

**Lincoln County Board of Supervisors
Meeting May 18, 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. Vice Chair Caylor 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: Bailey, Berndt, Bloomer, Caylor, Eisenman, Fox, Giese, Krueger, Lee, Loka, Meyer, Mittelsteadt, Pampuch, Rankin, Rusch, Saal, Weaver, Woller, and Zeitz, Alber arrived at 6:14 p.m. (20). Lussow and Simon excused.

Announcements – None

Service Recognitions for May, 2010

Clerk read service recognition for the following employees:

Anne Szutkowski - 10 years (911 Telecommunicator at the Sheriff's Office)

Kevin Orzeck – 10 years (Deputy at Sheriff's Office)

Dean Bowe – 15 years (Assistant Administrator in the Forestry, Land & Parks Department)

Becky Byer – 15 years (Register in Probate in the Circuit Court Office)

Warren Steffenhagen – 25 years (Sergeant Investigator at the Sheriff's Office)

Thomas Seslar – 25 years (Lead Correctional Officer at the Sheriff's Office)

Appointments & Re-Appointments:

Motion made by Woller seconded by Krueger to approve the appointment of the Lincoln County Traffic Safety Committee for a 2 year term. Motion carried. List is available in the Clerk's Office.

Motion made by Bailey, seconded by Woller to approve the appointment of the Lincoln County Local Emergency Planning Committee for a 2 year term. Motion carried. List is available in the Clerk's Office.

Motion made by Woller, seconded by Krueger to approve the appointment of Sue Weith as a Public Health Nurse to the Health Committee. Motion carried.

Motion made by Eisenman, seconded by Krueger to approve the re-appointments of R. Wayne Plant and Bob Lussow to the Lincoln County Economic Development Corporation Committee. Motion made by Zeitz, seconded by Bloomer to amend motion to approve Lussow appointment and layover R. Wayne Plant appointment to next month. Discussion followed. A roll call vote was requested. Clerk called roll on the amendment with all voting no (10); except Bailey, Berndt, Bloomer, Fox, Loka, Mittelsteadt, Rankin, Saal and Zeitz. Motion to amend was defeated 9-10. Motion to reappoint carried.

Motion made by Woller, seconded by Mittelsteadt to approve the re-appointment of Steven Silverman to the Civil Service Grievance Committee for a 5-year term. Motion carried.

Approval of Journal – April 20, 2010

Motion was made by Mittelsteadt seconded by Eisenman to approve the minutes of April 20, 2010 as presented and placed on file. Motion carried.

Letters, Petitions and Memorial – Zeitz spoke on, item (p), his resolution that was referred to the Administrative and Legislative Committee

Reports of Standing & Special Committees

Administrative Coordinator's Written Report Q & A – Tim Meehan, 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 2010 year-to-date report. Discussion was held. Report placed on file.

Timber Sales Report - Kevin Kleinschmidt reported that there were 18 sales for a total of \$661,654.45.

Family Care Presentation by State Department of Health & Family Representative – Kathleen Luedtke, Planning & Analysis Administrator, did the presentation. Discussion followed.

Resolutions and Ordinances for Board Action

Resolution 2010-05-21

Approval of the Deputies' Contract

WHEREAS the Personnel Committee has reviewed the tentative agreement between Lincoln County and the Lincoln County Professional Deputies' Association, Local 438 of the Wisconsin Professional Police Association, 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 April 28, 2010 and authorizes the necessary County officials to sign the contract. Dated this 18th day of May, 2010 - Introduced by: Personnel Committee

Committee Action: Personnel Committee - Passed on 5-0 vote on 5/4/10. Fiscal Impact: 2010 Savings of Approx \$1,200.00 2011 Approximately \$13,600.00

Motion made by Woller, seconded by Eisenman to adopt Resolution 2010-05-21. Tim Meehean, Interim Administrative Coordinator, explained the resolution. Resolution is adopted by a voice vote.

Resolution 2010-05-22

Setting 2011 - 2014 Salaries for Elected Officials (Clerk of Court, Coroner, Sheriff)

WHEREAS, the Clerk of Court, Coroner and Sheriff must run for election in the fall of 2010 for a four year term covering 2011 – 2014; and

WHEREAS, the Personnel Committee has reviewed salaries and fringe benefits for these elected officials; and

WHEREAS, the committee recommends the following:

Position	Current Salary	1/1/11	7/1/11	2012 -2014
Clerk of Court	\$ 56,158	\$ 56,720	\$ 57,290	Same COLA as non rep employees
Coroner	\$ 23,126	\$ 23,360	\$ 23,950	Same COLA as non rep employees
Sheriff	\$ 64,374	\$ 70,170 \$ 65,017	\$ 70,570 \$ 65,668	Same COLA as non rep employees

WHEREAS, effective 1/1/2011 for each month each official shall serve during this term, \$150 per month shall be contributed to the post employment health plan per (this benefit is per County Board Resolution 2008-06-23 and is included for clarification purposes); and

