

**DECEMBER 18, 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**

Clerk Kunkel read the 2008 County Board schedule. Clerk informed the Supervisors that he needs certificate of auto insurance in his office to show that the supervisors meet the standards for the mileage rates. The mileage rate will increase from .485 cents per mile to .505 per mile starting on January 1, 2008.

**SERVICE RECOGNITIONS FOR DECEMBER, 2007**

Clerk read a service recognition for Diana Petruzates, currently a Legal Secretary in the Clerk of Courts Office for 15 years of service. She received a 15-year pin.

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Clerk read a service recognition for Dorothy Malm, currently a Registered Nurse at the Pine Crest Nursing Home for 20 years of service. She received a 20-year pin.

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Clerk read a service recognition for Marge Johnson, currently a Real Property Lister at the Land Information and Conservation Department for 25 years of service. She received a 25-year pin.

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

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Clerk read a service recognition for Melvin Doering currently a Sign Man-Class 4 at the Highway Department for 30 years of service. He received a 30-year pin.

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**APPOINTMENT – CIVIL SERVICE COMMISSION – Michael C. Everson****RE-APPOINTMENTS – LINCOLN COUNTY 51.437 SERVICES – LINCOLN INDUSTRIES – Sheridan Schwark and Harriet Slaga**

Motion made by Supervisor Alber, seconded by Supervisor Lussow to approve the appointment and the re-appointments listed above. All Supervisors present voting aye and motion is carried.

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**APPROVAL OF JOURNAL – NOVEMBER 13, 2007**

Motion was made by Supervisor Caylor, seconded by Supervisor Schneider to accept the minutes of November 13, 2007 as presented and placed on file. All Supervisors voting aye and motion carried.

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

No questions were asked.

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

Supervisor Zeitz asked for an update on child support issue and if there was any additional legal expenses. John updated him on the child support issue and stated that there were no additional expenses.

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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 December, 2007.

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**Merrill Park and Recreation 5-Year Outdoor Recreation Plan – Dan Wendorf -**

Dan Wendorf presented the 5–year Outdoor Recreation Plan. Discussion followed.

**RESOLUTIONS AND ORDINANCE FOR BOARD ACTION:**

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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.

Motion made by Supervisor Mittelsteadt, seconded by Supervisor Zeitz to adopt Resolution 2007-11-56. Motion made by Supervisor Mittelsteadt and seconded by Supervisor Caylor to delete the words “and construction” and to change fiscal impact to unknown. Discussion followed. Motion made by Supervisor Caylor, seconded by Supervisor Simon to layover until January, 2008 County Board meeting. Discussion followed. Clerk called roll with Supervisors Caylor, Fox, Krueger, Meyer, Powell, Rusch, Saal, Short, Simon, Weaver, Woller and Zeitz. voting aye (12) and Supervisors Alber, Berndt, Kahle, Krueger, Loka, Lussow, Mittelsteadt, Plant Rankin and Schneider voting nay (10). Motion to layover passed by 12 -10 vote.

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**Resolution 2007-12-58**

**Title: Authorization to Increase Ambulance Base Rate**

**WHEREAS**, the cost to operate the ambulance service in Lincoln County are increasing, and

**WHEREAS**, because these costs are not fully covered by user fees, the ambulance service is subsidized by the tax levy, and

**WHEREAS**, user fee increases have not kept up costs to deliver this service; therefore, the amount of tax levy required to subsidize this activity has increased steadily; and

**NOW, THEREFORE BE IT RESOLVED**, that the Lincoln County Board of Supervisors does hereby authorize increases in ambulance rates effective January 1, 2008 as follows:

BLS from \$625 to \$675 per transport  
 ALS 1 from \$675 to \$725 per transport  
 ALS 2 from \$675 to \$775 per transport  
 ALS Intercept will remain at \$125 per transport  
 ALS On-Scene Care Only will remain at \$200 per response

**Dated this 18th day of December, 2007**

**Introduced by:** Law Enforcement, EMS/Judicial Committee

**Committee Action:** Law Enforcement, EMS/Judicial Committee; Passed 5 – 0 on 11/14/2007

**Fiscal Impact:** Approximately \$46,500.00

Motion made by Supervisor Lee, seconded by Supervisor Woller to adopt Resolution 2007-12-58. Clerk Kunkel explained. Discussion was held. Resolution 2007-12-58 is adopted by a voice vote and motion is carried.

