



Dane County

Minutes - Final Unless Amended by Committee County Board

Thursday, September 18, 2014

7:00 PM

City-County Bldg. Room 201

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A. ROLL CALL

The Dane County Board of Supervisors met pursuant to statute. Chair Corrigan called the meeting to order. Clerk McDonell called the roll:

Present: 37 - HENDRICK, BAYRD, BOLLIG, CHENOWETH, CLAUSIUS, CORRIGAN, de FELICE, DOWNING, ERICKSON, FERRELL, GILLIS, KIEFER, KOLAR, KRAUSE, MATANO, McCARVILLE, MILES, O'LOUGHLIN, PAN, PERTL, RICHMOND, RIPP, RUSK, SALOV, SCHMIDT, SOLBERG, STUBBS, VELDRAN, WEGLEITNER, ZWEIFEL, DYE, LEVIN, RITT, WILLETT, WUEST, SCHAUER and NELSON

[2014
RPT-330](#)

ipacket 9/18/2014 coboard meeting (limited attachments)

Attachments: [2014 RPT-330packetupdate9.18.14.pdf](#)

1. Prayer/Inspirational Message - Supervisor Schmidt (Supervisor Solberg next)
2. Pledge of Allegiance - Supervisor Schmidt

B. SPECIAL MATTERS AND ANNOUNCEMENTS

1. [2014
RES-300](#) CONGRATULATING THE SUN PRAIRIE CARDINALS BASEBALL TEAM ON THEIR 2014 DIVISION 1 STATE CHAMPIONSHIP

Attachments: [2014 RES-300 SUN PRAIRIE BASEBALL](#)

A motion was made by CLAUSIUS, seconded by ZWEIFEL, that Res. 300 be adopted. The motion carried unanimously by a voice vote.

2. Announcements

3. PUBLIC HEARINGS - NONE

C. APPROVAL OF PAYMENTS

1. [2014
PAY-009](#) BILLS OVER \$10,000. REFERRED TO THE COUNTY BOARD

Attachments: [2014 PAY-009 BILLS09-18-14CB.pdf](#)
[2014 PAY-009UPDATEDBILLS09-18-14CB.pdf](#)

A motion was made by MATANO, seconded by ERICKSON, that the amended Payments be adopted. The motion carried unanimously by a voice vote.

D. CLAIMS RECOMMENDED FOR DENIAL - NONE

E. APPROVAL OF COUNTY BOARD MINUTES

1. [2014
MIN-303](#) County Board Minutes of September 4, 2014

A motion was made by FERRELL, seconded by WILLETT, that the Minutes of the County Board meeting of September 4, 2014 be adopted. The motion carried unanimously by a voice vote.

F. CONSENT CALENDAR

1. [2014
RES-235](#) RUTLAND CENTER CEMETERY ANTHONY ADDITION

Attachments: [RES 235.pdf](#)
[2014 RES-235 Fiscal Note.pdf](#)

The Zoning & Land Regulation Committee recommends that Res. 235 be adopted. The motion carried unanimously by a voice vote.

2. [2014
RES-242](#) AUTHORIZING WAUNAKEE LEASE FOR JOINING FORCES FOR FAMILIES PROGRAM DCDHS - CYF DIVISION

Attachments: [2014 RES-242.pdf](#)
[2014 RES-242 FISCAL NOTE.pdf](#)
[2014 RES-242 CONTRACT 12040.pdf](#)

The Health & Human Needs and Personnel & Finance Committees recommend that Res. 242 be adopted. The motion carried unanimously by a voice vote.

3. [2014 RES-264](#) **AUTHORIZING MAZOMANIE LEASE FOR JOINING FORCES FOR FAMILIES PROGRAM - CYF DIVISION**

- Attachments:** [2014 RES-264.pdf](#)
[2014 RES-264 FISCAL NOTE.pdf](#)
[2014 RES-264 CONTRACT 9553A.pdf](#)

The Health & Human Needs and Personnel & Finance Committees recommend that Res. 264 be adopted. The motion carried unanimously by a voice vote.

G. MOTIONS FROM PREVIOUS MEETINGS

H. REPORTS ON ZONING PETITIONS

1. [10649](#) **PETITION: REZONE 10649**
APPLICANT: WINDSOR GOLF VENTURES INC
LOCATION: 4628 GOLF DRIVE, SECTION 30, TOWN OF WINDSOR
CHANGE FROM: RE-1 Recreational District TO R-1 Residence District and R-3A Residence District; A-1EX Agriculture District TO R-1 Residence District
REASON: creation of thirteen residential lots

- Attachments:** [10649 Staff Update.pdf](#)
[Windsor Blue Preliminary Stormwater Plan.pdf](#)
[10649 Ord Amend.pdf](#)

The Zoning & Land Regulation Committee recommends that Petition 10649 be adopted as amended. The motion carried unanimously by a voice vote.

