



Dane County

Minutes - Final Unless Amended by Committee

County Board

Consider:

Who benefits? Who is burdened?

Who does not have a voice at the table?

How can policymakers mitigate unintended consequences?

Thursday, October 4, 2018

7:00 PM

City-County Building Room 201

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A. ROLL CALL

Present: 33 - BAYRD, BOLLIG, CHENOWETH, CORRIGAN, DOWNING, DYE, ERICKSON, KIEFER, KOLAR, KRAUSE, LEVIN, MILES, McCARVILLE, NELSON, RIPP, RITT, PERTL, RUSK, SALOV, VELDRAN, WEGLEITNER, JONES, KILMER, YOUNG, KUHN, EICHER, CHAWLA, DANNER, PETERS, BUCKINGHAM, KNOLL, NGUYEN-HILFIGER and RATCLIFF

Excused: 4 - CLAUDIUS, SCHAUER, STUBBS and SCHWELLENBACH

1. Prayer/Inspirational Message - Supervisor Erickson (Supervisor Jones next)
2. Pledge of Allegiance - Supervisor Erickson

B. SPECIAL MATTERS AND ANNOUNCEMENTS

Announcements

Flower Fund Collection

PUBLIC HEARINGS

C. APPROVAL OF PAYMENTS

1. [2018 PAY-010](#) BILLS OVER \$10,000 REFERRED TO THE COUNTY BOARD

Attachments: [2018 PAY-010](#)
[2018 PAY-010 UPDATED](#)

A motion was made by NELSON, seconded by CHENOWETH, that the Payment be adopted. The motion carried by a voice vote.

D. CLAIMS RECOMMENDED FOR DENIAL

E. APPROVAL OF COUNTY BOARD MINUTES

1. [2018](#) Minutes of the 9/20/18 County Board meeting
[MIN-248](#)

Attachments: [2018 MIN-248](#)

A motion was made by KIEFER, second by MILES to amend the minutes to delete the words "and ask questions by the presenters". The motion carried by a voice vote. A motion was made by EICHER, seconded by McCARVILLE, that the Minutes be adopted as amended. The motion carried by a voice vote.

2. [2018](#) Minutes of the 9/20/18 County Board Committee of the Whole
[MIN-249](#)

Attachments: [2018 MIN-249](#)

A motion was made by EICHER, seconded by McCARVILLE, that the Minutes be adopted. The motion carried by a voice vote.

F. CONSENT CALENDAR

G. MOTIONS FROM PREVIOUS MEETINGS

H. REPORTS ON ZONING PETITIONS

1. [11323](#) PETITION: REZONE 11323
APPLICANT: MULCAHY FAMILY TR, JAMES S
LOCATION: NORTH OF 6632 HYSLOP ROAD, SECTION 26, TOWN OF DANE
CHANGE FROM: A-1EX Agriculture District TO A-2 (4) Agriculture District,
A-1EX Agriculture District TO A-4 Agriculture District
REASON: creating one residential lot

Attachments: [11323 Ord Amend](#)
[11323 Staff Update](#)
[11323 Town](#)
[11323 Density Sending](#)
[11323 Density](#)
[11323 Map TDR](#)
[11323 Map](#)
[11323 APP Revised](#)

A motion was made that the Zoning Petition be adopted. The motion carried by a voice vote.

2. [11332](#) PETITION: REZONE 11332
APPLICANT: TREVER G OTTO
LOCATION: 1371 STATE HIGHWAY 92, SECTION 11, TOWN OF PRIMROSE
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District
REASON: shifting of property lines between adjacent land owners

Attachments: [11332 Ord Amend](#)

[11332 Staff](#)

[11332 Town](#)

[11332 Map](#)

[11332 APP](#)

A motion was made that the Zoning Petition be adopted. The motion carried by a voice vote.

3. [11333](#) PETITION: REZONE 11333
APPLICANT: MARK NELSON
LOCATION: 3196 COUNTY HIGHWAY A, SECTION 13, TOWN OF RUTLAND
CHANGE FROM: A-1EX Agriculture District TO R-3 Residence District
REASON: Changing zoning district to allow for a reduced rear yard setback

Attachments: [11333 Ord Amend](#)

[11333 Staff](#)

[11333 Town](#)

[11333 Parcel Status Determination](#)

[11333 Map](#)

[11333 APP](#)

A motion was made that the Zoning Petition be adopted. The motion carried by a voice vote.

