

LINCOLN COUNTY BOARD OF SUPERVISORS

Tuesday, February 15, 2022 - 9:00 a.m.

Meeting Location: Lincoln County Service Center, 801 N Sales Street, Room 257, Merrill, WI 54452

Via Teleconference and In-Person Attendance

Electronic Attendance: Persons wishing to attend the meeting electronically may enter the meeting beginning ten minutes prior to the start time indicated above using the following number or address:

Conference Call: (US) +1 980-221-2670

Access Code (PIN): 492 467 134#

Meeting ID: <https://meet.google.com/vqr-xbnr-ijj?hs=122&authuser=0>

The teleconference cannot start until the host (county clerk) dials in and enters the host password.

Attendance Policy: Lincoln County encourages all individuals attending in person to follow the most recent CDC guidelines for vaccinated and unvaccinated individuals. All public participants' phones, microphones and chat dialog boxes will be muted or disabled during the meeting. If "public comment" appears on the agenda, before the meeting is called to order, the clerk will ask teleconference attendees whether any public comment is being offered. When called upon by the clerk or chair, any person offering public comment should state their name and comments.

PUBLIC COMMENT ON AGENDA ITEMS: Under the current (COVID-19 pandemic) circumstances, citizens attending by teleconference may have floor privileges to speak on agenda items without signing-in at the meeting location. Before the meeting is called to order, the Clerk will ask teleconference attendees whether any public comment is being offered. When called upon by the Clerk or Board Chair by name, any persons offering public comment should state his/her name and express in good order his/her comments upon the topic under consideration for no more than 5 minutes.

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Elect a Temporary Chairperson for 2/15/2022 Meeting - Clerk
5. Announcements/Recognitions/Awards/Appointments
 - A. Announcements - None
 - B. Service Recognitions – January & February
 - 10 Years: Laura Boquist, Land Services
Holly Steckbauer, Sheriff's Office
Kelly Thomsen, District Attorney
 - 15 Years: Dirk Heidemann, Highway
 - 25 Years: James Wayda, Highway
Sarah Koss, Register Deeds
6. Appointments & Re-Appointments –
 - A. Appointment of Jim Beaumont to the Board of Adjustment as an alternate (Term expires 6/30/2024)
 - B. Appointment of Steven F Roets to the Land Services Committee as Citizen Member (Term expires 4/1/2024)
 - C. Appointment of the 2022 Emergency Fire Wardens (Kracker Barrel – Town of Bradley; Northern States Tool and Cutter – Town of Russell; and Beacon Bar – Town of Scott)
 - D. Appointment of Julie Allen, Calvin Callahan, Dora Gorski, Pat Voermans, and Judy Woller to the Broadband Committee (Term expires 4/19/2022)
7. Reading & Approval of the Journal – December 21, 2021
8. Letters, Petitions and Memorials
 - A. Letters - None
 - B. Memorials: Ewald Katke (1974-1986)
8. Reports of Standing & Special Committees
 - A. Finance Committee: 2022 Year-to-Date Budget Report – Finance Director (Dan Leydet)
 - B. Administrative & Legislative Committee: Administrative Coordinator/HR Director's Written Report – Administrative Coordinator/HR Director (Cate Wylie)
 - C. Administrative & Legislative Committee: Corporation Counsel Report – Corporation Counsel (Karry Johnson)
9. Resolutions and Ordinances

- A. Res 1) Resolution 2022-02-01 Resolution Accepting \$10,000 from Aspirus Good Samaritan Hospital and \$3,006 from Merrill Area United Way
 2) Resolution 2022-02-02 Resolution Accepting Donations for 2021-22 After the Bell Program
 3) Resolution 2022-02-03 Approve the 2021 Lincoln County Forest Annual Report and Add to Chapter 3000 of the 15-Year Lincoln County Forest Comprehensive Land Use Plan
 4) Resolution 2022-02-04 Approving Conveyance of Real Estate to the Township of King
 5) Resolution 2022-02-05 Ordering County Clerk to Take Tax Deed
 6) Resolution 2022-02-06 Approving Conveyance of Delinquent Real Estate to the City of Merrill
 B. Ord 1) Ordinance 2022-02-711 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 Melissa Haugen (FKA Raymer) for Property in the Town of Scott
 2) Ordinance 2022-02-712 Chapter 21 – Shoreland Zoning – Soil Disturbing Activities and Applicability

10. Report of Claims – None

11. Approval for Mileage and Per Diem for Board Meeting

12. Next County Board Meeting Date: Tuesday, March 15, 2022, 6:00 P.M. Meeting Location: Lincoln County Service Center, 801 N Sales Street, Room 257, Merrill, WI 54452

13. Adjourn

Posted: Date _____ Time _____ a.m. /p.m. By _____

Request for reasonable accommodations for disabilities or limitations should be made prior to the date of this meeting. You may contact the County Clerk at 715.539.1019. Please do so as early as possible so that proper arrangements can be made. Requests are kept confidential.

GENERAL REQUIREMENTS:

1. Must be held in a location which is reasonably accessible to the public.
2. Must be open to all members of the public unless the law specifically provides otherwise.

NOTICE REQUIREMENTS:

1. In addition to any requirements set forth below, notice must also be in compliance with any other specific statute.
2. Chief presiding officer or his/her designee must give notice to the official newspaper and to any members of the news media likely to give notice to the public.

MANNER OF NOTICE:

Date, time, place, and subject matter, including subject matter to be considered in a closed session, must be provided in a manner and form reasonably likely to give notice to the public.

TIME FOR NOTICE:

1. Normally, a minimum of 24 hours prior to the commencement of the meeting.
2. No less than 2 hours prior to the meeting if the presiding officer establishes there is a good cause that such notice is impossible or impractical.

EXEMPTIONS FOR COMMITTEES AND SUB-UNITS:

Legally constituted sub-units of a parent governmental body may conduct a meeting during the recess or immediately after the lawful meeting to act or deliberate upon a subject which was the subject of the meeting, provided the presiding officer publicly announces the time, place, and subject matter of the sub-unit meeting in advance of the meeting of the parent governmental body.

PROCEDURE FOR GOING INTO CLOSED SESSION:

1. Motion must be made, seconded, and carried by roll call majority vote and recorded in the minutes.
2. If motion is carried, chief presiding officer must advise those attending the meeting of the nature of the business to be conducted in the closed session, and the specific statutory exemption under which the closed session is authorized.

STATUTORY EXEMPTIONS UNDER WHICH CLOSED SESSIONS ARE PERMITTED:

1. Deliberation of judicial or quasi-judicial matters. Sec. 19.85(1)(a)
2. Considering dismissal, demotion, or discipline of any public employee or the investigation of charges against such person and the taking of formal action on any such matter; provided that the person is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action is taken. The person under consideration must be advised of his/her right that the evidentiary hearing be held in open session and the notice of the meeting must state the same. Sec. 19.85(1)(b).
3. Considering employment, promotion, compensation, or performance evaluation data of any public employee. Sec. 19.85(1)(c).
4. Considering strategy for crime detection or prevention. Sec. 19.85(1)(d).
5. Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session. Sec. 19.85(1)(e).
6. Considering financial, medical, social, or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of specific charges, which, if discussed in public would likely have an adverse effect on the reputation of the person referred to in such data. Sec. 19.85(1)(f).
7. Confering with legal counsel concerning strategy to be adopted by the governmental body with respect to litigation in which it is or is likely to become involved. Sec. 19.85(1)(g).
8. Considering a request for advice from any applicable ethics board. Sec. 19.85(1)(h).

CLOSED SESSION RESTRICTIONS:

1. Must convene in open session before going into closed session.
2. May not convene in open session, then convene in closed session and thereafter reconvene in open session with twelve (12) hours unless proper notice of this sequence was given at the same time and in the same manner as the original open meeting.
3. Final approval or ratification of a collective bargaining agreement may not be given in closed session.

BALLOTS, VOTES, AND RECORDS:

1. Secret ballot is not permitted except for the election of officers of the body or unless otherwise permitted by specific statutes.
2. Except as permitted above, any member may require that the vote of each member be ascertained and recorded.
3. Motions and roll call votes must be preserved in the record and be available for public inspection.

USE OF RECORDING EQUIPMENT:

The meeting may be recorded, filmed, or photographed, provided that it does not interfere with the conduct of the meeting or the rights of the participants.

LEGAL INTERPRETATION:

1. The Wisconsin Attorney General will give advice concerning the applicability or clarification of the Open Meeting Law upon request.
2. The municipal attorney will give advice concerning the applicability or clarification of the Open Meeting Law upon request.

PENALTY:

Upon conviction, any member of a governmental body who knowingly attends a meeting held in violation of Subchapter IV, Chapter 19, Wisconsin Statutes, or who otherwise violates the said law shall be subject to forfeiture of not less than \$25.00 nor more than \$300.00 for each violation.

Lincoln County Board of Supervisors

Meeting: December 21, 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 6:00 p.m.
2. Pledge of allegiance followed. Immediately following the pledge, Chair Koth announced that Supervisor Woller had recently lost her brother in a tragic house fire. Koth then asked for a moment of silence in honor of Woller's brother, William H. Ohlmann.
3. Roll was called with the following present (in person): Ashbeck, Bialecki, Callahan, Friske, Gilk, Gorski, Heller, Koth, Loka, McCrank, Panfil, Peterson, Rusch, Simon. (virtual) Allen, Breitenmoser, and Woller. (17) Excused: Hafeman, Nelson, and Voermans (3) Absent: Weaver and Wendt (2)
4. Announcements/Recognitions/Awards/Appointments
 - A. Announcements: None
 - B. Service Recognitions for December 2021:
 - 25 years: Amy Kohnhorst, Finance
 - 15 years: Travis Watruba, Sheriff's Office
 - Beckie Gennrich, Social Services
 - C. Appointments & Re-appointments: None
5. Approval of the Journal: M/S Heller/Panfil to approve the November 9, 2021 as presented. Motion carried by a voice vote.
6. A. Letters: None
B. Memorials: None
7. Reports of Standing & Special Committees:
 - A. Finance Committee: 2021 Year-to-Date Report – Finance Director (Dan Leydet) Leydet reviewed his report; there were no questions.
 - B. Administrative & Legislative Committee: Administrative Coordinator/HR Director's Written Report – Administrative Coordinator/HR Director (Cate Wylie) Wylie reviewed her report and answered questions.
 - C. 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 2021-12-53

Ordering County Clerk to Take Tax Deeds of the 2018 Sale

WHEREAS, sec 3.17, Lincoln County Code (Lincoln County Policy for Screening of Tax Delinquent Property for Possible Acquisition) requires the Property Evaluation Team inspect tax delinquent properties and report to the Finance & Insurance Committee its' recommendations; and

WHEREAS, the Finance & Insurance Committee has approved the acquisition of the tax deeds for parcels (as reflected on the attachment hereto) whose owner has not paid the delinquent taxes as of 12/21/2021 or whose owner does not now/hereafter comply with their County Clerk Payment Agreement terms; and

NOW, THEREFORE BE IT RESOLVED, subject to the above payment provisions, that the County Clerk be and is hereby ordered to take tax deeds from the tax delinquent properties itemized on the attachment hereto on the unredeemed tax certificates of the 2018 sale and also those of prior years, which have not been deeded to Lincoln County, pursuant to sec. 75.14, Wis. Stats., excepting that no tax deed will be taken for any description upon which the county already holds a good tax deed.

