

PROCEEDINGS OF THE GREEN COUNTY BOARD OF SUPERVISORS

July 12, 2022

County Boardroom, Green County Courthouse, 1016 16th Ave, Monroe, WI

Jerry Guth, Chair, called the meeting to order at 7:00 p.m.

The Clerk read the roll call with 28 present and 3 absent being Nelson, Snow and Williams.

The Board recited the Pledge of Allegiance.

Motion by Roemer, seconded by Sheaffer to approve the June 14, 2022, minutes with a correction to reflect the effective date of Resolution 6-3-22 of June 12, 2022, for payroll purposes.

Motion carried by a unanimous voice vote.

Public Health Director RoAnn Warden presented the Public Health Annual Report.

Motion by Krattiger, seconded by Bristow to accept the annual report. Motion carried by a unanimous voice vote.

ORDINANCE 22-0701

Ordinance Rezoning Parcel in Town of Decatur

WHEREAS, the Green County Board of Supervisors has adopted the Green County Land Use and Zoning Ordinance; and

WHEREAS, the Green County Land Use and Zoning Committee has been petitioned to rezone certain parcels of land from agricultural to commercial; and

WHEREAS, the Green County Land Use and Zoning Committee held public hearings on the Petition on April 11, 2022, and June 13, 2022, and has taken into consideration all of the written statements received and the testimony heard at such public hearing; and

WHEREAS, it is the recommendation of the Green County Land Use and Zoning Committee that the land area described below be rezoned from agricultural to commercial.

NOW, THEREFORE, BE IT ORDAINED by the Green County Board of Supervisors in legal session assembled, that the following described parcels of land be conditionally rezoned from agricultural to commercial, to-wit:

Parcel 2301203790000

Commencing at the East Quarter corner of the Northeast Quarter of Section 15, T2N, R9E, thence South along said East section line 1949 feet to the Northerly line of race bank, thence Westerly along said race bank to its junction with Sugar River, thence Northerly along Sugar River, or the East Bank thereof, to an iron stake monument, thence N65°W 231.2 feet to an iron stake, thence N37°50'W 212.2 feet to an iron stake, thence N40°49'E 112.3 feet to an iron stake, thence N18°19'W 282 feet to an iron stake, thence N00°35'W 912.3 feet to an iron stake, thence N87°46'E 1314.3 feet to an iron stake at the point of beginning.

EXCEPTING AND RESERVING FOREVER a right of way across this tract or parcel of land above described from the highway on the East to any of the land on the West of said tract running down to the river.

ALSO, a piece or parcel of land situated in the South Half of the Northeast Quarter of Section 15, T2N, R9E, lying on the East side of Sugar River and more particularly described as follows:

Commencing at an iron pipe monument 1124 feet South and 1245.9 feet West of the Northeast corner of the Decatur Lake Country Club Property, thence S49°11'W 140.5 feet to a cut stone monument on the East bank of Sugar River, thence N32°01'W 100 feet to a cut stone monument on the East bank of Sugar River, thence N 49°11'E 176.8 feet to an iron pipe monument, thence S 18°19'E 110.6 feet to the place of beginning.

ALSO, beginning at the Southeast corner of the Northeast Quarter of the Northeast Quarter of Section 15, T2N, R9E, thence West 80 rods, thence North 8 rods, thence East 80 rods, thence South 8 rods to the place of beginning.

and

Parcel 23012-0376000

Lot 2 of Green County Certified Survey Map No. 629 located in Government Lot 4, Section 15, Town 2 North, Range 9 East, dated November 13, 1981 and recorded November 16, 1981 in the office of the Register of Deeds for Green County in Volume 2 of Certified Survey Maps on page 177 as Document No. 284613

Lot 2 of Green County Certified Survey Map No. 450 located in Government Lot 4, Section 15, Town 2 North, Range 9 East, dated May 14, 1979 and recorded May 14, 1979, in the Office of the Register of Deeds for Green County in Volume 1 of Certified Survey Maps on page 466 as Document No. 272677.

