

**Vilas County Board Proceedings
2008**

September 16,

This meeting of the Vilas County Board of Supervisors began at 9:00 A.M., in the conference rooms located in the Vilas County Courthouse, 330 Court Street, Eagle River, WI.

County Board Chairman Stephen Favorite called the meeting to order and instructed the Clerk to read aloud and insert into the minutes the following: AA Public meeting notice was given to the public by posting at the Vilas County Courthouse, the Olson Memorial Library and Eagle River City Hall. Also, the Vilas County News-Review; the Lakeland Times; the Rhinelander Daily News; the Ironwood Daily Globe; W.E.R.L. Radio; W.R.J.O. Radio; W.L.S.L Radio; W.H.D.G. Radio; and Channel 12 TV were notified by September 12, 2008, 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.

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

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, Jack Harrison, Sig Hjemvick, Leon Kukanich, Christopher Mayer, Dennis Nielsen, Mary Platner, Fred Radtke, Charles Rayala, Jr., Kathleen Rushlow, Ralph J. Sitzberger, Erv Teichmiller, Linda Thorpe and Stephen Favorite. The Clerk reported 21 Supervisors in attendance. A quorum of the County Board was present.

The Chairman then called for the following motions:

Motion by C. Rayala, seconded by A. Bauman to approve the agenda to be discussed in any order at the Chair's discretion. All voting aye. Carried.

Motion by D. Nielsen, seconded by L. Thorpe to approve the minutes of the August 19, 2008 meeting as presented. All voting aye. Carried.

Motion by C. Rayala, seconded by J. Harrison to omit the reading of resolutions and ordinances by the Clerk unless requested from the floor. All voting aye. Carried.

Motion by C. Rayala, seconded by F. Radtke 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 voting aye. Carried.

Beginning at 9:05 A.M. Dennis Lawrence, representative of the North Central Wisconsin Regional Planning Commission, addressed the Board regarding the benefits and costs to Vilas County of becoming a member of that commission. His presentation ended at 9:35 A.M.

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.

RES. 2008-96
(MEMBERSHIP IN THE NORTH CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION)

Motion by E. Bluthardt, seconded by R. Sitzberger to adopt. Discussion. 20 voting aye. 1 no vote: L. Kukanich. Carried.

RES. 2008-92
(SUPPORT ANNEXATION OF ABANDONED RAILROAD RIGHT-OF-WAY BY CITY OF EAGLE RIVER)

Motion by C. Rayala, seconded by A. Bauman to adopt. Discussion. All voting aye. Carried.

RES. 2008-93
(2009 VILAS COUNTY LIBRARY SERVICE AGREEMENT)

Motion by J. Behling, seconded by R. De Bruyne to adopt. Discussion. All voting aye. Carried.

At this time Board Chairman S. Favorite, Supervisors L. Kukanich and F. Radtke recused themselves from any discussion or action concerning the following resolution. Vice-Chair K. Rushlow assumed leadership of the meeting.

RES. 2008-94
(JOINT LIBRARY AGREEMENT – WALTER E. OLSON MEMORIAL LIBRARY)

Motion by E. Teichmiller, seconded by M. Platner to adopt. Discussion. All voting aye. Carried.

Supervisors L. Kukanich and F. Radtke returned to the meeting. Board Chairman S. Favorite continued to recuse himself from any discussion or action concerning the following resolution. Vice-Chair K. Rushlow continued in leadership of the meeting.

RES. 2008-111
(BIG ST. GERMAIN LAKE AREA DISTRICT)

Motion by R. De Bruyne, seconded by J. Harrison to adopt. Discussion. Motion by B. Egan, seconded by C. Rayala to amend this resolution to specify that a parcel of land belonging to Bruce Van Hoozen is not to be included within the boundaries of the proposed Lake District. 19 voting aye on the amendment. 2 no votes: M. Platner and E. Teichmiller. Amendment carried. All voting aye on the resolution as amended. Carried.

Board Chairman S. Favorite returned and assumed leadership of the meeting at this time.

