

# **JOURNAL OF THE MEETING OF THE SHEBOYGAN COUNTY BOARD OF SUPERVISORS**

**July 16, 2019**

Pursuant to Wis. Stat. § 59.11, the July 16, 2019 session of the Sheboygan County Board was called to order by Chairperson Thomas Wegner at 6:00 p.m. Chairperson Wegner noted that the notice of meeting was posted on July 12, 2019 at 2:30 p.m. in compliance with the open meeting law. The meeting opened with the Pledge of Allegiance by all present.

The roll call was taken and recorded with 23 Supervisors present; Absent: 2, Supervisors Nennig, Ziegelbauer.

**Supervisor Glavan moved for approval of the June 18, 2019 Journal, which was distributed to all supervisors prior to the meeting.** The motion was seconded by Supervisor Hilbelink and carried on unanimous roll call vote of the board.

## **APPOINTMENT**

The Chairperson announced that the next order of business was the consideration of the reappointment by the County Administrator of **Mark Pfaller** to the Board of Adjustments.

**Supervisor Conrardy moved to concur with the appointment.** The motion was seconded by Supervisor Te Stroete and carried on unanimous roll call vote of the board.

## **PRESENTATION**

Judge Rebecca Persick – Introduction of Chloe Bohn's LISTEN TO ME video presentation regarding domestic violence.

## **LETTERS AND COMMUNICATIONS**

The Clerk presented a resolution from the Door County Board of Supervisors in support of revising and amending statutes related to court fees and costs in Probate and Juvenile Court. By Chairperson referred to the Law Committee.

The Clerk presented a resolution from the Portage County Board of Supervisors supporting local control for livestock siting. By Chairperson referred to the Planning, Resources, Agriculture and Extension Committee.

The Clerk presented a resolution from the Price County Board of Supervisors in support of increased funding for child protective services. By Chairperson received for information.

The Clerk presented a resolution from the Winnebago County Board of Supervisors in support of a National Estuarine Research Reserve (NERR) designation for Northeast Wisconsin. By Chairperson received for information.

The Clerk presented a resolution from the Winnebago County Board of Supervisors in support of increased funding for child protective services. By Chairperson received for information.

## **COUNTY ADMINISTRATOR'S REPORT – NONE**

## **COMMITTEE REPORTS**

The Clerk read the report of the Executive Committee regarding Resolution No. 06 (2019/20) **Approving Standard Intergovernmental Agreement for 2020 County Sales Tax Revenue-Sharing** recommending adoption.

**Supervisor Goehring moved to adopt the resolution.** The motion was seconded by Supervisor Te Stroete and carried on unanimous roll call vote of the board.

The Clerk read the report of the Finance Committee regarding **Resolution No. 05 (2019/20) Authorizing Creation of Joint County Library Planning Committee** recommending adoption.

**Supervisor Goehring moved to adopt the resolution.** Supervisor Abler seconded the motion which carried on unanimous roll call vote of the board.

(Vice-Chairperson Koch presiding)

Pursuant to Rule IV of the Rules of Order, the following resolution and ordinances were introduced by the Clerk and referred by the Vice-Chairperson as indicated:

**Resolution No. 07 (2019/20)** Re: Disallowance of Brown Claim Against Sheboygan County referred to the Executive Committee.

**Ordinance No. 03 (2019/20)** Re: Amending Supervisor and County Board Chairperson Compensation referred to the Finance Committee.

**Ordinance No. 04 (2019/20)** Re: Designating All-terrain Vehicle Routes and Regulating the Operation of All-terrain Vehicles referred to the Law and Planning, Resources, Agriculture and Extension Committees.

