

MARCH 17, 2009**EVENING SESSION****6:00 P.M.****WILLIAM BUEDINGEN TRAINING ROOM – W6146 STATE HWY 86 – TOMAHAWK WI**

The Lincoln County Board of Supervisors met at the William Buedingen Training Room – W6147 State Hwy 86 – City of Tomahawk, in session assembled pursuant to law. The meeting was called to order at 6:00 p.m. by Chairman Lussow. Pledge of Allegiance was given by the Board. Roll was called by the Clerk and the following answered present: Alber, Bailey, Berndt, Bloomer, Caylor, Eisenman, Fox, Krueger, Loka, Lussow, Meyer, Mittelsteadt, Rankin, Rusch, Saal, Short, Simon, Weaver, Woller, and Zeitz (20). Supervisors Anderson and Lee excused.

ANNOUNCEMENTS//RECOGNITIONS/AWARDS - APPOINTMENTS

ANNOUNCEMENTS: None

SERVICE RECOGNITIONS FOR MARCH, 2009

Clerk read a service recognition for Angela Severt, currently an Activity Aide 1 at the Pine Crest Nursing Home for 20 years of service. She received a folding chair.

Clerk read a service recognition for Carl Howard, currently a Vocational Services Supervisor in the Developmental Disabilities Department for 20 years of service. He received a folding chair.

Clerk read a service recognition for Bertha Kanitz, currently a Certified Nursing Assistant at the Pine Crest Nursing Home for 30 years of service. She received a clock.

APPOINTMENTS & RE-APPOINTMENTS

APPOINTMENTS: Lincoln County 2009 Active Emergency Fire Wardens

TOWN	NAME	ADDRESS
BIRCH	OLUND, LENNART	W4233 CR J IRMA WI 54452
BRADLEY	SEIDEL, TRACEY	P O BOX 121 HEAFFORD JUNCTION WI 54532
CORNING	DINGES, SHARON	N1294 HWY 64 MERRILL WI 54452
HARDING	KANITZ, VIRGIL	N2805 CTH E MERRILL WI 54452
HARRISON	BAILEY, JOHN	N10847 HWY 17 GLEASON, WI 54435
HARRISON	ZIEMANSKI, DEB	N9831 CTH B GLEASON WI 54435
KING	KOLAR, FRANK	N11875 TOMAHAWK TR TOMAHAWK WI 54487
KING	KOZIEL, DAVE	N11559 LOON BAY RD TOMAHAWK WI 54487
KING	VAN STRYDONK, RICHARD	W4643 COUNTY RD D TOMAHAWK WI 54487
MERRILL	HANDLIN, ALLEN	N3828 CTH K MERRILL WI 54452
PINE RIVER	JOSIGER, MICHAEL	N499 CTH W MERRILL WI 54452
PINE RIVER	KATKE Jr, EWALD	N2119 ROBL AVE MERRILL WI 54452
ROCK FALLS	MASSA, DONNA	N5640 HWY 107 IRMA WI 54442
RUSSELL	KRESSEL, ROBERT	N5333 HWY 17 GLEASON WI 54435
SCHLEY	PLAMANN, MARY	N3409 HWY G MERRILL WI 54452
SCOTT	GRUNENWALD, MIKE	N1297 FAIRVIEW RD MERRILL WI 54452
SOMO	SCHUFLETOWSKI, EDWIN	W9941 HWY 8 TRIPOLI 54564
TOMAHAWK	JAECKS, ED & LORA	W7318 HWY 86 TOMAHAWK WI 54487
WILSON	SHORE, WILLIAM	W8258 HWY CC TOMAHAWK WI 54487

Clerk stated that Supervisor Bailey informed him that Richard Van Strydonk is no longer a fire warden in the Town of King.

Motion made by Supervisor Woller, seconded by Supervisor Mittelsteadt to approve the appointments of the Lincoln County Active Emergency Fire Warden list except for Richard Van Strydonk. Motion carried – all ayes.

APPROVAL OF JOURNAL – FEBRUARY 17, 2009

Motion was made by Supervisor Eisenman, seconded by Supervisor Saal to approve the minutes of February 17, 2009 as presented and placed on file. All Supervisors voting aye and motion carried.

