

This 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 Charles Rayala, Jr. called the assembly to order at 9:00 A.M. and instructed the Clerk to read aloud and insert into the minutes the following: A public meeting notice was given to the public by posting on the bulletin boards in the hall by the main entrance to the Vilas County Courthouse, Olson Memorial Library and Eagle River City Hall. The Vilas County News-Review; the Rhinelander Daily News; the Lakeland Times; the Ironwood Daily Globe; W.E.R.L. Radio; W.R.J.O. Radio; W.C.Y.E Radio and Channel 12 TV were notified on June 11, 2010 more than twenty-four hours prior to the meeting. The Clerk then requested that all present silence their cell phones and pagers for the duration of the meeting.

**Pledge Of Allegiance** - The Chairman asked all in attendance to stand for the Pledge of Allegiance. The Pledge recited, the Chairman then called for the assembly to remain standing for a moment of silence in memoriam of fallen Vilas County Deputy Sheriff Kory Dahlvig.

**Roll Call** - Roll call found the following members present: Emil Bakka, Alden Bauman, Maynard Bedish, James Behling, Edward Bluthardt, Jr., Gene Ciszek, Ronald De Bruyne, Bob Egan, Stephen Favorite, Jack Harrison, Sig Hjemvick, Leon Kukanich, Christopher Mayer, Dennis Nielsen, Mary Platner, Fred Radtke, Kathleen Rushlow, Ralph J. Sitzberger, Erv Teichmiller, Linda Thorpe and Charles Rayala, Jr. The Clerk reported 21 Supervisors in attendance, constituting a quorum of the County Board.

The Chairman then called for the following motions:

**Approval Of The Agenda To Be Discussed In Any Order** - Motion by A. Bauman, seconded by R. Sitzberger 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 April 20, 2010 Meeting** - Motion by D. Nielsen, seconded by E. Bakka to approve the minutes of the April 20, 2010 meeting as presented. All voted aye. Carried.

**Omit Reading Of All Resolutions And Ordinances By The County Clerk Unless Requested** - Motion by L. Thorpe, 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** - Motion by L. Thorpe, seconded by E. Bluthardt to suspend the rules to act on any resolution or ordinance received after the 10-day deadline, but received in time to list to the press and post. All voted aye. Carried.

**Introduce Vilas County Economic Development Corporation Interim Director – Dick Leinenkugel** - At 9:05 AM, Supervisor B. Egan introduced Vilas County Economic Development Corporation Interim Director Dick Leinenkugel. Mr. Leinenkugel thanked the assembly for the opportunity to serve Vilas County, and presented an overview of upcoming economic development initiatives. He then answered questions from the assembly. His remarks concluded at 9:16 AM.

#### **RESOLUTION NO. 2010-79**

#### **Resolution Authorizing The Issuance And Sale Of \$2,955,000 General Obligation Refunding Bonds**

**WHEREAS**, the County Board of Supervisors of Vilas County, Wisconsin (the "County") hereby finds and determines that it is necessary, desirable and in the best interest of the County to raise funds for the purpose of paying the cost of refinancing certain outstanding obligations of the County, to wit: the callable portion of the General Obligation Refunding Bonds, dated May 15, 2002 (the "Refunded Obligations") (hereinafter the refinancing of a portion of the County's Refunded Obligations shall be referred to as the "Refunding"), and there are insufficient funds on hand to pay said cost;

**WHEREAS**, the County Board of Supervisors deems it to be necessary, desirable and in the best interest of the County to refund the Refunded Obligations for the purpose of achieving debt service cost savings;

**WHEREAS**, none of the proceeds of the Bonds shall be used to fund the operating expenses of the general fund of the County or to fund the operating expenses of any special revenue fund of the County that is supported by the property taxes;

**WHEREAS**, counties are authorized by the provisions of Section 67.04, Wisconsin Statutes, to borrow money and issue general obligation refunding bonds to refinance their outstanding obligations; and

**WHEREAS**, it is the finding of the County Board of Supervisors that it is necessary, desirable and in the best interest of the County to authorize the issuance of and to sell the general obligation refunding bonds to Robert W. Baird & Co. Incorporated (the "Purchaser"), pursuant to the terms and conditions of its bond purchase proposal attached hereto as Exhibit A and incorporated herein by this reference (the "Proposal").

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Supervisors of the County that:

Section 1. Authorization and Sale of the Bonds. For the purpose of paying the cost of the Refunding, there shall be borrowed pursuant to Section 67.04, Wisconsin Statutes, the principal sum of TWO MILLION NINE HUNDRED FIFTY-FIVE THOUSAND DOLLARS (\$2,955,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal is hereby accepted and the Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. To evidence the obligation of the County, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, general obligation refunding bonds aggregating the principal amount of TWO MILLION NINE HUNDRED FIFTY-FIVE THOUSAND DOLLARS (\$2,955,000) (the "Bonds") for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Refunding Bonds"; shall be issued in the aggregate principal amount of \$2,955,000; shall be dated July 7, 2010; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R- 1 and upward; and shall bear interest at the rates per annum; and mature on March 1 of each year, in the years and principal amounts as set forth on the Proposal. Interest is payable semi-annually on March 1 and September 1 of each year commencing on September 1, 2010. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit B and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Bonds shall not be subject to optional redemption.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2010 through 2016 for the payments due in the years 2010 through 2017 in the amounts set forth on the Schedule. The amount of tax levied in the year 2010 shall be the total amount of debt service due on the Bonds in the years 2010 and 2011; provided that the amount of such tax carried onto the tax rolls shall be abated by any amounts appropriated pursuant to subsection (D) below which are applied to payment of principal of or interest on the Bonds in the year 2010.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

(D) Appropriation. The County hereby appropriates from amounts levied to pay debt service on the Refunded Obligations or other funds of the County on hand a sum sufficient to be irrevocably deposited in the segregated Debt Service Fund Account created below and used to pay the interest on the Bonds coming due on September 1, 2010 as set forth on the Schedule.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund. Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$2,955,000 General Obligation Refunding Bonds, dated July 7, 2010" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The County Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Bonds; (ii) any premium not used for the Refunding which may be received by the County above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax

collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Bonds as permitted by and subject to Section 67.1 1(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes (“Permitted Investments”), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the “Code”) and any applicable Treasury Regulations (the “Regulations”).

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 7. Proceeds of the Bonds Segregated Borrowed Money Fund. The proceeds of the Bonds (the “Bond Proceeds”) (other than any premium not used for the Refunding and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the County and disbursed solely for the purpose for which borrowed or for the payment of the principal of and the interest on the Bonds. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. In order to accomplish the purpose for which the Bonds are issued, proceeds of the Bonds shall be transferred to the Escrow Account, as provided in Section 18 hereof. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose for which the Bonds has been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not “arbitrage bonds,” within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Bonds and by the Refunded Obligations and their ownership, management and use will not cause the Bonds or the Refunded Obligations to be “private activity bonds” within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the county certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Bonds are hereby designated as “qualified tax-exempt obligations” for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section II. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the “Closing”). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of

the County to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 12. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by Associated Trust Company, National Association, Green Bay, Wisconsin, which is hereby appointed as the County's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The Fiscal Agency Agreement between the County and the Fiscal Agent shall be substantially in the form attached hereto as Exhibit D and incorporated herein by this reference.

