

Lincoln County Board of Supervisors
Regular Meeting June 16, 2009

The Lincoln County Board of Supervisors met at the Lincoln County Service Center County Board Room at 801 N. Sales Street – City of Merrill, in session assembled pursuant to law. Chair Lussow called the meeting to order at 6:00 p.m. Pledge of Allegiance was given by the Board. Roll was called by the Clerk and the following answered present: Anderson, Bailey, Berndt, Bloomer, Caylor, Eisenman, Fox, Krueger, Lee, Loka, Lussow, Meyer, Mittelsteadt, Rankin, Rusch, Saal, Simon, Woller, and Zeitz (19). Weaver was excused; Alber was absent and Saal arrived at 6:11.

APPOINTMENTS:

Chair Lussow stated the appointment of Ramona Pampuch to District 4 needs approval.

Motion made by Caylor, seconded by Lee to approve the appointment of Ramona Pampuch to be the District 4 Supervisor. Motion carried 19 – 0.

Oath of Office was given to Ramona Pampuch by County Clerk Kunkel.

Appointment of Arlan Anderson to the Finance & Insurance Committee:

Chair Lussow announced the appointment of Arlan Anderson to the Finance & Insurance Committee.

Hold Elections for Elective Committees Vacancies created by Resignation.

Land Information, Conservation and U.W. Committee

Bailey nominated Zeitz, Lussow nominated Pampuch. Zeitz received 5 votes and Pampuch received 14. Pampuch is elected to the Land Information, Conservation and U.W. Extension Committee.

Personnel Committee

Caylor nominated Pampuch. Lee nominated Eisenman. Pampuch received 8 votes and Eisenman received 11. Eisenman is elected to the Personnel Committee.

Fill vacancies (by appointment or election) in any appointive or elective committee

Eisenman gave up Zoning and Pampuch was appointed to the Zoning Committee.

SERVICE RECOGNITIONS FOR JUNE, 2009

Clerk read service recognitions for the following employees:

Cathy Tupper – 10 years (Program Assistant – Corporation Counsel Office)
 Cherie Hafeman – 15 years (Program Assistant – District Attorney’s Office)
 Michael Caylor, Jr. – 15 years (911 Telecommunicator – Sheriff’s Department)
 Sandra Koutnik – 15 years (Certified Nursing Assistant – Pine Crest Nursing Home)
 Joy Zimmerman – 15 years (Registered Nurse – Pine Crest Nursing Home)
 Timothy Fischer – 15 years (Lieutenant-Patrol – Sheriff’s Department)
 Gail Stahnke – 25 years (Housekeeping – Pine Crest Nursing Home)
 Diana Allen – 35 years (Program Assistant – Health Department)

APPROVAL OF JOURNAL – MAY 19, 2009

Motion was made by Caylor, seconded by Eisenman to approve the minutes of May 19, 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 mailbox correspondence.

ADMINISTRATIVE COORDINATOR'S WRITTEN REPORT – Q & A

There was nothing to add to the report. Place on file. Interim Administrative Coordinator Tim Meehan introduced himself to the County Board Members

REPORT OF STANDING & SPECIAL COMMITTEE

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

Dan Leydet, Finance Director, explained the year-to-date for May expenditures. He had nothing else to add. Discussion was held. Place on file.

WCA Convention – Jim Alber - Alber was absent, so no action on this was taken.

Presentation on the Ag and Natural Resources component of the Comprehensive Plan – Tom Cadwallader and Dan Miller

Dan Miller gave a presentation on the Ag and Natural Resources component of the Comprehensive Plan. Tom Cadwallader followed with a presentation on the trends of Ag and Forestry Land component of the Comprehensive Plan.

