

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

*April 15, 2003  
through  
March 17, 2004*



*Daniel J. See, Chair  
Susan Martin, Vice Chair*

**COUNTY ELECTED AND  
APPOINTED OFFICIALS  
April, 2003 to March, 2004**

*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..... 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 (until November, 2003) ..... Thomas C. Pink  
Health & Human Services Director (November, 2003-Present).....Sandra Roberts  
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 (until May, 03)..... John (Bill) Crowley  
Veterans Service Officer (November-present) ..... Donna Chrzas

**COLUMBIA COUNTY BOARD OF SUPERVISORS**  
**STANDING COMMITTEES**  
**April 15, 2003**

**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. Krumpas  
Debbie Krumpas  
Helen Phelps

**HIGHWAY**

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

## **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**

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

## **PLANNING AND ZONING**

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

## **PROPERTY AND INSURANCE**

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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 15, 2003

### 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 COMMISSION

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

## **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  
Steven Rubert ..... Fall River  
Darrell Parker ..... Portage  
Joseph Ruf, III ..... Madison  
Avis Link ..... Cambria  
Tom Maloney ..... Portage  
Kirk Konkel ..... D.O.T.  
Doug Jarzynski ..... Wisconsin Dells  
Robert Andler ..... Rio  
Mark Jensen ..... Madison  
Marlene Auerbach ..... DeForest  
Daniel Pulsfus ..... Portage  
Dean Edgington ..... Wisconsin Dells  
Dan Roberts ..... Madison  
Ken Manthey ..... 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

## **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. Stencel .....	Poynette
Suzanne Filut .....	Rio

## **LOCAL LIBRARY BOARDS**

Suzanne Filut .....	Rio
Cheryl Neef .....	Pardeeville
Kathleen O'Hara .....	Portage
Bonnie Steffenhagen .....	Lodi
Daniel J. Stencel .....	Poynette
Heather Tessmann .....	Cambria

## **PARK LAKE MANAGEMENT DISTRICT**

Robert J. Stoltenberg .....	Arlington
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## **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

## **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

## **SCHEDULE OF BOARD MEETINGS**

**2003..... 2004**

**April 15, 2003 ..... November 12, 2003**  
**May 21, 2003.....December 17, 2003**  
**June 18, 2003 ..... NO JANUARY 04 BOARD MEETING**  
**NO JULY 03 BOARD MEETING ..... February 18, 2004**  
**August 20, 2003 ..... March 17, 2004**  
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PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
April 15, 2003  
9:47 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.

Motion by Martin, seconded by Westby, to approve the Journal of March 19, 2003. Motion carried unanimously.

Motion by Stoltenberg, seconded by Wingers, to approve the following changes to the agenda: additional communication and Resolution submitted by Property and Insurance Committee. Motion carried unanimously.

A letter was received from Columbia County Crime Stoppers, Inc. thanking the Board for the generous grant and support during these difficult financial times.

The Clerk read a note from Supervisor DeYoung thanking the Board for flowers received after his surgery.

Chair See stated that the Proceedings have been distributed and the cost this year was \$545 with a cost reduction from last years budgeted amount of \$1400.

Chair See announced the following appointment: Jay West to the Commission on Aging Committee. On motion by Riley, seconded by J. Curtis, the appointment was unanimously approved.

**RESOLUTION NO. 16-03**

BE IT RESOLVED by the County Board of Supervisors of Columbia County, Wisconsin (the "County") that there shall be issued on or before April 15, 2008, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds or promissory notes (the "Securities") in an amount of \$20,600,000 for the purpose of paying the cost of preparing a site, including demolishing existing buildings; constructing and equipping a new jail facility; remodeling and renovating the existing jail facility; and replacing the health and human services offices; and there shall be levied on all the taxable property of the County a direct, annual, irrevocable tax sufficient to pay the interest on said Securities as it becomes due, and also to pay and discharge the principal thereof within twenty years of the date of issuance of the Securities.

BE IT FURTHER RESOLVED by the County Board of Supervisors of the County that bond anticipation notes in an amount of \$20,600,000 are hereby authorized to be issued pursuant to Section 67.12(1)(b), Wis. Stats., in anticipation of receiving the proceeds from the issuance and sale of the Securities.

Adopted and recorded April 15, 2003.

Daniel J. See  
Chairperson

ATTEST:  
Jeanne Miller  
County Clerk

Motion by Martin, seconded by Boockmeier, to adopt.

Twenty (20) year borrowing period was discussed. Jeff Belongia, of Hutchinson, Shockey, Erley & Company, financial advisor for the County, explained that Chapter 67, Wisc. Stats., allows up to a maximum of twenty (20) years for discharging debt. By approving this Resolution, the County will authorize Belongia's firm to start solicitation for interest rates and report back with those rates for the financing of this project. Anticipated financing for the project was structured for a fifteen (15) year period.

Discussion on whether the debt service from the previous jail-building project was paid. The final payment for that project was said to be made in 2008, but it was noted, by Mr. Belongia, that combined refinancing prevented him from saying the existing debt was for the jail or other projects. It depended on how it was amortized.

Supervisor Hamele said he would support the Resolution recommended by the Ad Hoc Jail/Huber Study Committee. Concerns with the recommended Option were due to the demolition of the existing Sheriff's Safety Building and the relocation of Health and Human Services and elimination of County programs, services and staff. Educational programs should not be sacrificed in an effort to reduce recidivism. He further hoped that improved communication between law enforcement and judicial would take place. Any budgeted overtime should be zero based with those funds redirected toward personnel for the jail.

Supervisor Baumgartner, stated his support of the Resolution, but with mixed feelings. His main concern was with spending funds that could be used for community services and programs.

Supervisor Amato raised the question of conflict of interest or vested interest on the part of supervisors who have districts that contract with the Sheriff's Department for police support. Attorney Ruf stated that he had researched this question, and in his opinion, he did not see any conflict or incompatibility. The County Board may serve in dual roles, as a County Board Member and Town, Village or City board member. If any member has knowledge of a board member or official making a promise that will benefit their municipality in some way; or that there has been talk of consequences due to how an individual votes, that would be considered a problem.

Supervisor Boockmeier, Ad Hoc Huber/Jail Building Committee Chair stated the committee was formed in February of 2002. After many meetings and much deliberation, the Committee recommended Option IV as the most fiscally responsible solution to the problem. The Huber facility is over crowded and that remains the primary issue today. He encouraged members to support this Resolution as he does.

Supervisor Nelson expressed difficulty in supporting the Resolution and feels the expansion was more than the County could afford at this time. He was not in favor of demolishing buildings and relocating departments and could not support the building project knowing that needed programs provided to county constituents were at risk of being cut. Nelson questioned the continuation of financial assistance from the State of Wisconsin with the current budget deficit. He did indicate that he would support a building project lesser in nature dealing with the Huber issue.

Supervisor Sanderson asked what the tax impact would be on the mill rate for \$20,000,000 if financed for 15 – 20 years. Mr. Belongia estimated the tax impact at .22 cents per 1,000 assessed property valuation. Example given was a \$100,000 home, an estimated increase of \$20.

Supervisor Tramburg felt the Ad Hoc Huber/Jail Committee had reviewed this issue over a long period of time before making its recommendation. Tramburg agreed that he'd rather see money spent for programs that benefit other problems in the community such as drug abuse, spouse and child abuse and anger management. On the other hand, the County has an obligation to provide a facility for individuals who need to be in jail. Columbia County's incarceration rate was estimated at 13 percent of our population, with the State average at about 8 percent. The original jail was built to accommodate a population of 110. With the current overflow situation, the County's options were to either ship inmate population to another facility or build a facility to house them. A bracelet program will be initiated that should help with some of problems the County is facing. The Finance Committee took a long hard look at this situation. The decision to put the County in debt was not easy. He expressed his support for this Resolution.

Chair See indicated that in conversations he'd had with Supervisors, most expressed the same sentiments regarding this financing proposal. It was not something the Board looked forward to doing, but most agreed this plan would have the lowest possible cost to the County in the long run. He felt it was the County's responsibility to take care of this situation.

Supervisor Pufahl had originally felt he had a conflict of interest as the Village of Pardeeville contracted with the Sheriff's Department. After the Corporation Counsel's explanation, Pufahl felt there was no conflict of interest and would participate in the vote.

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

AYES: 28, NOES: 3, EXCUSED: 0, ABSENT: 0

AYES: Boockmeier, Casey, J. Curtis, V. Curtis, DeYoung, Fitzgerald, Ford, Hamele, Healy, Horton, Hutler, Kinney, Martin, Olson, Pufahl, Riley, Robson, Ross, Salzwedel, Sanderson, Stevenson, Stoltenberg, Tramburg, Westby, Wopat, See, Andler and Baumgartner.

NO: Nelson, Wingers and Amato.

## RESOLUTION NO. 17-03

BE IT RESOLVED by the County Board of Supervisors of Columbia County, Wisconsin (the "County") that there shall be issued on or before April 15, 2008, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds or promissory notes (the "Securities") in an amount of \$320,000 for the purpose of upgrading the heating system at the County health care center; and there shall be levied on all the taxable property of the County a direct, annual, irrevocable tax sufficient to pay the interest on said Securities as it becomes due, and also to pay and discharge the principal thereof within twenty years of the date of issuance of the Securities.

BE IT FURTHER RESOLVED by the County Board of Supervisors of the County that bond anticipation notes in an amount of \$320,000 are hereby authorized to be issued pursuant to Section 67.12(1)(b), Wis. Stats., in anticipation of receiving the proceeds from the issuance and sale of the Securities.

Adopted and recorded April 15, 2003.

Daniel J. See  
Chairperson

ATTEST:  
Jeanne Miller  
County Clerk

Motion by Tramburg, seconded by Riley, to adopt.

Supervisor Martin acknowledged the efforts of the Health Care Center Committee in petitioning for grant monies from the Department of Commerce by attending listening sessions, making presentations, attending WCA sessions in an effort to resolve this without having to come to the Board floor. Supervisor Tramburg stated the Committee considered the safety of the residents at the Center in all their deliberations. Generator and heating upgrades were necessary at the facility.

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

AYES: 31, NOES: 0, EXCUSED: 0, ABSENT: 0

AYES: Casey, J. Curtis, V. Curtis, DeYoung, Fitzgerald, Ford, Hamele, Healy, Horton, Hutler, Kinney, Martin, Nelson, Olson, Pufahl, Riley, Robson, Ross, Salzwedel, Sanderson, Stevenson, Stoltenberg, Tramburg, Westby, Wingers, Wopat, See, Amato, Andler, Baumgartner and Boockmeier.

## RESOLUTION NO. 18-03

BE IT RESOLVED by the County Board of Supervisors of Columbia County, Wisconsin (the "County") that there shall be issued on or before April 15, 2008, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds or promissory notes (the "Securities") in an amount of \$7,500,000 for the purpose of ~~acquiring~~ *preparing* a site and constructing and equipping a new highway facility; and there shall be levied on all the taxable property of the County a direct, annual, irrevocable tax sufficient to pay the interest on said Securities as it becomes due, and also to pay and discharge the principal thereof within twenty years of the date of issuance of the Securities.

BE IT FURTHER RESOLVED by the County Board of Supervisors of the County that bond anticipation notes in an amount of \$7,500,000 are hereby authorized to be issued pursuant to Section 67.12(1)(b), Wis. Stats., in anticipation of receiving the proceeds from the issuance and sale of the Securities.

Adopted and recorded April 15, 2003.

Daniel J. See  
Chairperson

ATTEST:  
Jeanne Miller  
County Clerk

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

There was discussion regarding "acquiring a site".

Motion by Sanderson, seconded by Salzwedel, to amend the Resolution to change "acquiring" to "preparing".

The amendment was unanimously approved.

There was discussion regarding the square footage of the proposed highway facility and the estimated cost per square foot.

Kurt Dey, Highway Commissioner, stated the total area square footage for the project was 122,440, included operations, low heat storage, repair, personnel, lunch room, dispatch, shop and mezzanine. He estimated the average price per square foot at \$60.64 with site preparation.

The impact on taxes for \$7.5 million proposed Highway Facility, for a twenty (20) year period, was said to be .15 cents per thousand of equalized valuation.

Discussion pertaining to amount approved for site plans with an explanation that \$345,000 had previously been approved by this Board for the design of facility. That amount is included in the \$7.5 million and approximately \$100,000 has been spent to date.

Supervisor V. Curtis noted the time and effort put into planning this facility by the Administration and the Ad Hoc Committee. Further, he expressed his support of the project noting important phases while defining areas that will improve noticeably. Construction of low heat storage area was considered essential to eliminating maintenance on vehicles left outside. Simply starting a vehicle left outside in cold weather was felt to cause damage to the vehicle. He asked for support of the Board on this borrowing resolution.

Supervisor Nelson felt this would make the current Highway Facility operate more efficiently, insure the safety and health of workers, while abiding and complying with State regulations.

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

AYES: 28, NOES: 3

AYES: J. Curtis, V. Curtis, Fitzgerald, Ford, Healy, Horton, Hutler, Kinney, Martin, Nelson, Olson, Pufahl, Riley, Robson, Ross, Salzwedel, Sanderson, Stevenson, Stoltenberg, Tramburg, Westby, Wopat, See, Amato, Andler, Baumgartner, Boockmeier and Casey.

NO: DeYoung, Hamele and Wingers.

### **RESOLUTION NO. 19-03**

WHEREAS, the Jail control panels, which operate lighting, doors, security, plumbing, and electrical systems, are out-dated, in need of replacement, and currently impose a security risk with the inmates, and

WHEREAS, the proposed Touch Screen System will be compatible with technology in the new jail, and less expensive to upgrade and maintain, and

WHEREAS, since current equipment has failed and is partially inoperable, it has been determined that the need is immediate.

NOW, THEREFORE, BE IT RESOLVED that a Jail Touch Screen System be authorized for expenditure, and the sum of \$115,980 be transferred from the General Fund to the County Jail Building/Expansion Project.

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.

FISCAL NOTE: Transfer an amount not to exceed \$115,980 from General Fund Account #100.341100 to the County Jail Building/Expansion Project Account #400.9950

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

Motion by Olson, seconded by DeYoung, to adopt.

The initial resolution did not include monies for remodeling and installation of this touch screen system in the current jail. It was noted that the new jail would include the same system. Supervisor Sanderson had toured the current jail, looking at panels wearing out of current system, felt this Resolution was needed and would recommend the upgrade proposed in this Resolution.

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 Attorney Jeff Clark, Agent for Michael Dorshorst, Poynette, Wisconsin to change from Agricultural to Agricultural No. 2, 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 Agricultural No. 2, a parcel of land located described as part of the SE ¼ of the SW ¼, Section 15, Town 11N, Range 9E, Town of Dekorra. Intent: To build a single family residence and accessory buildings.

- (2) A petition by Wisconsin Lake Properties, LLC, Waunakee, Wisconsin to rezone from Recreational to Recreational with Planned Residential Development Overlay District, property located in Section 8, Town of Lodi on the 12<sup>th</sup> day of March, 2003 be approved as follows:

To change from Recreational to Recreational with Planned Residential Development Overlay District, a parcel of land described as part of the SW ¼ of the SE ¼, Section 8, Town 10N, Range 8E, Town of Lodi. Intent: Development of condominium containing 6 single family dwellings.

Harlan Baumgartner  
Eugene Fitzgerald  
John Stevenson  
John Healy  
Harlan Horton

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

## **ORDINANCE NO. Z307-03** **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 Agricultural No. 2”, (Attorney Jeff Clark, Agent for Michael Dorshorst) a parcel of land described as part of the SE ¼ of the SW ¼, Section 15, Town 11N, Range 9E, Town of Dekorra, more particularly described as follows:

### PARCEL NUMBER 252

That part of the Southeast Quarter of the Southwest Quarter of Section 15, Town 11N, Range 9E, lying West of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company’s tract, in the Town of Dekorra.

Said property contains 27.5 acres, more or less.



- (2) ~~“To change from Recreational to Recreational with Planned Residential Development Overlay District”, (Wisconsin Lake Properties, LLC) a parcel of land described as part of the SW ¼ of the SE ¼, Section 8, Town 10N, Range 8E, Town of Lodi, more particularly described as follows:~~

~~PARCEL NUMBER 290~~

~~Commencing at the Southeast corner of said Section 8;  
Thence South 89 degrees 28 minutes 41 seconds West along the South line of the Southeast Quarter of said Section 8, 1,311.51 feet to the Southeast corner of the Southwest Quarter of the Southeast Quarter of said Section 8;  
Thence North 00 degrees 09 minutes 23 seconds East, along the east line of the Southwest Quarter of the Southeast Quarter of said Section 8 and the West line of Fosters Back 40, 285.00 feet to the Southeast corner of Lot 2, Certified Survey Map No. 3522;  
Thence South 89 degrees 43 minutes 51 seconds West along the South line of said Lot 2, 415.25 feet to the Southwest corner of said Lot 2 and the point of beginning;  
Thence South 00 degrees 00 minutes 04 seconds East, 88.64 feet;  
Thence North 70 degrees 04 minutes 30 seconds West, 438.88 feet to a point which bears South 70 degrees 04 minutes 30 seconds East, 13 feet more or less from the water's edge of Lake Wisconsin and the beginning of a meander line along said lake;  
Thence North 44 degrees 05 minutes 49 seconds East along said meander line, 148.02 feet;  
Thence North 33 degrees 57 minutes 40 seconds East along said meander line, 342.21 feet;  
Thence North 58 degrees 47 minutes 38 seconds East along said meander line, 55.91 feet to a point in the West line of the lands described and recorded in Volume 274 of Deeds, page 365, said point also lying South 10 degrees 27 minutes 29 seconds East, 20 feet more or less from the water's edge of Lake Wisconsin and the end of this meander line along said lake;  
Thence South 10 degrees 27 minutes 29 seconds East along the West line of lands described in Volume 274 of Deeds, page 365, 20.00 feet;  
Thence South 06 degrees 44 minutes 24 seconds East along the West line of lands described in Volume 185 of Records, page 128, 212.34 feet to the Southwest corner of lands described in Volume 185 of Records, page 128;  
Thence North 89 degrees 59 minutes 14 seconds East along the South line of lands described in Volume 185 of Records, page 128 and of lands described and recorded in Volume 274 of Deeds, page 365, 42.00 feet;  
Thence South 00 degrees 00 minutes 53 seconds East along the West line of Lot 1, Certified Survey Map No. 3366 and Lot 2, Certified Survey Map No. 3522 and an extension thereof, 249.50 feet to the point of beginning.  
Said property contains 2.98 acres, more or less.~~

Daniel J. See, Chairman  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Jeanne Miller  
COLUMBIA COUNTY CLERK

DATE PASSED: April 15, 2003  
DATE PUBLISHED: April 23, 2003

Motion by Baumgartner, seconded by Fitzgerald, to separate petition two from the Ordinance and lay over until next month.

The motion carried unanimously.

First reading of item one of Ordinance.

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

There was discussion regarding the Town's position and legal ramifications.

As of April 1, 2003, the Town of Dekorra has not taken a position and that is their intent.

John Bluemke, Planning and Zoning Director, discussed the staff report and stated the Committee recommends approval of the petition to be rezoned. The Committee laid over action for 30 days to give the Town an opportunity to take a position, however, no action was taken.

It was felt that the County has an obligation to make a decision on the petition before them.

Attorney Ruf stated it is his opinion that a decision needs to be made and that even if the County approves the petition the Town can and has the opportunity to veto that decision as it has the final say. If action was taken against County, approving the petition could place the County in a better position.

The question as to only 27 acres being rezoned and setting precedence was raised. This property has been separate since prior to 1984 and meets the eligibility requirements for Ag 2 zoning.

Dwelling placement was suggested to minimize the agricultural impact.

The motion carried unanimously.

Second reading of item one of Ordinance.

Motion by Baumgartner, seconded by Stoltenberg, to suspend the rules and have the third reading of item one of the Ordinance by title only.

The motion carried unanimously.

Third reading of item one of Ordinance.

Motion by Ross, seconded by Riley, to adopt item one.

Motion carried, not unanimously. The Ordinance was declared passed and is to be known as Ordinance Z307-03.

The following annual reports were reviewed: Management Information Services; Emergency Management; Health and Human Services; Economic Development and Tourism.

Motion by Pufahl, seconded by Olson, to approve the annual reports.

The motion carried unanimously.

On motion by J. Curtis, seconded by Stoltenberg, the meeting adjourned at 11:48 a.m., until Wednesday, May 21, 2003, at 7:00 p.m. The motion carried unanimously.



PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
May 21, 2003  
7:02 P.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 Supervisors Kinney and Westby, excused.

Motion by Pufahl, seconded by Riley, to approve the Journal of April 15, 2003. Motion carried unanimously.

Motion by Stoltenberg, seconded by Wingers, to approve the following change to the agenda: revised Planning and Zoning Ordinance placed on desks. Motion carried unanimously.

Motion by Tramburg, seconded by Healy, to amend Rule 17 (2) to read: "The Revolving Loan Fund/Housing Committee shall consist of one member from the Finance or a citizen at large with banking or financial experience, 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".

Lois Schepp, Comptroller, explained that the State of Wisconsin monitors closely and recommends an individual from the outside with strong financial background be appointed to committee.

The motion carried unanimously.

The Clerk reported that Columbia County received a Dismissal of Notice of Circumstance of Claim from Attorney Fishbach on behalf of Sharon Werts.

Chair See announced that entry into the Administration Building would be restricted as of June 2, 2003, requiring security identification card and finger print verification for employees and Supervisors to access building, except for east side doors.

Chair See announced the following appointments:

- 1) Carol Ziehmke to the Ethics Inquiry Board for a term to expire April of 2006. On motion by Riley, seconded by DeYoung, the appointment was unanimously approved.
- 2) Debra L.H. Wopat to the Housing Authority for a term to expire May of 2007. On motion by Martin, seconded by Baumgartner, the appointment was unanimously approved.
- 3) Mark Witt to the Revolving Loan Fund/Housing Committee for a term to expire April of 2004. On motion by Stoltenberg, seconded by Boockmeier, the appointment was unanimously approved.

## RESOLUTION NO. 20-03

BE IT HEREBY RESOLVED that effective January 1, 2003, the following accounts be designated as continuing appropriation accounts:

Unemployment Control	1432	Veterans Relief	4720
Employee Retirement Payout Pool	1433	Library	6110
Misc. Office Supplies-Clerk's Office	1413	U.W. Extension Ag. Seminars	6712
Copy Machine Clerk's Office	1412	U.W. Grant Accounts	various
Land Info. – Contract Service Revenue	1720	Tree Planter – Rental Program	7449
Expendable Trust – Land Records	1721	Pesticide Program	6714
Remonumentation	1724	LCD State Conservation Fund	7422
Co-Owned Lands Inventory	1725	LCD Tree Sale Program	7423
Planning & Zoning – Map Account	6310	LCD Local Project Assistance	7433
Environmental Assessments	1564	Nonpoint Watersheds	7445
Liability Insurance Fund	1960	Conservation Practices Fund	7435
Worker's Comp Insurance Fund	1970	Revolving Loan Fund Program	1513
D.A.R.E. Donations	2240	Housing Program	1514
Sheriff Fed Drug Seizure Trust	2241	Clean-up Underground Tank	7450
Sheriff State Seizures Trust	2243	Building Improvement & Expansion	9940
Expendable Trust-Jail Assessment	2251	Capital Outlay Pool	8000
Sheriff's Inmate Trust	2252	Human Services - Aging Programs	
County Nurse – Loan Equipment	461200000	Health Care Center - All Accounts	
County Nurse – "We Care" Program	461300000	Highway - All Accounts	

No Fiscal Note

John H. Tramburg  
Debra L.H. Wopat  
Susan Martin  
Michael J. Kinney  
Robert L. Hamele  
FINANCE COMMITTEE

Motion by Tramburg, seconded by Casey, to adopt.

Lois Schepp stated that non-lapsing accounts are continuing appropriations which carry fund balances into next year. Generally, there needs to be a legal reason for these accounts.

The Resolution was unanimously adopted.

## RESOLUTION NO. 21-03

WHEREAS, the County Board of Supervisors hereby finds and determines that it is necessary, desirable and in the best interest of Columbia County, Wisconsin (the "County") to raise funds for the purpose of paying the cost of preparing a site and constructing and equipping a new highway facility (\$7,500,000) (the "Highway Facility Project"); preparing a site, including demolishing existing buildings, constructing and equipping a new jail facility, remodeling and renovating the existing jail facility; and replacing the health and human services offices (\$20,600,000) (the "Jail and HHS Office Projects"); and upgrading the heating system at the County health care center (\$320,000) (the "HVAC Project") (collectively, the "Project"), and there are insufficient funds on hand to pay said costs;

WHEREAS, on April 15, 2003, the County Board of Supervisors adopted three initial resolutions authorizing the issuance of general obligation bonds or promissory notes: (1) in the amount of \$7,500,000 to pay the cost of the Highway Facility Project; (2) in the amount of \$20,600,000 to pay the cost of the Jail and HHS Office Projects; and (3) in the amount of \$320,000 to pay the cost of the HVAC Project;

WHEREAS, the County Board of Supervisors 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 Section 67.04(1)(b) of the Wisconsin Statutes;

WHEREAS, counties are authorized by the provisions of Section 67.12(12) of the Wisconsin Statutes to borrow money and to issue general obligation promissory notes for such public purposes and the County Board of Supervisors hereby finds and determines that it is in the best interest of the County to issue general obligation promissory notes to pay a portion of the cost of the Project;

WHEREAS, none of the proceeds of such general obligation promissory notes 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; 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 promissory notes to Hutchinson, Shockey, Erley & Co., Milwaukee, Wisconsin.

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

Section 1. Authorization of the Notes. For the purpose of paying a portion of the cost of the Project, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, the principal sum of NINE MILLION SIX HUNDRED THOUSAND DOLLARS (\$9,600,000) 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 2. Sale of the Notes. 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 Promissory Notes aggregating the principal amount of NINE MILLION SIX HUNDRED THOUSAND DOLLARS (\$9,600,000) (the "Notes") for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 3. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes"; shall be dated June 1, 2003; 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 and shall mature on June 1 of each year, in the years and principal amounts as set forth on the schedule prepared by the Purchaser and attached hereto as Exhibit B (the "Schedule"). Interest is payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2004.

Section 4. Redemption Provisions. At the option of the County, the Notes maturing on June 1, 2011 and thereafter shall be subject to redemption prior to maturity on June 1, 2010 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption. If the Proposal specifies that any of the Notes are subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment hereto as Exhibit MRP (the "Mandatory Redemption Provisions") and incorporated herein by this reference.

Section 5. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 6. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2003 through 2011 for the payments due in the years 2004 through 2012 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 Notes 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 created below.

**Section 7. 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 \$9,600,000 Columbia County General Obligation Promissory Notes, dated June 1, 2003", which fund account shall be used solely for the purpose of paying the principal of and interest on the Notes. There shall be deposited in said fund account all accrued interest paid on the Notes at the time the Notes are delivered to the Purchaser, any premium, all money raised by taxation pursuant to Section 6 hereof and all other sums as may be necessary to pay principal of and interest on the Notes as the same becomes due. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Notes and 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 8. Borrowed Money Fund; Reimbursement.** The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into an account separate and distinct from all other funds and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes.

The County declares its reasonable expectation to reimburse itself from the Note Proceeds for expenditures relating to the Project which it pays from other funds of the County prior to receipt of the Note Proceeds no more than 60 days prior to the date this Resolution is adopted. The County may also reimburse itself for preliminary expenditures relating to the Project (such as architectural, engineering, surveying, soil testing, costs of issuance and similar costs but not including land acquisition, site preparation and similar costs incident to the commencement of construction) which are in an amount which is less than 20% of the issue price of the Notes. This declaration and the Resolution of which it is a part, shall be publicly available in the official books, records or proceedings of the County Board of Supervisors.

**Section 9. Arbitrage Covenant.** The County shall not take any action with respect to the Note Proceeds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of the delivery of and payment for the Notes (the "Closing"), would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

The Note Proceeds may be temporarily invested in legal investments until needed, provided however, that the County hereby covenants and agrees that so long as the Notes remain outstanding, moneys on deposit in any fund or account created or maintained in connection with the Notes, whether such moneys were derived from the Note Proceeds or from any other source, will not be used or invested in a manner which would cause the Notes 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 Notes, 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 Note Proceeds and the facts and estimates on which such expectations are based, all as of the Closing.

**Section 10. Additional Tax Covenants; Two-Year 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 Notes) to assure that the Notes are obligations described in Section 103(a) of the Code, the interest on which is excludable 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 Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes, shall provide an appropriate certificate of the County 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 Notes will continue to be obligations described in Section 103(a) of the Code, the interest on which is excludable 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 Notes are not "private activity bonds" as defined in Section 141 of the Code.

In accordance with Section 148(f)(4)(C) of the Code, the County covenants that at least 75% of the available construction proceeds of the Notes shall be used for construction expenditures with respect to property owned by the County as provided in Section 148(f)(4)(C)(iv) of the Code. If at least 10% of the available construction proceeds of the Notes (including investment earnings thereon) are expended for the governmental purposes of the issue within six months of the Closing; at least 45% are expended for such purposes within one year; at least 75% are expended for such purposes within eighteen months; and 100% are expended for such purposes within two years, the Notes will qualify for the two year expenditure exception from the rebate requirements of the Code. If for any reason the County did not qualify for the two-year expenditure 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 Notes 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 Notes, shall provide an appropriate certificate of the County, all as of the Closing.

Section 11. Execution of the Notes. The Notes shall be issued 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 Notes shall cease to be such officers before the delivery of the Notes, 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 and deliver all documents as may be necessary and convenient to effectuate the Closing.

Section 12. Payment of the Notes. The principal of and interest on the Notes shall be paid in lawful money of the United States of America by the County Clerk, County Treasurer or Comptroller.

Section 12A. Persons Treated as Owners; Transfer of Notes. The County shall keep books for the registration and for the transfer of the Notes. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the 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 Note or Notes 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 Note surrendered for transfer.

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

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

Section 13. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.



Section 14. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the holders of the Notes, 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 Notes 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 Notes).

The County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 15. 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 Notes may reasonably request and which are acceptable to the Chairperson and County Clerk, including provisions regarding restrictions on investment of Note Proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, appropriate reference to the municipal bond insurance policy shall be made in the form of Note provided herein.

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.

Adopted and recorded May 21, 2003.

Daniel J. See  
Chairperson

ATTEST:  
Jeanne Miller  
County Clerk

Motion by Tramburg, seconded by Olson, to adopt.

Jeff Belongia, of Hutchinson, Shockey, Erley & Company, gave a brief presentation on the Resolution submitted before the Board authorizing borrowing of \$9.6 million. He discussed the borrowing amount, existing treasury regulations and cash flow process. Issues of less than \$10 million in a calendar year are designated bank-qualified issue. However, if more than \$10 million is issued, the following requirements must be met in spending to include interest earnings of at least: ten (10) percent in six months, forty-five (45) percent in 12 months and as much as ninety-five (95) percent in first 24 months. Thus by issuing bank-qualified debt the County has secured a better interest rate.

Mr. Belongia stated that Columbia County has been upgraded to Aa3 rating from A1 based on the County's outstanding parity debt. This aids the County in controlling future interest costs as well as this issue. He commended the Finance Committee, Lois Schepp and Administration for achieving this rating and for the County's strong financial operations at the local level. Sales comparison was discussed, which demonstrated how Columbia County compared to other insured creditors.

On June 4, 2003, the monies will be transferred to the County. At a rate of 3.07 percent. Mr. Belongia stated this is a ten (10) year note with the best rate ever received, taking into consideration the volatile market.

There was discussion regarding the process taken to secure bonding issue. Moody's requirements included submitting three (3) years of audited financial statements and budgets; demographics to include per capita incomes, average home values, growth and development; and the County's ability to pay back debt thru the life of note taking into consideration any unforeseen circumstances.

Mr. Belongia stated the borrowing would raise the mill rate by .22 cents.

Concerns regarding projects exceeding limits were addressed. Chair See stated that the Finance Committee is scheduled to meet on May 27 to address paperwork necessary for projects and how monies will be spent.

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

AYES: 29, NOES: 0, EXCUSED: 2, ABSENT: 0

AYES: V. Curtis, DeYoung, Fitzgerald, Ford, Hamele, Healy, Horton, Hutler, Martin, Nelson, Olson, Pufahl, Riley, Robson, Ross, Salzwedel, Sanderson, Stevenson, Stoltenberg, Tramburg, Wingers, Wopat, See, Amato, Andler, Baumgartner, Boockmeier, Casey and J. Curtis.

EXCUSED: Kinney and Westby.

Attorney Ruf reported on the negotiated Sheriff's Non Sworn Contract for 2003-2004. The two (2) year contract includes a 3% wage increase for 2003, creates an additional step after twelve years at 2%, with a wage re-opener clause for 2004; language clarification; and an additional day off per year for not using sick pay.

Motion by Ross, seconded by DeYoung, 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 Wisconsin Lake Properties, LLC, to rezone from Recreational to Recreational with Planned Residential Development Overlay District, property located in Section 8, Town of Lodi on the 18<sup>th</sup> day of February, 2003 is disapproved as follows:

To change from Recreational to Recreational with Planned Residential Development Overlay District, a parcel of land located in part of the SW ¼ of the SE ¼, Section 8, Town 10N, Range 8E, Town of Lodi.

Disapproved based on the towns recommendation of disapproval.

Harlan Baumgartner

John G. Stevenson

Eugene Fitzgerald

John Healy

Harlan Horton

PLANNING AND ZONING COMMITTEE

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

Last month a motion by Baumgartner, seconded by Fitzgerald, to separate petition and lay over until next month for further discussion and deliberation of the Planning and Zoning Committee as to Town's position.

Attorney Ruf discussed the sequence of events and procedural steps, as required by Statute, that the Supervisors would need to follow so the matter could be referred for further consideration by the Town of Lodi Board.

## REPORT OF THE PLANNING AND ZONING COMMITTEE

The Planning and Zoning committee having held public hearings thereon pursuant to Section 9.69 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 and Laura Love, to rezone from Single Family Residence to Rural Residential, property located in Section 34, Town of Lodi on the 22<sup>nd</sup> day of January, 2003 be approved as follows:

To change from Single Family Residence to Rural Residential, a parcel of land located in part of the NE ¼ of the SE ¼, Section 34, Town 10N, Range 8E, Town of Lodi.