Section 13. Persons Treated as Owners; Transfer of Bonds. The County shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid. Any Bond may be transferred by the *registered* owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer. The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 14. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the County at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 16. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds). The County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 18. Escrow Agent; Escrow Agreement; Escrow Account. Associated Trust Company, National Association, Green Bay, Wisconsin, is hereby appointed escrow agent for the County, for the purpose of ensuring the payment of the principal of and interest on the Refunded Obligations (the "Escrow Agent").

The Chairperson and County Clerk are hereby authorized and directed to execute an escrow agreement substantially in the form attached hereto as Exhibit E (the "Escrow Agreement") (such form may be modified by said officers prior to execution, the execution of such agreement by said officers to constitute full approval of the County Board of Supervisors of any such modifications), with the Escrow Agent, for the purpose of effectuating the provisions of this Resolution.

The Bond Proceeds allocable to refunding the Refunded Obligations, other than any premium not used for the Refunding and accrued interest which shall be deposited in the Debt Service Fund Account created above, shall be deposited in a refunding escrow account which is hereby created with the Escrow Agent, pursuant to the Escrow Agreement, for the purpose of retaining the required amount of cash, if any, and acquiring the United States obligations provided for in the Escrow Agreement.

Upon transfer of the Bond Proceeds and any other necessary funds allocable to refunding the Refunded Obligations to the Escrow Account, the taxes heretofore levied to pay debt service on the Refunded Obligations shall be abated to the extent such transfer together with investment earnings thereon is sufficient to pay the principal of and interest on the Refunded Obligations, but such abatement shall not affect the

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County's pledge of its full faith, credit and resources to make such payments. The refunding escrow account created by the Escrow Agreement shall hereinafter serve as the debt service (or sinking) fund account for the Refunded Obligations. The Escrow Agent shall serve as custodian of said debt service (or sinking) funds.

Section 19. SLGS Subscriptions. The Escrow Agent and Robert W. Baird & Co. Incorporated are authorized to submit subscriptions for United States Treasury Securities - State and Local Government Series and to purchase other U.S. government securities on behalf of the County in such amount as is necessary in order to carry out the Refunding.

Section 20. Redemption of the Refunded Obligations. The Refunded Obligations due on and after March 1, 2013 are hereby called for prior payment and redemption on March 1, 2012 at a price of par plus accrued interest to the date of redemption.

The County hereby directs the Escrow Agent appointed above to cause timely notice of redemption, in substantially the form attached to the Escrow Agreement (the "Notice"), to be provided at the times, to the parties and in the manner set forth on the Notice.

Section 21. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 22. Bond Insurance. If the Purchaser of the Bonds determines to obtain municipal bond insurance with respect to the Bonds, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 23. Conflicting Resolutions: Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded June 15, 2010.

s/Charles Rayala, Jr., Chairperson

Attest: David R. Alleman, County Clerk

Motion by S. Favorite, seconded by L. Thorpe to adopt. The Chair asked R.W. Baird representative Brad Veigut to explain this refunding/refinancing resolution to the assembly. Discussion. Motion by K. Rushlow, seconded by E. Teichmiller to amend the resolution by replacing the preliminary bonding amount of \$2,970,000 with the confirmed bonding amount of \$2,955,000 at all places as that amount is listed in the resolution. All voted aye. Amendment carried. All voted aye on the resolution as amended. Carried.

**Future Borrowing Options – Brad Veigut Of R. W. Baird** - Beginning at 9:24 AM, Mr. Veigut presented future borrowing strategies and options to the assembly. The County's bond rating was discussed. He then answered questions from the assembly. His presentation ended at 9:43 AM.

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

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

#### **RESOLUTION 2010 -58**

#### **RE: Legal Endorsement Coverage Procedures**

**WHEREAS**, the Wisconsin County Mutual Insurance Corporation offers to provide Legal Expense coverage for matters for which coverage is not otherwise available under the liability policy.

**NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors in session this 15<sup>th</sup> day of June, 2010 that we hereby authorize the request for coverage under the legal expense endorsement, per the endorsement form number WCMIC B End 23R (08/06), from the Wisconsin County Mutual Insurance Corporation to be requested as needed by the County Board Chair or otherwise authorized designee.

**BE IT FURTHER RESOLVED** that the County Board of Supervisors is designating the following individual(s) to be the authorized designee(s) for requesting coverage under the legal expense endorsement:

Charles Rayala, Jr., County Board Chair

David R. Alleman, County Clerk  
Martha Milanowski, Corporation Counsel

Submitted by: **Personnel Committee**

s/ Linda L. Thorpe, Chair  
s/ Jim Behling, Vice Chair  
s/ Emil Bakka  
s/ Bob Egan  
s/ Sig Hjermvick

Motion by S. Favorite, seconded by L. Kukanich to adopt. Discussion. All voted aye. Carried.

**RESOLUTION 2010 - 59**

**RE: Unfunded Deficit in Unemployment Compensation Expense Account – Transfer from the General Fund.**

**WHEREAS**, Vilas County is currently being charged by the State of Wisconsin for unemployment benefits being paid to former Vilas County employees; and

**WHEREAS**, \$5,000.00 was originally budgeted in 2010 for payment of unemployment benefits, and that amount had not been annually expended for a number of years; and

**WHEREAS**, those funds have now been expended, and the Federal Government recently announced the extension of the time period for unemployment benefits to be paid to former employees; and

**WHEREAS**, it is now estimated that an additional \$5,600.00 will be needed to fund the County's unemployment compensation obligations for the remainder of 2010; and

**WHEREAS**, it requires a 2/3 majority vote of the County Board to transfer funds from the General Fund.

**NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors in session this 15<sup>th</sup> day of June, 2010 that \$5,600.00 be transferred from the General Fund and deposited into expense account 100.51940.150 Unemployment Compensation – Employer Contributions, for the purposes of meeting unemployment compensation obligations for the balance of 2010.

Submitted by: **Finance & Budget Committee**

s/ Kathleen Rushlow, Chair  
s/ Christopher Mayer  
s/ Edward Bluthardt  
Charles Rayala  
s/Linda Thorpe

Motion by D. Nielsen, seconded by S. Favorite to adopt. Discussion. A 2/3 majority vote of approval is required for adoption. All voted aye. Carried.

**RESOLUTION 2010 - 60**

**RE: Supporting Tribe's Grant Application for Juvenile Detention Facility Feasibility Study and Design**

**WHEREAS**, the Lac du Flambeau Band of Lake Superior Chippewa Indians (hereinafter "Tribe") is applying for a grant from the U.S. Department of Justice Coordinated Tribal Assistance Program for the purpose of preparing a feasibility study, plan and design of a juvenile detention facility and/or alternative correctional facility in partnership with Vilas County; and

**WHEREAS**, the Tribe is requesting \$148,990 for consultation in production of report/plans over an 18 month period, with an in-kind match \$15,000 or 714 hours contributed by the Tribe's Planning Director as in-kind match to oversee the project, and these funds are derived from the Bureau of Indian Affairs Planning and the Indirect Cost Pool; and

**WHEREAS**, there is a need within Vilas County to detain and rehabilitate our youth, and Vilas County should actively participate in a joint planning effort with the Tribe in order to develop a facilities plan that will meet this need.

**NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors in session this 15<sup>th</sup> day of June, 2010 that we support the Tribe's application to the U.S. Department of Justice's Coordinated Tribal Assistance Program for planning a juvenile detention facility.

Submitted by: **County-Tribal Concerns Committee**

s/ Al Bauman, Chair  
s/ Jack Harrison

s/ Maynard Bedish  
s/ Gene Ciszek  
s/ Sigurd Hjemvick

Motion by A. Bauman, seconded by J. Harrison to adopt. Discussion. All voted aye. Carried.