2. [10682](#) **PETITION: REZONE 10682**
APPLICANT: STATZ BROS INC
LOCATION: 1151 BERLIN ROAD, SECTION 5, TOWN OF MEDINA
CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes District, A-1EX Agriculture District TO RH-3 Rural Homes District, A-1EX Agriculture District TO RH-2 Rural Homes District
REASON: separation of existing residence from farmland and the creation of two residential lots

- Attachments:** [10682 Staff Update.pdf](#)
[10682 Town.pdf](#)
[10682 Ord Amend.pdf](#)

The Zoning & Land Regulation Committee recommends that Petition 10682 be adopted as amended. The motion carried unanimously by a voice vote.

3. [10690](#) **PETITION: REZONE 10690**
APPLICANT: MEDINA, TOWN OF
LOCATION: VARIOUS, SECTION 15, TOWN OF MEDINA
CHANGE FROM: A-1EX Agriculture District TO CO-1 Conservancy District
REASON: compliance with farmland preservation plan as required by ss. 91.38

Attachments: [10690 Staff Update.pdf](#)
[10690 Town.pdf](#)
[10690 map.pdf](#)
[10690 Ord Amend.pdf](#)

The Zoning & Land Regulation Committee recommends that Petition 10690 be adopted as amended. The motion carried unanimously by a voice vote.

4. [10698](#) **PETITION: REZONE 10698**
APPLICANT: WISCONSIN EDUCATION ASSOC
LOCATION: 45 NOB HILL RD.; 33 NOB HILL RD.; 345 COYIER LANE, SECTION 36, TOWN OF MADISON
CHANGE FROM: C-2 Commercial District TO C-1 Commercial District, B-1 Local Business District TO C-1 Commercial District
REASON: shifting of property lines between adjacent land owners

Attachments: [10698 Staff Rpt \(updated\).pdf](#)
[10698 town action report.pdf](#)
[10698 rezone map \(revised\).pdf](#)
[10698 Ord Amend.pdf](#)

The Zoning & Land Regulation Committee recommends that Petition 10698 be adopted as amended. The motion carried unanimously by a voice vote.

5. [10713](#) **PETITION: REZONE 10713**
APPLICANT: TOWN OF VERONA
LOCATION: TOWN OF VERONA
CHANGE FROM: A-1EX Agriculture District TO Various Zoning Districts
REASON: compliance with the adopted Dane County farmland preservation plan, as required by s. 91.38

Attachments: [10713 Staff Update.pdf](#)
[10713 Town.pdf](#)
[10713 Ord Amend.pdf](#)

The Zoning & Land Regulation Committee recommends that Petition 10713 be adopted as amended. The motion carried unanimously by a voice vote.

6. [10736](#) **PETITION: REZONE 10736**
APPLICANT: LYNELLE J HEIMZEROTH
LOCATION: NORTH OF 1057 COUNTY HIGHWAY N, SECTION 9, TOWN OF DUNKIRK
CHANGE FROM: R-2 Residence District TO R-3A Residence District
REASON: allow for a single-family or two-family dwelling

Attachments: [10736 Staff Update.pdf](#)
[10736 Town.pdf](#)
[10736 Map.pdf](#)
[10736 Ord Amend.pdf](#)

The Zoning & Land Regulation Committee recommends that Petition 10736 be adopted as amended. The motion carried unanimously by a voice vote.

I. ORDINANCES - NONE

J. AWARD OF CONTRACTS

1. [2014](#)
[RES-219](#) CHANGE ORDER #41 TO CONTRACT FOR MIRON CONSTRUCTION CO.
INC. FOR ALLIANT ENERGY CENTER PAVILIONS

Attachments: [2014 RES-219.pdf](#)
[2014 RES-219 FISCAL NOTE.pdf](#)
[2014 RES-219 SUB 1.pdf](#)
[2014 RES-219 CO 41.pdf](#)

The Public Works & Transportation and Personnel & Finance Committees recommend adoption of Sub. 1 to Res. 219. The motion carried unanimously by a voice vote.

