

Lincoln County Board of Supervisors  
Meeting: August 16, 2022

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 Friske called the meeting to order at 6:00 p.m.
2. Pledge of allegiance followed.
3. Clerk Marlowe called Roll - Members Present: Anderson-Malm, Allen (Virtual), Ashbeck, Bialecki, Boyd, Brixius, Cummings, DePasse, Detert, Friske, Hafeman, Hartwig, Lemke, Loka, McCrank, Osness, Simon, Thiel, and Wickham (19). Excused: Callahan, Peterson, and Rusch. (3)
4. Announcements/Recognitions/Awards/Appointments
  - A. None
  - B. Service Recognitions – August:  
15 Years: Jason Wichman, Highway Department
  - C. Appointments & Re-Appointments
    1. Appoint Michael Caylor to the Local Emergency Planning Committee (LEPC) (Indefinite Term)  
Motion by McCrank to suspend the rules of the board and cast a unanimous ballot to appoint Michael Caylor, Rick Burns, and Cheryl Skoug to the Local Emergency Planning Committee (LEPC) (Indefinite Term). With no objections, McCrank’s motion carried and all three appointments were approved.
    2. Appoint Rick Burns to the Local Emergency Planning Committee (LEPC). See above.
    3. Appoint Cheryl Skoug to the Local Emergency Planning Committee (LEPC). See above.
5. Approval of Journal – July 19, 2022: M/S Cummings/DePasse to approve the minutes as presented. Motion carried by a voice vote.
6. Letters, Petitions and Memorials
  - A. Letters – None
  - B. Memorials – None
7. Reports of Standing & Special Committees:
  - A. Lincoln County Economic Development Presentation – Economic Development Director (Bill Bialecki) Bialecki presented an overview of his office and updated the board on the offices recent accomplishments as well as current projects that could be discussed noting that pending projects are often subject to a degree of confidentiality. Discussion followed where Bialecki fielded the board’s questions.
  - B. Finance Committee: 2022 Year-to-date Budget Report – Finance Director (Dan Leydet) Leydet gave his report and answered questions.
  - C. Finance Committee: 2023 Budget Update – Finance Director (Dan Leydet) Leydet and Finance Chair DePasse updated the board on the 2023 budget progress. Discussion followed and questions were answered.
  - D. Broadband Committee: Broadband Committee Update – Committee Chair (Calvin Callahan) Callahan was excused. Chair Friske directed the board to the committee’s upcoming August 23<sup>rd</sup> meeting where the committee’s progress can be seen or heard.
  - E. County Board: November Meeting Discussion – Board Chair (Don Friske) Chair Friske along with DePasse and Leydet discussed the Budget Meeting details noting that this is not the meeting to be making line item changes. It was explained that September and October are when we should be finalizing individual department budgets and that the Finance Committee will be holding special meetings on Fridays leading up to the October County Board Meeting where we hope to be close to finalizing the 2023 Budget.
8. Resolutions and Ordinances

A. 1) Resolution 2022-08-25

APPROVING CONVEYANCE OF REAL ESTATE

NOW, THEREFORE BE IT RESOLVED, by the Lincoln County Board of Supervisors duly assembled this 16th day of August, 2022 that the following conveyances of real estate be made by the County Clerk on behalf of Lincoln County, be and same are hereby ratified, confirmed, and approved:

<u>Purchaser</u>	<u>Description</u>	<u>Amount</u>
James Danhauer		\$36,200.00

Part of the Southwest Quarter of the Southwest Quarter (SW¼ SW¼), Section Twelve (12), Township Thirty-three(33) North, Range Seven(7) East Commencing at the Southwest corner of Section Twelve(12) the Point of Beginning, thence East on the centerline of County Trunk Highway "J" which is also the section line, a distance of 728' to a point marked by an iron stake; thence North 598.9' to a point marked by an iron stake; thence West in a line parallel with the centerline of County Trunk Highway "J" a distance of 728' to a point marked by an iron stake situated in the center of the Town Road there situated commonly called Grundy Road; thence South along the centerline of the Grundy Road 598.9' to the Point of Beginning.

