

Lincoln County Board of Supervisors  
Meeting: July 20, 2021

The Lincoln County Board of Supervisors met at the Lincoln County Service Center, 801 N Sales Street, Room 257, Merrill, WI in session assembled pursuant to law.

1. Chair Koth called the meeting to order at 6:02 p.m.
2. Pledge of allegiance followed.
3. Roll was called with the following present (in person): Allen, Ashbeck, Bialecki, Friske, Gilk, Gorski, Heller, Koth, Loka, McCrank, Panfil, Peterson, Rusch, Simon, Voermans, and Woller Attending via teleconference: Hafeman, Wendt. (19) Excused: Breitenmoser, Callahan and Weaver (3)
4. Appointment of Recommended Candidate for District 15 Supervisor – Ann Nelson M/S Heller/Loka to approve the appointment of Ann Nelson as District 15 Supervisor to fill the unexpired term of Bob Lee. Motion carried by a voice vote.
  - A. Oath of Office – Clerk Marlowe administered the Oath of Office.
  - B. Committee Vacancies (None)
5. Announcements/Recognitions/Awards/Appointments
  - A. Announcements: None
  - B. Service Recognitions for July 2021:  
15 Years: Tyler Iverson, Sheriff's Office
  - C. Appointments & Re-appointments:
    1. Re-appointment of Kim Brixius to the Board of Adjustment (Term expires 6/2023) M/S Heller/Loka to reappoint Kim Brixius to the Board of Adjustment (Term expires 6/2024). Motion carried by a voice vote.
5. Approval of the Journal: M/S Heller/Bialecki to approve the June 15, 2021 minutes were not from June 6 as stated on the agenda. Motion carried by a voice vote.
6. A. Letters: None  
B. Memorials: None
7. Reports of Standing & Special Committees:
  - A. Administrative & Legislative Committee: Presentation from Pine Crest Nursing Home addressing options to increase revenue and utilization of the facility – Pine Crest Administrator (Zach Ziesemer) and NCHC Operations Executive (Jarrett Nickels) Presentation to be rescheduled at the request of NCHC
  - B. Finance Committee: 2021 Year-to-date Report – Finance Director (Dan Leydet) Leydet reviewed his report and answered questions.
  - C. Finance Committee: Department Reports: IT (Information Technology), Maintenance, and Veterans - Finance Director (Dan Leydet) Leydet reviewed the IT, Maintenance and Veterans budgets and their impact on the tax levy. Leydet answered questions.
  - D. Finance Committee: 2022 Tax Levy Review and Budget Issues – Finance Director (Dan Leydet) Leydet reviewed 2022 budget and issues. Leydet answered questions.
  - E. Administrative & Legislative Committee: Administrative Coordinator/HR Director's Written Report – Administrative Coordinator/HR Director (Cate Wylie) Wylie reviewed her report and answered questions.
  - F. Administrative & Legislative Committee: Corporation Counsel Written Report – Corporation Counsel (Karry Johnson) Johnson reviewed her report and answered questions.
8. Resolutions and Ordinances

A. 1) Resolution 2021-07-30

Authorize Formation of the Ad Hoc Redistricting Committee

WHEREAS, § 59.10(3)(b), Wis. Stats., sets forth the ground rules for counties in the State of Wisconsin for creating supervisory districts; and

WHEREAS, the County Board shall “within 60 days after the population count by block, established in the federal decennial census of population, and maps showing the location and numbering of census blocks become available”, but no later than July 1<sup>st</sup> following the year of each decennial census, propose a tentative county supervisory district plan setting forth the number of supervisory districts and tentative boundaries, hold a public hearing on the proposed plan and adopt a tentative plan; and

WHEREAS, the census data needed for the County to begin redistricting has not been released, but it is anticipated the data will be released by August 16, 2021 and that the Census Bureau will deliver the final redistricting data toolkit to all states and the public no later than September 30, 2021; and

WHEREAS, Assembly Bill 369 would have permitted the County to adopt a tentative county supervisory district plan based on the federal decennial 2020 census no later than February 22, 2022; and

WHEREAS, Governor Evers vetoed Assembly Bill 369 in its entirety on July 9, 2021; and

WHEREAS, it is imperative that the County begin the redistricting process as soon as possible, and the formulation of an ad hoc redistricting committee will assist the County Board in complying with the requirements of federal and state law in creating the new supervisory districts; and

WHEREAS, it is proposed that the Ad hoc Redistricting Committee consist of seven members as follows:

Julie Allen (Town of King)  
 Hans Breitenmoser (Town of Scott)  
 Don Friske (Town of Merrill)  
 Paul Gilk (Town of Corning)  
 Kevin Koth (Town of Bradley)  
 Greta Rusch (City of Merrill)  
 Robert Weaver (City of Merrill)

WHEREAS, the Ad hoc Redistricting Committee shall be responsible for creating a proposed supervisory district plan that complies with federal law principles governing state election-law requirements;

NOW THEREFORE BE IT RESOLVED, that the Lincoln County Board does hereby authorize the formation of the Ad hoc Redistricting Committee which shall recommend to the County Board a proposed supervisory district plan that is in compliance with state and federal law regarding redistricting and that sets forth the number of supervisory districts and the boundaries of the districts and the plan shall be subject to approval by the County Board.

