

Lincoln County Board of Supervisors  
Meeting: December 10, 2013

The Lincoln County Board of Supervisors met at the Lincoln County Service Center, 801 N. Sales Street, Room 255, Merrill, in session assembled pursuant to law. Chair Lussow called the meeting to order at 6:00 p.m. Pledge of allegiance followed. Roll was called with the following present: Bailey, Bloomer, Breitenmoser, Caylor, Fox, Hetfeld, Loka, Lussow, Nelson, Pike, Plant, Rankin, Rusch, Saal, Vander Sanden, Weaver, Woller, and Zeitz (18). Supervisors Alber, Giese, Gilk arrived at 6:02, 6:12, and 6:02 p.m. respectfully (21). Supervisor Lee was absent.

4. a. Announcements:

1. Travis Spoehr was introduced as the new IT Director.

b. Service Recognitions for December 2013:

10 Years: Angela Hernandez, Pine Crest Nursing Home  
Daniel Bowers, Zoning Department

25 Years: Jerry Zastrow, Forestry, Land & Parks  
Dan Adamec, Highway Department

c. Appointments & Re-Appointments: None

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

6. a. Letters – None

b. Memorials – Supervisor Alber acknowledged the passing of Nelson Mandela

7. Reports of Standing & Special Committees:

A. 2013 Year-to-Date Budget Report – Finance Director – Dan Leydet

B. EMS/Judicial Committee – vote on acceptance of Bierman Foundation Grant for Tomahawk EMS Defibrillator Units (Dan Leydet) M/S Caylor/Alber to accept Bierman Foundation Grant. Motion passed on a voice vote.

C. Administrative Coordinator's Written Report – November (Randy Scholz)

8. Resolutions and Ordinances for Board Action

1) Resolution 2013-12-57

Approve Filling Authorized Position in Sheriff Office – Telecommunicator

WHEREAS page 7 of the Lincoln County Personnel Policy specifies a procedure for approval authorized positions, and

WHEREAS the Lincoln County Sheriff has recommended filling a vacant position, and

WHEREAS the Administrative Coordinator has recommended filling the vacant position, and

WHEREAS the Law Enforcement Committee and Personnel Committee approved filling the authorized vacant position

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors accepts the recommendation of the Law Enforcement Committee and Personnel Committee and approves filling the authorized vacant position:

Fiscal Impact: Exact saving unknown – savings with new employee – lower pay, less vacation, less sick leave

Dated this 10th day of December, 2013

Introduced by: Law Enforcement Committee      Date Passed: November 13, 2013      Committee Vote:

Unanimous

Introduced by: Personnel Committee      Date Passed: December 9, 2013      Committee Vote: Unanimous

M/S Woller/Caylor to adopt Resolution 2013-12-57. Following discussion, motion carried on a voice vote.

2) Resolution 2013–12-58

To Approve the Appointment of Diane Wessel to the Position of Lincoln County Land Services Administrator

WHEREAS, combined members of the Land Conservation & University Extension and Planning & Zoning

Committees recommend the appointment of Diane Wessel as the Lincoln County Land Services Administrator

NOW, THEREFORE BE IT RESOLVED, this 10<sup>th</sup> day of December 2013 that the Lincoln County Board of Supervisors approves the appointment of Diane Wessel to the Position of Lincoln County Land Services Administrator

BE IT FURTHER RESOLVED that this appointee is at Step 4 (\$62,650.00), Grade 15 on the salary plan.

Dated this 10<sup>th</sup> day of December, 2013

Introduced by: Combined Land Conservation & University Extension and Planning & Zoning Committee

Date Passed: November 18, 2013 Committee Vote: Unanimous

M/S Nelson/Saal to adopt Resolution 2013-12-58. Following discussion, motion passed on a voice vote.

4) Resolution 2013-12-59

To create a new nonpartisan procedure for the preparation of legislative and congressional redistricting plans. WHEREAS, currently under the state constitution, the legislature is directed to redistrict legislative districts according to the number of inhabitants at its next session following the decennial federal census by the majority party. At the same intervals, the legislature also reapportions congressional districts in this state pursuant to federal law, and

WHEREAS, legislative and congressional redistricting plans enacted pursuant to this procedure are used to elect members of the legislature and members of Congress in the fall of the second year following the year of the census, and

WHEREAS, the 2011 process to draw the maps and fight lawsuits cost taxpayers nearly \$1.9 million, and

WHEREAS, historically legislative and congressional plans in Wisconsin have been subject to partisan influence that put the desires of politicians ahead of the needs of the people, and

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors recommends the creation of a nonpartisan procedure for the preparation of legislative and congressional redistricting plans, and

BE IT FURTHER RESOLVED, that the process promotes more accountability and transparency and prohibits the consideration of voting patterns, party information, and incumbents' residence information or demographic information in drawing the maps, except as necessary to ensure minority participation as required by the U.S. Constitution.

