

**Lincoln County Board of Supervisors
Meeting March 16, 2010**

The Lincoln County Board of Supervisors met at the William Buedingen Training Room at W6147 Hwy 86 – Tomahawk, in session assembled pursuant to law. Chair Lussow called the meeting to order at 6:05 p.m. Pledge of Allegiance was given by the Board. Roll was called by the Clerk and the following answered present: Alber, Anderson, Bailey, Berndt, Bloomer, Caylor, Eisenman, Fox, Krueger, Lee, Loka, Lussow, Meyer, Mittelsteadt, Pampuch, Rankin, Rusch, Saal, Simon, Weaver, Woller, and Zeitz (22).

Announcements – None

Service Recognitions for March, 2010

Clerk read service recognition for the following employees:

Beth Humphrey - 10 years (Fiscal Clerk at Register of Deeds Office)

June Winters – 10 years (Program Assistant at Zoning Department)

Jennifer Blaubach – 15 years (Account Technician at Forestry, Land & Parks Department)

Appointments & Re-Appointments:

Motion made by Woller seconded by Zeitz to approve the re-appointment of Kay Smith as the County Representative for the TB Scott Library Board, expiration date June 30, 2012. Motion carried.

Approval of Journal – February 16, 2010

Motion was made by Caylor seconded by Eisenman to approve the minutes of February 16, 2010 as presented and placed on file. Motion carried.

Letters, Petitions and Memorial – Chair Lussow stated again that the resolutions that are sent to State Legislators get their attention.

Reports of Standing & Special Committees

Administrative Coordinator's Written Report Q & A – Tim Meehean, Interim Administrative Coordinator, had nothing to add to his report, except he spoke on the Union Contracts. Report placed on file.

Finance Director's Year-to-Date Budget Report – Dan Leydet explained the 2009 preliminary year to end expense report and the 2010 year-to-date report. Discussion was held. Report placed on file.

Public Property Committee report re: Grecian Delight/Fair Board Dispute: Alber reported on the special meeting that was held before tonight's County Board meeting. There has been no solution to the dispute. The Public Property Committee is recommending to the County Board that the U. W. Extension contract be laid over for one month to give the appropriate committees an opportunity to investigate the appropriate roles and responsibilities of the Fair Board and the U. W. Extension. Discussion was held. Simon had a point of order regarding this discussion is a non agenda item. Chair Lussow stated that his point is well taken but that the Chair did ask if anyone had questions, and that is a pretty open area.

Convene (if necessary) into Closed Session pursuant to section 19.85(1)(g), Wis. Stats. to confer with legal counsel concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. a. Sam Darduk discrimination claim. Closed session is withdrawn.

Resolutions and Ordinances for Board Action

Resolution 2010-3-09

Authorization to Proceed with Courthouse Building Project

WHEREAS, the Lincoln County Board of Supervisors approved a County Building Project which included "remolding of the Courthouse and Construction" on December 19, 2006 with resolutions 2006-12-75 and 2006-12-76; and,

WHEREAS, the fore mentioned resolutions authorized Lincoln County to borrow up to \$12,255,000 and apply \$4,000,000 from the General Fund in order to pay for the County Building Project; and,

WHEREAS, the final phase of the County Building Project was delayed due to prolonged negotiations with the State Historical Society and the Ninth District Court; and,

WHEREAS, the State Historical Society has approved the project; and,

WHEREAS, as a result of those negotiations the cost of the Courthouse remodeling and construction increased \$668,000 to a total cost of \$1,870,000 for the Courthouse remodeling and construction; and,

WHEREAS, the Lincoln County Capital Improvement Project Fund (CIP) has a balance of \$1,741,900 as of March 9, 2010;

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors authorizes the Building Committee to proceed with the courthouse remodeling and building project not to exceed \$1,870,000; and,

NOW, THEREFORE BE IT ALSO RESOLVED, that the Lincoln County Board of Supervisors authorize \$668,000 from CIP to fund the increased costs of remodeling and construction. Dated this 16th day of March, 2010 - Introduced by: Building Committee – Committee Action: Passed (5 – 0) on March 9, 2010. Fiscal Impact: Anticipated borrowing of \$1,200,000 and \$668,000 from (CIP)

Motion made by Simon, seconded by Eisenman to adopt Resolution 2010-03-09. Simon, Building Committee Chair, explained the resolution. Bob Brown and Steven Hoecherl, from Ayres Associates explained the building project further. Discussion was held. A roll call vote was requested. Clerk called roll with all Supervisors voting aye (18); except Bloomer, Mittelsteadt, Rankin and Zeitz voting nay (4). Resolution is adopted by roll call vote 18-4.

