

MAY 15, 2007

EVENING SESSION

6:00 P.M.

WILLIAM BUEDINGEN TRAINING ROOM – TOWN OF BRADLEY

The Lincoln County Board of Supervisors met at the William Buedingen Training Room – Town of Bradley, in session assembled pursuant to law. The meeting was called to order at 6:00 p.m. by Chairman Powell. Pledge of Allegiance was given by the Board. Roll was called by the Clerk and the following answered present: Alber, Berndt, Caylor, Fox, Kahle, Krueger, Lee, Loka, Lussow, Meyer, Mittelsteadt, Plant, Powell, Rankin, Rusch, Saal, Short, Simon, Weaver, Woller and Zeitz. Supervisor Schneider arrived at 6:08 p.m. 22 Supervisors were in attendance.

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**ANNOUNCEMENTS/APPOINTMENTS/RECOGNITIONS/AWARDS**

Clerk reminded the Supervisors that the WCA Convention will be held October 7 through October 9, 2007 in Wisconsin Dells. Anyone wishing to attend is urged to sign up by June 1, 2007.

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**SERVICE RECOGNITIONS FOR MAY, 2007**

Clerk read a service recognition for David A. Manninen, currently a Correctional Officer at the Sheriff's Department for 10 years of service. He received a 10-year pin.

Clerk read a service recognition for Cynthia Vandre, currently a Domestic Service Worker at the Pine Crest Nursing Home for 40 years of service. She received a 40-year pin.

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**APPOINTMENT TO THE CIVIL SERVICE GRIEVANCE COMMITTEE –**

JAMES FERGE

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**APPOINTMENT TO THE NORTH CENTRAL HEALTH CARE COMMITTEE –**

CURTIS G. POWELL

Motion made by Supervisor Caylor, seconded by Supervisor Woller to approve the appointments of James Ferge for a 5-year term to the Civil Service Grievance Committee, expiring April 1, 2012 and Curtis G. Powell to the North Central Health Care Committee. All Supervisors present voting aye to approve the appointments and motion is carried.

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**APPROVAL OF JOURNAL – APRIL 17, 2007**

Motion was made by Supervisor Lussow, seconded by Supervisor Krueger to accept the minutes of April 17, 2007 as presented. All Supervisors voting aye and motion carried.

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**LETTERS, PETITIONS AND MEMORIALS**

**MEMORIAL – HARVEY WOODWARD II**

**In Memoriam RESOLVED BY the County Board of Supervisors of LINCOLN COUNTY**

**WHEREAS**, The Almighty God in His infinite wisdom has removed from our midst by death, one of our most esteemed and respected employees.

**HARVEY WOODWARD II**

**THEREFORE, BE IT RESOLVED**, that we as members of Lincoln County Board of Supervisors deplore this un-timely death and consequent absence from our community.

**BE IT FURTHER RESOLVED**, that we extend to Harvey's bereaved family our sincere sympathy.

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**Monthly Mailbox Correspondence – Any Questions**

There were no questions on the correspondence.

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**ADMINISTRATIVE COORDINATOR'S WRITTEN REPORT – Q & A**

John Mulder had nothing to add to his report. There was discussion on Attorney Bills.

**REPORT OF STANDING & SPECIAL COMMITTEE****Year-to-date Budget Report – Dan Leydet, Finance Director**

Dan presented the year-to date Budget Report for April, 2007. He added a line item for outside housing in the budget.

**RESOLUTIONS AND ORDINANCES FOR BOARD ACTION:****Resolution 2007 - 05 - 27**

**TITLE: Appointment of Richard Wolf as the County Veteran's Service Officer**

**WHEREAS**, the Social Services Committee has advertised and interviewed finalists, and

**WHEREAS**, the Social Services Committee following the recruitment process, made a job offer to Richard Wolf at Grade 7, Step Start (\$ 35, 277 annually) contingent upon his appointment by the County Board; and

**WHEREAS**, the Social Services Committee recommends the appointment of Richard Wolf as the County Veteran's Service Officer beginning on May 21, 2007.

