

MARQUETTE COUNTY BOARD OF SUPERVISORS

WebEx Remote/Virtual and County Board Room of the Services Center

April 16, 2024

Prior to the business meeting Honorable Judge Chad Hendee administered the oath of the office to the County Board. District 9 Representative Thomas Wastart did not participate in the oath of office.

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 organizational meeting of the Board of Supervisors of the County of Marquette, Wisconsin was called to order by County Clerk Kiley Lloyd at 10:09 a.m. on April 16, 2024, 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
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 . . Thomas Wastart
District No. 10 . Mary P. Walters
District No. 11 . Lance Achterberg
District No. 12 . Chuck Bornhoeft
District No. 13 . Kathleen McGwin
District No. 14 . Jeff Frazer
District No. 15 . Peggy Krause
District No. 16 . Alan Gibeaut
District No. 17 . Judi Nigbor

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

Also present was Administrator Ron Barger, Corporation Counsel Natalie Bussan (virtually), and several Marquette County employees and citizens, both in-person and virtually.

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

Motion/second by Benson/Gibeaut to amend the presented agenda by amending Resolution 21-2024 per the County Treasurer- removing the Town of Newton and Village of Oxford tax deed listings being payment had been made prior to the meeting. Motion carried.

Motion/second by Raddatz/Borzick to approve the amended agenda. Motion carried.

County Clerk Kiley Lloyd appointed Treasurer Jody Myers and Sheriff Joe Konrath to act as tellers for the election of County Board Chairperson. County Clerk Kiley Lloyd explained the voting procedures and applicable County Board Rules for elections of County Board Officers and then opened the floor to receive nominations for the position of County Board Chairperson.

Motion/second by Fenner/Krentz to nominate Ken Borzick as County Board Chairperson. County Clerk Kiley Lloyd asked if there were any other nominations. No other nominations were made. Motion/second by Achterberg/Fenner to close the floor for nominations and cast a unanimous ballot for Ken Borzick as Chairperson. Motion carried.

County Clerk Kiley Lloyd called for a brief recess at 10:17 a.m.

The business meeting reconvened at 10:18 a.m. and Chairperson Borzick presided over the remainder of the meeting.

Chairperson Borzick appointed Treasurer Jody Myers and Sheriff Joe Konrath to continue as tellers for the election of County Board Vice Chairperson and committee appointments.

Chairperson Borzick opened the floor to receive nominations for County Board Vice Chairperson.

Supervisor McGwin nominated Judi Nigbor. Supervisor Walters nominated Dave Benson. Chairperson Borzick asked if there were any other nominations. No other nominations were made. Chairperson Borzick closed the floor for nominations. Candidates were given the opportunity to address the Board. Supervisor Nigbor and Supervisor Benson both addressed the board, noting background and experience. Questions/answers and discussion followed. Ballot results were as follows: Four rounds of tie votes at 8:8. After the fourth round of voting, Supervisor Locke requested it be addressed why District 9 representative Thomas Wastart was not voting. Thomas Wastart addressed the board and reported that he did not take the oath of office and would not be accepting the position of Supervisor District 9 due to conflict of interest through his position of Medical Examiner as explained to him by the WCA legal team, Green Lake County Representatives, and Marquette County Representatives. Thomas Wastart exited the meeting at 10:55 a.m. Two additional rounds of tie votes at 8:8 took place. Chairperson Borzick called a recess at 11:13 a.m. The business meeting was called back to order by Chairperson Borzick at 11:19 a.m. After the seventh and final round of voting, Supervisor Nigbor was declared elected County Board Vice Chairperson with a vote of 9:7.

Motion/second by Raddatz/Krause to approve the minutes of the March 19, 2024, meeting as printed. Motion carried.

There were no introductions or employee recognitions. Citizen John Krause congratulated Margaret (Peggy) Krause for being elected District 15 County Board Supervisor.

County Clerk Kiley Lloyd discussed the election process for the Agriculture & Extension Education Committee and Highway Committee. Chairperson Borzick opened the floor for nominations for two members to serve on the Agriculture & Extension Education Committee. Supervisor Benson nominated Dennis Fenner. Supervisor Raddatz nominated Dave Benson. Supervisor Benson nominated John Bennett. Chairperson Borzick asked if there were any other nominations. No other nominations were made. Chairperson Borzick closed the floor for nominations. Ballot results were as follows: John Bennett- 12, Dennis Fenner- 10, and Dave Benson- 9.

