



Agenda
*Amended
**Amended, Amended

Sauk County Board of Supervisors -Annual Meeting-

**Tuesday, November 10, 2009, at 6:00 p.m.
West Square Building, 505 Broadway, Room #326, Baraboo, Wisconsin**

• Special Meetings:

Finance Committee at 5:10 p.m.

- ❖ In the ETN Room, 3rd Floor, West Square Building
- ❖ To consider:

- 1.) Approval of County vouchers;
- 2.) Presentation of *Jail State Prisoners Report*; and
- 3.) Resolution -09 Amending the 2009 Budget For Appropriation And Allocation Of The Funds Necessary To Apply For A Federal Grant To Extend The Current Fiber Optic Network.

Law Enforcement & Judiciary Committee at 5:30 p.m.

- ❖ In the Gallery of County Board Room #326A;
- ❖ To consider:

- 1.) Approval Of *possible* Resolution -09 Authorization To Accept The Bid Of _____ For Construction Of The Law Enforcement Training Center – Shoot House Portion.

Land Conservation Committee at 5:45 p.m.

- ❖ In the Gallery of County Board Room #326A;
- ❖ To consider:

- 1.) Approval Of Resolution -09 Authorizing Purchase Of Replacement Vehicle For Shared County Department Use.

*Pursuant to §65.90 of the Wisconsin Statutes, a **Public Hearing on the proposed 2010 Sauk County Budget will be held at 6:00 p. m. in Room #326 (County Board Room) of the West Square Building for the purpose of soliciting comments from the public regarding the 2010 Sauk County Budget for County Operations:***

- **6:00 p.m., Convene Public Hearing on the proposed 2010 Sauk County Budget :** Marty Krueger, County Board Chair
- **Budget Presentation:** Kathryn Schauf, Administrative Coordinator
- **Public Comment: Registration forms** are located on the table in the Gallery of the Board room. Interested parties wishing to speak regarding the **proposed 2010 Sauk County Budget**, are asked to limit comments to not more than 3 minutes.
- **Adjourn Public Hearing:** Marty Krueger, County Board Chair

The November Annual Session of the Sauk County Board of Supervisors will be called to order immediately following the Public Hearing.

- Call to order regular meeting.
- Certify compliance with Open Meeting Law.
- Roll call.
- Invocation and pledge of allegiance.
- Adoption of agenda.
- Approval of minutes of previous meeting.
- Scheduled appearances:
- Public comment.

- **Communications:**

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6 - 15 Letter from Dane County Planning and Development Department, giving notice of public hearing on December 22, 2009 regarding amending the Dane County Comprehensive Plan by adopting the Town of Sun Prairie Comprehensive Plan Amendments.

- Bills & referrals.
- Claims.

- **Appointments:**

Complete Count Committee:

1. Gene Dahloff, % Baraboo Area Chamber of Commerce, 600 Chestnut St, Baraboo WI 53913
2. Robert Janke, 1538 15th St, Baraboo WI 53913
3. Christine Koenecke, PO Box 142, Reedsburg WI 53959
4. Frank Brey, 2101 Winfield Dr, Reedsburg WI 53959
5. Bridgett Flood, E3497 Croal Hollow Rd, Hillpoint WI 53937
6. Kelly Felton, % Sauk County West Square Bldg, 505 Broadway, Rm 218, Baraboo WI 53013
7. Mary Prem, S8381 Hwy 23, Loganville WI 53943
8. Dale Hottmann, 215 W Hoxie St, Spring Green WI 53588
9. Donna Stehling, 503 Monroe St, Sauk City WI 53583
10. William Stehling, 503 Monroe St, Sauk City WI 53583

- **Unfinished Business.**

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COMMITTEE:

ECONOMIC DEVELOPMENT and PROPERTY & RESOURCE:

16 – 24 Resolution 127-09 Approving Dark Fiber Lease Agreement With Kentucky Data Link, Inc., (to lease two (2) dark fiber).

LAND CONSERVATION:

25 Resolution 134-09 Authorizing Reimbursement For Attendance At The Wisconsin Land And Water Conservation Association Conference.