BE IT FURTHER RESOLVED, that the County Clerk is directed to send a copy of this resolution to the Governor of the State of Wisconsin, the Wisconsin Counties Association, the Wisconsin Towns Association, the Wisconsin League of Municipalities, all members of the state legislature, and to each Wisconsin County.

Fiscal Impact: Unknown

Dated this 10th day of December 2013.

Introduced by: Administrative & Legislative Committee Date Passed: December 2, 2013 Committee Action: Unanimous

M/S Saal/Gilk to adopt Resolution 2013-12-59. Following discussion, motion carried by voice vote.

4) Resolution 2013-12-60

Opposition to SB-349 limiting local control regarding nonmetallic mining, air and water quality, and highway damage and use contracts

WHEREAS, the expansion of industrial sand mining and processing in western Wisconsin raises significant local public health, economic, environmental, and quality of life issues; and,

WHEREAS, SB-349 has been introduced in Wisconsin legislative to restrict local governmental authority to regulate nonmetallic mining and to limit certain governmental powers; and,

WHEREAS, this Bill prohibits local governmental units from imposing restrictions related to water or air quality and water quantity; requiring monitoring of water or air quality and water quantity; establishing or enforcing a standard of air or water quality; or issuing permits related to water or air quality and water quantity; and,

WHEREAS, the Bill removes the power of a county to administer an air pollution control program with requirements that are consistent with or stricter than those in relevant state law; and,

WHEREAS, the Bill prohibits a county from enacting or enforcing a nonmetallic mining reclamation ordinance that requires an operator to obtain a permit other than a reclamation permit, includes a standard of air or water quality, or is more restrictive than Wisconsin DNR standards; and,

WHEREAS, this Bill prohibits counties from imposing any fee or other charge on a highway user for damage to highways caused by the highway user unless the county has entered into a contract with a highway user to

reimburse the municipality or county for the cost of repairs to a highway that meets certain specific requirements, including a requirement that the proportion of damages caused specifically by the highway user must be determined by an engineer selected by the user and the county and paid equally by the user and county; and,

WHEREAS, the health, safety, economic, environmental, and quality of life impacts these operations are primarily issues of local concern.

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board does hereby support local control of nonmetallic mining, and opposes SB-349 and any state legislation that would preempt the ability of towns and counties to craft their own regulations tailored to their individual circumstances.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Governor Walker, Senator Shilling, Representatives Doyle and Billings, Wisconsin DNR Secretary Stepp, and the Wisconsin Counties Association.

Fiscal Impact: Potential significant cost to local roads

Dated this 10<sup>th</sup> day of December, 2013.

Introduced by: Administrative and Legislative Committee                      Date Passed: December 2, 2013 Committee

Vote: Unanimous

Introduced by: Highway Committee                      Date Passed: December 5, 2013 Committee Vote: Unanimous

M/S Pike/Gilk to adopt Resolution 2013-12-60. Discussion followed. M/S Gilk/Alber to amend the last paragraph to be identical to Resolution 2013-12-59. Motion carried on a voice vote. Motion was called as amended, motion carried on a voice vote.

#### 5) Resolution 2013-12-61

Approve Filling Authorized Position in IT Department – Network Engineer

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 Administrative & Legislative and Personnel Committees have approved filling the authorized vacant position

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors accepts the recommendation of the Administrative & Legislative and Personnel Committees and approves filling the authorized vacant position

Fiscal Impact: Exact saving unknown – savings with new employee – lower pay, less vacation, less sick leave

Dated this 10th day of December, 2013

Introduced by: Administrative & Legislative Committee                      Date Passed: December 2, 2013                      Committee

Vote: Unanimous

Introduced by: Personnel Committee                      Date Passed: December 9, 2013                      Committee Vote: Unanimous

M/S Caylor/Woller to adopt Resolution 2013-12-61. Following discussion, motion carried by a voice vote.

#### 6) Resolution 2013-12-62

Designation of Public Depositories

WHEREAS, provisions in Chapter 34 and Chapter 59 of Wisconsin Statutes require that counties designate public depositories;

NOW, THEREFORE BE IT RESOLVED, that the following banking institutions shall be and are hereby designated, until further action, as public depositories for all public monies coming into the hands of the Treasurer of Lincoln County, State of Wisconsin:

First Merit Bank N.A., Tomahawk, WI 54487

Lincoln Community Bank, Merrill, WI 54452

BMO Harris Bank, Merrill, WI 54452

River Valley State Bank, Merrill, WI 54452

Park City Credit Union, Merrill, WI 54452

Merrill Federal Savings & Loan, Merrill, WI 54452

State Investment Pool, Madison, WI 53707

BMO Financial Group BMO Harris Bank NA, Wausau, WI 54401

Tomahawk Community Bank, Tomahawk, WI 54487  
 First Merit Bank N.A., Flint MI 48502

NOW, THEREFORE BE IT ALSO RESOLVED, that the list of bank accounts on the accompanying schedule be approved for use by Lincoln County.

