

JULY SESSION

July 21, 2009

Chairman Greenheck called the meeting to order and welcomed the visitors and press. Roll call found all members present.

Supervisor Seep gave the Invocation. County Clerk Vlasak led the Pledge of Allegiance.

County Clerk Vlasak read the agenda for the July session. Motion by Holets, second by Wyman that the agenda, as amended with five additions, be approved. Motion carried.

Chairman Greenheck asked if any member desired the minutes for the previous session be read or if any member desired to amend the minutes from the previous session. Hearing no motion to read or amend the minutes for the June session, the minutes were declared as approved.

Ordinance No. 09-19 Amendment # 290 To Richland County Comprehensive Zoning Ordinance No. 5 Relating To The Jeff Sandmire Parcel In The Town Of Dayton was presented to the Board. Motion by Wiedenfeld, second by Gorman that Ordinance No. 09-19 be enacted. Zoning Administrator Pedley explained that Mr. Sandmire is requesting that eleven acres be rezoned. It was explained that when the original farm was split up this parcel was purchased on land contract and it became an illegal split at that time. Roll call vote. AYES: Greenheck, Gorman, Kirkpatrick, Deets, Carroll, Seep, Pfeil, Holets, Kinney, Havlik, Clausius, Sowle, Kanable, Cook, Gust, Clary, Wyman, Wiedenfeld, Lewis, Marshall, Rasmussen. Ayes 21. Noes 0. Total 21. Motion carried and ordinance declared enacted.

ORDINANCE NO. 09-19

Amendment # 290 To Richland County Comprehensive Zoning Ordinance No. 5 Relating To The Jeff Sandmire Parcel In The Town Of Dayton.

The Richland County Board of Supervisors does hereby ordain as follows:

1. The County Board, having considered the following factors, hereby finds that the following rezoning is in the best interests of the citizens of Richland County:

- (a) Adequate public facilities to serve the development are present or will be provided.
- (b) Provision of these facilities will not be an unreasonable burden to local government.
- (c) The land to be rezoned is suitable for development and development will not cause unreasonable water or air pollution, soil erosion or adverse effects on rare or irreplaceable natural areas.
- (d) Non-farm development will be directed to non-agricultural soils or less productive soils.
- (e) Non-farm development will be directed to areas where it will cause minimum disruption of established farm operations or damage to environmentally sensitive areas.
- (f) Non-farm development will be encouraged to locate so as to leave a maximum amount of farmland in farmable size parcels.
- (g) Non-farm residential development will be directed to existing platted subdivisions and sanitary districts.

2. Richland County Comprehensive Zoning Ordinance No. 5, which was adopted by the Richland County Board of Supervisors on May 20, 2003, as amended to date, is hereby further amended as follows:

That the official maps designating district boundaries, as adopted by Richland County Ordinance 1985 No. 1 (also known as Amendment No. 1 to the Richland County Comprehensive Zoning Ordinance No. 3), which was adopted on March 19, 1985, are hereby amended as follows:

That the following-described real estate in the Town of Dayton is hereby rezoned from the General Agricultural and Forestry District to the Agricultural and Residential District:

That portion of land located in the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section Eleven (11), Township Ten (10) North, Range One (1) West, Town of Dayton, Richland County, Wisconsin lying on the Western side of the Centerline of Sandmire Hill Road, and Northerly of a line described as follows:

Commencing at the center ¼ corner of Section Eleven (11); Thence North 01 degree, 48 minutes, 26 seconds East, along the West line of the Northeast Quarter (NE ¼), 679.04 feet to the place of beginning of the line hereinafter described; Thence South 87 degrees, 15 minutes, 22 seconds East, 669.11 feet to a point in the centerline of Sandmire Hill Road and the place of beginning.

3. This Ordinance shall be effective on July 21, 2009.

Dated: July 21, 2009
Passed: July 21, 2009
Published: July 30, 2009

ORDINANCE OFFERED BY THE ZONING
COMMITTEE

	FOR	AGAINST
Ann M. Greenheck, Chairman		
Richland County Board of Supervisors		
ATTEST:		
Victor V. Vlasak		
Richland County Clerk		
	Virginia Wiedenfeld	X
	Marilyn Marshall	X
	Carol R. Clausius	X
	Robert Holets	X
	Richard Rasmussen	X

Ordinance No. 09-20 Amendment # 291 To Richland County Comprehensive Zoning Ordinance No. 5 Relating To The Virgil and Linda Keller Parcel In The Town Of Eagle was presented to the Board. Motion by Kinney, second by Clausius that Ordinance No. 09-20 be enacted. Zoning Administrator Pedley explained that Mr. and Mrs. Keller are requesting that 2.6 acres be rezoned because they are giving the balance of the land to their son. Roll call vote. AYES: Gorman, Kirkpatrick, Deets, Carroll, Seep, Pfeil, Holets, Kinney, Havlik, Clausius, Sowle, Kanable, Cook, Gust, Clary, Wyman, Wiedenfeld, Lewis, Marshall, Rasmussen, Greenheck. Ayes 21. Noes 0. Total 21. Motion carried and ordinance declared enacted.

ORDINANCE NO. 09-20

Amendment # 291 To Richland County Comprehensive Zoning Ordinance No. 5 Relating To The Virgil and Linda Keller Parcel In The Town Of Eagle.

The Richland County Board of Supervisors does hereby ordain as follows:

1. The County Board, having considered the following factors, hereby finds that the following rezoning is in the best interests of the citizens of Richland County:

- (a) Adequate public facilities to serve the development are present or will be provided.
- (b) Provision of these facilities will not be an unreasonable burden to local government.
- (c) The land to be rezoned is suitable for development and development will not cause unreasonable water or air pollution, soil erosion or adverse effects on rare or irreplaceable natural areas.
- (d) Non-farm development will be directed to non-agricultural soils or less productive soils.
- (e) Non-farm development will be directed to areas where it will cause minimum disruption of established farm operations or damage to environmentally sensitive areas.
- (f) Non-farm development will be encouraged to locate so as to leave a maximum amount of farmland

in farmable size parcels.

(g) Non-farm residential development will be directed to existing platted subdivisions and sanitary districts.

2. Richland County Comprehensive Zoning Ordinance No. 5, which was adopted by the Richland County Board of Supervisors on May 20, 2003, as amended to date, is hereby further amended as follows:

That the official maps designating district boundaries, as adopted by Richland County Ordinance 1985 No. 1 (also known as Amendment No. 1 to the Richland County Comprehensive Zoning Ordinance No. 3), which was adopted on March 19, 1985, are hereby amended as follows:

That the following-described real estate in the Town of Eagle is hereby rezoned from the General Agricultural and Forestry District to the Single Family Residential (R-2) District:

PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWN 9 NORTH, RANGE 1 WEST, TOWN OF EAGLE, RICHLAND COUNTY, WISCONSIN, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 23, T. 9 N., R. 1 W.; THENCE S00°56'20" E ON THE WEST LINE OF THE SOUTHWEST QUARTER, 643.32'; THENCE N89°03'40" E, 843.76' TO THE POINT OF BEGINNING; THENCE S87°56'13"E, 99.87'; THENCE S33°20'06"E, 482.97'; THENCE S14°40'48"W, 62.99' TO THE CENTERLINE OF TOWN HALL DRIVE; THENCE WESTERLY, 97.83' ON THE ARC OF A 371.40' RADIUS CURVE TO THE LEFT, MAKING A CENTRAL ANGLE OF 15°05'31" AND A LONG CHORD OF 97.55' THAT BEARS N82°53'24"W; THENCE S89°33'45"W, 233.22' TO THE LAST POINT ON SAID CENTERLINE; THENCE N04°58'55"E, 64.90'; THENCE N18°21'23"W, 70.28'; THENCE N09°16'36"W, 152.28'; THENCE N07°03'22"E, 177.43' TO THE POINT OF BEGINNING.

