

## Lincoln County Board of Supervisors

Meeting: February 20, 2023

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, Ashbeck, Bialecki, Boyd, Callahan, Cummings, DePasse, Detert, Friske, Hartwig, Lemke, McCrank, Meunier, Osness, Rusch, Simon, Thiel, Wickham, and Wendorf. Members attending virtually: Hafeman and Loka (21). Excused: Allen (1).
4. Announcements/Recognitions/Awards/Appointments
  - A. Announcements - None
  - B. Service Recognitions – February
    - 10 Years: Gina Olson, Chief Deputy Clerk – Clerk of Courts
  - C. Appointments & Re-Appointments:
    1. Committee Assignments: Chair Friske Appointed Jim Meunier to the Law Enforcement, EMS, Judicial and Emergency Management Committee. Supervisor Callahan, citing a heavy Assembly Committee load, resigned from the committee which created the opening.
    2. Social Services Committee Election: Chair Friske called for nominations. Supervisor Thiel nominated Jim Meunier. There were no other nominations. M/S Boyd/Cummings to close nominations and cast a unanimous ballot for Meunier. Without objection, Meunier was elected to fill the Social Services opening left by Lori Anderson Malm’s resignation from the committee.
    3. Appointment of Angela Cummings to the North Central Health Care – Community Service Program Board (Term ending 4/15/24). M/S Bialecki Ashbeck to appoint Angela Cummings to the North Central Health Care – Community Service Program Board (Term ending 4/15/24). Motion carried by a voice vote.
    4. Appointment of Dora Gorski to the Aging and Disability Resource Center of Central Wisconsin Advisory Committee (Term ending 12/31/25). M/S McCrank/Ashbeck to appoint Dora Gorski to the Aging and Disability Resource Center of Central Wisconsin Advisory Committee (Term ending 12/31/25). Motion carried by a voice vote.
    5. Appointment of James S. Torgerson, Sr. to the Aging and Disability Resource Center of Central Wisconsin Advisory Committee (Term ending 12/31/25). M/S Lemke/Ashbeck to appoint James S. Torgerson, Sr. to the Aging and Disability Resource Center of Central Wisconsin Advisory Committee (Term ending 12/31/25). Motion carried by a voice vote.
5. Approval of Journal – January 17, 2023: M/S DePasse/Cummings to approve the minutes as presented. Motion carried by a voice vote.
6. Letters, Petitions and Memorials
  - A. Letters – None
  - B. Memorials: David Jackson (1992-2000)
8. Reports of Standing & Special Committees:
  - A. Administrative & Legislative Committee: Introduction of the North Central Health Care Managing Directors – Executive Director (Gary Olson) Director Olson used this time to introduce his new Managing Director of Finance (Jason Hake) and Managing Director of Community Programs (Vicky Tylka). Both Hake and Tylka introduced themselves to the board and gave a brief history of their prior accomplishments.
  - B. Finance & Insurance Committee: 2022 Year-to-date Budget Report – Finance Director (Samantha Fenske) Director Fenske gave her report and then answer questions.
9. Public Comment – None was offered.
10. Resolutions and Ordinances

## A. 1) Resolution 2023-02-06

Resolution Accepting Infant Clothes with an approximate value of \$74.00

WHEREAS, Lincoln County Department of Social Services works with children experiencing abuse and/or neglect; and  
 WHEREAS, Patricia Lau donated new baby clothing for children going into foster care or relative placements in Lincoln County.

NOW, THEREFORE BE IT RESOLVED, that Lincoln County Board of Supervisors recognizes and accepts Ms. Lau's thoughtful and generous donation in support of children in Lincoln County.

Dated: February 20, 2023

Authored by: Supervisor Thiel

Co-Sponsored by: Supervisor Cummings, Supervisor Lemke, Supervisor Rusch

Committee: Social Services

Committee Vote: 4-0

Date Passed: January 23, 2023

Fiscal Impact: Estimate Value of \$74.00

M/S DePasse/Hartwig to adopt Resolution 2023-02-06. Motion carried by a voice vote.

