

**Lincoln County Board of Supervisors  
Meeting June 15, 2010**

The Lincoln County Board of Supervisors met at the Lincoln County Service Center County Board Room at 801 N. Sales Street – 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, Bailey, Berndt, Bloomer, Caylor, Eisenman, Fox, Giese, Krueger, Lee, Loka, Lussow, Meyer, Mittelsteadt, Pampuch, Rankin, Rusch, Saal, Simon, Weaver, Woller, and Zeitz (22).

**Announcements** – Clerk Kunkel spoke on the WCA Convention that will be held September 26 – 28, 2010 in Milwaukee. Please let Bob know if you plan on attending.

**Service Recognitions for June, 2010**

Clerk read service recognition for the following employees:

Tammy Saal - 10 years (Business Applications Analyst in the I.T. Department)

Rita Burgener – 10 years (Meal Site Manager at the Commission on Aging Department)

Diane Glaza – 10 years (Social Worker II at the Social Services Department)

Mary Streich – 10 years (Certified Nursing Assistant at the Pine Crest Nursing Home)

Cynthia Janssen – 15 years (Confidential Secretary at the Sheriff's Office)

**Appointments & Re-Appointments:**

Motion made by Woller seconded by Lee to approve the re-appointment of Frank Saal as Representative to the Lakes District in Lincoln County. Motion carried.

Motion made by Loka, seconded by Krueger to approve the re-appointments of Dr. Mark Mohr and Gail Schneider to the Board of Health. Motion carried.

Motion made by Mittelsteadt, seconded by Caylor to approve the re-appointment of Kim Brixius to the Zoning Board of Adjustment for a 2-year term – (2012). Motion carried.

Motion made by Eisenman seconded by Rankin to approve the re-appointments of Lonn Lamer and Ron Hornischer to the Zoning Board of Adjustment for a 3-year term (2013). Motion to reappoint carried.

Motion made by Krueger seconded by Meyer to approve the appointment of Mike Prain to the Zoning Board of Adjustment for a 3-year term as an alternate (2013). Motion carried.

**Approval of Journal – May 18, 2010**

Motion was made by Caylor seconded by Woller to approve the minutes of May 18, 2010 as presented and placed on file. Motion carried.

**Letters, Petitions and Memorial** – There were no comments on the monthly correspondence.

**Reports of Standing & Special Committees**

ADRC-CW Presentation – Linda Weitz and Bill Miller gave the presentation. She distributed the 2009 Annual Report. There was a question and answer period after the presentation.

Administrative Coordinator's Written Report Q & A – Tim Meehan, Interim Administrative Coordinator, had nothing to add to his report, except he will be returning to Pine Crest Nursing Home full time. He will still stay to help until a new Administrator is hired and trained. Report placed on file.

Finance Director's Year-to-Date Budget Report – Dan Leydet explained the 2010 year-to-date report and spoke on the moving expense for the Courthouse project. Report placed on file.

Highway Presentation – Dan Leydet and Randy Scholz did the presentation - Discussion followed. Simon had a point of order staying on the subject which is the cost of the projects, not the cost of the buildings. More discussion followed.

5 minute Recess

**Resolutions and Ordinances for Board Action**

Resolution 2010-06-25

Resolution to Ban the Use of Depleted Uranium

WHEREAS, on the 22<sup>nd</sup> day of April, 2010, by resolution, the Lincoln County Board of Supervisors, Wisconsin ~~demand~~ **request** action by the president of the United States for the following reasons;

WHEREAS, it is alleged the Pentagon has developed a class of weapons called Kinetic Energy Penetrators composed of depleted uranium (waste from preparing uranium for bombs or reactor fuel) which was first used in battle in the Gulf War, 1991;

WHEREAS, it is alleged depleted uranium (DU) has radioactive half-life of 4.5 billion years;

WHEREAS, it is alleged the DU weapons not only penetrate armor and other hardened targets, but also burst into flames releasing quantities of aerosolized uranium particles into the environment that are easily carried by

the wind or water and are easily re-suspended, blowing radioactive contamination to locations quite distant from battlefield locations;

WHEREAS, it is alleged ingestion or inhalation of DU causes short- and long-term adverse health effects closely related to complaints of Gulf War Veterans whose ailments are called Gulf War Syndrome;

WHEREAS, it is alleged the Army knew, in advance of the 1991 Gulf War, that inhalation or ingestion of DU particles could have an adverse effect on our service personnel, and had advised leaders to provide protective measures and warnings for those who may be exposed, and medical testing and treatment for those already exposed;

WHEREAS, it is alleged when damaged US armored vehicles were collected for return to the United States, it was found that some of MIA1 tanks armored with depleted uranium, and which had been struck by friendly fire using depleted uranium penetrators, were too radioactive to be salvaged so they were buried at the salvage site in Kuwait;

WHEREAS, it is alleged despite known effects on service personnel and civilians in the Gulf War, DU weapons were again used in Bosnia in 1993, in Yugoslavia in 1999, and in Iraq in 2003;

WHEREAS, it is alleged it had been reported that residents in Iraq near those 1991 and 2003 battlefields have shown birth defects, leukemia and other cancers;

