

Lincoln County Board of Supervisors
Meeting: February 18, 2014

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 9:00 a.m., Pledge of allegiance followed. Roll was called with the following present: Alber, Bailey, Bloomer, Breitenmoser, Caylor, Giese, Lee, Loka, Lussow, Nelson, Pike, Rusch, Saal, Vander Sanden, Weaver, Woller, and Zeitz (21). Supervisor Gilk arrived at 9:04 a.m. Supervisors Hetfeld and Plant were excused. Supervisors Fox and Rankin were absent.

- 4. a. Announcements: None
- b. Service Recognitions for January 2014:
 - 25 Years: Jan Lemmer, Treasurer Department
- c. Appointments & Re-Appointments:
 - 1. Re-appoint Fire Wardens for 2014 M/S Lee/Loka to re-appoint Fire Wardens for 2014. Motion carried on a voice vote.
 - 2. Appoint Paul Kienitz to Civil Service Grievance Commission (term expires 4/1/2018) M/S Saal/Woller to appoint Paul Kienitz to Civil Service Grievance Commission. Motion carried on a voice vote.
- 5. Approval of the Journal –M/S Caylor/Woller to accept the minutes as presented. Motion carried on a voice vote.
- 6. a. Letters – None
- b. Memorials – None
- 7. Reports of Standing & Special Committees:
 - A. Social Services: Human Services Feasibility Study Report & Presentation – Social Services Director (Mike Nelson) Mike Nelson gave a presentation and answered questions.
 - B. Land Information, Conservation & University Extension Committee, Social Services Committee and member petition: Proposed Lincoln County Committee Structure –Administrative Coordinator (Randy Scholz) Randy Scholz reviewed the proposed committee structure and answered questions. Randy is to coordinate with department heads for input on committee structures.
 - C. Forestry, Land & Parks Committee: Forestry, Land & Parks Annual Report - Forestry Administrator (Kevin Kleinschmidt) Kevin Kleinschmidt reviewed his annual report and answered questions.

Recessed for 10 minutes

- D. Public Property: Cost Study of the existing facility infrastructure at the fairgrounds (referred from November County Board) – Maintenance Director (Pat Gierl) Pat Gierl reviewed his information with the board and answered questions. Susan Ryman, Economic Development Director, spoke on the grant application and answered questions.
- E. Finance Committee: 2014 Year-to-Date Budget Report – Finance Director (Dan Leydet) Dan Leydet answered questions.
- F. Finance Committee: 2015 Budget Timeline and Issues – Finance Director (Dan Leydet) Dan Leydet reviewed the 2015 Budget Timeline and answered questions.
- G. Administrative & Legislative Committee:
 - Administrative Coordinator’s Written Report – January (Randy Scholz)

8. Resolutions and Ordinances for Board Action

1) Resolution 2014 – 02 - 07

Title: Cancellation of County Checks

WHEREAS, it is in the business interest of Lincoln County that all County Checks be negotiated promptly, and

WHEREAS, the following checks have reached their expiration date,

NOW, THEREFORE BE IT RESOLVED, by the Lincoln County Board of Supervisors that the following checks be canceled and returned to the fund from which the check originated:

DATE	CHECK NO.	NAME	AMOUNT
11/29/12	275756	Pete’s Pump	\$150.00
12/18/12	276144	Kathy J. Badeau	15.26
12/18/12	276161	Derek J. Graap	16.02

02/15/13	277387	Clifford C Henke	48.79
03/01/13	277685	Cathleen J. Smith	16.02
04/26/13	278832	Thomas W Lamarr	15.77
06/24/13	279915	Corey S. Herdt	15.51
08/01/13	280664	William Novak	<u>3.50</u>
TOTAL			\$280.87

Adopted this 18th day of February, 2014

Introduced by: Finance Committee Date Passed: 2/7/14 Committee Vote: 4-0

Fiscal Impact: +\$280.87

M/S Vander Sanden/Woller to adopt Resolution 2014-02-07. Following discussion, motion carried on a voice vote.

2) Resolution 2014 - 02- 08

Title: Authorizing Budget Modification in Treasurer’s Department to Reflect an Increase in Recorded Expenditures

WHEREAS, on November 13, 2012 the Lincoln County Board of Supervisors passed Resolution 2012-11-47 approving the 2013 budget and providing an appropriation amount of \$129,622 in the County Treasurer’s Department; and

WHEREAS in 2013 the deputy treasurer retired and collected a sick leave payout not included in the 2013 budget; and

WHEREAS, the amount of the sick leave payout and cost of personnel change exceeded the 2013 budget amount by \$20,302; and

WHEREAS, \$20,302 is over ten percent of the 2013 budget appropriation;

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors does approve and authorize the transfer of \$20,302 from the Contingency Fund to the Treasurer’s Department.

