



# Dane County

## Minutes - Final Unless Amended by Committee County Board

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Thursday, September 18, 2014

7:00 PM

City-County Bldg. Room 201

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City-County Bldg. Room 201

### 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**                   BILLS OVER \$10,000. REFERRED TO THE COUNTY BOARD  
**PAY-009**

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**                   County Board Minutes of September 4, 2014  
**MIN-303**

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**                   RUTLAND CENTER CEMETERY ANTHONY ADDITION  
**RES-235**

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**                   AUTHORIZING WAUNAKEE LEASE FOR JOINING FORCES FOR FAMILIES  
**RES-242**                   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 **AUTHORIZING MAZOMANIE LEASE FOR JOINING FORCES FOR**  
RES-264 **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 CHANGE ORDER #41 TO CONTRACT FOR MIRON CONSTRUCTION CO.  
RES-219 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 2014 RES-255 AWARDDING A PROFESSIONAL SERVICES CONTRACT TO  
RES-255 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**                    **URGING A BAN ON NON-THERAPEUTIC USE OF ANTIBIOTICS IN**  
**RES-274**                    **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**                    **COUNTY BOARD CHAIR APPOINTMENTS TO THE POVERTY**  
**RES-273**                    **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**                    **AUTHORIZING AN AGREEMENT FOR THE FINAL DESIGN OF**  
**RES-223**                    **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**                    **AMENDING 2013 PROFESSIONAL SERVICES CONTRACTS WITH**  
**RES-261**                    **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 Referrals List  
RPT-347

Attachments: [referrallist09182014.pdf](#)