- (2) A petition by Randall and Bridget Rhode, to rezone from Agricultural to Single Family Residence, property located in Section 12, Town of Pacific on the 3<sup>rd</sup> day of April, 2003 be approved as follows:

To change from Agricultural to Single Family Residence, parcels of land described as the SW ¼ of the NE ¼, and the SE ¼ of the NE ¼, and part of the NW ¼ of the NE ¼ and part of the NE ¼ of the NE ¼, Section 12, Town 12N, Range 9E, Town of Pacific.

- (3) A petition by Trent T. and Kathy J. Trieloff, to rezone from Agricultural to Rural Residential, property located in Section 10, Town of Fountain Prairie on the 28<sup>th</sup> day of March, 2003 be approved as follows:

To change from Agricultural to Rural Residential, a parcel of land described as Lot 1 of Certified Survey Map Number 2720, Section 10, Town 11N, Range 12E, Town of Fountain Prairie.

- (4) A petition by Rose Mary Belk, to rezone from Agricultural to Single Family Residence, property located in Section 11, Town of Lodi on the 15<sup>th</sup> day of January 2003 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 NE ¼ Section 11, Town 10N, Range 8E, Town of Lodi.

Harlan Baumgartner  
John G. Stevenson  
Eugene Fitzgerald  
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. Z308-03 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 Single Family Residence to rural Residential”, (John and Laura Love) a parcel of land located in part of the NE ¼ of the SE ¼, Section 34, Town 10N, Range 8E, Town of Lodi, more particularly described as follows:



Commencing at the east quarter corner of said Section 34: Thence South 0 degrees 54 minutes west, 818.86 feet along the east line of said Section 34; Thence North 89 degrees 08 minutes west, 80.78 feet to the point of beginning of this description; Thence North 89 degrees 08 minutes west, 444.49 feet; Thence North 13 degrees 25 minutes west, 148.43 feet along the center line of State Trunk Highway 113 to Point A; Thence continue along said centerline North 13 degrees 25 minutes west, 167.97 feet; Thence south 89 degrees 08 minutes east, 517.47 feet; Thence south 0 degrees 15 minutes east, 306.66 feet to the point of beginning of this description.

- (2) “To change from Agricultural to Single Family Residence”, (Randall and Bridget Rhode) parcels of land described as the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , and the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , and part of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  and part of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 12, Town 12N, Range 9E, Town of Pacific, more particularly described as follows:

The South 88 acres of the Northeast Quarter of Section 12, Town 12N, Range 9E, Town of Pacific, Columbia County, Wisconsin, except the following-described parcel: All of the land lying between a line 16.50 feet North and a line 16.50 feet South of a centerline described as follows: Commencing at the north quarter corner of Section 12, Town 12N, Range 9E; Thence south 00 degrees 08 minutes east along the west line of the Northeast Quarter of said Section 12, 1204.50 feet to the point of beginning of the centerline to be described; Thence east 2648.5 feet to the east line of said Section 12 and the end of the centerline, excepting there from the land already in use for highway purposes.

Said property contains 86.00 acres, more or less.

- (3) “To change from Agricultural to Rural Residential”, (Trent T. and Kathy J. Trieloff) a parcel of land described as Lot 1, Certified Survey Map Number 2720, located in part of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , Section 10, Town 11N, Range 12E, Town of Fountain Prairie, more particularly described as follows:

Commencing at the Northwest corner of said Section 10; Thence South 03 degrees 04 minutes 54 seconds West along the west line of the Northwest Quarter of said Section 10, 1,320.63 feet; Thence South 89 degrees 33 minutes 04 seconds East along the north line of the Southwest quarter of the Northwest Quarter of said Section 10, 309.40 feet to the northwest corner of Lot 1, Certified Survey Map Number 2720; Thence continuing South 89 degrees 33 minutes 04 seconds East along said north line of the Southwest Quarter of the Northwest Quarter of Section 10, said line also being the north line of Lot 1, Certified Survey Map Number 2720, 491.83 feet to the point of beginning; Thence continuing South 89 degrees 33 minutes 04 seconds East along said north line of the Southwest Quarter of the Northwest Quarter of said Section 10, said line also being the north line of Lot 1, Certified Survey Map Number 2720, 363.90 feet; Thence South 00 degrees 21 minutes 37 seconds West, 488.42 feet to a point which lies North 00 degrees 21 minutes 37 seconds East, 28 feet more or less from the waters edge of the Crawfish River and the beginning of a meander line along said river; Thence South 72 degrees 33 minutes 24 seconds West along said meander line, 229.25 feet; Thence South 43 degrees 14 minutes 31 seconds West along said meander line, 214.00 feet to a point which lies North 00 degrees 21 minutes 37 seconds East, 27 feet more or less from the waters edge of the Crawfish River and the end of this meander line along said river; Thence North 00 degrees 21 minutes 37 seconds East, 715.89 feet to the point of beginning.

Said property contains 5.00 acres, more or less.

- (4) “To change from Agricultural to Single Family Residence”, (Rose Mary Belk) a parcel of land located in part of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 11, Town 10N, Range 8E, Town of Lodi, more particularly described as follows:

Commencing at the North Quarter corner of said Section 11; Thence South 00 degrees 18 minutes 49 seconds East along the north – south quarter line of Section 11, 157 feet more or less to a point in westerly right-of-way line of County Trunk Highway V; Thence Southeasterly along the westerly right-of-way line of County Trunk Highway V to a point in the south line of lands described and recorded in Volume 282 of records, page 305; Thence Westerly along the southerly line of lands described and recorded in Volume 282 of records, page 305, 235 feet more or less to a point in the north – south quarter line of Section 11; Thence North 00 degrees 18 minutes 49 seconds West along the north – south quarter line of Section 11, 122 feet more or less to the point of beginning.

Said property contains 0.58 acres, more or less.

Daniel J. See, Chair  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Jeanne Miller  
COLUMBIA COUNTY CLERK

DATE PASSED: May 21, 2003

DATE PUBLISHED: May 29, 2003

Chair See acknowledged the number of people attending the County Board meeting, because of petition two (2) of the rezoning. He advised and instructed the public as to the procedures required to address the Board. He requested that a main presenter be selected and that the presentation be limited to five (5) minutes. Additional comments, by other individuals, were limited to two (2) minutes with material consisting of new information. This opportunity applies to those individuals present either on behalf of or against the rezoning request.

Motion by Andler, seconded by Baumgartner, to separate petition two from the Ordinance.

The motion carried unanimously.

First reading of items one, three and four of Ordinance.

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

The motion carried unanimously.

Second reading of items one, three and four of Ordinance.

Motion by Salzwedel, seconded by Stevenson, to suspend the rules and have the third reading of items one, three and four of the Ordinance by title only.

The motion carried unanimously.

Third reading of items one, three and four of Ordinance.

Motion by Healy, seconded by Martin, to adopt items one, three and four.

Motion carried unanimously.

First reading of item two of Ordinance.

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

Supervisor Horton relinquished time to allow Paul Chernak to address the Board.

Mr. Chernak stated he was speaking on behalf of Town of Pacific landowners opposing the rezoning. It was suggested that more notification of adjoining landowners, was necessary. His concerns included: over development, increased traffic, septic systems, water quality/run-off, future wetland habitat and quality of wildlife. He discussed the need to slow down growth for future generations. He asked that the County Board deny the request for rezoning due to the simple fact local taxpayers weren't given an opportunity to speak prior to the Town Board voting. Further, and most importantly, no study regarding impact of subdivisions on this area had been completed.

Supervisor Martin relinquished time to allow Erma Brockley, to speak. Blank Road was said to be one (1) mile from Highway P to Swan Lake. If this subdivision is approved, Brockley estimated there would be 100 plus homes using this town road. Additional driveways would enter onto this town road that she felt could not tolerate that level of traffic. She cautioned that individuals walk the road, and if zoning is approved, increased numbers of children combined with the 55 mile per hour speed limit, caused her great concern.

Supervisor Tramburg relinquished time to allow William Devine to address the Board.

Mr. Devine a member of Town of Pacific Board spoke as a citizen. He stated that a Planning Commission meeting was held on January 28, 2003, in which concerns including moratorium on subdivisions in Town of Pacific; impact on density, school, fire, police and emergency services; town and county road traffic and maintenance; and no land use plan in effect were discussed. Those issues influenced the decisions to table the matter until February 11, 2003, prior to the Town Board meeting. The Planning Commission met and approved the request. Devine's concerns were that issues discussed at the January 28<sup>th</sup> meeting were not addressed and that the time frame for citizens to respond were insufficient. He suggested the matter be referred back to the Town of Pacific for a more thorough review.

Supervisor Fitzgerald relinquished time allow Randy Rhode, to speak.

Mr. Rhode stated the importance of noting that the Town of Pacific was working hard to put protection in place. A board engineer reviewed this proposal and Planning Commission held two (2) hearings. Extensive materials were prepared for review, with questions and discussion to follow. However, citizens did not attend and under no rule, is the Town required to notify citizens personally. Mr. Rhode clarified that the rezoning was before the Town Board in March and was postponed until the next month for further discussion and review. At the April town meeting, the rezoning was approved on a two to one vote thus proceeding to County Planning and Zoning Committee. Two (2) public hearings were held at the County level and again, the request was passed in favor of rezoning. He addressed other issues of concern such as schools, septic systems, traffic and referred to written material distributed in favor of rezoning.

Supervisor Fitzgerald relinquished time for Town Board Chair, Tim Carlin to address the Board. In Mr. Carlin's estimation, the Town of Pacific had noticed the hearings properly in the paper and in specific locations, so they had complied with all legal requirements. The request for rezoning had been discussed on three different occasions. Town of Pacific's Planning Commission gave a recommendation for approval and the Town Board agreed. It was noted, that this was a rezoning request, approval for a plat was still required prior to proceeding with this development. Discussion on optional routes to Pardeeville on Breneman Road.

Discussion on the Board floor included safety issues, traffic, driveways, and development right issues.

Attorney Ruf discussed procedural option open to the Board. Three (3) questions needed to be answered. 1) How did we get to this point, 2) what the next step is – vote, and 3) what are the consequences after a vote is taken. Chapter 59.69 – advises the County Board to support or oppose a zoning request. Currently, the Board is driven by this law and since a recommendation for approval was received from the Town of Pacific, County hearings were held, with the eventual report and drafting of an amending ordinance, a vote of either “yes” or “no” is required. Whether it is a good idea or not, that is not addressed by the law. It was the proper procedure. Further, a vote in Ruf's opinion has to be based on legal record not comments from individuals stating notices had not been sent. If the County were sued, a Judge would look at cold hard facts/records, not comments.

By voting "yes" the Town Board will have second opportunity under Chapter 59 to veto previous decision within 40 days. A "no" vote would end this rezoning petition at that point. The petitioner could start over or seek relief in court. The County's best interests are served by voting “yes”, stated Ruf based on the record that proper procedures were followed to the point of this vote. This will allow the Town Board an opportunity to decide whether to veto or let stand their previous recommendation.

John Bluemke, Planning and Zoning Director, explained the question before the Town and Planning and Zoning was “is this area appropriate for residential use.” He referred to air photo of area in question. What was looked at is continuation of development in area and anticipation to do so in future years. Design issues/concerns such as storm water regulations, erosion and traffic need to be addressed in planning process.

Supervisor Ford stated another option was available before the Board, to table motion and refer back to Planning and Zoning Committee with requirements that an Environmental Impact Study be completed before returning to Board floor.

Attorney Ruf stated zoning code is not addressed under Chapter 59.69, however, under general rules of parliamentary procedures Supervisor Ford was correct. Standing Rules did allow for an issue to be tabled if insufficient information provided on a zoning matter, was not considered enough to make a decision. However, Ruf's preference, from the County's perspective and litigation management, was that a final decision be made as soon as possible.

Supervisor DeYoung, called for the question.

The motion carried unanimously.

Second reading of item two of Ordinance.

Motion by V. Curtis, seconded by Robson, to suspend the rules and have a third reading of item two of the Ordinance by title only.

There was discussion regarding citizens' responsibilities/rights during planning process. Mr. Bluemke stated there are two (2) segments. The town and county both have approval authorities of a plat.

The motion carried unanimously.

Third reading of item town of Ordinance.

Motion by Olson, seconded by Wingers, to adopt item two.

Motion was approved on a roll call vote as follows:

AYES: 21, NOES: 8, EXCUSED: 2, ABSENT: 0

AYES: DeYoung, Fitzgerald, Hamele, Healy, Hutler, Nelson, Olson, Riley, Ross, Salzwedel, Sanderson, Wingers, Wopat, See, Amato, Andler, Baumgartner, Boockmeier, Casey, J. Curtis and V. Curtis.

NOTES: Ford, Horton, Martin, Pufahl, Robson, Stevenson, Stoltenberg and Tramburg.

EXCUSED: Kinney and Westby.

The Ordinance was declared passed and is to be known as Ordinance Z308-03.

### **ORDINANCE NO. 67-03**

The Columbia County Board of Supervisors hereby amends Title 9, Chapter 1, Fee Schedule, Section 4, County Clerk, as follows:

Sec. 9-1-4 County Clerk

			Current	Recommended
(d)	Marriage License Fees	\$	60.00	75.00
(e)	Waiver Fees		5.00	10.00

Existing (e) through (g) shall be renumbered (f) through (h).

Daniel J. See, Chair  
Columbia County  
Board of Supervisors  
Jeanne Miller, County Clerk

DATE PASSED: May 21, 2003

DATE PUBLISHED: May 29, 2003

First reading of Ordinance.

Motion by Baumgartner, seconded by Casey, 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 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 Martin, seconded by Andler, to adopt.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance 67-03.

## ORDINANCE NO. 68-03

The Columbia County Board of Supervisors hereby amends Title 9, Chapter 1, Fee Schedule, Section 16, Register of Deeds, as follows:

- |     |                               |                        |
|-----|-------------------------------|------------------------|
| (a) | Photocopies (non real estate) | \$ .35 each            |
| (b) | Faxing                        | \$ 10.00 plus copy fee |

Daniel J. See, Chair  
Columbia County  
Board of Supervisors  
Jeanne Miller, County Clerk

DATE PASSED: May 21, 2003

DATE PUBLISHED: May 29, 2003

First reading of Ordinance.

Motion by Stoltenberg, seconded by Pufahl, 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 Salzwedel, seconded by J. Curtis, to adopt.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance 68-03.

Chair See announced that Bill Crowley, Veterans Service Officer, had resigned effective May 29, 2003. The Veterans Service Office will be closed the week of June 5 through 12. Anyone seeking immediate assistance should contact Sauk or Dodge County Veterans Service or the Columbia County Clerk's Office.

There was discussion regarding 5/10/15% budget reductions. An amendment to the 2003 budget will be submitted at next month's Board meeting.

On motion by J. Curtis, seconded by Stoltenberg, the meeting adjourned at 9:24 p.m., until Wednesday, June 18, 2003, at 7:00 p.m. The motion carried unanimously.

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
June 18, 2003  
7:00 P.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 Supervisors V. Curtis and Ross, excused.

Motion by Salzwedel, seconded by Robson, to approve the Journal of May 21, 2003. Motion carried unanimously.

Motion by Boockmeier, seconded by Baumgartner, to approve the agenda. Motion carried unanimously.

Comments by Chair See included an announcement that a motion would be made to suspend the rules and adjourn tonight's meeting to August 20, 2003 at 7:00 p.m. A two-thirds vote would be required to pass this motion. Registrations for the WCA Meeting are due by August 1. In an effort to reduce cost, those in attendance were asked to share rooms, or carpool the day of the meeting. Reading of resolutions: Chair announced he would be exercising his authority, unless there were objections, the formal reading will be waived by the board and referred to by title only providing members have received copies of resolutions 24 hours before the meeting. There were no objections.

Update on Jail Building Project. DLR Firm had been hired as architect, RA Mortenson, Construction Manager and Randy Oetzman as Project Manager. Relocation of the Health and Human Services Department was on schedule; plans were being drawn for the remodeling of the Roche Building and Jail.

Chair See announced the following appointments:

- 1) J. Robert Curtis, Barry Pufahl and Dr. Gerald Krumpos to the Health & Human Services Board for terms to expire April of 2006. On motion by Olson, seconded by DeYoung, the appointments were unanimously approved.
- 2) Heather Tessman (Cambria), Daniel J. Stencel (Poynette), Mary E. Gorman (Pardeeville), Janet Dushek (Portage) and Suzanne Filut (Rio) to the Local Library Board for terms to expire July of 2006. On motion by Pufahl, seconded by Baumgartner, the appointments were unanimously approved.

**RESOLUTION NO. 22-03**

BE IT RESOLVED by the County Board of Supervisors of Columbia County, Wisconsin (the "County") that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds or promissory notes (the "Securities") in an amount not to exceed \$2,900,000 for the purpose of paying the cost of refunding certain outstanding obligations of the County; and there shall be levied on all the taxable property of the County a direct, annual, irrevocable tax sufficient to pay the interest on said Securities as it becomes due, and also to pay and discharge the principal thereof within twenty years of the date of issuance of the Securities or such shorter period required by law.

Adopted and recorded June 18, 2003.

Daniel J. See  
Chairperson

ATTEST:  
Jeanne Miller  
County Clerk

Motion by Tramburg, seconded by Martin, to adopt.



Jeff Belongia, of Hutchinson, Shockey, Erley & Company gave a brief presentation on the refinancing of existing debt. Low interest rates motivated the refinancing of bonds, an estimated \$205,000 would be saved by refinancing at this time. Effect of State Budget passage and timing of resolution was discussed. Resolution is effective the date of adoption, not date of publication. When bond issues were refinanced in the past, tracking what project it was used for had been difficult. Schepp stated this refinancing resolution is 100 percent remaining balance of the jail.

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

AYES: 28, NOES: 0, EXCUSED: 2, ABSENT: 0

AYES: Fitzgerald, Ford, Hamele, Healy, Horton, Hutler, Kinney, Martin, Nelson, Olson, Pufahl, Riley, Robson, Salzwedel, Sanderson, Stevenson, Stoltenberg, Tramburg, Westby, Wingers, Wopat, Amato, Andler, Baumgartner, Boockmeier, Casey, J. Curtis and DeYoung.

EXCUSED: Ross and V. Curtis.

### **RESOLUTION NO. 23-03**

BE IT RESOLVED by the County Board of Supervisors of Columbia County, Wisconsin (the "County") that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation promissory notes (the "Notes") in an amount not to exceed \$10,000,000 for the purpose of paying the cost of various public improvement projects and acquisitions set forth in the County's capital improvement plan, as amended from time to time, and general obligation bonds or promissory notes (collectively with the Notes, the "Securities") in an amount not to exceed \$10,000,000 for the purpose of paying the cost of refunding the Notes; and there shall be levied on all the taxable property of the County a direct, annual, irrepealable tax sufficient to pay the interest on said Securities as it becomes due, and also to pay and discharge the principal thereof within twenty years of the date of issuance of the Securities or such shorter period required by law.

Adopted and recorded June 18, 2003.

Daniel J. See  
Chairperson

ATTEST:  
Jeanne Miller  
County Clerk

Motion by Kinney, seconded by Casey, to adopt.

Jeff Belongia, of Hutchinson, Shockey, Erley & Company explained this resolution was a preemptive move to the current budget bill in the legislature. If adopted, this resolution was said to have a five (5) year active life and would allow the board to enter the bond market for the purpose of issuing debt for future capital improvement projects. Money was not being borrowed at this time, just authorized. There were no fees associated with adopting this resolution. This resolution had nothing to do with the current building project. That bonding authorization occurred in May. To clarify the matter further, Wopat stated that in the event that the County needed to borrow against this resolution, the matter would be brought back to the full board for approval.

A motion to amend this resolution was introduced by Hamele, to prevent these monies from being used for present construction projects. Seconded by Amato.

After further discussion, Supervisor Amato retracted his motion second; Supervisor Hamele withdrew the motion to amend.

Supervisor Westby discussed Robert's Rules of Order and procedural action that would have allowed the board to vote for or against the amendment even though withdrawn.

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

AYES: 27, NOES: 1, EXCUSED: 2, ABSENT: 0

AYES: Ford, Hamele, Healy, Horton, Hutler, Kinney, Martin, Olson, Pufahl, Riley, Robson, Salzwedel, Sanderson, Stevenson, Stoltenberg, Tramburg, Westby, Wingers, Wopat, Amato, Andler, Baumgartner, Boockmeier, Casey, J. Curtis, DeYoung and Fitzgerald.

NOES: Nelson.

EXCUSED: Ross and V. Curtis.

### **RESOLUTION NO. 24-03**

WHEREAS, Columbia County is facing a serious fiscal crisis caused by a number of factors including, but not limited to: State binding arbitration, State unfunded mandates, State-imposed mill rate freeze, State mandate for construction of a new jail and subsequent operating costs, projected decrease in State Shared Revenues and also State Health and Human Services Revenues, and a possible State imposed freeze on County levies, and

WHEREAS, due to overcrowding, the immediate need for four (4) new jailers is present, and

WHEREAS, Columbia County now faces the urgent need to generate funding and reduce costs to ensure that essential County functions remain solvent and in operation.

NOW, THEREFORE, BE IT RESOLVED that the sum of \$745,178 in County appropriated funds be reduced from various department budgets.

BE IT FURTHER RESOLVED that four (4) new jailer positions be approved and funded for 2003 (1/2 year) in the amount of \$105,826 from the above savings.

BE IT FURTHER RESOLVED that the remaining departmental reductions of \$639,352 be transferred into the County Contingency Fund, with expenditures to be approved by the County Board on a future date and/or applied to the 2004 County Budget.

FISCAL NOTE: Transfer \$105,826 to County Jail Account #2250 and transfer \$639,352 to the Contingency Fund Account #100.350000

Robert L. Hamele  
Michael J. Kinney  
Susan Martin  
Debra L. H. Wopat  
John H. Tramburg  
FINANCE COMMITTEE

Motion by Martin, seconded by Westby, to adopt.

Motion by Pufahl, seconded by Amato, to amend Line 7 by removing "State binding arbitration" in the first paragraph.

The motion to amend failed on a voice vote.

Supervisor Amato requested that the resolution be divided between budget reductions and hiring of four jailers.

Chair See stated that under Rule 3 Motions (6) of the Standing Rules states any member can divide the question under debate.

Nelson expressed disappointment that the budget reductions did not reflect reduced revenues that the County would be losing. He could not support the listed reductions until more substantial figures were available for consideration. Chair See reported that sales tax revenues were down an estimated \$10,000 from previous years; and, there has been a steady decline the last two (2) to three (3) months.

Supervisor Pufahl requested a roll call vote on the budget reductions.

Chair See stated that a 2/3 vote would be required.

The budget reduction was approved by a roll call vote as follows:

AYES: 26, NOES: 2, EXCUSED: 2, ABSENT: 0

AYES: Hamele, Healy, Horton, Hutler, Kinney, Martin, Olson, Pufahl, Riley, Robson, Salzwedel, Sanderson, Stevenson, Tramburg, Westby, Wingers, Wopat, Amato, Andler, Baumgartner, Boockmeier, Casey, J. Curtis, DeYoung, Fitzgerald and Ford.

NOES: Nelson and Stoltenberg.

EXCUSED: Ross and V. Curtis.



Current overcrowding in the jail has necessitated the hiring of four (4) additional jailers. Chair See indicated the Jail is operating with the same number of jailers as when it opened. The Huber population has exploded and Sheriff Rowe estimated revenues will exceed the budgeted amount by \$170,000.

These positions are included in the 29 additional staff required to operating the new facility. Amato expressed concerns over lack of any guarantee, due in part to change in administration and policy at the State level, that the County will house state prisoners in the future. Chair See felt this Resolution needed to be approved by the County Board in order to pay for personnel and get some relief from the current overtime situation at the jail.

The hiring of 4 jailers was approved by a roll call vote as follows:

AYES: 27, NOES: 1, EXCUSED: 2, ABSENT: 0

AYES: Healy, Horton, Hutler, Kinney, Martin, Nelson, Olson, Pufahl, Riley, Robson, Salzwedel, Sanderson, Stevenson, Stoltenberg, Tramburg, Westby, Wingers, Wopat, Andler, Baumgartner, Boockmeier, Casey, J. Curtis, DeYoung, Fitzgerald, Ford and Hamele.

NOES: Amato.

EXCUSED: Ross and V. Curtis.

### **RESOLUTION NO. 25-03**

WHEREAS, Senate Bill 15 (SB15) creates a Joint Survey Committee on State Mandates to deal with the issue of unfunded and under funded mandates; and,

WHEREAS, if the Committee determines that a proposal will cost local units of government money to comply, then the Committee must introduce an amendment to appropriate the necessary funding; and,

WHEREAS, if a proposal is passed which does not fully fund a mandate, the mandate may not be enforced until it is fully funded; and,

WHEREAS, if a mandate, while fully funded initially, is not fully funded over the course of time, it may not be enforced once the funding is reduced or discontinued; and,

WHEREAS, a state agency may not promulgate a rule or take an action that imposes a mandate unless there is sufficient funding for that mandate; and,

WHEREAS, the Legislative Fiscal Bureau is directed to identify all existing mandates by May 1, 2005; and,

WHEREAS, the Joint Survey Committee is directed to submit legislation repealing all mandates to each house of the Legislature by August 1, 2005; and,

WHEREAS, any mandate existing on July 1, 2006 may not be enforced until the mandate is funded.

NOW, THEREFORE, BE IT RESOLVED, by the Columbia County Board of Supervisors, met in regular session, that Columbia County does hereby support Senate Bill 15; and,

BE IT FURTHER RESOLVED, THAT THE Columbia County Clerk be directed to send copies of this resolution to the Wisconsin Counties Association and each County in Wisconsin.

Fiscal Note: None

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

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

### **RESOLUTION NO. 26-03**

WHEREAS, yet another proposal has been advanced that would freeze the property tax dollars collected by Wisconsin counties at 2002 levels; and

WHEREAS, no one is more concerned about rising property taxes in Columbia County than the Columbia County Board; and

WHEREAS, the elected Board of Supervisors is directly responsible for prioritizing the tough decisions on balancing taxes with needed services for the citizens of Columbia County; and

WHEREAS, the Columbia County Board of Supervisors feel that it has done a proper job of keeping property taxes in line as best that can be done in light of the multitude of unfunded state mandated programs; and

WHEREAS, the power to establish the County's tax levy has been correctly granted to the Columbia County Board of Supervisors; and

WHEREAS, this proposal would set Columbia County up for arbitrary and harmful decisions the State would have the power to make such as the proposal to increase by 12 percent the charge for Juvenile corrections facilities; and

WHEREAS, this proposal would transfer much of County's budgetary decision making authority and ability from county boards to the State Legislature; and

WHEREAS, such shift in authority would be one of the most blatant losses of local control ever proposed by any legislature in the State of Wisconsin; and

WHEREAS, the State Legislature, not Columbia County, has helped lead the state of Wisconsin to one of its biggest budget deficits in history; and

WHEREAS, such an undermining of local control is opposite of the presumed intent of Senate Bill 15 which was supported by Columbia County Board Resolution 25-03

WHEREAS, a loss of local control was previously imposed by the Legislature in the form of the state imposed levy rate limit; and

WHEREAS, changes in property and sales tax revenues in a county do not influence the number of dollars that the state or federal government provides in aide to the county (this is different from the situation created by the state of Wisconsin in the last decade for public school funding); and

WHEREAS, the current state budget reduces the amount of state shared revenue to counties; and

WHEREAS, decisions about the level of local tax supported services should be made between the citizens and their county board representatives.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors met in regular session and opposes for the reasons listed the proposal to limit Columbia County's ability to establish the levy necessary to support the services we are charged to provide; and

BE IT FURTHER RESOLVED that the County hereby requests that the State Legislature enhance our local control via removal of the current state imposed property tax levy rate cap on counties; and

BE IT FURTHER RESOLVED that the Columbia County Board requests that the State Legislature and the Governor restore state shared revenue for counties; and

BE IT FURTHER RESOLVED that the Columbia County Board asks the Wisconsin Counties Association to join Columbia County in support of this resolution.

Fiscal Note: Huge

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

Motion by Wopat, seconded by Stoltenberg, to adopt.

Chair See indicated this Resolution was presented to the Board from a philosophical point of view stating Towns, Villages, Cities and Counties have the ability to manage and control their budgets and more importantly, make decisions on what services will be provided to its citizens. Supervisor Nelson felt the lack of support from the State ends up increasing property taxes for constituents in the County.

The Resolution was unanimously adopted.

## RESOLUTION NO. 27-03

WHEREAS, the Columbia County Board of Supervisors recognizes the benefits of a program to control the disposal and storage of potentially hazardous household and agricultural wastes, and

WHEREAS, Clean Sweep Programs offer education and assistance to citizens in the identification, proper handling, and disposal of household and agricultural wastes through distribution of public information materials, presentation to citizen groups, and a designated day for the collection and disposal of household and agricultural hazardous wastes, and

WHEREAS, the governing committees have demonstrated support for staff participation in Clean Sweep Programs by the Land Conservation, Extension, Solid Waste, and Emergency Management Departments, and

WHEREAS, Columbia County held a Clean Sweep Program for household and agricultural wastes in the spring of 2002, and

WHEREAS, the cost of the 2002 Small Business/VSQG was \$6,715.00, Household Clean Sweep was \$8,863.52, and the agricultural costs were \$21,048.69.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors hereby declares its intent to conduct another Clean Sweep Program subject to the receipt of grants, public response, and the appropriation of county funding, with such program to be under the jurisdiction of the Agriculture and Land Conservation and Solid Waste Committees.

BE IT FURTHER RESOLVED that the County Board authorizes the Crops and Soils Agent to submit a grant application for the Agricultural State Grant Program and the Director of Solid Waste to submit a grant application for the Household State Grant Program in accordance with the grant requirements in the spring of 2004 if awarded grants for Columbia County.

BE IT FURTHER RESOLVED that ~~a sum not to exceed \$3,000 for the Agricultural Clean Sweep and not to exceed \$5,000 for the Household Clean Sweep be appropriated in special accounts in the 2004 budget to conduct a Household and Agricultural Clean Sweep in the spring 2004.~~ the Department of Agriculture Grant could amount to \$16,000 and the DNR grant could amount to \$15,000.

BE IT FURTHER RESOLVED that the Columbia County Extension staff provides leadership in the coordination of other county agencies to fulfill the grant requirements and in the education of the public regarding hazardous waste usage alternatives and disposal methods.

BE IT FURTHER RESOLVED that Columbia County staff maintain records documenting all expenditures made during the Clean Sweep Program and allow audit of the program and its financial records.

BE IT FURTHER RESOLVED that Columbia County allows employees from the Department of Natural Resources and the Department of Agriculture, Trade and Consumer Protection access to inspect the Clean Sweep Program site.

BE IT FURTHER RESOLVED that Columbia County submit a final report to the Department of Natural Resources and the Department of Agriculture, Trade and Consumer Protection describing Clean Sweep activities, achievements, and problems, comparing the actual program with activities and objectives proposed in the application, including samples of information/education brochures, data on participation, waste quantities collected, documentation of project costs, and a section on recommendations for future Clean Sweep Programs.

### ~~FISCAL NOTE:~~

~~\$3,000 Agricultural Clean Sweep~~

~~Acct. No.~~

~~\$5,000 Household Clean Sweep~~

~~Acct. No.~~

Harlan Horton

Claire R. Robson

Barry Pufahl, Secretary

Gerald L. Salzwedel, Vice Chair

Daniel Amato, Chair

SOLID WASTE COMMITTEE

Harlan Baumgartner  
Donald P. Nelson  
JoAnn Wingers, Secretary  
Robert J. Stoltenberg, Vice Chair  
Robert L. Hamele, Chair  
AGRICULTURE AND LAND  
CONSERVATION COMMITTEE

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

Motion by Wingers, seconded by Stoltenberg, to adopt.

The Clean Sweep Resolution would demonstrate Board support to the DNR for the 2004 program and was necessary for the application process. It was felt that by eliminating appropriated amounts, the application would not be adversely affected.

Motion by Hamele, seconded by Amato, to amend the eighth paragraph to read "BE IT FURTHER RESOLVED that the Department of Agriculture Grant could amount to \$16,000 and the DNR grant could amount to \$15,000".

The motion to amend was carried unanimously.

The Resolution was unanimously adopted.

### **RESOLUTION NO. 28-03**

WHEREAS, The United State's Environmentally Protection Agency (EPA) is the federal agency assigned with the responsibility of monitoring, regulating and enforcing the nation's air quality standards which are impacted by ozone and particulate matter; and

WHEREAS, after lengthy litigious action the EPA has been authorized to enforce its heightened eight-hour standard to determine compliance (i.e. attainment v. non-attainment) with the Clean Air Act and is thereby requesting each Governor to recommend ozone non-attainment designations by no later than July 15, 2003; and

WHEREAS, the recommendations of the Wisconsin Department of Natural Resources (DNR) Air Management Bureau, which are expected to consider Wisconsin Areas of Influence (AOI) and Areas of Violation (AOV) as one in the same – will influence the Governor's non-attainment designations; and

WHEREAS, these recommendations are expected to designate Columbia County as non-attainment regardless of final, quality assured YR 2003 air quality monitoring data; thereby requiring mandatory heightened air quality related policies and programs as part of a State Implementation Plan (SIP) designed to achieve Clean Air Act conformity; and

WHEREAS, non-attainment designations will likely create economic, planning and regulatory impacts resulting in delayed or eliminated Columbia County projects for business and government alike.

NOW, THEREFORE, BE IT RESOLVED by the Columbia County Board of Supervisors that a request, of the Wisconsin DNR Air Management Bureau, be made to exclude Columbia County as part of its June, 2003 non-attainment designation recommendations to the Governor's Office until after the YR 2003 air quality monitoring data is final and quality assured.

BE IT FURTHER RESOLVED, that the County Clerk is directed to send a copy of this Resolution to the Wisconsin DNR Air Management Bureau, the Secretary of the DNR and the Governor's Office.

Fiscal Note: None

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

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

## RESOLUTION NO. 29-03

WHEREAS, the Columbia County Board Chair is required to sign correspondence, bonding/security financial documents, Ordinances, Offers to Purchase and numerous other documents on behalf of the County; and

WHEREAS, the Chair may be absent for periods of time during which his/her signature may be required on certain documents; and

WHEREAS, establishing a procedure to authorize the Vice Chair to sign documents when the Chair is absent will expedite processing County work and will aid departments in complying with time lines; and

WHEREAS, designating and authorizing the Vice Chair to sign documents on behalf of the County in the absence of the Chair will enable documents to be filed, noticed, and mailed in a timely manner.

