River	63,921,200	.01882	60,643,000	.01798
Friesland	16,819,000	.00495	14,199,100	.00421
Pardeeville	98,744,100	.02907	88,532,100	.02625
Poynette	112,324,200	.03306	111,439,200	.03305
Randolph	22,433,300	.00660	21,173,000	.00628
Rio	41,531,900	.01222	38,559,800	.01144
Wyocena	<u>23,894,800</u>	<u>.00703</u>	<u>23,894,800</u>	<u>.00709</u>
VILLAGE TOTALS	456,910,200	.13448	434,639,000	.12889
<b><u>CITIES:</u></b>				
Columbus	233,464,900	.06872	232,085,800	.06883
Lodi	161,084,000	.04741	161,084,000	.04777
Portage	41,812,200	.13006	440,206,500	.13054
Wisconsin Dells	<u>177,296,100</u>	<u>.05219</u>	<u>177,296,100</u>	<u>.05258</u>
CITY TOTALS	1,013,657,200	.29838	1,010,672,400	.29972
<b><u>COUNTY TOTALS:</u></b>				
Columbia County	3,397,339,200	1.00000	3,372,083,200	1.00000

Debra L.H. Wopat  
John H. Tramburg  
Susan Martin  
Michael J. Kinney  
Orrin Anderson  
FINANCE COMMITTEE

Motion by Anderson, seconded by Wopat, to adopt.

Supervisor Nelson expressed concern regarding the impact of TIF Districts on rural areas.

Supervisor Anderson indicated the equalized value this year is increased by 6.05% compared to 9% to 9.5% in the last few years. He noted there was a reduction in agriculture assessments which results in a negative adjustment in some townships.

The Resolution was unanimously adopted.

#### **RESOLUTION NO. 51-02**

WHEREAS, Attorney Michael Riley has filed a Claim against Columbia County on behalf of Jay and Dorothy Heller in the amount of \$50,000 for damages sustained due to the death of Anthony Heller in a vehicle/train collision, and

WHEREAS, the Claim has been referred to the Judiciary Committee, and

WHEREAS, the Judiciary Committee has reviewed the Claim and determined that it is without merit.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors denies the Claim which was filed by Attorney Michael Riley on behalf of Jay and Dorothy Heller.

Neil M. Ford  
~~Robert Westby~~  
~~Edward P. Riley~~  
Kenneth W. Hutler  
John H. Healy

#### **JUDICIARY COMMITTEE**

On motion by Healy, seconded by Ford, the Resolution was unanimously adopted.

**RESOLUTION NO. 52-02**

WHEREAS, the recording fee for documents in the Register of Deeds Office has had increases, but none of those increases could be used for general operating purposes, and

WHEREAS, the recording fee for a document is currently \$11.00 for the first page and \$2.00 for each additional page of the same document. Since 1982, the County has been allowed, by Statute, to retain \$4.00 of the recording fee and the \$2.00 for each additional page, and

WHEREAS, in 2001, there were over 63,000 additional pages recorded in the Columbia County Register of Deeds Office. An increase in the recording fee would generate a considerable amount of revenue which would be credited to the General Fund.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors encourages the State Legislature and the Governor to enact legislation to increase the recording fee for documents in the Register of Deeds Office by \$1.00 for each additional page. This would change the fee from \$2.00 to \$3.00 for each additional page.

BE IT FURTHER RESOLVED that upon passage of this Resolution, the County Clerk is requested to send copies to Governor McCallum, Columbia County’s legislative delegation, the Wisconsin Counties Association, and the other 71 Wisconsin counties.

FISCAL NOTE: An increase of \$1.00 in the recording fee has the potential to generate over \$63,000 in annual revenue.

Robert J. Andler  
Eugene M. Fitzgerald  
Robert L. Hamele  
~~Robert J. Stoltenberg~~  
JoAnn Wingers  
**LAND INFORMATION AND RECORDS COMMITTEE**

On motion by Andler, seconded by Wingers, the Resolution was unanimously adopted.

**REPORT OF THE PLANNING AND ZONING COMMITTEE**

The Planning and Zoning Committee having held public hearings 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 Vicky L. Selje, Fitchburg, Wisconsin to rezone from Agricultural to Single Family Residence, property located in Section 2, Town of Wyocena on the 15<sup>th</sup> day of July, 2002 be approved.
- (2) A petition by James Grothman of Grothman and Associates, Agent for Steven A. and Tammy J. Knaus, Sun Prairie, Wisconsin to rezone from Agricultural to Industrial, property located in Section 23, Town of Lewiston on the 1<sup>st</sup> day of May, 2002 be approved.
- (3) A petition by James Grothman, Agent for Honey Creek Farms, Inc., to rezone from Agricultural to Agricultural No. 2, property located in Section 29, Town of Arlington on the 30<sup>th</sup> day of July, 2001 be approved.
- (4) A petition by Robert and Denise Bahr, Columbus, Wisconsin to rezone from Agricultural No. 2 to Single Family Residence, property located in Section 24, Town of Otsego on the 19<sup>th</sup> day of July, 2002 be approved.

Harlan Baumgartner  
Eugene Fitzgerald  
Robert Hamele  
John Stevenson  
John Healy  
**PLANNING AND ZONING COMMITTEE**

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

**ORDINANCE NO. Z300-02**  
**An Amending Ordinance**

The Columbia County Board of Supervisors do ordain as follows:

That Title 16 – Chapter 1, entitled “Zoning”, of the County Code, as passed by the Board of Supervisors on February 16, 1972 is hereby amended and added thereto as follows:

- (1) "To change from Agricultural to Single Family Residence", (Vicky L. Selje).
- (2) "To change from Agricultural to Industrial", (James Grothman and Associates, Agent for Steven A. and Tammy J. Knaus).
- (3) "To change from Agricultural to Agricultural No. 2", (James Grothman, Agent for Honey Creek Farms, Inc.).
- (4) "To change from Agricultural No. 2 to Single Family Residence", (Robert and Denise Bahr).

Daniel J. See, Chairman  
 COLUMBIA COUNTY  
 BOARD OF SUPERVISORS  
 Cathleen M. Lathrop  
 COLUMBIA COUNTY CLERK

DATE PASSED: September 18, 2002  
 DATE PUBLISHED: September 25, 2002

First reading of Ordinance.

Motion by Baumgartner, seconded by V. Curtis, to suspend the rules and have the second reading of the Ordinance by title only.

There was discussion regarding the Town of Otsego rezoning.

Supervisor Baumgartner stated a Deed restriction has been placed on the two single family parcels being created and a 66 foot right of way for access to the road has been granted. He also indicated that any township not wishing to divide an Agriculture II zoning would have that prerogative.

The motion carried unanimously.

Second reading of Ordinance.

Motion by Wingers, seconded by Pufahl, to suspend the rules and have the third reading of the Ordinance by title only.

The motion carried unanimously.

Third reading of Ordinance.

There was discussion regarding emergency vehicle access to the property being rezoned in the Town of Otsego as the culvert at the road is 20 feet in length while the right of way is 66 feet in width.

Motion by Tramburg, seconded by Boockmeier, to adopt.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance Z300-02.

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

Amendments to Title 16, Chapter 1, Zoning Ordinance Section 16-1-1 (b)(10) and (11) are created to read:

- (10) Rural Residential District
- (11) Planned Residential Development Overlay District

Section 16-1-2 (a)(1)(i) and (j) are amended as follows:

(i) Home occupations. ~~when such occupation is incidental to the residential use of the premises and does not involve any external alteration that would affect a substantial change in the residential character of the building; provided further that no article is sold or offered for sale that is not produced by such home occupation, that no stock in trade is kept or sold, and that no person other than a member of the resident family is employed on the premises.~~

(j) Professional offices. ~~when such office is conducted solely by a member or members of the resident family, entirely within the residence and incidental to the residential use of the premises; provided further that there shall be no external alterations that would affect a substantial change in the residential character of the building, that not more than fifty percent (50%) of only one floor of the dwelling shall be devoted to such offices and that no more than two (2) persons not members of the resident family may be employed in non-professional capacities in any such office.~~

Section 16-1-3 (a)(1)(e) is repealed.

Section 16-1-3 (a)(2) is amended as follows:

- (2) Conditional Use. Mobile home parks, when the location of each park shall have been approved in writing by the ~~Board of Adjustment~~ Planning and Zoning Committee, after public hearing. In approving such location, the ~~Board Committee~~ shall view the proposed site or sites and shall consider such evidence as may be presented at the hearing, bearing upon the general

Purpose and intent of this Ordinance. In addition, such mobile home parks must at least equal the minimum requirements of all State Codes which govern mobile home parks.

Section 16-1-4 is recreated to read:

Sec. 16-1-4 Rural Residential District

- (a) Purpose. The purpose of this District is to provide for limited rural residential use development on lands that are predominately agriculture areas not suited for agricultural production or due to the proposed location would have limited impact on agricultural production. Lots should be limited in number, and location to minimize the impacts associated with residential development in agricultural areas. Residents of this district may experience conditions associated with farming that are not compatible with rural residential use.
- (b) Permitted Uses.
- (1) One (1) single family dwelling.
  - (2) Minor home occupations.
  - (3) Raising/keeping of farm animals provided the number of animals will not exceed one (1) animal unit per 2.0 acres.
  - (4) Growing of field crops.
  - (5) Roadside stands. A structure having a ground area of not more than three hundred (300) square feet, not permanently fixed to the ground, readily removable in its entirety, not fully enclosed and to be used solely for the sale of farm products produced on the premises (or adjoining premises). There shall not be more than one such roadside stand on any single premises.
  - (6) Accessory buildings.
- (c) Conditional Uses.
- (1) Major home occupations.
  - (2) Public and semi-public uses.
- (d) Height, Yard, and Other Requirements.
- (1) Height. Except as otherwise provided in this Ordinance, no building shall exceed a height of thirty-five (35) feet. (See Section 16-1-12 (c)).
  - (2) Floor Area. Buildings used in whole or in part for residential purposes which are hereafter erected, moved or structurally altered shall have a floor area of not less than nine hundred (900) square feet.
  - (3) Side Yards. For buildings or parts of buildings used for residential purposes, the side yard requirements of the Single Family Residence District shall apply.
  - (4) Rear Yards. For buildings or parts of buildings used for residential purposes, the rear yard requirements of the Single Family Residence District shall apply.
  - (5) Highway Setback. See Section 16-1-17.
- (e) Lot Requirements
- (1) Lot Area. Minimum lot area in this district shall be two (2) acres. Maximum lot area for the district shall be five (5) acres. Minimum lot width shall be one hundred fifty (150) feet and minimum lot depth shall be two hundred (200) feet.
  - (2) Lot Coverage. No residential building together with its accessory buildings shall cover in excess of 10 percent of the lot area, or together exceed 8,712 square feet.
  - (3) Density. The purpose of this district is to limit the number of non-farm homes that can be developed within predominately Agriculture Zoning Districts, and areas identified in County or town comprehensive or land use plans. Residential uses should meet the density allowance of applicable planning areas in land use or comprehensive plans that have been approved by the County Board or a town board.

2. Section 16-1-4 (Agricultural District) is renumbered 16-1-5 and is amended as follows:

16-1-5 (b)(2) is amended to read:

Conditional Uses. Conditional uses, including but not limited to those listed below, limited to those religious, utility (other than those listed above), institutional, governmental and agricultural related uses which do not conflict with agricultural use and are found to be necessary in light of the alternative locations available for such use when the location of each such use shall have been approved in writing by the ~~Board of Adjustment~~ Planning and Zoning Committee after a public hearing, and after a view of the proposed site or sites. ~~The Board shall act on the application in the manner above described within sixty (60) days from receiving the application, except where additional information is required by the Board; in such case the Board shall act within sixty (60) days from the date such additional information is received. The Board's decision on any application shall be based upon the evidence produced at such public hearing and shall be consistent with the general purposes and intent of this Ordinance, giving due consideration to convenience and necessity, environmental and agricultural affects, cost, geographic~~

~~feasibility, and other factors tending to show the suitability of specific proposed locations for a specific proposed use from the standpoint of public interest because of such factors as (without limitation because of enumeration) smoke, dust, noxious or toxic gases or odors, noise, vibration, operation of heavy vehicular traffic and increased traffic on the public streets. Every permit issued by the Board of Adjustment under this Subsection shall be a “conditional use permit” revocable by the Board for failure to comply with stated conditions. The uses shall also be required to meet specific conditions listed below:~~

Sec. 16-1-5 (Agricultural No. 2 District) is renumbered 16-1-6 and is amended as follows:

Sec. 16-1-6 (d) is amended to read:

- (d) ~~Conditional Uses. The following uses when approved in writing by the Board of Adjustment, after a public hearing, and after a view of the proposed site or sites. The Board of Adjustment shall act on the application in the manner above described within sixty (60) days from receiving the application, except where additional information is required by the Board; in such case the Board shall act within sixty (60) days from the date such additional information is received. The Board’s decision on any application shall be based upon the evidence produced at such public hearing and shall be consistent with the general purposes and intent of this Ordinance, giving due consideration to convenience and necessity, environmental and agricultural affects, cost, geographic feasibility, and other factors tending to show the suitability of specific proposed locations for a specific proposed use from the standpoint of public interest because of such factors as (without limitation because of enumeration) smoke, dust, noxious or toxic gases or odors, noise, vibration, operation of heavy vehicular traffic and increased traffic on the public streets. Every permit issued by the Board of Adjustment under this Subsection shall be a “conditional use permit” revocable by the Board for failure to comply with stated conditions. The uses shall also be required to meet specific conditions listed below:~~

Sec. 16-1-6 (Marina District) is renumbered 16-1-7 and is amended as follows:

Sec. 16-1-7 (a)(2) is amended to read:

- (2) ~~Conditional Use. Residential use only when an integral part of a permitted commercial operation, provided that such use has been approved by the Board of Adjustment~~ Planning and Zoning Committee.

Sec. 16-1-7 (Recreation District) is renumbered 16-1-8 and is amended as follows:

16-1-8 (a)(2) is amended to read:

- (2) ~~Conditional Uses. The following uses when the location of each such use shall have been approved by the Board of Adjustment, after a public hearing and after viewing of the proposed site or sites. Every permit issued by the Board of Adjustment under this Section shall be a conditional permit revocable by the Board, for failure to comply with stated conditions. Such approval shall be consistent with the general purposes and intent of this Ordinance, and shall be based upon such evidence as may be presented at such Public Hearing, tending to show the desirability of specific proposed locations for a specific proposed use from the standpoint of public interest because of such factors as (without limitation because of enumeration) smoke, dust, noxious or toxic gases or odors, noise, vibration, operation of heavy machinery, heavy vehicular traffic and increased traffic on public streets; such uses shall also be required to meet specific conditions attached below:~~

Sec. 16-1-8 (Commercial District) is renumbered 16-1-9 and is amended as follows:

Sec. 16-1-9 (a)(2) is amended to read:

- (2) ~~Conditional Uses. The following uses, when the location thereof shall have been approved in writing by the Board of Adjustment, following a public hearing, and such approval shall be consistent with the general purpose and intent of this Ordinance and shall be based upon such desirability or undesirability of specific proposed locations for a specific proposed use from the standpoint of public interest because of such factors as (without limitation because of enumeration) dust, noise, glare, odor, vibration, and increased traffic on the public streets:~~

Sec. 16-1-9 (Highway Interchange District) is renumbered 16-1-10 and is amended as follows:

Sec. 16-1-10 (a)(2) is amended to read:

- (2) ~~Conditional Uses. The following uses, when the location of each such use shall have been approved in writing by the Board of Adjustment:~~

Sec. 16-1-10 (a)(2)(g)(1) is amended to read:

- (1) ~~Conditional Procedure One~~—Industrial uses, except those enumerated in Section 16-1-11 (a)(2) Subsection (g)(2) below, which meet the following standards; provided that in order to secure evidence upon which to base the determinations required below, the Board of Adjustment may require the submission of plans of buildings, arrangement of manufacturing operation, plat of grounds showing location of buildings, stockpiles, equipment storage, fences or screens, specifications of operations and other necessary information; provided that such uses shall also be required to meet special conditions listed below:

Renumbered Sec.16-1-10 (a)(2)(g)(2) is repealed.

Section 16-1-10 (Industrial District) is renumbered 16-1-11 and is amended as follows:

Sec. 16-1-11 (a) is amended to read:

- (a) In the Industrial District, buildings and land may be used for any purpose ~~except the following:~~
- (1) Permitted Uses. Building and land may be used for any purpose except the following:
- a. Religious, educational, charitable and medical institutions, and places of dwelling or lodging, whether on a permanent or transient basis, except that there may be a dwelling for a watchman or caretaker employed on the premises and members of his or her family.
  - b. Uses contrary to the laws of the State of Wisconsin or ordinances adopted by the County Board of Columbia County.
  - e. ~~Uses listed under Section 16-1-10 (a)(2) below.~~
- (2) Conditional Uses. ~~Any of the following uses may be allowed only where the location thereof shall have been approved in writing by the Board of Adjustment, following a public hearing. Such approval shall be consistent with the general purposes and intent of this Ordinance, and shall be based upon such evidence as may be presented at such public hearing, tending to show the desirability or undesirability of specific proposed locations for a specific proposed use fr the standpoint of public interest, because of such factors as (without limitation because of enumeration) smoke, dust, noxious or toxic gases or odors, noise, glare, vibration, heavy vehicular traffic and increased traffic on the public streets:~~

Section 16-1-12 is recreated to read:

16-1-12 Planned Residential Development Overlay District

- (a) Purpose. It is the purpose of this Section to reduce or eliminate the inflexibility that sometimes results from the strict application of zoning standards in order to provide a process which will facilitate a more adaptable pattern of residential development, the provision of open space, and the arrangement of dwellings in accordance with good planning principles while providing adequate safeguards for the community and the environment. This District may provide for the combination of single family, two-family, and multi-family residential developments on one or more lots. Each separate District shall consist of not less than three (3) acres, unless a smaller size is approved by the County Board of Supervisors as part of the District Overlay approval process.
- (1) The provisions of the Planned Residential Development Overlay District (PD) shall be applicable in those towns that have adopted County zoning. A Town shall have the authority to disapprove of a rezoning to the PD District under the procedures of Sec. 59.69(5)(e)e, 59.69 (5)(e)3m, and 59.69(5)(e)6, Wisconsin Statutes.
- (2) A copy of the petition to amend the Ordinance to apply the PD within an area subject to the Shoreland Wetland Protection Ordinance shall be mailed to the District Regional Office of the Department of Natural Resources within five (5) days of the filing of the petition. Written notice of a public hearing for a rezoning to apply a PD within an area subject to the Shoreland Wetland Protection Ordinance shall be mailed to the District Regional Office of the Department of Natural Resources at least ten (10) days prior to the public hearing. A copy of the County Board's decision on the petition shall be forwarded to the District Regional Office of the Department of Natural Resources within ten (10) days after the decision is issued.
- (b) In the Planned Residential Development Overlay District no building or premises shall be used and no building erected, moved, or structurally altered until a development plan is approved in accordance with the provisions of this Section.
- (1) Application and Notice of Hearing. Application for approval of a development plan within a Planned Residential Development Overlay District shall be made in 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.
- b. A narrative of the development plan which includes a description of the subject property by lot, block, and recorded subdivision or metes and bounds; address of the site, type of structures and proposed use(s).
- c. The development plan shall include a scalable architect's drawing showing the location of all structures and recreational facilities; the location of all drives, entrances, sidewalks, trails, and signs; the location, size, number, and screening of all parking spaces; a landscape plan; a grading and drainage plan; 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. Public hearing shall follow an application for a development plan. The Planning and Zoning Department shall fix a reasonable time and place for the public hearing on the development plan and give public notice thereof pursuant to the applicable requirements of the Wisconsin Statutes. However, the Planning and Zoning Committee must act on a development plan within six (6) months of a complete application.
- e. A copy of a development plan within a Shoreland District and notice of a public hearing for the development plan shall be mailed to the District Regional Office of the Department of Natural Resources at least ten (10) days prior to the public hearing.

(2) Review and Approval.

- a. While it is not required, applicants are encouraged to consult with the Town prior to filing any development plans with the County. This consultation is to inform the Town about the development plan and should help minimize the need to have proposals laid over by the Planning and Zoning Committee.
- b. The Planning and Zoning Department shall mail to the chair, clerk and plan commission chair of the Town within which the development plan is proposed, a copy of the application, all maps, plans, and other documents submitted by the applicant and notice of the time and place of the public hearing to be held on the proposed development plan. This information shall be mailed at least ten (10) days prior to the date of the public hearing by certified mail to the clerk, and regular mail to the chair.
- c. The Town Board or its representative should at the hearing or earlier indicate its recommendation in regard to granting, denying, and granting in part or with conditions the development plan. The Town can communicate its position either orally or in writing, however, all Town recommendations for approval or denial shall be accompanied by appropriate findings of fact. Failure of the Town to submit findings of fact shall constitute their recommendation for unconditional approval of the development plan. Findings shall, at a minimum, address whether the development plan is consistent with adopted comprehensive plans, or plan elements, adopted ordinances if any, compatibility or non-compatibility with adjacent land uses, specific substantiated objections (if any), plus any other specific findings that pertain to the development plan.
- d. Failure of the Town Board to communicate its recommendation either at the public hearing or earlier shall be taken as an approval by the Planning and Zoning Committee. If the Town Board or its representative shall at the public hearing request an extension of time within which to determine its position, the development plan will be automatically laid over until the next regularly scheduled meeting of the Planning and Zoning Committee.
- e. A development plan application may be dismissed by the Planning and Zoning Committee, upon notice to the applicant, if one year has passed since the filing of the application or the last scheduled public hearing on said application, whichever is later. Dismissal under this section shall not limit the ability of the applicant to reapply.
- f. The Planning and Zoning Committee shall have the authority to attach conditions of approval to any development plan reviewed under this Section to ensure the development plan adheres to the purpose and review criteria of this Section and the Chapter. 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.
- g. Approval of a development plan does not eliminate the requirement to obtain the appropriate building and zoning permits. If the plan is not initiated by securing a zoning permit or if more than one permit is necessary at least one (1) zoning permit within one (1) year of the date of the public hearing, the approval of the development plan shall be considered void, and the applicant will have to reapply.
- h. A copy of the Planning and Zoning Committee's decision on any development plan within a Shoreland District area, as defined in Section 16-5-10, shall be forwarded to the District Regional Office of the Department of Natural Resources within ten (10) days after the decision is issued.
- i. No substantial changes can be made to an approved development plan unless an amendment to the development plan is approved by the Planning and Zoning Committee per this Section.

(3) Review Criteria. In reviewing the development plan the Planning and Zoning Committee shall use the following as guides for making a decision.

- a. Conformance with applicable standards of the base zoning district and the provisions of this Chapter, except as may be modified by the Planning and Zoning Committee under procedures of this Section, and applicable provisions of Section 16-5, the Shoreland-Wetland Protection Ordinance.
- b. Suitability of the land and the property for the proposed development.
- c. Compatibility of the proposed development with adjacent and nearby existing or planned development in terms of scale, mass, height, bulk, uses, activities, traffic, design, structure placement, privacy, views, and similar concerns.
- d. Density of the number of dwelling units allowed in the Overlay District shall not be greater than allowed by the underlying zoning district, or the Shoreland-Wetland Protection Ordinance if applicable. Density shall be determined by dividing the total land area of the district, excluding street and highway right-of-way by the minimum lot sizes required in the underlying zoning district or the Shoreland Wetland Protection Ordinance in Chapter 5.
- e. The use of site planning principles common to high quality development.
- f. Effective mitigation of any potential negative impacts of the proposed development on surface or ground water, shoreland or wetland areas, or other environmental or aesthetic issues.

Sec. 16-1-12 (General Provisions) is renumbered 16-1-13 and is amended as follows:

Sec. 16-1-13 (a)(4) is amended to read:

- (4) Every building hereafter erected, converted, enlarged or structurally altered shall be located on a lot ~~and in no case shall there be more than one main building on one lot.~~

Sec. 16-1-13 (a)(6)(b) is amended to read:

- (b) If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of a more restricted classification. Whenever a nonconforming use has been changed to a more restricted nonconforming use or a conforming use, such use shall not thereafter be changed to a less restricted use. A nonconforming use shall not be changed to another nonconforming use of the same classification unless and until a permit therefore shall first have been secured from the ~~Board of Adjustment~~ Planning and Zoning Committee, provided the Committee shall find that the proposed change of use will be no more harmful to the character of the neighborhood than the existing nonconforming use.

Sec. 16-1-13 (a)(10) is amended to read:

- (10) ~~The Board of Adjustment~~ Planning and Zoning Committee, after investigation and public hearing, may authorize, by conditional use permit, the location of any of the following buildings or uses in any district from which they are excluded by this Ordinance. ~~provided that the Board shall find that the proposed location is necessary in order to serve the public health, safety, convenience and welfare, and provided further that each such building or use shall comply with all other regulations for the district in which it is proposed to be located. To protect the value of neighboring buildings or uses, the Board may attach reasonable conditions and safeguards, in line with the general purpose and intent of this Ordinance;~~

Sec. 16-1-13 (a)(11) is repealed and recreated to read:

- (11) Permit the establishment of unlisted uses in any district except Agricultural provided that the Town Board has filed its written approval, and the Planning and Zoning Committee makes specific findings as follows:
- a. That the proposed use is similar in character to other uses permitted in the district.
  - b. That the proposed use will not conflict with the purpose and intent of the district in which it will be located.
  - c. That the proposed use is not permitted in any other district.

Sec. 16-1-12 (b)(2) is amended to read:

- (2) Any lot or parcel shown on a recorded subdivision, plat or assessor's plat, or conveyance and recorded in the office of the Register of Deeds for Columbia County prior to the adoption of the ordinance for Columbia County may be used as a building site, or for any purpose permitted by this Ordinance, even though such lot or parcel does not conform to the minimum frontage or area requirements of the district in which it is located; provided, however, that no multiple family

dwelling, or residential unit in combination with some other use, shall be erected, structurally altered or converted in use on any lot having a width of less than fifty (50) feet, except by ~~special permit~~ variance from the Board of Adjustment.

Sec. 16-1-13 (g) is created to read:

(g) Home Occupation

- (1) Purpose. The purpose of this section is to allow for home occupations that are compatible with the neighborhood or area in which they are located. The provisions herein shall supercede any provisions to contrary found elsewhere in the ordinance.
- (2) Permit Procedures. Home occupations complying with the criteria established in Section 16-1-13 (c) shall be considered to be minor in character and permitted by right with no permit required. Major home occupations shall commence only after the receipt of a home occupation permit as outlined in Section 16-1-18. All applicable state, federal, and local business and/or occupational licenses shall be obtained by the person(s) conducting the home occupation. All activities associated with a home occupation and the premises shall comply with all applicable local, county, and state building, fire, sanitary and health requirements and regulations.
- (3) Criteria for Minor Home Occupations. Uses classified as minor shall be permitted in all zoning districts that allow single family residences. In order to be classified as a minor home occupation, the use must comply with all the following requirements.
  - (a) The use shall be conducted entirely within the confines of the residential structure or permitted accessory structure. The use shall occupy no more than 25 percent of the floor area on the floor that the use takes place or more than 400 square feet of an accessory structure.
  - (b) The use shall be clearly incidental and secondary to the use of the premises for residential purposes, and the appearance of the structures shall not be altered or the occupation within the structures be conducted in a manner that would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emission of sounds, odors, dust or vibrations that carry beyond the premises.
  - (c) No person other than a permanent member of the resident family is employed on the premises.
  - (d) There shall not be conducted on the premises the business of selling stocks of merchandise, supplies, or products other than those produced by the home occupation to fill orders made by customers. That is, the direct retail sale of products is not allowed, but a person may pick up an order that had been placed. Wholesale or retail sales from within the residence or accessory structure as the primary activity or function of the home occupation is prohibited, except for sales conducted entirely via the mail, telephone, or the internet.
  - (e) The display, storage, or parking of materials, goods, supplies, or equipment outside of the dwelling or an accessory building is prohibited.
  - (f) There shall be no advertising, display, or other indications of a home occupation on the premises.
  - (g) No use of material or equipment not recognized as being part of the normal practices of owning and maintaining a residence shall be allowed.
  - (h) There shall be sufficient off street parking to compensate for additional parking generated by the home occupation.
- (4) Criteria for Major Home Occupations. Any home occupation that does not meet all the requirements necessary to be classified as a minor home occupation shall be considered a major home occupation. Uses classified as major shall require a permit subject to the provisions of Sec. 16-1-18.
  - (a) When the use is conducted entirely within the confines of the principal structure, and it shall occupy no more than 50 percent of the floor area on the floor that the use takes place.
  - (b) The use shall be clearly incidental and secondary to the use of the property for residential purposes, and the appearance of the structures shall not be altered or the occupation be conducted in a manner that would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emission of sounds, or vibrations that carry beyond the premises.
  - (c) No more than four (4) persons in addition to those members of the family that are permanent residents of the premises are employed by the home occupation.
  - (d) There shall not be conducted on the premises the business of selling stocks of merchandise, supplies, or products other than those produced by the home occupation. That is the direct retail sale of products that are not produced on the premises is not allowed, but a person may pick up an order that had been placed. Wholesale or retail sales from within the residence or accessory structure as the primary activity or function of the home occupation is prohibited, except for sales

conducted entirely via the mail, telephone, or the internet.