Resolution 2010-03-10

Approving 2010 Contract between Lincoln County and Board of Regents of the University of Wisconsin System

WHEREAS, Lincoln County (County), pursuant to the authority vested in the County Land Information, Conservation and UW-Extension Committee by sections 59.22(2)(d) and 59.56(3) of the Wisconsin Statutes, and Board of Regents of the University of Wisconsin System, on behalf of the University of Wisconsin-Extension, Cooperative Extension Division (Extension) agrees to conduct Cooperative Extension programs in Lincoln County; and

WHEREAS, Extension provides educational programs in agriculture, community and economic development, family living and 4-H youth development to meet local needs which engage people and their communities in positive change where they live and work; and

WHEREAS, as a result of Extension programming Lincoln County receives the additional benefit of inclusion in the federal grant funded Wisconsin Nutrition Education program (approximately \$45,000); and

WHEREAS, Extension agrees to provide staff with specialist support, research, technology, grant writing, publications, program evaluation, and professional development (an additional \$250,000 value) to carry out Extension programming in the county; and

WHEREAS, for the professional positions included in this contract for 2010 Extension agrees to provide \$128,763 and the County agrees to provide \$104,757 for salaries and fringe benefits.

NOW, THEREFORE BE IT RESOLVED, the Lincoln County Board of Supervisors approves the attached contract. Dated this 16 day of March, 2010 - Introduced by: Land Information, Conservation and UW-Extension Committee - Committee Action: Land Information, Conservation and UW-Extension Committee; Passed 4-0 on 02/17/10 - Fiscal Impact: No change in 2010 budgeted amount of \$116,031.

Motion made by Saal, seconded by Anderson to adopt Resolution 2010-03-10. Debbie Moellendorf, 4-H Youth Development Agent, explained the resolution. Tom Schmidt spoke on this also. Discussion was held. Motion made by Alber, seconded by Zeitz to layover until the next County Board Meeting. Discussion was held. Roll call vote requested. Clerk called roll with Supervisors Alber, Bailey, Bloomer, Lee, Rankin and Zeitz voting aye (6); all other Supervisor voting nay (16). Motion failed. Clerk called roll on original motion with all Supervisors present voting aye (22). Resolution is adopted by roll call vote.

Resolution 2010-01-06

County Board Involvement of Personnel Procedures (revised)

WHEREAS, the County Board as a whole approves all new positions, and

WHEREAS, with the onset of budget constraints and adjustments, positions have been altered including termination without whole board approval, and

WHEREAS, each representative district of Lincoln County contains the approximate same number of constituents, and

WHEREAS, each representative district should receive equal representation, and

WHEREAS, the current operating procedures are not consistent with equality of representation.

THEREFORE BE IT RESOLVED that all new positions and elimination of positions be presented to the whole board for approval before implementation. This does not apply to terminations for disciplinary reasons.

BE IT FURTHER RESOLVED that all personnel transfers between departments be reported to the County Board of Elected Supervisors. Dated this 19th day of January, 2010 - Introduced by: David Fox, District 19 Supervisor - Fiscal Impact: Unknown

Motion made by Fox, seconded by Mittelsteadt to adopt Resolution 2010-01-06. Fox explained the Resolution. Discussion was held. Clerk called roll with Supervisors Alber, Bloomer, Fox, Loka, Mittelsteadt, Pampuch, Rankin and Zeitz voting aye (8); all other Supervisors voting nay (14). Resolution is defeated by roll call vote 8-14.

5 minute Recess called.