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#### **Resolution 2007-12-59**

##### **Title: Ordering County Clerk to Take Tax Deeds of the 2005 Sale**

**WHEREAS**, consistent with ordinance 410-2002 adopting section 3.17, Lincoln County Code (Lincoln County Policy for Screening of Tax Delinquent Property for Possible Acquisition) the Property Evaluation Team inspected tax delinquent properties; and

**WHEREAS**, the Property Evaluation Team will not accept those properties with visible evidence of contamination; and

**WHEREAS**, the Finance & Insurance Committee has approved the acquisition of any one of these tax deeds whose owner does not pay the delinquent taxes on their parcel by December 17, 2007; and

**NOW, THEREFORE BE IT RESOLVED**, by the Lincoln County Board of Supervisors in session on December 18, 2007 that the County Clerk be and is hereby ordered to take tax deeds from the said tax delinquent properties inspected by the Property Evaluation Team on the unredeemed tax certificates of the 2005 sale and also those of prior years, which have not been deeded to Lincoln County, pursuant to Section 75.14 of the Wisconsin Statutes, excepting that no tax deed will be taken for any description upon which the county already holds a good tax deed.

**Dated this 18<sup>th</sup> day of December, 2007**

**Introduced by:** Finance & Insurance Committee

**Committee Action:** Finance & Insurance Committee; Passed 4-0 on 12/07/07

**Fiscal Impact:** Unknown

Motion made by Supervisor Lussow, seconded by Supervisor Lee to adopt Resolution 2007-12-59. Clerk Kunkel explained. Discussion was held. Resolution 2007-12-59 is adopted by a voice vote and motion is carried.

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**Resolution 2007 – 12 - 60**

**Title: Cancellation of County Checks**

**WHEREAS**, it is in the business interest of Lincoln County that all County Checks be negotiated promptly, and

**WHEREAS**, the following checks have reached their expiration date,

**NOW, THEREFORE BE IT RESOLVED**, by the Lincoln County Board of Supervisors that the following checks be canceled and returned to the fund from which the check originated:

DATE	CHECK NO.	NAME	AMOUNT
8/03/06	199768	Joanna Meagle	\$156.80
11/09/06	208373	Arne Andersen	18.90
12/04/06	209193	Kevin Schramke	24.80
12/14/06	209711	Marshfield Clinic	22.00
1/25/06	211100	Wingfoot Comm.Tire	89.09
2/22/07	212116	Popular Mortg.Serv.	43.35
3/01/07	212298	Clarence Marheine	8.38
3/08/07	212429	Book World	21.05
3/08/07	212591	William Schofp	3.58
3/08/07	212622	Camille Townsend	66.07
3/15/07	212901	Brian Shoup	<u>4.47</u>
GENERAL TOTAL			\$458.49

Adopted this 18th day of December, 2007

Introduced by: Finance Committee  
 Committee Action: Finance Committee  
 Passed 4 - 0 on 12/07/07

Fiscal Impact: +\$458.49

Motion made by Supervisor Caylor, seconded by Supervisor Lussow to adopt Resolution 2007-12-60. Clerk Kunkel explained. Discussion was held. Resolution 2007-12-60 is adopted by a voice vote and motion is carried.