- **Reports – informational - no action required:**

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- n/a Beverly J. Mielke, Sauk County Clerk, rezoning petitions received per Wisconsin State Statutes 59.69(5)(e): None.
- 26 - 30 3rd Quarter Financial Report.
- n/a Supervisor Endres, Chair, Sauk County Health Care Center Building Committee.
- n/a Supervisor Endres, Vice-Chair, Executive & Legislative Committee.
- n/a Marty Krueger, County Board Chair.
- n/a Kathryn Schauf, Administrative Coordinator.

- **Consent Agenda:**

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COMMITTEE:

ECONOMIC DEVELOPMENT:

- 31 Resolution 142-09 Honoring Richard Goddard.

- 32 **HEALTH CARE CENTER BOARD OF TRUSTEES:**

Resolution 143-09 Commending Larry Schroeder For 2 Years Of Faithful Service To The People Of Sauk County.

- **Resolutions & Ordinances:**

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COMMITTEE:

ECONOMIC DEVELOPMENT:

- 33 Resolution 144-09 Authorizing Reimbursement For Attendance At The Sauk County Workforce Education Summit II.

EXECUTIVE & LEGISLATIVE:

- 34 Resolution 145-09 Authorizing The Purchase Of Wireless Network Hardware For The Health Care Center.

**** added:**

6M

EXECUTIVE & LEGISLATIVE and HIGHWAY & PARKS:

Possible Resolution 146A-09 Authorizing The County To Participate With The Town Of Spring Green As A Co-Applicant On An Eda Grant For Flood Control.

35 – 37

FINANCE, ECONOMIC DEVELOPMENT and PROPERTY & RESOURCE:

Possible Resolution 146-09 Amending The 2009 Budget For Appropriation And Allocation Of The Funds Necessary To Apply For A Federal Grant To Extend The Current Fiber Optic Network.

38 - 40

HIGHWAY & PARKS:

Resolution 147-09 County Aid For Bridge Construction Under § 82.08 Of The State Statutes.

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41 - 43 **LAND CONSERVATION:**
Resolution 148-09 Authorizing The Purchase Of A Replacement Vehicle For Shared County Department Use.

n/a **LAW ENFORCEMENT & JUDICIARY:**
Possible Resolution 149-09 Authorization To Accept The Bid Of _____ For Construction Of The Law Enforcement Training Center - Shoot House Portion. (Copy not available.)

****new title and staff report added:**

6N – 6R **PLANNING, ZONING AND LAND RECORDS:**
Ordinance 150-09 Petition 13-2009 Approving The Rezoning Lands In The Township Of Ironton From An Exclusive Agricultural To An Agricultural Zoning District Filed Upon Jeffrey And Mary Wise, Property Owner/Agent.

47 & 48 **PROPERTY & RESOURCE:**
Resolution 151-09 Approving Liability, Property And Workers Compensation Insurance Coverage, Carriers And Premiums For Sauk County From January 01, 2010 To January 01, 2011.

49 & 50 Resolution 152-09 Authorizing The Sale Of County Owned Property.

***taken off:**

~~51 Resolution 153-09 Rescinding Resolution 125-09 Which Authorized The Sale Of An Out Lot At The Sauk County Health Care Center Property In The City Of Reedsburg To Reedsburg Utilities.~~

***added:**

6A – 6L Resolution 153a-09 Approving Tower Space Lease Agreement With T-Mobile Wireless.

****taken off:**

~~52 & 53 **PROPERTY & RESOURCE and ECONOMIC DEVELOPMENT:**
Resolution 154-09 Approving Dark Fiber Lease Agreement With Kentucky Data Link, Inc., (to lease four (4) dark fiber).~~

54 **FINANCE COMMITTEE:**
Ordinance No. 155-09 Establishing Taxes to be Levied in Sauk County for Year 2010.

- Adjournment to a date certain.

Respectfully submitted,



Marty Krueger, County Board Chair

➤ **County Board members, County staff, and members of the public:**

For filing with the official records of the *Proceedings of the Sauk County Board of Supervisors*, **provide the County Clerk a copy of:**

- informational handouts distributed to Board members
- original letters and communications presented to the Board

➤ **County Board members:**

Stop in the Office of the County Clerk prior to each Board meeting to sign original resolutions and ordinances.

