

Agenda

NAME: Sauk County Board of Supervisors - Regular Meeting
DATE: Tuesday, September 18, 2012
TIME: 6:00 p.m.
PLACE: West Square Building, 505 Broadway, Room #326, Baraboo, Wisconsin

Special Meetings:

5:50 p.m., Finance Committee in the Gallery of County Board Room #326A to consider:

1. Approval of County vouchers.

Regular Sauk County Board of Supervisors Meeting

1. Call to order regular meeting.
2. Roll call.
3. Certify compliance with Open Meeting Law.
4. Invocation and pledge of allegiance.
5. Adoption of agenda.
6. Approval of minutes of previous meeting.
7. Scheduled appearances:
8. Public comment – 3 minute limit: Registration form located on the table in gallery of County Board Room 326 – turn in to the County Board Chair.
9. Communications:
10. Bills & referrals.
11. Claims.
12. Appointments.

Aging & Disability Resource Center (ADRC) Regional Governing Board of Southwest Wisconsin-North Regional Board: Citizen members (3-Year Term expires 4/21/2015)

Phyllis Johnson
Janet Pearson

Comprehensive Community Services (CCS) Program Coordinating Committee:

(2-Year Terms, all expiring 10/21/2014)

Tom Kolb, Citizen/Community member

Donna Miller, Citizen/Consumer member

Jeff Semenas, Sauk County Dept. of Human Services - CCS Program Manager

Sharon Boesl, Sauk County Dept. of Human Services

Transportation Coordination Committee:

Theron Hill – Physical Needs/Citizen member (2-Year Term expires 8/19/2014)

Joan Wucherer – Physical Needs/Citizen member (2-Year Term expires 8/19/2014)

Janet Pearson – Mental Health/AODA, Citizen member (1-Year Term expires 8/20/2013)

Alan Wildman II, Sauk Prairie Transit, Citizen member – 1-Year Term expires 8/20/2013)

Richard Running, Baraboo Taxi (Running Inc.), Citizen member – 1-Year Term expires 8/20/2013)

Dan Brattset, Sauk County Dept. of Human Services, (1-Year Term expires 8/20/2013)

Jim Pritzkow, Aging & Disability Resource Center, Information & Assistance Lead Worker
(1-Year Term expires 8/20/2013)

13. Unfinished Business.

14. Reports - informational, no action required:

- o Rebecca A. DeMars, Sauk County Clerk: Rezoning petitions filed with the office of the Sauk County Clerk as a requirement of Wisconsin State Statutes 59.69(5)(e): None
- o Steve Schneider, Hilbert Communications: Re: Proposal of Hilbert Communications to utilize county authority and guarantee to issue Midwest Disaster Area Recovery Bonds.
- o Supervisor Fordham, Vice-Chair, Executive & Legislative Committee

- Marty Krueger, County Board Chair
 - 2012 Alzheimer's Walk
 - WCA Conference
 - SCDC Economic Development Forum – October 11, 2012
- Kathryn Schauf, Administrative Coordinator
 - 2013 Budget
 - CDBG-ED regionalization

15. Consent Agenda:

Page #
4-5

COMMITTEE:

LAW ENFORCEMENT & JUDICIARY:

Resolution 80 – 2012 Recognizing the Wisconsin Court System Juror Appreciation Program:

16. Resolutions & Ordinances:

Page #
6-13

COMMITTEE:

CONSERVATION, PLANNING AND ZONING:

Ordinance 13-2012 Petition 10-2012. Approving The Rezoning Of Lands In The Town Of Ironton From An Exclusive Agricultural To A Commercial Zoning District Filed Upon Amos And Fannie Christner, Applicant And Property Owner, John Gingerich, Agent:

14-15

EXECUTIVE & LEGISLATIVE:

Resolution 81-2012 Requiring The U.S. Department Of The Interior, Bureau Of Indian Affairs, To Comply With The Freedom Of Information Act And Release Requested Documents And Authorizing The Corporation Counsel To File Suit In U.S. District Court If Compliance Is Not Forthcoming:

16

EXECUTIVE & LEGISLATIVE AND FINANCE:

Resolution 82-2012 Resolution Supporting Legislation Requiring Online-Only Retailers To Collect And Remit Wisconsin Sales Tax:

17

LAW ENFORCEMENT & JUDICIARY:

Resolution 83-2012 Authorization To Purchase 2013 Ford Explorer Replacement Squad Under Emergency Procedures:

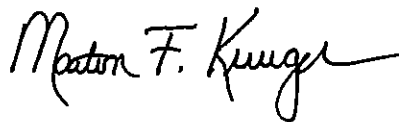
18-25

PROPERTY & INSURANCE:

Resolution 84-2012 Authorizing The Purchase Of Lands In The Town Of Dellona To Obtain Access To County Owned Property As Part Of The Highway 12 Corridor Growth Management Plan:

17. Adjournment to a date certain.

Respectfully,



Martin F. Krueger
County Board Chair

County Board members, County staff & the public - 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 by 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: September 13, 2012

Agenda preparation: Marty Krueger, County Board Chair,
with the assistance of Kathryn Schauf, Administrative Coordinator, and Rebecca A. DeMars, County Clerk

s:/admin/CoBdAgendas/2012/ctybdagendaSEPTEMBER182012.doc

RESOLUTION NO. 80 - 12
Recognizing the Wisconsin Court System
Juror Appreciation Program

WHEREAS, the right to have a trial by a fair and representative jury is an essential safeguard protected by both the United States and Wisconsin constitutions; and,

WHEREAS, service as a juror in the Sauk County Circuit Court is, along with voting, one of the most important responsibilities of citizenship; and,

WHEREAS, the Wisconsin State Court System, partnering with the State Bar of Wisconsin, has established September as Juror Appreciation Month, a time to publicly recognize the contribution of those who are summoned and serve.

THEREFORE, BE IT RESOLVED, that the Sauk County Board of Supervisors hereby supports the goals of Juror Appreciation Month:

- Educate the public about jury duty and the importance of jury service, and
- Applaud the efforts of jurors who fulfill their civic duty, and
- Ensure that all jurors are treated with respect and that their service is not unduly burdensome.

BE IT FURTHER RESOLVED, that the Sauk County Board of Supervisors extends its sincere thanks and appreciation to all employers who pay employees their normal wages while allowing them to serve as jurors, preventing financial hardship and fostering community strength.

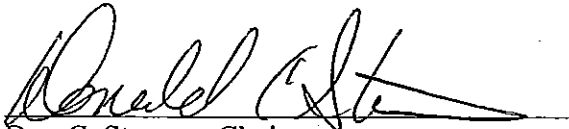
BE IT FINALLY RESOLVED, that the Sauk County Board of Supervisors honors the service and commitment of citizens who perform jury duty, who by participating in the judicial process aid those elected to serve the citizens of Sauk County by preserving the rule of law, the basis for a free society.

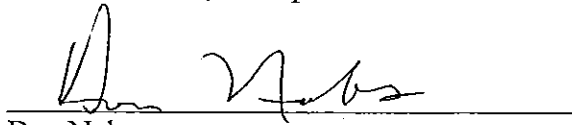
Resolution 80 - 12, Recognizing the Wisconsin
Court System Juror Appreciation Program
Page 2 of 2

For consideration by the Sauk County Board of Supervisors on September 18, 2012.