2) Resolution 2023-02-07

Resolution in Support of Telecommuting Opportunities and Telecommuter Forward! Certification

WHEREAS, the Lincoln County Board of Supervisors supports and commits to promote the availability of telecommuting options;

WHEREAS, the Lincoln County Board of Supervisors hereby appoints the Lincoln County Broadband Committee as the single point of contact for coordinating telecommuting opportunities within Lincoln County government including the following responsibilities:

1. Coordination and partnership with broadband providers, realtors, economic development professionals, employers, employees, and other telecommuting stakeholders.
2. Collaboration with broadband providers and employers to identify, develop, and market telecommuter-capable broadband packages.
3. Communication and partnership with broadband providers and economic development professionals to develop common goals.
4. Promotion of telecommuter-friendly workspaces, such as business incubators with telecommuting spaces, if such a workspace has been established in the political subdivision at the time the political subdivision adopts the resolution.
5. Familiarity with broadband mapping tools and other state-level resources.
6. Maintaining regular communication with the state broadband office.
7. Making regular reports to the Lincoln County Board of Supervisors.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED that the Lincoln County Board of Supervisors supports telecommuting opportunities throughout Lincoln County and authorizes the Lincoln County Broadband Committee to submit an application for Telecommuter Forward! Community certification to the Wisconsin Public Service Commission.

Dated: February 23, 2023

Authored by: Kenneth L. Wickham, Supervisor, District 18

Co-Sponsored by: Angela Cummings, Supervisor

Committee: Broadband Committee

Committee Vote: 3-0

Date Passed: January 16, 2023

Fiscal Impact: None

M/S DePasse/Detert to adopt Resolution 2023-02-07. Motion carried by a voice vote.

3) Resolution 2023-02-08

RESOLUTION OF SUPPORT FOR THE CHARTER COMMUNICATIONS, INC., APPLICATION FOR A WISCONSIN PUBLIC SERVICE COMMISSION FISCAL YEAR 2023 STATE BROADBAND EXPANSION GRANT TO INCREASE BROADBAND SERVICE AND AVAILABILITY IN LINCOLN COUNTY

WHEREAS, much of Lincoln County is unserved or underserved by Broadband telecommunications service; and

WHEREAS, the majority of Lincoln County's full- and part-time population resides in rural areas of the County that are unserved or underserved by Broadband telecommunications; and

WHEREAS, Broadband telecommunications service is essential for economic development; business; entrepreneurship; commerce; education; medicine; health care; recreation; tourism; delivery of private, public, and government services; enhanced productivity and efficiency; and improving quality of life; and

~~WHEREAS, the Lincoln County Board of Supervisors has adopted Lincoln County Ordinance 2023-02-XX, BROADBAND FORWARD! ORDINANCE, and is in the process of applying to the Wisconsin Public Service Commission for certification as a Broadband Forward! Community under Wis. Stat. 196.504(4); and~~

WHEREAS, the Lincoln County Board of Supervisors has adopted Lincoln County Resolution 2023-02-XX, IN SUPPORT OF TELECOMMUTING OPPORTUNITIES AND TELECOMMUTER FORWARD! CERTIFICATION, and is in the process of applying to the Wisconsin Public Service Commission for Telecommuter Forward! Certification under Wis. Stat. 196.5045; and

WHEREAS, the Lincoln County Board of Supervisors is committed to making broadband available for every residence, business, and address, in the County; and

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors order:

