

**Lincoln County Board of Supervisors
Meeting January 19, 2010**

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: Alber, Anderson, Bailey, Berndt, Bloomer, Caylor, Eisenman, Fox, Krueger, Lee, Loka, Lussow, Mittelsteadt, Pampuch, Rankin, Rusch, Saal, Simon, Woller, Weaver and Zeitz (21). Meyer excused. Rusch arrived at 6:03 p.m.

Announcements – Clerk stated that Certificate of Insurance is needed to qualify for the IRS mileage rate.

Service Recognitions for January, 2010

Clerk read service recognition for the following employees:

Holly Boehm - 15 years (Vocational Services Supervisor at Lincoln Industries)

Lynann Isaacson – 30 years (Cook at Pine Crest Nursing Home)

Appointments & Re-Appointments:

Motion made by Bailey seconded by Anderson to approve the re-appointment of Robert Weaver to Pine Crest Board of Trustee for three (3) year term. Motion carried.

Approval of Journal – December 15, 2009

Motion was made by Eisenman, seconded by Caylor to approve the minutes of December 15, 2009 as presented and placed on file. Motion carried – all ayes.

Letters, Petitions and Memorial – There were no questions.

Reports of Standing & Special Committees

Gary Bezucha of NCHA – explained what service is available at North Central Health Care.

Sally Cutler NCWWDB – explained what the North Central Wisconsin Workforce Development Board does.

Administrative Coordinator's Written Report Q & A – Mediation set for first week in February. Alber required more information on Family Care program. Report placed on file.

Finance Director's Year-to-Date Budget Report – Dan Leydet explained his report. Report placed on file.

Resolutions and Ordinances for Board Action (Ordinances were acted on first)

Resolution 2010-01-01

Title: Opposition to S. 149 'Weekend Voting Act' and 2009 Assembly Joint Resolution 2

Whereas, US Congress had before it a proposed bill, S. 149, supporting weekend voting; and

Whereas, State Congress has before it a draft bill, entitled 2009 Assembly Joint Resolution 2; and

Whereas, s. 149 will, among other things, result in increased expense to Lincoln County and all other counties in the State of Wisconsin; and

Whereas, 2009 Assembly Joint Resolution 2 will among other things, eliminate the Spring Election for nonpartisan offices so that all regularly scheduled elections will be held in November; and

Whereas, the current successful practices in Lincoln County for absentee voting procedures currently meet objectives of existing Federal and State election practices; and

Whereas, the Wisconsin County Clerks Association has expressed opposition to the specific provisions set forth in S. 149 and 2009 Assembly Joint Resolution 2 as being costly and difficult for compliance.

Now, Therefore Be It Resolved, by the Lincoln County Board of Supervisors that it hereby expresses its opposition to the provisions set forth in S. 149 and draft 2009 Assembly Joint Resolution 2 and

Be It Further Resolved that the County Clerk forward copies of this resolution to Governor Doyle, legislative representatives of Lincoln County; Congressman David Obey; Senators Herb Kohl and Russ Feingold and other Wisconsin counties. Dated this 19th day of January, 2010.

Introduced by: Administrative & Legislative Committee; Passed 7-0 on 01/04/10. Fiscal Impact: Unknown

Motion made by Caylor, seconded by Zeitz to adopt. Clerk Kunkel explained the resolution. Discuss followed. Adopted by a voice vote.

Resolution 2010-01-02

Title: Approving Request for 2010 Aquatic Invasives Species Control Grant, in Cooperation with Lumberjack Resource Conservation and Development Council, Inc. for an Aquatic Invasives Inspections Project

Whereas, Lincoln County has a wealth of water resources, used by the public for recreation and enjoyment of natural beauty; and

Whereas, public use and enjoyment of the lakes, rivers and streams is best served by protecting these water bodies; and

Whereas, aquatic invasive species are a threat to the water resources of Lincoln County; and

Whereas, we recognize the need to provide information and education about water quality and aquatic invasives; and

Whereas, Lincoln County, in cooperation with Lumberjack Resource Conservation and Development Council Inc., is qualified to carry out the responsibilities of an aquatic invasive species control project,

Now, Therefore Be It Resolved, that Lincoln County requests grant funding and assistance available from the Wisconsin Department of Natural Resources under the "Aquatic Invasives Species Control Grant Program" for funding of an Aquatic Invasive Species Inspections Project and hereby authorizes Diane Hanson to act on behalf of Lincoln County to:

- o submit an application to the State of Wisconsin for financial aid for the contracting of a Coordinator;
- o sign documents;
- o take necessary action to undertake, direct, and complete an approved aquatic invasives species control grant; and
- o submit reimbursement claims along with necessary supporting documentation within six months of project completion date.