NOW, THEREFORE, BE IT RESOLVED, that the Vice Chair is hereby authorized to sign documents on behalf of Columbia County during the absence of the Chair.

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

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

## RESOLUTION NO. 30-03

WHEREAS, relocation of the Columbia County Health and Human Services Department offices is required as part of the Jail/Huber building project; and,

WHEREAS, on April 25, 2003, the County executed an Offer to Purchase the real estate and improvements thereon known as the Frazer Property which is located at 2652 Murphy Road, Portage, Wisconsin, for One Million Four Hundred Ninety-five Thousand (\$1,495,000.00) Dollars; and,

WHEREAS, the County expects to close the transaction and relocate the County Health and Human Services Department to the Frazer Property on or before September 1, 2003.

NOW, THEREFORE BE IT RESOLVED THAT, the purchase of the real estate and improvements thereon known as the Frazer Property which is located at 2652 Murphy Road, Portage, Wisconsin, for One Million Four Hundred Ninety-five Thousand (\$1,495,000.00) Dollars is hereby authorized and approved; and,

BE IT FURTHER RESOLVED, that the Columbia County Board Chair and Columbia County Clerk are hereby authorized to execute all documents required to complete Columbia County's purchase of the Frazer Property.

### FISCAL NOTE:

Funding included in the June 1, 2003  
General Obligation Promissory Note  
Issuance

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

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

## RESOLUTION NO. 31-03

WHEREAS, pursuant to 66.0143, Wis. Stats., local governments may request a waiver from a state mandate not related to health or safety; and

WHEREAS, the waivers requested herein are not related to health and safety; and

WHEREAS, Columbia County spent an estimated \$4,500 in publication costs relating solely to County Board proceedings in 2002; and

WHEREAS, access to meeting minutes and agendas is readily available by contacting the County Clerk and via the County's web site; and

WHEREAS, Internet access to the County's web site is available at public libraries throughout Columbia County and most likely available in many households through Columbia County; and

WHEREAS, by publishing required notices on-line, as many or more citizens will have access to the information at much lower cost to the County's taxpayers; and

WHEREAS, the Columbia County Clerk regularly has information placed on the County's web site upon receipt.

NOW, THEREFORE, BE IT RESOLVED by the Columbia County Board of Supervisors that the Board requests a waiver from the requirement to publish certain notices as set forth in s. 59.14; 59.65; and for 65.90 (5) (a) and (b) Wis. Stats., including County Board meeting minutes, proceedings and financial reports, in the official County newspaper and to permit the County to have the option of publishing the same information on-line; and

BE IT FURTHER RESOLVED that the County Clerk forward copies of this resolution to the Wisconsin Department of Revenue, Governor James Doyle, Columbia County's State Legislators, the Wisconsin Counties Association and to all other Wisconsin Counties.

Fiscal Note: None

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

Motion by Sanderson, seconded by Casey, to adopt. Discussion on costs involved in publishing Board minutes each month. Condensed version of minutes will be published including Title, Motion and vote. Discussion will not be part of the minutes that are published. A Notice of Disclaimer shall be included in the publication, stating minutes are available on website, in the County Clerk's office and at all County Libraries. Nelson felt consideration should be given to those who could not afford the Internet and depended on reading Board action in the newspaper.

The Resolution was adopted, not unanimously.

## RESOLUTION NO. 32-03

WHEREAS, the Register of Deeds Office has experienced an increase in recordings in 2003; and

WHEREAS, there has been a substantial increase in work due to record low interest rates; and

WHEREAS, delays in filing are due to insufficient staff for the workload.

NOW, THEREFORE, BE IT RESOLVED that the Register of Deeds Office is authorized to hire a Limited Term Employee (LTE) for five-hundred ninety-nine (599) hours for the remainder of 2003.

BE IT FURTHER RESOLVED that the sum of \$5,159.00 be taken from the increased revenues of the Register of Deeds.

FISCAL NOTE: Funding  
of \$5,159.00 to come from  
increased revenue generated

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

On motion by Andler, seconded by Pufahl, 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 Elaine Lubke, to rezone from Commercial to Single Family Residence, property located in Section 3, Town 12N, Range 9E, Town of Pacific on the 30<sup>th</sup> day of April, 2003 be approved as follows:

To change from Commercial to Single Family Residence, a parcel of land described as part of Government Lot 5, and the NW ¼ of the NW ¼, Section 3, Town 12N, Range 9E, Town of Pacific.

- (2) A petition by Jack Akers of Secluded Land Co., LLC, Agent for Louis and Ramona Huber, to rezone from Agricultural to Single Family Residence, property located in Section 23, Town 11N, Range 12E, Town of Fountain Prairie on the 30<sup>th</sup> day of April, 2003 be approved as follows:

To change from Agricultural to Single Family Residence, a parcel of land located in the SW ¼ of the SE ¼, and part of the SE ¼ of the SE ¼, Section 23, Town 11N, Range 12E, Town of Fountain Prairie.

- (3) A petition by Donald and Eva Sadoski, to rezone from Agricultural to Rural Residential, property located in Section 25, Town of Courtland on the 7<sup>th</sup> day of April, 2003 be reported as follows:

To change from Agricultural to Rural Residential, a parcel of land located in the W 1/3 of the NW ¼ of the NW ¼ of the NW ¼ and the W 1/3 of the N ½ of the SW ¼ of the NW ¼, Section 25, Town 12N, Range 12E, Town of Courtland.

Withdrawn at the request of the petitioner.

Harlan Baumgartner  
John G. Stevenson  
Eugene Fitzgerald  
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. Z309-03

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”, (Elaine Lubke), a parcel of land described as part of Government Lot 5, and the NW ¼ of the NW ¼, Section 3, Town 12N, Range 9E, Town of Pacific, more particularly described as follows:

Commencing at the Northwest corner of said Section 3; Thence North 89 degrees 40 minutes 23 seconds East along the North line of the Northwest Quarter of Section 3, 427.74 feet. Thence South 00 degrees 19 minutes 37 seconds East, 29.04 feet to a point in the South right-of-way line of State Trunk Highway 33, said point being the Northeast corner of Lot 1, Pacific Estates and the point of beginning; Thence North 89 degrees 45 minutes 34 seconds East along the South right-of-way line of State Trunk Highway 33, 287.50 feet; Thence South 00 degrees 51 minutes 04 seconds East, 147.00 feet; Thence North 89 degrees 45 minutes 34 seconds East, 112.50 feet; Thence South 00 degrees 51 minutes 04 seconds East, 777.67 feet to a point in the northerly right-of-way line of the former Chicago, Milwaukee, St. Paul & Pacific Railroad; Thence South 89 degrees 19 minutes 38 seconds West along said Northerly right-of-way line, 409.64 feet to the Southeast corner of Lot 3, Pacific Estates; Thence North 00 degrees 08 minutes 33 seconds West along the East line of Lots 1, 2, and 3, Pacific Estates, 780.72 feet to the point of beginning. Said property contains 6.86 acres, more or less.

- (2) "To change from Agricultural to Single Family Residence", (Jack Akers of Secluded Land Co., LLC, Agent for Louis and Ramona Huber), a parcel of land located in the SW ¼ of the SE ¼, and part of the SE ¼ of the SE ¼, Section 23, Town 11N, Range 12E, Town of Fountain Prairie, more particularly described as follows:

Beginning at the South Quarter corner of said Section 23; Thence North 01 degree 08 minutes 16 seconds West along the North – South Quarter line of said Section 23, 1,313.67 feet to the Northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 23; Thence North 88 degrees 39 minutes 33 seconds East along the South right-of-way line of Oak Shore Road and the North line of the Southwest Quarter of the Southeast Quarter of said Section 23, 1,327.84 feet to the Northeast corner of the Southwest Quarter of the Southeast Quarter of Section 23; Thence South 00 degrees 46 minutes 43 seconds East along the East line of the Southwest Quarter of the Southeast Quarter of said Section 23, 660.56 feet; Thence North 88 degrees 49 minutes 09 seconds East along the North line of the South half of the Southeast Quarter of the Southeast Quarter of said Section 23, 1,323.69 feet to a point in the East line of Southeast Quarter of Section 23; Thence South 00 degrees 25 minutes 25 seconds East along the East line of the Southeast Quarter of Section 23, 4.89 feet to a point in the center line of County Trunk Highway D; Thence South 30 degrees 46 minutes 38 seconds West along the center line of County Trunk Highway D, 42.85 feet; Thence Southwesterly along a 889.78 foot radius curve to the right in the center line of County Trunk Highway D having a central angle of 11 degrees 33 minutes 09 seconds and whose long chord bears South 36 degrees 33 minutes 12 seconds West, 179.10 feet; Thence South 42 degrees 19 minutes 47 seconds West along the center line of County Trunk Highway D, 588.24 feet; Thence Southwesterly along a 29,085.80 foot radius curve to the right in the center line of County Trunk Highway D having a central angle of 00 degrees 08 minutes 40 seconds and whose long chord bears South 42 degrees 24 minutes 07 seconds West, 73.32 feet to a point in the South line of the Southeast Quarter of said Section 23; Thence South 88 degrees 58 minutes 48 seconds West along said South line of the Southeast Quarter of Section 23, 2,059.98 feet to the point of beginning.

Said property contains 55.97 acres, more or less.

This amending ordinance takes the place of Amending Ordinance Z275-00 (5) & (6). Amending Ordinance Z275-00 (5) & (6) is repealed.

Daniel J. See, Chair  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Jeanne Miller  
COLUMBIA COUNTY CLERK

DATE PASSED: June 18, 2003

DATE PUBLISHED: June 26, 2003



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 Pufahl, 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 Horton, seconded by Fitzgerald, to adopt.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance Z309-03.

Kurt Dey, Highway Commissioner, presented his annual report.

At 9:00 p.m. a motion by J. Curtis, seconded by Stoltenberg, to suspend the rules and adjourn meeting until Wednesday, August 20, 2003, at 7:00 p.m. The motion carried unanimously.

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
August 20, 2003  
7:04 P.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.

Motion by DeYoung, second by Riley, to approve the Journal of June 18, 2003. Motion carried unanimously.

Motion by Wingers, second by Robson, to approve the agenda. Motion carried unanimously.

Comments by Chair See included receipt of a Certificate of Appreciation from Larry R. Ellis, U.S. Army Commanding General thanking Columbia County for its support by allowing citizen soldier Brent Miller to serve during the Iraq mission.

The Clerk reported that Columbia County received a Summons and Complaint from Attorney Kammer on behalf of Randall E. and Bridget Rhode.

Brent Miller, Human Resources Director, thanked county board supervisors and employees for their support while he was stationed in Afghanistan. He presented the County, on behalf of Base Operations Task Force 180, a certificate in appreciation of the County's support during his 239 day deployment and an American flag, that was flown over Bagram Airfield.

Chair See announced the following appointments:

- 1) Jim Mitchell to the Highway Safety Commission for a term to expire May of 2004. On motion by Westby, seconded by Pufahl, the appointment was unanimously approved.
- 2) Julia A. Moskal (Lodi) to the Local Library Board for a term to expire July of 2005. On motion by Baumgartner, seconded by Salzwedel, the appointment was unanimously approved.
- 3) Carol Genrich Dugan and Donald Berger to the Zoning Board of Adjustments for terms to expire June of 2006. On motion by V. Curtis, seconded by Horton, the appointments were unanimously approved.

**RESOLUTION NO. 33-03**

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: \$5,040,000 General Obligation Refunding Bonds, dated February 1, 1994 (the "1994 Bonds") (hereinafter the refinancing of the County's 1994 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 1994 Bonds for the purpose of restructuring the County's outstanding indebtedness and 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 1. 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 TWO MILLION NINE HUNDRED THOUSAND DOLLARS (\$2,900,000) 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 1A. 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 TWO MILLION NINE HUNDRED THOUSAND DOLLARS (\$2,900,000) (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, 2003; 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 and shall mature on December 1 of each year, in the years and principal amounts as set forth on the schedule prepared by the Purchaser and attached hereto as Exhibit B (the "Schedule"). Interest is payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2004.

Section 3. Redemption Provisions. The Bonds shall not be subject to optional redemption.

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 2003 through 2007 for the payments due in the years 2004 through 2008 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 \$2,900,000 Columbia County General Obligation Refunding Bonds, dated September 1, 2003", 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 excludable from gross income for federal income tax purposes, throughout their term. 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 excludable 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.

\$2,875,000 of the Bonds are deemed designated as "qualified tax-exempt obligations" pursuant to the provisions of Section 265(b)(3)(D)(ii) of the Code and the balance of \$25,000 of the Bonds are designated "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 15. 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 16. Redemption of the 1994 Bonds. The County Board of Supervisors hereby calls the 1994 Bonds due on and after December 1, 2004 for redemption on December 1, 2003. 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 17. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded August 20, 2003.

Daniel J. See  
Chairperson

ATTEST:  
Jeanne Miller  
County Clerk

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Motion by Andler, seconded by Hamele, to adopt.

Jeff Belongia, of Hutchinson, Shockey, Erley & Company, indicated that refinancing of the County's 1994 General Obligation Refunding Bonds could represent a net savings of \$207,806 over the next 5 years. The favorable interest rate received by the County was due to the Aa3 rating it had received previously. He discussed the debt service schedules and referred to handouts provided.

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

AYES: 30, NOES: 0, EXCUSED: 0, ABSENT: 0

AYES: Horton, Hutler, Kinney, Martin, Nelson, Olson, Pufahl, Riley, Robson, Ross, Salzwedel, Sanderson, Stevenson, Stoltenberg, Tramburg, Westby, Wingers, Wopat, Amato, Andler, Baumgartner, Boockmeier, Casey, J. Curtis, V. Curtis, DeYoung, Fitzgerald, Ford, Hamele and Healy.

### **RESOLUTION NO. 34-03**

WHEREAS, Federal monies are available under the Community Development Block Grant program, administered by the State of Wisconsin, Department of Commerce, for the purpose of economic development; and

WHEREAS, after public meeting and due consideration, the Columbia County Revolving Loan Fund/Housing Committee has recommended that an application be submitted to the State of Wisconsin for the following projects:

Blue Star Dairy Farms, Town of Arlington: Purchase 900 Cows

WHEREAS, it is necessary for the Columbia County Board of Supervisors, to approve the preparation and filing of an application for the County to receive funds from this program; and

WHEREAS, the Columbia County Revolving Loan Fund/Housing Committee has reviewed the need for the proposed project and the benefit to be gained therefrom;

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors does approve and authorize the preparation and filing of an application for the above-named project; and the County Board Chairman is hereby authorized to sign all necessary documents on behalf of the County of Columbia; and that authority is hereby granted to the Revolving Loan Fund/Housing Committee to take the necessary steps to prepare and file the appropriate application for funds under this program in accordance with this resolution.

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

Motion by Tramburg, seconded by Amato, to adopt.

Lois Schepp, Comptroller, explained that Columbia County is one of the first counties to participate in this new program. The grant application for this project is \$450,0000.

Mr. Walter Meinholz, partner in the Blue Star Dairy Farms, addressed the Board. Currently, they have dairy operations in Middleton and Town of Vienna. The grant award would allow Blue Star Dairy to add 900 cows to their operation in the Town of Arlington. Plans also include the addition of a milking parlor.

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 duly advised of the wishes of the people in the area affected hereby recommend as follows:

- (1) A petition by Arbie Reible, Arlington, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 7, Town of Leeds on the 18<sup>th</sup> day of June, 2003 be approved as follows:

To change from Agricultural to Rural Residential, a parcel of land located in part of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Section 7, Town 10N, Range 10E, Town of Leeds.

- (2) A petition by Todd and Jennifer Jourdan, Columbus, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 27 and Section 34, Town of Otsego on the 9<sup>th</sup> day of July, 2003 be approved as follows:

To change from Agricultural to Rural Residential, a parcel of land located in part of the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , Section 27 and part of the E  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , Section 34, Town 11N, Range 11E, Town of Otsego.

- (3) A petition by Leonard McGowan, Personal Representative for Elizabeth McGowan Estate, Madison, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 5, Town of Arlington on the 15<sup>th</sup> day of April, 2003 be approved as follows:

To change from Agricultural to Rural Residential, a parcel of land located in part of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  lying west of I 90/94, Section 5, Town 10N, Range 9E, Town of Arlington.

- (4) A petition by Kory Ehlert and Kristopher Kirk, Rio, Wisconsin to rezone from Agricultural to Agricultural No. 2, property located in Section 20, Town of Wyocena on the 2<sup>nd</sup> day of May, 2003 be approved as follows:

To change from Agricultural to Agricultural No. 2, a parcel of land described as part of the W  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  lying South of the railroad right-of way and the E  $\frac{1}{2}$  of the W  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  lying South of the railroad right-of-way, Section 20, Town 12N, Range 10E, Town of Wyocena.

- (5) A petition by Bruce and Joni Krigbaum, Poynette, Wisconsin to rezone from Agricultural to Single Family Residence, property located in Section 36, Town of Pacific on the 7<sup>th</sup> day of May, 2003 be approved as follows:

To change from Agricultural to Single Family Residence, a parcel of land described as Lot 35, 1<sup>st</sup> Addition to North Star Valley, located in part of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 36, Town 12N, Range 9E, Town of Pacific.

- (6) A petition by Paul and Diane Abley, Lodi, Wisconsin to rezone from Agricultural to Single Family Residence, property located in Section 9, Town of West Point on the 9<sup>th</sup> day of June, 2003 be approved as follows:

To change from Agricultural to Single Family Residence, a parcel of land described as part of Lot 1, Certified Survey Map Number 571, and part of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  and the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  and a part of Government Lot 2, Section 9, Town 10N, Range 7E, Town of West Point.

- (7) A petition by Donald and Judith Jerome, Pardeeville, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 14, Town of Marcellon on the 27<sup>th</sup> day of May, 2003 be approved as follows:

To change from Agricultural to Rural Residential, a parcel of land described as part of the SE ¼ of the SE ¼, Section 14, Town 13N, Range 10E, Town of Marcellon.

- (8) A petition by Franz Family Farms, Inc., Jerry Franz, Poynette, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 17, Town of Leeds on the 27<sup>th</sup> day of May, 2003 be approved as follows:

To change from Agricultural to Rural Residential, a parcel of land located in part of the SE ¼ of the NW ¼, Section 17, Town 10N, Range 10E, Town of Leeds.

- (9) A petition by Bill Larson, Century 21, Madison, Wisconsin, Agent for Jayne McQueen Hammond, Wasilla, AK., to rezone from Agricultural to Rural Residential, property located in Section 4, Town of Arlington on the 17<sup>th</sup> day of June, 2003, be approved as follows:

To change from Agricultural to Rural Residential, a parcel of land located in part of the NW ¼ of the SW ¼, described as Lot 2, Certified Survey Number 811, Section 4, Town 10N, Range 9E, Town of Arlington.

- (10) A petition by Douglas Kammer, Kammer & Studinski, Agent for Thomas J. Moungey, Mountain View, CA to rezone from Agricultural to Agricultural No. 2, property located in Section 10, Town of Fort Winnebago on the 5<sup>th</sup> day of May, 2003, be approved as follows:

To change from Agricultural to Agricultural No. 2, a parcel of land described as Lot 3, Certified Survey Map Number 3371, Section 10, Town 13N, Range 9E, Town of Fort Winnebago.

Harlan Baumgartner  
John G. Stevenson  
Eugene Fitzgerald  
John Healy  
Harlan Horton  
PLANNING AND ZONING COMMITTEE

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

The issue of impact to both local and County governments through services provided was of concern to Supervisor Hamele. Budgets were another area that would be affected. Director Bluemke indicated that services for Sheriff, schools, town roads, etc. would be necessary. The County could look at costs for providing those services by local governments in an attempt to provide more information for the Board. Townships should take into consideration the placement of developments, suggested Supervisor Nelson, by locating them in the most desirable areas in a community. Supervisor Wopat questioned if a recommendation was being made as far as deed restrictions for parcels – 2.5 acres in size. She indicated there was no indication of a recommendation and questioned whose responsibility it was to follow up on the deed restriction. During ensuing discussion on deed restrictions, Director Bluemke indicated that it would be the townships responsibility to follow up on the deed restriction, not the County.

For townships to continue to show an increase in equalized valuation, Supervisor Tramburg recognized the fact that it would take new construction for that to be accomplished. Even though he was not in favor of turning townships residential, Tramburg indicated that the county was in danger of losing equalized valuation if rezoning issues of this size, were not allowed.



**ORDINANCE NO. Z310-03**  
**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”, (Arbie Reible) a parcel of land located in part of the SW ¼ of the SE ¼, Section 7, Town 10N, Range 10E, Town of Leeds, more particularly described as follows:

**PARCEL NUMBER 125**

Commencing at the South ¼ corner of Section 7, Town 10N, Range 10E, Thence North 04 degrees 05 minutes 05 seconds East 1327.96 feet along the west line of the Southwest ¼ of the Southeast ¼ to the northwest corner thereof; Thence South 89 degrees 34 minutes, 56 seconds East 947.85 feet along the north line of the Southwest ¼ of the Southeast ¼, also being the centerline of Maas Road to the point of beginning; Thence continue South 89 degrees 34 minutes 56 seconds East 330.00 feet along the north line of the Southwest ¼ of the Southeast ¼ and the centerline of Maas Road to the Northeast corner of the Southwest ¼ of the Southeast ¼; Thence South 03 degrees 39 minutes 33 seconds West 330.53 feet along the east line of the Southwest ¼ of the Southeast ¼; Thence North 89 degrees 34 minutes 56 seconds West 330.00 feet; Thence North 03 degrees 39 minutes 33 seconds East 330.53 feet to the point of beginning. Said property contains 2.50 acres, more or less.

- (2) “To change from Agricultural to Rural Residential”, (Todd and Jennifer Jourdan) a parcel of land located in part of the SW ¼ of the SW ¼, Section 27, and part of the E ½ of the NW ¼ of the NW ¼, Section 34, Town 11N, Range 11E, Town of Otsego, more particularly described as follows:

**PARCEL NUMBER 475 - SECTION 27**

Commencing at the Southwest corner of said Section 27; Thence North 89 degrees 12 minutes 47 seconds East along the South line of the Southwest Quarter of Section 27, 1,323.64 feet to the Southeast corner of the Southwest Quarter of the Southwest Quarter of Section 27; Thence North 01 degree 12 minutes 56 seconds West along the East line of the Southwest Quarter of the Southwest Quarter of Section 27, 234.53 feet to the point of beginning; Thence South 89 degrees 21 minutes 47 seconds West, 469.64 feet; Thence North 58 degrees 42 minutes 55 seconds West, 78.86 feet; Thence North 31 degrees 40 minutes 48 seconds West, 90.04 feet; Thence North 70 degrees 49 minutes 17 seconds West, 214.13 feet; Thence North 78 degrees 29 minutes 08 seconds West, 150.24 feet; Thence South 01 degrees 16 minutes 07 seconds East, 119.83 feet; Thence South 78 degrees 29 minutes 08 seconds East, 169.63 feet; Thence South 70 degrees 49 minutes 17 seconds East, 242.01 feet; Thence South 31 degrees 40 minutes 48 seconds East, 97.63 feet; Thence South 58 degrees 42 minutes 55 seconds East, 44.11 feet; Thence North 89 degrees 21 minutes 47 seconds East, 450.10 feet to a point in the East line of the Southwest Quarter of the Southwest Quarter of Section 27; Thence South 01 degree 12 minutes 56 seconds East along the East line of the Southwest Quarter of the Southwest Quarter of Section 27, 66.00 feet to the point of beginning. Said property contains 5 acres, more or less.

#### PARCEL NUMBER 602 - SECTION 34

Commencing at the Northwest corner of said Section 34; Thence North 89 degrees 12 minutes 47 seconds East along the North line of the Northwest Quarter of said Section 34, 661.82 feet to the Northwest corner of the East half of the Northwest Quarter of the Northwest Quarter of said Section 34 and the point of beginning; Thence continuing North 89 degrees 12 minutes 47 seconds East along the North line of the Northwest Quarter of said Section 34, 590.82 feet; Thence North 01 degree 12 minutes 56 seconds West, 234.72 feet; Thence North 89 degrees 21 minutes, 47 seconds East, 71.00 feet to a point in the East line of the Southwest Quarter of the Southwest Quarter of Section 27; Thence South 01 degree 12 minutes 56 seconds East along the East line of the Southwest Quarter of the Southwest Quarter of Section 27, 234.53 feet to the Northeast corner of the Northwest Quarter of the Northwest Quarter of said Section 34; Thence South 01 degree 14 minutes 34 seconds East along the East line of the Northwest Quarter of the Northwest Quarter of said Section 34, 303.89 feet; Thence South 89 degrees 12 minutes 47 seconds West, 662.00 feet to a point in the West line of the East half of the Northwest Quarter of the Northwest Quarter of said Section 34; Thence North 01 degree 12 minutes 31 seconds West along the West line of the East half of the Northwest Quarter of the Northwest Quarter of said Section 34, 303.89 feet to the point of beginning; Said property contains 5.00 acres, more or less.

- (3) “To change from Agricultural to Rural Residential”, (Leonard McGowan) a parcel of land located in part of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , lying west of I 90/94, Section 5, Town 10N, Range 9E, Town of Arlington, more particularly described as follows:

#### PARCEL NUMBER 95.A

Commencing at the West  $\frac{1}{4}$  corner of Section 5, Town 10N, Range 9E; Thence North 00 degrees 41 minutes 30 seconds East 375.91 feet along the West line of the Northwest  $\frac{1}{4}$  of Section 5; Thence South 88 degrees 58 minutes 06 seconds East 42.45 feet to the East right-of-way line of Smoky Hollow Road; Thence Northeasterly along the arc of a curve of said right-of-way, concave Southeasterly, having radius of 533.85 feet and a central angle of 29 degrees 30 minutes 00 seconds, whose long chord bears North 15 degrees 48 minutes 54 seconds East 271.74 feet; Thence North 30 degrees 33 minutes 54 seconds East 178.48 feet along the Southeasterly right-of-way line of Smoky Hollow Road to the Southwesterly right-of-way line of Intestate Highway 90/94; Thence Southeasterly along the arc of a curve of said right-of-way, concave Southwesterly, having a radius of 3709.83 feet and a central angle of 12 degrees 41 minutes 43 seconds, whose long chord bears South 13 degrees 15 minutes 57 seconds East 820.33 feet to the East-West  $\frac{1}{4}$  line of Section 5; Thence North 88 degrees 49 minutes 28 seconds West 400.13 feet along the East-West  $\frac{1}{4}$  line to the point of beginning. Said property contains 4.82 acres, more or less.

- (4) “To change from Agricultural to Agricultural No. 2”, (Kory Ehlert and Kristopher Kirk) a parcel of land described as part of the W  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , lying South of the railroad right-of-way, Section 20, Town 12N, Range 10E, Town of Wyocena, more particularly described as follows:

#### PARCEL NUMBERS 530 AND 533.1

The East Half of the West half of the Southeast Quarter of the Northwest Quarter and all of the West Half of the Northeast quarter of the Northwest Quarter lying South of the railroad right-of-way, all in Section 20, Town 12N, Range 10E, Town of Wyocena. Said property contains 26.50 acres, more or less.

- (5) “To change from Agricultural to Single Family Residence”, (Bruce and Joni Krigbaum) a parcel of land described as Lot 35, 1<sup>st</sup> Addition to North Star Valley, located in part of the NE ¼ of the NE ¼, Section 36, Town 12N, Range 9E, Town of Pacific, more particularly described as follows:

PARCEL NUMBER 411.035

Lot 35, 1<sup>st</sup> Addition to North Star Valley, located in part of the NE ¼ of the NE ¼, Section 36, Town 12N, Range 9E, Town of Pacific.

- (6) “To change from Agricultural to Single Family Residence”, (Paul and Diane Abley) a parcel of land described as part of Lot 1, Certified Survey Map Number 571, and part of the SW ¼ of the SE ¼ and the SE ¼ of the SW ¼ and a part of Government Lot 2, Section 9, Town 10N, Range 7E, Town of West Point, more particularly described as follows:

PARCEL NUMBER 13.B

Part of Lot 1, Certified Survey Map Number 571, and part of the SW ¼ of the SE ¼ and the SE ¼ of the SW ¼ and a part of Government Lot 2, Section 9, Town 10N, Range 7E, Town of West Point.

Said property contains 14.50 acres, more or less.

- (7) “To change from Agricultural to Rural Residential”, (Judith Jerome) a parcel of land described as part of the SE ¼ of the SE ¼, Section 14, Town 13N, Range 10E, Town of Marcellon, more particularly described as follows:

PARCEL NUMBER 259

Commencing at the East quarter corner of said Section 14; Thence South 00 degrees 03 minutes 58 seconds East along the East line of the Southeast Quarter of said Section 14, 2,040.50 feet to the point of beginning; Thence continuing South 00 degrees 03 minutes 58 seconds East along the East line of the Southeast Quarter, 200.00 feet; Thence South 89 degrees 56 minutes 02 seconds West 435.60 feet; Thence North 00 degrees 03 minutes 48 seconds West 200.00 feet; Thence North 89 degrees 56 minutes 02 seconds East 435.60 feet to the point of beginning.

Said property contains 2.00 acres, more or less.

This rezoning effective upon the recording of a restrictive covenant.

- (8) “To change from Agricultural to Rural Residential”, (Franz Family Farms, Inc., Jerry Franz) a parcel of land located in part of the SE ¼ of the NW ¼, Section 17, Town 10N, Range 10E, Town of Leeds, more particularly described as follows:

PARCEL NUMBER 330

Commencing at the West ¼ corner of Section 17, Town 10N, Range 10E; Thence South 89 degrees 14 minutes 04 seconds East 1,346.86 feet along the South line of the Northwest ¼ of Section 17 to the Southwest corner of the Southeast ¼ of the Northwest ¼, also being the Southeast corner of Lot 1, Certified Survey Map Number 1866, being the point of beginning; Thence North 00 degrees 10 minutes 52 seconds East 233.35 feet along the West line of the Southeast ¼ of the Northwest ¼, also being the East line of lot 1, Certified Survey Map Number 1866 and the extension thereof; Thence South 89 degrees 14 minutes 04 seconds East 469.92 feet to the West line of Lot 1, Certified Survey Map Number 3160; Thence South 1 degree 45 minutes 46 seconds West 233.38 feet along the West line of said Lot 1 to the Southwest corner thereof; Thence North 89 degrees 14 minutes 04 seconds West 463.48 feet along the South line of the Northwest ¼ of Section 17 to the point of beginning.  
Said property contains 2.50 acres, more or less.

- (9) “To change from Agricultural to Rural Residential”, (Bill Larson, Century 21, Madison, Wisconsin, Agent for Jayne McQueen Hammond) a parcel of land located in part of the NW ¼ of the SW ¼, Section 4, Town of Arlington, more particularly described as follows:

PARCEL NUMBER 86.A4

Lot 2, Certified Survey 811, Section 4, Town 10N, Range 9E, Town of Arlington.  
Said property contains 3.96 acres, more or less.

- (10) “To change from Agricultural to Agricultural No. 2”, (Douglas Kammer, Kammer & Studinski, Agent for Thomas J. Moungey) a parcel of land described as Lot 3, Certified Survey Map Number 3371, Section 10, Town 13N, Range 9E, Town of Fort Winnebago, more particularly described as follows:

PARCEL NUMBER 194

Lot 3, Certified Survey Map Number 3371, Section 10, Town 13N, Range 9E, Town of Fort Winnebago.  
Said property contains 7.00 acres, more or less.

Daniel J. See, Chair  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Jeanne Miller  
COLUMBIA COUNTY CLERK

DATE PASSED: August 20, 2003  
DATE PUBLISHED: August 27, 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 Ross, seconded by Kinney, 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 Stoltenberg, seconded by DeYoung, to adopt.  
Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance Z310-03.

## ORDINANCE NO. 69-03

The Columbia County Board of Supervisors hereby amends Title 9, Chapter 1, Fee Schedule, Section 13, Land Information, as follows:

### Sec. 9-1-13 Land Information.

#### (a) Paper copies

##### (1) Photocopy Fees

a. Letter/legal	\$	.35 per page
b. 11" x 17"	\$	.50 per page
c. 18" x 24"	\$	2.00 per sheet
d. 24" x 36"	\$	3.00 per sheet
e. 36" x 48"	\$	4.00 per sheet
f. Parcel Maps	\$	2.00 per page

#### (b) Original Color Map Plots

Contact the Land Information Department for availability of products.

##### (1) Custom Maps.

The Land Information Department has the ability to customize any map requests. There are many different overlay and analysis possibilities that exist when using our digital data. Delivery of order is dependent upon staff availability and specifications of order and will be estimated at time of order. Contact the Land Information Department for availability of customized products.

Cost: \$30.00 per half hour minimum billed in half hour increments, plus cost of materials and delivery fees.

##### (2) County Road Map

###### a. Countywide

Cost: \$30.00

###### b. City/Village/Town

Cost: \$10.00

##### (3) Tax Parcel Maps

###### a. City/Village/Town (Index)

Cost: \$10.00 per community

###### b. City/Village/Town

Cost: \$10.00 per page

##### (4) Orthophotography

###### a. City/Village/Town

Cost: \$15.00

##### (5) County Tourism Map

###### a. Countywide

Cost: \$30.00

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- (6) County Board Supervisory Districts
  - a. Countywide  
Cost: \$30.00
  - b. City/Village/Town  
Cost: \$10.00
  - c. Supervisory District  
Cost: \$10.00
- (7) Aldermanic Districts
  - a. City/Village/Town  
Cost: \$10.00
- (8) Fire Response Districts
  - a. Countywide  
Cost: \$30.00
  - b. City/Village/Town  
Cost: \$10.00
  - c. Fire District  
Cost: \$10.00
- (9) EMS Districts
  - a. Countywide  
Cost: \$30.00
  - b. City/Village/Town  
Cost: \$10.00
  - c. EMS District  
Cost: \$10.00
- (10) Watersheds
  - a. Countywide  
Cost: \$30.00
  - b. City/Village/Town  
Cost: \$10.00
  - c. Watershed  
Cost: \$10.00
- (11) NASS Land Use/Land Cover
  - a. Countywide  
Cost: \$30.00
  - b. City/Village/Town  
Cost: \$10.00
- (12) Soils
  - a. Custom map charges apply. Contact the Land Information Department for availability of customized products.