- (e) The display, storage, or parking of materials, goods, supplies, or equipment outside of the dwelling is permitted in an enclosed accessory building, or, in a yard of the subject property provided the yard area used for such display, storage or parking is completely screened from view from all public streets and adjacent property through the use of landscaping materials or a combination of landscaping materials and a fence. However, for property zoned Single Family Residence, Multiple Family Residence, or Recreational, display, storage or parking is limited to a side or rear yard, provided the yard area used for such display, storage or parking is completely screened from view from all public streets and adjacent property through the use of landscaping materials or a combination of landscaping materials and a fence. No storage, display or parking of materials, goods, supplies, or equipment shall be allowed within a required setback.
- (f) There shall be no advertising, display, or other indications of a home occupation on the premises other than as specified by the terms and conditions of the home occupation permit.
- (g) There shall be sufficient off street parking to compensate for additional parking generated by the home occupation, and employees.

(5) Specific Home Occupation Uses Prohibited.

- (a) Any home occupation involving the on-site sale, resale, repair, including body repair, salvage or wrecking of automobiles, trucks, boats, trailers, recreational vehicles, or other motorized vehicles.

(6) Home Occupation Permits.

Home occupation permits granted for major home occupations shall be temporary in nature and shall be granted to a designated person who resides at the residential address. They are not transferable from person to person or from address to address. The permit for a home occupation may be revoked in accordance with Section 16-1-18 if conditions or requirements are not being met.

Sections 16-1-13 (Zoning Permits; Certificates of Occupancy and Use), 16-1-14 (Boundaries of District), and 16-1-15 (Interpretation and Application) are renumbered 16-1-14, 16-1-15, and 16-1-16.

Sec. 16-1-16 (Board of Adjustment) is renumbered 16-1-17 and is amended as follows:

Sec. 16-1-17 (d)(2) is repealed.

Sec. 16-1-17 (d)(3) and (4) are renumbered (2) and (3).

Sec. 16-1-17 (d)(5) is repealed.

Sec. 16-1-17 (d)(6) is renumbered 16-1-17 (d)(5) and is amended to read:

- (5) An application for a variance ~~or conditional use permit~~ under this section may be dismissed by the Board, upon notice to the applicant, if one year has passed since the filing of the application or the last scheduled public hearing on said application, whichever is later. Dismissal under this section shall not limit the ability of the applicant to reapply.

Sec. 16-1-18 is recreated to read:

Section 16-1-18 Conditional Use Permits

- (a) Purpose. The development and implementation of this ordinance is based on the division of the county into zoning districts, within which the use of land and buildings, are generally compatible and uniform in relation to the land. However, there are certain uses which, because of unique characteristics, can not be properly classified as an out right permitted use in any particular zoning district or districts without some consideration of the impact the use may have on the area or the need for the use in a particular location. But, such uses may be necessary or desirable to be allowed in a particular district provided that due deliberation is given to location, development, and the operation of such uses. These uses are classified as conditional uses, and the following provisions are established to regulate conditional uses.
- (b) Authority. The Planning and Zoning Committee, after a public hearing, shall within a reasonable time, 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 standards prescribed in the ordinance are met. No permit shall be granted when the Committee determines the standards have not been met, nor shall a permit be denied when the Committee determines that the standards are met.

(c) Application and Notice of Hearing. 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:

- (1) Names and addresses of the applicant, owner(s) of the property, architect, professional engineer if applicable.
- (2) 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, type of structures and proposed use(s).
- (3) A site plan which shall include a scalable drawing showing the location of all structures and recreational facilities; the location of all drives, entrances, sidewalks, trails, and signs; the location, size, number, and screening of all parking spaces; a landscape plan; a grading and drainage plan; 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.
- (4) Public hearing shall follow an application for a conditional use permit. 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. However, the Planning and Zoning Committee must act on a conditional use permit within six (6) months of the filing of a complete application.
- (5) A copy of an application for a conditional use permit within a Shoreland Wetland District and notice of a public hearing for the development plan shall be mailed to the District Regional Office of the Department of Natural Resources at least ten (10) days prior to the public hearing.

(d) Review and Approval. While it is not required, applicants are encouraged to consult with the Town prior to filing any application for a conditional use permit with the County. This consultation is to inform the Town about the conditional use and should help minimize the need to have proposals laid over by the Planning and Zoning Committee.

- (1) The Planning and Zoning Department shall mail to the chair, clerk and plan commission chair of the Town within which the conditional use is proposed, a copy of the application, all maps, plans, and other documents submitted by the applicant and notice of the time and place of the public hearing to be held on the proposed conditional use. This information shall be mailed at least ten (10) days prior to the date of the public hearing and shall be sent to the clerk by certified mail, and the chair by regular mail.
- (2) The Town Board or its representative should at the hearing or earlier indicate its recommendation in regard to granting, denying, and granting in part or with conditions the conditional use permit. The Town can communicate its position either orally or in writing, however, all Town recommendations for approval or denial shall be accompanied by appropriate written findings of fact. Failure of the Town to submit findings of fact shall constitute their recommendation for unconditional approval of the conditional use permit. Findings shall, at a minimum, address whether the conditional use is consistent with adopted town plans, plan elements and adopted ordinances if any, compatibility or non-compatibility with adjacent land uses, specific substantiated objections (if any), plus any other specific findings that pertain to the review criteria of this section.**
- (3) Failure of the Town Board to communicate its recommendation either at the public hearing or earlier shall be taken as an approval by the Planning and Zoning Committee. If the Town Board or its representative shall at the public hearing request an extension of time within which to determine its position, the conditional use permit will be automatically laid over until the next regularly scheduled meeting of the Planning and Zoning Committee.
- (4) A conditional use permit application may be dismissed by the Planning and Zoning Committee, upon notice to the applicant, if one year has passed since the filing of the application or the last scheduled public hearing on said application, whichever is later. Dismissal under this section shall not limit the ability of the applicant to reapply.
- (5) 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.
- (6) 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 securing a zoning permit or if more than one permit is necessary 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.

- (7) A copy of the Planning and Zoning Committee's decision on any conditional use permit within a Shoreland District area, as defined in Section 16-5-10, shall be forwarded to the District Regional Office of the Department of Natural Resources within ten (10) days after the decision is issued.
- (8) No substantial changes can be made to a conditional use permit unless an amendment to the development plan is approved by the Planning and Zoning Committee per this Section.
- (e) Review Criteria. In reviewing the conditional use permit the Planning and Zoning Committee shall use the following as guides for making 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.
- (f) Conditions Attached to Permits. The Planning and Zoning Committee shall have the authority to attach such conditions and restrictions upon the establishment, location, maintenance and operation of the conditional use as deemed necessary to ensure the conditional use adheres to the purpose and review criteria of this Section and the Chapter. In all cases the Planning and Zoning Committee shall require evidence and guarantees as it may deem necessary as proof that the conditions are being and will be complied with.
- (g) Effect of Denial of Application. No application for a conditional use permit which has been denied wholly or in part by the Planning and Zoning Committee shall be resubmitted for period of one (1) year from the date of said denial, except on the grounds of new evidence or proof of change of conditions found to be valid by the Planning and Zoning Committee.
- (h) Voiding a Conditional Use Permit. In any case where a conditional use permit issued under this ordinance, has not been established within eighteen (18) months of the date of approval, without further action of the Planning and Zoning Committee shall be null and void, unless an extension is granted by the Planning and Zoning Committee which must be granted prior to the permit becoming void.
- (i) Revocation of a Conditional Use Permit. 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, the Planning and Zoning Committee, after a public hearing as provided for in this Section, may revoke the conditional use permit.
- (j) Abandoned Conditional Uses. Any use, for which a conditional use permit has been issued, upon its cessation or abandonment for a period of one (1) year, will be deemed to have been terminated and any future use shall be in conformity with applicable ordinances.

Sec. 16-1-17 (Highway Setback Lines) is renumbered 16-1-19.

Sec. 16-1-18 (Changes and Amendments), 16-1-19 (Enforcement and Penalties), and 16-1-20 (Validity) are renumbered 16-1-20, 16-1-21, and 16-1-22.

Sec. 16-1-21 (Definitions) is renumbered 16-1-23 and is amended as follows:

Sec. 16-1-23 (a)(7) is recreated to read:

- (7) Animal Unit. The equivalent of one (1) cow, four (4) hogs, ten (10) sheep, ten (10) goats, one hundred (100) poultry, one (1) horse, pony, or mule.

Sec. 16-1-23 (a)(7) through (22) are renumbered (8) through (23).

Sec. 16-1-23 (a)(23) is amended to read:

(23) Conditional Use. A use allowed under this Ordinance provided that a permit is granted by the ~~Board of Adjustment Planning and Zoning Committee~~, and certain conditions are met as specified in this Ordinance or as applied by the ~~Board of Adjustment Planning and Zoning Committee~~.

Sec. 16-1-23 (a)(24) is recreated to read:

(24) Condominium. A form of ownership combining individual unit ownership with shared use of common property or facilities, established in accordance with Chapter 703 of the Wisconsin Statutes. Common areas and facilities are owned by all members of the condominium association on a proportional undivided basis. A condominium is a legal form of ownership, and not a specific land use, or building type or style.

Sec. 16-1-23 (a)(25) is recreated to read:

(25) Condominium Unit. A part of a condominium intended for any type of independent use, including one or more cubicles of air at one or more levels of space or one or more rooms or enclosed spaces located on one or more floors (or parts thereof) in a building. A unit may include two or more noncontiguous areas.

Sec. 16-1-23 (a)(23) through (68) are renumbered (26) through (71).

Sec. 16-1-23 (a)(28) is amended to read:

(28) Dwelling, Single Family. A residential structure, on one (1) lot, designed to provide housing for one (1) family. Any such dwelling built or placed after September 21, 1995, shall have a minimum width of 24 feet, and if above grade shall have a roof with a minimum slope of 3:12.

Sec. 16-1-23 (a)(39) is amended to read:

(39) Home Occupation. ~~Home occupations, when such occupation is incidental to the residential use of the premises and does not involve any external alteration that would effect a substantial change in the residential character of the building; provided further that no article is sold or offered for sale that is not produced by such home occupation, that no stock in trade is kept or sold and that no person other than a member of the resident family is employed on the premises.~~ An occupation, profession or trade conducted on a regular basis within or from an approved residential dwelling and/or accessory buildings (if permitted) by one or more occupants residing in said dwelling that is clearly incidental and subordinate to the primary or principal use of the dwelling and property for residential uses.

Sec. 16-1-23 (a)(44) is amended to read:

(44) Lot. ~~A parcel of land occupied by one (1) building and its accessory buildings or uses, including the open spaces required by this Ordinance, and abutting on a public street or other officially approved means of access. or designed to be occupied by permitted or conditionally allowed uses(s) or structure(s) together with any permitted or conditionally allowed accessory structures, open spaces and parking required by this Chapter. A lot abuts a public street or other officially approved means of access.~~ A lot may be a parcel designated in a plat or described in a conveyance recorded in the office of the Register of Deeds, or any part of a larger parcel when such part complies with the requirements of this Ordinance as to width and area for the district in which it is located. No land included in any street, highway, or railroad right of way shall be included in computing lot area.

Sec. 16-1-23 (a)(60) is amended to read:

(60) Professional Offices. ~~Professional offices, when such office is conducted solely by a member or members of the resident family, entirely within the residence and incidental to the residential use of the premises; provided further that there shall be no external alterations that would affect a substantial change in the residential character of the building, that not more than fifty percent (50%) of only one (1) floor of the dwelling shall be devoted to such offices and that no more than two (2) persons not members of the resident family may be employed in non-professional capacities in any such office.~~ See "Home Occupation".

Sec. 16-1-23 (a)(69) and (70) are repealed.

Sec. 16-1-23 (a)(71) through (87) is renumbered (72) through (88).

Sec. 16-1-23 (a)(76) is amended to read:

- (76) Street. A public ~~or private~~ thoroughfare which affords a primary means of access to abutting property. A driveway to a farm building shall not be considered a street for purpose of determining setback, even though such driveway may have been designated a town road for the purpose of maintenance.

Amendments to Title 16, Chapter 5, Shoreland-Wetland Protection Ordinance

Sec. 16-5-14 is amended to read:

~~The provisions of this Ordinance supersede all the provisions of any County Zoning Ordinance adopted under Section 59.97, Wisconsin Statutes, which relate to shorelands. However, where an Ordinance adopted under a statute other than Section 59.97, Wisconsin Statutes, is more restrictive than this Ordinance, that Ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise. Where a County Ordinance adopted under a statute other than Section 59.692, Wisconsin Statutes, is more restrictive than this Ordinance, that Ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.~~

Sec. 16-5-20 is repealed.

Sec. 16-5-30 (a) is amended to read:

- (a) Minimum Area and Width for Each ~~Main Building~~ Lot. The minimum lot area shall be twenty thousand (20,000) square feet and the minimum average lot width shall be one hundred (100) feet with at least one hundred (100) feet of frontage at the ordinary highwater mark.

Sec. 16-5-31 (a) is amended to read:

- (a) Minimum Area and Width for Each ~~Main Building~~ Lot. The minimum lot area shall be ten thousand (10,000) square feet and the minimum average lot width shall be sixty-five (65) feet with at least sixty-five (65) feet of frontage at the ordinary highwater mark.

Sec. 16-5-33 is repealed.

Sec. 16-5-41 is amended to read:

A setback of less than that required by Section 16-5-40 shall not be permitted on any building site, except by order of the Board of Adjustment or the Planning and Zoning Committee pursuant to Sec. 16-1-12, unless there is at least one existing main building on either side of the applicant's lot, within two hundred (200) feet of the proposed site that is built to less than the required setback. In such case, the setback shall be the average of the setbacks of the nearest existing main building on each side of the proposed site within said distance, or, if there is an existing main building on only one side, the setback shall be the average of the setback for the existing main building and the setback required by Section 16-5-40.

Sec. 16-5-41 (e) is amended to read:

- (e) Any other setback reduction may be permitted by the Board of Adjustment pursuant to Section 16-5-94 of this Ordinance or by the Planning and Zoning Committee pursuant to Sec. 16-1-12.

Sec. 16-5-53 is amended to read:

As an alternative to Section 16-5-51, a special cutting plan allowing greater cutting may be permitted by the ~~Board of Adjustment~~ Planning and Zoning Committee by issuance of a ~~special exception~~ conditional use permit, pursuant to Section 16-5-93. An application for such a permit shall include a sketch of the lot providing the following information: location of parking, topography of the land, existing vegetation, proposed cutting, and proposed replanting. The ~~board committee~~ may grant such a permit only if it finds that such special cutting plans:

Sec. 16-5-61 (b) is amended to read:

- (b) Except as provided in Section 16-5-62, a ~~special exception~~ 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.

Sec. 16-5-63 is amended to read:

For erosion control measures applied under this section, the WISCONSIN CONSTRUCTION SITE BEST MANAGEMENT PRACTICE HANDBOOK shall be used in determining proper installation and maintenance. In granting a ~~special-exception conditional use~~ permit under Section 16-5-61, the ~~Board of Adjustment Planning and Zoning~~

Committee shall attach the following conditions, where appropriate, in addition to those provisions specified in Sections 16-5-93 (b) and (c).

Sec. 16-5-93 (a), (b) and (c) are amended to read:

- (a) Application for a ~~Special-Exception Conditional Use~~ Permit. Any use listed as a ~~special-exception conditional use~~ in this Ordinance shall be permitted only after an application has been submitted to the Director of Planning and Zoning and a ~~special-exception conditional use~~ permit has been granted by the ~~Board of Adjustment Planning and Zoning Committee~~.
- (b) Standards Applicable to All ~~Special-Exception~~ Conditional Uses.. In passing upon a ~~special-exception conditional use~~ permit, the ~~Board of Adjustment Planning and Zoning Committee~~ shall evaluate the effect of the proposed use upon:
- (c) Conditions Attached to ~~Special-Exceptions~~ Conditional Uses. Upon consideration of the factors listed above, the ~~Board of Adjustment Planning and Zoning Committee~~ shall attach such conditions, in addition to those required elsewhere in this Ordinance, as are necessary to further the purposes of this Ordinance. Violations of any of these conditions shall be deemed a violation of this Ordinance. Such conditions may include specifications for, without limitation because of specific enumeration: type of shore cover; specific sewage disposal and water supply facilities; landscaping and planting screens; period of operation; operational control; sureties; deed restrictions; location of piers, docks, parking and signs; and type of construction. To secure information upon which to base its determination, the ~~Board of Adjustment Planning and Zoning Committee~~ may require the applicant to furnish, in addition to the information required for a Zoning Permit, the following information:

Sec. 16-5-93 (d), (e) and (f) are repealed.

Sec. 16-5-95 (a)(3) is repealed.

Sec. 16-5-95 (a)(4) is renumbered (3).

Sec. 16-5-95 (c)(1) and (2) are amended to read:

- (1) The Board of Adjustment shall fix a reasonable time for a hearing on the appeal or application. The Board shall give public notice thereof by publishing a Class 2 Notice under Chapter 985, Wisconsin Statutes, specifying the date, time and place of the hearing and the matters to come before the Board. Notice shall be mailed to the parties in interest. Written notice shall be given to the appropriate District Office of the Department at least 10 days prior to hearings on proposed Shoreland variances, ~~Special-Exceptions (Conditional Uses)~~, and appeals for map or text interpretations.
- (2) A decision regarding the appeal or application shall be made as soon as practical. Copies of all decisions on Shoreland variances, ~~Special-Exceptions (Conditional Uses)~~, and appeals for map or text interpretations shall be submitted to the appropriate District Office of the Department within ten (10) days after they are granted or denied.

Sec. 16-5-96 (a) through (f) are amended as follows and renumbered as (a) through (d).

The County Board may, by resolution, adopt fees for the following:

- (a) Zoning permits.
- (b) Certificates of Compliance.
- ~~(c) Planned Residential Unit Development reviews.~~
- (d) Public Hearings.
- (e) Legal notice publications.
- ~~(f) Special-Exception permits.~~

Sec. 16-5-100 (m) is amended to read:

~~Special-Exception (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 ~~Board of Adjustment or, where appropriate, the Planning and Zoning Committee or County Board~~.

DATE PASSED:

DATE PUBLISHED:

Motion by Hamele, seconded by Salzwedel, to read the Ordinance by title only. The motion carried unanimously.

John Bluemke, Planning and Zoning Department Director, gave a brief summary of the proposed amendments to the Zoning Ordinance. There are primarily four areas being changed:

- (1) Creation of Rural Residential Districts which allow more control than re-zoning one-half of an acre to Single Family Residence for a home with the rest of the acreage remaining in the Agricultural District. The Rural Residential District allows lots with a minimum of two and a maximum of five acres and a limited number of animals on the entire property.
- (2) Current Zoning Ordinance only allows condominiums in Multiple Family Districts. This allows condominiums to be placed in overlaid Planning Development Districts. Applications for condominiums would be a two step process: first for approval of the district and then for approval of the development plan.
- (3) Home occupations which are “seen”, such as, have employees or more amount of business will be considered a Major Home Occupation and be required to have a permit. Issuance would be after town review, and the permit would be assigned to a person rather than the property.
- (4) Conditional Use Permit oversight moved from the Zoning Board of Adjustments to the Planning and Zoning Committee.

The proposed changes to the Shoreland-Wetland Protection Ordinance provide consistency with the above Zoning Ordinance changes regarding duties of the Zoning Board of Adjustments and Planning and Zoning Committee.

This information has been sent to the towns, discussed at two Columbia County Towns Association meetings, and been the topic of a public hearing. Mr. Bluemke said that the Zoning Ordinance has been in place since 1961, and he anticipates there will be a lot of changes to it over the next couple of years.

Supervisor Andler suggested that the “driveway” ordinance be made a part of the Zoning Ordinance.

Mr. Bluemke indicated that the Zoning Ordinance requires the County to look at a town’s Land Use Plan. However, a plan is a plan. If the Ordinance is more restrictive or stringent, it will take precedent and be applied.

Supervisor Hamele indicated that towns have not had an opportunity to discuss these changes with their planning commissions; and a question has risen as to whether the changes are a “substantial change in the Ordinance”.

Motion by Hamele to have this placed on next month’s agenda for a second reading.

A proposed amendment which requires a buffer next to waterways in the Rural Residential District was discussed.

Supervisor Hamele withdrew his motion in order that the amendment may be included.

Motion by Baumgartner, seconded by Pufahl, to amend Section 16-1-4 (d) by adding as sub-paragraph (6):

“A 35 foot buffer strip shall be provided and maintained between a navigable waterway as identified in 16-5-10 and any area used for the keeping, feeding, or pasturing of animals permitted under (b)(3). The buffer shall consist of ground cover, trees and shrubs. In addition to compliance with Article F of the Shoreland Wetland Protection Ordinance, Natural Resources Conservation Service Field Office Technical Guide, Standard 393 shall be used as a guide for the installation and maintenance of the buffer strip.”

This is more restrictive than Department of Natural Resources regulations so the County will be the enforcing agency. It was indicated there will not be a lot of land involved.

The motion to add Section 16-1-4 (d)(6) to the Ordinance carried unanimously.

Motion by Hamele, seconded by Nelson, that the amended Ordinance be laid over to next month’s agenda for the second reading.

The motion carried, not unanimously.

On motion by J. Curtis, seconded by Ross, the meeting adjourned at 8:47 p.m., until Wednesday, October 16, 2002, at 7:00 p.m. The motion carried unanimously.

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
October 16, 2002  
7:04 P.M.

The Board of Supervisors of Columbia County convened in annual session at the Courthouse in Portage pursuant to law. The meeting was called to order by Chair Daniel J. See.

All members present, except Anderson and Riley, absent.

Motion by Stevenson, seconded by Wingers, to approve the Journal of September 18, 2002. Motion carried unanimously.

Motion by Salzwedel, seconded by Boockmeier, to approve the agenda after adding as a communication: schedule meeting. Motion carried unanimously.

Chair See discussed and scheduled a Committee Chair/Department Head meeting for Wednesday, October 30, 2002.

The Clerk reported that Columbia County received a Notice of Claim from Verizon which will be paid.

Supervisors Martin, Ford and Baumgartner reported on the 2002 Wisconsin Counties Association Convention.

The proposed 2003 budget was distributed. Supervisor Tramburg explained that a levy limit was put in place in 1992. The 2003 proposed County budget is within 99% or \$88,000 of reaching the statutory limit. Personnel costs represent 48% of the budget at \$26 million. An addition of three percent to salaries would increase the budget by \$600,000. Health Insurance costs are \$4.4 million, which is a 8% increase. The equalized value increase this year was 6%; it had been about 9 or 10% in previous years. The 2003 budget increased over the 2002 budget by \$1,281,538 and is a mill rate increase of 3.2%.

Supervisor Tramburg listed major items included in the budget: the Land and Water Conservation Department Gypsy Moth Program, Smart Growth Planning, addition of a Jail Lieutenant, replacement of the main transmitter for the 9-1-1 system, Phase II of the Land Information Department orthophotography project, HIPPA compliance, GASB #34 implementation, and the Accounting Department computerization project. Questions should be referred to Comptroller Lois Schepp.

Chair See announced the following appointment: William Escher to the Lodi Library Board for a term to expire in July, 2005. On motion by Westby, seconded by Pufahl, the appointment was unanimously approved.

**RESOLUTION NO. 53-02**

WHEREAS, the Agricultural Act of 1962 created a nationwide program called Resource Conservation and Development (RC&D) which is a unique process that empowers local people to protect and develop their economic, natural and social resources in ways that improve their area's economy, environment and quality of life; and

WHEREAS, on July 17, 2002, the Columbia County Board of Supervisors considered and adopted Resolution No. 42-02 which authorized the Columbia County Land and Water Conservation Committee to investigate the potential impacts resulting from the establishment of an RC&D council; and

WHEREAS, since adoption of Resolution No. 42-02, the Columbia County Land and Water Conservation Committee and Department have been actively participating in the RC&D Steering Committee process, and working cooperatively with other steering committee members from the proposed Town and Country RC&D area to develop and complete the formal application for designation at the Federal level; and

WHEREAS, the Columbia County Land and Water Conservation Committee supports the efforts and opportunities that the establishment of the Town and Country RC&D Council can bring to Columbia County in the form of positive and beneficial support of both our natural resources and our local economy.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors recognizes that the Town and Country RC&D will be yet another tool to allow communities to plan ahead, partner and foster new ideas to maintain our lands as productive, to monitor and maintain our water quality, and over all provide perhaps the missing mechanism to blend this growing area into a region that promotes economic growth yet is committed to the protection, enhancement and restoration of its natural resources for present and future generations.

BE IT FURTHER RESOLVED that the Columbia County Board of Supervisors agrees to be a sponsor for the proposed Town and Country RC&D, and hereby approves and supports the submittal of the formal RC&D application to the United States Department of Agriculture.

Fiscal Note:  
Annual Sponsorship dues  
\$75. Funds available in the

Harlan Baumgartner  
Robert J. Stoltenberg  
Donald P. Nelson

Motion by Hamele, seconded by Stoltenberg, to adopt.

A typographical error will be corrected throughout the Resolution so it reads "Town and Country" rather than "Town and County".

The Resolution was unanimously adopted.

#### **RESOLUTION NO. 54-02**

WHEREAS, it is projected that the Office of the Coroner will incur expenditures, in excess of budget, in the amount of \$13,289 and

WHEREAS, a Death Certificate Fee was implemented in May 2002, which has been estimated to generate unbudgeted revenue in the amount of \$5,000 and

WHEREAS, these budget variances will therefore result in a projected budget shortage of \$8,289.

NOW, THEREFORE, BE IT RESOLVED that the sum of \$8,289 be transferred from the General Fund to the Coroner's budget account.

Fiscal Note: Transfer \$8,289 from  
General Fund Acct. #100-00-34201  
to Coroner Account #100-10-51270.

Kenneth S. Hutler  
Robert J. Andler  
Robert R. Westby  
Neil M. Ford  
John H. Healy  
JUDICIARY COMMITTEE

Motion by Westby, seconded by Andler, to adopt.

There was discussion regarding the ongoing problem of excess spending and lack of meeting attendance by the Coroner. This adjusting Resolution may not be sufficient to cover all 2002 expenditures.

Supervisor Tramburg explained that a realistic budget has been submitted for 2003. The Coroner has been informed that he will adhere to the 2003 budget.

Motion by Sanderson, seconded by Newgent, to table the Resolution.

It was noted that there are two motions on the floor.

Supervisors Sanderson and Newgent withdrew the motion to table.

Chair See indicated he would meet with the Coroner to discuss what is expected and protocol. He also indicated there are vendors needing to be paid.

The Resolution was adopted, not unanimously.

#### **RESOLUTION NO. 55-02**

WHEREAS, Attorney P. Jeffrey Archibald has filed a Claim against Columbia County on behalf of Sharon Werts for damages sustained due to the death of Patricia Werts in a vehicle/train collision, and

WHEREAS, the Claim has been referred to the Judiciary Committee, and

WHEREAS, the Judiciary Committee has reviewed the Claim and determined that it is without merit.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors denies the Claim which was filed by Attorney P. Jeffrey Archibald on behalf of Sharon Werts.

Neil M. Ford  
Robert Westby  
Robert J. Andler  
Kenneth W. Hutler  
John H. Healy

**JUDICIARY COMMITTEE**

On motion by Healy, seconded by Andler, the Resolution was unanimously adopted.

Attorney David Meier, Hearing Examiner from the State of Wisconsin, Office of Commissioner of Railroads, indicated the Canadian Pacific is one of the busiest railroads in the State. It goes through Columbia County. As the amount of use on the main track has increased with the closing of lesser tracks, all crossings on the line are being reviewed to assure public safety.

The Railroad Commissioner had been looking into Williams Road due to its history of accidents when, in the middle of that investigation, a double fatality occurred. The Williams Road crossing was then ordered to be closed. A request for an extension of time by the Town of Otsego and the County Board to allow further investigation was granted.

The office policy for main lines is to close non-essential crossings and, where there is not closure, to install warnings and controls. No main line crossing will have only crossbucks as a warning. The office has a budget of \$4.2 million per year for signals and safety upgrades while administering over 4,000 crossings in Wisconsin. It costs approximately \$125,000 to install modern signals at a crossing. Used signals are moved to new locations in an effort to stretch the available funding. The office intends to shift to Columbia County a disproportionate share of the money available to upgrade signals.

Other crossings of concern include:

1. Konkell Road in the Town of Lewiston. The Railroad Commissioner had ordered the railroad to maintain a bridge at this crossing, and the railroad failed to do so. The road has not been used for about eight years. The Town has asked that the bridge be abandoned. There are five other crossings in Lewiston Township.
2. Lewis Street in the City of Columbus is having a bridge reconstructed. Other crossings in Columbus to be reviewed are Birdsey and Spring Streets.
3. Swarthout Road in the Town of Fountain Prairie.
4. Fields, Seier Road bridge, and Mohr Road.
5. Salisbury Road.

Funding questions were clarified as follows:

1. Believe a local municipality can cost share to establish signalization.
2. The Railroad Commissioner can order a railroad to maintain, upgrade, or replace an existing bridge.
3. The railroad maintains signals and receives federal money for that purpose. It does not contribute to the costs.

The office did not participate in the further study of the Williams Road crossing after the extension was granted. The final decision to accept Study 9 will be by the Railroad Commissioner. It is hoped that Study 9 will be acceptable to the town, county and Railroad Commissioner. Attorney Meier indicated he would personally support this compromise at the office.