WHEREAS, persons holding elected positions listed above are not eligible for vacation pay, holiday pay or longevity pay, nor are they eligible for sick leave accrual except to the extent that it was earned in County employment outside their elective office; and

WHEREAS, persons holding the elected positions are eligible to participate in other benefits on the same terms as they are available to other County management employees; and

WHEREAS, no fees or any portion thereof may be retained by any elected official; and

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors does hereby approve the recommendations of the Personnel Committee. Dated this 18th day of May, 2010 - Introduced by: Personnel Committee - Committee Action: Passed 3 to 2 on 5/4/10 - Fiscal Impact: 2011-\$7,802 and 2012-2014 – unknown

Motion made by Woller, seconded by Rusch to adopt Resolution 2010-05-22. Tim Meehean, Interim Administrative Coordinator, explained the resolution. Discussion was held. Motion made by Weaver, seconded by Bloomer to amend Sheriff's salary to reflect the same COLA as Clerk of Court & Coroner of 1 percent on 01/01/2011 to \$65,017 and 1 percent on 07/01/2011 to \$65,668. Amendment passed by voice vote. Resolution is adopted by a voice vote.

Resolution 2010-05-23

Resolution Extending Maturity Date 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 May 20, 2009, the County Board of Supervisors of Lincoln County, Wisconsin (the "County") adopted Resolution 2009-05-28 (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 County issued its Note to Merrill Federal Savings and Loan; and

WHEREAS, the Note bears interest at the rate of 2.750% and is set to mature on May 20, 2010; and

WHEREAS, the County and Merrill Federal Savings and Loan wish to extend the maturity date of the Note.

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

Section 1. Modification of the Bond Anticipation Note. The Note dated May 20, 2009 which is set to mature on May 20, 2010, shall instead mature on August 20, 2010. The parties specifically agree that the interest rate on the Note shall remain at 2.750%. The County agrees to pay accrued interest from May 20, 2009 to May 20, 2010 on May 20, 2010.

Section 2. Approval of Municipal Credit Agreement. The Municipal Credit Agreement executed in connection with the issuance of the Notes shall remain in full force and effect.

Section 3. Approval of Form of Note. The Chairman of the County Board and the County Clerk are hereby authorized to execute and deliver a Bond Anticipation Note to the Purchaser which shall reflect the change in the maturity date substantially in the form attached as Exhibit A. The Purchaser shall return the 2009 Note which shall be cancelled by the County. Dated this 18th day of May, 2010 – Introduced by: Finance and Insurance Committee – Committee Action: Passed 5 – 0 on May 7, 2010 – Fiscal Impact: Up to \$10,313 in interest expense (will not exceed 2010 budgeted amount)

Motion made by Lee, seconded by Meyer to adopt Resolution 2010-05-23. Dan Leydet, Finance Director, explained the resolution. Discussion was held. Resolution is adopted by a voice vote.

Resolution 2010-05-24

Opposition to DNR Fire Control Services being removed from the Merrill Ranger Station and any Portion of Lincoln County being classified as a Co-operative Fire Control Area.

WHEREAS, the Wisconsin Department of Natural Resources (WDNR) is conducting a Fire Program Assessment in the State of Wisconsin to look at possible realignment strategies relating to forest fire control in Wisconsin; and

WHEREAS, all of Lincoln County is currently included in an intensive fire control area and the WDNR responds to wildland fires outside the limits of incorporated cities and villages; and

WHEREAS, a proposal of the Fire Control Assessment is to include the southern portion of Lincoln County into a co-operative fire control area where the townships in this zone would be responsible for the prevention, suppression and expenses of wildland fire control and fire control equipment and personnel from the Merrill Ranger Station would be removed and relocated elsewhere in the State; and

WHEREAS, removing this service from the southern townships in Lincoln County would put an unreasonable risk on the safety of people and protection of property by limiting the resources available to fight wildfires and by extending the response time to wildfires in portions of Lincoln County; and

WHEREAS, in 2009 Lincoln County taxpayers contributed \$409,132.69 in forestry mil tax monies to support a strong forest protection program; and

WHEREAS, all fire departments in Lincoln County have voiced an ongoing need for the WDNR's specialized fire suppression equipment (tractor/plow units) and support personnel; and

WHEREAS, the new \$1.3 million Merrill Ranger Station was strategically sited for rapid response of its equipment to wildland fires.

NOW, THEREFORE BE IT RESOLVED that the Lincoln County Board of Supervisors vigorously opposes any reduction of fire control equipment or personnel from the Merrill Ranger Station and also requests that all of Lincoln County remain in the intensive forest fire control area and that wildland fire services be maintained by the WDNR throughout the entire county.