#### **ADJOURNMENT**

**Supervisor Bemis moved to adjourn.** Supervisor Glavan seconded the motion which carried on unanimous roll call vote of the board. The meeting was adjourned at 6:33 p.m. **The next scheduled meeting is Tuesday, August 20, 2019 at 6:00 p.m.**



**DOOR COUNTY**

**Resolution No. 2019-41**

**URGING THE LEGISLATURE TO REVISE THE STATUTES FOR COURT FEES AND COSTS IN PROBATE AND JUVENILE CASES**

**TO THE DOOR COUNTY BOARD OF SUPERVISORS:**

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
BULTMAN			
CHOMEAU			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GUNNLAUGSSON			
HALSTEAD			
KOCH			
KOHOUT			
LIENAU			
LUNDAHL			
NEINAS			
NORTON			
ROBILLARD			
SCHULTZ			
VIRLEE			
VLIES WOTACHEK			
WAIT			

*Vote 11/27*

**BOARD ACTION**

Vote Required: Majority Vote of a Quorum

Motion to Approve: Robillard Adopted  Defeated

1st Robillard 2nd Schultz

Yes: \_\_\_\_\_ No: \_\_\_\_\_ Exc: \_\_\_\_\_

Reviewed by: \_\_\_\_\_, Corp. Counsel

Reviewed by: \_\_\_\_\_, Administrator

**FISCAL IMPACT:** There is no additional fiscal impact at this time with the adoption of this resolution. STW

**Certification:**

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 25th day of June, 2019 by the Door County Board of Supervisors.

*Jill M. Lau*  
Jill M. Lau  
County Clerk, Door County

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**WHEREAS**, Wisconsin Statutes Chapter 814 covers court costs, fees, and surcharges. Subsection 814.66 applies to the office of the Register in Probate. Probate and Juvenile Court handles other case types for which fees are not covered in Sec. 814.66 or other statutes. The result is cases filed with the court without a filing fee; and

**WHEREAS**, Some fees and costs collected by the probate office are different from fees collected by the Clerk of Court for the same items. This can cause confusion. Different fees and costs for an identical item seem inappropriate; and

**WHEREAS**, Employees of the Clerk of Court and Register in Probate are all county employees, usually working in proximity to the court, if not in the same office using the same equipment. The employees use CCAP provided computers and printers as well as county provided copiers. There is no discernable difference in these two offices related to copying and issuing certificates; and

**WHEREAS**, The Legislature should revise the statutes for consistency. Require fees and costs charged by the Clerk of Court and Register in Probate to be the same for the same item or service. Require fees for probate and juvenile court as attached; and

**WHEREAS**, The Legislative Committee supports revising the statutes to collect fees and costs associated with probate cases and juvenile court proceedings as outlined herein.

**NOW THEREFORE, BE IT RESOLVED**, That the Door County Board of Supervisors does hereby support the Wisconsin Register in Probate Association in its efforts to revise Wisconsin Statutes consistent with the resolution and further urges the Legislature to revise and amend the related statutes to further consistency between the fee structures outlined in the statutes.

**BE IT FURTHER RESOLVED**, That the County Clerk is directed to send a copy of this resolution to Governor Tony Evers, the Wisconsin Counties Association, all members of the State Legislature and to each Wisconsin County.

**SUBMITTED BY:  
LEGISLATIVE COMMITTEE**

*Nancy Robillard*  
Nancy Robillard, Chairperson

*David Enigl*  
David Enigl

*Linda Wait*  
Linda Wait

\_\_\_\_\_  
Bob Bultman

*Kathy Schultz*  
Kathy Schultz

**Attachment to Resolution No. 2019-41**

**URGING THE LEGISLATURE TO REVIEW THE STATUTES FOR COURT FEES AND COSTS IN PROBATE AND JUVENILE CASES**

Require filing fee upon filing foreign letters under Sec. 877.16. Either clearly state within Sec. 877.16 or add to Sec. 814.66(1). Either \$15, consistent with filing a foreign judgment, or the \$20 probate minimum filing fee.

Require filing fee upon transferring a foreign guardianship, clearly stated within Chapter 53 or added to Sec. 814.66(1) consistent with guardianship filing fees based on the value of the guardianship estate, the \$20 minimum filing fee and .02% of amounts over \$50,000, like any new guardianship case.

Alternatively, require \$15, consistent with filing a foreign judgment or the \$20 probate minimum filing fee.

Require a filing fee for adult adoptions, clearly stated within Chapter 882, consistent with the civil filing fee, currently \$75 under Sec. 814.61(1)(a).