### **RESOLUTION NO. 56-02**

WHEREAS, the Railroad Commissioner for the State of Wisconsin ("Commissioner") ordered the closing of the Williams Road Railroad Crossing effective the week of August 12, 2002, thereby preventing thru vehicular traffic on Williams Road between Old Z Road and County Trunk Highway B Z in the Town of Otsego, and

WHEREAS, the Commissioner, upon receipt of requests from the Town of Otsego and Columbia County Board of Supervisors, granted a 90 day stay extension for the road to remain open to allow for further investigation of the options available for safe vehicle and train traffic in the immediate area, and

WHEREAS, the investigation conducted by the Columbia County Highway and Transportation included researching such items as: assuring safe crossings, quick access to emergency vehicles, convenience to citizens residing in the area, and

WHEREAS, nine studies were derived from the investigation, and

WHEREAS, the Town Board of Otsego, the Village of Rio and Columbia County Highway and Transportation recommend consideration by the Columbia County Board of Supervisors and Railroad Commissioner of the State of Wisconsin of Study 9, which requires the following changes:

- a) Old Z Road would be designated County Trunk Highway B and continue west through the Village of Rio following East Rio Street to Lincoln Avenue and then south on Lincoln Avenue to State Trunk Highway 16.
- b) Current County Trunk Highway B Z, starting at State Trunk Highway 16 and continuing east to Long Crossing Road would become a Town Road.
- c)

Current County Trunk Highway B Z from Long Crossing Road north to Old Z Road would also become a Town Road and the railroad crossing would be eliminated.

- d) The Town Road being created, from above item c, begins on Old Z Road going south towards the railroad would end in a cul de sac approximately 800 feet north of the railroad.
- e) With the discontinuance of the current County Trunk Highway B Z railroad crossing, the lights and gates being recommended for that location would be installed on the Williams Road crossing.
- f) The road surface at Williams Road will be brought to a grade level with the tracks to a minimum distance of approximately 700 feet on each side of the crossing.
- g) Jurisdictional transfers would take place between Columbia County Highway and Transportation, the Town of Otsego and the Village of Rio.

NOW, THEREFORE, BE IT RESOLVED that upon review of the options developed by the Columbia County Highway and Transportation, the Town of Otsego, the Village of Rio and the other affected municipalities recommends to the Columbia County Board of Supervisors and the Railroad Commissioner of the State of Wisconsin to consider implementation of Study 9, as outlined above and on the attached diagram, as the best method to assure safe crossings, quick access to emergency vehicles and convenience to citizens residing in the area.

BE IT FURTHER RESOLVED that Columbia County Highway and Transportation, the Town of Otsego and the Village of Rio are urged to take the necessary steps to file the appropriate relocation orders and designate the affected roads as "county" and "town" and fairly apportion the costs for improvements once the Columbia County Board of Supervisors and the Railroad Commissioner of the State of Wisconsin approves Study 9 with a completion date set by the Railroad Commissioner of the State of Wisconsin.

FISCAL NOTE: Any county funding required to complete the project will be utilized from Road and Bridge Construction on

**C.T.H. account number 620-3313.**

Donald P. Nelson  
Robert J. Andler  
Daniel Amato  
Michael Kinney  
**Vincent D. Curtis**

**HIGHWAY COMMITTEE**

Motion by Newgent, seconded by Andler, to adopt.

Kurt Dey, Highway Commissioner, explained that changing the county trunk system would fix a lot of problems in that area.

There was discussion of the grade level adjacent to the track. The railroad is responsible for maintaining three feet from the bed or track.

Attorney Meier indicated Railroad Commissioners in all states are preparing for high speed railroads traveling in excess of 70 miles per hour. In the Lewiston area there may be a double track installed for high speed train use.

If the Resolution is approved and acceptable to the Railroad Commissioner, that office will need to hold another public hearing to close the County BZ crossing and move its signalization before Study 9 would be implemented.

The Resolution was unanimously adopted.

### **RESOLUTION NO. 57-02**

WHEREAS, the present Merrimac Ferry, the Colsac II, was placed in service on April 15, 1963, and will be retired from service on November 4, 2002, and

WHEREAS, the ferry was operational during most of its 40 year career from mid-April to December 1 annually, and

WHEREAS, the amount of traffic carried by the ferry has been in excess of 200,000 vehicles per year for the last number of years, and

WHEREAS, maintenance and operation of the ferry have been by the Columbia County Highway and Transportation Department, and

WHEREAS, a ceremony honoring the ferry at the end of its career will be held at 9:00 a.m. on Monday, November 4, 2002, at the Columbia County side of the river crossing.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors notes the long and distinguished service provided by the Colsac II and expresses gratitude to the staff of the Columbia County Highway and Transportation Department for its efforts in providing a safe and pleasant experience to residents and tourists using the ferry while traveling in Southwestern Columbia County.

Donald P. Nelson  
Robert J. Andler  
Daniel Amato  
Michael Kinney  
Vincent D. Curtis  
HIGHWAY COMMITTEE

On motion by Amato, seconded by V. Curtis, the Resolution was unanimously adopted.

REPORT OF THE PLANNING AND ZONING COMMITTEE

The Planning and Zoning Committee having held public hearings 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 Nathan Price, Rio, Wisconsin to rezone from Agricultural to Agricultural No. 2, property located in Section 33, Town of Otsego on the 23<sup>rd</sup> day of August, 2002 be approved.

Harlan Baumgartner  
Eugene Fitzgerald  
Robert Hamele  
John Stevenson  
John Healy  
PLANNING AND ZONING COMMITTEE

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

REPORT OF THE PLANNING AND ZONING COMMITTEE

We, your Planning and Zoning Committee having received a copy of an application for a Farmland Preservation Agreement pursuant to Section 91.13 (2) Wisconsin Statutes have approved the following:

NAME	TOWN
Elmer and Tracy Smits	Randolph

Harlan Baumgartner  
Eugene Fitzgerald  
Robert Hamele  
John Stevenson  
John Healy  
PLANNING AND ZONING COMMITTEE

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

**ORDINANCE NO. Z301-02**

**An Amending Ordinance**

The Columbia County Board of Supervisors do ordain as follows:

That Title 16 – Chapter 1, entitled “Zoning”, of the County Code, as passed by the Board of Supervisors on February 16, 1972 is hereby amended and added thereto as follows:

- (1) “To change from Agricultural to Agricultural No. 2”, (Nathan Price).

DATE PASSED: October 16, 2002

DATE PUBLISHED: October 23, 2002

First reading of Ordinance.

Motion by Baumgartner, seconded by V. Curtis, to suspend the rules and have the second reading of the Ordinance by title only.

The motion carried unanimously.

Second reading of Ordinance.

Motion by Ross, seconded by Fitzgerald, to suspend the rules and have the third reading of the Ordinance by title only.

The motion carried unanimously.

Third reading of Ordinance.

Motion by Hamele, seconded by Stevenson, to adopt.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance Z301-02.

**ORDINANCE NO. 63-02**

The Columbia County Board of Supervisors hereby amends Title 9 - Chapter 1, Fee Schedule, Section 17, Sheriff's Office, Sub-section (f), Medical Fees, as follows:

Sec. 9-1-17 Sheriff's Office.

~~(f) Medical Fees~~

~~(1) Columbia County Prisoners \$ 3.00 per occurrence  
visit to doctor or nurse in Jail~~

(f) Medical Fees

(1) Columbia County Prisoners \$ 5.00 per occurrence  
visit to doctor or nurse in Jail

Daniel J. See, Chairman  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Cathleen M. Lathrop  
COLUMBIA COUNTY CLERK

DATE PASSED: October 16, 2002

DATE PUBLISHED: October 23, 2002

First reading of Ordinance.

Motion by Hamele, seconded by Westby, to suspend the rules and have the second and third readings of the Ordinance by title only.

There was discussion regarding how many of these fees are collected. The 2003 budget indicates \$20,000 in revenues for 2003.

The motion carried unanimously.

Second and third reading of Ordinance.

Motion by Westby, seconded by Olson, to adopt.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance 63-02.

**ORDINANCE NO. 64-02**

Amendments to Title 16, Chapter 1, Zoning Ordinance, Section 16-1-1 (b)(10) and (11) are created to read:

- (10) Rural Residential District
- (11) Planned Residential Development Overlay District

Section 16-1-2 (a)(1)(i) and (j) are amended as follows:

- (i) Home occupations. ~~when such occupation is incidental to the residential use of the premises and does not involve any external alteration that would affect a substantial change in the residential character of the building; provided further that no article is sold or offered for sale that is not produced by such home occupation, that no stock in trade is kept or sold, and that no person other than a member of the resident family is employed on the premises.~~
- (j) Professional offices. ~~when such office is conducted solely by a member or members of the resident family, entirely within the residence and incidental to the residential use of the premises; provided further that there shall be no external alterations that would affect a substantial change in the residential character of the building, that not more than fifty percent (50%) of only one floor of the dwelling shall be devoted to such offices and that no more than two (2) persons not members of the resident family may be employed in non-professional capacities in any such office.~~

Section 16-1-3 (a)(1)(e) is repealed.

Section 16-1-3 (a)(2) is amended as follows:

- (2) Conditional Use. Mobile home parks, when the location of each park shall have been approved in writing by the ~~Board of Adjustment~~ Planning and Zoning Committee, after public hearing. In approving such location, the ~~Board~~ Committee shall view the proposed site or sites and shall consider such evidence as may be presented at the hearing, bearing upon the general purpose and intent of this Ordinance. In addition, such mobile home parks must at least equal the minimum requirements of all State Codes which govern mobile home parks.

Section 16-1-4 is recreated to read:

Sec. 16-1-4 Rural Residential District

- (a) Purpose. The purpose of this District is to provide for limited rural residential use development on lands that are predominately agriculture areas not suited for agricultural production or due to the proposed location would have limited impact on agricultural production. Lots should be limited in number, and location to minimize the impacts associated with residential development in agricultural areas. Residents of this district may experience conditions associated with farming that are not compatible with rural residential use.
- (b) Permitted Uses.
  - (1) One (1) single family dwelling.
  - (2) Minor home occupations.
  - (3) Raising/keeping of farm animals provided the number of animals will not exceed one (1) animal unit per 2.0 acres.
  - (4) Growing of field crops.
  - (5) Roadside stands. A structure having a ground area of not more than three hundred (300) square feet, not permanently fixed to the ground, readily removable in its entirety, not fully enclosed and to be used solely for the sale of farm products produced on the premises (or adjoining premises). There shall not be more than one such roadside stand on any single premises.
  - (6) Accessory buildings.
- (c) Conditional Uses.
  - (1) Major home occupations.
  - (2) Public and semi-public uses.
- (d) Height, Yard, and Other Requirements.
  - (1) Height. Except as otherwise provided in this Ordinance, no building shall exceed a height of thirty-five (35) feet. (See Section 16-1-12 (c)).
  - (2) Floor Area. Buildings used in whole or in part for residential purposes which are hereafter erected, moved or structurally altered shall have a floor area of not less than nine hundred (900) square feet.
  - (3) Side Yards. For buildings or parts of buildings used for residential purposes, the side yard requirements of the Single Family Residence District shall apply.
  - (4) Rear Yards. For buildings or parts of buildings used for residential purposes, the rear yard requirements of the Single Family Residence District shall apply.
  - (5) Highway Setback. See Section 16-1-17.
  - (6)

A 35-foot buffer strip shall be provided and maintained between a navigable waterway as identified in Sec. 16-5-10 and any area used for the keeping, feeding, or pasturing of animals permitted under (b)(3) above. The buffer shall consist of ground cover, trees and shrubs. In addition to compliance with Article F of Title 16, Chapter 5, the Shoreland-Wetland Protection Ordinance, the Natural Resources Conservation Service Field Office Technical Guide, Standard 393 shall be used as a guide for the installation and maintenance of the buffer strip.

(e) Lot Requirements

- (1) Lot Area. Minimum lot area in this district shall be two (2) acres. Maximum lot area for the district shall be five (5) acres. Minimum lot width shall be one hundred fifty (150) feet and minimum lot depth shall be two hundred (200) feet.
- (2) Lot Coverage. No residential building together with its accessory buildings shall cover in excess of 10 percent of the lot area, or together exceed 8,712 square feet.
- (3) Density. The purpose of this district is to limit the number of non-farm homes that can be developed within predominately Agriculture Zoning Districts, and areas identified in County or town comprehensive or land use plans. Residential uses should meet the density allowance of applicable planning areas in land use or comprehensive plans that have been approved by the County Board or a town board.

2. Section 16-1-4 (Agricultural District) is renumbered 16-1-5 and is amended as follows:

16-1-5 (b)(2) is amended to read:

Conditional Uses. Conditional uses, including but not limited to those listed below, limited to those religious, utility (other than those listed above), institutional, governmental and agricultural related uses which do not conflict with agricultural use and are found to be necessary in light of the alternative locations available for such use when the location of each such use shall have been approved in writing by the ~~Board of Adjustment~~ Planning and Zoning Committee after a public hearing, and after a view of the proposed site or sites. ~~The Board shall act on the application in the manner above described within sixty (60) days from receiving the application, except where additional information is required by the Board; in such case the Board shall act within sixty (60) days from the date such additional information is received. The Board's decision on any application shall be based upon the evidence produced at such public hearing and shall be consistent with the general purposes and intent of this Ordinance, giving due consideration to convenience and necessity, environmental and agricultural affects, cost, geographic feasibility, and other factors tending to show the suitability of specific proposed locations for a specific proposed use from the standpoint of public interest because of such factors as (without limitation because of enumeration) smoke, dust, noxious or toxic gases or odors, noise, vibration, operation of heavy vehicular traffic and increased traffic on the public streets. Every permit issued by the Board of Adjustment under this Subsection shall be a "conditional use permit" revocable by the Board for failure to comply with stated conditions.~~ The uses shall also be required to meet specific conditions listed below:

Sec. 16-1-5 (Agricultural No. 2 District) is renumbered 16-1-6 and is amended as follows:

Sec. 16-1-6 (d) is amended to read:

- (d) Conditional Uses. The following uses ~~when approved in writing by the Board of Adjustment, after a public hearing, and after a view of the proposed site or sites. The Board of Adjustment shall act on the application in the manner above described within sixty (60) days from receiving the application, except where additional information is required by the Board; in such case the Board shall act within sixty (60) days from the date such additional information is received. The Board's decision on any application shall be based upon the evidence produced at such public hearing and shall be consistent with the general purposes and intent of this Ordinance, giving due consideration to convenience and necessity, environmental and agricultural affects, cost, geographic feasibility, and other factors tending to show the suitability of specific proposed locations for a specific proposed use from the standpoint of public interest because of such factors as (without limitation because of enumeration) smoke, dust, noxious or toxic gases or odors, noise, vibration, operation of heavy vehicular traffic and increased traffic on the public streets. Every permit issued by the Board of Adjustment under this Subsection shall be a "conditional use permit" revocable by the Board for failure to comply with stated conditions.~~ The uses shall also be required to meet specific conditions listed below:

Sec. 16-1-6 (Marina District) is renumbered 16-1-7 and is amended as follows:

Sec. 16-1-7 (a)(2) is amended to read:

- (2) Conditional Use. Residential use only when an integral part of a permitted commercial operation, provided that such use has been approved by the ~~Board of Adjustment~~ Planning and Zoning Committee.

Sec. 16-1-7 (Recreation District) is renumbered 16-1-8 and is amended as follows:

16-1-8 (a)(2) is amended to read:

- (2) ~~Conditional Uses. The following uses when the location of each such use shall have been approved by the Board of Adjustment, after a public hearing and after viewing of the proposed site or sites. Every permit issued by the Board of Adjustment under this Section shall be a conditional permit revocable by the Board, for failure to comply with stated conditions. Such approval shall be consistent with the general purposes and intent of this Ordinance, and shall be based upon such evidence as may be presented at such Public Hearing, tending to show the desirability of specific proposed locations for a specific proposed use from the standpoint of public interest because of such factors as (without limitation because of enumeration) smoke, dust, noxious or toxic gases or odors, noise, vibration, operation of heavy machinery, heavy vehicular traffic and increased traffic on public streets; such uses shall also be required to meet specific conditions attached below:~~

Sec. 16-1-8 (Commercial District) is renumbered 16-1-9 and is amended as follows:

Sec. 16-1-9 (a)(2) is amended to read:

- (2) ~~Conditional Uses. The following uses, when the location thereof shall have been approved in writing by the Board of Adjustment, following a public hearing, and such approval shall be consistent with the general purpose and intent of this Ordinance and shall be based upon such desirability or undesirability of specific proposed locations for a specific proposed use from the standpoint of public interest because of such factors as (without limitation because of enumeration) dust, noise, glare, odor, vibration, and increased traffic on the public streets:~~

Sec. 16-1-9 (Highway Interchange District) is renumbered 16-1-10 and is amended as follows:

Sec. 16-1-10 (a)(2) is amended to read:

- (2) ~~Conditional Uses. The following uses, when the location of each such use shall have been approved in writing by the Board of Adjustment:~~

Sec. 16-1-10 (a)(2)(g)(1) is amended to read:

- (1) ~~Conditional Procedure One—Industrial uses, except those enumerated in Section 16-1-11 (a)(2) Subsection (g)(2) below, which meet the following standards; provided that in order to secure evidence upon which to base the determinations required below, the Board of Adjustment may require the submission of plans of buildings, arrangement of manufacturing operation, plat of grounds showing location of buildings, stockpiles, equipment storage, fences or screens, specifications of operations and other necessary information; provided that such uses shall also be required to meet special conditions listed below:~~

Renumbered Sec.16-1-10 (a)(2)(g)(2) is repealed.

Section 16-1-10 (Industrial District) is renumbered 16-1-11 and is amended as follows:

Sec. 16-1-11 (a) is amended to read:

- (a) In the Industrial District, buildings and land may be used for any purpose ~~except the following:~~
- (1) ~~Permitted Uses. Building and land may be used for any purpose except the following:~~
- a. Religious, educational, charitable and medical institutions, and places of dwelling or lodging, whether on a permanent or transient basis, except that there may be a dwelling for a watchman or caretaker employed on the premises and members of his or her family.
- b. Uses contrary to the laws of the State of Wisconsin or ordinances adopted by the County Board of Columbia County.
- e. ~~Uses listed under Section 16-1-10 (a)(2) below:~~
- (2) ~~Conditional Uses. Any of the following uses may be allowed only where the location thereof shall have been approved in writing by the Board of Adjustment, following a public hearing. Such approval shall be consistent with the general purposes and intent of this Ordinance, and shall be based upon such evidence as may be presented at such public hearing, tending to show the desirability or undesirability of specific proposed locations for a specific proposed use from the standpoint of public interest, because of such factors as (without limitation because of enumeration) smoke, dust, noxious or toxic gases or odors, noise, glare, vibration, heavy vehicular traffic and increased traffic on the public streets:~~

16-1-12 Planned Residential Development Overlay District

- (a) Purpose. It is the purpose of this Section to reduce or eliminate the inflexibility that sometimes results from the strict application of zoning standards in order to provide a process which will facilitate a more adaptable pattern of residential development, the provision of open space, and the arrangement of dwellings in accordance with good planning principles while providing adequate safeguards for the community and the environment. This District may provide for the combination of single family, two-family, and multi-family residential developments on one or more lots. Each separate District shall consist of not less than three (3) acres, unless a smaller size is approved by the County Board of Supervisors as part of the District Overlay approval process.
- (1) The provisions of the Planned Residential Development Overlay District (PD) shall be applicable in those towns that have adopted County zoning. A Town shall have the authority to disapprove of a rezoning to the PD District under the procedures of Sec. 59.69(5)(e)e, 59.69 (5)(e)3m, and 59.69(5)(e)6, Wisconsin Statutes.
- (2) A copy of the petition to amend the Ordinance to apply the PD within an area subject to the Shoreland Wetland Protection Ordinance shall be mailed to the District Regional Office of the Department of Natural Resources within five (5) days of the filing of the petition. Written notice of a public hearing for a rezoning to apply a PD within an area subject to the Shoreland Wetland Protection Ordinance shall be mailed to the District Regional Office of the Department of Natural Resources at least ten (10) days prior to the public hearing. A copy of the County Board's decision on the petition shall be forwarded to the District Regional Office of the Department of Natural Resources within ten (10) days after the decision is issued.
- (b) In the Planned Residential Development Overlay District no building or premises shall be used and no building erected, moved, or structurally altered until a development plan is approved in accordance with the provisions of this Section.
- (1) Application and Notice of Hearing. Application for approval of a development plan within a Planned Residential Development Overlay District shall be made in 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.
  - b. A narrative of the development plan which includes a description of the subject property by lot, block, and recorded subdivision or metes and bounds; address of the site, type of structures and proposed use(s).
  - c. The development plan shall include a scalable architect's drawing showing the location of all structures and recreational facilities; the location of all drives, entrances, sidewalks, trails, and signs; the location, size, number, and screening of all parking spaces; a landscape plan; a grading and drainage plan; 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. Public hearing shall follow an application for a development plan. The Planning and Zoning Department shall fix a reasonable time and place for the public hearing on the development plan and give public notice thereof pursuant to the applicable requirements of the Wisconsin Statutes. However, the Planning and Zoning Committee must act on a development plan within six (6) months of a complete application.
  - e. A copy of a development plan within a Shoreland District and notice of a public hearing for the development plan shall be mailed to the District Regional Office of the Department of Natural Resources at least ten (10) days prior to the public hearing.
- (2) Review and Approval.
- a. While it is not required, applicants are encouraged to consult with the Town prior to filing any development plans with the County. This consultation is to inform the Town about the development plan and should help minimize the need to have proposals laid over by the Planning and Zoning Committee.

- b. The Planning and Zoning Department shall mail to the chair, clerk and plan commission chair of the Town within which the development plan is proposed, a copy of the application, all maps, plans, and other documents submitted by the applicant and notice of the time and place of the public hearing to be held on the proposed development plan. This information shall be mailed at least ten (10) days prior to the date of the public hearing by certified mail to the clerk, and regular mail to the chair.
  - c. The Town Board or its representative should at the hearing or earlier indicate its recommendation in regard to granting, denying, and granting in part or with conditions the development plan. The Town can communicate its position either orally or in writing, however, all Town recommendations for approval or denial shall be accompanied by appropriate findings of fact. Failure of the Town to submit findings of fact shall constitute their recommendation for unconditional approval of the development plan. Findings shall, at a minimum, address whether the development plan is consistent with adopted comprehensive plans, or plan elements, adopted ordinances if any, compatibility or non-compatibility with adjacent land uses, specific substantiated objections (if any), plus any other specific findings that pertain to the development plan.
  - d. Failure of the Town Board to communicate its recommendation either at the public hearing or earlier shall be taken as an approval by the Planning and Zoning Committee. If the Town Board or its representative shall at the public hearing request an extension of time within which to determine its position, the development plan will be automatically laid over until the next regularly scheduled meeting of the Planning and Zoning Committee.
  - e. A development plan application may be dismissed by the Planning and Zoning Committee, upon notice to the applicant, if one year has passed since the filing of the application or the last scheduled public hearing on said application, whichever is later. Dismissal under this section shall not limit the ability of the applicant to reapply.
  - f. The Planning and Zoning Committee shall have the authority to attach conditions of approval to any development plan reviewed under this Section to ensure the development plan adheres to the purpose and review criteria of this Section and the Chapter. 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.
  - g. Approval of a development plan does not eliminate the requirement to obtain the appropriate building and zoning permits. If the plan is not initiated by securing a zoning permit or if more than one permit is necessary at least one (1) zoning permit within one (1) year of the date of the public hearing, the approval of the development plan shall be considered void, and the applicant will have to reapply.
  - h. A copy of the Planning and Zoning Committee's decision on any development plan within a Shoreland District area, as defined in Section 16-5-10, shall be forwarded to the District Regional Office of the Department of Natural Resources within ten (10) days after the decision is issued.
  - i. No substantial changes can be made to an approved development plan unless an amendment to the development plan is approved by the Planning and Zoning Committee per this Section.
- (3) Review Criteria. In reviewing the development plan the Planning and Zoning Committee shall use the following as guides for making a decision.
- a. Conformance with applicable standards of the base zoning district and the provisions of this Chapter, except as may be modified by the Planning and Zoning Committee under procedures of this Section, and applicable provisions of Section 16-5, the Shoreland-Wetland Protection Ordinance.
  - b. Suitability of the land and the property for the proposed development.
  - c. Compatibility of the proposed development with adjacent and nearby existing or planned development in terms of scale, mass, height, bulk, uses, activities, traffic, design, structure placement, privacy, views, and similar concerns.
  - d. Density of the number of dwelling units allowed in the Overlay District shall not be greater than allowed by the underlying zoning district, or the Shoreland-Wetland Protection Ordinance if applicable. Density shall be determined by dividing the total land area of the district, excluding street and highway right-of-way by the minimum lot sizes required in the underlying zoning district or the Shoreland Wetland Protection Ordinance in Chapter 5.
  - e. The use of site planning principles common to high quality development.
  - f. Effective mitigation of any potential negative impacts of the proposed development on surface or

Sec. 16-1-12 (General Provisions) is renumbered 16-1-13 and is amended as follows:

Sec. 16-1-13 (a)(4) is amended to read:

- (4) Every building hereafter erected, converted, enlarged or structurally altered shall be located on a lot ~~and in no case shall there be more than one main building on one lot.~~

Sec. 16-1-13 (a)(6)(b) is amended to read:

- (b) If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of a more restricted classification. Whenever a nonconforming use has been changed to a more restricted nonconforming use or a conforming use, such use shall not thereafter be changed to a less restricted use. A nonconforming use shall not be changed to another nonconforming use of the same classification unless and until a permit therefore shall first have been secured from the ~~Board of Adjustment~~ Planning and Zoning Committee, provided the Committee shall find that the proposed change of use will be no more harmful to the character of the neighborhood than the existing nonconforming use.

Sec. 16-1-13 (a)(10) is amended to read:

- (10) ~~The Board of Adjustment~~ Planning and Zoning Committee, after investigation and public hearing, may authorize, by conditional use permit, the location of any of the following buildings or uses in any district from which they are excluded by this Ordinance. ~~provided that the Board shall find that the proposed location is necessary in order to serve the public health, safety, convenience and welfare, and provided further that each such building or use shall comply with all other regulations for the district in which it is proposed to be located. To protect the value of neighboring buildings or uses, the Board may attach reasonable conditions and safeguards, in line with the general purpose and intent of this Ordinance;~~

Sec. 16-1-13 (a)(11) is repealed and recreated to read:

- (11) Permit the establishment of unlisted uses in any district except Agricultural provided that the Town Board has filed its written approval, and the Planning and Zoning Committee makes specific findings as follows:
- That the proposed use is similar in character to other uses permitted in the district.
  - That the proposed use will not conflict with the purpose and intent of the district in which it will be located.
  - That the proposed use is not permitted in any other district.

Sec. 16-1-12 (b)(2) is amended to read:

- (2) Any lot or parcel shown on a recorded subdivision, plat or assessor's plat, or conveyance and recorded in the office of the Register of Deeds for Columbia County prior to the adoption of the ordinance for Columbia County may be used as a building site, or for any purpose permitted by this Ordinance, even though such lot or parcel does not conform to the minimum frontage or area requirements of the district in which it is located; provided, however, that no multiple family dwelling, or residential unit in combination with some other use, shall be erected, structurally altered or converted in use on any lot having a width of less than fifty (50) feet, except by ~~special permit~~ variance from the Board of Adjustment.

