

VILAS COUNTY BOARD PROCEEDINGS

OCTOBER 8, 2012

This special meeting of the Vilas County Board of Supervisors was held in the conference rooms located in the Vilas County Courthouse, 330 Court Street, Eagle River, WI.

CALL TO ORDER

Vilas County Board Chairman Stephen Favorite called the assembly to order at 9:00 A.M. and instructed the Clerk to read aloud and insert into the minutes the following: Public meeting notice requirements were fulfilled by posting a notice of this meeting on bulletin boards located in the Vilas County Courthouse, Olson Memorial Library and Eagle River City Hall. Notice of this meeting was posted to the Vilas County Government website. All media outlets and members of the public requesting notification of this meeting were notified on October 4, 2012, more than twenty-four hours prior to the meeting.

The Clerk requested that all present silence their cell phones and pagers for the duration of the meeting.

PLEDGE OF ALLEGIANCE

The Board Chair asked all in attendance to stand for the Pledge of Allegiance.

ROLL CALL

Roll call found the following members present: Emil Bakka, Alden Bauman, Maynard Bedish, James Behling, Mary Kim Black, Edward Bluthardt, Jr., Ronald De Bruyne, Stephen Favorite, Sig Hjemvick, Lorin Johnson, Leon Kukanich, Christopher Mayer, Dennis Nielsen, Gary Peske, Charles Rayala, Jr., Mark Rogacki, Kathleen Rushlow, Ralph Sitzberger, Erv Teichmiller and Linda Thorpe. Charles Hayes was excused. The Clerk reported 20 Supervisors in attendance, constituting a quorum of the County Board.

APPROVAL OF THE AGENDA TO BE DISCUSSED IN ANY ORDER

Motion by C. Rayala, seconded by C. Mayer to approve the agenda, with the order of discussion to be at the Chair's discretion. All voted aye. Carried.

APPROVAL OF THE MINUTES OF THE SEPTEMBER 18, 2012 MEETING.

Motion by R. Sitzberger, seconded by C. Rayala to approve the minutes of the September 18, 2012 meeting as presented. All voted aye. Carried.

OMIT READING OF ALL RESOLUTIONS AND ORDINANCES BY THE COUNTY CLERK UNLESS REQUESTED

Motion by A. Bauman, seconded by R. Sitzberger to omit the reading of all resolutions and ordinances by the Clerk, unless requested from the floor. All voted aye. Carried.

SUSPEND THE RULES TO ACT ON ANY RESOLUTIONS OR ORDINANCES RECEIVED AFTER THE TEN DAY DEADLINE

No action necessary.

RESOLUTIONS TABLED OR POSTPONED TO A DAY CERTAIN

None

ALL RESOLUTIONS AND ORDINANCES, IN THEIR ENTIRETY, ARE ON FILE IN THE COUNTY CLERK'S OFFICE.

The Board then acted on all resolutions and ordinances in the order as listed.

CLOSED SESSION

Motion by C. Rayala to convene into closed session pursuant to Wis. Stat. §19.85(1)(g) for the purpose of conferring with legal counsel who is rendering oral or written advice concerning strategy to be adopted by the County Board with respect to litigation in which it is involved (Tim Evenson v. Tomlanovich and Vilas County, Case No. 12CV219). Seconded by J. Behling. A roll call vote resulted in a unanimous decision to convene into closed session. The County Board convened into closed session convened at 9:06 A.M.

RETURN TO OPEN SESSION

Motion by A. Bauman to return to open session pursuant to Wis. Stat. §19.85(1)(g). Seconded by J. Behling. A voice vote resulted in a unanimous decision to return to open session. The County Board returned to open session at 10:23 A.M.

RES. 2012-108

Re: Settlement of Pending Litigation: Evenson v. Tomlanovich and Vilas County, Case No. 12CV219

WHEREAS, there is ongoing litigation regarding the termination of former Jail Administrator Tim Evenson's employment; both a grievance and civil lawsuit are currently pending and allege retaliatory firing and violation of Mr. Evenson's freedom of speech and due process rights; and

WHEREAS, it is in the best interests of the County to settle this ongoing litigation; and

WHEREAS, an amount of \$75,000.00 has been negotiated through mediation in order to fully settle the matter, including a comprehensive release of all potential claims against the County; and

WHEREAS, the County's legal counsel recommends approval of this negotiated settlement; and

WHEREAS, a $\frac{2}{3}$ vote of the County Board of Supervisors is required for a General Fund transfer.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 8th day of October, 2012 that we hereby approve the negotiated settlement between Vilas County and Evenson in the amount of \$75,000.00 and authorize legal counsel to draft all necessary documentation to effect said settlement.

BE IT FURTHER RESOLVED that \$75,000.00 be transferred from the General Fund into an appropriately designated line item for payment of this settlement.

SUBMITTED BY: County Board Supervisor
s/ Stephen Favorite

A $\frac{2}{3}$ majority vote in favor is required for adoption

Motion by C. Rayala, seconded by C. Mayer to adopt. 17 voted aye. 3 voted no: M. Bedish, D.

Nielsen and M. Rogacki. Carried.

COMMITTEE REPORTS

Law Enforcement Committee: M. Rogacki reported that no action was taken by the committee at their last meeting in reference to the Dangerous Drug Investigator position. He reported that mandated compliance with Jail rape prevention measures could be cause for the hiring of four additional correction officers in August 2013. He urged the Legislative & Judicial to contact state and federal legislators, asking them to oppose this mandate. He reported that the Sheriff's Dept. complied with 2013 budget guidelines, adding that the Sheriff recently proposed an additional \$106,000.00 in cuts to the Sheriff's budget. Citing projected savings, he updated the Board regarding the outsourcing of prisoner transport services.

Public Property Committee: J. Behling announced the cancellation of the October 15, 2012 committee meeting.

Legislative & Judicial Committee: J. Behling announced the cancellation of the October 12, 2012 committee meeting.

Finance & Budget Committee: C. Mayer reminded the Board regarding the October 22nd and 23rd, 2013 Finance & Budget Committee budget hearings. He encouraged all Supervisors to attend.

LETTERS AND COMMUNICATIONS

S. Hjemvick questioned the Corporation Counsel regarding closed session guidelines.

PAY PER DIEM

Motion by R. Sitzberger, seconded by A. Bauman to approve payment of per diem. All voted aye. Carried. Per diem shall be paid as follows:

E. Bakka \$80.30, A. Bauman \$100.84, M. Bedish \$55.33, J. Behling \$49.22, M. Black \$94.73, E. Bluthardt \$52.55, R. De Bruyne \$80.30, S. Favorite \$53.66, S. Hjemvick \$68.09, L. Johnson \$65.32, L. Kukanich \$52.55, C. Mayer \$90.73, D. Nielsen \$70.31, G. Peske \$64.21, C. Rayala \$90.29, M. Rogacki \$18.87, K. Rushlow \$50.89, R. Sitzberger \$74.75, E. Teichmiller \$75.31, L. Thorpe \$48.39.

ADJOURNMENT

Meeting adjourned by the Chair at 10:35 P.M.

Prepared and submitted by:
David R. Alleman, Vilas County Clerk

Minutes reflect the recorder's notations and are subject to future revision and approval by the Vilas County Board.