4. [11334](#) PETITION: REZONE 11334
APPLICANT: WILLIAM J RICKERMAN
LOCATION: 2760 US HIGHWAY 12/18, SECTION 32, TOWN OF
COTTAGE GROVE
CHANGE FROM: RH-2 Rural Homes District TO C-2 Commercial District
REASON: Allow warehousing business

Attachments: [11334 Ord Amend](#)
[11334 Staff CUP 2435](#)
[11334 Town](#)
[11334 Map](#)
[11334 APP](#)

A motion was made that the Zoning Petition be adopted. The motion carried by a voice vote.

5. [11335](#) PETITION: REZONE 11335
APPLICANT: JEROME R BALLWEG
LOCATION: 8788 KATZENBUECHEL ROAD, SECTION 33, TOWN OF
ROXBURY
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes
District, A-1EX Agriculture District TO R-1 Residence District, R-1
Residence District TO RH-2 Rural Homes District, A-1EX Agriculture
District TO RH-2 Rural Homes District
REASON: creating two lots and shifting of property lines

Attachments: [11335 Ord Amend](#)
[11335 Staff](#)
[11335 Town](#)
[11335 Density](#)
[11335 Map](#)
[11335 APP](#)

A motion was made that the Zoning Petition be adopted. The motion carried by a voice vote.

6. [11337](#) PETITION: REZONE 11337
APPLICANT: EDWARD J & CAROL KNAPTON
LOCATION: 4311 VILAS HOPE ROAD, SECTION 7, TOWN OF COTTAGE GROVE
CHANGE FROM: A-1EX Agriculture District TO A-B Ag-Business District
REASON: zoning compliance for an existing garden center & farm

Attachments: [11337 Ord Amend](#)
[11337 Staff CUP 2436](#)
[11337 Town](#)
[11337 Map](#)
[11337 APP](#)

A motion was made that the Zoning Petition be adopted. The motion carried by a voice vote.

7. [11339](#) PETITION: REZONE 11339
APPLICANT: EDWARD MEACHEN & FRANCINE TOMPKINS
LOCATION: 975 FLINT ROAD, SECTION 16, TOWN OF RUTLAND
CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes District, RH-1 Rural Homes District TO RH-2 Rural Homes District, RH-1 Rural Homes District TO A-1EX Agriculture District
REASON: creating residential lot for existing home

Attachments: [11339 Ord Amend](#)
[11339 Staff](#)
[11339 Town](#)
[11339 Density](#)
[11339 Map](#)
[11339 APP](#)

A motion was made that the Zoning Petition be adopted. The motion carried by a voice vote.

8. [11340](#) PETITION: REZONE 11340
APPLICANT: LINNERUD FARMS LTD PARTNERSHIP
LOCATION: NORTH OF 1824 SKYLINE DRIVE, SECTION 32, TOWN OF PLEASANT SPRINGS
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District
REASON: creating one residential lot

Attachments: [11340 Ord Amend](#)
[11340 Staff](#)
[11340 Town](#)
[11340 Density](#)
[11340 Map](#)
[11340 APP](#)

A motion was made that the Zoning Petition be adopted. The motion carried by a voice vote.

9. [11341](#) PETITION: REZONE 11341
APPLICANT: LINDA ALTENBURG
LOCATION: 493 TAYLOR LANE, SECTION 29, TOWN OF DUNKIRK
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District
REASON: separating existing residence from farmland

Attachments: [11341 Ord Amend](#)
[11341 Staff](#)
[11341 Town](#)
[11341 Density](#)
[11341 Map](#)
[11341 APP](#)

A motion was made that the Zoning Petition be adopted. The motion carried by a voice vote.