Sec. 16-1-13 (g) is created to read:

(g) Home Occupation

- (1) Purpose. The purpose of this section is to allow for home occupations that are compatible with the neighborhood or area in which they are located. The provisions herein shall supercede any provisions to contrary found elsewhere in the ordinance.
- (2) Permit Procedures. Home occupations complying with the criteria established in Section 16-1-13 (c) shall be considered to be minor in character and permitted by right with no permit required. Major home occupations shall commence only after the receipt of a home occupation permit as outlined in Section 16-1-18. All applicable state, federal, and local business and/or occupational licenses shall be obtained by the person(s) conducting the home occupation. All activities associated with a home occupation and the premises shall comply with all applicable local, county, and state building, fire, sanitary and health

- requirements and regulations.
- (3) Criteria for Minor Home Occupations. Uses classified as minor shall be permitted in all zoning districts that allow single family residences. In order to be classified as a minor home occupation, the use must comply with all the following requirements.
- (a) The use shall be conducted entirely within the confines of the residential structure or permitted accessory structure. The use shall occupy no more than 25 percent of the floor area on the floor that the use takes place or more than 400 square feet of an accessory structure.
  - (b) The use shall be clearly incidental and secondary to the use of the premises for residential purposes, and the appearance of the structures shall not be altered or the occupation within the structures be conducted in a manner that would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emission of sounds, odors, dust or vibrations that carry beyond the premises.
  - (c) No person other than a permanent member of the resident family is employed on the premises.
  - (d) There shall not be conducted on the premises the business of selling stocks of merchandise, supplies, or products other than those produced by the home occupation to fill orders made by customers. That is, the direct retail sale of products is not allowed, but a person may pick up an order that had been placed. Wholesale or retail sales from within the residence or accessory structure as the primary activity or function of the home occupation is prohibited, except for sales conducted entirely via the mail, telephone, or the internet.
  - (e) The display, storage, or parking of materials, goods, supplies, or equipment outside of the dwelling or an accessory building is prohibited.
  - (f) There shall be no advertising, display, or other indications of a home occupation on the premises.
  - (g) No use of material or equipment not recognized as being part of the normal practices of owning and maintaining a residence shall be allowed.
  - (h) There shall be sufficient off street parking to compensate for additional parking generated by the home occupation.
- (4) Criteria for Major Home Occupations. Any home occupation that does not meet all the requirements necessary to be classified as a minor home occupation shall be considered a major home occupation. Uses classified as major shall require a permit subject to the provisions of Sec. 16-1-18.
- (a) When the use is conducted entirely within the confines of the principal structure, and it shall occupy no more than 50 percent of the floor area on the floor that the use takes place.
  - (a) The use shall be clearly incidental and secondary to the use of the property for residential purposes, and the appearance of the structures shall not be altered or the occupation be conducted in a manner that would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emission of sounds, or vibrations that carry beyond the premises.
  - (b) No more than four (4) persons in addition to those members of the family that are permanent residents of the premises are employed by the home occupation.
  - (c) There shall not be conducted on the premises the business of selling stocks of merchandise, supplies, or products other than those produced by the home occupation. That is the direct retail sale of products that are not produced on the premises is not allowed, but a person may pick up an order that had been placed. Wholesale or retail sales from within the residence or accessory structure as the primary activity or function of the home occupation is prohibited, except for sales conducted entirely via the mail, telephone, or the internet.
  - (d) The display, storage, or parking of materials, goods, supplies, or equipment outside of the dwelling is permitted in an enclosed accessory building, or, in a yard of the subject property provided the yard area used for such display, storage or parking is completely screened from view from all public streets and adjacent property through the use of landscaping materials or a combination of landscaping materials and a fence. However, for property zoned Single Family Residence, Multiple Family Residence, or Recreational, display, storage or parking is limited to a side or rear yard, provided the yard area used for such display, storage or parking is completely screened from view from all public streets and adjacent property through the use of landscaping materials or a combination of landscaping materials and a fence. No storage, display or parking of materials, goods, supplies, or equipment shall be allowed within a required setback.
  - (e) There shall be no advertising, display, or other indications of a home occupation on the premises other than as specified by the terms and conditions of the home occupation permit.
  - (f) There shall be sufficient off street parking to compensate for additional parking generated by the home occupation, and employees.

(5) Specific Home Occupation Uses Prohibited.

- (a) Any home occupation involving the on-site sale, resale, repair, including body repair, salvage or wrecking of automobiles, trucks, boats, trailers, recreational vehicles, or other motorized vehicles.

(6) Home Occupation Permits.

Home occupation permits granted for major home occupations shall be temporary in nature and shall be granted to a designated person who resides at the residential address. They are not transferable from person to person or from address to address. The permit for a home occupation may be revoked in accordance with Section 16-1-18 if conditions or requirements are not being met.

Sections 16-1-13 (Zoning Permits; Certificates of Occupancy and Use), 16-1-14 (Boundaries of District), and 16-1-15 (Interpretation and Application) are renumbered 16-1-14, 16-1-15, and 16-1-16.

Sec. 16-1-16 (Board of Adjustment) is renumbered 16-1-17 and is amended as follows:

Sec. 16-1-17 (d)(2) is repealed.

Sec. 16-1-17 (d)(3) and (4) are renumbered (2) and (3).

Sec. 16-1-17 (d)(5) is repealed.

Sec. 16-1-17 (d)(6) is renumbered 16-1-17 (d)(5) and is amended to read:

- (5) An application for a variance ~~or conditional use permit~~ under this section may be dismissed by the Board, upon notice to the applicant, if one year has passed since the filing of the application or the last scheduled public hearing on said application, whichever is later. Dismissal under this section shall not limit the ability of the applicant to reapply.

Sec. 16-8-18 is recreated to read:

Section 16-1-18 Conditional Use Permits

- (a) Purpose. The development and implementation of this ordinance is based on the division of the county into zoning districts, within which the use of land and buildings, are generally compatible and uniform in relation to the land. However, there are certain uses which, because of unique characteristics, can not be properly classified as an out right permitted use in any particular zoning district or districts without some consideration of the impact the use may have on the area or the need for the use in a particular location. But, such uses may be necessary or desirable to be allowed in a particular district provided that due deliberation is given to location, development, and the operation of such uses. These uses are classified as conditional uses, and the following provisions are established to regulate conditional uses.
- (b) Authority. The Planning and Zoning Committee, after a public hearing, shall within a reasonable time, 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 standards prescribed in the ordinance are met. No permit shall be granted when the Committee determines the standards have not been met, nor shall a permit be denied when the Committee determines that the standards are met.
- (c) Application and Notice of Hearing. 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:
- (1) Names and addresses of the applicant, owner(s) of the property, architect, professional engineer if applicable.
  - (2) 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, type of structures and proposed use(s).
  - (3) A site plan which shall include a scalable drawing showing the location of all structures and recreational facilities; the location of all drives, entrances, sidewalks, trails, and signs; the location, size, number, and screening of all parking spaces; a landscape plan; a grading and drainage plan; 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.
  - (4) Public hearing shall follow an application for a conditional use permit. 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. However, the Planning and Zoning Committee must act on a conditional use permit within six (6) months of the filing of a complete application.

- (5) A copy of an application for a conditional use permit within a Shoreland Wetland District and notice of a public hearing for the development plan shall be mailed to the District Regional Office of the Department of Natural Resources at least ten (10) days prior to the public hearing.
- (d) Review and Approval. While it is not required, applicants are encouraged to consult with the Town prior to filing any application for a conditional use permit with the County. This consultation is to inform the Town about the conditional use and should help minimize the need to have proposals laid over by the Planning and Zoning Committee.
- (1) The Planning and Zoning Department shall mail to the chair, clerk and plan commission chair of the Town within which the conditional use is proposed, a copy of the application, all maps, plans, and other documents submitted by the applicant and notice of the time and place of the public hearing to be held on the proposed conditional use. This information shall be mailed at least ten (10) days prior to the date of the public hearing and shall be sent to the clerk by certified mail, and the chair by regular mail.
  - (2) The Town Board or its representative should at the hearing or earlier indicate its recommendation in regard to granting, denying, and granting in part or with conditions the conditional use permit. The Town can communicate its position either orally or in writing, however, all Town recommendations for approval or denial shall be accompanied by appropriate written findings of fact. Failure of the Town to submit findings of fact shall constitute their recommendation for unconditional approval of the conditional use permit. Findings shall, at a minimum, address whether the conditional use is consistent with adopted town plans, plan elements and adopted ordinances if any, compatibility or non-compatibility with adjacent land uses, specific substantiated objections (if any), plus any other specific findings that pertain to the review criteria of this section.
  - (3) Failure of the Town Board to communicate its recommendation either at the public hearing or earlier shall be taken as an approval by the Planning and Zoning Committee. If the Town Board or its representative shall at the public hearing request an extension of time within which to determine its position, the conditional use permit will be automatically laid over until the next regularly scheduled meeting of the Planning and Zoning Committee.
  - (4) A conditional use permit application may be dismissed by the Planning and Zoning Committee, upon notice to the applicant, if one year has passed since the filing of the application or the last scheduled public hearing on said application, whichever is later. Dismissal under this section shall not limit the ability of the applicant to reapply.
  - (5) 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.
  - (6) 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 securing a zoning permit or if more than one permit is necessary 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.
  - (7) A copy of the Planning and Zoning Committee's decision on any conditional use permit within a Shoreland District area, as defined in Section 16-5-10, shall be forwarded to the District Regional Office of the Department of Natural Resources within ten (10) days after the decision is issued.
  - (8) No substantial changes can be made to a conditional use permit unless an amendment to the development plan is approved by the Planning and Zoning Committee per this Section.
- (e) Review Criteria. In reviewing the conditional use permit the Planning and Zoning Committee shall use the following as guides for making 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.
- (f) Conditions Attached to Permits. The Planning and Zoning Committee shall have the authority to attach such conditions and restrictions upon the establishment, location, maintenance and operation of the conditional use as deemed necessary to ensure the conditional use adheres to the purpose and review criteria of this Section and the Chapter. In all cases the Planning and Zoning Committee shall require evidence and guarantees as it may deem necessary as proof that the conditions are being and will be complied with.
- (g) Effect of Denial of Application. No application for a conditional use permit which has been denied wholly or in part by the Planning and Zoning Committee shall be resubmitted for period of one (1) year from the date of said denial, except on the grounds of new evidence or proof of change of conditions found to be valid by the Planning and Zoning Committee.
- (h) Voiding a Conditional Use Permit. In any case where a conditional use permit issued under this ordinance, has not been established within eighteen (18) months of the date of approval, without further action of the Planning and Zoning Committee shall be null and void, unless an extension is granted by the Planning and Zoning Committee which must be granted prior to the permit becoming void.
- (i) Revocation of a Conditional Use Permit. 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, the Planning and Zoning Committee, after a public hearing as provided for in this Section, may revoke the conditional use permit.
- (j) Abandoned Conditional Uses. Any use, for which a conditional use permit has been issued, upon its cessation or abandonment for a period of one (1) year, will be deemed to have been terminated and any future use shall be in conformity with applicable ordinances.

Sec. 16-1-17 (Highway Setback Lines) is renumbered 16-1-19.

Sec. 16-1-18 (Changes and Amendments), 16-1-19 (Enforcement and Penalties), and 16-1-20 (Validity) are renumbered 16-1-20, 16-1-21, and 16-1-22.

Sec. 16-1-21 (Definitions) is renumbered 16-1-23 and is amended as follows:

Sec. 16-1-23 (a)(7) is recreated to read:

- (7) Animal Unit. The equivalent of one (1) cow, four (4) hogs, ten (10) sheep, ten (10) goats, one hundred (100) poultry, one (1) horse, pony, or mule.

Sec. 16-1-23 (a)(7) through (22) are renumbered (8) through (23).

Sec. 16-1-23 (a)(23) is amended to read:

- (23) Conditional Use. A use allowed under this Ordinance provided that a permit is granted by the ~~Board of Adjustment~~ Planning and Zoning Committee, and certain conditions are met as specified in this Ordinance or as applied by the ~~Board of Adjustment~~ Planning and Zoning Committee.

Sec. 16-1-23 (a)(24) is recreated to read:

- (24) Condominium. A form of ownership combining individual unit ownership with shared use of common property or facilities, established in accordance with Chapter 703 of the Wisconsin Statutes. Common areas and facilities are owned by all members of the condominium association on a proportional undivided basis. A condominium is a legal form of ownership, and not a specific land use, or building type or style.

Sec. 16-1-23 (a)(25) is recreated to read:

- (25) Condominium Unit. A part of a condominium intended for any type of independent use, including one or more cubicles of air at one or more levels of space or one or more rooms or enclosed spaces located on one or more floors (or parts thereof) in a building. A unit may include two or more noncontiguous areas.

Sec. 16-1-23 (a)(23) through (68) are renumbered (26) through (71).

Sec. 16-1-23 (a)(28) is amended to read:

- (28) Dwelling, Single Family. A residential structure, on one (1) lot, designed to provide housing for one (1) family. Any such dwelling built or placed after September 21, 1995, shall have a minimum width of 24 feet, and if above grade shall have a roof with a minimum slope of 3:12.

Sec. 16-1-23 (a)(39) is amended to read:

- (39) Home Occupation. ~~Home occupations, when such occupation is incidental to the residential use of the premises and does not involve any external alteration that would effect a substantial change in the residential character of the building; provided further that no article is sold or offered for sale that is not produced by such home occupation, that no stock in trade is kept or sold and that no person other than a member of the resident family is employed on the premises.~~ An occupation, profession or trade conducted on a regular basis within or from an approved residential dwelling and/or accessory buildings (if permitted) by one or more occupants residing in said dwelling that is clearly incidental and subordinate to the primary or principal use of the dwelling and property for residential uses.

Sec. 16-1-23 (a)(44) is amended to read:

- (44) Lot. A parcel of land occupied ~~by one (1) building and its accessory buildings or uses, including the open spaces required by this Ordinance, and abutting on a public street or other officially approved means of access.~~ or designed to be occupied by permitted or conditionally allowed uses(s) or structure(s) together with any permitted or conditionally allowed accessory structures, open spaces and parking required by this Chapter. A lot abuts a public street or other officially approved means of access. A lot may be a parcel designated in a plat or described in a conveyance recorded in the office of the Register of Deeds, or any part of a larger parcel when such part complies with the requirements of this Ordinance as to width and area for the district in which it is located. No land included in any street, highway, or railroad right of way shall be included in computing lot area.

Sec. 16-1-23 (a)(60) is amended to read:

- (60) Professional Offices. ~~Professional offices, when such office is conducted solely by a member or members of the resident family, entirely within the residence and incidental to the residential use of the premises; provided further that there shall be no external alterations that would affect a substantial change in the residential character of the building, that not more than fifty percent (50%) of only one (1) floor of the dwelling shall be devoted to such offices and that no more than two (2) persons not members of the resident family may be employed in non-professional capacities in any such office.~~ See "Home Occupation".

Sec. 16-1-23 (a)(69) and (70) are repealed.

Sec. 16-1-23 (a)(71) through (87) is renumbered (72) through (88).

Sec. 16-1-23 (a)(76) is amended to read:

- (76) Street. A public ~~or private~~ thoroughfare which affords a primary means of access to abutting property. A driveway to a farm building shall not be considered a street for purpose of determining setback, even though such driveway may have been designated a town road for the purpose of maintenance.

## Amendments to Title 16, Chapter 5, Shoreland-Wetland Protection Ordinance

Sec. 16-5-14 is amended to read:

~~The provisions of this Ordinance supersede all the provisions of any County Zoning Ordinance adopted under Section 59.97, Wisconsin Statutes, which relate to shorelands. However, where an Ordinance adopted under a statute other than Section 59.97, Wisconsin Statutes, is more restrictive than this Ordinance, that Ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise. Where a County Ordinance adopted under a statute other than Section 59.692, Wisconsin Statutes, is more restrictive than this Ordinance, that Ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.~~

Sec. 16-5-20 is repealed.

Sec. 16-5-30 (a) is amended to read:

- (a) Minimum Area and Width for Each ~~Main Building~~ Lot. The minimum lot area shall be twenty thousand (20,000) square feet and the minimum average lot width shall be one hundred (100) feet with at least one hundred (100) feet of frontage at the ordinary highwater mark.

Sec. 16-5-31 (a) is amended to read:

- (a) Minimum Area and Width for Each ~~Main Building~~ Lot. The minimum lot area shall be ten thousand (10,000) square feet and the minimum average lot width shall be sixty-five (65) feet with at least sixty-five (65) feet of frontage at the ordinary highwater mark.

Sec. 16-5-33 is repealed.

Sec. 16-5-41 is amended to read:

A setback of less than that required by Section 16-5-40 shall not be permitted on any building site, except by order of the Board of Adjustment or the Planning and Zoning Committee pursuant to Sec. 16-1-12, unless there is at least one existing main building on either side of the applicant's lot, within two hundred (200) feet of the proposed site that is built to less than the required setback. In such case, the setback shall be the average of the setbacks of the nearest existing main building on each side of the proposed site within said distance, or, if there is an existing main building on only one side, the setback shall be the average of the setback for the existing main building and the setback required by Section 16-5-40.

Sec. 16-5-41 (e) is amended to read:

- (e) Any other setback reduction may be permitted by the Board of Adjustment pursuant to Section 16-5-94 of this Ordinance or by the Planning and Zoning Committee pursuant to Sec. 16-1-12.

Sec. 16-5-53 is amended to read:

As an alternative to Section 16-5-51, a special cutting plan allowing greater cutting may be permitted by the ~~Board of Adjustment~~ Planning and Zoning Committee by issuance of a ~~special exception~~ conditional use permit, pursuant to Section 16-5-93. An application for such a permit shall include a sketch of the lot providing the following information: location of parking, topography of the land, existing vegetation, proposed cutting, and proposed replanting. The ~~board~~ committee may grant such a permit only if it finds that such special cutting plans:

Sec. 16-5-61 (b) is amended to read:

- (b) Except as provided in Section 16-5-62, a ~~special exception~~ 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.

Sec. 16-5-63 is amended to read:

For erosion control measures applied under this section, the WISCONSIN CONSTRUCTION SITE BEST MANAGEMENT PRACTICE HANDBOOK shall be used in determining proper installation and maintenance. In granting a ~~special exception~~ conditional use permit under Section 16-5-61, the ~~Board of Adjustment~~ Planning and Zoning Committee shall attach the following conditions, where appropriate, in addition to those provisions specified in Sections 16-5-93 (b) and (c).

Sec. 16-5-93 (a), (b) and (c) are amended to read:

- (a) Application for a ~~Special Exception~~ Conditional Use Permit. Any use listed as a ~~special exception~~ conditional use in this Ordinance shall be permitted only after an application has been submitted to the Director of Planning and Zoning and a ~~special exception~~ conditional use permit has been granted by the ~~Board of Adjustment~~ Planning and Zoning Committee.
- (b) Standards Applicable to All ~~Special Exception~~ Conditional Uses.. In passing upon a ~~special exception~~ conditional use permit, the ~~Board of Adjustment~~ Planning and Zoning Committee shall evaluate the effect of the proposed use upon:
- (c) Conditions Attached to ~~Special Exceptions~~ Conditional Uses. Upon consideration of the factors listed above, the ~~Board of Adjustment~~ Planning and Zoning Committee shall attach such conditions, in addition to those required

elsewhere in this Ordinance, as are necessary to further the purposes of this Ordinance. Violations of any of these conditions shall be deemed a violation of this Ordinance. Such conditions may include specifications for, without limitation because of specific enumeration: type of shore cover; specific sewage disposal and water supply facilities; landscaping and planting screens; period of operation; operational control; sureties; deed restrictions; location of piers, docks, parking and signs; and type of construction. To secure information upon which to base its determination, the ~~Board of Adjustment~~ Planning and Zoning Committee may require the applicant to furnish, in addition to the information required for a Zoning Permit, the following information:

Sec. 16-5-93 (d), (e) and (f) are repealed.

Sec. 16-5-95 (a)(3) is repealed.

Sec. 16-5-95 (a)(4) is renumbered (3).

Sec. 16-5-95 (c)(1) and (2) are amended to read:

- (1) The Board of Adjustment shall fix a reasonable time for a hearing on the appeal or application. The Board shall give public notice thereof by publishing a Class 2 Notice under Chapter 985, Wisconsin Statutes, specifying the date, time and place of the hearing and the matters to come before the Board. Notice shall be mailed to the parties in interest. Written notice shall be given to the appropriate District Office of the Department at least 10 days prior to hearings on proposed Shoreland variances, ~~Special Exceptions (Conditional Uses)~~, and appeals for map or text interpretations.
- (2) A decision regarding the appeal or application shall be made as soon as practical. Copies of all decisions on Shoreland variances, ~~Special Exceptions (Conditional Uses)~~, and appeals for map or text interpretations shall be submitted to the appropriate District Office of the Department within ten (10) days after they are granted or denied.

Sec. 16-5-96 (a) through (f) are amended as follows and renumbered as (a) through (d).

The County Board may, by resolution, adopt fees for the following:

- (a) Zoning permits.
- (b) Certificates of Compliance.
- ~~(c) Planned Residential Unit Development reviews.~~
- (d) Public Hearings.
- (e) Legal notice publications.
- ~~(f) Special Exception permits.~~

Sec. 16-5-100 (m) is amended to read:

~~Special Exception (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 Board of Adjustment or, where appropriate, the Planning and Zoning Committee or County Board.~~

Daniel J. See, Chairman  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Cathleen M. Lathrop  
COLUMBIA COUNTY CLERK

DATE PASSED: October 16, 2002

DATE PUBLISHED: October 23, 2002

Chair See explained that the Ordinance before the Board was tabled last month and now includes the amendment at Section 16-1-4(d)(6).

Motion by Hamel, seconded by Newgent, to suspend the rules and have the second reading of the Ordinance by title only.

The motion carried unanimously.

Second reading of Ordinance.

Motion by Salzwedel, seconded by Stevenson, to suspend the rules and have the third reading of the Ordinance by title only.

There was discussion regarding minor versus major home occupations; new requirement to obtain a permit; and that the Planning and Zoning Committee will issue permits.

The motion carried unanimously.

Third reading of Ordinance.

Motion by Fitzgerald, seconded by Baumgartner, to adopt.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance 64-02.

On motion by J. Curtis, seconded by Martin, the meeting adjourned at 8:45 p.m., until Tuesday, November 12, 2002, at 9:45 a.m.  
The motion carried unanimously.

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
November 12, 2002  
9:46 A.M.

The Board of Supervisors of Columbia County convened in annual session at the Courthouse in Portage pursuant to law. The meeting was called to order by Chair Daniel J. See.

All members present, except Riley, absent.

Motion by Martin, seconded by Hamele, to approve the Journal of October 16, 2002. Motion carried unanimously.

The Clerk read a letter from the Wisconsin Department of Commerce regarding the Columbia Care Center's grant application for \$360,416 for energy conservation improvements. The facility was commended for their quality of services and safe working environment. Chair See stated the application was denied.

Chair See stated that Brent Miller, Human Resources Director, has been activated for up to a year starting December 2, 2002. Attorney Ruf will be serving as Human Resources Director in the interim and will move to that office.

Chair See announced the following: Keith Miller be reappointed to the Veterans Service Commission for a three year term to expire November, 2005. On motion by Baumgartner, seconded by DeYoung, the appointment was unanimously approved.

Chair See announced the election of the Columbia County Highway Commissioner for a two year term. Supervisor Kinney nominated Kurt Dey. The nomination was seconded by Andler. The motion carried unanimously.

Supervisors Tramburg, Kinney and See reported on the 2002 Wisconsin Counties Association Convention.

Chair See announced at 10:04 a.m. that the public hearing for the 2003 budget would be held.

Supervisor Tramburg commended the work and community service of recently deceased Finance Committee Chair Orrin Anderson.

Motion by Pufahl, seconded by Olson, that the Board be resolved into a committee as a whole for the purpose of holding a public hearing on the budget. The motion was carried unanimously.

The Clerk read the proposed budget as recommended by the Finance Committee.

The following were present for the budget hearing: Marc Playman, Cory Wiegel, Gene Mucciolo, Jeanne Miller, Penny Judd, Bill Crowley, Cathy Schmit, Chad Szymanski, Kurt Dey, Lois Schepp, Tom Pink, Sandra Roberts, Brent Miller, John Hartman, John Bluemke, Bill Casey, Amy Yamriska, Steve Rowe, Timmie Carlin, Jane Kohlwey and Susan Raimer.

Motion by Nelson, seconded by Stevenson, for the committee to adjourn. The motion carried unanimously.

Comptroller Lois Schepp gave a presentation on Columbia County's financial situation. She explained that before the County proceeds with the Huber and Highway Facility projects, consideration should be given to the State imposed mill rate freeze, reduced equalized value increases, expected decline of Federal and State revenues, government mandates, taxpayer ability to pay, increased delinquency in property tax payments, operating levy, and the present debt load. Comparisons were made between the financial situations of Columbia, Sauk and Dodge Counties.

Chair See stated that the County will lose \$500,000 in revenue for housing State inmates if overcrowding is not addressed. Last month booklets outlining options for the Huber Facility were made available for Supervisor review. A full report on the options will be submitted at next month's Board meeting.

**RESOLUTION NO. 58-02**

WHEREAS, the Columbia County Board hereby finds and determines that it is necessary, desirable, and in the best interest of the County to raise funds for the purpose of paying or reimbursing the County for the costs of engineering, land acquisition, and construction of two highway salt storage facilities and also to pay for any related financing costs on the note and there being insufficient funds on hand to pay said costs; and

WHEREAS, the County Board hereby finds and determines that the project is within the County's power to undertake and serves a public purpose as that term is defined in sec. 67.04(1)(b) Wis. Stats.; and

WHEREAS, Counties are authorized by the provisions of sec. 67.12(12) Wis. Stats. to borrow money and to issue general obligation promissory notes for such public purposes; and

WHEREAS, the County Board previously adopted Resolution No. 36-02 authorizing the application of \$1,200,000.00 from Highway Retained Earnings to Highway Salt Facilities Construction Account for engineering, land acquisition, and construction of two highway salt storage facilities and construction of the two highway salt storage facilities is currently in progress; and

WHEREAS, it is now in the County's interest to apply \$1,200,000.00 from Highway Retained Earnings to the 2003 Highway and Transportation operating budget and borrow \$1,200,000.00 plus any financing costs; and

WHEREAS, any expenditures already paid by the County will be reimbursed from the proceeds of this borrowing.

NOW, THEREFORE, BE IT RESOLVED by the Columbia County Board that for the purpose of paying for the above mentioned costs of engineering, land acquisition, and construction of two highway salt storage facilities there shall be borrowed pursuant to sec. 67.12(12) Wis. Stats. the principal sum of \$ 1,200,000.00 the lender yet to be determined and the Chairman and the County Clerk are hereby authorized, empowered, and directed to make, execute, and issue in itself to the purchaser for, on behalf of, and in the name of the County, a general obligation promissory note aggregating the principal amount of ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000.00) plus financing costs at terms and interest rates yet to be negotiated by the Columbia County Finance Committee; and

IT IS FURTHER NOTED, that in accordance with sec. 148(f)(4)(D) of the Internal Revenue Code, the County covenants that it is a governmental unit with general taxing powers; that the note to be issued is not a private activity bond and that 95% or more of the net proceeds of the note is to be used for local government activities of the County thus qualifying the County for the small issue or exemption from the rebate requirements of the Internal Revenue Code and the County further covenants that it will take all necessary steps to comply with such requirements; and

BE IT FURTHER RESOLVED, that the County hereby designates the note to be a “qualified tax-exempt obligation” pursuant to the provisions of sec. 265(b)(3) of the Code and in support of such designation, the County Clerk, or other officer of the County charged with the responsibility for issuing the note, shall provide an appropriate certificate of the County, all as of the Closing.

Michael J. Kinney  
Debra L.H. Wopat  
Susan Martin, Secretary  
John H. Tramburg, Vice Chair  
~~Orrin Anderson, Chair~~  
FINANCE COMMITTEE

On motion by Nelson, seconded by Andler, the Resolution was unanimously adopted.

**RESOLUTION NO. 59-02**

WHEREAS, The municipality hereinafter named has filed a petition for County Aid in the construction of a bridge under Section 81.38 of the Statutes, said petition is hereby granted, and the county’s share is appropriated as follows:

<u>County</u>	<u>Bridge</u>	<u>Amount Raised</u>	<u>Amount of</u>
<u>Municipality</u>		<u>By Local Unit</u>	<u>Aid Granted</u>
Town of Columbus	Duborg Road	\$ 3,152.00	\$ 1,576.00
Town of Leeds	Kroncke Road	\$ 9,800.00	\$ 4,900.00
Town of West Point	Reynolds Road	\$ 14,000.00	\$ 7,000.00

The County Board does hereby levy a tax of Thirteen Thousand, Four Hundred Seventy-Six Dollars (\$13,476.00) to meet said appropriation on all of the property on the county, which is taxable for such purpose.

Warning: It is directed that provision for this levy shall be made in the County Budget, but that this levy shall not be duplicated.

Donald Nelson  
Vincent Curtis  
Robert Andler  
Daniel Amato  
Michael Kinney  
HIGHWAY COMMITTEE

On motion by V. Curtis, seconded by Kinney, the Resolution was unanimously adopted.

**RESOLUTION NO. 60-02**

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 2003 under the provisions of Section 20.395 and Chapter 83 of the Statutes, and the additional sums herein appropriated, shall be expended as hereinafter set forth:

SECTION II. COUNTY TRUNK HIGHWAY ALLOTMENT. WHEREAS the Division of Highways has notified the County Clerk that a sum of money estimated to be One Million, Two Hundred, Eighteen Thousand, One Hundred Eighty Dollars (\$1,218,180.00) will become available at the end of the fiscal year under the provisions of Section 83.03 and 20.395 (2)(yb) and (2)(yd) 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>
Arlington	Richards Rd	\$ 8,085.00
Caledonia	Petra Rd, Ruemen Rd, Moran Rd	13,224.75
Columbus	Sanderson Rd, Weiner Rd, Kitzerow Dr, Osterhoff Dr	8,795.50
Courtland	Cemetary Rd,	5,215.00
Dekorra	Wildwood Way	10,039.75
Fort Winnebago	Hogan Rd	6,370.00
Fountain Prairie	Palmer Rd, Fields Rd, Grady Rd	7,810.25
Hampden	Kranz Rd	7,413.00
Leeds	Kampden Rd, Kroncke Rd, Hall Rd, Parsonage Dr	8,601.25
Lewiston	Anacker Rd	8,218.00
Lodi	McGowan Rd, Wells Rd	5,640.25
Lowville	Dunning Rd	8,079.75
Marcellon	Turner Rd, Ashley Dr	7,787.50
Newport	Ingebretson Rd	5,332.25
Otsego	Otsego Rd	8,137.50
Pacific	Dunning Rd	4,186.00
Randolph	Friesland Rd, Bird Rd	6,928.25
Scott	Dykstra Rd, Kamrath Rd	6,209.00
Springvale	Thran Rd, Palmer Rd, Welch Prairie Rd	8,288.00
West Point	Steckleberg Rd, Yngsdal Rd	6,973.75
Wycena	Lintner Rd	8,127.00

<u>VILLAGES</u>	<u>NAME OF ROAD</u>	<u>COUNTY APPROPRIATIONS</u>
Arlington		0 -
Cambria	Florence St	3,500.00
Doylestown		0 -
Fall River	Church St	3,500.00
Friesland		- 0 -
Pardeeville	Morton St, Lintner St	3,500.00
Poynette		- 0 -
Randolph		- 0 -
Rio	Railroad St, Lowville Rd, Wells St	3,500.00
Wycena	Columbus St, Skare Rd	3,500.00

<u>CITIES</u>	<u>NAME OF ROAD</u>	<u>COUNTY APPROPRIATIONS</u>
Columbus	CTH "K"	3,500.00
Lodi	St. Joe, View St	2,000.00
Portage	West Carroll St	9,367.75
Wisconsin Dells		- 0 -
<b>TOTAL</b>		<b>\$191,829.50</b>

SECTION IV. WHEREAS it appears that certain additional highway improvements in the county are necessary and warranted.

