

**MAY 19, 2009****EVENING SESSION****6:00 P.M.****WILLIAM BUEDINGEN TRAINING ROOM – W6146 STATE HWY 86 – TOMAHAWK WI**

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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: Anderson, Alber, Bailey, Berndt, Caylor, Eisenman, Fox, Krueger, Lee, Loka, Lussow, Meyer, Mittelsteadt, Rusch, Saal, Simon, Weaver, Woller, and Zeitz (19). Supervisors Bloomer and Rankin were excused.

**ANNOUNCEMENTS//RECOGNITIONS/AWARDS - APPOINTMENTS**

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**ANNOUNCEMENTS:**

Clerk Kunkel reported that the WCA Convention will take place September 13 – 15 in La Crosse. Any Supervisor that wishes to attend the convention please contact the County Clerk. Supervisor Alber requested that this be added to next month's County Board Agenda.

Supervisor Lee stated that a letter expressing our condolences be sent to the family of Michael Caylor and for his years of service to our community.

**SERVICE RECOGNITIONS FOR MAY 2009**

Clerk read a service recognition for Carrie Strassman currently the Family Service Coordinator in the Developmental Disabilities Department for 10 years of service. She received a lunch cooler, travel mug and a tote bag.

Clerk read a service recognition for Susan Ryan, currently a Certified Nursing Assistant at the Pine Crest Nursing Home for 15 years of service. She received a fleece blanket.

Clerk read a service recognition for Allen Fox, currently a Crew Foreman at the Highway Department for 25 years of service. He received a clock.

Clerk read a service recognition for June Barker, currently a Certified Nursing Assistant at the Pine Crest Nursing Home for 25 years of service. She received a clock.

**APPOINTMENTS & RE-APPOINTMENTS****APPOINTMENTS: North-Central ITBEC – Tomahawk Chamber of Commerce – Tamra Anderson****Merrill Chamber of Commerce – Debbe Kinsey****Forestry, Land & Parks Committee – Frank Saal**

Motion made by Supervisor Krueger, seconded by Supervisor Zeitz to approve the appointments of the North-Central ITBEC appointees – Tamra Anderson – Tomahawk Chamber of Commerce and Debbe Kinsey – Merrill Chamber of Commerce. Motion carried – 19 ayes.

Motion made by Supervisor Mittelsteadt, seconded by Supervisor Woller to approve the appointment of Frank Saal to the Forestry, Land & Park Committee. Discussion held. Motion carried – 18 ayes and 1 nay.

**APPROVAL OF JOURNAL – APRIL 21, 2009**

Motion was made by Supervisor Caylor, seconded by Supervisor Krueger to approve the minutes of April 21, 2009 as presented and placed on file. All Supervisors voting aye and motion carried.

**LETTERS, PETITIONS AND MEMORIALS****Monthly Mailbox Correspondence – Any Questions**

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There were no questions on the monthly mailbox correspondence.

**ADMINISTRATIVE COORDINATOR'S WRITTEN REPORT – Q & A**

John Mulder had nothing to add to his report and placed on file.

## **REPORT OF STANDING & SPECIAL COMMITTEES**

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

Dan Leydet, Finance Director, explained the year-to-date for April Expenditures. There should be savings at the Jail because of not housing out of County. Discussion was held.

### **Vice-Chair Caylor’s report on chairing the April 21, 2009 County Board Meeting**

Vice-Chair Caylor reported on the problems he encountered chairing the April 21, 2009 County Board Meeting.

### **County Board Input on Amendment to the Comprehensive Plan**

John Mulder, Administrative Coordinator, and Art Lersch, Community Development Agent, facilitated County Board input to the Comprehensive Plan on the question “Assume that your children and your grandchildren will grow up and live a good portion of their lives in Lincoln County. What do you believe needs to take place in this county to ensure that your children and grandchildren thrive throughout their entire lives?” Two groups brain-stormed responses which will be incorporated into the ongoing comprehensive planning process. The Board’s responses will be summarized and made available to them.

## **RESOLUTIONS AND ORDINANCES FOR BOARD ACTION**

### **Resolution 2009-04-24 (Revised)**

**Title: Resolution Supporting Local Farming, Home Gardens & Local Farmers’ Markets and Opposing Federal Legislation that would Destroy American Freedom to Raise Good Food**

**WHEREAS** home gardening is a healthy form of exercise which supplements the home table with nutritious food and lowers overall family food costs in difficult economic times.

**WHEREAS** the local Lincoln County farmers not only contribute to their families food supply but also provide products for our local population as well as needed employment for families and workers.

