Lincoln County Board of Supervisors
Meeting: April 16, 2013

The Lincoln County Board of Supervisors met at the Lincoln County Service Center, 801 N Sales ST, County Board Room, Merrill, in session assembled pursuant to law. Chair Lussow called the meeting to order at 8:00 a.m. Pledge of allegiance followed. Roll was called with the following present: Alber, Bailey, Bloomer, Breitenmoser, Caylor, Fox, Giese, Gilk, Lussow, Nelson, Pike, Rusch, Vander Sanden, Woller, and Zeitz (18). Excused: Lee Absent: Loka, and Saal.

4. a. Announcements – WCA Annual Conference in September
   b. Service Recognitions for April 2013:
      10 Years – Dawn Wendorf, Pine Crest Nursing Home
      15 Years – David Rice, Maintenance Department
   c. Appointments & Re-Appointments: M/S Bloomer/Zeitz for the Lincoln County Board to ratify the appointment of Dale Christenson to the vacant District 4 seat of the Lincoln County Board. Chairman Lussow stated that the chair appoints the vacancies on the board. Chairman Lussow called the motion out of order. Supervisor Bloomer challenged the ruling. Corporation Counsel Bergstrom stated that the appointment was not on the agenda; therefore, under open meetings law, since public notice had not been given, it should not be acted on until proper public notice was given. Discussion followed. Chairman Lussow called for a roll call vote on his 'out-of-order' ruling with the question "Shall the decision of the Chair stand as the decision of the board?" Roll was called ayes: Alber, Bailey, Breitenmoser, Caylor, Giese, Gilk, Lussow, Nelson, Plant, Rusch, Vander Sanden, and Weaver (12). Nays: Bloomer, Fox, Pike, Rankin, Woller, and Zeitz (6). Motion carried 12-6. M/S Alber/Bailey to appoint Frank Saal to CCCW Board. Discussion followed.

Chairman Lussow called for a five (5) minute recess (8:10 – 8:15).

Chairman Lussow called meeting back in order at 8:15. Roll call to appoint Frank Saal to the CCCW Board. Ayes: Alber, Bailey, Breitenmoser, Caylor, Giese, Gilk, Lussow, Nelson, Pike, Plant, Rankin, Rusch, Vander Sanden, Weaver, and Woller (15). Nays: Bloomer, Fox, and Zeitz (3). Motion carried 15-3.

5. Approval of Journal – M/S Caylor/Woller to approve the minutes as printed. Motion carried on a voice vote.

6. a. Letters, Petitions – Supervisor Zeitz asked for Wood County Resolution to be forwarded to A & L Committee. Chairman Lussow acknowledged the request.
   b. Memorials – None

7. Reports of Standing & Special Committees:
   a. 2012 Year-to-Date Budget Report – Finance Director – Dan Leydet
   b. 2013 Year-to-Date Budget Report – Finance Director – Dan Leydet
   c. 2014 Budget Timeline/ Budget Guidelines – Finance Director – Dan Leydet
   d. Cash Report – Finance Director – Dan Leydet

   Supervisor Caylor left at 9:15.

   e. Administrative Coordinator's Written Report – March - Randy Scholz

8. Resolutions and Ordinances for Board Action

A.1) Resolution 2013-04-15
Emergency Operations Plan

WHEREAS, Section 323 of the Wisconsin Statutes requires the governing body of each municipality to adopt an effective program of emergency government consistent with the state plan so that the state and its subdivisions will be prepared to cope with emergencies; and

WHEREAS, pursuant to section 323 of the Wisconsin Statutes, the Secretary of the Department of Administration, with the approval of the Governor, has promulgated the State of Wisconsin Emergency Operations Plan; and

WHERAS, Lincoln County has promulgated a county-wide emergency operations plan with the assistance and counsel of functional response agencies within the county which is consistent with the state plan; and

WHERAS, Lincoln County's Emergency Operations Plan has been reviewed and is deemed appropriate for this locality.

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Emergency Operations Plan is hereby adopted as the official program of Lincoln County.
BE IT FURTHER RESOLVED, that upon adoption, the Lincoln County Clerk shall sent a copy of this resolution to the Lincoln County Director of Emergency Management, the Northeast Wisconsin Regional Director, and the Administrator of the State Division of Emergency Government.
Dated this 16th day of April, 2013
Introduced by: Emergency Management Committee Date Passed: March 19, 2013 Committee Vote: Unanimous

M/S Zeitz/ Alber to adopt Resolution 2013-04-15. Discussion followed. M/S Zeitz/Gilk to put off for one month to have the full board receive the Emergency Operation Plan so that they can review it. Roll was called: ayes: Fox, Gilk, and Zeitz (3). Nays: Alber, Bailey, Breitenmoser, Giese, Lussow, Nelson, Pike, Plant, Rankin, Rusch, Vander Sanden, Weaver, and Woller (13); Bloomer - Abstained. Motion failed 3-13. Following discussion, original motion carried on a voice vote.

