

This annual meeting (pursuant to Wis. Stats. §59.11) of the Vilas County Board of Supervisors was held in the conference rooms located in the Vilas County Courthouse, 330 Court Street, Eagle River, WI.

**CALL TO ORDER**

Vilas County Board Chairman Stephen Favorite called the assembly to order at 9:00 A.M. and instructed the Clerk to read aloud and insert into the minutes the following: Public meeting notice requirements were fulfilled by posting a notice of this meeting on bulletin boards located in the Vilas County Courthouse, Olson Memorial Library and Eagle River City Hall. Notice of this meeting was posted to the Vilas County Government website. All media outlets and members of the public requesting notification of this meeting were notified on November 13, 2012, at 8:45 A.M., more than twenty-four hours prior to the meeting.

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

**PLEDGE OF ALLEGIANCE**

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

**ROLL CALL**

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

**APPROVAL OF THE 1<sup>st</sup> AMENDED AGENDA TO BE DISCUSSED IN ANY ORDER**

Motion by C. Rayala, seconded by R. De Bruyne to approve the 1<sup>st</sup> amended agenda, with the order of discussion to be at the Chair's discretion. All voted aye. Carried.

**APPROVAL OF THE MINUTES OF THE OCTOBER 8, 2012 SPECIAL MEETING.**

Motion by E. Bakka, seconded by D. Nielsen to approve the minutes of the October 8, 2012 special meeting as presented. All voted aye. Carried.

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

Motion by A. Bauman, seconded by K. Rushlow 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 R. De Bruyne, seconded by C. Rayala 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.

## **RESOLUTIONS TABLED OR POSTPONED TO A DAY CERTAIN**

None

## **COMMITTEE REPORTS**

**Legislative & Judicial Committee:** J. Behling reported on an upcoming WCA resolution sponsored resolution. He also announced the resignation of the Assistant Corporation Counsel. The Corporation Counsel has approval to advertise for outside legal services to fill that vacancy.

**Personnel Committee:** L. Thorpe reported that the committee is considering many Human Resource issues. An employee suggestion box will be provided in 2013. A Paid Time Off (PTO) benefit will be considered in 2013. Several recent vacancies are slated to be filled internally.

**Finance & Budget Committee:** C. Mayer reported that the committee will keep the Board informed of financial policy decisions, as they are implemented. He presented a report, prepared by the Finance Director, indicating the County's current financial position. He also spoke regarding how a neighboring county dealt with their budget deficit.

**Zoning & Planning Committee:** C. Mayer presented a current Zoning Department activity report.

**Highway Committee:** C. Rayala reported complaints regarding the quality of the road gravel, used by the County. He thanked the Board for supporting an increase to the County's road maintenance budget. He also reported attendance at a recent Rustic Road meeting. He underscored the need for County representatives to keep in contact with Department of Transportation officials.

**North Central Wisconsin Regional Planning Commission:** R. Sitzberger reported that Marathon County was joining the Commission. He also recommended that the County and area Towns utilize the Commission to develop local transportations plans.

**Law Enforcement & Emergency Management Committee:** A. Bauman reported on the proposed Civil Service ordinance, slated for discussion later in the meeting.

**Commission on Aging:** E. Teichmiller reported all area ADRCs staffed and open. The Commission on Aging offices has a conference room available for County use.

**Public Health Board:** E. Teichmiller spoke about the proposed Dog License ordinance, which will be discussed later in the meeting. He praised Public Health staff for their quick response to recent public health concerns.

**Human Services/51.42 Board:** E. Teichmiller announced a reduction in the Human Services Board's projected budget deficit.

**Public Property Committee:** J. Behling updated the Board regarding exterior concrete stair and walk way repairs made to the Justice Center building. He reported that the committee was considering major repairs to the Justice Center parking garage floor in 2013.

**UW Extension:** D. Nielsen reported good attendance at a recent UW Extension open house, showcasing County departments.

**Economic Development Committee:** E. Bakka reported that the committee continues to work cooperatively with the Vilas County Economic Development Corporation, to bring new business and employment opportunities to Vilas County.

**Local Emergency Planning Committee (LEPC):** K. Rushlow will provide a comprehensive report of this committee's activities at the next Board meeting.

**Health Insurance Board of Trustees:** S. Favorite reported that the Trustees approved the addition of a Telehealth benefit. He also spoke about the creation of sub-tiers within the current health plan. The sub-tiers are benefit plans designed to enable participation by part-time County employees.