BE IT FURTHER RESOLVED that the County Board does hereby appropriate the following sums for the purpose hereinafter set forth:

(1) For Administration, 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 Six Hundred Fifty-Eight Thousand, Three Hundred Ninety-Two Dollars (\$658,392.00).

(2) For Highway Office Operating Expense, the sum of Twenty-Three Thousand, Six Hundred Fifty-Seven Dollars (\$23,657.00).

(3) For Winter Maintenance, the sum of One Million, Seventy-Six Thousand, One Hundred Eighty-Five Dollars (\$1,076,185.00).

(4) The sum of Two Million, Four Hundred Thousand, One Hundred Three Dollars (\$2,400,103.00) for Road and Bridge Construction on the County Trunk Highway System.

(5) For General Public Liability, the sum of One Hundred Thirteen Thousand, Four Hundred Ninety-Two Dollars (\$113,492.00).

(6) Buildings and Grounds, the sum of Twenty-One Thousand Dollars (\$21,000.00).

(7) For Maintenance of the County Trunk Highway System, Nine Hundred Eighty-Six Thousand, One Hundred Thirty-Nine Dollars (\$986,139.00).

(8) Capital Outlay Pool for the acquisition of capital assets (General Fund 620.8020.844000.015), Nine Hundred, Thirty Thousand Dollars (\$930,000.00).

(9) Capital Outlay Pool for the acquisition of Park assets (General Fund 620.8020.844000.016), Four Thousand, Five Hundred Fifty-Two Dollars (\$4,552.00)

(10) For Maintenance of the State Trunk Highway System, Four Million, Two Hundred Ninety-Seven Thousand, Five Hundred Twenty-six Dollars (\$4,297,526.00).

(11) For Maintenance of the Towns, Villages, and Cities System, One Million, Nine Hundred Forty-Five Thousand, Six Hundred, Twenty Dollars (\$1,945,620.00).

(12) For Maintenance of Miscellaneous Accounts, Five Hundred Eighty-Three Thousand, Five Hundred Eighteen Dollars (\$583,518.00).

(13) County Parks, the sum of Twenty-One Thousand, Five Hundred, Thirty-Three Dollars (\$21,533.00).

TOTAL AUTHORIZED IN THIS SECTION (\$13,061,717.00)

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 under Section 83.14 as provided by Section III hereof, the sum of One Hundred Ninety-One Thousand, Eight Hundred Thirty Dollars (\$191,830.00).

(2) For the various purposes as set forth in Section III and Section IV hereof, the sum of Thirteen Million, Two Hundred Fifty-Three Thousand, Five Hundred Forty-Seven Dollars (\$13,253,547.00), minus Revenue and Equity applied of Nine Million, Nine Hundred Seventy-Four Thousand, Seven Hundred Seventy-Four Dollars (\$9,974,774.00) and capital outlay pool for the acquisition of capital assets (General Fund 620.8020.844000.015) of Nine Hundred, Thirty Thousand Dollars (\$930,000.00) and minus capital outlay pool for the acquisition of park assets (620.8020.844000.016) of Four Thousand, Five Hundred Fifty-Two Dollars (\$4,552.00) equals the net amount of Two Million, Three Hundred Forty-Four Thousand, Two Hundred Twenty-One Dollars (\$2,344,221.00).

WARNING: It is directed that 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.

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 patrolmen, laborers, foremen, clerks, stenographers, or other employees necessary to carry on such activities.

Donald Nelson  
Vincent Curtis  
Robert Andler  
Daniel Amato  
Michael Kinney  
HIGHWAY COMMITTEE

On motion by Andler, seconded by Stoltenberg, the Resolution was unanimously adopted.

## RESOLUTION NO. 61-02

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 2003 with total expenditures of ~~\$54,052,995~~ \$54,137,995 and total revenues and equity applied of \$39,259,116.

BE IT FURTHER RESOLVED that a County Tax of ~~\$14,125,299~~ \$14,210,299 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 \$367,693 be levied on the taxable property of the County except that part in the Villages of Cambria, Pardeeville, Poynette, Randolph, Rio, and the Cities of Columbus, Lodi, Portage, and Wisconsin Dells, and

That a Recycling Tax of \$295,452 be levied on the taxable property of the County except in the Townships of Newport and Pacific and the City of Wisconsin Dells, and

That a State Tax for forestry of \$679,467.84 and a special charge for charitable and penal purposes of \$5,435 be levied upon all the taxable property of the County as certified by the State Department of Administration.

John H. Tramburg  
Debra L.H. Wopat  
Michael Kinney  
Susan Martin  
~~Orrin K. Anderson~~  
FINANCE COMMITTEE

Motion by Wopat, seconded by Pufahl, to adopt.

Supervisor Tramburg explained that the Finance Committee recommends that the budget be amended to include an increase in the Contingency Fund of \$85,000. This will put the County within \$3,831 of the mill rate freeze. These funds are not earmarked

for any particular project. Any funds not used will lapse into next year's budget.

Motion by Tramburg, seconded by Nelson, to amend the Resolution to add \$85,000 to the Contingency Fund, thereby increasing the County levy to \$14,878,879 and the mill rate to 4.412. The amendment was unanimously approved.

Supervisor Hamele proposed an additional amendment to freeze capital outlay purchases until March 1, 2003.

Supervisor Tramburg indicated the Finance Committee has imposed a temporary freeze on a month to month basis but cannot impose it overall as there are certain areas that must be addressed. At the December Finance Committee meeting, the Sheriff and Highway Commissioner will discuss proposed 2003 purchases.

Attorney Ruf indicated it would be best to approve the budget and deal with outlay purchases as a separate item.

Supervisor Hamele withdrew his motion to amend.

The Resolution, as amended, was unanimously approved.

## **BUDGET FOR THE YEAR 2003**

### **EXPENDITURES**

#### **GENERAL FUND**

##### **GENERAL:**

County Board	76,600
Commissions and Committees	73,200
Safety & OSHA Compliance	12,600
Railroad Consortium Contract	0
Circuit Court-Branch I	4,776
Circuit Court-Branch II	4,119
Circuit Court-Branch III	4,008
Register in Probate	150,344
Clerk of Courts	703,388
County Court Commissioner	42,000
Coroner	65,946
County Clerk	282,898
Elections	17,965
State Special Charges	5,435
Human Resources & Personnel	249,481
Unemployment Control	15,000
Employee Retirement Payout Pool	80,000
HIPAA	20,000
MIS Operations	634,543
Information Technology	169,725
Land Records Modernization	0
County Accounting	448,842
Single Audit	20,650
Indirect Cost Allocation Plan	6,490
County Treasurer	200,141
Tax Deed Expense	7,500
District Attorney	379,534
Corporation Counsel	109,597
Child Support	696,160
Register of Deeds	222,635
Land Information	602,342
Land Records Expendable Trust	40,000
Remonumentation	128,625
County Database Integration	0
Buildings & Grounds Administration	114,436
Carl Frederick Administration Building	257,919
John Roche County Services Building	178,146
Annex Building	43,616
Columbia County Job Center	20,616
Pathfinder House	2,014
Old Recycling Center	2,000

Property, Liability, Auto Insurance	548,200
Workers Compensation/Boiler Insurance	568,300
Planning and Zoning	611,101
Comprehensive Planning Grant	<u>45,400</u>
<b>TOTAL GENERAL GOVERNMENT EXPENDITURES</b>	<b>7,866,292</b>
<b>PUBLIC SAFETY:</b>	
County Jail/Safety Bldg Maintenance	428,079
Emergency Management	71,867
S.A.R.A.	41,011
Haz-Mat Program	19,975
Sheriff Administration	3,491,158
Snowmobile and Water Patrol	20,901
Columbia County Dive Team	15,175
Drug Education and Enforcement	92,595
County Jail	2,664,339
9-1-1	<u>178,685</u>
<b>TOTAL PUBLIC SAFETY EXPENDITURES</b>	<b>7,023,785</b>
<b>PUBLIC WORKS:</b>	
Solid Waste Administration	196,577
Recycling Operation	661,191
Co-Composting	<u>1,172,362</u>
<b>TOTAL PUBLIC WORKS EXPENDITURES</b>	<b>2,030,130</b>
<b>HEALTH &amp; HUMAN SERVICES:</b>	
Veterans Service Office	122,853
Veterans Relief	19,000
<b>TOTAL HEALTH &amp; HUMAN SERVICES EXPENDITURES</b>	<b>141,853</b>
<b>EDUCATION, YOUTH DEVELOPMENT AND CULTURE:</b>	
Library System	368,124
University Extension Program	336,540
Fairs and Exhibits	11,473
Snowmobile Trail Grant	<u>56,925</u>
<b>TOTAL EDUCATION, YOUTH DEVELOPMENT AND CULTURE EXPENDITURES</b>	<b>773,062</b>
<b>CONSERVATION &amp; ECONOMIC DEVELOPMENT:</b>	
Agricultural Clean Sweep Program	0
Household Clean Sweep Program	0
Land & Water Conservation	354,462
Conservation Congress	385
Wildlife Damage Grant	35,000
Conservation Fund Project	4,240
Land Conservation Tree Program	31,650
Land & Water Resource Plan	70,000
CREP Program	0
Land & Water Local Project Assistance	7,500
Town of Lodi Ag Shoreland Program	0
Beaver Dam Watershed Project	32,958
Neenah Creek Watershed Project	28,827
Yahara/Lake Mendota Watershed Project	24,256

Community Action Council	7,500
Economic Development	48,295
Housing Authority	499
<b>TOTAL CONSERVATION &amp; ECONOMIC DEVELOPMENT EXPENDITURES</b>	<b>645,572</b>

**DEBT SERVICE:**

Fiscal Charges	75
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**CAPITAL OUTLAY POOL:**

Total Capital Outlay	865,746
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<b>TOTAL GENERAL FUND EXPENDITURES</b>	<b>19,346,515</b>
<b>GENERAL FUND TAX LEVY</b>	<b>7,527,046</b>

**HEALTH & HUMAN SERVICES FUND**

Mental Health Services	1,105,231
Alcohol & Drug Abuse	143,298
Intoxicated Driver Program	50,000
Income Maintenance Administration	747,294
WHEAP Program	53,555
HS Medication Asst. Program	5,400
Agency Management	259,563
Family Court Mediator	26,337
Support and Overhead	917,371
Long Term Support	5,723,893
LTS-Personal Care Program	231,607
Children's Protective Services	1,274,673
Youth & Family Aids	1,082,211
Health Services	642,892
Health Check	12,978
State Consolidated Health Contract	131,271
WIC Program	102,944
Communicable Disease Control	20,375
Aging Administration	63,158
111-B Supportive Services	64,063
111-C1 Congregate Meals	208,796
111-C-2 Home Delivered Meals	144,541
111-D Preventive Health	4,129
National Family Caregiver Support	18,897
State Senior Community Services	7,771
St. Elderly Benefit Specialist	28,215
Elderly Transportation	114,647
Aging Foot Clinic	2,700
Ensure Supplement Program	17,043

<b>TOTAL HUMAN SERVICES FUND EXPENDITURES</b>	<b>13,204,853</b>
<b>HUMAN SERVICES FUND TAX LEVY</b>	<b>2,954,434</b>

**DEBT SERVICE FUND**

Debt Service-County Jail	707,288
Debt Service-Space Needs Building	250,305
Debt Service-Sheriff Computer	171,105
Debt Service-Unfunded Liability	<u>348,038</u>

<b>TOTAL DEBT SERVICE FUND EXPENDITURES</b>	<b>1,476,736</b>
<b>DEBT SERVICE FUND TAX LEVY</b>	<b>978,698</b>

**COLUMBIA HEALTH CARE CENTER FUND**

Nursing Administration	204,255
Registered Nurses	546,066
Licensed Practical Nurses	500,884
Nurses Aides	2,020,542
Administration Assistants	85,784
Other Expense-Nursing	482,690
Pharmacy	115,500
Physician Care	19,860
Social Services Administration	65,621
Social Services Personnel	96,207
Other Expense-Social Services	100
Activity Administration	58,419
Activity Aide	123,632
Other Expense-Activity	5,915
Dietary Administration	58,078
Dietary Personnel	401,436
Other Expense-Dietary	263,084
Plant Operation Administration	58,642
Plant Operation Personnel	91,662
Other Expense-Plant Operations	224,500
Motor Vehicle	2,600
Housekeeping-Administration	44,112
Housekeeping-Personnel	313,063
Other Expense-Housekeeping	25,150
Laundry Administration	14,695
Laundry-Personnel	92,624
Other Expense-Laundry & Linen	25,000
Administrator	104,809
General Administration	207,896
Medical Records	48,017
Accounting	53,038
Other Expense-Administration	146,416
Fixed-Administration	185,286
Capital Outlay - Nursing	<u>72,285</u>
TOTAL COLUMBIA HEALTH CARE CENTER FUND EXPENDITURES	6,757,868
COLUMBIA HEALTH CARE CENTER FUND TAX LEVY	41,452

**HIGHWAY INTERNAL SERVICE FUND**

Highway Administration	448,947
Supervision	192,218
Radio Expenses	17,227
General Public Liability	113,492
Buildings and Grounds Repairs	21,000
Wyocena Highway Office	23,657
County Trunk Highway Maintenance	986,139
Winter Maintenance on C.T.H.	1,076,185
Road & Bridge Construction on C.T.H.	2,400,103
Routine Maintenance on State Highways	2,318,476
Snow & Ice Control on State Highways	1,795,489
Road & Bridge Construction on State	183,561
Maintenance - Towns, Villages & Cities	1,945,620
County Aid Road Construction	191,830
County Aid Bridge	13,476

Miscellaneous Projects-Other	583,518
County Parks	21,533
Capital Outlay Pool	<u>934,552</u>
<b>TOTAL HIGHWAY INTERNAL SERVICE FUND EXPENDITURES</b>	<b>13,267,023</b>
<b>HIGHWAY INTERNAL SERVICE FUND TAX LEVY</b>	<b>3,292,249</b>
<b>GRAND TOTAL EXPENDITURES</b>	<b>54,052,995</b>

<b><u>GENERAL FUND</u></b>	<b><u>REVENUES</u></b>
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**TAXES:**

County Sales Tax	2,100,000
Real Estate Transfer Fees	110,000
Interest on Taxes	180,000
Penalty on Taxes	<u>90,000</u>
<b>TOTAL TAX REVENUE</b>	<b>2,480,000</b>

**INTERGOVERNMENTAL GRANTS & AIDS:**

State Aid-Child Support	476,760
Child Support Incentives	90,000
Anti Drug Abuse Grant	48,000
Federal Emergency Assistance	23,798
Shared Taxes From State	1,311,072
State Aid-Exempt Business Computer	34,000
State Aid-Court Costs	210,000
State Aid-Guardian Ad Litem Costs	62,000
Indirect Cost Reimbursement from State	50,000
State Aid-Victim Witness Asst.	77,270
State Aid-Land Info GPS Project	300
State Aid-Water Patrol	10,400
Law Enforcement Training	13,860
State Aid-Hazmat Reimbursement	10,000
State Aid-SARA	31,583
Veterans Service Officer Grant	11,500
State Aid-Recycling Grant	164,000
Snowmobile Aids	56,925
State Aid-Agricultural Clean Sweep	0
State Aid-Great Lakes Ag Clean Sweep	0
State Aid-Land Conservation	126,754
Wildlife Damage Program Grant	35,000
State Aid-Conservation Fund	2,120
State Aid-Soil & Water Resource Plan	70,000
State Aid-Yahara Watershed Project	24,256
State Aid-Beaver Dam Watershed	32,958
State Aid-Neenah Creek Watershed	<u>28,827</u>

<b>TOTAL INTERGOVERNMENT GRANTS &amp; AIDS REVENUES</b>	<b>3,001,383</b>
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**LICENSES AND PERMITS:**

County Clerk Fees	350
Marriage License Fees	5,500
DNR Fees	600

Federal Duck Stamp Fee	50
License Plate Sales	4,600
LCD – Animal Waste Permits	<u>1,250</u>
<b>TOTAL LICENSES &amp; PERMITS</b>	<b>12,350</b>
<b>FINES, FORFEITURES &amp; PENALTIES:</b>	
County Ordinance Forfeitures	210,000
County Share Fines/Bond Forfeitures	200,000
County Share/Occupational Licenses	<u>300</u>
<b>TOTAL FINES, FORFEITURES &amp; PENALTIES REVENUES</b>	<b>410,300</b>
<b>PUBLIC CHARGES FOR SERVICES:</b>	
Circuit Court Fees & Costs	175,000
Register in Probate Fees	30,000
Cremation Fees	19,500
Death Certificate Fees	9,600
Morgue Fees	200
Tax Searches/Miscellaneous	600
Tax Deeds in Rem – Charges	3,000
Garnishment Fees	1,560
DA Restitution Surcharge	6,600
DA Copy Revenue	5,700
Genetic Tests/Court Fees	5,000
Register of Deeds Fees	185,000
Register of Deeds Certificate Fees	25,000
Sheriff Fees	60,000
Sale of Accident Photos	6,000
Sheriff Deputy Contract Revenue	287,000
Revenue from Radio Tower Lease	36,000
Huber Board/Other Revenue	220,000
Board of Prisoners-Jail	550,000
Prisoner Medical Reimbursement	12,000
Zoning Fees and Permits	236,389
Recycling Revenues	140,000
Tipping Fees	511,500
Fees-Non-Compostible Items	195,000
Brush/Leaves Removal Fee	13,000
U.W. Sale of Bulletins	600
LCD – Aerial Imagery Fees	100
Housing Authority Revenue	<u>499</u>
<b>TOTAL PUBLIC CHARGES FOR SERVICES</b>	<b>2,734,848</b>
<b>INGOVERNMENT CHARGES:</b>	
MIS Revenue from Departments	68,976
Accounting Administration Revenue	18,000
Revenue from Departments – Audit	7,247
Insurance Revenue from Departments	426,800
Revenue from Departments – W/C & Boiler Ins.	511,000
Insurance Recoveries	30,000
Municipal Haz-Mat Reimbursement	9,975
Recycling – Contract Revenue	61,739
LCD – Administration Revenue	<u>2,200</u>
<b>TOTAL INGOVERNMENT CHARGES</b>	<b>1,135,937</b>

**MISCELLANEOUS REVENUES:**

Interest on Revenues	600,000
Copy Revenue – Coroner	50
Copy Revenue – Register of Deeds	50,000
Copy Revenue-Land Information	1,500
Xerox Revenue-Treasurer	275
Local Ballot Cost	4,300
Rent – Frederick Building	300
Rent – Roche Building	140,499
Rent – Annex Building	4,446
Rent – County Job Service Building	22,471
Rent – Old Recycling Center	1,000
Sale Maps/Notices/Searches	4,500
Sale of Flags	2,600
UW Extension – Copy Revenue	6,000
LCD – Sale of Trees	34,950
Sale of Auto – Sheriff	<u>21,000</u>
TOTAL MISCELLANEOUS REVENUES	893,891
TOTAL REVENUES - GENERAL FUND	10,668,709

**HUMAN SERVICES FUND****INTERGOVERNMENTAL GRANTS & AIDS:**

State Aid-Prenatal Care Coordinator	25,895
Health Check	12,059
State Aid-Consolidated Health Program	131,271
State Aid - WIC	102,944
State Aid – BCA	7,389,694
State Aid – Income Maintenance	663,197
State Aid – Child Care & Development	46,598
State Aid – Administration	44,415
State Aid – Youth Aids	331,571
State Aid – Juvenile Accountability	9,837
State Aid – Community Intervention	11,680
State Aid – WHEAP	53,555
MA – Personal Care	187,000
Community Reduct	41,707
State Aid – 111-B Supportive Services	53,635
State Aid – COA 111-C1 Meals	125,444
State Aid – COA 111-C2 HDM	30,074
State Aid – COA – 111-D Preventative Health	4,129
State Aid – COA 111-Caregiver	18,631
State Aid – COA Senior Comm Services	7,771
State Aid – COA Benefit Specialist	28,215
State Aid – Transportation	77,855
State Aid – USDA	12,100
State Aid – USDA – Home Delivered Meals	17,000
State Aid – USDA – Ensure	<u>3,200</u>
TOTAL INTERGOVERNMENTAL GRANTS	9,429,477

**PUBLIC CHARGES FOR SERVICES:**

Flu Vaccine	14,400
Hepatitis B Vaccine	2,000
Pneumonia Vaccine	1,125
TB Vaccine	250
Meningococcal Vaccine	2,600

Flouride	90
Copying Revenue	3,000
Mediator Fees	6,000
3 <sup>rd</sup> Party Collections – MH	30,000
3 <sup>rd</sup> Party Collections – LTS	1,000
3 <sup>rd</sup> Party Collections – AODA	5,500
3 <sup>rd</sup> Party Collections – IM	49,100
Birth-3 Collections	2,000
IDP Collections	80,000
CPS – Substitute Care Collections	50,000
Youth & Family Collections	50,000
LTS Substitute Care Collections	12,400
HS Medication Assistance Program	400
LTS Cost Share	15,000
Personal Care Revenue	2,900
MA Case Management Revenue – MH	250,000
MA Case Management Revenue – LTS	4,000
MA Case Management Revenue – CPS	22,000
111-B Supportive Services Program	5,500
111-C1 Congregate Meals Program	53,863
111-C2 HDM Program	93,643
Commission on Aging TransportationProgram	21,221
Aging Foot Clinic Revenue	2,700
Ensure Program Income	<u>13,843</u>
TOTAL PUBLIC CHARGES FOR SERVICES	794,535
TOTAL HUMAN SERVICES FUND REVENUES	10,224,012

**COLUMBIA HEALTH CARE CENTER**

State Aid - Intergovernmental Transfer	800,000
<b>Medicaid</b>	
SSC-Medicaid	0
Patient-Medicaid SNF2	2,771,428
Patient-Medicaid ICF LTD	259,816
Appeal & FFP	14,000
M.A. Provider Assessment	<u>-38,240</u>
TOTAL MEDICAID REVENUE	3,007,004
Medicare	
Room & Board-Medicare	615,509
P.T.-Medicare-Part A	187,000
O.T.-Medicare-Part A	192,800
Speech-Medicare-Part A	35,200
Adjustment-Medicare	36,863
Drugs-Medicare	100,000
O.T. Medicare-Part B	16,100
P.T. Medicare-Part B	21,900
Speech Medicare-Part B	12,700
R.T. Supplies-Medicare	15,900
Enterals-Medicare	22,000
Medicare Outpatient	11,200
Medicare A-Xray	2,000
Medicare A-Lab	27,000
Medicare A-DME	4,400
TOTAL MEDICARE REVENUE	1,300,572
TOTAL INTERGOVERNMENTAL GRANTS	5,107,576

<b>Private-Revenue</b>	
Bed Hold Charges-Private	24,160
Private Pay-SNF East	264,102
Private Pay - SNF	905,515
PT - OP - PP	20,100
Private Room Premium	42,360
Private Pay - Patient - ICFE	<u>60,329</u>
TOTAL PRIVATE-REVENUE	1,316,566

<b>Other Public Charges</b>	
Employee Meals	<u>4,500</u>
TOTAL PUBLIC CHARGES FOR SERVICE	1,321,066

<b>Miscellaneous Revenue</b>	
Interest-Depository Account	450
Rental Income	12,000
Catering Revenue	200
Misc. Revenue-Other	4,000
Level 1 Nursing Screening	3,000
Nursing Assistant Training	<u>5,000</u>
TOTAL MISCELLANEOUS REVENUE	24,650

TOTAL COLUMBIA HEALTH CARE CENTER FUND REVENUES	6,453,292
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<b><u>HIGHWAY INTERNAL SERVICE FUND</u></b>	
State Transportation Aids	1,218,180

<b>Revenue from State</b>	
Revenue from State – Supervision	96,109
Revenue from State – Radio	5,993
Revenue from State – GPL	18,828
Routine Maintenance State	2,318,476
Snow & Ice Control	1,795,489
Road & Bridge Construction	183,561
Records & Reports-State	<u>105,000</u>
TOTAL REVENUE FROM STATE	4,523,456

<b>Revenue from Districts</b>	
General Maintenance	1,945,620
Records & Reports - Districts	65,000
Records & Reports-County Aid	35,000
Revenue from Maintenance-General	<u>583,518</u>
TOTAL REVENUE FROM DISTRICTS	2,629,138

Snow Removal Revenue	<u>4,000</u>
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TOTAL HIGHWAY INTERNAL SERVICE FUND REVENUES	8,374,774
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<b>INTERDEPARTMENTAL CHARGE:</b>	
Unfunded Liability Cost Pool - Debt	348,038

<b>GRAND TOTAL REVENUES</b>	<b>36,068,825</b>
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**EQUITY**

Sales Tax Applied	600,000
General Fund Applied	402,500
Reserve For Contingencies	-122,000
Equity Applied-Non-Lapsing	269,829
Equity Applied-Special Tax District	431
Aging - Equity Applied	26,407
Jail Assessment-Equity Applied	150,000
Columbia Health Care Center-ITP Equity	263,124
Highway Fund-Equity Applied	1,600,000
<b>TOTAL EQUITY APPLIED</b>	<b>3,190,291</b>
<b>GRAND TOTAL OF EXPENDITURES</b>	<b>54,137,995</b>
<b>LESS GRAND TOTAL OF REVENUE</b>	<b>- 36,068,825</b>
<b>LESS TOTAL EQUITY APPLIED</b>	<b><u>- 3,190,291</u></b>

**GRAND TOTAL TAX LEVY 14,878,879**

LESS THE FOLLOWING SPECIAL TAX  
LEVIES ALREADY INCLUDED IN ABOVE  
EXPENDITURES:

Library Tax	367,693
Recycling Tax	295,452
State Special Charge	5,435

**TOTAL COUNTY TAX 14,210,299**

**RESOLUTION NO. 62-02**

WHEREAS, Orrin Anderson, of Wisconsin Dells, Wisconsin, recently passed away at the age of 72, and  
WHEREAS, prior to his death Orrin Anderson faithfully served the residents of Columbia County as a member of the  
Columbia County Board of Supervisors, and  
WHEREAS, Mr. Anderson was elected to serve on the Columbia County Board of Supervisors to represent District 1 from  
September 18, 1974, until November 1, 2002, and  
WHEREAS, Mr. Anderson was elected and served as Vice Chair of the Board of Supervisors from April, 1978, until April,  
1980, and  
WHEREAS, Mr. Anderson was elected and served as Chair of the Board of Supervisors from April, 1980, until April, 1982,  
and  
WHEREAS, Mr. Anderson served on the following committees: Social Services Board, Health and Education; Community  
Action Council; County Home and Farm Board; Executive; Finance, Salary and Personnel; Human Services Board; Legislative;  
Inter-County Coordinating; Data Processing; Agriculture, Extension Education and Resource Development; Soil and Water  
Conservation District Supervisors; County Home; Insurance; Finance; Land Information; Farm Progress Days Executive; Columbia  
Care Center; and Revolving Loan Fund.  
NOW, THEREFORE, BE IT HEREBY RESOLVED that this Resolution be entered into the official records of the  
Columbia County Board of Supervisors in recognition of Orrin Anderson’s service to his county, his country, and his community,  
and that a copy be sent to his family.

- |                            |                      |                       |
|----------------------------|----------------------|-----------------------|
| Donald P. Nelson           | Robert L. Hamele     | Kenneth W. Hutler     |
| Kenneth E. Olson           | J. Robert Curtis     | Richard C. Boockmeier |
| <del>Edward P. Riley</del> | Michael J. Kinney    | Vincent D. Curtis     |
| John H. Healy              | Don DeYoung          | JoAnn Wingers         |
| Harlan Baumgartner         | Debra L. H. Wopat    | Barry Pufahl          |
| Susan Martin               | Frank Newgent        | Neil M. Ford          |
| Claire R. Robson           | Andy Ross            | Robert J. Stoltenberg |
| Robert J. Andler           | Daniel Amato         | Gerald L. Salzwedel   |
| Jack Sanderson             | John H. Tramburg     | Daniel J. See         |
| Robert Westby              | Eugene M. Fitzgerald | John G. Stevenson     |

Motion by Tramburg, seconded by Nelson, to adopt. The Board stood in a moment of silence to pass the Resolution.

