

# GRANT COUNTY BOARD OF SUPERVISORS

August 19, 2008

The Grant County Board of Supervisors met on Tuesday, August 19, 2008 at 7:00 p.m. in the Board Room of the Administration Offices, Lancaster, WI pursuant to the adjournment of the July 15, 2008 meeting.

\*\*\*\*

The meeting was called to order by Chairman John Patcle and the Pledge of Allegiance was given.

\*\*\*\*

Verification of compliance with the open meeting law was a notice in the Herald Independent and the Fennimore Times, stating the date, time and place of the County Board meeting. Rodney Johnson, seconded by Ivan Farness, moved that we are in compliance with the open meeting law. Motion carried.

\*\*\*\*

Roll call was taken by the clerk resulting in 29 present, 1 absent, and 1 vacant.

INSERT #1

## ROLL CALL

	Present	Absent		Present	Absent
Linda Adrian	X		Paul Landon	X	
Stephen Adrian	X		Vern Lewison	X	
Eugene Bartels	X		Vincent Loeffelholz	X	
Carol Beals	X		Grant Loy	X	
Maynard Behncke	X		Lynn Moris	X	
William Biefer	X		Dwight Nelson	X	
Vacant			John Patcle	X	
DuWayne Carlin		X	Magaret Ruf	X	
Julia Clark	X		Tony Runde	X	
Ivan Farness	X		Robert Scallon	X	
Allan Jansen	X		Patrick Schroeder	X	
Lester Jantzen	X		Donald Splinter	X	
Rodney Johnson	X		Mark Stead	X	
Robert Keeney	X		Kyle Vesperman	X	
David Klar	X		Larry Wolf	X	
Joachim Hans Kostrau	X				

Therefore a quorum was present. DuWayne Carlin had asked to be excused.

\*\*\*\*

Vince Loeffelholz, seconded by Stephen Adrian, moved to approve the agenda with the deletion of the redistrict map. Motion carried.

\*\*\*\*

Linda Adrian, seconded by Pat Schroeder, moved to approve the minutes of July 15, 2008. Motion carried.

\*\*\*\*

Communications – There was no communications.

\*\*\*\*\*

Appointments – Chairman Patcle recommended the appointment of Mary Yager to the ADRC board. Lynn Moris, seconded by Paul Landon, moved to approve the appointment of Mary Yager. Motion carried. Chairman Patcle recommended the appointment of John Beinborn to the vacant seat of George Booth. Eugene Bartels, seconded by Pat Schroeder, moved to approve the appointment of John Beinborn. Motion carried.

\*\*\*\*\*

Bruce Bowden, from Platteville, presented the Blockhouse Cemetery addition. Hans Kostrau, seconded by Bill Biefer, moved to approve the addition. Motion carried.

\*\*\*\*\*

Lynda Schweikert and Carol Fritsche presented a power point presentation on the program provided by the Land & Water Conservation Department and the Natural Resource Conservation Service. Donald Splinter, seconded by Grant Loy, moved to approve the 2008 Grant County Land & Water Resource Management Plan. Motion carried.

\*\*\*\*\*

Hans Kostrau, seconded by Pat Schroeder, moved to dispense with the reading of the resolutions. Gayle Mason was present for the Center on Aging resolutions. Hans Kostrau, seconded by Ivan Farness, moved to approve the “Resolution Relating to Center on Aging – 85.21”.

INSERT #2

RESOLUTION #9-08  
RESOLUTION RELATING TO CENTER ON AGING

WHEREAS, Section 85.21 of the Wisconsin Statutes authorizes the Wisconsin Department of Transportation to make grants to the counties of Wisconsin for the purpose of assisting them in providing specialized transportation services to the elderly and the disabled; and

WHEREAS, each grant must be matched with a local share equal of not less than 20% times the amount of the grant; and

WHEREAS, this body considers that the provision of specialized transportation services would improve and promote the maintenance of human dignity and self-sufficiency of the elderly and the disabled.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Grant County on this 19<sup>th</sup> day of August, 2008, authorizes the Grant County Center on Aging to prepare and submit to the Wisconsin Department of Transportation an application for assistance during 2009 under Section 85.21 of the Wisconsin Statutes, in conformance with the requirements issued by that Department and also authorizes the obligation of county funds in the amount needed to provide the required local match.