**RESOLUTION NO. 2010 – 61**

**RE: Clerk's Journal Adjustment Unanticipated Revenue**

**WHEREAS**, Michael Wendt, representative of Wisconsin Department of Transportation advised the Forestry, Recreation & Land committee at their 7 April 2010 regular meeting that the Wisconsin DOT wishes to donate the proceeds of a timber sale located with the Highway 45 right-of-way in the Town of Conover to the County Snowmobile Program for the express purpose of making safety improvements to the snowmobile trail system; and

**WHEREAS**, the Committee unanimously passed a motion at said meeting to accept the donation for the purpose of snowmobile trail safety improvement near the intersection of State Highways 17 & 70 and south along the Highway 17 Right of Way; and

**WHEREAS**, the segment of snowmobile trail earmarked for improvement is currently not part of the State Funded Snowmobile Trail System and as such the funds should not be comingled with the County Snowmobile Trail Program funds, which are 100% funded through the State Snowmobile Program; and

**WHEREAS**, these special purpose funds in the amount of \$3,805.20 have been received by the Forestry Department and deposited into the Outside Revenue account 100.46822, to be used as outlined above.

**NOW, THEREFORE, BE IT RESOLVED**, by the Vilas County Board of Supervisors in session this 15<sup>th</sup> day of June, 2010 that the Vilas County Clerk is directed to make a journal adjustment in the amount of \$3,805.20 into the Outside Revenue 100.56130 so that the funds can be used for snowmobile trail safety improvements near the intersection of State Highways 17 & 70.

Submitted by: **Forestry Recreation & Land Committee**

s/ Stephen Favorite, Chair  
s/ Bob Egan, Vice Chair  
s/ Leon Kukanich  
s/ Jack Harrison  
s/ Sig Hjemvick

Motion by S. Favorite, seconded by L. Kukanich to adopt. Discussion. All voted aye. Carried.

**RESOLUTION 2010-62**

**RE: Vilas County Real Estate Sales/Trade**

**WHEREAS**, lands owned by Vilas County described on the attached prospectus have been appraised for sale or trade; and

**WHEREAS**, the Vilas County Forestry, Recreation, & Land Committee recommends that these lands be approved for sale or trade at the initial bid opening for not less than the minimum bid price described on the attached prospectus and thereafter as allowed by state law.

**NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors in session this 15<sup>th</sup> day of June, 2010 that the Vilas County Forestry, Recreation, & Land Committee on behalf of the Vilas County Board of Supervisors take all necessary action to complete the sale of these lands described on the attached prospectus.

Submitted by: **Forestry, Recreation & Land Committee**

s/ Stephen Favorite, Chair  
s/ Bob Egan  
s/ Leon Kukanich  
s/ Jack Harrison  
s/ Sig Hjemvick

Motion by S. Favorite, seconded by A. Bauman to adopt. Discussion. All voted aye. Carried.

**RESOLUTION 2010 - 63**

**RE: Application for State Trust Fund Loan for Telephone System Infrastructure**

June 15, 2010

**WHEREAS**, by the provisions of Sec. 24.66 of the Wisconsin Statutes, all municipalities may borrow money for such purposes in the manner prescribed; and

**WHEREAS**, pursuant to Chapter 24 of the Wisconsin Statutes, the Board of Commissioners of Public Lands of Wisconsin is authorized to make loans from the State Trust Funds to municipalities, including counties, for such purposes; and

**WHEREAS**, the Finance Committee desires to borrow the sum of Two Hundred Thirty-One Thousand And 00/100 Dollars (\$231,000.00) from the State Trust Funds for the purpose of **financing of an upgrade to the Courthouse and Justice Center telephone system infrastructure** and for no other purpose; and

**WHEREAS**, the loan would be payable within 20 years and paid in annual installments with interest at the rate of 5.25 percent per annum, and there would be raised and levied upon all taxable property within Vilas County a direct annual tax for the purpose of paying interest and principal on the loan as it becomes due; and

**WHEREAS**, it is anticipated that this sum will be loaned to a private corporation with the ability to establish broadband infrastructure in Vilas County under the same terms and conditions set forth by the State.

**NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors in session this 15<sup>th</sup> day of June, 2010 that we authorize the borrowing of \$231,000.00 from the Trust Funds of the State of Wisconsin for the purpose of financing of an upgrade to the Courthouse and Justice Center telephone system infrastructure and for no other purpose.

**BE IT FURTHER RESOLVED** that the loan is to be payable within 20 years from the 15<sup>th</sup> day of \_\_\_\_\_ preceding the date the loan is made. The loan will be repaid in annual installments with interest at the rate of **5.25** percent per annum from the date of making the loan to the 15<sup>th</sup> day of \_\_\_\_\_ next and thereafter annually as provided by law.

**BE IT FURTHER RESOLVED** that there shall be raised and there is levied upon all taxable property, within the County of Vilas, Wisconsin, a direct annual tax for the purpose of paying interest and principal on the loan as they become due.

**BE IT FURTHER RESOLVED** that no money obtained by the County of Vilas by such loan from the State be applied or paid out for any purpose except **financing of an upgrade to the Courthouse and Justice Center telephone system infrastructure** in Vilas County without the consent of the Board of Commissioners of Public Lands.

**BE IT FURTHER RESOLVED** that in the event that the Board of Commissioners of Public Lands of Wisconsin agrees to make the loan, that the Chair and Clerk of the County of Vilas, Wisconsin, are authorized and empowered, in the name of the County to execute and deliver to the Commission, certificates of indebtedness, in such form as required by the Commission, for any sum of money that may be loaned to the County pursuant to this resolution. The Chair and Clerk of the County will perform all necessary actions to fully carry out the provisions of Chapter 24, Wisconsin Statutes, and these resolutions.

**BE IT FURTHER RESOLVED**, that this preamble and these resolutions and the aye and no vote by which they were adopted, be recorded, and that the County Clerk forward this certified record, along with the application for the loan, to the Board of Commissioners of Public Lands of Wisconsin.

Submitted by:

s/ Kathleen Rushlow, Chair

The Chair announced that K. Rushlow had removed this resolution from consideration.

#### **RESOLUTION 2010 - 64**

#### **RE: Application for State Trust Fund Loan for Broadband Funding**

**WHEREAS**, by the provisions of Sec. 24.66 of the Wisconsin Statutes, all municipalities may borrow money for such purposes in the manner prescribed; and

**WHEREAS**, pursuant to Chapter 24 of the Wisconsin Statutes, the Board of Commissioners of Public Lands of Wisconsin is authorized to make loans from the State Trust Funds to municipalities, including counties, for such purposes; and

**WHEREAS**, the Finance Committee desires to borrow the sum of Two Hundred Fifty Thousand And 00/100 Dollars (\$250,000.00) from the State Trust Funds for the purpose of **financing construction of broadband infrastructure** and for no other purpose; and

**WHEREAS**, the loan would be payable within 20 years and paid in annual installments with interest at the rate of 5.25 percent per annum, and there would be raised and levied upon all taxable property within Vilas County a direct annual tax for the purpose of paying interest and principal on the loan as it becomes due; and

**WHEREAS**, it is anticipated that this sum will be loaned to a private corporation with the ability to establish broadband infrastructure in Vilas County under the same terms and conditions set forth by the State.

**NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors in session

June 15, 2010

this 15<sup>th</sup> day of June, 2010 that we authorize the borrowing of \$250,000.00 from the Trust Funds of the State of Wisconsin for the purpose of financing construction of broadband infrastructure and for no other purpose.

**BE IT FURTHER RESOLVED** that the loan is to be payable within 20 years from the 15<sup>th</sup> day of \_\_\_\_\_ preceding the date the loan is made. The loan will be repaid in annual installments with interest at the rate of **5.25** percent per annum from the date of making the loan to the 15<sup>th</sup> day of \_\_\_\_\_ next and thereafter annually as provided by law.

**BE IT FURTHER RESOLVED** that there shall be raised and there is levied upon all taxable property, within the County of Vilas, Wisconsin, a direct annual tax for the purpose of paying interest and principal on the loan as they become due.

**BE IT FURTHER RESOLVED** that no money obtained by the County of Vilas by such loan from the State be applied or paid out for any purpose except **financing construction of broadband infrastructure** in Vilas County without the consent of the Board of Commissioners of Public Lands.

**BE IT FURTHER RESOLVED** that in the event that the Board of Commissioners of Public Lands of Wisconsin agrees to make the loan, that the Chair and Clerk of the County of Vilas, Wisconsin, are authorized and empowered, in the name of the County to execute and deliver to the Commission, certificates of indebtedness, in such form as required by the Commission, for any sum of money that may be loaned to the County pursuant to this resolution. The Chair and Clerk of the County will perform all necessary actions to fully carry out the provisions of Chapter 24, Wisconsin Statutes, and these resolutions.

**BE IT FURTHER RESOLVED**, that this preamble and these resolutions and the aye and no vote by which they were adopted, be recorded, and that the County Clerk forward this certified record, along with the application for the loan, to the Board of Commissioners of Public Lands of Wisconsin.

Submitted by: **Finance & Budget Committee**

s/ Kathleen Rushlow, Chair

s/ Christopher Mayer

s/ Edward Bluthardt Jr.

Charles Rayala, Jr.

s/ Linda L. Thorpe

Motion by B. Egan, seconded by S. Hjemvick to adopt. Discussion. Motion by E. Bluthardt, seconded by D. Nielsen to postpone further action on the resolution by referring the resolution back to the Finance & Budget Committee. 17 voted aye to postpone. 4 voted no: E. Bakka, R. De Bruyne, B. Egan and S. Hjemvick. C. Mayer, who noted that discussion is allowed on a motion to postpone, called for a point of order. Motion by R. De Bruyne, seconded by R. Sitzberger to re-open discussion on the previous motion. 17 voted aye. 4 voted no: A. Bauman, M. Bedish. E. Bluthardt and D. Nielsen. The Chair then declared the initial vote to postpone void due to lack of a call for discussion. He then called for discussion on the original motion to postpone the resolution. Discussion. All voted aye on the original motion to postpone further action on the resolution. Action on the resolution postponed.

#### **RESOLUTION 2010 - 65**

#### **RE: NORTHWOODS UNITED WAY, INC. 2011 GRANT FUNDS**

**WHEREAS**, Northwoods United Way, Inc. has requested applications for grant funding for the year 2011; and

**WHEREAS**, the Vilas County Commission on Aging, COA, has successfully applied for grant funds from the Northwoods United Way, Inc. and has interest in making application for the year 2011; and

**WHEREAS**, the COA would use such grant funding to maintain and enhance outreach activities assuring that the consumers we serve are aware of the services and supports provided; and

**WHEREAS**, performance of the COA is outstanding regarding grant funding from the Northwoods United Way, Inc.; and

**WHEREAS**, grant funds requested by application are in the amount of \$3,500 for 2011; and

**WHEREAS**, the COA Director has filed a grant application with the Northwoods United Way, Inc.; and

**WHEREAS**, acceptance of such grant funds, if awarded, are contingent on the following approvals:

- Vilas County Corporation Counsel
- Vilas County Commission on Aging
- Vilas County Board of Supervisors

**NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors in session this 15th day of June, 2010 that we authorize the Vilas County Commission on Aging to accept Northwoods United Way, Inc. grant funds in an amount not to exceed \$3,500 for the 2011 COA budget to maintain and enhance outreach efforts to more effectively serve the mature population of Vilas County.

Submitted by **The Commission On Aging**

s/ Erwin G. Teichmiller, Chair

s/ Kris Main

s/ Mary Platner  
s/ Fred Radtke  
s/ Betty Hansen  
s/ Shirley Haws

s/ Robert Meyer  
Danielle Montgomery  
s/ June Wedell  
s/ Chris Wise

Motion by E. Teichmiller, seconded by R. De Bruyne to adopt. Discussion. All voted aye. Carried.

**RESOLUTION 2010 - 66**

**RE: Placing Advisory Referendum on November Ballot**

**WHEREAS**, according to the Legislative Fiscal Bureau, over the past decade, the State of Wisconsin has transferred approximately \$1.2 billion from the State's segregated transportation fund to the State's general fund and replaced it with approximately \$800 million in General Obligations (GO) bonds, thereby reducing the amount available for transportation purposes by approximately \$400 million; and

**WHEREAS**, Wisconsin's practice of transferring money from the segregated transportation fund to the general fund has eroded the public's confidence that the "user fees" they pay through the state gasoline tax and vehicle registration fees will be used for their intended purpose; and

**WHEREAS**, Wisconsin's practice of replacing the dollars transferred from the State's segregated transportation fund with GO bonds puts our state in the precarious position of bonding to fund ongoing operations; and

**WHEREAS**, the Pew Center on the States recently released a report that included Wisconsin as having one of the ten worst budget situations in the country and specifically cited transferring money from the transportation fund to fund ongoing operations as an example of one of the practices that has put Wisconsin in such an untenable position; and

**WHEREAS**, the debt service for these bonds will have to be paid for out of the State's general fund, which hinders its ability to fund other programs like Shared Revenue, Youth Aids, Community Aids and courts in the future; and

**WHEREAS**, using the State's general obligation (GO) bonds in this way has hurt the State's bond rating. A report issued by CNN in 2009 listed Wisconsin as having the second worst GO bond rating in the country; and

**WHEREAS**, gas tax and vehicle registration fees comprise over 90% of the State's segregated transportation account. Revenues from these two sources have been declining and are inadequate to meet the existing transportation needs in this state; and

**WHEREAS**, Wisconsin's transportation infrastructure is a fundamental component in its ability to attract and retain business and produce jobs; and

**WHEREAS**, the citizens of Vilas County deserve the right to have their voices heard on this important issue; and

**WHEREAS**, providing constitutional protection much like our neighbors in Minnesota, Iowa, Michigan, Indiana and Ohio already have is the only way to ensure that this practice will not continue.

**NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors in session this 15<sup>th</sup> day of June, 2010 that the following question will be put to the voters of Vilas County in an advisory referendum during the November 2010 election:

Should the Wisconsin Constitution be amended to prohibit any further transfers or lapses from the segregated transportation fund? This amendment would require that transportation funds, collected or received, be used solely to fund Wisconsin's transportation systems and infrastructure.

**BE IT FURTHER RESOLVED** that the County Clerk is directed to cause a copy of the Notice of Referendum to be published in the County's official newspaper as required by law.

**BE IT FURTHER RESOLVED** that the County Clerk is directed to provide a copy of this resolution and a copy of the results of the advisory referendum to the Wisconsin Counties Association.