10. [11342](#) PETITION: REZONE 11342
APPLICANT: THOMAS A SARBACKER
LOCATION: EAST OF 1560 RANGE TRAIL, SECTION 3, TOWN OF MONTROSE
CHANGE FROM: A-1EX Agriculture District TO A-2 (2) Agriculture District
REASON: creating one residential lot

Attachments: [11342 Ord Amend](#)
[11342 Staff](#)
[11342 Town](#)
[11342 Density](#)
[11342 Map](#)
[11342 APP](#)

A motion was made that the Zoning Petition be adopted. The motion carried by a voice vote.

I. ORDINANCES

1. [2018 OA-013](#) AMENDING CHAPTERS 2, 67, AND 68, OF THE DANE COUNTY CODE OF ORDINANCES REGARDING DANE COUNTY REGIONAL AIRPORT REGULATIONS

Sponsors: RUSK, KRAUSE and McCARVILLE

Attachments: [2018 OA-013](#)
[2018 OA-013 Fiscal Note](#)

A motion was made that the Ordinance be adopted. The motion carried by a voice vote.

2. [2018 OA-014](#) AMENDING CHAPTER 80 OF THE DANE COUNTY CODE OF ORDINANCES, PROHIBITING APPLICATION AND SALE OF COAL TAR SEALANT AND OTHER HIGH PAH PAVEMENT SEALANT

Sponsors: KOLAR, ERICKSON, McCARVILLE and RIPP

Attachments: [2018 OA-014](#)

A motion was made that the Ordinance be adopted. The motion carried by a voice vote.

J. AWARD OF CONTRACTS

1. [2018 RES-220](#) AWARD OF CONTRACT FOR RESTROOM EXPANSION

Sponsors: NELSON, RIPP and SCHAUER

Attachments: [2018 RES-220](#)
[2018 RES-220 FISCAL NOTE](#)
[2018 RES-220 CONTRACT #13486](#)

A motion was made that the Resolution be adopted. The motion carried by a voice vote.

2. [2018 RES-221](#) AWARD OF CONTRACT FOR MCCARTHY COUNTY PARK PEDESTRIAN BRIDGE

Sponsors: NELSON, RIPP and SCHAUER

Attachments: [2018 RES-221](#)
[2018 RES-221 FISCAL NOTE](#)
[2018 RES-221 CONTRACT #13484](#)

A motion was made that the Resolution be adopted. The motion carried by a voice vote.

3. [2018 RES-222](#) AWARD OF CONTRACT FOR BATHROOM AND SHELTER ROOF REPLACEMENTS

Sponsors: NELSON, RIPP and SCHAUER

Attachments: [2018 RES-222](#)
[2018 RES-222 FISCAL NOTE](#)
[2018 RES-222 CONTRACT #13494](#)

A motion was made that the Resolution be adopted. The motion carried by a voice vote.

4. [2018 RES-225](#) AWARD OF CONTRACT FOR AIRPORT SAND STORAGE AND MAINTENANCE BUILDING REROOFING

Sponsors: NELSON, BOLLIG, McCARVILLE, PETERS and SCHAUER

Attachments: [2018 RES-225](#)
[2018 RES-225 FISCAL NOTE](#)
[2018 RES-225 CONTRACT #13488](#)

A motion was made that the Resolution be adopted. The motion carried by a voice vote.

5. [2018 RES-226](#) AWARD OF CONTRACT FOR SHOP & PARTS ROOM ROOF REHABILITATION

Sponsors: NELSON, RIPP and SCHAUER

Attachments: [2018 RES-226](#)
[2018 RES-226 FISCAL NOTE](#)
[SUB 1 2018 RES-226](#)
[2018 RES-226 CONTRACT #13489](#)

A motion was made by DYE, seconded by MILES, that the Resolution be Adopted Sub. 1. The motion carried by a voice vote. Sub. 1 was then before the Board. A motion was made that the Resolution Requiring 2/3rds Vote be adopted. The motion carried by a voice vote.

K. RESOLUTIONS

1. [2018 RES-181](#) 2018 URBAN WATER QUALITY GRANT AWARDS

Sponsors: RITT and MILES

Attachments: [2018 RES-181](#)
[2018 RES-181 Fiscal Note](#)

A motion was made that the Resolution be adopted. The motion carried by a voice vote. **DOWNING** abstains.