(b) Digital data

All geographic digital data is provided in ESRI Shapefile format referenced to the Columbia County Coordinate System only. Property Assessment data is available in MS Access or ASCII only. Format conversions are the responsibility of the requestor.  
Prices below are for digital data only, please add delivery fees to total order prices. Prepayment is required.

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**License Terms:** Columbia County produced or co-produced digital geographic data sets are copyrighted original works. They are licensed for use, not sold. Columbia County and its co-producers reserve all rights of authorship granted under U.S. and International copyright laws and agreements. Any order for licensed data sets must be accompanied by an original, signed license agreement available at the Land Information Department.

**Liability:** The burden for determining ‘fitness for use’ rests entirely upon the requestor/licensee. Columbia County and its co-producers will not be liable in any way for accuracy of the data, and assume no responsibility whatsoever for direct, indirect, special, consequential, exemplary or other damages.

(1) Orthophotography (Includes metadata and data dictionary)

- |                             |          |            |
|-----------------------------|----------|------------|
| a. Countywide               |          | \$1,750.00 |
| b. <u>City/Village/Town</u> | \$ 50.00 |            |

(2) Land Information - Contains all digital data available through the Land Information Office, including 1995 orthophotography NRCS SURRGO Certified soils, tax parcels, road centerlines, hydrology, PLSS, administrative districts, etc. (Includes metadata and data dictionary). Contact the Land Information Department for a complete listing of included data features.

- |                             |           |            |
|-----------------------------|-----------|------------|
| a. Countywide               |           | \$3,500.00 |
| b. <u>City/Village/Town</u> | \$ 100.00 |            |

(3) Elevation Data – 4 foot Contours and digital terrain model

- |                             |             |
|-----------------------------|-------------|
| a. Countywide               | \$ 1,750.00 |
| b. <u>City/Village/Town</u> | \$ 50.00    |

(4) Property Assessment Data – Available in MS Access or ASCII. (Includes metadata and data dictionary)

- |                             |           |
|-----------------------------|-----------|
| a. Countywide               | \$ 350.00 |
| b. <u>City/Village/Town</u> | \$ 10.00  |

(5) Any items not listed immediately above are considered special requests and will be billed out at a rate of \$30.00 per half hour minimum billed in half hour increments, plus cost of materials. Delivery of order is dependent upon staff availability and specifications of order and will be estimated at time of order.

(c) Search/Verification.

Searches and Verifications are considered special requests and will be billed out at a rate of \$30.00 per half hour minimum billed in half hour increments, plus cost of materials and faxing or shipping fees. Delivery of order is dependent upon staff availability and specifications of order and will be estimated at time of order.

(d) Fax \$5.00 per page

(e) Shipping Actual Cost, minimum charge of \$5.00 per order

Daniel J. See, Chair  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Jeanne Miller  
COLUMBIA COUNTY CLERK

DATE PASSED: August 20, 2003

DATE PUBLISHED: August 27, 2003

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First reading of Ordinance.

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

Discussion on how these fees and charges compared with neighboring counties. Gene Mucciolo, Land Information Director, reported that a number of counties had been used for comparison purposes. Columbia County's fees were considered in line with other counties with Dane County mentioned as an exception. As the fee schedule would not go into affect until 2004, Supervisor Sanderson asked that the matter be tabled until further information was available. Chair See stated this matter had gone before the Land Information Committee for their recommendation to this County Board. The Board was encouraged to ask Director Mucciolo any questions pertaining to the amended fee schedule request. Original fees were established in 1995. Growth and changes in the department now saw services being utilized by surveyors, consulting firms, engineering firms, not just the general public. Revenue estimated for 2004 was \$7,500. Land Information and Land Conservation function separately and no duplication of services was seen. Open records requests have also influenced the request for fee change.

The motion carried unanimously.

Second reading of Ordinance.

Motion by Martin, seconded by Casey, 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 Wingers, seconded by Riley, to adopt.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance 69-03.

At 8:05 p.m. a motion by J. Curtis, seconded by Stoltenberg, to suspend the rules and adjourn meeting until Wednesday, September 17, 2003, at 7:00 p.m. The motion carried unanimously.



PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
September 17, 2003  
7:00 P.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 Supervisors Baumgartner, Pufahl and Wingers, excused.

Motion by Boockmeier, second by Stevenson, to approve the Journal of August 20, 2003.

Motion carried unanimously.

Motion by Salzwedel, second by Olson, to approve the following change to the agenda: addition of Resolution submitted by Finance Committee to establish 2003 equalized value. Motion carried unanimously.

Comments by Chair See included that the Health and Human Services Board met and accepted the resignation of Tom Pink, Health and Human Services Director effective November 1, 2003. Deputy Director, Sandra Roberts was appointed Acting Director until November 1, 2003.

On a more serious note, Chair See advised the Board that on-going discussions were being held pertaining to layoffs, alternatives to layoffs and position eliminations.

Supervisor Amato introduced William Gardner, President of the Wisconsin and Southern Railroad (WSOR). The WSOR was named Regional Railroad of the Year by Railway Age Magazine in 2001 and received the 2002 Marketing Award from the American Short Line and Regional Railroad Association.

The WSOR was started in 1980 because the Milwaukee Road filed for bankruptcy. The loss of rail service would have been detrimental to economic development and growth in counties as well as the State of Wisconsin. Today the railroad operates over 550 miles of track through 18 counties. A partnership has been developed with five (5)-rail transit commissions/consortium: East Wisconsin Counties Railroad Consortium, Pecatonica, Pink Lady, South Central Wisconsin and Wisconsin River Rail. These commissions/consortiums consist of county representatives working together to promote and preserve rail services while sharing cost. The consortium was currently seeking partnership with Columbia County. Partnership in the consortium provided benefits to businesses in the County through lower transportation costs, more reliable and efficient method of shipping products and ability to compete in the market place. Counties would benefit through increased economic growth, employment opportunities, decrease in road maintenance and additional revenues/taxes.

A WisDOT study showed that \$12 million a year could be saved in highway maintenance due to reduction in road traffic. A program had been implemented installing STOP signs at railroad crossings instead of warning signs/devices resulting in decreased collisions and fatalities.

Mr. Ken Lucht, Staff Administrator of Wisconsin River Rail Transit Commission referred to handouts presented to County Board members. WSOR is considered the "operator" and owned cooperatively by the State of Wisconsin and 14 counties. Funding is split with 80% coming from the Wisconsin Department of Transportation in the form of grants and 10% by both railroad and counties.

In 1998 Columbia County had agreed to help fund the consortium in the amount of \$6,500 for four (4) years. It was reported that 32 miles of track between Horicon and Cambria had been upgraded to 90 lb. continuous rails. The next project, for the consortium, will be upgrading rail lines between Milton and Janesville. The cost to counties for this project is \$15,000. Chair See indicated that in better times it would have been an easy decision for the County Board to join the consortium. He thanked Mr. Gardner for his presentation.

Supervisor Ross had attended sessions at the WCA Conference in La Crosse on dealing with media, consolidation and downsizing, consensus bargaining and tech. college funding. He came away from the conference feeling that Columbia County compared favorably with other counties.

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--------------------------------------------------

Supervisor Sanderson attended sessions on realigning Wisconsin taxation system, redesigning Health and Human Services delivery system, long-term care and future of nursing homes in Wisconsin. Sanderson felt that intense competition between care facilities has resulted in Columbia County maintaining its' census levels. He felt that the Columbia Health Care Center was a facility that the County should be proud of and indicated it was the Board's responsibility to promote the facility in hopes of increasing the census.

Chair See asked that Supervisors Martin, Westby and Ford give a report on their attendance at the WCA Conference in October.

### **RESOLUTION NO. 35-03**

WHEREAS, the Wisconsin Legislature has established a "Smart Growth Law" that requires Columbia County to develop a comprehensive plan in accordance with Chapter 66.1001 of the Wisconsin State Statutes, and

WHEREAS, the Columbia County Planning and Zoning Committee has assigned the developing of a plan consistent with the requirements specified by law to the Comprehensive Plan Advisory Committee (CPAC), and

WHEREAS, the governing body of a local government unit shall adopt written procedures that are designed to foster public participation during the preparation of a comprehensive plan, and

WHEREAS, this resolution shall constitute the written procedures designed to foster public participation in accordance with Chapter 66.1001(4)(a) of the Wisconsin State Statutes;

THEREFORE, BE IT RESOLVED that public participation in the development of the Columbia County Comprehensive Plan may include, but not be limited to the following activities: community opinion survey, several series of public input quadrant meetings, news releases, radio addresses, CPAC meetings and other open meetings for which the public is entitled to have advanced notice. In addition, all informational items used and produced by CPAC shall be made available for public review at the Columbia County Planning and Zoning Department and public libraries around the County. Written comments on all subjects pertaining to the development of this plan shall be encouraged. An address to forward written comments shall be provided in meeting notices and news releases. CPAC shall respond to written comments at public meetings.

All of which is respectfully submitted this 17th day of September, 2003.

~~Harlan Baumgartner~~  
Eugene M. Fitzgerald  
John G. Stevenson  
John H. Healy  
Harlan Horton  
PLANNING AND ZONING COMMITTEE

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

### **RESOLUTION NO. 36-03**

WHEREAS, Columbia County hereby requests financial assistance under s. 287.23, Wis. Stats., and Chapters NR 542, 544, and 549, Wis. Admin. Code, for the purpose of planning, constructing or operating a recycling program with one or more components specified in s. 287.11(2)(a) to (h), Wis. Stats.

NOW THEREFORE, BE IT RESOLVED, that Columbia County Board of Supervisors 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. 287.23, Wis. Stats., Chapters NR 542, 544, and 549, Wis. Admin. Code;
- Sign necessary documents; and
- Submit a final report.

Claire R. Robson  
 Harlan Horton  
 Barry Pufahl, Secretary  
 Gerald L. Salzwedel, Vice Chair  
 Daniel Amato, Chair  
 SOLID WASTE COMMITTEE

Motion by Salzwedel, seconded by Robson, to adopt.

Bill Casey, Solid Waste Director, explained this resolution authorizes the application for two (2) grants. The first grant is a standard grant for financial assistance, which has been submitted for the last twelve (12) years. The second grant is an efficiency incentive grant. Last year Columbia County received grants in the amount \$165,000 and \$27,000 respectively.

The Resolution was unanimously adopted.

### **RESOLUTION NO. 37-03**

WHEREAS, financial assistance in the form of grant funds is available to Columbia County from the State of Wisconsin Department of Natural Resources for the purpose of promoting recycling efficiency; and

WHEREAS, Columbia County can demonstrate recycling efficiency in the form of a Cooperative Agreement with the City of Portage under the terms of which Columbia County will provide Educational Efforts About Recyclables for the City of Portage for the year 2004; and

WHEREAS, the Cooperative Agreement between Columbia County and the City of Portage is attached hereto as Exhibit "A";

NOW, THEREFORE, BE IT RESOLVED, that Columbia County Board of Supervisors hereby approves the Cooperative Agreement between Columbia County and the City of Portage.

Claire R. Robson  
 Harlan Horton  
~~Barry Pufahl, Secretary~~  
 Gerald L. Salzwedel, Vice Chair  
 Daniel Amato, Chair  
 SOLID WASTE COMMITTEE

### **EXHIBIT A**

#### **Cooperative Agreement Between Columbia County and the City of Portage to Provide Educational Efforts About Recyclables**

This Cooperative Agreement ("Agreement") is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2003, by and between Columbia County, Wisconsin ("County") and the City of Portage, Wisconsin ("City"), both local units of Wisconsin government.

Now, therefore the County and the City for the consideration hereinafter stipulated do mutually agree as follows:

A. **PURPOSE.** The purpose of this Agreement is to increase efficiency in providing educational programs about recyclables for the parties.

B. RESPONSIBILITIES OF THE PARTIES.

1. Columbia County will:

- a. Produce and distribute literature and handouts on recycling.
- b. Contact the Portage School Administration to get recycling included in the school curriculum.
- c. Provide speakers and tours to the Portage Schools and Service Clubs.
- d. Provide the cable access channel with updated recycling information.

2. City of Portage will:

- a. Include a recycling information segment on their Public Access Cable channel.
- b. Have recycling information available for the public in the Municipal Building.
- c. Refer groups and organizations looking for speakers to the County.

C. TERM. This Agreement shall become effective on January 1, 2004, and shall remain in full force and effect through midnight of December 31, 2004, and may be extended for successive one (1) year terms by means of a writing signed by both parties authorizing such extension. Either party may terminate this Agreement at any time, without cause, by providing thirty (30) days prior written notice of termination to the other party.

D. ENTIRE AGREEMENT. This document represents the entire agreement of the parties and takes precedence over any and all prior communications between the parties on this subject whether oral or written. This document may only be modified or amended by means of a writing signed by both parties.

Signed and dated this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

Columbia County  
Daniel J. See, Chair  
Jeanne Miller, Clerk

City of Portage  
Mayor  
Clerk

Director Casey stated this has been an educational service provided informally in the past, and by this resolution, would make the County eligible for \$27,000 in grant monies. Future years will require new partners and improved efficiencies to receive additional grants.

On motion by Horton, seconded by Amato, the Resolution was unanimously adopted.

**RESOLUTION NO. 38-03**

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 2003 (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>
<u>TOWNS:</u>				
Arlington	\$ 59,369,600	.01655	\$ 59,369,600	.01668
Caledonia	162,091,900	.04518	162,091,900	.04555
Columbus	41,628,600	.01160	41,628,600	.01170
Courtland	30,821,700	.00859	30,821,700	.00866
Dekorra	244,393,000	.06812	244,393,000	.06868
Fort Winnebago	57,181,300	.01594	57,181,300	.01607
Fountain Prairie	48,258,100	.01345	48,258,100	.01356
Hampden	37,977,200	.01059	37,977,200	.01067
Leeds	60,850,700	.01696	60,850,700	.01710
Lewiston	89,125,200	.02484	89,125,200	.02504

Lodi	298,614,600	.08323	298,614,600	.08391
Lowville	68,783,800	.01917	68,783,800	.01933
Marcellon	73,987,500	.02062	73,987,500	.02079
Newport	57,728,100	.01609	57,728,100	.01622
Otsego	47,658,900	.01328	47,658,900	.01339
Pacific	187,139,300	.05216	187,139,300	.05259
Randolph	47,247,600	.01317	47,247,600	.01328
Scott	42,092,400	.01173	42,092,400	.01183
Springvale	43,140,200	.01202	43,140,200	.01212
West Point	201,585,200	.05619	201,585,200	.05665
Wyocena	<u>122,832,400</u>	<u>.03424</u>	<u>122,832,400</u>	<u>.03452</u>
TOWN TOTALS	2,022,507,300	.56372	2,022,507,300	.56834
<u>VILLAGES:</u>				
Arlington	37,294,500	.01039	34,173,500	.00960
Cambria	34,783,000	.00969	34,783,000	.00977
Doylestown	11,639,500	.00324	11,639,500	.00327
Fall River	72,263,400	.02014	68,530,000	.01926
Friesland	17,106,600	.00477	14,425,100	.00405
Pardeeville	99,675,600	.02778	89,229,000	.02507
Poynette	119,444,300	.03329	118,517,000	.03330
Randolph	23,487,800	.00655	21,628,000	.00608
Rio	44,247,100	.01233	41,048,500	.01153
Wyocena	<u>25,927,800</u>	<u>.00723</u>	<u>25,927,800</u>	<u>.00729</u>
VILLAGE TOTALS	485,869,600	.13541	459,901,400	.12922
<u>CITIES:</u>				
Columbus	247,246,500	.06891	245,756,700	.06906
Lodi	165,430,600	.04611	165,430,600	.04649
Portage	481,562,600	.13423	479,832,500	.13485
Wisconsin Dells	<u>185,195,300</u>	<u>.05162</u>	<u>185,195,300</u>	<u>.05204</u>
CITY TOTALS	1,079,435,000	.30087	1,076,215,100	.30244
<u>COUNTY TOTALS:</u>				
Columbia County	3,587,811,900	1.00000	3,558,623,800	1.00000

Robert Hamele  
Michael J. Kinney  
Susan Martin  
Debra L.H. Wopat  
John H. Tramburg  
FINANCE COMMITTEE

On motion by Tramburg, 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 duly advised of the wishes of the people in the area affected hereby recommend as follows:

- (1) A petition by Robert and Dorothy Baillies, Pardeeville, Wisconsin to rezone from Agricultural to Single Family Residence, property located in Section 2, Town of Wyocena on the 29<sup>th</sup> day of August, 2003 be approved as follows:

To change from Agricultural to Single Family Residence, a parcel of land located in part of Government Lot 7, Section 2, Town 12N, Range 10E, Town of Wyocena.

- (2) A petition by David Jeske, Hales Corners, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 4, Town of Lewiston on the 2<sup>nd</sup> day of July, 2003 be approved as follows:

To change from Agricultural to rural Residential, a parcel of land described as Lots 55 and 56, Riverside Park, Section 4, Town 12N, Range 8E, Town of Lewiston.

- (3) A petition by Carl Benck, Fall River, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 11, Town of Fountain Prairie on the 19<sup>th</sup> day February, 2003 be approved as follows:

To change from Agricultural to Rural Residential, a parcel of land located in part of the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , Section 11, Town 11N, Range 12E, Town of Fountain Prairie.

~~Harlan Baumgartner~~

Eugene Fitzgerald

John G. 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. Z311-03 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”, (Robert and Dorothy Baillies) a parcel of land located in part of Government Lot 7, Section 2, Town 12N, Range 10E, Town of Wyocena, more particularly described as follows:

PARCEL NUMBERS 52, 60 AND 61 Commencing at the North Quarter corner of said Section 2; Thence South 89 degrees 55 minutes 58 seconds East along the North line of the Northeast Quarter of said Section 2, 337.07 feet; Thence South 3,049.72 feet to the point of beginning; Thence East 150.00 feet; Thence South 150.00 feet; Thence West 150.00 feet; Thence North 150.00 feet to the point of beginning;

Said property contains 0.50 acres, more or less

- (2) “To change from Agricultural to Rural Residential”, (David Jeske) a parcel of land described as Lots 55 and 56, Riverside Park, Section 4, Town 12N, Range 8E, Town of Lewiston, more particularly described as follows:

PARCEL NUMBER 972.55 A part of Government Lots 5 and 6, Section 4, Town 12N, Range 8E, Town of Lewiston, more fully described as Lots 55 and 56 of Riverside Park.

- (3) “To change from Agricultural to Rural Residential”, (Carl Benck) a parcel of land located in part of the NE ¼ of the SW ¼, Section 11, Town 11N, Range 12E, Town of Fountain Prairie, more particularly described as follows:

PARCEL NUMBER 216 Certified Survey Map Number 4014, being part of the NE ¼ of the SW ¼, Section 11, Town 11N, Range 12E, Town of Fountain Prairie.  
Said property contains 2.50 acres, more or less.

Daniel J. See, Chair  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Jeanne Miller  
COLUMBIA COUNTY CLERK

DATE PASSED: September 17, 2003  
DATE PUBLISHED: September 24, 2003

First reading of Ordinance.

Motion by V. Curtis, 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 Stevenson, 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 Healy, seconded by DeYoung, to adopt.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance Z311-03.

At 8:22 p.m. a motion by J. Curtis, seconded by Stoltenberg, to suspend the rules and adjourn meeting until Wednesday, October 15, 2003, at 7:00 p.m. The motion carried unanimously.



PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
October 15, 2003  
7:03 P.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 Supervisors Casey and J. Curtis, excused.

Motion by Riley, second by Stevenson, to approve the Journal of September 17, 2003. Motion carried unanimously.

Motion by Andler, second by Boockmeier, to approve the agenda. Motion carried unanimously.

During Chair See's comments he referred to an informational handout proposing publishing email addresses for Supervisors on the county's web site creating an additional avenue for citizens to communicate with their elected officials. The Executive Committee discussed this proposal and felt it important that supervisors have a choice. Other changes to website included photos of Supervisors reflecting picture on ID tags.

It was noted that the next County Board meeting would be Tuesday, November 11<sup>th</sup>, a requirement of Wisconsin State Statutes. The date listed in the County Directory was incorrect.

Supervisors were encouraged to cash per diem checks as expense reports needed to be current.

During the budget process, only ten (10) County Board meetings were budgeted for. There will not be a January meeting. Discussion was held on revising County Board Standing Rules. Chair See indicated the rules would be reviewed in March for approval at the April County Board meeting.

Chair See asked that Supervisors seek out Lois Schepp, Comptroller or John Tramburg, Finance Committee Chair for any questions they may have regarding the budget prior to the November 11<sup>th</sup> meeting.

The Clerk reported that Columbia County had received a Petition for Return of Seized Property from Attorneys Cates and Kinne on behalf of Kelly Mahnke.

The Finance Committee Chair John Tramburg, distributed the proposed 2004 budget. He reported on the five (5) months of deliberations that had led to this 2004 budget. During that time, reductions in the "2003" Budget and "2004" budgets were finalized. Tramburg reported that equalized value had increased by 5.5 percent. The proposed 2004 budget has an increase of \$2,018,436 with a mill rate increase of 7.6%. Tramburg indicated the Finance Committee had aggressively sought to reduce operating costs. Major contributing factors included adhering to mill rate freeze; decreased State and Federal Revenues; slow down in growth in equalized value; increased funding for jail operations and anticipated loss of \$800,000 in IGT funding to the Health Care Center. Tramburg further stated that highlights, in this budget, were hard to find and that decisions had to be made to reduce operating expense by eliminating staff and limiting capital expenditures to stay within the levy limit and prepare for 2005. Services were rated as follows: 1) if mandated or essential for operation; 2) fully/partially or not funded at all for programs dealing with elderly, youth, disabled, impoverished, physically and mentally ill and 3) services that are nice to have but may be provided elsewhere. Reduction of \$2,717,642 in budget requests was achieved, in part, through elimination of fourteen (14) positions, seven (7) limited term employees and reduction in hours of seven (7) additional positions. A reserve of \$1,092,000 has been set up in the contingency fund for jail operation in 2005 and Highway. Supervisor Tramburg reiterated that questions on the budget should be referred to Comptroller Lois Schepp.

Chair See indicated that the Finance Committee was charged with the responsibility of establishing a budget. The budget was carefully reviewed; it met critical needs of the county, worked within the levy freeze and prepared the County for an anticipated difficult 2005 budget.

Supervisor Nelson expressed concerns regarding the reserve for 2005 mainly being used for the new jail, while cutting needed services to communities. Chairman See indicated that if the County had not proceeded with the jail-building project, costs for housing inmates at other locations, in addition to transportation costs, would have exhausted funds this year versus reserving for future use.

Chair See anticipated that the County would have the ability to re-coop costs and operate the jail. Further he indicated that Supervisors should know that expenses would not be recouped immediately in 2005. Securing prisoners and training jailers also would not happen at once.

Supervisor Nelson raised the question, what amount needed to be carried in the General Fund to continue the current bond rating? Lois Schepp, Comptroller, replied the general fund is at \$5.8 million. Expenditures are estimated to be \$58 million. Ten percent (10%) of total expenditures are required to maintain the current bond rating. Comptroller Schepp stressed the importance of maintaining the County's bond rating with anticipated borrowing in January. Shortages at years end are due to interest on investment earnings and board of prisoners being down. Schepp stated those shortages would have to be made up. Further, County Board approval of the construction of a new jail facility was a major consideration in determining the 2004 budget distributed tonight. The Finance Committee had followed the Board's directive.

Chair See discussed the policy used in implementing layoffs. Numerous options had been considered including early retirements/attrition, alternatives to layoffs, layoffs and position eliminations. Recommendations were made to the Human Resource Committee. After reviewing those recommendations, early retirement buyouts were eliminated due to resulting costs. No savings would be experienced. Meetings had been held with the three (3) departments that employed largest number of staff. Options were discussed with resulting decision to act immediately, eliminating possible tampering with county equipment/systems. By establishing this policy, Chair See indicated controversy was kept to a minimum. It eliminated word leaking out which would have made the process more difficult. Those employees who lost their jobs would receive unemployment, with health insurance costs paid for next three (3) months. Chair See indicated future layoffs were dependent on union settlements, salary and health care benefit costs. 2004 monies will not be used to meet wage settlements.

Chair See addressed concerns expressed by some Supervisors as to lack of communication prior to layoffs/position eliminations. For the most part, department heads were involved in the process from the beginning and have accepted these decisions. Chair See encouraged the Supervisors to do the same. He indicated that if there were five or six supervisors willing to study the issues, make recommendations and determine a policy to be carried out in the future, he would welcome their contribution. He conceded that communication with Supervisors should have been done and apologized for that.

Human Resources Director, Brent Miller introduced Ms. Donna Chrzas, the new Veteran's Service Officer, who will begin work on November 3, 2003. Ms. Chrzas commented on her thirteen (13) years of service to Marquette County and that she looked forward to challenges here in Columbia County. On motion by Andler, seconded by Martin, to appoint Ms. Donna Chrzas as the Columbia County Veteran's Officer for a term to expire January of 2006. The appointment was unanimously approved.

The Executive Committee had recommended and approved the appointment of Debra Wopat, John Tramburg, and Andy Ross, with Susan Martin as alternate, to the 2004 Negotiating Committee. On motion by Salzwedel, seconded by V. Curtis, the appointments were unanimously approved.

Supervisors Martin, Ford and Westby reported on the 2003 Wisconsin Counties Association Convention. Supervisor Martin had attended sessions on how to better manage binding arbitration, effective media relations and consolidation and downsizing. Supervisor Ford had also attended consolidation and downsizing of governmental services, restoring our waters and geographic information systems sessions. After attending five (5) sessions, Supervisor Westby felt the session on 9-1-1 the most beneficial. Other sessions included justice corrections process, juvenile justice, advocating H.S. funding and mutual aid in law enforcement.

## RESOLUTION NO. 39-03

WHEREAS, Reuben F. Damm, of Columbus, Wisconsin, recently passed away at the age of 91, and

WHEREAS, prior to his death Reuben F. Damm faithfully served the residents of Columbia County as a member of the Columbia County Board of Supervisors, and

WHEREAS, Mr. Damm was elected to serve on the Columbia County Board of Supervisors to represent District 25 from April 20, 1976, until March 15, 2000, and

WHEREAS, Mr. Damm was elected and served as Vice Chairman of the Board of Supervisors from April, 1980, until April 1982, and

WHEREAS, Mr. Damm was elected and served as Chairman of the Board of Supervisors from April, 1982, until April 1984, and

WHEREAS, Mr. Damm served on the following committees: Zoning and Planning; County Home and Farm Board; Executive; Finance, Salary and Personnel; Solid Waste Management Board; Legislative; Inter-County Coordinating; Data Processing; Agriculture, Extension Education and Resource Development; Soil and Water Conservation District Supervisors; Land Conservation; County Home; Planning and Zoning; Agriculture and Land Conservation; Lazy Lake Management District; Wisconsin Counties Waste Management; Solid Waste; Farm Progress Days Executive; Private Industry Council; Revolving Loan Fund and TIF Districts.

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 Reuben F. Damm's service to his county, his country, and his community, and that a copy be sent to his family.

Craig P. Casey  
Kenneth W. Hutler  
Richard C. Boockmeier  
Vincent D. Curtis  
JoAnn Wingers  
Barry Pufahl  
Neil M. Ford  
Robert J. Stoltenberg  
Gerald L. Salzwedel  
Robert Westby

Donald P. Nelson  
Kenneth E. Olson  
Edward P. Riley  
John H. Healy  
Harlan Baumgartner  
Susan Martin  
Claire R. Robson  
Robert J. Andler  
Jack Sanderson  
Eugene M. Fitzgerald  
Daniel J. See

Robert L. Hamele  
J. Robert Curtis  
Michael J. Kinney  
Don DeYoung  
Debra L. H. Wopat  
Harlan Horton  
Andy Ross  
Daniel Amato  
John H. Tramburg  
John G. Stevenson

Motion by Tramburg, seconded by Riley, to adopt. The Board stood in a moment of silence to pass the Resolution.

## RESOLUTION NO. 40-03

Notice had been received from the Freedom from Religion Foundation that Columbia County was not in compliance with a 1996 Federal Court Ruling stating Good Friday cannot be recognized as a Public Holiday.

Therefore, the Columbia County Board of Supervisors hereby amends Section 7.22(e) of the Columbia County Personnel Policies and Procedures Manual as follows by changing (1) (i) as follows:

7.22(e) **Holidays**

(1) The following holidays shall be observed by Columbia County for all regular fulltime and part-time employees:

- a. New Year's Day
- b. Memorial Day
- c. Independence Day
- d. Labor day
- e. Day after Thanksgiving
- f. Thanksgiving day
- g. Christmas Eve Day
- h. Christmas Day
- i. ~~Good Friday~~
- i. Personal Holiday
- j. December 31<sup>st</sup>.

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  
Susan Martin  
Debra L. H. Wopat  
HUMAN RESOURCES COMMITTEE

On motion by Boockmeier, seconded by Wopat, the Resolution was adopted, not unanimously.

#### **RESOLUTION NO. 41-03**

The Columbia County Board of Supervisors hereby amends Section 7.22(c)(7) of the Columbia County Personnel Policies and Procedures Manual as follows by changing (1) i as follows:

##### **7.22(c)(7) Sick Leave**

- (7) In the event extraordinary circumstances arise under which an employee has depleted all of his/her sick leave (including catastrophic account) and is still unable to work, individual employees may voluntarily donate a portion of their accrued sick leave, in increments of one (1) day not to exceed five (5) days per donator, to the employee. The employee may not receive more than ten (10) working days of donated sick leave per occurrence.

The remainder of Section 7.22(c)(7) of the Columbia County Personnel Policies and Procedures Manual is not affected by this Resolution.

~~J. Robert Curtis~~  
Richard C. Boockmeier  
Andy Ross  
Susan Martin  
Debra L. H. Wopat  
HUMAN RESOURCES COMMITTEE

Motion by Martin, seconded by DeYoung, to adopt.

There was discussion regarding donation from one labor contract to another and management cost control. Disparity in salary between donor and individual receiving sick leave was discussed. Joseph Ruf, Corporation Counsel indicated this resolution set a reasonable limit on the amount of sick leave donated to an individual.

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 duly advised of the wishes of the people in the area affected hereby recommend as follows:

- (1) A petition by Wisconsin Lake Properties, LLC, Waunakee, Wisconsin to rezone from Recreational to Recreational with a Planned Residential Development Overlay District, property located in Section 8, Town of Lodi on the 1<sup>st</sup> day of August, 2003 be approved as follows:

To change from Recreational to Recreational with a Planned Residential Development Overlay District a parcel of land located in part of the SW ¼ of the SE ¼ and part of the NW ¼ of the NE ¼, Section 8, Town 10N, Range 8E, Town of Lodi.

- (2) A petition by Wisconsin Lake Properties, LLC, Waunakee, Wisconsin to rezone from Recreational and Agricultural to Single Family Residence, property located in Sections 8, Town of Lodi on the 1<sup>st</sup> day of August, 2003 be approved as follows:

To change from Recreational and Agricultural to Single Family Residence, a parcel of land located in part of the SW ¼ of the SE ¼, Section 8 and the NW ¼ of the NE ¼, Section 17, Town 10N, Range 8E, Town of Lodi.

- (3) A petition by Marion J. Hunt, Robert J. Hunt, and Martha M. Paskey, c/o Jeffrey P. Clark, Poynette, Wisconsin to rezone from Recreational and Agricultural to Single Family Residence, property located in Sections 8 and 17, Town of Lodi on the 1<sup>st</sup> day of August 2003 be approved as follows:

To change from Recreational and Agricultural to Single Family Residence, a parcel of land located in part of the SW ¼ of the SE ¼ Section 8 and the NW ¼ of the NE ¼, Section 17, Town 10N, Range 8E, Town of Lodi.

- (4) A petition by Darlene A. Ballweg, Sauk City, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 16, Town of West Point on the 1<sup>st</sup> day of August, 2003 be approved as follows:

To change from Agricultural to Rural Residential, a parcel of land located in part of the SW ¼ of the SW ¼, Section 15 and part of the SE ¼ of the SE ¼, Section 16, Town 10N, Range 7E, Town of West Point.

- (5) A petition by Carl T. Benck, Fall River, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 14 on the 26<sup>th</sup> day of August, 2003 be approved as follows:

To change from Agricultural to Rural Residential, a parcel of land located in part of the NW ¼ of the NW ¼, Section 14, Town 11N, Range 12E, Town of Fountain Prairie.

- (6) A petition by Timothy Birkenstock, Fall River, Wisconsin, Agent for Virginia Birkenstock, to rezone from Agricultural to Single Family Residence, property located in Section 26, Town of Fountain Prairie on the 5<sup>th</sup> day of September, 2003 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 NE ¼, Section 26, Town 11N, Range 12E, Town of Fountain Prairie.

- (7) A petition by Rick and Deb Baerwolf, Fall River, Wisconsin to rezone from Agricultural to Ag-2, property located in Section 35, Town of Otsego on the 2<sup>nd</sup> day of September, 2003 be approved as follows:

To change from Agricultural to Ag-2, a parcel of land located in the N ½ of the SW ¼ of the SW ¼, Section 35, Town 11N, Range 11E, Town of Otsego.

- (8) A petition by Donald and James Borde to rezone from Agricultural to Rural Residential, property located in Section 4, Town of Hampden on the 5<sup>th</sup> day of September, 2003 be approved as follows:

To change from Agricultural to Rural Residential, a parcel of land located in part of the SE ¼ of the NE ¼, Section 4, Town 10N, Range 11E, Town of Hampden.