RES. 2008-112
(LITTLE ST. GERMAIN LAKE PROTECTION AND REHABILITATION DISTRICT)

Prior to allowing this resolution to be placed on the table for consideration, the Chairman explained that there were four statutory elements that had to be considered by the Board prior to approving this Lake District resolution. The four statutory elements are listed in paragraphs 1 through 4 beginning at line #11 of the resolution. He explained that he wished to create a definitive record of all actions taken by the Board regarding this resolution.

Motion by D. Nielsen, seconded by M. Platner to adopt. Motion by C. Rayala, seconded by J. Harrison to agree with the subject contained in statutory element (1) **that the petition complied with Wis. Stat. §33.33(2)(b) in that the Board of Commissioners of the Little St. Germain Lake Protection and Rehabilitation District initiated the attachment proceedings by motion.** Discussion. Roll call vote requested. The following 18 members determined that the Board of Commissioners had initiated the attachment proceedings by motion, and voted aye: E. Bakka, M. Bedish, J. Behling, E. Bluthardt, G. Ciszek, R. De Bruyne, B. Egan, J. Harrison, S. Hjemvick, L. Kukanich, C. Mayer, D. Nielsen, M. Platner, C. Rayala, K. Rushlow, E. Teichmiller and L. Thorpe and S. Favorite. The following 3 members disagreed and voted no: A. Bauman, F. Radtke and R. Sitzberger. Agreement with statutory element (1) carried.

Motion by C. Rayala, seconded by J. Harrison to agree with the subject contained in statutory element (2) **that the attachment of the proposed contiguous territory to the lake district is necessary.** Discussion. Roll call vote requested. The following 2 members determined that the attachment of the proposed contiguous territory to the Lake District was necessary and voted aye: M. Platner and E. Teichmiller. The following 19 members determined that the attachment of the proposed contiguous territory to the Lake District was not necessary and voted no. E. Bakka, A. Bauman, M. Bedish, J. Behling, E. Bluthardt, G. Ciszek, R. De Bruyne, B. Egan, J. Harrison, S. Hjemvick, L. Kukanich, C. Mayer, D. Nielsen, F. Radtke, C. Rayala, K. Rushlow, R. Sitzberger, L. Thorpe and S. Favorite. Agreement with statutory element (2) failed.

Motion by C. Rayala, seconded by L. Thorpe to agree with the subject contained in statutory element (3) **that the public health, comfort, convenience, necessity or public welfare will be promoted by the attachment of the proposed contiguous territory.** Discussion. Roll call vote requested. The following 3 members determined that the public health, comfort, convenience, necessity or public welfare will be promoted by the attachment of the proposed contiguous territory and voted aye: M. Bedish, M. Platner and E. Teichmiller. The following 18 members determined that the public health, comfort, convenience, necessity or public welfare will not be promoted by the attachment of the proposed contiguous territory and voted no. E. Bakka, A. Bauman, J. Behling, E. Bluthardt, G. Ciszek, R. De Bruyne, B. Egan, J. Harrison, S. Hjemvick, L. Kukanich, C. Mayer, D. Nielsen, F. Radtke, C. Rayala, K. Rushlow, R. Sitzberger, L. Thorpe and S. Favorite. Agreement with statutory element (3) failed.

Motion by C. Rayala, seconded by K. Rushlow to agree with the subject contained in statutory element (4) **that the property included for attachment to the district will be benefited by being attached to the District.** Discussion. Roll call vote requested. The following 3 members determined that the property included for attachment to the district will be benefited by being attached to the District: E. Bluthardt, M. Platner and E. Teichmiller. The following 18 members determined that the property included for attachment to the district will not be benefited by being attached to the District: E. Bakka, A. Bauman, M. Bedish, J. Behling, G. Ciszek, R. De Bruyne, B. Egan, J. Harrison, S. Hjemvick, L. Kukanich, C. Mayer, D. Nielsen, F. Radtke, C. Rayala, K. Rushlow, R. Sitzberger, L. Thorpe and S. Favorite. Agreement with statutory element (4) failed.