3. This Ordinance shall be effective on July 21, 2009.

Dated: July 21, 2009
Passed: July 21, 2009
Published: July 30, 2009

ORDINANCE OFFERED BY THE ZONING COMMITTEE

Ann M. Greenheck, Chairman
Richland County Board of Supervisors

Virginia Wiedenfeld
Marilyn Marshall
Carol R. Clausius
Robert Holets
Richard Rasmussen

FOR AGAINST

X
X
X
X
X

ATTEST:
Victor V. Vlasak
Richland County Clerk

Ordinance No. 09-21 Amendment # 292 To Richland County Comprehensive Zoning Ordinance No. 5 Relating To The Jack and Kimberly Ingersoll Parcel In The Town Of Forest was presented to the Board. Motion by Rasmussen, second by Lewis that Ordinance No. 09-21 be enacted. Zoning Administrator Pedley explained that Mr. and Mrs. Ingersoll are requesting that twenty acres be rezoned for banking purposes. Roll call vote. AYES: Kirkpatrick, Deets, Carroll, Seep, Pfeil, Holets, Kinney, Havlik, Clausius, Sowle, Kanable, Cook, Gust, Clary, Wyman, Wiedenfeld, Lewis, Marshall, Rasmussen, Greenheck, Gorman. Ayes 21. Noes 0. Total 21. Motion carried and ordinance declared enacted.

ORDINANCE NO. 09-21

Amendment # 292 To Richland County Comprehensive Zoning Ordinance No. 5 Relating To The Jack and Kimberly Ingersoll Parcel In The Town Of Forest.

The Richland County Board of Supervisors does hereby ordain as follows:

1. The County Board, having considered the following factors, hereby finds that the following rezoning is in the best interests of the citizens of Richland County:

- (a) Adequate public facilities to serve the development are present or will be provided.
- (b) Provision of these facilities will not be an unreasonable burden to local government.
- (c) The land to be rezoned is suitable for development and development will not cause unreasonable water or air pollution, soil erosion or adverse effects on rare or irreplaceable natural areas.
- (d) Non-farm development will be directed to non-agricultural soils or less productive soils.
- (e) Non-farm development will be directed to areas where it will cause minimum disruption of established farm operations or damage to environmentally sensitive areas.
- (f) Non-farm development will be encouraged to locate so as to leave a maximum amount of farmland in farmable size parcels.
- (g) Non-farm residential development will be directed to existing platted subdivisions and sanitary districts.

2. Richland County Comprehensive Zoning Ordinance No. 5, which was adopted by the Richland County Board of Supervisors on May 20, 2003, as amended to date, is hereby further amended as follows:

That the official maps designating district boundaries, as adopted by Richland County Ordinance 1985 No. 1 (also known as Amendment No. 1 to the Richland County Comprehensive Zoning Ordinance No. 3), which was adopted on March 19, 1985, are hereby amended as follows:

That the following-described real estate in the Town of Forest is hereby rezoned from the General Agricultural and Forestry District to the Agricultural and Residential District:

The West one-half (W $\frac{1}{2}$) of the Southwest quarter (SW $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$), Section Three (3), Township Twelve (12) North, Range Two (2) West, Town of Forest, Richland County, Wisconsin.

3. This Ordinance shall be effective on July 21, 2009.

Dated: July 21, 2009
Passed: July 21, 2009
Published: July 30, 2009

ORDINANCE OFFERED BY THE ZONING
COMMITTEE

Ann M. Greenheck, Chairman
Richland County Board of Supervisors

Virginia Wiedenfeld
Marilyn Marshall
Carol R. Clausius
Robert Holets
Richard Rasmussen

FOR AGAINST

X
X
X
X
X

ATTEST:
Victor V. Vlasak
Richland County Clerk

Fair Committee Chairman Pfeil introduced Administrative Fair Coordinator Michael Hardy. Mr. Hardy addressed the Board and explained his background and experience.

Resolution No. 09-55 Relating to Obtaining A State Grant For The Maintenance And Grooming Of Snowmobile Trails was presented to the Board. Motion by Deets, second by Seep that Resolution No. 09-55 be adopted. Motion carried and resolution declared adopted.

RESOLUTION NO. 09-55

A Resolution Relating to Obtaining A State Grant For The Maintenance And Grooming Of Snowmobile Trails.

WHEREAS State funds are available to counties in Wisconsin for the maintenance and grooming of snowmobile trails under the County Snowmobile Trail Aids Program which is administered by the State Department of Natural Resources (DNR), and

WHEREAS the Richland County/University of Wisconsin Extension Office, working with the Richland County Snowmobile Alliance, Inc., has proposed that Richland County apply for a \$33,700.00 grant for the purpose of maintaining and grooming the approximately 134.8 miles of snowmobile trails in Richland County for the winter of 2009-2010, and

WHEREAS Rule 17 of the Board requires that all contracts which involve the expenditure of more than \$5,000.00 must be approved by the County Board and the County Parks Commission has carefully considered this matter and is now recommending that the County Board adopt this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Richland County Board of Supervisors that approval is hereby granted for applying for and accepting a \$33,700.00 grant from DNR's County Snowmobile Trail Aids Program for the purpose of maintaining and grooming the approximately 134.8 miles of snowmobile trails in Richland County, with the grant period being from July 1, 2009 to June 30, 2010, and

BE IT FURTHER RESOLVED that U.W. Extension Agriculture/Resource Agent Steven E. Kohlstedt is hereby authorized to sign on behalf of Richland County such documents as may be necessary to carry out this Resolution, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

**RESOLUTION OFFERED BY THE COUNTY BOARD
SUPERVISOR MEMBERS OF COUNTY PARKS
COMMISSION**

FOR AGAINST

Virgil Kanable	X
Walter Gust	X
William Seep	X
James Lewis	X

Resolution No. 09-56 Relating To Entering Into A Contract With Property Owners Regarding Payment Of Delinquent Property Taxes was read by County Clerk Vlasak. Motion by Pfeil, second by Marshall that Resolution No. 09-56 be adopted. Corporation Counsel Southwick stated that in conversation with County Treasurer Julie Keller it was felt that entering into this contract was more advantageous to the County than the process to take title to the property. Discussion followed. Motion carried and resolution declared adopted.

RESOLUTION NO. 09-56

A Resolution Relating To Entering Into A Contract With Property Owners Regarding Payment Of Delinquent Property Taxes.

WHEREAS the owners of Tax Parcel #22-0932-5200, which is in the Town of Richland, currently owe \$10,259.76 in delinquent taxes on that parcel, if paid this month, itemized by tax year as follows:

<u>Year of tax</u>	<u>Amount owed</u>
2002	\$ 49.25
2003	\$2,112.15
2004	\$1,941.42
2005	\$1,770.30
2006	\$1,574.53
2007	\$1,474.69
2008	<u>\$1,337.42</u>
Total	\$10,259.76, and

WHEREAS the County's history with these owners is that, just as the County is about to start taking title to the property for unpaid taxes, the owners either make, or promise to make, substantial payments, and

WHEREAS the property owners have now agreed with County Treasurer Julie Keller to enter into an installment payment plan which, if they default, the County will take the property for unpaid taxes and the Property Committee is recommending that the County Board authorize such a contract.

NOW, THEREFORE, BE IT RESOLVED by the Richland County Board of Supervisors that approval is hereby granted for the County to enter into a written contract with the owners of Tax Parcel #22-0932-5200 with the following terms and conditions:

1. \$4,500 be paid by August 1, 2009;
2. \$500.00 be paid on the 1st day of each month thereafter until the taxes through tax year 2006 are paid in full;
3. Thereafter, \$200.00 per month be paid on the 1st day of each month until the taxes on this parcel are no longer delinquent;
4. The contract shall be in default if any payment is more than 30 days late;
5. If the taxpayers are in default for 2 months, whether consecutive or not, the contract shall be deemed terminated and the County will proceed to take ownership of the property by tax deed, and

BE IT FURTHER RESOLVED that Corporation Counsel Ben Southwick shall draft a contract in accordance with this Resolution and County Treasurer Julie Keller is hereby authorized to sign the contract on behalf of the County, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

RESOLUTION OFFERED BY THE PROPERTY COMMITTEE

FOR AGAINST

Virginia Wiedenfeld	X
Ann M. Greenheck	X
Daniel J. Carroll	X
Warren C. Pfeil	X
Marilyn Marshall	X

Resolution No. 09-57 Amending The Rules Of The Board Relating To The Zoning Board Of Adjustment was read by County Clerk Vlasak. Motion by Carroll, second by Sowle that Resolution No. 09-57 be adopted. Zoning Administrator Pedley explained that currently the rules limit appointments to two consecutive three-year terms. She noted that the Board of Adjustment is charged with determining and reviewing petitions, variances, appeals and special exceptions. The members receive training and gain knowledge with time and experience. They must also keep abreast of Supreme Court rulings. Motion carried and resolution declared adopted.