**NOW, THEREFORE BE IT RESOLVED**, that the Lincoln County Board of Supervisors does hereby accept the recommendation and appoints Richard Wolf as the County Veteran's Service Officer beginning on May 21, 2007.

**Dated this 15<sup>th</sup> day of May, 2007**

**Introduced by: Social Services Committee**

**Committee Action: Social Services Committee 5 – 0 on 5/14/07**

**Fiscal Impact:** savings of \$12,010 (difference between annual cost of incumbent and annual cost of new employee)

Motion made by Supervisor Loka, seconded by Supervisor Weaver to adopt Resolution 2007-05-27. John Mulder, Administrative Coordinator, explained the Resolution. Resolution 2007-05-27 is adopted by a voice vote and motion is carried.

**Resolution 2007-05-28**

**Title: Authorizing Highway Department to do Site Preparation Work for Building Project**

**WHEREAS**, as part of the building project/construction timetable approved by the County Board, "The Pines" property has been cleared; and

**WHEREAS**, there is a need for site preparation and grading work; and

**WHEREAS**, it is in the public interest to utilize Highway Department personnel and equipment to do this work; and

**WHEREAS**, the anticipated cost of labor, equipment and materials will be less than that which could be expected to be obtained through the competitive bidding process;

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Supervisors, duly authorized by law, authorizes and directs the Highway Department to complete site preparation work on the Administration Building Site as soon as practicable and without delay .

**Dated this 15th day of May, 2007**

**Introduced by:** Highway Committee; Passed (voice vote) all ayes on 5/3/07

**Fiscal Impact:**

Motion made by Supervisor Meyer, seconded by Supervisor Mittelsteadt to adopt Resolution 2007-05-28. Randy Scholz, Highway Commissioner, explained the Resolution. Discussion was held. This resolution to be adopted needs a  $\frac{3}{4}$  vote or 17 ayes. Clerk called roll with Supervisors Berndt, Caylor, Kahle, Krueger, Lee, Loka, Lussow, Meyer, Mittelsteadt, Plant, Powell, Rankin, Rusch, Saal, Schneider, Short, Simon, Weaver, and Woller voting aye (19); Supervisors Alber, Fox and Zeitz voting nay (3). Resolution 2007-05-28 is adopted and motion is carried.

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**Resolution 2007-05-29**

**Title: LEGAL PUBLICATION**

**WHEREAS**, because there are now two newspapers in Lincoln County certified to publish legal notices, the Finance & Insurance Committee has examined where the county's legal notices should be published; and

**WHEREAS**, there has been a long-term failure throughout the County that a legal notice published in either end of the County only, does not serve the entire County to the fullest.

**WHEREAS**, after taking into account cost, circulation, etc., the Committee resolved (at its 3/9/07 meeting) to publish legally required or legally mandated notices in both the Courier and the Leader; and

**WHEREAS**, departments should exercise discretion regarding other advertisements, placing them in the publication(s) most likely to give notice in the area or to the person(s) affected; and

**WHEREAS**, because legal notices will be published in more than one newspaper, Lincoln County cannot designate either publication as its official newspaper.

**NOW, THEREFORE, BE IT RESOLVED**, that effective with passage of this resolution, "LEGAL NOTICES" are to be published in both the Leader and the Courier.

**Dated this 15<sup>th</sup> day of May, 2007**

**Re-introduced by:** Supervisor David J. Fox

**Fiscal Impact:** Unknown

Supervisor Woller abstained from voting on this Resolution. Motion made by Supervisor Fox, seconded by Supervisor Saal to adopt Resolution 2007-05-29. Supervisor Fox explained why he brought this Resolution back to the Board. Chair Powell turned the gavel over to Vice-Chair Caylor so he could

join in the discussion. Discussion continued. After the discussion Vice-Chair Caylor returned the gavel to the Chair. Clerk called roll with Supervisors Alber, Berndt, Fox, Krueger, Lee, Lussow, Plant, Powell, Rankin, Rusch, Saal, Short, Simon, Weaver and Zeitz voting aye (15); and Supervisors Caylor, Loka, Meyer, Mittelsteadt, and Schneider voting nay (6). Resolution 2007-05-29 is adopted and motion is carried.

