

## Lincoln County Board of Supervisors

Meeting: August 15, 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
2. 6:00 p.m.
3. Pledge of allegiance followed.
4. County Clerk Marlowe called Roll - Members Present: Allen, Anderson-Malm, Ashbeck, Bialecki, Boyd, Callahan, DePasse, Detert, Friske, Hafeman, Hartwig, Lemke, McCrank, Meunier, Osness, Rusch, Simon, Thiel, Wendorf, Wickham. (20) Virtual: Cummings (21 of 22). With Miller upon his appointment (22 of 22)
4. Appointments and Re-Appointments
  - A. Appointment of Dana Miller to the Lincoln County Board of Supervisors to fill the unexpired term of Mike Loka (District 16, City of Tomahawk Wards 5-6, and Town of Bradley Ward 3). Without objection, Chair Friske appointed Dana Miller to the District 16 Supervisor position.
    - a. Oath of Office – Miller stated his oath to Clerk Marlowe and the two signed the official oath documentation.
    - b. Ratify Appointments to Appointive Committees (Board of Health, LE/EM/Judicial/EMS, and Solid Waste. Chair Friske asked if there was objection to the appointments. Hearing none Miller was appointed to the above committees for the remainder of his term (April 2024).
  - B. Appointment of Chris Marlowe and Tyler Verhasselt to the Local Emergency Planning Committee (Term ~~ending April 2024~~ indefinite) Chair Friske noted that the term on this committee is indefinite. M/S McCrank/Wickham to ratify the appointments, with all ayes carrying the motion.
5. Announcements/Recognitions/Awards/Appointments
  - A. Announcements
    - 1) Wisconsin Reliability Project correspondence – Clerk Marlowe explained the correspondence was for public awareness.
    - 2) Pesobic Lake Association Petition to the DNR – Clerk Marlowe explained that the Lincoln County Board had been included as one of the organizations being petitioned and that he was following through with the request as we are holding the original signatures. Supervisor Simon spoke on behalf of the situation prompting the petition, stating that the DNR controls these permits.
  - B. Awards - None
  - C. Service Recognitions – July
    - 25 Years: Sherrie Zortman, Register in Probate Office
6. Approval of Journal – July 18, 2023: M/S Bialecki/Ashbeck to approve the July 18th minutes as presented. Motion carried by a voice vote.
7. Letters and Memorials
  - A. Letters – None
  - B. Memorials – None
8. Reports of Standing & Special Committees:
  - A. Finance & Insurance Committee: 2023 Year-to-Date Budget Report – Finance Director (Samantha Fenske) Director Fenske gave her report and answered questions.
  - B. Finance & Insurance Committee: 2024 Budget Updates – Finance Director (Samantha Fenske) Director Fenske gave her report and again answered questions.
  - C. Aging and Disability Resource Center of Central Wisconsin: Annual Updated – Executive Director (Michael Rhea) Director Rhea thanked the board for the opportunity to give his ADRC of CW Annual Report. Rhea went on to highlight areas of the handouts that are available as additional packet.
9. Public Comment – There were twelve members of our public who offered public comment on Resolution 2023-08-48. Members of the public listed in the order they spoke: Dr. Laurie Wolf, Judy Woller, Ryan Hildebrand, Irene Mehlos, Carol Wendorf, Dona Dunphy, Kevin Stevenson, Todd Frederick, Pat Voermans, Diana C Smith, Doug Curtis, and Dora Gorski,

## 10. Resolutions and Ordinances

## A. 1) Resolution 2023-07-47

Resolution to Support Establishment of a Broadband Commission and Supporting Broadband Expansion to Provide High Speed Internet Service to all Residents of Lincoln County

