

### **Dane County**

# Minutes - Final Unless Amended by Committee

### **County Board**

Thursday, December 3, 2015

7:00 PM

City-County Building, Room 201

#### City-County Building, Room 201

#### A. ROLL CALL

Present: 34 - BAYRD, BOLLIG, CHENOWETH, CLAUSIUS, CORRIGAN, de FELICE,

DOWNING, DYE, ERICKSON, FERRELL, GILLIS, HENDRICK, KIEFER, KOLAR, KRAUSE, LEVIN, MATANO, MILES, NELSON, PAN, PERTL, RIPP,

RITT, RUSK, SALOV, SCHAUER, SCHMIDT, SOLBERG, STUBBS,

VELDRAN, WEGLEITNER, WILLETT, ZWEIFEL and JONES

Excused: 3 - McCARVILLE, O'LOUGHLIN and RICHMOND

Prayer/Inspirational Message - Supervisor Richmond (Supervisor Ripp next)

2. Pledge of Allegiance - Supervisor Ripp

#### **B. SPECIAL MATTERS AND ANNOUNCEMENTS**

1. 201 CONGRATULATING THE 2015-16 MOUNT HOREB VIKINGS BOYS SOCCER TEAM

Attachments: 2015 RES-361

A motion was made by DOWNING, seconded by JONES, that the Special

Resolution be adopted. The motion carried by a voice vote.

**Announcements** 

#### **PUBLIC HEARINGS**

#### C. APPROVAL OF PAYMENTS

1. <u>2015</u> PAY-014 BILLS OVER \$10,000 REFERRED TO THE COUNTY BOARD

Attachments: 2015 PAY-014

2015 PAY-014 UPDATED

Request was made by Ferrell to separate item #10 Southern Computer Warehouse-(1)

Led HDTV For ADRC-Human Services \$10,791.03. Request granted. Moved by Matano, Second by Pertl to adopt the balance of the bills. The motion carried by a voice

vote.

A motion was made by MATANO, seconded by PERTL, that this Payment for item #10 Southern Computer Warehouse-(1) Led HDTV For ADRC-Human Services

\$10,791.03 be adopted. The motion carried by the following vote:

Ayes: 22 - BAYRD, BOLLIG, CHENOWETH, CORRIGAN, ERICKSON, HENDRICK, KOLAR,

KRAUSE, LEVIN, MATANO, NELSON, PAN, PERTL, RITT, RUSK, SALOV, SCHAUER, SCHMIDT, STUBBS, VELDRAN, WEGLEITNER and ZWEIFEL

Noes: 12 - CLAUSIUS, de FELICE, DOWNING, DYE, FERRELL, GILLIS, KIEFER, MILES,

RIPP, SOLBERG, WILLETT and JONES

Excused: 3 - McCARVILLE, O'LOUGHLIN and RICHMOND

#### D. CLAIMS RECOMMENDED FOR DENIAL

#### E. APPROVAL OF COUNTY BOARD MINUTES

1. 2015 Minutes of the November 16, 2015 County Board meeting

MIN-480

Attachments: 2015 MIN-480 11-16-15 County Board Meeting

A motion was made by MATANO, seconded by SCHMIDT, that the Minutes be

adopted. The motion carried by a voice vote.

2. 2015 Minutes of the November 19, 2015 County Board Meeting

MIN-473

Attachments: Board Minutes 11192015

A motion was made by MATANO, seconded by SCHMIDT, that the Minutes be

adopted. The motion carried by a voice vote.

#### F. CONSENT CALENDAR

1. <u>2015</u> RES-252 RESOLUTION APPROVING HOUSING PROJECT OF THE HOUSING AUTHORITY OF DANE COUNTY, WISCONSIN (USDA RURAL DEVELOPMENT APARTMENTS PROJECT)

Sponsors: KOLAR

Attachments: 2015 RES-252

2015 RES-252 Fiscal Note

A motion was made by KOLAR, seconded by SCHAUER, that the Resolution be referred to the Health and Human Needs Committee The motion carried by a voice vote.