Be It Further Resolved that Lincoln County and the Lumberjack RC&D, Inc. will meet the obligations of the aquatic invasive species control project including timely publication of results and meet the financial obligations of an aquatic invasive species grant, including 25% financial or in kind matching costs.

Dated this 19th day of January, 2010

Introduced by: Land Information, Conservation and University Extension Committee; Passed 5-0 on 1/6/ 2010

Fiscal Impact: In Kind match of staff and volunteer hours.

Motion by Bailey, seconded by Saal to adopt resolution 2010-01-02. Diane Hanson, Conservationist/Land Information Supervisor, explained the resolution. Discussion followed. Adopted by voice vote.

Resolution 2010-01-03

Title: Requesting on & off ramps to any bridge constructed at the CTH C & STH 51 intersection

Whereas, CTH C is a main connector road between STH 45 & STH 51 and numerous trucks use this road to transport forest products from Lincoln, Langlade and Oneida Counties to mills in Tomahawk, Antigo and other mills up and down the Wisconsin River valley, and

Whereas, the Town of Merrill has developed a business park in the area, and

Whereas, the ramps would decrease the amount of time to respond to an emergency by fire, rescue, and police departments, now

Therefore Be It Resolved that the Lincoln County Board of Supervisors supports with the Town of Merrill on & off ramps to any bridge constructed at the CTH C & STH 51 intersection. The Clerk is directed to provide copies of this resolution to appropriate legislators and the DOT. Dated this 19th day of January, 2010

Introduced by: Highway Committee; Passed 4-0 on 01-07-10; Fiscal Impact: Unknown

Motion by Mittelsteadt, seconded by Alber to adopt resolution 2010-01-03. William Burgener, Town of Merrill Chair, spoke in favor of the ramps. Randy Scholz, High Commissioner, explained the resolution. Adopted by voice vote.

Resolution 2010-01-04

Title: Approval of 3 Union Contracts

Whereas the Personnel Committee has reviewed the tentative agreements between Lincoln County and the Social Workers Union (L.A.W. Local 612), the Lincoln Industries Union (AFSCME Local 332-A) and the Sheriff's Department Supervisory Union (WPPA), and recommends that the County Board approve the settlement of the contracts, now

Therefore Be It Resolved that the Lincoln County Board of Supervisors accepts the recommendation of the Personnel Committee and approves the 2010 collective bargaining agreements between Lincoln County and the Social Workers Union (L.A.W. Local 612), the Lincoln Industries Union (AFSCME Local 332-A) and the Sheriff's Department Supervisory Union (WPPA) as summarized in the attachment dated January 12, 2010 and authorizes the necessary County officials to sign the contract. Dated this 19th day of January, 2010.

Introduced by: Personnel Committee; Passed on 5-0 vote on 1/5/10. Fiscal Impact: Social Workers Increase of Approx \$260.00; Lincoln Industries Savings of Approx \$1,800.00; Sheriff Supervisory Staff Increase of Approx \$3,300.00.

Motion by Caylor, seconded by Eisenman to adopt resolution 2010-01-04. Tim Meehan, Interim Administrative Coordinator, explained the resolution. Discussion followed. Adopted by voice vote.

Resolution 2010-01-05

A Resolution to Reinstate Jeff Janik to the Position of Shop Foreman in the Merrill Shop of the Lincoln County Highway Department

Whereas, On January 4, 2010, the employment of Jeff Janik as shop foreman in Merrill for the Lincoln County Highway Department was terminated by a decision of the interim Lincoln County Administrative Coordinator and of the Lincoln County Highway Commissioner

Whereas, at the time of termination, Jeff Janik had maintained a record of nearly twenty-five years of loyal and competent service to Lincoln County taxpayers

Whereas, this termination will result in severe economic and psychological hardship for the Janik family

Whereas, the reason for the termination of Jeff Janik was presented as being entirely budgetary

Whereas, not all of these budgetary decisions have been discussed by the entire Lincoln County Board

Now, Therefore Be It Resolved that the Lincoln County Board will reinstate Jeff Janik to his position as shop foreman in Merrill for the Lincoln County Highway Department

Therefore Be It Further Resolved that the full Lincoln County Board will discuss any and all alternative budget decisions affecting both the taxpayers and employees of Lincoln County. Dated this 19th day of January, 2010. Introduced by: Bill Zeitz, District 9 Supervisor Fiscal Impact: \$100,000.00 or unknown if properly addressed.