**Forestry, Recreation & Lands Committee:** S. Favorite relayed a request from a Lac du Flambeau group, to develop an ATV route on a County highway. The request was referred to the Highway Committee. He announced an upcoming joint meeting between the Forestry and Communication Committees. The joint meeting will consider tower site issues. S. Hjemvick reported that a recent donation to the Forestry Department enabled that department to replace an obsolete workboat.

**CLOSED SESSION:**

Motion by L. Thorpe, seconded by C. Rayala to enter into a Closed Session pursuant to Wis. Stat. §19.85(1)(g) for the purpose of conferring with legal counsel who is rendering oral or written advice concerning strategy to be adopted by the County Board with respect to litigation in which it is involved (Anne F. Driscoll claim). A roll call vote unanimously approved entering into Closed Session. Closed Session entered into at 9:33 A.M.

**RETURN TO OPEN SESSION:**

Motion by A. Bauman, seconded by E. Teichmiller to return to Open Session pursuant to Wis. Stat. §19.85(1)(g). A roll call vote unanimously approved returning to Open Session. Open Session resumed at 9:38 A.M.

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

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

**RES. 2012-109**

**(DISALLOWENCE OF CLAIM OF ANNE F. DRISCOLL)**

Motion by D. Nielsen, seconded by R. Sitzberger to adopt. Discussion. All voted aye. Carried.

**RES. 2012-110**

*A 2/3 majority vote in favor is required for adoption*

**(2012 WAGE INCREASE FOR SHERIFF DEPARTMENT CIVILIAN STAFF)**

M. Bedish and S. Favorite recused themselves and left the meeting room prior to any discussion or action taken on the resolution. Vice-Chair C. Mayer assumed leadership of the meeting.

Motion by L. Thorpe, seconded by A. Bauman to adopt. Discussion. 9 voted aye. 9 voted no: A. Bauman, E. Bakka, R. De Bruyne, C. Hayes, S. Hjemvick, L. Kukanich, C. Rayala, K. Rushlow and R. Sitzberger. Tie vote. Adoption failed. S. Favorite returned to chair the meeting.

**RES. 2012-111**

**(2012 WAGE INCREASE FOR ADRC SPECIALISTS)**

Motion by E. Teichmiller, seconded by L. Thorpe to adopt. Discussion. A roll call vote returned the following results. 18 voted aye: E. Bakka, A. Bauman, M. Bedish, J. Behling, M. K. Black, E. Bluthardt, S. Favorite, C. Hayes, S. Hjemvick, L. Johnson, L. Kukanich, C. Mayer, D. Nielsen, G.

Peske, K. Rushlow, R. Sitzberger, E. Teichmiller and L. Thorpe. 2 voted no: R. De Bruyne and C. Rayala. Carried.

**RES. 2012-112**

**(COUNTY AID CULVERT ON LITTLE ARBOR VITAE DRIVE – STATION 1+100 – TOWN OF ARBOR VITAE)**

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

**RES. 2012-113**

**(COUNTY AID CULVERT ON LITTLE ARBOR VITAE DRIVE – STATION 13+00 – TOWN OF ARBOR VITAE)**

Motion by C. Rayala, seconded by E. Bakka to adopt. Discussion. All voted aye. Carried.

**RES. 2012-114**

**(COUNTY AID CULVERT ON SNYDER ROAD – TOWN OF ARBOR VITAE)**

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

**RES. 2012-115**

**(COUNTY AID CULVERT ON SCHUMAN ROAD – TOWN OF ARBOR VITAE)**

Motion by R. De Bruyne, seconded by K. Rushlow to adopt. Discussion. All voted aye. Carried.

**RES. 2012-116**

**(VILAS COUNTY PARTICIPATION IN THE WIPFLI WAGE STUDY)**

Motion by E. Bluthardt, seconded by R. De Bruyne to adopt. Discussion. 13 voted aye. 7 voted no: E. Bakka, A. Bauman, M. Bedish, D. Nielsen, G. Peske, E. Teichmiller and R. Sitzberger. Carried.

**RES. 2012-117**

**(WISCONSIN LOCK AND LOAD PRISONER TRANSPORTS, LLC CONTRACT)**

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

**RES. 2012-118**

**(COUNTY-TRIBAL LAW ENFORCEMENT AGREEMENT 2013)**

Motion by D. Nielsen, seconded by S. Hjemvick to adopt. Discussion. All voted aye. Carried.