Dated this 10<sup>th</sup> day of December, 2013.

Introduced by: Finance and Insurance Committee      Committee Action: Passed on December 6, 2013

Fiscal Impact: N/A

M/S Loka/Vander Sanden to adopt Resolution 2013-12-62. Following discussion roll was called. Aye's: Alber, Breitenmoser, Caylor, Fox, Giese, Gilk, Hetfeld, Loka, Lussow, Nelson, Pike, Plant, Rankin, Rusch, Saal, Vander Sanden, Weaver, and Woller (18). No's: Bailey, Bloomer, and Zeitz (3). Motion passed 18-3.

7) Resolution 2013-12-63

Approve Filling Authorized Position in Highway Department – Shop Foreman

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 Highway and Personnel Committees have approved filling the authorized vacant position

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors accepts the recommendation of the Highway and Personnel Committees and approves filling the authorized vacant position

Fiscal Impact: Exact saving unknown – savings with new employee – lower pay, less vacation, less sick leave

Dated this 10th day of December, 2013

Introduced by: Highway Committee      Date Passed: December 5, 2013      Committee Vote: Unanimous

Introduced by: Personnel Committee      Date Passed: December 9, 2013      Committee Vote: Unanimous

M/S Vander Sanden/Pike to adopt Resolution 2013-12-63. Following discussion, motion passed by voice vote.

B. 1) Ordinance 2013-12-600

AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN  
 CHAPTER 21, SHORELAND ZONING ORDINANCE.

The County Board of Supervisors of Lincoln County, Wisconsin, does hereby ordain that chapter 21 be amended as indicated in the attachment.

This ordinance shall take effect on January 1, 2014.

Dated: December 10, 2013

Introduced by: The Planning & Zoning Committee      Date Passed: November 14.      Committee Vote: 4 - 0

Fiscal Impact: None

M/S Saal/Rusch to adopt Ordinance 2013-12-600. Discussion followed. M/S Zeitz/Rankin to postpone this ordinance for one month January 2014 meeting. Roll was called: Aye's: Bloomer, Fox, Gilk, Rankin, and Zeitz (5). No's: Alber, Bailey, Breitenmoser, Caylor, Giese, Hetfeld, Loka, Lussow, Nelson, Pike, Plant, Rusch, Saal, Vander Sanden, Weaver, and Woller (16). Motion failed 5-16. Roll was called on original motion. Aye's: Alber, Bailey, Breitenmoser, Caylor, Fox, Gilk, Hetfeld, Loka, Lussow, Nelson, Pike, Plant, Rusch, Saal, Vander Sanden, Weaver, and Woller (17). No's: Bloomer, Giese, Rankin, and Zeitz (4). Motion carried 17-4. (The full ordinance can be viewed on the Lincoln County website and in the County Clerk's Office.)

2) Ordinance 2013-12-601

Chapter 7 - ATV ROUTES

An Ordinance Amending the General Code of the County of Lincoln (Section 7.04 – ATV Routes)

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

7.04 – ALL – TERRAIN VEHICLE ROUTES is amended as follows:

(2)ALL – TERRAIN VEHICLE ROUTES DESIGNATED. (Am. #2010-05-555) The following Portions of County highways are designated as all-terrain vehicle routes:

(b) CTH "J"

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

2. From the junction with Langes Road to Turtle Lake Road. Posted ATV speed limit is 35 MPH.

(d) CTH "H"

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

2. From the junction with Copper Lake Avenue to Horseshoe Lake Drive. Posted ATV speed limit is 35 MPH.

(l) CTH "A"

1. From the junction with This Road to ~~Moedig Road~~ Willow Lane.

(o) CTH "U"

1. From the junction with US 8 to CTH A. Posted ATV speed limit is 35 MPH.

(p) CTH "V"

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

(q) CTH "S"

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

(r) CTH "C"

1. From the junction with STH 17 to Town Hall Road. Posted ATV speed limit is 35 MPH.

This ordinance shall take effect following its passage and publication.

Dated this 10<sup>th</sup> day of December, 2013

Introduced by: Highway Committee

Date Passed: September 5, 2013

Committee Vote: 5-0

Fiscal Impact: None

M/S Nelson/Pike to adopt Ordinance 2013-12-601. Following discussion, motion carried on a voice vote.

Supervisor Fox left at 6:50 p.m.

11. Reports of Claims – None

12. M/S Caylor/Vander Sanden to approve the mileage and per diem for this meeting. Motion carried on a voice vote.

13. Next County Board Meeting: Tuesday, January 21, 2014, at 6:00 p.m., at Lincoln County Service Center, 801 N Sales St., Room 255, Merrill, WI 54452

14. M/S Vander Sanden/Hetfeld to adjourn. Motion carried on a voice vote. Meeting adjourned at 7:01 p.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, December 10, 2013.

Christopher J Marlowe, County Clerk