2) Resolution 2013-04-16

Approve Filling Authorized Position - Emergency Management Director

WHEREAS page 7 of the Lincoln County Personnel Policy specifies a procedure for approval authorized positions, and
WHEREAS the Administrative Coordinator has recommended filling the vacant position, and
WHEREAS the Emergency Management Committee and Personnel Committee approved filling the authorized vacant position, and
WHEREAS the Administrative Coordinator has recommended the Emergency Management Director's position be reduced to twenty-four (24) hours per week starting January 1, 2014, and
WHEREAS the Emergency Management Committee and Personnel Committee have agreed to the reduction in hours
NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors accepts the recommendation of the Emergency Management Committee and Personnel Committee and approves filling the authorized vacant position at twenty-four (24) hours per week:
Fiscal Impact: Estimated savings of $20,000
Dated this 16th day of April, 2013
Introduced by: Emergency Management Committee Date Passed: To Fill Position: November 28, 2012
Date Passed: To Reduce the Hours: March 19, 2013 Committee Vote: Unanimous
Introduced by: Personnel Committee Date Passed: April 1, 2013 Committee Vote: Unanimous

M/S Woller/Rusch to adopt Resolution 2013-04-16. Following discussion, motion carried on a voice vote.

3) Resolution 2013-04-17

Request for Department of Natural Resources

Targeted Runoff Management Grant Funds (Mark Leder - Animal Waste Management Project)

WHEREAS, Mark Leder is interested in acquiring a grant from the Wisconsin Department of Natural Resources for the purpose of implementing measures to control agricultural nonpoint pollution sources)as described in the application and pursuant to ss.281.65 or 281.66, Wis Stats., and chs. NR 151, 153 and 155); and
WHEREAS, a cost sharing agreement is requested to carry out the project and that Mark Leder has budgeted a sum sufficient to complete the project.
THEREFORE BE IT RESOLVED that Lincoln County hereby authorizes the Land Services Administrator of the Land Information, Conservation and Zoning Department to act on behalf of Mark Leder to:

- Submit and sign an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available;
- Sign a grant agreement between the local government and the Department of Natural Resources;
- Submit reimbursement claims along with necessary supporting documentation;
- Submit signed documents; and
- Take necessary action to undertake, direct and complete the approved project.

BE IT FURTHER RESOLVED that Mark Leder shall comply with all state and federal laws, regulations and permit requirements pertaining to implementation of the this project and to fulfillment of the grant document provisions

Adopted this 16th day of April, 2013.

Introduced by: Land Information, Conservation and University Extension Committee

Date Passed: April 2, 2013 Committee Vote: 4-0 Fiscal Impact: None

M/S Vander Sanden/Pike to adopt Resolution 2013-04-17. Following discussion, motion carried on a voice vote.

4) Resolution 2013-04-18

Request for Department of Natural Resources

Targeted Runoff Management Grant Funds (Brad Juedes - Animal Waste Management Project)

WHEREAS, Brad Juedes is interested in acquiring a grant from the Wisconsin Department of Natural Resources for the purpose of implementing measures to control agricultural nonpoint pollution sources (as described in the application and pursuant to ss.281.65 or 281.66, Wis Stats., and chs. NR 151, 153 and 155); and

WHEREAS, a cost sharing agreement is requested to carry out the project and that Brad Juedes has budgeted a sum sufficient to complete the project.

THEREFORE BE IT RESOLVED that Lincoln County hereby authorizes the Land Services Administrator of the Land Information, Conservation and Zoning Department to act on behalf of Brad Juedes to:

- Submit and sign an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available;
- Sign a grant agreement between the local government and the Department of Natural Resources;
- Submit reimbursement claims along with necessary supporting documentation;
- Submit signed documents; and
- Take necessary action to undertake, direct and complete the approved project.

BE IT FURTHER RESOLVED that Brad Juedes shall comply with all state and federal laws, regulations and permit requirements pertaining to implementation of the this project and to fulfillment of the grant document provisions

Adopted this 16th day of April, 2013.

Introduced by: Land Information, Conservation and University Extension Committee

Date Passed: April 2, 2013 Committee Vote: 4-0 Fiscal Impact: None

M/S Plant/Zeitz to adopt Resolution 2013-04-18. Following discussion, motion carried on a voice vote.

5) Resolution 2013-04-19

To Adopt Amended and Restated bylaws of North Central Community Services Program (dated March 28, 2013)

WHEREAS, Lincoln, Langlade and Marathon Counties, under authority of secs. 51.42(3)(a) and 51.437(4g), Wis. Stats have, for many years, provided services under a joint contract with North Central Community Services Programs ; and

WHEREAS, in late 2012, the Joint Contract was updated and approved by Resolution 2012-12-58; and

WHEREAS, as part of this review process, NCCSP bylaws are being revised to streamline the bylaws, eliminate any redundancy with the three-county contract and insure compatibility with the 51.42 statute and the three-county contract; and

WHEREAS, the bylaw revisions are the second and final step in the process of updating the three-county contract; and

NOW, THEREFORE BE IT RESOLVED, the Lincoln County Board of Supervisors, on the recommendation of the Administrative & Legislative Committee, does hereby adopt the "Amended and Restated Bylaws of North Central Community Services Program Dated March 28, 2013" attached hereto and incorporated by reference under which services will continue to be provided to each County by the North Central Community Services Program Board as delineated in the contract.