**RES. 2012-119**

**(2013 VILAS COUNTY LIBRARY SERVICE AGREEMENT)**

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

Board Chairman S. Favorite excused himself from the meeting. Vice-Chair C. Mayer assumed leadership of the meeting.

**RES. 2012-120**

**(WM. WRIGLEY JR. COMPANY FOUNDATION COMMUNITY SERVICE GRANT)**

Motion by E. Teichmiller, seconded by M. K. Black to adopt. Discussion. All voted aye. Carried.

**RES. 2012-121**  
**(DESIGNATION OF AUTHORIZED AGENT FOR EFFECTIVE RECYCLING PROGRAM)**

Motion by G. Peske, seconded by L. Thorpe to adopt. Discussion. All voted aye. Carried.

Board Chairman S. Favorite returned to chair the meeting.

**RES. 2012-122**  
**(EXTEND VILAS COUNTY OUTDOOR RECREATION PLAN)**

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

**RES. 2012-123**  
**(SUPPORTING ADEQUATE FUNDING FOR RAIL PRESERVATION)**

Motion by R. Sitzberger, seconded by E. Bakka to adopt. Discussion. All voted aye. Carried.

**General Code of Vilas County**  
**ORD. 2012-5**  
**(CHAPTER 10, ANIMAL CONTROL AND WELFARE)**

Motion by E. Teichmiller, seconded by E. Bakka to adopt. Discussion. All voted aye. Carried.

**General Code of Vilas County**  
**ORD. 2012-6**  
**(CIVIL SERVICE ORDINANCE)**

Motion by C. Rayala, seconded by L. Thorpe to adopt. Discussion. Amendments to the ordinance are numbered in the order that they were introduced.

**Amendment #1.** Motion by C. Mayer, seconded by J. Behling to amend the ordinance on page 1, Section I, B by changing the rank order as follows: **...including these job classes in part-time and limited term statuses: Chief Deputy, Jail Administrator, ~~Captain~~, Captain, Jail Administrator, Lieutenant, Detective Sergeant, Deputy Sheriff, Jail Sergeant, Jailer.** Discussion. 19 voted aye. 1 voted no: E. Bluthardt. Amendment carried.

**Amendment #2.** Motion by C. Mayer, seconded by S. Favorite to amend the ordinance on page 1, Section II, B by inserting the following sentence: **... all legal residents of Vilas County. No two members shall reside within the same town.** Discussion. Motion withdrawn by its maker. Motion by C. Mayer, seconded by J. Behling to amend the ordinance on page 1, Section II, B by inserting the following sentence: **... all legal residents of Vilas County. No two members shall reside within the same town or city.** Discussion. All voted aye. Amendment carried.

**Amendment #3.** Motion by C. Mayer, seconded by S. Favorite to amend the ordinance on page 2, Section III, C, second sentence, to read as follows: **All competitors rated at the minimum or higher hereinbefore established...** Discussion. All voted aye. Amendment carried.

**Amendment #4.** Motion by C. Mayer, seconded by J. Behling to amend the ordinance on page 2, Section IV, A (1) to read as follows: **Be over ~~21~~ 18 years of age.** Discussion. A roll call vote on the amendment returned the following results: 8 voted aye: A. Bauman, J. Behling, M. K. Black, R. De Bruyne, C. Mayer, R. Sitzberger, E. Teichmiller and S. Favorite. 12 voted no: E. Bakka, M. Bedish,

E. Bluthardt, C. Hayes, S. Hjemvick, L. Johnson, L. Kukanich, D. Nielsen, G. Peske, C. Rayala, K. Rushlow and L. Thorpe. Amendment failed.

**Amendment #5.** Motion by C. Mayer, seconded by J. Behling to amend the ordinance on page 3, section V, 4, third sentence to read as follows: **The Human Resources Manager Sheriff's Department will notify the interviewing applicants and the members of the Civil Service Commission of the interview date.** Discussion. All voted aye. Amendment carried.

**Amendment #6** Motion by C. Mayer, seconded by J. Behling to amend the ordinance on page 7, Section IX, C, first sentence to read as follows: **Promotions to the rank of Lieutenant will be from the ranks of those Deputy Sheriffs, Jailers and/or Sergeants, according to the specific assignment of the position, employed full-time with a minimum of ~~ten (10)~~ four (4) years of continuous service with the Vilas County Sheriff's Department...** Discussion. All voted aye. Amendment carried.