RESOLUTIONS AND ORDINANCES FOR BOARD ACTION

Resolution 2009-06-32

Title: Resolution Opposing 2009 State Assembly Bill 149 Proposing Interest Rate Reduction on Delinquent Property Taxes

WHEREAS, 2009 State Assembly Bill (AB) 149 proposes reducing the interest rate for unpaid property taxes from twelve percent (12%) to six percent (6%) to end on December 31, 2010; and

WHEREAS, if the proposed change had been in effect during 2008, Lincoln County would have lost approximately \$125,000 in revenue; and

WHEREAS, similar losses would occur in the future if the proposed change is adopted;

WHEREAS, the additional costs and revenue losses that will result if this proposal is adopted could only be offset by a reduction in county services or an increase in property taxes, or both; and

WHEREAS, if the proposed bill were to pass there would be programming changes that could impact future annual support fees to the County; and

WHEREAS, temporarily reducing the interest rate charge on tax delinquent properties is not a solution that will result in long-term relief to taxpayers and may serve to create confusion if the interest rate is again raised in the future.

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors opposes a reduction in the interest rate charged on delinquent property taxes; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded by the County Clerk to Governor Doyle, the Wisconsin Counties Association, and the Lincoln County's representatives in the Wisconsin State Senate and Assembly who represent constituents from Lincoln County.

Dated this 16th of June, 2009

Introduced by: Finance & Insurance Committee

Committee Action: Finance & Insurance Committee; Passed 4 – 0 on 06/05/2009

Fiscal Impact: - \$125,000

Motion made by Lee, seconded by Simon to adopt Resolution 2009-06-34. Clerk Kunkel explained. Discussion was held. Resolution 2009-06-34 is adopted by a voice vote and motion is carried.

Resolution 2009-06-33

Title: To Approve a Contract for Food Services –Lincoln County Jail

WHEREAS, the Law Enforcement Committee has considered the various options for food services to the Lincoln County Jail; and

WHEREAS, the Committee has resolved that contracting for services is most efficient and cost-effective; and

WHEREAS, the committee recommends, after reviewing bids, that the 3 year contract be with CBM Foods Service be approved.

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors does hereby approve the food service contract for the Lincoln County Jail to CBM Food Service.

Dated this 16th day of June, 2009

Introduced by: Law Enforcement Committee

Committee Action: Law Enforcement Committee 5-0 on June 10, 2009.

Fiscal Impact: **\$17,301.00 per month (based on \$1.58 per meal, multiplied by 3 meals per day, multiplied by 120 inmates, multiplied by 365 days.**

Motion made by Caylor, seconded by Lee to adopt Resolution 2009-06-33. Lee explained we will save \$98,000 a year with this contract. Discussion was held. Resolution 2009-06-33 is adopted by a voice vote and motion is carried.

Resolution 2009-06-34

Title: Authorizing sale of Normal Park to the City of Merrill

WHEREAS, Lincoln County owns and maintains Normal Park on Center Avenue in the City of Merrill; and,

WHEREAS, the City of Merrill uses the premises as a public park, under the same conditions, policies, ordinances and statutes as are otherwise applicable to other city parks; and,

WHEREAS, Lincoln County incurs direct costs through the maintenance of Normal Park; and,

WHEREAS, the best use of this property to our community is for its continued use by the public as a park; and,

WHEREAS, Normal Park is utilized by County residents and its effectiveness as a public park could be enhanced if the City of Merrill undertook the complete maintenance, assessments, and program development for the park; and,

WHEREAS, the City and County are interested in entering into a mutually beneficial agreement to accomplish these public purposes.

NOW THEREFORE, BE IT RESOLVED, that the Lincoln County Board of Supervisors does hereby ordain that Lincoln County shall enter into an agreement with the City of Merrill to sell Normal Park for the sum of \$1.00.

BE IT FURTHER RESOLVED, that if this property is ever used for any other function other than for public park purposes, that ownership shall revert back to Lincoln County.

AND BE IT FURTHER RESOLVED, that the appropriate County officials are authorized to sign the necessary papers to conduct and finalize the sale.