LETTERS, PETITIONS AND MEMORIALS

Monthly Mailbox Correspondence – Any Questions

There were no questions on the monthly mailbox correspondence.

ADMINISTRATIVE COORDINATOR’S WRITTEN REPORT – Q & A

John Mulder explained his report. He also reported on the Family Care issues and about the Personnel Committee action on wages and benefits. Discussion was held. Supervisor Simon had a point of order regarding that we are wandering off the agenda. He suggested that these items be taken to the appropriate committees for discussion. Discussion continued. Chair stated that there is a lengthy agenda and it is not the proper place to discuss this. Supervisor Alber requested that we add this item for the next agenda. Supervisor Zeitz asked why the special meeting of the County Board hasn’t been called as yet. Chair Lussow answered that there will be one called when we’re ready. He would like to narrow it down to three to five specific items and than work at it. Supervisor Zeitz stated that this meeting was to be an open concept and to give everyone the opportunity to discuss operations. Supervisor Caylor stated a point of order that this special meeting is not on the report. Chair Lussow agreed to the point of order. Supervisor Alber stated that the County Clerk told him that the Administrative Coordinator’s Report was the appropriate place to bring up this meeting. He is asking that this meeting also be an open concept meeting. Chair Lussow answered – that it is noted. The meeting will be called at the Call of the Chair per our rules.

REPORT OF STANDING & SPECIAL COMMITTEE

Year-to-date Budget Report – Dan Leydet, Finance Director

Dan Leydet, Finance Director, explained the year-to-date for February Expenditures. He stated that they are ahead of schedule for the Jail Pod. We will be saving on outside housing. Discussion was held.

Building Committee Projects Update – Supervisor Simon

Supervisor Simon, Building Committee Chair reported on the building projects. Discussion held.

Economic Development Corporation – Jack Sroka

Jack Sroka, Director of the Economic Development Corporation, gave a power point presentation. Discussion was held.

RESOLUTIONS AND ORDINANCES FOR BOARD ACTION

Resolution 2009-03-12

Title: RESOLUTION AUTHORIZING LINCOLN COUNTY TO APPLY FOR A LAKE PROTECTION GRANT TO CONTINUE FUNDING A CONTRACTED JOINT LINCOLN & LANGLADE COUNTY SHORELAND BUFFER SPECIALIST

WHEREAS, Lincoln County is blessed with abundant water resources; and

WHEREAS, natural vegetation growing along the shoreline offers protection of the waterways from sedimentation that degrades water quality and provides both scenic natural beauty and wildlife habitat; and

WHEREAS, the Lincoln County Shoreland Zoning Ordinance regulates the cutting of vegetation along the shoreline to preserve the benefits afforded by these vegetative buffers; and

WHEREAS, Lincoln County requires a restoration of the shoreland buffer area as a condition of approval for a permit and a variance if it is found out of compliance in certain situations; and

WHEREAS, it is difficult for landowners to determine on their own what plants to select for the restorations that best match site conditions and meet the ordinance criteria and to discern what planting techniques to use that will ensure the best chance for a successful restoration; and

WHEREAS, Lincoln County is seeking funding, through a Lake Protection Grant award from the Department of Natural Resources (75% of the project costs from the grant and 25% contributed through in-kind hours and/or accessory funding), to continue the work performed by a qualified individual to assist our citizens with buffer restoration planning and monitoring under a contractual arrangement with Langlade County;

NOW, THEREFORE BE IT RESOLVED, that the members of the Lincoln County Board of Supervisors requests funds from the Lake Protection Grant program to pay for the services as described; and

BE IT FURTHER RESOLVED, that the Lincoln County Planning & Zoning Director is authorized to act on behalf of Lincoln County to submit a grant application to the DNR, to sign documents and take necessary action to undertake, direct and complete an approved lake protection project that includes contracting with Langlade County for the services described; and

BE IT FURTHER RESOLVED, that Lincoln County will comply with state rules for the program, may perform force account work and will meet the financial obligations under the grant.