Submitted by:

s/ Charles Rayala, Jr. County Board Chair

Motion by D. Nielsen, seconded by A. Bauman to adopt. Discussion. Motion by S. Favorite, seconded by E. Teichmiller to amend the resolution by striking the following language:

**Line #35** from the segregated transportation fund? ~~This amendment would require that~~  
**Line #36** ~~transportation funds, collected or received, be used solely to fund Wisconsin's~~  
**Line #38** ~~transportation systems and infrastructure.~~

Discussion. All voted aye. Amendment carried. All voted aye on the resolution as amended. Carried.

**RESOLUTION 2010 - 67**

**RE: Budget Amendment**

**WHEREAS**, the State of Wisconsin Division of Public Health of the Department of Health Services (Agency) has been authorized to make grants/funds available to Vilas County Health Department through the American Recovery and Reinvestment Act of 2009 (ARRA); and

**WHEREAS**, the Agency has allocated \$6,247.00 to Vilas County Health Department for ARRA Immunization and Vaccines for Children and Adults; and

**WHEREAS**, the Vilas County Public Health Board recommends that the 2010 budget be amended to allow for the increased revenue and to authorize a corresponding increase in expenditures as shown below:

	<u>Account</u>	<u>Description</u>	<u>Approved 2010</u>	<u>Contract</u>	<u>Difference</u>
Revenue	100.48003	ARRA PH Immunization	\$6,000.00	\$6,247.00	\$247.00
Expense	54100.805	ARRA PH Immunization	\$6,000.00	\$6,247.00	\$247.00

**NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors in session this 15th day of June, 2010 that the 2010 budget is amended by the amount of the funds received, and the County Clerk is directed to record such information in the official books of the County for the year ending December 31, 2010, and the County Clerk is directed to record such information in the official books of the County for the year ending December 31, 2010.

**BE IT FURTHER RESOLVED** that the County Clerk is instructed to publish a Class 1 notice within 10 days of these amendments informing the public of these particular changes.

Submitted by: **Vilas County Public Health Board**

s/ Jim Behling, Chair  
 S/ Al Bauman  
 s/ Mary Platner  
 s/ Ron De Bruyne  
 s/ Linda Thorpe

Terrance Moe  
 Dan Paretsky  
 s/ Colleen Gorrilla  
 Becky DeMuth

Motion by R. De Bruyne, seconded by A. Bauman to adopt. Discussion. All voted aye. Carried.

**RESOLUTION 2010 – 68**

**RE: Hiring One Full-Time Deputy Sheriff due to a Vacancy**

**WHEREAS**, the Vilas County Sheriff’s Office has twenty (20) full-time Deputy Sheriffs assigned to the Patrol Division within the Department; and

**WHEREAS**, the Vilas County Sheriff has one vacant full-time Deputy Sheriff position; and

**WHEREAS**, this position needs to be filled, as it is critical to the operation of the Sheriff’s Department to meet the agency’s statutory obligations in the protection of persons and property and maintaining Patrol operations; and

**WHEREAS**, the Vilas County Sheriff requests authorization to hire one full-time Deputy Sheriff for this vacant position; and

**WHEREAS**, the starting wage for the full-time Deputy Sheriff’s position is **\$19.04** in wages, all of which is included in the current Sheriff’s Department CY2010 Budget; and

**WHEREAS**, a three-fourths (3/4) majority vote of the Board of Supervisors is necessary for filling a vacancy in a department.

**NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors in session this 15<sup>th</sup> day of June, 2010, that the Vilas County Sheriff is authorized to fill the vacant full-time Deputy Sheriff position within the Department as outlined above.

Submitted by: **Law Enforcement Committee**

s/ Robert Egan, Chair  
 s/ Alden Bauman, Vice Chair  
 s/ Jack Harrison  
 s/ Edward Bluthardt  
 s/ Emil Bakka

Motion by D. Nielsen, seconded by E. Bakka to adopt. Discussion. A ¾ majority vote of approval is required for adoption. All voted aye. Carried.

**RESOLUTION 2010 - 69**

**RE: Hiring One Limited Term Full-time Correction Officer**

**WHEREAS**, the Vilas County Sheriff’s Department has 15 Corrections Officers assigned to the Jail Division, and one of said positions is temporarily vacant due to an employee on military leave; and

**WHEREAS**, there is a need to hire a limited-term full-time Corrections Officer, as the position is

critical to the operation of the Sheriff's Department to meet the agency's statutory obligations in the protection of persons and property and maintaining jail operations (see attached job description); and

**WHEREAS**, this limited-term full-time Corrections Officer will function as a temporary replacement for a Corrections Officer presently on military leave and the term of said position will run concurrently with the duration of the employee's military leave; and

**WHEREAS**, the starting wage for a Corrections Officer position is \$14.93 per hour, with corresponding benefits of \$24,212.92, all of which is included in the current Sheriff's Department CY2010 Budget; and

**WHEREAS**, the employee presently on military leave is entitled to reinstatement to their previous or a comparable position upon return from military leave; and

**WHEREAS**, a three-fourths (¾) majority vote of the Board of Supervisors is necessary for filling a vacancy in a department.

**NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors in session this 15th day of June, 2010 that the Vilas County Sheriff is authorized to hire an individual as a limited-term full-time Corrections Officer within the Vilas County Sheriff's Department, as set forth in the attached job description.

**BE IT FURTHER RESOLVED** that this limited-term Corrections Officer position will be a temporary replacement for a Corrections Officer presently on military leave and the term of the position will run concurrently with the duration of the employee's military leave.

Submitted by: **Law Enforcement and Emergency Management Committee**

s/ Bob Egan, Chair  
s/ Al Bauman  
s/ Emil Bakka  
s/ Ed Bluthardt  
s/ Jack Harrison

Motion by B. Egan, seconded by A. Bauman to adopt. Discussion. A ¾ majority vote of approval is required for adoption. All voted aye. Carried.

**GENERAL CODE OF VILAS COUNTY  
ORDINANCE 2010 – 5A**

**RE: Chapter 9 Public Peace and Order**

**WHEREAS**, proposed amendments to Chapter 9, which contains public peace and order, have been completed for review by the County Board; and

**WHEREAS**, the Legislative & Judicial and Law Enforcement & Emergency Management Committees recommend that Chapter 9 of the Vilas County General Code be amended as set forth on the attached pages.

**NOW, THEREFORE, THE VILAS COUNTY BOARD OF SUPERVISORS IN SESSION THIS 15<sup>th</sup> DAY OF JUNE, 2010 DOES ORDAIN AS FOLLOWS:**

**Section 1:** Any existing ordinances, codes, resolutions, or portions thereof that are in conflict with this ordinance shall be and are hereby repealed as far as any conflict exists.

**Section 2:** This ordinance shall take effect upon passage and publication as provided by law.

**Section 3:** If any claims, provisions, or portions of this ordinance are adjudged invalid or unconstitutional by a court of competent jurisdiction, then the remainder of this ordinance shall not be affected thereby.

**Section 4:** Section 9.21 (False Alarms) of Chapter 9, Public Peace and Order, is hereby repealed and recreated as set forth in the attached pages.

**Submitted by:**  
**Law Enforcement & Emergency  
Management Committee**

s/ Robert Egan, Chair  
s/ Alden Bauman  
s/ Emil Bakka  
s/ Ed Bluthardt  
s/ Jack Harrison

**Submitted by:**  
**Legislative & Judicial Committee**

s/ Christopher Mayer, Chair  
s/ Sig Hjemvick  
s/ James Behling  
s/ Gene Ciszek  
s/ Stephen Favorite

Motion by S. Hjemvick, seconded by B. Egan to adopt. Discussion. All voted aye. Carried.