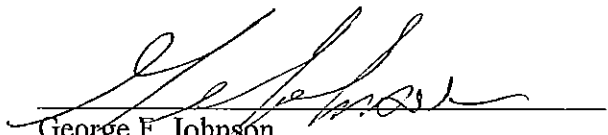
Respectfully submitted,

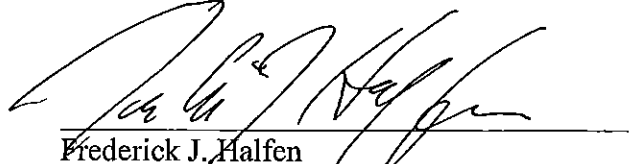
LAW ENFORCEMENT & JUDICIARY COMMITTEE:


Don C. Stevens, Chairperson


Don Nobs


Peter Tollaksen


George F. Johnson


Frederick J. Halfen

Fiscal note: No impact *YRB*

MIS note: No impact

ORDINANCE NO. 13-2012

PETITION 10-2012. APPROVING THE REZONING OF LANDS IN THE TOWN OF IRONTON FROM AN EXCLUSIVE AGRICULTURAL TO A COMMERCIAL ZONING DISTRICT FILED UPON AMOS AND FANNIE CHRISTNER, APPLICANT AND PROPERTY OWNER, JOHN GINGERICH, AGENT.

WHEREAS, a public hearing was held by the Conservation, Planning, and Zoning Committee upon petition 10-2012 as filed by Amos & Fannie Christner for a change in the zoning of certain lands from an Exclusive Agricultural to a Commercial Zoning District; and

WHEREAS, the purpose of the request, as stated by the applicant, is to allow for the expansion of retail sales of gardening items both produced on and off-premise and the addition of a woodworking shop; and

WHEREAS, the Town of Ironton Town Board has approved the rezone request; and

WHEREAS, the Conservation, Planning, and Zoning Committee reviewed and discussed the request as described in petition 10-2012; and

WHEREAS, your Committee, based upon the facts of the request and public testimony heard at the public hearing on August 28, 2012, recommended to the Sauk County Board of Supervisors that the petition be approved; and

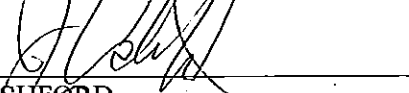
NOW, THEREFORE, BE IT ORDAINED, by the Sauk County Board of Supervisors met in regular session, that the rezoning of the aforementioned lands, more specifically described in petition 10-2012, as filed with the Sauk County Clerk, under the Sauk County Zoning Ordinance, Chapter 7 SCCO, be Approved.

For consideration by the Sauk County Board of Supervisors on September 18, 2012.

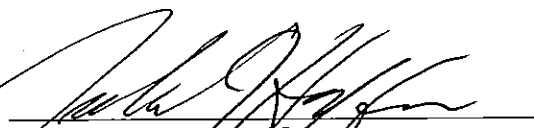
Respectfully submitted,

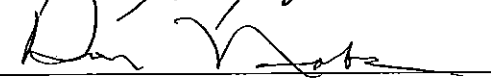
CONSERVATION, PLANNING, AND ZONING COMMITTEE


GERALD LEHMAN, CHAIR


JUDY ASHFORD


JOHN DIETZ


FREDERICK HALFEN


DON NOBS


DENNIS POLIVKA

Fiscal Note: No Impact
MIS Note: No Impact

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

NOTICE

PLEASE TAKE NOTICE, that the Conservation, Planning, and Zoning Committee of the Sauk County Board of Supervisors will hold a public hearing on August 28, 2012, 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 10-2012 Rezone. A petition to rezone certain lands in the Town of Ironton, County of Sauk, Wisconsin, from an Exclusive Agricultural to a Commercial and an Agricultural Zoning District. Lands are owned by Amos Christner.

Lands to be affected by the proposed rezone are located in Section 9, T12N, R3E, Town of Ironton, Sauk County, Wisconsin and further described in Petition 10-2012. Said area to be rezoned contains 4.82 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 proposed commercial rezone will allow for the expansion of an area for retail sales of gardening items both produced on and off-premise and the addition of a woodworking shop.

- B. Any person desiring more information may contact the Sauk County Conservation, Planning and Zoning Office, Brian Simmert at the Sauk County West Square Building (Telephone 608/355-3285).

Date: August 1, 2012

SAUK COUNTY CONSERVATION, PLANNING AND ZONING COMMITTEE

BY: BRIAN SIMMERT

Sauk County Department of Planning
505 Broadway Street
Sauk County West Square Building
Baraboo, WI 53913

To be published August 16, 2012 at
For office use only: Pet. No. 10-2012
If you have a disability and need
that a 48 hour notice is given. Please

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mail piece, or on the front if space permits.

1. Article Addressed to:

Sharon Verthein
E4685 Pickel Road
Reedsburg, WI 53954

2. () Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent
X Sharon Verthein ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery
B. M. Verthein *8-2-12*

D. Is delivery address different from Item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

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Staff Report
Conservation, Planning, and Zoning
Amos Christner, owner John Gingerich, agent Rezone Petition 10-2012

Hearing Date: August 28, 2012

Applicant:

Amos Christner, owner
John Gingerich, agent

Staff:

Brian Simmert, CPZ
355-4834
bsimmert@co.sauk.wi.us

Current Zone:

Exclusive Agricultural

Proposed Zone:

Commercial

Comprehensive Plans:

Town of Ironton Comprehensive Plan

Lot Size/Area to be Rezoned:

4.82 acres, more or less

Applicable Zoning Regulations:

7.09 Commercial Zoning District

Notification:

(by U.S. mail, except newspaper)
August 6, 2012: Newspaper
August 1, 2012: CPZ Committee
August 1, 2012: Town Clerk
August 6, 2012: Neighboring
Landowners

Town Board Approval:

Yes, August 13, 2012

Exhibits:

- A. Map of area to be rezoned
- B. Plat of Survey
- C. Town of Ironton Land Use Map
- D. Farmland Preservation Plan Map

Request

Amos Christner, property owner and John Gingerich, agent are requesting a rezone from an Exclusive Agricultural to a Commercial zoning district. The property is located adjacent to the Village of Ironton.

Legal Description of Area

Part of a parcel located in Section 9, T12N, R3E, Town of Ironton. The area is also defined as part of parcel 022-0209-00000 and contains 4.82 acres more or less.

Background

The subject property consists of an existing greenhouse/garden center business, buggy shop, and the agent's residence. The buggy shop and residence were previously rezoned to commercial under petition 16-99. The proposed rezone will allow for an addition to the building used for the buggy shop, the expanded area of which will be utilized as a wood working shop. The rezone will also allow for the sales of items not produced on the premises that are associated with the greenhouse/garden center operation and for the sales of items associated with the proposed woodworking operation.

Adjacent Zoning and Land Uses (also shown in Exhibit A)

Direction	Zoning	Land Use
Property	Exclusive Agricultural/Commercial	Greenhouse/garden center, residence, buggy shop
North	Village Zoning	Single family home
South	Exclusive Agricultural	Field/woods
East	Agricultural	Residences/woods
West	Exclusive Agricultural	Field/woods

Analysis

The proposed rezone appears to be consistent with the Town of Ironton Comprehensive Plan Land Use Map which recognizes an area within ¼ mile of the Village of Ironton for future higher density/intensity development (Exhibit C). The rezone also appears to be consistent with the Town of Ironton Farmland Preservation Plan Map which depicts an area adjacent to the Village as a transition area out of agricultural uses (Exhibit B).