A motion was made by KOLAR, seconded by PERTL to reconsider the action of the Board on 2015 Resolution 252. The motion carried by a voice vote.

Moved by KOLAR, second by PERTL that the Resolution by referred to the Personnel and Finance Committee. The motion carried by a voice vote.

2. <u>2015</u> RES-274 AUTHORIZING ASSIGNMENT AND AMENDMENT OF LEASE INVOLVING

LAND AT DANE COUNTY REGIONAL AIRPORT

Sponsors: RUSK

Attachments: 2015 RES-274

2015 RES-274 Fiscal Note

2015 RES 274 DCRA 83-15 ANCHORBANK APP AND ASSIGN

2015 RES-274 CONTRACT #12557

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

voice vote.

3. <u>2015</u> RES-277 2015 RES-277\_APPROVING THE DIVISION OF JOINTLY OWNED LAND IN

THE TOWN OF MEDINA

Sponsors: O'LOUGHLIN, CLAUSIUS, FERRELL, SOLBERG, WILLETT and ZWEIFEL

Attachments: 2015 RES-277

2015 RES-277 Fiscal Note 2015 RES-277 Map

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

4. 2015 RES-278\_APPROVING THE EXCHANGE OF LANDS TO RESOLVE SURVEY ISSUES IN THE TOWN OF BERRY

Sponsors: RIPP

Attachments: 2015 RES-278

2015 RES-278 Fiscal Note 2015 RES-278 Map

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

voice vote.

5. 2015 RES-279\_DANE COUNTY CONSERVATION FUND GRANT AWARD

RES-279 TO THE NATURAL HERITAGE LAND TRUST (KOLTES)

**Sponsors:** KIEFER, DOWNING, MATANO, McCARVILLE, PAN, RICHMOND and RIPP

Attachments: 2015 RES-279

2015 RES-279 Fiscal Note 2015 RES-279 Koltes Map

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

voice vote.

6. 2015 2015 RES-280\_DANE COUNTY CONSERVATION FUND GRANT AWARD

RES-280 TO THE NATURAL HERITAGE LAND TRUST (LANGE)

Sponsors: RIPP

Attachments: 2015 RES-280

2015 RES-280 Fiscal Note

2015 RES-280 Map

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

7. 2015 Urging the University of Wisconsin-Madison to Ensure

RES-290 Student Access to Voting

Sponsors: PAN, BAYRD, BOLLIG, CHENOWETH, CLAUSIUS, CORRIGAN, DOWNING, DYE,

ERICKSON, GILLIS, HENDRICK, KIEFER, KRAUSE, LEVIN, MATANO, McCARVILLE, MILES, NELSON, PERTL, RICHMOND, RITT, RUSK, SALOV, SCHAUER, SCHMIDT,

VELDRAN, WEGLEITNER and ZWEIFEL

Attachments: 2015 RES-290

**UW Madison ID Card** 

A motion was made that this Resolution be adopted. The motion carried by the following vote:

Ayes: 32 - BAYRD, BOLLIG, CHENOWETH, CLAUSIUS, CORRIGAN, de FELICE,

DOWNING, DYE, ERICKSON, GILLIS, HENDRICK, KIEFER, KOLAR, KRAUSE, LEVIN, MATANO, MILES, NELSON, PAN, PERTL, RIPP, RITT, RUSK, SALOV, SCHAUER, SCHMIDT, SOLBERG, STUBBS, VELDRAN, WEGLEITNER,

ZWEIFEL and JONES

Noes: 2 - FERRELL and WILLETT

Excused: 3 - McCARVILLE, O'LOUGHLIN and RICHMOND

8. 2015 AUTHORIZING SUBMISSION OF SECOND SUBSTANTIAL AMENDMENT

RES-300 TO THE 2015 ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING

AND URBAN DEVELOPMENT (HUD).