Town of Birch, Lincoln County, Wisconsin PIN: 002-3307-123-9997

Samantha Bartz \$ 6,010.00

A parcel of land located in Section Nine (9), Township Thirty-four (34) North, Range Six(6) East, in the Southwest Quarter of the Northwest Quarter (SW¼ NW¼) Described as the East 66' of the West 528' of the North 660' except road described in Volume 304 Page 674.

Town of Bradley, Lincoln County, Wisconsin. PIN: 004-3406-092-9994

Margaret Jennejohn \$21,663.00

A parcel of land in Government Lot 3, Section Nine (9), Township Thirty-five(35) North, Range Six(6) East, described as follows: Commencing at the Northwest Corner of Government Lot 3, thence South along West Line of said Government Lot, 500 feet, thence Easterly and parallel to north line of said Government Lot to Town Road; thence N 27° W along Town Rd to center of US Highway 8, thence West along center of said highway, 400 feet to the Point of Beginning.

Town of Bradley, Lincoln County, Wisconsin. PIN: 004-3506-093-9997

Daniel Stockman-Raatz \$10,595.00

Lot One (1) of Certified Survey Map No. 2081, recorded September 19, 2007, in Volume 11 of Certified Surveys, Page 97, as Document No. 462325, in the Office of the Register of Deeds, being part of the Northwest Quarter of the Northwest Quarter (NW¼ NW¼), Section Twelve (12), Township Thirty-two (32) North, Range Six (6) East, in the Town of Merrill, Lincoln County, Wisconsin. PIN: 014-3206-122-9985

Austin Uttech \$ 5,600.00

All that part of Government Lot Eight (8), Section Thirty (30), Township Thirty-three (33) North, Range Six (6) East, Town of Rock Falls, Lincoln County, Wisconsin, lying North of the right of way of State Highway 107, East of the right of way of Highway E and South of the Grandfather Flowage a/k/a Wisconsin River. PIN: 018-3306-301-9970

James Scheffler \$42,001.00

That part of Government Lot Three (3) Section Ten (10), Township Thirty-three (33) North, Range Eight (8) East, described as following Beginning at the Southeast corner of the parcel described in Document No. 201554, being on the shoreline of Echo Lake; thence running North 19 rods; thence East 100 feet; thence south to the shore of Echo Lake to a point directly East of the place of beginning; thence West along the shore to the Place of Beginning.

Town of Russell, Lincoln County, Wisconsin. PIN: 020-3308-104-9995

Jennifer Brown-Mccurry \$15,661.00

All Part of the Southwest Quarter of the Northwest Quarter (SW¼ NW¼) of Section Thirty-three (33), Township Thirty-three (33) North, Range Eight (8) East, Town of Russell, Lincoln County, Wisconsin, lying North and West of the Chicago, Milwaukee, St. Paul and Pacific Railway tracks, being 1/2 acre more or less, Town of Russell, Lincoln County, Wisconsin. And the abandoned railroad right-of-way in the aforesaid Southwest Quarter of the Northwest Quarter (SW¼ NW¼). Subject to easements of record and all applicable municipal zoning ordinances and Town of Russell Sanitary District regulations. PIN: 020-3308-332-9981

&

All that part of the Northwest Quarter of the Northwest Quarter (NW¼ NW¼), Section Thirty-three (33), Township Thirty-three (33) of Range Eight (8) East, Town of Russell, Lincoln County, Wisconsin, described as follows: Beginning at an iron stake 33 feet East of the Southwest corner of the Northwest Quarter of the Northwest Quarter (NW¼ NW¼); thence North 250 feet along the East line of Town Hall Road to an iron stake; thence East at right angles a distance of 549.5 feet to an iron stake on the north line of the right of way of Chicago, Milwaukee, St. Paul and Pacific Railway; thence Southwesterly along said right of way to its intersection with the South line of said Northwest Quarter of the Northwest Quarter (NW¼ NW¼); thence West along the South line of the Northwest Quarter of the Northwest Quarter (NW¼ NW¼) to the Point of Beginning.

Subject to easements of record and all applicable municipal zoning ordinances and Town of Russell Sanitary District regulations.