Dated this 21st day of December, 2021

Introduced by: Finance & Insurance Committee Committee Action: Passed 4-0

Sponsored By: Julie Allen, Norbert Ashbeck, Greta Rusch, and Eugene Simon

Fiscal Impact: \$ 241,248.63

M/S Bialecki/Ashbeck to adopt Resolution 2021-12-53. Daniel Fuszard owner of a tax delinquent property, on the list to take, located at 404 S Tomahawk Ave in the City of Tomahawk (Fuzzy's Auto LLC) spoke on his behalf. He explained his financial situation stating that he is a single parent in custody of his daughter and relies on his business as his only source of income. Mr. Fuszard asked for six more months to get his finances in

order. Discussion followed. M/S Simon/ to layover this resolution until January's board meeting. Discussion followed where Clerk Marlowe explained the significance of not recording the tax deeds this year. He estimated that this motion could cost the county approximately \$30,000. Simon rescinded his motion. M/S Gilk/Loka to amend the resolution to exclude Daniel Fuszard's property (Fuzzy's Auto LLC) for six (6) months. Supervisor Heller motioned to amend Gilk's motion to include that \$1,888.40 be paid by the end of the year. Discussion followed on whether Robert's Rules would allow Heller to amend the motion. Supervisors Gilk and Loka agreed to the additional language offered by Heller. Discussion again followed and the motion carried by a voice vote. It was agreed that the amendment to extend for six (6) months would expire if the \$1,888.40 is not paid by the end of the year. Daniel Fuszard also asked for more time on a property located at 204 S 2nd Street in the City of Tomahawk. Discussion followed. No extension was given on this property due to the fact Mr. Fuszard is not the owner of record. Moving on to other properties on the list, Chair Koth stated that David Dotter will have a check for \$2,500 by close of business on December 22nd and will then pay the balance shortly thereafter. Discussion followed. Clerk Marlowe added that he also heard from Charles Giese since the resolution was forwarded by the Finance Committee. Mr. Geise offered earnest money of \$7,200 by year end and would then begin a payment plan. Further discussion followed where it was determined that Clerk Marlowe does have the ability to act in favor of a delinquent tax owner, if in the best interest of the county, after the resolution is passed. It was agreed that no further amendments were needed. The question was called on the original motion. Motion to adopt with the amendment carried by a voice vote. (The list of properties can be viewed in the County Clerk's Office and on the Lincoln County Website).

2) Resolution 2021-12-54

ACCEPTING DONATION FOR LINCOLN COUNTY POLLINATOR GARDEN

WHEREAS, the Lincoln County Pollinator Garden was established around the Lincoln County Service Center in 2019 to decrease grounds maintenance costs while also combatting declining bee and butterfly populations; and WHEREAS, the Lincoln County Pollinator Garden has provided a positive community space for the residents of Lincoln County; and

WHEREAS, the Lincoln County Pollinator Garden has been used as a living classroom by Lincoln County Schools, UW-Master Gardeners, and other groups to conduct in-person and hands-on instruction about pollinators and prairie habitat; and

WHEREAS, the Land Services Department strives to continue enhancing learning opportunities that the Lincoln County Pollinator Garden provides to Lincoln County residents; and

WHEREAS, the ROCK ISLAND X-PRESS SNOWMOBILE CLUB has made a donation intended to help continue educational events provided by the Lincoln County Pollinator Garden.

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors accepts the \$200 for funding the Pollinator Garden Community and School educational events, as the donation requests.

Dated: December 9, 2021

Introduced by: Land Services Committee Endorsed by: Chris Heller, Bill Bialecki, Greta Rusch, Julie Allen,
Elizabeth McCrank and Hans Breitenmoser Date Passed: 12/9/21 Committee Vote: 6-0

Fiscal Impact: Receiving \$200 in funds to be used for expenses related to Pollinator Garden Community and School educational events.

M/S Heller/McCrank to adopt Resolution 2021-12-54. Motion carried by a voice vote.

3) Resolution 2021-12-55

ZONING BOARD OF ADJUSTMENT MEMBERS

WHEREAS, the Lincoln County Zoning Board of Adjustment (BOA) hears and decides on requests for variations from the dimensional regulations of the zoning ordinance. The BOA determines if the variance request will not be contrary to the public interest, are owing to special factors, and if literal enforcement of the provisions of the zoning ordinance would result in a practical difficulty or an unnecessary hardship ; and

WHEREAS, the BOA authorizes variances once they determine that the spirit of the zoning chapter is observed, public safety and welfare secured, and substantial justice done; as provided for by Wisconsin Statutes and applicable case law; and

WHEREAS, Section 17.8.12 - ZONING BOARD OF ADJUSTMENT of the Lincoln County Code establishes the BOA membership and membership number. Membership is approved through appointment made by the Chair of the County Board, according to procedures established under §59.694(10), Wis. Stats; and

WHEREAS, §59.694(2), Wis. Stats. states that for counties with a population of less than 750,000 the BOA shall consist of not more than 5 members and also provides the process for establishing the number of BOA members, specifically the reduction of BOA members below 5 but not less than 3; and
 WHEREAS, Lincoln County has had difficulty maintaining a membership of 5 members on the BOA, and did not have the desired designation within its membership for the 2 alternates provided for under §59.694(2), Wis. Stats; and

WHEREAS, the Land Services Committee approved a change in the aforementioned Lincoln County Code Section to provide for 3 members and 2 alternates to the BOA, and recommended the proposal be presented to the County Board for approval; and

WHEREAS, §59.694(2)(a), Wis. Stats., states that the BOA membership be "determined by resolution of the county board," thereby seemingly requiring both a resolution to the County Board as well as the change in Lincoln County Code Section 17.8.12, which contains the membership makeup for the BOA in Lincoln County; and

WHEREAS, the Lincoln County Land Services Committee distributed the proposed BOA membership reduction to the public and towns, received testimony at public hearing and is recommending to the County Board to amend the Lincoln County Zoning Ordinance to reduce the BOA membership, and

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors reduces the Lincoln County Board of Adjustment membership to 3 members and 2 alternate members.

Dated: December 21st, 2021

Introduced by: Land Services Committee Endorsed by: Chris Heller, Bill Bialecki, Greta Rusch, Julie Allen, Elizabeth McCrank and Hans Breitenmoser Date Passed: 12/9/21 Committee Vote: 6-0 Fiscal Impact: None

M/S Heller/Loka to adopt Resolution 2021-12-55. Motion carried by a voice vote.

4) Resolution 2021-12-56

Cancellation of County Checks

WHEREAS, it is in the business interest of Lincoln County that all County Checks be negotiated promptly, and

WHEREAS, the following checks have reached their expiration date,

NOW, THEREFORE BE IT RESOLVED, by the Lincoln County Board of Supervisors that the following checks be canceled and returned to the fund from which the check originated:

<u>DATE</u>	<u>CHECK #</u>	<u>NAME</u>	<u>AMOUNT</u>
08/2020	329188	JOYCE DORAVA	\$9.00
09/2020	329468	KATHY ECHTERLING	\$6.75
12/2020	330453	RENEE NIES	\$2.42
03/2021	331774	JOSE TABORA	\$2.54
04/2021	332128	AARON J NIEMAN	\$10.01
06/2021	332825	STEVEN WESTFALL	\$4.00
06/2021	332958	BRYAN PFORTMILLER	\$16.02
			<u>TOTAL \$ 50.74</u>

Dated: December 21, 2021

Introduced by: Finance Committee Endorsed by: Ashbeck, Rusch, Simon, Weaver

Committee Action: Passed unanimously by voice vote (4-0)

Fiscal Impact: Reduce expenses by: \$ 50.74

M/S Heller/Bialecki to adopt Resolution 2021-12-56. Motion carried by a voice vote.

5) Resolution 2021-12-57

Approving Conveyance of Delinquent Real Estate to the City of Tomahawk

NOW, THEREFORE BE IT RESOLVED, by the Lincoln County Board of Supervisors duly assembled this 21st day of December, 2021 that, upon Lincoln County obtaining title to the below-described property by tax deed, the following conveyance of real estate to be made by the County Clerk on behalf of Lincoln County be, and the same is hereby ratified, confirmed, and approved:

Purchaser	Description	Amount
City of Tomahawk	404 S. Tomahawk Ave	\$6,187.79

Lots One (1) and Two (2), in Block One (1) of Pride's Addition to the City of Tomahawk, Lincoln County, Wisconsin. PIN: 286-3406-032-0026

Dated: December 21, 2021

Introduced by: Forestry, Land and Parks Committee

Endorsed by: William Bialecki, Norbert Ashbeck, Don Friske, Judy Woller, and Timothy Panfil

Date Passed: December 13, 2021 Committee Vote: All Ayes Fiscal impact: \$ 6,187.79

M/S Heller/McCrank to adopt Resolution 2021-12-57. Clerk Marlowe explained that this sale is contingent on the county recording the tax deed first. Discussion followed. Motion carried by a voice vote.

6) Resolution 2021-12-58

Approving Conveyance of Delinquent Real Estate to the City of Merrill

NOW, THEREFORE BE IT RESOLVED, by the Lincoln County Board of Supervisors duly assembled this 21st day of December, 2021 that, upon Lincoln County obtaining title to the below-described properties by tax deed, the following conveyance of real estate to be made by the County Clerk on behalf of Lincoln County be, and the same is hereby ratified, confirmed, and approved:

Purchaser	Description	Amount
City of Merrill		
	607 Douglas St	\$ 398.56
	South One-half (S ½) of Lot Eight (8) Block Four (4) of J M Smith's Fourth Addition to Merrill, City of Merrill, Lincoln County, Wisconsin. PIN: 251-3106-111-0026	
	609 Douglas St	\$ 453.88
	North One-half (N 1/2) of Lot Eight (8) Block Four (4) of J M Smith's Fourth Addition to Merrill, City of Merrill, Lincoln County, Wisconsin. PIN: 251-3106-111-0027	
	405 N Genesee St	\$ 3,119.35
	Lot Three (3) Block Six (6), J M Smith's Addition to West Merrill, City of Merrill, Lincoln County, Wisconsin. PIN: 251-3106-113-0382	
	410 N Prospect St	\$ 2,208.06
	Lot Seven (7) Block Six (6) of J M Smith's Addition to West Merrill, City of Merrill, Lincoln County, Wisconsin. PIN: 251-3106-113-0386	
	405 E 7 th St	\$ 3,984.25
	Lots Six (6) and Seven (7) in Block Four (4) of J M Smith's Fourth Addition to Merrill, City of Merrill, Lincoln County, Wisconsin. PIN: 251-3106-111-0025	

Dated: December 21, 2021

Introduced by: Forestry, Land and Parks Committee

Endorsed by: William Bialecki, Norbert Ashbeck, Don Friske, Judy Woller, and Timothy Panfil

Date Passed: December 13, 2021 Committee Vote: All Ayes Fiscal impact: \$ 10,164.10

M/S Heller/Bialecki to adopt Resolution 2021-12-58. Motion carried by a voice vote.

