

Lincoln County Board of Supervisors

Meeting: April 15, 2014

The Lincoln County Board of Supervisors met at the Lincoln County Service Center, County Board Room 801 N. Sales St., Merrill, WI, in session assembled pursuant to law.

1. Clerk Marlowe called the meeting to order at 8:01 a.m.
2. Pledge of allegiance followed.
3. Clerk Marlowe stated the Certificate of Election was on their desks.

CERTIFICATE OF ELECTION

From Election of April 1, 2014

I, Christopher J. Marlowe, County Clerk of Lincoln County, Wisconsin, do hereby certify the following is a true and correct list of the members of the Lincoln County Board of Supervisors for years 2014 and 2016 as they appear on the original statement of the Lincoln County Board of Canvassers in my office.

District 1	Dan Caylor
District 2	Robert Weaver
District 3	Ryan Schwartzman
District 4	Jeff Hetfeld
District 5	Garth Swanson
District 6	Patricia A. Woller
District 7	Greta Rusch
District 8	R. Wayne Plant
District 9	Bill Zeitz
District 10	Loretta Baughan
District 11	Hans Breitenmoser, Jr.
District 12	Paul Gilk
District 13	James C. Alber
District 14	Robert Lussow
District 15	Robert J. Lee
District 16	Michael J. Loka
District 17	Donald Nelson
District 18	John E. Bailey
District 19	Julie L. Allen
District 20	Carl Vander Sanden
District 21	Kortney Pike
District 22	Graham Rankin

Dated this 15th day of April, 2014 Christopher J. Marlowe, Lincoln County Clerk

4. Roll was called with the following present: Alber, Allen, Bailey, Baughan, Breitenmoser, Caylor, Gilk, Hetfeld, Lee, Loka, Lussow, Nelson, Pike, Plant, Rankin, Rusch, Schwartzman, Swanson, Vander Sanden, Weaver, Woller, and Zeitz (22).
5. Clerk Marlowe administered the oath of office to the Supervisors.
6. Clerk Marlowe then called for nominations for County Board Chair. Alber nominated Lussow, and Pike nominated Bailey. The Clerk called for any other nominations three times, hearing none, nominations were closed. Lussow received 13 votes, and Bailey received 9 votes. Lussow was elected County Board Chair.
Chair Lussow called for nominations for Vice Chair. Woller nominated Caylor. Gilk nominated Breitenmoser. Breitenmoser declined. Chair called for any other nominations three times. M/S Lee/Nelson to close nomination and cast a unanimous vote for Dan Caylor. Caylor was elected County Board Vice-Chair.
7. Chair Lussow called for nominations for County Highway Committee. Supervisors nominated were: Lee, Bailey, Vander Sanden, Pike, Plant, and Nelson. Chair Lussow called for any other nominations three times,

hearing none, nominations were closed. The five elected to County Highway Committee are: Robert Lee, John Bailey, Carl Vander Sanden, Kortney Pike, and R. Wayne Plant.

Chair Lussow called for nominations for Social Services Committee. Supervisors nominated were: Hetfeld, Gilk, Woller, Alber, Rusch, and Baughan. Baughan declined. Chair Lussow called for any other nominations three times. M/S Nelson/Bailey to close nominations and cast a unanimous vote. Motion carried by voice vote. The five elected to Social Services Committee are: Jeff Hetfeld, Paul Gilk, Patricia Woller, James Alber, and Greta Rusch.

Chair Lussow called for nominations for Personnel Committee. Supervisors nominated were: Woller, Rusch, Nelson, Swanson, Caylor, and Hetfeld. Chair Lussow called for any other nominations three time, hearing none, nominations were closed. The five elected to Personnel Committee are: Patricia Woller, Greta Rusch, Donald Nelson, Daniel Caylor, and Jeff Hetfeld.

Chair Lussow called for nominations for Administrative & Legislative Committee. Supervisors nominated were: Lee, Zeitz (declined), Allen, Rusch, Breitenmoser, Woller, Baughan, Swanson, and Alber. The Chair and Vice-Chair automatically hold a seat on this Committee. With Chair Lussow and Vice-Chair Caylor, the other five elected to Administrative & Legislative are: Robert Lee, Greta Rusch, Hans Breitenmoser, Jr., Patricia Woller and James Alber.