Dated this 16th day of April, 2013.

Introduced by: Administrative & Legislative Committee Passed 6-0 on 4/8/13

Fiscal Impact: annual budget is approved by County Board each year

M/S Rusch/Lussow to adopt Resolution 2013-04-19. Following discussion, motion carried on a voice vote.

6) Resolution 2013-04-20

Replacing Grandstand

WHEREAS, the taxpayers of Lincoln County had the misfortune of losing the County grandstand as a result of a storm on June 19, 2012, and

WHEREAS, Lincoln County is insured for this loss in the amount of approximately $1.2 million, and

WHEREAS, there exists a time parameter on the utilization of insurance funds that requires Lincoln County to act so as not to lose a substantial portion of the recoverable insurance funds, (approximately $924,000) and

WHEREAS, the Lincoln County Board on September 18, 2012 by resolution 2012-09-43 supported the concept of an expo authority that would "market, maintain, administer, enhance, and increase usage of the fairgrounds and all its facilities", and

WHEREAS, the Public Property Committee authorized the formation of a voluntary user group to explore marketing the fairground complex, and

WHEREAS, after 18 months of exploration meetings, the User Group failed to produce a business plan, organizational structure or a proven marketing strategy, and

WHEREAS, postponing construction of a replacement grandstand jeopardizes the continuing use of the existing facility, and

WHEREAS, the fiscal condition of Lincoln County and its tax payers puts Lincoln County in a position that precludes risking the loss of the funds available to cover 100% of the cost of replacement of the grandstand, and

WHEREAS, the cost of an expo center is now in excess of $7 million with no private funding source having come forth to cover the cost of such a complex, and

WHEREAS, the Public Property Committee has begun requesting tax levy funds through the Finance Committee, for expo center construction related costs, where none would be needed if the County utilities insurance proceeds to replace the grandstand structure.

NOW, THEREFORE BE IT RESOLVED, that this resolution directs the Maintenance Director to develop a request for proposal to replace the former grandstand with a replacement grandstand structure in keeping with the covenants of insurance coverage, and report to the County Board on May 21, 2013 to have the request for proposal approved.

Fiscal Impact:

Grandstand – No tax levy required Expo Center – Unknown thousands or even millions of tax levy used

Dated this 16th day of April, 2013

Motion at Public Property Committee Meeting on 3/20/13 to Move forward with building Grandstand Failed on a 2-1 vote

M/S Alber/Gilk to adopt Resolution 2013-04-20. Discussion followed. M/S Bloomer/Pike to layover this resolution to June 18, 2013 meeting. Roll was called: ayes: Bailey, Bloomer, Fox, Pike, Rankin, Woller, and Zeitz (7). Nays: Alber, Breitenmoser, Giese, Gilk, Lussow, Nelson, Plant, Rusch, Vander Sanden, and Weaver (10). Motion was defeated 7-10. Following discussion roll was called on original motion: ayes: Alber, Breitenmoser, Giese, Gilk, Lussow, Nelson, Plant, Rusch, Vander Sanden, and Weaver (10). Nays: Bailey, Bloomer, Fox, Pike, Rankin, Woller, and Zeitz (7). Motion carried 10-7.

B.1) Ordinance 2013-04-596

Floodplain Ordinance Amendment

An Ordinance to amend the Appendix Per section 20.1.5 (General Provisions – Official maps based on other studies) of the Lincoln County Floodplain Zoning Ordinance

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

Sec. 20.1.5 (Appendix) is amended as follows:

The Appendix of the Lincoln County Floodplain Zoning Ordinance is amended to include the Olivotti Lake Dam Failure Analysis Study, dated July, 2012, prepared by Houle Enterprises, LLC and Mead & Hunt. (Approved by the Department of Natural Resources December 13th, 2012).
This ordinance shall take effect immediately upon passage and publication.
Dated this 16th day of April, 2013
Introduced by: Lincoln County Planning and Zoning Committee Date Passed (by Committee): March 14, 2013
Committee Vote: 5-0 Fiscal Impact: None

M/S Nelson /Bailey to adopt Ordinance 2013-04-596. Following discussion, motion carried by voice vote.

9. Reports of Claims – None.
10. M/S Vander Sanden/Gilk to approve the mileage and per diem for this meeting. Motion carried on a voice vote.
11. Next County Board Meeting: Tuesday, May 21, 2013, at 6:00 p.m., at William Buedingen Training Room, W6147 State RD 86, Tomahawk, WI 54487
12. M/S Lussow/Nelson to adjourn. Motion carried on a voice vote. Meeting adjourned at 11:00 a.m.

I, Christopher J Marlowe, County Clerk in and for said Lincoln County, Wisconsin do hereby certify the within and foregoing is a true and accurate recital of all proceedings by and before the Board of Supervisors at their regular meeting, April 16, 2013.

Christopher J Marlowe, County Clerk