RESOLUTION NO. 09-57

A Resolution Amending The Rules Of The Board Relating To The Zoning Board Of Adjustment.

WHEREAS Wisconsin Statutes, section 59.694 (2) provides that members of the zoning board of adjustment in counties having a population of less than 500,000 shall be for a 3-year term beginning on July 1st, with the appointment to be made by the chairperson of the county board with approval of the county board, and

WHEREAS the Rules and Resolutions Committee has recommended that the 6-years-of-service limitation set forth in Rule 5 of the Rules of the Board not apply to members of the Richland County Zoning Board of Adjustment, and

WHEREAS the Rules and Resolutions Committee is now presenting this Resolution to the County Board for its consideration.

NOW, THEREFORE, BE IT RESOLVED by the Richland County Board of Supervisors that the Rules of the Board are hereby amended by adding the following underlined language to the last paragraph of Rule 5:

Except for committees elected by ballot and members serving on a related State board or committee, no Supervisor or citizen member shall serve without interruption for the equivalent of more than three consecutive, two year terms on any committee or board, commencing in April, 1976. This limitation shall not apply to the statutory 3-year terms of members of the Zoning Board of Adjustment. Service on the Health and Human Services Board term of less than 3 years in length shall not be counted for the purposes of this Rule, nor shall service by a Supervisor for a partial Supervisory term be counted. The Chairman shall vote on a call of ayes and noes. During the absence of the Chairman and Vice-Chairman, a chairman pro-tem shall be selected by motion of the Board.

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

RESOLUTION OFFERED BY THE RULES AND RESOLUTIONS COMMITTEE

FOR AGAINST

Lawrence Sowle	X
Daniel J. Carroll	X
Warren C. Pfeil	X
Carol R. Clausius	X
Bette M. Cook	X

Resolution No. 09-58 Amending Resolution No. 08-144 (Amended) Relating To A Grant From The State Relating To Cleaning Up Household and Agricultural Chemicals was read by County Clerk Vlasak. Motion by Gorman, second by Rasmussen that Resolution No. 08-144 be adopted. It was noted that expenses above the grant amount will be covered by fees charged to people who are bringing items in. Motion carried and resolution declared adopted.

RESOLUTION NO. 09-58

A Resolution Amending Resolution No. 08-144 (Amended) Relating To A Grant From The State Relating To Cleaning Up Household and Agricultural Chemicals.

WHEREAS, at its December 10, 2008 session, the County Board adopted Resolution No. 08-144 (Amended) relating to applying for and accepting a grant from the State relative to cleaning up household and agricultural chemicals in 2009, and

WHEREAS the actual amount of the grant has been reduced from the \$20,500.00 set forth in Resolution No. 08-144 (Amended) to \$15,375.00 and the Solid Waste/Recycling Committee is presenting this Resolution to amend Resolution No. 08-144 (Amended) to reflect the reduced amount of the grant.

NOW, THEREFORE, BE IT RESOLVED by the Richland County Board of Supervisors that Resolution No. 08-144 (Amended), which was adopted by the County Board on December 10, 2008, is hereby amended so that the stated amount of the grant to be received is \$15,375.00 rather than the \$20,500.00 stated in Resolution No. 08-144 (Amended), and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

**RESOLUTION OFFERED BY THE COUNTY BOARD
SUPERVISOR MEMBERS OF THE SOLID WASTE/
RECYCLING COMMITTEE**

	FOR	AGAINST
Virgil Kanable	X	
Warren C. Pfeil	X	
James Lewis	X	
Tom Gorman	X	

Resolution No. 09-59 Approving Payment To The County Highway Department For Work Done On County Parks In 2009 was read by County Clerk Vlasak. Motion by Gust, second by Lewis that Resolution No. 09-59 be adopted. Motion carried and resolution declared adopted.

RESOLUTION NO. 09-59

A Resolution Approving Payment To The County Highway Department For Work Done On County Parks In 2009.

WHEREAS the County Highway Department did work on various County parks in 2009 and it is necessary for the County Clerk to issue a check to the County Highway Department with the funds coming from the County Parks Commission account in the 2009 County budget, and

WHEREAS the County Parks Commission is hereby presenting this Resolution to the County Board for

its consideration.

NOW, THEREFORE, BE IT RESOLVED by the Richland County Board of Supervisors that approval is hereby granted for paying the bill of the County Highway Department in the amount of \$6,101.73 for work done on County parks in 2009, and

BE IT FURTHER RESOLVED that the County Clerk is hereby directed to issue a County check to the County Highway Department from funds in the County Parks Commission account in the 2009 County budget to carry out this Resolution, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

RESOLUTION OFFERED BY THE COUNTY BOARD
SUPERVISOR MEMBERS OF THE COUNTY PARKS
COMMISSION

FOR AGAINST

Virgil Kanable	X
Walter Gust	X
William Seep	X
James Lewis	X

Resolution No. 09-60 Approving Converting The Men’s Bathroom In The Wallace Student Center At The U.W.- Richland Campus To A Unisex, Handicapped-Accessible Bathroom was read by County Clerk Vlasak. Motion by Kinney, second by Sowle that Resolution No. 09-60 be adopted. Motion carried and resolution declared adopted.

RESOLUTION NO. 09-60

A Resolution Approving Converting The Men’s Bathroom In The Wallace Student Center At The U.W.- Richland Campus To A Unisex, Handicapped-Accessible Bathroom.

WHEREAS the U.W.-Richland Committee has determined that it is necessary to construct a unisex, handicapped-accessible bathroom within the southeast vestibule of the Wallace Student Center building at the U.W.-Richland campus, and

WHEREAS the Committee has solicited bids for this project by running an advertisement in The Richland Observer for one week, and

WHEREAS the Committee is now recommending that the County Board accept the only bid received for this work and award the contract to that firm.

NOW, THEREFORE, BE IT RESOLVED by the Richland County Board of Supervisors that approval is hereby granted for a public project consisting of constructing a unisex, handicapped-accessible bathroom within the southeast vestibule of the Wallace Student Center building at the U.W.-Richland campus, and

BE IT FURTHER RESOLVED that the only bid for this project, which was from Rynes Plumbing and Excavating, Inc. of Richland Center in the amount of \$16,550.00, is hereby accepted and the contract for this project is hereby awarded to that firm.

BE IT FURTHER RESOLVED that the County Clerk is hereby authorized to sign on behalf of the County any documents necessary to carry out this Resolution, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

RESOLUTION OFFERED BY THE UW-RICHLAND COMMITTEE

FOR AGAINST

Gaylord L. Deets	X
Larry D. Wyman	X
Betty J. Havlik	X
Paul Kinney	X
Lawrence Sowle	X

Resolution No. 09-61 Approving Replacing The Concrete Pavilions At Rockbridge Park was read by County Clerk Vlasak. Motion by Kanable, second by Gust that Resolution No. 09-61 be adopted. It was noted that the repairs were on hold pending the receipt of FEMA funds for damages sustained in the flooding of the last couple of years. Motion carried and resolution declared adopted.

RESOLUTION NO. 09-61

A Resolution Approving Replacing The Concrete Pavilions At Rockbridge Park.

