

OCTOBER 16, 2007**EVENING SESSION****6:00 P.M.****HEALTH & HUMAN SERVICES BUILDING – LOWER LEVEL CONFERENCE ROOM - MERRILL**

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: Berndt, Caylor, Fox, Kahle, Krueger, Lee, Loka, Meyer, Mittelsteadt, Plant, Powell, Rankin, Rusch, Saal, Schneider, Short, Weaver, Woller and Zeitz (19). Supervisors Alber, Lussow and Simon excused.

ANNOUNCEMENTS/APPOINTMENTS/RECOGNITIONS/AWARDS**SERVICE RECOGNITIONS FOR OCTOBER, 2007**

Clerk read a service recognition for Pamela K. Schotz, currently a Program Assistant in the Veterans Service Department for 15 years of service. She received a 15-year pin.

Clerk read a service recognition for Charlotte Richardson, currently a Registered Nurse at the Pine Crest Nursing Home for 15 years of service. She received a 15-year pin.

Clerk read a service recognition for Barb Francl, currently a Certified Nursing Assistant at the Pine Crest Nursing Home for 20 years of service. She received a 20-year pin.

Clerk read a service recognition for Debra Engel-Rajek currently the Deputy County Treasurer in the Treasurer's Office for 25 years of service. She received a 25-year pin.

Clerk read a service recognition for Lance K. Herman currently an Operator-Class 4 at the Highway Department for 30 years of service. He received a 30-year pin.

APPOINTMENTS – LONG TERM SUPPORT COMMITTEE – Donna Simek, Alice Cortright and Donna Winker

Motion made by Supervisor Caylor, seconded by Supervisor Woller to appoint Donna Simek, Alice Cortright and Donna Winker to the Long Term Support Committee effective immediately. All Supervisors present voting aye and motion is carried.

APPROVAL OF JOURNAL – SEPTEMBER 18, 2007

Motion was made by Supervisor Mittelsteadt, seconded by Supervisor Krueger to accept the minutes of September 18, 2007 as presented and placed on file. All Supervisors voting aye and motion carried.

LETTERS, PETITIONS AND MEMORIALS**Monthly Mailbox Correspondence – Any Questions**

Supervisor Meyer commented on the letter from the UW Extension that was sent to all Supervisors. There will be meetings next Thursday in Tomahawk and Merrill regarding the aging community that is being hosted by several businesses and urged that if possible they should plan on attending. The deadline for signing up to attend is Monday, October 22, 2007. Supervisor Zeitz responded to the letter from State Senator Breske regarding immigration legislation.

ADMINISTRATIVE COORDINATOR'S WRITTEN REPORT – Q & A

John Mulder had nothing to add to his report. Supervisor Zeitz asked Mr. Mulder for an update on the Child Support investigation and the Haka Trial. John reported that the year to date legal fees is \$140,998.00. John added that at the November meeting the appointment of the Forestry Administrator will take place. His report is placed on file.

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

Dan presented the year-to date Budget Report for September, 2007.

2008 Preliminary Budget Proposal – John Mulder, Administrative Coordinator

John explained the budget process and the proposed budget. Because of the uncertainty of the State Budget, the Finance Committee has set a 2% increase on the tax levy. Discussion was held. The Federal cuts have affected every State and every County and this has caused cuts to be made to Child Support Agencies.

RESOLUTIONS AND ORDINANCE FOR BOARD ACTION:

Resolution 2007-10-49

Title: Cancellation of Illegal Tax Certificates

WHEREAS, the following tax certificate is illegal for the reason stated:

2007 Certificate No. 20 covering “NW ¼ NE ¼ SEC 11-T33N-R7E ”

TOWN OF BIRCH - Illegal assessment-state owned on assessment date. Face - \$853.50

NOW, THEREFORE BE IT RESOLVED, that the above certificate be cancelled and charged back to the taxing district on the 2007 apportionment.

Dated this 16th day of October, 2007

Introduced by: Finance & Insurance Committee

Committee Action: passed 5-0 on 10-5-2007

Fiscal Impact: none

Motion made by Supervisor Lee, seconded by Supervisor Caylor to adopt Resolution 2007-10-49. Supervisor Fox explained. Resolution 2007-10-49 is adopted by a voice vote and motion is carried.