Sponsors: RIPP and SOLBERG

Attachments: 2015 RES-300

2015 RES-300 Fiscal Note

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

voice vote.

9. 2015 AUTHORIZING DANE COUNTY TO PROVIDE MENSTRUAL PRODUCTS IN

RES-317 PUBLIC RESTROOMS OF COUNTY BUILDINGS BEGINNING IN 2016

Sponsors: WEGLEITNER, BAYRD, BOLLIG, DYE, ERICKSON, GILLIS, HENDRICK, JONES,

KIEFER, KOLAR, KRAUSE, LEVIN, MATANO, McCARVILLE, MILES, NELSON, PAN,

PERTL, RICHMOND, RITT, SCHAUER, SCHMIDT, VELDRAN and ZWEIFEL

Attachments: 2015 RES-317

2015 RES-317 FISCAL NOTE

2015 RES-317 SUB 1

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

a voice vote.

The motion before the Board was now Sub 1. The motion carried by a voice vote.

**10.** 2015 AWARDING A COLLECTIVE BARGAINING AGREEMENT TO THE DANE COUNTY

RES-318 DEPUTY SHERIFF'S ASSOCIATION

Sponsors: PERTL

Attachments: 2015 RES-318

2015 RES-318 Fiscal Note

**RES-318 TENTATIVE AGREEMENT** 

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

voice vote.

11. 2015 AWARDING A COLLECTIVE BARGAINING AGREEMENT TO THE SUPERVISORY

RES-319 LAW ENFORCEMENT UNIT

Sponsors: PERTL

Attachments: 2015 RES-319

2015 RES-319 Fiscal Note

**RES-319 TENTATIVE AGREEMENT** 

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

voice vote.

12. 2015 AWARDING 2016 TELLURIAN UCAN PROFESSIONAL SERVICES

RES-321 CONTRACT DEPARTMENT OF HUMAN SERVICES - ACS & CYF

**DIVISIONS** 

Sponsors: LEVIN, DYE, FERRELL, VELDRAN, WEGLEITNER and ZWEIFEL

Attachments: 2015 RES-321

2015 RES-321 FISCAL NOTE

2015 RES-321 CONTRACT #83349 2015 RES-321 CONTRACT #83350

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

13. 2015 AWARDING 2016 MERITER HOSPITAL, INC. PROFESSIONAL SERVICE CONTRACT DEPARTMENT OF HUMAN SERVICES - ACS DIVISION

Sponsors: LEVIN, DYE, FERRELL, VELDRAN, WEGLEITNER and ZWEIFEL

Attachments: 2015 RES-325

2015 RES-325 FISCAL NOTE 2015 RES-325 CONTRACT #83326

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

voice vote.

14. 2015 AWARDING 2016 MJ CARE, INC. PROFESSIONAL SERVICE CONTRACT

RES-326 DEPARTMENT OF HUMAN SERVICES - BPHCC

Sponsors: LEVIN, DYE, FERRELL, VELDRAN, WEGLEITNER and ZWEIFEL

Attachments: 2015 RES-326

2015 RES-326 FISCAL NOTE

2015 RES-326 CONTRACT #83479

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

voice vote.

**15.** 2015 AFFIRMING AWARDS UNDER THE 2015 AFFORABLE HOUSING

RES-328 DEVELOPMENT FUND

Sponsors: WEGLEITNER, BAYRD, DOWNING, DYE, ERICKSON, GILLIS, JONES, MILES,

NELSON, O'LOUGHLIN, PERTL, RICHMOND, RITT, SCHAUER, SCHMIDT,

SOLBERG, VELDRAN and ZWEIFEL

Attachments: 2015 RES-328

2015 RES-328 Fiscal Note

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

**16.** <u>2015</u> RES-329

AUTHORIZING ACCEPTANCE OF A GRANT AND APPROVAL TO ENTER INTO AN AGREEMENT WITH ADAMS COUNTY FOR THE MATERNAL, INFANT, AND EARLY CHILD HOME VISITING (MIECHV) PROGRAM TO SUPPORT THE PUBLIC HEALTH MADISON & DANE NURSE FAMILY PARTNERSHIP (NFP) PROGRAM

Sponsors: SOLBERG

Attachments: 2015 RES-329

2015 RES-329 FISCAL NOTE

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

voice vote.

