

GRANT COUNTY BOARD OF SUPERVISORS

MARCH 16, 2010

The Grant County Board of Supervisors met on Tuesday, March 16, 2010 at 9:00 a.m. in the Board Room of the Administration Building, Lancaster, WI pursuant to the adjournment of the February 16, 2010 meeting.

Chair John Patcle called the meeting to order and the Pledge of Allegiance was recited.

Verification of compliance with the open meeting law was a notice in the Herald Independent stating the date, time and place of the County Board Meeting. Larry Wolf, seconded by Ivan Farness, moved that the meeting is in compliance with the open meeting law. Motion carried.

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
John Beinborn	X		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				

The Clerk took the roll call resulting in 26 present, 5 excused absent.

Vince Loeffelholz, seconded by John Beinborn, made a motion to approve the agenda. Motion carried.

Don Splinter, seconded by Linda S. Adrian, made a motion to approve the minutes. Motion carried.

Employee Recognition: Linda Schmelz was not present to receive her Certificate of Recognition for her 39 years of service for Grant County in the Register of Deeds Office.

Communications: John Patcle extended a Thank you to all the County Board Supervisors who chose not to run for the position in the April 6th Spring Election for their years of service to Grant County.

Appointments: None.

Grants: Jeff Kindrai, Health Department Director, asked for Board approval for the Rural Safety Day Grant, funding to promote injury prevention in children. The Grant is through the UW-Center for Agriculture Safety and Health, funding period is from January 1, 2010 to December 31, 2010 for \$500.00 with no match or other financial or legal liability to the County. Hans Kostrau, seconded by Rodney

Johnson, made a motion to approve the Rural Safety Day Grant for the Health Department. Motion carried.

Jeff Kindrai also informed the Board that the Health Department would reapply for the STOP Grant for the tobacco awareness. The Health Department will reapply in June for \$500.00 no match to the County. Allan Jansen, seconded by Linda S. Adrian, made a motion for the Health Department to reapply for this grant. Motion carried.

Ron Brisbois, Grant County Economic Development, was present to inform the Board that he would be applying to the USDA Rural Development for an Intermediary Relending Program. If successful, Economic Development will be looking to lend funds to financially sound businesses and municipalities. It has been discussed in the past to lend funds of \$150,000 to the county for the new fair building. The loan would be at 1% if Ron is successful in receiving this program.

Ted Bay was present at the Board meeting to request their endorsement of a grant application for an on-farm study of aphanomyces disease in alfalfa. The grant would be used for laboratory fees for soil and plant tissue testing. The goal of the study is to find cost effective ways of addressing this disease. Costs of the study are still being determined but they anticipate applying for \$1000-\$1500. This grant does not require matching funds. Vince Loeffelholz, seconded by Grant Loy, made a motion to approve this grant for the UW Extension Office. Motion carried.

Joyce Roling, Personnel Director presented the Resolution concerning the Sheriff, Clerk of Court and Coroner salaries for the next 4-year term. This Resolution was approved by Law Enforcement, ERC, and Finance. Rodney Johnson, seconded by Patrick Schroeder, made a motion to approve the following Resolution. Roll call vote was called.

INSERT #2: **Resolution No. #57-08**

Resolution Concerning Elected Official Salary Adjustment for the Next Term of Office

WHEREAS, Wisconsin Statutes require that an elected official's compensation must be set prior to the date when candidates take out papers to run for local office (positions for this term include Clerk of Court, Sheriff, and Coroner); and

WHEREAS, The Finance and Executive Committee met on March 10, 2010, reviewed appropriate committee recommendations and recommends the approval of the following salary rates for Grant County elected official positions:

Effective Date	1/3/2011	1/2/2012	1/7/2013	1/6/2014
Sheriff	\$57,232 (90% of current rate of \$63,591 as requested by the Sheriff)	\$64,227	\$64,869	\$65,518
Clerk of Court	\$52,038	\$52,558	\$53,084	\$53,615
Coroner	\$75 per call	\$75 per Call	\$75 per Call	\$75 per Call

The above salaries reflect a zero percent increase for 2011, and a 1% for 2012, 2013, and 2014 for the Clerk of Court and the Sheriff. However, the current Sheriff requested to reduce the first year by 10% to assist with the budget. The Coroner per diem remains the same as the current term.

Please note that in addition to the above salary, the elected officials will continue to be eligible for health and life insurance benefits at the same contribution as the department heads.