WHEREAS the Parks Commission has determined that it is necessary to replace the concrete pavilions at Rockbridge Park, and

WHEREAS the Commission has solicited bids for this project by placing an advertisement in The Richland Observer for one week, and

WHEREAS the Parks Commission is now recommending that the County Board accept the bid of the lowest qualifying bidder for this work and award the contract to that firm.

NOW, THEREFORE, BE IT RESOLVED by the Richland County Board of Supervisors that approval is hereby granted for a public works project consisting of replacing the concrete pavilions at Rockbridge Park, and

BE IT FURTHER RESOLVED that the lowest qualifying bid of Burch Concrete Construction of Lone Rock for this project in the amount of \$6,104.00 is hereby accepted and the contract for this work is hereby awarded to that firm.

BE IT FURTHER RESOLVED that the County Clerk is hereby authorized to sign on behalf of the County any documents necessary to carry out this Resolution, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

RESOLUTION OFFERED BY THE COUNTY BOARD SUPERVISOR MEMBERS OF COUNTY PARKS COMMISSION

FOR AGAINST

William J. Seep	X
Virgil Kanable	X
Walter Gust	X
James Lewis	X

Resolution No. 09-62 Relating To Resurfacing And Restriping The Courthouse Parking Lot And Making Roof Repairs At The Courthouse was read by County Clerk Vlasak. Motion by Carroll, second by Pfeil that Resolution No. 09-62 be adopted. Motion carried and resolution declared adopted.

RESOLUTION NO. 09-62

A Resolution Relating To Resurfacing And Restriping The Courthouse Parking Lot And Making Roof Repairs At The Courthouse.

WHEREAS the Property Committee has determined that it is necessary to resurface the Courthouse parking lot and also to make repairs to the roof of the Courthouse, and

WHEREAS the bidding statutes were complied with by a one-week advertisement for each of these projects in The Richland Observer, and

WHEREAS the Property Committee has carefully considered this matter and is now presenting this Resolution to the County Board for its consideration.

NOW, THEREFORE, BE IT RESOLVED by the Richland County Board of Supervisors that approval is hereby granted for resurfacing and restriping the Courthouse parking lot and fabricating and installing new galvanized steel coping caps with continuous galvanized steel cleats for approximately 140 feet of internal gutter area of the roof of the Courthouse, and

BE IT FURTHER RESOLVED that the lowest bids for this work are hereby accepted and the contracts for this work are hereby awarded to the following firms:

1. D.L. Gasser Construction of Baraboo in the amount of \$18,893.00 to resurface and restripe the Courthouse parking lot.
2. Tilsen Roofing Company, Inc. of Madison in the amount of \$5,875.00 to do the roof work on the Courthouse, and

BE IT FURTHER RESOLVED that these projects shall be paid for with funds in the Courthouse Repair Outlay Account in the 2009 County budget, and

BE IT FURTHER RESOLVED that the County Clerk is hereby authorized to sign on behalf of the County any documents necessary to carry out this Resolution, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

RESOLUTION OFFERED BY THE PROPERTY COMMITTEE

FOR AGAINST

Virginia Wiedenfeld	X
Ann M. Greenheck	X
Daniel J. Carroll	X
Warren C. Pfeil	X
Marilyn Marshall	X

Resolution No. 09-63 Relating To Purchasing A New Computer For The County Clerk’s Office was read by County Clerk Vlasak. Motion by Wyman, second by Clausius that Resolution No. 09-63 be adopted. Motion carried and resolution declared adopted.

RESOLUTION NO. 09-63

A Resolution Relating To Purchasing A New Computer For The County Clerk’s Office.

WHEREAS the main computer in the County Clerk’s office was purchased in 2000 and is outdated and needs to be replaced, and,

WHEREAS the Finance Committee has carefully considered this matter and is now presenting this Resolution to the County Board for its consideration.

NOW, THEREFORE, BE IT RESOLVED by the Richland County Board of Supervisors that approval is hereby granted for the purchase of a new IBM Model 8203-E4A 1 way Growth Express computer plus a new printer, maintenance on hardware and software and installation, for the County Clerk’s office, and

BE IT FURTHER RESOLVED that the proposal of ACS Enterprise Solutions, Inc. of Waite Park, MN for this purchase, installation and maintenance in the total amount of \$28,051.22 is hereby accepted and the contract for this transaction is hereby awarded to that firm, and

BE IT FURTHER RESOLVED that \$23,992.10 of this cost is already in the Computer Outlay Account in the 2009 County budget and \$4,059.12 is hereby transferred from the Contingency Fund to the Computer Outlay Account in the 2009 budget to carry out this Resolution, and

BE IT FURTHER RESOLVED that the County Clerk is hereby authorized to sign on behalf of the County any documents necessary to carry out this Resolution, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

RESOLUTION OFFERED BY THE FINANCE COMMITTEE

FOR AGAINST

Jeanetta Kirkpatrick	X
Larry D. Wyman	X
Ann M. Greenheck	X
Fred Clary	X
Gaylord L. Deets	X

Resolution No. 09-64 Approving A One-Year Maintenance Contract For The 911 Emergency Response System Computers And Mapping Equipment At The Sheriff's Department was read by County Clerk Vlasak. Motion by Deets, second by Wyman that Resolution No. 09-64 be adopted. Motion carried and resolution declared adopted.

RESOLUTION NO. 09-64

A Resolution Approving A One-Year Maintenance Contract For The 911 Emergency Response System Computers And Mapping Equipment At The Sheriff's Department.

WHEREAS it is necessary for the Sheriff's Department to enter into a maintenance contract to maintain its 911 emergency response system computers and mapping equipment and the proposed contract is to be paid for with funds in the 911 Outlay Account and County Board approval is required for any expenditure from that Account, and

WHEREAS the Finance Committee has carefully considered the proposed contract and is now presenting this Resolution to the County Board for its consideration.

NOW, THEREFORE, BE IT RESOLVED by the Richland County Board of Supervisors that approval is hereby granted for the County to enter into a one-year maintenance contract, starting on April 6, 2009, with Verizon Corporation to maintain the 911 emergency response system computers and mapping equipment at the Sheriff's Department at a cost of \$7,261.56, and

BE IT FURTHER RESOLVED that approval is hereby granted for the cost of this contract to be paid for with funds in the 911 Outlay Account, and

BE IT FURTHER RESOLVED that Sheriff Darrell Berglin is hereby authorized to sign on behalf of the County any documents necessary to carry out this Resolution, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

RESOLUTION OFFERED BY THE FINANCE
COMMITTEE

FOR AGAINST

Jeanetta Kirkpatrick	X
Larry D. Wyman	X
Ann M. Greenheck	X
Fred Clary	X
Gaylord L. Deets	X

Resolution No. 09-65 Urging The Legislature To Adopt 2009 Assembly Bill 250 Which Is Also 2009 Senate Bill 208 was read by County Clerk Vlasak. Motion by Seep, second by Rasmussen that Resolution No. 09-65 be adopted. Motion carried and resolution declared adopted.

RESOLUTION NO. 09-65

A Resolution Urging The Legislature To Adopt 2009 Assembly Bill 250 Which Is Also 2009 Senate Bill 208.

WHEREAS Ms. Marilyn Loft Houck appeared at the June meeting of the Law Enforcement Committee to ask the Committee to present a Resolution to the County Board urging adoption by the Wisconsin Legislature of 2009 Assembly Bill 250 which is also 2009 Senate Bill 208, and

WHEREAS the purpose of this proposed legislation is to regulate persons who sell dogs or operate animal shelters or animal control facilities and give authority to the Wisconsin Department of Agriculture, Trade and Consumer Protection to issue regulations in the Wisconsin Administrative Code in accordance with the legislation, and

WHEREAS the Committee has carefully considered this matter and is now presenting this Resolution to the County Board for its consideration.

