

**Lincoln County Board of Supervisors  
Meeting – April 20, 2010**

The Lincoln County Board of Supervisors met at the Lincoln County Services Building County Board Meeting Room, Merrill, in session assembled pursuant to law. The meeting was called to order by Chair Lussow at 8:00 a.m. Pledge of Allegiance was given by the Board.

Clerk stated that the Certificate of Election was on their desks.

CERTIFICATE OF ELECTION

I, Robert D. Kunkel, County Clerk of Lincoln County, Wisconsin, do hereby certify that the following is a true and correct list of the members of the County Board of Supervisors for years 2010 and 2012 as they appear on the original statement of the County Board of Canvassers in my office.

District 1	Daniel M. Caylor
District 2	Robert L. Weaver
District 3	Ray Bloomer
District 4	Ramona Pampuch
District 5	Frank Saal, Jr.
District 6	Patricia Woller
District 7	Greta Rusch
District 8	Ronald Krueger
District 9	William Zeitz
District 10	Bruce Giese
District 11	Ronald Mittelsteadt
District 12	Richard Berndt
District 13	James Alber
District 14	Robert Lussow
District 15	Robert J. Lee
District 16	Michael Loka
District 17	Richard Eisenman
District 18	John Bailey
District 19	David Fox
District 20	Arlene M. Meyer
District 21	E. Richard Simon
District 22	Graham Rankin

Dated this 20<sup>th</sup> day of April, 2010

Robert D. Kunkel, Lincoln County Clerk

Roll was called by the County Clerk. The following Supervisors were present: Alber, Bailey, Berndt, Bloomer, Caylor, Eisenman, Fox, Giese, Krueger, Lee, Loka, Lussow, Meyer, Mittelsteadt, Pampuch, Rankin, Rusch, Saal, Simon, Weaver, Woller and Zeitz (22).

Clerk administered the oath of office to the Supervisors.

Clerk called for the election for County Board Chair. Loka nominated Lussow, Zeitz nominated Bloomer. Clerk called for any other nominations three times and after no other nominations came forward he moved to close nomination for Chair. On the first ballot Lussow received 16 votes; Bloomer received 6 votes. Lussow was elected as County Board Chair.

Chair Lussow asked for nominations for Vice Chair. Bloomer nominated Caylor. Woller nominated Meyer. Chair Lussow called for any other nominations three times and after no other nominations came forward he moved to close nomination for Vice Chair. Caylor received 13 votes and Meyer received 9 votes. Caylor was elected County Board Vice-Chair.

Chair Lussow presented outgoing County Board member, Arlan Anderson, his Certificate of Recognition for his two years of service.

Chair Lussow asked for nominations for the Land Conservation and University Extension Committee. Supervisors nominated were Alber, Pampuch, Fox, Bloomer Zeitz, and Saal. Chair Lussow called for any other nominations. After no other nominations, Chair Lussow closed nominations. The five elected to the Land Information, Conservation and University Extension Committee are: James Alber, Ray Bloomer, Dave Fox, Ramona Pampuch, and Frank Saal.

Chair Lussow asked for nominations to the Highway Committee. Supervisors nominated were Meyer, Berndt, Lee, Bailey, Rankin, Weaver, Eisenman, Krueger, and Fox. Chair Lussow called for any other

nominations. After no other nominations, Chair Lussow closed nominations. The five elected to the Highway Committee are Robert Lee, Richard Berndt, John Bailey, Arlene Meyer and Graham Rankin.

Chair Lussow asked for nominations to the Social Services Committee. Supervisors nominated were Woller, Weaver, Loka, Krueger, Pampuch, and Giese. Chair Lussow called for any other nominations. After no other nominations, Chair Lussow closed nominations. The five elected to the Social Services Committee are Ronald Krueger, Mike Loka, Bruce Giese, Patricia Woller and Ramona Pampuch.

Chair Lussow asked for nominations to the Personnel Committee. Supervisors nominated were Rusch, Woller, Saal, Mittelsteadt, Caylor, Fox, and Eisenman. Chair Lussow called for any other nominations. After no other nominations, Chair Lussow closed nominations. The five elected to the Personnel Committee are Daniel Caylor, Greta Rusch, Frank Saal, Jr., Richard Eisenman, and Patricia Woller.