PIN: 020-3308-332-9989

Benjamin Mehring

\$13,550.00

The Southeast Quarter of the Northeast Quarter (SE¼ NE¼), Section Fifteen (15), Township Thirty-four (34) North, Range Seven(7) East, Town of Skanawan, Lincoln County, Wisconsin. PIN: 026-3407-151-9996

Richard Neustaed

\$23,600.00

A parcel of land in the Northwest Quarter of the Southwest Quarter (NW1/4 SW1/4), Section Fifteen (15), Township Thirty-four (34) North, Range Seven (7) East, Town of Skanawan, Lincoln County, Wisconsin, described by metes and bounds as follows: Commencing at the Quarter post at the Northwest corner of said NW 1/4 SW 1/4, thence South along the West line of said NW 1/4 SW 1/4, a distance 400 feet to an iron stake, the Place of Beginning; thence East 378 feet to an iron stake; thence South parallel with the above said West line a distance of 485 feet to an iron stake; thence West parallel with the North line of said NW 1/4 SW 1/4, a distance of 378 feet to an iron stake on the West line thereof; thence North along said West line to the place of beginning. Except the North 300 feet thereof. PIN: 026-3407-153-9984

Arthur Klimpke

\$50,200.00

North One-half of the North One-half of the Northwest Quarter of the Southwest Quarter (N ½ N ½ NW¼ SW¼), Section Fifteen (15), Township Thirty-four (34) North, Range Four (4) East, Town of Tomahawk, Lincoln County, Wisconsin. PIN: 030-3404-153-9994

&

North One-half of the North One-half of the Northeast Quarter of the Southwest Quarter (N ½ N ½ NE¼ SW¼), Section Fifteen (15), Township Thirty-four (34) North, Range Four (4) East, Town of Tomahawk, Lincoln County, Wisconsin. PIN: 030-3404-153-9998

Dated: August 16, 2022

Authored by: William Bialecki

Co-Sponsored by: Nobert Ashbeck

Committee: Forestry Land and Parks

Committee Vote: All Ayes

Date Passed: July 11, 2022

Fiscal Impact: \$225,080.00 plus recording fees.

M/S Allen/Hafeman to adopt Resolution 2022-08-25. Discussion followed. Motion carried by a voice vote.

## 2) Resolution 2022-08-26

Authorizing Lincoln County to submit grant applications to participate in the Wisconsin Department of Natural Resources ATV/UTV Aids Program

WHEREAS, Wisconsin Statutes Section 23.33 authorizes the Department of Natural Resources to administer a program of financial assistance to local units of government for acquiring, insuring, developing and maintaining lands for public ATV/UTV trails; and

WHEREAS, Lincoln County citizens have requested the development and maintenance of such recreational trails and facilities; and

WHEREAS, Lincoln County is eligible and interested in participating in said program;

WHEREAS, Lincoln County is qualified, willing, and able to carry out all activities described in the state grant applications; and

NOW, THEREFORE BE IT RESOLVED, by the Lincoln County Board of Supervisors is requesting financial assistance available from the Wisconsin Department of Natural Resources under the ATV/UTV Trail Aids Program.

BE IT FURTHER RESOLVED, that the Lincoln County Forestry, Land and Parks Committee be authorized through its Administrator to submit necessary applications to the Wisconsin Department of Natural Resources requesting financial aids, sign documents and take necessary action to undertake, direct and complete approved projects in compliance with state rules and meet the financial obligations for said program.

BE IT FURTHER RESOLVED, that the Lincoln County Forestry, Land and Parks Department be authorized to use force labor on said projects when desirable.

Dated: August 16, 2022

Authored by: William Bialecki

Co-Sponsored by: Kenneth L. Wickham

Committee: Forestry Land and Parks

Committee Vote: Voice Vote, All Ayes

Date Passed: August 8, 2022

Fiscal Impact: Continued eligibility for funding through DNR ATV/UTV grant program.

M/S Hafeman/Ashbeck to adopt Resolution 2022-08-26. Motion carried by a voice vote.