7) Resolution 2021-12-59

Resolution Authorizing Lincoln County to Enter Into the Settlement Agreements with McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc., Agree to the Terms of the MOU

Allocating Settlement Proceeds, and Authorize Entry Into the MOU with the Attorney General

WHEREAS, in Resolution No. 2017-10-102, the County Board of Supervisors authorized the County to enter into an engagement agreement with von Briesen & Roper, S.C., Crueger Dickinson LLC and Simmons Hanly Conroy LLC (the "Law Firms") to pursue litigation against certain manufacturers, distributors, and retailers of opioid pharmaceuticals (the "Opioid Defendants") in an effort to hold the Opioid Defendants financially responsible for the County's expenditure of vast money and resources to combat the opioid epidemic;

WHEREAS, on behalf of the County, the Law Firms filed a lawsuit against the Opioid Defendants;

WHEREAS, the Law Firms filed similar lawsuits on behalf of 66 other Wisconsin counties and all Wisconsin cases were coordinated with thousands of other lawsuits filed against the same or substantially similar parties as the Opioid Defendants in the Northern District of Ohio, captioned *In re: Opioid Litigation*, MDL 2804 (the "Litigation");

WHEREAS, four (4) additional Wisconsin counties (Milwaukee, Dane, Waukesha, and Walworth) hired separate counsel and joined the Litigation;

WHEREAS, since the inception of the Litigation, the Law Firms have coordinated with counsel from around the country (including counsel for Milwaukee, Dane, Waukesha, and Walworth Counties) to prepare the County's case for trial and engage in extensive settlement discussions with the Opioid Defendants;

WHEREAS, the settlement discussions with McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. (the "Settling Defendants") resulted in a tentative agreement as to settlement terms pending agreement from the County and other plaintiffs involved in the Litigation;

WHEREAS, copies of the Distributors Settlement Agreement and Janssen Settlement Agreement (collectively "Settlement Agreements") representing the terms of the tentative settlement agreements with the Settling Defendants have been made available for review with this Resolution;

WHEREAS, the Settlement Agreements provide, among other things, for the payment of certain sums to Participating Subdivisions (as defined in the Settlement Agreements) upon the occurrence of certain events detailed in the Settlement Agreements;

WHEREAS, the County is a Participating Subdivision in the Settlement Agreements and has the opportunity to participate in the benefits associated with the Settlement Agreement provided the County (a) approves the Settlement Agreements; (b) approves the Memorandum of Understanding allocating proceeds from the Settlement Agreements among the various Wisconsin Participating Subdivisions, a copy of which is attached to this Resolution (the "Allocation MOU"); (c) approves the Memorandum of Understanding with the Wisconsin Attorney General regarding allocation of settlement proceeds, a copy of which is attached to this Resolution (the "AG MOU"); and (d) the Legislature's Joint Committee on Finance approves the terms of the Settlement Agreements and the AG MOU;

WHEREAS, 2021 Wisconsin Act 57 created § 165.12 of the Wisconsin Statutes relating to the settlement of all or part of the Litigation;

WHEREAS, pursuant to Wis. Stat. § 165.12(2), the Legislature's Joint Committee on Finance is required to approve the Settlement Agreements and the AG MOU;

WHEREAS, pursuant to Wis. Stat. § 165.12(2), the proceeds from any settlement of all or part of the Litigation are distributed 70% to local governments in Wisconsin that are parties to the Litigation and 30% to the State;

WHEREAS, Wis. Stat. § 165.12(4)(b)2. provides the proceeds from the Settlement Agreement must be deposited in a segregated account (the "Opioid Abatement Account") and may be expended only for approved uses for opioid abatement as provided in the Settlement Agreements;

WHEREAS, Wis. Stat. § 165.12(7) bars claims from any Wisconsin local government against the Opioid Defendants filed after June 1, 2021;

WHEREAS, the definition of Participating Subdivisions in the Settlement Agreements recognizes a statutory bar on claims such as that set forth in Wis. Stat. § 165.12(7) and, as a result, the only Participating Subdivisions in Wisconsin are those counties and municipalities that were parties to the Litigation (or otherwise actively litigating a claim against one, some, or all of the Opioid Defendants) as of June 1, 2021;

WHEREAS, the Legislature's Joint Committee on Finance is not statutorily authorized or required to approve the allocation of proceeds of the Settlement Agreements among Wisconsin Participating Subdivisions;

WHEREAS, the Law Firms have engaged in extensive discussions with counsel for all other Wisconsin Participating Subdivisions resulting in the proposed Allocation MOU, which is an agreement between all of the entities identified in the Allocation MOU as to how the proceeds payable to those entities under the Settlement Agreements will be allocated;

WHEREAS, there is provided with this Resolution an explanation of the essential terms of the Settlement Agreements, the deadlines related to the effective dates of the Settlement Agreements, the ramifications associated with the County's refusal to enter into the Settlement Agreements, the form of the Allocation MOU, the form of the AG MOU, and an overview of the process for finalizing the Settlement Agreements;

WHEREAS, the County, by this Resolution, shall establish the Opioid Abatement Account for the receipt of the proceeds of the Settlement Agreements consistent with the terms of this Resolution;

WHEREAS, the County's Opioid Abatement Account shall be separate from the County's general fund, shall not be commingled with any other County funds, and shall be dedicated to funding opioid abatement measures as provided in the Settlement Agreements;

WHEREAS, pursuant to the County's engagement agreement with the Law Firms, the County shall pay up to an amount equal to 25% of the proceeds from successful resolution of all or part of the Litigation, whether through settlement or otherwise, plus the Law Firms' costs and disbursements, to the Law Firms as compensation for the Law Firms' efforts in the Litigation and any settlement;

WHEREAS, the Law Firms anticipate making application to the national fee fund established in the Settlement Agreements seeking payment, in whole or part, of the fees, costs, and disbursements owed the Law Firms pursuant to the engagement agreement with the County;

WHEREAS, it is anticipated the amount of any award from the fee fund established in the Settlement Agreements will be insufficient to satisfy the County's obligations under the engagement agreement with the Law Firms;

WHEREAS, the County, by this Resolution, and pursuant to the authority granted the County in the applicable Order emanating from the Litigation in relation to the Settlement Agreements and payment of attorney fees, shall execute an Escrow Agreement, which shall among other things direct the escrow agent responsible for the receipt and distribution of the proceeds from the Settlement Agreements to establish an account for the purpose of segregating funds to pay the fees, costs, and disbursements of the Law Firms owed by the County (the "Attorney Fees Account") in order to fund a state-level "backstop" for payment of the fees, costs, and disbursements of the Law Firms;

WHEREAS, in no event shall payments to the Law Firms out of the Attorney Fees Account and the fee fund established in the Settlement Agreements exceed an amount equal to 25% of the amounts allocated to the County in the Allocation MOU;

WHEREAS, the intent of this Resolution is to authorize the County to enter into the Settlement Agreements, the Allocation MOU, and the AG MOU including authorizing the Board Chair to sign all settlement documents including the Settlement Participation Forms, establish the County's Opioid Abatement Account, and establish the Attorney Fees Account; and

WHEREAS, the County, by this Resolution, shall also authorize its Corporation Counsel to negotiate and finalize any escrow agreement, and further authorize the Board Chair to execute such escrow agreement and other document or agreement necessary to effectuate the Settlement Agreements and the other agreements referenced herein;

NOW, THEREFORE, BE IT RESOLVED: the County Board of Supervisors hereby approves:

1. The execution of the Distributors Settlement Agreement and any and all documents ancillary thereto, including the Settlement Participation Form, and authorizes the Board Chair to execute same.
2. The execution of the Janssen Settlement Agreement and any and all documents ancillary thereto, including the Settlement Participation Form, and authorizes the Board Chair to execute same.
3. The final negotiation and execution of the Allocation MOU in form substantially similar to that presented with this Resolution and any and all documents ancillary thereto and authorizes the Board Chair to execute the same upon finalization provided the percentage share identified as allocated to the County is substantially similar to that identified in the Allocation MOU provided to the Board with this Resolution.
4. The final negotiation and execution of the AG MOU in form substantially similar to that presented with this Resolution and any and all documents ancillary thereto and authorizes the Board Chair to execute same.
5. The Corporation Counsel's negotiation and the Board Chair's execution of the Escrow Agreement for the receipt and disbursement of the proceeds of the Settlement Agreements as referenced in the Allocation MOU.

BE IT FURTHER RESOLVED: the County hereby authorizes the establishment of an account separate and distinct from the County's general fund which shall be titled "Opioid Abatement Account." All proceeds from the Settlement Agreements not otherwise directed to the Attorney Fees Account established under the Escrow Agreement shall be deposited in the Opioid Abatement Account. The Opioid Abatement Account shall be administered consistent with the terms of this Resolution, Wis. Stat. § 165.12(4), and the Settlement Agreements.

BE IT FURTHER RESOLVED: the County hereby authorizes the escrow agent under the Escrow Agreement to establish an account separate and distinct from any account containing funds allocated or allocable to the County which shall be referred to by the County as the "Attorney Fees Account." The escrow agent shall deposit

a sum equal to, but in no event exceeding, an amount equal to 25% of the County's proceeds from the Settlement Agreements into the Attorney Fees Account. If the payments to the County are not enough to fully fund the Attorney Fees Account as provided herein because such payments are made over time, the Attorney Fees Account shall be funded by placing up to, but in no event exceeding, an amount equal to 25% of a Local Government's allocated share in the Attorney Fees Account for each payment. Funds in the Attorney Fees Account shall be utilized to pay the fees, costs, and disbursements owed the Law Firms pursuant to the engagement agreement between the County and the Law Firms provided, however, the Law Firms shall receive no more than 25% of the proceeds of the Settlement Agreements when considering the amounts paid the Law Firms from the fee fund established in the Settlement Agreements and allocable to the County. The Law Firms may make application for payment from the Attorney Fees Account at any time and the County shall cooperate with the Law Firms in executing any documents necessary for the escrow agent to make payments out of the Attorney Fees Account.

BE IT FURTHER RESOLVED that all actions heretofore taken by the Board of Supervisors and other appropriate public officers and agents of the County with respect to the matters contemplated under this Resolution are hereby ratified, confirmed and approved.

Dated: December 21, 2021

Introduced by: A&L Committee Endorsed by: Allen, Breitenmoser, Friske, Gilk, Koth, Rusch

Date Passed: 12/1/21 Committee Vote: 6-0 Fiscal Impact: TBD

M/S Friske/Heller to adopt Resolution 2021-12-59. Corporation Counsel Johnson explained this resolution and answered questions. Discussion followed. Motion carried by a voice vote. (Supporting documents can be viewed at the Corporation Counsel Office, County Clerk's Office, and on the Lincoln County Website.)

8) Resolution 2021-12-60

Designation of Public Depositories

WHEREAS, provisions in Chapter 34 and Chapter 59 of Wisconsin Statutes require that counties designate public depositories;

NOW, THEREFORE BE IT RESOLVED, that the following banking institutions shall be and are hereby designated, until further action, as public depositories for all public monies coming into the hands of the Treasurer of Lincoln County, State of Wisconsin:

- Associated Bank, Tomahawk, WI 54487
- mBank, Merrill, WI 54452
- BMO Harris Bank, Merrill, WI 54452
- IncredibleBank, Merrill, WI 54452
- Park City Credit Union, Merrill, WI 54452
- Merrill Community Bank, Merrill, WI 54452
- State Investment Pool, Madison, WI 53707
- Tomahawk Community Bank, Tomahawk, WI 54487
- Huntington Bank, Chicago, IL 60601
- American Deposit Management, LLC, Delafield, WI 53018
- U.S. Bank, Madison, WI 53703
- PMA Financial Network, Inc.

