

MARCH 18 2008**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, Krueger, Lee, Loka, Lussow, Meyer, Mittelsteadt, Plant, Powell, Rankin, Rusch, Saal, Schneider, Short, Simon, Woller and Zeitz (20). Supervisors Kahle and Weaver excused.

ANNOUNCEMENTS/APPOINTMENTS/RECOGNITIONS/AWARDS

There were no announcements.

SERVICE RECOGNITIONS FOR FEBRUARY, 2008

Clerk read a service recognition for Roxann Bialecki, currently a Registered Nurse at the Pine Crest Nursing Home for 10 years of service. She received a travel mug, lunch cooler and tote bag.

Clerk read a service recognition for Jerry C. Schoepke, currently a Class 3-State Patrol Helper at the Highway Department for 10 years of service. He received a travel mug, lunch cooler and tote bag.

Clerk read a service recognition for Grant E. Peterson, currently a Patrol Lieutenant at the Sheriff's Department for 15 years of service. He received a fleece blanket.

APPOINTMENTS & RE-APPOINTMENTS - NONE

APPROVAL OF JOURNAL – FEBRUARY 19, 2008

Motion was made by Supervisor Lussow, seconded by Supervisor Caylor to accept the minutes of February 19, 2008 as presented and placed on file. All Supervisors voting aye and motion carried.

LETTERS, PETITIONS AND MEMORIALS

Monthly Mailbox Correspondence – Any Questions

Supervisor Lee spoke on the Resolution in Support of the Great Lakes and St. Lawrence River Basin Water Resources Compact. Supervisor Meyer spoke on the Aging Population in Lincoln County and encouraged the Supervisors to get informed on the aging problems. Supervisor Zeitz also spoke on the Resolution supporting the Great Lakes and St. Lawrence River Basin Water Resources Compact.

CLOSED MEETING: 6:08 p.m.

Convene into Closed Session Pursuant to Sec. 19.85(1)(g). WI Stat. for conferring with legal counsel concerning strategy to be adopted by the governmental body with respect to litigation in which it is involved.

- a. Dave Haka v Lincoln County Board of Supervisors

Motion made by Supervisor Lee, seconded by Supervisor Plant to convene in closed session with Nancy Bergstrom, John Mulder and Counsel for the County to remain for the closed session. Clerk called roll with all Supervisors present voting aye to convene in closed session.

Motion made by Supervisor Caylor, seconded by Supervisor Alber to re-convene in Open Session. John Mulder called roll with all Supervisors present voting aye to re-convene in open session.

OPEN MEETING: 6:51 p.m.

Take Any Necessary Action on Items Discussed in Closed Session

There was no action taken on the item discussed in closed session.

ADMINISTRATIVE COORDINATOR'S WRITTEN REPORT – Q & A

John Mulder had nothing to add to his report. His report will be placed on file.

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

Dan reported on the year-to date Budget Report. Discussion was held. Supervisor Zeitz asked about the interest rate in the State Investment Fund.

Issues of the Building Committee – Supervisor Zeitz

Supervisor Zeitz explained his concerns regarding the Building Committee. Discussion followed. Nancy Bergstrom, Corporation Counsel, clarified the way the contract in question was stated. Two people from the public spoke on the projects, Bill Bialecki and Bruce Matsche. Supervisor Lussow replied to Mr. Matsche that we are doing it both ways that at least 50 % of the interior walls are cement blocked and outside walls are per cast.

RESOLUTIONS AND ORDINANCE FOR BOARD ACTION:

RESOLUTION 2008-03-10
Adopting a New Joint County Contract for the 51.42 System between Lincoln, Langlade and Marathon Counties

WHEREAS, Marathon, Lincoln and Langlade Counties, under authority of Wisconsin Statutes Section 51.42(3)(a) and Section 51.437(4g), have for many years provided services under a joint contract with North Central Community Services Programs; and

WHEREAS, in 2007 the three counties agreed to review the Joint County Contract and established a Three County Governance Study Committee to study the contract between the counties, which study is now complete; and

WHEREAS, the Three County Governance Study Committee and the North Central Community Services Program Board have recommended certain changes be made to the Joint County Contract in order to keep it current and establish the best course of action for the future in relation to the 3-county system currently in effect;

NOW, THEREFORE, the Board of Supervisors of the Counties of Lincoln, Langlade and Marathon do hereby resolve and ordain as follows:

To adopt the “**JOINT COUNTY CONTRACT among Langlade, Lincoln & Marathon Counties**”, as developed by the Three County Governance Committee, dated January 2008, said Joint County Contract attached hereto and incorporated by reference, under which services will continue to be provided to each County by the North Central Community Services Program Board as delineated in the contract.