- WHEREAS**, large areas within Lincoln County lack internet service or have internet service data upload and download speeds lower than those required for reliable data processing and data transmission; and
- WHEREAS**, reliable High-Speed Internet service and infrastructure related to internet service are critical components in providing police, fire, rescue communication services and access to internet application which increase efficiency of these services and therefore improve public safety; and
- WHEREAS**, reliable High-Speed Internet service at homes is an essential need for students of all area school districts which now require utilization of technology including tablets and laptops for daily assignments, and without internet services some students are left behind in required classes and classwork; and
- WHEREAS**, Merrill Public Schools administers *Bridges Virtual Academy* that has 742 total students enrolled, 80 students who are resident students and 662 which are non-resident students, which provides for additional funding to the school district; and
- WHEREAS**, reliable High-Speed Internet service at homes allows for Colleges, Universities and other higher forms of advance education for provision of remote instruction and learning, and without internet services some Lincoln County residents do not have opportunities for advanced education without relocation from Lincoln County addresses; and
- WHEREAS**, reliable High-Speed Internet service at homes and facilities is a critical need for health care providers that can monitor patient health remotely (also known as Telemedicine) and without that ability many people, including aging and disabled, must relocate their homes to areas with appropriate Telemedicine opportunities; and
- WHEREAS**, businesses of all varieties now require Reliable High-Speed Internet service to provide access to financial transactions, and regional and worldwide markets and areas within Lincoln County without Reliable High-Speed Internet service fail to retain and attract businesses and industry which sustain the local work force; and
- WHEREAS**, having reliable High-Speed Internet service allows residents to live and work in Lincoln County for employers who allow telework options in other areas of the country; and
- WHEREAS**, the COVID-19 pandemic accentuated the need for Reliable High-Speed Internet service in all homes, businesses and industry locations as a primary utility; and
- WHEREAS**, based on the above facts, the Lincoln County Board of Supervisors believes that provision of Reliable High-Speed Internet service for all locations within Lincoln County is extremely important to the residents, businesses, industry and economy of Lincoln County; and
- WHEREAS**, based on the above facts, the Lincoln County Board of Supervisors believes that provision of Reliable High-Speed Internet service for all locations within Lincoln County will improve efficiency of emergency and medical services and improve the safety of all residents and visitors of Lincoln County; and
- WHEREAS**, the Lincoln County Broadband Committee recommends the establishment of a Broadband Commission organized under the Lincoln County Economic Development Corporation, and further recommends the Commission include the following members:
1. One Member from the Lincoln County Economic Development Corporation as designated by action of the Corporation
  2. One member of the Lincoln County Board of Supervisors as appointed by the County Board Chair
  3. The Lincoln County Administrative Coordinator
  4. One Member from the Lincoln County Sherriff's Department or dispatch center as designated by the County Sherriff
  5. A representative of all fire departments within the County as determined by nomination from the departments
  6. The Lincoln County Emergency Management Director
  7. The Lincoln County Informational Technology Director
  8. The Lincoln County Land Information Program Manager
  9. One Member from each major medical provider to Lincoln County residents as designated by those organizations.
  10. One member from each of the Merrill and Tomahawk school districts as appointed by the respective School Board.
  11. One member from each municipality within Lincoln County as appointed by the appropriate Board or Council.

**WHEREAS**, the Lincoln County Board of Supervisors requests that at its earliest convenience, the Lincoln County Economic Development Corporation Board of Directors establish a Broadband Commission and approve the members of the Broadband Commission at a scheduled and posted public meeting of the Board; and

**WHEREAS**, the Lincoln County Board of Supervisors recommends that the Broadband Commission, at its first meeting, appoint a Broadband Commission Chairman by a majority vote of its members; and

**WHEREAS**, the Lincoln County Board of Supervisors recommends that the Broadband Commission Chairman act as the single point contact for broadband opportunities in Lincoln County.

**NOW THEREFORE BE IT RESOLVED**, that the Lincoln County Board of Supervisors hereby requests and supports the creation of a Broadband Commission organized under the Lincoln County Economic Development Corporation;

**BE IT FURTHER RESOLVED**, that the Lincoln County Board of Supervisors agrees to consider recommendations of the Broadband Commission and may authorize County sponsorship of grant funding requests and County budget funding for Broadband based activities with future approvals by the Board.