Dated this 17th day of March, 2009

Introduced by: Planning & Zoning Committee

Committee Action: Planning & Zoning Committee; Passed 4 - 0 on March 12, 2009

Fiscal Impact: 25% match will consist of in-kind hours of existing Planning & Zoning staff and use of county equipment.

Motion made by Supervisor Saal, seconded by Supervisor Meyer to adopt Resolution 2009-03-12. Dan Miller, Zoning Administrator, explained the Resolution. Discussion was held. Resolution 2009-03-12 is adopted by a voice vote with 2 nays and motion is carried.

Resolution 2009-03-13

Title: Approving Conveyance of Real Estate to Zion Evangelical Lutheran Church of the Town of Harding, Lincoln County

BE IT RESOLVED, by the Lincoln County Board of Supervisors duly assembled this 17th day of March, 2009 that the following conveyance of real estate to be made by the County Clerk in behalf of Lincoln County, be and same are hereby ratified, confirmed, and approved:

Purchaser: Zion Evangelical Lutheran Church, Town of Harding

Description:

A piece or parcel of land in the Southeast corner of the SE1/4 of the SW1/4 of Section Twenty, Township Thirty-three North, of Range five (5) East, described by metes and bounds as follows:

Commencing at the Southeast corner of said forty, thence North 20 rods, thence West 24 rods parallel with the south line of said forty, thence South 20 rods parallel with the East line of said forty, thence East 24 rods to the place of beginning; containing 3 acres of land

Dated this 17th day of March, 2009

Introduced by: Forestry, Land and Parks Committee

Committee Action: Forestry, Land and Parks Committee; Passed 4-0 on March 3, 2009 (Richard Eisenman, excused)

Fiscal Impact: None

Motion made by Supervisor Eisenman, seconded by Supervisor Woller to adopt Resolution 2009-03-13. Resolution 2009-03-13 is adopted by a voice vote and motion is carried.

Resolution 2009-03-14

Title: National Library Week 2009 Proclamation

WHEREAS; our nation's school, academic, public and special libraries make a difference in the lives of millions of Americans, today, more than ever;

WHEREAS, librarians are trained professionals, helping people of all ages and backgrounds find and interpret the information they need to live, learn and work.

WHEREAS, libraries are part of the American Dream – places for opportunity, education, self-help and lifelong learning;

WHEREAS, library use is up nationwide among all types of library users, continuing a decade-long trend;

WHEREAS, libraries play a vital role in supporting the quality of life in their communities;

WHEREAS, libraries can help you discover a world of knowledge, both in person and online, as well as personal service and assistance in finding what you need, when you need it;

WHEREAS, libraries are a key player in the national discourse on intellectual freedom, equity of access, and narrowing the “digital divide;”

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors proclaim National Library Week, April 12-18, 2009. We encourage all residents to visit their library this week to take advantage of the wonderful library resources available and thank their librarians and library workers for making information accessible to all who walk through library doors.

Dated this ~~19th~~- 17th day of March, 2009

Fiscal Impact: None

Motion made by Supervisor Woller, seconded by Supervisor Alber to adopt Resolution 2009-03-14. Supervisor Alber explained the Resolution. Supervisor Bloomer stated there is an error on the date of passage, it should be the 17th. Discussion was held. Resolution 2009-03-14 is adopted by a voice vote and motion is carried.

Resolution 2009-03-15

Title: RESOLUTION AUTHORIZING PUBLIC PARTICIPATION PRODECURES FOR AMENDING THE LINCOLN COUNTY COMPREHENSIVE PLAN

WHEREAS, section 66.1001(4)(a) of the Wisconsin State Statutes requires that the governing body of a local government unit shall adopt written procedures that are designed to foster public participation in every stage of the preparation (or amendment) of a comprehensive plan; and

WHEREAS, chapter X “Implementation” of the Lincoln County Comprehensive Plan recognizes the requirement under law to update the plan before 2011 and the deadline imposed by statute of January 1, 2010 further obligates consistency between the plan and local regulations; and

WHEREAS, the Agriculture, Natural, and Cultural Resources plan, the Transportation Plan, the Housing and Neighborhood Development plan and the Economic Development plan will be the primary focus of the proposed plan amendments; and

WHEREAS, the attached “Scope of Work” identifies the processes that will be used and means to involve the public within these processes; and

WHEREAS, the attached “Scope of Work” will be completed by existing staff and budgeted funds,

NOW, THEREFORE, BE IT RESOLVED, the members of the Lincoln County Board of Supervisors hereby approve the public participation procedures that will be used to amend the Lincoln County Comprehensive Plan.