Dated this 18th day of March, 2008

Introduced by: Finance & Insurance Committee

Committee Action: Finance & Insurance Committee; Passed 5-0 March 7, 2008

Fiscal Impact: No change in 2008 budgeted amount of \$470,618.

Motion made by Supervisor Krueger, seconded by Supervisor Lussow to adopt Resolution 2008-03-10. Dan Leydet, Finance Director, explained the Resolution. Discussion was held. Resolution 2008-03-10 is adopted by a voice vote and motion is carried.

Resolution 2008-03-11

Title: Approving Conveyance of Real Estate

BE IT RESOLVED, by the Lincoln County Board of Supervisors duly assembled this 18th day of March, 2008 that the following conveyance of real estate to be made by the County Clerk in behalf of Lincoln County, be and same are hereby ratified, confirmed, and approved:

<u>Purchaser</u>	<u>Description</u>	<u>Amount</u>
MICHAEL NELSON	CM AT INTERS N LN HWY 86 & E LN SW 1/4 SW 1/4 TH W 208' POB TH N 208' TH W 208' TH S TO N LN SD HWY TH E TO POB EX PRT FOR HWY DES IN V452 P16 Section 6 Township 34 Range 4 Approx. .800A	\$672.52
CHARLES GIESE	PRT OF FRAC NE 1/4 NE 1/4 LYG SLY OF HWY 8 EXC W 216' THRF Section 5 Township 35 Range 5 Approx. .500A	\$3,109.41

Dated this 18th day of March, 2008

Introduced by: Forestry, Land & Parks Committee

Committee Action: March 10, 2008 Passed 4 – 0 (James Alber, excused)

Fiscal Impact: \$3,781.93

Motion made by Supervisor Rankin, seconded by Supervisor Berndt to adopt Resolution 2008-03-11. Resolution 2008-03-11 is adopted by a voice vote and motion is carried.

Resolution 2008-03-12

Title: Supporting Lincoln County’s Participation in the Lightweight Utility Vehicle Pilot Program

WHEREAS, due to the increasing numbers of lightweight utility vehicles (LUV), there is great demand for a place to ride these utility vehicles; and

WHEREAS, a “Lightweight Utility Vehicle Pilot Program” was established in the 2008-09 State Budget approved through the Wisconsin State Legislature; and

WHEREAS, the Department of Natural Resources, in consultation with the Department of Transportation, shall administer this program to investigate the effects of using LUV’s on trails and roadways that are used and authorized to be used by all-terrain vehicles (ATV), to evaluate whether it is feasible and appropriate to expand the allowable use of lightweight utility vehicles; and

WHEREAS, in this pilot project a lightweight utility vehicle will be considered an all-terrain vehicle. Therefore everything that applies to ATV's in the Lincoln County Forestry & Parks Ordinance would apply to the LUV's; and

WHEREAS, currently there is no registration of LUV's as required with ATV's and snowmobiles. There will be a registration trail sticker and associated fee required of LUV's to acquire data to be used for this program; and

WHEREAS, this pilot program will end on September 30, 2009. The County may withdraw from the pilot program prior to the end of the program by adopting a resolution to that effect.

NOW, THEREFORE, BE IT RESOLVED, that the Lincoln County Board of Supervisors approves allowing lightweight utility vehicles to use all state-funded summer all-terrain vehicle trails on the Lincoln County Forest while those trails are open for ATV use and encourage municipalities to open connecting routes to lightweight utility vehicle use as part of the Lightweight Utility Vehicle Pilot Program.

Dated this 18th day of March, 2008

Introduced by: Lincoln County Forestry, Land and Parks Committee

Committee Action: March 10, 2008 - Passed 4-0 (James Alber, excused)

Fiscal Impact: Unknown

Motion made by Supervisor Rankin, seconded by Supervisor Saal to adopt Resolution 2008-03-12. Kevin Kleinschmidt, Forestry Administrator, explained the Resolution. Discussion was held. Resolution 2008-03-12 is adopted by a voice vote with Alber voting nay and motion is carried.

Resolution 2008-3-13

Title: Approving Application of Zoellner's Greenhouse 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: Zoellner's Greenhouse.

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 18th day of March, 2008

Introduced by: Finance & Insurance Committee

Committee Action: Finance & Insurance Committee; Passed 5-0 on March 7, 2008

Fiscal Impact: \$20,000 Loan from Revolving Loan Funds, with return of four percent interest rate.