### 3) Resolution 2022-08-27

Authorizing Lincoln County to submit grant applications to participate in the Wisconsin Department of Natural Resources Snowmobile Aids Program

WHEREAS, With the passage of Wisconsin Chapter 394 Laws of 1970, the Department of Natural Resources was authorized to administer a program of financial assistance to local units of government for acquiring, insuring, developing and maintaining lands for public snowmobile trails; and

WHEREAS, Lincoln County citizens have requested the development and maintenance of snowmobile trails and facilities; and

WHEREAS, Lincoln County is eligible and interested in participating in said program;

WHEREAS, Lincoln County is qualified, willing, and able to carry out all activities described in the state grant applications; and

NOW, THEREFORE BE IT RESOLVED, by the Lincoln County Board of Supervisors is requesting financial assistance available from the Wisconsin Department of Natural Resources under the Snowmobile Trail Aids Program.

BE IT FURTHER RESOLVED, that the Lincoln County Forestry, Land and Parks Committee be authorized through its Administrator to submit necessary applications to the Wisconsin Department of Natural Resources requesting financial aids, sign documents and take necessary action to undertake, direct and complete approved projects in compliance with state rules and meet the financial obligations for said program.

BE IT FURTHER RESOLVED, that the Lincoln County Forestry, Land and Parks Department be authorized to use force labor on said projects when desirable.

Dated: August 16, 2022

Authored by: William Bialecki

Co-Sponsored by: Kenneth L. Wickham

Committee: Forestry, Land and Parks

Committee Vote: Voice Vote, All Ayes

Date Passed: August 8, 2022

Fiscal Impact: Continued eligibility for funding through DNR snowmobile grant program.

M/S Hafeman/Loka to adopt Resolution 2022-08-27. Discussion followed. Motion carried by a voice vote.

### 3) Resolution 2022-08-28

Resolution for Lincoln County to Record County Board and Committee Meetings and Make the Recordings Available to the Public

WHEREAS, the Lincoln County Board of Supervisors wants to become more transparent; and

WHEREAS, the technology is present to record and publish recorded meetings on the Lincoln County website; and

WHEREAS, recording Committee and County Board meetings and making the recordings available to the public would enhance the transparency of the County Board and its Committees by allowing members of the public to watch past recorded meetings that they were unable to attend in person or online; and

WHEREAS, there will not be a financial impact to the County or its budget in carrying out such actions; and

WHEREAS, it is clear that the Lincoln County Board of Supervisors representing our constituents must act.

NOW, THEREFORE BE IT RESOLVED, the Lincoln County Board of Supervisors hereby resolves that the Lincoln County Information and Technology Department shall set up recording of open session Committee and Board meetings held at the Lincoln County Service center, and that such recorded meetings shall be available to the public on the home page of the Lincoln County website;

NOW, THEREFORE BE IT FURTHER RESOLVED, that every effort shall be made to record all Committee and County Board meetings, however if there is an error or technical difficulty in recording any meeting, the meeting

shall continue and may not be available to the public as desired. Meetings held outside of the Lincoln County Service Center may not be able to be recorded.

BE IT FURTHER RESOLVED, that E-Alerts shall be available and an option on the Lincoln County website for public meetings of the County Board and its Committees.

Dated: August 16, 2022

Authored by: Greg Hartwig, Supervisor District 22

Co-Sponsored by: Angela Cummings, Supervisor District 20

Committee: Administrative & Legislative

Committee Vote: 5-0

Date Passed: 8/3/2022

Fiscal Impact: None

M/S Brixius/Bialecki to adopt Resolution 2022-08-28. Motion carried by a voice vote.

B. 1) Ordinance 2022-08-724

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 TRI-HI TRANSPORTATION INC (REPRESENTATIVE: ERIC LOKEMOEN) FOR PROPERTY IN THE TOWN OF MERRILL.

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 of the Lincoln County Comprehensive Plan shall be amended to change the planned land use category for a portion of tax pin# 01432063029978, with a proposed parcel size of approximately .9 acres in Section 30, T32N-R6E, in the Town of Merrill, located at N3163 State Rd 107, from to General Industrial to Rural Single Family Residential.