**Resolution No. 2007 - 12 - 61**

**Title: Designation of Public Depositories**

**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 institutions shall be and are hereby designated, until further action, as public depositories for all public monies coming into the hands of the Treasurer of Lincoln County, State of Wisconsin:

- Citizens Bank, Tomahawk, WI 54487
- Lincoln Community Bank, Merrill, WI 54452
- M & I Citizen’s American Bank, Merrill, WI 54452
- River Valley State Bank, Merrill, WI 54452

Park City Credit Union, Merrill, WI 54452  
 Merrill Federal Savings & Loan, Merrill, WI 54452  
 State Investment Pool, Madison, WI 53707  
 M & I Trust Company, Wausau, WI 54401  
 JP Morgan Chase, Milwaukee, WI 53202

**NOW, THEREFORE BE IT ALSO RESOLVED**, that the list of bank accounts on the accompanying schedule be approved for use by Lincoln County.

**Dated this 18<sup>th</sup> day of December, 2007**

**Introduced by:** Finance and Insurance Committee  
**Committee Action:** Passed 4-0 on December 7, 2007

**Fiscal Impact:** N/A

Motion made by Supervisor Woller, seconded by Supervisor Lee to adopt Resolution 2007-12-61 with Lincoln County Bank changed to Lincoln Community Bank. Motion made by Supervisor Zeitz, seconded by Supervisor Alber to delete State Investment Pool and JP Morgan Chase from the list. Discussion was held. Clerk called roll with all Supervisors voting nay (19) except Supervisors Alber, Fox and Zeitz voting aye (3). The motion to amend was defeated. Clerk called roll with all Supervisors voting aye (20); except Supervisor Fox and Zeitz voting nay (2). Resolution 2007-12-61 is adopted and motion is carried.

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#### **Resolution 2007-12-62**

**Title: Resolution Opposing Bill H.R. 811 Entitled “The Voter Confidence and Increased Accessibility Act of 2007”**

**WHEREAS**, Congress has before it a proposed Bill, H.R. 811, entitled “The Voter Confidence and Increased Accessibility Act of 2007; and

**WHEREAS**, H.R. 811 will, among other things, mandate counties such as Lincoln County and all other counties in the State of Wisconsin to replace the current voting machines with such voting equipment as set forth in the new standards which would be mandated by the proposed Federal legislation; and

**WHEREAS**, the current successful practices in Lincoln County for standardized voting procedures currently meet objectives of existing Federal and State election practices; and

**WHEREAS**, election officials of the State Board of Elections have expressed opposition to the specific provisions set forth in H.R. 811 as being overly prescriptive, overly detailed and difficult for compliance, as would other of the general mandates set forth in the proposed Federal legislation.

**NOW, THEREFORE BE IT RESOLVED**, by the Lincoln County Board of Supervisors that it hereby expresses its opposition to the provisions set forth in Bill H.R. 811; and

**BE IT FURTHER RESOLVED**, that the County Clerk forward a copy of this resolution to Governor Doyle, legislative representatives of Lincoln County; Congressman David Obey; Senators Herb Kohl and Russ Feingold and other Wisconsin Counties.

**Dated this 18<sup>th</sup> day of December, 2007**

**Introduced by:** Finance & Insurance Committee

**Committee Action:** Finance & Insurance Committee  
Passed 4 – 0 on 12/7/2007

Fiscal Impact: Not applicable

Motion made by Supervisor Lussow, seconded by Supervisor Mittelsteadt to adopt Resolution 2007-12-62. Clerk Kunkel explained. Discussion was held. Resolution 2007-12-62 is adopted by a voice vote and motion is carried.

**Resolution 2007-12-63**

**Title: Approving Application of Lincoln Cycles, LLC for a Revolving Loan Fund**

**WHEREAS**, Lincoln County has established a revolving loan fund; and

**WHEREAS**, after public meeting and due consideration, the Revolving Loan Fund – Loan Review Committee has recommended that the application submitted to the Revolving Loan Fund Administrator for the following project: Lincoln Cycles, LLC.

**WHEREAS**, it is necessary for the County Board to approve the application for the County to distribute the funds from the revolving fund;

**NOW, THEREFORE BE IT RESOLVED**, that the County Board does approve and authorize the loan for the above-named project; and the County Finance Director is hereby authorized to loan funds as recommended by the Revolving Loan Fund – Loan Review Committee.