Standards for Rezoning per 7.05B(5)

Standards for rezoning out of an Exclusive Agricultural Zoning District should be considered by the Committee as part of their decision and are as follows:

- (a) Adequate public facilities to accommodate development either exist or will be provided within a reasonable amount of time as determined by the Agency.
- (b) Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of affected local units of government to provide such facilities.
- (c) The land proposed for rezoning is suitable for development and development will not result in undue water or air pollution, cause unreasonable soil erosion or have an unreasonably adverse effect on rare or irreplaceable natural areas.
- (d) Potential conflict with remaining agricultural lands and uses in the area.
- (e) Need for the proposed development in the location specified.
- (f) Availability of alternative locations.
- (g) Productivity of the agricultural lands that are involved or affected.
- (h) Whether the development as proposed is located to minimize the amount of agricultural land converted.

Committee Action Options

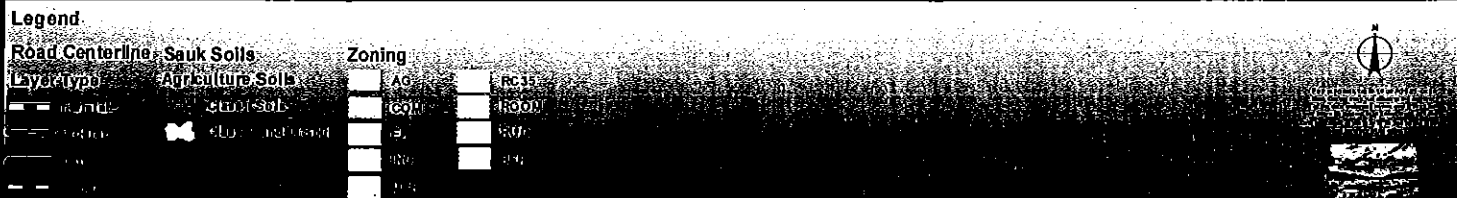
Approve Petition 10-2012, based on the facts of the request presented at the public hearing, consistency with the Town of Ironton Comprehensive Plan recognizing the future use of the property for higher density/intensity land uses, and standards for rezoning lands out of the Exclusive Agricultural zoning district being met.

Disapprove Petition 10-2012, based on the facts of the request presented at the public hearing, and the standards for rezoning lands out of an Exclusive Agricultural zoning district not being met.

Modify and Approve Petition 10-2012. Not recommended.

Staff Recommendation

Staff recommends approval of Petition 10-2012.



PLAT OF SURVEY

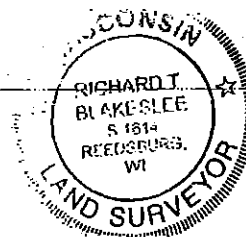
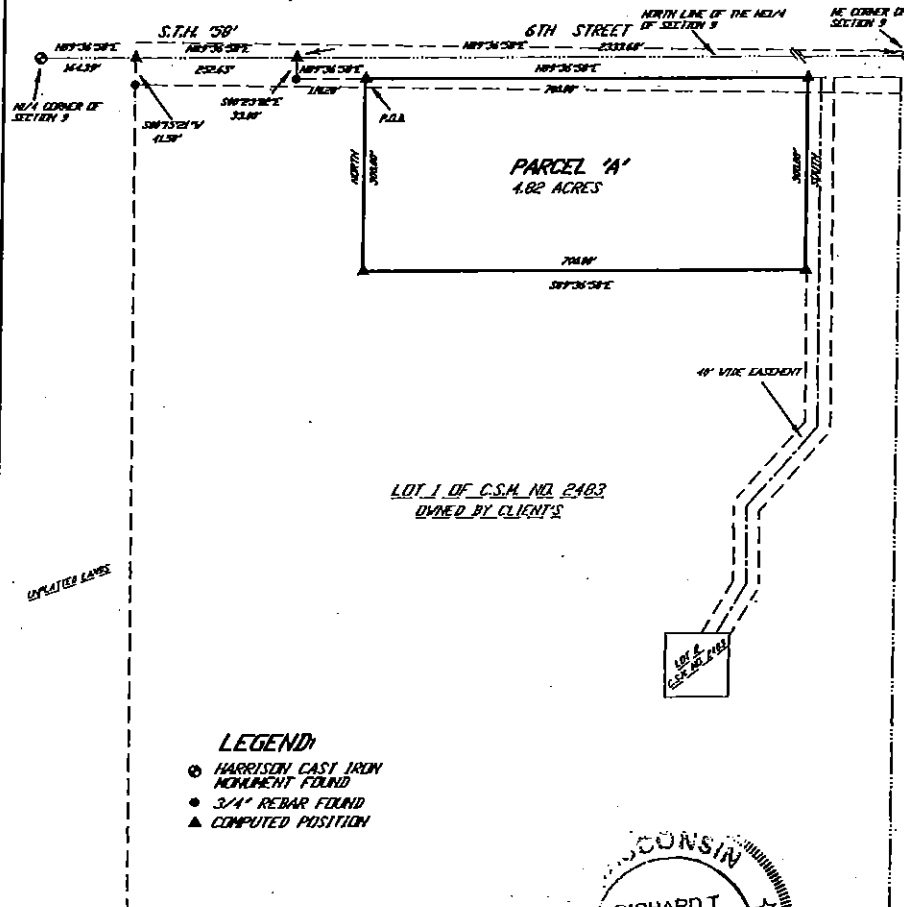
A SURVEY TO RE-ZONE PART OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 2483, LOCATED IN THE NW1/4-NE1/4 OF SECTION 9, T12N, R3E, TOWN OF IRONTON, SAAK COUNTY, WISCONSIN

OWNER'S:
ANDS & FANNIE CHRISTNER
E3555 THOMAS ROAD
LAVALLÉ, WI 53941

CLIENT:
JOHN D. GINGERICH
E3555 THOMAS ROAD
LAVALLÉ, WI 53941



BEARINGS ARE REFERENCED TO THE NORTH
NORTH LINE OF THE FRACTIONAL NE1/4
OF SECTION 9, RECORDED IN C.S.M. NO. 2483
AS BEARING N89°36'59"E



SURVEYOR'S CERTIFICATE

RICHARD T. BLAKESLEE, REGISTERED LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED A PARCEL OF LAND LOCATED IN THE TOWN OF IRONTON AND THAT THE ABOVE PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS SURVEYED TO THE BEST OF MY KNOWLEDGE AND BELIEF.

