

**NOVEMBER 13, 2007****MORNING SESSION****8:00 A.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 8:00 a.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 announced that Resolution 2007-11-56 at the request of the Public Property Committee has been pulled from the agenda for today and will be placed back on the December agenda. They have concerns about the source of the financing for the building and some of the procedures that we need to move it forward.

Clerk announced that he had the Declaration of Candidacy and Campaign Registration Statement documents ready for pickup by any Supervisors who wish to run for re-election in April. Any Supervisors who don't want to run again, a Notification of Non-candidacy can also be picked up in the Clerk's Office. Clerk also stated that some of the Supervisors are not putting the odometer reading on their expense report and asked that they do so as it is a requirement.

**SERVICE RECOGNITIONS FOR NOVEMBER, 2007**

Clerk read a service recognition for Mark S. Gartmann, currently a Deputy in the Sheriff's Department for 10 years of service. He received a 10-year pin.

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Clerk read a service recognition for Melissa Sousek, currently a Certified Nursing Assistant at the Pine Crest Nursing Home for 10 years of service. She received a 10-year pin.

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Clerk read a service recognition for Laurie A. Kriewald, currently a Legal Secretary in the Clerk of Court's Office for 15 years of service. She received a 15-year pin.

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Clerk read a service recognition for Phillip R. Haring, currently a Motorgrader Operator-Class 3 at the Highway Department for 25 years of service. He received a 25-year pin.

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**APPOINTMENTS - NONE**

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**CORRECTIONS AND APPROVAL OF JOURNAL – OCTOBER 16, 2007**

There is one correction to the October 16, 2007 minutes in the Administrative Coordinator's Report delete ~~year to date legal fees is \$140,998.00~~ and insert **paid a total of \$144,988 in legal fees to date**. Motion was made by Supervisor Mittelsteadt, seconded by Supervisor Krueger to accept the minutes of September 18, 2007 as amended and placed on file. All Supervisors voting aye and motion carried.

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**8:05 a.m. – 8:15 a.m. Recess****8:15 a.m. RECESS TO PUBLIC HEARING – 2008 BUDGET**

Motion made by Supervisor Alber, seconded by Supervisor Lussow to go to the Public Hearing. Motion carried – all ayes. John Mulder, Administrative Coordinator and Dan Leydet explained the 2008 Budget. Jillian Janikowski and Andrea Galella spoke on the Humane Society funding. Supervisor Lee explained the funding for the Humane Society. Discussion followed.

Motion made by Supervisor Caylor, seconded by Supervisor Plant to reconvene to the regular meeting. Motion carried – all ayes.

**8: 50 a.m. RECONVENE TO REGULAR MEETING**

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**Resolution 2007-11-53**

**Title:** Approving the 2008 Budget and Providing for Tax Levy

**WHEREAS,** the Lincoln County Finance and Insurance Committee, after careful review, does hereby present the 2008 budget recommended for adoption;

**NOW, THEREFORE BE IT RESOLVED,** by the Lincoln County Board of Supervisors that the 2008 budget be adopted as presented (per the summary Budget Report submitted);

**AND BE IT FURTHER RESOLVED,** that the following sums of money be raised for the ensuing year:

Veterans Relief	\$	1,000.00
State Special Charges Upon County		351.00
Debt Service		383,653.00
Other County Taxes		<del>10,774,191.00</del> 980,733.00
Libraries		<u>550,966.00</u>
<b>TOTAL COUNTY TAXES</b>		<b>\$<del>11,710,161.00</del> 916,703.00</b>
State Tax (for Forestry Purposes)	\$	391,015.32
Charge Back Illegal 2005 Taxes		853.50
<b>TOTAL COUNTY AND STATE TAXES</b>		<b>\$<del>12,102,029.82</del> 308,571.82</b>

**AND BE IT FURTHER RESOLVED,** that the County Clerk shall enter in the Tax Apportionment, other State and County Special Charges as authorized legal taxes against the respective districts to the County.