AND

Chapter 17.2.03, Lincoln County Code, is amended such a portion of tax pin# 01432063029978, with a proposed parcel size of approximately .9 acres in Section 30, T32N-R6E, in the Town of Merrill, located at N3163 State Rd 107, will be rezoned from a General Industrial (GI) to Rural Residential (RR2) 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: August 16, 2022

Authored by: Marty Lemke

Co-Sponsored by: William Bialecki

Committee: Land Services Committee

Committee Vote: 7-0

Date Passed: 7/14/2022

Fiscal Impact: None

M/S McCrank/Brixius to adopt Ordinance 2022-08-724. Motion carried by a voice vote.

2) Ordinance 2022-08-725

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 SHAWN ROMATOSKI FOR PROPERTY IN THE TOWN OF MERRILL.

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 of the Lincoln County Comprehensive Plan shall be amended to change the planned land use category for the approximately 1 acre in Section 6, T31N-R7E, in the Town of Merrill, along Prairie River Ave.; tax pin# 01431070649926, from to Rural Single Family Residential to General Business.

AND

Chapter 17.2.03, Lincoln County Code, is amended such that the approximately 1 acre in Section 6, T31N-R7E, in the Town of Merrill, along Prairie River Ave.; tax pin# 01431070649926, will be rezoned from a Rural Residential (RR2) to General Business (GB) 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: 8/16/22

Authored by: Marty Lemke

Co-Sponsored by: William Bialecki

Committee: Land Services Committee

Committee Vote: 7-0

Date Passed: 7/14/22

Fiscal Impact: None

M/S Osness/McCrank to adopt Ordinance 2022-08-725. Motion carried by a voice vote.

3) Ordinance 2022-08-726

AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN CHAPTER 17 – ZONING CODE AMENDMENT OF OFFICIAL ZONING MAP (REZONING) – TOWN ACTION

The County Board of Supervisors of Lincoln County, Wisconsin, does hereby ordain that Chapter 17 be amended as indicated in the attachment.

**Chapter 17.8.25(5) – Proposed Zoning Ordinance Text Amendments**

- 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

**17.8.25(5) AMENDMENT OF OFFICIAL ZONING MAP (REZONING) TOWN ACTION.**

The town within which a rezone request is located may offer a recommendation to the Committee on whether to approve such request as presented 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 Land Services Committee will not take action on the rezone 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.

If the town within which the proposed Official Zoning Map amendment is located disapproves of the proposed amendment, the town shall file a certified copy of a resolution adopted by the town board disapproving of the proposed amendment with the Zoning Administrator. The procedures, required timeframes, and effects of town action shall be as specified in §59.69(5)(e), Wis. Stats.

**County Board Report**

**TO:** County Board  
**FROM:** Mike Huth, Zoning Program Manager-Land Services Administrator  
**DATE:** 5/24/22  
**SUBJECT:** CH 17- Zoning Ordinance Update - Amendment of Official Zoning Map (Rezoning) – Town Action

Land Services Department Staff were instructed by the Land Services Committee (LSC) to draft an edit to the Zoning Ordinance text to clarify a Towns Action when a property owner petitions for an Amendment of the Official Zoning Map (Rezoning).

As stated in current county ordinance text, §59.69(5)(e), Wis. Statutes provides guidance to counties on the process if a town affected by the proposed amendment disapproves of the county board rezone decision. To add clarity and expectations for the Towns, staff has drafted the following edits (see page 2) to further clarify how towns participate in the public hearing process on the rezone petitions.

Furthermore, Corporation Council has reviewed the proposed edits and supports the ordinance amendment. With the approval of the Land Services Committee (LSC), Land Services staff prepared the updated ordinance text, set a date/time for a public hearing to be held, and distributed the proposed text to all the Towns asking for resolutions of support or rejection. The public hearing was noticed in the proper manner and the LSC conducted the public hearing on May 12, 2022, at which time all interested persons/towns were encouraged to offer objections, approvals, criticisms, or suggestions to the proposed ordinance text. At the conclusion of the public hearing the LSC determined that a favorable recommendation should be made to the County Board regarding this matter with the ordinance text as proposed.

**REQUESTED ACTION:**

Staff and the LSC are recommending that the County Board approve of the proposed ordinance text amendment as presented in the attached ordinance and supplemental document showing the ordinance text edits.

This ordinance shall take effect following its passage and posting.

Dated: 8/16/22