Resolution No. 2007-10-50

Title: Designation of Public Depository

WHEREAS, provisions in Chapter 34 and Chapter 59 of Wisconsin Statutes require that counties designate public depositories;

NOW, THEREFORE BE IT RESOLVED, that the following banking institution shall be and is hereby designated, until further action, as public depository for public monies coming into the hands of the Treasurer of Lincoln County, State of Wisconsin:

JP Morgan Chase, Milwaukee 53202

Dated this 16^h day of October, 2007

Introduced by: Finance and Insurance Committee

Committee Action: Passed 5-0 on October 5, 2007

Fiscal Impact: N/A

Motion made by Supervisor Weaver, seconded by Supervisor Lee to adopt Resolution 2007-10-50. Dan Leydet, Finance Director, explained the reason for designating another public depository. Discussion was held. Roll Call vote was requested. Clerk called roll with all Supervisors voting aye (18); except Supervisor Zeitz voting nay (1). Resolution 2007-10-50 is adopted and motion is carried.

Resolution 2007-10-51

Title: APPROVING AMBULANCE SERVICE PROVIDER CONTRACT WITH SACRED HEART-ST. MARY'S HOSPITALS, INC.

WHEREAS, Lincoln County is under no statutory mandate to provide ambulance service to its residents; and

WHEREAS, Wisconsin statutes mandate that cities, towns and villages are required to provide this service directly or by contract; and

WHEREAS, since 1970, Lincoln County has provided ambulance service to its residents via contracts with service providers; and

WHEREAS, the Law Enforcement, Judicial & Emergency Medical Services Committee recommends that the attached agreement be approved for continued ambulance service to the northern areas of Lincoln County;

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors does hereby adopt the recommendation of the committee.

Dated this 16th day of October, 2007

Introduced by: Law Enforcement, Judicial & Emergency Medical Services Committee

Committee Action: 10/03/07 Passed 5 - 0

Fiscal Impact: Levy increase each year.

Motion made by Supervisor Caylor, seconded by Supervisor Lee to adopt Resolution 2007-10-51 with the amendment attached to the contract. Supervisor Lee explained the Resolution. Discussion was held. Resolution 2007-10-51 is adopted with the amendment attached by a voice vote and motion is carried.

Resolution 2007-10-52

TITLE: Approve Appointment of Program Director of North Central Community Services Program

WHEREAS, the Boards of Supervisors of Langlade, Lincoln and Marathon Counties have established the North Central Community Services Program, as a multi-county Program pursuant to Wisconsin statutes to carry out the three Counties' responsibility to provide services for their residents suffering from mental illness and alcohol and drug abuse and Langlade and Marathon Counties' responsibility to provide services for their developmentally disabled residents; and

WHEREAS, the North Central Community Services Program is governed pursuant to Wisconsin Statutes 51.42 (4)(a)1, 51.437 (7)(a)1, 51.437(4g)(b), 51.42(3)(ar)3 by an appointed Board; and

WHEREAS, all of the administrative powers and duties of managing, operating, maintaining and improving the programs of North Central Community Services Program are vested pursuant to Wisconsin Statutes 51.42 (6) in the Program Director appointed by it; and

WHEREAS, the appointment of its Program Director by the North Central Community Services Program Board is subject to approval of each of the Boards of Supervisors of its establishing Counties pursuant to Wisconsin Statutes 51.42(5)(d); and

WHEREAS; the North Central Community Services Program Board on October 16, 2007 unanimously selected Gary Bezucha to assume the position of Program Director of the North Central Community Services Program effective January 1, 2008 on the basis of his recognized and demonstrated interest in and knowledge of the problems of mental health, developmental disability, alcoholism and drug addiction, with due regard to his training, experience, executive and administrative ability and his general qualification and fitness for the performance of the duties of the position; and

WHEREAS, the North Central Community Services Program Board has through its Chair Mary Herzog requested the Boards of Supervisors of Langlade, Lincoln and Marathon Counties approve Gary Bezucha as the Program Director of the North Central Community Services Program;

NOW, THEREFORE, the Board of Supervisors of Lincoln County approves the appointment of Gary Bezucha as Program Director of the North Central Community Services Program with all of the powers and duties of the position as provided by Wisconsin Statutes 51.42 (6).

