

**JULY 17, 2007****EVENING SESSION****6:00 P.M.****HEALTH & HUMAN SERVICES BUILDING – LOWER LEVEL CONFERENCE ROOM - MERRILL**

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The Lincoln County Board of Supervisors met at the Health & Human Services Building – Lower Level Conference Room – City of Merrill, 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, Schneider, Short, Simon, Weaver, Woller and Zeitz (22).

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**ANNOUNCEMENTS/APPOINTMENTS/RECOGNITIONS/AWARDS**

Chair Powell introduced Harry Gladwin, Town of Bradley, who spoke about the support they have received from the Zoning Committee and staff.

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**SERVICE RECOGNITIONS FOR JULY, 2007**

Clerk read a service recognition for Warren Hohn, currently a Zoning Technician in the Zoning Department for 10 years of service. He received a 10-year pin.

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Clerk read a service recognition for Patrick Pyatt, currently a State Patrol Helper in the Highway Department for 20 years of service. He received a 20-year pin.

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**APPOINTMENTS TO ZONING BOARD OF ADJUSTMENT COMMITTEE –**

RON HORNISCHER

ELROY SCHMIDT AND KIM BRIXIUS - ALTERNATES

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Motion made by Supervisor Caylor, seconded by Supervisor Alber to approve the appointment of Ron Hornischer for a 3-year term to the Zoning Board of Adjustment Committee expiring June 30, 2010; and Elroy Schmidt and Kim Brixius as Alternates. All Supervisors present voting aye to approve the appointments and motion is carried.

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**APPROVAL OF JOURNAL – JUNE 19, 2007**

Clerk reported two corrections - on page 154 in Administrative Coordinator Report – Change second to the last line Disabilities Developmental to read Developmental Disabilities. On page 154 in Dan Leydet's Report – it should read outside housing, not inside housing. Motion was made by Supervisor Lussow, seconded by Supervisor Krueger to accept the minutes of June 19, 2007 as amended and placed on file. All Supervisors voting aye and motion carried.

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**LETTERS, PETITIONS AND MEMORIALS****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 is on Family and Medical Leave from July 11, 2007 – July 27, 2007. His report is placed on file.

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

Dan presented the year-to date Budget Report for June, 2007. Supervisor Zeitz asked if there were any more legal fees paid since the last County Board Meeting. Dan reported there were none. He also reported that the Forestry Department in accordance with State Statute 16.16 will be placing the amount of \$316,000 back into the General Fund.

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**Ad Hoc Study Committee on Administrative Structure – Art Lersch**

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Art Lersch gave the Supervisors a presentation on the results of the Ad Hoc Study Committee on Administrative Structure. Discussion was held.

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**Update on Construction Progress – Supervisor Lussow**

Supervisor Lussow gave an update on the construction for the Service Center. Bid opening will be in September, with construction to start in October. Discussion was held. Supervisor Zeitz asked about financing.

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**Huber Fees – Sheriff Jaeger**

Sheriff Jaeger informed the County Board members that the Huber Fees will increase from \$10.00 per day to \$15.00 per day. This is the first increase since 1996.

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**RESOLUTIONS AND ORDINANCE FOR BOARD ACTION:**

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**Resolution 2007 – 07-34**

**Title: RENAME A PORTION OF COUNTY RD “M” TO COUNTY RD “MM”**

**WHEREAS**, sec. 59.54(4), Stats. specifies that counties may establish a rural naming and numbering system in towns for the purpose of aiding in fire protection, emergency services and civil defense; and

**WHEREAS**, the Land Information & Conservation Department has assumed responsibility for enforcing the county’s ordinance on addressing and road naming; and

**WHEREAS**, in the course of business, the Addressing Coordinator has determined that on COUNTY RD “M”, there exists the potential for two of the same addresses; and

**WHEREAS**, the name change from COUNTY RD “M” to “MM” will help clarify any confusion as it relates to addressing and 911 calls; and

**WHEREAS**, the renaming will begin at STATE RD “64” and COUNTY RD “M” intersection and will extend North to the intersections of COUNTY RD “M” and COUNTY RD “E”,

**NOW, THEREFORE BE IT RESOLVED**, the Lincoln County Board of Supervisors concurs with and approves the renaming of COUNTY RD “M” to COUNTY RD “MM” as described above.

**Dated this 17<sup>th</sup> day of July, 2007**

**Introduced by:** Lincoln County Highway Committee and Lincoln County Land Information, Conservation, and UW-Extension Committee

**Committee Action:** Highway Committee passed 5-0 on July 5, 2007

**Committee Action:** Land Information, Conservation, and UW-Extension passed 5-0 on July 11, 2007

**Fiscal Impact:** \$500-\$750 for new signs

Motion Made by Supervisor Lussow, seconded by Supervisor Saal to adopt Resolution 2007-07-34. Randy Schulz, Highway Commissioner, explained the Resolution. Resolution 2007-07-34 is adopted by a voice vote and motion is carried.