Subject to and together with an easement for ingress and egress over a portion of Lot 1 of Green County Certified Survey Map No. 450 more particularly described in an Easement Agreement between Alice Putnam Odell as Grantor, and Margaret Timm, Donald G. Caldwell, Eu-nice M. Caldwell, Frederick D. Ties, Jerri Iverson and Jane Ann Ties,-as Grantees, dated June 6,-1982 and recorded June 16, 1982 in the Office of the Register of Deeds for Green County in Volume 362 of Records on page 375 as Document No. 287038.

and

BE IT FURTHER ORDAINED that said conditional rezoning is subject to the following conditions:

1. That the intended use of the property is a public conservation reserve, event center and related subsidiary uses.
2. That the owner of the property, Southern Wisconsin Land Conservancy, provide a copy of a recorded Conservation Easement within 18 months of passage.

BE IT FURTHER ORDAINED that if any of these conditions are not met, the property shall revert back to its present zoning, namely agricultural and this ordinance shall be null and void.

BE IT FURTHER ORDAINED that the several sections of this ordinance are declared to be severable. If any section shall be declared by a decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other provisions of the ordinance.

BE IT FURTHER ORDAINED that this amendment shall not take effect until more than 40 days after the adoption of the Ordinance by the County Board unless the Town affected files a Resolution with the County Clerk approving the Ordinance, then said Ordinance shall become effective upon the filing of the Resolution of the Town approving the same with the County Clerk; and

BE IT FURTHER ORDAINED that this Ordinance shall be published in the official newspaper of the County.

SIGNED: LAND USE AND ZONING COMMITTEE:

Dennis Schwartz, Chair Barb Krattiger, Vice-Chair

Nick Hartwig Sue Nelson

Kathy Pennington

Motion by Schwartz, seconded by Larson to approve Ordinance 22-0701 with nays being Wilke and Hartwig. Motion carried by a voice vote.

ORDINANCE 22-0702

Creation of Broadband Forward! Community Ordinance

WHEREAS, the Information Technology Committee currently oversees the Information Technology of County operations; and

WHEREAS, Broadband Forward! is a voluntary program for local units of government to signal that it has taken steps to reduce obstacles to broadband infrastructure investment;

WHEREAS, the Wisconsin Public Service Commission provides Broadband Forward! certification provided an ordinance is adopted;

WHEREAS, the Green County Board and the Information Technology Committee has indicated a desire for Green County to be a Broadband Forward! Community; and

NOW, THEREFORE, BE IT ORDAINED by the Green County Board of Supervisors, in legal session assembled, that Chapter 4 of Title 2 of the Green County Code be created as follows:

CHAPTER 4 BROADBAND FORWARD! COMMUNITY

SECTION:

- 2-4-1: Purpose and Policy
- 2-4-2: Definitions
- 2-4-3: Point of Contact
- 2-4-4: Electronic Submission of Applications
- 2-4-5: Review of Applications
- 2-4-6: Fees
- 2-4-7: Initial Applicability
- 2-4-8: Effective Date
- 2-4-1: PURPOSE AND POLICY

The purpose of this chapter is to encourage the development of broadband access in Green County by reducing administrative obstacles to broadband service providers and coordinating the review of applications to ensure such applications are timely processed. This chapter shall at all times be construed consistent with such purpose.

2-4-2: DEFINITIONS

APPLICANT: Means a person applying for a permit for a broadband network project.

BROADBAND NETWORK PROJECT: Means the construction or deployment of wireline or wireless communications facilities to provide broadband communications services in Green County.

COUNTY: Means the County of Green.

DIRECTOR: Means the Green County Director of Information Technology.

PERMIT: Means any local permit, license, certificate, approval, registration, or similar form of approval required by policy, administrative rule, regulation, ordinance, or resolution with respect to a broadband network project.

2-4-3: POINT OF CONTACT

The Director shall appoint a single point of contact for all matters related to a broadband network project. The Information Technology Department shall provide on its public website the contact information, including the e-mail address, for the point of contact authorized to receive a broadband network project application.

2-4-4: ELECTRONIC SUBMISSION OF APPLICATIONS

An applicant may sign and file all forms, applications and documentation related to a broadband network project electronically.

2-4-5: REVIEW OF APPLICATIONS

Notwithstanding any other provision in County ordinances, resolutions, regulations, policies or practices to the contrary, the following process shall apply exclusively upon receiving a broadband network project application:

- A. Completeness Review: Upon receiving a broadband network project application the Director shall:
 - 1. Determine whether an application is complete and notify the applicant of the determination in writing within 10 calendar days of receiving an application. If the applicant does not receive notice in writing of the completeness determination within 10 calendar days of receiving the application, the application shall be considered complete.
 - 2. If the application is not complete, the written notification to the applicant shall specify in detail the required information that is not complete. The applicant may resubmit an application as often as necessary until the application is complete.
- B. Approval or Denial of Complete Applications.
 - 1. Within 60 calendar days of receiving an application that is complete, or considered complete under subsection A., the Director shall approve or deny the application and provide the applicant written notification of the approval or denial. If the Director does not notify the applicant of its approval or denial within 60 calendar days of receiving a complete application, the application shall be considered approved and any required permit shall be considered issued.