Any person who has a qualifying disability that requires the meeting or materials at the meeting to be in an accessible location or format should contact Sauk County at 608.355.3269, or TTY at 608.355.3490, between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday, exclusive of legal holidays, at least 48 hours in advance of the meeting so that reasonable arrangements can be made to accommodate each request.

www.co.sauk.wi.us

Agenda mail date via United States Postal Service: Wednesday, November 04, 2009

*Amended Monday, November 09, 2009 @ 1:00 p.m.

**Amended, Amended, Monday, November 09, 2009 @ 3:25 p.m.

Agenda preparation: Marty Krueger, County Board Chair, with the assistance of
Kathryn Schauf, Administrative Coordinator, and Beverly J. Mielke, County Clerk

s:/admin/CoBdAgendas/2009/ctybdagendaANNUALNOVEMBER102009.doc

AUTHORIZING THE COUNTY TO APPLY WITH THE TOWN OF SPRING GREEN AS A CO-APPLICANT ON AN EDA GRANT FOR FLOOD CONTROL

WHEREAS, grant funds are available to local governments for the development of infrastructure through the Economic Development Administration in the Second Supplemental Appropriations Disaster Relief Opportunity for Economic Adjustment Assistance; and,

WHEREAS, your Executive and Legislative Committee and Highway Committee believe it to be in the best interest of the County to be a co-applicant with the Town of Spring Green for the purposes of constructing a three million dollar flood control project; and,

WHEREAS, the project has approximately \$300,000 in costs associated with County owned Highway G to raise the highway approximately 2 (two) feet to act as a flood control device; and,

WHEREAS, the flood control project is envisioned to mitigate the significant damage experienced in the Town due to two significant flood events in the last fifteen years.

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors met in regular session that the County is authorized to apply as a co-applicant with the Town of Spring Green for the purposes of the Flood Control Project; and,

BE IT FURTHER RESOLVED, that the County will prepare a side agreement with the Town of Spring Green to address roles in the grant administration process; and,

BE IT FURTHER RESOLVED, that the County is authorized to be listed as a co-owner as appropriate for all easements and offers to purchase necessary to complete the proposed project.

For consideration by the Sauk County Board of Supervisors on November 10, 2009

Respectfully submitted,

EXECUTIVE AND LEGISLATIVE COMMITTEE

MARTIN F. KRUEGER, Chair

PAUL ENDRES

JOAN FORDHAM

WILLIAM F. WENZEL

DON STEVENS

HIGHWAY COMMITTEE

COPY

VIRGIL HARTJE, Chair

MARTIN (TIM) MEISTER

LARRY VOLZ

FREDERICK HALFEN

JOEL GAALSWYK

Fiscal Note: Co-applicancy is required by the Economic Development Administration. As with the administration of any grant potential future liability exists. There are grant funds sufficient to cover costs, no cost match required by the County at this time. *KAB*

MIS Note: No MIS impact.

ORDINANCE NO. 150-2009

PETITION 13-2009 APPROVING THE REZONING OF LANDS IN THE TOWN OF IRONTON FROM AN EXCLUSIVE AGRICULTURAL TO AN AGRICULTURAL ZONING DISTRICT FILED UPON JEFFREY AND MARY WISE, PROPERTY OWNER/AGENT.

WHEREAS, a public hearing was held by the Planning, Zoning & Land Records Committee on October 27, 2009, upon petition 13-2009 as filed by Jeffrey and Mary Wise for a change in the zoning of certain lands from an Exclusive Agricultural to an Agricultural Zoning District; and

WHEREAS, the Planning, Zoning and Land Records Committee reviewed and discussed the request as described in petition 13-2009; and

WHEREAS, the Town of Ironton Town Board approved the rezone to an Agricultural Zoning District on July 13, 2009; and

WHEREAS, your Committee, based upon the facts of the request, does recommend that the petition be APPROVED.

NOW, THEREFORE, BE IT ORDAINED, by the Sauk County Board of Supervisors met in regular session, that the rezoning of the aforementioned lands, more particularly described in petition 13-2009, as filed with the Sauk County Clerk, under the Sauk County Zoning Ordinance, Chapter 7 SCCO, be Approved.

For consideration by the Sauk County Board of Supervisors on November 10, 2009.