NOW, THEREFORE, BE IT RESOLVED by the Richland County Board of Supervisors that the County Board hereby urges the Legislature to adopt 2009 Assembly Bill 250, which is also 2009 Senate Bill 208, which relates to regulating persons who sell dogs or operate animal shelters or animal control facilities and giving rulemaking authority to the Wisconsin Department of Agriculture, Trade and Consumer Protection in accordance with the legislation, and

BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this Resolution to all State legislators whose districts include any portion of Richland County and to Governor Doyle, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

RESOLUTION OFFERED BY THE LAW
ENFORCEMENT COMMITTEE

	FOR	AGAINST
Larry D. Wyman	X	
Daniel J. Carroll	X	
Gaylord L. Deets	X	
William Seep	X	
Richard Rasmussen	X	

Resolution No. 09-66 Concerning The Rules Of The Board Relating To Reimbursement Of County Board Supervisors For Overnight Lodging was read by County Clerk Vlasak. Motion by Cook, second by Holets that Resolution No. 09-66 be adopted. The resolution would amend the Rules of the Board to state that “When more than one Supervisor of the same sex is in attendance, two shall share the expense of a double room, unless either Supervisor, for whatever reason, objects to sharing the room, then both Supervisors may occupy a single room. If an odd number of Supervisors of the same sex is in attendance, one may occupy a single room”. Several supervisors felt that the rule needed further clarification as to who covers the cost when individuals decide that they would occupy a single room instead of sharing. Motion by Clary, second by Clausius to table the resolution. Motion carried.

Motion by Pfeil, second by Wiedenfeld that Ordinance No. 09-13 Regulating Dogs At The County Fairgrounds be taken off the table and brought back onto the floor for discussion. Motion carried. Motion by Wiedenfeld, second by Pfeil to amend the ordinance by adding the following new section 3: “Violations of this Ordinance shall result in a warning to the person in control of the animal as to the first offense. The second offense shall be punishable by a forfeiture not to exceed \$50.00, plus Court costs and any other applicable assessments. The third offense shall be punishable by a forfeiture not to exceed \$100.00, plus Court costs and

any other applicable assessments. A fourth or subsequent offense shall be punishable by a forfeiture not to exceed \$150.00, plus Court costs and any other applicable assessments”. Motion carried. Motion by Lewis, second by Gorman to amend the ordinance by removing reference to “or other domestic animal”. Motion carried. Motion by Clary, second by Gust to amend the ordinance to state that an exception to dogs being on the fairgrounds during the fair would be dogs assisting handicapped persons “or dogs in training for this purpose”. Motion carried. Roll call vote. AYES: Carroll, Pfeil, Holets, Havlik, Clausius, Sowle, Gust, Clary, Wiedenfeld, Lewis, Marshall, Rasmussen, Gorman, Kirkpatrick, Deets. NOES: Seep, Kinney, Kanable, Cook, Wyman, Greenheck. Ayes 15. Noes 6. Total 21. Motion carried and ordinance, as amended, declared enacted.

ORDINANCE NO.09-13 (Amended)

An Ordinance Regulating Dogs At The County Fairgrounds.

The Richland County Board of Supervisors does hereby ordain as follows:

1. No person shall allow a dog under his or her control to be on the Richland County Fairgrounds from the opening of the County Fair to the end of the County Fair except:
 - a. Dogs which are brought to the Fairgrounds for exhibition purposes;
 - b. Dogs assisting handicapped persons or dogs in training for this purpose;
 - c. Dogs on leashes are allowed in the parking areas of the Fairgrounds.
2. Dogs are permitted on the Fairgrounds during any time of the year other than the week in which the County Fair is held starting the Monday of the week in which the Fair is to be held. All persons in control of a dog on the Fairgrounds shall take steps to ensure that the dog’s excrement does not remain where it is deposited but, rather, is removed from the Fairgrounds by the person in control of the animal.
3. Violations of this Ordinance shall result in a warning to the person in control of the animal as to the first offense. The second offense shall be punishable by a forfeiture not to exceed \$50.00, plus Court costs and any other applicable assessments. The third offense shall be punishable by a forfeiture not to exceed \$100.00, plus Court costs and any other applicable assessments. A fourth or subsequent offense shall be punishable by a forfeiture not to exceed \$150.00, plus Court costs and any other applicable assessments.
4. This Ordinance shall be enforced by citation issued by the Sheriff of Richland County and the County’s Citation Ordinance is hereby amended accordingly. Whenever necessary, the Corporation Counsel shall prosecute violations of this Ordinance at the direction of the Fair Committee.
5. This Ordinance shall be effective immediately upon its passage and publication.

Dated: May 19, 2009
 Passed: July 21, 2009
 Published: July 30, 2009

ORDINANCE OFFERED BY THE FAIR
 COMMITTEE

Ann M. Greenheck, Chairman
 Richland County Board of Supervisors

Virginia Wiedenfeld
 Marilyn Marshall

FOR AGAINST

X
 X

ATTEST:	James Lewis	X
Victor V. Vlasak	Tom Gorman	X
Richland County Clerk	Warren C. Pfeil	X

Motion by Havlik, second by Wiedenfeld that Ordinance No. 09-14 Establishing Licensing for Siting Livestock Facilities be taken off the table and brought back onto the floor for discussion. Roll call vote. AYES: Seep, Pfeil, Holets, Kinney, Havlik, Clausius, Sowle, Kanable, Cook, Gust, Wyman, Wiedenfeld, Lewis, Marshall, Rasmussen, Greenheck, Gorman, Kirkpatrick, Deets, Carroll. NOES: Clary. Ayes 20. Noes 1. Total 21. Motion carried. County Conservationist Cathy Cooper explained that a license will be required by those who have operations below 500 animal units and are expanding above that number and by those who have operations with over 500 animal units and are expanding by more than twenty percent. Documentation will need to be provided by the facility owners on the number of animals present, the nutrient management plan and an explanation on how runoff will be controlled. An odor index will be required when an operations has over 1,000 animal units. While the State has set the standards for livestock facilities, enforcement of the ordinance can not occur until it is adopted on the municipal level. Roll call vote. AYES: Pfeil, Holets, Kinney, Havlik, Clausius, Sowle, Kanable, Cook, Gust, Clary, Wyman, Wiedenfeld, Lewis, Marshall, Rasmussen, Greenheck, Gorman, Kirkpatrick, Deets, Carroll, Seep. Ayes 21. Noes 0. Total 21. Motion carried and ordinance declared enacted.

ORDINANCE NO. 09-14

An Ordinance Establishing Licensing for Siting Livestock Facilities

The Richland County Board of Supervisors does hereby ordain as follows:

Section 1: AUTHORITY

This Ordinance is adopted under authority of Wisconsin Statutes, sections 92.15 and 93.90 and Chapter ATCP 51, Wisconsin Administrative Code.

Section 2: PURPOSE

The purpose of this Ordinance is to establish standards and procedures for siting new and expanded livestock facilities in Richland County.

Section 3: APPLICABILITY

This Ordinance applies only:

- 1) In the unincorporated areas of Richland County.
- 2) To new livestock facilities that will have 500 or more animal units.
- 3) To existing livestock facilities that meet any of the following;
 - (a) will have 500 or more animal units after expansion;
 - (b) a facility is expanding the number of livestock by at least 20% more than kept on the effective date of the Ordinance, and there will be 500 or more animal units at the facility
 - (c) expanding beyond the maximum amount of animal units state in their existing license.