Action on the four statutory elements contained in Resolution 2008-112 having been taken and recorded, the Chairman called for action on the resolution as a whole.

Motion by L. Thorpe, seconded by R. De Bruyne to amend the resolution to correct the date listed in line #22 as follows:

...in session this 19th ~~16th~~ day of ~~August~~ September, 2008 that pursuant...

All voting aye on the amendment. Carried. Roll call vote requested. 2 voting aye on the resolution as amended: M. Platner and E. Teichmiller. 19 voting no: E. Bakka, A. Bauman, M.

Bedish, J. Behling, E. Bluthardt, G. Ciszek, R. De Bruyne, B. Egan, J. Harrison, S. Hjemvick, L. Kukanich, C. Mayer, D. Nielsen, F. Radtke, C. Rayala, K. Rushlow, R. Sitzberger, L. Thorpe and S. Favorite. Failed.

At 11:06 A.M. the Chairman called for a short recess. The meeting resumed at 11:15 A.M.

RES. 2008-95
(MANITOWISH WATERS ZONING ORDINANCE AMENDMENT ARTICLE VI
SIGNS)

Motion by C. Rayala, seconded by R. De Bruyne to adopt. Discussion. All voting aye. Carried.

RES. 2008-97
(EXPANSION OF COURTHOUSE AND JAIL)

Motion by C. Rayala, seconded by D. Nielsen to adopt. Discussion. 20 voting aye. 1 no vote: E. Teichmiller. Carried.

RES. 2008-98
(TRANSFER OF FUNDS FROM THE HIGHWAY DEPARTMENT SEGREGATED
FUND/PROPERTY & CASUALTY INSURANCE)

Motion by C. Rayala, seconded by D. Nielsen to adopt. Discussion. A $\frac{2}{3}$ majority vote is required for passage. All voting aye. Carried.

RES. 2008-99
(TRANSFER FROM SEGREGATED HIGHWAY FUND TO 2008 HIGHWAY BUDGET
FOR BUILDING MATERIALS)

Motion by A. Bauman, seconded by B. Egan to adopt. Discussion. Motion by K. Rushlow, seconded by L. Thorpe to remove John Annin's name from the signature line under the Highway Committee heading and replace it with Edward Bluthardt; and to remove John Annin's name from the signature line under the Finance & Budget Committee heading and replace it with Stephen Favorite. All voting aye. Amendment carried. A $\frac{2}{3}$ majority vote is required for passage. All voting aye on the resolution as amended. Carried.

RES. 2008-100
(VILAS COUNTY HUMANE OFFICER SERVICES AGREEMENT)

Prior to the resolution being placed on the table for discussion, B. Egan announced that he would abstain from taking any action on this resolution.

Motion by R. De Bruyne, seconded by D. Nielsen to adopt. Discussion. Motion by S. Hjemvick, seconded by C. Mayer to amend the attached Humane Officer Services Agreement as follows:

Page 1, Article I-A ...in the Town of ~~Washington~~ Lincoln as the County Pound.

Page 3, Article IV-B ...provision of Humane Society services under this agreement in 2009. - ~~2010 and 2011~~

Page 5, Article VI-A The term of this Agreement shall be from January 1, 2009 through December 31, 2009. ~~2011~~

All voting aye. Amendment carried. 20 voting aye on the resolution as amended. 1 voting no: R. De Bruyne. Carried.

**RES. 2008-101
(EVIDENCE ROOM EXPANSION)**

Motion by D. Nielsen, seconded by E. Bluthardt to adopt. Discussion. All voting aye. Carried.

**RES. 2008-102
(2009 JAIL INMATE HEALTH SERVICES CONTRACT)**

Motion by D. Nielsen, seconded by E. Bluthardt to adopt. Discussion. All voting aye. Carried.

**RES. 2008-103
(AUTHORIZATION FOR SHERIFF'S DEPARTMENT TO PURCHASE SEVEN (7)
NEW PATROL VEHICLES)**

Motion by C. Rayala, seconded by J. Harrison to adopt. Discussion. All voting aye. Carried.