NOW, THEREFORE BE IT ALSO RESOLVED, that the list of bank accounts on the accompanying schedule be approved for use by Lincoln County.

Dated this 21st day of December 2021.

Introduced by: Finance and Insurance Committee Committee Action: Passed unanimously (4-0) on December 3, 2021. Endorsed By: Simon, Ashbeck, Weaver, and Rusch Fiscal Impact: N/A

M/S Loka/Heller to adopt Resolution 2021-12-60. Motion carried by a voice vote. (Supporting document can be viewed at the Finance Department, County Clerk's Office, and on the Lincoln County Website.)

9) Resolution 2021-12-61

Lincoln Industries Office Relocated to Pine Crest 700 Wing

WHEREAS, Lincoln County has contracted with North Central Health Care (NCHC) for the administration and management of Lincoln Industries programs. Changes in the support and structure of State funded programming has impacted Lincoln Industries services. Current participants of Adult Day services have been relocated to St. Stephens Church, and pre-vocational program is now a community based. Only the administrative offices remain at the Memorial Drive, Merrill location; and

WHEREAS, Pine Crest Nursing Home has vacant space in the 700 wing due to a change in census and bed licensing. NCHC is also contracted for the administration and management of Pine Crest Nursing Home and recommends relocating Lincoln Industries administrative offices to the Pine Crest location for organizational efficiency and cost savings; and

WHEREAS, said relocation of Lincoln Industries staff office would require no structural changes to the Pine Crest building.

NOW, THEREFORE BE IT RESOLVED, Lincoln County Board of Supervisors approves the relocation of Lincoln Industries staff office to Pine Crest Nursing Home.

Dated: December 21, 2021

Introduced by: A&L Committee Endorsed by: A&L Committee Date Passed: 12/16/2021

Committee Vote: unanimous (5-0) Endorsed By: Breitenmoser, Friske, Gilk Koth, and Weaver Fiscal

Impact: None

M/S Heller/Gilk to adopt Resolution 2021-12-61. Administrative Coordinator Wylie explained the resolution. Supervisor Friske unanimous consent request to add committee members names on Resolutions 2021-12-61 and 2021-12-62. No objections. Motion carried by a voice vote.

10) Resolution 2021-12-62

North Central Health Care Short Term Contract For Use of Vacant Pine Crest beds

WHEREAS, North Central Health Care (NCHC) requests the approval to enter into a short term (8 week) contract with area hospitals to address skilled nursing care needs for COVID-free patients; and

WHEREAS, the contract would be managed and governed through Healthcare Emergency Response Commission (HERC) and Department of Health Services (DHS). Additional staff would be contracted through the Wisconsin Emergency Assistance Volunteer Registry (WEAVR) to support this endeavor. Pine Crest would only accept referrals from local Aspirus and Marshfield facilities and would not supplant any resident in need of nursing home care; and

WHEREAS, the State would cover 60% of the costs and NCHC would cover the 40% remaining. The return on investments would be favorable, with an expected increase in revenue for Pine Crest; and

WHEREAS, entering into this short term contract would be an opportunity to support the residents of Lincoln County during the ongoing pandemic.

NOW, THEREFORE BE IT RESOLVED, Lincoln County Board of Supervisors supports this short term contract opportunity and the use of Pine Crest Nursing Home facility for the purposes of supporting local hospital facilities in need of skilled nursing facilities.

Dated: December 21, 2021

Introduced by: A&L Committee Endorsed by: A&L Committee Date Passed: 12/16/2021

Committee Vote: unanimous (5-0) Endorsed By: Breitenmoser, Friske, Gilk Koth, and Weaver

Fiscal Impact: None

M/S Heller/McCrank to adopt Resolution 2021-12-62. Administrative Coordinator Wylie explained the resolution and answered questions. Motion carried by a voice vote.

B.1) Ordinance 2021-12-709

Chapter 17 –Zoning Code (Zoning Board of Adjustment Members).

An Ordinance Amending the General Code of the County of Lincoln Chapter 17 –Zoning Code (Zoning Board of Adjustment Members).

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

This ordinance shall take effect following its passage and publication.

Dated this 21nd day of December, 2021

Introduced by: Land Services Committee

Endorsed by: Bialecki, Heller, McCrank, Rusch, and Wendt

Date Passed: November 11, 2021

Committee Vote: 5-0 Fiscal Impact: None

M/S Heller/McCrank to adopt Ordinance 2021-12-709. Land Services Administrator Huth explained the Ordinance. Motion carried by a voice vote.

2) Ordinance 2021-12-710

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, Sections 2.04 and 2.05, be amended as indicated in the attachment.

This ordinance shall take effect following its passage and publication.

Dated: December 21, 2021

Introduced by: A&L Committee

Endorsed by: Allen, Breitenmoser, Friske, Gilk, Koth, Rusch

Date Passed: 12/1/21

Committee Vote: 6-0 Fiscal Impact: None

M/S Heller/Koth to adopt Ordinance 2021-12-710. Corporation Counsel Johnson explained the Ordinance and answered questions. Discussion followed. M/S Peterson/Friske to amend to exclude the word "guidance" from line 2 of (11) (1)(b). Discussion followed. Roll call was asked for on the amendment: Aye's: Bialecki, Friske, Heller, Loka, Peterson, and Simon (6); Nay's: Allen, Ashbeck, Breitenmoser, Gilk, Gorski, Koth, McCrank, Panfil, Rusch, and Woller (10). Motion was defeated 10 – 6. Original motion carried by a voice vote.

9. Reports of Claims: None.

10. M/S Heller/Peterson to approve the mileage and per diem for this meeting. Motion carried by a voice vote.

11. Next County Board Meeting: Tuesday, January 18, 2022, at 6:00 p.m., at the Lincoln County Service Center, 801 N Sales Street, Room 257, Merrill, WI 54452

12. M/S Heller/Loka to adjourn. Motion carried by a voice vote. Meeting adjourned at 7:31 p.m.

STATE OF WISCONSIN)

) SS

COUNTY OF LINCOLN)

I, Christopher J Marlowe, County Clerk in and for said 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, December 21, 2021

Christopher J Marlowe, County Clerk

In Memoriam

RESOLVED

BY

The County Board of Supervisors

of

LINCOLN COUNTY

WHEREAS, The Almighty God in His infinite wisdom has removed from our midst by death, one of our most esteemed and respected members.

Ewald Katke

THEREFORE, BE IT RESOLVED, that we as members of the Lincoln County Board of Supervisors deplore this untimely death and consequent absence from our community.

BE IT FURTHER RESOLVED, that we extend to Ewald's bereaved family our sincere sympathy.



02/03/2022 14:33
dan.leydet

LINCOLN COUNTY
YEAR-TO-DATE BUDGET REPORT
JANUARY 2022 EXPENDITURE REPORT

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JOURNAL DETAIL 2022 1 TO 2022 1

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
0010 GENERAL FUND							
00 NON-DEPARTMENTAL	832,814	832,814	271,244.76	271,244.76	.00	561,569.24	32.6%
10 COUNTY BOARD	2,467,457	2,467,457	127,509.66	127,509.66	.00	2,339,947.34	5.2%
20 ADMINISTRATIVE PERSONNEL	211,792	211,792	11,486.20	11,486.20	.00	200,305.80	5.4%
21 CORPORATION COUNSEL	197,559	197,559	8,362.93	8,362.93	.00	189,196.07	4.2%
22 FINANCE DEPARTMENT	505,507	505,507	29,663.58	29,663.58	.00	475,843.42	5.9%
23 COUNTY CLERK	225,492	225,492	9,740.10	9,740.10	.00	215,751.90	4.3%
24 TREASURERS DEPARTMENT	192,960	192,960	10,232.26	10,232.26	.00	182,727.74	5.3%
25 INFORMATION TECHNOLOGY	828,327	828,327	52,045.99	52,045.99	.00	776,281.01	6.3%
26 MAINTENANCE DEPARTMENT	2,042,108	2,042,108	82,918.29	82,918.29	.00	1,959,189.71	4.1%
27 VETERANS DEPARTMENT	195,253	195,253	17,142.83	17,142.83	.00	178,110.17	8.8%
30 CLERK OF COURTS	518,115	518,115	32,526.71	32,526.71	.00	485,588.29	6.3%
31 CIRCUIT COURT (PROBATE)	363,993	363,993	18,836.76	18,836.76	.00	345,156.24	5.2%
32 FAMILY COURT COMMISSIONER	46,510	46,510	134.27	134.27	.00	46,375.73	.3%
33 DISTRICT ATTORNEYS OFFICE	304,968	304,968	16,623.56	16,623.56	.00	288,344.44	5.5%
41 LAND SERVICES DEPARTMENT	1,487,932	1,487,932	96,443.58	96,443.58	.00	1,391,488.42	6.5%
43 REGISTER OF DEEDS	265,911	265,911	14,879.00	14,879.00	.00	251,032.00	5.6%
44 UW EXTENSION	215,983	215,983	14,552.08	14,552.08	.00	201,430.92	6.7%
50 SHERIFFS DEPARTMENT	8,412,964	8,412,964	504,654.20	504,654.20	.00	7,908,309.80	6.0%
51 CORONERS DEPARTMENT	74,714	74,714	1,160.74	1,160.74	.00	73,553.26	1.6%
52 EMERGENCY MANAGEMENT	72,531	72,531	2,428.15	2,428.15	.00	70,102.85	3.3%
60 CHILD SUPPORT	284,654	284,654	16,166.69	16,166.69	.00	268,487.31	5.7%
TOTAL GENERAL FUND	19,747,544	19,747,544	1,338,752.34	1,338,752.34	.00	18,408,791.66	6.8%
0020 COUNTY ROADS FUND							
00 NON-DEPARTMENTAL	5,220,936	5,220,936	.00	.00	.00	5,220,936.00	.0%
TOTAL COUNTY ROADS FUND	5,220,936	5,220,936	.00	.00	.00	5,220,936.00	.0%
0021 JAIL ASSESSMENT FUND							
00 NON-DEPARTMENTAL	35,000	35,000	.00	.00	.00	35,000.00	.0%
TOTAL JAIL ASSESSMENT FUND	35,000	35,000	.00	.00	.00	35,000.00	.0%
0022 EMERGENCY MEDICAL FUND							



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LINCOLN COUNTY
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JOURNAL DETAIL 2022 1 TO 2022 1