BE IT FURTHER RESOLVED that the Board of Supervisors of Grant County authorizes the Chairman of the County Board of Supervisors to execute a state aid contract with the Wisconsin Department of Transportation under Section 85.21 of the Wisconsin Statutes on behalf of Grant County.

Recommended for passage this 16<sup>th</sup> day of July, 2008 by the Grant County Center on Aging Committee.

/s/ Margaret Steinhart  
/s/ Carol Beals  
/s/ Peter Esser  
/s/ Dick Kilian

/s/ Dan Dahlgren  
/s/ Larry Wolf  
/s/ Karla Witzig  
/s/ Julia Clark

/s/ Mary Lou Bausch

/s/ David Fritz

ATTEST:

I, Chris Carl, Grant County Clerk, do certify that this resolution was adopted by the Grant County Board of Supervisors at a meeting held on August 19, 2008.

/s/ Chris Carl, County Clerk

Motion carried.

\*\*\*\*\*

Robert Scallon, seconded by Eugene Bartels, moved to approve the "Resolution Relating to Center on Aging 85.20".

INSERT #3

RESOLUTION #10-08  
RESOLUTION RELATING TO CENTER ON AGING

WHEREAS, Section 85.20 (State Aid) of the Wisconsin Statutes authorizes the Wisconsin Department of Transportation to make grants to the counties of Wisconsin for the purpose of assisting them in providing subsidized taxi transportation service to residents of Grant County; and

WHEREAS, this body considers that the provision of subsidized taxi transportation services would improve and promote the maintenance of human dignity and self-sufficiency of Grant County residents.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Grant County on this 19<sup>th</sup> day of August, 2008, authorizes the Grant County Center on Aging to prepare and submit to the Wisconsin Department of Transportation an application for Public Transportation Operating Assistance during 2009 under Section 85.20 of the Wisconsin Statutes, in conformance with the requirements issued by that Department.

BE IT FURTHER RESOLVED that the Board of Supervisors of Grant County authorizes the Chairman of the County Board of Supervisors to execute a contract with the Wisconsin Department of Transportation under Section 85.20 of the Wisconsin Statutes on behalf of Grant County.

Recommended for passage this 16<sup>th</sup> day of July, 2008 by the Grant County Center on Aging Committee.

/s/ Margaret Steinhart

/s/ Dan Dahlgren

/s/ Carol Beals

/s/ Larry Wolf

/s/ Peter Esser

/s/ Karla Witzig

/s/ Dick Kilian

/s/ Julia Clark

/s/ Mary Lou Bausch

/s/ David Fritz

ATTEST:

I, Chris Carl, Grant County Clerk, do certify that this resolution was adopted by the Grant County Board of Supervisors at a meeting held on August 19, 2008.

/s/ Chris Carl, County Clerk

Motion carried.

\*\*\*\*\*

Donna Haines was present for the Orchard Manor resolution. Maynard Behncke, seconded by Tony Runde, moved to approve the resolution "Supplemental Payment/Certified Public Expenditure Program for County Nursing Homes".

RESOLUTION #11-08  
SUPPLEMENTAL PAYMENT/CERTIFIED PUBLIC EXPENDITURE PROGRAM FOR COUNTY  
NURSING HOMES

WHEREAS, The Supplemental Payment Program, formerly known as the intergovernmental transfer program, generates federal matching funds based on actual operating losses incurred by governmental nursing homes; and

WHEREAS, the amount of revenue that may be generated is capped by the federal government (Medicare Upper Limit); and

WHEREAS, all revenue generated from county nursing home losses is deposited in the state of Wisconsin's Medical Assistance Trust Fund; and

WHEREAS, the 2007-09 state biennial budget anticipates Medicaid deficits for county and municipal nursing homes of \$140,040,600 in FY 08 and \$136,858,800 in FY 09; and