Dated this 18th day of February, 2014

Introduced by: Finance & Insurance Committee Committee Action: Finance & Insurance Committee; Passed 4-0 on February 7, 2014 Fiscal Impact: \$20,302 from Contingency Funds in 2013

M/S Pike/Rusch to adopt Resolution 2014-02-08. Following discussion, motion passed on a voice vote.

3) Resolution 2014-02-09

Approving 2014 Contract between Lincoln County and Board of Regents of the University of Wisconsin System

WHEREAS, Lincoln County (County), pursuant to the authority vested in the County Land Information, Conservation and UW-Extension committee by sections 59.22 (2) (d) and 59.56 (3) of Wisconsin Statutes, and Board of Regents of the University of Wisconsin System, on behalf of the University of Wisconsin-Extension, Cooperative Extension Division (Extension) agrees to conduct Cooperative Extension programs in Lincoln County; and

WHEREAS, Extension provides educational programs in agriculture, community and economic development, family living and 4-H youth development to meet local needs which engage people and their communities in positive change where they live and work; and

WHEREAS, as a result of Extension programming Lincoln County receives the additional benefit of inclusion in the federal grant funded Wisconsin Nutrition Education program (approximately \$43,700); and

WHEREAS, Extension agrees to provide staff with specialist support, research, technology, grant writing, publications, program evaluation, and professional development (an additional \$368,853 value) to carry out Extension programming in the county; and

WHEREAS, for the professional positions included in this contract for 2014 Extension agrees to provide \$140,629 and the County agrees to provide \$123,872 for salaries and fringe benefits.

NOW, THEREFORE BE IT RESOLVED, the Lincoln County Board of Supervisors approves the attached contract.

Dated this 18 day of February, 2014

Introduced by: Land Information, Conservation and UW-Extension Committee

Committee Action: Land Information, Conservation and UW-Extension Committee; Passed on 02/12/14.

Fiscal Impact: No change in 2014 budgeted amount of \$126,275

M/S Alber/Saal to adopt Resolution 2014-02-09. Following discussion, motion carried by voice vote.

4) Resolution 2014-02-10

RESOLUTION IN OPPOSITION TO 2013 ASSEMBLY BILL 613 RELATING TO THE AUTHORITY OF THE COUNTY CLERK

WHEREAS, 2013 Assembly Bill 613 (AB 613) proposes to broaden the duties and authority of county clerks; and

WHEREAS, if enacted into law, AB 613 would essentially grant county clerks with authority well beyond authority granted to other county elected constitutional officers; and

WHEREAS, if enacted into law, AB 613 would grant authority to county clerks that is inconsistent with administrative home rule powers of county government; and

WHEREAS, if enacted into law, AB 613 would create confusion regarding the role of the county clerk and the county clerk's staff in county government; and

WHEREAS, under current law, deputies of the county clerk are considered employees of the county and therefore subject to the employment rules and terms established by the County Board,

WHEREAS, passage of AB 613 would amend the county clerk statute, sec. 59.23, Wis. Stats. to allow the clerk to appoint one or more *full-time equivalent* deputies to work *exclusively in the clerk's office*; and

WHEREAS, AB 613 also adds language to sec. 59.23, Wis. Stats. that deputies appointed by the clerk *may only be removed by the clerk*; and

WHEREAS, the appointment, removal and conditions of employment of county clerk deputies are currently controlled by the County Board pursuant to sec. 59.22(2) (c)1; Wis. Stats. and

WHEREAS, since AB 613 would vest the authority to remove a deputy clerk solely with the county clerk, deputy clerks would effectively be placed outside the scope and jurisdiction of the rules of employment of the county established by the County Board; and

WHEREAS, AB 613 contains no limitations on the number of deputies that the clerk may appoint while at the same time requiring the County Board to provide a salary for all deputies appointed, which would be unique to the clerk's office as no other elected constitutional officer currently has this authority; and

WHEREAS, AB 613 requires that all deputies in the county clerk's office work *exclusively* for the clerk, which will prevent departments from cross training and sharing staff to gain efficiencies; and

WHEREAS, this exclusivity provision would again be unique to the clerk's office as opposed to the other elected constitutional officers; and

WHEREAS, if enacted into law, AB 613 would provide the county clerk with unfettered access to the books, accounts, bills, vouchers, and receipts of the county, regardless of whether or not the county has a county auditor, although under current sec. 59.47(2), Wis. Stats. the county clerk acts as the county auditor only in counties without an auditor; and

WHEREAS, this unlimited access to the books could create HIPAA issues regarding the clerk's access to certain records in departments such as Public Health and Social Services and would create unneeded duplication of services since the county has an auditor in place; and

