

JULY 15, 2008**EVENING SESSION****6:00 P.M.**WILLIAM BUEDINGEN TRAINING ROOM – TOWN OF BRADLEY – W6147 STATE ROAD 86

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 Lussow. Pledge of Allegiance was given by the Board. Roll was called by the Clerk and the following answered present: Bailey, Berndt, Bloomer, Caylor, Eisenman, Fox, Lee, Loka, Lussow, Meyer, Mittelsteadt, Plant, Rankin, Rusch, Saal, Short, Simon, Weaver, and Woller (19). Supervisors Krueger and Albert excused. Supervisor Zeitz arrived at 6:20 p.m.

ANNOUNCEMENTS/APPOINTMENTS/RECOGNITIONS/AWARDS -**ANNOUNCEMENTS:**

Chair Lussow expressed condolences to Supervisor Krueger and his family on the death of his wife, Ann Krueger.

Clerk Kunkel stated that the mileage rate has increased from .505 to .585.

SERVICE RECOGNITIONS FOR JULY, 2008

Clerk read a service recognition for Jamie J. Willis, currently the Deputy Register of Deeds in the Register of Deeds Office for 10 years of service. She received a travel mug, lunch cooler and tote bag.

Clerk read a service recognition Kristine Gruett, currently a Certified Nursing Assistant at the Pine Crest Nursing Home for 20 years of service. She received a folding chair.

Clerk read a service recognition for Terry L. Schmidt, currently the Director of Social Services & DD Social Services & Developmental Disabilities for 20 years of service. He received a clock.

APPOINTMENTS & RE-APPOINTMENTS -**APPOINTMENT – COMMISSION ON AGING - Kenneth Crass – 3-year term**

Motion made by Supervisor Meyer, seconded by Supervisor Lee to approve the appointment of Kenneth Crass to a 3-year term on the Commission on Aging Board. All Supervisors voting aye and motion is carried.

RE-APPOINTMENT – COMMISSION ON AGING – Joyce Ninmann – 3-year term

Motion was made by Supervisor Woller, seconded by Supervisor Caylor to approve the re-appointment of Joyce Ninmann for a 3- year term on the Commission on Aging Board. All Supervisors voting aye and motion is carried.

APPROVAL OF JOURNAL – JUNE 17, 2008

Motion was made by Supervisor Caylor, seconded by Supervisor Eisenman to approve the minutes of June 17, 2008 as presented and placed on file. All Supervisors voting aye and motion carried.

LETTERS, PETITIONS AND MEMORIALS**MEMORIAL – Lloyd Buck, Sr.**

Clerk read the memorial for Lloyd Buck Sr.

Monthly Mailbox Correspondence – Any Questions

There were no questions on the monthly mailbox correspondence.

ADMINISTRATIVE COORDINATOR’S WRITTEN REPORT – Q & A

John Mulder had nothing to add to his report. His report will be placed on file. A packet of discount drug cards was given to the County Board Members to distribute to the public. These packets will also be

available at the County Clerk's Office, Treasurer's Office, Register of Deeds Office, and other locations in both Merrill and Tomahawk.

REPORT OF STANDING & SPECIAL COMMITTEE

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

Dan reported on the year-to date Budget Report. Supervisor Weaver explained what the process will be in reaching a budget.

Profanity at County Meeting – Supervisor Short

Supervisor Short explained the reason why he brought this before the Supervisors. He stated that he will be referring to the Robert's Rule of Order. He stated that on Page 53, top sentences states "Profane language is also prohibited". Discussion was held. Chair Lussow reminded the Supervisors that on page 10 of the 2008 Lincoln County Directory – the mission statement of the Lincoln County Board of Supervisors is stated and that is to be followed by all members.

RESOLUTIONS AND ORDINANCE FOR BOARD ACTION:

Resolution 2008-07-25

Title: Prescription Drug Abuse Prevention through A State-wide Dispensing Database

WHEREAS, Prescription drugs are a bigger problem than any other illegally used substance.

WHEREAS, A few drug seekers go from doctor to doctor to collect multiple prescriptions, then take these to different pharmacies and pay cash for them, thereby turning the medications around to sell at amazing profits.

WHEREAS, It is a felony to lie to a provider in order to obtain controlled substances.

WHEREAS, Most people who use prescription drugs use them appropriately.

WHEREAS, Pharmacists are already linked with insurance companies and other databases at the time of dispensing.

WHEREAS, The neighboring states of Michigan and Illinois already have central databases where pharmacists check the history of previously dispensed medication before dispensing controlled substances.