Respectfully submitted,

PLANNING, ZONING & LAND RECORDS COMMITTEE

ROBERT CASSITY, CHAIR

GERALD LEHMAN

JUDY ASHFORD

HENRY NETZINGER

JOEL GAALSWYK

COPY

FISCAL NOTE: No Impact

MIS IMPACT: No Impact

OFFICE OF
SAUK COUNTY PLANNING AND ZONING
 SAUK COUNTY WEST SQUARE BUILDING
 505 BROADWAY
 BARABOO, WI 53913
 Telephone: (608) 355-3285

NOTICE

PLEASE TAKE NOTICE, that the Planning, Zoning and Land Records Committee of the Sauk County Board of Supervisors will hold a public hearing on October 27, 2009, at 10:00 a.m., or as soon thereafter as the matter may be heard, in the County Board Room at the Sauk County West Square Building in the City of Baraboo to consider:

- I. A. Petition 13-2009 Rezone. A petition to rezone certain lands in the Town of Ironton, County of Sauk, Wisconsin, from an Exclusive Agricultural to an Agricultural Zoning District. Lands are owned by Jeffrey & Mary Wise.

Lands to be affected by the proposed rezone are located in Section 15, T12N, R3E, Town of Ironton, Sauk County, Wisconsin as described by parcels 022-0352-00000 and 022-0368-00000. Said parcel to be rezoned contains 23 acres more or less.

- B. Testimony of persons to appear at the public hearing; any person so desiring will be given a reasonable opportunity to express their opinions on the matter before the Committee.

- II. A. The purpose of the proposed rezone is to bring a nonconforming parcel into compliance with County zoning requirements.
- B. Any person desiring more information may contact the Sauk County Planning and Zoning Office, Brian Simmert at the Sauk County West Square Building (Telephone 608/355-3285).

Date: October 6, 2009

SAUK COUNTY PLANNING, ZONING AND LAND RECORDS COMMITTEE

BY: BRIAN SIMMERT
 Sauk County Department of Planning and Zoning
 505 Broadway Street
 Sauk County West Square Building
 Baraboo, WI 53913

To be published October 12, 2009
 For office use only: Pet. No. 13-09
 If you have a disability and need a large print version of this notice, please call (608) 355-3285. If you need a 48 hour notice is given. Please call (608) 355-3285.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
1. Article Addressed to: <p style="text-align: center; font-weight: bold; margin-top: 20px;">SHARON VERTHEIN E4685 PICKEL ROAD REEDSBURG, WI 53959</p>	A. Signature 	<input type="checkbox"/> Agent <input type="checkbox"/> Address
2. Article Number (Transfer from service label)	B. Received by (Printed Name) Bill Verthein	C. Date of Delivery 10-13-09
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail	D. Is delivery address different from item 1? If YES, enter delivery address below:	
4. Restricted Delivery? (Extra Fee)	<input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D.	

Sauk County Department of Planning and Zoning

Applicant
 Jeffrey & Mary Wise
 303 Hudson Avenue
 Madison, WI

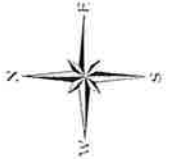
Property Location
 SE1/4-NE1/4 of Section 15,
 T12, R3E, Town of Ironton,
 Sauk County, Wisconsin

Legend

- Shoreland Zoning**
- 300' from River / Stream
 - 1000' From Lake, Pond or Flowage

Zoning Districts

- Agricultural District**
- Exclusive Agricultural District
 - Resource Conservancy District - 35
 - Resource Conservancy District - 5
 - Single-Family Residential District
 - Multiple-Family District
 - Commercial District
 - Recreational - Commercial District
 - Industrial District
 - Welland District
 - Rural Community District
 - State / County Owned Property
 - Extrajurisdictional Zoning District
- Town Zoned**
- Municipal Zoned
 - Unzoned



FOR INFORMATIONAL PURPOSE ONLY
 Sauk County does not take the accuracy
 of the data combined herein and makes no
 warranty, expressed or implied, for the
 data contained in this map, including the
 content and accuracy of its collection.



W/Res. 150-09

PLANNING, ZONING & LAND RECORDS COMMITTEE STAFF REPORT

Petition # 13-2009 Proposed Agricultural Rezone by Jeffrey & Mary Wise, property owners/applicant.

