

**Lincoln County Board of Supervisors
Meeting October 18, 2011**

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. Chair Lussow called the meeting to order at 6:00 p.m. Pledge of Allegiance followed. Roll was called with the following present: Bailey, Berndt, Bloomer, Caylor, Fox, Giese, Krueger, Lee, Loka, Lussow, Meyer, Mittelsteadt, Nelson, Pampuch, Rankin, Rusch, Saal, Weaver, Woller, and Zeitz (20). Arriving at 6:05 p.m. was Alber; arriving at 6:27 p.m. was Simon. (22)

4. a. Announcements – None
 - b. Service Recognitions for October 2011
 - 15 years: Sue Hinz – Pine Crest Nursing Home
 - 20 years: Sheila Graap – Pine Crest Nursing Home
 - Eva Haugen – Pine Crest Nursing Home
 - Timothy Sarazin – Highway Department
 - Sally Waldburger – Pine Crest Nursing Home
 - 30 years: Frances Jeske – Sheriff’s Office
 - Laurie Wegner – Pine Crest Nursing Home
 - c. Appointments & Re-Appointments: None
5. Approval of Journal – M/S Caylor/Zeitz to approve the minutes of September 20, 2011 as printed. Motion carried on a voice vote. M/S Loka/Lee to amend the minutes to include, under announcements, *Mr. Zeitz also reported the County will be receiving a \$19,000 dividend payment.* Motion carried on a voice vote.
6. a. Letters, Petitions – In packet.
 - b. Memorials – None
7. Reports of Standing & Special Committees:
 - a. 2011 Year-to-Date Budget Report – Finance Director
 - b. 2012 Preliminary Budget Proposal – Administrative Coordinator. Mr. Scholz reported the preliminary 2012 budget will result in an average levy increase of \$2.70 for a home assessed at \$100,000. Discussion followed.
 - c. Administrative Coordinator’s Written Report - September - Randy Scholz - In packet.
 - d. Ad Hoc Committee Report – John Bailey
8. Resolutions and Ordinances for Board Action
 1. a. Resolution 2011-10-55
 - To Approve Cisco Payment Plan Agreement for SmartNet Services Contract.
 - WHEREAS, in order to maintain our infrastructure, network and phone system the IT Department purchases support and maintenance services from Cisco ; and
 - WHEREAS, by committing to a three (3) year contract, we are able to achieve cost savings and guarantee service continuity; and
 - WHEREAS, the service contract has been approved by the Administrative & Legislative Committee and reviewed by Corporation Counsel, N.L.Bergstrom; and
 - NOW, THEREFORE BE IT RESOLVED, that Don Schlising, IT Director, is hereby authorized to execute this Payment Plan Agreement and related documents with payments due on Dec 7 of 2011, 2012 and 2013.
 - Dated this 18th day of October, 2011.
 - Introduced by: Administrative & Legislative Committee Committee Action: Passed 7-0 on 10/3/11
 - Fiscal Impact: \$23,672.07 each year
 - M/S Lee/Caylor to adopt. Following discussion, motion carried on a voice vote.

b. Resolution 2011-10-56

Approve Filling Authorized Position in the District Attorney's Department

WHEREAS sec. 4.07, Lincoln County Code specifies a procedure for approval authorized positions, and
 WHEREAS the District Attorney recommends fill a vacant position, and
 WHEREAS the Judicial/EMS 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 Judicial/EMS 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 October, 2011 Introduced by: Judicial/EMS Committee

Date Passed: September 14, 2011 Committee Vote: Unanimous Introduced by: Personnel Committee

Date Passed: October 3, 2011 Committee Vote: Unanimous

M/S Caylor/Woller to adopt. Following discussion, motion carried on a voice vote.

c. Resolution 2011-10-57

Approve Filling Authorized Position in the Clerk of Courts Department

WHEREAS sec. 4.07, Lincoln County Code specifies a procedure for approval authorized positions, and
 WHEREAS the Clerk of Courts recommends filling the Deputy Clerk of Courts vacant position, and
 WHEREAS the Judicial/EMS 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 Judicial/EMS 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 October, 2011 Introduced by: Judicial/EMS Committee

Date Passed: September 14, 2011 Committee Vote: Unanimous Introduced by: Personnel Committee