Dated this 16th day of June, 2009

Introduced by: Forestry, Land and Parks Committee

Committee Action: Forestry, Land and Parks Committee - Passed 4-0 on June 2, 2009 (Frank Saal, excused)

Fiscal Impact: \$1.00

Motion made by Woller, seconded by Berndt to adopt Resolution 2009-06-34. Kevin Kleinschmidt, Forestry, Land & Parks Administrator, explained the resolution. Discussion followed. Motion was made by Simon, seconded by Bloomer to refer back to Forestry, Land & Parks Committee to explore more options. A roll call vote was requested. Clerk called roll with Anderson, Bailey, Berndt, Bloomer, Caylor, Fox, Krueger, Meyer, Pampuch, Rusch, Saal, Simon, Woller and Zeitz voting aye (14); Eisenman, Lee, Loka, Lussow, Mittelsteadt and Rankin voting nay (6). Resolution 2009-06-34 is referred back to Committee and motion is carried.

Resolution 2009-06-35

Title: A Resolution Supporting Assembly Joint Resolution 51 in the Wisconsin Legislature

WHEREAS, Wisconsin State Representatives and Senators have issued Joint Resolution 51 to reassert state sovereignty under the Tenth Amendment to the Constitution of the United States

WHEREAS, these legislators are concerned about federal mandates and their impact upon the state government powers and operations

WHEREAS, these same federal mandates impact Wisconsin County budgets and powers under the Wisconsin Constitution

THEREFORE BE IT RESOLVED, that the Lincoln County Board wishes to join with the sponsors of Wisconsin State Resolution 51 in reasserting our Tenth Amendment powers under the United States Constitution as stated: "the powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or the people."

THEREFORE BE IT FURTHER RESOLVED that copies of this resolution be sent to the Governor, Wisconsin Assembly and Senate leaders, the President of the United States, U.S. Senators representing Wisconsin, U. S. Representatives from Wisconsin, State Representatives and Senators sponsoring Joint Resolution 51, all Wisconsin Counties and the Wisconsin Counties Association.

Dated this 16th day of June, 2009

Fiscal Impact: unknown

Motion made by Zeitz, seconded by Mittelsteadt to adopt Resolution 2009-06-35. Zeitz explained the resolution. Discussion followed. Resolution 2009-06-35 is adopted by a voice vote and motion is carried.

Resolution 2009-06-36

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE LINCOLN COUNTY BOARD OF SUPERVISORS

Title: Opposition to Senate Bill S 787, The Clean Water Restoration Act

WHEREAS, Senate Bill S 787, the Clean Water Restoration Act (CWRA) would amend the federal Water Pollution Control Act as it relates to the jurisdiction of the waters of the United States; and

WHEREAS, Counties play a vital role in meeting the goals of the Clean Water Act to protect the health, welfare and safety of our citizens; and

WHEREAS, the bill removes the term “navigable” from the definition of the Clean Water Act has unintended consequences for state and local governments that are far-reaching and expensive; and

WHEREAS, Lincoln County is committed to and proud of the work we’ve done to implement the Clean Water Act to clean our waterways and wetlands; and

WHEREAS, the CWRA expands federal regulation to include waters that have not been subject to the Clean Water Act such as private wells, roadside ditches, potholes and man-made impoundments and activities affecting those waters; and

WHEREAS, Senate Bill S 787 could lead to bureaucratic obstacles and increased costs to county governments nationwide while doing very little to enhance environmental protections of waterways and wetlands.

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors oppose Senate Bill S 787 due to its expansion of federal boundaries to water areas not under federal jurisdiction.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to all Wisconsin Counties, all United States Representatives and Senators from Wisconsin, U. S. Rep. James Oberstar of Minnesota, and all Wisconsin Legislators representing Lincoln County

Dated this 16th day of June, 2009

Fiscal Impact: None

Motion made by Zeitz, seconded by Bloomer to adopt Resolution 2009-06-36. Zeitz explained the resolution. Discussion followed. Resolution 2009-06-36 is adopted by a voice vote and motion is carried.

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

Motion made by Caylor, seconded by 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, July 21, 2009 at 6:00 p.m. at the William Buedingen Training Room, W6147 State Hwy 86, Tomahawk.

Motion made by Krueger, seconded by Anderson to adjourn the meeting at 7:40 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, June 16, 2009.

Robert D. Kunkel, Lincoln County Clerk