MARQUETTE COUNTY BOARD OF SUPERVISORS

WebEx Remote/Virtual and County Board Room of the Services Center
December 17, 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 regular meeting of the Board of Supervisors of the County of Marquette, Wisconsin was called to order by Chairperson Borzick at 7:00 p.m. on December 17, 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 (virtual)
District No. 14 . Jeff Frazer
District No. 15 . Peggy Krause
District No. 16 . Scott Kempley
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.

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

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

Motion/second by Bornhoeft/Bennett to approve the minutes of the November 12, 2024 meeting as printed. Motion carried.

There were no citizen inquiries, introductions or employee recognitions.

The chairperson of the respective standing committees gave committee reports. Board of Health Chairperson Nigbor reported that the Board of Health voted to remove Marquette County from the Tri-County consortium. Supervisor Bennett, who represents the Fair Board, reported the Fair financial reports could be found on SharePoint for the County Board to review.

Highway Commissioner Brian Trebiatowski presented his annual statutory report including a PowerPoint detailing 2024 work projects and 2025 projected projects. His report also focused on town relations, funding, materials, and equipment operations. Motion/second by Benson/Bennett to place the Highway Commissioner's report on file. Motion carried. The 2024 Highway Commissioner's Report is available upon request from the Highway Office or the County Clerk's Office.

Motion/second by Benson/Raddatz to approve the consent agenda per agenda item #8 of Resolutions 43-2024 through 46-2024. Motion carried.

Resolution No. 43-2024 ZONING AMENDMENT- TOWN OF NEWTON
(Introduced by Dave Benson AND Kathy Jo Locke)

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 of Ordinances Chapter 70 – Zoning and the accompanying map are amended in the following respect: the SE ¼ of the NW ¼, all in Section 23, T17N R9E, Town of Newton, containing 40 acres more or less with 10 acres rezoned to AG-2 and 30 acres rezoned to the FPO district.

Resolution No. 44-2024 ZONING AMENDMENT- TOWN OF MOUNDVILLE
(Introduced by Dave Benson AND Kathy Jo Locke)

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 allowed in the Commercial-Business District zoning classification.
2. The rezoning will not substantially impair or limit current or future use of the remaining parcel of land that is zoned for or legally restricted to general agricultural uses.
3. The rezoning is consistent with the applicable town and County comprehensive plans, including the utilities and community facilities component of the County Comprehensive Plan.

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

The Marquette County Code of Ordinances Chapter 70 – Zoning and the accompanying map are amended in the following respect: part of the NE ¼ of the fractional NW ¼ and part of the N ½ of Fractional NW ¼, in Section 6, T14N R9E, Town of Moundville, containing 65.28 acres with 3.581 acres rezoned to CM-B and 61.699 acres to remain in AG-2.

Resolution No. 45-2024 ZONING AMENDMENT- TOWN OF NEWTON
(Introduced by Dave Benson AND Kathy Jo Locke)

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 of Ordinances Chapter 70 – Zoning and the accompanying map are amended in the following respect: Lot 2 CSM 1077 being part of the NE ¼ of the NE ¼, NW ¼ of the NE ¼ and the SW ¼ of the NE ¼. in Section 12, T17N R9E, Town of Newton, containing 51.108 acres more or less with 16 acres rezoned to AG-2 and 35.108 acres rezoned to FPO.

Resolution No. 46-2024 AMENDMENT TO CHAPTER 99-FEES- OF THE MARQUETTE COUNTY CODE OF ORDINANCES
(Introduced by Dave Benson AND Kathy Jo Locke)

WHEREAS, the Marquette County Board of Supervisors adopted Resolution 30-2022 for the purpose of establishing Chapter 99, a new central location for county regulated fees, and

WHEREAS, the Marquette County Board of Supervisors adopted Resolution 57-2022, adopting Exhibit A setting forth the new Marquette County Fee Schedule and rescinding all previously adopted fee schedules, and

WHEREAS, the Planning & Zoning Committee have recommended to the County Board of Supervisors that the Register of Deeds fees for Plats of Survey and Tie Sheets be set at $1.00 per page, and that the 2025 Planning and Zoning fee schedule be updated to reflect the UDC fees per the General Engineering Company Building Inspection Fee Schedule- Exhibit A

THEREFORE BE IT RESOLVED, the changes are to go into effect two weeks after publication in the Marquette County Tribune and that Chapter 99 be updated with the user fees as printed in Exhibit A and the following:

Register of Deeds:
Plats of Survey: $1.00 per page
Tie Sheets: $1:00 per page

Marquette County
BUILDING INSPECTION FEE SCHEDULE
January 1, 2025 – December 31, 2026