Chair Lussow ask for nominations for the Administrative and Legislative Committee. Supervisors nominated were Fox, Lee, Meyer, Krueger, Mittelsteadt, Rusch, Saal, Woller and Giese. Chair Lussow called for any other nominations. After no other nominations, Chair Lussow closed nominations. The five elected to the Administrative and Legislative Committee are: Robert J. Lee, Arlene Meyer, Ron Krueger, Greta Rusch and Patricia Woller. Chair Lussow and Vice Chair Caylor are also members of the Administrative and Legislative Committee.

Chair Lussow asked for nominations for the Building Committee. Nominations were for Giese and Caylor. Bruce Giese was elected to the Building Committee. He joins Richard Eisenman, Ron Mittelsteadt, Graham Rankin, and E. Richard Simon.

#### **Appoint a Nominating Committee and set time to meet for Appointing Committees -**

The Committee on Committees is as follows: Caylor, Krueger, Eisenman, Rusch and Lussow.

#### **Recess to make Appointments to Committees**

Motion made by Woller, seconded by Eisenman to adjourn until 12:30 p.m. to appoint the Committees. Motion carried with all ayes. They adjourned to appoint the Committees.

#### **Reconvene (not earlier than 12:30 p.m.)**

Chair Lussow called the meeting to order at 12:30 p.m. with 21 Supervisors present. Alber excused.

#### **Board Ratification of Committee Appointments**

Motion made by Woller, seconded made by Caylor to ratify the Committee appointments. Discussion was held. Motion carried.

#### **Service Recognitions for April, 2010:**

Clerk read service recognitions for the following employees:

Carol Pehlke, 20 years (a Restorative Aide at the Pine Crest Nursing Home);

Cheryl Ziemke-Fischer 25 years (Housekeeping at the Pine Crest Nursing Home);

Peggy Trantow – 30 years (Lead Correctional Officer at the Sheriff's Department)

#### **Approval of Journal – March 16, 2010**

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

#### **Letters, Petitions and Memorials**

Chair Lussow spoke on the letter written by Senator Russell Feingold to Secretary Busalacchi, WI Dept of Transportation, regarding the correspondence he received from the Lincoln County Board of Supervisors requesting that the Wisconsin Department to build on and off ramps as part of the County Highway C/North Star Road and Route 51 Overpass Project.

**Memorial** – Harry J. Osness

#### **Reports of Standing & Special Committees**

Administrative Coordinator's Written Report Q & A – Tim Meehean spoke on the Building Project. Report placed on file. Dan Leydet, Finance Director spoke on the Year End Review Report. Discussion was held. He also spoke on the Year-to-Date Budget Report. Report placed on file.

#### **Resolutions and Ordinances for Board Action**

Resolution 2010-04-17

Resolution Authorizing the Planning & Zoning Department to Apply for a Lake Protection Grant  
WHEREAS, Lincoln County's lakes and streams are an important resource used by the public for recreation and enjoyment of natural beauty; and  
WHEREAS, Wisconsin Administrative Code, NR115 has been recently amended requiring counties to enforce minimum standards on lands that surround these resources; and

WHEREAS, as financial resources are dwindling for counties, expectations to provide mandated services continue and are even exacerbated as state aides to counties shrink; and

WHEREAS, even in these tight fiscal times the Department of Natural Resources (DNR) has lake protection grant monies available to help fund the revision of county shoreland ordinances because counties insisted upon the finances to accomplish this new mandate; and

WHEREAS, the grant would fund 75% of the costs associated with amending the county Shoreland Zoning Ordinance with 25% of the costs being contributed by the county as in-kind hours of existing county employees, thereby not impacting department budgets,

NOW, THEREFORE, BE IT RESOLVED, the members of the Lincoln County Board of Supervisors authorize the Planning and Zoning Department to make application for the Lake Protection Grant to fund the necessary ordinance amendment process and request the funds from the Lake Protection Grant program; and

BE IT FURTHER RESOLVED, Lincoln County will abide by rules for the program, may perform force account work and will meet the financial obligations under the grant. The Planning & Zoning Director is further authorized to sign documents and take necessary action to undertake, direct and complete an approved Lake Protection project. Dated this 20th day of April, 2010 - Introduced by: Lincoln County Planning & Zoning Committee - Committee Action: Planning & Zoning Committee; Passed by unanimous vote on 04/08/2010  
Fiscal Impact: Seeking \$12,500 grant to Lincoln County

Motion made by Mittelsteadt, seconded by Woller to adopt Resolution 2010-04-17. Dan Miller, Zoning Administrator, explained the Lake Protection Grant. Discussion held. A roll call vote was requested. Clerk called roll with all voting aye (19); except Fox and Zeitz. Resolution 2010-04-17 is adopted.