0022	EMERGENCY MEDICAL FUND	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
00	NON-DEPARTMENTAL	2,335,306	2,335,306	20,712.93	20,712.93	.00	2,314,593.07	.9%
	TOTAL EMERGENCY MEDICAL FUND	2,335,306	2,335,306	20,712.93	20,712.93	.00	2,314,593.07	.9%
<hr/>								
0023	HEALTH DEPARTMENT FUND							
00	NON-DEPARTMENTAL	1,151,914	1,151,914	77,028.04	77,028.04	.00	1,074,885.96	6.7%
	TOTAL HEALTH DEPARTMENT FUND	1,151,914	1,151,914	77,028.04	77,028.04	.00	1,074,885.96	6.7%
<hr/>								
0024	SOCIAL SERVICES FUND							
00	NON-DEPARTMENTAL	2,871,353	2,871,353	129,153.90	129,153.90	.00	2,742,199.10	4.5%
	TOTAL SOCIAL SERVICES FUND	2,871,353	2,871,353	129,153.90	129,153.90	.00	2,742,199.10	4.5%
<hr/>								
0030	DEBT SERVICE FUND							
00	NON-DEPARTMENTAL	1,619,700	1,619,700	.00	.00	.00	1,619,700.00	.0%
	TOTAL DEBT SERVICE FUND	1,619,700	1,619,700	.00	.00	.00	1,619,700.00	.0%
<hr/>								
0050	DOG LICENSE FUND							
00	NON-DEPARTMENTAL	28,000	28,000	.00	.00	.00	28,000.00	.0%
	TOTAL DOG LICENSE FUND	28,000	28,000	.00	.00	.00	28,000.00	.0%
<hr/>								
0060	SOLID WASTE FUND							
00	NON-DEPARTMENTAL	2,464,827	2,464,827	30,816.87	30,816.87	.00	2,434,010.13	1.3%
	TOTAL SOLID WASTE FUND	2,464,827	2,464,827	30,816.87	30,816.87	.00	2,434,010.13	1.3%
<hr/>								
0062	FORESTRY							



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LINCOLN COUNTY
YEAR-TO-DATE BUDGET REPORT
JANUARY 2022 EXPENDITURE REPORT

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JOURNAL DETAIL 2022 1 TO 2022 1

0062	FORESTRY	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
00	NON-DEPARTMENTAL	1,519,893	1,519,893	103,480.78	103,480.78	.00	1,416,412.22	6.8%
	TOTAL FORESTRY	1,519,893	1,519,893	103,480.78	103,480.78	.00	1,416,412.22	6.8%
0070 HIGHWAY FUND								
00	NON-DEPARTMENTAL	8,965,180	8,965,180	247,152.72	247,152.72	.00	8,718,027.28	2.8%
	TOTAL HIGHWAY FUND	8,965,180	8,965,180	247,152.72	247,152.72	.00	8,718,027.28	2.8%
0071 SELF FUNDED HEALTH INSURANCE								
00	NON-DEPARTMENTAL	0	0	44,405.73	44,405.73	.00	-44,405.73	100.0%
	TOTAL SELF FUNDED HEALTH INSURANC	0	0	44,405.73	44,405.73	.00	-44,405.73	100.0%
GRAND TOTAL		45,959,653	45,959,653	1,991,503.31	1,991,503.31	.00	43,968,149.69	4.3%

** END OF REPORT - Generated by Dan Leydet **



LINCOLN COUNTY

ADMINISTRATION DEPARTMENT

Cate Wylie

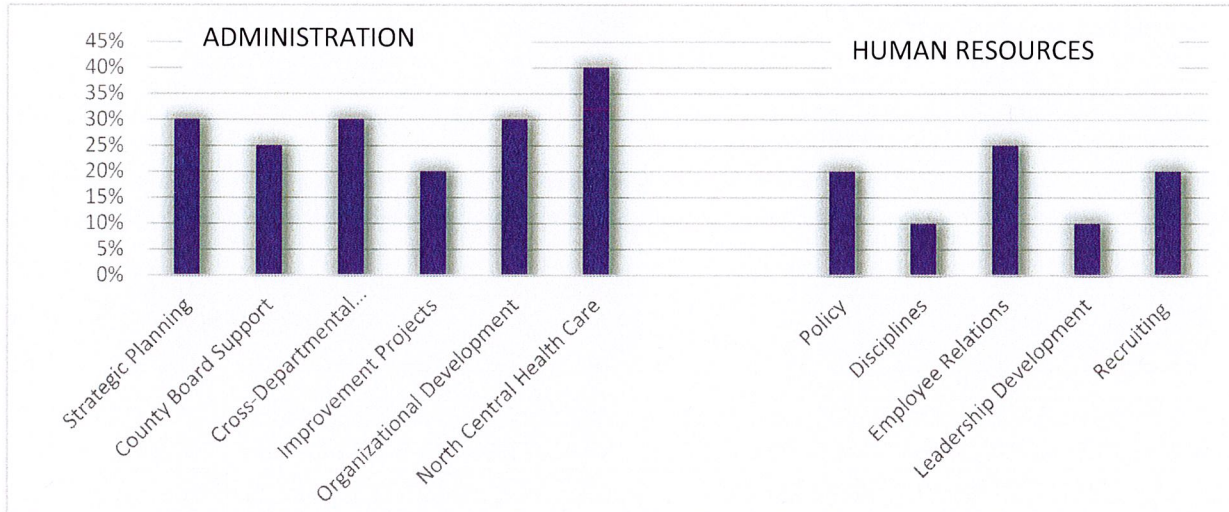
Administrative Coordinator

Human Resources Director



Administrative Coordinator/ HR Director Report

February 2, 2022



ADMINISTRATIVE REPORT

North Central Health Care

- Final Draft of the Tri-County Agreement
- Resignation of the CFO/Interim CEO
- Pine Crest Safety Drills

Collective Bargaining:

- Report in closed session

Inter-Departmental Collaboration:

- Safety Training for 2022 (Highway, Solid Waste, Maintenance, Forestry, and Land)
- Assessment of Highway Departmental
 - Wage
 - Organizational structure



LINCOLN COUNTY

ADMINISTRATION DEPARTMENT

Cate Wylie

Administrative Coordinator

Human Resources Director



Administration:

- ARPA Final Rule
- CMS Final Rule - vaccination mandates
- WCA/WECA – Legislative Event, Madison, WI on February 7-9, 2022

HUMAN RESOURCES REPORT

HR Department:

- On Boarding Charli Krause

Open Positions Updates:

- Correctional Officer – accepting applications
- IT Systems Admin – accepting applications
- LTE COVID Response Assistant – offer accepted
- Public Health Intern – accepting applications
- COVID Response Coordinator – accepting applications
- Deputy Sheriff – accepting applications



Lincoln County Corporation Counsel

Karry A. Johnson
 Corporation Counsel
 715/539-1015
karry.johnson@co.lincoln.wi.us

Lincoln County Service Center
 801 N. Sales Street, Suite 207
 Merrill, WI 54452
 Fax: 715/539-8053

ACTIVITY REPORT

12/27/21 – 01/23/22

<u>Department/Committee</u>	<u>Hours</u>	<u>Subject Matter</u>
A&L	7.0	Prepare reports for committee; review packet; Attend meeting
Admin	18.75	CLE; WCA meetings; leadership huddles; collective bargaining; Rev legislative updates;
Child Support	9.0	Case prep and attend hearings; pleading review/approval; 2022 Cooperative Agr;
Clerk of Courts		
County Board	13.5	Opioid Lit updates: ARPA; Municode update; Broadband Committee Qs, structure; WCA web series Cty Bd Rules
County Clerk	2.5	Tax deed group meeting, updates, bankruptcy; ins/claims; tax deed resolutions for CB, IRS liens; Tutor eviction; Fuzzy's
Emergency Management	2.0	Code updates; Qs re: Hazmat plans, OR
Finance		
Forestry	12.0	Tax deeds, Tutor eviction; Code revisions Ch 16 & 19; ATV Ks; carbon credits; Septic RFP; Cty Z pre-demo bids;
Health		Enforcement of LHO orders
Hwy		
IT		
Land Services	10.0	Viols/court dates; LSC mtg; draft contracts for ROD, PLSS projects; Sign ord; MOV Cost Share Ks; Town Russell/garage
Law Enforcement/EMS/Judicial	8.25	Ambulance Ks, review/revise/consults; Prep/review for committee mtg, attend mtg; Aegis/Liab re: Amb Ks;
Maintenance		
Personnel		
Pine Crest/NCHC	2.0	Medicare revalidation for PC, letter request from NCHC re: County resp; Request for revisions
Probate/Courts		
Public Property		
Register of Deeds		
Sheriff	4.75	Harrison Tower; RFP re: rec officer boat; OR/Monfils request; Intv req/investigation; Rabies training/Humane Society;
Social Services	30.25	Prep/file new GN matters; TPR matters/SB; CAN appeals; SW Cert issues/DSPS; Ch 938 Reimb docs; ICWA research/new GN
Solid Waste		
Treasurer	3.5	Tax deed/bkrpty Qs;
UW Ext		
Veterans Service		
Totals	123.5	



Lincoln County Corporation Counsel

Karry A. Johnson

Corporation Counsel

715/539-1015

karry.johnson@co.lincoln.wi.us

Lincoln County Service Center

801 N. Sales Street, Suite 207

Merrill, WI 54452

Fax: 715/539-8053

Corporation Counsel Report: 02/02/2022

Legal Work Update

- Child support
- Enforcement (POWTS, zoning)
- Social Services (CAN/DHA appeals, GNs)
- Tax Deed/Eviction

Opioid Litigation Update

- Completed/Remains to be Completed
- Others Outstanding
- Use of Funds

Other

- Code updates
- Committee Structure/Ordinance update?

Resolution 2022-02-01

Resolution Accepting \$10,000 from Aspirus Good Samaritan Hospital and \$3,006 from Merrill Area United Way

WHEREAS, the Healthy Minds for Lincoln County, brings the community together to empower people through education and resources to support healthy choices regarding substances and social and emotional well-being.; and

WHEREAS, the Healthy Minds for Lincoln County is currently co-chaired by Debbie Moellendorf, UW-Madison Division of Extension and Kristin Bath, Health Department; and

WHEREAS, the Healthy Minds Coalition is combining the Small Talks campaign developed by the Wisconsin Department of Health Services, along with a local social norms message and promotion of the Parent Pact as a way to provide parents, caregivers and other adults with resources for talking with youth about the risks associated with alcohol and other substances; and

WHEREAS, a donation of \$10,000 from Aspirus Good Samaritan Hospital has been received towards the cost of this campaign; and

WHEREAS, a donation of \$3,006 from Merrill Area United Way has been received towards the cost of this campaign; and

NOW, THEREFORE BE IT RESOLVED that the Lincoln County Board of Supervisors accepts and expresses gratitude for the \$10,000 donation from Aspirus Good Samaritan Hospital and \$3,006 from Merrill Area United Way on behalf of the Healthy Minds for Lincoln County who is responsible for implementing this project.

Dated: February 15, 2022

Introduced by: Administrative and Legislative Committee

Date Passed: January 5, 2022

Committee Vote: 5-0

Endorsed by Administrative & Legislative Committee members present (Hans Breitenmoser, Don Friske, Paul Gilk, Kevin Koth, Greta Rusch)

Fiscal Impact: Receiving \$13,006 towards implementation of project identified above.