WHEREAS, Crossing state lines in these situations is quite easily accomplished.

NOW, THEREFORE BE IT RESOLVED, That the state Medical Society of Wisconsin, suggest to our state to work with our legislators to ensure that the state of Wisconsin creates and funds a central database where pharmacists would be required to check the history of previously dispensed controlled substances to an individual before dispensing more controlled substances, to said individual. That the database also be available to providers who write for controlled substances, and that the database is networked with the databases of adjacent states.

Dated this 15th day of July, 2008

Introduced by: Board of Health

Committee Action: Lincoln County Board of Health; Passed (8-0) on 06/26/08.

Fiscal Impact: None

Motion made by Supervisor Caylor, seconded by Supervisor Rankin to adopt Resolution 2008-07-25. Shelley Hersil, Director of the Health Department, explained the Resolution. Discussion was held. Resolution 2008-07-25 is adopted by a voice vote and motion is carried.

Resolution 2008 – 07 – 26

Title: New Phone System for Lincoln County

WHEREAS the current County phone system is no longer supported by the manufacturer and parts are no longer made for the system, and

WHEREAS there is a great risk of extended outages, costly repairs and loss of emergency phone service to multiple County Buildings in the event of a system component failure, and

WHEREAS the County is currently moving forward with the implementation of a new phone system for the Government Services Building that is able to support the other County locations, and

WHEREAS if the system is purchased by the end of July, 2008 there is \$23,995.58 in additional savings above and beyond the state contract price, and

WHEREAS there is an estimated yearly savings of \$48,000 on communications costs once this system is fully deployed to all Merrill County Buildings, and

WHEREAS the Administrative and Legislative and CIP Committees recommend that we move forward with the purchase and deployment of the new phone system for the Merrill locations of Lincoln County.

NOW THEREFORE BE IT RESOLVED that the Lincoln County Board of Supervisors does hereby approve the recommendations of the Administrative and Legislative and CIP Committees.

Dated this 15th day of July, 2008

Introduced by: Administrative and Legislative Committee

Committee Action: Administrative and Legislative Committee 7-0 on 6/9/08, CIP Committee on 7/11/08

Fiscal Impact: 2008 – \$211,000

Motion made by Supervisor Lee, seconded by Supervisor Woller to adopt Resolution 2008-07-26. Don Schlising, IT Director, explained the Resolution. Resolution 2008-07-26 is adopted by a voice vote and motion is carried.

ORDINANCE 2008-07-528

AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN (Ch. 7 – Traffic & Vehicle Code and Ch 25.04(4)(d) – Schedule of Cash Deposits)

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

Chapter 7, Lincoln County Code is repealed and recreated to read as follows:

CHAPTER 7

TRAFFIC & VEHICLE CODE

7.01 Speed Limit Designation and Traffic Control Devices

7.02 Stop Intersections on County Trunk Highways

- 7.03 Vehicle Code
7.04 All-Terrain Vehicle Routes

(CONTINUED ON ATTACHMENT)

This ordinance shall take effect following its passage and publication.

Dated this 15th day of July, 2008

Introduced by: Highway Committee and Law Enforcement/EMS & Judicial Committee

Committee Action: Hwy Comm 5-0 on 6/5/08

Amendment adding CTH H ATV route passed 5-0 on 7/3/08

Law Enf/EMS & Judicial Comm 5 – 0 on 7/10/08

Fiscal Impact: 0

LINCOLN COUNTY, WISCONSIN

Robert Lussow Robert D. Kunkel
Chairman County Clerk

Motion made by Supervisor Lee, seconded by Supervisor Caylor to adopt Ordinance 2008-07-528. Nancy Bergstrom, Corporation Counsel, explained the Ordinance. Discussion was held.

Motion made by Supervisor Lee, seconded by Supervisor Mittelsteadt to amend Ordinance 2008-07-528 by changing S 17 “North” to “South” 7.04 2 (a) . Motion carried by a voice vote. More discussion held.

Motion made by Supervisor Bloomer, seconded by Supervisor Zeitz to further amend Ordinance 2008-07-528 in 7.02 3 (d) by deleting westbound on CTH K through northbound on CTH K Clerk called roll with Supervisors Bailey, Berndt, Bloomer, Eisenman, Fox, Lee, Loka, Lussow, Meyer, Plant, Rankin, Rusch, Saal, Simon, Weaver, Woller and Zeitz voting aye (17); Supervisors Caylor, Mittelsteadt and Short voting nay (3). Motion is carried. More discussion held. Ordinance 2008-07-528 is adopted as amended by a voice vote and motion is carried.