**Dated this 13<sup>th</sup> day of November, 2007**

**Introduced by:** Finance and Insurance Committee

**Committee Action:** Passed (5-0) on 11/2/07

**Fiscal Impact:** As stated above

Motion made by Supervisor Weaver, seconded by Supervisor Alber to adopt the original Resolution 2007-11-53 with the 2% increase. Motion made by Supervisor Lussow, seconded Supervisor Meyer to present the amended resolution with the 3.86% increase. Discussion was held. Point of Order by Supervisor Zeitz, he wants clarification on what the vote will be on. Chair Powell replied it will be on the amendment with the 3.86% increase only. A roll call vote was requested. Clerk called roll with all Supervisors Alber, Berndt, Caylor, Kahle, Krueger, Lee, Lussow, Meyer, Mittelsteadt, Plant, Powell, Rusch, Saal, Schneider, Short, Weaver and Woller voting aye (17); Supervisors Fox, Loka, Rankin, Simon and Zeitz voting nay (5). Motion carried. Motion by Supervisor Zeitz to amend the amendment as follows: to have no tax increase at all, to reduce the 3.86% to 0, the debt service of \$383,653 would be paid out of the Local Government Investment Pool and the \$60,000 to Pine Crest that they are short would come out of the Local Government Investment Pool. Chair called for a second which Supervisor Fox seconded. Discussion was held. Motion made by Supervisor Lussow to call the question, seconded by Supervisor Weaver. A roll call vote was requested. Supervisor Alber requested that he wanted this referred to Committee. He than withdrew his request. Clerk called roll with Supervisors Berndt, Caylor, Kahle, Krueger, Lee, Loka, Lussow, Meyer, Mittelsteadt, Plant, Powell, Rusch, Saal, Schneider, Short, Weaver, and Woller voting aye (17); Supervisors Alber, Fox, Rankin, Simon and Zeitz voting nay (5). Discussion on the second amendment is finished. A roll call vote on the second amendment to Resolution 2007-1153 is requested. Clerk called roll with Supervisors Fox, Rankin and Zeitz voting aye (3); Supervisors Alber, Berndt, Caylor, Kahle, Krueger, Lee, Loka, Lussow, Meyer, Mittelsteadt, Plant, Powell, Rusch, Saal, Schneider, Short, Simon, Weaver, and Woller voting nay (19). The second amendment failed. Clerk called roll on the first amendment to Resolution 2007-11-53 with all Supervisors present voting aye (20); except Supervisors Fox and Zeitz voting nay (2). Resolution 2007-11-53 is adopted with the 3.86% increase and motion is carried.

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

There were no questions on the Monthly Mailbox Correspondence.

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

John had nothing to add to his report and there were no questions. His report is placed on file.

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**REPORT OF STANDING & SPECIAL COMMITTEE**

Supervisor Zeitz reported that a constituent from his District contacted him on a problem concerning the new Lincoln County Service Center involving the electrical sub-contractor. Motion made by Supervisor Zeitz and seconded by Supervisor Alber to request that Guy Lepage be allowed to speak. There was an objection made. The Chair stated that as this is a non-agenda item and as such, a vote was needed to grant Mr. Lepage the right to speak. The majority voted aye for him to speak. Mr. Guy Lepage spoke on his concerns regarding the bidding of the electrical sub-contractor. Chair Powell referred this item to Joel, the Owners' Rep. and Architect.

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**Year-to-date Budget Report – Dan Leydet, Finance Director**

Dan presented the year-to date Budget Report for October, 2007. There were no questions.

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**Sheriff's Department – Per Mar Jail Assessment**

Sheriff Jaeger explained the Per Mar Security bill.

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**Approval of Lincoln County Forest Annual Work Plan – 2008 – with action taken – Forestry Administrator, Kevin Kleinschmidt**

Kevin Kleinschmidt explained the Forest Annual Work Plan for 2008.

Motion made by Supervisor Rankin, seconded by Supervisor Mittelsteadt to approve the Forest Annual Work Plan for 2008 as presented. All Supervisors present voting aye and motion is carried.