Dated this 17th day of March, 2009

Introduced by: Administrative & Legislative Committee

Committee Action: Administrative & Legislative Committee adopted unanimously on 3/2/09

Fiscal Impact: Use of Lincoln County staff time and existing allocated funds.

Motion made by Supervisor Saal, seconded by Supervisor Caylor to adopt Resolution 2009-03-15. John Mulder, Administrative Coordinator, explained the Resolution and Scope of Work document. Discussion was held. Resolution 2009-03-15 is adopted by a voice vote and motion is carried.

Resolution 2009-03-16

Title: **University of Wisconsin President Salary Increase**

Whereas, Lincoln County is bound by a 2% tax levy increase in the County Budget, as prescribed by the Wisconsin State Legislature, and

Whereas, the Lincoln County employees will receive an approximate two-and-one half percent pay increase for 2009 and,

Whereas, the Lincoln County budget is forced to compress the increases in State costs into the 2 % levy cap, and,

Whereas, the President of the University of Wisconsin System (Kevin Reilly) received a 21%, \$75,000 salary increase in 2008, and

Whereas, the 2008 Chancellor position replacement received an approximate 20%, \$100,000 salary increase, and

Whereas, the taxpayers of Lincoln County are being forced to support unfair and unjustified salaries of top executives of State Government,

Be it therefore resolved, that the Lincoln County Board believes top executive salary increases in State Government should mirror the salary increases of County Workers, and,

Be it therefore resolved, that the Lincoln County Board demand a rollback of these salary increases and that a review process be put in place to determine the extent and remedy to the problem.

Be it therefore resolved, that a copy of this resolution be sent to Governor Doyle, State Legislators, and the Board of Regents.

Dated this 17th day of March, 2009

Introduced by: James Alber, Bill Zeitz

Fiscal Impact: unknown

Motion made by Supervisor Alber, seconded by Supervisor Fox to adopt Resolution 2009-03-16. Supervisor Alber explained the Resolution. Motion made by Supervisor Zeitz, seconded by Supervisor Alber to add "**Be it therefore resolved that a copy of this resolution be sent to Governor Doyle, State Legislators and the Board of Regents**". Discussion was held. Clerk called roll on the amendment to the Resolution and Supervisors Alber, Bailey, Berndt, Bloomer, Eisenman, Fox, Krueger, Loka Lussow, Meyer, Mittelsteadt, Rankin, Rusch, Saal, Short, and Zeitz voting aye (16); and Supervisors Caylor, Simon, Weaver, and Woller voting nay (4). Clerk called roll on original Resolution and Supervisors Alber, Bailey, Berndt, Bloomer, Caylor, Eisenman, Fox, Krueger, Loka, Lussow, Meyer, Mittelsteadt, Rankin, Rusch, Saal, Short, Woller and Zeitz voting aye (18); Supervisors Simon and Weaver voting nay (2). Resolution 2009-03-16 is adopted as amended and motion is carried.