Drafted by: Art Lersch, Area Extension Director Langlade, Lincoln, Taylor and Price Counties

Motion by:				
Second by:				
Dist.	Supervisor	Y	N	Abs
19	Allen			
6	Ashbeck			
1	Bialecki			
11	Breitenmoser			
13	Callahan			
9	Friske			
12	Gilk			
20	Gorski			
14	Hafeman			
8	Heller			
17	Koth			
16	Loka			
3	McCrank			
15	Nelson			
22	Panfil			
5	Peterson			
7	Rusch			
21	Simon			
18	Voermans			
2	Weaver			
4	Wendt			
10	Woller			
Totals				
Carried				
Defeated				
Amended				
Voice vote				
Roll call				

STATE OF WISCONSIN)
) SS:
 COUNTY OF LINCOLN)

I hereby certify that this resolution/ordinance is a true and correct copy of a resolution/ordinance adopted by Lincoln County Board of Supervisors on:

 Christopher J. Marlowe
 County Clerk

Resolution 2022-02-02

Resolution Accepting Donations for 2021-22 After the Bell Program

Motion by:				
Second by:				
Dist.	Supervisor	Y	N	Abs
19	Allen			
6	Ashbeck			
1	Bialecki			
11	Breitenmoser			
13	Callahan			
9	Friske			
12	Gilk			
20	Gorski			
14	Hafeman			
8	Heller			
17	Koth			
16	Loka			
3	McCrank			
15	Nelson			
22	Panfil			
5	Peterson			
7	Rusch			
21	Simon			
18	Voermans			
2	Weaver			
4	Wendt			
10	Woller			
Totals				
Carried				
Defeated				
Amended				
Voice vote				
Roll call				

WHEREAS, the After the Bell program has provided a positive place for over 675 different middle school age youth to engage in positive educational opportunities after school for the past sixteen years; and

WHEREAS, Holly Luerssen, 4-H Educator and Debbie Moellendorf, Positive Youth Development and Health and Well Being Educator with UW-Madison Division of Extension Lincoln County provide leadership for the development and implementation of this program; and

WHEREAS, the following individuals, businesses and organizations have made donations to the 2021-22 After the Bell program:

- Howard Drebenstedt
- Knights of Columbus
- St. Paul’s Ladies Aid (second donation)
- T.B. Scott Library Staff

NOW, THEREFORE BE IT RESOLVED that the Lincoln County Board of Supervisors accepts the \$730 for staffing, snack and other program supplies needed to implement the After the Bell program.

Dated: February 15, 2022

Introduced by: Administrative and Legislative Committee

Date Passed: January 5, 2022

Committee Vote: 5-0

Endorsed by Administrative & Legislative Committee members present (Hans Breitenmoser, Don Friske, Paul Gilk, Kevin Koth, Greta Rusch)

Fiscal Impact: Receiving \$730 in funds for staff, snack and other program supplies for the After the Bell program.

Drafted by: Art Lersch, Area Extension Director for Langlade, Lincoln, Taylor and Price Counties

STATE OF WISCONSIN)
) SS:
 COUNTY OF LINCOLN)

I hereby certify that this resolution/ordinance is a true and correct copy of a resolution/ordinance adopted by Lincoln County Board of Supervisors on:

 Christopher J. Marlowe
 County Clerk

Motion by:				
Second by:				
Dist.	Supervisor	Y	N	Abs
19	Allen			
6	Ashbeck			
1	Bialecki			
11	Breitenmoser			
13	Callahan			
9	Friske			
12	Gilk			
20	Gorski			
14	Hafeman			
8	Heller			
17	Koth			
15	Nelson			
16	Loka			
3	McCrank			
22	Panfil			
5	Peterson			
7	Rusch			
21	Simon			
18	Voermans			
2	Weaver			
4	Wendt			
10	Woller			
Totals				
Carried				
Defeated				
Amended				
Voice vote				
Roll call				

APPROVE THE 2021 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 2021 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 2021 Lincoln County Forest Annual Report.

AND BE IT FURTHER RESOLVED, that the 2021 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: This 15th day of February, 2022.

Introduced by: Forestry, Land, and Parks Committee
 Endorsed by: Timothy Panfil, Norbert Ashbeck, Don Friske, and Judy Woller
 Date Passed: January 17, 2022 Committee Vote: All Ayes
 Fiscal Impact: None

Drafted by: Dean Bowe, Forest Administrator

STATE OF WISCONSIN)
) SS:
 COUNTY OF LINCOLN)

I hereby certify that this resolution/ordinance is a true and correct copy of a resolution/ordinance adopted by the Lincoln County Board of Supervisors on:

 Christopher J. Marlowe
 County Clerk

LINCOLN COUNTY FORESTRY, LAND AND PARKS DEPARTMENT

To the Honorable Board of Supervisors
Lincoln County, Wisconsin

The following is a report of the various activities of the Lincoln County Forestry, Land and Parks Department from January 1, 2021 through December 31, 2021.

OUR 2021 COUNTY FOREST consists of 100,843.05 acres.

2021 TIMBER SALES REVENUE TOTALED \$2,139,037.67. This revenue is distributed as follows: \$213,827.64 to Townships with County Forest Lands; \$427,654.96 to the County General Fund; and \$1,497,555.07 to the County Forestry Fund. Any unused budgeted funds and surplus revenues are transferred to the County CIP Program after the annual audit is completed. 2021 saw an increase in timber sale revenue over the 2020 total. Contractors worked to complete older jobs with higher stumpage than they are bidding now. With the Verso Mill in Wisconsin Rapids still closed, the demand for wood has declined significantly and stumpage prices will reflect that going forward.

DURING THE YEAR, 35 TIMBER SALES WERE SOLD with an estimated value of \$1,703,429.15.

Twelve BOUGH PERMITS WERE ISSUED @ \$100.00 per permit = \$1,200.00.

GRANT REVENUES administered by the Forestry, Land & Parks Department during 2021 totaled \$360,149.29. Of this amount, \$18,727.24 is required in cost sharing by Lincoln County.

REVENUE FROM WOOD SALES, BIOMASS AND FIREWOOD PERMITS TOTALED \$1,874.16. Six wood sales (\$746.00), two biomass sales (\$438.16), and thirty nine 30-day firewood permits (\$585.00) were issued. Seven firewood permits (\$105.00) were extended.

TREE PLANTING/SITE PREP:

9,000 2-0 red pine seedlings were planted by a contracted crew to fill in a site initially planted in 2019. Lincoln County was awarded a two-year Sustainable Forestry grant for \$54,750.00 by the Department of Natural Resources to clear 40 acres of dying jack pine, site prep and herbicide the site for replanting. The removal of trees and clearing the site for this project was completed in 2021 at a cost of \$39,200.00.

TIMBER STAND IMPROVEMENT (TSI):

Approximately 503 acres of aspen release was completed in aspen regeneration areas by logging contractors as a requirement of their timber sale contract.

Approximately 42 acres of red maple release was completed in red maple regeneration areas by logging contractors as a requirement of their timber sale contract.

Approximately 10 acres of red pine were mechanically released by the Lincoln County shop crew.

SURVEYING: All of the surveying done in 2021 was in conjunction with the Lincoln County Surveyor.

In Section 12 of T35N R8E, T-style fence posts were placed at various points along County Forest property boundary for the east line of the NE1/4 totaling approximately 1/4 mile of boundary.

In Section 31 of T35N R4E, T-style fence posts were placed at various points along County Forest property boundary for the north line of the NW1/4 totaling approximately 1/2 mile of boundary.

In Section 24 of T33N R5E, T-style fence posts were placed at various points along County Forest property boundary for the east line of the NE1/4 totaling approximately 1/2 mile of boundary.

In Section 18 of T35N R8E, T-style fence posts were placed at various points along County Forest property boundary for the west line of the NE1/4 SW1/4 & SW1/4 SW1/4 totaling approximately 1/3 mile of boundary.

In Section 19 of T35N R8E, T-style fence posts were placed at various points along County Forest property boundary for the west line of the NW1/4 totaling approximately 1/4 mile of boundary.

In Section 3 of T34N R6E, NE1/4 SE1/4 property line was established along the east Hiawatha Trail ROW totaling approximately 1/6 mile of boundary.

In Section 13 T35N R4E, T-style fence posts were placed at various points along the County Forest property boundary for the north line of NE1/4 and the NE1/4 NW1/4 totaling approximately 3/4 mile of boundary.

COUNTY FOREST ROAD AIDS PROGRAM: We continued our County Forest road maintenance program including graveling, installing culverts, improving drainage, right-of-way brushing and regular grading and snowplowing of roads. In 2021 we received approximately \$351.00/mile for maintaining 27.25 miles of roads for a total of \$9,564.75. A GIS layer was developed several years ago identifying the locations of culverts on our gas tax roads. These structures were identified by type, material, diameter and length, and prioritized for replacement. All high priority culverts have been replaced and updated in the system. We are now focusing our efforts on roadside brushing, ditching and monitoring the culverts for replacement needs. In 2021 we hauled and leveled screened gravel on Armstrong Creek Road and replaced 3 culverts. We also opened a borrow pit on Armstrong Creek Road to shorten haul distance to where the material is needed.

COUNTY CONSERVATION AND WILDLIFE HABITAT FUNDS FOR 2021: We completed the CCF project on a woods road near the Harrison Flowage. This project included replacing culverts, repairing an ongoing erosion problem area and hauling gravel. Wildlife Habitat funds were used to improve a hunter access road north of Camp Ave., improve a parking area at a hunter walking trailhead on Newwood Road and replace the informational sign for Trapper Morrison Pond.

ORGANIZED AND/OR COMPETITIVE ACTIVITIES WERE CONDUCTED on the County Forest in the Underdown Recreation Area by the Distance Riders of Wisconsin, Badger State Games, and Wisconsin Off Road Bike Association. The Iron Bull Red Granite Grinder bike race included a

segment through the New Wood area of the County Forest. The Iron Bull organization received compliments on the location of the race route.

THE UNDERDOWN RECREATION AREA is available for a variety of uses year round. Groomed and tracked X-C ski trails, snowshoe trails, horse trails, single track bike trails, fat tire bike trails, hiking trails, and a snowmobile/winter ATV trail are all mapped and signed in the Underdown. The purchase of trail passes by users is required and helps to offset the cost of maintaining the ski and horse trails. The annual Free Trail Pass Weekend was held Feb 27&28. Several small bridges have been constructed by the bike club on the single track bike trail where wet areas are crossed. The horse and bike club members volunteer time to help do maintenance on the trail systems. A cable gate was replaced with a new tubular steel gate near Underdown Lake to accommodate horse drawn wagon events for the Underdown Horse Club. A three year Recreational Trails Program grant was obtained in 2019 for improvement work and maintenance of non-motorized trails in the Underdown. The amount awarded to Lincoln County under this grant was \$16,281.24 and we must match these dollars for a total project cost of \$32,562.48.

COUNTY PARKS ACTIVITIES: Total parks revenue from 2021 was \$24,928.95. Mowing lawns and other maintenance of County parks and facilities was performed during 2021. We have been using non-lethal means in an integrated approach to control goose population issues at Tug Lake County Park. Road work was done at Otter Lake Park to improve access. We were denied a grant to replace restrooms and make other improvements at the New Wood Campground. We will try again in 2022.

INVASIVE SPECIES: In 2007, a significant garlic mustard infestation was discovered in the Underdown Block of the County Forest and on adjacent private land. Our department took immediate action to try to control the spread of this invasive plant by conducting a search to find new infestations and applying herbicide where the plant was known to occur. Since then, many other small, satellite colonies of this invasive plant have been found in other locations of the Underdown, Harrison and Wildwood Blocks. Garlic mustard has also been found along the Hiawatha Trail by Tomahawk. The infested section of trail is closed for the recommended time frame during treatment. In addition to Garlic Mustard, other invasive species have been discovered on County Forest property. Glossy Buckthorn, Japanese Barberry, Crown Vetch, Leafy Spurge and Japanese Knotweed have been found in areas of Underdown and Harrison. Steps are taken to control or eradicate these species when they are found. A GIS Layer is maintained to identify every known location of invasive plant species on the county forest. We will continue to monitor and treat known infestations while being observant for new species and infestations on the County Forest. The Forestry Department has provided training and publications to user groups of the County Forest and to townships within the county on how to identify invasive plant species so that they can assist our department with early detection and treatment. The workload on this issue consumes weeks of time and continues to increase as we make every effort to control invasive plants on the county forest.