2. [2018 RES-204](#) AUTHORIZING EXECUTION OF A PURCHASE OF SERVICES AGREEMENT FOR CONSULTING SERVICES FOR THE DANE COUNTY REGIONAL AIRPORT

Sponsors: RUSK, BOLLIG, McCARVILLE, PETERS and SCHAUER

Attachments: [2018 RES-204](#)
[2018 RES-204 Fiscal Note](#)
[2018 RES-204 CONTRACT #13476](#)

A motion was made that the Resolution be adopted. The motion carried by a voice vote.

3. [2018 RES-207](#) AUTHORIZING EXECUTION OF LEASE FOR ADVERTISING CONCESSION AT THE DANE COUNTY REGIONAL AIRPORT

Sponsors: RUSK, BOLLIG, McCARVILLE, PETERS and SCHAUER

Attachments: [2018 RES-207](#)

[2018 RES-207 Fiscal Note](#)

[Sub 2018 RES-207 Rusk Proposed](#)

[Sub to 2018 RES-207 Lamar Terminal Advertising fiscal note](#)

[SUB 1 TO 2018 RES-207](#)

[SUB 1 TO 2018 RES-207 Fiscal Note](#)

[2018 RES-207 CONTRACT #13481](#)

A motion was made that the Resolution be Adopted Sub. 1. The motion carried by a voice vote.

4. [2018 RES-210](#) AGREEMENT FOR THE DESIGN OF IMPROVEMENTS INCLUDING TRAFFIC SIGNALS AT THE INTERSECTION OF CTH S AND PIONEER ROAD IN THE TOWN OF MIDDLETON

Sponsors: NELSON, RIPP and SCHAUER

Attachments: [2018 RES-210](#)

[2018 RES-210 Fiscal Note](#)

[2018 RES-210 CONTRACT #13505](#)

A motion was made that the Resolution be adopted. The motion carried by a voice vote.

5. [2018 RES-214](#) DANE COUNTY CONSERVATION FUND GRANT AWARD TO GROUNDSWELL CONSERVANCY (PASLEY)

Sponsors: DYE, BAYRD, BOLLIG, BUCKINGHAM, CHAWLA, CLAUSIUS, DANNER, DOWNING, ERICKSON, KILMER, KNOLL, KOLAR, KRAUSE, KUHN, LEVIN, McCARVILLE, MILES, NELSON, NGUYEN-HILFIGER, PERTL, RATCLIFF, RITT, SALOV, SCHAUER, VELDRAN and WEGLEITNER

Attachments: [2018 RES-214](#)

[2018 RES-214 Fiscal Note](#)

[2018 RES-214 Area Map CF Grant Groundswell Pasley](#)

[2018 RES-214 Subject Map CF Grant Groundswell Pasley](#)

A motion was made that the Resolution be adopted. The motion carried by a voice vote.

6. [2018 RES-218](#) CONTRACT CHANGE ORDER #4-TO CONTRACT FOR TRC ENVIRONMENTAL CORPORATION FOR CONSTRUCTION QUALITY REPRESENTATIVE

Sponsors: NELSON, RIPP and SCHAUER

Attachments: [2018 RES-218](#)
[2018 RES-218 FISCAL NOTE](#)
[2018 RES-218 CHANGE ORDER #4](#)

A motion was made that the Resolution be adopted. The motion carried by a voice vote.

7. [2018 RES-219](#) CONTRACT CHANGE ORDER #1 TO CONTRACT FOR PAYNE & DOLAN, INC. FOR CAPITAL CITY PAVEMENT RESTORATION

Sponsors: NELSON and RIPP

Attachments: [2018 RES-219](#)
[2018 RES-219 FISCAL NOTE](#)
[2018 RES-219 CHANGE ORDER #1](#)

A motion was made that the Resolution be adopted. The motion carried by a voice vote.

8. [2018 RES-223](#) AUTHORIZING ASSIGNMENT OF TWO LEASES INVOLVING LAND AT DANE COUNTY REGIONAL AIRPORT

Sponsors: RUSK, BOLLIG, McCARVILLE, PETERS and SCHAUER

Attachments: [2018 RES-223](#)
[2018 RES-223 Fiscal Note](#)
[2018 RES-223 CONTRACT #11300H](#)

A motion was made that the Resolution be adopted. The motion carried by a voice vote.