WHEREAS, the provisions of AB 613 may lead to increased expenses to the counties as many of the provisions of this bill may result in unfunded mandates that the counties will be expected to fund; and

WHEREAS, the fiscal impact and potential costs to the counties should be more closely scrutinized and assessed before this bill is debated; and

WHEREAS, enactment of AB 613 will restrict the ability of counties to gain efficiencies because counties will no longer be able to fiscally manage county clerks' staffing levels; and

WHEREAS, AB 613 is problematic as it conflicts with other statutes, namely sec. 59.22 Wis. Stats. regarding the County Board's authority to establish rules of employment, and it is in conflict with best practices used by counties that are implemented to protect the interests of the taxpayers; and

WHEREAS, since the mandates and provisions in AB 613 would grant powers and authority unique to the county clerk among the elected constitutional officers, this legislation will likely lead to additional legislation wherein all constitutional officers will be given similar authorities, which would further restrict a county's ability to manage its resources, create efficiencies, and deliver cost effective services to its citizens; and

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors does hereby express its formal opposition to 2013 Assembly Bill 613; and

BE IT FURTHER RESOLVED, that the County Clerk shall forward a copy of this resolution to Governor Scott Walker, State Senators Tom Tiffany and Scott Fitzgerald, and Assembly Representatives Kathleen Bernier, Mary Czaja and Robin Vos.

Fiscal Impact: unclear at this time

Dated this 18th day of February, 2014

Introduced by: Administrative & Legislative Committee Date passed: January 10, 2014 unanimous

M/S Caylor/Lee to adopt Resolution 2014-02-10. Following discussion, roll was called. Aye’s: Alber, Bailey, Breitenmoser, Caylor, Giese, Gilk, Lee, Loka, Lussow, Nelson, Pike, Rusch, Saal, Vander Sanden, and Woller (16). No’s: Bloomer, Zeitz (2). Motion carried 16-2.

5) Resolution 2014-02-11

Approve Filling Authorized Position in Forestry Department – Forestry Worker shared with Highway Department

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

WHEREAS this position will be shared between the Forestry Department and Highway Department, and

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

WHEREAS the Lincoln County Forestry 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 Forestry 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 18th day of February, 2014

Introduced by: Forestry Committee Date Passed: February 10, 2014 Committee Vote: Unanimous

Introduced by: Personnel Committee Date Passed: February 3, 2014 Committee Vote: Unanimous

M/S Bailey/Nelson to adopt Resolution 2014-02-11. Following discussion, motion carried by a voice vote.

6) Resolution 2014-02-12

Approve Filling Authorized Position in Sheriff Office – Correctional Officer

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 18th day of February 18, 2014

Introduced by: Law Enforcement Committee Date Passed: February 12, 2014 Committee Vote: Unanimous

Introduced by: Personnel Committee Date Passed: February 3, 2014 Committee Vote: Unanimous

M/S Lee/Loka to adopt Resolution 2014-02-12. Following discussion, motion carried by a voice vote.

7) Resolution 2014-02-13

SETTING TOTAL ANNUAL COMPENSATION FOR COUNTY ELECTED OFFICIALS PURSUANT TO SEC. 59.22, WIS. STATS. (Sheriff, Coroner, Clerk of Circuit Court – 1/6/2015 to 1/6/2019)

WHEREAS, pursuant to sec. 59.22, Wis. Stats., the Board must establish the total annual compensation for services to be paid to county elected officials (other than supervisors and circuit judges) prior to the earliest time for filing nomination papers (April 15th) for the county elective office; and

WHEREAS, the Board desires to establish the total annual compensation for county elected officials, which is separate and distinct from the fringe benefits offered by the County to elected officials, and which fringe benefits are subject to increase or decrease during the officer’s term at the discretion of the Board and in accordance with state and federal law; and

WHEREAS, as part of the County’s fringe benefit program, county elected officials may participate in the Wisconsin Retirement System in accordance with state law; and

WHEREAS, as part of the County’s fringe benefit program, county elected officials are eligible to receive health insurance coverage under the same terms and conditions as the health insurance coverage offered to county employees; and

WHEREAS, for each month served, \$150 is contributed to the post employment health plan of each county elected official; and

NOW, THEREFORE BE IT RESOLVED, that the total annual compensation for county elected officials under sec. 59.22(1), Wis. Stats. shall be as follows, effective on the first day of a term of office that begins after the date of this resolution:

Elected Official	Total Annual Compensation				
	2014	2015	2016	2017	2018
Clerk of Circuit Court	\$58,442	\$59,026	\$59,616	\$60,212	\$60,814
Coroner	\$24,432	\$24,676	\$24,922	\$25,171	\$25,422
Sheriff	\$66,988	\$75,482	\$76,236	\$76,998	\$77,767

BE IT FURTHER RESOLVED that the aforementioned county elected officials are entitled to participate in the Wisconsin Retirement System in accordance with law and the County shall pay only its share of contributions required by law; and

BE IT FURTHER RESOLVED that the aforementioned county elected officials are entitled to participate in the County’s health insurance program subject to the terms and conditions of the program, which may be modified from time to time, under the same terms and conditions as the plan and coverage offered to county employees.