Date Passed: October 3, 2011 Committee Vote: Unanimous

M/S Caylor/Woller to adopt. Following discussion, motion carried on a voice vote.

d. Resolution 2011-10-58

Creating An Infrastructure Engineer Position

WHEREAS, the County Board has created a process for the creation of new positions which is outlined in sec. 4.06, Lincoln County Code; and

WHEREAS, a need has arisen for an Infrastructure Engineer Position in the 911 Division of the Sheriff's Office; and

WHEREAS there is no capacity among the current IT staff to manage the hardware and software associated with Sheriff Office 911 operations and communications;

NOW THEREFORE BE IT RESOLVED that the Lincoln County Board of Supervisors accepts the recommendation of the Personnel Committee and approves the following position:

Position: Infrastructure Engineer Department: IT Department Hours: 40 hours per week

Proposed Wages: Grade 9, Step Min Fiscal Impact: Wages \$42,557; Fringe/Family Insurance \$23,046 Total Cost \$65,603 Discussion: This position assumes the technical/IT responsibilities formerly assigned to the

Sheriff's Office 911 Supervisor position. Sheriff's proposed reorganization of department

Fiscal Impact - Wages difference \$8,902; Fringe difference \$2,621; Eliminating power shift \$1,920 Total Cost

\$13,443 Total Combined Cost \$79,046 Current Position Cost: Wages \$56,326; Fringe \$25,110 Total Cost

\$81,436 Total Fiscal Impact is a cost savings of \$2,390

Dated this 18th day of October, 2011. Introduced by: Personnel Committee Committee Action: Approved (5 - 0) on October 12, 2011.

M/S Lee/Caylor to adopt. Following discussion, motion carried on a voice vote.

e. Resolution 2011-10-59

Creating A Lieutenant Position (911 Supervision)

WHEREAS, the 911 Supervisor position is vacant, resulting in the following recommendations for reorganization of the Sheriff's Office 911 operations.

WHEREAS, the County Board has created a process for the creation of new positions which is outlined in sec. 4.06, Lincoln County Code; and

WHEREAS, there is no capacity among the current staff to manage/supervise the Sheriff Office 911 operations and communications; and

WHEREAS, the Sheriff has recommended eliminating the current 911 Supervisor position and replacing it with a Lieutenant (911 Supervision) position to be filled with current staff available by eliminating the power shift for patrol; and

WHEREAS, the Sheriff would not back-fill the deputy position vacated by this lieutenant;

NOW THEREFORE BE IT RESOLVED that the Lincoln County Board of Supervisors accepts the recommendation of the Personnel Committee to eliminate the 911 Supervisor position, eliminate the power shift and one deputy position, and create the following position:

Position: Lieutenant (911 Supervision) Department: Sheriff Hours: 40 hours per week

Proposed Wages: \$26.09/hr. Fiscal Impact: Wages difference \$8,902; Fringe difference \$2,621; Eliminating power shift \$1,920 Total Cost \$13,443 Discussion: This position assumes the personnel and operations management responsibilities formerly assigned to the Sheriff's Office 911 Supervisor position.

IT recommendation to hire an Infrastructure Engineer: Fiscal Impact: Wages \$42,557; Fringe/Family Insurance \$23,046 Total Cost \$65,603 Total Combined Cost \$79,046 Current Position Cost: Wages \$56,326; Fringe \$25,110 Total Cost \$81,436 Total Fiscal Impact is a cost savings of \$2,390

Dated this 18th day of October, 2011. Introduced by: Personnel Committee Committee Action: Approved (5 - 0) on October 12, 2011.

M/S Saal/Rusch to adopt. Following discussion, motion carried on a majority voice vote.

f. Resolution 2011-10-60

RESOLUTION SUPPORTING H.R. 1496 IN THE U.S. HOUSE OF REPRESENTATIVES AND U.S. SENATE BILL 202 TO AMEND TITLE 31 UNITED STATES CODE TO AUDIT THE FEDERAL RESERVE SYSTEM OF THE UNITED STATES

WHEREAS, the U.S. Congress has the constitutional authority "to coin money, regulate the value thereof, and of foreign coin" (Article 1 Sec. 8); and

WHEREAS, the U.S. Congress in December 1913 gave up this power to a private banking cartel known as the Board of Governors of the Federal Reserve System; and