07-12-2012
DATE

Richard T. Blakeslee
RICHARD T. BLAKESLEE
REGISTERED LAND SURVEYOR S-1614

BLAKESLEE LAND SURVEYING

1228 EAST MAIN STREET
REEDSBURG, WI 53959

(808) 524-0402

JULY 12, 2012

DRAWN BY J. MURPHY / CHECKED BY R. BLAKESLEE

Exc

Map
11-6

Town of Ironton
Comprehensive Plan

Future Land Use Map

Legend

Future Land Use

Preservation Area

Transition Area

Boundaries

Parcel Boundary

County Boundary

Town of Ironton

Town Boundaries

River/Stream

Transportation

State Highway

County Highway

Town Road

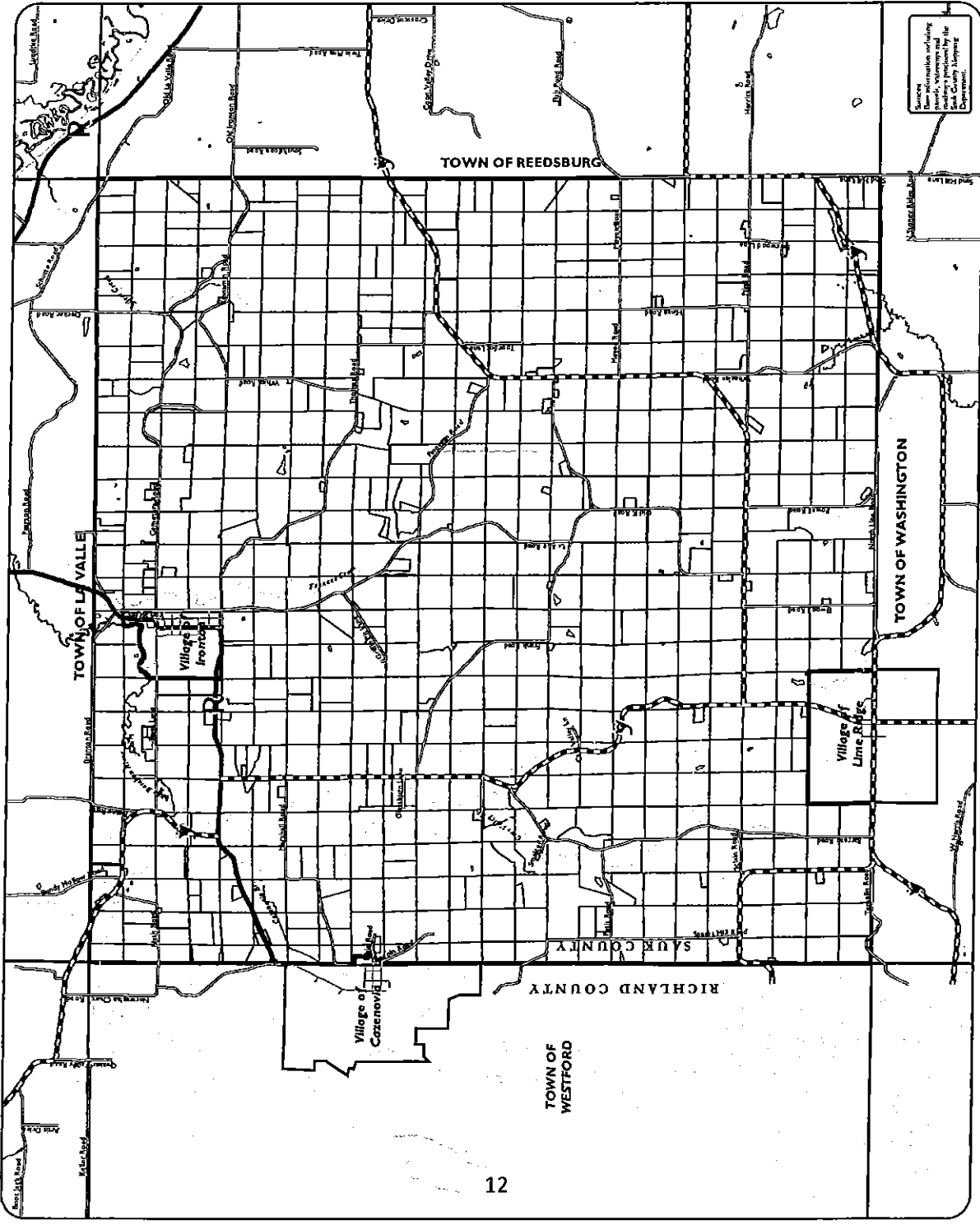
Municipal Street

"400" State Trail

E

Sauk

Miles
0 0.4 0.8



Source:
Aerial photography
and other data
provided by the
Ironton Planning
Commission.

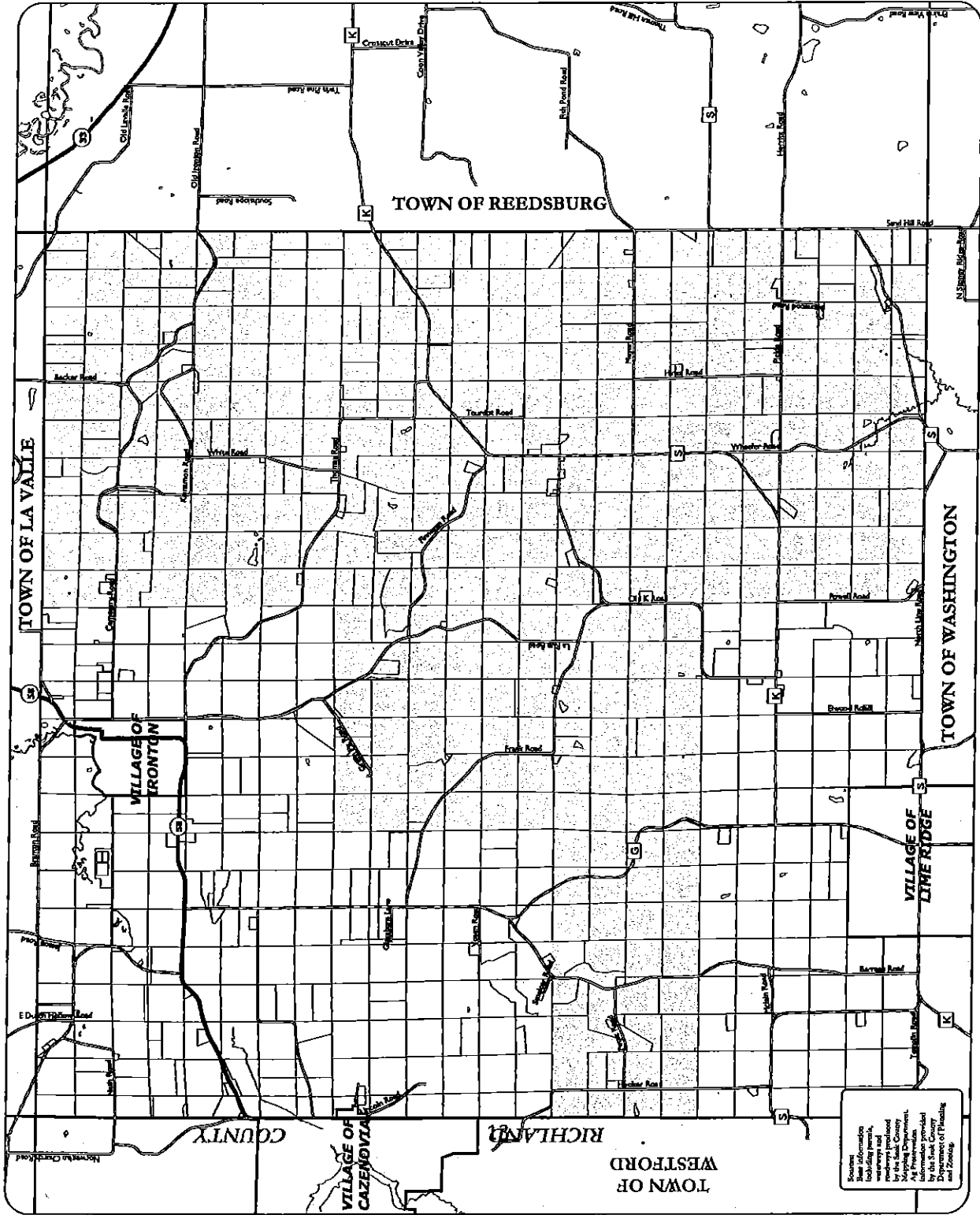
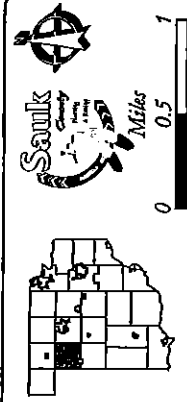
Ex D