NOW, THEREFORE, BE IT RESOLVED by the Grant County Board of Supervisors that the County is authorized to adjust said elected official compensation.

OFFERED BY THE FINANCE AND EXECUTIVE COMMITTEE:

/s/ Mark Stead, Chair

/s/ Lynn Moris

/s/ John Patcle

/s/ Joachim Hans Kostrau

/s/ Robert Keeney

/s/ Stephen Adrian

/s/Eugene Bartels

ATTEST:

I, Linda Gebhard, Grant County Clerk, do certify that this resolution was adopted by the Grant County Board of Supervisors at a meeting held on March 16, 2010.

/s/ Linda Gebhard, County Clerk

Estimated Fiscal Impact – Salary only:

2011 (\$6,359) under 2010 (because of the Sheriff's reduction)
 2012 \$7,515 over 2011
 2013 \$1,168 over 2012
 2014 \$1,180 over 2013

INSERT #3: Roll Call Vote

DATE March 16, 2010

QUESTION Elected Official Salary Adjustment

	YES	NO	ABSENT
1. IVAN FARNESS	X		
2. WILLIAM BIEFER	X		
3. RODNEY JOHNSON	X		
4. ROBERT SCALLON			X
5. DUWAYNE CARLIN	X		
6. ROBERT KEENEY	X		
7. JOACHIM HANS KOSTRAU	X		
8. LYNN MORIS	X		
9. MAYNARD BEHNCKE	X		
10. PAUL LANDON			X
11. LARRY WOLF	X		
12. VERN LEWISON			X
13. GRANT LOY	X		
14. STEPHEN ADRIAN	X		
15. JOHN PATCLE	X		
16. LESTER JANTZEN	X		
17. KYLE VESPERMAN	X		
18. PATRICK SCHROEDER	X		

19. DAVE KLAR	X		
20. JOHN BEINBORN	X		
21. EUGENE BARTELS	X		
22. VINCENT LOEFFELHOLZ	X		
23. MARK STEAD	X		
24. MARGARET RUF			X
25. JULIA CLARK	X		
26. DWIGHT NELSON			X
27. LINDA ADRIAN	X		
28. CAROL BEALS	X		
29. DONALD SPLINTER	X		
30. ALLAN JANSEN	X		
31. TONY RUNDE	X		

The Clerk took a roll call vote resulting in 26 yes, 5 absent. Therefore, motion carried.

INSERT #4 Ordinance #56: The Park Committee presented an Ordinance requiring permits and payment of fee to park a trailer in the parking lots off of the County Boat Landings. This Ordinance was approved by the Park Committee. Hans Kostrau, seconded by DuWayne Carlin, made a motion to approve the parking Fee Ordinance. Motion carried.

ORDINANCE NO. 56

**ORDINANCE REQUIRING PERMITS AND PAYMENT OF FEE TO PARK A TRAILER
IN PARKING LOT OFF OF COUNTY BOAT LANDINGS**

Whereas, Grant County recently applied for a grant and was informed by the State of Wisconsin that the State will withhold \$5,000.00 from the grant unless Grant County enacts an ordinance to collect fees to maintain county boat landings; and

Whereas, Wisconsin Statutes § 59.52(24) authorizes a County Board to enact ordinances regulating the parking of vehicles on county owned land. That Wisconsin Statutes § 340.01(71) defines a vehicle as including a trailer.

NOW, THEREFORE, THE GRANT COUNTY BOARD OF SUPERVISORS DO HEREBY ORDAIN
AS FOLLOWS:

Section 1: No person, partnership, corporation, or other entity shall park a trailer (which is used to haul a boat, canoe, or vehicle) at the Wyalusing boat landing parking lot or at the O’Leary boat landing parking lot or at any other boat landing parking lot owned by Grant County where Grant County has posted a sign requiring the purchase of a Grant County boat landing trailer parking permit, until they have purchased a Grant County Boat Landing Trailer Parking Permit for the day that they are parking a trailer in said county owned boat landing parking lot or until they have purchased an annual Grant County Boat Landing Trailer Parking Permit for the year in which they are parking a trailer in said county owned boat landing parking lot.

