

MARQUETTE COUNTY BOARD OF SUPERVISORS
WebEx Remote/Virtual and County Board Room of the Services Center
January 17, 2023

Pursuant to notice duly given in the manner established by the Board of Supervisors and in compliance with Sub-Chapter V of Chapter 19 of the Wisconsin Statutes, a lawfully held regular meeting of the Board of Supervisors of the County of Marquette, Wisconsin was called to order by County Board Chairperson Ken Borzick at 7:00 p.m. on January 17, 2023, at Montello, Wisconsin, at the time and place established by the Board of Supervisors or in accordance with law.

The Clerk called the roll and the following members answered roll call:

District No. 1 . . Abby Swan (virtual)
District No. 2 . . Dennis Fenner
District No. 3 . . David Krentz
District No. 4 . . John Bennett
District No. 5 . . Kathy Jo Locke
District No. 6 . . David Benson
District No. 7 . . Ken Borzick
District No. 8 . . Mike Raddatz
District No. 9 . . Bart O'Brien (virtual)
District No. 10 . Mary P. Walters
District No. 11 . Al Rosenthal (virtual)
District No. 12 . Jon Vote
District No. 13 . Kathleen McGwin
District No. 14 . Jeff Frazer
District No. 15 . Gayle Mack (absent)
District No. 16 . Alan Gibeaut
District No. 17 . Judi Nigbor (virtual)

A quorum of the Board of Supervisors was declared present and open meetings law compliance was established.

Also present were Administrator Ron Barger and Corporation Counsel Natalie Bussan. Attorney Tracy Waldinger, representing the Browns, Robert Brown, and Ryan and Candice Menke (virtual) were present to comment on agenda item 8- Resolution 2-2023.

A moment of silence was observed followed by the reciting of the Pledge of Allegiance.

Motion/second by Bennett/Benson to approve the agenda. Motion carried.

Motion/second by Walters/Benson to approve the minutes of the December 20, 2022 meeting as printed. Motion carried.

Chairperson Borzick presented a Certificate of Appreciation to Steve Kemnitz for his 29 plus years of service to the Marquette County Sheriff's Office. Sheriff Konrath presented Steve Kemnitz with the Valor Award and read aloud the narrative from the nomination that had been submitted.

The chairperson of the respective standing committees gave committee reports. Supervisor Nigbor recognized Sue McCartney's years serving on the Board of Health as the Nurse Representative. Supervisor McGwin gave a 5-minute presentation of Marquette County History-Medicine in Marquette County.

Motion/second by Benson/Bennett to approve the consent agenda per agenda item number 7 adopting Resolution 1-2023 and confirming the appointment of Barb Jordan to the Board of Health, term to expire 12/2024. Motion carried.

Resolution No. 1-2023 ZONING AMENDMENT- TOWN OF MOUNDVILLE
(Introduced by Dave Krentz and Jon Vote)

WHEREAS, the Marquette County Board of Supervisors has been petitioned to amend the Marquette County Zoning Ordinance, and

WHEREAS, the petition has been referred to the Marquette County Planning and Zoning Committee for public hearing, and

WHEREAS, the Marquette County Planning and Zoning Committee on due notice conducted a public hearing on the proposed amendment and filed their recommendation to the Board.

WHEREAS, the proposed amendment and recommendation of the Planning and Zoning Committee have been given due consideration by the Board in open session.

WHEREAS, the Board finds the following:

1. The land is better suited for a use not allowed in the AG-1 district.
2. The rezoning will not substantially impair or limit current or future agricultural use of the surrounding parcels of land that are zoned for or legally restricted to agricultural use.
3. The rezoning is consistent with the applicable town and County comprehensive plans, including the farmland preservation plan component of the County Comprehensive Plan.

NOW THEREFORE, the Marquette County Board of Supervisors do ordain as follows:

The Zoning Ordinance of Marquette County and accompanying Zoning Map is amended in the following respects: Parts of the NW1/4-SW1/4 and the SE1/4-SW1/4, Section 25 and part of the NE1/4-NW1/4, Section 36, T14N R8E, Town of Moundville, containing 40 acres more or less are rezoned from Prime Agriculture (AG-1) with 2 acres of the NW1/4-SW1/4, Section 25 rezoned to Agriculture Residential (AG-3(2)) and 38 acres in the SE1/4-SW1/4, Section 25 and in the NE1/4-NW1/4, Section 36 rezoned to the Farmland Preservation Overlay (FPO) District.

Agenda Item 8- Separate consideration of resolutions.

Attorney Tracy Waldinger noted that a petition with over 50% of surrounding property owners has been filed against the rezone, noting this indicates a $\frac{3}{4}$ majority vote be necessary for the resolution to pass. Robert Brown addressed the County Board in opposition of the rezone. Ryan Menke presented a slideshow detailing the property. Discussion followed.