2. If the Director denies an application, the written notification of the denial under subsection B.1., shall include evidence that the denial is not arbitrary and capricious.

2-4-6: FEES

Any fee imposed by the County to review an application, issue a permit, or perform any other activity related to a broadband network project shall be reasonable. An application fee that exceeds \$100.00 is unreasonable.

2-4-7: INITIAL APPLICABILITY

The treatment of this ordinance first applies to applications received by the County on or after the effective date of this ordinance.

2-4-8: EFFECTIVE DATE

This ordinance takes effect on the day after publication.

SIGNED: INFORMATION TECHNOLOGY COMMITTEE

Jody Hoesly, Chair Kathy Pennington, Vice-Chair

David Bristow Will Oemichen

Melissa Even

Motion by Even, seconded by Pennington to approve Ordinance 22-0702. Motion carried by a unanimous voice vote.

No action was taken on Resolution 7-1-22.

RESOLUTION 7-2-22

Resolution Awarding Courthouse Cut & Point and Low-Sloped Roof Replacement Contract (Contracts Over \$75,000)

WHEREAS, County Code Section 1-11-2, entitled COUNTY PURCHASES AND CONTRACTS, provides for review, approval and execution of all County contracts and purchases necessary to carry out approved budget operations; and

WHEREAS, Section 1-11-2(A)(3) STATES: Cost or price in excess of seventy-five thousand dollars (\$75,000.00), recommendation by the appropriate department head and the supervisory committee to the full County Board with approval by the full Board before the purchase is made. Execution of the contract documents shall be by the Green County Board Chair and the appropriate Committee Chairperson, after the document has been reviewed by the Green County Corporation Counsel.

NOW, THEREFORE, BE IT RESOLVED by the Green County Board of Supervisors, in legal session assembled, that the Board approve the recommendation of the Green County Property, Parks and Insurance Committee for the following contract:

Courthouse Cut & Point and Low-Sloped Roof Replacement - Renaissance Roofing - \$1,962,000

SIGNED: PROPERTY, PARKS AND INSURANCE COMMITTEE:

Roger Truttman, Chair Barb Krattiger, Vice-Chair

Jody Hoesly Joe Snow

Dennis Schwartz

REVIEWED AND APPROVED BY:

Roger Truttman, Chair Jerry Guth Brian Bucholtz

Property, Parks and Insurance Committee County Board Chair Corporation Counsel

Motion by Schafer, seconded by Mandel to approve Resolution 7-2-22. Motion carried by a unanimous voice vote.

Maintenance Supervisor Richard Marti gave a brief update on the courthouse roof project.

The Register of Deeds and Clerk of Courts annual report was distributed as well as a Library informational handout.

Clerk Voegeli announced a change of date is needed for the August 9 County Board meeting as the Partisan Primary election is held on the same date. Motion by Schafer, seconded by Tschudy to move the August County Board meeting to Tuesday, August 16, 2022, at 7:00 p.m. Motion carried by a unanimous voice vote.

County Board Chair Guth gave a brief explanation that policy is done at the committee level and committee meetings are open to the public and encouraged board members who are interested in particular items to attend committee meetings and/or contact committee members with questions, change requests, or concerns.

There were no travel requests for the board's consideration.

Motion by Pennington, seconded by Oemichen to approve the following correction to the June appointment: Jody Hoesly to the Southwestern Wisconsin Regional Planning Commission to fill the unexpired term of Nate Klassy ending on December 9, 2023.

Motion by Larson, seconded by Kubly to adjourn at 7:50 p.m. Motion carried by a unanimous voice vote.

STATE OF WISCONSIN)

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COUNTY OF GREEN)

I, Arianna L. Voegeli, County Clerk, in and for said County, do hereby certify that the above and foregoing is a true and correct copy of the proceedings of the County Board of Supervisors of Green County, Wisconsin, on their meeting of July 12, 2022, A.D.

Arianna L. Voegeli
Green County Clerk