

LINCOLN COUNTY BOARD OF SUPERVISORS

Tuesday, November 13, 2012

\*\*\* 8:00 a.m.

Meeting Location: Lincoln County Service Center, County Board Room, 801 N. Sales St., Merrill, WI 54452

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Recess to Public Hearing – 2013 Budget
5. Reconvene to Regular Meeting
6. Announcements/Recognitions/Awards/ Appointments
  - a. Announcements -
  - b. Service Recognitions: November 2012
    - 15 Years: Mark Gartmann, Sheriff’s Office
    - 30 Years: Phillip Haring, Highway Department
  - c. Appointments & Re-Appointments –
    1. Appoint Dr. Jeffery Moore as Medical Advisor and Board of Health Member to Replace Dr. Mark Mohr – Term Expires April 2014
7. Reading & Approval of the Journal – October 16, 2012
8. Letters, Petitions and Memorials
  - a. Letters:
    1. Brown County Resolution RE: Supporting Request for Stay of Proceedings in MTI V. WALKER
    2. Outagamie County Resolution 39—2012-2013
    3. Langlade County Resolution 76-2012 RE: To Seek State Support of Frac Sand Mining Via Policy Development
    4. Wisconsin County Mutual Ins. Letter Dated 10/18/12 RE: 2011 Best Overall Loss Ration – Sheriff Department
    5. Wisconsin County Mutual Ins. Letter Dated 10/19/12 RE: 2011 Best Overall Loss Ratio – Highway Department
    6. NADO News Release – 2012 Innovation Award
  - b. Memorials - None
9. Reports of Standing & Special Committees
  - a. 2012 Year-to-Date Budget Report – Finance Director
  - b. Administrative Coordinator’s Written Report – October – Randy Scholz
  - c. Ray Bloomer – Possible Action - Letter Regarding CCCW Waiting List for Services
10. Resolutions and Ordinances
  1.
    - a. Resolution 2012-11-47 Approving the 2013 Budget and Providing for Tax Levy
    - b. Resolution 2012-11-48 Authorizing Construction of the Lincoln County Landfill North Expansion
    - c. Resolution 2012-11-49 To Authorize the Grant of an Easement Along and Under the Hiawatha Trail for Natural Gas Service to WPS Corporation
    - d. Resolution 2012-11-50 Approving Wisconsin Valley Library Service Member County Participation Agreement (2013 Revision)
    - e. Resolution 2012-11-51 Approve Filling Authorized Position in District Attorney’s Office
11. Report of Claims - None
12. Approval for Mileage and Per Diem for Board Meeting
13. Next County Board Meeting Date: Tuesday, December 18, 2012, 6:00 P.M. Meeting Location: Lincoln County Service Center, County Board Room, 801 N. Sales St., Merrill, WI 54452
14. Adjourn

*Request for reasonable accommodations for disabilities or limitations should be made prior to the date of this meeting. Please do so as early as possible so that proper arrangements can be made. Requests are kept confidential.*

Posted:

News Media	Date _____	Time _____	m.	By _____
Service Center	Date _____	Time _____	m.	By _____
Courthouse	Date _____	Time _____	m.	By _____
Tomahawk Annex	Date _____	Time _____	m.	By _____

#### GENERAL REQUIREMENTS:

1. Must be held in a location which is reasonably accessible to the public.
2. Must be open to all members of the public unless the law specifically provides otherwise.

#### NOTICE REQUIREMENTS:

1. In addition to any requirements set forth below, notice must also be in compliance with any other specific statute.
2. Chief presiding officer or his/her designee must give notice to the official newspaper and to any members of the news media likely to give notice to the public.

#### MANNER OF NOTICE:

Date, time, place, and subject matter, including subject matter to be considered in a closed session, must be provided in a manner and form reasonably likely to give notice to the public.

#### TIME FOR NOTICE:

1. Normally, a minimum of 24 hours prior to the commencement of the meeting.
2. No less than 2 hours prior to the meeting if the presiding officer establishes there is a good cause that such notice is impossible or impractical.

#### EXEMPTIONS FOR COMMITTEES AND SUB-UNITS:

Legally constituted sub-units of a parent governmental body may conduct a meeting during the recess or immediately after the lawful meeting to act or deliberate upon a subject which was the subject of the meeting, provided the presiding officer publicly announces the time, place, and subject matter of the sub-unit meeting in advance of the meeting of the parent governmental body.

#### PROCEDURE FOR GOING INTO CLOSED SESSION:

1. Motion must be made, seconded, and carried by roll call majority vote and recorded in the minutes.
2. If motion is carried, chief presiding officer must advise those attending the meeting of the nature of the business to be conducted in the closed session, and the specific statutory exemption under which the closed session is authorized.

#### STATUTORY EXEMPTIONS UNDER WHICH CLOSED SESSIONS ARE PERMITTED:

1. Deliberation of judicial or quasi-judicial matters. Sec. 19.85(1)(a)
2. Considering dismissal, demotion, or discipline of any public employee or the investigation of charges against such person and the taking of formal action on any such matter; provided that the person is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action is taken. The person under consideration must be advised of his/her right that the evidentiary hearing be held in open session and the notice of the meeting must state the same. Sec. 19.85(1)(b).
3. Considering employment, promotion, compensation, or performance evaluation data of any public employee. Sec. 19.85(1)(c).
4. Considering strategy for crime detection or prevention. Sec. 19.85(1)(d).
5. Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session. Sec. 19.85(1)(e).
6. Considering financial, medical, social, or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of specific charges, which, if discussed in public would likely have an adverse effect on the reputation of the person referred to in such data. Sec. 19.85(1)(f).
7. Confering with legal counsel concerning strategy to be adopted by the governmental body with respect to litigation in which it is or is likely to become involved. Sec. 19.85(1)(g).
8. Considering a request for advice from any applicable ethics board. Sec. 19.85(1)(h).

#### CLOSED SESSION RESTRICTIONS:

1. Must convene in open session before going into closed session.
2. May not convene in open session, then convene in closed session and thereafter reconvene in open session with twelve (12) hours unless proper notice of this sequence was given at the same time and in the same manner as the original open meeting.
3. Final approval or ratification of a collective bargaining agreement may not be given in closed session.

#### BALLOTS, VOTES, AND RECORDS:

1. Secret ballot is not permitted except for the election of officers of the body or unless otherwise permitted by specific statutes.
2. Except as permitted above, any member may require that the vote of each member be ascertained and recorded.
3. Motions and roll call votes must be preserved in the record and be available for public inspection.

#### USE OF RECORDING EQUIPMENT:

The meeting may be recorded, filmed, or photographed, provided that it does not interfere with the conduct of the meeting or the rights of the participants.

#### LEGAL INTERPRETATION:

1. The Wisconsin Attorney General will give advice concerning the applicability or clarification of the Open Meeting Law upon request.
2. The municipal attorney will give advice concerning the applicability or clarification of the Open Meeting Law upon request.

#### PENALTY:

Upon conviction, any member of a governmental body who knowingly attends a meeting held in violation of Subchapter IV, Chapter 19, Wisconsin Statutes, or who otherwise violates the said law shall be subject to forfeiture of not less than \$25.00 nor more than \$300.00 for each violation.