Harlan Baumgartner  
Eugene Fitzgerald  
John G. 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. Z312-03**  
**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 Recreational to Recreational with a Planned Residential Development Overlay District”, (Wisconsin Lake Properties, LLC) a parcel of land located in part of the SW ¼ of the SE ¼, Section 8, Town 10N, Range 8E, Town of Lodi, more particularly described as follows:



PARCEL NUMBER 290.D Commencing at the Southeast corner of said Section 8; Thence South 89 degrees 28 minutes 41 seconds West along The South line of the Southeast Quarter of said Section 8, 1,311.51 feet to the Southeast corner of the Southwest Quarter of the Southeast Quarter of said Section 8; Thence North 00 degrees 09 minutes 23 seconds East, along the East line of the Southwest Quarter of the Southeast Quarter of said Section 8 and the West line of Fosters Back Forty, 285.00 feet to the Southeast corner of Lot 2, Certified Survey Map Number 3522; Thence South 89 degrees 43 minutes 51 seconds West along the South line of said Lot 2, 415.25 feet to the Southwest corner of said Lot 2 and the point of beginning; Thence South 00 degrees 00 minutes 04 seconds East, 88.64 feet; Thence North 70 degrees 04 minutes 30 seconds West, 438.88 feet to a point which bears South 70 degrees 04 minutes 30 seconds East, 113 feet more or less from the water's edge of Lake Wisconsin and the beginning of a meander line along said Lake; Thence North 44 degrees 05 minutes 49 seconds East along said meander line, 148.02 feet; Thence North 33 degrees 57 minutes 40 seconds East along said meander line, 342.21 feet; Thence North 58 degrees 47 minutes 38 seconds East along said meander line, 55.91 feet to a point in the West line of the lands described and recorded in Volume 274 of Deeds, page 365, said point also lying South 10 degrees 27 minutes 29 seconds East, 20 feet more or less from the water's edge of Lake Wisconsin and the end of this meander line along said Lake; Thence South 10 degrees 27 minutes 29 seconds East along the West line of lands described in Volume 274 of Deeds, page 365, 20.00 feet; Thence South 06 degrees 44 minutes 24 seconds East along the West line of lands described in Volume 185 of Records, page 128, 212.34 feet to the Southwest corner of lands described in Volume 185 of Records, page 128; Thence North 89 degrees 59 minutes 14 seconds East along the South line of lands described in Volume 185 of Records, page 128 and of lands described and recorded in Volume 274 of Deeds, page 365, 42.00 feet; Thence South 00 degrees 00 minutes 53 seconds East along the West line of Lot 1, Certified Survey Map Number 3366 and Lot 2, Certified Survey Map Number 3522 and an extension thereof, 249.50 feet to the point of beginning. Said property contains 2.98 acres, more or less. This rezoning is effective upon recording of the "Red Cedar Point Condominium" condominium plat.

- (2) "To change from Recreational and Agricultural to Single Family Residence", (Wisconsin Lake Properties, LLC) a parcel of land located in part of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Section 8 and the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 17, Town 10N, Range 8E, Town of Lodi, more particularly described as follows:



PARCEL NUMBER 290.01 Commencing at the Southeast corner of said Section 8; Thence South 89 degrees 28 minutes 41 seconds West along the South line of the Southeast Quarter of said Section 8, 1,311.51 feet to the Southeast corner of the Southwest Quarter of the Southeast Quarter of said Section 8; Thence South 00 degrees 19 minutes 29 seconds East along the East line of the Northwest Quarter of the Northeast Quarter of said Section 17 and the West line of Foster's Back Forty, 449.78 feet to a point which bears North 00 degrees 19 minutes 29 seconds West, 44 feet more or less from the water's edge of Lake Wisconsin and the beginning of a meander line along said Lake; Thence South 86 degrees 25 minutes 44 seconds West along said meander line, 293.15 feet; Thence North 49 degrees 32 minutes 53 seconds West along said meander line, 6.85 feet to a point which bears North 00 degrees 11 minutes 27 seconds West, 28 feet more or less from the water's edge of Lake Wisconsin and the end of this meander line along said Lake; Thence North 00 degrees 11 minutes 27 seconds West, 612.16 feet; Thence North 69 degrees 45 minutes 28 seconds West, 125.00 feet; Thence North 00 degrees 00 minutes 39 seconds West, 91.23 feet to the Southwest corner of Lot 2, Certified Survey Map Number 3522; Thence North 89 degrees 43 minutes 51 seconds East along the South line of said Lot 2, 415.25 feet to the Southeast corner of said Lot 2; Thence South 00 degrees 09 minutes 23 seconds West along the East line of the Southwest Quarter of the Southeast Quarter and the West line of Foster's Back Forty, 285.00 feet to the point of beginning. Said property contains 5.49 acres, more or less. This rezoning is effective upon recording of a final plat for the property described in this Amending Ordinance.

- (3) "To change from Recreational and Agricultural to Single Family Residence", (Marion J. Hunt, Robert J. Hunt, and Martha M. Paskey, c/o Jeffrey P. Clark) a parcel of land located in part of the SW ¼ of the SE ¼, Section 8 and the NW ¼ of the NE ¼, Section 17, Town 10N, Range 8E, Town of Lodi, more particularly described as follows:

PARCEL NUMBER 290 AND 290.E Commencing at the East Quarter corner of said Section 8; Thence South 00 degrees 02 minutes 29 seconds West along the East line of the Southeast Quarter of said Section 8, 2,634.80 feet; Thence South 89 degrees 28 minutes 41 seconds West along the South line of the Southeast Quarter of said Section 8, 1,311.51 feet to the Southeast corner of the Southwest Quarter of the Southeast Quarter of said Section 8; Thence North 00 degrees 09 minutes 23 seconds East along the East line of the Southwest Quarter of the Southeast Quarter of said Section 8, 285.00 feet; Thence South 89 degrees 45 minutes 51 seconds West, 415.25 feet; Thence South 00 degrees 00 minutes 39 seconds East, 91.42 feet to the point of beginning; Thence South 69 degrees 45 minutes 28 seconds East, 125.00 feet; Thence South 00 degrees 11 minutes 27 seconds East, 612.16 feet to a point which lies North 00 degrees 11 minutes 27 seconds West, 24 feet more or less from the water's edge of Lake Wisconsin and the beginning of a meander line along said Lake; Thence North 49 degrees 32 minutes 53 seconds West along said meander line, 232.42 feet; Thence North 76 degrees 06 minutes 21 seconds West along said meander line, 251.99 feet; Thence North 30 degrees 04 minutes 09 seconds East along said meander line, 513.88 feet; Thence North 44 degrees 05 minutes 49 seconds East along said meander line, 211.19 feet to a point which lies South 70 degrees 04 minutes 30 seconds East, 22 feet more or Less from the water's edge of Lake Wisconsin and the end of this meander line along said Lake; Thence South 70 degrees 04 minutes 30 seconds East, 156.73 feet; Thence South 52 degrees 37 minutes 00 seconds West, 9.13 feet; Thence South 37 degrees 23 minutes 00 seconds East, 50.20 feet; Thence North 52 degrees 37 minutes 00 seconds East, 41.35 feet; Thence South 70 degrees 04 minutes 30 seconds East, 222.50 feet; Thence South 00 degrees 00 minutes 39 seconds East, 2.59 feet to the point of beginning.

Said property contains 7.88 acres, more or less. This rezoning is effective upon recording of a Certified Survey Map for the property described in the Amending Ordinance.

- (4) “To change from Agricultural to Rural Residential”, (Darlene A. Ballweg) a parcel of land located in part of the SW ¼ of the SW ¼, Section 15 and part of the SE ¼ of the SE ¼, Section 16, Town 10N, Range 7E, Town of West Point, more particularly described as follows:

PARCEL NUMBER 134.03 Beginning at the Southeast corner of Lot 2, Certified Survey Map Number 3991; Thence North along the east line of said Lot 2 and an extension thereof, 467.00 feet; Thence North 89 degrees 37 minutes 38 seconds East, 574.00 feet; Thence South 467.00 feet to a point in the South line of the Southwest Quarter of said Section 15; Thence South 89 degrees 37 minutes 38 seconds West along the South line of the Southwest Quarter of said Section 15, 574.00 feet to the point of beginning. Said property contains 6.15 acres, more or less.

AND

PARCEL NUMBER 159.1 Beginning at the Southeast corner of Lot 1, Certified Survey Map Number 3991; Thence North 89 degrees 41 minutes 16 seconds West along the South line of the Southeast Quarter of said Section 16, 966.00 feet; Thence North 715.00 feet; Thence South 89 degrees 41 minutes 16 seconds East, 966.00 feet; Thence South along the West line of said Lot 1 and an extension thereof, 715.00 feet to the point of beginning. Said property contains 15.86 acres, more or less. This rezoning is effective upon recording of a final plat within one year of the date of County Board approval for the property described in this Amending Ordinance.

- (5) “To change from Agricultural to Rural Residential”, (Carl T. Benck) a parcel of land located in part of the NW ¼ of the NW ¼, Section 14, Town 11N, Range 12E, Town of Fountain Prairie, more particularly described as follows:

Commencing at the Northwest corner of said Section 14; Thence North 88°43'37" East along the north line of the Northwest Quarter of said Section 14, 1,035.19 feet to the point of beginning; Thence continuing North 88°43'37" East along the North line of the Northwest Quarter of said Section 14, 280.00 feet to a point in the center line of McDonald Road right-of-way; Thence Southwesterly along said center line of McDonald Road right-of-way along a 16,672.37 foot radius curve to the right having a central angle of 02°11'45" and whose long chord bears South 01°27'44" West, 638.92 feet; Thence South 72°27'00" West, 251.23 feet; Thence North 20°17'30" West, 371.37 feet; Thence North 16°13'10" East, 374.84 feet to the point of beginning. Containing 5.00 acres, more or less and being subject to McDonald Road right-of-way along the easterly side thereof and servitudes and easements of use or record, if any. This rezoning is effective upon recording of a Certified Survey Map for the property described in this Amending Ordinance.

- (6) “To change from Agricultural to Single Family Residence (Timothy Birkenstock, Agent for Virginia Birkenstock) a parcel of land located in part of the NE ¼ of the NE ¼ and the NW ¼ of the NE ¼, Section 26, Town 11N, Range 12E, Town of Fountain Prairie, more particularly described as follows:

PARCEL NUMBER 505.A AND 506.1 Commencing at the Northeast corner of said Section 26; Thence South 88 degrees 58 minutes 48 seconds West along the North line of Northeast Quarter of said Section 26, 579.12 feet to a point in the center line of County Trunk Highway D and the point of beginning; Thence Southwesterly along the centerline of County Trunk Highway D, 1,350 feet more or less to the most Easterly corner of Lot 1, Certified Survey Map Number 1010; Thence North 46 degrees 04 minutes 00 seconds West along the Northeasterly line of Lot 1, Certified Survey Map Number 1010, 300.00 feet; Thence South 43 degrees 56 minutes 00 seconds West along the Northwesterly line of said Lot 1, 350.00 feet; Thence North 46 degrees 04 minutes 00 seconds West, 464 feet more or less to the water's edge of Lazy Lake; Thence Northeasterly along the Easterly water's edge of Lazy Lake, 730 feet more or less to a point in North line of the Northwest Quarter of the Northeast Quarter of said Section 26; Thence North 88 degrees 58 minutes 48 seconds East along said North line of the Northeast Quarter of said Section 26, 1,243 feet more or less to the point of beginning. Said property contains 26 acres, more or less.

- (7) “To change from Agricultural to Ag-2”, (Rick and Deb Baerwolf) a parcel of land located in the N ½ of the SW ¼ of the SW ¼, Section 35, Town 11N, Range 11E, Town of Otsego, more particularly described as follows:

PARCEL NUMBER 632 A parcel of land located in the N ½ of the SW ¼ of the SW ¼, Section 35, Town 11N, Range 11E, Town of Otsego. Said property contains 20.00 acres, more or less.

- (8) “To change from Agricultural to Rural Residential”, (Donald and James Borde) a parcel of land located in part of the SE ¼ of the NE ¼, Section 4, Town 10N, Range 11E, Town of Hampden, more particularly described as follows:

PARCEL NUMBER 57 Commencing at the East Quarter corner of said Section 4; Thence South 89 degrees 23 minutes, 40 seconds West along the East – West quarter line of said Section 4, 625.47 feet to a point in the center line of Monson Road and the point of beginning; Thence continuing South 89 degrees 23 minutes 40 seconds West along the East – West quarter line of said Section 4, 712.01 feet to the Southwest corner of the Southeast Quarter of the Northeast Quarter of said Section 4; Thence North 00 degrees 52 minutes 15 seconds East along the West line of the Southeast Quarter of the Northeast Quarter of said Section 4, 676.30 feet to a point in the center line of Monson Road; Thence South 46 degrees 22 minutes 45 seconds East long said center line of Monson Road, 969.29 feet to the point of beginning. Said property contains 5.53 acres, more or less. This rezoning effective upon recording of a Certified Survey Map for the property described in this Amending Ordinance.

Daniel J. See, Chair  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Jeanne Miller  
COLUMBIA COUNTY CLERK

DATE PASSED: October 15, 2003

DATE PUBLISHED: October 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 Healy, seconded by DeYoung, 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 Riley, seconded by Horton, to adopt.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance Z312-03.

In preparation for the Budget Hearing, Supervisor Tramburg asked that everyone bring budget books back next month.

At 8:26 p.m. a motion by Horton, seconded by Ross, to suspend the rules and adjourn meeting until Tuesday, November 11, 2003, at 9:45 a.m. The motion carried unanimously.

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
November 12, 2003  
9:53 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 Supervisors Casey and Stoltenberg, excused and Amato arrived late.

Motion by Riley, second by Boockmeier, to approve the Journal of October 15, 2003. Motion carried unanimously.

Motion by Salzwedel, second by J. Curtis, to approve the agenda. Motion carried unanimously.

The Supervisors were provided with campaign forms to be filed indicating their intent to run for re-election in their districts. Nomination papers could not be circulated prior to December 1, 2003, candidates must file registration forms and submit nomination papers by January 6, 2004. Incumbents not seeking re-election should file a Notification of Noncandidacy form by December 26, 2003.

Chair See announced the following appointments.

- (1) Sandra Roberts as the Health and Human Services Director. On motion by J. Curtis, seconded by Pufahl, the appointment was unanimously approved.
- (2) Dennis Wittig as the Commission on Aging Director. On motion by Olson, seconded by Westby, the appointment was unanimously approved.
- (3) John C. Van Wie was reappointed to the Veterans Service Commission for a three-year term to expire November 2006. On motion by Nelson, seconded by Andler, the appointment was unanimously approved.

Chair See announced at 10:00 a.m. that the Board would be resolved into a Committee as a whole for the purpose of holding a public hearing on the budget. Standing Rules permitted his proceeding as Chair unless there were objections from the floor. There were no objections. Chair See indicated those in attendance would be given the opportunity to speak and address any concerns regarding the 2004 budget.

The Clerk read the proposed budget as recommended by the Finance Committee.

The following were present for the budget hearing: Jeffrey Bump, Tom Borgkvist, Avis Link, Frances Brende, Lois Hendrickson, Donna Kohnke, Clara Blau, Bill Casey, Gene Mucciolo, Brent Miller, Laura Paine, Marjorie Reuter, Hattie Clark Moore, Darlene Tjugum, Lucille Lewke, Joyce Lainberger, Sandra Hawley, Eldon Hawley, John Hartman, Cathy Karls, Cathy Schmit, Lois Schepp, Sandra Roberts, Amy Yamriska, Betty Arp, Cheryl Stapleton, Karen Nelson, Susan MacLeish, DuWayne Stork, Kelly Mahnke, Cindy Devine, Shonna Neary, Bobbie Goodman, Gertrude Stilson, Nancy Mickelson, June Waterworth, Judy Robbins, Lada Armson, Kathleen Haas, Kurt Calkins, Jo Futrell, Lisa Walker, Jane Kohlwey, Michael Babcock, Carolyn Roberts, Steve Rowe, Marc Playman, Cal Dalton, Donna Chrzas, Ford Wollenburg, Henlen Wruck, Mary Saunders, Rachel Hudson, David Davies, Cory Wiegel, Mike Stapleton and Sue Raimer.

Budget lines addressed by Supervisors included the following:

- 1) Revenues - County Sales Tax, State Aid Great Lakes Ag Clean Sweep, Snowmobile Aids, Sheriff Deputy Contract, Unfunded Liability Cost Pool and Snow and Ice Control.
- 2) Expenditures - Coroner, Land Records Expendable Trust, Snowmobile and Water Patrol and Columbia Health Care Center Fund Tax Levy.

Supervisor Tramburg indicated an amendment to the budget; State Special Charges should read \$159 and all other associated accounts adjusted respectively. The Resolution provided in board packets reflected budget amendment.

Supervisor Sanderson read a letter on behalf of Supervisor Ford regarding the lake patrol budget.

A number of individuals addressed the Board with concerns regarding the proposed U.W.

Extension 2004 budget reductions in addition to a written communication.

Supervisor Tramburg and Martin indicated that during budget deliberations the Finance Committee evaluated County operations on a three level basis: services mandated by State and/or Federal government; services fully funded, partially or not funded at all provided to the Counties most vulnerable citizens; and services enjoyed and appreciated, which in many cases could be obtained elsewhere.

Supervisor Martin gave a brief summary of the Community Opinion Survey completed by the Planning and Zoning Department.

On motion by Tramburg, seconded by Hamele, the Committee and Public Hearing was adjourned at 12:20 p.m. The motion carried unanimously.

At 12:22 p.m., Chair See announced that the Board would take a short recess. The meeting reconvened at 12:31 p.m.

Chair See stated that the Resolution, submitted by the Judiciary Committee, to transfer funds to cover cost of supplies/services related to horses held in evidence would be presented at this time due to people in attendance.

### **RESOLUTION NO.**

WHEREAS, on July 3, 2003, the Columbia County Sheriff's Department seized five horses which were in dire need of food, water, and medical attention, and

WHEREAS, three of these horses have now been transferred out of County custody, and

WHEREAS, the remaining two horses have a need to remain in County custody until the District Attorney's Office has completed all legal prosecution associated with this case, and

WHEREAS, in association with these horses, the County has been billed a total of \$9,068 for board, food, veterinary care, and other supplies/services, and

WHEREAS, it is estimated that a total of \$3,000 more in expenditures may be incurred before release of the horses.

NOW, THEREFORE, BE IT RESOLVED that a sum of \$12,068 be transferred from the General Fund to the Sheriff's Administration account to fund the costs associated with the seized horses.

NOW, THEREFORE, BE IT FURTHER RESOLVED that any restitution or donations received be used to offset these costs.

BE IT FURTHER RESOLVED that the District Attorney is encouraged to discharge the remaining horses to responsible parties.

BE IT FURTHER RESOLVED that an Animal Rescue Fund be established whereby excess restitution or donations may be deposited and used for future animal care.

Fiscal Note: Transfer \$12,068  
from the General Fund Account No.  
100.341100 to the Sheriff's Admin.  
Account No. 2222.535850

Kenneth W. Hutler  
Jack Sanderson  
Robert R. Westby  
Neil M. Ford  
John H. Healy  
JUDICIARY COMMITTEE

Supervisor Boockmeier relinquished time to allow DuWayne Stork to address the Board.  
Mr. Stork, addressed the horse issue and payment of boarding/feed/vet bills before the County Board.

Chair See introduced Ms. Roberts and indicated that she had met with the Judiciary Committee this morning to answer questions pertaining to boarding, feed, vet bills and would respond to questions from the floor. A handout consisting of breakdown of costs was distributed to Supervisors. Roberts indicated that the cost of care was dependent on condition of the animal and amount of care required. Feed requirements were formulated by the attending Veterinarian. There was discussion regarding condition, age and possible euthanasia of animal(s).

Sheriff Rowe stated there was probably cause on the 4<sup>th</sup> of July resulting in the animals being seized. He is obligated to investigate any crime and the horses are now evidence in a case that has not been settled.

Supervisor Tramburg, called for point of order.

Motion by Sanderson, seconded by Ford, to adopt.



Supervisor Tramburg indicated the Finance Committee would forgo requirement of invoices after reviewing detailed breakdown of costs and recommend the Board move forward with this resolution.

Attorney Kohlwey discussed the pending criminal charges and possibility of collecting restitution for expenses incurred.

Motion by Fitzgerald, to table the resolution because of pending litigation.

Supervisor Tramburg, called for the question.

Several supervisors had acknowledged their interest in discussing the issue prior to the question being called. Attorney Ruf was consulted and determination was made that any legal body could allow members to speak or to cut the debate and act on motion. On a voice vote, the legal body allowed Supervisors Amato, DeYoung, Hamele and Amato to speak.

Supervisor Amato seconded the motion to table the resolution.

Chair See said the motion was non-debatable and a roll call vote was requested. He clarified that the motion was to table this resolution until case settled.

Supervisor Hamele explained that setting a time certain was not a tabling motion.

After consulting with Corporation Counsel Ruf, Chair See indicated that an amendment would delay or postpone to a date certain, bringing the matter back to the Board. By voting “yes” Supervisors would be voting to postpone the resolution, a “no” vote would bring the Resolution back to the floor for vote.

The motion to amend failed on a roll call vote as follows:

AYES: 12, NOES: 15, EXCUSED: 3

AYES: Nelson, Olson, Riley, Stevenson, Wingers, Amato, Baumgartner, Boockmeier, V. Curtis, DeYoung, Fitzgerald and Horton.

NOES: Hutler, Kinney, Martin, Pufahl, Robson, Ross, Salzwedel, Sanderson, Tramburg, Wopat, Andler, J. Curtis, Ford, Hamele and Healy.

EXCUSED: Stoltenberg, Westby and Casey.

Further discussion regarding incurred, future and already paid expenses. Lois Schepp verified that \$4,091.70 had been authorized previously by the Judiciary Committee and had been paid from the Sheriff's Department Investigator Expense Account. Bills presented today for payment would be paid from the General Fund.

Chair See indicated that an Animal Rescue Fund had been established for future animal care. Any restitution recovered as a result of this case, would be placed in this fund.

Supervisor Amato requested a roll call vote.

AYES: 20, NOES: 8, EXCUSED: 3

AYES: Kinney, Martin, Pufahl, Riley, Robson, Ross, Salzwedel, Sanderson, Tramburg, Wingers, Wopat, See, Andler, J. Curtis, V. Curtis, Fitzgerald, Ford, Hamele, Healy and Hutler.

NOES: Nelson, Olson, Stevenson, Amato, Baumgartner, Boockmeier, DeYoung and Horton.

EXCUSED: Stoltenberg, Westby and Casey.

The Resolution failed for lack of two-thirds vote of entire County Board. Chair See explained that the Resolution would be laid over until next month unless there was reconsideration of vote from a member of the prevailing side. Hearing none, the Resolution was tabled until December.

### **RESOLUTION NO. 42-03**

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:

County <u>Municipality</u>	<u>Bridge</u>	Amount Raised <u>By Local Unit</u>	Amount of <u>Aid Granted</u>
Town of Columbus	Bristol Road	\$ 17,250.00	\$ 8,625.00
Town of West Point	East Harmen Road	\$ 14,000.00	\$ 7,000.00
City of Lodi	Pleasant Street	\$ 24,088.00	\$ 12,044.00
	Fair Street	\$ 31,386.00	\$ 15,693.00



The County Board does hereby levy a tax of Forty-Three Thousand, Three Hundred Sixty-Two Dollars (\$43,362.00) 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 Andler, seconded by V. Curtis, the Resolution was unanimously adopted.

### **RESOLUTION NO. 43-03**

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 2004 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, Four Hundred Thousand, Nine Hundred Six Dollars (\$1,400,906.00) 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 there from 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	Smokey Hollow Rd	8,036.00
Caledonia	Pig Tail Alley	13,221.25
Columbus	Fox Rd, Boelte Rd	8,877.75
Courtland	Biel Rd	5,202.75
Dekorra	Voss Rd	10,043.25
Fort Winnebago	Currie Rd	6,370.00
Fountain Prairie	Yohn Rd, Bancroft Rd	7,803.25
Hampden	Ethan Rd	7,413.00
Leeds	Goosepond Rd, Halvorson Dr, DeGraf Dr, Kutz Rd	8,601.25
Lewiston		- 0 -
Lodi	Thistledown Rd, Brothertown Ct, Okee Bay Ct	5,640.25
Lowville	Traut Rd, Cemetary Rd	8,146.25
Marcellon	Military Rd	7,787.50
Newport	Pine Aire Dr, Otto Lane	5,320.00

Otsego	Williams Rd	8137.50
Pacific	Horton Rd	4,165.00
Randolph	Louise Ln, Friesland Rd	6,928.25
Scott	Barry Rd, Ingelhart Rd, Dodge Rd	6,209.00
Springvale	Old B, Raddatz Rd	8,288.00
West Point		- 0 -
Wyocena	Gorman Rd, Phillips Rd	8,153.25

<u>VILLAGES</u>	<u>NAME OF ROAD</u>	<u>COUNTY APPROPRIATIONS</u>
Arlington		- 0 -
Cambria	Williams St	3,500.00
Doylestown		- 0 -
Fall River		- 0 -
Friesland		- 0 -
Pardeeville	Badger St, Elm St	2,000.00
Poynette		- 0 -
Randolph		- 0 -
Rio	Lowville Rd	3,500.00
Wyocena	Pease Rd	3,500.00

<u>CITIES</u>	<u>NAME OF ROAD</u>	<u>COUNTY APPROPRIATIONS</u>
Columbus	Warner St	4,049.50
Lodi	Prairie Ave	2,000.00
Portage	Volk St	9,362.50
Wisconsin Dells	Capital St	2,000.00

**TOTAL** **\$174,255.50**

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 Sixty-Two Thousand, Seven Hundred Eighty Dollars (\$662,780.00).

(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 One Million, Nine Hundred Thirty-Five Thousand, Seven Hundred Dollars (\$1,935,700.00) for Road and Bridge Construction on the County Trunk Highway System.

(5) For General Public Liability, the sum of One Hundred Four Thousand, Four Hundred Sixty-Three Dollars (\$104,463.00).

(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), Five Hundred Sixty-Three Thousand, Five Hundred Dollars (\$563,500.00).

(9) Capital Outlay Pool for the acquisition of Park assets (General Fund 620.8020.844000.016), Zero Dollars (\$0.00)

(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).

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(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 (\$12,221,621.00)

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 Seventy-Four Thousand, Two Hundred Fifty-Six Dollars (\$174,256.00).

(2) For the various purposes as set forth in Section III and Section IV hereof, the sum of Twelve Million, Three Hundred Ninety-Five Thousand, Eight Hundred Seventy-Seven Dollars (\$12,395,877.00), minus Revenue and Equity applied of Nine Million, Six Hundred Sixty Thousand, Seven Hundred Thirty-Nine Dollars (\$9,660,739.00) and capital outlay pool for the acquisition of capital assets (General Fund 620.8020.844000.015) of Five Hundred, Sixty-Three Thousand, Five Hundred Dollars (\$563,500.00) equals the net amount of Two Million, One Hundred Seventy-One Thousand, Six Hundred Thirty-Eight Dollars (\$2,171,638.00).

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 Nelson, seconded by Kinney, the Resolution was unanimously adopted.

### **RESOLUTION NO. 44-03**

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 2004 with total expenditures of \$54,804,704 and total revenues and equity applied of \$37,907,389.

BE IT FURTHER RESOLVED that a County Tax of \$16,239,971 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 \$391,506 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 \$265,679 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 \$717,562.38 and a special charge for charitable and penal purposes of \$159 be levied upon all the taxable property of the County as certified by the State Department of Administration.

~~Robert L. Hamele~~  
Michael J. Kinney  
Susan Martin  
Debra L.H. Wopat  
John H. Tramburg  
FINANCE COMMITTEE

Motion by Tramburg, seconded by Wopat, to adopt.

Motion by Hamele to amend the 2004 Budget and Levy Property Tax Resolution by reinstating \$15,018 to the Extension Budget, second by Nelson.

Supervisor Wopat raised question as to where the funds would come from.

Supervisor Hamele explained that in actuality, the UW Extension budget has been reduced, from last year's budget by \$91,659, or 28.8%. Impact of cuts to low-income families, elderly and women was not fully comprehended as yet. Reduced hours of staff would delay responses to public inquiries. Hamele discussed strong work ethics and dedication of staff members. Columbia County is no longer a cooperative effort with the State. He finished by stating he strongly support this amendment. Nelson felt the \$15,000+ could be found in the contingency fund and noted that by reinstating those funds, the county would receive \$25,000, the 60/40 percent sharing of the positions. Baumgartner supported the amendment to reinstate two positions. Wopat indicated problems created at the State level have resulted in the County taking certain actions. Supervisor Boockmeier, called for the question. Chair See clarified the vote, a "yes" vote would be in favor of the amendment, and a "no" vote would indicate approval of the budget as proposed.

It was clarified that a two-thirds vote of members present was required.

The motion to amend failed on a roll call vote as follows:

AYES: 6, NOES: 22, EXCUSED: 3

AYES: Nelson, Wingers, Baumgartner, DeYoung, Fitzgerald and Hamele.

NOES: Martin, Olson, Pufahl, Riley, Robson, Ross, Salzwedel, Sanderson, Stevenson, Tramburg, Wopat, See, Amato, Andler, Boockmeier, J. Curtis, V. Curtis, Ford, Healy, Horton, Hutler and Kinney.

EXCUSED: Stoltenberg, Westby and Casey.

The 2004 Budget and Levy Property Tax Resolution was adopted on a roll call vote as follows:

AYES: 23, NOES: 5, EXCUSED: 3

AYES: Olson, Pufahl, Riley, Robson, Ross, Salzwedel, Sanderson, Stevenson, Tramburg, Wopat, See, Amato, Andler, Boockmeier, J. Curtis, V. Curtis, Fitzgerald, Ford, Healy, Horton, Hutler, Kinney and Martin.

NOES: Nelson, Wingers, Baumgartner, DeYoung and Hamele.

EXCUSED: Stoltenberg, Westby and Casey.

### **RESOLUTION NO. 45-03**

WHEREAS, Columbia County has consistently opposed various amendments to Chapter 74 pertaining to the payment of taxes and grace period proposals; and

WHEREAS, 2003 Assembly Bill 133, and subsequent amendments, proposes major modifications to the calculation of interest and penalties relating to delinquent payments of property tax installments; and

WHEREAS, 2003 Senate Bill 127, proposes the implementation of a five-day grace period for unpaid delinquent property taxes and removal of penalties; and

WHEREAS, the proposed modifications to the calculation of interest and penalties relating to delinquent payments of property tax installments, implementation of a five-day grace period and the removal of penalties will result in substantial loss in County revenue; and

WHEREAS, the additional staff and programming costs required to implement 2003 Assembly Bill 133 and 2003 Senate Bill 127 are significant; and

WHEREAS, the State of Wisconsin grants no grace periods of any length, for any tax payments owed to it, including income taxes; and

WHEREAS, the Columbia County Treasurer makes every effort to inform taxpayers, through various media, regarding payment deadlines; and

WHEREAS, the majority of taxpayers pay their property taxes in a timely manner; and

WHEREAS, passage of Assembly Bill 133, as well as Senate Bill 127, and proposed amendments, serves only a few taxpayers and penalizes numerous taxpayers.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors strongly opposes 2003 Assembly Bill 133, and subsequent amendments, containing major changes to the calculation of interest and penalties relating to the delinquent payments of property tax installments, as well as the proposed five-day grace period and removal of penalties contained in 2003 Senate Bill 127; and

BE IT FURTHER RESOLVED that the County Clerk shall forward a copy of this resolution to the Governor, Columbia County's Legislative Representatives and the Wisconsin Counties Association.

Fiscal Note: Conservative projected loss of interest revenue alone is \$32,000 and does not include re-programming costs to update the County's system.

Michael J. Kinney  
Robert Hamele  
Susan Martin, Secretary  
Debra L. H. Wopat, Vice Chair  
John H. Tramburg, Chair  
FINANCE COMMITTEE

A revised resolution was placed on desks.

Motion by Martin, seconded by Riley, to adopt.

Supervisor Nelson addressed concerns regarding fairness of charges for late payment of property taxes on individuals who can least afford it.

The Resolution was adopted, not unanimously.



## RESOLUTION 46-03

WHEREAS, in the 2004 Budget, Columbia County did appropriate \$16,185 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 \$83,450 be accepted.

BE IT FURTHER RESOLVED, that the County match be increased to the adjusted amount of \$16,690, thus requiring an additional appropriation of \$505.

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 2004,  
Transfer \$505 from  
Contingency Fund  
#100.350000 to Health  
and Human Service Account  
#562000000

Edward P. Riley  
Kenneth E. Olson  
Robert Westby  
Barry Pufahl  
~~Craig P. Casey~~  
Helen Phelps  
Dr. Gerald Krumpos  
Debbie Krumpos  
HEALTH AND HUMAN  
SERVICES COMMITTEE

On motion by Pufahl, seconded by Olson, 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 duly advised of the wishes of the people in the area affected hereby recommend as follows:

- (1) A petition by Daniel and Ann Jennings, Rio, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 29, Town of Springvale on the 30<sup>th</sup> day of July, 2003 be approved as follows: To change from Agricultural to Rural Residential, a parcel of land located in part of the NW ¼ of the SW ¼, Section 29, Town 12N, Range 11E, Town of Springvale. Intent: To build one single-family residence.
- (2) A petition by Joseph and Joan O'Leary, Portage, Wisconsin to rezone from Agricultural to Single Family Residence, property located in Section 15, Town of Pacific on the 1<sup>st</sup> day of August, 2003 be approved as follows: To change from Agricultural to Single Family Residence, a parcel of land located in part of the SW ¼ of the SW ¼, and part of the SE ¼ of the SE ¼, Section 15, Town 12N, Range 9E, Town of Pacific. Intent: To develop a residential subdivision.
- (3) A petition by Neil Shortreed, Agent for Paul Baker, Rio, Wisconsin to rezone from Agricultural to Recreational, property located in Section 3, Town of Fort Winnebago on the 30<sup>th</sup> day of July, 2003 be approved as follows: To change from Agricultural to Recreational, a parcel of land described as part of Government Lot 3, Section 3, Town 13N, Range 9E, Town of Fort Winnebago. Intent: Recreational Use.
- (4) A petition by Town of West Point, property owner Michael and Ella Ryan, Lodi, Wisconsin to rezone from Agricultural to Single Family Residence, property located in Section 9, Town of West Point on the 3<sup>rd</sup> day of October, 2003 be approved as follows: To change from Agricultural to Single Family Residence, a parcel of land located in part of the SW ¼ of the SE ¼, Section 9, Town 10N, Range 7E, Town of West Point. Intent: To build a Town Hall.

- (5) A petition by Loyal and Gloria Heublein, 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 October, 2003 be approved as follows: To change from Agricultural to Single Family Residence, a parcel of land described as part of Government Lot 4, Section 3, Town 12N, Range 10E, Town of Wyocena. Intent: To build one single-family residence.
- (6) A petition by George Pearson, Sr., Merrimac, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 20, Town of Caledonia on the 3<sup>rd</sup> day of July, 2003 be approved as follows: To change from Agricultural to Rural Residential, a parcel of land located in part of the SE ¼ of the NE ¼ and part of the NE ¼ of the SE ¼, Section 20, Town 11N, Range 8E, Town of Caledonia. Intent: To remove the existing trailer and build a single-family residence.