#### **G. MOTIONS FROM PREVIOUS MEETINGS**

#### H. REPORTS ON ZONING PETITIONS

1. 10894 PETITION: REZONE 10894

APPLICANT: MICHAEL J CAHILL

LOCATION: 3100 BERGUM ROAD, SECTION 2, TOWN OF BLUE MOUNDS

CHANGE FROM: A-1EX Agriculture District TO A-2 (4) Agriculture District and A-4 Agriculture

District

REASON: create residential lot and create a small agricultural lot in the Town of Vermont

Attachments: 10894 Staff

10894 Town Actions

10894 Density (VT property)

10894 Density (Blue Mounds property)

10894 Ord Amend

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

voice vote.

2. 10910 PETITION: REZONE 10910

APPLICANT: SAMUEL J HAMILTON

LOCATION: PARCEL EAST OF 4054 MOE ROAD, SECTION 14, TOWN OF VERMONT

CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District

REASON: create zoning boundary for a residence

Attachments: 10910 Staff

10910 Town 10910 Density 10910 Ord Amend

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

3. 10911 PETITION: REZONE 10911

APPLICANT: JAMES STEINDL LIVING TRUST

LOCATION: 981 COLLINS ROAD, SECTION 16, TOWN OF DUNKIRK CHANGE FROM: A-1EX Agriculture District TO R-1A Residence District

REASON: adding lands to an existing residential lot

Attachments: 10911 Staff

10911 Town 10911 Density 10911 Ord Amend

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

voice vote.

4. 10912 PETITION: REZONE 10912

APPLICANT: EASTMAN HUNTING CLUB INC

LOCATION: 527 HILLSIDE ROAD, SECTION 26, TOWN OF ALBION CHANGE FROM: A-1EX Agriculture District TO RE-1 Recreational District

REASON: allow skeet, trap, rifle and pistol range

Attachments: 10912 CUP 2330 Staff

10912 CUP 2330 Town

10912 Ord Amend

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

voice vote.

5. 10913 PETITION: REZONE 10913

APPLICANT: DON PECKHAM

LOCATION: EAST OF 3019 COUNTY HIGHWAY BB, SECTION 7, TOWN OF COTTAGE

**GROVE** 

CHANGE FROM: R-1A Residence District and C-1 Commercial District TO LC-1 Limited

Commercial District

REASON: allow a landscaping and construction business

Attachments: 10913 CUP 2331 Staff

10913 CUP 2331 Town

10913 Ord Amend

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

6. 10916 PETITION: REZONE 10916

APPLICANT: PATRICIA L PAUL

LOCATION: 1386 COUNTY HIGHWAY W, SECTION 5, TOWN OF ALBION

CHANGE FROM: A-2 Agriculture District TO A-2 (8) Agriculture District, A-2 Agriculture District TO RH-4 Rural Homes District, RH-3 Rural Homes District TO RH-4 Rural Homes District

REASON: shifting of property lines between adjacent land owners

Attachments: 10916 Staff

10916 Town

10916 Ord Amend

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

voice vote.

7. 10917 PETITION: REZONE 10917

APPLICANT: GLENN & ELAINE MORRICK REV TRUST

LOCATION: 7379 MONTROSE ROAD, SECTION 29, TOWN OF MONTROSE CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes District

REASON: separating existing residence from farmland

Attachments: 10917 Staff

10917 Town 10917 Density 10917 Ord Amend

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

voice vote.