**WHEREAS** the local Farmers’ Market provides a beneficial source for both producers and consumers of local farm products

**WHEREAS** American consumers are clearly shifting their buying habits away from the mega corporate production of food products of agribusiness giants

**WHEREAS** these corporate giants, through lobbying and campaign contributions, influence federal legislation to the detriment of the local family farms of America and Lincoln County

**WHEREAS** federal legislation has been introduced under the guise of food safety which would impair and perhaps eliminate our freedom to produce good food locally (HR 875, HR759 and S425)

**WHEREAS** these or similar bills, which are vague, cumbersome and bureaucratic, are supported by the agribusiness empire to stifle present and future competition

**WHEREAS, Lincoln County recognizes the need to regulate large corporate agricultural producers or Confined Animal Feedlot Operations and the importation of competing foreign food products, and**

**WHEREAS, One of the goals of Lincoln County’s Comprehensive plan is to preserve and support small family farms, and**

**THEREFORE BE IT RESOLVED** that the Lincoln County Board applauds our local farming community, the local Farmers' Market and home gardeners and wishes to promote and encourage their efforts under our system of economic freedom

**THEREFORE BE IT RESOLVED** that the Lincoln County Board opposes HR 759, HR 875 and S425 and any similar legislation that would increase current regulations on our farmers and gardeners

**THEREFORE BE IT RESOLVED** that copies of this resolution be sent to the President, the Wisconsin Congressional delegation, the U.S. Department of Agriculture, all Wisconsin counties, the Wisconsin Counties Association, Lincoln County State Legislators and the state and local Departments of Agriculture.

**THEREFORE BE IT FURTHER RESOLVED**, that any federal food safety legislation will exempt local food systems, small family farms (up to \$250,000 gross sales), backyard gardens, personal livestock raising, farmers markets, and all forms of food self-sufficiency and farmer direct purchasing.

Dated 21<sup>st</sup> day of April, 2009  
Fiscal Impact: Unknown

Motion made by Supervisor Saal, seconded Supervisor Bailey to adopt Resolution 2009-04-24. Supervisor Zeitz spoke on the modifications that were made at the Land Information, Conservation and U.W. Extension Committee meeting. Diana Smith spoke on this Resolution.

Motion made by Supervisor Zeitz, seconded by Supervisor Alber to add the two Whereas that were distributed to the County Board Members to the Resolution after the last Whereas and add after WCA in the 2<sup>nd</sup> Therefore be it Resolved - Lincoln County State Legislators. Discussion was held. Resolution 2009-04-24 is adopted by a voice vote with 1 nay and motion is carried.

#### **Resolution 2009-05-26**

##### **Title: Opposing Wisconsin Recycling and Solid Waste Fee Increases**

**WHEREAS**, the State of Wisconsin assesses a Recycling Tip Fee Surcharge on each ton of solid waste disposed of in Wisconsin landfills except high volume industrial waste, and

**WHEREAS**, funds derived from Recycling Tip Fee Surcharge are deposited into the State's Recycling Fund and Renewable Energy Fund, and

**WHEREAS**, since 1990, over \$111,000,000 has been transferred from this Fund to General Purpose Revenue or the Conservation Fund, and

**WHEREAS**, the State of Wisconsin assesses an Environmental Repair Fee on each ton of solid waste disposed of in Wisconsin landfills, and

**WHEREAS**, funds collected from the Environmental Repair Fee are deposited into the State's Environmental Repair Fund, and

**WHEREAS**, Lincoln County operates a Solid Waste Landfill that collects solid waste from Lincoln County waste generators, and

**WHEREAS**, Lincoln County collects tipping fees from users of the Lincoln County Landfill to recover the cost of its operation. These costs include State Fees, and

**WHEREAS**, the State of Wisconsin has proposed increasing the Recycling Tip Fee Surcharge by \$1.00 per ton and the Environmental Repair Fee by \$3.40 per ton as a part of its 2010/2011 state budget.

**NOW, THEREFORE BE IT RESOLVED**, that the Lincoln County Board of Supervisors opposes both the proposed State Recycling Tip Fee and Environmental Repair Fee increases.

**Dated this 19<sup>th</sup> day of May, 2009**

**Introduced by:** Solid Waste Committee

**Committee Action:** Solid Waste Committee approved On 4/29/09

**Fiscal Impact:** Unknown

Motion made by Supervisor Fox, seconded by Supervisor Woller to adopt Resolution 2009-05-26. Robert Reichelt, Solid Waste Manager, explained the Resolution. Discussion was held. Resolution 2009-05-26 is adopted by a voice vote and motion is carried.