**RESOLUTION NO. 63-02**

WHEREAS, in Resolution No. 56-02, the Columbia County Board of Supervisors recommended implementation of a plan, referred to as Study 9, that was developed by Columbia County Highway and Transportation to improve railroad and vehicle safety on Williams Road in the Town of Otsego; and,

WHEREAS, as described in Resolution No. 56-02, implementation of Study 9 will require jurisdiction of parts of several roads to be transferred between the Village of Rio, Town of Otsego and Columbia County; and,

WHEREAS, in light of the recent approval of Study 9 by the State Railroad Commissioner, approval for the jurisdictional transfers of roads referred to in Resolution No. 56-02 is now required;

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors hereby authorizes Columbia County Highway and Transportation to make changes to the County Highway system as follows:

- 1) Redesignate a portion of CTH BZ starting at the intersection of CTH B and Nagle Road and ending at the beginning of Old Z Road as CTH B;
- 2) Transfer Old Z Road between CTH BZ and the Village of Rio from the Town of Otsego to Columbia County and designate it as a portion of CTH B.
- 3) Transfer a portion of East Rio Street and Lincoln Avenue starting at Old Z Road and ending at STH 16 from the Village of Rio to Columbia County and designate it as a portion of CTH B;
- 4) Transfer a portion of CTH BZ starting at STH 16 and ending at Long Crossing Road from Columbia County to the Town of Otsego to become a Town Road; and,
- 5) Transfer a portion of CTH BZ starting at Long Crossing Road and ending at Old Z Road from Columbia County to the Town of Otsego to become a Town Road;

BE IT FURTHER RESOLVED, that the Columbia County Highway Commissioner is authorized to take the necessary actions and execute all documents required to complete the jurisdictional transfers and make the changes to the Columbia County Highway system referred to in Resolution No. 56-02 and this Resolution.

Daniel Amato  
 Vincent D. Curtis  
 Michael J. Kinney  
 Robert J. Andler  
 Donald P. Nelson  
 HIGHWAY COMMITTEE

On motion by V. Curtis, seconded by Stevenson, the Resolution was unanimously adopted.

**RESOLUTION NO. 64-02**

WHEREAS, the comprehensive salary survey was put into place in 2002, and

WHEREAS, the ratified 2002 labor contracts for the Courthouse, Nurses and Professional Unions included additional steps, and

WHEREAS, several employees have incurred benefit changes, and

WHEREAS, The Contingency Fund was budgeted at an amount to include these payments.

NOW, THEREFORE, BE IT RESOLVED, that the sum of \$98,043 be transferred from the Contingency Fund and appropriated to the respective departmental accounts as follows:

<u>Department</u>	<u>Salary</u>	<u>Fringe Benefits</u>
Clerk of Courts	\$16,622	\$ 6,426
MIS	2,173	-
Human Resources	7,157	-
County Clerk	-	4,279
Corp Counsel	184	318
Register of Deeds	5,001	-
Buildings & Grounds Administration	358	-
Jail/Safety Building Maintenance	942	-
Land Information	1,441	-

Sheriff	5,454	1,236
Jail	272	62
S.A.R.A.	776	-
Veterans Service	1,383	-
Solid Waste Administration	77	-
Co-Composting	-	5,157
Health Services	16,410	-
Communicable Disease	4,134	675
Health Check	587	6
Mental Health Services	1,648	34
Alcohol & Drug Abuse	424	11
Income Maintenance	6,083	-
Long Term Support	2,016	-
LTS - Personal Care Program	-	865
Aging Transportation	1,169	4,220
Aging Administration	<u>454</u>	<u>-</u>
Total	\$74,754	\$23,289

BE IT FURTHER RESOLVED, that each account balance was evaluated, and transfers are only being made if funding is not internally available.

Fiscal Note: Requires transfer of \$98,043 from the Contingency Fund, #100-00-34202 to the respective accounts. This transfer is part of the Contingency Fund budget.

Debra L.H. Wopat  
Susan Martin  
Andy Ross  
J. Robert Curtis  
Richard C. Boockmeier  
HUMAN RESOURCES COMMITTEE

On motion by Wopat, seconded by J. Curtis, the Resolution was unanimously adopted.

#### 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 Robert and Robin Warren, Pardeeville, Wisconsin to rezone from Agricultural to Single Family Residence, property located in Section 13, Town 12N, Range 9E, Town of Pacific on the 21st day of March, 2001 is reported as follows:

To change from Agricultural to Single Family Residence, a parcel of land located in part of the N 1/2 of the SW 1/4 of the SE 1/4, Section 13, Town 12N, Range 9E, Town of Pacific.

Withdrawn at the request of the petitioner.

Harlan Baumgartner  
Eugene Fitzgerald  
Robert Hamele  
John Stevenson  
John Healy  
PLANNING AND ZONING COMMITTEE

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

**ORDINANCE NO. Z302-02**  
**An Amending Ordinance**

The Columbia County Board of Supervisors do ordain as follows:

That Title 16 – Chapter 1, entitled “Zoning”, of the County Code, as passed by the Board of Supervisors on February 16, 1972 is hereby amended and added thereto as follows:

- (1) “To change from Agricultural to Single Family Residence”, (Leon McQueen) a parcel of land described as part of the NE ¼ of the SW ¼ of Section 13, Town 12N, Range 10E, Town of Wyocena, more particularly described as follows:

PARCEL NUMBER 411.01

Part of Lot 1, Certified Survey #3408, said lot containing 2.00 acres; the area rezoned to Single Family Residence shall not exceed 20,000 square feet in area.

**This amending ordinance shall not become effective until a legal description of a portion of Lot 1, CSM #3408, containing no more than 20,000 square feet in area, is filed with and approved by the Planning & Zoning Department and Corporation Counsel.**

Daniel J. See, Chairman  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Cathleen M. Lathrop  
COLUMBIA COUNTY CLERK

DATE PASSED: November 12, 2002

DATE PUBLISHED: November 20, 2002

Pursuant to Section 59.69 (5) (e) 6, Wisconsin Statutes, this Ordinance shall become effective 40 days after November 12, 2002, unless the town board, prior to such date, files a certified copy of a resolution disapproving of the Ordinance with the County Clerk.

First reading of Ordinance.

Motion by Baumgartner, seconded by Ross, to suspend the rules and have the second reading of the Ordinance by title only.

The motion carried unanimously.

Second reading of Ordinance.

Motion by Salzwedel, seconded by Boockmeier, to suspend the rules and have the third reading of the Ordinance by title only.

The motion carried unanimously.

Third reading of Ordinance.

Motion by Healy, seconded by Hamele, to adopt.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance Z302-02.

**ORDINANCE NO. 65-02**

The Columbia County Board of Supervisors hereby amends Title 9 – Chapter 1, Fee Schedule, Section 14, Sub-Section (g) Public Hearings as follows:

- |     |   |              |
|-----|---|--------------|
| (g) | Public Hearings   |              |
| (1) | Variance of Conditional Use                                 | \$300        |
| (2) | Rezoning  | \$300        |
| (3) | Re-publication due to postponement<br>at applicants request | \$ 50        |
| (4) | <u>Home Occupation Permit</u>                               | <u>\$300</u> |

Daniel J. See, Chairman  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Cathleen M. Lathrop

DATE PASSED: November 12, 2002  
DATE PUBLISHED: November 20, 2002

First reading of Ordinance.  
Motion by Stevenson, seconded by Boockmeier, to suspend the rules and have the second reading of the Ordinance by title only.  
John Bluemke, Planning and Zoning Department Director, explained that the proposed amendment was necessitated by the adoption of Ordinance #64-02 at last month's meeting. The permit is assigned to a person rather than the property.  
The motion carried unanimously.  
Second reading of Ordinance.  
Motion by Baumgartner, seconded by Stoltenberg, to suspend the rules and have the third reading of the Ordinance by title only.  
The motion carried unanimously.  
Third reading of Ordinance.  
Motion by Hamele, seconded by Newgent, to adopt.  
Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance 65-02.

**ORDINANCE NO. 66-02**

The Columbia County Board of Supervisors hereby amends Title 9 - Chapter 1, Fee Schedule, Section 3, Coroner, by adding:

Sec. 9-1-3 Coroner.

(f) Morgue Fee \$ 25.00 per day

Daniel J. See, Chairman  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Cathleen M. Lathrop  
COLUMBIA COUNTY CLERK

DATE PASSED: November 12, 2002  
DATE PUBLISHED: November 20, 2002

Motion by Healy, seconded by DeYoung, to suspend the rules and have the second reading of the Ordinance by title only.  
The motion carried unanimously.  
Second reading of Ordinance.  
Motion by Ford, seconded by Andler, to suspend the rules and have the third reading of the Ordinance by title only.  
The motion carried unanimously.  
Third reading of Ordinance.  
Motion by V. Curtis, seconded by Hutler, to adopt.  
Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance 66-02.

On motion by J. Curtis, seconded by Stoltenberg, the meeting adjourned at 12:35 p.m., until Wednesday, December 18, 2002, at 9:45 a.m. The motion carried unanimously.

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
December 18, 2002  
9:52 A.M.

The Board of Supervisors of Columbia County convened in annual session at the Courthouse in Portage pursuant to law. The meeting was called to order by Chair Daniel J. See.

All members present, except Newgent, excused, and Riley, absent. Motion by V. Curtis, seconded by Robson, to approve the Journal of November 12, 2002. Motion carried unanimously.

Motion by Baumgartner, seconded by Ross, to approve the following change to the agenda: addition of Resolution. Motion carried unanimously.

The Board received a thank you note from the family of Orrin Anderson.

Paul O'Brion explained that the Bridging Generations Foundation was established in 1997 to collect donations and raise funds at the Columbia Health Care Center. He stressed that money is only raised for a specific reason. Over the years a celebrity auction, chili supper and raffles raised funds used on the following: televisions, wall mounts, and coloring books for the outreach program. More recently two raffles raised \$26,000 which went toward the replacement of the bus. Century recently installed cable in all rooms. Residents can now pay \$12.50 per month for cable television. The next project is expected to be a front door awning. Amy Yamriska indicated donations are tax deductible.

Chair See announced the following appointments:

- (1) Robert L. Hamele to replace Orrin Anderson on the Finance Committee. On motion by Martin, seconded by Wopat, the appointment was unanimously approved.
- (2) J. Robert Curtis to replace Ken Olson with the term to expire December, 2004, and William Brown to serve as alternate for a three year term to expire December, 2005, on the South Central Library Board. On motion by Olson, seconded by Baumgartner, the appointments were unanimously approved.
- (3) Patricia Westby to be reappointed to the Columbia County Library Board for a three year term to expire December, 2005. On motion by Hamele, seconded by Stoltenberg, the appointment was unanimously approved.
- (4) John Priske, Doug Lambert and Harlan Baumgartner to the Agriculture Development Zone. On motion by DeYoung, seconded by Sanderson, the appointments were unanimously approved.

Chair See stated that he asked the Finance Committee last Thursday to consider changes in the 2003 budget. The Finance Committee took formal action to request committees to ask Department Heads to draft 5, 10 and 15% reductions to their 2003 budgets and submit them at the March committee meetings. The proposed changes will be reviewed by the Finance Committee at its April meeting. This is due to the probable need for additional funding to operate the Jail. The Ad Hoc Huber Facility Study Committee will continue to analyze alternate solutions in order to reach committee consensus.

Scott Fettig and Ed Ross of DLR Group, as well as Bob Lee, the State Jail Inspector, discussed the study being done.

Scott Fettig provided a handout and indicated his firm has worked with other companies in order to do the planning and structural engineering to develop the Jail Campus layout. The companies included Arnold and O'Sheridan and Mackesey and Associates. The planning is for a 350 facility, more restrictive, which can be used to hold State or Federal prisoners until such time as it is needed for Columbia County prisoners.

There was discussion of the amount of profit derived from the \$ .5 million in revenue for housing State prisoners at this time. Mr. Fettig estimated that about \$15 per inmate per day is profit which can be applied toward principal and interest costs. He said that the proposed facility will provide \$ .75 to \$1 million in profit each year if its rental beds are completely filled until such time as the space is needed for Columbia County prisoners.

The Sheriff is already doing about 75% of the recommended procedures to reduce or provide alternatives to incarceration. He is doing better than most counties.

The inmate population increases between 1990 and 2000 were 13.1% per year nationally, 9.6% in Wisconsin, and 16.4% in Columbia County. It is projected that Columbia County's inmate rate will continue to grow at 11.09%, which would result in having 435 County prisoners in 2012. At that rate the new building would last about 10 years.

Currently holding State inmates does not affect the need for additional space as it is the Huber Facility (work release area) that is short of space.

Bob Lee interjected that the number of Huber prisoners is a local issue. The County Judges are sentencing individuals to Jail with work release privileges.

The facility being planned will have sufficient space for programs for the inmates. There is currently a 70 to 75%

recidivism rate; and programming may reduce that trend.

The present Jail was built in 1991 and was to have 98 beds. At this time it is at maximum capacity and can hold 144 prisoners with the double bunks installed. It was to have lasted 15 years and, with the second tower built, an additional 15 years.

Jail staffing levels were discussed.

Columbia County is one of five counties holding State inmates in Wisconsin. There are about 4,000 inmates placed outside the State at this time, with that number expected to be reduced in the next year or so. The Sheriff will be signing a one year contract to continue to hold State inmates. The amount paid is \$51 per day. The Sheriff believes he will be able to obtain Federal inmates through the U.S. Marshalls Office if more space were available.

The five options being considered by the committee were briefly discussed.

Supervisor Baumgartner asked that the Sheriff provide a financial package to the County Board which provides information on the projected income and number of inmates contained in the different options, including how long the beds are expected to be revenue generating versus being used by County prisoners. It was indicated that this information will be put in Supervisor mailboxes.

Supervisor Hamele asked that another option be generated: to construct the additional tower as originally planned. Mr. Fettig said it would cost about \$8.5 million to build with the total project being about \$12 million. It would meet County needs for about eight years. It was requested that this be provided to Supervisors in hard copy so it is available as an option.

It is expected that it will take 2 1/2 to 3 years between the time the new facility is designed and its being available for occupancy.

Chair See asked that questions be directed to Ad Hoc Committee Chair Boockmeier or the Sheriff.

### RESOLUTION NO. 65-02

WHEREAS, the Columbia Health Care Center is currently utilizing mechanical systems that are inefficient and costly to operate, and

WHEREAS, Michaels Engineering has evaluated this system and determined the need for new equipment, and

WHEREAS, the cost of upgrading these systems is estimated at \$633,805.00 which includes the installation of six (6) air handling units with water source heat pumps, a hot water boiler system, direct digital controls to monitor ventilation and exhaust, installation of a 400 KW generator, day lighting controls and upgrade of fluorescent fixtures, and

WHEREAS, annual utility savings generated by this project have been projected at \$73,191.00 per year, and

WHEREAS, the availability of grants must be secured it is in the best interest of the Columbia Health Care Center to enter into a letter of intent with Johnson Controls to secure all available grant funding for this project, through the Department of Commerce, Wisconsin Focus on Energy and the Division of Healthcare Financing.

NOW, THEREFORE, BE IT RESOLVED that a sum not to exceed \$232,000.00 be transferred from the General Fund to the Columbia Health Care Center Outlay Pool.

BE IT FURTHER RESOLVED, that this transfer will be repaid over a four-year period through energy savings and the State of Wisconsin Medicaid reimbursement rates.

**FISCAL NOTE:** Transfer \$232,000.00 from General Fund (100-00-34201) to Columbia Health Care Center account #64-54-71000-800 amount to be repaid between 2003-2007.

John H. Tramburg, Chair  
Gerald L. Salzwedel, Vice Chair  
Jack Sanderson, Secretary  
Claire Robson  
COLUMBIA CARE CENTER COMMITTEE

Motion by Salzwedel, seconded by Robson, to adopt.

Supervisor Tramburg said the County has received grants from Focus on Energy and Medicare for over \$400,000. The grant application submitted to the Wisconsin Department of Commerce for \$232,000 is being appealed.

The Resolution was unanimously adopted.

### RESOLUTION NO. 66-02

WHEREAS, in the 2003 Budget, Columbia County did appropriate \$15,571 as matching funds for a State Elderly and Disabled Specialized Transportation Services Grant Program, and

WHEREAS, funding levels now established have amended the grant and required 20 percent County match, and

WHEREAS, provision of specialized transportation services improve and promote the maintenance of human dignity and self-sufficiency of the elderly and the disabled.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Elderly and Disabled Specialized Transportation Grant of \$80,927 be accepted.

BE IT FURTHER RESOLVED, that the County match be increased to the adjusted amount of \$16,185, thus requiring an additional appropriation of \$614.

BE IT FURTHER RESOLVED, that the Chairperson of the Columbia County Board of Supervisors be authorized to execute a state aid contract with the Wisconsin Department of Transportation under section 85.21 of the Wisconsin Statutes on behalf of Columbia County.

FISCAL NOTE: In 2003,  
transfer \$614 from Contingency  
Fund #100.350000 to Health  
and Human Services Account  
#562000000

~~Edward P. Riley, Chair~~  
Kenneth E. Olson, Vice Chair  
Robert Westby, Secretary  
Barry Pufahl  
Frank Newgent  
J. Robert Curtis  
Helen Phelps  
HEALTH AND HUMAN SERVICES BOARD

Motion by Olson, seconded by J. Curtis, to adopt.  
The Resolution was unanimously adopted.

### RESOLUTION NO. 67-02

WHEREAS, in the aftermath of the September 11, 2001 attacks on the United States, and the anthrax incidents that followed, it has become clear that all communities need to prepare for the possibility of biological attacks by terrorists; and,

WHEREAS, the most reasonable course of action for such efforts would be to build upon existing public health services of the County, and cooperate with neighboring counties to develop expertise to handle bioterrorism incidents; and,

WHEREAS, grants from the Federal and State governments are available to fund these efforts provided they are conducted on a collaborative and regional basis; and,

WHEREAS, a working group of public health directors and corporation counsel have developed a proposed intergovernmental agreement which creates a special Commission that would be responsible for preparing for the possibility of biological terrorism or attacks, and would coordinate the development of the resources needed to make those preparations.

NOW, THEREFORE, BE IT RESOLVED, by the Columbia County Department of Health & Human Services Board, met in regular session, that the attached "Intergovernmental Agreement Between Columbia, Adams, Juneau, Sauk and Marquette Counties For The Implementation of Bioterrorism Response Preparedness Program" be, and hereby is, approved by this Board, and that the same be forwarded to the Columbia County Board of Supervisors for review and approval.

Fiscal Note: Funding is to be provided by grants received from the Federal and State Governments. No County funding is contemplated and any County funding will require further action by the County Board with the exception of possible dissolution expenses.

~~Edward Riley~~  
Kenneth Olson  
Barry Pufahl  
Robert Westby  
Dr. J. Robert Curtis  
Helen Phelps  
~~Debbie Krumpos~~  
Dr. Gerald Krumpos  
Frank Newgent  
HEALTH & HUMAN SERVICES BOARD

On motion by Olson, seconded by Pufahl, the Resolution was unanimously adopted.

### RESOLUTION NO. 68-02

WHEREAS, on January 19, 2000 the Columbia County Board of Supervisors adopted Resolution 2-00 which authorized County Supervisors, Elected Officials and Employees the opportunity to purchase selected computer equipment through Columbia County for personal use, and

WHEREAS, the computers purchased by Columbia County are of a business grade and not well suited for home use, and

WHEREAS, the computer purchase program costs Columbia County several hundred dollars each year to administer with little or no direct benefit to Columbia County, and

WHEREAS, during the previous year no one has participated in the program.

NOW, THEREFORE, BE IT RESOLVED that Resolution 2-00 is hereby vacated and that effective as of the date of the adoption of this Resolution, the Columbia County Computer Purchase Program Policy is discontinued.

Kenneth W. Hutler  
Don DeYoung  
Richard C. Boockmeier  
Andy Ross  
Neil M. Ford  
MANAGEMENT INFORMATION SERVICES COMMITTEE

On motion by Ford, seconded by Hutler, the Resolution was unanimously adopted.

### RESOLUTION NO. 69-02

WHEREAS, Cathleen M. Lathrop began her employment with Columbia County as a legal assistant in the Corporation Counsel's Office in November of 1979; and

WHEREAS, Cathleen M. Lathrop has most recently served as the Columbia County Clerk since January 7, 1991; and

WHEREAS, Cathleen M. Lathrop is retiring from her position as County Clerk when her current term expires on January 6, 2003; and

WHEREAS, throughout her years of service to Columbia County, Cathleen M. Lathrop has dedicated herself to serving the citizens of Columbia County.

NOW, THEREFORE, BE IT RESOLVED, that Columbia County Board recognizes and appreciates the effort and commitment of Cathleen M. Lathrop for all her dedication and hard work during her service to Columbia County and wishes her the best in her future endeavors.

Supervisor Donald P. Nelson  
Supervisor Kenneth W. Hutler  
Supervisor J. Robert Curtis  
Supervisor Michael J. Kinney  
Supervisor John H. Healy  
Supervisor JoAnn Wingers  
Supervisor Debra L. H. Wopat  
Supervisor Susan Martin  
Supervisor Neil M. Ford  
Supervisor Andy Ross  
Supervisor Robert J. Andler  
Supervisor Gerald L. Salzwedel  
Supervisor John H. Tramburg  
Supervisor Robert R. Westby  
Supervisor John G. Stevenson

Supervisor Robert L. Hamele  
Supervisor Kenneth E. Olson  
Supervisor Richard C. Boockmeier  
Supervisor Vincent D. Curtis  
Supervisor Don DeYoung  
Supervisor Harlan Baumgartner  
Supervisor Barry Pufahl  
Supervisor Frank Newgent  
Supervisor Claire R. Robson  
Supervisor Robert J. Stoltenberg  
Supervisor Daniel Amato  
Supervisor Jack Sanderson  
Supervisor Daniel J. See  
Supervisor Eugene M. Fitzgerald

On motion by Hamele, seconded by Martin, the Resolution was unanimously adopted.

### REPORT OF THE PLANNING AND ZONING COMMITTEE

The Planning and Zoning Committee having held public hearings 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 David C. Spencer, Jr. and Marlene M. Roudebush, Arlington, Wisconsin to rezone from Agricultural and Single Family Residence to Commercial, property located in Section 29, Town of Leeds on the 29<sup>th</sup> day of October, 2002 be approved as follows:

To change from agricultural and Single Family Residence, a parcel of land described as part of Lot 1, Certified

Survey Map Number 3791, being part of the NE ¼ of the NE ¼, Section 29, Town 10N, Range 10E, Town of Leeds.

- (2) A petition by Poynette Bow Hunters Association, Robert J. Nowak, President and Agent for Wesley Brokopp owner, Poynette, Wisconsin to rezone from Agricultural to Recreational, property located in Section 32, Town of Dekorra on the 14<sup>th</sup> day of October, 2002 be approved as follows:

To change from Agricultural to Recreational, a parcel of land described as Lot 1, Certified Survey Map Number 3551, being part of the SE ¼ of the NW ¼, Section 32, Town 11N, Range 9E, Town of Dekorra.

- (3) A petition by James and Dagmar Owen, Fall River, Wisconsin to rezone from Agricultural to Single Family Residence, property located in Sections 18 and 19, Town of Fountain Prairie on the 30<sup>th</sup> day of January, 2002 be approved as follows:

To change from Agricultural to Single Family Residence, a parcel of land located in part of the NE ¼ of the SE ¼, and the SE ¼ of the SE ¼, Section 18, AND part of the NE ¼ of the NE ¼, Section 19, Town 11N, Range 12E, Town of Fountain Prairie.

Harlan Baumgartner  
Eugene Fitzgerald  
Robert Hamele  
John Stevenson  
John Healy  
PLANNING AND ZONING COMMITTEE

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

**ORDINANCE NO. Z303-02**  
**An Amending Ordinance**

The Columbia County Board of Supervisors do ordain as follows:

That Title 16 – Chapter 1, entitle “Zoning”, of the County Code, as passed by the Board of Supervisors on February 16, 1972 is hereby amended and added thereto as follows:

- (1) “To change from Agricultural and Single Family Residence to Commercial”, (David C. Spencer, Jr. and Marlene M. Roudebush).  
(2) “To change from Agricultural to Recreational”, (Poynette Bow Hunters Association, Robert J. Nowak, President and Agent for Wesley Brokopp owner).  
(3) “To change from Agricultural to Single Family Residence”, (James M. & Dagmar I. Owen).

Daniel J. See, Chairman  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Cathleen M. Lathrop  
COLUMBIA COUNTY CLERK

DATE PASSED: December 18, 2002

DATE PUBLISHED: December 26, 2002

First reading of Ordinance.

Motion by Baumgartner, seconded by Bookmeier, to suspend the rules and have the second reading of the Ordinance by title only.

The motion carried unanimously.

Second reading of Ordinance.

Motion by V. Curtis, seconded by Wingers, to suspend the rules and have the third reading of the Ordinance by title only.

The motion carried unanimously.

Third reading of Ordinance.

Motion by Healy, seconded by Stevenson, to adopt.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance Z303-02.

Chair See stated that Supervisor Newgent submitted his resignation effective December 19, 2002, due to poor health.

On motion by J. Curtis, seconded by Stoltenberg, the meeting adjourned at 12:15 p.m., until Wednesday, January 15, 2003, at 9:45 a.m.

The motion carried unanimously.

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
January 15, 2003  
9:49 A.M.

The Board of Supervisors of Columbia County convened in annual session at the Courthouse in Portage pursuant to law. Vice Chair Susan Martin called the meeting to order.

All members present, except Pufahl, Stevenson and See, excused; and Nelson and Riley, absent.

Motion by J. Curtis, seconded by Baumgartner, to approve the Journal of December 18, 2002. Motion carried unanimously.

Motion by Hamele, seconded by Ross, to approve the following change to the agenda: additional appointment. Motion carried unanimously.

The Clerk reported that Columbia County has received a Summons and Complaint from Attorney Michael Riley on behalf of Jay and Dorothy Heller and from Attorney Strohschein on behalf of Marcella Ehlenfeldt.

The following appointments were announced:

- (1) Jim Grothman as the Columbia County Surveyor for a two-year term to expire January, 2005. On motion by Stoltenberg, seconded by DeYoung, the appointment was unanimously approved.
- (2) Andy Ross to replace Patricia Frye-Svendsen; Jeffrey Bump to replace Tim Perry and Sarah Lloyd; and Donna Tabbutt to replace Gloria Geiger on the Columbia County Tourism Committee with terms to expire March, 2004. On motion by Amato, seconded by Olson, the appointments were unanimously approved.
- (3) E. William Brown to the Columbia County Library Board for a three-year term to expire December, 2005. On motion by Baumgartner, seconded by J. Curtis, the appointment was unanimously approved.

Supervisor Hamele reported on the Agriculture and Land and Water Conservation Committee Conference and the following resultant resolutions:

- (1) Request for State Legislation that would adequately fund County Land Conservation staffing for new mandatory State Agriculture Standards, Conservation Reserve Enhancement Program and other State Conservation Programs.
- (2) Increase Land Conservation Committee representation on Wisconsin Land and Water Conservation Board.
- (3) Increase/reallocate State funding for invasive aquatic species control and prevention.
- (4) Requesting changes in ATCP50 that would grandfather all County Ordinance in existence before adoption of ATCP50 from mandatory cost share provisions.
- (5) Modification to the format of the Wisconsin Environmental Awareness Poster & Speaking Contest.
- (6) Support increased State funding for County Land Conservation staff.
- (7) Support Interdisciplinary Research Team development between Wisconsin Land and Water Conservation, UW-Extension, DNR, NRCS, DATCP and other groups to support organic agriculture in Wisconsin.
- (8) Support Federal Legislation to protect the fresh water resources of the Great Lakes.
- (9) Requesting funds from Transportation Department be transferred to Land and Water Conservation for boats. However, this resolution was not passed in form.

Supervisor Wingers reiterated that Columbia County recently became a member of the Resource Conservation and Development (RC&D) which helps rural areas across the nation to plan and carry out activities that increase conservation of natural resources, support economic development, enhance environment and standard of living.

There was discussion regarding county and state representation and legislative follow up procedures.

Supervisor Hamele explained that the Environmental Quality Incentive Program (EQIP) sets rules to how applications are handled and assigned. The County is scheduled to receive \$150,000 from program, however, funds are not available due to a war going on.

**RESOLUTION NO. 1-03**

WHEREAS, the Agriculture and Land and Water Conservation Committee is responsible for dog damage claims in Columbia County, and

WHEREAS, the committee has reviewed the Owner's Claim for Damages to Animals submitted by the Lowville Town Board on behalf of Russell Huseh and recommends that said claim be allowed, pursuant to Chapter 174, Wisconsin Statutes:

Claimed            Allowed

Russell Huseth \$ 350            \$ 350

Harlan Baumgartner  
Robert J. Stoltenberg  
~~Donald P. Nelson~~  
JoAnn Wingers  
Robert L. Hamele  
AGRICULTURE AND LAND AND WATER  
CONSERVATION COMMITTEE

Motion by Hamele, seconded by Stoltenberg, to adopt.

Supervisor Hamele stated that 3 lambs and 1 ewe were killed on November 16, 2002. Dan Short, UW-Extension Livestock Agent, indicated prices submitted by owner are very competitive to market price for November. The committee recommends payment.

The Resolution was unanimously adopted.

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

WHEREAS, global trade continues to foster local business opportunity and the barriers to global commerce continue to erode; and

WHEREAS, the United States Foreign Trade Zones program was designed to facilitate trade and increase the global competitiveness of U.S. based companies; and

WHEREAS, Columbia County is committed to a global marketplace and seeks to promote our region because of its unparalleled advantages for commerce, quality of life, transportation, infrastructure, access to world-class technology and innovation; and

WHEREAS, a local foreign trade zone would encourage economic development in the region and become part of our economic development portfolio; and

WHEREAS, the trade zone project is supported by many community groups, leaders, businesses and trade organizations; and

WHEREAS, job retention and inward investment are central to our economic utility.