WHEREAS, this private banking cartel has exercised dominant control over U.S. monetary policy under both Democratic and Republican administrations; and

WHEREAS, Federal Reserve policies have created and continue to create booms and busts in the American economic cycle resulting in hardships which include loss of jobs, decline in the purchasing power of the dollar, and bankruptcies and foreclosures of American businesses and households; and

WHEREAS the bailouts of U.S. Banks by the Federal Reserve has cost trillions of dollars and place this and future generations under tremendous debt obligations; and

WHEREAS Federal Reserve policies and actions have never been audited to determine whether illegalities or irregularities have been committed; and

WHEREAS Lincoln County citizens, old and young, are adversely impacted by these policies.

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors supports H.R. 1496 and S. 202 to reform the Federal Reserve System by having the Comptroller General of the United States audit the Federal Reserve according to the provisions of H.R. 1496 and S. 202.

NOW, THEREFORE BE IT FURTHER RESOLVED that this resolution be sent to the President, all Wisconsin U.S. Senators and Representatives, the U.S. Treasury Secretary, the Chairman of the Federal Reserve, the Comptroller General of the U.S., all appropriate Congressional Committees, all Wisconsin counties and the Wisconsin Counties Association.

Dated this 18th day of October, 2011. Committee Action: Fiscal Impact: Unknown

M/S Zeitz/Rankin to adopt. Following discussion, motion was declared a division of the house and roll call was called. Roll call on the motion as follows: Ayes (20) Alber, Bailey, Berndt, Bloomer, Caylor, Fox, Geise, Krueger, Lee, Loka, Lussow, Mittelsteadt, Nelson, Pampuch, Rankin, Rusch, Saal, Simon, Woller, and Zeitz; No's (2) Meyer and Weaver. Motion carried by a vote of 20 - 2.

g. Resolution 2011-10-61

Resolution to Amend Loan Agreements between Lincoln County and Morning View Dairy LLC

WHEREAS, Lincoln County has established a revolving loan fund, and,
WHEREAS, after public meeting and due consideration, two loans were approved and made to MORNING VIEW DAIRY, LLC,(loan agreements dated May 5, 2011 and July 26 2011),
WHEREAS, Charl Van Der Nest is no longer a member owner of MORNING VIEW DAIRY, LLC and has requested a release of his personal guaranty,
NOW, THEREFORE BE IT RESOLVED, that the County Board does approve and authorize the County Board Chair to sign the attached amendments (release of Charl Van Der Nest's personal guaranty) to the loan agreement dated May 5, 2011 and July 26, 2011 as recommended by the County Finance and Insurance Committee.
Dated this 18th day of October 2011
Lincoln County Finance and Insurance Committee Action: Passed (5-0) on October 7, 2011
Fiscal Impact: None

FIRST AMENDMENT TO LOAN AGREEMENT
DATED May 5, 2011

This First Amendment to Loan Agreement dated May 5, 2011 (hereinafter "Amendment") is made this 21st day of October, 2011 by MORNING VIEW DAIRY, LLC ("Borrower") and LINCOLN COUNTY("Lender").

WHEREAS, Lincoln County and Borrower entered into that certain Loan Agreement dated May 5, 2011 ("Loan Agreement"); and
WHEREAS, Lincoln County assigned the Loan Agreement and corresponding loan and loan documents to Lender ("Loan Documents"); and
WHEREAS, Charl Van Der Nest is no longer a member owner of MORNING VIEW DAIRY, LLC and has requested a release of his personal guaranty; and
NOW, THEREFORE, in consideration of the mutual covenants, conditions, and agreements contain herein, and other good and valuable consideration, the receipt and adequacy of which are acknowledged, Borrower and Lender agree as follows:

- 1. Lender's Release. Lender agrees to release the guaranty by Charl Van Der Nest.
- 2. Borrower's Representations. Borrower represents and warrants that it is not in breach of any of the terms and provisions of the Loan Documents.
- 3. Survival of Existing Loan Documents. This Amendment is incorporated as part of the Loan Documents (as defined in the Loan Term Agreement dated May 5, 2011). Except as amended herein, the Loan Documents continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this amendment to be duly executed and delivered as of the day and year first above written.