ORDINANCE 2009 - 03 – 535

An Ordinance Amending the General Code of the County of Lincoln Chapter 17, Sections 17.1.12 and 17.2.03, Zoning Ordinance as a Result of a Comprehensive Plan Amendment and Rezoning Petition Submitted by the Estate of Ella Rapel and Dean Ann Hussong, for their property in the Town of Bradley

The County Board of Supervisors of Lincoln County, Wisconsin, does hereby ordain:

Section 17.1.12 of the Lincoln County Code and the Lincoln County Comprehensive Plan, Volume II: Plan Recommendations, Chapter IV: Land Use Plan, Section K: Town Land Use Plans, Number 1: Town of Bradley Land Use Plan, Subsection C – Planned Land Use Map, shall be amended to change the planned land use category for 32 acres owned by the Estate of Ella Rapel, further described as tax parcel 04.033506.010.000.00.00 and all that part of 04.033506.011.001.00.00 lying north of the Canadian National Rail Road right-of-way from Rural Lands to Rural Single Family Residential, and approximately 1 acre owned by Dean and Ann Hussong described as that part of tax parcel 04.033506.012.002.00.00 that lies north of the Canadian National Rail Road right-of-way from Forestry to Rural Single Family Residential. **Conditioned upon this parcel being made to conform with a 50,000 square foot minimum parcel size.**

AND

Chapter 17.2.03, Lincoln County Code, is amended such that the 32 acres described above will be rezoned from a Rural Lands – 4 district and the 1 acre described above will be rezoned from a Forestry district and the following 17 acres: tax parcels 04.043506.018.070.01.01, 04.043506.016.001.01.00, 04.043506.018.069.01.02 and 04.043506.018.069.01.03 will be rezoned from a Rural Residential 1 district, all to a Rural Residential 3 district.

This ordinance shall take effect from and after its passage and publication.

Dated this 17th day of March, 2009

Introduced by: Planning & Zoning Committee

Committee Action: Planning & Zoning Committee; Passed 4 – 0 on March 12, 2009

Fiscal Impact: None

LINCOLN COUNTY, WISCONSIN

Robert Lussow Robert D. Kunkel
County Board Chair County Clerk

Motion made by Supervisor Eisenman, seconded by Supervisor Saal to adopt Ordinance 2009-03-535. Dan Miller, Zoning Administrator, explained the rezone. Motion made by Supervisor Saal, seconded by Supervisor Mittelsteadt to amend the Ordinance as handed out. The amendment is to add **“Conditioned upon this parcel being made to conform with a 50,000 square foot minimum parcel size”**. Discussion was held. Ordinance 2009-03-535 is adopted by a voice vote and motion is carried.

ORDINANCE 2009 - 03 – 536

An Ordinance Amending the General Code of the County of Lincoln Chapter 17, Sections 17.1.12 and 17.2.03, Zoning Ordinance as a Result of a Comprehensive Plan Amendment and Rezoning Petition Submitted by the Town of Merrill for their property in the Town of Merrill

The County Board of Supervisors of Lincoln County, Wisconsin, does hereby ordain:

Section 17.1.12 of the Lincoln County Code and the Lincoln County Comprehensive Plan, Volume II: Plan Recommendations, Chapter IV: Land Use Plan, Section K: Town Land Use Plans, Number 6: Town of Merrill Land Use Plan, Subsection C – Planned Land Use Map, shall be amended to change the planned land use category for 61 acres owned by the Town of Merrill, further described as tax parcel 14.303207.013.002.00.00 and 14.303207.014.001.01.00 from Rural Lands to Planned Industrial. **Conditioned upon the establishment of a 50 foot wide landscaped bufferyard along the north and east property lines.**

AND

Chapter 17.2.03, Lincoln County Code, is amended such that the 61 acres described above will be rezoned from a Rural Lands - 4 district to a Planned Industrial district.

This ordinance shall take effect from and after its passage and publication.

Dated this 17th day of March, 2009

Introduced by: Planning & Zoning Committee

Committee Action: Planning & Zoning Committee; Passed 4 – 0 on March 12, 2009

Fiscal Impact: None

LINCOLN COUNTY, WISCONSIN

Robert Lussow Robert D. Kunkel
County Board Chair County Clerk

Motion made by Supervisor Saal, seconded by Supervisor Mittelsteadt to adopt Ordinance 2009-03-536. Dan Miller, Zoning Administrator, explained the rezone. Motion made by Supervisor Saal, seconded by Supervisor Mittelsteadt to amend the Ordinance as handed out. The amendment is to add **“Conditioned upon the establishment of a 50 foot wide landscaped bufferyard along the north and east property lines.** Discussion was held. Ordinance 2009-03-536 is adopted by a voice vote and motion is carried.