**BE IT FURTHER RESOLVED**, that the Lincoln County Board of Supervisors recognizes the authority for Broadband Commission activities. Broadband Commission requests for County support should be forwarded to the Lincoln County Administrative and Legislative Committee.

**BE IT FURTHER RESOLVED**, that the Lincoln County Board of Supervisors supports Broadband Commission activities to make Reliable High-Speed Internet service, at Federal minimum service standards, available to all areas of Lincoln County, with priority given to projects based on areas that are unserved or underserved. Actual speeds will be determined by the Broadband Commission.

Dated: July 18, 2023

Authored by: Randal Detert, District 11 Supervisor

Co-Sponsored by: Broadband Committee members

Committee: Broadband Committee

Committee Vote: 3-0

Date Passed: June 5, 2023

Fiscal Impact: None

Drafted by: Renee Krueger, Lincoln County Administrative Coordinator

Chair Friske reminded everyone that this resolution was laid over from last month's agenda. Supervisor Wickham introduced the resolution and explained the transition of the Ad Hoc Committee organized by the government to a commission to fall under the direction of a private entity in this case being the Economic Development Corporation. This provides increased flexibility to the committee to pursue funds not available to government entities. M/S: Callahan/DePasse to adopt Resolution 2023-07-47. Motion carried by a voice vote.

## 2) Resolution 2023-08-48

Resolution Authorizing a Binding Referendum and Approving Official Referendum Language to Exceed Levy Limits by \$3,000,000 for each year for 10 Years to Fund Pine Crest Nursing Home Operations and Maintenance

**WHEREAS**, Pine Crest Nursing Home Ad Hoc Committee has studied Pine Crest for the last two years which has resulted in a need for Lincoln County to either sell the Nursing Home or to increase tax levy to fund the needed operations and maintenance sufficiently to continue operations; and

**WHEREAS**, a comprehensive facility assessment has been provided and the Maintenance Director has estimated that there is a \$2,000,000 need annually to address building needs; and

**WHEREAS**, Lincoln County is responsible for payment of approximately \$400,000 for maintenance staff costs associated with maintenance activities at Pine Crest as well as payment of \$440,815 to North Central Health Care for its services for the management of Pine Crest Nursing Home; and

**WHEREAS**, the operational losses of Pine Crest in 2022 was approximately \$1,000,000 and is currently operating at a loss; and

**WHEREAS**, North Central Health Care is responsible for the administration of Pine Crest and through the administration of the Nursing Home covers the annual debt service owed by Lincoln County in the amount of \$630,000; and

**WHEREAS**, the County Board Supervisors has approved contracting a Broker to determine if there is a viable market for the sale of Pine Crest; and

**WHEREAS**, numerous community members have stated that they would like the option to show their support for continuing Lincoln County ownership and operations of the nursing home through a referendum.

**WHEREAS**, as representatives of our community members, it is our responsibility to advocate for their voices to be heard through a binding referendum to determine whether the people of Lincoln County support raising additional funding outside the levy limits.

**THEREFORE, BE IT RESOLVED**, that the Lincoln County Board of Supervisors does resolve to conduct a county wide binding referendum, to be held with the Spring Election on April 2, 2024; and directs the following question be placed on the ballot:

*Under state law, the increase in the levy of the County of Lincoln for the tax to be imposed for the next tax year (2024) is limited to 1.058%, which results in a levy estimated at \$13,256,783. Shall the County of Lincoln be allowed to exceed this limit and increase the levy by \$3,000,000 for EACH YEAR 2024-2033, (10 years) for the purpose of funding and/or subsidizing Pine Crest Nursing Home operations, maintenance, repairs, updates, and debt service?*

#### *Explanatory Statement*

Under state law, no political subdivision may increase its' levy in any year by a percentage that exceeds the political subdivision's valuation factor. This has severely limited the County's ability to fund ongoing operation, maintenance, building needs, repairs, updates and debt service for Pine Crest Nursing Home. The additional \$3,000,000/year levy has an estimated \$85.14 tax impact per \$100,000 of the equalized value of private property. A "yes" vote indicates you agree with exceeding this limit by \$3,000,000 each year (2024- 2033) to fund and/or subsidize Pine Crest Nursing Home operations, maintenance, repairs, updates, and debt service.