MORNING VIEW DAIRY, LLC
By: _____
Charl Van Der Nest, Member

LINCOLN COUNTY
By: _____
Robert Lussow, Chair

By: _____ Heinz Roth, Member
By: _____ Erich Roth, Member

FIRST AMENDMENT TO LOAN AGREEMENT
DATED JULY 26 2011

This First Amendment to Loan Agreement dated July 26, 2011 (hereinafter "Amendment") is made this 21st day of October, 2011 by MORNING VIEW DAIRY, LLC ("Borrower") and LINCOLN COUNTY("Lender").

WHEREAS, Lincoln County and Borrower entered into that certain Loan Agreement dated July 26, 2011 ("Loan Agreement"); and

WHEREAS, Lincoln County assigned the Loan Agreement and corresponding loan and loan documents to Lender ("Loan Documents"); and
WHEREAS, Charl Van Der Nest is no longer a member owner of MORNING VIEW DAIRY, LLC and has requested a release of his personal guaranty; and
NOW, THEREFORE, in consideration of the mutual covenants, conditions, and agreements contain herein, and other good and valuable consideration, the receipt and adequacy of which are acknowledged, Borrower and Lender agree as follows:

1. Lender's Release. Lender agrees to release the guaranty by Charl Van Der Nest.
2. Borrower's Representations. Borrower represents and warrants that it is not in breach of any of the terms and provisions of the Loan Documents.
3. Survival of Existing Loan Documents. This Amendment is incorporated as part of the Loan Documents (as defined in the Loan Term Agreement dated July 26, 2011). Except as amended herein, the Loan Documents continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this amendment to be duly executed and delivered as of the day and year first above written.

MORNING VIEW DAIRY, LLC By: _____ Charl Van Der Nest, Member	LINCOLN COUNTY By: _____ Robert Lussow, Chair
By: _____ Heinz Roth, Member	
By: _____ Erich Roth, Member	

M/S Simon/Mittelsteadt to adopt. Following discussion, motion carried on a majority voice vote.

2. a. ORDINANCE 2011-09-573

AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN - CHAPTER 17, SECTIONS 17.1.12 AND 17.2.03, ZONING ORDINANCE AS A RESULT OF A COMPREHENSIVE PLAN AMENDMENT AND REZONING PETITION SUBMITTED BY LINCOLN COUNTY FOR PROPERTY IN THE TOWN OF BRADLEY

The County Board of Supervisors of Lincoln County, Wisconsin, does hereby ordain:
Section 17.1.12 of the Lincoln County Code and the Planned Land Use Map (Map # 4) of Volume 2 of the Lincoln County Comprehensive Plan, shall be amended to change the planned land use category for the approximately 1.2 acres described as part of the NW¼SW¼ of Section 13, T34N-R6E, or tax parcel numbers 04.133406.010.002.00.00 & 04.133406.010.006.00.00, having addresses of N8690 County Rd S & W5289 Crass Rd from "Rural Single Family Residential" to "Crossroads Mixed Use";

AND

Chapter 17.2.03, Lincoln County Code, is amended such that the approximately 1.2 acres described above will be rezoned from Rural Residential 1 to Crossroads Mixed Use.

This ordinance shall take effect after its passage and publication.

Dated this 20th day of September, 2011 Introduced by: Lincoln County Planning and Zoning Committee

Date Passed: August 11, 2011 Committee Vote: 4 - 0 Fiscal Impact: None

M/S Alber/Saal to adopt. Discussion followed. M/S Saal/Woller to lay over to next month. Motion to lay over to next month carried on a voice vote.

b. ORDINANCE 2011-10-576

AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN - CHAPTER 17, SECTIONS 17.1.12 AND 17.2.03, ZONING ORDINANCE AS A RESULT OF A REZONING PETITION SUBMITTED BY CORBIN TIMBERLANDS, LLC FOR PROPERTY IN THE TOWN OF BRADLEY