Town of Ironton Ag Preservation Plan Map

Ag Preservation Plan Map- 2005

Legend

- Ag Preservation Plan
- Development Area
- Transition Area
- Preservation Area
- General
- Interstate Highway
- United States Highway
- State Highway
- County Highway
- Town Road
- Parcel Boundaries
- Town Border



Source:
Map information
provided by
various sources
including
Agriculture
Department
of Planning
and Zoning

RESOLUTION NO 81-2012

REQUIRING THE U.S. DEPARTMENT OF THE INTERIOR, BUREAU OF INDIAN AFFAIRS, TO COMPLY WITH THE FREEDOM OF INFORMATION ACT AND RELEASE REQUESTED DOCUMENTS AND AUTHORIZING THE CORPORATION COUNSEL TO FILE SUIT IN U.S. DISTRICT COURT IF COMPLIANCE IS NOT FORTHCOMING

WHEREAS, 5 U.S.C. § 552, the Freedom of Information Act (FOIA), provides that federal agencies must allow access to records, except for certain types of records protected from disclosure under the Act, and expresses the intent of Congress that the people of the United States should be able to have information related to the operations of their Government; and,

WHEREAS, the U.S. Department of the Interior Bureau of Indian Affairs is considering acquiring two groups of parcels of land in trust for the benefit of the Ho-Chunk Nation in Sauk County, one consisting of 213.59 acres and called the Casino Perimeter Parcel and one consisting of 395.64 acres and referred to as the Village West Parcel; and,

WHEREAS, Sauk County has passed resolutions in opposition to these requests for a variety of reasons including the fact that this action will, based on 2011 valuation, remove over \$54 million of valuation from the tax rolls and transfer \$769,491.10 of Sauk County, Town of Delton, Baraboo School District and Madison Area Technical College taxes to other taxpayers resulting in a subsidy to the Ho-Chunk Nation for the average Sauk County taxpayer and the fact that the Ho-Chunk Nation is seeking to create intensive commercial development resulting in millions of dollars of new development on land that will not be subject to taxation or land use regulation and compete unfairly with neighboring businesses that are subject to property taxes; and,

WHEREAS, in Rock County, the Ho-Chunk have proposed to build a casino and have made offers to the local community consisting of 2% of the net winnings in order to locate their casino there, but the Ho-Chunk have made no offers of any kind to the taxing jurisdictions in Sauk County; and,

WHEREAS, the Corporation Counsel traveled to the U.S. Bureau of Indian Affairs on June 20, 2011 to review the file pertaining to this action, and at that time, requested copies of the documents that he was permitted to inspect, but the BIA refused in contravention of FOIA, stating that Sauk County needed to make a written FOIA request, and that request was subsequently made; and,

WHEREAS, the BIA responded in part to the FOIA request of the County, but has refused to respond to a substantial portion of the records including documentation that shows the nature of the development proposed by the Ho-Chunk Nation on the Village West property even though these documents were produced for inspection; and,

WHEREAS, the BIA last corresponded with Sauk County on April 13, 2012 indicating that they were processing the County's request, but they have not corresponded since and have ignored the County's follow up letters dated June 4, 2012 and June 29, 2012 requesting the release of the requested documents, with BIA refusing to even reply to the letters; and,

WHEREAS, many of the requested records are clearly releasable since they were open for public inspection to the public and the County in June of 2011, and therefore there can be no lawful basis upon which to withhold these records leading to an inference that the BIA is deliberately attempting to hide the nature of the intensive Ho-Chunk development from the impacted area; and,

WHEREAS, Sauk County has previously filed an administrative appeal to the BIA's refusal to act on the County's request, but the Department of the Interior has claimed that they are backlogged on their administrative appeals, and have issued a letter indicating that the County may file suit if they are dissatisfied with waiting on a response to the administrative appeal; and,

WHEREAS, Sauk County requires these documents to ensure that Sauk County residents are informed regarding the proposed development and loss of tax base, to make informed decisions regarding the proposed future use of this land, and in order for Sauk County to take necessary action to protect its interest in the event of an adverse Federal decision regarding the acquisition of land into trust.

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session, that Sauk County insists that the BIA comply with Federal law and immediately respond to Sauk County's request under the FOIA, and the Sauk County Corporation Counsel is authorized to file suit to solicit judicial intervention in order to obtain the requested records required to advance the interests of the public.


For consideration by the Sauk County Board of Supervisors on September 18, 2012.

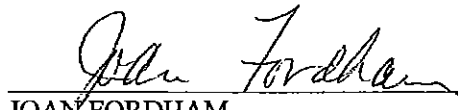
Respectfully submitted,

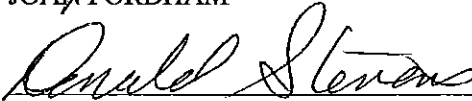
EXECUTIVE & LEGISLATIVE COMMITTEE


MARTY KRUEGER, Chairperson


WILLIAM WENZEL


JASON LANE


JOAN FORDHAM


DONALD STEVENS

Fiscal Note: Potential litigation will result in additional workload for the Corporation Counsel department and may result in additional costs for mileage, travel, duplication expenses, filing fees and other litigation related expenses. *VPB*

MIS Note: No impact.

RESOLUTION No. 88 - 12

RESOLUTION SUPPORTING LEGISLATION REQUIRING ONLINE-ONLY RETAILERS TO COLLECT AND REMIT WISCONSIN SALES TAX

WHEREAS, under current law many online-only retailers are refusing to collect and remit sales taxes in states where they do not have a physical presence; and,

WHEREAS, this creates an unfair price advantage for online-only retailers over traditional brick-and-mortar Wisconsin businesses that provide Wisconsin-based jobs; and,

WHEREAS, as the amount of unpaid tax by some people grows, more revenue needs to be collected from everyone else to compensate; and,

WHEREAS, uncollected Wisconsin state and local sales tax revenue is estimated between \$100 and \$200 million annually; and,

WHEREAS, sales tax revenues are an important component of state and local government budgets; and,

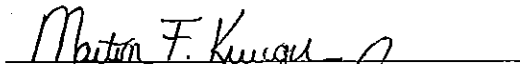
WHEREAS, this resolution supports all Wisconsin residents, businesses and units of government.

NOW, THEREFORE, BE IT RESOLVED, that the Sauk County Board of Supervisors does hereby support legislation requiring online retailers with subsidiaries or affiliates located in Wisconsin to collect and remit Wisconsin state and local sales tax.

For consideration by the Sauk County Board of Supervisors on September 18, 2012.

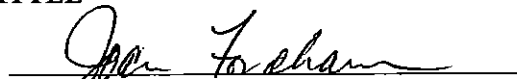
Respectfully submitted: .

EXECUTIVE AND LEGISLATIVE COMMITTEE


MARTIN F. KRUEGER


DONALD STEVENS


JASON LANE


JOAN FORDHAM



WILLIAM F. WENZEL

FINANCE COMMITTEE


TOMMY LEE BYCHINSKI


ANDREA LOMBARD


JASON LANE


JOAN FORDHAM


WILLIAM F. WENZEL

Fiscal Note: It is anticipated that there would be an undetermined fiscal impact of increased sales tax revenue for Sauk County were a change in legislation made.