8. 10918 PETITION: REZONE 10918

APPLICANT: MICHAEL JOSEPH SPEAR

LOCATION: WEST OF 6345 STATE HIGHWAY 78, SECTION 34, TOWN OF YORK CHANGE FROM: A-1EX Agriculture District TO A-2 (2) Agriculture District and A-2 (4)

Agriculture District

REASON: divide existing lot to create two residential lots

Attachments: 10918 Staff

<u>10918 Town</u>

10918 State Highway letter

10918 Ord Amend

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

9. 10920 PETITION: REZONE 10920

APPLICANT: JACOBSEN REV LIVING TRUST

LOCATION: 3159 SHADY OAK LANE, SECTION 5, TOWN OF VERONA

CHANGE FROM: A-3 Agriculture District TO R-4 Residence District, RH-1 Rural Homes District

TO R-4 Residence District

REASON: create a 21-unit single-family home condominium development

Attachments: 10920 Staff

10920 Town

10920 Madison letter of Opposition

10920 Ord Amend 10920 Map 2

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

voice vote.

10. 10924 PETITION: REZONE 10924

APPLICANT: JUDY L BREUNIG

LOCATION: 7454 BITNEY ROAD, SECTION 18, TOWN OF DANE CHANGE FROM: R-1A Residence District TO RH-1 Rural Homes District

REASON: zoning compliance for proposed accessory building

Attachments: 10924 Staff

10924 Town

10924 Ord Amend

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

voice vote.

#### I. ORDINANCES

#### J. AWARD OF CONTRACTS

#### K. RESOLUTIONS

1. <u>2015</u>

#### **AUTHORIZING A LEASE WITH STOUGHTON UTILITIES**

**RES-294** 

**Sponsors:** RUSK, BAYRD, KRAUSE, McCARVILLE, PAN and SCHAUER

Attachments: 2015 RES-294

2015 RES-294 Fiscal Note

2015 RES-294 Amended 10-20-15

2015 RES-294 CONTRACT

2015 RES-294 sub 1

A motion was made by BAYRD, seconded by PERTL, that the Resolution be Adopted Sub. 1. The motion carried by a voice vote. Sub 1 was then before the

Board. The motion carried by a voice vote

#### L. APPOINTMENTS

#### M. ITEMS REQUIRING A TWO-THIRDS MAJORITY FOR PASSAGE

1. 2015 CHANGE ORDER #70 AND #71 TO CONTRACT FOR J.P. CULLEN & SONS,

RES-309 INC. FOR CONSTRUCTION OF ARCTIC ANIMAL EXHIBIT AND

**CONCESSIONS AT HENRY VILAS ZOO** 

Sponsors: SCHMIDT, MILES, NELSON, O'LOUGHLIN, PERTL, RIPP, RITT, SALOV, SOLBERG

and ZWEIFEL

Attachments: 2015 RES-309

2015 RES-309 Fiscal Note

A motion was made that the Resolution Requiring 2/3rds Vote be adopted. The

motion carried by a voice vote. Defelice voted no.

2. 2015 Authorizing to Accept Stop violence aganst women act Grant Funding for

the position of specialized regional resource prosecutor

for the dane county district attorney office, GRANT NUMBER 2015-va-02B-11407

Sponsors: RUSK, BAYRD, KRAUSE, McCARVILLE, PAN, SCHAUER and WILLETT

Attachments: 2015 RES-313

2015 RES-313 Fiscal Note

2015 RES-313 CONTRACT #12569

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 - APPEAL OF CUP #2291 7:30PM

1. CUP 2291

PETITION: CUP 2291

APPLICANT: WISCONSIN ELECTRIC POWER / ENBRIDGE ENERGY LOCATION: 5635 CHERRY LANE, SECTION 14, TOWN OF MEDINA CUP DESCRIPTION: pumping station for an existing petroleum pipeline