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**RESOLUTIONS AND ORDINANCES FOR BOARD ACTION CONTINUED:****Resolution – 2007-11-54****Title: Lincoln County Solid Waste Long Range Plan and Designation of Funds**

**WHEREAS**, the Solid Waste Committee has developed a Lincoln County Solid Waste Long Range Plan (LRP) which includes Department goals, remaining landfill capacity, projected revenues and expenses, and

**WHEREAS**, the LRP includes a decision by County Board in the year 2011 on the future direction of the Solid Waste Operation, and

**WHEREAS**, on the existing landfill the County estimates future construction costs of \$380,000 for construction of module 2 of Phase III (2010), \$580,000 to close approximately six acres of Phase II (2011) and \$1,280,000 to close remaining six acres of Phase III, install gas wells, drainage systems, leachate tank, etc., close demo landfill (2015) for a total of \$2,240,000, and

**WHEREAS**, the Solid Waste Committee recommends County Board approval of the LRP including the designation of net assets necessary for the Solid Waste operation to fulfill the obligations of the existing landfill, and

**NOW, THEREFORE, BE IT RESOLVED** that the Lincoln County Board hereby approves of the Lincoln County Solid Waste Long Range Plan and the designation of up to \$2,240,000 for future construction and closure costs.

**Dated this 13th day of November, 2007**

**Introduced by:** Solid Waste Committee

**Committee Action:** Solid Waste Committee; Passed 5 – 0 on 11/7/07

**Fiscal Impact:** \$2,240,000

Motion made by Supervisor Weaver, seconded by Supervisor Rankin to adopt Resolution 2007-11-54. Dan Leydet, Finance Director, explained the Resolution. Discussion was held. Resolution 2007-11-54 is adopted by a voice vote and motion is carried.

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**Resolution 2007-11-55**

**Title: RESOLUTION SUPPORTING THE DECISION OF THE LINCOLN COUNTY PLANNING & ZONING COMMITTEE TO DENY A REZONING PETITION SUBMITTED BY DAN OBERMANN IN THE TOWN OF BRADLEY**

**WHEREAS**, Dan Obermann, on behalf of Obermann Family Properties, LLC submitted a petition to rezone 20 acres of land with a tax parcel number of 04.293406.016.002.00.00 from a Forestry District to an RL-2 district, and said parcel is located in the S½ of the SE¼ of the SE¼ of Section 29, T34N-R6E in the Town of Bradley; and

**WHEREAS**, the Lincoln County Planning & Zoning Committee inspected the property and held a public hearing on the rezone petition; and

**WHEREAS**, the property is adjacent to other lands all zoned Forestry as well; and

**WHEREAS**, Dan Obermann is attempting to rezone the property to rectify a violation created by splitting the forestry zoned property in creating this 20 acre parcel (minimum parcel size is 35 acres in a forestry district); and

**WHEREAS**, there are other remedies to correct the zoning violation including: purchasing the remaining 20 acres, exchange the deed for the 20 acres for an undivided half interest in the full 40 acres, attempting to rezone more than 20 acres to lessen the appearance of a spot zoning; and

**WHEREAS**, the rezone is supported by a town resolution but is not supported by the Town of Bradley Land Use Plan;

**NOW, THEREFORE, BE IT RESOLVED**, the members of the Lincoln County Board of Supervisors hereby stand by the recommendations of the Planning & Zoning Committee and confirm their recommendation to deny the rezoning petition.

**Dated this 13<sup>th</sup> day of November, 2007**

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

**Committee Action:** The Planning & Zoning Committee unanimously passed a motion to deny the rezoning petition on October 11, 2007

Motion made by Supervisor Meyer, seconded by Supervisor Alber to adopt Resolution 2007-11-55. Dan Miller, Zoning Administrator, explained the Denial of the Rezone Petition. Discussion was held. Resolution 2007-11-55 is adopted by a voice vote with 2 nays and motion is carried.

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**Resolution 2007-11-56**

**Title: Approving Funding and Construction of a new Maintenance and Storage Building.**

**WHEREAS** the Lincoln County Board of Supervisors has approved the building projects conceptual plan/ timetable and directed the Building Committee to proceed with preparation of construction and bid documents by Resolution 2006-11-65; and

**WHEREAS** the Maintenance Building on the Safety Building site will have to be abandoned; and

**WHEREAS** there is a need to construct the above named building without delay; and

**WHEREAS** the Public Property Committee is responsible for this facility; now

**THEREFORE BE IT RESOLVED** that the Lincoln County Board of Supervisors authorizes the Public Property Committee to proceed with bidding and construction of a 3,500 square foot building to be erected north of the new Service Center.

