

Lincoln County Highway Committee
Minutes of Thursday, January 7, 2010 – 7:30 a.m.
Commissioner's Office - Merrill

Members Present: Bob Lee, John Bailey, Graham Rankin, and Richard Berndt

Visitors: Randy Scholz, Heather Marheine, Jerry Jagmin, Jason Lemmer, and Bill Zeitz

1. **Call Meeting to Order:**

Meeting was called to order at 7:30 a.m. by Chairman Lee.

2. **Approve Minutes of Previous Meeting(s):**

Motion by Berndt, seconded by Lee to approve the minutes from the previous meeting. All ayes. Motion carried.

3. **Set Future Meetings:**

February 4, 2010, Thursday 7:30 a.m., Tomahawk City Hall

March 4, 2010, Thursday 7:30 a.m., Commissioner's Office - Merrill

4. **Claims:**

None

5. **Public Comment:**

Rankin asked if any action or consideration was taken to offer early retirement packages prior to either one of the shop foremen prior to being laid off. Scholz and Lee agreed that several Committee's had discussed early retirement packages but no approval for those packages were granted except that if an employee was laid off that the health insurance would be paid for 6 months. Rankin felt there were a lot of other options that could have been taken or considered instead of layoff. Scholz indicated that it was this Committee's decision to go this route. Rankin indicated that furlough days were discussed but Meehean didn't want anything to do with furlough days. He further asked about creating a working foreman. The Committee also discussed the possibility of upcoming layoff for one day on January 18th for the courthouse union except for the Sheriff's department. Lee recommended that if they wanted more information that they should talk with Tim Meehean. Scholz said that he doesn't have the authority to lay anyone off without the Committee's approval. Scholz's decision was to choose between the two shop foremen and it was a very hard decision to make. Scholz indicated that one of the foremen could retire but he hadn't received any notice from that employee that in fact he was retiring so he couldn't use that in making his decision. Zietz asked if the decision was based on budget considerations. Scholz indicated that was the only reason why he was laid off and the savings is approximately \$90,000 per year. Zietz said that isn't a huge savings amount for this department especially for what this employee brings to the table with his 25 years experience, his knowledge, and his cooperation with the towns. Lee said that we have to keep this decision to the positions and not the people in these positions. Zietz agreed with Rankin that there could have been other options that could have been pursued and more thought could have been put into this decision. Zietz said that he would have been more involved if he would have known this was happening. Lee indicated that there was a lot of thought put into this situation and it bothered him having to make this decision. Rankin indicated that he would have liked to know who the person is going to be prior to the employee being told they are being laid off in closed session. Scholz said that if the Committee wants to make the decision of what employee will be let go that would be fine with him since it is such a hard decision to make. Bailey said that this department is administration heavy with 2 shops and 2 shop foremen and can only one guy can handle both shops. Scholz said we are the only county that has 2 shop foremen in the State that he knows about. It was said that Zietz brought this situation up at County Board. Zietz said but no one

ever listens or pays any attention to me any other time, why this time. Lee said that the Committee was discussing this prior to Zietz making that comment at County Board and Zietz is not the sole source for that employee being laid off. Zietz said that we had a larger crew at one time with the same number of supervisors now we have a smaller crew so subsequently it makes sense to reduce the number of supervisors. But there is a human cost as well with 25 years of hard work and experience and now it's down the tank. The department was cut \$100,000 from the highway department's budget by the County Board without knowing how that would affect this department. The \$100,000 has to be made up somehow. Zietz asked if there was a way this decision could be reversed. Lee asked what else should be cut for the \$100,000 that would cut from the Highway Department's budget, not plow the roads? Lee said a lot of these things should not be discussed in open session and Zietz asked for immediate closed session at a special meeting to discuss this issue along with Tim Meehan.

Financial Report – Marheine reviewed the end of the November's financial report with the Committee and the year end reports will be presented at next month's meeting. Motion by Lee, seconded by Berndt to place the financial reports on file. All ayes. Motion carried.

