

MARQUETTE COUNTY BOARD OF SUPERVISORS
WebEx Remote/Virtual and County Board Room of the Services Center
June 18, 2024

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 Chairperson Borzick at 7:02 p.m. on June 18, 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 (absent)
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 . . Gary Sorensen
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 (virtual)
District No. 15 . Peggy Krause (absent)
District No. 16 . Vacant
District No. 17 . Judi Nigbor

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 (virtually).

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

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

Motion/second by Walters/Raddatz to approve the minutes of the May 21, 2024 and May 28, 2024 meetings as printed. Motion carried.

There were no citizen inquiries, introductions, or employee recognitions.

The chairperson of the respective standing committees gave committee reports. Highway Chairperson Mike Raddatz noted the Causeway would be open one more week due to construction delays from the company the county is working with.

Motion/second by Benson/Raddatz to approve the consent agenda per agenda item 7, approving Resolutions 23-2024 through 25-2024 and confirming the citizen appointment of Lloyd Moberg to the Winnefox Library Board to fill the unexpired open vacancy- term to expire 12/2025, the Land Information Council with membership term length of County Board representation and Real Estate representative to be concurrent with term of County Board: Land Information Department Director/Real Property List (Council Chair)-Megan Stalker, County Treasurer-Jody Myers, Register of Deeds-Nicole Ziebell, Emergency Management Director- Lt. Aaron Williams, Land and Water Conservationist-Pat Kilbey, Zoning Administrator-Jean Potter, Surveyor- Jerry Smart, County Board Representative- Judi Nigbor (April 2026), Real Estate Representative- John Mevis (April 2026). Motion carried.

Resolution No. 23-2024 ZONING AMENDMENT- TOWN OF WESTFIELD
(Introduced by Kathy Jo Locke AND Dave Benson)

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 NE1/4-NE1/4 less CSM 1152, Section 16 and part of the SE1/4-SE1/4, Section 9, T16N R8E, Town of Westfield, containing 40 acres more or less is rezoned from Prime Agriculture (AG-1) with 2.85 acres rezoned to Agriculture Residential (AG-3(2)) and the remaining 37.15 acres to the Farmland Preservation Overlay (FPO) District.

Resolution No. 24-2024 ZONING AMENDMENT- TOWN OF MOUNDVILLE
(Introduced by Kathy Jo Locke AND Dave Benson)

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: The SE1/4-SE1/4, less the west 6 acres, Section 24 and part of the NE1/4-NE1/4, Section 25, T14N R9E, Town of Moundville, containing 40 acres more or less is rezoned from Prime Agriculture (AG-1) with 4 acres rezoned to Agriculture Residential (AG-3(2)) and the remaining 36 acres to the Farmland Preservation Overlay (FPO) District. (FPO) District.

Resolution No. 25-2024 ORDINANCE TO AMEND THE MARQUETTE COUNTY
COMPREHENSIVE PLAN
(Introduced by Kathy Jo Locke AND Dave Benson)

The Marquette County Board of Supervisors, does ordain as follows:

SECTION 1. Pursuant to section 59.69(3)(a) of Wisconsin Statutes, Marquette County is authorized to amend the County comprehensive plan as defined in sections 66.1001(1)(a) and 66.1001(2) of Wisconsin Statutes.

SECTION 2. The Marquette County Planning and Zoning Committee, by a majority vote of the Committee recorded in its official minutes, has approved amendments to the Planned Land Use Maps for the Towns of Mekan and Montello.

SECTION 3. The Planning and Zoning Committee has held at least one public hearing on this ordinance, in compliance with the requirements of section 66.1001(4)(d) of Wisconsin Statutes and provided opportunities for public involvement per its adopted public participation strategy and procedures.

SECTION 4: The Marquette County Board of Supervisors, does, by enactment of this ordinance, formally adopt the attached Planned Land Use Map amendments for the Towns of Mekan and Montello pursuant to section 66.1001(4)(c) of Wisconsin Statutes.

SECTION 5. This ordinance shall take effect upon passage by a majority vote of the Marquette County Board of Supervisors and publication/posting as required by law.

Town of Mekan Planned Land Use Amendments:

Part of the fractional SW1/4, part of the N1/2 of the fractional SW1/4, part of the S1/2 of the fractional SW1/4, SW1/4-NE1/4, fractional SW1/4-NW1/4, SE1/4-NW1/4, part of CSM 1687, Lots 63, 64 and 65 White Lake Country Club, Section 7, T15N R11 E, Town of Mekan, containing 205.79 acres more or less is changed from Mixed Residential and Rural Lands to a Farmland Preservation Area.