Dated this 16th day of October, 2007

LINCOLN COUNTY BOARD OF SUPERVISORS

Curtis G. Powell
County Board Chair

Robert D. Kunkel
County Clerk

Motion made by Supervisor Krueger, seconded by Supervisor Plant to adopt Resolution 2007-10-52. Discussion was held. Resolution 2007-10-52 is adopted by a voice vote and motion is carried.

ORDINANCE 2007-10-514

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 that chapter 17 be amended as indicated in the attachment.

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

Dated this 16th day of October, 2007

Introduced by: The Planning & Zoning Committee

Committee Action: Planning & Zoning Committee – Passed on October 11, 2007 – 5 - 0

Fiscal Impact: None

LINCOLN COUNTY, WISCONSIN

Curtis G Powell
Chairman

Robert D. Kunkel
County Clerk

Motion made by Supervisor Saal, seconded by Supervisor Krueger to adopt Ordinance 2007-10-514. Dan Miller, Zoning Administrator, explained the amendments. Discussion was held. Ordinance 2007-10-514 is adopted by a voice vote and motion is carried.

To review the amendments 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

ORDINANCE 2007 - 10 - 515**AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN**

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

Chapter 3, Lincoln County Code is created to read as follows:

3.25 Proprietary Fund Balance.

The maximum amount of cash in unrestricted, undesignated net assets shall not exceed seventy-five percent of that year's actual operating expenses. Any amount in excess of seventy-five percent shall be transferred to the general fund after the annual audit is completed. The funds transferred to the general fund shall be designated for Capital Improvement Projects (CIP) and not used to cover operating expenditures.

- (1) Application. This shall apply to all proprietary fund types contained in Lincoln County's Financial Statements.
- (2) Definitions. Restricted funds are funds that are legally required to be used for a specific purpose. Designated funds are amounts that have been approved by the County Board of Supervisors to be used for a specific purpose.

This ordinance shall take effect following its passage and publication.

Dated this 16th day of October, 2007

Introduced by: Finance and Insurance Committee

Committee Action: Passed 4-0 on October 5, 2007

Fiscal Impact: None

LINCOLN COUNTY, WISCONSIN

Curtis G Powell
Chairman

Robert D. Kunkel
County Clerk

Motion made by Supervisor Weaver, seconded by Supervisor Caylor to adopt Ordinance 2007-10-515. Dan Leydet, Finance Director, explained. Discussion was held. Motion made by Supervisor Mittelsteadt, seconded by Supervisor Zeitz to layover for one month. Clerk called roll with Supervisors Fox, Kahle, Loka, Mittelsteadt, Plant, Rankin and Zeitz voting aye (7); Supervisors Berndt, Caylor, Krueger, Lee, Meyer, Powell, Rusch, Saal, Schneider, Short Weaver and Woller voting nay (12). Motion to layover failed. More Discussion held. Roll call vote was requested. Clerk called roll with Supervisors Berndt, Krueger, Lee, Meyer, Plant, Powell, Rusch, Saal, Schneider, Short, Weaver and Woller (12); Supervisors Caylor, Fox, Kahle, Loka, Mittelsteadt, Rankin and Zeitz voting nay (7). Ordinance 2007-10-515 is adopted and motion is carried.

REPORT OF ACTION ON CLAIMS AGAINST THE COUNTY OF LINCOLN –**DISALLOWANCE CLAIM SCHEUERMANN VS. LINCOLN COUNTY SHERIFF DEPT****Claim # 01899906297 – September 21, 2007**

Motion made by Supervisor Caylor, seconded by Supervisor Woller to approve the disallowance claim listed above. All Supervisors voting aye and motion is carried.

JAIL ASSESSMENTS

TRANTOW DO-IT CENTER

\$38.98

PER MAR

\$150.00

Motion made by Supervisor Meyer, seconded by Supervisor Caylor to approve the Jail Assessment for the Trantow Do-It Center. Motion carried – all ayes.

Motion made by Supervisor Mittelsteadt, seconded by Supervisor Rankin to not approve the Jail Assessment for Per Mar listed above. Motion carried – all ayes.

REPORT OF MILEAGE AND PER DIEM

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

Next meeting will the Budget Meeting be held at the Health & Human Services Building – Lower Level Conference Room – City of Merrill on November 13, 2007 at 8:00 a.m.

Motion made by Supervisor Krueger, seconded by Supervisor Woller to adjourn the meeting at 7:10 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, October 16, 2007.

Robert D. Kunkel, Lincoln County Clerk