NOW, THEREFORE, BE IT RESOLVED by the Columbia County Board of Supervisors that a foreign trade zone in Dane County is strongly supported.

**FISCAL NOTE:**

No County funds required.

Susan Martin  
Neil M. Ford  
Vincent D. Curtis  
Debra L.H. Wopat  
~~Daniel J. See~~  
EXECUTIVE COMMITTEE

Motion by Wopat, seconded by Ford, to adopt.

Supervisor Curtis raised concerns regarding foreign companies importing products and the effect on Columbia County. It was his understanding a WCA representative would be present to give a brief report and answer questions.

Supervisor Tramburg explained that about three (3) months ago the issue to support a foreign trade zone in Dane County was before the Wisconsin Counties Association. It was decided at that time to table until January's meeting for more information. WCA has since passed a resolution in support. Milwaukee and Brown Counties are currently participating in program. The thought behind resolution is to allow individual manufacturing corporations to use Dane County's Foreign Trade Zone application and be responsible for an initial fee of \$5,000.

Vice Chair Martin reiterated that the resolution is only in support of the Dane County application with no financial responsibility of the County.

Motion by V. Curtis, seconded by Andler, to table the foreign trade zone resolution until after the next Intercounty Coordinating Committee meeting and representation by the Wisconsin Counties Association at the next Board Meeting.

Supervisors Wopat and Ford withdrew their motion to adopt.

The motion to table carried unanimously.

**RESOLUTION NO. 2-03**

WHEREAS, Frank Newgent, of Portage, Wisconsin, recently passed away, and  
WHEREAS, prior to his death Frank Newgent faithfully served the residents of Columbia County as a member of the Columbia County Board of Supervisors, and  
WHEREAS, Mr. Newgent was elected to serve on the Columbia County Board of Supervisors to represent District 18 from April 18, 2000, until December 19, 2002, and  
WHEREAS, Mr. Newgent served on the following committees: Health and Human Services; Property and Insurance; Solid Waste; Central Wisconsin Community Action; and Local Library Board.  
NOW, THEREFORE, BE IT HEREBY RESOLVED that this Resolution be entered into the official records of the Columbia County Board of Supervisors in recognition of Frank Newgent’s service to his county, his country, and his community, and that a copy be sent to his family.

Donald P. Nelson	Robert L. Hamele	Kenneth W. Hutler
Kenneth E. Olson	J. Robert Curtis	Richard C. Boockmeier
Edward P. Riley	Michael J. Kinney	Vincent D. Curtis
John H. Healy	Don DeYoung	JoAnn Wingers
Harlan Baumgartner	Debra L. H. Wopat	Barry Pufahl
Susan Martin	Neil M. Ford	Claire R. Robson
Andy Ross	Robert J. Stoltenberg	Robert J. Andler
Daniel Amato	Gerald L. Salzwedel	Jack Sanderson
John H. Tramburg	Daniel J. See	Robert Westby
Eugene M. Fitzgerald	John G. Stevenson	

Motion by J. Curtis, seconded by DeYoung, to adopt. The Board stood in a moment of silence to pass the Resolution.

**RESOLUTION NO. 3-03**

WHEREAS, Chapters 34 and 66 of the Wisconsin Statutes require the naming of public depositories, and  
WHEREAS, the County must establish banking institutions which qualify as public depositories under Chapter 34, Wisconsin Statutes.  
NOW, THEREFORE, BE IT RESOLVED THAT:

- Associated Bank of Portage, Portage, Wisconsin;
- US Bank, Portage, Wisconsin;
- Local Government Pooled Investment Fund, Madison, Wisconsin;
- Amcore Bank, Portage, Wisconsin;
- Community Bank of Portage, Portage, Wisconsin;
- Farmers and Merchants Union Bank, Columbus, Wisconsin;
- Green Lake State Bank, Green Lake, Wisconsin;
- 1<sup>st</sup> National Bank of Berlin, Berlin, Wisconsin;
- Grand Marsh State Bank, Grand Marsh, Wisconsin;
- Paper City Savings, Wisconsin Rapids, Wisconsin;
- Middleton Community Bank, Middleton, Wisconsin;
- Bank of Poynette, Poynette, Wisconsin;
- Wisconsin Community Bank of Middleton, Middleton, Wisconsin;
- Bank of Wisconsin Dells, Wisconsin Dells, Wisconsin; and
- Community First Bank, Baraboo, Wisconsin

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 who hold County funds of any kind totaling in excess of \$500,000 shall collateralize the amount held in excess of \$500,000 by pledging U.S. bills, notes, or bonds in an amount equal to the excess held over \$500,000.

Robert L. Hamele  
Susan Martin  
Debra L.H. Wopat  
Michael J. Kinney  
John H. Tramburg  
FINANCE COMMITTEE

On motion by Tramburg, seconded by Wopat, the Resolution was unanimously adopted.

#### RESOLUTION NO. 4-03

WHEREAS, the Columbia County Health and Human Services Department applied for and has been awarded a STARS Grant for programs or projects pursuant to the Federal Juvenile Justice and Delinquency Act of 1974, as amended; and

WHEREAS, the STARS Grant from the State of Wisconsin, Office of Justice Assistance, will provide funding for the Juvenile Restitution Coordinator position including salary, benefits, training, and operating costs; and

WHEREAS, the County will receive \$18,382.00 from the State of Wisconsin, Office of Justice Assistance, under the terms of this Juvenile Justice Grant award.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors hereby accepts the STARS Program Juvenile Justice Grant in the amount of \$18,382.00 from the State of Wisconsin, Office of Justice Assistance.

FISCAL NOTE: Segregated Grant  
Account to be established  
454511007.436036.0000000

~~Edward Riley, Chair~~  
Kenneth Olson, Vice Chair  
Robert Westby, Secretary  
J. Robert Curtis  
~~Barry Pufahl~~  
Helen Phelps  
~~Dr. Gerald Krumpos, MD~~  
Debbie Krumpos  
HEALTH & HUMAN SERVICES BOARD

On motion by Olson, seconded by Westby, to adopt.

Tom Pink, Health & Human Services Director, explained that at risk girls are referred to his department for a variety of reasons such as a delinquent act, truancy, uncontrollability in the home and so on. The program is designed for prevention and building self-esteem and has been extremely successful. At this time the program is only offered to females, however, the new grant will extend to males.

The Resolution was unanimously adopted.

Attorney Ruf reported on the negotiated Sheriff's Sworn Contract for 2003-2004. The two year contract includes a 2% wage increase effective 1/1/03 with an additional 1% effective 7/1/03 and a wage reopener clause for 2004; uniform allowance increase from \$400 to \$500 per year; vacation adjustment for deputies working six days on and three days off schedule; increase contribution to PEP plan; earn additional day off per year for not using sick pay and firearms certification pay rolled into regular pay. Motion by Wopat, seconded by Tramburg, to ratify the settlement. The motion carried unanimously.

#### REPORT OF THE PLANNING AND ZONING COMMITTEE

The Planning and Zoning Committee having held public hearings 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 Edward R. Nettesheim, Fall River, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 7, Town of Fountain Prairie on the 18<sup>th</sup> day of December, 2002 be approved as follows

To change from Agricultural to Rural Residential, a parcel of land described as part of the NW ¼ of the SE ¼, Section 7, Town 11N, Range 12E, Town of Fountain Prairie

Harlan Baumgartner  
Eugene Fitzgerald  
Robert Hamele  
John Stevenson  
John Healy  
PLANNING AND ZONING COMMITTEE

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

#### REPORT OF THE PLANNING AND ZONING COMMITTEE

We, your Planning and Zoning committee having received a copy of an application for a Farmland Preservation Agreement pursuant to Section 91.13 (2) Wisconsin Statutes have approved the following:

NAME	TOWN
Sharon Bradley and Douglas Hermann	Scott

Harlan Baumgartner  
Eugene Fitzgerald  
Robert Hamele  
John Stevenson  
John Healy  
PLANNING AND ZONING COMMITTEE

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

Jeanne Miller, County Clerk, reported that a resolution was received from the Town of Wyocena on December 20, 2002, disapproving the County Boards amending ordinance for Leon McQueen and for that reason the property has not been rezoned as requested.

#### **ORDINANCE NO. Z304-03** **An Amending Ordinance**

The Columbia County Board of supervisors do ordain as follows:

That Title 16 – Chapter 1, entitled “Zoning”, of the County Code, as passed by the Board of Supervisors on February 16, 1972 is hereby amended and added thereto as follows:

- (1) “To change from Agricultural to Rural Residential”, (Edward R. Nettesheim).

Susan Martin, Vice Chairperson  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Jeanne Miller  
COLUMBIA COUNTY CLERK

DATE PASSED: January 15, 2003

DATE PUBLISHED: January 22, 2003

First reading of Ordinance.

Motion by Baumgartner, seconded by V. Curtis, to suspend the rules and have the second reading of the Ordinance by title only.

The motion carried unanimously.

Second reading of Ordinance.

Motion by Wingers, seconded by Wopat, to suspend the rules and have the third reading of the Ordinance by title only.

The motion carried unanimously.

Third reading of Ordinance.

Motion by Healy, seconded by Stoltenberg, to adopt.

There was discussion regarding criteria for cultivated land being rezoned residential. It was explained this complies with the Town of Fountain Prairies Land Use Plan, which was developed to minimize the amount of land removed from agriculture use, and places a deed restriction on the balance of land.

Supervisor Baumgartner explained there is no criteria for loss of cultivated land that is used in conjunction with the Town of Fountain Prairies land use plan in which there has been a deed restriction on the balance of land.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance Z304-03.

On motion by J. Curtis, seconded by Stoltenberg, the meeting adjourned at 11:10 a.m., until Wednesday, February 19, 2003, at 9:45 a.m. The motion carried unanimously.

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
February 19, 2003  
9:48 A.M.

The Board of Supervisors of Columbia County convened in annual session at the Courthouse in Portage pursuant to law. Chair Daniel See called the meeting to order.

All members present, except J. R. Curtis, Hutler, and Westby, excused; Ross arrived late.

Motion by Hamele, seconded by Robson, to approve the Journal of January 15, 2003. Motion carried unanimously.

Motion by Boockmeier, seconded by Stevenson, to approve the agenda as printed. Motion carried unanimously.

Correspondence received from Mary Newgent and family thanked the Board for the memorial resolution and kindness shown to Frank. A thank you note from Barry Pufahl thanked the Board for flowers sent while he was recovering from surgery.

The following appointments were announced:

- (1) Craig Patrick Casey as County Board Supervisor District #1. Harlan Horton as County Board Supervisor District # 18. On motion by Martin, seconded by Sanderson, the appointments were unanimously approved. Supervisors Casey and Horton were sworn in by County Clerk.
- (2) 2003 Emergency Fire Wardens. Workforce Development Board of South Central Wisconsin, Inc. – Greg Robbins, Robbins Manufacturing, Inc., Fall River; Fred Hebert, Executive Director, Central Wisconsin Community Action, Lake Delton – Re-Appointed for a Three (3) year term to expire February 2006. On motion by Andler, seconded by Pufahl, the appointments were unanimously approved.
- (3) Harlan Horton appointed to the Solid Waste Committee and Planning and Zoning Committee; Craig Patrick Casey appointed to the Property/Insurance Committee and the Health and Human Services Committee; Jack Sanderson appointed to Judiciary Committee to replace Robert Andler, who was temporarily assigned to that Committee; and Edward P. Riley appointed to the Columbia Health Care Center Committee. On motion by Baumgartner, seconded by Salzwedel, the appointments were unanimously approved.

Kurt Dey and Karl Hokanson, Earth Tech, presented the new Highway Shop Facility. The presentation outlined goals, review of existing facilities, proposed building options as well as recommended option, projected costs and construction schedule. Project goal was to upgrade the facility located in Wyocena and improve safety and health of workers. Secondly, to improve operations efficiency; decrease operational costs spent on energy and to maximize equipment life. The existing facility was reportedly built in 1919, with the last construction being completed in 1968. It was reported that the repair and storage facility lacks ample storage space, has inadequate lighting, inefficient heating due to holes in ceiling with exposed insulation and inadequate space to store vehicles/lifts/cranes in unheated/heated buildings. An extensive amount of equipment can be seen stored outside.

Four (4) Building Concepts were presented. In all of the proposals, the office area would be moved from its present location to across the street by the operations area. The major areas included in the proposals are parts, office, locker rooms, meeting room, vehicle storage and repair areas. Discussion on each building option was held with Building Scheme "D" being recommended as it allowed housing 65 vehicles that would maximize equipment life. This plan eliminated building near the gravel pit area and kept the operational portions of the facility up and running during the building process. Reduction in insurance costs could be experienced with selection of this building option due to the fact the system would be pre-cast and would not burn.

Types of building materials being considered included masonry, concrete block one or two layer concrete block with a layer of insulation in between. Size of facility and wall height determine the type of construction and thickness of walls. Use of masonry would allow for crack control, but would require resealing every 3-5 years. Brick was not a consideration. Metal, pre-engineered building systems typically are built for long-term facilities that are functional and last for extended period of time. Better corrosion control in the areas of exterior venting, limited interior damage to insulation and extreme clean ability was also a consideration. The material recommended for the exterior was steel frame with concrete exterior walls. The roof would be a built-up roof.

A variety of questions were asked and included discussion on the requirement for handicapped accessibility, relocation of scale, size of new facility as compared to existing space, increased records storage, larger meeting room, increased office size to include emergency/dispatch equipment, elevator use and location, type of roof for option "D" (built up or metal), and if construction could be done in phases. If construction were to be completed in phases, estimated costs would increase substantially more primarily due to walls now considered interior walls would then become exterior walls. Mr. See noted that in the near future this Board would be faced with making a decision on the Highway Facility issue and the Jail issue.

Matt Stohr from the WCA gave a presentation in Support of the Dane County Foreign Trade Zone (FTZ). A federal

government program, the Foreign Trade Zone was created in the 1930's to encourage and expedite US participation in international trade. There are 240 U.S. communities with Foreign Trade Zones. The General Purpose Zone for South Central Wisconsin would be the Dane County Regional Airport. A Sub-Zone would be any international trade company in the region who felt the benefits of the program out-weighed the costs of the program. The benefits and importance of a Foreign Trade Zone for a company located in Columbia County were discussed. The hope was that a FTZ would help Wisconsin's economy grow and in turn, help with budget deficits. Wisconsin currently has two FTZ's, one in Milwaukee County and the other in Brown County.

The main purpose of this presentation was to gain support of the Foreign Trade Zone Resolution. Every State has at least one or more FTZ's reported Stohr. Benefits to Columbia County included companies that participate may have a higher pay scale, maintain jobs in a slow economy, more markets in which to sell products and ability to export as well as import products.

Statistics indicate that Wisconsin is losing manufacturing at an alarming rate. It was reported that several companies are interested in joining the FTZ in Columbia County. Some concerns expressed by Supervisors included loss of jobs in Wisconsin, cost to the County for supporting FTZ and foreign companies shipping more products not manufactured in the USA and affecting local businesses. There is no cost to the County for supporting this program reported Stohr. Duty deferral, reduction and elimination of duty were seen as benefits to local companies.

### **RESOLUTION NO. 5-03**

WHEREAS, global trade continues to foster local business opportunity and the barriers to global commerce continue to erode; and

WHEREAS, the United States Foreign Trade Zones program was designed to facilitate trade and increase the global competitiveness of U.S. based companies; and

WHEREAS, Columbia County is committed to a global marketplace and seeks to promote our region because of its unparalleled advantages for commerce, quality of life, transportation, infrastructure, access to world-class technology and innovation; and

WHEREAS, a local foreign trade zone would encourage economic development in the region and become part of our economic development portfolio; and

WHEREAS, the trade zone project is supported by many community groups, leaders, businesses and trade organizations; and

WHEREAS, job retention and inward investment are central to our economic utility.

NOW, THEREFORE, BE IT RESOLVED by the Columbia County Board of Supervisors that a foreign trade zone in Dane County is strongly supported.

#### **FISCAL NOTE:**

No County funds required.

Susan Martin  
Neil M. Ford  
~~Vincent D. Curtis~~  
Debra L.H. Wopat  
Daniel J. See  
EXECUTIVE COMMITTEE

Motion by Sanderson, seconded by Amato, the Resolution was adopted, not unanimously.

### **RESOLUTION NO. 6-03**

WHEREAS, Barbara Raether, of Wisconsin Dells, Wisconsin, recently passed away, and

WHEREAS, prior to her death Barbara Raether faithfully served the residents of Columbia County as a member of the Columbia County Board of Supervisors, and

WHEREAS, Ms. Raether was appointed to serve on the Columbia County Board of Supervisors to represent District 24 from May 21, 1997, until March 18, 1998, and

WHEREAS, Ms. Raether served on the following committees: Human Services Board and Commission on Aging.

NOW, THEREFORE, BE IT HEREBY RESOLVED that this Resolution be entered into the official records of the Columbia County Board of Supervisors in recognition of Barbara Raether's service to her county, her country, and her community, and that a copy be sent to her family.

Donald P. Nelson  
Kenneth E. Olson  
Edward P. Riley

Robert L. Hamele  
J. Robert Curtis  
Michael J. Kinney

Kenneth W. Hutler  
Richard C. Boockmeier  
Vincent D. Curtis

John H. Healy  
Harlan Baumgartner  
Susan Martin  
Andy Ross  
Daniel Amato  
John H. Tramburg  
Eugene M. Fitzgerald

Don DeYoung  
Debra L. H. Wopat  
Neil M. Ford  
Robert J. Stoltenberg  
Gerald L. Salzwedel  
Daniel J. See  
John G. Stevenson

JoAnn Wingers  
Barry Pufahl  
Claire R. Robson  
Robert J. Andler  
Jack Sanderson  
Robert Westby

Motion by Amato, seconded by Andler, to adopt. The Board stood in a moment of silence to pass the Resolution.

### **RESOLUTION NO. 7-03**

WHEREAS, the Columbia County Board of Supervisors wishes to extend commendation to Gail Benz for assistance given to a fellow employee who was having difficulty breathing and administering the Heimlich Maneuver; and

WHEREAS, her immediate reaction, to a serious situation, resulted in the employee's breathing being restored

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors expresses its appreciation and commends Gail Benz for her displayed compassion of a fellow employee in need.

BE, IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to Gail Benz as a token of appreciation on behalf of the County Board.

Donald P. Nelson  
Kenneth E. Olson  
Edward P. Riley  
John H. Healy  
Harlan Baumgartner  
Susan Martin  
Andy Ross  
Daniel Amato  
John H. Tramburg  
Eugene M. Fitzgerald

Robert L. Hamele  
J. Robert Curtis  
Michael J. Kinney  
Don DeYoung  
Debra L. H. Wopat  
Neil M. Ford  
Robert J. Stoltenberg  
Gerald L. Salzwedel  
Daniel J. See  
John G. Stevenson

Kenneth W. Hutler  
Richard C. Boockmeier  
Vincent D. Curtis  
JoAnn Wingers  
Barry Pufahl  
Claire R. Robson  
Robert J. Andler  
Jack Sanderson  
Robert Westby

On motion by Martin, seconded by DeYoung, the Resolution was unanimously adopted.

### **RESOLUTION NO. 8-03**

WHEREAS, Columbia County recognizes the importance of strong and viable community-based central business districts which contribute to the overall economic health and the quality of life of the County and its communities; and

WHEREAS, The County does support the activities of the Portage Business Improvement District (P-BID) which has been established along the guidelines of the Mainstreet Program to focus on the preservation of downtown Portage and to stimulate economic development; and

WHEREAS, The P-BID has generated wide community support representing a broad cross-section of downtown and community interests including: business and property owners--banking, healthcare, real estate interests, local industry; the Historic Preservation Commission; and, the Portage Area Chamber of Commerce; and

WHEREAS, The Mainstreet Program is a proven effective method of revitalizing central business districts through the cooperative effort of both public and private sectors by using organization, promotion, design and economic restructuring in a four point approach.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors does hereby support and encourage the submittal of an application to the State of Wisconsin on behalf of the City of Portage to become a Wisconsin Mainstreet City.

Robert J. Stoltenberg  
JoAnn Wingers  
Harlan Baumgartner  
Donald P. Nelson  
Robert L. Hamele

AGRICULTURE AND LAND AND WATER CONSERVATION COMMITTEE

On motion by Hamele, seconded by Wingers, the Resolution was unanimously adopted.

## REPORT OF THE PLANNING AND ZONING COMMITTEE

The Planning and Zoning Committee having held public hearings 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 James R. Grothman, Agent for Thomas and Nancy Bannan, Lodi, Wisconsin to rezone from Agricultural to Single Family Residence, property located in Section 20, Town of West Point on the 21<sup>st</sup> day of August, 2002 be approved as follows:

To change from Agricultural to Single Family Residence, a parcel of land described as Certified Survey Map Number 464, being part of the NE ¼ of the NW ¼, Section 20, Town 10N, Range 7E, Town of West Point.

- (2) A petition by Stephen Agnew, Columbus, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 8, Town of Fountain Prairie on the 26<sup>th</sup> day of September, 2002 be approved as follows:

To change from Agricultural to Rural Residential, a parcel of land located in part of the S ½ of the NW ¼ of the SE ¼, Section 8, Town 11N, Range 12E, Town of Fountain Prairie.

- (3) A petition by Stephen Agnew, Columbus, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 8, Town of Fountain Prairie on the 2<sup>nd</sup> day of January, 2003 be approved as follows:

To change from Agricultural to Rural Residential, a parcel of land located in part of the S ½ of the NW ¼ of the SE ¼, Section 8, Town 11N, Range 12E, Town of Fountain Prairie.

- (4) A petition by Wallace Vick, Fall River, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 16, Town of Fountain Prairie on the 3<sup>rd</sup> day of January, 2003 be approved as follows:

To change from Agricultural to Rural Residential, a parcel of land located in part of the NE ¼ of the NW ¼ and part of the SE ¼ of the NW ¼, Section 16, Town 11N, Range 12E, Town of Fountain Prairie.

Harlan Baumgartner  
Eugene Fitzgerald  
Robert Hamele  
John Stevenson  
John Healy  
PLANNING AND ZONING COMMITTEE

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

### **ORDINANCE NO. Z305-03 An Amending Ordinance**

The Columbia County Board of Supervisors do ordain as follows:

That Title 16 – Chapter 1, entitled “Zoning”, of the County Code, as passed by the Board of Supervisors on February 16, 1972 is hereby amended and added thereto as follows:

- (1) “To change from Agricultural to Single Family Residence”, (James R. Grothman, Agent for Thomas and Nancy Bannan) a parcel of land described as part of the NE ¼ of the NW ¼, Section 20, Town 10N, Range 7E, Town of West Point, more particularly described as follows:

PARCEL NUMBER 189.1

Lot 1, Certified Survey Map Number 464, being part of the NE ¼ of the NW ¼, Section 20, Town 10N, Range 7E, Town of West Point. Said property contains 13.56 acres, more or less.

- (2) “To change from Agricultural to Rural Residential”, (Stephen Agnew) a parcel of land located in part of the S1/2 of the NW ¼ of the SE ¼, Section 8, Town 11N, Range 12E, Town of Fountain Prairie, more particularly described as follows:
- (3)

PARCEL NUMBER 158

Commencing at the SE corner of said Section 8; Thence South 87 degrees 52 minutes 11 seconds West along the south line of the Southeast Quarter of said Section 8, 1,621.94 feet; Thence North 33.02 feet to a point in the north line of County Trunk Highway Z and the point of beginning; Thence South 87 degrees 52 minutes 11 seconds West along the north right-of-way line of County Trunk Highway Z, 484.00 feet; Thence North 441.32 feet; Thence East 483.67 feet; Thence South 459.31 feet to the point of beginning.

Said property contains 5.00 acres, more or less.

- (4) "To change from Agricultural to Rural Residential", (Stephen Agnew) a parcel of land located in part of the S ½ of the NW ¼ of the SE ¼, Section 8, Town 11N, Range 12E, Town of Fountain Prairie, more particularly described as follows:

PARCEL NUMBER 157

Commencing at the South Quarter corner of said Section 8; Thence North 00 degrees 52 minutes 21 seconds West along the north-south quarter line of said Section 8, 1,828.34 feet to the point of beginning; Thence continuing North 00 degrees 52 minutes 21 seconds West along the north-south quarter line of said Section 8, 150.04 feet; Thence North 87 degrees 46 minutes 45 seconds East along the north line of the south half of the Northwest Quarter of the Southeast Quarter of said Section 8, 1,332.89 feet to a point in the east line of the Northwest Quarter of the Southeast Quarter of said Section 8; Thence South 00 degrees 47 minutes 13 seconds East along the east line of the Northwest Quarter of the Southeast Quarter of said Section 8, 150.05 feet; Thence South 87 degrees 46 minutes 45 seconds West, 549.67 feet; Thence South 50 degrees 56 minutes 44 seconds West, 83.40 feet; Thence South 87 degrees 46 minutes 45 seconds West, 300.00 feet; Thence North 50 degrees 56 minutes 44 seconds West, 75.79 feet; Thence South 87 degrees 46 minutes 45 seconds West, 359.28 feet to the point of beginning.

Said property contains 5.00 acres, more or less.

- (5) "To change from Agricultural to Rural Residential", (Wallace Vick) a parcel of land located in part of the NE ¼ of the NW ¼ and part of the SE ¼ of the NW ¼, Section 16, Town 11N, Range 12E, Town of Fountain Prairie, more particularly described as follows:

PARCEL NUMBER 309

Lot 1, Certified Survey Map Number 3914, Section 16, Town 11N, Range 12E, Town of Fountain Prairie. Said property contains 5.00 acres, more or less

Daniel J. See, Chairperson  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Jeanne Miller  
COLUMBIA COUNTY CLERK

DATE PASSED: February 19, 2003

DATE PUBLISHED: February 26, 2003

First reading of Ordinance.

Motion by Baumgartner, seconded by Pufahl, to suspend the rules and have the second reading of the Ordinance by title only.

The motion carried unanimously.

There was some discussion on the Agnew and property. Mr. Baumgartner clarified that this is two 40-acre parcels that are about a quarter mile apart. Stephan Agnew is selling the portion that is rural residential, and the remaining will have to be acre sipped leaving a balance of 40 acres. The other stipulation is that there can be no future housing on this property.

There were some questions on the commercial portion of the Vick property. Mr. Baumgartner clarified that plan is to build the family residence and the plumbing business on the same 5 acres, however this Ordinance is only for the rezoning at this time. Mr. Vick will still need to come back to apply for the major home occupancy conditional permit.

Second reading of Ordinance.

Motion by Fitzgerald, seconded by Ross, to suspend the rules and have the third reading of the Ordinance by title only.

The motion carried unanimously.

Third reading of Ordinance.

Motion by Healy, seconded by Fitzgerald, to adopt.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance Z305-03. Departments Annual Report reviewed included the following:

County Clerk - On motion by Hamele, seconded by Martin, the report was accepted unanimously.

Corporation Counsel - On motion by Tramburg, seconded by Olson, the report was accepted unanimously.

Child Support - On motion by Hamele, seconded by DeYoung, the report was accepted unanimously.

Solid Waste - On motion by Amato, seconded by Pufahl, the report was accepted unanimously.

Land Information - On motion by Martin, seconded by Fitzgerald, the report was accepted unanimously.

Buildings and Grounds - On motion by Salzwedel, seconded by Riley, the report was accepted unanimously.

Planning and Zoning - On motion by Healy, seconded by Stevenson, the report was accepted unanimously.

Accounting - On motion by Tramburg, seconded by Stoltenberg, the report was accepted unanimously.

Human Resources - On motion by Ross, seconded by Kinney, the report was accepted unanimously.

Chair See reported on meetings, he'd attended along with Martin and Tramburg, held in Madison with legislators in the hope of gaining sympathy for Columbia County's budget situation. The impact of applying the half percent sales tax to the county's levy has limited all future budgets and operating monies. See was hopeful that there would be some type of exception for Counties in similar situations.

Chair See asked that Supervisor Andler remain on the Judiciary Committee until the return of Supervisor Hutler who was on vacation. Supervisor Andler agreed to continue during that time frame.

On motion by V. Curtis, seconded by Ford, the meeting adjourned at 12:15 p.m., until Wednesday, March 19, 2003, at 9:45 a.m.

The motion carried unanimously.

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
March 19, 2003  
9:49 A.M.

The Board of Supervisors of Columbia County convened in annual session at the Courthouse in Portage pursuant to law. Chair Daniel See called the meeting to order.

All members present, except Ford, Hutler, Sanderson and Stevenson, excused; Fitzgerald, Nelson and Ross arrived late.

Motion by Robson, seconded by Horton, to approve the Journal of February 19, 2003. Motion carried unanimously.

Motion by Boockmeier, seconded by Wingers, to approve the following changes to the agenda: additional report by Supervisor Amato and Resolution submitted by Judiciary Committee. Motion carried unanimously.

Chair See announced the following appointment: Gerald J. Sallmann to the Local Emergency Planning Committee. On motion by Salzwedel, seconded by Olson, the appointment was unanimously approved.

Chair See acknowledged the number of people attending the County Board meeting, because of a rezoning issue. He advised the group that this was an official meeting of the County Board of Supervisors held in open session and conducted by a formal set of rules.