**Dated this 18<sup>th</sup> day of December, 2007**

**Introduced by:** Finance & Insurance Committee

**Committee Action:** Finance & Insurance Committee; Passed on December 18, 2007

**Fiscal Impact:** \$30,000 Loan

Motion made by Supervisor Lee, seconded by Supervisor Lussow to adopt Resolution 2007-12-63. Jack Sroka, Economic Development Director, explained resolution. Discussion was held. Resolution 2007-12-63 is adopted by a voice vote and motion is carried.

**2007-12-64**

**Title: Adopt the 2008-2012 City of Merrill Outdoor Recreation Plan**

**WHEREAS**, the Wisconsin Department of Natural Resources requires cities to have current Outdoor Recreation Plans to be eligible for certain state and federal program grants and funds; and

**WHEREAS**, said Outdoor Recreation Plans must be updated every five years; and

**WHEREAS**, City of Merrill Parks Committee retained the North Central Wisconsin Regional Planning Commission to prepare the 2008-2012 City of Merrill Outdoor Recreation Plan; and

**WHEREAS**, said report sets forth goals and objectives to be used as guidelines in formulating future recreational plans; and

**WHEREAS**, said report establishes recommendations for improving the recreational system in the City of Merrill over the next five years; and

**WHEREAS**, the Lincoln County Forestry, Land and Parks Committee has reviewed and approved said plan;

**NOW, THEREFORE, BE IT RESOLVED** this 18<sup>th</sup> day of December, 2007, that the Lincoln County Board of Supervisors hereby adopt the proposed 2008-2012 City of Merrill Outdoor Recreation Plan and that the Plan be forwarded to the Wisconsin Department of Natural Resources for their acceptance.

**Dated this 18th day of December, 2007**

**Committee Action:** Forestry, Land and Parks Committee, December 12, 2007 Passed 4-0 (James Alber, excused)

**Fiscal Impact:** None

Motion made by Supervisor Woller, seconded by Supervisor Saal to adopt Resolution 2007-12-64. Supervisor Saal explained the Resolution. Discussion followed. Resolution 2007-12-64 is adopted by a voice vote and motion is carried.

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### **Resolution 2007-12-65**

#### **Title: Request for Special Meeting of the Lincoln County Board**

**WHEREAS**, Lincoln County is engaged in a comprehensive building project; and

**WHEREAS**, a Building Committee was formed to coordinate the project; and

**WHEREAS**, as a result of actions or inactions of the Building Committee while representing the County of Lincoln, Lincoln County is becoming involved in potential legal action regarding construction contracts; and

**WHEREAS**, the Public Property Committee of Lincoln County has formally and unanimously requested that a Special Session of the Lincoln County Board be convened; and

**WHEREAS**, past experience has demonstrated that delay on the part of the Lincoln County Board to intervene as the body of authority, has resulted in extraordinary cost to the Lincoln County taxpayer,

**BE IT THEREFORE BE IT RESOLVED**, that the Lincoln County Board hereby request a closed session of the Lincoln County Board to review and discuss its position regarding construction contract status relative to possible litigation at the earliest opportunity.

Dated this 18<sup>th</sup> day of December, 2007

Introduced by: James C. Alber

Fiscal Impact: Unknown

Motion made by Supervisor Alber, seconded by Supervisor Fox to adopt Resolution 2007-12-65. Supervisor Alber explained the Resolution. Discussion followed. Clerk called roll with all Supervisors voting nay (15); except Supervisor Alber, Berndt, Fox, Kahle, Loka, Mittelsteadt and Zeitz voting aye (7). Motion to adopted Resolution 2007-12-61 was defeated.