**RESOLUTION 2010 - 70**

**RE: Accepting Bid for Construction of South Playing Fields at Oldenburg Sports Park**

June 15, 2010

**WHEREAS**, the Vilas County Forestry, Recreation & Land Committee has advertised and accepted bids for construction of the south playing fields at Oldenburg Sports Park; and

**WHEREAS**, the Forestry, Recreation & Land Committee has reviewed 3 bids for this project and recommends that the County accept the low bid submitted by Pitlik & Wick Inc. at a cost of \$109,456.10; and

**WHEREAS**, the Forestry Department's 2010 budget contains adequate funds in line item 100.57251.820 – Ballfields to cover the cost of this contract.

**NOW, THEREFORE, BE IT RESOLVED**, by the Vilas County Board of Supervisors in session this 15<sup>th</sup> day of June, 2010 that the Forestry, Recreation & Land Committee is authorized to accept the south playing fields construction bid in the amount of \$109,456.10 for the Oldenburg Sports Park and to enter into a contract with Pitlik & Wick Inc. for said project.

**BE IT FURTHER RESOLVED** that the cost of said contract shall be taken from 100.57251.820 – Ballfields.

Submitted by: **Forestry, Recreation & Land Committee**

s/ Stephen Favorite, Chairman

s/ Bob Egan, Vice Chair

s/ Leon Kukanich

s/ Sig Hjemvick

s/ Jack Harrison

Motion by S. Favorite, seconded by L. Kukanich to adopt. Discussion. All voted aye. Carried.

#### **RESOLUTION 2010 - 71**

##### **RE: Homeland Security Law Enforcement Command Radio Grant**

**WHEREAS**, the Vilas County Sheriff received notification of a Homeland Security Grant administered by the Wisconsin Office of Justice Assistance (OJA) that funds were available to purchase 2(two) trunking enabled Law Enforcement Command Radios to access the Wisconsin Interoperable System for Communications(WISCOM); and

**WHEREAS**, the Wisconsin Interoperable System for Communications (WISCOM) is the statewide interoperable communication system and Vilas County needs to access this system; and

**WHEREAS**, Vilas County seeks to obtain 2(two) P-25 compliant command radios through this grant in the amount of \$7,900.00 total; one to be placed in a command vehicle for interoperable communications, and the other to be placed in the County's Emergency Operation Center (EOC) for interoperable communications in the event of an area disaster; and

**WHEREAS**, there are no matching funds required by Vilas County, for this grant.

**NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors in session this 15th day of June, 2010 that the Vilas County Sheriff is authorized to apply for this radio grant.

Submitted by: **Law Enforcement & Emergency Management Committee**

s/ Robert Egan, Chair

s/ Emil Bakka

s/ Alden Bauman

s/ Jack Harrison

s/ Edward Bluthardt

Motion by E. Bluthardt, seconded by R. De Bruyne to adopt. Discussion. All voted aye. Carried.

#### **RESOLUTION NO. 2010-72**

##### **RE: Alternative Vilas County Courthouse Space Needs Considerations**

**WHEREAS**, the Vilas County Board of Supervisors is currently considering options for the expansion of courthouse facilities; and

**WHEREAS**, the current facilities design committee is charged with the sole duty of designing a courthouse addition contiguous to the existing Vilas County Courthouse; and,

**WHEREAS**, there are several other properties that are currently vacant and available in several Vilas County locations; and

**WHEREAS**, alternative locations for addressing the space needs within the existing courthouse have not been thoroughly considered and debated by the entire Vilas County Board of Supervisors; and

**WHEREAS**, several of the units of government currently located within the Vilas County Courthouse can operate at alternative locations and continue to serve the public in an adequate and efficient fashion; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Vilas County Board of Supervisors shall

June 15, 2010

identify all options including alternative site locations currently existing within Vilas County,  
**BE IT FURTHER RESOLVED**, by the Vilas County Board of Supervisors that all identified off site locations be considered by the entire Vilas County Board of Supervisors.

Submitted by:  
s/ Stephen J Favorite  
s/ James R. Behling  
s/ Ron De Bruyne  
s/ Erv Teichmiller

Motion by D. Nielsen, seconded by S. Favorite to adopt. Discussion. Motion by S. Hjemvick, seconded by R. De Bruyne to amend the resolution by stipulating that The Samuels Group remain the County's consultants regarding any consideration of any available buildings or building sites. Discussion. 8 voted aye on the amendment: E. Bakka, R. De Bruyne, B. Egan, J. Harrison, S. Hjemvick, L. Kukanich, D. Nielsen and K. Rushlow. 13 voted no. Amendment failed. Discussion. Motion by E. Bluthardt to amend the resolution by removing the phrase vacant and from **Line #5**. Motion died for lack of a second. Discussion. 20 voted aye on the resolution. 1 no vote: K. Rushlow. Carried.

#### **RESOLUTION NO. 2010-73**

##### **RE: Staffing Agreement for Double Occupancy of Jail Cells**

**WHEREAS**, in order to use jail cells for double occupancy, the Vilas County Board and Vilas County Sheriff must comply with Wisconsin Administrative Code Chapter DOC 350.07, which includes a joint determination on the adequate staffing needs; and

**WHEREAS**, the County Board and Sheriff entered into a Staffing Agreement for Double Occupancy of Inmate Cells in 1999; and

**WHEREAS**, the Law Enforcement & Emergency Management Committee desire to revise said Agreement to reflect the current staffing levels of the jail.

**NOW, THEREFORE, BE IT RESOLVED**, by the Vilas County Board of Supervisors in session this 15<sup>th</sup> day of June, 2010 that the attached Staff Agreement for Double Occupancy of Inmates in Cells is hereby approved and shall remain in effect until rescinded or amended by mutual written agreement of the County Board and the Sheriff.

**BE IT FURTHER RESOLVED**, that the attached Agreement supersedes any and all prior agreements governing the same subject matter both written and oral.

**BE IT FURTHER RESOLVED**, that said Agreement shall be filed with the Department of Corrections.

Submitted by: **Law Enforcement & Emergency Management Committee**  
s/ Robert Egan, Chair  
s/ Alden Bauman  
s/ Emil Bakka  
s/ Edward Bluthardt, Jr.  
s/ Jack Harrison

Motion by D. Nielsen, seconded by A. Bauman to adopt. Discussion. All voted aye. Carried.

#### **RESOLUTION NO. 2010 - 74**

##### **RE: Wolf Population Management**

**WHEREAS**, the gray wolf in Wisconsin is currently listed as an endangered species by the Federal Government; and

**WHEREAS**, the status of listed as "endangered" negates the ability of the State of Wisconsin to manage the wolf population and attempt to control depredation of livestock and pets by problem wolves; and

**WHEREAS**, the target population, set by the Federal Government, for delisting the wolf in Wisconsin and Michigan, must be greater than 100 animals sustained for a period of five years; and

**WHEREAS**, the Wisconsin Department of Natural Resources (WDNR) places the Wisconsin 2010 late winter population estimate at 720, said population having been in excess of 350 since 2003, with wolves occupying virtually all suitable habitat in Wisconsin; and

**WHEREAS**, the wolf population in Wisconsin has exceeded the above specified target population for delisting; and

**WHEREAS**, there is no reason to believe the wolf remains endangered or threatened in Wisconsin, and

**WHEREAS**, the WDNR has submitted a petition to the U.S. Department of Interior (USDOI) and the U.S. Fish and Wildlife Service (USFWS) to delist the gray wolf in Wisconsin.