Motion by Zeitz, seconded by Fox to adopt resolution 2010-01-05. William Burgener and Leo Leiskau spoke. Bill Zeitz explained resolution. Discussion followed. Chair Lussow turned gavel over to Vice-Chair Caylor. Motion by Lussow, seconded by Rankin to add the following language to the resolution: "Whereas, If one position deserves to be reinstated, then so do the three and one-half (3½) other positions laid-off in the Land Services and Government Services areas, Now Therefore Be It Resolved that the Lincoln County Board will reinstate the four and one-half (4½) positions as described above. Fiscal impact \$300,000 plus." Discussion followed. Vice-Chair Caylor turned gavel back over to Chair Lussow. Chair Lussow called Zeitz out of order. Clerk called roll on calling Zeitz out of order with all the Supervisors voted aye except Alber, Berndt, Bloomer, Fox, Mittelsteadt, Rankin and Zeitz; carried 14 - 7. Discussion followed. Motion by Weaver, seconded by Eisenman to call the question on the amendment. Clerk called roll on the call of the question with all the Supervisors voted aye except Alber, Bloomer, and Fox; adopted 18-3. Clerk called roll with all the Supervisors voted nay except Bloomer, Fox, and Lussow; defeated 3-18. Discussion followed. Clerk called roll with all the Supervisors voted aye except Alber, Bailey, Eisenman, Lee, Loka, Lussow, Rusch, Saal, and Weaver; adopted 12-9.

Resolution 2010-01-06

County Board Involvement of Personnel Procedures

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 program personnel additions, alterations or terminations be presented to the whole board for approval before implementation.

Be It Further Resolved that all decisions having affect or potential affect on the County as a whole be decided by the County Board of Elected Supervisors. Dated this 19th day of January, 2010

Introduced by: David Fox, District 19 Supervisor; Fiscal Impact: Unknown

Motion by Fox, seconded by Zeitz to adopt resolution 2010-01-06. Fox explained the resolution. Discussion followed. Motion by Caylor, seconded by Lussow to table. Clerk called roll with all the Supervisors voted nay except Anderson, Caylor, Eisenman, Krueger, Lee, Lussow, Rusch, Simon, and Weave; defeated 9-12. Discussion followed. Weaver called the question. Clerk called roll on the call of the question with all the Supervisors voted nay except Anderson, Caylor, Eisenman, Krueger, Lee, Lussow, Rusch, Weaver and Woller.; defeated 9-12. Discussion followed. Motion by Simon, seconded by Bloomer to layover until March meeting; adopted by voice vote.

Ordinance 2010-01-547

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 Emil Johnson for his Property in the Town of Scott

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 10 Town of Scott Land Use Plan, Subsection C – Planned Land Use Map, shall be amended to change the planned land use category for 21 acres owned by Emil Johnson, further described as tax parcel number 24.303107.012.001.02.00 from Crossroads Mixed Use to Planned Industrial;

And

Chapter 17.2.03, Lincoln County Code, is amended such that the 21 acres described above will be rezoned from a Crossroads Mixed Use district to a Planned Industrial district based upon the applicant completing the following by July 1, 2010: 1) A development plan shall be submitted for the entire 21 acres showing lot layouts, stormwater retention and erosion control, road construction details, access and traffic flow, lighting plan, landscape plan and desired uses for the lots. The plan will be reviewed and approved by the Planning & Zoning Committee. 2) Heavy Industrial Uses as defined by 17.3.08(8) will be prohibited by a recorded deed covenant and enforceable by the Lincoln County Planning & Zoning Department. Should the applicant fail to complete these conditions by July 1, 2010 the rezoning will be repealed.