He instructed the public as to the procedures required to address the Board. Arrangements would need to be made with a County Board Supervisor who was willing to give up their time to address the Board on that issue. The County Board of Supervisor will address the Chair and state that he or she would like to give (the name of individual) the opportunity to speak. At that time, you may address the Board.

He requested that a main presenter be selected and that they limit their presentation to five (5) minutes. In the event additional people want to comment, that presentation is limited to two (2) minutes with material consisting of new information from the main presenter. This opportunity applies to those individuals present on behalf of or against the rezoning request.

Chair See reported on the proposed Building Facilities Resolution. He discussed the present situation as it related to inmate count, future jail expansion and cost implications to our county.

It was reported that an Ad Hoc Huber/Jail Committee was appointed one year ago. Five (5) options were submitted to the Ad Hoc Committee for their deliberation. That committee spent many hours and held many meetings discussing possible solutions and options. User groups had meetings to review all the possibilities. After much deliberation, the Ad-Hoc Committee recommended proceeding with Option IV. The committee is very concerned about the present site limitations, the main one being size. Further, this committee felt it was critical that we take a planned approach, taking into account future expansion and at the same time maximizing this opportunity to accommodate future expansion.

See stressed that the County cannot take a "band-aid" approach just because costs are too high or that we feel our constituents can't afford it. This County has done that in the past and in the final analysis, See felt it ended up costing the County more.

The Finance committee will be offering a resolution, at the April County Board meeting, for the financing of a new jail addition. That resolution may also include financing for a badly needed highway shop and some additional dollars for the health care center. Chair See felt it critical this resolution have the support of 75 percent of the Board of Supervisors - 24 yes votes. In the event the resolution fails, the County will be housing inmates at other jails, which would have an immediate impact on the 2003 budget. The possibility existed that the County would lose its' State prisoners and revenue. Costs to house inmates in our jail were discussed in particular the thirty (30) state prisoners. \$500,000 is received from the State for those prisoners. Estimated cost per day was \$9.00 per inmate. Yearly costs were estimated to be \$98,550.

The remaining \$450,000 received in revenue has been used to offset the County's Operating Levy. If those funds were lost, County appropriation would go from \$1,882,339 to \$2,332,339.

Building Option 4 would provide space for 192 prisoners and the county would need to hire 29 new staff to man the jail. Salaries and fringe benefits would cost \$1.56 million and do not reflect heat/cleaning of the building. .

To house prisoners elsewhere, it was estimated to cost between \$50 – 60 per prisoner, that is with no consideration of transportation. The impact of the loss of \$450,000 in revenues can affect any department in the county, its programs, utilities, custodial staff etc.

Since we are at our operating levy, reported See, that \$450,000 allows us to provide needed services to the residents that otherwise would be eliminated.

Chair See hoped this information would be of benefit to the Supervisors in making a decision in support of a Building Facilities Resolution on April 15.

Mark O'Connell, Executive Director of the Wisconsin Counties Association gave a brief history of himself. He

explained that the Association has had major changes within the last year, including looks, attitude and perspective. Offices have been relocated to downtown Madison and space has been allocated in the office for anyone in county government to use anytime.

He reported on the States position regarding financing. The two (2) acting forces in the State's \$3.2 billion deficit are demographics, as it relates to baby boomers aging; and, the miss match between economy and tax system. That same group, in the 90's, was making the most money of their lives, and paying the most taxes as a group. The States coffers were full. Now in 2000, that same group is moving from paying maximum taxes to a group who will require maximum services. He estimated four (4) out every five (5) individuals in that age group will require long-term care at one time or another in their lives. They will either pay for those service themselves, insurances will pay or government will need to pay. If those issues are not dealt with, O'Connell stated, the deficit would grow as time goes on. He stressed little is being saved in this country. People have the feeling that the government will take care of them. Social Security falls short in that, those working are supporting those who are on social security. If a system similar to the Wisconsin Retirement were in affect, monies contributed would be earmarked specifically for that individual. He did not feel the County would see any fiscal solutions from the State in the near future. He addressed these issues and possible solutions.

There was discussion regarding the following: being a service and/or manufacturing state; taxation on services; economic growth; tax breaks for self-insuring; shared revenue cuts; current county levy limits and possible relief.

Supervisor Amato reported that the 2003 Visitors Guide is complete and being distributed. It was said to be the third guide with an increased circulation of 60,000. Cover photo was of local Columbus resident and done by O'Brion Photography. Tourism makes up 25 percent of the sales tax collected in Columbia County. That is an increase over previous years.

### **RESOLUTION NO. 9-03**

WHEREAS, clean sweep grants play a critical role in helping counties collect dangerous chemicals from the agricultural community in a safe, convenience and efficient manner; and

WHEREAS, since 1990 clean sweep collections have grown to become frequent, multi-faceted events which have diverted over two million pounds of chemicals per year from Wisconsin landfills; and

WHEREAS, even though a large range of chemicals are accepted at clean sweeps and only 10 percent of waste is pesticide related, pesticide product registration fees have been the sole source of state grants both for DATCP and DNR's Household Hazardous Waste Grant Program; and

WHEREAS, there is a significant funding shortfall in DATCP's Agricultural Management Program which will put the Agricultural Clean Sweep grants in jeopardy; and

WHEREAS, most clean sweep programs will not be able to continue without state grants;

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors supports the continued funding of Agricultural Clean Sweep Grants through a combination of Recycling Fund surplus revenues, pesticide product fees and hazardous product surcharges.

BE IT FURTHER RESOLVED that the Agricultural Clean Sweep Program and the Household Hazardous Waste Program be combined and administered solely through DATCP to achieve a more efficient and succinct administration at both the state and local level.

Donald P. Nelson  
Harlan Baumgartner  
JoAnn Wingers  
Robert J. Stoltenberg  
Robert L. Hamele  
AGRICULTURE AND LAND AND WATER  
CONSERVATION COMMITTEE

On motion by Hamele, seconded by Wingers, the Resolution was unanimously adopted.

### **RESOLUTION NO. 10-03**

WHEREAS, the 2002 Safety and OSHA Compliance account is overdrawn in the amount of \$554 due to higher than expected costs of defibrillators.

NOW, THEREFORE, BE IT RESOLVED, that the sum of \$554 be transferred from the pre-closing General Fund to the Safety and OSHA Compliance account.

Fiscal Note: Transfer \$554 from the pre-closing General Fund account 100-00-34201, to the Safety and OSHA Compliance account 100-02-51130.

Debra L.H. Wopat  
Vincent D. Curtis  
Neil M. Ford  
Susan Martin  
Daniel J. See  
EXECUTIVE COMMITTEE

On motion by V. Curtis, seconded by Casey, the Resolution was unanimously adopted.

### RESOLUTION NO. 11-03

The Columbia County Board of Supervisors hereby amends Section 7.22(e) of the Columbia County Personnel Policies and Procedures Manual as follows by adding as (5):

#### 7.22(e) **Holidays.**

(5) Each non-union employee who uses no sick leave in a calendar year shall receive one (1) floating holiday per calendar year, beginning on January 1, 2003, in addition to any other vacation or floating holiday(s) earned. This additional floating holiday must be used during the calendar year in which it is earned, *shall not cause a staff shortage during a critical time of service* and cannot be carried over to the next calendar year.

The remainder of Section 7.22(e) of the Columbia County Personnel Policies and Procedures Manual is not affected by this Resolution.

J. Robert Curtis  
Richard C. Boockmeier  
Andy Ross, Secretary  
Susan Martin, Vice Chair  
Debra L.H. Wopat, Chair  
HUMAN RESOURCES COMMITTEE

Motion by J. Curtis, seconded by Ross, to adopt.

It was explained that the language was patterned after the annual floating holiday. The additional day is earned as of January 1<sup>st</sup> for the previous year and must be used within current year.

Motion by Tramburg, seconded by Riley, to amend the Resolution to add "shall not cause a staff shortage during a critical time of service" after "it is earned" in the last sentence of 7.22(e)(5).

The amendment was approved, not unanimously.

The Resolution, as amended, was adopted, not unanimously.

### RESOLUTION NO. 12-03

WHEREAS, the 2002 Sheriff Department Accounts are collectively overdrawn in the amount of \$17,743 due to Sheriff overtime and Jail operation costs and,

WHEREAS, the 2002 Branch I account is overdrawn in the amount of \$355 due to increased costs of telephone, postage, copying, and publications and,

WHEREAS, the 2002 Branch II account is overdrawn in the amount of \$147 due to increased costs of telephone, postage, and supplies.

NOW, THEREFORE, BE IT RESOLVED, that the following transfers be made from the pre-closing General Fund to the various named departments:

Sheriff's Department	\$17,743
Branch I	\$ 355
Branch II	\$ 147

Fiscal Note: Net out all Sheriff's Department accounts. Transfer \$17,743 from pre-closing

~~Kenneth W. Hutler~~  
Jack Sanderson  
Robert R. Westby

General Fund #100-00-34201 to various Sheriff's Department accounts. Transfer \$355 from from the pre-closing General Fund 100-00-34201 with \$355 to Branch I account 100-05-51210 and \$147 to Branch II account 100-06-51211.

Neil M. Ford  
John H. Healy  
JUDICIARY COMMITTEE

On motion by Healy, seconded by DeYoung, the Resolution was unanimously adopted.

### **RESOLUTION NO. 13-03**

**WHEREAS, the Humane Officer Position was created by the Columbia County Board of Supervisors in Resolution No. 78-89, Resolution No. 6-93 named Julie Johnson as the Columbia County Humane Officer, and Resolution No. 27-97 named Grant Guildner as the Columbia County Humane Officer; and**

WHEREAS, due to the statewide government fiscal crisis, it has been determined that funding is no longer available for the Columbia County Humane Officer position.

NOW THEREFORE, BE IT RESOLVED, that the Columbia County Humane Officer position is terminated; and

BE IT FURTHER RESOLVED, that all the Columbia County equipment in the possession of the Columbia County Humane Officer position or the Columbia County Humane Society shall be returned to the Columbia County Sheriff's Department.

Robert Andler  
~~Jack Sanderson~~  
Robert R. Westby, Secretary  
~~Neil M. Ford, Vice Chair~~  
John H. Healy, Chair  
JUDICIARY COMMITTEE

Motion by Andler, seconded by Westby, to adopt.

The partnership between Columbia County and the Humane Society was largely supported by donations with the Sheriff's Department providing in kind services, such as an old patrol car, cage and dispatch. The Sheriff's Department will assume responsibilities. The Sheriff indicated the frequency of calls is 2-3 times a month. He stated that the Human Society initiated discontinuation due to eligibility for state grants.

The Resolution as unanimously adopted.

### **RESOLUTION NO. 14-03**

WHEREAS, Columbia County hereby requests financial assistance under s. 287.235, Wis. Stats., and ch. NR 549, Wis. Admin. Code, for the DNR's Recycling Efficiency Incentive Grant Program; and

WHEREAS, Columbia County is claiming a cooperative agreement with another responsible unit as a measure of recycling efficiency.

NOW, THEREFORE, BE IT RESOLVED, that Columbia County hereby authorizes William J. Casey, Director of the Columbia County Solid Waste Department, an official or employee of the responsible unit, to act on its behalf to:

- Submit an application to the Department of Natural Resources for financial assistance under s. 287.23e, Wis. Stats., ch. NR 549, Wis. Admin. Code; and
- Sign necessary grant documents.

Claire R. Robson  
Harlan Horton  
Barry Pufahl, Secretary  
Gerald L. Salzwedel, Vice Chair  
Daniel Amato, Chair  
SOLID WASTE COMMITTEE

On motion by Amato, seconded by Pufahl, the Resolution was unanimously adopted.

**RESOLUTION NO. 15-03**

WHEREAS, pursuant to Wis. Stat. 66.0143, a political subdivision may file a request with the Department of Revenue for a waiver from a state mandate, except for mandates related to health or safety; and

WHEREAS, pursuant to Wis. Admin. Code Tax 20.15, Counties are mandated to certify Lottery and Gaming Tax Credit claims against real estate taxes by sending cards to all improved parcels every five years, known as "pre certification years", and this mandate is not related to health or safety; and

WHEREAS, the certification process involves printing and finishing the cards including removing the perforated tractor feed, and mailing the cards, and then entering all the responses in the database, all of which is extremely labor intensive; and

WHEREAS, the State of Wisconsin reimburses counties at the rate of \$.70 per card, but said reimbursement is insufficient to cover county costs involved in processing these cards; and

WHEREAS, Columbia County has developed a system whereby it maintains Lottery and Gaming Credit Claims on an annual basis by obtaining this information on all properties transferred or improved; and

WHEREAS, the County is confident that its system of maintaining records of Lottery and Gaming Tax Credit claims is accurate based on the number of late claims made each year and the minimum number of charge backs ordered by the State Lottery and Gaming Credit Audit Committee for errors, and erasing the current files and sending cards to all improved parcels, as the Administrative Code mandates, will most likely generate a less than favorable return while costing more for the taxpayers.

NOW, THEREFORE BE IT RESOLVED, that the Columbia County Board of Supervisors hereby requests a waiver from the mandate imposed by Wisconsin Admin. Code Tax 20.15 regarding recertification of the Lottery and Gaming Tax Credits because the system utilized by Columbia County is certifiably accurate and will save the County and the State money.

Fiscal Note: Total estimated  
Cost \$12,800.00 of which  
\$10,500.00 is State funded  
and \$2,300.00 is County funded.

Robert L. Hamele  
Michael J. Kinney  
Susan Martin, Secretary  
Debra L.H. Wopat, Vice Chair  
John H. Tramburg, Chair  
FINANCE COMMITTEE

Motion by Tramburg, seconded by Kinney, to adopt.

Supervisor Tramburg requested that a copy of the Resolution be forwarded to the Wisconsin Counties Association.

The Resolution was unanimously adopted.

**REPORT OF THE PLANNING AND ZONING COMMITTEE**

The Planning and Zoning Committee having held public hearings 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 James and Marleen Pick, Rio, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 2, Town of Otsego on the 1<sup>st</sup> day of October, 2002 be approved as follows:

To change from Agricultural to Rural Residential, a parcel of land described as Certified Survey map Number 3905, being part of the NW ¼ of the SW ¼ and the NE ¼ of the SW ¼, Section 2, Town 11N, Range 11E, Town of Otsego Intent: Development of property for one single-family dwelling.

- (2) A petition by John D. Healy, Cambria, Wisconsin to rezone from Agricultural to Single Family Residence, property located in Section 5, Town of Springvale on the 31<sup>st</sup> day of January, 2003 be approved as follows:
- (3)

To change from Agricultural to Single Family Residence, a parcel of land located in part of the NW ¼ of the SE ¼, described as Lot 1, Certified Survey Map Number 3933 Section 5, Town 12N, Range 11E, Town of Springvale. Intent: Separate existing residence from farm.

- (4) A petition by Didion Milling, Agent for Carl Stiemsma Randolph, Wisconsin to rezone from Agricultural to Industrial, property located in Section 5, Town of Courtland on the 29<sup>th</sup> day of January, 2003 be approved as follows:

To change from Agricultural to Industrial, a parcel of land located in part of the NE ¼ of the SW ¼, Section 5, Town 12N, Range 12E, Town of Courtland. Intent: Develop property for industrial use.

- (5) A petition by Lloyd and Lorraine Sexton, Sr., Waukegan, Wisconsin to rezone from Agricultural to Single Family Residence, property located in Section 22, Town of Dekorra on the 18<sup>th</sup> day of December, 2002 be approved as follows:

To change from Agricultural to Single Family Residence, a parcel of land located in part of the S ½ of Section 22, Town 11N, Range 8E, Town of Dekorra. Intent: Development of one single-family dwelling.

- (6) A petition by Attorney Jeff Clark, Agent for Michael Dorshorst, Poynette, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 15, Town of Dekorra on the 30<sup>th</sup> day of January, 2003 be approved as follows:

To change from Agricultural to Rural Residential, a parcel of land located in part of the NE ¼ of the NE ¼, Section 15, Town 11N, Range 9E, Town of Dekorra. Intent: To build a single-family residence and accessory buildings.

- (7) A petition by Attorney Jeff Clark, Agent for Michael Faust, Poynette, Wisconsin to rezone from Highway Interchange to Rural Residential, property located in Section 32, Town of Dekorra on the 20<sup>th</sup> day of February, 2003 be approved as follows:

To change from Highway Interchange to Rural Residential, a parcel of land located in part of the NW ¼ of the NW ¼, Section 32, Town 11N, Range 9E, Town of Dekorra. Intent: To change the zoning to conform to the existing use.

- (8) A petition by Attorney Jeff Clark, Agent for Michael Faust, Poynette, Wisconsin to rezone from Highway Interchange to Commercial, property located in Section 32, Town of Dekorra on the 30<sup>th</sup> day of January 2003 be approved as follows:

To change from Highway Interchange to Commercial, a parcel of land located in part of the NW ¼ of the NW ¼, Section 32, Town 11N, Range 9E, Town of Dekorra. Intent: To build a commercial office building.

Harlan Baumgartner  
Eugene Fitzgerald  
~~John Stevenson~~  
John Healy  
Harlan Horton  
PLANNING AND ZONING COMMITTEE

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

**ORDINANCE NO. Z306-03**  
**An Amending Ordinance**

The Columbia County Board of Supervisors do ordain as follows:

That Title 16 – Chapter 1, entitled “Zoning”, of the County Code, as passed by the Board of Supervisors on February 16, 1972 is hereby amended and added thereto as follows:

- (1) “To change from Agricultural to Rural Residential”, (James and Marleen Pick) a parcel of land described as part of the NW ¼ of the SW ¼ and the NE ¼ of the SW ¼, Section 2, Town 11N, Range 11E, Town of Otsego, more particularly described as follows:  
PARCEL NUMBER 28.A

Lot 1 and Lot 3, Certified Survey Map Number 3905, being part of the NW ¼ of the SW ¼ and all of the NE ¼ of the SW ¼, Section 2, Town 11N, Range 11E, Town of Otsego.

Lot 1 contains 5.00 acres, more or less.

Lot 3 contains 4.59 acres, more or less.

- (2) “To change from Agricultural to Single Family Residence”, (John D. Healy) a parcel of land described as part of the NW ¼ of the SE ¼, Section 5, Town 12N, Range 11E, Town of Springvale, more particularly described as follows:

PARCEL NUMBER 183

Lot 1, Certified Survey Map Number 3933, Section 5, Town 12N, Range 11E, Town of Springvale.  
Said property contains 1.63 acres, more or less.

- (3) “To change from Agricultural to Industrial”, (Didion Milling, Agent for Carl Stiemsma) a parcel of land described as part of the NE ¼ of the SW ¼, Section 5, Town 12N, Range 12E, Town of Courtland, more particularly described as follows:

PARCEL NUMBER 108

The N ½ of the N ½ of the NE ¼ of the NW ¼, Section 5, Town 12N, Range 12E, Town of Courtland.  
Said property contains 10.00 acres, more or less.

This amending ordinance will expire three years from the date of adoption if the petitioner or Didion Milling, Inc., the intended purchaser of the property, fails to obtain approval of a Conditional Use Permit permitting the construction and operation of an ethanol production facility on the subject property.

- (4) “To change from Agricultural to Single Family Residence”, (Lloyd and Lorraine Sexton, Sr.) a parcel of land located in part of the S ½ of Section 22, Town 11N, Range 8E, Town of Dekorra, more particularly described as follows:

PARCEL NUMBER 723.A

Commencing at the South ¼ corner of Section 22, Town 11 North, Range 8 East; Thence South 89 degrees 30 minutes 14 seconds East 579.89 feet along the south line of Government Lot 2; Thence North 00 degrees 29 minutes 46 seconds East 891.12 feet to the point of beginning; Thence North 51 degrees 18 minutes 00 seconds West 247.50 feet; Thence North 32 degrees 07 minutes 00 seconds East 91.00 feet; Thence South 51 degrees 18 minutes 00 seconds East 247.50 feet; Thence South 31 degrees 07 minutes 00 seconds West 91.00 feet to the point of Beginning.

Said property contains 0.514 acres, more or less.

- (5) “To change from Agricultural to Rural Residential”, (Jeff Clark, Agent for Michael Dorshorst) property located in part of the NE ¼ of the NE ¼, Section 15, Town 11N, Range 9E, Town of Dekorra, more particularly described as follows:

Commencing at the Northeast corner of Section 15, Town 11 North, Range 9 East; Thence South 89 degrees 06 minutes 11 seconds West 901.29 feet along the North line of Section 15 to the Northwest corner of Lot 1, Certified Survey Map No. 532, being the point of beginning; Thence South 00 degrees 53 minutes 26 seconds East 301.76 feet along the West line of Lot 1, Certified Survey Map No. 532; Thence South 89 degrees 06 minutes 11 seconds West 434.92 feet to the West line of the Northeast ¼ of the Northeast ¼ of Section 15; Thence North 00 degrees 11 minutes 09 seconds West 301.78 feet along the West line of the Northeast ¼ of the Northeast ¼ to the Northwest corner thereof; Thence North 89 degrees 06 minutes 11 seconds East 431.20 feet along the North line of Section 15 to the point of beginning.

Said property contains 3.00 acres, more or less.

- (6) “To change from Highway Interchange to Rural Residential”, (Attorney Jeff Clark, Agent for Michael Faust) a parcel of land located in part of the NW ¼ of the NW ¼, Section 32, Town 11N, Range 9E, Town of Dekorra, more particularly described as follows:

PARCEL NUMBER 493

Commencing at the Northwest corner of said Section 32; Thence South 89 degrees 28 minutes 59 seconds East along the North line of the Northwest Quarter of said Section 32, 881.20 feet to the point of beginning. Thence continuing South 89

degrees 28 minutes 59 seconds East along the North line of the Northwest Quarter of said Section 32, 440.43 feet to the Northeast corner of the Northwest Quarter of the Northwest Quarter of said Section 32; Thence South 01 degrees 23 minutes 26 seconds East along the East line of the Northwest quarter of the Northwest Quarter of said Section 32, 1,071.50 feet to a point in the center line of County Trunk Highway CS, said point also being the Northeast corner of Lot 2, Certified Survey Map No. 1304; Thence Northwesterly along a 1,910.00 foot radius curve to the left in the center line of County Trunk Highway CS having a central angle of 02 degrees 00 minutes 10 seconds and whose long chord bears North 82 degrees 44 minutes 39 seconds West, 66.76 feet; Thence North 01 degree 23 minutes 26 seconds West, 562.23 feet; Thence North 89 degrees 28 minutes 59 seconds West, 241.96 feet; Thence North 01 degree 23 minutes 26 seconds West, 304.25 feet; Thence North 89 degrees 28 minutes 59 seconds West, 132.44 feet; Thence North 01 degree 23 minutes 14 seconds West, 197.17 feet to the point of beginning.  
Said property contains 5.00 acres, more or less.

- (7) "To change from Highway Interchange to Commercial", (Attorney Jeff Clark, Agent for Michael Faust) a parcel of land located in part of the NW ¼ of the NW ¼, Section 32, Town 11N, Range 9E, Town of Dekorra, more particularly described as follows:

Commencing at the Northwest corner of said Section 32; Thence South 89 degrees 28 minutes 59 seconds East along the North line of the Northwest Quarter of said Section 32, 881.20 feet; Thence South 01 degree 23 minutes 14 seconds East, 197.17 feet to the point of beginning; Thence South 89 degrees 28 minutes 59 seconds East, 132.44 feet; Thence South 01 degree 23 minutes 26 seconds East, 304.25 feet; Thence South 89 degrees 28 minutes 59 seconds East, 241.96 feet; Thence South 01 degree 23 minutes 26 seconds East, 562.23 feet to a point in the center line of Country Trunk Highway CS; Thence Northwesterly along a 1,910.00 foot radius curve to the left in the center line of Country Trunk Highway CS having a central angle of 05 degrees 02 minutes 49 seconds and whose long chord bears North 86 degrees 16 minutes 09 seconds West, 168.19 feet; Thence North 88 degrees 47 minutes 33 seconds West along said center line of County Trunk Highway CS, 206.94 feet; Thence North 01 degree 23 minutes 14 seconds West, 854.55 feet to the point of beginning.

Said property contains 5.68 acres, more or less.

Daniel J. See, Chairman  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Jeanne Miller  
COLUMBIA COUNTY CLERK

DATE PASSED: March 19, 2003

DATE PUBLISHED: March 26, 2003

Motion by Wopat, seconded by Hamele, to separate the question and have item two voted on separately.

The motion carried unanimously.

Supervisors Healy and Wopat abstained from voting on item two and were excused from room.

First reading of item two of Ordinance.

Motion by V. Curtis, seconded by Baumgartner, to suspend the rules and have the second reading of item two of the Ordinance by title only.

The motion carried unanimously.

Second reading of item two of Ordinance.

Motion by Stoltenberg, seconded by Andler, to suspend the rules and have the third reading of item two of the Ordinance by title only.

The motion carried unanimously.

Third reading of item two of Ordinance.

Motion by Andler, seconded by Olson, to adopt item two.

First reading of remaining items of Ordinance.

Motion by Baumgartner, seconded by V. Curtis, to suspend the rules and have the second reading of remaining items of the Ordinance by title only.

The motion carried unanimously.

Chair See reiterated comments regarding meeting and formal set of rules.

Second reading of remaining items of Ordinance.

Motion by Ross, seconded by Amato, to suspend the rules and have the third reading of remaining items of the Ordinance by title only.

The motion carried unanimously.

Third reading of remaining items of Ordinance.

Motion by Stoltenberg, seconded by Boockmeier to adopt remaining items.

Supervisor Baumgartner explained that 5 acres is being separated from the original 37 acres with deed restrictions limiting one residence per parcel.

Supervisor Nelson relinquished time to allow Mitzi Duxbury to address the Board. Chair See informed Ms. Duxbury that the materials mailed to the Clerk's Office, had been distributed to all the County Board Supervisors. Ms. Duxbury commented on the application from Didion and Stiemsma for rezoning from agricultural to industrial. She had serious questions on the responses to the criteria of the Columbia County Farm Preservation plan. She felt the land was clearly suitable for agriculture land and that an alternate area for developing this project could be found. The Village of Cambria has three (3) hills with the proposed site in one of the valleys.. Duxbury felt it doubtful that the Village of Cambria would approve this site for industrial development due to a creek and marsh land located in that same area. The statement, that the area is not economically viable for agricultural use was considered false, she considered it good farmland. In addition, the change in land use would cause a conflict with adjacent farms. Two (2) farms would be adversely affected. Duxbury stated that consideration should be given to small farmers before they are driven out of business for the sake of industry. Traffic problems, air quality problems removing cultivating land from production, and burden to local governments were just some of the problems Duxbury saw if the County approved this rezoning petition. She asked the Board to "please do no harm to our County".

Supervisor Martin felt it imperative that the County Board give our farming community complete support because our professional farmers are under severe financial restraints. Removal of agricultural land was something she didn't want to see, but if by removing the agricultural designation it would have a positive impact on the ability of our farmers to benefit financially, she felt that consideration should be given to those financial interests of our farmers over the land and feel that we need to give our farming community the backbone of the State of Wisconsin as much support as we can.

Supervisor Wingers relinquished time for Jeffrey Bump, President of Cambria-Friesland Chamber of Commerce, to speak. Bump stated that the Chamber urges the approval of this rezoning request. That part of the county, reported Bump, has basically only one business and that is agri-business. Every major employer in the area is agri-business, and every other business supports those agri businesses. Customer base was described as largely an agricultural community around the villages and importance of work was stressed. If agribusiness suffers, Bump stated, we all suffer. The agricultural climate was not felt to be good. By taking a small amount of farmland out of production, other farmland in the county will be enhanced and increase property values. This small piece of land is adjacent to land-zoned industrial in the Village of Cambria. Town of Courtland has approved this land in their land use or Smart Growth Plan, due to its close proximity to utilities, railroad and highways. Approving this zoning request will take a renewable resource - corn, processing it into multiple food products and into a clean burning fuel called ethanol. This fuel will be used in vehicles around the area, state and nation. More Columbia County jobs will be created with more opportunities for workers not in agriculture, but that live in the Village. A lot of these products are shipped around the world. Another product of ethanol production is a high quality animal feed that will be sold back to Columbia County agri-businesses. Approving this zoning request provides increased tax revenues that will benefit Columbia County, Village of Cambria, Town of Courtland and school district. Property values will be increased, employment opportunities will be increased which will result in a better standard of living.

Nelson commented that agriculture is suffering and approving idea would not solve the problem. He supported it but felt a decent farm bill is needed. Keeping competition alive in agri-business by not allowing grain companies, packers, and buyers to become so large that they eliminate competition, was considered key to improving farmer situations.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance Z306-03.

Motion by Pufahl, seconded by Salzwedel, to approve as a group the Departments annual reports.

The motion carried unanimously.

The following annual reports were reviewed: Clerk of Courts; Register of Deeds; Coroner; County Treasurer; Columbia Health Care Center; District Attorney; Sheriff; Land and Water Conservation, U.W. Extension; County Library, with Health and Human Services and Veterans being held over until next month.

Supervisor Martin requested that Chair See's comments pertaining to the proposed building facilities resolution be made available.

On motion by J. Curtis, seconded by Stoltenberg, the meeting adjourned at 12:03 p.m., until Tuesday, April 15, 2003, at 9:45 a.m. The motion carried unanimously.