Section 4: DEFINITIONS

- 1) “Affected neighbor” means, for purposes of the odor score calculations under ATCP 51.14, a residence or high-use building located within 2,500 feet of any livestock structure at a proposed livestock facility. “Affected neighbor” does not include a residence or high-use building owned by any of the following:
- (a) The livestock facility operator.
 - (b) A person who affirmatively agrees to have the residence or high-use building excluded from the odor score calculation under ATCP 51.14
- 2) “Aggrieved person” means a person who applied to a political subdivision for approval of a livestock siting or expansion, a person who lives within 2 miles of the livestock facility that is proposed to be sited or expanded, or a person who owns land within 2 miles of a livestock facility that is proposed to be sited or expanded.
- 3) “Animal unit” has the following meaning:

Livestock Type		Animal Unit Factor
Dairy	Milking and Dry Cows	1.4
	Heifers (800 lbs. to 1200 lbs.)	1.1
Cattle	Heifers (400 lbs. to 800 lbs.)	0.6
	Calves (up to 400 lbs.)	0.2
Beef	Steer or Cows (600 lbs. to market)	1.0
	Calves (under 600 lbs.)	0.5
	Bulls (each)	1.4
Swine	Pigs (55 lbs. to market)	0.4
	Pigs (up to 55 lbs.)	0.1
	Sow (each)	0.4
	Boars (each)	0.5
Poultry	Layers (each)	0.01
	Broilers (each)	0.005
	Broilers- continuous overflow watering	0.01
	Layers or Broilers- liquid manure system	0.033
	Ducks- wet lot (each)	0.2
	Ducks- dry lot (each)	0.01
	Turkeys (each)	0.018
Sheep (each)	0.1	
Goat (each)	0.1	

- 4) “Expanded livestock facility” means the entire livestock facility that is created by the expansion, after May 1, 2009, of an existing livestock facility. “Expanded livestock facility” includes all livestock structures in the expanded facility, regardless of whether those structures are new, existing or altered.
- 5) “Expansion” means an increase in the largest number of animal units kept at a livestock facility on at least 90 days in any 12-month period. The acquisition of an existing livestock facility, by the operator of an adjacent livestock facility, does not constitute an “expansion” unless that operator increases the largest number of animal units kept at the combined livestock facilities on at least 90 days in any 12-month period.
- 6) “Livestock” means domestic animals traditionally used in this state in the production of food, fiber or other animal products. “Livestock” includes cattle, swine, poultry, sheep and goats. “Livestock” does not include equine animals, bison, farm-raised deer, fish, captive game birds, ratites, camelids or mink.

- 7) “Livestock facility” means a feedlot, dairy farm or other operation where livestock are or will be fed, confined, maintained or stabled for a total of 45 days or more in any 12-month period. A “livestock facility” includes all of the tax parcels of land on which the facility is located except pasture or winter grazed area. Related livestock facilities are collectively treated as a single “livestock facility” for purposes of this chapter except that an operator may elect to treat a separate species facility as a separate “livestock facility.”
- 8) “Livestock structure” means a building or other structure used to house or feed livestock, to confine livestock for milking, to confine livestock for feeding other than grazing, to store livestock feed, or to collect or store waste generated at a livestock facility. “Livestock structure” includes a barn, milking parlor, feed storage facility, feeding facility, animal lot or waste storage facility. “Livestock structure” does not include a pasture or winter grazing area, a fence surrounding a pasture or winter grazing area, a livestock watering or feeding facility in a pasture or winter grazing area, or a machine shed or like facility that is not used for livestock.
- 9) “New livestock facility” means a livestock facility that will be used as a livestock facility for the first time, or for the first time in 5 years. “New livestock facility” does not include an expanded livestock facility in the preceding 5 years.
- 10) “Operator” means a person who applies for or holds a local approval for a livestock facility.
- 11) “Person” means an individual, corporation, partnership, cooperative, limited liability company, trust or other legal entity.
- 12) “Populate” means to add animal units for which local approval is required.
- 13) “Waste storage structure” means a waste storage impoundment made by constructing embankments, excavating a pit or dugout, or fabricating a structure. “Waste storage structure” does not include equipment used to apply waste to land. For purposes of ATCP 51.12 (2) and 51.14, “waste storage structure” does not include any of the following:
- (a) A structure used to collect and store waste under a livestock holding facility.
 - (b) A manure digester consisting of a sealed structure in which manure is subjected to managed biological decomposition.
- 14) “WPDES permit” means a Wisconsin pollutant discharge elimination system permit issued by the Wisconsin Department of Natural Resources under Chapter NR 243, Wisconsin Administrative Code.

Section 5: LICENSING REQUIREMENT

No person shall operate a new or expanded livestock facility without a license granted under this Ordinance.

Section 6: FACILITY STANDARDS

The standards for issuing a license are as follows:

- 1) The State livestock facility siting standards adopted under ATCP 51, inclusive of all appendixes and worksheets and any future amendments to that Chapter, except as may be noted in this section of the Ordinance, are incorporated by reference in this Ordinance.
- 2) The following setbacks shall apply to livestock structures:
 - (a) Property Lines.

Except as provided in paragraph (d) herein, livestock structures must be located a minimum of 100 feet from the property line if the livestock facility will have 500 to 1,000 animal units, and 200 feet from the property line if the livestock facility will have 1,000 or more animal units.

The setback requirement does not prevent the use or expansion of a livestock structure that was located within the setback area prior to the effective date of the setback requirement, except that a structure may not be expanded closer to the property line.

(b) Public Road Right-of-way.

Except as provided in paragraph (d) herein, livestock structures must be located a minimum of 100 feet from a public right-of-way if the livestock facility will have 500 to 1,000 animal units, and 150 feet from a public road right-of-way if the livestock facility will have 1,000 or more animal units.

The setback requirement does not prevent the use of expansion of a livestock structure that was located within the setback area prior to the effective date of the setback requirement, except that a structure may not be expanded closer to the public right-of-way.

(c) Water Quality Setbacks

(1) Navigable Waters and Wetlands

A livestock facility shall comply with setback and related requirements in Richland County Shoreland Zoning Ordinance 1985-2.

(2) Floodplain

A livestock facility shall comply with setback and related requirements in Richland County Floodplain Zoning Ordinance 1991-2.

(3) Wells

A livestock facility shall comply with well setback and related requirements of Chapters NR 811 and NR 812, Wisconsin Administrative Code. New or substantially altered livestock structures shall be separated from existing wells by the distances required in Chapters NR 811 and NR 812, Wisconsin Administrative Code, regardless of whether the livestock facility operator owns the land on which the wells are located. A livestock facility structure in existence as of the effective date of this Ordinance may be altered as long as the alteration does not reduce the distance between the livestock structure and an existing well.

Community Water Systems:

- Manure stacks or storage structures 1000 feet

Other potable wells:

- Animal yards including calf hutches 50 feet

- Manure hopper or reception tank (liquid tight) 50 feet

-Manure loading area 50 feet

-Manure stack 250 feet

-Manure storage structure

Earthen, excavated or non-liquid tight 250 feet

Fabricated, liquid tight 100 feet

(d) Waste Storage Structure

(1) A new waste storage structure may not be located within 350 feet of a property line, or within 350 feet of the nearest point of any public road right-of-way. A single new waste storage structure may be constructed closer to the property line or public road if a new structure is:

- i. Located on the same tax parcel as a waste storage structure in existence before May 1, 2006.
- ii. No larger than the existing structure.
- iii. No further than 50 feet from the existing structure.
- iv. No closer to the road or property lines than the existing structures.

- (2) An existing waste storage structure within 350 feet of a property line or public road right-of-way may not expand toward that property line or public road right-of-way.

Section 7: CRITERIA FOR ISSUANCE OF A LICENSE

- 1) A license shall be issued if the application for the proposed facility contains sufficient credible information to show, in the absence of clear and convincing information to the contrary, that the proposed livestock facility meets the standards specified in this Ordinance.
- 2) A license shall be denied if any of the following apply:
 - (a) The application, on its face, fails to meet the standard for approval in the previous paragraph.
 - (b) The County finds, based on other clear and convincing information in the record, that the proposed livestock facility does not comply with this Ordinance.
 - (c) Other grounds authorized by Wisconsin Statutes, section 93.90, Stats., that warrant disapproving the proposed livestock facility.