John Bennett and Dennis Fenner were declared elected members of the Agriculture & Extension Education Committee.

Chairperson Borzick opened the floor for nominations for five members to serve on the Highway Committee. Supervisor Fenner nominated Dave Benson. Supervisor McGwin nominated Kathy Jo Locke. Supervisor Frazer nominated Lance Achterberg. Supervisor Walters nominated Al Gibeaut. Supervisor Benson nominated John Bennett, Mike Raddatz, and Dave Krentz. Chairperson Borzick asked if there were any other nominations. No other nominations were made. Chairperson Borzick closed the floor for nominations. Ballot results were as follows: Mike Raddatz- 13, John Bennett- 12, Lance Achterberg- 11, Kathy Jo Locke- 10, Dave Benson- 10, Dave Krentz- 8, Al Gibeaut- 7. Mike Raddatz, John Bennett, Lance Achterberg, Kathy Jo Locke, and Dave Benson were declared elected members of the Highway Committee.

The chairperson of the respective standing committees gave committee reports. Supervisor McGwin gave a History of Marquette County presentation- This is Who We Are- The Creation of Marquette County, WI.

Motion/second by Walters/Fenner to approve the consent agenda per agenda item 14, approving Resolutions 18-2024 through 20-2024. Motion carried.

Resolution No. 18-2024 CHAPTER 70 ZONING AMENDMENT
(Introduced by Alan Gibeaut AND Dave Krentz)

WHEREAS, the Marquette County Board of Supervisors has deemed it necessary to amend the Marquette County Code of Ordinances Chapter 70-Zoning to be in compliance with Wisconsin Administrative Code NR115, and

WHEREAS, the amendments have 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 amendments and filed their recommendation to the Board.

WHEREAS, the proposed amendments have been given due consideration by the Board in open session.

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

Chapter 70-Zoning is amended as follows: (new language is *Italicized* and deleted language is ~~Stricken~~)
Section 70.53(E)(4) and (5) are created to read:

4) *A fence that meets all of the following requirements:*

- a. *A height not taller than 15 feet.*
- b. *Located not less than 2 feet landward of the ordinary highwater mark.*
- c. *Located entirely outside of a highway right-of-way.*
- d. *Located not less than 10 feet from the edge of a roadway and not more than 40 feet from the edge of a roadway or highway right-of-way, whichever is greater.*
- e. *Generally perpendicular to the shoreline.*

5) *A bridge for which the department has issued a permit under s. 30.123, Stats.*

Section 70.54(A)(1) and (2) are amended as follows:

- 1) One (1) viewing and access corridor with the *maximum width of 10 feet or up to 35 percent of the shoreland frontage, whichever is greater, except that the maximum width of an access and viewing corridor may not exceed 200 feet. The access and viewing corridor may run contiguously for the entire maximum allowed width of 200 feet.*~~no more than thirty-five (35) feet in width may be established for every one hundred (100) feet of frontage. The viewing and access corridor may run contiguously for the entire maximum width of shoreline frontage owned.~~ The corridor shall be more or less perpendicular to the shoreline. Within this corridor trees, shrubs and ground cover shall not be completely removed and it must remain vegetated, however selective pruning and trimming of trees, shrubs and ground cover is permitted for the purpose of providing a view and access to, the water.
- 2) ~~On parcels, which are less than one hundred (100) feet in width, the viewing corridor width requirement shall be reduced proportionately.~~

Section 70.69(U) is amended as follows:

An area that releases as runoff all or a majority of the precipitation that falls on it. "Impervious surface" excludes frozen soil but includes rooftops, sidewalks, driveways, parking lots, and streets unless specifically designed, constructed, and maintained to be pervious. Roadways as defined in s. 340.01(54), Wis. Adm. Code, or sidewalks as defined in s. 340.01(58), Wis. Adm. Code, are not considered impervious surfaces. ~~to be calculated as impervious surfaces.~~

Resolution No. 19-2024 ZONING AMENDMENT- TOWN OF NEWTON
(Introduced by Alan Gibeaut AND Dave Krentz)

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 Marquette County Code or Ordinances Chapter 70-Zoning and the accompanying map are amended in the following respect: Part of the SW1/4-SE1/4 and part of the SE1/4-SE1/4, Section 13, T17N R9E, Town of Newton, containing 40 acres more or less is rezoned from Prime Agriculture (AG-1) with 5 acres rezoned to Agriculture Residential (AG-3(4)) and the remaining 35 acres to the Farmland Preservation Overlay (FPO) District.