Dated this 20th July, 2021

Introduced by Chair Koth

Endorsed by: Chair Koth

Fiscal Impact: Mileage & per diem for an estimated 6 meetings

M/S Heller/Ashbeck to adopt Resolution 2021-07-30. Discussion followed. Motion carried by a voice vote.

B. 1) Ordinance 2021-07-702

AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN – CHAPTER 17, 17.2.03, ZONING ORDINANCE AS A RESULT OF A REZONING PETITION BY RESOURCE MANAGEMENT SPECIALISTS LLC (REPRESENTATIVE: DEREK TASSLER) FOR PROPERTY IN THE TOWN OF BRADLEY.

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

Chapter 17.2.03, Lincoln County Code, is amended to rezone a portion of tax parcel pin# 00435060819980 from Planned Business (PB) to Crossroad Mixed Use (CMU). The parcel size of the property is approximately 1.14 acres and is located in the SE/NE in Section 8, T35N-R6E, in the Town of Bradley, and having address of W6515 Nokomis Drive.

Any areas designated as Wetlands on the Wisconsin Wetland Inventory Map will not be rezoned to upland.

This ordinance shall take effect following its passage and posting.

Dated: 7/20/21

Introduced by: Land Services Committee

Endorsed by: Bill Bialecki, Greta Rusch, Julie Allen, Elizabeth McCrank, and Hans Breitenmoser

Date Passed: 7/8/21 Committee Vote: 5-0

Fiscal Impact: None

M/S Heller/Bialecki to adopt Ordinance 2021-07-702. Land Services Administrator Huth explained the ordinance and answered questions. Motion carried by a voice vote.

2) Ordinance 2021-07-703

AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN – CHAPTER 17, 17.1.12 AND 17.2.03, ZONING ORDINANCE AS A RESULT OF A COMPREHENSIVE PLAN AMENDMENT AND REZONING PETITION BY TODD MATTSON FOR PROPERTY IN THE TOWN OF RUSSELL.

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

Chapter 17.1.12, Lincoln County Code and the Planned Land Use Map (Map #4) of Volume 2 of the Lincoln County Comprehensive Plan dated 2001 shall be amended to change the planned land use category for the approximately 8.36 acres in Section 27, T33N-R8E, in the Town of Russell, at the intersection of County Highway X and State Highway 17; tax pin# 020-3308-273-9990, from Rural Single Family Residential to Crossroads Mixed Use.

AND

Chapter 17.2.03, Lincoln County Code, is amended such that the approximately 8.36 acres in Section 27, T33N-R8E, in the Town of Russell, at the intersection of County Highway X and State Highway 17; tax pin# 020-3308-273-9990, will be rezoned from a Rural Residential (RR2) to a Crossroads Mixed Use (CMU) zoning district.

Any areas designated as Wetlands on the Wisconsin Wetland Inventory Map will not be rezoned to upland.

This ordinance shall take effect following its passage and posting.

Dated: 7/20/21

Introduced by: Land Services Committee

Endorsed by: Bill Bialecki, Greta Rusch, Julie Allen, Elizabeth McCrank, Joshua Wendt and Hans Breitenmoser

Date Passed: 6-10-21 Committee Vote: 6-0

Fiscal Impact: None

M/S Heller/McCrank to adopt Ordinance 2021-07-703. Land Services Administrator Huth explained the ordinance and answered questions. Discussion followed. Motion carried by a voice vote.

3) Ordinance 2021-07-704

AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN – CHAPTER 17, 17.1.12 AND 17.2.03, ZONING ORDINANCE AS A RESULT OF A COMPREHENSIVE PLAN AMENDMENT AND REZONING PETITION BY JAMES MARTIN FOR PROPERTY IN THE TOWN OF RUSSELL.

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

Chapter 17.1.12, Lincoln County Code and the Planned Land Use Map (Map #4) of Volume 2 of the Lincoln County Comprehensive Plan dated 2001 shall be amended to change the planned land use category for the approximately 1.63 acres in Section 28, T33N-R8E, in the

Town of Russell, located at N5448 State Road 17; tax pin# 020-3308-828-4999, from Suburban Single Family Residential to Crossroads Mixed Use.

AND

Chapter 17.2.03, Lincoln County Code, is amended such that the approximately 1.63 acres in Section 28, T33N-R8E, in the Town of Russell, located at N5448 State Road 17, tax pin# 020-3308-828-4999; tax pin# 020-3308-273-9990, will be rezoned from a Suburban Residential (SR) to a Crossroads Mixed Use (CMU) zoning district.