#### Resolution 2010-04-18

##### Resolution Opposing Senate Bill 466 Pertaining to Regulations of Government Sponsored Self-Insured Health Plans

WHEREAS, Senate Bill 466 would require regulation by the Wisconsin Office of the Commissioner of Insurance (OCI) of all government-sponsored, self-insured health plans which could result in the imposition of numerous cost-prohibitive regulations which in turn, could lead to higher healthcare costs and/or a reduction in benefits for beneficiaries of these plans, or an increase in taxes to offset the costs and burden of administration; and

WHEREAS, compliance with proposed annual reporting requirements would be very cost-prohibitive in terms of staffing and time for plan sponsors. Additionally, requiring administrators of plans to promptly reply to every request, in writing, would be very burdensome for administrators and could lead to penalties based on unintended non-responses; and

WHEREAS, the proposal also provides for criminal penalties that could be assessed for inadvertent violations of the regulations, subjecting Plan Administrators to penalties and criminal exposures for violations is simply irresponsible. Making these people subject to this exposure may create a vacuum of availability of those willing to take such responsibility and will potentially drive the plans to move out of self funding; and

WHEREAS, requiring reserves creates an undue burden on the Municipality; and

WHEREAS, self-insured plans, especially those sponsored by governmental entities, thrive because they have the flexibility and freedom from overregulation that allows them to offer benefits at cost-efficient rates. If SB 466 is enacted, the cost of plan operation would increase significantly; leading to increased rates for the municipality, employees, and their families.

NOW, THEREFORE, BE IT RESOLVED, that the Lincoln County Board of Supervisors does hereby oppose Senate Bill 466 pertaining to regulations of government sponsored self-insured health plans; and

BE IT FURTHER RESOLVED, that the Chairman of the Lincoln County Board of Supervisors be directed to disseminate this resolution to the Wisconsin Governor, members of the State Legislature, all County Board Chairpersons, County Clerks, County Executives and County Administrators throughout Wisconsin and the Wisconsin Counties Association. Dated this 20<sup>th</sup> day of April, 2010 – Introduced by: Finance and Insurance Committee – Committee Action: Passed (5-0) on April 9, 2010. Fiscal Impact: N/A

Motion made by Caylor, seconded by Simon to adopt Resolution 2010-04-18. Tim Meehan, Interim Administrative Coordinator, explained the resolution. Resolution is adopted by a voice vote.

#### Resolution 2010-04-19

Supporting Lincoln County's Participation in the Utility Terrain Vehicle Pilot Program

WHEREAS, due to the increasing numbers of utility terrain vehicles (UTV), there is great demand for a place to ride these utility vehicles; and

WHEREAS, Lincoln County was one of five counties in the State of Wisconsin to participate in the original LUV Pilot Program and in a continuing effort to evaluate the effects of using Utility Terrain Vehicles on ATV routes and trails, a second UTV Pilot Program was approved through the Wisconsin State Legislature; and

WHEREAS, the Department of Natural Resources, in consultation with the Department of Transportation, shall administer this program to investigate the effects of using UTV's on trails and roadways that are used and authorized to be used by all-terrain vehicles (ATV's), to evaluate whether it is feasible and appropriate to expand the allowable use of utility terrain vehicles; and

WHEREAS, in this pilot project, a utility terrain vehicle will be considered an all-terrain vehicle. Therefore everything that applies to ATV's in the Lincoln County Forestry & Parks Ordinance and Wisconsin State Statutes would apply to the UTV's; and

WHEREAS, as part of the pilot program, the DNR will register and charge registration fees for UTVs in the same manner as it registers and charges registration fees for ATVs that are registered for public use under current law ; and

WHEREAS, this pilot program will end on June 30, 2012. The County may withdraw from the pilot program prior to the end of the program by adopting a resolution to that effect.