This ordinance shall take effect from and after its passage and publication. Dated this 19th day of January, 2010. Introduced by: The Lincoln County Planning & Zoning Committee under direction from the Lincoln County Board of Supervisors at the October 20, 2009 meeting. Passed on 12-10-09 3 yes – 1 no. Fiscal Impact: none

Motion by Saal, seconded by Bloomer to adopt ordinance 2010-01-547. Tim Schoeppler, Donna Zamzow and Richard LeDuc spoke in opposition of the re-zone. Dan Miller, Zoning Administrator, explained ordinance. Discussion followed. Mittelsteadt called the question. Clerk called roll on the call of the question with all the Supervisors voted aye except Alber, Bailey, Berndt, Bloomer, Fox, Rankin, Saal, Woller, and Zeitz; adopted by 12-9. Clerk called roll with all the Supervisors voted nay except Anderson, Bailey, Bloomer, Fox, Rusch, Saal, and Weaver; defeated 7-14.

ORDINANCE 2010-01-548

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 Richard Beatty for his Property in the Town of Bradley

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

Chapter 17.2.03, Lincoln County Code, is amended such that approximately 80 acres described as tax parcel nos. 04.233406.015 and 04.233406.016.001 will be rezoned from a Forestry district and a Rural Lands 2 district, respectively, to a Rural Lands 4 district.

This ordinance shall take effect from and after its passage and publication. Dated this 19th day of January, 2010. Introduced by: The Lincoln County Planning & Zoning Committee; passed on 01/14/2010; Fiscal Impact: none

Motion by Eisenman, seconded by Mittelsteadt to adopt ordinance 2010-01-548. Dan Miller, Zoning Administrator, explained ordinance. Discussion followed. Adopted by voice vote.

Ordinance 2010-01-549

An Ordinance Amending the General Code of the County of Lincoln - Chapter 17, Section 17.2.03 – Map of Base Zoning Districts (dated 1-19-2010) and Section 17.1.12 (by reference) of the Zoning Ordinance,

And

Volume II: Comprehensive Plan “Plan recommendations”, Chapter IV – Land Use Plan, i.e. Map NO. 4 “Planned Land Use Map” (dated 1-19-2010) and Individual Town Land Use Maps for the following towns: Bradley, Corning, Harding, King, Merrill (all dated 11-20-2009), Russell, Schley, Scott, Skanawan, Tomahawk and Wilson (all dated 11-23-2009).

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

The official base zoning map and the planned land use map for Lincoln County as referenced above are hereby amended as depicted upon the map attachments (date references above) to this ordinance. Official copies of the maps will be available from the Lincoln County Clerk or the Lincoln County Planning & Zoning Department. This ordinance shall take effect from and after its passage and publication. Dated this 19th day of January, 2010. Introduced by: The Lincoln County Planning & Zoning Committee; Approved on December 10, 2009; Fiscal Impact: none

Motion by Mittelsteadt, seconded by Caylor to adopt ordinance 2010-01-549. Dan Miller, Zoning Administrator, explained ordinance. Discussion followed. Motion by Bloomer, to amend to allow the Land Use Plan to align with the Zoning instead of the Zoning to align with the Land Use Plan. Motion died due a lack of a second. Clerk called roll with all the Supervisors voted aye except Bailey, Bloomer, and Zeitz adopted 18-3.

Ordinance 2010-01-550

IT (Information Technology) Policies

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

Chapter 4.32 IT (Information Technology) Policies is created to read as follows:

4.32 "IT Policies (A – G) dated 12/2009" as attached hereto are adopted by reference as though fully set forth herein. These policies and any amendments hereto shall be provided to each employee by the IT Department Administrator.

This ordinance shall take effect from and after its passage and publication. Dated this 19th day of January, 2010. Introduced by: Administrative & Legislative Committee; Passed 7-0 on 1/4/10; Fiscal Impact: None

Motion by Caylor, seconded by Lee to adopt ordinance 2010-01-550. Don Schlising, Information Technology Director, explained ordinance. Discussion followed. Adopted by voice vote.

A 10 minute recess was taken at 8:21 p.m. Resolutions were acted on after the recess.

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

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

Motion carried.

The next County Board Meeting will be held on Tuesday, February 16, 2010 at 9:00 a.m. at the Lincoln County Service Center, 801 N. Sales Street, Merrill.

Motion made by Krueger, seconded by Woller to adjourn. The meeting adjourned at 9:35 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, January 19, 2010.

Robert D. Kunkel, Lincoln County Clerk