Resolution No. 20-2024 ZONING AMENDMENT- TOWN OF MOUNDVILLE
(Introduced by Alan Gibeaut AND Dave Krentz)

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 Marquette County Code or Ordinances Chapter 70-Zoning and the accompanying map are amended in the following respect: Part of the SE1/4-NE1/4 lying North of CSM 1007, Section 33, T14N R9E, Town of Moundville, containing 4.86 acres, more or less, is rezoned from Prime Agriculture (AG-1) to the Agriculture Residential (AG-3(4)) District.

Consideration of separate resolutions per agenda item #15.

Resolution No. 21-2024 *AMENDED* RESOLUTION ORDERING THE ISSUANCE OF A TAX DEED ON
UNREDEEMED TAX CERTIFICATES

(Introduced by Alan Gibeaut AND Lance Achterberg)

Upon roll call Resolution No. 21-2024 was adopted as follows: Ayes 15; Noes 1; Absent 1
(Noes: Benson)

WHEREAS, the Marquette County Treasurer has followed the procedures required by Chapters 74 and 75 of the Wisconsin Statutes in attempting to collect property tax owed on certain real estate located within Marquette County; and that real estate taxes for the year 2019 remain unpaid for certain properties; and

WHEREAS, your Committee is also informed that all the statutory requirements concerning notification and publication of notices for said properties with unpaid taxes for the year 2019 have been completed; and

WHEREAS, such resolution is the next necessary step in the equitable enforcement and collection of real estate taxes.

NOW, THEREFORE, the Marquette County Board of Supervisors hereby orders the issuance of a Tax Deed to Marquette County and its assigns for the parcels of land listed below:

TOWN OF BUFFALO

Description
CSM 821 Being Prt of SW-SW, Sec. 26, T14N, R09E (7.81A)
(Co Rd F) 002-00940-0000
Appraised Value (based on assessed value): \$79,600.00

TOWN OF NESHKORO

Description
2A of SW-SE LY E of Hwy, Sec. 18, T17N, R11E (2.00A)
(Co Rd N) 016-00642-0000
Appraised Value (based on assessed value): \$12,000.00

NE ¼ of NW-SW, Sec. 29, T17N, R11E (10.00A)
(19th Rd) 016-00824-0000
Appraised Value (based on assessed value): \$10,000.00

TOWN OF NEWTON

Description
~~Prt of SW-SW LY S of Duck Creek Ln, Sec. 25, T17N, R09E~~
~~(5.00A) (Duck Creek Ln) 018-00711-0000~~
~~Appraised Value (based on assessed value): \$32,250.00~~

TOWN OF PACKWAUKEE

Description
Lot 9 Blk 8 of Buffalo Shores Estates, Sec. 31, T15N, R09E (.254A)
(Lakeshore Dr) 022-00526-0000
Appraised Value (based on assessed value): \$42,800.00

Lot 11 Blk 8 of Buffalo Shores Estates, Sec. 31, T15N, R09E (.257A)
(Lakeshore Dr) 022-00528-0000
Appraised Value (based on assessed value): \$6,300.00

VILLAGE OF OXFORD

Description
~~Blk 23 Original Plat Lots 11-12-13 Sec. 17, T15N, R08E~~
~~(Franklin St) 165-00128-0000~~
~~Appraised Value (based on assessed value): \$82,400.00~~

VILLAGE OF WESTFIELD

Description
Blk E Original Plat W 22.5Ft of E 60Ft of Lot 7, Sec. 12, T16N, R08E
(115 E 2nd St) 191-00199-0000
Appraised Value (based on assessed value): \$48,200.00

The fiscal and personnel reports, grant updates, and correspondence were reviewed as presented by Administrator Barger. Administrator Barger reported the opioid grant fund balance is at \$207,000 and noted HS Director Mandy Stanley and Health Director Jayme Sopha co-chair the Opioid Fund Committee. He also reminded everyone to contact Senator Tammy Baldwin’s office to support congressional directed spending towards the Marquette County Fairgrounds.

Corporation Counsel Natalie Bussan touched on the topic of conflict of interest and shared she can be contacted with any questions.

Calendar planning was reviewed for May 2024 meetings. Chairperson Borzick noted the committee assignment team would be meeting Friday, April 19th. Discussion regarding committee meetings followed. The meeting was declared adjourned subject to the call of the Chairperson. The meeting was adjourned at 11:55 a.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