Section 2: A Grant County Boat Landing Trailer Parking Permit can be purchased from the Grant County Clerk at 111 South Jefferson Street, Lancaster, Wisconsin. The Grant County Clerk is hereby authorized to appoint agents and empower them to sell Grant County Boat Landing Trailer Parking Permits to any persons wishing to purchase same for the price set forth in this ordinance. Any monies for permits under this ordinance collected by an agent are to be turned over to the Grant County Clerk within thirty (30) days of receipt of the funds along with an accounting as to the name and address of the person or entity purchasing the permit, the date of purchase, the amount paid, the effective dates

or dates of the permit, and whether the permit is a day permit or annual permit. The agent shall forward a copy of the permit to the Grant County Clerk. For any permits issued by the Grant County Clerk for a Grant County Boat Landing Trailer Parking Permit, the Grant County Clerk shall also keep a record of the name and address of the person or entity purchasing the permit, the date of purchase, the effective date or dates of the permit, the amount paid, and whether the permit is a day permit or an annual permit. A Grant County Boat Landing Trailer Parking Permit can be purchased for \$5.00 for a permit that is valid for twenty-four (24) hours. The Grant County Annual Boat Landing Trailer Parking Permit can be purchased for \$20.00 and said annual permit is valid for one (1) year. The Grant County Clerk or agent shall issue a written permit to any person, firm, partnership, corporation, or other entity who pays the fee under this ordinance to purchase a permit and completes the permit application form in its entirety. The permit shall state on its face the effective date or dates of the permit and the name of the permit holder and the license plate number that appears on the vehicle which is towing said trailer. The Grant County Clerk shall keep a copy of the permit for the Clerk's records. No permit shall be issued until the Grant County Boat Landing Trailer parking fees have been paid by the person or entity applying for the permit and the person or entity completes the permit application form in its entirety. The applicant must set forth on the permit application form their name and address, whether they are applying for a day permit or an annual permit and their vehicle license plate number of the vehicle which they use to tow the trailer. Once a person, firm, partnership, corporation, or other entity receives a Grant County Boat Landing Trailer Parking Permit, they shall see to it that such permit is placed in the lower left hand corner of the windshield of the vehicle which is towing said trailer to the boat launch parking lot subject to this ordinance.

A permit valid for twenty-four (24) hours can also be purchased by completing a Grant County Boat Landing Trailer Parking Permit application form in duplicate; which form can be found at boat launch sites in Grant County which are subject to this ordinance and paying the \$5.00 fee (\$5.00 check payable to Grant County or \$5.00 cash) and depositing the fee and the original of the completed application and placing same (including the fee and completed application) in the Grant County boat landing trailer parking lock box at the boat landing parking lot site. The applicant shall list the applicant's name and address on the twenty-four (24) hour permit application form as well as the license plate number of the vehicle which they use to tow said trailer. The applicant shall then place the duplicate completed copy of the permit application form in the lower left hand corner of the windshield of the car which is towing said trailer. Annual permits cannot be purchased by depositing the money in the lock box at the boat landing parking lot. Annual permits must be purchased from the Grant County Clerk or the Grant County Clerk's designee.

Section 3: If any person, partnership, corporation, or other entity parks a trailer at the Wyalusing boat landing parking lot, the O'Leary boat landing parking lot, or any other boat landing parking lot site where a sign has been posted by Grant County mandating the purchase of a Grant County Boat Landing Trailer Parking Permit without having a Grant County Boat Landing Trailer Parking Permit which is effective for the day that the trailer is parked at the boat landing parking lot, the Grant County Sheriff's Department or any other law enforcement agency in Grant County can issue a citation to the violator for being in violation of this ordinance. The citation shall contain all of the information required by Wisconsin Statutes Section 66.0113 and the citation shall set forth the factual allegations

describing the violation, the date, the time, and place of the offense. The citation shall also set forth a date and time at which the violator can appear in court if the violator wishes to contest the citation. The violator can settle the citation before the hearing date set forth on the citation by paying a cash deposit of \$30.00 to the Grant County Clerk at 111 South Jefferson Street, Lancaster, Wisconsin, within ten (10) days of issuance of the citation. If the violator pays the \$30.00 cash deposit within ten (10) days of issuance of the citation, the citation shall not be filed with the Grant County Clerk of Circuit Court. If the violator fails to pay the \$30.00 cash deposit to the Grant County Clerk within ten (10) days of issuance of the citation, then said citation shall be filed with the Grant County Clerk of Circuit Court. If the violator who fails to pay the cash deposit of \$30.00 within ten (10) days of issuance of the citation is then convicted by a court of violating this ordinance, the violator shall be ordered to pay a forfeiture of \$30.00 plus court costs and surcharges required by Wisconsin Statutes. The Grant County Corporation Counsel is authorized to prosecute the citation actions under this ordinance. The Grant County Clerk and the Grant County Clerk of Circuit Court shall issue receipts to any persons paying cash deposits, forfeitures, and court costs under this ordinance.