WHEREAS, payments to counties from the federal match paid on county losses are capped at \$37.1 million each year, and the state anticipates utilizing \$40,000,000 in FY 08 and \$37,000,000 in FY 09 in federal matching funds for its Medicaid programs; and

WHEREAS, under current state law, total supplemental payments to county and municipal homes may not exceed \$37.1 million per year; and

WHEREAS, counties have never received less than \$37.1 million in payments annually; and

WHEREAS, county nursing homes generate significant losses as many county homes serve individuals with high acuity levels and intense behavioral needs; and

WHEREAS, the Medical Assistance rates paid to county nursing homes is insufficient to cover the cost of care for patients with significant care needs; and

WHEREAS, over the years, the number of county nursing homes has declined; and

WHEREAS, many counties can no longer afford to allocate property tax dollars to the operation of a county home, yet county homes provide a valuable public service; and

WHEREAS, if more counties sell or close their county nursing homes, county nursing home losses decrease, generating fewer dollars under the certified public expenditure program for county and state use; and

WHEREAS, as the \$37.1 million referenced in statute represents a cap on payments to counties, the state has the ability to provide payments to county and municipal homes in an amount less than \$37.1 million.

NOW, THEREFORE, BE IT RESOLVED that the Grant County Board of Supervisors supports a legislative change requiring the state of Wisconsin to pay county and municipal nursing homes at least \$37.1 million annually under the supplemental payment program; and

BE IT FURTHER RESOLVED that the Wisconsin Counties Association and the Wisconsin Association of County Homes work in cooperation with the Department of Health Services to develop a plan to return all revenue generated from county nursing home losses to counties over a five-year period.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to DHS Secretary Karen Timberlake, DOA Secretary Michael Morgan, Governor Jim Doyle, all area legislators and the Wisconsin Counties Association.

Recommended to the Grant County Board by the Orchard Manor – Farm Committee on August 13, 2008.

/s/ Tony Runde, Chairman

/s/ Maynard Behncke

/s/ Joachim Hans Kostrau

/s/ Paul Landon

/s/ Vince Loeffelholz

ATTEST:

I, Chris Carl, Grant County Clerk, do certify that this resolution was adopted by the Grant County Board of Supervisors at a meeting held on August 19, 2008.

/s/ Chris Carl, County Clerk

Motion carried.

\*\*\*\*

Grant applications – Paul Thares requested applying for a JEM Grant. This project is supported by 3 counties. The goals of the project are a new website to attract bicyclists and a 3 county bicycle map. The grant is a \$80,171 matching grant with the match being in-kind services. Ivan Farness, seconded by Dwight Nelson, moved to approve the request. Motion carried. Gayle Mason and Rita Harmon requested four grants. The 85.21 grant for a total of \$219,332, these funds are used to operate the buses, TRIPS program and Taxi and Lift program. Hans Kostrau, seconded by Linda Adrian, moved to approve the grant request. Motion carried. The DOT Section 5311 grant for a request of \$25,000, these funds are used to operate the Taxi program. Larry Wolf, seconded by Eugene Bartels, moved to approve the request. Motion carried. The DOT STRAP grant for a request of \$20,730, these funds are used to operate a taxi in the cities of Dodgeville, Mineral Point and/or Darlington. No county funds for this program. The 5 county consortium STRAP fund to partially fund the LIFT office in Dodgeville for \$80,943, Grant County match is \$3,238. Pat Schroeder, seconded by Kyle Vesperman, moved to approve the requests. Motion carried. DOT – New Freedom grant for a total of \$91,109 for the LIFT office with a Grant County match of \$3,644. Ivan Farness, seconded by Lynn Moris, moved to approve the request. Motion carried. Keith Govier, Sheriff's Department, requested a grant from Alliant Energy for \$5,000 with no county match. This funds would be used for a water rescue and recovery program. Mark Stead, seconded by Bill Biefer, moved to approve the request. Motion carried.