1. The Director of Finance to allocate \$200,000 from the County's American Rescue Plan Act (ARPA) allocation as matching funds to support the Charter Communications, Inc., Application for a Wisconsin Public Service Commission Fiscal Year 2023 State Broadband Expansion Grant project in "the Towns of Pine River, Russell, and Schley" in Lincoln County; and
2. The Lincoln County Broadband Committee to serve as the County's primary point of contact for the Charter Communications, Inc., Application for a Wisconsin Public Service Commission Fiscal Year 2023 State Broadband Expansion Grant and any resulting Broadband Expansion Grant Award; and
3. Lincoln County department heads to collaborate with the Lincoln County Broadband Committee, as reasonable and feasible, to provide in-kind contributions in support of the Charter Communications, Inc., grant application and/or grant award. In-kind contributions may include but are not limited to: expediting permit application processes and approvals; coordinating with local units of government to gather and share information about zoning, permitting, and other construction requirements; coordinating and collaborating with local stakeholders; and assisting with media outreach and public involvement activities.

Dated: February 20, 2023

Authored by: Ken Wickham, Supervisor

Co-Sponsored by: Angela Cummings, Supervisor, Randy Detert, Supervisor, Laurie Thiel, Supervisor

Committee: Administrative and Legislative Committee

Committee Vote: 6-0

Date Passed: February 1, 2023

Fiscal Impact: \$200,000 in FY2023

M/S Detert/Bialecki to adopt Resolution 2023-02-08. M/S Wickham/Hartwig to amend the resolution by striking paragraph 4, by adding: "in towns of Pine River, Russell, and Schley" directly before "in Lincoln County" in paragraph 7 Item 1, and by adding page 3 (Supporting Document). Motion to amend carried on a voice vote. Motion to adopt also carried by voice vote.

#### 4) Resolution 2023-02-09

##### Resolution Authorizing Lincoln County to Submit a Broadband Equity, Access and Deployment (BEAD) Local Planning Grant Program Letter of Intent

WHEREAS, The Lincoln County Board of Supervisors is committed to making high-speed internet accessible and affordable for all Lincoln County residents and businesses.

WHEREAS, The Lincoln County Board of Supervisors desires to take advantage of financial and other resources to help define the need, vision, and strategy for deployment of broadband in Lincoln County; and

WHEREAS, The Wisconsin Public Service Commission has announced that Broadband Equity, Access and Deployment (BEAD) Local Planning Grants are available in the form of formula funding of \$1.5 million under the Infrastructure Investment and Jobs Act to Wisconsin counties and federally recognized Tribes to generate locally informed analysis of broadband needs and develop each community's vision for broadband development; and

WHEREAS, Counties that elect to participate in the program may opt to (1) collaborate regionally through their respective Regional Economic Development Organization (REDO) or (2) participate independently; and

WHEREAS, The Wisconsin Public Service Commission requires that each Wisconsin county and federally recognized Tribe that desires to participate to complete, sign, and submit a BEAD Local Planning Grant Program Letter of Intent certifying their intent to participate in the program, including complying with related grant requirements; and

WHEREAS, Signature and submission of aforementioned form does not constitute an obligation of Lincoln County to comply with any terms or conditions of the grant program; and

WHEREAS, Following the Wisconsin Public Commission's announcement of formula grant awards, those counties and Tribes that elected to participate individually and participating collaboratives will complete a brief application in the Commission's Online Grants System that describes planned activities and the intended use of funding among cost categories.

NOW, THEREFORE BE IT RESOLVED, by the Lincoln County Board of Supervisors that Lincoln County declares its intent to participate in Broadband Equity, Access, and Deployment (BEAD) Local Planning Grants.

BE IT FURTHER RESOLVED, that Lincoln County opts to collaborate regionally through Grow North, Lincoln County's Regional Economic Development Organization (REDO), to define the need, vision, and strategy for deployment of broadband in Lincoln County.

BE IT FURTHER RESOLVED, that the Lincoln County Board Chairman is authorized to complete, sign, and submit the BEAD Local Planning Grant Program Letter of Intent certifying Lincoln County's intent to participate in the Wisconsin Public Service BEAD and Local Planning Grants program, including complying with related grant requirements.