NOW, THEREFORE, BE IT RESOLVED, that the Lincoln County Board of Supervisors approves allowing utility terrain vehicles to use all state-funded summer all-terrain vehicle trails on the Lincoln County Forest while those trails are open for ATV use and encourage municipalities to keep connecting routes open to utility terrain vehicle use as part of the Utility Terrain Vehicle Pilot Program. Dated this 20<sup>th</sup> day of April, 2010  
Introduced by: Lincoln County Forestry, Land and Parks Committee - Committee Action: April 5, 2010; Passed 5-0. Fiscal Impact: Unknown

Motion made by Woller, seconded by Lee to adopt Resolution 2010-04-19. Kevin Kleinschmidt, Forestry Administrator, explained the resolution Discussion was held. Resolution 2010-04-19 is adopted by a voice vote.

Resolution 2010-04-20

Approving 2010-2011 Courthouse Contract (AFSCME Local 332-A)

WHEREAS the Personnel Committee has reviewed the tentative agreement between Lincoln County and the Courthouse Union (AFSCME, Local 322-A), and recommends that the County Board approve the settlement of the contract, now

THEREFORE BE IT RESOLVED that the Lincoln County Board of Supervisors accepts the recommendation of the Personnel Committee and approves the 2010-2011 collective bargaining agreement summarized in the attachment dated March 30, 2010 and authorizes the necessary County officials to sign the contract. Dated this 20th day of April, 2010 - Introduced by: Personnel Committee

Committee Action: Personnel Committee - Passed on 5-0 vote on 4/6/10. Fiscal Impact: 2010 Approximately \$ 4,400.00 2011 Approximately \$ 37,000.00

Motion made by Caylor, seconded by Eisenman to adopt Resolution 2010-04-20. Tim Meehan, Interim Administrative Coordinator, explained the contract. Resolution 2010-04-20 is adopted by a voice vote.

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 1<sup>st</sup> 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 Woller, seconded by Loka to adopt Ordinance 2010-03-552. Discussion was held. There were a number of people from the public who spoke on the ordinance. They were Phil Rausch, Joan Giusto, Dick Rollmann, Peter Renn and Garth Heckendorf. Ordinance 2010-3-552 is adopted by a voice vote.

ORDINANCE 2010 - 04 – 553

An Ordinance Amending the General Code of the County of Lincoln – Chapter 17, Section 17.2.03, Zoning Ordinance as a result of a Rezoning Petition Submitted by Arnold Wyland for his property in the Town of Merrill. The County Board of Supervisors of Lincoln County, Wisconsin, does hereby ordain: Chapter 17.2.03, Lincoln County Code, is amended such that approximately 63 acres described as tax parcel nos. 14.123206.006.001.01.00, 14.123206.007.001.01.00 and 14.123206.007.002.00.00 will be rezoned from a Rural Residential 2 district to a Rural Residential 5 district. Dated this 20th day of April, 2010 Introduced by: The Lincoln County Planning & Zoning Committee-Passed unanimously in Committee on April 08, 2010 Fiscal Impact: none. This ordinance shall take effect following its passage and publication.

LINCOLN COUNTY, WISCONSIN  
ROBERT LUSSOW      ROBERT D. KUNKEL  
Chairman              County Clerk

Motion made by Saal, seconded by Meyer to adopt Ordinance 2010-04-553. Dan Miller, Zoning Administrator, explained the rezone petition. Ordinance 2010-04-553 is adopted by a voice vote.

**Planning/Budget Session:** Discussion held. Caylor left at 2:30 p.m.

**Reports of Action on Claims against the County of Lincoln:**

**Disallowance Claim – Voigt vs. Lincoln County (0185999101062)** Denial recommended by WCMIC/Aegis - Motion made by Bloomer, seconded by Simon to approve the disallowance claim above. Motion carried – all ayes. Motion made by Eisenman, seconded by Krueger to approve the mileage and per diem for this meeting. Motion carried. The next County Board Meeting will be May 18, 2010 at 6:00 p.m. at the William Buedingen Training Room at W6147 Hwy 86, Tomahawk. Motion made by Krueger, seconded by Simon to adjourn. The meeting adjourned at 3:06 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, April 20, 2010.

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Robert D. Kunkel, Lincoln County