Section 4: Grant County shall post a sign at the Wyalusing boat landing parking lot, the O'Leary boat landing parking lot, and at any other boat landing parking lots on property owned by Grant County which are subject to this ordinance informing the public that the purchase of a Grant County Boat Landing Trailer Parking Permit is mandatory before parking a trailer in said boat landing parking lots. The Grant County Parks Commission is hereby authorized to designate which county owned boat landing parking lots (in addition to the Wyalusing boat landing and the O'Leary boat landing parking lots) are subject to this ordinance by the placement of a sign at said site pursuant to this section.

Section 5: That the Grant County Sheriff's Department and other law enforcement agencies (state, federal, and municipal) shall not be required to purchase a Grant County Boat Landing Trailer Parking Permit prior to parking a trailer in boat landing parking lots subject to this ordinance if the purpose of parking a trailer is for law enforcement activities or water rescue operations; which activities shall be exempt from this ordinance.

Section 6: Any permits issued under this ordinance cannot be transferred by the person or entity receiving the permit to another person or entity.

Section 7: That all monies paid for permits and cash deposits as well as the County's share of forfeitures shall be used to maintain the Grant County Boat Launch sites.

Section 8: That when a violator of this ordinance pays their cash deposit or forfeitures under this ordinance, the Grant County Clerk shall then forward to the violator an annual Grant County Boat Landing Trailer Parking Permit which is good for one (1) year.

Section 9: This ordinance shall take effect and be enforced upon passage and publication as provided by law.

Recommended for passage by the Grant County Park Commission.

/s/ Ivan Farness, Chairman

/s/ Allan Jansen

/s/ William Biefer

/s/ Vern Lewison

/s/ DuWayne Carlin

ATTEST: I, Linda Gebhard, Grant County Clerk, do hereby certify that the above ordinance was

duly adopted by the Grant County Board of Supervisors on the 16th day of March, 2010.

/s/ Linda Gebhard, County Clerk

INSERT #5: Resolution No. 58-08. Paul Thares, Comm. Resource Development Agent, presented the Resolution to the County Board for their approval, to adopt the Grant County Outdoor Recreation Plan Update which was approved by the Park Committee. Bill Biefer, seconded by John Beinborn, made a motion to approve the Resolution with the following corrections. That the words “and publication” in the last paragraph be deleted, and correct the “Attest Date” at the bottom of the document from the year 2020 to the year 2010. Motion carried.

Aerial Photos: John Anderson was not present to present request, John Patcle requested authorization to have new aerial photos taken of the county. The current photos were taken in 2005 prior to the changes to Highway 151. The Land Information Committee has sufficient funds available to cover the \$40,120 cost needed. This request was approved by the Finance Committee and now brought before the County Board. Hans Kostrau, seconded by Lynn Moris, made the motion to approve this request. Motion carried.

Southwest Family Care Alliance Case Management Contract with DSS. Deanna Taylor, Social Services, presented the request for the County Board to approve the signing of the contract between Southwest Family Care Alliance and Social Services. The Social Services Committee has approved the signing of the contract. Linda S. Adrian, seconded by Allen Jansen, made a motion to approve the signing of the contract between Southwest Family Care Alliance and Social Services. Roll call vote was called.

INSERT #6: Roll Call Vote DATE March 16, 2010

QUESTION Southwest Family Care Alliance

	YES	NO	ABSENT
1. IVAN FARNESS	X		
2. WILLIAM BIEFER	X		
3. RODNEY JOHNSON	X		
4. ROBERT SCALLON			X
5. DUWAYNE CARLIN	X		
6. ROBERT KEENEY	X		
7. JOACHIM HANS KOSTRAU	X		
8. LYNN MORIS		X	
9. MAYNARD BEHNCKE	X		
10. PAUL LANDON			X
11. LARRY WOLF	X		
12. VERN LEWISON			X
13. GRANT LOY	X		
14. STEPHEN ADRIAN		X	
15. JOHN PATCLE	X		
16. LESTER JANTZEN		X	
17. KYLE VESPERMAN	X		
18. PATRICK SCHROEDER	X		
19. DAVE KLAR	X		

20. JOHN BEINBORN	X		
21. EUGENE BARTELS	X		
22. VINCENT LOEFFELHOLZ	X		
23. MARK STEAD		X	
24. MARGARET RUF			X
25. JULIA CLARK	X		
26. DWIGHT NELSON			X
27. LINDA ADRIAN	X		
28. CAROL BEALS		X	
29. DONALD SPLINTER	X		
30. ALLAN JANSEN	X		
31. TONY RUNDE	X		

Clerk took roll call vote resulting in 21 yes, 5 no and 5 absent. Therefore motion carried.