Public Hearing Scheduled for: 10/27/09

1. Request

A request by Jeffrey & Mary Wise to change the zoning of property from an Exclusive Agricultural to an Agricultural District to bring a non-conforming parcel created in violation of Sauk County Zoning and Subdivision & Regulations Ordinance into compliance with County Zoning and Land Division requirements. The land to be affected by the proposed rezone is:

Sauk County tax parcel number 022-0352-00000 and 022-0368-00000 being located in Section 15, T12N, R3E, Town of Ironton, Sauk County, Wisconsin. Area to be rezoned contains 23 acres more or less. .

2. History

August 6, 1992. A parcel of land was created by a conveyance (land contract) between McPherson (Grantor) and Weyland (Grantee) consisting of 23 acres more or less. The conveyance violated the Sauk County Zoning Code which requires that a conveyance to a new landowner have a minimum of 35-acres.

June 14, 1995. The parcel, created on August 6, 1992 was conveyed from Weyland (Grantor) to Jeffery and Mary Wise (Grantee).

July 13, 2009. The Town of Ironton Board approved the rezone request from an Exclusive Agriculture to an Agricultural Zoning District. As part of their approval, the Town has requested that a deed restriction be recorded which would prohibit the construction of a not more than one residential dwelling. See Attachment A for a copy of the deed restriction.

October 6, 2009. Planning & Zoning staff sent notice to adjacent and surrounding landowners notifying them of the rezone proposal. No correspondence has been received.

According to the applicant, the land was purchased from John Weyland in 1995. The applicant further states in the Development Application, "I was assured the land was buildable from Archie McPherson (the original land owner) who sold to John Weyland. I then asked the Town Chairman if the Township had any rule against my building a shed on the land. He stated that the Town didn't have any rules against it."

Based upon this statement from the applicant, it appears as though the land was purchased with the understanding that it was legally created and further that the construction of a shed was a permitted use. Of note is that the landowner did not obtain a land use permit for the shed from Sauk County, until the Spring of 2009, at which time the non-conforming status of this parcel was noted and corrective action suggested.

3. Issues

When reviewing a rezone proposal and change in land use, staff looks at several criteria, including how the proposed use fits into the surrounding area, whether there are any constraints to development at the proposed site and if the proposed use is consistent with local and county development plans and ordinances.

- Present adjacent land uses and zoning

First, the existing land uses and zoning designations in the surrounding area are reviewed to determine the proposal's compatibility and appropriateness. It is important that the proposed use and zoning be compatible and appropriate to the area.

Adjacent Land Uses and Zoning

Direction	Land Use	Zoning
Site	Woods/Field//Shed	Exclusive Agriculture
North	Woods/Field	Exclusive Agriculture
South	Fallow	Exclusive Agriculture
East	Residence/Woods	Exclusive Agriculture
West	Woods/Field	Exclusive Agriculture

- Physical constraints to development

Second, it must be determined if there are any special physical constraints to development at the property. These include:

- Floodplain: None
- Wetlands: None
- Steep Slopes: None
- Prime Agriculture Soils: None
- Septic Suitability: N/A

When reviewing a rezone application for a property within Sauk County, staff looks at how the proposed land use relates to the County and Town development plans. In this case, the Town's Plan applies.

Consistency with the Town of Ironton Comprehensive Plan

The *Town of Ironton Comprehensive Plan* suggests that the maximum density for residential development not exceed one residence per 35-acres. The plan also suggests that the minimum lot size with which to establish a residence be not less than 35-acres. The division of the original parcel owned by McPherson resulting in a new lot of less than 35-acres does not appear to be consistent with the Town's Plan.

4. Recommendation

In summary, the proposed rezone would correct a division of land that is not consistent with the Sauk County Zoning Code, however the proposed rezone does not appear to be consistent with the Town of Ironton's Comprehensive Plan suggesting that the Town not exceed a density of one house for each 35-acres. A deed restriction has been recorded that limits the development of the parcel to not more than one house. The parcel is 23 acres more or less in size. Wise is the third owner of the property after Weyland who purchased the nonconforming parcel from McPherson. According to the applicant, assurance was provided by the original landowner (McPherson) that it was a buildable parcel and hence assumed to be legally created. Given this analysis, staff does not make a recommendation on this petition, however if the PZLR Committee chooses to approve the petition, approval should not reference the recorded deed restriction as this restriction represents an agreement between the Town and the Applicant, not Sauk County.

Report submitted by Brian Simmert