- *2. [2014](#)
[RES-255](#) 2014 RES-255 AWARDED A PROFESSIONAL SERVICES CONTRACT TO
UW MILWAUKEE CULTURAL RESOURCE MANAGEMENT FOR
ARCHAEOLOGICAL DATA RECOVERY ON THE LOWER YAHARA RIVER
TRAIL

Attachments: [2014 RES-255.pdf](#)
[2014 RES-255 Fiscal Note.pdf](#)
[2014 RES-255 CONTRACT 12059.pdf](#)

The Park Commission, Environment, Agriculture & Natural Resources and Personnel & Finance Committees recommend that Res. 255 be adopted. The motion carried unanimously by a voice vote.

K. RESOLUTIONS

1. [2014 RES-274](#) URGING A BAN ON NON-THERAPEUTIC USE OF ANTIBIOTICS IN LIVESTOCK

Attachments: [2014 RES-274](#)

The Environment, Agriculture & Natural Resources and Executive Committees recommend that Res. 274 be adopted. The motion carried by a voice vote with Supervisor Kiefer abstaining.

L. APPOINTMENTS

1. [2014 RES-273](#) COUNTY BOARD CHAIR APPOINTMENTS TO THE POVERTY COMMISSION

Attachments: [2014 RES-273](#)

The Executive Committee recommends that Res. 273 be adopted. The motion carried unanimously by a voice vote.

M. ITEMS REQUIRING A TWO-THIRDS MAJORITY FOR PASSAGE

- *1. [2014 RES-223](#) AUTHORIZING AN AGREEMENT FOR THE FINAL DESIGN OF COUNTY TRUNK HIGHWAY M (CTH M) FROM PRAIRIE HILL ROAD TO CROSS COUNTY ROAD

Attachments: [2014 RES-223](#)
[2014 RES-223 Fiscal Note.pdf](#)
[2014 RES-223 CONTRACT 12078.pdf](#)

The Public Works & Transportation and Personnel & Finance Committees recommend that Res. 223 be adopted. The motion carried unanimously by a voice vote.

2. [2014 RES-261](#) AMENDING 2013 PROFESSIONAL SERVICES CONTRACTS WITH COMMUNITY HOSPITALS DCDHS - ACS DIVISION

Attachments: [2014 RES-261.pdf](#)
[2014 RES-261 FISCAL NOTE.pdf](#)
[2014 RES-261 CONTRACT 82599A.pdf](#)

The Health & Human Needs and Personnel & Finance Committees recommend that Res. 261 be adopted. The motion carried unanimously by a voice vote.

3. [2014 RES-266](#) **INCREASING PROFESSIONAL SERVICES CONTRACT WITH TELLURIAN UCAN, INC. DCDHS - ACS DIVISION**

Attachments: [2014 RES-266.pdf](#)
[2014 RES-266 FISCAL NOTE.pdf](#)
[2014 RES-266 CONTRACT 82622A.pdf](#)

The Health & Human Needs and Personnel & Finance Committees recommend that Res. 266 be adopted. The motion carried unanimously by a voice vote.

4. [2014 RES-267](#) **AUTHORIZING NEW PROJECT POSITION FOR MEDICAID COMPREHENSIVE COMMUNITY SERVICES INTAKE AND ELIGIBILITY DCDHS - ACS**

Attachments: [2014 RES-267.pdf](#)
[2014 RES-267 FISCAL NOTE.pdf](#)

The Health & Human Needs and Personnel & Finance Committees recommend that Res. 267 be adopted. The motion carried unanimously by a voice vote.

5. [2014 RES-272](#) **CREATING STAFF POSITIONS RELATED TO STATE "POST-REUNIFICATION SUPPORT PROGRAM (PS)" MONIES DCDHS - CYF DIVISION**

Attachments: [2014 RES-272.pdf](#)
[2014 RES-272 FISCAL NOTE.pdf](#)

The Health & Human Needs and Personnel & Finance Committees recommend that Res. 272 be adopted. The motion carried unanimously by a voice vote.

N. SPECIAL ORDER OF BUSINESS - APPEAL OF CUP # 2260 7:30PM

Suspend the Rules

A motion was made by MILES, seconded by SCHAUER, to suspend the rules to allow the two appellants and the applicant to speak for a total of 30 minutes per side. The motion carried unanimously by a voice vote.