Harlan Baumgartner  
Eugene Fitzgerald  
John G. 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. Z313-03  
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”, (Daniel and Ann Jennings) a parcel of land located in part of the NW ¼ of the SW ¼, Section 29, Town 12N, Range 11E, Town of Springvale, more particularly described as follows: PARCEL NUMBER 696 Commencing at the Southwest corner of said Section 29; Thence North along the West line of the Southwest Quarter of said Section 29, 1,824.21 feet to the point of beginning; Thence continuing North along the West line of the Southwest Quarter of said Section 29, 439.00 feet; Thence East 496.13 feet; Thence South 439.00 feet; Thence West 496.13 feet to the point of beginning; Said property contains 5.00 acres, more or less.
- (2) “To change from Agricultural to Single Family Residence”, (Joseph and Joan O’Leary) a parcel of land located in part of the SW ¼ of the SW ¼, and part of the SE ¼ of the SE ¼, Section 15, Town 12N, Range 9E, Town of Pacific, more particularly described as follows: PARCEL NUMBER 214 AND 214.B Beginning at the Southeast corner of said Section 15; Thence South 88 degrees 43 minutes 43 seconds West long the South line of the Southeast Quarter of said Section 15, 723.90 feet; Thence North 15 degrees 35 minutes 20 seconds West, 820.56 feet to the Southwest corner of Lot 11, Certified Survey Map Number 3480; Thence North 76 degrees 54 minutes 32 seconds East along the South line of said Lot 11, 265.19 feet; Thence North 03 degrees 28 minutes 51 seconds West along the East line of said Lot 11, 192.52 feet to the Northeast corner of said Lot 11; Thence Southeasterly along a 96.09 foot radius curve to the left in the Southwest line of Lot 10, Certified Survey Map Number 404 having a central angle of 101 degrees 11 minutes 04 seconds and whose long chord bears South 54 degrees 04 minutes 23 seconds East, 148.50 feet; Thence North 75 degrees 20 minutes 05 seconds East along the South line of said Lot 10, 149.35 feet; Thence North 02 degrees 35 minutes 51 seconds East along the East line of said Lot 10 696.71 feet to the Northeast corner of said Lot 10; Thence South 65 degrees 24 minutes 00 seconds East along the South line of the Canadian Pacific Railway, 1,920 feet more or less to the West line of the Southwest Quarter of the Southwest Quarter; Thence South 881 feet more or less along said West line of the Southwest Quarter of the Southwest Quarter to a point in the South line of the Southwest Quarter of said Section 14; Thence North 89 degrees 41 minutes 21 seconds



- West along the South line of the Southwest Quarter of said Section 14, 1,341 feet more or less to the beginning. Said property contains 60.66 acres, more or less.
- (3) “To change from Agricultural to Recreational”, (Neil Shortreed, Agent for Paul Baker) a parcel of land described as part of Government Lot 3, Section 3, Town 13N, Range 9E, Town of Fort Winnebago, more particularly described as follows: PARCEL NUMBER 51 Commencing at the North Quarter corner of said Section 3; Thence South 00°27’45” East along the north – south quarter line of said Section 3, 764.70 feet; Thence South 66°11’28” West along the north right-of-way line of Fox River Road, 40.14 feet to the point of beginning; Thence continuing South 66°11’28” West along the north right-of-way line of Fox River Road, 205.15 feet; thence Southwesterly along a 1,978.60 foot radius curve to the left in the northerly right-of-way line of the Fox River Road having a central angle of 02°48’38” and whose long chord bears South 64°47’10” West, 97.04 feet; Thence North 00°27’45” West, 187.84 feet to a point which lies South 00°27’45” East, 20 feet more or less from the water’s edge of the Fox River and the beginning of a meander line along said river; Thence North 58°05’46” East along said meander line, 226.61 feet; Thence North 65°24’57” East along said meander line, 22.94 feet to a point which bears South 18°17’16” East, 23 feet more or less from the water’s edge of the Fox River and the end of this meander line along said river; Thence South 18°17’16” East, 203.24 feet to the point of beginning. Said property contains 1.28 acres, more or less. This rezoning is effective upon recording of a Certified Survey Map for this property.
- (4) “To change from Agricultural to Single Family Residence”, (Town of West Point, property owner Michael and Ella Ryan) a parcel of land located in part of the SW ¼ of the SE ¼, Section 9, Town 10N, Range 7E, Town of West Point, more particularly described as follows: PARCEL NUMBER 19 Beginning at the South Quarter corner of said Section 9; Thence North 00°17’26” West along the center line of Rausch Road, 564.43 feet to the Southwest corner of Lot 1, Certified Survey Map, No. 571; Thence South 88°22’20” East along the south line of said Lot 1, 547.07 feet to the Southeast corner of said Lot 1; Thence South 00°17’26” East, 549.05 feet to a point in the south line of the Southeast Quarter of said Section 9; Thence North 89°58’56” West along the south line of the Southeast Quarter of said Section 9, 546.77 feet to the point of beginning; Said property contains 6.99 acres, more or less. This rezoning to be effective upon recording of a legal instrument conveying the described property to the Town of West Point.
- (5) “To change from Agricultural to single Family Residence”, (Loyal and Gloria Heublein) a parcel of land described as part of Government Lot 4, Section 3, Town 12N, Range 10E, Town of Wyocena, more particularly described as follows: PARCEL NUMBER 107 Commencing at the Northwest corner of said Section 3; Thence South 00°11’00” East along the West line of Section 3, 1,009.58 feet to the point of beginning; Thence North 89°19’30” East, 231.00 feet; Thence South 00°11’00” East, 227.80 feet; Thence South 85°14’58” West, 231.73 feet to a point in the West line of said Section 3; Thence North 00°11’00” West along the West line of said Section 3 and the center line of State Trunk Highway 22, 244.27 feet to the point of beginning. Containing 54,523 square feet, (1.25 acres), more or less. This rezoning is effective upon recording of a Certified Survey Map for this property.
- (6) “To change from Agricultural to Rural Residential”, (George Pearson, Sr.) a parcel of land located in part of the SE ¼ of the NE ¼ and part of the NE ¼ of the SE ¼, Section 20, Town 11N, Range 8E, Town of Caledonia, more particularly described as follows: PARCEL NUMBER 340 AND 351 Beginning at the East quarter corner of said Section 20; Thence South 00 degrees 22 minutes 40 seconds East along the East line of the Southeast Quarter of Section 20, 191.59 feet; Thence North 89 degrees 59 minutes 09 seconds West, 259.71 feet; Thence North 00 degrees 18 minutes 50 seconds West, 503.52 feet; Thence South 89 degrees 59 minutes 09 seconds East, 259.49 feet to a point in the East line of the Northeast Quarter of Section 20; Thence South 00 degrees 18 minutes 50 seconds East along the East line of the Northeast Quarter of Section 20, 311.93 feet to the point of beginning. Said property contains 3.00 acres, more or less.

DATE PASSED: November 12, 2003  
DATE PUBLISHED: November 19, 2003

Supervisor Wopat asked that petition two (2) be separated from the Ordinance due to conflict of interest.

First reading of items one, three, four, five and six of Ordinance.

Motion by Horton, seconded by Stevenson, to suspend the rules and have the second reading of items one, three, four, five and six of the Ordinance by title only.

The motion carried unanimously.

Second reading of items one, three, four, five and six of Ordinance.

Motion by Salzwedel, seconded by Healy, to suspend the rules and have the third reading of items one, three, four, five and six of the Ordinance by title only.

The motion carried unanimously.

Third reading of items one, three, four, five and six of Ordinance.

Motion by Baumgartner, seconded by V. Curtis, to adopt items one, three, four, five and six.

Motion carried unanimously.

Supervisors Wopat and Healy excused themselves from room.

First reading of item two of Ordinance.

Motion by Boockmeier, seconded by Ross, to suspend the rules and have the second reading of item two.

The motion carried unanimously.

Second reading of item two of Ordinance.

Motion by Robson, seconded by DeYoung, 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 Horton, seconded by DeYoung, to adopt item two.

The motion carried unanimously.

The Ordinance was declared passed and is to be known as Ordinance Z313-03.

**ORDINANCE NO. 70-03**  
**An Amending Ordinance**

The Columbia County Board of Supervisors hereby amends Title 9, Chapter 1, Fee Schedule, Section 14, Planning and Zoning as follows:

Sec. 9-1-14 Planning and Zoning.

(a) Sanitary Permits:

( 1)	Subsurface Gravity Flow	\$ 300.00	<u>375</u>
( 2)	Each Additional Septic Tank	\$ 25.00	
( 3)	Each Additional Seepage Bed	\$ 100.00	<u>175</u>
( 4)	Septic Tank Only	\$ 250.00	<u>325</u>
( 5)	Seepage Bed Only	\$ 250.00	<u>325</u>
( 6)	Holding Tank--Replacement	\$ 500.00	<u>575</u>
( 7)	Holding Tank--New Construction	\$ 500.00	<u>575</u>
( 8)	Mound	\$ 450.00	<u>525</u>
( 9)	In-Ground Pressure	\$ 450.00	<u>525</u>
(10)	Experimental (At-grade)	\$ 450.00	<u>525</u>
(11)	System-in-fill	\$ 300.00	<u>375</u>
(12)	Privy	\$ 125.00	
(13)	Reconnection or Repair	\$ 125.00	

	(14)	Large Scale System (over 3,000 gallon tank capacity)	\$ 450.00	<u>525</u>
	(15)	Large Scale System (over 8,000 gallon tank capacity)	\$ 600.00	<u>675</u>
	(16)	Reinspection When Required	\$ 100.00	
	(17)	Application for Wisconsin Fund	\$ 250.00	<u>325</u>
(b)		Sanitary Permits--Public Building		
	( 1 )	Large Scale System (over 3,000 gallon tank capacity)	\$ 450.00	<u>525</u>
	( 2 )	Large Scale System (over 8,000 gallon tank capacity)	\$ 600.00	<u>675</u>
	( 3 )	Holding Tank--Replacement	\$ 500.00	<u>575</u>
	( 4 )	Holding Tank--New Construction	\$ 500.00	<u>575</u>
	( 5 )	Mound	\$ 450.00	<u>525</u>
	( 6 )	In-ground Pressure	\$ 450.00	<u>525</u>
(c)		Sanitary Permits--Other		
	( 1 )	Permit Transfer and Renewal	\$ 100.00	
	( 2 )	On-site Prior to Submission of Soil Test Report	\$ 200.00	
(d)		Land Division		
	( 1 )	<del>Subdivision Preliminary</del> Plats (0-10 lots including outlots)	\$ 250.00	<u>350</u>
	( 2 )	<del>Subdivision Plats (each lot over 10)</del>	<del>25.00</del>	
		Each additional lot over 10	25.00	
	(2)	Final Plats (0-10 lots including outlots )	\$ 250.00	
		Each additional lot over 10	25.00	
	( 3 )	Reapplication Fee (for any plat which has been previously reviewed)	\$ 50.00	
	( 4 )	Certified Survey Review (one lot)	\$ 50.00	
	( 5 )	Certified Survey Review (each lot in excess of one)	\$ 10.00	
	( 6 )	Certified Survey--Resubmittal	\$ 50.00	
	( 7 )	Variance--Certified Survey	\$ 50.00	
	( 8 )	Variance--Subdivision Plat	\$ 50.00	
(e)		Farmland Preservation		
	( 1 )	Zoning Certificate	\$ 25.00	
	( 2 )	Farmland Preservation Agreement	\$ 200.00	
	( 3 )	Relinquishment of Farmland Preservation Agreement	\$ 150.00	
	( 4 )	Special Use Application for Land Under Farmland Preservation Agreement	\$ 100.00	
(f)		Research - Property Evaluations		
	( 1 )	Zoning Certifications - written	\$ 10.00	
	( 2 )	Development Restrictions	\$ 100.00	
(g)		Public Hearings		
	( 1 )	Variance or Conditional Use	\$ 300.00	400
	( 2 )	Rezoning	\$ 300.00	400
	( 3 )	Re-publication due to postponement at applicant's request	\$ 50.00	
	( 4 )	Home Occupation Permit	\$ 300.00	400
	( 5 )	Development Plan Review	\$ 400.00	
	( 6 )	Appeals	\$ 150.00	
(h)		Zoning Permits		
	( 1 )	Buildings and Structures (new)	\$ 500.00	
	( 2 )	Additions and Alterations	\$ 150.00	
	( 3 )	Accessory and Decks	\$ 25.00	
(i)		Emergency Service Number Issuance	\$ 25.00	75

(j) Non-metallic Mining Reclamation		Mine Size in Unreclaimed Acres, Rounded to the Nearest Whole Acre					
		1-5	6-10	11-15	16-25	26-50	>51
( 1 )	Plan Review	150	250	300	350	400	450
( 2 )	Permit Modification	50	100	150	200	250	350
( 3 )	Expedited Plan Review (In addition to regular fee)	150	250	300	350	400	450
( 4 )	Annual Fee	300	500	600	700	800	900
(k)	Copies of Ordinances						
( 1 )	Zoning	\$ 10.00					
( 2 )	Land Division and Subdivision	\$ 10.00					
( 3 )	Shoreland-Wetland	\$ 10.00					
( 4 )	Floodplain	\$ 10.00					
(l)	Wireless Communication Facilities						
( 1 )	Public Hearings - Towers	\$ 750.00					
( 2 )	Zoning Permits - Collocation	\$ 500.00					

The Planning and Zoning Department shall not issue any refund of fees due to the expenditure of staff time in processing applications when payment was received.

This Amending Ordinance is to be effective January 1, 2004.

Daniel J. See, Chair  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Jeanne Miller  
COLUMBIA COUNTY CLERK

DATE PASSED: November 12, 2003

DATE PUBLISHED: November 19, 2003

First reading of Ordinance.

Motion by Ross, 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 Healy, seconded by DeYoung, 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 V. Curtis, to adopt.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance 70-03.

At 2:16 p.m. a motion by J. Curtis, seconded by Healy, to suspend the rules and adjourn meeting until Wednesday, December 17, 2003, at 9:45 a.m. The motion carried unanimously.

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
December 17, 2003  
9:45 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 Supervisors were present.

A motion to approve the Journal of November 12, 2003 as distributed was made by Pufahl, second by Olson. Motion carried unanimously.

A motion to approve the agenda, as published, was made by Stevenson, second by Andler. Motion carried unanimously.

Under Chair's Comments, Chair See advised Supervisors of deadlines for filing Campaign Registration Statements, nomination papers and Noncandidacy form with the County Clerk. Pertaining to Wisconsin Counties Association subscriptions, Chair See indicated in an effort to save costs, department head copies had been reduced to three copies. He requested Supervisors contribute their copy for distribution to Department Heads, after having had an opportunity to read them. Copies may be left with the County Clerk.

Chair See announced the following appointments: J. Robert Curtis and Carol Ziehmke to be reappointed to the County Library Systems Board for a term to expire December of 2006. On motion by Baumgartner, second by DeYoung, the appointments were unanimously approved.

**RESOLUTION 47-03**

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 \$305,506 of funds available in its revolving loan fund and,

WHEREAS, Sandra Crum, of Lodi, Wisconsin, has developed a business plan to purchase property and open a day care facility in Lodi, Wisconsin, and has applied for a loan of \$126,000 from the County's Revolving Loan Fund, and

WHEREAS, additional funds are being committed to the applicant in the following amounts:

Lodi Community Business Bank	\$93,400
Columbia County Economic Development	\$ 8,600
Thomas and Sandra Crum	\$32,600

WHEREAS, this project will create 7 jobs in Columbia County, and

WHEREAS, after due consideration by the Columbia County Revolving Loan Fund Committee, it is recommended that Sandra Crum's application in the amount of \$126,000 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 Sandra Crum, in the amount of \$126,000 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.

~~Mark A. Witt~~  
Robert L. Hamele  
Daniel J. See  
Susan Martin  
John H. Tramburg  
REVOLVING LOAN FUND/  
HOUSING COMMITTEE

Motion to adopt resolution made by Tramburg, second by Healy.

Lois Schepp explained that the Revolving Loan Fund has been very active historically. A number of loans had been paid off in the last year, making funds available as stated in the resolution. She further indicated the State encourages utilization of these funds.

Mr. and Mrs. Crum were introduced to the Board and gave a brief presentation. The need for infant care and reduction of lengthy waiting lists generated their request and application for funding to open a day care center in Lodi. Supervisor Martin indicated both Mr. and Mrs. Crum had degrees in education, with Mrs. Crum certified and currently working in a day care center. Both have had previous business experience. Mr. Crum indicated the RL funds were considered a very viable part of this project. They expressed their appreciation to the County Board.

The Resolution was unanimously adopted.

### **RESOLUTION 48-03**

WHEREAS, under current Wisconsin law (1993 Act496) and federal law (1996 Federal Telecommunications Act 1996) local units of government are allowed to supply competitive telecommunications services to their communities; and

WHEREAS, to date 24 Wisconsin communities have applied for and been granted Competitive Local Exchange Carrier (CLEC) status from the Public Service Commission of Wisconsin; and

WHEREAS, most major telecommunications companies are investing their resources primarily in urban markets while rural, non-urban, smaller communities are not receiving the advanced telecom services needed to sustain economic viability; and

WHEREAS, local governmental leaders are primarily responsible for the economic development well-being of their respective communities; and

WHEREAS, Senate Bill 272 and Assembly Bill 588 place unnecessary restrictions and barriers to local governments that desire to offer advanced telecom services to their businesses and residents, thus hindering the deployment of broadband services in Wisconsin.

NOW THEREFORE BE IT RESOLVED that Columbia County strongly opposes SB 272/AB 588 and urges the State Legislature to defeat these efforts by incumbent cable television and telecommunications companies to limit the deployment of competitive advanced telecom services including cable television, broadband and local telephone services by local units of government; and

BE IT FURTHER RESOLVED that Columbia County join the League of Wisconsin Municipalities, the Wisconsin Alliance of Cities, the Wisconsin Counties Association, the Municipal Electric Utilities of Wisconsin, the Wisconsin Towns Association, the Citizens Utility Board, the Wisconsin Association of School Boards, the Regional Telecommunications Commission and the North Shore Cable Commission in opposition to any efforts to limit, inhibit, or prohibit local governments from providing competitive advanced telecommunications services.

Fiscal Note: None

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



Motion was made to adopt the resolution by V. Curtis, second by Sanderson.

Mayor Paul Fisk, City of Lodi, had brought the issue of Senate Bill 272 and Assembly Bill 588 to Chair See's attention requesting that the matter be brought before the County Board. Mayor Fisk indicated Senate Bill 272 was designed to prevent towns, villages and cities from competing and entering the telecommunications market by providing Internet service to our communities. Fisk indicated the City of Lodi had passed a Resolution similar to that being considered by the County Board. Future growth in our communities should be a major factor considered in opposing this legislation. By opposing this legislation, Fisk indicated, it did not necessarily mean a utility would be formed, but that the opportunity to do so was available. He encouraged support of this resolution.

A copy of this resolution will be forwarded to the Governor, Columbia County's Legislative Representatives and the Wisconsin Counties Association.

The Resolution was unanimously adopted.

### **RESOLUTION 49-03**

WHEREAS, county government in the State of Wisconsin is bound by the current mediation and arbitration laws, and

WHEREAS, the current laws:

- do not encourage prompt and fair settlement of public employee contracts
- do not provide local governments with flexibility to work smarter and more efficiently
- do not consider the impact on property tax rates a factor in public employee bargaining

WHEREAS, County government needs to provide state mandated services through innovation and leadership at the most fiscally responsible level to minimize the property tax burden on county residents.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors does hereby go on record as supporting municipal Employment Relations Reform as outlined in AB 598 and 599 as an important step in controlling expenses at the local level.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to each county in the State of Wisconsin, Governor Jim Doyle; Senators Scott Fitzgerald, Robert Welch, Charles Chvala; and, Representatives Jeff Fitzgerald, Eugene Hahn, J. A. Hines, Steve Foti; and the Wisconsin Counties Association.

Fiscal Impact: None

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

Motion to adopt Resolution was made by Martin, second by Wopat.

Current arbitration laws and the importance of controlling expenses at the local level by supporting reform in municipal employment relations was explained by Brent Miller, Human Resource Director. If passed, AB 598 and 599 would allow for changes in retirement contributions, which could potentially save hundreds of thousands of dollars.

The Resolution was adopted, not unanimously.

### **RESOLUTION 50-03**

WHEREAS, Lester Ziehmke, of Portage, Wisconsin, recently passed away at the age of 88, and  
WHEREAS, prior to his death Lester Ziehmke faithfully served the residents of Columbia County as a member of the Columbia County Board of Supervisors, and

WHEREAS, Mr. Ziehmke was elected to serve on the Columbia County Board of Supervisors to represent District 2 from April 18, 1972, until March 24, 1976, and

WHEREAS, Mr. Ziehmke served on the Zoning and Planning Committee.



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 Lester Ziehmke's service to his county, his country, and his community, and that a copy be sent to his family.

Craig P. Casey  
Kenneth W. Hutler  
Richard C. Boockmeier  
Vincent D. Curtis  
JoAnn Wingers  
Barry Pufahl  
Neil M. Ford  
Robert J. Stoltenberg  
Gerald L. Salzwedel  
Robert Westby

Donald P. Nelson  
Kenneth E. Olson  
Edward P. Riley  
John H. Healy  
Harlan Baumgartner  
Susan Martin  
Claire R. Robson  
Robert J. Andler  
Jack Sanderson  
Eugene M. Fitzgerald  
Daniel J. See

Robert L. Hamele  
J. Robert Curtis  
Michael J. Kinney  
Don DeYoung  
Debra L. H. Wopat  
Harlan Horton  
Andy Ross  
Daniel Amato  
John H. Tramburg  
John G. Stevenson

Motion to adopt the Memorial Resolution was made by Hamele, second by Kinney. The Board stood for a moment of silence to pass the Resolution.

### **RESOLUTION 51-03**

WHEREAS, Harvey Paulson, of Rio, Wisconsin, recently passed away at the age of 104, and  
WHEREAS, prior to his death Harvey Paulson faithfully served the residents of Columbia County as a member of the Columbia County Board of Supervisors, and

WHEREAS, Mr. Paulson was elected to serve on the Columbia County Board of Supervisors to represent Village of Rio from May 5, 1942, through January 16, 1951 and April 16, 1957 through March 30, 1966, and

WHEREAS, Mr. Paulson was elected and served on the Welfare Committee during his terms, and

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 Harvey Paulson's service to his county, his country, and his community, and that a copy be sent to his family.

Craig P. Casey  
Kenneth W. Hutler  
Richard C. Boockmeier  
Vincent D. Curtis  
JoAnn Wingers  
Barry Pufahl  
Neil M. Ford  
Robert J. Stoltenberg  
Gerald L. Salzwedel  
Robert Westby

Donald P. Nelson  
Kenneth E. Olson  
Edward P. Riley  
John H. Healy  
Harlan Baumgartner  
Susan Martin  
Claire R. Robson  
Robert J. Andler  
Jack Sanderson  
Eugene M. Fitzgerald  
Daniel J. See

Robert L. Hamele  
J. Robert Curtis  
Michael J. Kinney  
Don DeYoung  
Debra L. H. Wopat  
Harlan Horton  
Andy Ross  
Daniel Amato  
John H. Tramburg  
John G. Stevenson

Motion to adopt the Memorial Resolution was made by Salzwedel, second by DeYoung. The Board stood for a moment of silence to pass the Resolution.

### **RESOLUTION 52-03**

WHEREAS, Louis DiDomenico has filed a Claim and Circumstance against Columbia County for damages due to his false and improper arrest, violation of civil rights and excessive use of force causing pain and injury, 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 that was filed by Louis DiDomenico.

Fiscal Note: None

Kenneth W. Hutler  
Jack Sanderson  
Robert R. Westby  
Neil M. Ford  
John H. Healy  
JUDICIARY COMMITTEE

Motion to deny claim made by Mr. DiDomenico was made by Westby, second by Healy. The Resolution was unanimously adopted.

### **RESOLUTION 53-03**

WHEREAS, on July 3, 2003, the Columbia County Sheriff's Department seized five horses which were in dire need of food, water, and medical attention, and

WHEREAS, three of these horses have now been transferred out of County custody, and

WHEREAS, the remaining two horses have a need to remain in County custody until the District Attorney's Office has completed all legal prosecution associated with this case, and

WHEREAS, in association with these horses, the County has been billed a total of \$9,068 for board, food, veterinary care, and other supplies/services, and

WHEREAS, it is estimated that a total of \$500 more in expenditures may be incurred for veterinary expenses before release of the horses, with room and board no longer being billed to Columbia County, and

WHEREAS a total of \$1,574.49 has been collected in donations to offset these costs.

NOW, THEREFORE, BE IT RESOLVED that a sum of \$7,993.51 be transferred from the General Fund to the Sheriff's Administration account to fund the costs associated with the seized horses.

BE IT FURTHER RESOLVED that the District Attorney is encouraged to discharge the remaining horses to responsible parties.

~~BE IT FURTHER RESOLVED that an Animal Rescue Fund be established whereby excess restitution or donations may be deposited and used to offset these costs, as well as care of future seized animals.~~

BE IT FURTHER RESOLVED that the Sheriff will investigate re-establishing a Humane Officer for Columbia County.

Fiscal Note: Transfer \$7,993.51  
from the General Fund Account No.  
100.341100 to the Sheriff's Admin.  
Account No. 2222.535850

Kenneth W. Hutler  
Jack Sanderson  
Robert R. Westby  
Robert R. Westby  
Neil M. Ford  
John H. Healy  
JUDICIARY COMMITTEE

Question was raised as to a 2/3 vote being required bringing the resolution back before the Board.

Chair See called on Supervisor Westby who read a quote from the Standard Code of Parliamentary Procedures by the American Institute of Parliamentarians, stating, "If the motion was rejected by an earlier meeting or convention it may be renewed by being re-introduced."

Chair See clarified that the resolution being introduced is different from the previous resolution. Several changes included the addition of the sixth and tenth paragraphs and the reduction in the amount requested in the fifth and seventh paragraphs from \$3,000 to \$500 and \$12,068 to \$7,993.51 respectively. Chair See indicated in his opinion the resolution could be brought before the Board as presented; however, if the Board wished to bring the resolution back as a whole, a 2/3 vote was required.

Motion to adopt resolution made by Sanderson, second by Hutler.

In further discussion, a number of concerns were expressed including use of general fund monies, restitution monies, donations and need for Humane Officer.

Lois Schepp, Comptroller, indicated court ordered restitution would offset expenses incurred.

Motion to amend the Resolution by deleting the ninth paragraph was made by Hamele, second by Horton. The motion to amend was approved on a roll call vote as follows:

AYES: 18, NOES: 13, EXCUSED: 0

AYES: Pufahl, Robson, Ross, Stevenson, Stoltenberg, Wingers, Amato, Baumgartner, Boockmeier, Casey, V. Curtis, Fitzgerald, Ford, Hamele, Healy, Horton, Kinney and Nelson.

NOES: Olson, Riley, Salzwedel, Sanderson, Tramburg, Westby, Wopat, Andler, J. Curtis, DeYoung, Hutler, Martin and See.

The Resolution as amended was approved by a 2/3 vote as follows:

AYES: 24, NOES: 7, EXCUSED: 0

AYES: Pufahl, Riley, Robson, Ross, Salzwedel, Sanderson, Stoltenberg, Tramburg, Westby, Wopat, Amato, Andler, Casey, J. Curtis, V. Curtis, Fitzgerald, Ford, Hamele, Healy, Hutler, Kinney, Martin, Olson and See.

NOES: Stevenson, Wingers, Baumgartner, Boockmeier, DeYoung, Horton and Nelson.

Chair See stated that the Sheriff and Corporation Counsel had been asked to draft a policy regarding establishing an Animal Rescue Fund and Humane Officer to handle these type of situations.

### **RESOLUTION 54-03**

WHEREAS, Wisconsin Statute 66.0143 allows municipalities and counties to apply for state mandate waivers for a four year period, and

WHEREAS, Federal Circular OMB A-133 requires provider agencies that spend more than \$300,000 in federal funds in a year to have a compliance audit and state audit requirements set that threshold at \$25,000 and

WHEREAS, a recent review of provider agencies for the year 2003 requires 31 audits that average in cost from \$4,500 and \$5,000 and waiver of such requirements would save \$558,000 to \$620,000 in the four-year period of program in service dollars, and this savings would benefit the citizens of Columbia County who are eligible for services.

THEREFORE, Columbia County requests a waiver exemption for audit requirements for services providers to a threshold of \$75,000 to require audit, and

BE IT RESOLVED, this 17th day of December 2003, that the County Board of Supervisors adopts this resolution and forwards a certified copy of this resolution with a record vote with the application for appeal.

Edward P. Riley

J. Robert Curtis

Craig Casey

Kenneth E. Olson

Barry Pufahl

Robert R. Westby

~~Dr. Gerald Krumpes~~

Debbie Krumpes

~~Helen Phelps~~

HEALTH & HUMAN SERVICES BOARD

Motion to adopt resolution was made by Westby, second by Olson.

Sandra Roberts, Health and Human Services Director, discussed difference in federal and state audit threshold costs. After a review of provider agencies, a request for waiver exemption for audit requirements reportedly would result in a substantial savings to eligible citizens by setting a threshold at \$75,000.

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 duly advised of the wishes of the people in the area affected hereby recommend as follows:

- (1) A petition by Ed Maass, Agent for the Bethlehem English Evangelical Lutheran Church, Portage, Wisconsin to rezone from Agricultural to Recreational, property located in Section 3, Town of Pacific on the 12<sup>th</sup> day of January, 1998 be approved as follows: To change from Agricultural to Recreational, a parcel of land located in part of the NW ¼ of the NE ¼, Section 3, Town 12N, Range 9E, Town of Pacific.
- (2) A petition by Randall and Bridget Rhode, Portage, Wisconsin to rezone from Agricultural to Single Family Residence, property located in Section 2, Town of Wyocena on the 30<sup>th</sup> day of October, 2003 be approved as follows: To change from Agricultural to Single Family Residence, a parcel of land described as part of Government Lots 11 and 12, Section 2, Town 12N, Range 10E, Town of Wyocena.

Harlan Baumgartner  
 Eugene Fitzgerald  
 John G. 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 Z314-03**  
**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 Recreational”, (Ed Maass, Agent for the Bethlehem English Evangelical Lutheran Church) a parcel of land located in part of the NW ¼ of the NE ¼, Section 3, Town 12N, Range 9E, Town of Pacific, more particularly described as follows: PARCEL NUMBER 90 Commencing at the Southeast corner of Lot 1 of Certified Survey Map Number 3011; Thence East and parallel to Highway 33 to the East line of Lot 2 of Certified Survey Map Number 3011; Thence North to the Northeast corner of Lot 2; Thence West to the Northeast corner of lot 1; Thence South to the Southeast corner of Lot 1, the point of beginning. Said property contains 20.00 acres, more or less.
- (2) “To change from Agricultural to Single Family Residence”, (Randall and Bridget Rhode) a parcel of land described as part of Government Lots 11 and 12, Section 2, Town 12N, Range 10E, Town of Wyocena, more particularly described as follows: PARCEL NUMBER 64.B Commencing at the Northeast corner of Government Lot 11; Thence South 00°32’38” East along the east line of Government Lot 11, 356.58 feet to the point of beginning; Thence continuing South 00°32’38” East along the east line of said Government Lot 11, 930.10 feet; Thence North 89°38’00” West, 1,751.96 feet to a point in the southeast right-of-way line of State Trunk Highway 44; Thence Northeasterly along a 2,795.00 foot radius curve to the right in the southeasterly right-of-way line of State Trunk Highway 44 having a central angle of 04°55’08” and whose long chord bears North 33°53’40” East, 239.88 feet; Thence North 36°21’14” East along the southeasterly right-of-way line of State Trunk Highway 44, 221.32 feet; Thence North 53°38’46” West, 10.00 feet; Thence North 36°22’28” East along the southeasterly right-of-way of State Trunk Highway 44, 773.83 feet; Thence South 86°34’32” East, 529.81 feet; Thence South 75°58’09” East, 141.11 feet; Thence South 86°34’32” East, 362.14 feet to the point of beginning; Said property contains 31.50 acres, more or less.

DATE PASSED: December 17, 2003  
DATE PUBLISHED: December 26, 2003

First reading of Ordinance.

Motion by Baumgartner, second by DeYoung, to suspend the rules and have the second reading of the Ordinance by title only.

There was discussion pertaining to restrictive covenant and other buildings incident thereto. Marc Playman, a member of the building committee for the church, clarified that current construction at the site, would be for a church, and at some point in time, a parsonage might be built.

The motion carried unanimously.

Second reading of Ordinance.

Motion by V. Curtis, second 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 to adopt Ordinance was made by Healy, second by J. Curtis.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance Z314-03.

Chair See indicated a fiscal note for the following ordinance had been received late. The fee increase would cover the actual overtime expenses resulting from special enforcement services. In addition, revenues will be generated in the amount of \$3,000.

### **ORDINANCE 71-03** **An Amending Ordinance**

The Columbia County Board of Supervisors hereby amends Title 9-1-17 (l), Chapter 1, Fee Schedule, Section 17 (l), Sheriff's Office as follows:

Sec. 9-1-17 (l) Sheriff's Office:

<del>(l) Special Enforcement</del>	<del>\$ 35.00 per hour</del>
(l) Special Enforcement	\$ 91.00 per hour

It should be noted that Sections (a) – (k) and (m) – (o) remain the same.

This Amending Ordinance is to be effective December 26, 2003.

FISCAL IMPACT: Covers  
Anticipated expenses.

Daniel J. See, Chair  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Jeanne Miller  
COLUMBIA COUNTY CLERK

DATE PASSED: December 17, 2003  
DATE PUBLISHED: December 26, 2003

First reading of Ordinance.

Motion by Tramburg, second by Hamele, to suspend the rules and have the second reading of the Ordinance by title only.

Sheriff Rowe explained special enforcement services include required supervision in domestic issues/separation of property/directing traffic for building relocation, etc. Parades and funerals do not fall under this category. Rowe indicated lack of staff to perform these duties, requires off duty staff being called in creating overtime situations. Fee increase should cover those costs and create additional revenues for the department.

The motion carried unanimously.

Second reading of Ordinance.