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**Resolution 2009-05-27**

**Title: Purchase of Track Loader**

**WHEREAS**, the landfill needs to replace the 1999 steel wheel loader/compactor with a used 45,000 pound size track loader to improve overall equipment efficiency and versatility in the landfill and

**WHEREAS**, a new 45,000 pound track loader set up for a landfill costs about \$289,000 the same size good used machine with low hours could cost under \$200,000, and

**WHEREAS**, the Lincoln County Solid Waste Long Range Plan along with CIP included a loader replacement in the future, and

**WHEREAS**, the Lincoln County Solid Waste Committee recommends the purchase of a used 45,000 pound size track loader for under \$200,000 and deemed this to be the most advantageous option for Lincoln County.

**NOW, THEREFORE BE IT RESOLVED**, that the Lincoln County Board of Supervisors authorize the Lincoln County Solid Waste Department to purchase the above stated equipment.

**Dated this 19<sup>th</sup> day of May 2009**

**Introduced by:** Lincoln County Solid Waste Committee

**Committee Action:** Lincoln County Solid Waste Committee approved on 4/29/09

**Fiscal Impact:** No tax levy – funded by equipment account

Motion made by Supervisor Loka, seconded by Supervisor Fox to adopt Resolution 2009-05-27. Robert Reichelt, Solid Waste Manager, explained the Resolution. Resolution 2009-05-27 is adopted by a voice vote and motion is carried.

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**Resolution No. 2009-05-28**

**RESOLUTION SPECIFYING THE PURCHASER AND AWARDING THE SALE OF GENERAL OBLIGATION BOND ANTICIPATION NOTES IN AN AMOUNT NOT TO EXCEED \$1,500,000 PURSUANT TO SECTION 67.12(1)(B), WISCONSIN STATUTES**

WHEREAS, on April 21, 2009, the County Board of Supervisors of Lincoln County, Wisconsin (the "County") adopted Resolution No. 2009-04-23 (the "Note Resolution") which authorized the issuance of a General Obligation Bond Anticipation Note (the "Note") in an amount not to exceed \$1,500,000 to finance portions of a project that included remodeling of the County Courthouse, paying the cost of an addition to and

remodeling of the County Jail, and paying the cost of constructing and equipping of an administration building (collectively, the "Jail Project"); and

WHEREAS the Note Resolution provided that the Purchaser of the Note would be specified in a subsequent resolution of the County Board of Supervisors; and

WHEREAS, the County's Financial Adviser, Stifel Nicolaus & Co. Incorporated has solicited proposals for the purchase of the Note from the financial institutions doing business within the County; and

WHEREAS, Merrill Federal Savings and Loan has submitted a proposal for the purchase of the Note that is acceptable on all terms to the County Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County that:

Section 1. Authorization and Sale of the Bond Anticipation Note. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(1)(b), Wisconsin Statutes, the principal sum of ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) from Merrill Federal Savings & Loan Association, Merrill, Wisconsin (the "Purchaser") in accordance with the terms and conditions of its Proposal attached as Exhibit A.

Section 2. Approval of Municipal Credit Agreement. The Chairperson of the County Board and the County Clerk are hereby authorized to enter into a Municipal Credit Agreement with the Purchaser substantially in the form attached as Exhibit B.

Section 3. Approval of Form of Note. The Chairperson of the County Board and the County Clerk are hereby authorized to execute and deliver a Bond Anticipation Note to the Purchaser substantially in the form attached as Exhibit C.

**Dated this 19th day of May 2009**

**Introduced by:** Finance and Insurance Committee

**Committee Action:** Finance and Insurance Committee; passed (4-0) May 8, 2009

**Fiscal Impact:** Debt Service per Exhibit C

Motion made by Supervisor Lee, seconded by Supervisor Eisenman to adopt Resolution 2009-05-28. Dan Leydet, Finance Director, explained the Resolution. David De Young from Stifel Nicolaus & Co. also explained. Discussion was held. Resolution 2009-05-28 is adopted by a voice vote and motion is carried.

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#### **Resolution 2009-05-29**

#### **Resolution Authorizing the Transfer of \$235,000 from Capital Improvement Project Fund (CIP) to the Debt Service Fund**

WHEREAS, the Lincoln County Board of Supervisors passed resolution 2008-11-48 authorizing the issuance and sale of \$9,965,000 general obligation refunding bonds; and

WHEREAS, Lincoln County incurred bond issue costs of \$199,041 and interest costs of \$86,322 which were planned to be reimbursed in December with the final note issuance for the building project and these costs were recorded in the Debt Service Fund in 2008; and

WHEREAS, delays in the building project prohibited Lincoln County from issuing that final note; and

**WHEREAS**, the Lincoln County Capital Improvement Project fund (CIP) has a balance of \$1,309,791 on December 31, 2008.