Dated: February 20, 2023

Authored by: Kenneth L. Wickham, Supervisor, District 18

Co-Sponsored by: Angela Cummings, Supervisor; Randy Detert, Supervisor

Committee: Broadband Committee

Committee Vote: 3-0

Date Passed: February 13, 2023

Fiscal Impact: None

M/S McCrank/Boyd to adopt Resolution 2023-02-09. Motion carried by a voice vote.

5) Resolution 2023-02-10

APPROVE THE 2022 LINCOLN COUNTY FOREST ANNUAL REPORT AND ADD TO CHAPTER 2000 OF THE 15-YEAR  
LINCOLN COUNTY FOREST COMPREHENSIVE LAND USE PLAN

WHEREAS, The Lincoln County Board of Supervisors approved the 2021-2035 Lincoln County Forest Comprehensive Land Use Plan on December 15, 2020; and

WHEREAS, This 15-year plan is a working dynamic document, subject to amendments and additions by the Lincoln County Forestry, Land and Parks Committee and the Lincoln County Board of Supervisors; and

WHEREAS, the Lincoln County Forest Annual Report is routinely added to Chapter 2000 of the Lincoln County Forest Comprehensive Land Use Plan as a way to summarize its main accomplishments over the past year for historical record and to evaluate progress on short and long-term goals of the County Forest and Recreational System; and

WHEREAS, the Lincoln County Forestry, Land and Parks Committee has reviewed and approved the 2022 County Forest Annual Report to supplement the Fifteen-Year Lincoln County Forest Comprehensive Land Use Plan.

NOW, THEREFORE BE IT RESOLVED, the Lincoln County Board of Supervisors does hereby ordain and resolve to approve and adopt the 2022 Lincoln County Forest Annual Report.

AND BE IT FURTHER RESOLVED, that the 2022 Lincoln County Forest Annual Report will be included as an amendment to Chapter 2000 of the Fifteen-Year Lincoln County Forest Comprehensive Land Use Plan..

Dated: February 20, 2023

Authored by: Kenneth Wickham

Co-Sponsored by: Norbert Ashbeck

Committee: Forestry, Land and Parks

Committee Vote: All Ayes

Date Passed: February 13, 2023

Fiscal Impact: None

M/S Osness/Hartwig to adopt Resolution 2023-02-10. Motion carried by a voice vote. (The Annual Report can be view on the Lincoln County Website, in the Forestry, Land and Parks Department, and in the Lincoln County Clerk's Office).

6) Resolution 2023-02-11

Approving Enrollment of the Lincoln County Forest in the Lake States Forest Management Bat Habitat  
Conservation Plan

WHEREAS, Lincoln County manages approximately 100,843 acres of County Forest Lands along with numerous recreational trails and facilities which are managed for multiple benefits; and

WHEREAS, the Northern Long-eared Bat and Tri-colored Bat are expected to be listed as federally endangered in 2023 and the Little Brown Bat is under review for listing; and

WHEREAS, the states of Wisconsin, Minnesota and Michigan have jointly developed the Lakes States Forest Management Bat Habitat Conservation Plan in order to receive an incidental take permit for forest management activities issued by the U.S. Fish and Wildlife Service; and  
 WHEREAS, Lincoln County plans to engage in activities that could result in the incidental take of bats and seeks to be included in under the Incidental Take Permit issued to the Wisconsin Department of Natural Resources; and  
 WHEREAS, Lincoln County will comply with the terms of the Species and Habitat Conservation Agreement.  
 THEREFORE, BE IT RESOLVED, that the Lincoln County Board of Supervisors in consideration of the needs to conserve the bat populations in Wisconsin while continuing multiple use management consistent with the Lincoln County Forest Comprehensive Land Use Plan, hereby agree to enter into a Landowner Agreement and Certificate of Inclusion into the Lakes States Forest Management Bat Habitat Conservation Plan; and  
 BE IT FURTHER RESOLVED, that the County Forest Administrator be authorized to sign the agreement and submit this document to the Wisconsin Department of Natural Resources.