RESIDENTIAL BUILDING PERMITS	FEES
1) New Residential One & Two-Family Early Start (Footings & Foundation Only)	$250.00
2) Plan Review (New One & Two-Family Dwellings)	$85.00 per Unit
3) New One & Two-Family Erosion Control	$150.00
4) New Residential One & Two-Family (includes garage, decks & basements) (mechanicals included)	$0.30 per sq. ft. (Min. Fee $770.00)
5) Manufactured & HUD Dwellings (plus mechanical costs, if needed)	$385.00 plus $0.30 per sq. ft. for basements, attached garage and decks
6) Occupancy Certificate (New One- & Two- Family)	$85.00 per Unit
7) Camping Units	$275.00 (plus State Insignia) +Mechanical Costs
8) State Camping Unit Insignia	$30.00
9) State Seal	$40.00
10) Plan Review (Residential Additions, Alterations and/or Remodels)	$50.00
11) Residential Additions Erosion Control	$100.00
12) Residential Additions	$0.30 per sq. ft. (Min. Fee $200.00) + Mechanical Costs
13) Residential Remodels & Alterations ($5,000 or >)	$0.30 per sq. ft. (Min. Fee $150.00) + Mechanical Costs
14) Residential Electrical (Including Service Upgrade and/or Temporary Electrical)	$155.00
15) Residential Solar PV Systems Installation Residential Solar PV System Plan Review System Rating AC: 0.1kW-15kW System Rating AC: Over 15 kW	$0.00 Included in Permit Fee $340.00 (Includes Plan Review) $340.00 plus $15.00 per kW over 15kW
16) Residential Plumbing (Inspection) Residential Plumbing (Admin Only-No Inspections Required)	$105.00 $50.00
17) Residential HVAC (Inspection) Residential HVAC (Admin Only-No Inspections Required)	$105.00 $50.00
18) Decks	$0.60 per sq. ft. (Min. Fee $175.00)
19) Residential Temporary Occupancy	$200.00
20) Residential Fire Sprinkler and/or Alarm Systems	$0.03 per sq. ft. (Min. Fee $250.00)
21) Re-Inspection for Corrective Actions Ordered -Inspection Requested Prematurely; Inspection Could Not Be Completed	$85.00 Each Additional Inspection

22) Minimum Commercial Electrical Fee	$200.00
23) Commercial Solar PV Systems Installation	
System Rating: AC: 0.1kW - 25kW	$450.00
System Rating: AC: 25.1kW - 50kW	$450.00 plus $15/kW over 25kW
System Rating: AC: 50.1kW - 100kW	$825.00 plus $10/kW over 50kW
System Rating: AC: 100.1kW - 200kW	$1,325.00 plus $7/kW over 100kW
System Rating: AC: 200.1kW - 1MW	$2,025.00 plus $2/kW over 200kW
System Rating: AC: Over 1MW	$3,625.00 plus $25/MW over 1MW
All work started without first obtaining a building permit will be subject to double the inspection fees	

Separate Consideration of Resolution 47-2024 per agenda item #9.

Resolution No. 47-2024 RESOLUTION TO AMEND THE MARQUETTE COUNTY CODE OF ORDINANCES- ADD CH. 76 TAX DEED LANDS
(Introduced by Lance Achterberg AND Mary Walters)
Upon roll call Resolution No. 47-2024 was adopted as follows: Ayes 16; Noes 0; Absent 1

WHEREAS, Wisconsin Act 207 made various changes to laws governing county sale of tax-deeded property requiring the county to provide the repurchase preference to the former owner and former owner's heirs and beneficiaries;

NOW THEREFORE, the County Board of Supervisors hereby amends the Marquette County Code of Ordinances to add Chapter 76 Tax Deed Lands as set forth in Exhibit A. The Chapter will take effect two weeks after publication of notice of the amendment.

Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

Beneficiary shall have the meaning ascribed to such term in Wis. Stat. § 851.03

Heir means any person, including the surviving spouse, who is entitled under the statutes of intestate succession to an interest in property of a decedent. [See Wis. Stat. § 851.09]

Owner-Occupied, Single-Family Residence means a single-family residential unit used by one family which owns the property as their permanent and primary residence and, upon request, is able to provide the County Treasurer with evidence establishing the satisfaction of these terms (*e.g.*, a utility bill.)]

Tax-deeded lands shall have the meaning ascribed to such term in Wis. Stat. § 75.35(1).

Administration and Management of Tax-Deeded Lands

(1) The County shall comply with the provisions of Wis. Stats. §§ 75.35, 75.36 and 75.69 in the disposition of tax-deeded lands.

(2) Pursuant to Wis. Stat. § 75.35(2)(d), the County Board of Supervisors hereby delegates to Property Committee the power to acquire, manage and sell tax-deeded lands including the power to determine which properties to acquire.

(3) The County Board of Supervisors recognizes that there may be properties where it is undesirable for the County to acquire the property through the process set forth in Wis. Stats. Chap. 75 and hereby delegates to the Property Committee the authority to make such determination. In April of each year, the Treasurer shall provide a report to the County Board listing all properties the Treasurer and/or Property Committee has refused to foreclose upon with a reason for such refusal. If a property is not acquired for any reason authorized in this section, the Treasurer shall notify the appropriate assessor and request that the value of such property be reduced.