BE IT FURTHER RESOLVED THAT, copies of this resolution will be presented to Governor James Doyle, DNR Secretary Matt Frank, Chief State Forester Paul DeLong, Fred Clark, Chair, Assembly Committee on Forestry, Fred Souba, Chair, Governor's Council on Forestry, Representative Don Friske, and Senator Jim Holperin. Dated this 18th day of May, 2010 – Introduced by: Lincoln County Forestry, Land & Parks Committee - Committee Action: Passed 5 – 0 on May 10, 2010 – Fiscal Impact: Unknown

Motion made by Eisenman, seconded by Mittelsteadt to adopt Resolution 2010-05-24. Tom Duke from the DNR spoke on the resolution. Kevin Kleinschmidt, Forestry Administrator, explained the resolution. Resolution is adopted by a voice vote.

ORDINANCE 2010-05-554

Adopting Wisconsin's Statewide Smoke-Free Air Law

An Ordinance Amending the General Code of the County of Lincoln (Repealing and recreating section 9.04 – Regulating the Use of Tobacco Products in Government Buildings)

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

Section 9.04, Lincoln County Code is repealed and recreated to read:

9.04 ADOPTING WISCONSIN'S STATEWIDE SMOKE-FREE AIR LAW

- (1) WISCONSIN STATUTORY PROVISIONS RELATING TO SMOKING REGULATION ADOPTED. The statutory provisions set forth in Chs. 101.123, Wis., Stats., as well as 2009 Wisconsin Act 12 including penalties to be imposed and procedures for prosecution are adopted by reference and made part of this chapter, including all existing and future amendments made thereto.
- (2) VIOLATION – PENALTIES. The penalty for violation of any provision of this chapter shall be a forfeiture as hereafter provided, together with costs, fees and surcharges imposed under ch. 8.14. Wis.Stats.

- (3) STATE FORFEITURE STATUTES. Forfeitures for violations of the statutes adopted by reference under section 9.04, *infra*, shall conform to the forfeiture permitted to be imposed for violation of the statutes adopted by reference, including any variations or increases for subsequent offenses.

Dated this 18th day of May, 2010 -This ordinance shall take effect from and after its passage and publication.

Introduced by: Law Enforcement, EMS & Judicial Committee-Passed 5 - 0 on May 12, 2010

Fiscal Impact: unknown revenue/unknown enforcement costs

LINCOLN COUNTY, WISCONSIN

ROBERT LUSSOW ROBERT D. KUNKEL

County Board Chair County Clerk

Motion made by Lee, seconded by Alber to adopt Ordinance 2010-05-554. Discussion was held.

Ordinance 2010-05-554 is adopted by a voice vote.

ORDINANCE 2010-05-555

AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN (Amending Ch.7.04 (2)(a),(b),(c),(d),(f),(g),(h),(i) to set speed limits; amending 7.04(2)(e),(j) extending route and setting speed limit

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)(a) CTH "X".

1. From the junction with STH "17" south to 1st Avenue. Posted ATV speed limit is 35 MPH.

7.04(2)(b) CTH "J".

1. From the junction with Bradley Street to Town Hall Road. Posted ATV speed limit is 35 MPH.

7.04(2)(c) CTH "CC".

1. From the junction with ~~Poplar Drive~~ Jones Road to STH
8. Posted ATV speed limit is 35 MPH

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

1. From the junction with Gerbick Lake Lane to Stevenson.
Posted ATV speed limit is 35 MPH

7.04(2)(e) CTH "T".

1. From ~~Pine Tree Lane~~ the junction with Carpenter Road south a distance of 5.4 miles to existing trail entrance. Posted ATV speed limit is 35 MPH

7.04(2)(f) CTH "O".

1. From the junction with East Bilby Road to Eagle Waters Road. Posted ATV speed limit is 35 MPH

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

1. From the junction with STH 17 to CTH D. Posted ATV speed limit of 35 MPH

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

1. From the junction with CTH B to South CTH H. Posted ATV speed limit is 35 MPH

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

1. From the junction with CTH D to Gerbick Lake Lane. Posted ATV speed limit is 35 MPH

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

1. From the junction with 1st Ave to Vascheau Road.
Posted ATV speed limit is 35 MPH

This ordinance shall take effect following its passage and publication. Dated this 18th day of May 2010

Introduced by: Highway Committee - Passed 5-0 on 05/06/10 - Fiscal Impact: 0

LINCOLN COUNTY, WISCONSIN

ROBERT LUSSOW ROBERT D. KUNKEL

County Board Chair County Clerk

Motion made by Mittelsteadt, seconded by Eisenman to adopt Ordinance 2010-05-555. Phil Rausch, from Somo's ATV Club, spoke on the resolution. Randy Scholz, Highway Commissioner, explained the ordinance. Ordinance 2010-05-555 is adopted by a voice vote.

Reports of Action on Claims against the County of Lincoln: None

Motion made by Krueger, seconded by Woller to approve the mileage and per diem for this meeting. Motion carried. The next County Board Meeting will be June 15, 2010 at the Lincoln County Service Center – 801 N. Sales Street – County Board Meeting room. Motion made by Krueger, seconded by Zeitz to adjourn. The meeting adjourned at 8:30 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, May 18, 2010

Robert D. Kunkel