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**ORDINANCE 2007-12-517****AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN  
(CREATING CHAPTER 3.27, RESPONSE TO ANNUAL AUDIT FINDINGS)**

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

Chapter 3.27, Lincoln County Code is created to read as follows:

**3.27 Response to Annual Audit Findings**

Upon receiving management letter recommendations in the course of the County's annual audit, the Finance Director shall:

1. Inform the appropriate department head of the management letter recommendation.
2. In conjunction with the department head, develop a course of action in response to the management letter recommendation. This will include one of the following written responses:
  - A. The following procedures and/or policies have been implemented to eliminate the deficiencies or produce the suggested improvements disclosed in the management letter (state the procedures and policies).
  - B. An implementation plan with the following time table has been developed to correct the deficiencies or produce the suggested improvements disclosed in the management letter (note step-by-step procedures and time table).
  - C. The audit recommendations are not being considered for implementation at this time for the following reasons (state reasons). They are being studied and will be considered at a future date (disclose date).
  - D. The audit recommendations suggested in the management letter are not valid or cost effective and do not warrant management action for the following reasons (state reasons).
3. The written responses shall be presented to the oversight committee and the Finance and Insurance Committee within two months after the external auditors have made the management letter recommendations known to the Finance Director.

The Finance and Insurance Committee shall forward the management letter recommendations and written responses to the County Board for final approval.

This ordinance shall take effect following its passage and publication.

**Dated this 18<sup>th</sup> day of December, 2007**

**Introduced by:** Finance and Insurance Committee

**Committee Action:** Passed 4-0 on December 7, 2007

**Fiscal Impact:** N/A

**LINCOLN COUNTY, WISCONSIN**

**CURTIS G. POWELL**  
Chairman

**ROBERT D. KUNKEL**  
County Clerk

Motion made by Supervisor Lee, seconded by Supervisor Simon to adopt Ordinance 2007-12-517. Dan Leydet, Finance Director, explained the Ordinance. Motion made by Supervisor Alber, seconded by Supervisor Zeitz to insert between the County "first available" and "meeting" after Board in the last paragraph. Discussion followed. Clerk called roll on the amendment with all Supervisors voting nay (14) except Supervisor Alber, Berndt, Fox, Kahle, Lee, Loka, Lussow and Zeitz (8). Motion to amend was defeated. Clerk called roll with all

Supervisors voting aye (21); except Supervisor Zeitz voting nay (1). Ordinance 2007-12-517 is adopted and motion is carried.

**CLOSED MEETING:**

Motion made by Supervisor Lussow, seconded by Supervisor Simon to go convene into closed session pursuant to sec. 19.85(1)(g). Stat. for purposes of conferring with legal counsel who is rendering oral advice concerning strategy to be adopted by the governmental body with respect to litigation in which it is involved-specifically Sherfinski lawsuit. The following people will be allowed to remain for the closed session: John Mulder, Nancy Bergstrom, Randy Scholz, and. Attorney John Haase (Wisconsin County Mutual Insurance Company). Clerk called with Supervisors Alber, Berndt, Caylor, Fox, Kahle, Krueger, Lee, Loka, Lussow, Meyer, Mittelsteadt, Plant, Powell, Rankin, Rusch, Saal, Schneider, Short, Simon, Weaver, Woller and Zeitz voting aye and motion is carried.

The Board convened into closed session. Motion made by Supervisor Caylor, seconded by Supervisor Krueger to reconvene into open session. Motion carried on a unanimous vote.

The Board convened into open session. Chair Powell announced that in closed session a motion was made by Supervisor Alber and seconded by Supervisor Mittelsteadt to approve settlement as recommended by Attorney John Haase. The motion carried unanimously.

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

<b>JAIL ASSESSMENTS</b>	<b>SULLIVAN BROTHERS</b>	<b>\$925.00</b>
	<b>TRANTOW DO-IT CENTER</b>	<b>\$265.89</b>

Motion made by Supervisor Lee, seconded by Supervisor Krueger to approve the Jail Assessments for Sullivan Brothers and the Trantow Do-It Center. Motion carried – all ayes.

**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

Next meeting will the Budget Meeting be held at the Health & Human Services Building – Lower Level Conference Room – City of Merrill on January 15, 2008 at 6:00 p. m.

Motion made by Supervisor Krueger, seconded by Supervisor Rankin to adjourn the meeting at 7:48 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, December 18, 2007.

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Robert D. Kunkel, Lincoln County Clerk