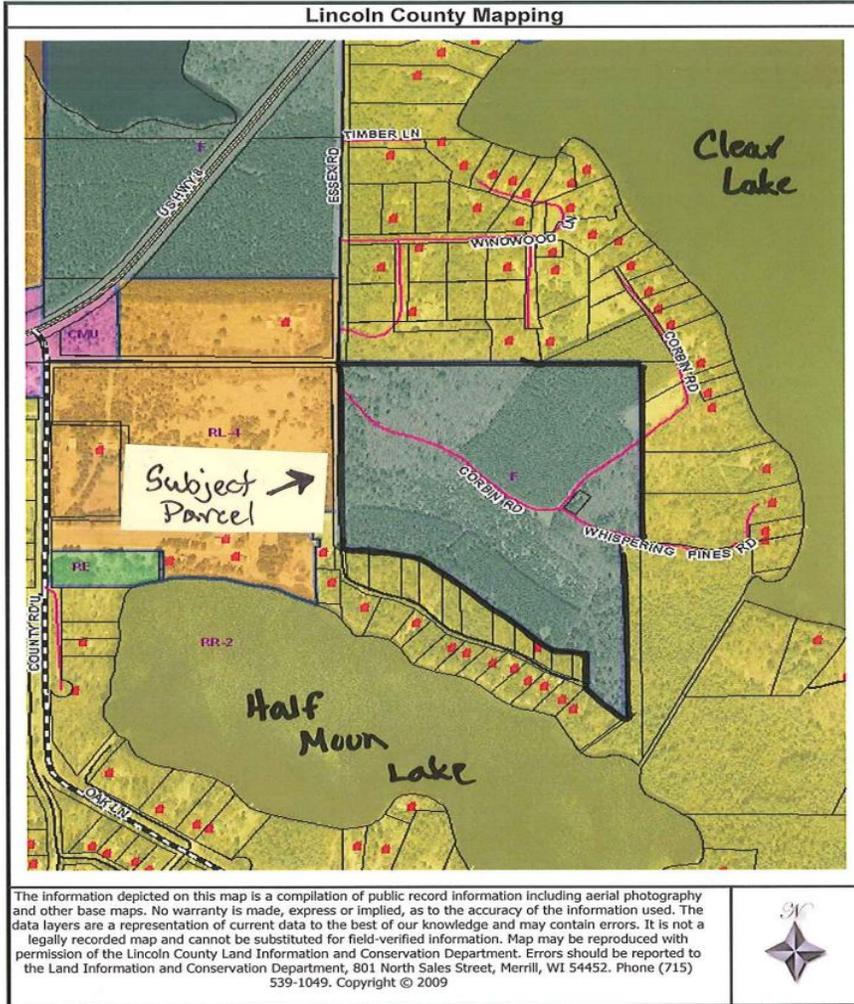
The County Board of Supervisors of Lincoln County, Wisconsin, does hereby ordain:
Chapter 17.1.12 and 17.2.03, Lincoln County Code, is amended such that the approximately 42 acres located in part of Government Lot 8, Section 10, T35N R6E having a tax parcel number of 04.103506.010.001.00.00, including the outlot within having a tax parcel number of 04.103506.010.002.00.00 be rezoned from Forestry to Rural Lands 4.

This ordinance shall take effect after its passage and publication.

Dated this 18th day of October, 2011 Introduced by: Lincoln County Planning and Zoning Committee Date Passed: October 13, 2011 Committee Vote: 4-0 Fiscal Impact: None M/S Nelson/Sal to adopt. Following discussion motion carried on a voice vote.

Map Output

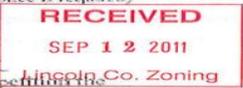
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Fee: \$ 350.00

Does request require a PLANNED category variance? (If YES, additional form, fee & notice is required)

Receipt # 9002



PETITION FOR REZONING

I, Kent A. Corbin, Patricia S. Corbin, hereby petitioning the

Lincoln County Board of Supervisors to rezone the following described lands owned by Corbin Timberlands LLC

From a Forestry District to a Rural Lands 4 District:

PLEASE ATTACH A MAP SHOWING THE BOUNDARIES OF WHAT IS TO BE INCLUDED IN THIS REQUEST.