**NOW, THEREFORE BE IT RESOLVED**, that the Lincoln County Board of Supervisors does approve and authorize the transfer of \$235,000 from CIP to the Debt Service fund to cover the bond issue and interest costs incurred from the issuance and sale of \$9,965,000 general obligation refunding bonds.

**Dated this 19<sup>th</sup> day of May 2009**

**Introduced by:** Capital Improvement Project Committee

**Committee Action:** Capital Improvement Project Committee; Passed (4-0) on May 8, 2009

**Fiscal Impact:** \$235,000 from Capital Improvement Fund

Motion made by Supervisor Simon, seconded by Supervisor Lee to adopt Resolution 2009-05-29. Dan Leydet, Finance Director, explained the Resolution. Resolution 2009-05-29 is adopted by a voice vote with 1 nay (Supervisor Alber) and motion is carried.

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**Resolution 2009-05-30**

**Title: Waive 90 day hiring freeze for the Administrative Coordinator position**

**WHEREAS**, Lincoln County Board adopted Resolution 2009-01-02 approving a temporary hiring freeze of 90 days for vacant positions, and

**WHEREAS**, the Administrative Coordinator has announced his resignation effective June 11, 2009, and

**WHEREAS**, the Administrative and Legislative Committee believe it is in the best interest to fill the vacant Administrative Coordinator position as soon as possible, now

**THEREFORE BE IT RESOLVED** that the Lincoln County Board of Supervisors accepts the recommendation of the Administrative & Legislative Committee and waives the 90 day temporary hiring freeze for the Administrative Coordinator position.

**Dated this 19<sup>th</sup> day of May, 2009**

**Introduced by:** Administrative & Legislative Committee

**Committee Action:** Administrative & Legislative Committee passed unanimously on 5/11/09

**Fiscal Impact:** Within budget

Motion made by Supervisor Caylor, seconded by Supervisor Woller to adopt Resolution 2009-05-30. John Mulder, Administrative Coordinator, explained the Resolution. Discussion was held. Resolution 2009-05-30 is adopted by a voice vote with 1 nay and motion is carried.

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**Resolution 2009-05-31**

**Title: Resolution Supporting H.R. 1207 in the U.S. House of Representatives to Amend Title 31 United States Code to Audit the Federal Reserve System of the United States**

**WHEREAS** the U.S. Congress has the constitutional authority “to coin money, regulate the value thereof, and of foreign coin” (Sec.8)

**WHEREAS** the U.S. Congress in December 1913 gave up this power to a private banking cartel known as the Board of Governors of the Federal Reserve System

**WHEREAS** this private banking cartel has exercised dominant control over U.S. monetary policy under both Democratic and Republican administrations

**WHEREAS** Federal Reserve policies have created and continue to create booms and busts in the American economic cycle resulting in hardships which include loss of jobs, decline in the purchasing power of the dollar, and bankruptcies and foreclosures of American businesses and households

**WHEREAS** the recent bailouts of U.S. Banks by the Federal Reserve will cost trillions of dollars and place this and future generations under tremendous debt obligations

**WHEREAS** Federal Reserve policies and actions have never been audited to determine whether illegalities have been committed

**WHEREAS** Lincoln County citizens, old and young, are impacted by these policies

**THEREFORE BE IT RESOLVED**, that the Lincoln County Board supports H.R. 1207 to reform the Federal Reserve System by having the Comptroller General of the United States audit the Federal Reserve according to the provisions of H.R. 1207

**THEREFORE BE IT RESOLVED** that this resolution be sent to the President, all Wisconsin U.S. senators and representatives, the U.S. Treasury Secretary, the Chairman of the Federal Reserve, the Comptroller General of the U.S., all appropriate Congressional committees, all Wisconsin counties and the Wisconsin Counties Association.

Dated this 19<sup>th</sup> of May, 2009

Drafted by: Bill Zeitz, District 9

Financial Impact: unknown

Motion made by Supervisor Zeitz, seconded by Supervisor Fox to adopt Resolution 2009-05-31. Supervisor Zeitz explained the Resolution. Clerk called roll with Supervisors Alber, Anderson, Bailey, Berndt, Caylor, Fox, Krueger, Lee, Loka, Lussow, Mittelsteadt, Saal, Simon, Woller and Zeitz voting aye (15); Supervisors Eisenman, Meyer, Rusch, and Weaver voting nay (4). Resolution 2009-05-31 is adopted and motion is carried.

**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 Special County Board Meeting to be held on **May 27, 2009 at 6:00 p.m.** at the Lincoln County Service Center – 801 N. Sales Street – Merrill. The next regular County Board Meeting is to be held on **Tuesday, June 16, 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 Zeitz to adjourn the meeting at 6:57 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, May 19, 2009.

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Robert D. Kunkel, Lincoln County Clerk