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**ORDINANCE 2007-05-504**

**AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN  
CHAPTER 12.04, NONMETALLIC MINING RECLAMATION ORDINANCE**

**The County Board of Supervisors of Lincoln County, Wisconsin, does hereby ordain:**  
Chapter 12.04, Lincoln County Code is amended as provided in the attachment.

**This ordinance shall take effect from and after its passage and publication.**

**Dated this 15<sup>th</sup> day of May, 2007**

**Introduced by:** The Planning & Zoning Committee

**Committee Action:** Planning & Zoning Committee - Passed on May 10, 2007.

**Fiscal Impact:** None

**LINCOLN COUNTY, WISCONSIN**

**Curtis G. Powell**

**Robert D. Kunkel**

**Chairman**

**County Clerk**

Motion made by Supervisor Saal, seconded by Supervisor Meyer to adopt Ordinance 2007-05-504. Dan Miller, Zoning Administrator, explained the Ordinance. Discussion was held. Ordinance 2007-05-504 is adopted by a voice vote and motion is carried.

To review the 39 pages included in the attachment to this Ordinance, please go to the Zoning Department, County Clerk's Office, or the Lincoln County Web site. <http://www.co.lincoln.wi.us/>.  
Once at the web site – Go to Departments – Zoning Dept. Forms & Documents – General

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**ORDINANCE 2007-05-505**

**AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN (CH. 7.01)**

**Title: An Ordinance Amending the General Code of the County of Lincoln (Ch. 7.01)**

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

Chapter 7.01, Lincoln County Code is amended to read as follows:

**7.01 STATE TRAFFIC LAWS ADOPTED.** Except as otherwise specifically provided in this chapter, the statutory provisions in Chs. 340 to 348, Wis. Stats., describing and defining regulations with respect to vehicles and traffic, and Ch. 350, Wis. Stats., ~~describing and defining regulations with respect to~~ (snowmobiles), and Ch. 23.33 (all-terrain vehicles), and Ch. 30.50 – 30.71 (boating), inclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this chapter. ~~in order to secure uniform regulation of traffic on the highways, streets and alleys of the State.~~

**This ordinance shall take effect following its passage and publication.**

**Dated this 15<sup>th</sup> day of May, 2007**

**Introduced by:** Law Enforcement Committee

**Committee Action:** Law Enforcement Committee; Passed 5 - 0 on 5/9/2007

**Fiscal Impact:** Undetermined forfeiture revenue from boating/ATV citations

**LINCOLN COUNTY, WISCONSIN**

**Curtis G. Powell, Chair      Robert D. Kunkel, Clerk**

Motion made by Supervisor Caylor, seconded by Supervisor Lussow to adopt Ordinance 2007-05-505. Supervisor Lee explained the Ordinance. Ordinance 2007-05-505 is adopted by a voice vote and motion is carried

**REPORT OF ACTION ON CLAIMS AGAINST THE COUNTY OF LINCOLN –**

**JAIL ASSESSMENT – DAVID A SCHWARTZMAN - \$366.35**

Motion made by Supervisor Caylor, seconded by Supervisor Simon to approve the jail assessment listed above. All Supervisors present voting aye to approve the jail assessment and motion is carried.

**REPORT AND AUTHORIZATION FOR MILEAGE AND PER DIEM**

Motion made by Supervisor Caylor, seconded by Supervisor Meyer to approve the report on mileage and per diem. Motion carried – all ayes.

Next meeting will be at the Health and Human Services Building, Lower Level Conference Room – City of Merrill on June 19, 2007 at 6:00 p.m.

Motion made by Supervisor Lussow, seconded by Supervisor Krueger to adjourn the meeting at 7:04 p.m. Motion carried – all ayes.

STATE OF WISCONSIN)

) SS

COUNTY OF LINCOLN)

I, Robert D. Kunkel, County Clerk in and for said Lincoln County, Wisconsin do hereby certify that the within and foregoing is a true and correct copy of all proceedings by and before the Board of Supervisors at their regular meeting, May 15, 2007.

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Robert D. Kunkel, Lincoln County Clerk