To review the pages included in the attachment to this Ordinance, please, go to the County Clerk’s Office, the Highway Department or the Sheriff’s Department.

ORDINANCE 2008-07-529

AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN - CHAPTER 17, SECTION 17.2.100, LAND USE TABLE

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

Chapter 17.2.100, Land Use Table, is amended (see attached) to allow uses described as “Forestry Commercial Use” to be considered as conditional uses within the Planned Business zoning district.

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

Dated: This 15th day of July, 2008

Introduced by: The Planning & Zoning Committee

Committee Action: Planning & Zoning Committee - Passed on July 10, 2008.

Fiscal Impact: None

LINCOLN COUNTY, WISCONSIN

Robert H. Lussow Robert D. Kunkel
Chairman County Clerk

Motion made by Supervisor Woller, seconded by Supervisor Saal to adopt Ordinance 2008-07-529. Dan Miller, Zoning Administrator, explained the Ordinance. Discussion was held. Ordinance 2008-07-529 is adopted by a voice vote and motion is carried.

ORDINANCE 2008-07-530

AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN - CHAPTER 18, SUBDIVISION AND PLATTING, SECTION 18.9.03(3), MODIFICATIONS OF PROVISIONS.

The County Board of Supervisors of Lincoln County, Wisconsin, does hereby ordain:
Chapter 18.3.03(3) is amended as follows:

- (3) PROCEDURES. (Am. #2006-11-490) A request for a modification of one or more provisions shall be submitted ~~in writing~~ on a "Petition for Modification" form supplied by the Planning & Zoning Department by the subdivider when the plat or CSM is filed. The request shall state fully the grounds for the modification and all of the facts relied upon by the petitioner. ~~A 3/4 vote of the entire membership of the Planning and Zoning Committee shall be required to grant any modification to this chapter, except where otherwise provided. The Zoning Administrator shall cause a public hearing to be held on the petition for modification at the next available Planning and Zoning Committee meeting. Notice shall be mailed to all neighboring property owners and to the Town Clerk in the town(s) affected by the petition no less than 10 days prior to the scheduled hearing. The Planning & Zoning Committee shall take testimony from any interested party at the hearing and consider any concerns expressed by the affected parties. The town within which a proposed Petition for Modification is located may offer a recommendation to the Committee on whether to approve such request as presented, approve such request with conditions, or disapprove such request. Such town recommendation shall be in the form of a formal action of the town board, shall be signified by the addition of a town signature by an authorized town official on submitted plans, and shall be filed with the Zoning Administrator before or at the public hearing. The town may request one 30-day extension of the time required for a town recommendation. The Planning and Zoning Committee will not take action on the Petition for Modification request until it receives a recommendation from the affected town board, or the town board indicates that it will not provide a recommendation, or a mutually agreed extension to the town review period elapses.~~

Upon consideration of the factors listed above, the Planning and Zoning Committee may attach such conditions, in addition to those required elsewhere in this chapter, that it deems necessary in furthering the purposes of this chapter. Violation of any of these conditions shall be deemed a violation of this chapter. A decision made by majority vote of a quorum the Planning & Zoning Committee is sufficient for approval of a Petition for Modification.

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

Dated: This 15th day of July, 2008

Introduced by: The Planning & Zoning Committee

Committee Action: Planning & Zoning Committee - Passed on July 10, 2008.

Fiscal Impact: None

LINCOLN COUNTY, WISCONSIN

Robert H. Lussow Robert D. Kunkel
Chairman County Clerk

Motion made by Supervisor Saal, seconded by Supervisor Rusch to adopt Ordinance 2008-07-530. Dan Miller, Zoning Administrator, explained the Ordinance. Ordinance 2008-07-530 is adopted by a voice vote and motion is carried.

REPORT OF ACTION ON CLAIMS AGAINST THE COUNTY OF LINCOLN

There were no reports of action on claims against the County of Lincoln.

REPORT OF MILEAGE AND PER DIEM

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

The next meeting will be the Regular County Board Meeting to be held on Tuesday, August 19, 2008 at 6:00 p.m. at the Human Services Building – Lower Level Conference Room.

Motion made by Supervisor Mittelsteadt, seconded by Supervisor Caylor to adjourn the meeting at 6:48 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, July 15, 2008.

Robert D. Kunkel, Lincoln County Clerk