Resolution 2010-3-11
Wolf Population Goals

WHEREAS, the Wisconsin Department of Natural Resources (WI - DNR) in 1999 established a wolf population goal of 350 animals based on prey availability and human population density, and nothing has happened to increase prey availability or decrease human density in the intervening years, and

WHEREAS, the WI-DNR has not provided for meaningful wolf population control in any of its management efforts, and

WHEREAS, Lincoln County residents have experienced depredations and threatening incidents involving wolves, and

WHEREAS, the high predator population, in particular wolves, has resulted in the reduction of the deer population, reduced hunting opportunities, curtailed livestock and pleasure horse activities, and danger to pets and people,

WHEREAS, the State of Wisconsin has not entered as a litigant to the current case in federal court which is delaying delisting and the transfer of wolf management to the WI-DNR,

NOW THEREFORE BE IT RESOLVED, that the Lincoln County Board advises the WI-DNR ~~set reasonable wolf population goals~~ to set wolf population goals of 350 or less in the next revision of the Wisconsin Wolf Plan, and

BE IT FURTHER RESOLVED, that the Lincoln County Board requests that the WI-DNR and other partners implement meaningful population controls in the next Wisconsin Wolf Plan to bring the wolf population to goal levels, and

BE IT FURTHER RESOLVED that the Lincoln County Board requests the State of Wisconsin to enter into litigation on the side of delisting of wolves from Endangered and Threatened Species status in order for the state to take over management of wolves. Dated this 16th day of March, 2010 - Introduced by: Land Information, Conservation and University Extension Committee - Committee Action: Land Information, Conservation and University Extension Committee; Passed 3-0 on 2/17/10 - Fiscal Impact: none

Motion made by Saal, seconded by Bailey to adopt Resolution 2010-03-11. Diane Hanson, Conservationist, explained the resolution. The public also spoke on this resolution. Discussion was held. Motion made by Bailey, seconded by Alber to amend the resolution in the Now Therefore Be It Resolved paragraph to delete set reasonable wolf population goals and insert to set wolf population goals of 350 or less . Motion is carried. More discussion held. Resolution is adopted by a voice vote.

Resolution 2010-03-12

Resolution Approving the Town of Pine River Amendments to their Zoning Ordinance.

WHEREAS, the Town of Pine River has adopted its own zoning ordinance under authority of Sections 60.62 and 61.35 of the State Statutes; and

WHEREAS, Chapter 60.62 of the State Statutes requires that a county which has a comprehensive zoning ordinance in place also approve of any amendments made to township zoning codes; and

WHEREAS, the Town of Pine River has proposed and approved some recent amendments to their ordinance as evidenced by the attached ordinance and cover letter provided by Randy Frokjer, Town of Pine River Attorney; and

WHEREAS, the Lincoln County Planning & Zoning Committee has reviewed the ordinance amendments at their March 11, 2010 meeting and has approved them and hereby recommends that the Lincoln County Board of Supervisors do the same pursuant to Section 60.62(3) of the State Statutes;

NOW, THEREFORE, BE IT RESOLVED, the members of the Lincoln County Board of Supervisors approved the amendments as provided to the Pine River Zoning Ordinance. Dated this 16th day of March, 2010 Introduced by: Lincoln County Planning & Zoning Committee -Committee Action: Planning & Zoning Committee; passed by voice vote on 03/11/2010 - Fiscal Impact: Nothing to Lincoln County

Motion made by Mittelsteadt, seconded by Zeitz to adopt Resolution 2010-03-12. Zeitz explained the resolution. Resolution is adopted by a voice vote.

Resolution 2010-03-13

Approving the Information Technology Department to Submit a Response to the Aging & Disability Resource Center's RFP for IT Support

WHEREAS, the Aging and Disability Resource Center (ADRC) has submitted a Request for Proposal (RFP) for ongoing Information Technology (IT) support

WHEREAS, the Lincoln County IT Department is requesting permission to respond to this RFP

WHEREAS, if Lincoln County is awarded this contract, they would be servicing and supporting the IT needs for the ADRC

WHEREAS, the estimated annual revenue of this support contract is between \$11,250 and \$70,000

WHEREAS, the IT Department will make every attempt to support the ADRC with their current staffing model but may need to adjust current staffing and responsibilities to meet the requirements of the ADRC

NOW, THEREFORE BE IT RESOLVED that the Lincoln County Board allows the IT Department to submit a response to the ADRC RFP for IT support

BE IT FURTHER RESOLVED that if Lincoln County is awarded this support contract, and if it is determined that staff changes are needed to provide this IT support, that these changes are approved as long as the total cost of such adjustments do not exceed 75% of the generated revenue. Any additional staff or staffing changes will sunset immediately upon termination of any contract with ADRC. Dated this 16th day of March, 2010 - Introduced by: Administrative and Legislative Committee - Committee Action: Administrative and Legislative Committee 6-1 on 3/1/10 - Fiscal Impact: Estimated yearly revenue of \$11,250 to \$70,000.