Motion by Boockmeier, second 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 to adopt the Ordinance Fee Change- Sheriff was made by V. Curtis second by Salzwedel.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance 71-03.

### **ORDINANCE 72-03** **An Amending Ordinance**

The Columbia County Board of Supervisors hereby amends Title 9, Chapter 1, Fee Schedule, Section 3, Coroner, by adding (g) and amending (a) with the following:

Sec. 9-1-3 Coroner.

	<u>Existing Fee</u>	<u>New Fee</u>
(a) Cremation Permit	\$110.00	\$150.00
(g) Removal Fee	\$ 0.00	\$120.00

The existing fees listed in Section 9-1-3 are to remain in full force and effect.

This amending Ordinance is to be effective as of January 1, 2004.

Fiscal Impact: This will increase cremation revenue approximately \$6,400 for 2004

Daniel J. See, Chair  
COLUMBIA COUNTY BOARD  
OF SUPERVISORS  
Jeanne Miller  
COLUMBIA COUNTY CLERK

DATE PASSED: December 17, 2003

DATE PUBLISHED: December 26, 2003

First reading of Ordinance.

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

Marc Playman, Coroner, discussed statutory requirements regarding cremation. Coroner determines cause of death and follows statutory waiting period, prior to issuing permit for cremation. Dane County and Sauk County will initiate a similar fee change after the first of the year. Removal fee included the Coroner physically removing the deceased to a morgue or lab for toxicology or forensic testing, then returning the deceased to a local funeral home. Previously no charge had been made for this service.

The motion carried unanimously.

Second reading of Ordinance.

Motion by Hamele, second 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 to adopt the Ordinance Fee Change-Coroner, was made by Baumgartner, second by Martin.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance 72-03.

Standing Rule requiring reading of Ordinances three times was discussed. Chair See indicated Standing Rules would be reviewed in March and presented for County Board approval in April. Supervisor Hamele indicated the Chair had the option to waive the required readings.

Chair See declared that the next Ordinance would be read once. Due consideration had been given to recommendation made from the Board floor to waive second and third readings.

### **ORDINANCE 73-03** **An Amending Ordinance**

The Columbia County Board of Supervisors hereby amends Title 21, Chapter 4 (Water Safety) of the Columbia County Code of Ordinances as follows:

#### **Chapter 4 Water Safety**

21-4-1 Navigable Waterway Regulations.

21-4-2 Lake George Regulations.

21-4-3 Penalties.

Sec. 21-4-1 Navigable Waterway Regulations.

(d) Slow-No-Wake Zones.

#### Permanent Slow-No-Wake Zone - Wisconsin River.

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

NOTE: (a) – (c) and (d) (2)&(3) and (e) remain the same.

This Amending Ordinance is to be effective December 26, 2003.

Daniel J. See. Chair  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Jeanne Miller  
COLUMBIA COUNTY CLERK

DATE PASSED: December 17, 2003

DATE PUBLISHED: December 26, 2003

A revised Ordinance to include coordinates was placed on desks.

Motion to adopt Ordinance was made by Martin, second by Ross.



Supervisor Ross recommended slow-no-wake zone because of safety issues. The Department of Natural Resources requires an ordinance identifying slow-no-wake zones. This Ordinance also makes the slow-no-wake zone enforceable by both the DNR and Sheriff's Department. In working with revising this ordinance, Ross indicated that it was discovered that funds are available from the DNR for posting specified areas with buoys. The Judiciary Committee will review and make a recommendation in the form of a resolution to the County Board at the next meeting. Currently, the Grade Boat Club in the Lake Wisconsin area pays for buoys. By submitting a Resolution for application for DNR funding, these shared funds would be available for clubs that support boating safety in communities.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance 73-03.

Committee assignment request made by V. Chair Martin was due January 21<sup>st</sup>. Not responding to questionnaire would indicate willingness to serve on any committee.

A motion to suspend the rules and adjourn meeting until Wednesday, February 18, 2004, at 9:45 a.m was made by J. Curtis, second by Hutler. The motion carried unanimously.

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
February 18, 2004  
9:45 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 Supervisors were present, except Hutler and Westby, excused and Casey, absent.

A motion to approve the Journal of December 17, 2003, as distributed was made by Boockmeier, second by Olson. Motion carried unanimously.

A motion to approve the agenda, as published, was made by V. Curtis, second by DeYoung. Motion carried unanimously.

Clifton Gunderson Audit Report was discussed. Chair See directed the report be accepted and placed on file.

Chair See announced the following appointments:

- 1) Clifford Lawton to replace Hiroshi Kanno and Norm Wilz to replace Clifford Lawton as an alternate on the Zoning Board of Adjustments to complete a term to expire July of 2004. On motion by Baumgartner, second by Stevenson, the appointments were unanimously approved.
- 2) Pam Oxman (American Red Cross) to replace Ann Lagorio, Craig Maier (Daily Register) to replace Erik Wakiaga and Sergeant Pat Beghin to replace Tim Carlin on the Local Emergency Planning Committee to complete a term to expire April of 2004. On motion by Riley, second by Pufahl, the appointments were unanimously approved.
- 3) 2004 Emergency Fire Wardens for Columbia County for a term to expire February of 2005. On motion by Andler, second by Boockmeier, the appointments were unanimously approved.
- 4) Nancy Elsing, Executive Director Columbia County Economic Development Corporation to the Workforce Development Board of South Central Wisconsin, Inc. On motion by Ross, second by Wingers, the appointment was unanimously approved.
- 5) Kurt Waterstradt to replace Ray Saxby on the Harmony Grove Lake Protection and Rehabilitation District. On motion by Stoltenberg, second by Ford, the appointment was unanimously approved.

Brent Miller, Human Resources Director, reported on the negotiated Courthouse Contract. Motion was made to ratify the Courthouse Contract by Wopat, second by Tramburg. The motion carried unanimously.

**RESOLUTION 1-04**

WHEREAS, the County Board of Supervisors of Columbia County, Wisconsin (the "County") has heretofore adopted three initial resolutions (the "Initial Resolutions") authorizing the issuance of general obligation bonds or promissory notes in an amount not to exceed \$28,420,000 (the "Securities") for the public purpose of paying the cost of preparing a site and constructing and equipping a new highway facility (\$7,500,000) (the "Highway Facility Project"); preparing a site, including demolishing existing buildings; constructing and equipping a new jail facility; remodeling and renovating the existing jail facility; and replacing the health and human services offices (\$20,600,000) (the "Jail and HHS Office Projects"); and upgrading the heating system at the County health care center (\$320,000) (the "HVAC Project") (collectively, the "Project");

WHEREAS, the County Board of Supervisors hereby finds and determines that the Project is within the County's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes;

WHEREAS, counties are authorized by the provisions of Chapter 67 of the Wisconsin Statutes to borrow money and issue general obligation bonds or promissory notes for such public purposes;

WHEREAS, by adoption of the Initial Resolutions, the County has authorized the issuance and sale of general obligation bonds or promissory notes to provide permanent financing for the Project;

WHEREAS, on June 4, 2003, the County Board of Supervisors issued \$9,600,000 General Obligation Promissory Notes to pay a portion of the Project;

WHEREAS, none of the proceeds of the Bond Anticipation Notes 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; and,

WHEREAS, it is the finding of the County Board of Supervisors that it is necessary, desirable and in the best interest of the County to provide for the issuance and sale of bond anticipation notes pursuant to Section 67.12(1)(b), Wisconsin Statutes, in anticipation of receiving the proceeds from the issuance and sale of the Securities to provide interim financing to pay the remaining portion of the cost of the Project and to sell such notes to M&I Marshall & Ilsley Bank, Milwaukee, Wisconsin, pursuant to the terms and conditions of its note purchase proposal.

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

Section 1. General Obligation Bonds or Promissory Notes. The County hereby declares its intention and covenants to issue general obligation bonds or promissory notes pursuant to the provisions of Chapter 67 of the Wisconsin Statutes, in an amount sufficient to retire any outstanding bond anticipation notes issued for the purpose of paying the cost of the Project (hereinafter, such bonds or notes shall be referred to as the "Securities"). The County has heretofore authorized the issuance of the Securities pursuant to the Initial Resolutions.

Section 2. Authorization of the Notes. For the purpose of paying the remaining portion of the cost of the Project, there shall be borrowed pursuant to Section 67.12(1)(b) of the Wisconsin Statutes, the principal sum of EIGHTEEN MILLION EIGHT HUNDRED TWENTY THOUSAND DOLLARS (\$18,820,000) from M&I Marshall & Ilsley Bank, Milwaukee, Wisconsin (the "Purchaser") in accordance with the terms and conditions of the term sheet (the "Term Sheet") attached hereto as Exhibit A and incorporated herein by this reference.

Section 3. Sale of the Notes. 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, bond anticipation notes aggregating the principal amount of EIGHTEEN MILLION EIGHT HUNDRED TWENTY THOUSAND DOLLARS (\$18,820,000) (the "Notes") for the sum set forth on the Term Sheet, plus accrued interest to the date of delivery.

Section 4. Terms of the Notes. The Notes shall be designated "Bond Anticipation Notes"; shall be dated March 3, 2004; shall be in the denomination of \$100,000 or more; shall be numbered 1 and upward; shall bear interest at the rate and shall mature on June 1, 2004 as set forth on the schedule prepared by the Purchaser and attached hereto as Exhibit B (the "Schedule"). Interest is payable at maturity.

Section 5. Redemption Provisions. The Notes shall not be subject to optional redemption.

Section 6. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 7. Security. The Notes shall in no event be a general obligation of the County and do not constitute an indebtedness of the County nor a charge against its general credit or taxing power. No lien is created upon the Project or other property of the County as a result of the issuance of the Notes. The Notes shall be payable from (a) any proceeds of the Notes set aside for payment of interest on the Notes as it becomes due, and (b) proceeds to be derived from the issuance and sale of the Securities, which proceeds are hereby declared to constitute a Special Trust Fund, hereby created and established, to be held by the County Clerk and expended solely for the payment of the principal of and interest on the Notes. The County hereby agrees that, in the event such monies are not sufficient to pay the principal of and interest on the Notes when due, if necessary, the County will pay such deficiency out of its tax levy or other available funds of the County; provided, however, that such payment shall be subject to annual budgetary appropriations therefor; and provided further, that neither this Resolution nor any such payment shall be construed as constituting an obligation of the County to make any such appropriation or any further payment.

Section 8. Covenants of the County. The County hereby covenants with the holders of the Notes as follows:

- (a) It shall issue and sell the Securities as soon as practicable;
- (b) It shall segregate the proceeds derived from the sale of the Securities into a Special Trust Fund created above and constituted as a special trust fund and shall permit such Special Trust Fund to be used for no purpose other than the payment of principal of and interest on the Notes until paid; and,
- (c) It shall maintain a debt limit capacity such that the combined outstanding principal amount of general obligation bonds or notes or certificates of indebtedness of the County and the \$18,820,000 authorized for the issuance of the Securities shall at no time exceed the constitutional debt limit of the County.

Section 9. 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 \$18,820,000 Columbia County Bond Anticipation Notes, dated March 3, 2004", which fund account shall be used solely for the purpose of paying the principal of and interest on the Notes. There shall be deposited in said fund account (i) all accrued interest paid on the Notes at the time the Notes are delivered to the Purchaser; (ii) any proceeds of the Notes representing capitalized interest on the Notes and deposited in the Borrowed Money Fund (hereinafter created), as needed to pay the interest on the Notes when due; (iii) proceeds of the Securities (or other obligations of the County issued to pay principal of or interest on the Notes) to the extent necessary to pay principal of or interest on the Notes; (iv) such other sums, including tax monies, as may be necessary at any time to pay principal of and interest on the Notes when due and which are appropriated by the County Board of Supervisors for that purpose; and (v) surplus monies in the Borrowed Money Fund as specified in Section 10 hereof. Said Fund shall be used for the sole purpose of paying the principal of and interest on the Notes and 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 10. Segregated Borrowed Money Fund; Reimbursement. The proceeds of the Notes (the "Note Proceeds"), other than any premium and accrued interest which must be paid at the time of delivery of the Notes into the Debt Service Fund Account created above, shall be deposited into an account separate and distinct from all other funds and accounts and disbursed solely for the purposes for which borrowed or for the payment of the principal of and interest on the Notes. Said proceeds may be temporarily invested in legal investments in the manner set forth below.

The County declares its reasonable expectation to reimburse itself from the Note Proceeds for expenditures relating to the Project which it pays from other funds of the County prior to receipt of the Note Proceeds no more than 60 days prior to the date the Initial Resolutions were adopted. The County may also reimburse itself for preliminary expenditures relating to the Project (such as architectural, engineering, surveying, soil testing, costs of issuance and similar costs but not including land acquisition, site preparation and similar costs incident to the commencement of construction) which are in an amount which is less than 20% of the issue price of the Notes. This declaration and the Resolution of which it is a part, shall be publicly available in the official books, records or proceedings of the County Board of Supervisors.

Section 11. Arbitrage Covenant. The County shall not take any action with respect to the Note Proceeds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of the delivery of and payment for the Notes (the "Closing"), would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

The Note Proceeds may be temporarily invested in legal investments until needed, provided however, that the County hereby covenants and agrees that so long as the Notes remain outstanding, monies on deposit in any fund or account created or maintained in connection with the Notes, whether such monies were derived from the Note Proceeds or from any other source, will not be used or invested in a manner which would cause the Notes 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 the responsibility for issuing the Notes, 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 Note Proceeds and the facts and estimates on which such expectations are based, all as of the Closing.

Section 12. Additional Tax Covenants; Two Year Expenditure Exemption from Rebate. 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 Notes) to assure that the Notes are obligations described in Section 103(a) of the Code, the interest on which is excludable 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 Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes, shall provide an appropriate certificate of the County 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 Notes will continue to be obligations described in Section 103(a) of the Code, the interest on which is excludable 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 Notes are not "private activity bonds" as defined in Section 141 of the Code.

In accordance with Section 148(f)(4)(C) of the Code, the County covenants that at least 75% of the available construction proceeds of the Notes shall be used for construction expenditures with respect to property owned by the County as provided in Section 148(f)(4)(C)(iv) of the Code. If at least 10% of the available construction proceeds of the Notes (including investment earnings thereon) are expended for the governmental purposes of the issue within six months of the Closing; at least 45% are expended for such purposes within one year; at least 75% are expended for such purposes within eighteen months; and 100% are expended for such purposes within two years, the Notes will qualify for the two year expenditure exception from the rebate requirements of the Code. If for any reason the County did not qualify for the two year expenditure exemption from the rebate requirements of the Code, the County covenants that it would take all necessary steps to comply with such requirements.

Section 13. Execution of the Notes. The Notes 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 Notes shall cease to be such officers before the delivery of the Notes, 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 to effectuate the Closing.

Section 14. Payment of the Notes. The principal of and interest on the Notes shall be paid in lawful money of the United States of America by the County Clerk or County Treasurer.

Section 15. Persons Treated as Owners; Transfer of Notes; Record Date. The County shall keep books for the registration and for the transfer of the Notes. The persons in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.



Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the 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 Note or Notes 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 Note surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to affect any such transfer.

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

Section 16. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 17. Continuing Disclosure. The continuing disclosure requirements of SEC Rule 15c2-12, as amended, are not applicable to the Notes because the Notes are a primary offering in authorized denominations of \$100,000 or more and mature in less than nine months.

Section 18. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded February 18, 2004.

Daniel J. See  
Chairperson

Attest:  
Jeanne Miller  
County Clerk

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

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

AYES: 27, NOES: 1, EXCUSED: 2, ABSENT: 1

AYES: Riley, Robson, Ross, Salzwedel, Sanderson, Stevenson, Stoltenberg, Tramburg, Wingers, Wopat, Andler, Baumgartner, Boockmeier, J. Curtis, V. Curtis, DeYoung, Fitzgerald, Ford, Hamele, Healy, Horton, Kinney, Martin, Nelson, Olson, Pufahl and See.

NOES: Amato.

EXCUSED: Westby and Hutler.

ABSENT: Casey.

## **RESOLUTION 2-04**

WHEREAS, the East Wisconsin Counties Railroad Consortium was created by the Wisconsin Counties of Dodge, Fond du Lac, Green Lake, Washington, and Winnebago, in April of 1980, by the adoption by each county, respectively, of a resolution which authorized the execution of a contract creating the East Wisconsin Counties Railroad Consortium, and by the execution by each county, respectively, of a Contract Creating Consortium Pursuant to Wisconsin Law to provide certain transportation services with power to acquire a transportation system; and,

WHEREAS, the East Wisconsin Counties Railroad Consortium was formed in 1980 for the purpose of facilitating the continuance of rail service on the former Northern Division of the Milwaukee Road and the preservation of the facilities for the continuance of such service; and,

WHEREAS, since April of 1980, the Wisconsin & Southern Railroad Company has provided freight rail service in the Wisconsin Counties of Dodge Fond du Lac, Green Lake, Washington, and Winnebago, under contract with the East Wisconsin Counties Railroad Consortium; and,

WHEREAS, since April of 1980, the Wisconsin & Southern Railroad Company has provided freight rail service in Columbia County, Wisconsin; and,

WHEREAS, the provision of freight rail service by the Wisconsin & Southern Railroad Company has been of great economic benefit, not only to the counties which are members of the East Wisconsin Counties Railroad Consortium, but to all surrounding counties, including Columbia County, and to the State of Wisconsin, as well; and,

WHEREAS, by becoming a member of the East Wisconsin Counties Railroad Consortium, Columbia, Wisconsin, will be better able to facilitate the continuance of rail service within its borders and on the entire former Northern Division of the Milwaukee Road, and will be better able to preserve the facilities for the continuance of such service; and,

WHEREAS, that the Columbia County Board of Supervisors does hereby authorize Columbia County to become a member of the East Wisconsin Counties Railroad Consortium; and,

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors does hereby authorize and direct the Chairman of the Columbia County Board of Supervisors to appoint one member of the Highway Committee and a Supervisor of County Board approved by the Columbia County Board of Supervisors to the Board of Directors of the East Wisconsin Counties Railroad Consortium, with terms ending April 30, 2005, or until the successors of the persons so appointed are appointed and qualified.

Donald P. Nelson, Chairman  
~~Robert J. Andler, Vice Chairman~~  
Daniel Amato  
Michael Kinney  
Vincent D. Curtis  
COLUMBIA COUNTY  
HIGHWAY COMMITTEE

Motion was made to adopt the Resolution by V. Curtis, second by Amato.

There was discussion amongst Supervisors.

Supervisor Tramburg requested a roll call vote.

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

AYES: 17, NOES: 10, EXCUSED: 2, ABSENT: 1

AYES: Ross, Salzwedel, Sanderson, Stevenson, Stoltenberg, Wingers, Wopat, Amato, Baumgartner, Boockmeier, J. Curtis, V. Curtis, Ford, Healy, Kinney, Nelson and Pufahl.

NOES: Robson, Tramburg, Andler, DeYoung, Fitzgerald, Hamel, Horton, Martin, Olson and Riley.

EXCUSED: Westby and Hutler.

ABSENT: Casey.

### **RESOLUTION 3-04**

WHEREAS, Columbia County will become a member of the East Wisconsin Counties Railroad Consortium on February 18, 2004, for the purpose of facilitating the continuance of rail service on the Northern Division of the Milwaukee Road and the preservation of the facilities for the continuing of such service; and,

WHEREAS, the Wisconsin Counties of Dodge, Fond du Lac, Green Lake, Washington, and Winnebago, are members of the East Wisconsin Counties Railroad Consortium; and,

WHEREAS, railroad service is needed in Columbia County to help provide efficient and cost-effective transportation to existing and potential businesses; and,

WHEREAS, the East Wisconsin Counties Railroad Consortium and the State of Wisconsin own the rail trackage and right-of-way of the former Northern Division of the Milwaukee Road; and,

WHEREAS, the Wisconsin Counties of Crawford, Grant, Iowa, Dane, Sauk, Walworth, Rock, and Waukesha, are members of the Wisconsin River Rail Transit Commission; and,



WHEREAS, the Wisconsin River Rail Transit Commission and the State of Wisconsin own a portion of the rail trackage and right-of-way of the former Southern Division of the Milwaukee Road; and,

WHEREAS, rail trackage and right-of-way located in Rock County, Wisconsin, at Anderson Siding to Milton Junction, are in need of rehabilitation in order to provide adequate rail service on the former Northern Division and the former Southern Division of the Milwaukee Road; and,

WHEREAS, the Wisconsin & Southern Railroad Company has proposed a program to rehabilitate this rail trackage and right-of way in 2003, at a total cost of \$1,975,829.65; and,

WHEREAS, eighty per cent (80%) of the cost of this rehabilitation is available in the form of a grant from the Wisconsin Department of Transportation when the remaining twenty per cent (20%) is provided by other sources; and,

WHEREAS, the Wisconsin & Southern Railroad Company will participate in this rehabilitation program to the extent of ten per cent (10%) of the cost of this rehabilitation program; and,

WHEREAS, the East Wisconsin Counties Railroad Consortium has proposed to participate in this rehabilitation program to the extent of 3 and 8/10 per cent (3.8%) of the cost of this rehabilitation program; and,

WHEREAS, to enable the East Wisconsin Counties Railroad Consortium to so participate, the East Wisconsin Counties Railroad Consortium has requested each of its members to contribute \$15,198.69 to the East Wisconsin Counties Railroad Consortium; and,

WHEREAS, the Wisconsin River Rail Transit Commission has proposed to participate in this rehabilitation program to the extent of 6 and 2/10 (6.2%) of the cost of this rehabilitation program; and,

WHEREAS, to enable the Wisconsin River Rail Transit Commission to so participate, the Wisconsin River Rail Transit Commission has requested each of its members to contribute \$15,198.69 to the Wisconsin River Rail Transit Commission;

WHEREAS, that Columbia County appropriate \$15,198.69 for 2004, to be used to contribute to the East Wisconsin Counties Railroad Consortium for rehabilitation of rail trackage and right-of-way located in Rock County, Wisconsin, at Anderson Siding to Milton Junction; and,

WHEREAS, that in the event that the Wisconsin Counties of Crawford, Grant, Iowa, Dane, Sauk, Walworth, Rock, and Waukesha, each contribute \$15,198.69 to the Wisconsin River Rail Transit Commission, in the calendar year of 2004, and the Wisconsin Counties of Fond du Lac, Dodge, Green Lake, Washington, and Winnebago, each contribute \$15,198.69 to the East Wisconsin Counties Railroad Consortium, in the calendar year of 2004, for rehabilitation of rail trackage and right-of-way located in Rock County, Wisconsin, at Anderson Siding to Milton Junction, then, Columbia County shall contribute \$15,198.69 to ~~go~~ the East Wisconsin Counties Railroad Consortium, in the calendar year of 2004, for rehabilitation of rail trackage and right-of-way located in Rock County, Wisconsin, at Anderson Siding to Milton Junction; and,

NOW, THEREFORE, BE IT RESOLVED, that in the event that either one or more of the Wisconsin Counties of Crawford, Grant, Iowa, Dane, Sauk, Walworth, Rock, and Waukesha, do not contribute \$15,198.69 to the Wisconsin River Rail Transit Commission, in the calendar year of 2004, or, one or more of the Wisconsin Counties of Fond du Lac, Green Lake, Washington, and Winnebago, Dodge, do not contribute \$15,198.69 to the East Wisconsin Counties Railroad Consortium, in the calendar year of 2004, for rehabilitation of rail trackage and right-of-way located in Rock County, Wisconsin, at Anderson Siding to Milton Junction, then Columbia County shall not contribute any money to the East Wisconsin Counties Railroad Consortium, in the calendar year of 2004, for rehabilitation of rail trackage and right-of-way located in Rock County, Wisconsin, at Anderson Siding to Milton Junction.

FISCAL NOTE: Funding for the \$15,198.69 will be utilized from Highway 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  
COLUMBIA COUNTY  
HIGHWAY COMMITTEE

Motion was made to adopt the Resolution by V. Curtis, second by Sanderson.

A typographical error will be corrected in the sixteenth (16) paragraph to read "to" after \$15,198.69 rather than "go".

Motion was made to amend the Resolution by changing Fiscal Note to read "Funding of \$7,599.35 in 2004 and \$7,599.34 if available in 2005 will be utilized from Highway Road and Bridge Construction on C.T.H. account number 620.3313" by Tramburg, second by Wopat. The motion to amend failed for lack of majority vote on a roll call vote as follows:

AYES: 14, NOES: 14, EXCUSED: 2, ABSENT: 1

AYES: Salzwedel, Tramburg, Wopat, Andler, Boockmeier, J. Curtis, DeYoung, Fitzgerald, Hamele, Healy, Horton, Martin, Riley and See.

NOES: Ross, Sanderson, Stevenson, Stoltenberg, Wingers, Amato, Baumgartner, V. Curtis, Ford, Kinney, Nelson, Olson, Pufahl and Robson.

EXCUSED: Westby and Hutler.

ABSENT: Casey.

Motion was made to table the Resolution until the April meeting by Andler, second by Hamele.

The motion to table failed on a roll call vote as follows:

AYES: 7, NOES: 20, EXCUSED: 2, ABSENT: 1

AYES: Stevenson, Andler, DeYoung, Fitzgerald, Hamele, Riley and Ross.

NOES: Sanderson, Stoltenberg, Tramburg, Wingers, Wopat, Amato, Baumgartner, Boockmeier, J. Curtis, V. Curtis, Ford, Healy, Horton, Kinney, Martin, Nelson, Olson, Pufahl, Robson and Salzwedel.

EXCUSED: Westby and Hutler.

ABSENT: Casey.

Chair See not voting.

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

AYES: 20, NOES: 8, EXCUSED: 2, ABSENT: 1

AYES: Stoltenberg, Wingers, Wopat, Amato, Baumgartner, Boockmeier, J. Curtis, V. Curtis, Ford, Healy, Horton, Kinney, Nelson, Pufahl, Riley, Robson, Ross, Salzwedel, Sanderson and See.

NOES: Stevenson, Tramburg, Andler, DeYoung, Fitzgerald, Hamele, Martin and Olson.

EXCUSED: Westby and Hutler.

ABSENT: Casey.

#### **RESOLUTION 4-04**

The Columbia County Board of Supervisors hereby amends Section 7.22(b)(6) of the Columbia County Personnel Policies and Procedures Manual as follows:

##### **7.22(b) Vacations:**

- (6) ~~Vacation credits earned but not used during a given anniversary year shall lapse at the end of such year. Vacations may be carried over into the first 90 days of the following year if the employee obtains the approval of the employee's department head and the approval of the Human Resources Director. In the case of department heads, the carry over must be approved by the appropriate governing committee. Vacations may be carried over longer than the first ninety (90) days of the following year if the employee obtains the approval of the employee's department head, governing committee, and the Human Resources Committee. Applications for vacation extensions must be submitted and ruled upon prior to the employee's anniversary date. Vacation extensions will not be granted after the anniversary date unless the employee demonstrates to the Human Resources Committee an emergency basis for the granting of said extension.~~

- (6) Vacation credits earned shall be used during the anniversary year after which they are earned. Vacation not used within the anniversary year shall automatically be carried over into the next anniversary year, but must be used during the first ninety (90) days of the next anniversary year, or shall be lost.

Richard C. Boockmeier  
J. Robert Curtis  
Andy Ross  
Susan Martin  
Debra L.H. Wopat  
HUMAN RESOURCES COMMITTEE

Motion was made to adopt the Resolution by J. Curtis, second by Wopat.  
The Resolution was unanimously adopted.

#### **RESOLUTION 5-04**

WHEREAS, the Grade Boat Club hereby requests assistance for the purpose of acquiring aids to navigation or regulatory markers;

WHEREAS, funds are available, Columbia County supports the study, project, or acquisition and, HEREBY AUTHORIZES the Grade Boat Club to act on behalf of the Sheriff to:

Submit an application to the Wisconsin Waterways Commission for financial assistance;  
Sign documents; and  
Take necessary action to undertake, direct, and complete the approved project.

BE IT FURTHER RESOLVED that the Grade Boat Club will comply with state and federal rules for the programs; may perform force account work will maintain the completed project in an attractive, inviting, and safe manner; will keep the facilities open to the general public during reasonable hours consistent with the type of facility; and will obtain approval in writing from the Wisconsin Waterways Commission before any change is made in the use of the project site (if applicable).

ADOPTED this 18th day of February, 2004.

~~Kenneth W. Hutler~~  
Jack Sanderson  
~~Robert R. Westby~~  
Neil M. Ford  
John H. Healy  
JUDICIARY COMMITTEE

Motion was made to adopt the Resolution by Ross, second by Fitzgerald.  
The Resolution was unanimously adopted.

#### **RESOLUTION 6-04**

WHEREAS, under current law, the State Public Defender (SPD) provides counsel to represent people in various legal proceedings, including criminal proceedings that may result in imprisonment, emergency detention or involuntary civil commitment, proceedings for the protective placement of an adult, paternity determination and juvenile delinquency proceedings; and

WHEREAS, the SPD provides counsel to children regardless of the child's income or assets, but only provides counsel to adults who meet SPD financial criteria; and

WHEREAS, current law provides that a person qualifies for SPD representation when a person's income and assets, after deductions for reasonable and necessary living expenses, are insufficient to cover the cost of effective legal representation based on the amounts of the former AFDC program; and

WHEREAS, in determining whether a person can afford counsel, courts are not limited by the SPD criteria and appoint private counsel when they determine that a person cannot afford counsel, and the county in which the court sits must pay the appointed counsel.

WHEREAS, in 2002 Columbia County paid in excess of \$40K in appointed counsel fees for individuals that did not meet SPD criteria; and

WHEREAS, effective May 1, 2005 the Assembly Substitute Amendment to this bill changes the criteria for determining qualification for SPD representation based on whether a person meets the financial eligibility criteria for the Wisconsin Works Program which in part is based on 115% of the federal poverty guidelines as updated annually; and

WHEREAS, the Assembly Substitute Amendment to this bill provides for hiring 44.25 full-time equivalent general purpose revenue positions on May 1, 2005; and

WHEREAS, effective May 1, 2005 the Assembly Substitute Amendment to this bill requires the SPD to provide legal representation to any person who seeks SPD representation and is the subject of an involuntary commitment proceeding for mental health or alcoholism treatment, a protective placement proceeding, or a proceeding to appoint a guardian because the person is alleged to be not competent to refuse psychotropic medication.

NOW, THEREFORE BE IT RESOLVED by the Columbia County Board of Supervisors that it strongly supports Assembly Substitute Amendment to 2003 Assembly Bill 616 which changes the criteria for determining qualification for SPD representation to reflect financial eligibility criteria for the Wisconsin Works Program.

BE IT FURTHER RESOLVED, that the Columbia County Clerk is directed to forward a copy of this resolution to all area legislators, members of the Committee on Corrections, Governor Jim Doyle and the Wisconsin Counties Association.

Fiscal Note: None

~~Kenneth W. Hutler~~

Jack Sanderson

~~Robert R. Westby~~

Neil M. Ford

John H. Healy

JUDICIARY COMMITTEE

Motion was made to adopt the Resolution by Healy, second by Sanderson.  
The Resolution was unanimously adopted.

#### **RESOLUTION 7-04**

WHEREAS, the State of Wisconsin U.W. Board of Regents has awarded Columbia County an “Agricultural Entrepreneurship Education” grant, which will implement the project: “Building a Wisconsin Produce Auction Network”, and

WHEREAS, the objectives of this project are to evaluate the economic impacts (both real and potential) of the three existing Wisconsin Produce Auctions and to build a foundation for communication and cooperation among the auction companies, and

WHEREAS, it is the intent of this project to have the three auction organizations increase their awareness and knowledge about the potential for better coordination across the organizations, with an ultimate outcome of deciding on whether to work towards better coordination, and

WHEREAS, the grant award is \$4,100, which will reimburse 100% of County costs.

NOW, THEREFORE, BE IT RESOLVED that Columbia County accepts the “Agricultural Entrepreneurship Education” grant and authorizes the Chair of the Columbia County Board of Supervisors to sign the necessary documents.

BE IT FURTHER RESOLVED that when program monies cease, Columbia County will not continue to fund this program.

FISCAL NOTE: No County Funds

Robert L. Hamele

Robert J. Stoltenberg

JoAnn Wingers

Harlan Baumgartner

Donald P. Nelson

Motion was made to adopt the Resolution by Stoltenberg, second by Baumgartner.  
The Resolution was unanimously adopted.

#### **RESOLUTION 8-04**

WHEREAS, the state of Wisconsin borders or contains over 360 miles of the upper Mississippi River and 11 navigation locks and dams along those borders; and

WHEREAS, many of Wisconsin's locks and dams are more than 60 years old and only 600 feet long, making them unable to accommodate modern barge tows of 1,200 feet long, nearly tripling locking times and causing lengthy delays and ultimately increasing shipping costs; and

WHEREAS, the use of 1,200 foot locks has been proven nationwide as the best method of improving efficiency, reducing congestion, and modernizing the inland waterways; and

WHEREAS, the construction of the lock and dam system has spurred economic growth and a higher standard of living in the Mississippi and Illinois river basin and today supplies more than 300,000,000 tons of the nation's cargo, supporting more than 400,000 jobs, including 90,000 in manufacturing; and

WHEREAS, Wisconsin farmers, producers, and consumers rely on efficient transportation to remain competitive in a global economy, and efficiencies in river transport offset higher production costs compared to those incurred by foreign competitors; and

WHEREAS, the upper Mississippi and Illinois rivers lock and dam system saves our nation more than \$1.5 billion in higher transportation costs each year, and failing to construct 1,200 foot locks will cause farmers to use more expensive alternative modes of transportation, including trucks and trains; and

WHEREAS, moving away from river transport would add millions of trucks and railcars to our nation's infrastructure, increasing air pollution, traffic congestion, and greater wear and tear on highways; and

NOW, THEREFORE BE IT RESOLVED that the Columbia County Board of Supervisors formally recognize the upper Mississippi River as a river of statewide significance for natural, navigational, and recreational benefits; and,

BE IT FURTHER RESOLVED, that the Columbia County Board of Supervisors supports the timely modernization of the inland waterway transportation infrastructure on the upper Mississippi River, and urges Congress to authorize funding to construct 1,200 foot locks on the upper Mississippi River system; and,

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Senators, Kohl and Feingold, members of the congressional delegation from Wisconsin, Governor Jim Doyle, Secretary of Administration, Marc Marotta, Secretary of Commerce, Corey Nettles and to the Wisconsin Counties Association.