Dated: February 20, 2023

Authored by: Greg Hartwig

Co-Sponsored by: Kenneth Wickham

Committee: Forestry Land and Parks

Committee Vote: All Ayes

Date Passed: February 13, 2023

Fiscal Impact: None

Lake States Forest Management Bat Habitat Conservation Plan Summary  
 January 2023

Background

- Populations of cave hibernating bats in precipitous decline due to a white-nose syndrome (WNS).
  - WNS discovered in WI in 2014 and is now widespread in all known hibernacula.
- When USFWS listed the northern long-eared bat (NLEB) as Threatened in 2015 they specifically identified forest management as a potential source of take for the species.
  - During the summer these species utilize trees for maternity colonies and day roosts and they forage in forested areas.
- NLEB, Tri-colored bat and possibly little brown bat (LBB) will be listed as endangered due the impacts of WNS, and any take of an endangered species is prohibited. WI will need an incidental take permit to continue forest management activities.
- WI, MI, MN have jointly developed the Lake States Forest Management Bat Habitat Conservation Plan to obtain a federal Incidental Take Permit under the Endangered Species Act (ESA) section 10 requesting authorization for the incidental take of bats during forest management activities.
- Permit expected to be issued March 2023.

Covered Species:

- Northern Long-eared Bat
  - Federally endangered as of 3/31/2023
- Tri-colored Bat
  - Federal listing expected in 2023
- Little Brown Bat
  - Under review for federal listing by USFWS

Covered Activities and Required Conservation Actions:

- Timber harvest and related forest practices:
  - Implement state tree retention guidelines.
  - 150 ft year-round buffer around known maternity roost trees.
  - 0.25 mile buffer around known hibernacula entrances.
    - No harvest except where objective is improving habitat for bats.
- Prescribed fire:
  - Ensure wind will carry smoke away from the entrance(s) of hibernacula.
  - Prohibit prescribed burns within 150 feet of known occupied maternity roost trees during pup season (June 1–July 31).
    - Reduce fire intensity within 0.25 miles of hibernacula entrances during spring and fall.
- Maintenance of existing permanent forestry roads and recreational trails on public lands:

- Refers to maintenance that requires tree cutting on permanent roads maintained by WI DNR or County Forests (not DOT roads).
- Remove trees from October 1 to March 1 within 150 feet of a known maternity roost.
- Remove trees from October 15 to March 31 or from May 15 to August 15 within 2.5 miles of a known hibernaculum.
  - Removal of hazard trees always allowed.
- Construction of new permanent forestry roads and recreational trails on public lands:
  - Refers to permanent roads maintained by WI DNR or County Forests for the purpose of supporting land management and public recreation (not DOT roads).
  - Temporary roads built to support a specific management project and then closed are covered as a forestry practice.
  - No removal of large-diameter trees (i.e., 9 inches dbh) during pup season (June 1 – July 31).
  - No new roads and trails within 150 feet of a known occupied maternity roost tree.
  - No new roads or trails within 0.25 miles of a known hibernaculum entrance year round.
    - Remove trees from October 15 to March 31 or from May 15 to August 15 within 2.5 miles of a known hibernaculum.
- Other conservation strategies:
  - Bat management zones on state lands:
    - Protected areas, no management June 1 to July 31
    - Already designated as protected wilderness areas, wild river areas, old growth areas, wild areas in WISFIRS
  - Maintain hibernacula entrances on DNR lands:
    - Gates, remove obstructions
  - Provide a way for other landowners to receive take authorization through the HCP.

#### Landowner Enrollment Program:

- Landowners who meet certain criteria can receive incidental take coverage by joining WDNR's permit.
- All County Forests are eligible.
- Acreage threshold for private landowners:
  - 10,000 acres for NLEB and TCB.
  - 500 acres for LBB (if LBB is listed as endangered).
  - Below these acreage thresholds risk of taking bats during management is extremely low/insignificant.
- Applicant owns lands (of any size) containing a known roost or known hibernaculum entrance.
- LEP application and agreement are in development.
- Goal to have eligible landowners enrolled by end of March 2023.
- WI DNR will hire a Bat HCP Coordinator to help guide folks through the process and handle annual reporting requirements.
- Annual Reporting Requirements:
  - Total acres of timber harvest - if possible, broken out by even-aged, uneven-aged, intermediate and salvage harvests
  - Acres of Rx Fire in forest or brushland
  - Possibly miles of newly constructed permanent roads or trails.