8. Chair Lussow appointed the following to the Nominating Committee: Chair Lussow, Vice-Chair Caylor, Breitenmoser, Gilk, and Nelson.
9. Meeting recessed at 8:48 a.m., to reconvene no earlier than 12:30 p.m.
10. Reconvened meeting at 12:30 p.m.
11. M/S Alber/Weaver to ratify the committee appointments. Following discussion, roll was called; Aye's: Alber, Allen, Bailey, Baughan, Breitenmoser, Caylor, Gilk, Hetfeld, Lee, Loka, Lussow, Nelson, Pike, Plant, Rusch, Schwartzman, Vander Sanden, Weaver, and Woller. (19) Nay's: Rankin, Swanson, and Zeitz. (3) Motion carried 19-3.
12. Chair Lussow recognized outgoing Supervisors Bruce Geise, Ray Bloomer, David Fox, and Frank Saal, Jr. for their many years of service on the Lincoln County Board.
13.
 - a. Announcements – Chairman Lussow mention the Board Orientation on Thursday, April 24th at 9:00 here in the board room. He encourages all board members to attend not just the new members.
 - b. Service Recognitions for April 2014:
 - 20 Years - Burl Byer, Highway Department
 - 35 Years - Sara Sabatke, Pine Crest Nursing Home
 - c. Appointments & Re-Appointments:
 1. M/S Plant/Loka to re-appoint Gail Schneider, Sue Weith, and Dr. Jeffrey Moore to Board of Health, term to expire April 2016. Motion carried on a voice vote.
 2. M/S Woller/Loka to re-appoint Jeff West to Civil Service Grievance Committee, for a term to expire March 31, 2019. Motion carried on a voice vote.
14. Approval of Journal – M/S Caylor/Vander Sanden to approve the minutes of March 18, 2014 as printed. Motion carried on a voice vote.
15.
 - a. Letters, Petitions - None
 - b. Memorials – None
16. Reports of Standing & Special Committees:
 - a. Finance Committee: 2014 Year-To-Date Budget Report – Finance Director (Dan Leydet)
 - b. Finance Committee: 2015 Budget Update – Finance Director (Dan Leydet)
 - c. Administrative & Legislative Committee: Administrative Coordinator's Written Report - March (Randy Scholz)
17. Resolutions and Ordinances for Board Action
 - 1) Resolution 2014-04-18

A Resolution to approve a Request for Proposal for a feasibility Study of the Lincoln County Fairgrounds using a portion of the funds from the Grandstands Insurance Claim

WHEREAS, Lincoln County Economic Development Corporation's USDA Grant Application has not been approved to date, and

WHEREAS, Lincoln County's insurance claim pertaining to the grandstands has been settled and satisfied with the State of Wisconsin (LGPIF) for approximately \$1,270,466 having been accepted by the Lincoln County Board of Supervisors on July 16, 2013, and
 WHEREAS, included in this settlement, was the release of any time and use restraints put on the settlement dollars especially for a study of this type, and
 WHEREAS, these funds having been agreed on, and are now free to be applied to a Study of this type, and
 WHEREAS, this study would consist of a Market Analysis, a cost/benefit analysis of county ownership, assessment of community needs and market opportunities for events and activities, review of all fairgrounds structures for code compliance, a strategic operating and facility plan that would identify operational goals and objectives, and
 WHEREAS, the study will also prepare a capital and annual operational budget, recommend facility enhancements (near and long term), recommend operational and physical plant strategies and implementation plan, analyze ownership and management models including cost/benefit analysis, and
 WHEREAS, if the County funds this study, the RFP and study become the responsibility of the County.
 THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors support the use of an amount not to exceed \$50,000.00 from the funds from the grandstands insurance claim for a feasibility study to determine the future of the Lincoln County Fairgrounds.

THEREFORE BE IT FURTHER RESOLVED, that the deadline for delivery of this completed RFP to the Maintenance Director of Lincoln County be on or before June 1st, 2014, 2:00 p.m.

Dated this 15th day of April, 2014

Fiscal Impact: \$50,000.00 From Grandstand insurance claim.

Introduced by: Public Property Committee Date Passed: April 1st, 2014 Committee Vote: 3-0

M/S Zeitz/Woller to adopt resolution 2014-04-18. Following discussion, M/S Alber/Weaver to layover for 30 days and that the entire board receives a copy of RFP. Roll was called; Aye's: Alber, Allen, Breitenmoser, Gilk, Lee, Loka, Lussow, Nelson, Plant, Rusch, Vander Sanden, and Weaver. (12) Nay's: Bailey, Baughan, Caylor, Hetfeld, Pike, Rankin, Schwartzman, Swanson, Woller, and Zeitz. (10) Motion carried 12-10.

2) Resolution 2014-04-19

Authorization to Make Payments in Settlement of Commonwealth Land Title Insurance Company and Teske Farms, Inc. Claims

WHEREAS, Commonwealth Land Title Insurance Company has filed suit against the Lincoln County Treasurer for reimbursement for payment of taxes which at the time of payment were null and void as a matter of law; and

WHEREAS, Commonwealth seeks \$30,676.76 but has agreed to accept \$25,000.00 in full settlement of all its' claims in case number 13-CV-186; and

WHEREAS, Teske Farms, Inc. has filed a Notice of Claim & Circumstances arising from the same land transaction in which it claims it is entitled to reimbursement of the sum of \$13,821.77; and

WHEREAS, a reimbursement to Teske Farms, Inc. in the amount of \$4100.00 is recommended in exchange for a full settlement of its' claim.