A "no" vote indicates you disagree with exceeding the levy limits.

Author Nubs Ashbeck explained the resolution referencing how and where he derived the amounts of the referendum ask stating it may not be enough to fully fund Pine Crest, when asked. After discussions Supervisor Boyd motioned to amend the referendum amount from \$3M to \$4.5 M over 10 years. Callahan seconded and roll was called. Ayes: Anderson-Malm, Thiel, Friske, Boyd, DePasse, Callahan, Lemke, Meunier, Wickham, Cummings, and Simon (11) Nays: Bialecki, McCrank, Osness, Wendorf, Ashbeck, Rusch, Detert, Hafeman, Miller, Allen, and Hartwig (11) Motion to amend failed (11-11). Further discussion took place where there was concern that we could not absorb another large loss in 2024 and that the referendum would not begin until 2025, if it passed, and that if it failed, we would potentially have to close the facility to avoid the losses in 2024. M/S Hartwig/Bialecki to amend the resolution to have a special election in 2023 at the earliest possible date. Clerk Marlowe was asked to approximate when this election could take place and to estimate the cost to the county. Marlowe estimated the election could occur around the middle of November and would cost roughly between \$25K-\$30K stating \$21,000 in election inspector wages alone. Motion to amend the election date failed by a voice vote. After further lengthy discussions Wickham motioned to amend the resolution to include this final paragraph: BE IT FURTHER RESOLVED, that the Lincoln County Board of Supervisors hereby stipulates that, if the voters of Lincoln County approve the aforementioned binding referendum, that Lincoln County's financial obligations and responsibilities for Pine Crest Nursing Home will be covered fully by the amount approved by the binding referendum, and the Lincoln County Board of Supervisors prohibits use of other Lincoln County tax levy funds for any purpose associated with Pine Crest Nursing Home, including purposes currently funded by tax levy dollars, for the duration of the time that the referendum funding is in effect. Chair Friske clarified with the help of Corporation Counsel Johnson that this board could not bind future boards to such an obligation. Wickham's motion died due to a lack of a second. Supervisor Bialecki asked for a short recess. Without objection Friske approved a five minute recess at 8:09 p.m. Chair Friske reconvened the board at 8:19 and proceeded to call the question on the original motion to adopt the resolution reminding everyone that a yes vote would be in favor of an April Referendum. Friske asked the clerk for a roll call. Ayes: Bialecki, Anderson-Malm, McCrank, Wendorf, Ashbeck, Rusch, Hafeman, Allen, and Hartwig (9) Nays: Osness, Thiel, Friske, Boyd, Detert, DePasse, Callahan, Lemke, Miller, Meunier, Wickham, Cummings, and Simon (13) Motion to adopt resolution 2023-08-48 failed (9-13).

#### 3) Resolution 2023-08-49

Resolution Accepting and Expressing Gratitude to the Bierman Family Foundation, Inc for the Grant of \$421,000  
for Purchasing Ambulance Equipment

**WHEREAS**, Lincoln County Emergency Medical Services (EMS) Merrill and Tomahawk divisions were in collective need of replacement and upgrades of five cardiac monitors, five Lucas devices, and three power stair chairs ; and

**WHEREAS**, the funding for the replacement and upgrade of this equipment and associated costs would have come from Lincoln County funds, and

**WHEREAS**, a letter was sent to the Bierman Family Foundation, Inc. requesting grant funds to aid in the purchase of the equipment and associated costs; and

**WHEREAS**, the Bierman Family Foundation, Inc. responded with a grant award of \$421,000 to assist in the purchase and upgrade of the equipment and associated costs for the Lincoln County EMS Merrill and Tomahawk divisions.