Any areas designated as Wetlands on the Wisconsin Wetland Inventory Map will not be rezoned to upland.

This ordinance shall take effect following its passage and posting.

Dated: 7/20/21

Introduced by: Land Services Committee

Endorsed by: Bill Bialecki, Greta Rusch, Julie Allen, Elizabeth McCrank, Joshua Wendt and Hans Breitenmoser

Date Passed: 6-10-21 Committee Vote: 6-0

Fiscal Impact: None

M/S Heller/McCrank to adopt Ordinance 2021-07-704. Land Services Administrator Huth explained the ordinance and answered questions. Motion carried by a voice vote.

4) Ordinance 2021-07-705

Chapter 2 – The Governing Body

An Ordinance Amending the General Code of the County of Lincoln Chapter 2 – The Governing Body.

The County Board of Supervisors of Lincoln County, Wisconsin, does hereby ordain that Chapter 2 be amended as indicated in the attachment.

This ordinance shall take effect following its passage and publication.

Dated: July 20, 2021

Introduced by: A&L Committee

Endorsed by: Julie Allen, Hans Breitenmoser, Don Friske, Paul Gilk, Kevin Koth, Greta Rusch, Robert Weaver

Date Passed: 7/7/2021 Committee Vote: 7-0

Fiscal Impact: None

Code 2.05(3)(b) and (9) and Code 2.07(1) Proposed Ordinance Text Amendment

- Plain text is existing text in our ordinance and no changes proposed.
- ~~Lined out text~~ is existing ordinance text that will be eliminated
- Underlined text is proposed revisions and updated language

- 2.05(3)(b) Public Input. In accordance with section 4 of the first article of the Wisconsin Constitution, the Board of Supervisors encourage public input and petition. These rules are established to allow good order and not to stifle such comment or petition. All persons who wish to be granted floor privileges to address the Board shall notify the County Clerk of their desire by signing in and indicating the issue that they wish to address, or, if appearing remotely, by notifying the County Clerk that they are attending remotely and indicating the issue that they wish to address. This may be done up to the time the meeting is called to order. Such persons shall be allowed 5 minutes to express in good order their comments upon the topic under consideration, when called forth by the County Clerk. Upon a granting vote of the a majority of the Board members ~~present attending the meeting~~, an extension of time may be granted. Any comments of such persons, that are responded to by County representative or employee shall be granted an additional 3 minutes of rebuttal or additional comment while the matter is under consideration by the Board.
- 2.05(9) ~~LOCATION OF MEETINGS (Rep. & recr. #2006-03-470) The County Board will hold a minimum of 3 meetings in a suitable facility in Tomahawk.~~
- ATTENDANCE AT MEETINGS/REMOTE ATTENDANCE.
- (a) Participation of members in a meeting by phone/audio conference, video conference or a similar media is permitted and the public shall be afforded comparable access.
- (b) No member may attend more than four (4) meetings remotely in any session.
- (c) Members attending meetings remotely shall be considered part of the quorum and shall be allowed to vote in open session provided they are in attendance for an entire agenda item before they vote.
- (d) Members may not attend closed session portions of meetings remotely.
- (e) Members attending remotely shall be entitled to compensation for participation provided they attend the entire meeting; however, they shall not be entitled to mileage reimbursement unless they are present in person at the meeting.
- 2.07(1) ~~QUORUM. No Committee shall convene unless a majority of members shall be present are attending in person or remotely in accordance with the provisions of Section 2.05(9). No member shall be entitled to draw pay except for actual attendance at a meeting. Members attending remotely shall be entitled to compensation for participation provided they attend the entire meeting; however they shall not be entitled to mileage reimbursement unless they are present in person at the meeting.~~

M/S Heller/Allen to adopt Ordinance 2021-07-705. M/S Simon/Friske to layover until August 17 meeting. Supervisor Nelson abstained. Roll was call: Ayes: Friske, Heller, Loka, McCrank, Peterson and Simon (6); Nays: Allen, Ashbeck, Bialecki, Gilk, Gorski, Hafeman, Koth, Panfil, Rusch, Voermans, Wendt, and Woller (12). Motion was defeated 12-6. Friske/Heller amend to strike 2.05(9)(a) the words "phone/audio conference". Discussion followed. Roll was called – Ayes: Friske, Gorski, Heller, Peterson and Simon (5); Nays: Allen, Ashbeck, Bialecki, Gilk, Hafeman, Koth, Loka, McCrank, Nelson, Panfil, Rusch, Voermans, Wendt, and Woller (14) Motion defeated 14-5. Further discussed followed. M/S McCrank/Gilk amend 2.05(9)(b) to four (4) 'consecutive' meetings. Discussion followed. McCrank withdrew her motion to move to amend 2.05(9)(b) to four (4) meetings, 'that may not be consecutive,' remotely. Motion carried by a voice vote. Original motion with amendment carried by a voice vote.

9. Reports of Claims: None.