Require a filing fee for trust cases filed in probate, clearly stated within Chapter 701 or Sec. 814.66(1), consistent with the civil filing fee, currently \$75.

Require fees and costs charged by the Clerk of Court and Register in Probate to be the same for copies, certificates, and searches.

**Clerk of Court (COC) fees & costs vs. Register in Probate (RIP) fees & costs**

Copies:            provided by the COC: \$1.25 per page, 814.61(10)(a)  
                         provided by the RIP: \$1.00 per page, 814.66(1)(h)

Certificates:    issued by the COC:    \$5, 814.61(5)  
                         issued by the RIP:        \$3, 814.66(1)(g)

Searches:        search by COC:                \$5, 814.61(11)  
                         search by RIP:                \$4, 814.66(1)(j)

RESOLUTION NO. 134-2018-2020

TO: THE HONORABLE CHAIRMAN AND MEMBERS OF THE PORTAGE COUNTY BOARD OF SUPERVISORS

RE: RESOLUTION SUPPORTING LOCAL CONTROL FOR LIVESTOCK SITING

**WHEREAS**, the number of Concentrated Livestock Feeding Operations (CAFOs) in Wisconsin is increasing (between 2005 and 2016, the number of CAFOs nearly doubled - from 146 to 295); and

**WHEREAS**, State law preempts local governments from regulating CAFOs more stringently than required by the Livestock Facility Siting Law (ATCP 51), and

**WHEREAS**, opportunity for stronger local siting standards based on "reasonable and scientifically defensible findings of fact" that "clearly show that the standards are needed to protect the public health or safety." remains very limited; and

**WHEREAS**, the Department of Natural Resources (DNR) issues water pollution discharge permits to CAFOs, and more stringent local regulation of issues related to water quality may also prove difficult; and

**WHEREAS**, the unique geographic features throughout Wisconsin make it necessary to assess the environmental impacts of CAFO's on a county-by-county basis; and

**WHEREAS**, the Department of Revenue adjusted downward a Kewaunee County landowner's property taxes because of the property's proximity to a large CAFO and in 2016 the Department of Revenue did the same for a property in Green County; and

**WHEREAS**, in addition to affecting landowners, this also impacts local governments, which are seeing a deterioration of their property tax base because existing state siting standards are insufficient to protect neighboring properties; and

**WHEREAS**, per state statute 93.90(2)(a) Department of Agriculture, Trade, and Consumer Protection (DATCP) shall appoint a Technical Committee to review ATCP 51 and make recommendations at least every four years; and

**WHEREAS**, DATCP convened the first Technical Committees in 2010, 2014, and 2018 but has made no changes to ATCP 51 despite the committee's work or summary reports; and

**WHEREAS**, state statute 93.90 fails to provide guidance for implementation of the Technical Committee's recommendations;

**THEREFORE, BE IT RESOLVED** that Portage County Board of Supervisors recognizes the authority of ATCP 51 to set statewide, minimum standards and procedures for CAFOs but supports lifting the preemption of local control in ATCP 51 and allowing local governments to

pass more stringent standards and procedures that are based on reasonable and scientifically defensible findings of fact that clearly show that the standards are needed to protect ground and surface water and air quality and public health or safety without seeking DATCP or DNR approval; and

**BE IT FURTHER RESOLVED**, that Portage County Board of Supervisors urges the legislature to amend the statute to require that the findings of the Technical Committee must be presented in writing to the Dept of Agriculture, Trade and Consumer Protection (DATCP), and that the Wisconsin DATCP Board must present a scope statement to the Wisconsin Secretary of Agriculture within 90 days, and if DATCP fails to take action on the scope statement within six months, the scope statement must be sent to the Joint Committee for Review of Administrative Rules and scheduled for a public hearing; and

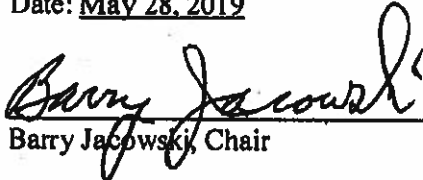
**BE IT FURTHER RESOLVED** that the Portage County Clerk is hereby directed to send a copy of this resolution to the Governor of the State of Wisconsin, the Wisconsin Counties Association, the Wisconsin Towns Association, the Wisconsin League of Municipalities, all members of the state legislature, and to each Wisconsin County.