Dated this 2<sup>nd</sup> day of February 2004.

FISCAL NOTE: \$0.00

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

Motion was made to adopt the Resolution by Hamele, second by Stevenson.  
The Resolution was unanimously adopted.

#### **RESOLUTION 9-04**

WHEREAS, the State of Wisconsin has recently adopted changes to the state Uniform Dwelling Code (UDC) that were signed into law by Governor Doyle on December 18, 2003, and

WHEREAS, said changes eliminate the exemption for a municipality under 2,500 in population to not enforce the UDC within its boundaries, and

WHEREAS, recent correspondence from the Department of Commerce advises municipalities that one option available under the new law is to request county adoption and enforcement of the UDC in all current non-enforcing municipalities, and

WHEREAS, Columbia County, due to budgetary constraints and lack of available staff, is not currently in a position to provide administration and enforcement of the UDC and wishes to inform municipalities that County enforcement is not a viable option at this time, and

WHEREAS, the Wisconsin Department of Commerce has requested a response from the County as to the possibility of County UDC enforcement,

THEREFORE BE IT RESOLVED: That Columbia County will not take responsibility for enforcement of the Uniform Dwelling Code, and that a copy of this resolution shall be forwarded to the Wisconsin Department of Commerce, Safety and Buildings Division.

Harlan Baumgartner  
Eugene Fitzgerald  
John H. Healy  
Harlan Horton  
John Stevenson  
PLANNING AND ZONING COMMITTEE

Motion was made to adopt the Resolution by Nelson, second by Fitzgerald.  
The Resolution was unanimously adopted.

#### 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
Dennis and Lana Bradley	Scott

Harlan Baumgartner  
John G. Stevenson  
Eugene Fitzgerald  
John Healy  
Harlan Horton  
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

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 Jerry A. Blystone, Portage, Wisconsin to rezone from Commercial to ~~Multiple~~ Single Family Residence, property located in Section 18, Town of Caledonia on the 2<sup>nd</sup> day of June, 2003 be approved as follows: To change from Commercial to ~~Multiple~~ Single Family Residence, a parcel of land described as Certified Survey Map No. 3970, Section 18, Town 12N, Range 9 Town of Caledonia.
- (2) A petition by Walter Krueger, Pardeeville, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 14, Town of Hampden on the 5<sup>th</sup> day of September, 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 14, Town 10N, Range 11E, Town of Hampden.
- (3) A petition by Ed Nettesheim, Fall River, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 7, Town of Fountain Prairie on the 29<sup>th</sup> day of December, 2003 be approved as follows; To change from Agricultural to Rural Residential, a parcel of land located in part of the SE ¼ of the SE ¼, Section 7, Town 11N, Range 12E, Town of Fountain Prairie.

Harlan Baumgartner  
John G. Stevenson  
Eugene Fitzgerald  
John Healy  
Harlan Horton  
PLANNING AND ZONING COMMITTEE

A typographical error will be corrected throughout the Report and Ordinance to read "Single" rather than "Multiple".

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

**ORDINANCE \_\_\_\_\_**  
**An Amending Ordinance**

The Columbia County Board of Supervisors hereby amends Title 5, Chapter 3 (Expense Reimbursement) of the Columbia County Code of Ordinances as follows:

**Sec. 5-3-5                      Lodging Expense.**

- (a) **Allowable Rates.** Eligible persons shall be reimbursed in full for hotel or motel expense at the rate established by Resolutions presented by the Finance Committee and approved by the County Board. Lodging costs in excess of the established rate which are at the site of a conference or convention shall be ~~submitted to the Finance Committee and shall be~~ allowed if reasonable. If found to be unreasonable, reimbursement shall be limited to the maximum rate.
- (b) **Spouse Attendance.** In the event the spouse of an eligible person shares a room, reimbursement shall be made only on the basis of the single room rate. The employee shall document that "single" rate.
- (c) **Purchase Order Requirement.** Prior to departure, a Purchase Order must be obtained from the Purchasing Agent for lodging expense. Attached to the request must be a copy of the registration information. Payment shall thereafter be made only upon submission of an original Invoice. Payment shall not be made unless a Purchase Order is on ~~file record~~ in the ~~Clerk's~~ Accounting Office.
- (d) **Distance Requirement.** In order to obtain lodging reimbursement for a meeting or conference within a 45 mile radius of the County seat, eligible persons must attach to the Purchase Order a written request which contains the reasons why reimbursement should be granted, as well as a copy of the registration information. A Purchase Order for lodging must be issued prior to departure. Such lodging expense shall be approved by the County Accounting Office Clerk if the eligible person is participating in a night meeting or is on the committee presenting the conference or training.
- (e) **Night Prior to Conference.** Lodging for the night prior to a conference shall only be allowed for distances over 60 miles from the County seat when the conference or training begins earlier than 9:00 a.m. Lodging expenses shall be approved by the County Accounting Office Clerk if the eligible person is participating in a night meeting prior to the beginning of the conference or is on the committee presenting the conference or training and has obtained prior approval by the governing committee.

## Sec. 5-3-7 Conventions and Conferences.

- (a) **Requirements.** Attendance by department heads and employees at conventions, conferences, seminars, and training sessions shall be approved prior to attendance by the governing committee. County board or committee member attendance shall be approved prior to attendance by the Executive Committee or be included in the budget. Prior to departure, a Purchase Order must be obtained from the Purchasing Agent for the registration and/or hotel fees. Payment shall not be made unless a Purchase Order is on ~~file~~ record in the ~~Clerk's~~ Accounting Office.

Sections (b) - (j) remain the same.

## Sec. 5-3-8 General Rules.

- (c) **Reimbursement Process.** Claims for reimbursement of expenses shall be submitted on appropriate forms to the ~~County Clerk's~~ Accounting Office after approval by the Department Head, and shall thereafter be approved ~~by the governing committee and Finance Committee in the budget~~ prior to payment.
- (d) **Committee Approval.** If prior committee approval is unable to be obtained and noted in regular monthly meetings, the Department Head is to contact the chairman of the appropriate committee, and the chairman who will obtain verbal approval of a majority of the committee members. The committee chairman will then inform the ~~County Clerk~~ Accounting Department of the approval.
- (f) **Timely Submission.** All expenses shall be submitted to the ~~County Clerk~~ Accounting Department within thirty (30) days after the end of the month in which such expenses were incurred.

Sections (a), (b), (e) and (g) remain the same.

## Sec. 5-3-9 Reimbursement Schedule.

	<u>Existing Fee</u>	<u>New Fee</u>	
Mileage	\$ .34	Per Mile	
Lodging	<del>\$ 65.00</del>	\$ 82.00	Maximum per night
Meals	\$ 12.00		Maximum for meals when not an overnight stay
	<del>\$ 22.00</del>	\$ 28.00	Maximum for all meals in a day when an overnight stay
			Meal reimbursement is to include applicable sales tax and gratuities
Out of state travel expense	\$150.00		Maximum

Existing Sections 5-3-1, 5-3-2, 5-3-3, 5-3-4 and 5-3-6 of Title 5, Chapter 3 of the Columbia Code of Ordinances shall remain the same.

This Ordinance shall be effective upon publication.

Daniel J. See, Chairman  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Jeanne Miller  
COLUMBIA COUNTY CLERK

DATE PASSED:  
DATE PUBLISHED:

First reading of Ordinance.

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

Motion was made to table the Ordinance for the Finance Committee to further review and present at next month's meeting by Tramburg, second by Pufahl.

The motion to table carried unanimously.

**ORDINANCE Z315-04**  
**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 ~~Multiple~~ Single Family Residence”, (Jerry A. Blystone) a parcel of land located in Section 18, Town 12N, Range 9E, Town of Caledonia, more particularly described as follows: PARCEL NUMBER 1052.A, Lot 1 of Certified Survey Map Number 3970, located in Section 18, Town 12N, Range 9E, Town of Caledonia. Said property contains 1.47 acres, more or less.
- (2) “To change from Agricultural to Rural Residential”, (Walter Krueger) a parcel of land located in part of the NE ¼ of the NE ¼, Section 14, Town 10N, Range 11E, Town of Hampden, more particularly described as follows: PARCEL NUMBER 254, Beginning at the intersection of the south right-of-way line of State Trunk Highway 60 and the west line of the Northeast Quarter of the Northeast Quarter; thence East along the southerly right-of-way line of State Trunk Highway 60, 1,064.00 feet; thence South 350.00 feet; thence East 255.72 feet to a point in the east line of the Northeast Quarter of the Northeast Quarter and the center line of County Trunk Highway A; thence Southwesterly to a point in the west line of the Northeast Quarter of the Northeast said point also lying 1,047.05 feet from the southerly right-of-way line of State Trunk Highway 60; thence North along the west line of the Northeast Quarter of the Northeast Quarter, 1,047.05 feet to the point of beginning. Said property contains 19.20 acres, more or less. This rezoning effective upon recording of the final plat, however, the rezoning will be voided if the recording does not occur within one year of ordinance adoption.
- (3) “To change from Agricultural to rural Residential”, (Ed Nettesheim) a parcel of land located in part of the SE ¼ of the SE ¼, Section 7, Town 11N, Range 12E, Town of Fountain Prairie, more particularly described as follows: PARCEL NUMBER 138, Commencing at the Southeast corner of said Section 7; thence South 89°42’05” West along the south line of the Southeast Quarter of said Section 7, 1,007.30 feet; thence North 00°53’13” East, 586.93 feet to the point of beginning; thence South 89°52’12” West, 296.69 feet; thence North 00°53’13” East, 734.21 feet to a point in the north line of the Southeast Quarter of the Southeast Quarter of said Section 7; thence North 89°52’12” East along the north line of the Southeast Quarter of the Southeast Quarter of said Section 7, 296.69 feet; thence South 00°53’13” West, 734.21 feet to the point of beginning. Said property contains 5.00 acres, more or less.

Daniel J. See, Chair  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Jeanne Miller  
COLUMBIA COUNTY CLERK

DATE PASSED: February 18, 2004  
DATE PUBLISHED: February 25, 2004

First reading of Ordinance.

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

The motion carried unanimously.

Third reading of Ordinance.

Motion to adopt Ordinance was made by Pufahl, second by Baumgartner.

Motion carried, not unanimously. The Ordinance was declared passed and is to be known as Ordinance Z315-04.

Veterans Service, Donna Chrzas; Human Resources, Brent Miller; Register of Deeds, Penny Judd; Child Support, Mary Saunders; Coroner/Risk Manager, Marc Playman; County Clerk, Jeanne Miller; and Corporation Counsel, Joseph Ruf; presented department annual reports.

A motion to suspend the rules and adjourn meeting at 12:22 p.m. until Wednesday, March 17, 2004, at 9:45 a.m. was made by J. Curtis, second by Stoltenberg. The motion carried unanimously.

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
Columbia County, Wisconsin

Portage, Wisconsin  
March 17, 2004  
9:45 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 Supervisors were present, except Casey and Hutler, absent.

A motion to approve the Journal of February 18, 2004, as distributed was made by Salzwedel, second by Stevenson. Motion carried unanimously.

A motion to approve the agenda, as published, with an addition to the agenda of review March 17, 2004, County Board minutes, was made by Andler, second by Olson. Motion carried unanimously.

Supervisor Amato indicated the 2004 Columbia County Visitor's Guide has been completed and would be distributed.

Brent Miller, Human Resources Director, reported on the negotiated Columbia Health Care Center Contract. Motion was made to ratify the Columbia Health Care Center Contract by Tramburg, second by Ross. The motion carried unanimously.

**RESOLUTION 10-04**

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: \$18,820,000 Bond Anticipation Notes, dated March 3, 2004 (the "2004 Notes") (hereinafter the refinancing of the County's 2004 Notes shall be referred to as the "Refunding"), and there are insufficient funds on hand to pay said costs;

WHEREAS, the 2004 Notes were issued for the purpose of paying a portion of the cost of preparing a site and constructing and equipping a new highway facility; preparing a site, including demolishing existing buildings; constructing and equipping a new jail facility; remodeling and renovating the existing jail facility; and replacing the health and human services offices; and upgrading the heating system at the County health care center (the "Project");

WHEREAS, the County Board of Supervisors deems it to be necessary, desirable and in the best interest of the County to refund the 2004 Notes on their maturity date of June 1, 2004 for the purpose of providing permanent financing for such portion of the Project;

WHEREAS, the County Board of Supervisors has heretofore found and determined that the Project is within the County's power to undertake and serves a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes;

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;

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; 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 1. 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 EIGHTEEN MILLION EIGHT HUNDRED TWENTY THOUSAND DOLLARS (\$18,820,000) 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 1A. 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 EIGHTEEN MILLION EIGHT HUNDRED TWENTY THOUSAND DOLLARS (\$18,820,000) (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 April 1, 2004; 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 and shall mature on August 1 of each year, in the years and principal amounts as set forth on the schedule prepared by the Purchaser and attached hereto as Exhibit B (the "Schedule"). Interest is payable semi-annually on February 1 and August 1 of each year commencing on February 1, 2005.

Section 3. Redemption Provisions. At the option of the County, the Bonds maturing on August 1, 2015 and thereafter shall be subject to redemption prior to maturity on August 1, 2014 or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

If the Proposal specifies that any of the Bonds are subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment hereto as Exhibit MRP (the "Mandatory Redemption Provisions") and incorporated herein by this reference.

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 2004 through 2022 for the payments due in the years 2005 through 2023 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 \$18,820,000 Columbia County General Obligation Refunding Bonds dated April 11, 2004", 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. 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 excludable from gross income for federal income tax purposes, throughout their term. 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 excludable 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.

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, appointed herein, 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; Fiscal Agent. The principal of and interest on the Bonds shall be paid by Associated Trust Company, National Association, Green Bay, Wisconsin, which is hereby appointed as the County's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The Fiscal Agency Agreement between the County and the Fiscal Agent shall be substantially in the form attached hereto as Exhibit D and incorporated herein by this reference.

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. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded March 17, 2004.

Daniel J. See  
Chairperson

ATTEST:  
Jeanne Miller  
County Clerk

Motion was made to adopt the Resolution by Pufahl, second by Olson. The Resolution was adopted on a roll call vote as follows:

AYES: 29, NOES: 0, EXCUSED: 1, ABSENT: 1

AYES: Stoltenberg, Tramburg, Westby, Wingers, Wopat, Amato, Andler, Baumgartner, Boockmeier, J. Curtis, V. Curtis, DeYoung, Fitzgerald, Ford, Hamele, Healy, Horton, Kinney, Martin, Nelson, Olson, Pufahl, Riley, Robson, Ross, Salzwedel, Sanderson, Stevenson, and See.

EXCUSED: Hutler.

ABSENT: Casey.

Nancy Elsing reported the Governor, Department of Commerce and Department of Tourism had awarded Columbia County a \$20,000 planning grant to improve the County's economy and promote tourism.

#### **RESOLUTION 11-04**

WHEREAS, Section 74.42 (1), Wis. Stats., requires the County to reimburse municipalities for uncollected personal property taxes, and

WHEREAS, in 2003, these payments totaled Five Thousand Five Hundred Forty-Two Dollars (\$5,542).

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the amount of Five Thousand Five Hundred Forty-Two Dollars (\$5,542) be transferred from the Contingent Fund to the Personal Property Tax Expense Account in accordance with Section 74.42 (1), Wis. Stats.

Fiscal Note:  
Transfer \$5,542 from the  
Contingent Fund No.  
100.350000 to the  
Personal Property Tax Expense  
Account No. 1565

John H. Tramburg  
Debra L.H. Wopat  
Susan Martin  
Robert L. Hamele  
Michael J. Kinney  
FINANCE COMMITTEE

Motion was made to adopt the Resolution by J. Curtis, second by Hamele. The Resolution was unanimously adopted.

#### **RESOLUTION 12-04**

WHEREAS, the 2003 Elections account is overdrawn in the amount of \$5,659 due to an unanticipated spring primary election.

NOW, THEREFORE, BE IT RESOLVED, that the sum of \$5,659 be transferred from the pre-closing General Fund to the Elections account.

Fiscal Note: Transfer \$5,659 from the pre-closing General Fund account 100.341100 to the Elections account #1420.

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

Motion was made to adopt the Resolution by V. Curtis, second by Horton. The Resolution was unanimously adopted.

#### **RESOLUTION 13-04**

WHEREAS, the Columbia County CPR/AED policy requires biannual training for County designated first responders in cardiopulmonary resuscitation and automated external defibrillation, and

WHEREAS, Columbia County policy designates the Safety and OSHA Budget to pay for the above training and,

WHEREAS, the policy also requires the Safety and OSHA Budget to pay for Defibrillator supplies, including batteries, and

WHEREAS, Columbia County has received largely from grant monies, twenty seven (27) automated external defibrillators for County use, and

WHEREAS, two years have passed and training and supplies are now needed, and

WHEREAS, budget money was not allocated in the 2004 Safety and OSHA Budget to sufficiently carry out this policy.

NOW, THEREFORE BE IT RESOLVED that up to \$2000.00 be transferred from the Contingency Fund to the Safety and OSHA Budget account.

BE IT FURTHER RESOLVED that any grant funding received will reimburse the General Fund for this transfer.

Fiscal Note:

Transfer an amount not to exceed  
\$2,000 from the Contingency Fund  
Account #100.350000 to the Safety  
and OSHA Budget Account #1271

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

Motion was made to adopt the Resolution by Martin, second by Wopat. The Resolution was unanimously adopted.

**RESOLUTION 14-04**

WHEREAS, the 2003 Human Resources & Personnel account is overdrawn in the amount of \$27,133 due to a large number of arbitration hearings and the complexities involved in performing the dual roles of Acting HR Director and Corporation Counsel for Columbia County.

NOW, THEREFORE, BE IT RESOLVED, that the following transfer be made from the 2003 pre-closing General Fund to the following account:

Human Resources & Personnel	\$27,133.00
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Fiscal Note: Transfer \$27,133  
from the pre-closing General Fund  
account #100.341100 to the Human  
Resources & Personnel account #1431

Richard C. Boockmeier  
J. Robert Curtis  
Andy Ross  
Susan Martin  
Debra L.H. Wopat  
HUMAN RESOURCES COMMITTEE

Motion was made to adopt the Resolution by Wopat, second by Boockmeier. The Resolution was unanimously adopted.

**RESOLUTION 15-04**

WHEREAS, the 2003 Sheriff Department Accounts are collectively overdrawn in the amount of \$266,850 due to Sheriff overtime and a decrease in Board of Prisoner revenue and,

WHEREAS, the 2003 Court Commissioner account is overdrawn in the amount of \$3,410 due to court reporter services costs and,

WHEREAS, the 2003 Clerk of Courts account is overdrawn in the amount of \$1,187 due to Guardian Ad Litem Costs, and

WHEREAS, the 2003 Coroner account is overdrawn in the amount of \$7,539 due to autopsies and lower than budgeted Death Certificate Fees.

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	\$266,850
Court Commissioner	\$ 3,410
Clerk of Courts	\$ 1,187
Coroner	\$ 7,539

Fiscal Note: Net out all Sheriff's Dept. accounts. Transfer \$266,850 from pre-closing General Fund #100.341100 to various Sheriff's Department accounts. Transfer \$12,136 from the pre-closing General Fund #100.341100 with \$3,410 to Court Commissioner account #1240, \$1,187 to Clerk of Court account #1220, and \$7,539 to the Coroner account #1270.

Kenneth W. Hutler  
Jack Sanderson  
Robert R. Westby  
Neil M. Ford  
John H. Healy  
JUDICIARY COMMITTEE

Motion was made to adopt the Resolution by Westby, second by Sanderson. The Resolution was unanimously adopted.

#### **RESOLUTION 16-04**

WHEREAS, Attorney Randall Lueders has filed a Notice of Circumstances of Claim and Claim against Columbia County on behalf of Schumann Printers, Inc. in the amount of \$9,577.80 for temporary loss of electrical service, 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 Randall Lueders on behalf of Schumann Printers, Inc.

Fiscal Note: None

Kenneth W. Hutler  
Jack Sanderson  
Robert R. Westby  
Neil M. Ford  
John H. Healy  
JUDICIARY COMMITTEE

Motion was made to adopt the Resolution by Healy, second by Westby. The Resolution was unanimously adopted.

#### **RESOLUTION 17-04**

WHEREAS amendments 70.09 (2) (intro.), 70.09 (2) (a) (intro.), 70.09 (2) (a) 1., 70.09 (2)(b), 70.09 (2) (c) and 70.09 (3) (d); and to create 70.09 (2) (am) and 70.09 (2) (dm) of the statutes; relating to: the duties of a real property lister has been drafted, and

WHEREAS the Wisconsin Land Information Program has provided grant funding to modernize the land records functions in Wisconsin counties, and

WHEREAS Columbia County has appointed the Director of Land Information to coordinate the modernization of business functions pertaining to property listing, geographic information systems, recording of legal documents and the processing and receipting property tax bills, and

WHEREAS the Columbia County Land Information Department, under the direction of the Director of Land Information, already performs the duties listed in the proposed amendment to 70.09, and

WHEREAS implementation of the proposed amendments to 70.09 would result not only in the reorganization and reversal of modernization efforts implemented in the county, but incur additional unnecessary costs to the County, and

WHEREAS the Columbia County Board of Supervisors maintains that the assignment of personnel resources in Columbia County is best directed by the Columbia County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors opposes the draft amendments to 70.09.

BE IT FURTHER RESOLVED that a copy of this Resolution is sent to Governor James Doyle, legislators representing Columbia County, the Wisconsin Counties Association, and members of the Wisconsin Land Information Board.

FISCAL NOTE: None

JoAnn Wingers  
Robert Andler  
Eugene Fitzgerald  
Robert Hamele  
Robert Stoltenberg  
LAND INFORMATION AND  
RECORDS COMMITTEE

Motion was made to adopt the Resolution by Horton, second by Hamele. The Resolution was unanimously adopted.

#### **RESOLUTION 18-04**

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, Daniel Amato has served as County Board Supervisor representing District 24 from April 21, 1998, to March 17, 2004, and

WHEREAS, Mr. Amato served as Chair of the Solid Waste Committee from April, 2002, to March, 2004, and

WHEREAS, Mr. Amato served on the following committees: Economic Development, Highway, Solid Waste, TIF and Tourism.

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

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

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

Craig P. Casey  
Kenneth W. Hutler  
Richard C. Boockmeier  
Vincent D. Curtis  
JoAnn Wingers  
Barry Pufahl  
Neil M. Ford  
Robert J. Stoltenberg  
Gerald L. Salzwedel  
Robert Westby

Donald P. Nelson  
Kenneth E. Olson  
Edward P. Riley  
John H. Healy  
Harlan Baumgartner  
Susan Martin  
Claire R. Robson  
Robert J. Andler  
Jack Sanderson  
Eugene M. Fitzgerald

Robert L. Hamele  
J. Robert Curtis  
Michael J. Kinney  
Don DeYoung  
Debra L. H. Wopat  
Harlan Horton  
Andy Ross  
Daniel J. See  
John H. Tramburg  
John G. Stevenson

#### **RESOLUTION 19-04**

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, Craig P. Casey has served as County Board Supervisor representing District 1 from February 19, 2003, until March 17, 2004, and

WHEREAS, Mr. Casey served on the following committees: Health and Human Services and Property and Insurance.



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

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

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

Daniel J. See  
Kenneth W. Hutler  
Richard C. Boockmeier  
Vincent D. Curtis  
JoAnn Wingers  
Barry Pufahl  
Neil M. Ford  
Robert J. Stoltenberg  
Gerald L. Salzwedel  
Robert Westby

Donald P. Nelson  
Kenneth E. Olson  
Edward P. Riley  
John H. Healy  
Harlan Baumgartner  
Susan Martin  
Claire R. Robson  
Robert J. Andler  
Jack Sanderson  
Eugene M. Fitzgerald

Robert L. Hamele  
J. Robert Curtis  
Michael J. Kinney  
Don DeYoung  
Debra L. H. Wopat  
Harlan Horton  
Andy Ross  
Daniel Amato  
John H. Tramburg  
John G. Stevenson

#### **RESOLUTION 20-04**

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, Eugene M. Fitzgerald has served as County Board Supervisor representing District 31 from April 18, 1972, to March 18, 1998, and District 30 from April 16, 2002, until March 17, 2004, and

WHEREAS, Mr. Fitzgerald served as County Board Chair from April, 1996, to March, 1998, and

WHEREAS, Mr. Fitzgerald served as County Board Vice Chair from April, 1994, to March, 1996, and

WHEREAS, Mr. Fitzgerald served as Chair of the Executive Committee from April, 1996, to March, 1998; as Chair of the Planning and Zoning Committee from April, 1976, to March, 1994, and

WHEREAS, Mr. Fitzgerald served on the following committees: Condemnation Commission, Executive, Finance, Highway, Highway Safety, Housing Authority, Inter-county Coordinating, Land Information and Records, Personnel, Planning and Zoning, Solid Waste, Waste Management, Wisconsin Counties Utility Tax Association and WCA Legislative.

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

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

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

Craig P. Casey  
Kenneth W. Hutler  
Richard C. Boockmeier  
Vincent D. Curtis  
JoAnn Wingers

Donald P. Nelson  
Kenneth E. Olson  
Edward P. Riley  
John H. Healy  
Harlan Baumgartner

Robert L. Hamele  
J. Robert Curtis  
Michael J. Kinney  
Don DeYoung  
Debra L. H. Wopat

Barry Pufahl  
Neil M. Ford  
Robert J. Stoltenberg  
Gerald L. Salzwedel  
Robert Westby

Susan Martin  
Claire R. Robson  
Robert J. Andler  
Jack Sanderson  
Daniel J. See

Harlan Horton  
Andy Ross  
Daniel Amato  
John H. Tramburg  
John G. Stevenson

#### **RESOLUTION 21-04**

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, Edward P. Riley has served as County Board Supervisor representing District 7 from April 15, 1986, to March 18, 1992, and District 8 from April 21, 1992, to March 17, 2004, and

WHEREAS, Mr. Riley served as County Board Chair from April, 1994, to March, 1996, and

WHEREAS, Mr. Riley served as County Board Vice Chair from April, 1992, to March, 1994, and

WHEREAS, Mr. Riley served as Chair of the Health and Human Services Committee from April, 1998, to March, 2004; as Chair of the Executive Committee from April, 1994, to March, 1996; as Chair of the Property and Insurance Committee from April, 1991, to March, 1994, and April, 1996, to March, 1998; as Chair of the Land Information and Records Committee from April, 1991, to March, 1994, and

WHEREAS, Mr. Riley served on the following committees: Columbia Care Center, Commission on Aging, Community Options, Executive, Finance, Health and Human Services, Insurance, Inter-county Coordinating, Judiciary, Land Information and Records, Local Emergency Planning, Personnel, Property and Building Maintenance, Property and Printing, Redistricting, WCA Legislative, Wisconsin Counties Utility Tax Association and 9-1-1 Advisory.

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

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

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

Craig P. Casey  
Kenneth W. Hutler  
Richard C. Boockmeier  
Vincent D. Curtis  
JoAnn Wingers  
Barry Pufahl  
Neil M. Ford  
Robert J. Stoltenberg  
Gerald L. Salzwedel  
Robert Westby

Donald P. Nelson  
Kenneth E. Olson  
Daniel J. See  
John H. Healy  
Harlan Baumgartner  
Susan Martin  
Claire R. Robson  
Robert J. Andler  
Jack Sanderson  
Eugene M. Fitzgerald

Robert L. Hamele  
J. Robert Curtis  
Michael J. Kinney  
Don DeYoung  
Debra L. H. Wopat  
Harlan Horton  
Andy Ross  
Daniel Amato  
John H. Tramburg  
John G. Stevenson

#### **RESOLUTION 22-04**

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, JoAnn Wingers has served as County Board Supervisor representing District 13 from April 18, 1995, until March 17, 2004, and

WHEREAS, Ms. Wingers served as Chair of the Land Information and Records Committee from April, 2002, to March, 2004, and

WHEREAS, Ms. Wingers served on the following committees: Agriculture and Land and Water Conservation, Health and Human Services, Human Resources, Land Information and Records, Health and Human Services and TIF.

NOW, THEREFORE, BE IT RESOLVED that the Columbia County Board of Supervisors hereby expresses its appreciation and commends JoAnn Wingers for her faithful and dedicated years of service to the people of Columbia County and wishes her 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 Ms. Wingers.

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

Craig P. Casey  
Kenneth W. Hutler  
Richard C. Boockmeier  
Vincent D. Curtis  
Daniel J. See  
Barry Pufahl  
Neil M. Ford  
Robert J. Stoltenberg  
Gerald L. Salzwedel  
Robert Westby

Donald P. Nelson  
Kenneth E. Olson  
Edward P. Riley  
John H. Healy  
Harlan Baumgartner  
Susan Martin  
Claire R. Robson  
Robert J. Andler  
Jack Sanderson  
Eugene M. Fitzgerald

Robert L. Hamele  
J. Robert Curtis  
Michael J. Kinney  
Don DeYoung  
Debra L. H. Wopat  
Harlan Horton  
Andy Ross  
Daniel Amato  
John H. Tramburg  
John G. Stevenson

Motion was made to adopt the Resolutions honoring Supervisors by Tramburg, second by Hamele. The Resolutions were unanimously adopted.

#### **ORDINANCE NO. 74-04**

The Columbia County Board of Supervisors hereby amends Title 5, Chapter 3 (Expense Reimbursement) of the Columbia County Code of Ordinances as follows:

##### **Sec. 5-3-5 Lodging Expense.**

- (a) Allowable Rates. Eligible persons shall be reimbursed in full for hotel or motel expense at the rate established by Resolutions presented by the Finance Committee and approved by the County Board. Lodging costs in excess of the established rate which are at the site of a conference or convention shall be ~~submitted to the Finance Committee and shall be~~ allowed if reasonable. If found to be unreasonable, reimbursement shall be limited to the maximum rate.
- (b) Spouse Attendance. In the event the spouse of an eligible person shares a room, reimbursement shall be made only on the basis of the single room rate. The employee shall document that "single" rate.
- (c) Purchase Order Requirement. Prior to departure, a Purchase Order must be obtained from the Purchasing Agent for lodging expense. Attached to the request must be a copy of the registration information. Payment shall thereafter be made only upon submission of an original Invoice. Payment shall not be made unless a Purchase Order is on ~~file~~ record in the ~~Clerk's~~ Accounting Office.
- (d) Distance Requirement. In order to obtain lodging reimbursement for a meeting or conference within a 45 mile radius of the County seat, eligible persons must attach to the Purchase Order a written request which contains the reasons why reimbursement should be granted, as well as a copy of the registration information. A Purchase Order for lodging must be issued prior to departure. Such lodging expense shall be approved by the County Accounting Office ~~Clerk~~ if the

- eligible person is participating in a night meeting or is on the committee presenting the conference or training.
- (e) Night Prior to Conference. Lodging for the night prior to a conference shall only be allowed for distances over 60 miles from the County seat when the conference or training begins earlier than 9:00 a.m. Lodging expenses shall be approved by the County Accounting Office Clerk if the eligible person is participating in a night meeting prior to the beginning of the conference or is on the committee presenting the conference or training and has obtained prior approval by the governing committee.
  - (f) County Board Supervisors shall adhere to the Standing Rules for allowability on overnight stays associated with conferences.

Sec. 5-3-7 Conventions and Conferences.

- (a) Requirements. Attendance by department heads and employees at conventions, conferences, seminars, and training sessions shall be approved prior to attendance by the governing committee. County board or committee member attendance shall be approved prior to attendance by the Executive Committee or be included in the budget. Prior to departure, a Purchase Order must be obtained from the Purchasing Agent for the registration and/or hotel fees. Payment shall not be made unless a Purchase Order is on ~~file record~~ in the ~~Clerk's~~ Accounting Office.

Sections (b) - (j) remain the same.

Sec. 5-3-8 General Rules.

- (c) Reimbursement Process. Claims for reimbursement of expenses shall be submitted on appropriate forms to the ~~County Clerk's~~ Accounting Office after approval by the Department Head, and shall thereafter be approved ~~by the governing committee and Finance Committee in the budget~~ prior to payment.
- (d) Committee Approval. If prior committee approval is unable to be obtained and noted in regular monthly meetings, the Department Head is to contact the chairman of the appropriate committee, and the chairman who will obtain verbal approval of a majority of the committee members. The committee chairman will then inform the ~~County Clerk~~ Accounting Department of the approval.
- (f) Timely Submission. All expenses shall be submitted to the ~~County Clerk~~ Accounting Department within thirty (30) days after the end of the month in which such expenses were incurred.

Sections (a), (b), (e) and (g) remain the same.

Sec. 5-3-9 Reimbursement Schedule.

	<u>Existing Fee</u>	<u>New Fee</u>	
Mileage	\$ .34	Per Mile	
Lodging	<del>\$ 65.00</del>	\$ 82.00	Maximum per night
Meals	\$ 12.00		Maximum for meals when not an overnight stay
	<del>\$ 22.00</del>	\$ 28.00	Maximum for all meals in a day when an overnight stay
			Meal reimbursement is to include applicable sales tax and gratuities
Out of state travel expense	\$150.00	Maximum	

Existing Sections 5-3-1, 5-3-2, 5-3-3, 5-3-4 and 5-3-6 of Title 5, Chapter 3 of the Columbia Code of Ordinances shall remain the same.

This Ordinance shall be effective upon publication.

Daniel J. See, Chairman  
COLUMBIA COUNTY  
BOARD OF SUPERVISORS  
Jeanne Miller  
COLUMBIA COUNTY CLERK

DATE PASSED: March 17, 2004

DATE PUBLISHED: March 24, 2004

First reading of Ordinance.

Motion by Martin, second 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 Baumgartner, second 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 to adopt Ordinance was made by Tramburg, second by Horton. Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance 74-04.

Annual report presentations were given by Clerk of Courts, Susan Raimer; Buildings and Grounds, Cory Wiegel; Planning and Zoning, John Bluemke; Land and Water Conservation, Kurt Calkins; Columbia Health Care Center, Amy Yamrisk; County Library, Harlan Baumgartner; Accounting, Lois Schepp; Sheriff, Steve Rowe and District Attorney, Jane Kohlwey. Emergency Management's Annual Report was postponed until May 2005.

On motion by Westby, second by Olson, the minutes of the March 17, 2004, meeting were approved. The motion carried unanimously.

On Motion by J. Curtis, second by Hamele, the meeting adjourned sine die at 12:37 p.m. The motion carried unanimously.