6. **Purchase of a Used Router** – Scholz indicated that we have an opportunity to purchase a used router from Waushara County for \$4,000. This router is 9 years newer than the one we currently have, it would be an upgrade in the type of router with it being self-propelled and it only has 200 hours on it. Scholz estimated that we could sell our router for \$1,000 - \$1,500. A brand new router is approximately \$15,000. In Waushara County when their equipment is depreciated they get rid of that piece of equipment. Motion by Rankin, seconded by Bailey to purchase the used router from Waushara County for \$4,000. All ayes. Motion carried.
7. **Land Sale off of Swamp Road** – Scholz reminded the Committee that this started with the Finance Committee recommending that we have a winter maintenance contingency fund. It was agreed that we would sell the land off of Swamp Road in the Town of Merrill. There is no easement to the property. The land owners surrounding this property aren't interested in purchasing the land either except for one party but they were only willing to pay \$750 per acre. The Committee could re-advertise the land with a minimum bid of \$750 per acre or do nothing with this property and try to come up with other ways to come up with the contingency fund. The Committee agreed that wasn't a fair per acre price. Scholz felt that the property probably wouldn't sell for more than \$750 per acre but the Committee could come up with another idea for setting up the winter maintenance contingency fund or they could tell the Finance Committee we're not going to set up a contingency fund. The Committee agreed to bring it back to the Committee in 6 months and tell the Finance Committee we are trying to sell the property to comply with setting up a contingency fund.
8. **Request from Town of Merrill to Support Ramps on CTH C Overhead** – Scholz explained that from when Highway 51 was initially constructed that there would be an overhead on CTH C without ramps. There is a lot of concerns from a safety issue with fire and ambulance, the business owner at that intersection along with property owners, and the township. The Town of Merrill received a letter from DOT on November 23, 2009 stating that there will not be ramps constructed at that intersection in 2013. The deadline for the Tiger grant is February 15th which may have some influence with DOT's decision if the grant is approved. The Town of Merrill has drafted and adopted a resolution supporting the construction of ramps at that intersection and Scholz recommended drafting a resolution and having the County Board support having ramps at that intersection as well. Motion by Lee, seconded by Bailey to draft a resolution to County Board supporting ramps at the intersection of CTH C and Highway 51 and send to the state along to the state representatives. All ayes. Motion carried.
9. **Report by Superintendents** – Lemmer said the crew has been plowing snow especially during Christmas and New Years. The crew was really good with coming in on the holidays

and they did a super job and Jagmin agreed. The Committee appreciates their dedication and hard work. Jagmin said this is the most salt that Lincoln County has spread on the state highways for a winter storm. We didn't use as much on County roads because we're using treated sand. Jagmin said that the federal government has stepped in regarding the crackfilling on state roads by private contractors. There is a big loop hole and they will require that all guardrails be up to snuff. So, hopefully maybe the County can start doing those maintenance jobs again.

10. **Closed Session – Convene into Closed Session pursuant to Sec. 19.85 (1) (e) Wis. Stats. For conducting other specified public business whenever competitive or bargaining reasons require a closed session – Bargaining Update and Hot Mix Plant** – Motion by Rankin, seconded by Berndt to go into closed session along with Scholz and Zietz. All ayes. Motion carried.
11. **Open Session – Take any necessary action on Items Discussed in Closed Session** – No action was taken in closed session.
12. **Closed Session – Convene into Closed Session pursuant to Sec. 19.85 (1) (e) Wis. Stats. To consider the employment, promotion, compensation or performance evaluation data for any public employee and/or bargaining reasons require a closed session – Highway Commissioner's Evaluation and Place Employee on Administrative Leave**- Motion by Bailey, seconded by Rankin to go into closed session along with Scholz, Jagmin, and Zietz. All ayes. Motion carried.
13. **Open Session – Take any necessary action on Items Discussed in Closed Session** – Motion by Lee, seconded by Bailey to give Scholz a very favorable evaluation. All ayes. Motion carried.
15. **Commissioner's Report on Highway Operations** – Scholz met with the crew and staff on January 5th to inform them of what was happening with the Merrill Shop Foremen's position and answered any questions that they had. He also handed out the new cell phone policy and instructed all his employees to sign the policy and hand it in within the next 2 weeks. Lee indicated that there may be a legal issue with personnel cell phones when used for county purposes. The county maybe allowed access to your records since it was used for county business. This is the same for personnel computers used for county purposes. The employees should be aware that this could happen.
16. **Adjourn** - Motion by Berndt, seconded by Lee to adjourn at 9:20 a.m. All ayes. Motion carried.