ORDINANCE 2009-03-537

Reducing Mileage Reimbursement Rate

The County Board of Supervisors of Lincoln County, Wisconsin, does hereby ordain:

2.10 COUNTY CLAIM PROCEDURES. (Am. #291-96; #350-2000)

- (1) SUPERVISOR EXPENSES.
- (a) County Board Meetings. County Board members will be paid \$70 full-day meeting per diem for County Board meetings which they attend. The County Board shall approve claims for mileage and per diem for County Board meetings as well as any such claims that the Finance and Insurance Committee cannot allow.
- (b) Committee Meetings. Mileage and per diem claims for regular committee meetings shall be paid monthly upon proper submission of required documentation to the County Clerk. Payment vouchers for any other meeting (including all out-of-County trips) must be submitted for approval to the committee authorizing a supervisor's attendance at same. These vouchers must then be forwarded to the Finance and Insurance Committee for audit.
- (c) Mileage and Per Diem Allowances. Mileage and per diem allowances are as follows:
- (i) *Per diem.* \$70 full-day meeting (maximum); \$35 half-day meeting. Supervisors will not be compensated for more than 3 meetings per day. Compensation for service on committees except those charged with erecting any county building shall be limited to the equivalent of 85 full-day meetings. (§ 59.13, Wis. Stats.) The Board may, by a two-thirds vote, amend this section to increase this number of days and fix the compensation for each additional day. (Am. #208-91; #384-2001)
- (ii) *Mileage.* Payable at the ~~current I.R.S. rate~~ rate of \$0.40 per mile for miles driven on or after April 1, 2009 for those complying with insurance requirements at § 4.59, infra. Those not in compliance will be paid 9 cents less per mile. (Am. #217-92; #242-94; #259-95; #260-95; #268-96)

4.38 EMPLOYEE TRAVEL POLICY. (Cr. #291-96)

"Lincoln County Employee Travel Policy (~~June, 2001~~ March, 2009)" is adopted by reference as though fully set forth herein. This policy and any amendments hereto shall be provided promptly to each department head by the County Clerk. Department heads assume responsibility for notice and compliance within their respective departments.

This ordinance shall take effect from and after its passage and publication.

Dated this 17th day of March, 2009

Introduced by: Personnel Committee

Committee Action: Personnel Committee; Passed 4-0 on 3/9/09

Fiscal Impact: Approximate annual savings \$17,000

LINCOLN COUNTY, WISCONSIN

Robert Lussow Robert D. Kunkel
County Board Chair County Clerk

Motion made by Supervisor Caylor, seconded by Supervisor Woller to adopt Ordinance 2009-03-537. Supervisor Caylor explained the Employee Travel Policy. Discussion was held. Clerk called roll with Supervisors Berndt, Caylor, Krueger, Loka, Lussow, Mittelsteadt, Rusch, Saal, Short, and Woller voting aye (10); Supervisors Alber, Bailey, Bloomer, Eisenman, Fox, Meyer, Rankin, Simon, Weaver and Zeitz voting nay (10). Ordinance 2009-03-537 failed 10-10.

REPORT OF ACTION ON CLAIMS AGAINST THE COUNTY OF LINCOLN - NONE

Motion made by Supervisor Caylor, seconded by Supervisor Bailey to approve the report on mileage and per diem. Motion carried – all ayes

The next meeting will be the Regular County Board Meeting to be held on **Tuesday, April 21, 2009 at 6:00 p.m.** at the Lincoln County Services Center – 801 N. Sales Street - Merrill

Motion made by Supervisor Krueger, seconded by Supervisor Woller to adjourn the meeting at 7:36 p.m. Motion carried – all ayes.

STATE OF WISCONSIN)

) SS

COUNTY OF LINCOLN)

I, Robert D. Kunkel, County Clerk in and for said Lincoln County, Wisconsin do hereby certify that the within and foregoing is a true and correct copy of all proceedings by and before the Board of Supervisors at their regular meeting, March 17, 2009.

Robert D. Kunkel, Lincoln County Clerk