\*\*\*\*

Terry Loeffelholz presented the Farmland Preservation Agreements. Gregory & Jennifer VanNatta – Little Grant Township. Vince Loeffelholz, seconded by Eugene Bartels, moved to approve the agreement. Motion carried.

\*\*\*\*

Stephen Adrian, seconded by Lynn Moris, moved to dispense with the reading of the Rezoning Petitions. Motion carried.

Terry Loeffelholz presented the petitions. Pat Schroeder, seconded by Vern Lewison, moved to approve the “409<sup>th</sup> Amendment to the Grant County Zoning Ordinance”.

INSERT #5

409<sup>th</sup> AMENDMENT TO THE  
GRANT COUNTY ZONING ORDINANCE

WHEREAS, a petition for text amendment was filed and a public hearing was held by the Grant County Planning and Zoning Committee, meeting the requirements of Chapter 59.69; and

WHEREAS, a proof of publication and giving notice to Wingville Township Clerk of such hearing is attached to this document; and

WHEREAS, the Planning and Zoning Committee now recommends to the Board of Supervisors of Grant County the adoption of this map amendment.

THEREFORE, the Grant County Board of Supervisors does ordain as follows: That the Zoning District Map for the Township of Wingville will be amended to include the following described land in the Agriculture A-2.

Located in the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section 15 T6N R1W of Wingville Township.

Parcel 1: Commencing at the West quarter (W ¼) of Section 15; thence East 262.62'; thence North 400.00'; thence West 326.00'; thence South 400.00'; thence East 63.38' to point of beginning.

This parcel containing 3+ acres, more or less and is subject to any and all easements of record and/or usage.

The undersigned hereby certify that the foregoing map amendment to the Grant County Zoning Ordinance was adopted on the 19<sup>th</sup> day of August, 2008.

/s/ John Patcle, Chairman

/s/ Chris Carl, County Clerk

Motion carried with Bill Biefer abstaining.

Wisconsin State Statute 91.77 (1) requires that: Petition for rezoning receives approval only after findings were made based on consideration of the following: Adequate public facilities to accommodate development either exist or will be provided within a reasonable time: This rezone would allow this parcel to be conforming for Agriculture A-2. Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of affected local units of government to provide them: Town of Wingville as being on record as in favor of the rezone. The land proposed for rezoning is suitable for development and development will not result in undue water or air pollution, cause unreasonable adverse effect on rare or irreplaceable natural areas: Soil erosion would not be an issue on this site. This is not an identified natural area.

\*\*\*\*\*

Larry Wolf, seconded by Eugene Bartels, moved to approve the "411<sup>th</sup> Amendment to the Grant County Zoning Ordinance".

INSERT #6

411<sup>th</sup> AMENDMENT TO THE  
GRANT COUNTY ZONING ORDINANCE

WHEREAS, a petition for text amendment was filed and a public hearing was held by the Grant County Planning and Zoning Committee, meeting the requirements of Chapter 59.69; and

WHEREAS, a proof of publication and giving notice to South Lancaster Township Clerk of such hearing is attached to this document; and

WHEREAS, the Planning and Zoning Committee now recommends to the Board of Supervisors of Grant County the adoption of this map amendment.

THEREFORE, the Grant County Board of Supervisors does ordain as follows: That the Zoning District Map for the Township of South Lancaster will be amended to include the following described land in the Light Industrial M-1.

Located in the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of Section 14, T4N R3W in South Lancaster Township.

Commencing at the East Quarter (E ¼) corner of said Section; thence South 01° 06' 40" East 1237.24' along the East line of said Section; thence South 88° 53' 20" West 440.96' to the point on the Westerly right of way of Highway #61 to the point of beginning; thence South 65° 41' 13" West 191.00' along the North line of that property described in Tract 2 of Volume 1022, Page 413 recorded as Document no. 667129, Grant County Registry, to the South line of the Northeast Quarter (NE ¼) of said Southeast Quarter (SE ¼); thence North 40° 23' 16" West 269.73'; thence North 52° 38' 07" East 271.14' to the Westerly right of way of Highway #61; thence South 37° 21' 53" East 367.18' along said right of way to the point of beginning.