WHEREAS, it is alleged thousands of U.S. Gulf War Veterans now have serious health defects, and many children with gross birth defects that may be due to their contamination from depleted uranium;

WHEREAS, it is alleged use of DU weapons may be a violation of International Law, relating to indiscriminate harm and damage to the environment;

WHEREAS, it is alleged there is concern that DU is used widely as ballast in commercial and military planes and helicopters; and

WHEREAS, it is alleged the U.S. has sold the DU weapons to at least 17 other countries;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors petition the President and members of Congress including ~~all of the Senators and all of the members of the House of Representatives~~, Senator Kohl, Senator Feingold, and all Wisconsin Congressional Legislators to ~~demand~~ request the President and the Department of Defense to do the following:

- Consider a Ban the further use of depleted uranium weapons and armor and also destroy our stores on hand;
- Consider a Ban the sale of uranium weapons and/or depleted uranium to any other country, and urge those countries which already possess DU weapons to also destroy those weapons;
- Provide appropriate medical testing and medical care for veterans and others suffering from alleged DU contamination;
- Provide appropriate protective measures, monitoring and medical care of Service Personnel who handle DU weapons or cleanup of alleged DU contamination;
- Clean up the alleged DU contamination in the battlefields of Kosovo, Bosnia and Iraq; and to
- Consider a Ban all commercial uses of DU.

Dated: June 15, 2010 - Introduced by: Supervisor Bill Zeitz; Committee Action: Veterans Service Committee Passed 5 – 0 on May 26, 2010 - Fiscal Impact: Unknown

Motion made by Loka, seconded by Zeitz to adopt Resolution 2010-06-25. Zeitz explained the resolution and requested that in the last paragraph Now, Therefore be it Resolved strike through the words “all of the Senators and all of the members of the House of Representatives. Motion made by Caylor, seconded by Zeitz to amend the resolution in the 1<sup>st</sup> and last paragraph to delete the word demand and replace it with the word **“request”**. Chair Lussow asked Zeitz if his request to delete the words he wanted could be added to this amendment. Zeitz said yes. Chair asked the Supervisors to vote by a voice vote on the amendment. The amendment passed. More discussion followed. Motion by Simon, seconded by Meyer to amend the resolution by adding to all the WHEREAS paragraphs, except the 1<sup>st</sup> “it is alleged. On the last page put Consider a ban on the 1<sup>st</sup> and 2<sup>nd</sup>; in the 3<sup>rd</sup> add alleged DU; in the 4<sup>th</sup> add alleged DU; in the 5<sup>th</sup> add alleged and in the 6<sup>th</sup> add Consider a Ban. Roll call vote was requested on the second amendment and the Clerk called roll with 16 Supervisors voting aye; except Alber, Bloomer, Fox, Loka, Rankin and Zeitz voting nay (6). Clerk called roll on the resolution with both amendments and all Supervisors voting aye (21); except Supervisor Saal and motion is carried.

## Resolution 2010-06-26

## Resolution Placing Advisory Referendum Question on November Ballot

WHEREAS, according to the Legislative Fiscal Bureau, over the past decade, the state of Wisconsin has transferred approximately \$1.2 billion from the state's segregated transportation fund to the state's general fund and replaced it with approximately \$800 million in General Obligation (GO) bonds. Thereby, reducing the amount available for transportation purposes by approximately \$400 million.

WHEREAS, Wisconsin's practice of transferring money from the segregated transportation fund to the general fund has eroded the public's confidence that the "user fees" they pay through the state gasoline tax and vehicle registration fees will be used for their intended purpose; and

WHEREAS, Wisconsin's practice of replacing the dollars transferred from the state's segregated transportation fund with GO bonds puts our state in the precarious position of bonding to fund ongoing operations; and

WHEREAS, the Pew Center on the States recently released a report that included Wisconsin as having one of the ten worst budget situations in the country and specifically cited transferring money from the transportation fund to fund ongoing operations as an example of one of the practices that has put Wisconsin in such an untenable position; and

WHEREAS, the debt service for these bonds will have to be paid for out of the state's general fund which hinders its ability to fund other programs like Shared Revenue, Youth Aids, Community Aids and courts in the future; and

WHEREAS, using the state's general obligation (GO) bonds in this way has hurt the state's bond rating. A report issued by CNN in 2009 listed Wisconsin as having the second worst GO bond rating in the country; and

WHEREAS, gas tax and vehicle registration fees comprise over 90% of the state's segregated transportation account. Revenues from these two sources have been declining and are inadequate to meet the existing transportation needs in this state; and

WHEREAS, Wisconsin's transportation infrastructure is a fundamental component in its ability attract and retain business and produce jobs; and

WHEREAS, the citizens of Lincoln County deserve the right to have their voices heard of this important issue; and

WHEREAS, providing constitutional protection much like our neighbors in Minnesota, Iowa, Michigan and Ohio already have is the only way to ensure that this practice will not continue.