MIS Note: No impact.

KAS 16

RESOLUTION NO. 83 -12
AUTHORIZATION TO PURCHASE 2013 FORD EXPLORER REPLACEMENT
SQUAD UNDER EMERGENCY PROCEDURES

WHEREAS, a 2013 Ford Interceptor police package marked squad car belonging to Sauk County was destroyed in a traffic crash on July 1, 2012; and

WHEREAS, the squad car has been declared a total loss by Local Government Property Insurance Fund adjusters; and

WHEREAS, a vehicle is needed to replace the destroyed car; and

WHEREAS, a replacement 2013 Ford Explorer can be purchased from Kayser Ford in Madison, Wisconsin, at a price of \$26,383; and

WHEREAS, Sauk County Financial Policy 4-94 allows the Department Head to authorize the expenditure of funds under emergency procedures; and

WHEREAS, Sauk County will be partially reimbursed by the offending vehicle's insurance fund for the actual cash value of the squad car in the amount of \$21,628.60, with an additional \$3,000 from the self insurance fund for the deductible; and

WHEREAS, the Sauk County Law Enforcement and Judiciary Committee has authorized the purchase of the replacement 2013 Ford Explorer police package squad for a cost of \$26,383 with costs being partially offset by insurance payments; and

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session that the Sauk County Sheriff be and hereby authorized to purchase a 2013 Ford Explorer from Kayser Ford in Madison, Wisconsin, for a cost of \$26,383;

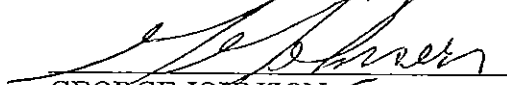
For consideration by the Sauk County Board of Supervisors this 18th day of September, 2012

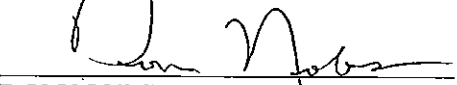
Respectfully submitted,

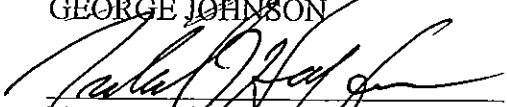
SAUK COUNTY LAW ENFORCEMENT AND JUDICIARY COMMITTEE


DONALD C. STEVENS, CHAIR


PETER TOLLAKSEN


GEORGE JOHNSON


DON NOBS


FREDERICK HALFEN

Fiscal Note: Replacement costs in the amount of \$21,628.60 was paid by offending vehicle's insurance and \$3,000 will be transferred from the County's self-insurance fund to cover the deductible. The balance of \$1,754.40 to be paid by the Vehicle Replacement due to the cost of the 2012 replacement vehicles purchased in 2012 coming in below budget projection. *PPB*

MIS Note: The Mobile Data unit and all related software for this vehicle have been removed from the unit being replaced. The only additional cost for the mobile data computer is the labor required for installation and testing. Installation and testing will be provided by Building Services in conjunction with MIS.

RESOLUTION NO. 84 - 2012

**AUTHORIZING THE PURCHASE OF LANDS IN THE TOWN OF DELLONA
TO OBTAIN ACCESS TO COUNTY OWNED PROPERTY AS PART
OF THE HIGHWAY 12 CORRIDOR GROWTH MANAGEMENT PLAN**

WHEREAS, Sauk County owns 80 acres of land in the Town of Dellona that was given to the County in 1979 by former Sauk County Highway Commissioner, Harvey D. Weidman, to serve as a memorial to his son, Mark Weidman; and,

WHEREAS, that 80 acre parcel was given to the County on the condition that the land be "... kept in its present state, with no buildings erected, no roads constructed, and no timber taken off of it," and the joint committee report of the two County committees reporting at that time indicated that the property would be "highly desirable" for educational opportunities for groups such as "4-H, Boy Scouts, Girl Scouts, and citizens who wish to view and study natural area;" and,

WHEREAS, the vision of the County and Mr. Weidman have not come to fruition due to the inability of the County to obtain access to this landlocked parcel; and,

WHEREAS, the County has been approached by the adjacent landowners who have offered to sell 50.5 adjoining acres to the County that would provide access to the 80 acres of gifted land as well as providing additional acreage to the County for recreation and conservation purposes; and,

WHEREAS, by Resolution No. 124-2011, the Honorable Sauk County Board of Supervisors approved the Memorandum of Agreement implementing the Sauk County Fund component of the Highway 12 Growth Management Plan that provides of the State of Wisconsin provide funds in the amount of \$250,000, with one of the express and stated purposes to acquire access to the 80 acre Weidman gift parcel as follows:

Secure an easement that will provide access, to the now land-locked county owned property (approximately 80 acres) in the Town of Dellona. Securing access to this property will allow Sauk County to further research, recreational and conservation options for the 80 acre property in the unique geological area known locally as "the badlands." and,

WHEREAS, under the Highway 12 agreement, Sauk County will be responsible for 44.4% of the purchase price, said money having been previously appropriated and therefore having no current levy impact, 55.6 % from State of Wisconsin funds; and,

WHEREAS, the action of acquiring this property helps fulfill Sauk County commitments as part of the Highway 12 agreement as well as facilitating the intent of the County Board in accepting this gift and the intent of the benefactor, Harvey Weidman, as a memorial to his son, Mark Weidman; and,

WHEREAS, your undersigned Committee has been advised by staff that the price to be paid for this property, \$126,250.00, is fair and reasonable based upon a review by the Sauk County Treasurer's Office considering current sales of nearby properties; and,

WHEREAS, your undersigned Committee has had this matter under consideration, and does recommend to the County Board that this purchase be approved for the purpose of fulfilling the Highway 12 Corridor Growth Management Plan and the intent of the County Board and Mr. Harvey Weidman with regard to this land.

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors, met in regular session, that the acquisition of the property described on the attached addendum is hereby authorized, utilizing funds designated in the Sauk County Fund for the purpose of implementing the Highway 12 Growth Management Plan, and the Corporation Counsel shall proceed to acquire this property on behalf of the County, and the County Board Chairman and the County Clerk are authorized to sign any documents necessary to effectuate this transaction.

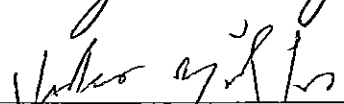
For consideration by the Sauk County Board of Supervisors on September 18, 2012.

Respectfully submitted,


PROPERTY AND INSURANCE COMMITTEE


DAVE RIEK, Chairperson


VIRGIL HARTJE


JOHN MILLER


SCOTT VON ASTEN


GEORGE JOHNSON

FISCAL NOTE: The purchase price of this property is \$126,250 of which the County's share of the cost is 44.4% or \$56,055 while the State's share is 55.6%, or \$70,195. Funds for the County's share are already appropriated and available for this purpose. *KAS*

MIS NOTE: No MIS impact.

Weidman Woods

Description of the situation: An adjacent landowner has come forward and has made it known that they would be willing to sell to the County a parcel of land and an easement that would allow access to the property from Town Hall Road. The additional land offered for sale is immediately west of the County property. The county owned property is outlined in yellow, the proposed sale property and corresponding easement are pink and green respectively (see attached map – **Exhibit A**).