M/S DePasse/Osness to adopt Resolution 2023-02-11. Motion carried by a voice vote.

7) Resolution 2023-02-12

#### APPROVING CONVEYANCE OF REAL ESTATE

NOW, THEREFORE BE IT RESOLVED, by the Lincoln County Board of Supervisors duly assembled this 20<sup>TH</sup> day of February, 2023 that the following conveyance 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>
City of Tomahawk	114 W Washington St Lot Nine (9) Block Eleven (11) of the Original Plat of the City of Tomahawk, City of Tomahawk, Lincoln County, Wisconsin.	\$16,510.37

P.I.N. 286-3506-343-0107

Dated: February 20, 2023

Authored by: Kenneth Wickham

Co-Sponsored by: William Bialecki

Committee: Forestry, Land and Parks

Committee Vote: All Ayes

Date Passed: February 13, 2023

Fiscal Impact: \$ 16,510.37

M/S Bialecki/Hartwig to adopt Resolution 2023-02-12. Motion carried by a voice vote.

8) Resolution 2023-02-13

APPROVE THE APPOINTMENT OF THE ADMINISTRATIVE COORDINATOR

WHEREAS, the Administrative & Legislative Committee recommends the appointment of Renee Krueger as the Lincoln County Administrative Coordinator.

NOW, THEREFORE BE IT RESOLVED, this 20th day of February, 2023, that the Lincoln County Board of Supervisors approves the appointment of Renee Krueger as Lincoln County Administrative Coordinator effective February 20, 2023.

BE IT FURTHER RESOLVED, that this appointee will be placed at Step 4 (\$114,780.00) of the 2023 pay scale, Grade S, on the salary plan.

Dated: February 20, 2023

Authored by: Don Friske, Supervisor, District 9

Co-Sponsored by: Supervisors Boyd (Dist. 10), DePasse (Dist. 12), Hartwig (Dist. 22),

Anderson-Malm (Dist. 2) & Cummings (Dist. 20).

Committee: A&L Committee

Committee Vote: 5-0

Date Passed: 2/16/2023

Fiscal Impact: \$114,780 wage, \$43,435 fringe

M/S Osness/Cummings to adopt Resolution 2023-02-13. Motion carried by voice vote.

B. 1) Ordinance 2023-02-733

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 THOMAS AND PATRICIA CADWALLADER FOR PROPERTY IN THE TOWN OF SCHLEY.

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

Chapter 17.2.03, Lincoln County Code, is amended to rezone tax parcel pin# 02232082149999 from Agricultural (A) to Rural Lands (RL4). The parcel size is approximately 40 acres and is located at N3451 Mosser Rd in Section 21, T32N-R8E, in the Town of Schley.

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: 2/20/23

Authored by: Marty Lemke

Co-Sponsored by: William Bialecki

Committee: Land Services Committee

Committee Vote: 7-0

Date Passed: 1/12/23

Fiscal Impact: None

M/S McCrank/Wendorf to adopt Ordinance 2023-02-733. Motion carried by a voice vote.

2) Ordinance 2023-02-734

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 BO BENNISH FOR PROPERTY IN THE TOWN OF MERRILL

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

Chapter 17.2.03, Lincoln County Code, is amended to rezone tax parcel pins# 01432062449987 and 01432062449994 from Crossroads Mixed Use (CMU) to General Business (GB). The combined parcel size is approximately 18 acres and is located at W4982 County Road C in Section 24, T32N-R6E, in the Town of Merrill.

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: 2/20/23