Section 8: LICENSE APPLICATION

- 1) A livestock operator must complete the application form and worksheets prescribed by ATCP 51, including any authorized local modifications. The application form and worksheets demonstrate compliance with standards in ATCP 51 and this Ordinance. The operator must file 4 duplicate copies of the application form, including worksheets, maps and documents (other than engineering design specifications) included in the application.
- 2) A non-refundable application fee of \$1000 payable to the County of Richland shall accompany an application.
- 3) Within 45 days after the County receives an application, it shall notify the applicant whether the application is complete. If the application is not complete, the notice shall describe the additional information needed. Within 14 days after the application is complete, the County shall notify the applicant that the application is complete. This notice does not constitute an approval of the proposed livestock facility.
- 4) Within 14 days after the County notifies an applicant that the application is complete, the County shall notify adjacent landowners of the application by mailing the approved notice form in ATCP 51 to each adjacent landowner.
- 5) After a complete application has been received, the County shall give notice of a public hearing by a Class 2 notice in The Richland Observer, with the last publication being not less than 1 week before the public hearing.
- 6) The County shall grant or deny an application within 90 days after the County has received a complete application. The County may extend this time limit for good cause, including any of the following:
 - (a) The County needs additional information to act on the application
 - (b) The applicant materially modifies the application or agrees to an extension.

The County shall give written notice of any extension. The notice shall specify the reason for the extension, and the extended deadline date by which the County will act on the application.

Section 9: RECORD OF DECISION

The County shall issue its decision in writing. The decision shall be based on written findings of fact supported by evidence in the record. Findings may be based in part on the presumptions created by ATCP 51. If the County approves the application, it shall give the applicant a duplicate copy of the approved application, marked "approved." The duplicate copy shall include worksheets, maps and other document (other than the engineering specifications) included in the application. The County Conservationist shall, within 30 days of the County's decision on the application, do all of the following:

- 1) Give the Department of Agriculture, Trade and Consumer Protection written notice of the County decision.
- 2) File with the Department of Agriculture, Trade and Consumer Protection, a copy of the final application granted or denied, if the County has granted or denied an application under this Ordinance. (The copy shall include all of the worksheets, maps and other attachments included in the application, except that it is not required to include the engineering design specifications.)
- 3) If the County has withdrawn a local approval under this Ordinance it will file a copy of the County's final notice or order withdrawing the local approval with the Department of Agriculture, Trade and Consumer Protection.

Section 10: APPEALS

In addition to other appeal rights provided by law, Wisconsin Statutes, section 93.90 (5), provides that any aggrieved person may request review by the Livestock Facility Siting Review Board of any decision by the County in connection with a permit application. An aggrieved person may challenge the decision on the grounds that the County incorrectly applied the standards under this Ordinance or violated Wisconsin Statutes, section 93.90.

An aggrieved person may request review of any decision of the Livestock Facility Siting Administrator or action by the Land Conservation Committee.

Any appeal brought under this section must be requested within 30 days of the County's approval or disapproval or within 30 days after the decision on appeal before the Land Conservation Committee.

Any appeal to the State Livestock Facility Siting Review Board shall comply with Wisconsin Statutes, section 93.90 and administrative rules of said Board.

Section 11: TRANSFERABILITY OF LICENSE

A license and the privileges granted by this license run with the land approved under the license and remain in effect, despite a change in ownership of the livestock facility, as long as the new operator does not violate the terms of the local approval. An applicant may record with the register of deeds, at the applicant's expense, the duplicate copy of the approved application. The County requests that upon change of ownership of the facility, the new owner of the facility shall file information with the Richland County Land Conservation Department providing pertinent information, including but not limited to such information as the name and address of the new owner and date of transfer of ownership.

Section 12: LICENSE TERM AND MODIFICATIONS

A license and the privileges granted by a license issued under this Ordinance is conditioned on the livestock operator's compliance with the standards in this Ordinance, and with commitments made in the application for a license. The operator may make reasonable changes that maintain compliance with the standards in this Ordinance, and the County shall not withhold authorization for those changes. A violation of the license or a failure to comply with the commitments made in the application may result in suspension and/or termination of the license as provided in Section 14 of this Ordinance.

Section 13: EXPIRATION OF LICENSE

A license remains in effect regardless of the amount of time that elapses before the livestock operator exercises the full authority granted by the approval. However, the County may treat a license as lapsed and withdraw the license if the license holder fails to do all of the following within 2 years after the issuance of the license:

- 1) Begin populating the new or expanded livestock facility
- 2) Begin constructing all of the new or expanded livestock housing or waste storage structures proposed in the application for local approval

Section 14: COMPLIANCE MONITORING

The County shall monitor compliance with the Ordinance as follows:

- 1) Upon notice to the livestock facility owner, request the Richland County Land Conservation Department under Section 5 of this Ordinance to personally view the licensed premises at a reasonable time and date to insure that all commitments of the application as approved are being complied with.
- 2) If the livestock facility owner refuses the Richland County Land Conservation Department the right to view the licensed premises, the Richland County Land Conservation Department may request the assistance of the Sheriff or a deputy Sheriff to obtain an inspection warrant from the Circuit Court to inspect the licensed premises for the purpose of protection of the public health and safety under Wisconsin Statutes, section. 66.0119.
- 3) If a licensed premises is found not to be in compliance with the commitments made in the approved application, the Richland County Land Conservation Department shall issue a written notice to the livestock facility owner stating the conditions of non-compliance and directing that compliance of the commitments of the approved application and license be complied with in a reasonable amount of time stated in this written notice.
- 4) If non-compliance of the license conditions as described in the written notice given by the Richland County Land Conservation Department continue past the stated time to comply, the Richland County Land Conservation Department may take further action as provided in this Ordinance, including forfeitures or injunctive relief.
- 5) If the livestock facility owner disputes that the conditions of the license have not been complied with, the livestock facility owner may request a hearing in writing within five days of receipt of the notice of non-compliance. The Richland County Land Conservation Committee shall schedule a meeting within five days to determine if the conditions of the license have been complied with or whether non-compliance of the commitments of the approved application and local approval exists.

Section 15: ADMINISTRATION AND PENALTIES

- 1) The Land Conservation Committee shall administer this Ordinance.
- 2) Any person who violates any of the provisions of this Ordinance, or who knowingly makes any material false statement or knowing omission in any document required to be submitted under the provisions of this Ordinance shall be subject to the following penalties:
 - (a) A forfeiture of \$500.00, plus the applicable surcharges, Court costs, assessments and other costs for each violation.
 - (b) Each day a violation exists or continues shall be considered a separate offense under this Ordinance.

- (c) The County may seek injunctive relief from the Court against any continuing violation of this Ordinance.
- (d) The County may suspend or revoke the approval of a license under this Ordinance after due notice to the livestock facility owner and after a public hearing to determine whether the license should be suspended or revoked.

3) The Land Conservation Committee shall have discretion to suspend or revoke a license issued under this Ordinance. The Land Conservation Committee shall consider extenuating circumstances such as adverse weather conditions that may affect the operator’s ability to comply with this Ordinance.

4) In additions to any other penalty imposed by this Ordinance, the County’s reasonable costs of abatement of any public nuisance on the licensed premises by the County may be collected under this Ordinance or Wisconsin Statutes, section 823.06 against the owner of the real estate upon which the public nuisance exists. Such costs of abatement may be recovered against the real estate as a special charge Wisconsin Statutes, section. 66.027 unless paid earlier.

5) The Corporation Counsel shall prosecute violations of this Ordinance at the direction of the Land Conservation Committee.

Section 16: SEVERABILITY

If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or application of this Ordinance that can be given effect without the invalid provision or application, and to that end, the provisions of this Ordinance are severable.

Section 17: EFFECTIVE DATE

This Ordinance is effective upon its passage and publication.

Dated: May 19, 2009
 Passed: July 21, 2009
 Published: July 30, 2009

ORDINANCE OFFERED BY THE LAND
 CONSERVATION COMMITTEE

		FOR	AGAINST
Ann M. Greenheck, Chairman	Virginia Wiedenfeld	X	
Richland County Board of Supervisors	Paul Kinney	X	
ATTEST:	James Lewis	X	
Victor V. Vlasak	William Seep	X	
Richland County Clerk	Richard Rasmussen	X	

Motion by Deets, second by Kinney that the County Clerk’s Annual Report for the period January 1, 2008 thru December 31, 2008 on the Financial Condition of Richland County be approved. Motion carried.