This parcel containing 2.00 acres, more or less, and being subject to any and all recorded easements and rights-of-way.

The undersigned hereby certify that the foregoing map amendment to the Grant County Zoning Ordinance was adopted on the 19<sup>th</sup> day of August, 2008.

/s/ John Patcle, Chairman

/s/ Chris Carl, County Clerk

Motion carried with Kyle Vesperman abstaining.

Wisconsin State Statute 91.77 (1) requires that: Petition for rezoning receives approval only after findings were made based on consideration of the following: Adequate public facilities to accommodate development either exist or will be provided within a reasonable time: This rezone would allow this parcel to be confirming for Light Industrial M-1. Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of affected local units of government to provide them: Town of South Lancaster as being on record as in favor of the rezone. The land proposed for rezoning is suitable for development and development will not result in undue water or air pollution, cause unreasonable adverse effect on rare or irreplaceable natural areas: Soil erosion would not be an issue on this site. This is not an identified natural area.

\*\*\*\*\*

Mark Stead, seconded by Ivan Farness, moved to approve the "412<sup>th</sup> Amendment to the Grant County Zoning Ordinance".

INSERT #7

412<sup>th</sup> AMENDMENT TO THE  
GRANT COUNTY ZONING ORDINANCE

WHEREAS, a petition for text amendment was filed and a public hearing was held by the Grant County Planning and Zoning Committee, meeting the requirements of Chapter 59.69; and

WHEREAS, a proof of publication and giving notice to Wingville Township Clerk of such hearing is attached to this document; and

WHEREAS, the Planning and Zoning Committee now recommends to the Board of Supervisors of Grant County the adoption of this map amendment.

THEREFORE, the Grant County Board of Supervisors does ordain as follows: That the Zoning District Map for the Township of Wingville will be amended to include the following described land in the Agriculture A-2.

Located in the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section 15 T6N R1W of Wingville Township.

Parcel 2: Commencing at the West quarter (W ¼) of Section 15; thence East 1020.10' to point of beginning; thence East 300.00'; thence North 450.00'; thence West 300.00' thence South 450.0' to point of beginning.

This parcel containing 3+ acres, more or less and is subject to any and all easements of record and/or usage.

The undersigned hereby certify that the foregoing map amendment to the Grant County Zoning Ordinance was adopted on the 19<sup>th</sup> day of August, 2008.

/s/ John Patcle, Chairman

/s/ Chris Carl, County Clerk

Motion carried with Bill Biefer abstaining.

Wisconsin State Statute 91.77 (1) requires that: Petition for rezoning receives approval only after findings were made based on consideration of the following: Adequate public facilities to accommodate development either exist or will be provided within a reasonable time: This rezone would allow this parcel to be confirming for Agriculture A-2. Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of affected local units of government to provide them: Town of Wingville as being on record as in favor of the rezone. The land proposed for rezoning is suitable for development and development will not result in undue water or air pollution, cause unreasonable adverse effect on rare or irreplaceable natural areas: Soil erosion would not be an issue on this site. This is not an identified natural area.

\*\*\*\*\*

Hans Kostrau, seconded by Lester Jantzen, moved to approve the “413<sup>th</sup> Amendment to the Grant County Zoning Ordinance” – recertification of Ellenboro Town Zoning.

INSERT #8

413<sup>th</sup> AMENDMENT TO THE  
GRANT COUNTY ZONING ORDINANCE



WHEREAS, a petition for map amendment was filed and a public hearing was held by the Grant County Planning and Zoning Committee, meeting the requirements of Chapter 59.69; and

WHEREAS, a proof of publication and giving notice to Ellenboro Township Clerk of such hearing is attached to this document; and

WHEREAS, the Planning and Zoning Committee now recommends to the Board of Supervisors of Grant County the adoption of this map amendment.

THEREFORE, the Grant County Board of Supervisors does ordain as follows:

That the Zoning District Map for the Township of Ellenboro will be Recertified to include the zoning district boundaries as shown on the attached official Zoning Map for the Town of Ellenboro.