**NOW, THEREFORE BE IT RESOLVED**, that on the behalf of the Citizens of Lincoln County, the Lincoln County Board of Supervisors accepts and expresses sincere gratitude for the \$421,000 grant award from the Bierman Family Foundation, Inc. to be used to purchase five cardiac monitors, five Lucas devices, three power stair chairs and associated costs for the Lincoln County EMS Merrill and Tomahawk divisions.

Dated: August 15, 2023

Authored by: Jesse Boyd

Co-Sponsored by: Law Enforcement, EMS, Judicial, and Emergency Management Committee

Committee: Law Enforcement, EMS, Judicial, and Emergency Management

M/S: Cummings/DePasse to adopt resolution 2023-08-49. Motion carried on a voice vote.

4) Resolution 2023-08-50

Resolution to Designate Public Safety Answering Point (PSAP) for Lincoln County and Participate in the State of Wisconsin Department of Military Affairs Next Generation 911 (NG911) Initiative

**WHEREAS**, 2019 Wisconsin Act 26 requires the Wisconsin Department of Military Affairs to provide grants to one public safety answering point in each county that meet the eligibility criteria and grant purposes identified in Wis. Admin. Code § DMA 2.05; and

**WHEREAS**, Wis. Admin. Code § DMA 2.03 requires that each county designate a public safety answering point as the “designated public safety answering point” to be eligible to apply for grants in that county; and

**WHEREAS**, the designated public safety answering point for Lincoln County is the only public safety answering point eligible to apply for grants for the life of the grant program in Lincoln County; and

**WHEREAS**, the Lincoln County’s PSAP is currently operating on antiquated and analog technology which has resulted in the interruption of vital emergency communications leaving Lincoln County residents and visitors vulnerable; and

**WHEREAS**, under Wisconsin State Statute 256.35(3s) the Wisconsin Department of Military Affairs (DMA), Office of Emergency Communications (OEC) is providing the network necessary for public safety answering point to implement and upgrade to NG911 services; and

**WHEREAS**, the Lincoln County PSAP Working Group (WG) which is made of an interagency effort between Lincoln County’s Emergency Management, Sheriff’s Office, Information Technology, and Land Services has identified the need to participate in NG911 initiative to upgrade the infrastructure and technology needed to provide secure and reliable emergent communications to Lincoln County; and

**NOW, THEREFORE BE IT RESOLVED**, by the Lincoln County Board of Supervisors, that the Lincoln County Sheriff Office Communications Center is hereby selected as the designated public service answering point for Lincoln County; and

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that by the Lincoln County Board of Supervisors approves the Lincoln County Public Services Answering Point Working Group to Enter into the NG911 Participation Agreement with the Wisconsin Department of Military Affairs, Office of Emergency Communications to improve public safety for Lincoln County residents and visitors

Dated: 15 August 2023

Authored by: Don Friske

Co-Sponsored by: Jesse Boyd

Committee: LE, EM Judicial/EMS Committee

Committee Vote: 5-0

Date Passed: August 9, 2023

Fiscal Impact: None

M/S: Anderson-Malm/Osness to adopt resolution 2023-08-50. Motion carried by a voice vote.