Dated this 18th day of June, 2019

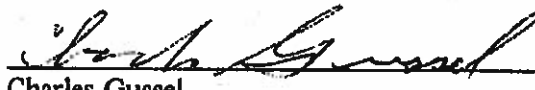
Respectfully submitted,

PLANNING AND ZONING COMMITTEE

Date: May 28, 2019

  
\_\_\_\_\_  
Barry Jacowski, Chair

  
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Larry Raikowski, Vice Chair

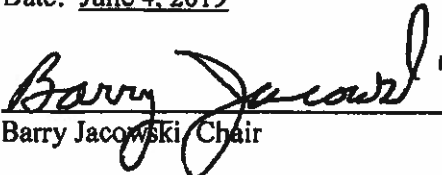
  
\_\_\_\_\_  
Charles Gussel

  
\_\_\_\_\_  
Julie Morrow

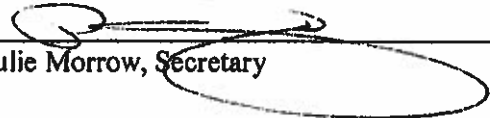
Excused  
\_\_\_\_\_  
Mike Splinter

LAND AND WATER CONSERVATION COMMITTEE


Date: June 4, 2019

  
Barry Jacowski, Chair

  
Dale O'Brien, Vice Chair

  
Julie Morrow, Secretary


  
Bob Gifford

  
John Ruzicka


  
Gerry Zastrow

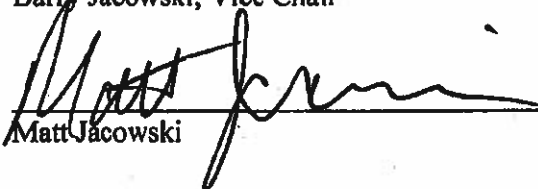
AGRICULTURE AND EXTENSION EDUCATION COMMITTEE


Date: June 6, 2019

  
Dale O'Brien, Chair

  
Barry Jacowski, Vice Chair

  
Charles Gussel

  
Matt Jacowski

  
Daniel Martinson

**Resolution 17-19**  
**Request Additional State Funding for Child Protective Services**

WHEREAS Price County is experiencing a dramatic increase in the need for protective services for children resulting in placing these children in safe environments outside of the homes; and

WHEREAS, since 2015, the number of children placed outside of the home has risen from 25 to 66 children in 2018; and

WHEREAS, the percentage of placements related to drug use over the same period has risen from 24% to 47%; and

WHEREAS, the out-of-pocket costs of these placement services has risen from \$308,880 in 2015 to \$1,150,308 in 2018, an increase of 372% in placement costs incurred by Price County from 2015 - 2018; and

WHEREAS, Wisconsin counties have an annual operating levy cap of 0% or the percentage of net new construction, whichever is greater. From 2015 through 2018, the percentage of net new construction in Price County has been .531%, .472% and .610%, respectively; generating a cumulative additional levy capacity of \$116,762 for all Price County operating levy needs for three years (2016 – 2018); and

WHEREAS, to pay for these increased costs out of our operating levy, the County has been forced to borrow for highway construction expenditures, which in 2018 amounted to \$700,000 of incremental borrowing, which realistically transferred operating levy from the Highway Department to the Health and Human Services Department; and

WHEREAS, the Governor's 2019-2021 biennial budget includes an additional \$15 million in each year to address the costs of Child Protective Services; although, the Wisconsin Counties Association requested that amount be \$30 million; and

WHEREAS, both the Governor's budget proposal and the Wisconsin Counties Association's (WCA) request are grossly inadequate in addressing the costs of providing these mandated services; and

WHEREAS, Price County is rapidly approaching the end of our ability to borrow to pay for these costs. Once the option to borrow is exhausted, the only recourse will be to use money from our fund balance.