LINCOLN COUNTY ACCESS PLAN: Maintenance work was done on the single track bike trails. Maintenance work was done on the summer ATV/UTV trail in order to continue controlling erosion on the trail and make conditions more user friendly. A section of summer ATV and snowmobile trail was improved with grant dollars from these programs. Culverts were replaced, sections of trail were ditched and crowned, a rock ford was reconstructed and gravel was added. Continued work on issuing permits for private individuals that access their lands through the County Forest. Recreation Officer continued working on the County Forest, helping to reduce vandalism and maintain order to our public lands and recreational facilities.

LINCOLN COUNTY 5-YEAR OUTDOOR RECREATION PLAN was updated in 2021 with the assistance of North Central Wisconsin Regional Planning, the City of Tomahawk, The City of Merrill, local townships and special interest groups. The Plan was approved by the Lincoln County Board of Supervisors on October 19, 2021 and is effective January 1, 2022 through December 31, 2025. We will continue to implement this plan.

LINCOLN COUNTY'S 2021-2022 SNOWMOBILE TRAIL MAINTENANCE PROJECT was approved for \$91,710.00 for of 305.7 miles of trail at \$300/mile. Six clubs in the county are contracted to maintain all of the funded miles in Lincoln County. The Rock Island X-press club decided to disband and most of the trail miles have been redistributed among other clubs with a few miles of parallel trails being eliminated. We worked with the Knight Owls Snowmobile Club to reroute a section of difficult trail through swamp to a different location on the County Forest. We continue to apply for new trail miles that fit the parameters of the program.

ATV PROGRAM: We received trail maintenance aids of \$23,314.00 for of 231.6 miles of winter trails @ \$100/mile and \$38,275.00 for 47.8 miles of summer ATV and UTV trail at \$800/mile as well as \$249.50 for maintenance of 1 mile of TROUTE. We received trail rehabilitation funding totaling \$25,031.00 from the ATV and Snowmobile programs to continue to upgrade and maintain our trail systems. Five snowmobile clubs are contracted to maintain the funded miles of winter ATV trail in the county. Winter ATV trails coincide with some of the county's snowmobile trail system. Our summer ATV trails traverse the Harrison Hills area and connect with the Langlade and Oneida County trail systems. We experienced two high wind events over the summer which resulted in several days of recreational trail clean up. Lincoln County performs the majority of the maintenance on the summer ATV trail system and has contracted with the Harrison Hills ATV Club to assist with brushing and signing in the past. The Harrison Hills ATV Club has chosen to not renew their contract with the County going forward. We continue to implement an emergency signing system at trail intersections for the summer trail network. This system is linked with the County's 911 system to provide first responders with more accurate emergency locations. We continue to work with ATV clubs in the Somo, Wilson, and Spirit Falls areas to identify possible sites for an ATV trail/route link as well as to the Village of Gleason.

ICE AGE TRAIL: Our department issued a permit for the Ice Age Trail group to construct a second shelter along the Ice Age Trail. The new shelter was constructed at a location east of Turtle Lake Road in the Harrison Hills. We continue to work with our local chapter to provide quality facilities and address issues as they arise.

HARRISON FLOWAGE DAM: An owner-responsible inspection of the Harrison Dam is required every 10 years in order to keep the dam in conformance with state law. The dam was inspected in 2014 by Becher-Hoppe Associates and several deficiencies were identified to bring the dam in compliance with state code. These deficiencies were all addressed in 2015 including replacement of the stoplogs in the spillway; brushing the toeslope of the dike; performing concrete repair work on the catwalk and erecting a dam warning sign. We continue to do maintenance and required inspections of the dam on a routine basis.

BEAVER PROGRAM: The Lincoln County Forestry Department continued to work with USDA APHIS program regarding beaver problems on the Lincoln County Forest and County Forest road system.

FOREST CERTIFICATION: The Lincoln County Forest became SFI certified in March, 2005 and FSC certified in July, 2007. We worked on implementing necessary changes on the County Forest required by SFI and FSC forest certification. Several other county forests hosted audit teams this year.

LAND SOLD, RATIFIED, CONFIRMED AND APPROVED by the Lincoln County Board in 2021. Three tax deed properties were sold to the City of Tomahawk for \$14,711.30. Three properties were sold to private individuals for \$11,199.00.

DEPARTMENT SAFETY PLAN: Continued development and implementation of our department safety plan. The Lincoln County Public Works Safety Group (Highway, Forestry, Solid Waste and Maintenance Departments) worked with United Safety Solutions to bring employees up to date with safety training. Our department worked with with USS to update our written plans for hazardous communication, control of hazardous energy, excavation safety, emergency action and fire prevention plan, personal protective equipment, occupational noise exposure and blood borne pathogens. We also participated in chainsaw safety training in 2021.

DNR WILDLIFE MANAGEMENT: 2021 Accomplishments on the Lincoln County Forest submitted by Eric Borchert, DNR Wildlife Technician and Carissa Knab, DNR Wildlife Biologist

Flowages:

Water levels and wildlife were actively monitored on Camp 26, Trapper Morrison, and Coffee Creek Flowages in 2021.

- Camp 26: The wild rice crop was good this year. Brush and trees were removed from the dam and spillway.
- Coffee Creek: Brush and trees were removed from the dam and spillway.
- Trapper Morrison: Brush and trees were removed from the dam and spillway. Complete drawdown was completed this summer to improve food availability for migrating waterfowl.
- Camp 26 and Trapper Morrison: APHIS was called to remove beaver and unclog the water control structures.

Wildlife Surveys:

Due to a reduction in staffing wildlife surveys were not conducted in 2021 on the Lincoln County Forest. However, CWD monitoring throughout the entire area was a priority for all deer seasons this fall. CWD was confirmed in late 2017, in NE Lincoln County, in the Town of Harrison.

Other:

The Wildlife Biologist position in Merrill has been filled. Carissa Knab started in this position in September 2021 and covers DNR wildlife biologist duties for Lincoln and Langlade Counties. Carissa was previously employed with DNR in Merrill as a limited term employee in the wildlife management program before working as a Farm Bill Biologist with Pheasants Forever. She comes to this position with familiarity with the Lincoln County Forest and background in forest habitat management. Carissa will be the primary contact for the wildlife management program on the County Forest.

Chapters of the “Lincoln County Forest 15-Year Comprehensive Land Use Plan” were reviewed by wildlife staff.

EQUIPMENT PURCHASES IN 2021: A new John Deere 333G Tracked skid steer with bucket, pallet forks and forestry mulching head was purchased to replace the fork lift. Two pickup trucks were bid out and ordered but due to vehicle shortages they were not delivered in 2021.

Respectfully submitted,
Dean Bowe
Forest Administrator

Motion by:				
Second by:				
Dist.	Supervisor	Y	N	Abs
19	Allen			
6	Ashbeck			
1	Bialecki			
11	Breitenmoser			
13	Callahan			
9	Friske			
12	Gilk			
20	Gorski			
14	Hafeman			
8	Heller			
17	Koth			
15	Nelson			
16	Loka			
3	McCrank			
22	Panfil			
5	Peterson			
7	Rusch			
21	Simon			
18	Voermans			
2	Weaver			
4	Wendt			
10	Woller			
Totals				
Carried				
Defeated				
Amended				
Voice vote				
Roll call				

Approving Conveyance of Real Estate to the Township of King

NOW, THEREFORE BE IT RESOLVED, by the Lincoln County Board of Supervisors duly assembled this 15th day of February, 2022 that the following conveyance of real estate to be made by the County Clerk on behalf of Lincoln County be, and the same is hereby ratified, confirmed, and approved:

Purchaser	Description	Amount
Township of King	Lot Thirteen (13), of Oak Ridge Estates, County Plat No. 29, Town of King, Lincoln County, Wisconsin. PIN. 012-3507-203-9977	\$1,092.40

Dated: February 15, 2022

Introduced by: Forestry, Land and Parks Committee

Endorsed by: Norbert Ashbeck, Don Friske, Judy Woller, and Timothy Panfil

Date Passed: January 17, 2022 Committee Vote: All Ayes

Fiscal impact: \$ 1,092.40

Drafted by: Dean Bowe, Forest Administrator

STATE OF WISCONSIN)
) SS:
 COUNTY OF LINCOLN)

I hereby certify that this resolution/ordinance is a true and correct copy of a resolution/ordinance adopted by Lincoln County Board of Supervisors on:

 Christopher J. Marlowe
 County Clerk

Resolution 2022-02-05

Ordering County Clerk to Take Tax Deed

WHEREAS, sec 3.17, Lincoln County Code (Lincoln County Policy for Screening of Tax Delinquent Property for Possible Acquisition) requires the Property Evaluation Team inspect tax delinquent properties and report to the Finance & Insurance Committee its' recommendations; and

WHEREAS, the Finance & Insurance Committee has approved the acquisition of this tax deed, for the parcel below, whose owner has not paid the delinquent taxes as of 2/15/2022 or whose owner does not now/hereafter comply with their County Clerk Payment Agreement terms; and

NOW, THEREFORE BE IT RESOLVED, subject to the above payment provisions, that the County Clerk be and is hereby ordered to take the tax deed from the tax delinquent property listed below hereto on the unredeemed tax certificates of the 2018 sale and also those of prior years, which have not been deeded to Lincoln County, pursuant to sec. 75.14, Wis. Stats., excepting that no tax deed will be taken for any description upon which the county already holds a good tax deed.

Property Address: 1905 Jackson St. Merrill WI 54452

Land Description: The West 60 feet of the East 140 feet of Lot Four (4) Block Four (4) of O'Rourke and Rodden's Addition to Merrill, City of Merrill, Lincoln County, Wisconsin.

Parcel Identification Number: 251-3106-152-0152

Dated this 15th day of February, 2022

Introduced by: Finance & Insurance Committee

Committee Action:

Sponsored By:

Fiscal Impact: \$ 5,497.80

Drafted by: Christopher Marlowe, Lincoln County Clerk

Motion by:				
Second by:				
Dist.	Supervisor	Y	N	Abs
19	Allen			
6	Ashbeck			
1	Bialecki			
11	Breitenmoser			
13	Callahan			
9	Friske			
12	Gilk			
20	Gorski			
14	Hafeman			
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3	McCrank			
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2	Weaver			
4	Wendt			
10	Woller			
Totals				
Carried				
Defeated				
Amended				
Voice vote				
Roll call				

STATE OF WISCONSIN)
) SS:
 COUNTY OF LINCOLN)

I hereby certify that this resolution/ordinance is a true and correct copy of a resolution/ordinance adopted by Lincoln County Board of Supervisors on:

 Christopher J. Marlowe
 County Clerk



Chris Marlowe <chris.marlowe@co.lincoln.wi.us>

Delinquent Properties Agreement

Johnson, David <David.Johnson@ci.merrill.wi.us>
To: Chris Marlowe <chris.marlowe@co.lincoln.wi.us>
Cc: "Pagel, Darin" <Darin.Pagel@ci.merrill.wi.us>

Mon, Jan 24, 2022 at 8:51 AM

Chris,

Please add the vacant lot at 1905 Jackson St. to the list of delinquent property tax parcels that the City wishes to acquire. The City completed demolition of the residence due to it being judged uninhabitable last week. There are neighbors interested in purchasing the property once we own it but are not interested in it purchasing it from the current owner with the back taxes and now the demolition special assessment.