**THEREFORE, BE IT RESOLVED**, that the Vilas County Board of Supervisors in session this 15<sup>th</sup>

June 15, 2010

day of June 2010 requests that the USDOJ and the USFWS move ahead to delist the gray wolf in Wisconsin, as petitioned by the WDNR, transferring management of the wolf population in Wisconsin to the State of Wisconsin.

**BE IT FURTHER RESOLVED**, that the Vilas County Board of Supervisors requests that the State of Wisconsin use all its legal resources to pursue the delisting of the gray wolf in Wisconsin from the Federal Endangered and Threatened Species Lists and transfer wolf management in the State of Wisconsin to the State of Wisconsin.

**BE IT FURTHER RESOLVED**, that the Vilas County Board of Supervisors requests that the WDNR consider, in its revision of the Wolf Management Plan, population goals that reflect changes in the amount of human activity and development in areas that were viewed as suitable habitat in 1995, which resulted in a population goal of 350 animals as established in the 1999 Wisconsin Wolf Management Plan.

**BE IT FURTHER RESOLVED**, that the Vilas County Board of Supervisors requests that the WDNR and its partners implement much needed population controls to bring the wolf population to goal levels when formulating the next Wisconsin Wolf Management Plan.

**BE IT FURTHER RESOLVED**, that the Vilas County Board of Supervisors directs the Vilas County Clerk to forward copies of this Resolution to: Secretary of the Interior Ken Salazar, U.S. Fish & Wildlife Service Acting Director Rowan Gould, Senators Russ Feingold & Herb Kohl, Representative Steve Kagen, Governor Jim Doyle, State Senator Jim Holperin, State Representative Dan Meyer, and Secretary of WDNR Matthew Frank.

Respectfully Submitted By: Vilas County Forestry, Recreation & Land Committee

s/ Stephen Favorite, Chair  
s/ Bob Egan, Vice Chair  
s/ Leon Kukanich  
s/ Sig Hjemvick  
s/ Jack Harrison

Motion by R. Sitzberger, seconded by S. Hjemvick to adopt. Discussion. All voted aye. Carried.

#### **RESOLUTION 2010 – 75**

##### **RE: Corporation Counsel Confidential Secretary Position**

**WHEREAS**, it is anticipated that there will be a vacancy in the Corporation Counsel Confidential Secretary position in the upcoming months; and

**WHEREAS**, the duties of the Corporation Counsel Confidential Secretary position include, but are not limited to, preparing a variety of complex legal documents associated with involuntary commitments, guardianship and child protection proceedings; composing written correspondence, scheduling and updating the office calendar and court hearings, assisting corporation counsel with labor relations issues including contract interpretation, disciplinary issues and other personnel matters of a confidential nature (see attached job description); and

**WHEREAS**, this position needs to be filled as it is critical to the operation of the Corporation Counsel's office; and

**WHEREAS**, the annual compensation for this position is \$45,853.90 for wages and \$29,550.61 for benefits, for a total of \$75,404.21, which is included in the Corporation Counsel's 2010 Budget; and

**WHEREAS**, a  $\frac{3}{4}$  majority vote of the Board of Supervisors is necessary to fill vacant personnel positions.

**NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors in session this 15th day of June, 2010 that the Personnel Committee is authorized to hire an individual for the position of Corporation Counsel Confidential Secretary as outlined above and further set forth in the attached job description.

**BE IT FURTHER RESOLVED**, that the Personnel Committee is authorized to advertise the position to the general public and hire accordingly.

Submitted by: **Legislative & Judicial Committee**

Christopher Mayer, Chair  
s/ Sigurd Hjemvick  
s/ James Behling  
Gene Cizek  
s/ Stephen Favorite

Motion by S. Favorite, seconded by G. Cizek to adopt. Discussion. 19 voted aye. 2 no votes: E. Bluthardt and E. Teichmiller. Carried.

#### **RESOLUTION 2010- 76**

**RE: Transfer from General Fund for Global Wireless Solutions Invoice**

**WHEREAS**, many Vilas County departments contract with Verizon Wireless for cell phone services; and

**WHEREAS**, the Vilas County Public Property Committee entered into a results based service contract with Global Wireless Solutions to negotiate more favorable wireless rates from Verizon Wireless; and

**WHEREAS**, the terms of the contract with Global Wireless Solutions provided for a payment for services received equal to 25% of the first years annual savings, but only if a savings to Vilas County was realized; and

**WHEREAS**, Global Wireless Solutions was successful in negotiating lower wireless rates for Vilas County, providing for an annual savings of \$8,151.96 over current rates, as verified by Verizon Wireless; and

**WHEREAS**, Global Wireless Solutions has presented an invoice totaling \$2,037.99 and there were no funds budgeted for this expense; and

**WHEREAS**, a 2/3rds majority vote of approval is necessary to transfer funds from the General Fund.

**NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors in session this 15<sup>th</sup> day of June, 2010 that we authorize a transfer of no more than \$2,037.99 from the General Fund into a outlay account for the purpose of paying the Global Wireless Solution fee.

Submitted by: **Public Property Committee**

s/ Ron De Bruyne, Chair

s/ James Behling

s/ Charles Rayala, Jr.

s/ Kathleen Rushlow

s/ Linda Thorpe

Motion by R. De Bruyne, seconded by C. Mayer to adopt. Discussion. A 2/3 majority vote of approval is required for adoption. All voted aye. Carried.

**RESOLUTION 2010-77**

**RE: Application for Wisconsin Land Information Program Grants-In-Aid to Local Government Units**

**WHEREAS**, the State of Wisconsin Department of Administration-Division of Intergovernmental Relations (DOA-DOJR) has received funds in the form of retained fees collected by the Vilas County Register of Deeds from recorded documents; and

**WHEREAS**, Vilas County is eligible for Year 2010-Cycle Base Budget and Training and Education Grant Funds in the amount of \$8,137.00 from the DOA-DOIR; and

**WHEREAS**, the Vilas County Register of Deeds collects recorded document fees per Wis. Stat. s.59.43(2)(ag), and a portion of these recording fees are sent to the Wisconsin Department of Administration; and

**WHEREAS**, the Vilas County Land Information/Mapping Department will use such grant funds to offset some of the costs associated with the purchase of 12 inch, color, orthorectified digital aerial photos to update and maintain computerized mapping of the county's land information records relating to housing, including the housing element of the county's land use plan, in a manner that would allow for greater public access via the Internet; and

**WHEREAS**, the Vilas County Land Information and Mapping Department uses the orthophotos to observe changes to addressing, land use, forest management, public safety, etc., and has custodial responsibility to maintain each series of orthophotos for historical purposes; and

**WHEREAS**, the Vilas County Land Information and Mapping Department and Register of Deeds use the training and education portion of the grant to offset the annual membership and conference fees associated with the Wisconsin Land Information Association; and

**WHEREAS**, these activities are consistent with the countywide plan for land records modernization; and

**WHEREAS**, grant application deadline is June 20, 2010.

**NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors in session this 15<sup>th</sup> day of June, 2010 that we authorize the Vilas County Land Information Officer to apply for Year 2010-Cycle Base Budget and Training and Education Grant Funds in the amount of \$8,137.00 from the DOA-DOIR for the purpose of offsetting the purchase of the 12 inch, color, orthorectified digital aerial photos.