NOW THEREFORE BE IT RESOLVED, that the Price County Board of Supervisors requests the Wisconsin State Legislators to consider the following, in order for counties in Wisconsin to have some relief from the financial burden of providing State mandated services that have quickly gotten out of control:

1. Elimination of the operating levy caps imposed on Wisconsin counties, or
2. Excluding the cost of Child Protective Services from the operating levy cap calculation as are bridge and culvert aid, library services and debt, or
3. Having the State of Wisconsin fully fund the entire cost of Child Protective Services (the preferred solution).

BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution to Governor Evers, the Joint Finance Committee of the Wisconsin Legislature, the state legislators for Price County, all Wisconsin counties and the Wisconsin Counties Association, for consideration at the WCA annual business meeting to become part of the WCA platform.



Submitted by the Price County Health and Human Services Board:

Bruce Jilka  
Bruce Jilka, Chair

James Adolph  
James Adolph

Peter Dahlie  
Peter Dahlie

Sally Huml  
Sally Huml

Suzanne Ocker  
Suzanne Ocker

Gerald Swenson  
Gerald Swenson

excused  
ABSENT  
William Teeters

John Vlach  
John Vlach

Dennis Wartgow  
Dennis Wartgow

Reviewed by County Administrator:

Nicholas Trimmer  
Nicholas Trimmer

Adopted by the Price County Board of Supervisors this <sup>18<sup>th</sup></sup> 21<sup>st</sup> day of June 2019.

Robert D. Kopsch  
Robert D. Kopsch, County Board Chair

Jean Gottwald  
Jean Gottwald, County Clerk

For 12 Against 0

1 161-062019

2 **RESOLUTION: Support a National Estuarine Research Reserve (NERR) Designation for**  
3 **Northeast Wisconsin**

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6 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

7 **WHEREAS**, the designation of Wisconsin's Lake Superior Estuarine Research Reserve in 2010 provides an  
8 outstanding example of the broader impacts National Estuarine Research Reserve (NERR) sites provide to local  
9 communities; and

10 **WHEREAS**, the University of Wisconsin—Green Bay is currently exploring the feasibility of developing a  
11 National Estuarine Research Reserve (NERR) in Northeast Wisconsin; and

12 **WHEREAS**, our region's ecosystem is home to the largest freshwater estuary in the world, the vitality of  
13 which is critical to the current and future prosperity of ecological sustainability and the broader region impacted by  
14 the Great Lakes; and

15 **WHEREAS**, research activities associated with a Door County-based NERR will attract scholars on both the  
16 national and international stage, providing employment opportunities to the region, stronger connectivity to the  
17 University of Wisconsin—Green Bay, and ultimately inject money into local economies; and

18 **WHEREAS**, many individuals currently enrolled in local school districts value Wisconsin's natural resources  
19 for the quality of life opportunities these resources provide, by shaping decisions about where they live, seek  
20 employment, further their education, and raise their families; and

21 **WHEREAS**, eco-tourism is an established and growing industry in Northeast Wisconsin, and a research  
22 reserve would fit well with Door County's five state parks and natural features such as the Niagara Escarpment; and

23 **WHEREAS**, a locally-based NERR will enhance place-based identity, contributing directly to talent  
24 recruitment and retention efforts; and

25 **WHEREAS**, Sturgeon Bay is the Door County Seat and home to Door County's infrastructure, airport,  
26 Wisconsin Department of Natural Resources Office, and high-speed internet.

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28 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby  
29 supports the efforts of the University of Wisconsin—Green Bay as it seeks a letter from the US Department of  
30 Commerce's National Oceanic Atmospheric Administration Coastal Management Office (NOAA) requesting their  
31 assistance in exploring the feasibility of an NERR designation for Northeast Wisconsin.

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33 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that should the NERR  
34 designation be incurred for Northeast Wisconsin, Winnebago County supports Door County's enthusiastic desire to  
35 host an NERR site.

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37 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that it hereby directs the  
38 Winnebago County Clerk to forward a copy of this Resolution to all Wisconsin County Clerks, the Wisconsin Counties  
39 Association, each state and federal legislator representing Winnebago County constituents, the Office of the  
40 Governor for the State of Wisconsin, and Chancellor Gary Miller and Vice-Chancellor Matthew Dornbush of the  
41 University of Wisconsin—Green Bay.