David Johnson, City Administrator

City of Merrill

1004 E. 1st St.

Merrill WI 54452

715-536-5594

ORDINANCE 2022-02-711

Motion by:				
Second by:				
Dist.	Supervisor	Y	N	Abs
19	Allen			
6	Ashbeck			
1	Bialecki			
11	Breitenmoser			
13	Callahan			
9	Friske			
12	Gilk			
20	Gorski			
14	Hafeman			
8	Heller			
17	Koth			
15	Nelson			
16	Loka			
3	McCrank			
22	Panfil			
5	Peterson			
7	Rusch			
21	Simon			
18	Voermans			
2	Weaver			
4	Wendt			
10	Woller			
Totals				
Carried				
Defeated				
Amended				
Voice vote				
Roll call				

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 MELISSA HAUGEN (FKA RAYMER) FOR PROPERTY IN THE TOWN OF SCOTT.

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# 02431072939996 from Planned Business (PB) to Crossroads Mixed Use (CMU). The parcel size of the property is approximately 34 acres and is located in Section 29, T31N-R7E, in the Town of Scott.

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: 2/15/22

Introduced by: Land Services Committee

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

Date Passed: 1/13/22

Committee Vote: 6-0

Fiscal Impact: None

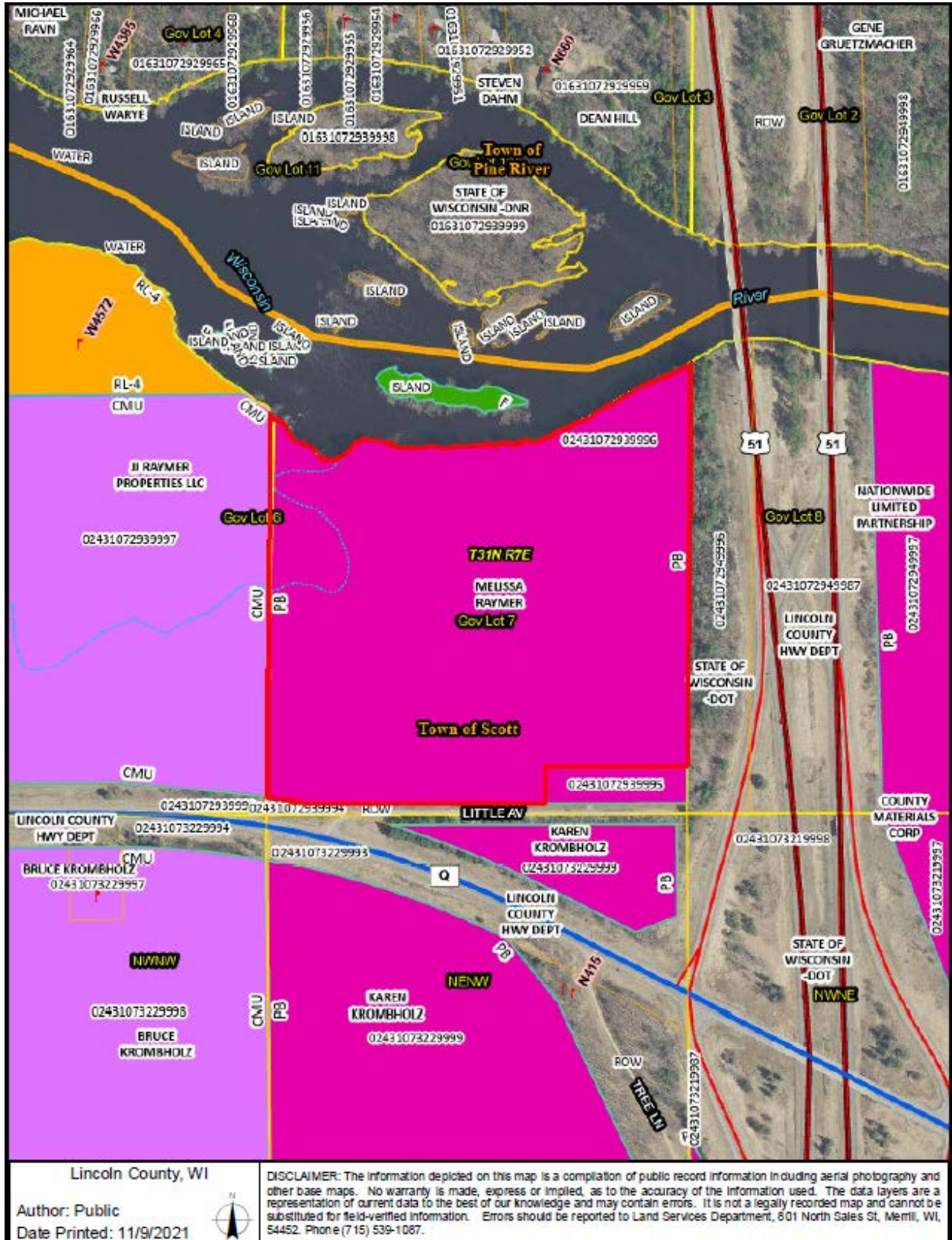
STATE OF WISCONSIN)
) SS:
 COUNTY OF LINCOLN)

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

I hereby certify that this resolution/ordinance is a true and correct copy of a resolution/ordinance adopted by the Lincoln County Board of Supervisors on:

 Christopher J Marlowe,
 County Clerk

Zoning District Map - Existing



ORDINANCE 2022-02-712

Motion by:				
Second by:				
Dist.	Supervisor	Y	N	Abs
19	Allen			
6	Ashbeck			
1	Bialecki			
11	Breitenmoser			
13	Callahan			
9	Friske			
12	Gilk			
20	Gorski			
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10	Woller			
Totals				
Carried				
Defeated				
Amended				
Voice vote				
Roll call				

Chapter 21 –Shoreland Zoning - SOIL DISTURBING ACTIVITIES and APPLICABILITY

An Ordinance Amending the General Code of the County of Lincoln Chapter 21 –Shoreland Zoning - SOIL DISTURBING ACTIVITIES and APPLICABILITY.

The County Board of Supervisors of Lincoln County, Wisconsin, does hereby ordain that Chapter 21 be amended as indicated in the attachment.

This ordinance shall take effect following its passage and publication.

Dated: February 15, 2022

Introduced and Endorsed by: Land Services Committee - Chris Heller, Bill Bialecki, Greta Rusch, Julie Allen, Elizabeth McCrank and Hans Breitenmoser
 Date Passed: 1-13-22 Committee Vote: 6-0
 Fiscal Impact: None

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

STATE OF WISCONSIN)
) SS:
 COUNTY OF LINCOLN)

I hereby certify that this resolution/ordinance is a true and correct copy of a resolution/ordinance adopted by Lincoln County Board of Supervisors on:

 Christopher J Marlowe,
 County Clerk

CHAPTER 21.10(2) & 21.05 (2)(c)- SOIL DISTURBING ACTIVITIES and APPLICABILITY

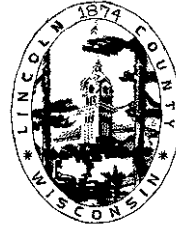
- Plain text is existing text in our ordinance and no changes proposed.
 - ~~Lined out text~~ is existing ordinance text that will be eliminated
 - Underlined text is proposed revisions and updated language
-

~~21.10(2)(c) Soil disturbing activities for the installation of a shoreline stabilization structure or practice or significant alteration to an existing shoreline stabilization structure located at the OHWM including but not limited to rock rip-rap, sea walls, bulkheads, bio-logs, live staking, and other practices involving soil disturbance.~~

- ~~1. Prior to permit issuance, all shoreline stabilization project plans shall be reviewed and approved by Lincoln County Land Services Staff.~~
- ~~2. All shoreline stabilization projects shall comply with the provisions of Chapter 30, Wis. Stats~~
- ~~3. Shoreline stabilization structures and practices shall be designed and installed, at a minimum, to the standards found in Ch. NR 328 and NRCS Practice Standard 580.~~
- ~~4. A revegetation plan is required for areas above the ordinary high water mark (OHWM) where bare ground is exposed as a result of the construction activities. The revegetation plan shall include details for stabilizing and revegetating bare ground to a minimum of 70% perennial native vegetative cover according to the densities prescribed in Chapter 21.09(2) and the standards outlined in NRCS practice standard 342 and NRCS practice standard 612.~~
- ~~5. All shoreline stabilization project plans shall comply with the provisions of Chapter 20 floodplain regulations.~~

21.05(2)(c) Shoreline Stabilization Structures and practices which are at or below the OHWM, including rock rip-rap and sea walls, are subject to the regulations of the State of Wisconsin, administered by the Wisconsin Department of Natural Resources.

Board: County Board
Meeting Date: 2/15/22



County Board Report

TO: County Board
FROM: Mike Huth, Zoning Program Manager-Land Services Administrator
DATE: 1/17/22
SUBJECT: CH 21-Shoreland Zoning Ordinance Update (Shoreline Stabilization Projects)

Land Services Department Staff have encountered difficulties administering Chapter 21.10 2 (c) of the Lincoln County Ordinance (shoreline stabilization permitting). Generally, the Wisconsin Department of Natural Resources (DNR) regulates activities below the OHWM and Lincoln County is tasked with regulating development and activities above the OHWM. Lincoln County is the only Wisconsin County, that staff are aware of, which regulates shoreline stabilization practices taking place at/below the ordinary high water mark (OHWM). This has caused confusion among property owners and contractors because there is an overlap between the regulations administered by the Wisconsin DNR and those currently included in the Lincoln County Shoreland Ordinance.

Furthermore, Land Services Department Staff and Corporation Council have concerns about the enforcement authority Lincoln County has under Chapter 21.10 Sec. 2(c). Shoreline stabilization practices (i.e. rock rip rap) extend both above and below the ordinary high water mark (OHWM). Issues would likely arise if Lincoln County attempts to enforce corrective actions on shoreline stabilization practices which do not meet applicable codes, since a portion of the practice is below the OHWM. These situations should be left to the authority of the DNR.

Statewide, the Wisconsin DNR regulates and permits shoreline stabilization practices under NR 328 (Shore Erosion Control Structures in Navigable Waterways). It should be noted, even with the proposed removal of Chapter 21.10 2(c) from the Lincoln County Ordinance, these practices would still be regulated by the DNR and the projects required to meet applicable state codes. Because these projects will still be overseen by the DNR, the removal of this section of code from Chapter 21 is not expected adversely impact Lincoln County waterways.

Furthermore, the removal of this section of code, 21.10(2)(c), from the Lincoln County Shoreland ordinance will not have any effect on the Lincoln County Conservation cost share program or associated Land Services Department conservation functions.

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 January 13, 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

Committee: Land Services

Meeting Date: 4/8/21

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Committee Action Report
Shoreland Zoning Ordinance Update

presented in the attached ordinance and supplemental document showing the ordinance text edits.