Motion made by Supervisor Mittelsteadt, seconded by Supervisor Lussow to adopt Resolution 2008-03-13. Resolution 2008-03-13 is adopted by a voice vote and motion is carried.

Resolution 2008-3-14**Title: Authorizing Transfer of \$12,250 from the Contingency Fund to Family Court Commissioner Budget**

WHEREAS, on November 13, 2007 the Lincoln County Board passed Resolution 2007-11-53 approving the 2008 budget and providing for tax levy; and

WHEREAS, in the 2008 budget the Family Court Commissioner Budget was approved at \$18,073 which included a reduction of \$12,250 in the Family Court Commissioner's contract; and

WHEREAS, the Finance and Insurance Committee recommended the Family Court Commissioner contract remain at the 2007 amount;

NOW, THEREFORE BE IT RESOLVED, that the County Board does approve and authorize the transfer of \$12,250 from the Contingency Fund to the Family Court Commissioner budget to fully fund the Family Court Commissioner contract.

Dated this 18th day of March, 2008

Introduced by: Finance & Insurance Committee

Committee Action: Finance & Insurance Committee; Passed 5-0 on March 7, 2008

Fiscal Impact: \$12,250 from Contingency Funds in 2008.

Motion made by Supervisor Lee, seconded by Supervisor Caylor to adopt Resolution 2008-03-14. Supervisor Lee explained the Resolution. Resolution 2008-03-14 is adopted by a voice vote and motion is carried.

ORDINANCE 2008-03-520**AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN CHAPTER 21, SHORELAND ZONING ORDINANCE.**

The County Board of Supervisors of Lincoln County, Wisconsin, does hereby ordain that chapter 21 be amended as indicated in the attachment.

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

Dated this 18th day of March, 2008

Introduced by: The Planning & Zoning Committee

Committee Action: Planning & Zoning Committee - on March 13, 2008 Vote 5 – 0

Fiscal Impact: None

LINCOLN COUNTY, WISCONSIN

Curtis G Powell	Robert D. Kunkel
Chairman	County Clerk

Motion made by Supervisor Meyer, seconded by Supervisor Rusch to adopt Ordinance 2008-03-520. Dan Miller, Zoning Administrator, explained the Shoreland Amendments. Dan distributed a new handout that would amend the Amendments to Chapter 21. Chair Powell stated that a motion to amend was needed before discussion could be held.

Motion made by Supervisor Mittelsteadt, seconded by Supervisor Meyer to amend Section 21.08 as reflected on the new hand out – #6 on page 5 – Retaining Walls (a) delete the word repaired. Discussion was held. The amendment carried. More discussion was held. Supervisor Zeitz asked to layover for 2 months. Discussion continued.

Motion made by Supervisor Zeitz, seconded by Supervisor Fox to layover until the May County Board Meeting. Motion failed. Supervisor Caylor called the question. Clerk called roll with all Supervisors present voting aye to end the discussion (18); except Supervisors Alber and Zeitz voting nay (2).

Clerk called roll on Ordinance 2008-03-520 as amended and all Supervisors present voting aye (18); except Supervisor Fox and Zeitz voting nay (2). Ordinance 2008-03-520 is adopted and motion is carried.

To review the 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.

REPORT OF ACTION ON CLAIMS AGAINST THE COUNTY OF LINCOLN –

Disallowance Claim – Smith vs. Lincoln County #018599906581

Motion made by Supervisor Caylor, seconded by Supervisor Simon to approve the disallowance claim of Smith vs. Lincoln County. Motion carried – all Supervisors voting aye.

Jail Assessments -	Stainless Steel	\$ 176.79
	Caylor’s Corners	\$2,182.79
	David A. Schwartzman	\$1,078.50

Supervisor Caylor requested that he be allowed to not vote on the Jail Assessments. Request was granted. Motion made by Supervisor Woller, seconded by Supervisor Krueger to approve the Jail Assessments listed above. All Supervisors present voting aye and motion is carried.

REPORT OF MILEAGE AND PER DIEM

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

The next meeting will be the Special County Board Meeting to be held on Wednesday, March 26, 2008 at 8:00 a.m. at the Human Services Building – Lower Level Conference Room.

The April meeting will be the Organizational Meeting to be held on April 15, 2008 at 8:00 a.m. at the Human Services Building – Lower Level Conference Room.

Motion made by Supervisor Krueger, seconded by Supervisor Lussow to adjourn the meeting at 7:36 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, March 18, 2008.

Robert D. Kunkel, Lincoln County Clerk