With the additional land, the original intent for the property could be honored and still allow the construction of necessary facilities to allow the public to utilize the property. It is anticipated that the property would be available for passive recreational purposes.

Background: Eighty acres of land was donated to Sauk County in 1976 by Harvey Weidman as a memorial to his son, Mark W. Weidman. Conditions of the donation were that it would be kept in its present state, with no buildings erected, no roads constructed, and no timber taken off of it.

The property is landlocked and presently unused. Previous attempts to gain access to the property were unsuccessful. Acquisition of the property in question would allow for access and development of the site for recreational uses.

Past policy practices: The County has had a long term goal of obtaining access to the 80 acre parcel in Dellona. Acquisition of an easement is consistent with the County Outdoor Recreation Plan, and the County Comprehensive Plan.

On Thursday, August 9, 2012 the Highway and Parks Committee “recommended that the Property and Insurance Committee take action, in accordance with Resolution 3-12, to gain access to 80 acres of County owned property in the Town of Dellona.” Acquisition allows for the highest and best use of a county owned asset. The property is unsuitable for agricultural uses.

Resolution 3-2012 provides direction that the easement acquisition is desirable for Weidman Woods, and identifies State and County resources already budgeted for easement acquisition. The County cost would be 44.4% of the total cost. Funds necessary for acquisition are included in the 2012 budget.

Significance of the situation: If this proposed purchase is not made, there may not be another opportunity for the County to gain access, and to utilize property that it already owns.

The seller has stated a price of \$2,500 per acre for 50.5 acres. Easement to Town Hall Road is included with the parcel. Total purchase price: \$126,250.

A search of comparable properties that have recently sold in the area shows two sales (detailed below). The locations of the properties are identified on **Exhibit B**.

	Property 1	Property 2	Subject
Description	40 acres, plus home	40 acres plus easement to CTH H	50.5 acres plus easement (Exhibit C)
Assessment	5 acres residential 5 acres undeveloped 31 acres Productive Forest \$144,600; \$3,615 / acre	40 acres Productive Forest – \$131,000; \$3,275 / acre	50.5 acres Productive Forest \$160, 200; \$3,055/acre
Date recorded	02/29/2012	09/19/2011	
Tax parcel information	006 0439-00000	006 0319-00000	006 0072-00000
Sale price	\$320,000; improvement value of \$199,600, land \$120,400	\$132,000	\$126,250
Per acre sale price	\$3,010	\$3,300	\$2,500

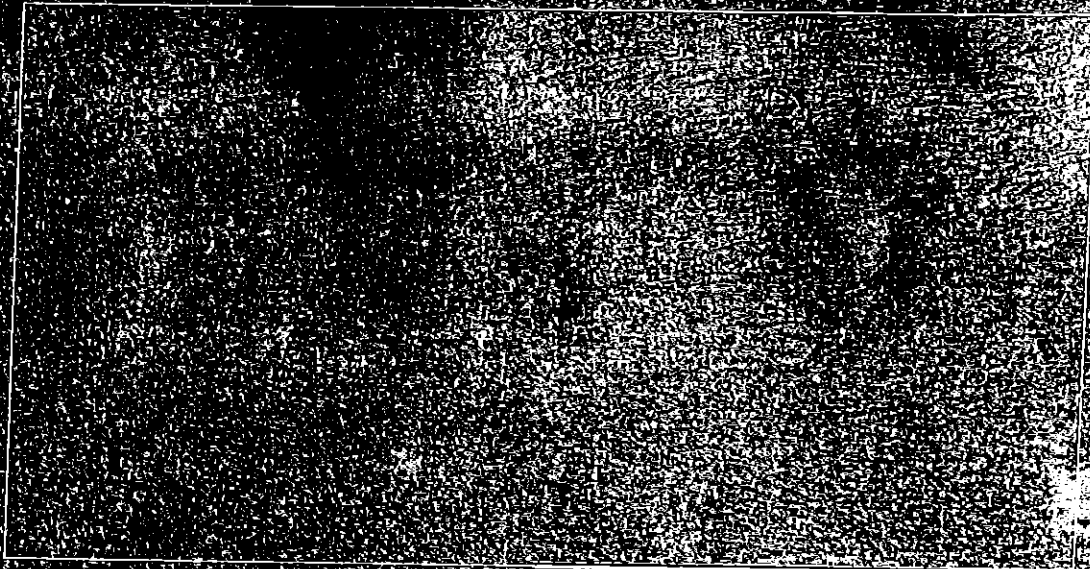


EXHIBIT A

T.13N.-R.5E.

JUNEAU ; COUNTY

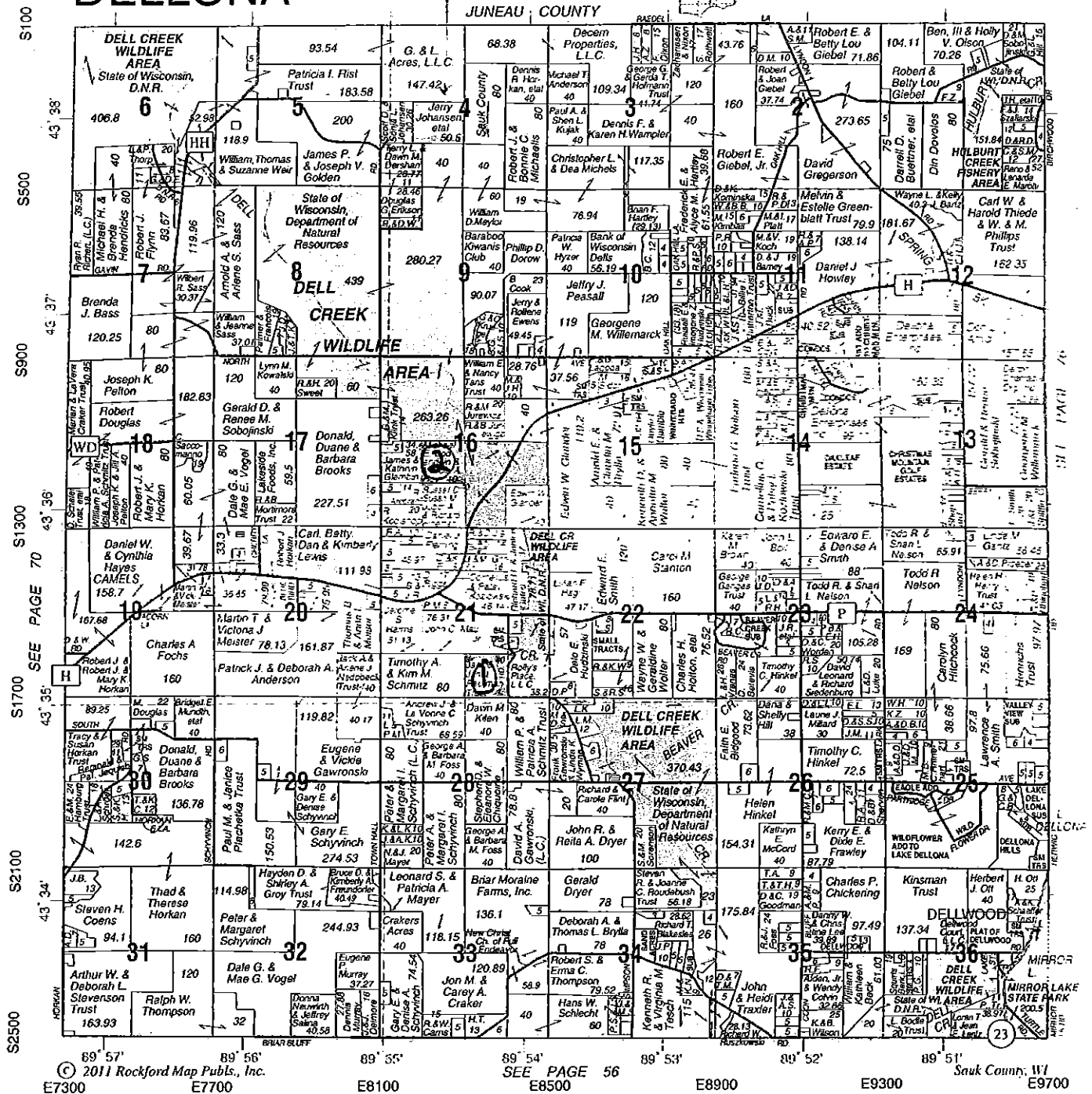


EXHIBIT R

1. Understand the problem

BULK:
0028443

BY JANUARY 31, 2012

If receipt is needed send a self addressed stamped envelope.