**Amendment #7** Motion by C. Mayer, seconded by S. Favorite to amend the ordinance on page 13, Section XVII, F by adding a fifth qualification and renumbering as indicated: **4. Have a minimum of 4 years supervisory experience.** and **4. 5. If there are less than three (3) internal applicants who meet qualifications...** Discussion. All voted aye. Amendment carried.

**Amendment #8** Motion by C. Mayer, seconded by K. Rushlow to amend the ordinance on page 9, Section XIII, G, to read as follows: **The Sheriff may establish an on-call list of ~~casual~~ part-time employees to be used as relief Jailers...** Discussion. All voted aye. Amendment carried.

**Amendment #9** Motion by S. Hjemvick, seconded by D. Nielsen to amend the ordinance on page 7, Section IX, C, to read as follows: **Promotions to the rank of Lieutenant will be from the ranks of those Deputy Sheriffs, ~~Jailers and/or Sergeants,~~ according to the specific assignment of the position...** Discussion. 14 voted aye. 6 voted no: J. Behling, M. K. Black, R. De Bruyne, S. Favorite, C. Mayer and K. Rushlow. Amendment carried.

**Amendment #10** Motion by J. Behling, seconded by K. Rushlow to amend the ordinance on page 8, Section XIII, A, to read as follows: **No full-time person holding the office of...** Discussion. All voted aye. Amendment carried. All voted aye on the ordinance as amended. Carried.

## RES. 2012-124

### (VOLUNTARY REDUCTION IN FORCE)

M. Bedish, S. Favorite and L. Kukanich recused themselves and left the meeting room prior to any discussion or action taken on the resolution. Vice-Chair C. Mayer assumed leadership of the meeting.

Motion by R. De Bruyne, seconded by L. Thorpe to adopt. Amendments to the resolution are numbered in the order that they were introduced.

**Amendment #1** Motion by J. Behling, seconded by L. Thorpe to amend the attached Vilas County Voluntary RIF policy on page 1, under Applicability to read as follows: **~~All non-represented, full-time employees, exempt and nonexempt, are eligible to participate in the voluntary RIF~~ All full-time employees, represented and non-represented (excluding sworn law enforcement subject to WPPA bargaining agreement), are eligible to participate in the voluntary RIF.** Discussion. All voted aye. Amendment carried.

**Amendment #2** Motion by L. Thorpe, seconded by J. Behling to amend the attached Vilas County Voluntary RIF policy on page 2, under the Procedures Heading, Section J, by inserting the following

language as the last sentence: **The lump sum RIF payment will be reported to the Unemployment Office as weekly income, at the employee's current weekly payroll rate, until the total RIF payment has been exhausted.** Discussion. 7 voted aye. 10 voted no: A. Bauman, M. K. Black, E. Bluthardt, R. De Bruyne, S. Hjemvick, L. Johnson, D. Nielsen, G. Peske, K. Rushlow and E. Teichmiller. Amendment failed.

**Amendment #3** Motion by L. Thorpe, seconded by E. Bluthardt to amend the attached Vilas County Voluntary RIF policy on page 2, under that Payment and Benefits heading, Section B, to read as follows: **The RIF payment shall not exceed one-half of the employee's regular, straight-time, annual salary. For example, in the above scenario, the employee's gross RIF payment shall not exceed \$35,000 \$17,500, regardless of the percentage payment or the years of service.** Discussion. 10 voted aye. 7 voted no: A. Bauman, E. Bakka, S. Hjemvick, L. Johnson, D. Nielsen, G. Peske and R. Sitzberger. Amendment carried. A roll call vote on the resolution as amended returned the following results: 10 voted aye: J. Behling, M. K. Black, E. Bluthardt, R. De Bruyne, C. Hayes, L. Johnson, C. Mayer, G. Peske, C. Rayala and L. Thorpe. 7 voted no: E. Bakka, A. Bauman, S. Hjemvick, D. Nielsen, K. Rushlow, R. Sitzberger and E. Teichmiller. Carried.

Board Chairman S. Favorite returned to chair the meeting. A. Bauman excused himself at 12:00 P.M. 19 members remained in attendance. The Chair called for a recess at Noon. The meeting resumed at 12:07 P.M.