Motion made by Lee, seconded by Anderson to adopt Resolution 2010-03-13. Don Schlising, IT Director, explained the resolution. Discussion was held. Motion made by Caylor, seconded by Lee to amend the resolution by inserting "Any additional staff or staffing changes will sunset immediately upon termination of any contract with ADRC". Motion carried. Resolution is adopted by a voice vote.

Resolution 2010-03-14

Approving Conveyance of 1,089 Square Feet to the Wis-DOT to Construct a Roundabout at the Intersection of East First Street and North Center Avenue in the City of Merrill

WHEREAS, WisDOT is constructing a roundabout at the intersection of East First Street and North Center Avenue in the City of Merrill; and

WHEREAS, WisDOT needs 591 square feet on the Safety Building lot; and

WHEREAS, WisDOT needs 498 square feet on the Courthouse Square; and

WHEREAS, Wisconsin Historical Society has given its' permission to move forward with said project.

NOW, THEREFORE BE IT RESOLVED, by the Lincoln County Board of Supervisors that this conveyance of real estate is approved. The County Clerk shall sign such documentation as may be necessary to consummate this conveyance. Dated this 16th day of March, 2010 - Introduced by: Forestry, Land and Parks Committee - Passed 5-0 on 9-8-09 - Fiscal Impact: + \$10,075.00

Motion made by Eisenman, seconded by Krueger to adopt Resolution 2010-03-14. Discussion was held. Clerk called roll with Supervisors Alber, Anderson, Berndt, Lee, Loka, Lussow, Meyer, Pampuch, Rusch, Simon and Weaver voting aye (11); Supervisors Bailey, Bloomer, Caylor, Eisenman, Fox, Krueger, Mittelsteadt, Rankin, Saal, Woller and Zeitz voting nay (11). The vote ended in a tie and resolution is defeated. More discussion held. Motion made by Woller, seconded by Krueger to reconsider the vote. Clerk called roll for reconsideration with all Supervisors present voting aye (19); except Bloomer, Caylor and Fox voting nay (3). Motion carried. Clerk called roll on the revote with all Supervisors present voting aye (17); except Bloomer, Caylor, Fox, Saal and Zeitz voting nay (5). Resolution is adopted by roll call 17-5.

Resolution 2010-03-15

Approving Repurchase of Tax Delinquent Parcel

BE IT RESOLVED, by the Lincoln County Board of Supervisors duly assembled this 16th day of March, 2010 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

Jerome A. and Cheryl B. Ulschmid

Description

E1/2 OF SE1/4 NE1/4 EX V197 P575 V351

P174 & EX N 10 RODS OF E 24 RODS LYG S OF

HWY D & W OF PINTEN RD & EX S 210'OF E 417'

& EX V490 P809 LCR

SECTION 32-35-08

15.10 ACRES

BE IT FURTHER RESOLVED, that this action is contingent upon the receipt of \$2,928.36 from Jerome A. and Cheryl B. Ulschmid by May 17, 2010. Dated this 16th day of March, 2010 - Introduced by: Forestry, Land and Parks Committee - Committee Action: Passed 5-0 - Fiscal Impact: \$2,928.36

Motion made by Zeitz, seconded by Mittelsteadt to adopt Resolution 2010-03-15. Resolution is adopted by a voice vote.

Resolution 2010-3-16

Resolution supporting an Independent Study of Wisconsin's Economic Development Competitiveness and Positioning, conducted by the Wisconsin Economic Development Association (WEDA), Competitive Wisconsin, INC., (CWI) and the Wisconsin Counties Association (WCA), with support from the Wisconsin Economic Development Institute (WEDI)

WHEREAS, Lincoln County understands the Wisconsin Economic Development Association (WEDA), Competitive Wisconsin, Inc., (CWI) the Wisconsin Counties Association (WCA), and the Wisconsin Economic Development Institute (WEDI) are all Wisconsin-based statewide organizations which have agreed to collaboratively conduct a research project that examines Wisconsin's overall regional, national, and global economic development competitiveness and positioning; and,