BUL#:
0028443

**REMEMBER TO PAY TIMELY
TO AVOID INTEREST PENALTY**

If receipt is needed send a self-addressed stamped envelope

"DOG LICENSE INFO" SEND TO TOWN TREAS:

Male or Female \$10.00

BU 1 NO. 0028443

Correspondence should refer to parcel number

PARCEL #: 006 0072-00000

JERRY
JOHANSEN ETAL
317 K ST
REEDSBURG WI 53959

important to note this description covers your property. This description is for property tax bill only and may not be a full legal description.

04.13N-05E

S 4-13-6 N1/2 SW/4 EXC CSM
#5924 50.50A (SEE POS 14491)
(W/EASE PER D-101008#)

Net Assessed Value Rate
(Does NOT reflect Credits)
.01541174

Warning: If not paid by due dates, installments option is lost and total tax is delinquent subject to interest (see reverse).

Property Address
SEE REVERSE SIDE FOR IMPORTANT INFORMATION
RETAIN THIS PORTION AS YOUR COPY

FROM

TEMP - RETURN SERVICE REQUESTED

IMPORTANT REMINDER

FIRST INSTALLMENT OR PAYMENT IN FULL
MUST BE MADE BY JANUARY 31 ST

Tax Statement

006 0072-00000

JERRY
JOHANSEN ETAL
317 K ST
REEDSBURG WI 53959

**PRESORTED
FIRST CLASS MAIL
U.S. POSTAGE PAID**

PERMIT NO.

50.50 acres
Assessed as Productive Forest
EFM \$3055/AC

Note - This parcel does not include the 66' access strip that is now an easement across adjoining parcel to West (that parcel is owned by Scott & Sonja Johansen).

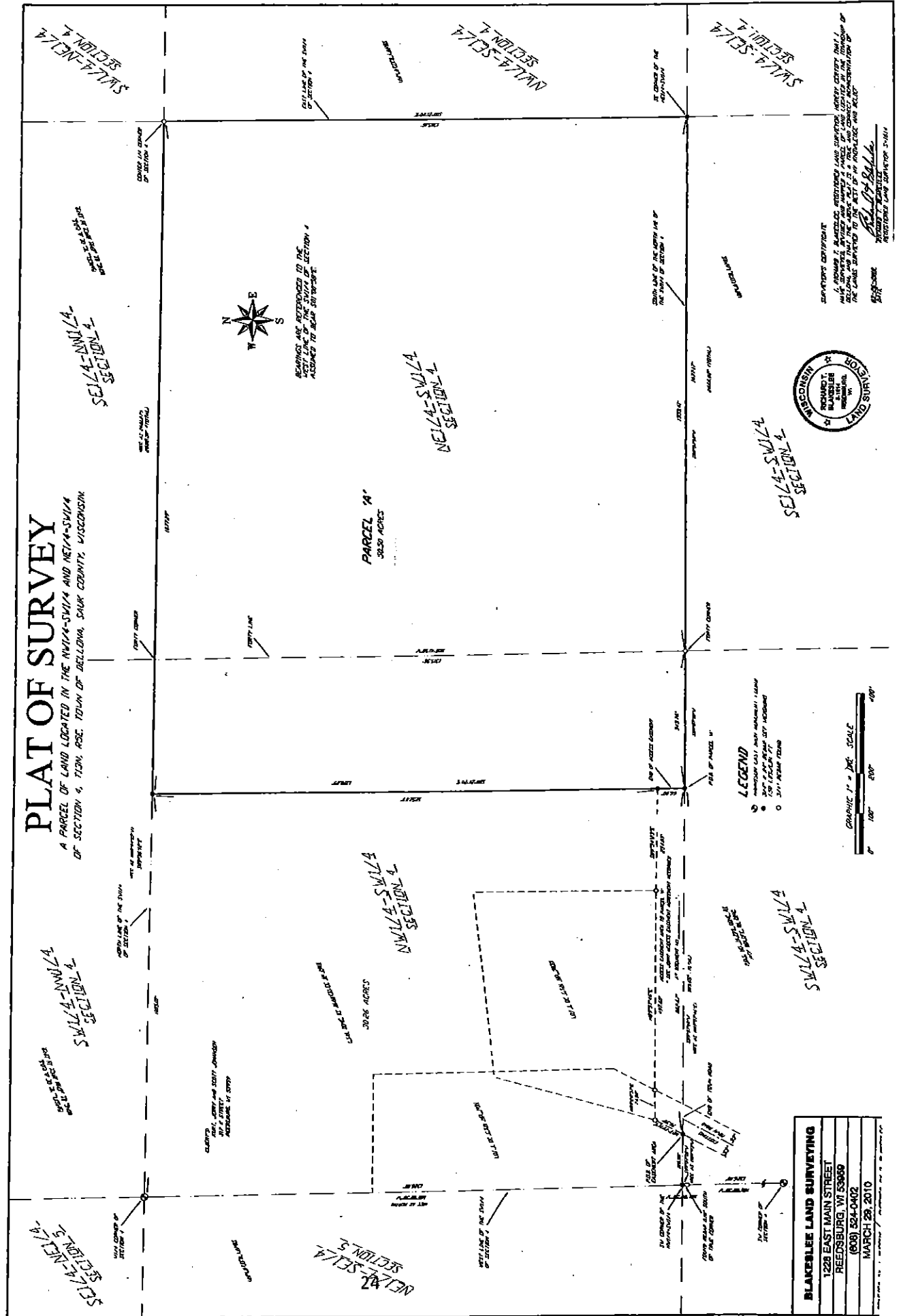
EXHIBIT C - PAGE 1 of 2

owners :

Kurt + Jean Johansen (1/2)

Jerry Johansen & Sue Luck-Johansen (1/2)

POS 14491



425'

0068

P-2559

A

766.54'

2232.53'

1314.15'

1260.88'

0069

P-2559

B

0066

1080.62'

2681.27'

1005.81'

1677.29'

For 2011

CSM 5924

LOT 1

0073

~~0078~~

~~0074~~

C-1091

~~0073~~

C-5035

1

292.74'

497.60'

56' easement per D-1009942

939.65'

1333.33'

1318.09'

0072

PDS 14491

For 2011

1677.17'

1305.16'

Sauk
County

0078

0075

C-4639

1

936.65'

25

0076

LL ROAD

EXHIBIT C Date 4-13-15
2-1-13