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**Resolution 2007-07-35**

**Title: A Resolution Opposing Amnesty for Illegal Aliens and Demanding Federal Action to Secure United States Borders**

**WHEREAS**, the United States Constitution, Article 1, Sec. 7 mandates the national government to “repel invasions”

**WHEREAS**, the 1986 Immigration & Reform Bill, passed by Congress and signed by President Reagan, proved to be a failure in securing U.S. Borders.

**WHEREAS**, this same immigration law, by providing amnesty for illegal aliens, encouraged a further influx of 12 to 30 million illegal aliens to our nation between 1986 and the present, constituting an invasion of our nation

**WHEREAS** this further influx of illegals has resulted in a weakening of our national security, and explosion of violent crime, an increase in social welfare costs, a deterioration of an already strained social security and health care system, a rapid increase in prison and incarceration costs and an overall lowering of wages and standard of living for hard-working citizens of the United States.

**WHEREAS**, elected representatives of both major parties, including the President, continue to ignore the will of the American people by offering amnesty and guest worker status for illegal entrance into this nation

**NOW, THEREFORE BE IT RESOLVED**, that the Lincoln County Board of Supervisors demands that all elected representatives and government agencies on the national level enforce the current immigration laws of our nation, provide funding to secure our national borders, provide adequate personnel for immigration law enforcement, provide an efficient system for identifying legal residents without compromising the privacy and constitutional rights of American citizens, and provide legislation that will allow local law enforcement agencies to assist in the enforcement of immigration laws

**THEREFORE BE IT FURTHER RESOLVED**, that the Lincoln County Board of Supervisors also demands that the state government of Wisconsin and all its counties comply with the enforcement and spirit of this resolution and our current immigration laws.

**Dated this 17<sup>th</sup> day of July 17, 2007**

**Drafted by:** William Zeitz, District 9

Chair Powell said this will be referred to the Law Enforcement Committee because it did not come out of a committee and because it does not have a fiscal impact on it. Supervisor Zeitz asked for a roll call vote. Clerk called roll with Supervisors Alber, Berndt, Caylor, Kahle, Krueger, Lee, Loka, Lussow, Meyer, Mittelsteadt, Plant, Powell, Rankin, Rusch, Saal, Schneider, Short, Weaver, and Woller voting aye (19); Supervisors Fox, Simon and Zeitz voting nay (3). Resolution 2007-07-35 is referred to the Law Enforcement Committee.

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**Ordinance 2007-07-506**

**An Ordinance Amending the General Code of the County of Lincoln, Chapter 9.11 False Alarms**

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

**Chapter 9.11, Lincoln County Code is created to read as follows:**

**9.11 FALSE ALARMS.**

(1) False Alarms Prohibited. No person shall give or send or cause to be given or sent in any manner any alarm which he knows to be false.

(2) Violation – Forfeiture. The Penalty for violation shall be a forfeiture and costs as provided in sec. 25.04 of this Code of Ordinances.

(3) Charges for False Alarms.

(a) “False alarm” means an alarm signal which elicits a response from law enforcement when a situation requiring a response by law enforcement does not in fact exist.

(b) A person having a burglar, hold-up or any type of intrusion alarm shall be charged the following fees for the indicated number of false alarms responded to by the Sheriff’s Department within a calendar year:

<u>Number of False Alarms Fee</u>	
Up to 4	No Fee
5 – 10	\$150.00 for each false alarm
11 and up	\$300.00 for each false alarm

(c) If the possessor of the alarm shows to the satisfaction of the sheriff that such false alarm was not the result of negligence or improper maintenance, or other good and sufficient cause beyond the reasonable control of the possessor of the alarms, such fee may be waived and the response shall not count as a false alarm in computing the fee established under (b).

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

**Introduced by:** Law Enforcement Committee

**Committee Action:** Law Enforcement Committee; Passed 5 – 0 on July 11, 2007

**Fiscal Impact:** Undetermined Revenue

**LINCOLN COUNTY, WISCONSIN**

**Curtis G. Powell**  
**County Board Chair**

**Robert D. Kunkel**  
**County Board Chair**

Motion made by Supervisor Caylor, seconded by Supervisor Krueger to adopt Ordinance 2007-07-506. Sheriff Jeff Jaeger explained the ordinance. Ordinance 2007-07-506 is adopted by a voice vote and motion is carried.