The undersigned hereby certify that the foregoing map amendment to the Grant County Zoning Ordinance was adopted on the 19<sup>th</sup> day of August, 2008.

/s/ John Patcle, Chairman

/s/ Chris Carl, County Clerk

Motion carried.

\*\*\*\*\*

Rodney Johnson, seconded by Vern Lewison, moved to approve the “414<sup>th</sup> Amendment to the Grant County Zoning Ordinance” – recertification of Watterstown Town Zoning.

INSERT #9

#### 414<sup>th</sup> AMENDMENT TO THE GRANT COUNTY ZONING ORDINANCE

WHEREAS, a petition for map amendment was filed and a public hearing was held by the Grant County Planning and Zoning Committee, meeting the requirements of Chapter 59.69; and

WHEREAS, a proof of publication and giving notice to Watterstown Township Clerk of such hearing is attached to this document; and

WHEREAS, the Planning and Zoning Committee now recommends to the Board of Supervisors of Grant County the adoption of this map amendment.

THEREFORE, the Grant County Board of Supervisors does ordain as follows:

That the Zoning District Map for the Township of Watterstown will be Recertified to include the zoning district boundaries as shown on the attached official Zoning Map for the Town of Watterstown.

The undersigned hereby certify that the foregoing map amendment to the Grant County Zoning Ordinance was adopted on the 19<sup>th</sup> day of August, 2008.

/s/ John Patcle, Chairman

/s/ Chris Carl, County Clerk

Motion carried.

\*\*\*\*\*

Terry presented the "Report to the Grant County Board of Supervisors Relative to a Petition to Deny the Rezone Map #410<sup>th</sup> Thomas Clayton, Town of Clifton".

INSERT #10

REPORT TO THE GRANT COUNTY BOARD  
OF SUPERVISORS RELATIVE TO A PETITION  
TO DENY THE REZONE MAP #410<sup>TH</sup> THOMAS CLAYTON,  
TOWN OF CLIFTON

We the undersigned members of the Grant County Planning & Zoning Committee do hereby report relative to a public hearing held on July 24, 2008 on a petition filed by Thomas Clayton to change the Grant County Zoning Ordinance from Exclusive Agriculture – EAZ to Commercial C-2 land located in Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section 24 in Town of Clifton.

That at a public meeting on July 24, 2008, the Planning & Zoning Committee took action on the reclassification request as provided in Chapter 59.69 (5-e-4). We now recommend to the Grant County Board of Supervisors that the Board deny the petition for the following reason.

John Patcle made a motion for denial the rezoning petition for Thomas Clayton to rezone from Exclusive Agriculture EAZ to Commercial C-2. This request concerns this property would be in the right of way of the DOT project for the new Hwy 80 that will be constructed in 2012. If this property is developed at this time new construction on this property could be in the right of way of the new road, seconded by Al Jansen. Motion carried.

Dated this 24<sup>th</sup> day of July, 2008.

/s/ Gene Bartels, Chairman  
/s/ Allen Jansen  
Hans Kostrau  
/s/ Dave Klar

/s/ Dwight Nelson  
/s/ Rodney Johnson  
/s/ Lester Jantzen  
/s/ John Patcle

Paul Place had asked to speak regarding this denial. He presented a fax transmittal to the board from the Wisconsin Department of Transportation regarding the highway plans. Allan Jansen, seconded by Carol Beals, moved to table any action and send this back to the Planning and Zoning Committee after Mr. Helmuth meets with the town board. Motion carried. Maynard Behncke asked for a letter from DOT stating they are in agreement with the plans.

\*\*\*\*\*

There were no livestock claims.

\*\*\*\*\*

Committee reports were given at this time.

\*\*\*\*\*

There were no Public Comments. Assembly candidates were given time to speak before the board. They were Travis Tranel, Dennis Lundell and David Kuhle. Kristin Schier and Linda Gebhard were also given an opportunity to speak.

\*\*\*\*\*

Maynard Behncke, seconded by Robert Scallon, moved to adjourn the meeting to Tuesday, September 16, 2008 at 7:00 p.m. Motion carried.