**RES. 2008-104
(VILAS COUNTY-ONEIDA COUNTY INTEROPERABILITY PROJECT 2009
BUDGET)**

Motion by R. De Bruyne, seconded by D. Nielsen to adopt. Discussion. All voting aye. Carried.

**RES. 2008-105
(CREATING AN ADDITIONAL PUBLIC HEALTH NURSE)**

Motion by R. De Bruyne, seconded by E. Bluthardt to adopt. Discussion. $\frac{3}{4}$ majority vote is required for passage. All voting aye. Carried.

**RES. 2008-106
(CONTRACT PROPOSAL WITH ADVERTISING AGENCY)**

Motion by C. Rayala, seconded by K. Rushlow to adopt. Discussion. All voting aye. Carried.

**RES. 2008-110
(VILAS COUNTY 911 DATABASE AND CONNECTIVITY PROJECT 2009 BUDGET)**

Motion by R. De Bruyne, seconded by D. Nielsen to adopt. Discussion. All voting aye. Carried.

**RES. 2008-107
(PURCHASE SERVICES FOR VILAS COUNTY GIS DATA CONVERSION,
INSTALLATION OF ARCGIS SERVER STANDARD ENTERPRISE FOR WINDOWS
SOFTWARE, AND TRAINING FOR THE MAPPING AND IT PERSONNEL)**

Motion by R. De Bruyne, seconded by C. Rayala to adopt. All voting aye. Carried.

**RES. 2008-108
(PURCHASE OF ARCGIS SERVER STANDARD ENTERPRISE FOR WINDOWS
SOFTWARE FOR THE LAND INFORMATION/MAPPING DEPARTMENT)**

This resolution was withdrawn from consideration by Land Records Committee Chairman F. Radtke.

RES. 2008-109

(CREATING AN ASSISTANT CORPORATION COUNSEL POSITION)

Motion by K. Rushlow, seconded by C. Mayer to adopt. Discussion. A $\frac{3}{4}$ majority vote is required for passage. All voting aye. Carried.

ORDINANCE NO. 2008-3A

(AMENDMENT TO GENERAL CODE OF VILAS COUNTY, WISCONSIN)

Motion by C. Rayala, seconded by K. Rushlow to adopt. Discussion. All voting aye. Carried.

At this time the Chairman announced that the Vilas County Land and Water Department and Committee had received an award of recognition from the Wisconsin Department of Trade and Consumer Protection for "Continuing to enhance and protect water resources".

COUNTY BOARD DRESS CODE – DISCUSSION ONLY

E. Bluthardt voiced concerns that the Standing Rules did not allow the Personnel Committee to mandate and enforce a County Board member dress code. K. Rushlow explained why the dress code was implemented. C. Rayala felt that County Board members should set an example for the County workforce. Corporation Counsel M. Milanowski felt that the dress code policy was properly mandated and enforceable.

COMMITTEE REPORTS

B. Egan thanked the Board for supporting Resolution 2008-96 and other efforts of the Economic Development Committee

E. Teichmiller reported that the ADRC Fact Finding Committee had been expended by the addition of the two Vilas County Board members who are also assigned representatives on the 51.40 Board.

He felt that the addition would expand the capabilities of the ADRC Fact Finding Committee.

S. Favorite announced that the Land Use Committee would be holding a joint meeting with local townships regarding land use plan issues.

LETTERS AND COMMUNICATIONS

R. De Bruyne thanked the Sheriff's and Emergency Management Departments and staff for their quick response and action regarding the recent plane crash in Arbor Vitae. He also relayed a complaint from a constituent that Highway Department meeting agendas were not being posted to the County website.

K. Rushlow announced that the 2009 County Budget worksheet package would not be mailed to County Board members this year due to the cost of postage. Board members were instructed to pick their budget packages up in the Clerk's office when they become available.

PAY PER DIEM

Motion by A. Bauman, seconded by L. Kukanich to approve payment of per diem. All voting aye. Carried.

ADJOURNMENT

Motion by C. Rayala, seconded by B. Egan to adjourn. All voting aye. Carried.

Meeting adjourned at 1:17 P.M.

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