Parcel ID(s) & Legal description(s) SECTION 10-35-06 GL 8 EXC TH PCLS DES IN V111 P605 V170 P591 V177 P443 V183 P259 V193 P253 & EXC TH LOTS OF UPPER PLAT OF GRIFFITHS HALF MOON LAKE & By - D - 10A 04.103506.010.001.00.00 42.45 acres

Dated this 12 day of Sept., 2011

Signed: Kent A. Corbin, Patricia S. Corbin Print name: Kent Corbin, Patricia S. Corbin Address: 675 Greenway AVE NO. 1 OAKDALE, MN 55128 Phone: 651-728-1302 106 Winton St. Wausau, WI 54983 715-842-9511

Referred to Lincoln County Zoning Committee:

Date 9/19/11 Sheila Ridelko Sheila M. Ridelko - Lincoln County Clerk

If multiple applicants, PLEASE LIST OF ALL PROPERTY OWNERS WITHIN THIS REZONE AND THEIR SIGNATURES ON THE REVERSE SIDE OF THIS PAGE. (over)

Rezoning Request Staff Report

Table with 2 columns: Landowner: Kent Corbin, Patricia Corbin - Corbin Timberlands LLC; Report Date: 9-27-11; Meeting Date: 10-13-11

Request: The applicant is requesting to rezone 42 acres from a Forestry zoning district to a Rural Lands 4 zoning district to allow for a small lot to be created and sold to a neighboring property owner. There is also a small outlot, tax parcel number 04.103506.010.002.00.00, originally used as a tennis court and is completely surrounded by the larger 42 acre parcel. The outlot is unbuildable and staff would recommend that it be included in the rezoning request. Surrounding Zoning: The property is bordered on the west by a Rural Lands 4 zoning district and is otherwise surrounded by Rural Residential 2 zoning. Surrounding Land Uses: The surrounding land use is primarily seasonal and year round residences. The property is bordered on the west by an old resort. Current Land Use: The parcel is heavily wooded and has no improvements. Would this change constitute spot zoning? No. There is a Rural Lands 4 district bordering the property. Is the property located within a shoreland zone? Yes. Portions of the property are within a thousand feet of Half Moon Lake and Clear Lake. Half Moon Lake is a moderate sensitivity waterway and Clear Lake is low sensitivity. Will wetlands be impacted? No. There are no mapped wetlands on the property. Public Comments: Town Comments: The Town of Bradley Plan Commission has recommended approval of the request. Is this change compatible with the Town land use plan? Yes. This change still falls under the broad planned land use category of "Rural/Environmental" and therefore doesn't require a separate hearing. The planned land use map will be amended to Rural Lands. Recommendation (approval, denial, lay over): The Department recommends approval of the rezoning from Forestry to Rural Lands 4 for the 42 acre parcel and the outlot within.



Town Recommendation Form
Conditional Use Request, Plat Approval & Sub-division Waiver
Town of Bradley
Lincoln County



Name of Applicant Pattinson in Kent Park
Request: Zoning change from Industrial to R24

The Town Planning Commission has made a recommendation on this date 9-24-11 to:
 Approve the Request: by a vote of 6 For and 0 Against 1 absent
Conditions: None

Deny the Request: by a vote of _____ For and _____ Against
 Delay the Request for 30 days: by a vote of _____ For and _____ Against
Comments/Reasons for any of the above recommendations: _____

The Town Board has made a recommendation on this date 10-10-11 to:
 Approve the Request: by a vote of _____ For and _____ Against
Conditions: None

Deny the Request: by a vote of _____ For and _____ Against
 Delay the Request for 30 days: by a vote of _____ For and _____ Against
Comments/Reasons for any of the above recommendations: _____

(Check here if) The Town hereby waives its right to make a formal recommendation on this Request to the Lincoln County Planning and Zoning Committee.

Dated this _____ day of _____, 20__.

David B. Bosh
Town Chairman Signature
Robert E. Ealsman
Town Board Supervisor Signature

Bill Jelinek
Town Board Supervisor Signature
Janet M. Heger
Town Board Supervisor Signature

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- 9. Reports of Claims – None.
- 10. M/S Caylor/Krueger to approve the mileage and per diem for this meeting. Motion carried on a voice vote.
- 11. Next County Board Meeting: This is also the 2012 Budget Hearing. Tuesday, **November 8, 2011, 8:00 a.m.**, at the Lincoln County Service Center, County Board Room, 801 N. Sales St., Merrill.
- 12. M/S Krueger/Woller to adjourn. Motion carried on a voice vote. Meeting adjourned at 7:01 p.m.

I, Sheila Pudelko, 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, October 18, 2011.

Sheila Pudelko, County Clerk