WHEREAS, Lincoln County understands the *Wisconsin Economic Development Competitiveness and Positioning Study* will analyze Wisconsin's capacity to retain and expand existing businesses, and attract new business investment in a changing economic climate; and,

WHEREAS, Lincoln County understands the *Wisconsin Economic Development Competitiveness and Positioning Study* will offer program and policy recommendations to align and advance local, regional, and statewide economic development efforts in Wisconsin; and,

WHEREAS, Lincoln County understands the *Wisconsin Economic Development Competitiveness and Positioning Study* will create the framework for a new, bold statewide economic development plan; and,

WHEREAS, Lincoln County understands the *Wisconsin Economic Development Competitiveness and Positioning Study* will be prepared by an independent third-party consulting firm with significant national experience in economic development policy, planning, siting, recruiting, expansion, innovation, industry clusters, and comparative market analysis; and

WHEREAS, Lincoln County understands the *Wisconsin Economic Development Competitiveness and Positioning Study* will be publicly released and presented in numerous venues throughout Wisconsin in early 2010; and

WHEREAS, WEDA, CWI, and WCA have requested support for the *Wisconsin Economic Development Competitiveness and Position Study* from organizations and governmental agencies interested in supporting economic development; and,

WHEREAS, Lincoln County wishes to support economic development initiatives which result in improved economic conditions and business growth throughout the State of Wisconsin; and,

WHEREAS, Lincoln County authorizes this resolution in lieu of financial support to WEDA, CWI, and WCA in pursuit of this initiative.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Lincoln County it hereby supports and endorses preparation of the *Wisconsin Economic Development Competitiveness and Positioning Study*, conducted by the Wisconsin Economic Development Association (WEDA), Competitive Wisconsin, Inc., (CWI) and the Wisconsin Counties Association (WCA), with support from the Wisconsin Economic Development Institute (WEDI); and

BE IT FURTHER RESOLVED that Lincoln County believes the public policy discussion regarding the state's investments in the area of economic development should occur during the 2010 Wisconsin gubernatorial election. Dated this 16th day of March, 2010 - Introduced by: Finance and Insurance Committee - Committee Action: Passed (4-0) on March 5, 2010. Fiscal Impact: N/A

Motion made by Alber, seconded by Lee to adopt Resolution 2010-03-16. Dan Leydet, Finance Director, explained the resolution. Clerk called roll with all Supervisors present voting aye (15); except Alber, Bloomer, Fox, Loka, Mittelsteadt, Rankin, and Zeitz voting nay (7). Resolution is adopted by roll call 15-7.

ORDINANCE 2010-03-552

AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN (Creating Ch.7.04 (2)(g); 7.04(2)(h); 7.04(2)(i) & 7.04(2)(j) – All-Terrain Vehicle Routes Designated)

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

Chapter 7.04(2), Lincoln County Code is amended to read as follows:

7.04(2)(g) CTH "B".

1. From the junction with STH 17 to CTH D.

7.04(2)(h) CTH "D".

1. From the junction with CTH B to South CTH H.

7.04(2)(i) CTH "H".

- 1. From the junction with CTH D to Gerbick Lake Lane.

7.04(2)(j) CTH "X".

- 1. From the junction with 1st Ave to Vascheau Road.

This ordinance shall take effect following its passage and publication. Dated this 16th day of March 2010

Introduced by: Highway Committee - Passed 5-0 on 03/04/10 - Fiscal Impact: 0

LINCOLN COUNTY, WISCONSIN

ROBERT LUSSOW ROBERT D. KUNKEL

Chairman

County Clerk

Motion made by Lee, seconded by Meyer to adopt Ordinance 2010-03-552. Motion made by Lee, seconded by Alber to layover until next month. Clerk called roll with all Supervisors voting aye (22) to layover until next month. Motion is carried. After the vote, 6 people from the public spoke on this ordinance.

Report of Action on Claims against the County of Lincoln - None

Motion made by Meyer, seconded by Caylor to approve mileage and per diem for this meeting. Motion carried.

The next County Board Meeting will be the Organizational Meeting to be held on Tuesday, April 20, 2010 at 8:00 a.m. at the Lincoln County Service Center – County Board Room – 801 N. Sales Street - Merrill

Motion made by Krueger, seconded by Caylor to adjourn. The meeting adjourned at 8:37 p.m. Motion carried.

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 16, 2010.

Robert D. Kunkel, Lincoln County Clerk