NOW, THEREFORE BE IT RESOLVED, that the Treasurer is authorized to pay the parties above in the amounts reflected above (upon receipt of proper releases) to resolve all claims by either party.

Dated this 15th day of April, 2014.

Introduced by: Finance Committee Passed 4-0 on 4/4/14 Fiscal Impact: \$29,100

M/S Lee/Vander Sanden to adopt resolution 2014-04-19. Following discussion, motion carried on a voice vote.

3) Resolution 2014-04-20

Approve Filling Authorized Position in Highway Department – Highway Commissioner

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 15th day of April, 2014

Introduced by: Highway Committee Date Passed: April 8, 2014 Committee Vote: Unanimous

Introduced by: Personnel Committee Date Passed: April 10, 2014 Committee Vote: Unanimous

M/S Pike/Rusch to adopt resolution 2014-04-20. Following discussion, motion carried on a voice vote.

4) Resolution 2014-04-21

A Resolution to approve the use of funds in the amount of \$6,000.00 from the Grandstand insurance proceeds to assist the Rodeo committee on event seating costs.

WHEREAS, Lincoln County's insurance claim pertaining to the grandstands has been settled and satisfied with the State of Wisconsin (LGPIF) for approximately \$1,270,466 having been accepted by the Lincoln County Board of Supervisors on July 16, 2013, and

WHEREAS, included in this settlement, was the release of any time and use restraints put on the settlement dollars, and

WHEREAS, these funds having been agreed on, and are now free to be applied to areas pertaining to fairgrounds activities deemed necessary and or fitting by the Lincoln County Board of Supervisors, and

WHEREAS, the Lincoln County Fairgrounds presently does not have adequate seating to host or engage in an activity which would draw large amounts of spectators, and

WHEREAS, the Lincoln County Rodeo Association, Inc. is requesting assistance in funds to defray the cost of rental seating for their Rodeo scheduled to be held on the Lincoln County Fairgrounds June 6th, 7th, and 8th 2014, and

WHEREAS, the Lincoln County Rodeo Association, Inc. has run a successful Rodeo and benefited both Lincoln County and the private sector businesses in past years with added revenue, and

WHEREAS, the amount requested is \$6,000.00 or any donation not to exceed this figure, and

THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors support the use of said funds to offset the cost of event seating for the Rodeo event June 6th, 7th, and 8th.

Dated this 15th day of April, 2014

Fiscal Impact: \$6,000.00 From Grandstand insurance claim.

Introduced by: Public Property Committee Date Passed: April 8th, 2014 Committee Vote: 3-0

Vote at Public Property committee meeting March 6th: 5-0

M/S Woller/Zeitz to adopt resolution 2014-04-21. Discussion followed. Supervisor Zeitz called the question. Roll was called; Aye's: Bailey, Baughan, Breitenmoser, Gilk, Hetfeld, Pike, Rankin, Schwartzman, Swanson, Woller, and Zeitz. (11) Nay's: Alber, Allen, Caylor, Lee, Loka, Lussow, Nelson, Plant, Rusch, Vander Sanden, and Weaver. (11) Motion was defeated 11-11.

5) Resolution 2014-04-22

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 15th day of April, 2014.

Introduced by: Land Information, Conservation and University Extension Committee

Date Passed: 04/09/2014 Committee Vote: 5-0

Fiscal Impact: None

M/S Breitenmoser/Alber to adopt resolution 2014-04-22. Following discussion, motion carried on a voice vote

6) Resolution 2014-04-23

Request for Department of Natural Resources Targeted Runoff Management Grant Funds
(Park Ave. Dairy - Animal Waste Management Project)

WHEREAS, Park Ave. Dairy 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 Park Ave. Dairy 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 Park Ave. Dairy 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 Park Ave. Dairy 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 15th day of April, 2014.

Introduced by: Land Information, Conservation and University Extension Committee

Date Passed: 04/09/2014 Committee Vote: 5-0 Fiscal Impact: None

M/S Hetfeld/Breitenmoser to adopt resolution 2014-04-23. Following discussion, motion carried on a voice vote.

B. Ordinance - None

18. Reports of Claims – None.

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

20. Next County Board Meeting: Tuesday, May 20, 2014, at 6:00 p.m., at the William Buedingen Training Center, W6147 State RD 86, Tomahawk, WI.

21. M/S Plant/Woller to adjourn. Motion carried on a voice vote. Meeting adjourned at 1:29 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, April 15, 2014.

Christopher J. Marlowe, County Clerk