Resolution No. 09-67 Approving The Symons Natatorium Board Applying For And Accepting A Grant was read by County Clerk Vlasak. Motion by Cook, second by Seep that Resolution No. 09-67 be adopted. Motion carried and resolution declared adopted.

RESOLUTION NO. 09-67

A Resolution Approving The Symons Natatorium Board Applying For And Accepting A Grant.

WHEREAS Rule 17 of the Rules of the Board requires County Board approval before any department of County government can apply for and accept a grant, and

WHEREAS the Symons Natatorium Board has until August 10, 2009 to apply for an Energy Efficiency and Conservation Block Grant, which could be as much as \$225,000 of Federal stimulus funds, from the Governor's Office of Energy Independence, and

WHEREAS this grant would be used to pay the entire cost of installing solar panels on the roof of the Natatorium, thereby reducing energy costs, and

WHEREAS the Symons Natatorium Board is recommending that the County Board approve its applying for and accepting this grant.

NOW, THEREFORE, BE IT RESOLVED by the Richland County Board of Supervisors that approval is hereby granted for the Symons Natatorium Board to apply for and accept an Energy Efficiency and Conservation Block Grant of up to \$225,000 of Federal stimulus funds from the Governor's Office of Energy Independence for the purpose of installing, during 2009, solar panels on the roof of the Natatorium for the purpose of cutting the costs of operating that facility, and

BE IT FURTHER RESOLVED that the Director of the Symons Natatorium Board, Ms. Denise Hanold, is hereby authorized to sign on behalf of the County any documents necessary to carry out this Resolution, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

RESOLUTION OFFERED BY THE COUNTY BOARD
SUPERVISOR MEMBERS OF THE SYMONS
NATATORIUM BOARD

FOR AGAINST

Fred Clary	X
Larry D. Wyman	X
Bette M. Cook	X

Resolution No. 09-68 Approving The Sale Of County-Owned Real Estate With Deed Restrictions was read by County Clerk Vlasak. Motion by Clary, second by Gorman that Resolution No. 09-68 be adopted. Motion carried and resolution declared adopted.

RESOLUTION NO. 09-68

A Resolution Approving The Sale Of County-Owned Real Estate With Deed Restrictions.

WHEREAS, some months ago, the County received flood-damaged grant funds from the State which were used in part to purchase the flood-damaged residential real estate of Robert F. and Melanie A. Johnson, and

WHEREAS Stanley E. and Mary E. Anderson have expressed an interest in purchasing this parcel for \$1.00, with the purchase to include deed restrictions ensuring that the parcel will forever remain as green space and the Andersons are agreeable with this, and

WHEREAS the Emergency Management Committee has carefully considered this matter and is now

presenting this Resolution to the County Board for its consideration.

NOW, THEREFORE, BE IT RESOLVED by the Richland County Board of Supervisors that approval is hereby granted for the County to sell Tax Parcel #52022-0932-5300 in the Town of Richland to Stanley E. and Mary E. Anderson for \$1.00, with the deed to contain restrictions ensuring that the parcel will forever remain as green space, and

BE IT FURTHER RESOLVED that Corporation Ben Southwick is directed to draft a deed in accordance with this Resolution and the County Clerk is hereby authorized to sign that deed on behalf of the County, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

RESOLUTION OFFERED BY THE EMERGENCY
MANAGEMENT COMMITTEE

FOR AGAINST

Ann M. Greenheck	X
Daniel J. Carroll	X
Fred Clary	X

Resolution No. 09-69 Making An Appropriation For General Operations For Pine Valley Healthcare And Rehabilitation Center In The 2009 County Budget was presented to the Board. Motion by Kirkpatrick, second by Deets that Resolution No. 09-69 be adopted. Roll call vote. AYES: Holets, Kinney, Havlik, Clausius, Sowle, Kanable, Cook, Gust, Clary, Wyman, Wiedenfeld, Lewis, Marshall, Rasmussen, Greenheck, Gorman, Kirkpatrick, Deets, Carroll, Seep, Pfeil. Ayes 21. Noes 0. Total 21. Motion carried and resolution declared adopted.

RESOLUTION NO. 09-69

A Resolution Making An Appropriation For General Operations For Pine Valley Healthcare And Rehabilitation Center In The 2009 County Budget.

WHEREAS, in order to maximize the amount of Federal funds which Pine Valley Healthcare and Rehabilitation Center will be eligible to receive between July 1, 2008 and June 30, 2009 under the Supplemental Payment Program, it is necessary for the County Board to make an appropriation of \$103,042.00 for general operations for Pine Valley Healthcare and Rehabilitation Center in the 2009 County budget, and

WHEREAS this appropriation will not result in any expenditure of County tax dollars as the County will receive an amount equaling the amount of this appropriation from the Federal government, and

WHEREAS the Board of Trustees of Pine Valley Healthcare and Rehabilitation Center and the Finance Committee have approved this appropriation and are now recommending its approval by the County Board.

NOW, THEREFORE, BE IT RESOLVED by the Richland County Board of Supervisors that \$103,042.00 is hereby appropriated from the General Fund in the 2009 County budget to Pine Valley Healthcare and Rehabilitation Center for general operations purposes, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

RESOLUTION OFFERED BY THE FINANCE
COMMITTEE

FOR AGAINST

Jeanetta Kirkpatrick	X
Larry D. Wyman	X
Gaylord L. Deets	X
Ann M. Greenheck	X
Fred Clary	X

Chairman Greenheck stated that after having received the advice of the Committee on Committees and subject to confirmation by the County Board she is appointing Betty Havlik to a new three-year term on the City Library Board effective July 1, 2009. Motion by Gorman, second by Wiedenfeld to confirm the appointment. Motion carried.

Chairman Greenheck stated that after having received the advice of the Committee on Committees and subject to confirmation by the County Board she is making the following appointments to the temporary 2010 Census Complete Count Committee: Donald Adelman, Mike Adelman, Jon Baker, Scott Banker, Calvin Brown, Judy Collins, Verlin Coy, Christy Duhr, Jerome Durst, Larry Engels, Ron Fruit, Linda Harlan, Ryan Keller, Dawn Kiefer, Steve Kohlstedt, Jarrett McDonald, Craig Peach, Sheila Pulvermacher, Shelly Schmidt, Jason Schultz, David Wanless, Richard Wastlick. Motion by Deets, second by Holets to confirm the appointments. Motion carried.

County Clerk Vlasak noted that the deadline is approaching to submit registrations for attendance at the Wisconsin Counties Association Annual Conference.

Chairman Greenheck noted that copies of the Financial Report of Highway Operations for January 1, 2008 thru December 31, 2008 were distributed to Board members.

Zoning Committee Chairman Rasmussen reported the receipt of a petition from the City of Richland Center to rezone eleven acres in the Town of Buena Vista from Agriculture/Forestry to Industrial. Chairman Greenheck referred the petition to the Zoning Committee for action.

Zoning Committee Chairman Rasmussen reported that there were no rezoning petitions being recommended for denial by the Zoning Committee.

Sheriff's Department Lieutenant Bob Frank addressed the Board regarding a communications breakdown that occurred on June 23rd when construction workers on Court Street cut phone lines connecting dispatch in the courthouse to equipment on Tower Hill. Meetings are being held to come up with practical solutions and backup procedures are being put in place to prevent such a breakdown from occurring in the future.

Chairman Greenheck read a thank-you note received from Lauren Welte expressing appreciating for having been awarded the Charles C. Brace Ag. Scholarship in the amount of \$400.

Chairman Greenheck noted that on August 7th at 2:00 p.m. in Muscoda there will be a celebration of the twenty year anniversary of the signing of the Act which created the Lower Wisconsin State Riverway.

Motion by Deets, second by Clausius to adjourn to Tuesday, August 18, 2009 at 7:00 p.m. Motion carried.