Resolution No. 2-2023 ZONING AMENDMENT- TOWN OF WESTFIELD

(Introduced by Dave Krentz and Jon Vote)

Upon roll call Resolution No. 2-2023 was adopted as follows: Ayes 14; Noes 2; Absent 1
(Noes: Fenner and McGwin)

WHEREAS, the Marquette County Board of Supervisors has been petitioned to amend the Marquette County Zoning Ordinance, and

WHEREAS, the petition has been referred to the Marquette County Planning and Zoning Committee for public hearing, and

WHEREAS, the Marquette County Planning and Zoning Committee on due notice conducted a public hearing on the proposed amendment and filed their recommendation to the Board.

WHEREAS, the proposed amendment and recommendation of the Planning and Zoning Committee have been given due consideration by the Board in open session.

NOW THEREFORE, the Marquette County Board of Supervisors do ordain as follows:

The Zoning Ordinance of Marquette County and accompanying Zoning Map is amended in the following respects: Lot 2 of CSM 2651 being part of Gov't Lot 1, Section 5, T16N R08E, Town of Westfield, containing 2.45 acres more or less is rezoned from Recreational (REC) to an Agriculture Residential (AG-3(2)) District.

Resolution No. 3-2023 REAL ESTATE TRANSFER FEE 50/50 STATE/COUNTY SPLIT RECOMMENDATION

(Introduced by Dave Krentz and Jon Vote)

Upon roll call Resolution No. 3-2023 was adopted as follows: Ayes 16; Noes 0; Absent 1

WHEREAS, the collection of real estate transfer fees by the counties was mandated by the State of Wisconsin in 1969, and included a requirement that counties remit 50% of all transfer fees collected to the State, and

WHEREAS, in 1982 the State changed the transfer fee formula to require counties to remit 80% of transfer fees collected to the State, and

WHEREAS, Marquette County, through the Register of Deeds Office, assumes the annual operating costs of recording all real estate transfers occurring in Marquette County, including the collection of real estate transfer fees, and

WHEREAS, it is projected that the State will end the 2022-2023 fiscal year with a budget surplus of 6.5 billion dollars, while many Wisconsin counties including Marquette County continue to struggle financially due to the ever increasing costs of providing county government services in an inflationary economy and providing services for increasing unfunded State mandated programs all while working under State imposed levy limits,

NOW, THEREFORE, THE MARQUETTE COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES to request that the State of Wisconsin enact legislation that would return the real estate transfer fee sharing formula to a 50/50 state-county split.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Governor Tony Evers, all members of the State Legislature representing Marquette County and to the Wisconsin Counties Association.

Resolution No. 4-2023 BUDGET AMENDMENT

(Introduced by Ken Borzick and Dave Benson)

Upon roll call Resolution No. 4-2023 was adopted as follows: Ayes 16; Noes 0; Absent 1

WHEREAS, the County Board adopted Resolution 65-2022 on November 15, 2022, setting the appropriations for the fiscal year 2023 and tax levy for 2022, and

WHEREAS, Department Heads and Administration have identified additional ways to reallocate funds from revenue sources and opportunities to cut costs, to prevent furlough days and provide a 2% COLA wage and step increases with minimal impact to the levy limit or the General Fund reserve balance.

WHEREAS, the amendments include, but are not limited to, a transfer of \$300,000 from Fund 70 Highway Enterprise Operations to the General Fund, reallocation of funds by the Human Services Department, and use of a grant by the Health Department (all details are included in the amended budget attached as Exhibit A);

NOW THEREFORE, the budget is amended as shown in Exhibit A.

Administrator Barger gave an opioid litigation update and reported advice given by outside counsel Crueger and Dickinson, LLC. Motion/second by Benson/Gibeaut to approve opting in settlement agreements related to CVS, Walgreens, Walmart, Teva, and Allergen and to allow the County Administrator to sign said agreements when requested. Motion carried.

The fiscal and personnel reports, grant updates, and correspondence was reviewed as presented by Administrator Ron Barger. Administrator Barger reported the General Fund balance would be at 17.26% with the passing of Resolution 4-2023.

Corporation Counsel Natalie Bussan presented the December 2022 Report.

Calendar planning was reviewed for February 2023 meetings. The February County Board meeting will be at 6 p.m. due to the Spring Primary.

The meeting was declared adjourned subject to the call of the Chairperson. The meeting adjourned at 8:02 p.m.

CERTIFICATE
STATE OF WISCONSIN)
) SS
County of Marquette)

I, Kiley Lloyd, County Clerk in and for Marquette County, Wisconsin do hereby certify that the foregoing is a true copy of the proceedings of the County Board of Supervisors of said County at their meeting held in-person and remotely by using WebEx by me as such officer.


Kiley Lloyd, County Clerk