Submitted by: **Land Records Committee**

s/ Steve Favorite

s/ Mary Platner

s/ Jack Harrison

s/ Fred Radtke

s/ Ed Bluthardt

Motion by S. Favorite, seconded by J. Harrison to adopt. Discussion. All voted aye. Carried.

**RESOLUTION 2010 - 78**

**RE: Application for State Trust Fund Loan for Courthouse and Justice Center Telephone System Infrastructure Upgrade**

**WHEREAS**, the Vilas County Board adopted resolution 2009-86 Upgrade Current Telephony Systems, Support, Service and Infrastructure on September 22, 2009 and subsequently determined not to fund the project in the 2010 Vilas County budget; and

**WHEREAS**, the current telephone system infrastructure in the Courthouse and Justice Center remains largely obsolete with many components no longer available or maintainable at reasonable cost, increasing the risk of a total system collapse; and

**WHEREAS**, a reliable and cost efficient telephone system and related infrastructure is a necessary and vital component of County government operations; and

**WHEREAS**, the capital expense of hardware, software and installation are estimated to total \$231,000.00 including first year maintenance costs; and

**WHEREAS**, the Finance and Budget Committee recommends borrowing the sum of \$231,000.00 from the Board of Commissioners of Public Lands with the proceeds used to fund the telephone system upgrade and for no other purpose; and

**WHEREAS**, the loan would be payable within 10 years and paid in annual installments with interest at the rate of 4.25 percent per annum, and there would be raised and levied upon all taxable property within Vilas County a direct annual tax for the purpose of paying interest and principal on the loan as it becomes due; and

**WHEREAS**, it is anticipated that this sum will be loaned to a private corporation with the ability to establish broadband infrastructure in Vilas County under the same terms and conditions set forth by the State.

**NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors in session this 15<sup>th</sup> day of June, 2010 that we authorize the borrowing of \$231,000.00 from the Trust Funds of the State of Wisconsin for the purpose of funding the County's telephone system upgrade and for no other purpose.

**BE IT FURTHER RESOLVED** that the loan is to be payable within 10 years from the 15<sup>th</sup> day of \_\_\_\_\_ preceding the date the loan is made. The loan will be repaid in annual installments with interest at the rate of **4.25** percent per annum from the date of making the loan to the 15<sup>th</sup> day of \_\_\_\_\_ next and thereafter annually as provided by law, with \$28,400.00 repaid annually over a period not to exceed 10 years; total interest costs to Vilas County not exceeding \$53,000.00 over the term of the loan.

**BE IT FURTHER RESOLVED** that there shall be raised and there is levied upon all taxable property, within the County of Vilas, Wisconsin, a direct annual tax for the purpose of paying interest and principal on the loan as they become due.

**BE IT FURTHER RESOLVED** that no money obtained by the County of Vilas by such loan from the State be applied or paid out for any purpose except funding the County's telephone system upgrade in Vilas County without the consent of the Board of Commissioners of Public Lands.

**BE IT FURTHER RESOLVED** that in the event that the Board of Commissioners of Public Lands of Wisconsin agrees to make the loan, that the Chair and Clerk of the County of Vilas, Wisconsin, are authorized and empowered, in the name of the County to execute and deliver to the Commission, certificates of indebtedness, in such form as required by the Commission, for any sum of money that may be loaned to the County pursuant to this resolution. The Chair and Clerk of the County will perform all necessary actions to fully carry out the provisions of Chapter 24, Wisconsin Statutes, and these resolutions.

**BE IT FURTHER RESOLVED**, that this preamble and these resolutions and the aye and no vote by which they were adopted, be recorded, and that the County Clerk forward this certified record, along with the application for the loan, to the Board of Commissioners of Public Lands of Wisconsin.

**BE IT FURTHER RESOLVED** that the proceeds of the loan be deposited in a Capital Projects revenue line and that a budget be created in the Capital Projects Fund for the telephone systems infrastructure upgrade.

Submitted by:

s/ Kathleen Rushlow, Chair

Motion by S. Favorite, seconded by L. Kukanich to adopt. Discussion. Roll call vote found the following 21 Supervisors voting aye: Emil Bakka, Alden Bauman, Maynard Bedish, James Behling, Edward Bluthardt, Jr., Gene Cizek, Ronald De Bruyne, Bob Egan, Stephen Favorite, Jack Harrison, Sig Hjermvick, Leon Kukanich, Christopher Mayer, Dennis Nielsen, Mary Platner, Fred Radtke, Kathleen Rushlow, Ralph J. Sitzberger, Erv Teichmiller, Linda Thorpe and Charles Rayala, Jr. Carried.

June 15, 2010

**Re-Appointments To The Board Of Adjustment – Glyn Roberts And Richard Peterson** - Motion by S. Favorite, seconded by M. Platner to approve the Chair's re-appointments of Glyn Roberts and Richard Peterson to the Board of Adjustment. All voted aye. Carried.

**Appointment To Spectacle Lake District – Ralph Sitzberger** - Motion by J. Harrison, seconded by D. Nielsen to approve the Chair's appointment of Ralph Sitzberger as Vilas County representative to the Spectacle Lake District. All voted aye. Carried.

**Annual Reports - Tourism & Publicity & Treasurer** - Discussion. Motion by R. Sitzberger, seconded by J. Harrison to accept both reports. All voted aye. Carried.

#### **Committee Reports**

G. Ciszek reminded the assembly that the free electronic waste recycling program was up and running. Disposal vouchers may be obtained from the local municipal clerks. He also reported that hazardous waste collections would be held July 16 & 17, 2010 in Lac du Flambeau and August 6 & 7, 2010 at the Vilas County Fairgrounds.

R. Sitzberger reported that the LWC Committee continued to be involved with the issue at the East Flowage Dam site. He stated that local property owners were working with the Town of Conover regarding the issue. This group will report to the LWC Committee in the near future.

E. Teichmiller reported that the ADRC Planning Group continued to meet. They will report to the County Board at the August, 2010 meeting.

L. Thorpe explained the process for obtaining County provided business cards.

C. Mayer reported that the Zoning Committee was beginning the process of adopting the new NR115 rules into the County's zoning ordinance.

E. Bluthardt took note of the increase in tax delinquencies as outlined in the Treasurer's 2009 report. He cautioned that this information needed to be considered as part of any new spending initiatives.

B. Egan reported on the efficient operation of the County jail.

**Letters And Communications** - The Chair presented a letter praising Emergency Management & Safety Director Jim Galloway for his efforts, which have resulted in a continuation of grant funding for Emergency management programs.

**Pay Per Diem** - Motion by L. Thorpe, seconded by G. Ciszek to approve payment of per diem. All voted aye. Carried.

E. Bakka \$77.00, A. Bauman \$95.50, M. Bedish \$54.50, J. Behling \$49.00, Bluthardt \$52.00, G. Ciszek \$83.00, R. De Bruyne \$77.00, B. Egan \$56.00, S. Favorite \$53.00, J. Harrison \$96.00, S. Hjenvick \$66.00, L. Kukanich \$52.00, C. Mayer \$86.40, D. Nielsen \$68.00, M. Platner \$58.00, F. Radtke \$62.00, C. Rayala \$86.00, K. Rushlow \$50.50, R. Sitzberger \$72.00, E. Teichmiller \$72.00, L. Thorpe \$47.00.

**Adjournment** - Motion by R. Sitzberger, seconded by J. Harrison to adjourn. All voted aye. Carried. Meeting adjourned at 11:40 A.M.

Prepared and submitted by:

David R. Alleman, Vilas County Clerk