9. [2018 RES-240](#) CONTRACT CHANGE ORDER #22 TO CONTRACT FOR CORNERSTONE ENVIRONMENTAL GROUP FOR PROFESSIONAL ENGINEERING SERVICES.

Sponsors: NELSON, RATCLIFF and RIPP

Attachments: [2018 RES-240](#)
[2018 RES-240 FISCAL NOTE](#)
[2018 RES-240 CHANGE ORDER #22](#)

A motion was made that the Resolution be adopted. The motion carried by a voice vote.

10. [2018 RES-245](#) AWARDING A COLLECTIVE BARGAINING AGREEMENT TO THE DANE COUNTY WISCONSIN PROFESSIONAL POLICE ASSOCIATION-SUPERVISORY LAW ENFORCEMENT UNIT

Sponsors: CORRIGAN

Attachments: [2018 RES-245](#)
[2018 RES-245 FISCAL NOTE](#)
[2018 RES-245 TENTATIVE AGREEMENT](#)
[2018 RES-245 Clean Copy](#)

A motion was made by RUSK, seconded by RITT, that the Resolution be amended to delete "Dane County Deputy Sheriff's Association" and insert "Dane County Wisconsin Professional Police Association-Supervisory Law Enforcement Unit" . The motion carried by a voice vote. The amended resolution was then adopted on a voice vote.

11. [2018 RES-246](#) AFFIRMING AWARDS UNDER THE 2018 AFFORDABLE HOUSING DEVELOPMENT FUND

Sponsors: DANNER, BAYRD, BOLLIG, BUCKINGHAM, JONES, KILMER, KOLAR, KRAUSE, PETERS, RITT, SALOV, SCHAUER and YOUNG

Attachments: [2018 RES-246](#)
[2018 RES-246 Fiscal Note](#)
[Common Bond Tree Lane](#)
[Gorman Main Street Apartments](#)
[Gorman Valor on Washington](#)
[JT Klein-Limestone Ridge Fitchburg](#)
[JT Klein-Oak Ridge Fitchburg](#)
[Mirus Partners Acewood Blvd](#)
[MSP Cottage Grove Road](#)
[Stone House Fair Oaks](#)

A motion was made that the Resolution be adopted. The motion carried by a voice vote.

12. [2018 RES-227](#) ESTABLISHING A TECHNICAL WORK GROUP TO ADDRESS RECENT FLOODING IN THE YAHARA CHAIN OF LAKES

Sponsors: CORRIGAN, ERICKSON, CHAWLA, MILES, CHENOWETH, BOLLIG, BUCKINGHAM, DANNER, DOWNING, DYE, EICHER, JONES, KILMER, KOLAR, McCARVILLE, NELSON, NGUYEN-HILFIGER, PETERS, RATCLIFF, RIPP, RITT, RUSK, SALOV, STUBBS, VELDRAN, WEGLEITNER and YOUNG

Attachments: [2018 RES-227](#)
[2018 RES-227 Clean Copy](#)

A motion was made by WEGLEITNER, second by CHENOWETH, to amend the Resolution to insert "Be it further resolved, that the technical work group and task force shall comply with the meeting requirements set forth in Chapter 7 of the Dane County Code of Ordinances". A substitute motion was made by CORRIGAN, seconded by LEVIN, that the Resolution be amended to amend lines 28-34 to add the word "may" before includes and change "includes" to "include" and to change the word "recommendations" to "approaches" and to delete everything after the word "events". The motion carried by a voice vote.