Town of Montello Planned Land Use Amendments:

SW1/4-SW1/4, SE1/4-SW1/4, Section 12, NE1/4-NW1/4, SE1/4-NW1/4, Section 13, W1/2 of the NW1/4-NE1/4, W1/2 of the SW1/4-NE1/4, Section 24 and part of the SE1/4-NE1/4 and NE1/4-SE1/4 being part of Gov't Lot 6, Section 26 all in T15N R10E, Town of Montello, containing 215 acres more or less and 1 rod on the E Side of the NE1/4-SE1/4 less part of CSM 1687, part of CSM 1687 being part of the NE1/4-SE1/4 and E 1 rod of SE1/4-SE1/4, Section 12, SW1/4-SE1/4, NW1/4-SE1/4, part of the NE1/4-SE1/4, lying south of Co Rd C, SW1/4-NE1/4 less N 2 rods of W 78 rods, E2 rods of the NW1/4-NE1/4, NE1/4-NE1/4, part of the NW1/4-NW1/4, part of the SW1/4-NW1/4, part of the NE1/4-SW1/4, part of the NW1/4-SW1/4, part of the SW1/4-SW1/4, SE1/4-SW1/4, Section 13 and part of the SE1/4-NE1/4 and the NE1/4-SE1/4 being part of Gov't Lot 6, Section 26, all in T15N R10E, Town of Montello, containing 337.53 acres more or less is changed from Rural Lands to a Farmland Preservation Area.

The SE1/4-SW1/4, less the southern 66 ft and the SW1/4-SW1/4, less the southern 66 ft, Section 29, T15N R10E, Town of Montello, containing 76 acres more or less.is changed from Rural Lands to a Farmland Preservation Area.

Consideration of separate resolutions per agenda item #8.

Resolution No. 26-2024 RESOLUTION AMENDING THE MARQUETTE COUNTY CODE OF
ORDINANCES
CHAPTER 1, GENERAL PROVISIONS

(Introduced by Lance Achterberg AND Mary Walters)

Upon roll call Resolution No. 26-2024 was adopted as follows: Ayes 14; Noes 0; Absent 3 (1 vacant)

WHEREAS, the Wisconsin Legislature amended the tax deed statutes, including section 75.35(3), to provide a right of redemption of tax deed property under certain conditions.

NOW THEREFORE, BE IT ORDAINED by the Marquette County Board of Supervisors that section 1.21 of the Marquette County Code of Ordinances, be added to read as follows:

The County adopts Wisconsin Statute 75.35(3) and the provisions set forth therein as if fully set forth in the Code. In the event the statute is amended, this section shall automatically incorporate any amendments. The County also chooses the option of allowing all former owners the right of redemption in accordance with the Statute.

Resolution No. 27-2024 AUTHORIZING MARQUETTE COUNTY TO ENTER INTO THE SETTLEMENT
AGREEMENT WITH THE KROGER CO. AND AGREE TO THE TERMS OF ADDENDUM TWO TO THE
MOU ALLOCATING SETTLEMENT PROCEEDS

(Introduced by Ken Borzick AND Judi Nigbor)

Upon roll call Resolution No. 27-2024 was adopted as follows: Ayes 14; Noes 0; Absent 3 (1 vacant)

*Due to the length of Resolution 27-2024 the full version is available upon request at the County Clerk's office. *

SYNOPSIS: The Marquette County Board of Supervisors authorizes Marquette County to Enter into the Settlement Agreement with The Kroger Co. and agree to the terms of Addendum Two to the MOU Allocating Settlement Proceeds.

Resolution No. 28-2024 ADDENDUM TWO TO WISCONSIN LOCAL GOVERNMENT
MEMORANDUM OF UNDERSTANDING

(Introduced by Ken Borzick AND Judi Nigbor)

Upon roll call Resolution No. 28-2024 was adopted as follows: Ayes 14; Noes 0; Absent 3 (1 vacant)

*Due to the length of Resolution 28-2024 the full version is available upon request at the County Clerk's office. *

SYNOPSIS: The Marquette County Board of Supervisors authorizes the Marquette County Administrator to sign Addendum Two to Wisconsin Local Government Memorandum of Understanding on behalf of Marquette County per the Settlement Agreement.

The fiscal and personnel reports, grant updates, and correspondence were reviewed as presented by Administrator Barger. Administrator Barger reported he plans to have some rollover accounts created and a line item added for strategic planning in the 2025 budget.

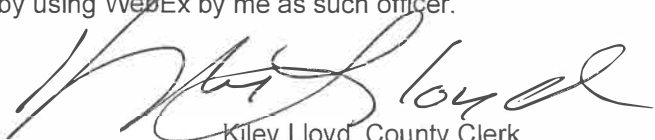
Corporation Counsel Natalie Bussan reported a settlement with Polacek's for \$5,000.

Calendar planning was reviewed for the July 2024 meetings. The meeting was declared adjourned subject to the call of the Chairperson. The meeting was adjourned at 7:18 p.m.

CERTIFICATE
STATE OF WISCONSIN)

County of Marquette) SS
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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