Attachments: Staff summary of the appeal of CUP# 2291

CUP 2291 Appeal 10-19-15

revisedCUPappeal2291notice

CUP 2291 appeal notice

Enbridge appeal

CUP 2291 Revised (7-24-15)

CUP #2291 (final version per ZLR action 9-29-15)

CUP 2291 staff update 4-14-15.pdf

CUP 2291 Town.pdf

CUP 2291 Town action on amended CUP (4-20-15).pdf

Dybdahl Enbridge Insurance Report final draft 4-8-15.pdf

Enbridge submitted CUP Insurance Conditions (4-10-15).pdf

Insurance Consultant Proposal.pdf

Corporation Counsel letters.pdf

Enbridge letters.pdf

Madison 350 letters.pdf

Need for Dane County and other affected counties to have

appropriate insurance to cover environmental remediation in the

event of an Enbridge tar sands (Madison 350, 4-6-15).pdf

Severe and Lasting Ecological Consequences after BP Deepwater

Horizon Gulf Oil Spill (Madison 350, 4-6-15).pdf

proposed insurance conditions.pdf

CUP 2291 Map.pdf

CUP 2291 Map 2.pdf

CUP 2291 Enbridge Presentation.pdf

CUP 2291 Sound Study.pdf

CUP 2291 Letters of opposition.pdf

CUP #2291 (original permit 4-21-15)

CUP 2291 Letters of Support.pdf

SenTiffanySupportLetter\_2015-02-18.pdf

Miles Response to Senator Tiffany's 2015-02-18 Letter ver 2.pdf

EEP Q3 2014 10Q.PDF

Enbridge FERC Financial Report 2013 Yr End (2).pdf

NAS Oil Sands Report.pdf

Env law & policy center memo on ins requirements under PSA

01 09 15

2291 App.pdf

CUP 2291 Registrants at 4-14-15 ZLR Meeting.pdf

Dane County Corp Counsel letter to ZA on Insurance Condition after

Act 55 07 17 15

Dane County Corp counsel opinion on Trust Fund 08 24 15

## Minutes - Final Unless Amended by Committee

PETITION BY 350-MADISON REQUESTING RECONSIDERATION

AND RECISSION 09 08 15

Response Of Enbridge Energy To The Petition For Reconsideration

And Rescission Of Conditional Use Permit #2291

09 03 2015(WHD 11811321 1)

SUPPLEMENTAL RESPONSE BY 350 MADISON TO CORP

COUNSEL 09 27 15

Supervisors Kiefer, de Felice, Hendrick, and Dye recuse themselves from the debate.

A motion was made that this Conditional Use Permit appeal be approved. The motion failed by the following vote:

Aves: 2 - FERRELL and WILLETT

Noes: 27 - BAYRD, BOLLIG, CHENOWETH, CLAUSIUS, CORRIGAN, DOWNING,

ERICKSON, GILLIS, KOLAR, KRAUSE, LEVIN, MATANO, MILES, NELSON, PAN, PERTL, RIPP, RITT, RUSK, SALOV, SCHAUER, SCHMIDT, STUBBS,

VELDRAN, WEGLEITNER, ZWEIFEL and JONES

Excused: 3 - McCARVILLE, O'LOUGHLIN and RICHMOND

Absent: 1 - SOLBERG

Recused: 4 - de FELICE, DYE, HENDRICK and KIEFER

# 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 AL MATANO, that this meeting be adjourned. The motion carried unanimously. Meeting adjourned at 11:11 pm.

2015 Referrals to Committee 12032015

**RPT-633** 

Attachments: Referral List 12032015

<u>2015</u>

RPT-634 Petitions for Zoning Reclassification

<u>Attachments:</u> Zoning Referrals 12-17-2015

2015

<u>COM-023</u> Zoning Effective Dates

<u>Attachments:</u> Zoning Effective 12 17 2015