A motion was made by DOWNING, seconded by KIEFER, that this Resolution be amended to read at lines 36-39 "BE IT FURTHER RESOLVED, that the technical work group shall issue its findings by November 30, 2018 and" and delete "convene a task force to" and delete "prior to March 31, 2019" and add "by December 31, 2018". A second motion was made by DOWNING, seconded by KIEFER to reinstate the words "convene a task force to" to the motion. Motion passed on a voice vote. The main motion as amended then failed by the following vote:

Ayes: 3 - DOWNING, KIEFER and WEGLEITNER

Noes: 30 - BAYRD, BOLLIG, CHENOWETH, CORRIGAN, DYE, ERICKSON, KOLAR, KRAUSE, LEVIN, MILES, McCARVILLE, NELSON, RIPP, RITT, PERTL, RUSK, SALOV, VELDRAN, JONES, KILMER, YOUNG, KUHN, EICHER, CHAWLA, DANNER, PETERS, BUCKINGHAM, KNOLL, NGUYEN-HILFIGER and RATCLIFF

Excused: 4 - CLAUDIUS, SCHAUER, STUBBS and SCHWELLENBACH

A motion was made by DOWNING, seconded by KIEFER, that this Resolution be amended on line 28 to delete "Land & Water Resources Department" and substitute "Environment, Agriculture and Natural Resources Committee". The motion failed by the following vote:

Ayes: 4 - DOWNING, KIEFER, VELDRAN and WEGLEITNER

Noes: 29 - BAYRD, BOLLIG, CHENOWETH, CORRIGAN, DYE, ERICKSON, KOLAR, KRAUSE, LEVIN, MILES, McCARVILLE, NELSON, RIPP, RITT, PERTL, RUSK, SALOV, JONES, KILMER, YOUNG, KUHN, EICHER, CHAWLA, DANNER, PETERS, BUCKINGHAM, KNOLL, NGUYEN-HILFIGER and RATCLIFF

Excused: 4 - CLAUDIUS, SCHAUER, STUBBS and SCHWELLENBACH

A motion was made by DOWNING, seconded by KIEFER, that the Resolution be amended to add at line 35 "The Environment, Agriculture and Natural Resources Committee may make additional appointments to the technical work group" . The motion failed by a voice vote.

A motion was made by RITT, seconded by CORRIGAN, that the Resolution be amended to add "by February 1, 2019" on line 32 after the word "events". The motion carried by a voice vote.

A motion was made by VELDRAN, seconded by CORRIGAN, that the Resolution be amended on line 39 to read "Be it further resolved, that the task force shall comply with the meeting requirements set forth in Chapter 7 of the Dane County Code of Ordinances". The motion carried by a voice vote.

A motion was made that the Resolution be adopted as amended. The motion carried by a voice vote.

L. APPOINTMENTS

1. [2018 RES-247](#) COUNTY EXECUTIVE APPOINTMENTS

Sponsors: CORRIGAN

Attachments: [2018 RES-247](#)
[Memo 2018 RES 247](#)
[SUB to 2018 RES-247](#)

A motion was made that the Resolution be Adopted Sub. 1. The motion carried by a voice vote.

M. ITEMS REQUIRING A TWO-THIRDS MAJORITY FOR PASSAGE

1. [2018 RES-239](#) ACCEPTING INDEPENDENT LIVING INNOVATION GRANT FUNDS AND CREATING REVENUE AND EXPENSE LINES DCDHS - CYF DIVISION

Sponsors: KUHN, BOLLIG, BUCKINGHAM, DANNER, KILMER, KOLAR, KRAUSE, SCHAUER and WEGLEITNER

Attachments: [2018 RES-239](#)
[2018 RES-239 Fiscal Note](#)

A motion was made that the Resolution Requiring 2/3rds Vote be adopted. The motion carried by a voice vote.

2. [2018 RES-244](#) AUTHORIZING ACCEPTANCE OF A GRANT FROM US FISH & WILDLIFE SERVICE

Sponsors: RITT, CHAWLA, DOWNING and JONES

Attachments: [2018 RES-244](#)
[2018 RES-244 Fiscal Note](#)

A motion was made that the Resolution Requiring 2/3rds Vote be adopted. The motion carried by a voice vote.

N. SPECIAL ORDER OF BUSINESS

O. SUCH OTHER BUSINESS AS THE COUNTY BOARD IS AUTHORIZED TO CONDUCT BY LAW

P. ADJOURNMENT

A motion was made by Supervisor CARL CHENOWETH, seconded by Supervisor PAUL NELSON, that the meeting be adjourned. The motion carried unanimously.