**Dated this 13th day of November, 2007**

**Introduced by:** Public Property Committee

**Committee Action:** Public Property Committee Passed 4 to 1 on 11/05/07

Fiscal Impact: \$210,000.

Public Property Committee requested the Resolution be withdrawn until next month's County Board Meeting.

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**Resolution 2007 - 11 - 57**

**TITLE: Appointment of Kevin Kleinschmidt as the Forestry, Land and Parks Administrator**

**WHEREAS**, the Forestry, Land and Parks Committee has advertised and interviewed finalists, and

**WHEREAS**, the Forestry, Land and Parks Committee following the recruitment process, made a job offer to Kevin Kleinschmidt at Grade 16, Step 3 (\$58,011 annually) contingent upon his appointment by the County Board; and

**WHEREAS**, the Forestry, Land and Parks Committee recommends the appointment of Kevin Kleinschmidt as the Forestry, Land and Parks Administrator beginning on November 14, 2007.

**NOW, THEREFORE BE IT RESOLVED**, that the Lincoln County Board of Supervisors does hereby accept the recommendation and appoints Kevin Kleinschmidt as the Forestry, Land and Parks Administrator beginning on November 14, 2007.

**Dated this 13<sup>th</sup> day of November, 2007**

**Introduced by:** Forestry, Land and Parks Committee

**Committee Action:** Forestry, Land and Parks Committee passed 5-0 on 9/29/07

**Fiscal Impact:** Annual Increase in wages & fringes over previous Administrator \$1,851

Motion made by Supervisor Rankin, seconded by Supervisor Mittelsteadt to adopt Resolution 2007-11-57. Resolution 2007-11-57 is adopted by a voice vote and motion is carried.

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**ORDINANCE 2007-11-516**

**AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN - CHAPTER 17, SECTION 17.2.03, ZONING ORDINANCE AS A RESULT OF A REZONING PETITION SUBMITTED BY JAMES AND BRENDA BECKER IN THE TOWN OF KING.**

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

Chapter 17.2.03, Lincoln County Code is amended such that 3 acres described as the east 396 feet of the S½ of the SW¼ of the NE¼ of Section 24, T35N – R7E, in the Town of King, having a tax parcel number 12.243507.002.002.00.00, be rezoned from a Rural Land - 2 district to a Rural Residential -3 district to allow the parcel to be split. Conditions: 1) The owners bring all noncompliant structures into conformity with the Lincoln County Zoning Ordinance. 2) The town of King also approves of the rezoning action.

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 13<sup>th</sup> day of November, 2007**

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

**Committee Action:** Planning & Zoning Committee - Passed with the following conditions on November 8, 2007:

- 1) The owners bring all noncompliant structures contained on the property into compliance with the Zoning Ordinance provisions.
- 2) The rezoning is also approved by the Town of King.

**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 2007-11-516. Dan Miller, Zoning Administrator, explained the rezoning petition. Motion made by Supervisor Mittelsteadt, seconded by Lussow, to amend as per the new resolution that was passed out by the Clerk. Discussion was held. Ordinance 2007-11-516 is adopted by a voice vote and motion is carried.

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**REPORT OR ACTION ON CLAIMS AGAINST THE COUNTY OF LINCOLN:**

**JAIL ASSESSMENTS: PER MAR    \$150.00 and STAINLESS SPECIALISTS                      \$2,780.00**

Motion made by Supervisor Lee, seconded by Supervisor Woller to approve the Jail Assessments listed above. Motion carried – all ayes.

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**REPORT OF MILEAGE AND PER DIEM**

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

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Next meeting will be the Regular Meeting to be held at the Health & Human Services Building – Lower Level Conference Room – City of Merrill on December 18, 2007 at 6:00 p.m.

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Supervisor Woller stated that the Supervisors should acknowledge the wonderful work the Department Heads did on the budget.

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Motion made by Supervisor Lussow, seconded by Supervisor Krueger to adjourn the meeting at 9:25 a.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, November 13, 2007.

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Robert D. Kunkel, Lincoln County Clerk