**RES. 2012-125**

*A ¾ majority vote in favor is required for adoption*

**(CREATE NEW RECREATION ADMINISTRATOR POSITION WITH FLSA SALARY ADJUSTMENT)**

Motion by C. Rayala, seconded by R. Sitzberger to adopt. Discussion. 18 voted aye. 1 no vote: M. Bedish. Carried.

**RES. 2012-126**

**(NEW TECHNICAL SERVICE FEE POLICY AND FEE SCHEDULE)**

Motion by R. Sitzberger, seconded by E. Teichmiller to adopt. Discussion. Motion by L. Thorpe, seconded by E. Bluthardt to amend the resolution by deleting lines #27, #28 and #29 as follows: **~~BE IT FURTHER RESOLVED that if revenues collected exceed the county costs of Land and Water staff in a given year, the LCC is authorized to carryover the non-expended funds to offset Land and Water Conservation staff costs the following year.~~**

All voted aye on the amendment. Carried. All voted aye on the resolution as amended. Carried.

**RES. 2012-127**

**(TOWN OF PRESQUE ISLE GAYLE STRAND ZONING DISTRICT MAP AMENDMENT)**

Motion by C. Rayala, seconded by C. Hayes to adopt. Discussion. All voted aye. Carried.

**RES. 2012-128**  
**(TOWN OF PRESQUE ISLE MERMAID LAKE ZONING DISTRICT MAP**  
**AMENDMENT)**

Motion by C. Mayer, seconded by S. Favorite to adopt. Discussion. 18 voted aye. 1 voted no: C. Hayes. Carried.

**RES. 2012-129**  
**(SUPPORTING LEGISLATION REQUIRING ONLINE-ONLY RETAILERS TO**  
**COLLECT AND REMIT WISCONSIN SALES TAX)**

Motion by L. Thorpe, seconded by C. Hayes to adopt. Discussion. 18 voted aye. 1 voted no: E. Bluthardt. Carried.

**RES. 2012-130**  
**(ANNUAL FOREST ADMINISTRATION GRANT & WORK PLAN)**

Motion by C. Mayer, seconded by S. Hjemvick to adopt. Discussion. Motion by S. Hjemvick, seconded by C. Mayer to amend the attached 2013 Work Plan, under the heading Wildlife Conservation, sixth bullet point from the top: **Maintain the deer enclosure ~~enclosure~~ fencing surrounding 4 sites planted to enhance wildlife food and cover on the electric transmission line.** All voted aye on the amendment. Carried. All voted aye on the resolution as amended. Carried.

**RES. 2012-131**  
**(VILAS COUNTY REAL ESTATE SALES/TRADES)**

Motion by C. Rayala, seconded by R. Sitzberger to adopt. Discussion. All voted aye. Carried.

**CHAIR'S APPOINTMENTS**

- None

**DEPARTMENT ANNUAL REPORTS**

- Social Services Department

Motion by C. Mayer, seconded by E. Teichmiller to accept the Social Services Department annual report. All voted aye. Carried.

**LETTERS AND COMMUNICATIONS**

Board Chairman S. Favorite reaffirmed that the 2013 Budget will be deliberated upon at a special County Board meeting, scheduled for Tuesday, November 27, 2012. He also scheduled a special County Board meeting for Tuesday, December 11, 2012 for purposes of ratifying citizen appointments to the Civil Service Commission. The Board Chairman also announced that the Human Resources Director would prepare a regularly distributed newsletter for department heads, in an effort to improve internal communications. He furthermore announced the resumption of committee restructuring and department consolidation efforts, beginning early in 2013.

**PAY PER DIEM**

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

E. Bakka \$80.30, A. Bauman \$100.84, M. Bedish \$55.33, J. Behling \$49.22, M. K. Black \$94.73, E. Bluthardt \$52.55, R. De Bruyne \$80.30, S. Favorite \$53.66, C. Hayes \$99.17, S. Hjemvick \$68.09, L. Johnson \$65.32, L. Kukanich \$52.55, C. Mayer \$90.73, D. Nielsen \$70.31, G. Peske \$64.21, C. Rayala \$90.29, K. Rushlow \$50.89, R. Sitzberger \$74.75, E. Teichmiller \$75.31, L. Thorpe \$48.39.

**ADJOURNMENT**

Meeting adjourned by the Chair at 12:54 P.M.

Prepared and submitted by:

David R. Alleman, Vilas County Clerk

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