INSERT #7: Zoning Amendment: 448th Amendment to the Zoning Ordinance, Kent Kreul.

Terry Loeffelholz, Zoning Administrator, presented the Amendment. Patrick Schroeder, seconded by Mark Stead, made a motion to dispense of the reading. Motion carried.

**448th AMENDMENT TO THE
GRANT COUNTY ZONING ORDINANCE
FEBRUARY 26, 2010**

Evergreen Future LLC % Kent Kreul

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.

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

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 Fennimore will be amended to include the following described land as Commercial C-2.

A parcel of land located in the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section 20 T6N R2W in Fennimore Township.

Beginning at a point which is 72 rods and 13 feet West of the Southeast corner of said SE ¼ of the NW ¼;
Thence North 24 rods and 13 feet;
Thence West 106.5 feet;
Thence south 24 rods and 13 feet;

Thence East 106.5 feet to the place of beginning.

This parcel containing 1.00 acres more or less, and being subject to any and all easements of recorded and/or usage.

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 Commercial C-2. Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of effected local units of government to provide them: Town of Fennimore 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.

The undersigned hereby certify that the foregoing map amendment to the Grant County Zoning Ordinance was adopted on the 16th day of March 2010.

/s/ John Patcle, County Board Chairman

/s/Linda Gebhard, County Clerk

Town of Fennimore approved, Planning and Zoning approved, Maynard Behncke, seconded by DuWayne Carlin, made a motion to approve the Amendment 448. Motion carried.

Livestock Claims: Stephen Adrian presented the dog claims, \$125.85 from the Platteville Vet Clinic. Eugene Bartels, seconded by Lester Jantzen, made a motion to approve the claims. Motion carried.

Orchard Manor Presentation: Donna Haines, Orchard Manor Director presented a overview of the role that Orchard Manor contributes to the County. In 1848 to 1972 Orchard Manor was known as the Poor Farm, Asylum, Hospital housing 243 beds. From 1973 to 1992 it was a licensed Nursing Home housing 173 beds. In 1993 the new Orchard Manor building was completed with 150 beds, 100SNF, 50DD(ICF/MR), and today has 115SNF, 35 DD(ICF/MR). Orchard Manor has many services from 24 hour Nursing Care, Rehabilitation, Social Care, Dietary Services, Recreational Care, including music therapy, and Pet Therapy. The staff consists of 59 full time employees, 104 regular part-time employees, 11 part-time employees, 31 limited term employees with a total of 205 employees. Their motto is "Adding Years to Life and Life to Years". Their mission is dignity of the human person, recognizing the emotional, mental, physical, psychological, social and spiritual needs, and preserving life and respecting rights.

Building 52 and Farm: Pat Schroeder, seconded by Linda S. Adrian, made a motion to create a maintenance account which would be made up of the revenues from the 52 Building and Farm with Public Property managing the account. Pat and Linda both withdrew their motions, subsequently rescinding the motion before any action was taken. Therefore no action was taken at this time.

Amend County Board Rules: Hans Kostrau, seconded by Maynard Behncke, to change the Orchard Manor Committee from appointed to elected. Hans and Maynard rescinded their motions,

subsequently rescinding the motion before any action was taken. Therefore no action was taken at this time.

Committee Reports: Larry Wolf gave the Family Care report.

Maynard Behncke and Jon Angeli informed the board that there will be pictures of the Blue Boy Statue available for \$40.00 to help raise money for the referbishing of the fountain. The pictures will be sold in the Clerk's Office in the future.

Don Splinter gave the Highway Report.

Stephen Adrian updated the Board on the Extension Roofing project.

Public Comments: It was stated that this would be the last meeting that Paul Thares, Comm. Resource Development Agent would attend, he will be moving to Wyoming.

Adjournment: Allen Jansen, seconded by Eugene Bartels, moved to adjourn sine die. Motion carried. The next meeting will be April 20, 2010 at 9:00 a.m.