**ORDINANCE 2007-07-507**

**AN ORDINANCE AMENDING THE GENERAL CODE OF THE CO. OF LINCOLN (Ch. 5 Jail Fees)**

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

Chapter 5, Lincoln County Code is amended to read as follows:

- Chap. 5.04 is renumbered as Chap. 5.10;
- 5.05 is renumbered as Chap. 5.11;
- 5.06 is renumbered as Chap 5.12;
- 5.07 is renumbered as Chap 5.13;
- 5.08 is renumbered as Chap 5.14;
- 5.09 is renumbered as Chap 5.15;
- 5.10 is renumbered as Chap 5.16;
- 5.11 is renumbered as Chap 5.17;
- 5.12 is renumbered as Chap 5.18;
- 5.13 is renumbered as Chap 5.19

(new) Chap. 5.04 JAIL FEES.

- (1) Booking Fee. (a) Consistent with sec. 302.372(2), Wis. Stats, persons “sentenced to the county jail” and persons “placed on probation and confined in jail” shall be liable for payment of the booking processing fee established by the Sheriff.  
 (b) The County Sheriff shall make an accounting for and pay over to the County Treasurer for payments collected hereunder.

This ordinance shall take effect following its passage and publication.

**Dated this 17<sup>th</sup> day of July, 2007**

**Introduced by:** Law Enforcement & Judicial Committee

**Committee Action:** Passed 5 – 0 on July 11, 2007

**Fiscal Impact:** Undetermined Revenue

Motion made by Supervisor Caylor, seconded by Supervisor Krueger to adopt Ordinance 2007-07-507. Sheriff Jeff Jaeger explained the Ordinance. Discussion was held. Ordinance 2007-07-507 is adopted by a voice vote and motion is carried.

**ORDINANCE 2007-07-508**

**AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN,  
 CHAPTER 17, ZONING ORDINANCE**

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

Chapter 17.2.92, Lincoln County Code is amended such that 0.03 acres of shoreland wetland located in part of the NW ¼ of the SE ¼ of Section 14, T34N – R8E, in the Town of Harrison, having a tax parcel no. of 10.143408.014.000.00.00, be rezoned out of the shoreland wetland overlay district to an upland status for the purpose of constructing a permanent road for access to his property.

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

**Dated this 17<sup>th</sup> day of July, 2007**

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

**Committee Action:** Planning & Zoning Committee - Passed on June 14, 2007.

**Fiscal Impact:** None

**LINCOLN COUNTY, WISCONSIN**

**Curtis G Powell            ROBERT D. KUNKEL**

**Chairman                    County Clerk**

Motion made by Supervisor Saal, seconded by Supervisor Mittelsteadt to adopt Ordinance 2007-07-508. Dan Miller, Zoning Administrator, explained the rezone. Discussion was held. Ordinance 2007-07-508 is adopted by a voice vote and motion is carried.

**ORDINANCE 2007-07-509**

**AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN,  
 CHAPTER 17, ZONING ORDINANCE**

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

Chapter 17.2.03, Lincoln County Code is amended such that 120 acres described as the SE ¼ of the NE ¼, and NE ¼ of the SE ¼, and the NW ¼ of the SE ¼ of Section 16, T32N – R5E, in the Town of Harding, having tax parcel numbers 08.163205.004.000.00.00, 08.163205.013.000.00.00 and 08.162305.014.000.00.00 off of County Trunk Hwy E, be rezoned from a Forestry district to a Rural Lands - 2 district to accommodate two existing and one proposed year ‘round residences on the properties.

Any areas designated as wetlands on the Wisconsin Wetland Inventory Map will not be rezoned to upland.

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

**Dated this 17<sup>th</sup> day of July, 2007**

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

**Committee Action:** Planning & Zoning Committee - Passed on June 14, 2007.

**Fiscal Impact:** None

**LINCOLN COUNTY, WISCONSIN**

**Curtis G Powell            ROBERT D. KUNKEL**

**Chairman                    County Clerk**

Motion made by Supervisor Mittelsteadt, seconded by Supervisor Saal to adopt Ordinance 2007-07-509. Dan Miller, Zoning Administrator, explained the rezone. Discussion was held. Ordinance 2007-07-509 is adopted by a voice vote and motion is carried.

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**REPORT OF ACTION ON CLAIMS AGAINST THE COUNTY OF LINCOLN – None**

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**REPORT OF MILEAGE AND PER DIEM**

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

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Next meeting will be held at the William Buedingen Training Room – Town of Bradley on August 21, 2007 at 6:00 p.m.

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Motion made by Supervisor Lussow, seconded by Supervisor Mittelsteadt to adjourn the meeting at 6:38 p.m. Motion carried – all ayes.

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STATE OF WISCONSIN)

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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, July 17, 2007.

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Robert D. Kunkel, Lincoln County Clerk