BE IT FURTHER RESOLVED that the county shall contribute \$150 for each month served during the term to the post employment health plan of each county elected official; and

BE IT FURTHER RESOLVED that county elected officials are entitled to reimbursement for mileage, meals and lodging expenses on the terms set forth in the Lincoln County Personnel Policy, which may be modified from time to time; and

BE IT FURTHER RESOLVED that this compensation shall be in lieu of any fee for service or any other payments of any kind.

Fiscal Impact:

Known Salary and Fringe = \$ 16,595 over the four years

Fringe Benefits = Unknown: Not able to forecast Wisconsin retirement contributions by the County or Elected Officials, we also are not able to forecast health insurance cost or contributions by the County or Elected Officials

Dated this 18th day of February, 2014

Introduced by: Personnel Committee Date Passed: February 3, 2014 Committee Vote: Unanimous

M/S Zeitz/Lee to adopt Resolution 2014-02-13. Discussion followed. M/S Bloomer/Gilk to amend Sheriff’s raise to 2% in first year then 1% thereafter. Discussion followed. Supervisor Gilk withdrew his second. Motion died for lack of a second. Following discussion roll was called. Aye’s: Alber, Bailey, Breitenmoser, Caylor, Giese, Gilk, Lee, Loka, Lussow, Nelson, Pike, Rusch, Saal, Vander Sanden, Woller, and Zeitz (16). No’s: Bloomer (1). Motion carried 16-1.

B. 1) ORDINANCE 2014 -02-603

AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN – CHAPTER 17, 17.2.03, ZONING ORDINANCE AS A RESULT OF A REZONING PETITION SUBMITTED BY PATRICIA URBAN FOR THE ESTATE OF ROBERT STEPHAN FOR 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 the approximately 80 acres NW¼SE¼ and the NE¼SE¼ of Section 11, T34N-R6E, in the Town of Bradley, having an address of W5456 Koth Road and tax parcel numbers are 04.113406.014.00.00.00 and 04.113406.013.000.00.00 will be rezoned from a Forestry zoning district and Rural Lands 2 zoning district to a Rural Lands 4 zoning district subject to the following conditions:

1. If the parcels are further subdivided, such subdivision shall be done by certified survey map to be approved by the Lincoln County Planning and Zoning department.
2. If the parcels are further subdivided, a wetland delineation shall be done and the subdivision shall be done in such a manner as to prevent impacts to wetlands.

This ordinance shall take effect following its passage and publication

Dated: February 18, 2014

Introduced by: Lincoln County Planning and Zoning Committee Date Passed: February 13

Committee Vote: 5 - 0 Fiscal Impact: None

M/S Saal/Nelson to adopt Ordinance 2014-02-603. Discussion followed. Motion carried by voice vote.

2) ORDINANCE 2014 -02-604

AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN – CHAPTER 17, 17.2.03, ZONING ORDINANCE AS A RESULT OF A REZONING PETITION SUBMITTED BY DAVID AND STEVE JUHLKE FOR PROPERTY IN THE TOWN OF CORNING

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

Chapter 17.2.03, Lincoln County Code, is amended such that the approximately 40 acres SE¼SW¼ of Section 30, T32N-R4E, in the Town of Corning, on County Road M and tax parcel number is 06.303204.012.000.00.00 will be rezoned from Forestry to Rural Lands 2.

This ordinance shall take effect following its passage and publication

Dated: February 18, 2014

Introduced by: Lincoln County Planning and Zoning Committee Date Passed: February 13, 2014

Committee Vote: 5 - 0 Fiscal Impact: None

M/S Saal/Nelson to adopt Ordinance 2014-02-604. Discussion followed. Motion carried by a voice vote.

9. Reports of Claims – None

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

11. Next County Board Meeting: Tuesday, March 18, 2014, at 6:00 p.m., at William Buedingen Training Center, W6147 State RD 86, Tomahawk, WI 54487

12. M/S Vander Sanden/Zeitz to adjourn. Motion carried on a voice vote. Meeting adjourned at 12:31 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, February 18, 2014.

Christopher J Marlowe, County Clerk