Signe Johnson, Edgerton, spoke in opposition to CUP 2260
Pat Tesar, Edgerton, spoke in opposition to CUP 2260
Lori Huntoon, Madison, representing Albion Concerned Citizens, spoke in opposition to CUP 2260
David Blockstein, Takoma Park, MD, spoke in opposition to CUP 2260
Jon M. Grinde, Madison, spoke in opposition to CUP 2260
Robin Loger, Mazomanie, representing Yahara Materials, Inc., spoke in support of CUP 2260
Douglas Dypold, Edgerton, spoke in opposition to CUP 2260
Patrice Loffin, Edgerton, spoke in opposition to CUP 2260
Tom Lenox, Edgerton, spoke in opposition to CUP 2260
Tim Zick, Edgerton, spoke in opposition to CUP 2260
Dean Johnson, Edgerton, spoke in opposition to CUP 2260
Carol J. Tesar, Edgerton, spoke in opposition to CUP 2260
Randy Nelson, Edgerton, spoke in opposition to CUP 2260
Erica Zick, Edgerton, spoke in opposition to CUP 2260
James McGovern, Edgerton, was available for information
Sue Tronnes, Edgerton, registered in opposition to CUP 2260
Jeffrey Lehnherr, Edgerton, registered in opposition to CUP 2260
Abigail Staff, Edgerton, registered in opposition to CUP 2260
Ryan P. Kratky, Edgerton, registered in opposition to CUP 2260

[2014](#)

Additional testimony/documents for Appeal of CUP 2260

[RPT-346](#)

Attachments: [additionaltestimonyCUP2260.pdf](#)

1. [CUP 2260](#)

PETITION: CUP 2260 - APPEAL OF CUP

APPLICANT: CRAZY ACRES INC

LOCATION: WEST OF 983 STATE HIGHWAY 73, SECTION 15, TOWN OF ALBION

CUP DESCRIPTION: mineral extraction

Attachments: [CUP 2260 appeal notice.pdf](#)
[CUP #2260.pdf](#)
[Appeal CUP 2260 Town Statement.pdf](#)
[CUP 2260 app.pdf](#)
[2260 staff memo regarding amended condition request.pdf](#)
[CUP 2260 staff revised.pdf](#)
[CUP 2260 staff memo May 7.pdf](#)
[CUP 2260 town.pdf](#)
[CUP 2260 opposition.pdf](#)
[CUP 2260 yahara.pdf](#)
[CUP 2260 op plan revised.pdf](#)
[CUP 2260 Stantec.pdf](#)
[CUP 2260-ZLR Letter in opposition May 7.pdf](#)
[CUP 2260 May 8 - Blockstein.pdf](#)
[CUP #2260 notification.pdf](#)
[tesarappeal2260.pdf](#)
[appellant info 5600-FS-DEP4076.pdf](#)
[appellant info AlbionLandUseMap2.pdf](#)
[Appellant info Albionplan.pdf](#)
[appellant info ConditionalUsePermitprovisionsfromDCCO.pdf](#)
[appellant info Full page fax print.pdf](#)
[appellant info karst.pdf](#)
[appellant info LettertoDeanJohnson.pdf](#)
[appellant info LimestoneMSDS.pdf](#)
[appellant info Neighbors.pdf](#)
[appellant info Neighbors FoF CoL Equine.pdf](#)
[appellant info](#)
[propertyvaluesrockfortquarrycontinued-to-commissioners.pdf](#)
[appellant info rockfortquarrycontinued-to-commissioners.pdf](#)
[appellant info Standard_Cond.pdf](#)
[appellant info USStudyontheimpactofpitsquarriesonhomeprices.pdf](#)
[appellant info Wetland_Guide_web.pdf](#)
[EXPERT~1.pdf](#)
[yahara affidavi1.pdf](#)
[32_TA-COS_Comment_Appendix_B_BRKW_Market_Analysis_Review.pdf](#)
[YaharaMaterialsStudyAreaAndResponses.pdf](#)

Question before the Board is overturning the action of the Zoning & Land Regulation Committee (approval of CUP 2260). The motion failed by the following vote (requires 3/4 vote of those present to overturn):

Ayes: 21 - HENDRICK, BAYRD, de FELICE, DOWNING, ERICKSON, KRAUSE, McCARVILLE, PAN, PERTL, RICHMOND, RUSK, SCHMIDT, SOLBERG, STUBBS, WEGLEITNER, ZWEIFEL, DYE, RITT, WUEST, SCHAUER and NELSON

Noes: 16 - BOLLIG, CHENOWETH, CLAUDIUS, CORRIGAN, FERRELL, GILLIS, KIEFER, KOLAR, MATANO, MILES, O'LOUGHLIN, RIPP, SALOV, VELDRAN, LEVIN and WILLETT

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

P. ADJOURNMENT

A motion was made by PAN, seconded by MILES, that the meeting be adjourned. The motion carried by a voice vote at 10:53 p.m. Subsequent to adjournment, Chair Corrigan referred the following matters:

[2014](#)
[RPT-347](#)

Referrals List

Attachments: [referrallist09182014.pdf](#)