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Respectfully submitted by:  
**LAND CONSERVATION COMMITTEE**

Committee Vote: **6-0**

Respectfully submitted by:  
**LEGISLATIVE COMMITTEE**

Committee Vote: **9-0**

Vote Required for Passage: **Majority of Those Present**

Approved by the Winnebago County Executive this 21st day of June, 2019.

Mark L. Harris  
Mark L Harris  
Winnebago County Executive

1 160-062019

2 **RESOLUTION: Support Increased County Child Support Funding**

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4 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

5 **WHEREAS**, on behalf of the State of Wisconsin, Winnebago County administers the Child Support  
6 Enforcement Program for the purpose of providing services to Winnebago County residents including paternity  
7 establishment, obtaining child support and health insurance orders for children, and enforcing and modifying those  
8 orders; and

9 **WHEREAS**, our children's well-being, economic security, and success in life are enhanced by parents who  
10 provide financial and emotional support; and

11 **WHEREAS**, the Winnebago County Child Support Agency ensures that parents take responsibility for the  
12 care and well-being of their children, supports the involvement of parents in their children's lives, and provides  
13 services to both custodial and noncustodial parents; and

14 **WHEREAS**, The Child Support Enforcement Program is an effective investment in Wisconsin's future as  
15 child support increases self-sufficiency, reduces child poverty, and has a positive effect on children's well-being; and

16 **WHEREAS**, Wisconsin's Child Support Enforcement Program is ranked 2<sup>nd</sup> in the nation for collecting  
17 current support; and

18 **WHEREAS**, Wisconsin's Child Support Enforcement Program is cost-effective, collecting an average of  
19 \$5.56 in support for every dollar invested in the program; and

20 **WHEREAS**, county child support agencies collected \$934 Million in child support during 2017, 95% of which  
21 went directly to families while 5% reimbursed public assistant programs; and

22 **WHEREAS**, child support agencies save taxpayer dollars by establishing health insurance orders for 97% of  
23 cases, which reduces state Medicaid costs by moving children from public assistance to private insurance; and

24 **WHEREAS**, state funding for child support services has not increased above the 2007 funding level, while  
25 county agency costs have steadily increased due to growing caseloads, inflation, and new federal regulations; and

26 **WHEREAS**, Wisconsin's strong performance in child support is at risk without additional state funding.  
27 Diminished performance would result in reduced federal funding to Wisconsin; and

28 **WHEREAS**, decreased federal funding would lead to less funding for Winnebago County's Child Support  
29 Agency. This could lead to reductions in child support enforcement staff and services and reduced child support  
30 collections; and

31 **WHEREAS**, new state investments in child support are amplified by a generous federal match in which every  
32 \$1 of state General Purpose Revenue (GPR) grants invested in child support programs generates \$2 in federal  
33 matching funds.

34  
35 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby  
36 requests that state funding for county child support agencies be increased by \$1.5 Million General Purpose Revenue  
37 (GPR) grants in each fiscal year of the 2019-2021 Wisconsin state budgets, which will generate approximately \$3  
38 Million in additional federal funding each year. This investment will ensure that counties continue to effectively  
39 provide economic support to our children.

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41 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that it hereby directs the  
42 Winnebago County Clerk to forward a copy of this Resolution to the Office of the Governor of the State of Wisconsin,  
43 State Senators and State Representatives representing Winnebago County constituents, the Secretary of the  
44 Wisconsin Department of Administration, the Wisconsin Counties Association, and each of Wisconsin's 72 counties  
45 for consideration.

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48 Respectfully submitted by:

49 **LEGISLATIVE COMMITTEE**

50 Committee Vote: **9-0**

51 Vote Required for Passage: **Majority of Those Present**

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53 Approved by the Winnebago County Executive this \_\_\_\_ day of \_\_\_\_\_, 2019.

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\_\_\_\_\_  
Mark L Harris  
Winnebago County Executive