5) Resolution 2023-08-51  
Resolution to Authorize the Application of the  
Public Service Answering Point Grant

**WHEREAS**, Lincoln County Sheriff's Office operates Lincoln County's only Public Service Answering Point (PSAP) which is responsible for receiving all 911 calls and dispatching the nearest and most appropriate police, fire, or medical services to emergencies or disorder; and

**WHEREAS**, the Lincoln County's Public Service Answering Point (PSAP) Working Group (WG) has identified and declared their intention to participate in the NG911

Participation Agreement with the Wisconsin Department of Military Affairs and Office of Emergency Communications to increase the network and infrastructure at no cost to Lincoln County; and

**WHEREAS**, the State of Wisconsin Department of Military Affairs, Office of Emergency Communications has released grant funding in association with NG911 called the *PSAP Grant Program* which allows counties and municipal governments to upgrade and improve software, hardware, and peripherals utilized in 911 dispatch centers to provide flawless emergency service to prevent the loss of life, limb, and property; and

**WHEREAS**, the *PSAP Grant Program* would afford Lincoln County to refit their Public Service Answering Point with advanced computers, monitors, IP-based phones, base station radios, battery back-ups, and the peripherals associated. Furthermore, allowing Lincoln County to meet the communication needs and services of the public; deliver reliable, resilient, and redundant services to its 18 municipalities; and enable seamless integration with NG911 creating a unified digital public safety communications ecosystem; and

**WHEREAS**, the participation in the *PSAP Grant Program* requires a 10% cost share/match requirement which the Public Service Answering Point Working Group has estimated the entire proposed project to cost \$409,359.04; and

**NOW, THEREFORE BE IT RESOLVED**, that the Lincoln County Board of Supervisors, based on the recommendation of the Public Service Answering Point

Working Group authorizes for the application of the *Public Service Answering Point Grant* not to exceed a cost share/match of \$40,935.90 and receive an award no greater than \$368,423.14. The Lincoln County Board of Supervisors authorizes the Director of Emergency Management to report of the *Public Service Answering Point Grant*.

Dated: August 15, 2023

Authored by: Angela Cummings

Co-Sponsored by: Julie DePasse

Committee: Finance and Insurance / Finance and Insurance

Committee Vote: 5-0/5-0                      Date Passed: August 4<sup>th</sup> and 9<sup>th</sup>, 2023

Fiscal Impact: \$40,935.90 in cost share/match; receive no greater than \$368,423.14

Drafted by: Tyler Verhasselt, Director of Emergency Management

M/S: Thiel/Bialecki to adopt resolution 2023-08-51. Motion carried by a voice vote

B. 1) Ordinance 2023-07-742

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 JOHN AND DIANE BLAUBACH FOR PROPERTY IN THE TOWN OF BRADLEY

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 property located in Section 16, T35N-R6E, in the Town of Bradley, tax pin# 00435061639996, from Non-Residential (Planned Business) to Rural/Environmental (Rural Lands).

AND

Chapter 17.2.03, Lincoln County Code, is amended such that property located in Section 16, T35N-R6E, in the Town of Bradley, tax pin# 00435061639996, will be rezoned from Planned Business (PB) to Rural Lands-2 (RL2) 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: 8/15/23

Authored by: Marty Lemke

Co-Sponsored by: William Bialecki

Committee: Land Services Committee

Committee Vote: 5-0

Date Passed: 7/13/23

Fiscal Impact: None

Drafted by: Mike Huth (Land Service Administrator- Zoning Program Manager

M/S: Wickham/Simon to adopt ordinance 2023-08-742. Motion carried by voice.

11. Report of Claims - None.

12. M/S Osness/DePasse to approve the mileage and per diem for this meeting. Motion carried by a voice.

13. Next County Board Meeting: Tuesday, September 19, 2023 at 6:00 p.m. at the Lincoln County Service Center,  
801 N Sales Sreet, Room 257, Merrill, WI 54452.

14. The meeting adjourned at 8:26 p.m.

STATE OF WISCONSIN)

) SS

COUNTY OF LINCOLN)

I, Christopher Marlowe, County Clerk in and  
for Lincoln County, Wisconsin do hereby  
certify the within and foregoing is a true and  
accurate recital of all proceedings by and  
before the Board of Supervisors at their  
regular meeting, August 15, 2023

Christopher Marlowe, County Clerk