(4) Within 20 days of the County's acquisition of a tax-deeded land, the Treasurer shall notify the former owner, by registered mail or certified mail sent to the former owner's mailing address on the tax bill, that the former owner may be entitled to a share of the proceeds of a future sale of the tax-deeded land.

(5) Within 120 days of the County's acquisition of a tax-deeded land, the Treasurer and/or the Property Committee shall determine the appraised value of the tax-deeded land. The appraisal may be made by the Property Committee or a certified appraiser as defined in Wis. Stat. § 458.01(7).

(6) The following provisions in this Section (6) relate to tax-deeded lands that are owner-occupied, single-family residences. This Section (6) may, in the discretion of the Treasurer and Committee be applied to tax-deeded lands that are not owner-occupied, single-family residences.

a. Within 60 days of the County's acquisition of a tax-deeded land, the Treasurer shall provide notice to the former owner of the former owner's, the former owners heirs or the former owners beneficiaries right to repurchase the tax-deeded land. Such notice shall be mailed to the former owner's last known address on file with the Treasurer.

b. If a former owner of tax-deeded land, or such former owner's heir or beneficiary, notifies the Treasurer of an intent to repurchase the tax-deeded land within 90 days of the date the County acquired the tax-deeded land, the Treasurer shall order a title report from a title insurance company showing all liens of record against the tax-deeded land in existence on the day prior to the judgment of foreclosure in favor of the County or the day prior to the issuance of the tax deed, the cost of which shall be paid in advance by the person notifying the Treasurer of the intent to repurchase the tax-deeded land.

c. If the former owner, or such former owner's heir or beneficiary, provides proof of satisfaction of all liens of record as established in the title report within 30 days of the date of the title report, the Treasurer shall convey the tax-deeded land to the former owner, or such former owner's heir or beneficiary, by quit-claim deed provided the former owner, or such former owner's heir or beneficiary, has provided the County with funds necessary to satisfy all costs and expenses due the County as provided in Wis. Stat. § 75.35(3).

(7) Unless a tax-deeded land is repurchased under Section (6), within 240 days of the County's acquisition of a tax-deeded land (180 days for tax-deeded lands acquired on or after January 1, 2026), the Treasurer shall publish on the County's website and either (i) publish a class 1 notice or (ii) advertise on a multiple listing service the availability of a tax-deeded land for purchase and the appraised value of the tax-deeded land, as determined in Section (5). The publications shall include information regarding the method of sale to be utilized.

(8) The Treasurer is authorized to sell tax-deeded lands by open or closed bid or engage a licensed real estate broker or salesperson to assist in selling any tax-deeded land.

(9) The Treasurer may accept the bid most advantageous to the County, at the first attempt to sell a tax-deeded land, every bid less than the appraised value of the tax-deeded land shall be rejected. Tax-deeded land previously advertised for sale may be sold for any amount determined by the Treasurer and/or Property Committee but only after advertising the sale of such tax-deeded land by publication of a class 1 notice, under Wis. Stat. Chap. 985. No tax-deeded land may be sold for an amount that is less than the tax-deeded land's appraised value determined under Section (5) unless the Property Committee has reviewed and approved such a sale and no tax-deeded land may be sold for an amount that is less than the amount of the highest bid unless the Property Committee prepares a written statement, available for public inspection, that explains the reasons for accepting a bid that is less than the highest bid. The Treasurer shall notify, by mail, the clerk of the municipality in which a tax-deeded land is located of the sale of a tax-deeded land at least three weeks prior to the time of the sale.

(10)The Treasurer shall send to the owner any proceeds to which the former owner is entitled under Wis. Stat. § 75.36(2m)(a) by certified mail to the former owner's last known address. If the payment to the former owner is returned to the County or otherwise not claimed by the former owner within one year following the mailing of the proceeds, the payment shall be considered unclaimed funds and disposed of pursuant to Wis. Stat. § 59.66(2). Neither the former owner nor any person making a claim for any funds under this Section (10) is entitled to interest on sums owed by the County hereunder.

(11)Sections (7), (8), (9) and (10) do not apply to the withdrawal and sale of county forest lands, nor to the sale or exchange of lands to or between the County and a municipality or the state.

Chairperson Borzick opened the floor for the election of the Highway Commissioner. Motion/second by Raddatz/Benson to appoint Brian Trebiatowski as Marquette County Highway Commissioner for a 4-year term. Motion carried unanimously.

The fiscal and personnel reports, grant updates, and correspondence were reviewed as presented by Administrator Barger. Administrator Barger noted the financial auditor began field work on the 11th, with no issues to report. He also reported several collections were still due to the county before the closing of 2024.

Corporation Counsel Natalie Bussan shared her November report, noting there are 9 open cases. Discussion followed regarding the open cases.

Calendar planning was reviewed for the January 2025 meetings. The meeting was declared adjourned subject to the call of the Chairperson. The meeting was adjourned at 7:35 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