NOW, THEREFORE, BE IT RESOLVED by the Lincoln County Board of Supervisors that the following question will be put to the voters of Lincoln County in an advisory referendum during the November 2010 election: **Should the Wisconsin Constitution be amended to prohibit any further transfers or lapses from the segregated transportation Fund?** and;

BE IT FURTHER RESOLVED that the Lincoln County Clerk is directed to cause a copy of the Notice of Referendum to be published in the county's official newspaper as required by law.

BE IT FURTHER RESOLVED that the County Clerk is directed to provide a copy of this resolution and a copy of the results of the advisory referendum to the Wisconsin Counties Association.

Dated this 15<sup>th</sup> day of June, 2010; Introduced by: Highway Committee; Dated Passed June 3, 2010 5-0

Motion made by Lee, seconded by Bailey to adopt Resolution 2010-06-26. Randy Scholz, Highway Commissioner, explained the resolution. Discussion held. Resolution 2010-06-26 is adopted by a voice vote.

## Resolution 2010-06-27

## Resolution Granting Authority to give both Administrative and Investment Direction for Lincoln County WI Health Insurance Account at Citizens Bank

WHEREAS, Lincoln County has an investment account at Citizens Bank for the purpose of segregating and investing funds in the Lincoln County Health Insurance Trust Fund; and

WHEREAS, Citizens Bank has contacted Lincoln County informing Lincoln County that Citizens Bank does not have a corporate Resolution granting authority to give both administrative and investment Direction for the account.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Lincoln that any one of the following, namely: Treasurer, Jan Lemmer; County Clerk, Bob Kunkel

Be and they are hereby severally and respectively authorized and empowered to sell, assign, transfer and/or deposit investment securities and to make, execute and deliver any and all instruments in writing necessary or proper for such purpose.

Dated this 15<sup>th</sup> day of June, 2010 - Introduced by: Finance and Insurance Committee - Committee Action: Finance and Insurance Committee, Passed (5-0) on June 4<sup>th</sup>, 2010. Fiscal Impact: None

Motion made by Eisenman seconded by Simon to adopt Resolution 2010-06-27. Dan Leydet, Finance Director, explained the resolution. Discussion was held. Resolution 2010-06-27 is adopted by a voice vote.

Resolution 2010-06-28

Resolution to Reinstate Supervisor Zeitz to the Lincoln County Health Board

WHEREAS, all Lincoln County Supervisors are elected by the voters of their districts to represent them on the Lincoln County Board and the working committees of the county

WHEREAS, all Lincoln County Supervisors swear an oath to uphold the United States and Wisconsin Constitutions

WHEREAS, at the organizational meeting of the Committee of Committees, the Lincoln County Board Chair selectively used his position to slander and punish elected supervisor William Zeitz of District 9 by refusing to reappoint him to a position as a voting member of a committee said supervisor has worked on in a positive manner to benefit his constituents and the citizens of Lincoln County

WHEREAS, the head of the Lincoln County Health Board unfairly singled out the elected supervisor for removal from the committee for providing factual information in an orderly manner, which, though in opposition to current policies, was in the supervisor's opinion, in the best interest of his constituents

WHEREAS, under committee selections, William Zeitz, who placed the Health Board as his number one selection, was passed over in favor of three new members who did not request placement on the Health Board

WHEREAS, the Committee of Committees in making appointments to County committees gave four or even five positions to some Supervisors, while giving three committee positions to Supervisor Zeitz, one that will probably never meet.

WHEREAS the above actions deny Supervisor Zeitz his 14<sup>th</sup> and 5<sup>th</sup> Amendment constitutional protections as well as his 1<sup>st</sup> Amendment rights of freedom of speech and redress of grievances

THEREFORE BE IT RESOLVED that the Lincoln County Board of Supervisors votes to reinstate Supervisor William Zeitz of District 9 as a member of the Lincoln County Health Board. Dated this 15<sup>th</sup> day of June, 2010  
Committee Action: Administrative & Legislative Committee – Failed 1 – 5 on June 7, 2010 Fiscal Impact: None

Motion made by Zeitz, seconded by Bloomer to adopt Resolution 2010-06-28. Zeitz explained. Simon had a point of order – This is an appointed position, does this resolution have the power to circumvent the standard Board Rules that apply to appointments to committees? We first have to change the current Board Rules before we consider any or all of this resolution. Discussion was held. Motion made by Simon seconded by Woller to layover until someone officially resigns from a committee and there is an opening on the Board. More discussion held. Alber had a point of order doesn't a resignation and subsequent appointment to a committee need to come before the Board of Supervisors? Bloomer read into the records that he resigned from the Health Board. More discussion was held and another point of order from Alber that a layover needs to have a date attached to it. It will have to be acted on next month. A roll call vote was requested. Clerk called roll with 14 Supervisors voting aye; except Alber, Berndt, Bloomer, Fox, Lussow, Mittelsteadt, Rankin and Zeitz voting nay (8). Motion carried.

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

Motion made by Caylor, seconded by Krueger to approve the mileage and per diem for this meeting. Motion carried. The next County Board Meeting will be July 20, 2010 at the William Buedingen Training Room – W6147 State Road 86 in Tomahawk. Motion made by Krueger, seconded by Eisenman to adjourn. The meeting adjourned at 8:23 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, June 20, 2010

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Robert D. Kunkel